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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

SENATE—Tuesday, October 20, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Righteous and Holy God, we worship You. We see Your glory in the beauty of sunrise and the splendor of sunset. Great and marvelous are Your works, for Your faithfulness sustains us. Guide our lawmakers to connect to Your eternal, essential, and unchanging holiness. With the power of Your righteous presence, renew their minds, cleanse their hearts, and guide their steps. Liberate them from the chains of pessimism, reminding them that all things are possible to those who believe. Lord, thank You for the wonder of Your love, the beauty of Your mercy, and the power of Your grace.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

SANCTUARY CITIES BILL

Mr. MCCONNELL. Mr. President, just before the State work period, I asked Senators to consider some important questions: In a time of limited Federal resources and tough choices, is it fair to treat localities that cooperate with Federal law enforcement or work hard to follow Federal law no better than localities that refuse to help or actually actively flout the law? When a deputy sheriff puts her life on the line every

day, is it fair to make her live in constant fear of being sued for simply trying to keep us safe? When felons enter our country illegally and repeatedly, is it fair to victims and families to not do what we can now to stop them?

The answer is that it isn't fair. That is why colleagues should support the legislation we will consider this afternoon. It aims to ensure more fairness to cities and States that do the right thing, redirecting certain Federal funds to them from those that choose not to do the right thing. It aims to support law enforcement officers who risk everything for our safety, protecting them from lawsuits for simply doing their federally mandated duties. It aims to deliver justice for victims and their families, substantially increasing deterrence for criminals who commit felonies and then try to illegally reenter our country—endeavoring to save more Americans from the pain these families continue to experience every day.

We all know the heartbreaking story of Kate Steinle. Kate was walking arm in arm with her father one moment, begging for help the next as she began bleeding to death in his arms. The man who ended her life shouldn't have even been there that day. He had been convicted of seven—seven—felonies and deported five times, but San Francisco is a so-called sanctuary city that arbitrarily decides when it will cooperate with the Federal Government and when it will not, and it refused to even honor the Federal Government's request for an immigration detainer.

What happened to Kate is tragic, and it is not an isolated incident. Consider this letter from Susan Oliver, who lost her husband just last year. Here is what she had to say:

The man that killed my husband, Deputy Danny Oliver, was deported several times for various felonies. However, due to the lack of coordination between law enforcement agencies, his killer was allowed back into the country. . . .

I [am] asking for only one thing. I do not want your sympathy, I want change so others will not have to endure the grief we have in our lives every day.

The bill which we will consider this afternoon is supported by law enforce-

ment organizations such as the National Sheriffs' Association, the Federal Law Enforcement Officers Association, and the National Association of Police Organizations.

Here is what the International Union of Police Associations had to say about it:

The International Union of Police Associations is proud—

Proud—

to add our name to the list of supporters of the bill addressing "Sanctuary Cities" titled Stop Sanctuary Policies and Protect Americans Act.

As it now stands, our officers can be held liable for sharing relevant information and honoring immigration detainers, even when they are from federal immigration officials. This legislation remedies that.

Additionally, the bill provides a financial disincentive for cities to become or remain "sanctuary cities"

The organization also noted that this bill would help end the "revolving door" of criminals who "even though convicted of felony criminal activity and deported, unlawfully return to prey upon our citizens."

The issue before us is not truly about immigration; it is more about keeping our communities safe. Those who defend so-called sanctuary cities callously disregard how their extreme policies hurt others. The President's own DHS Secretary has used terms such as "not acceptable" and "counter-productive to public safety" when referring to sanctuary city policies. Such extreme policies can inflict almost unimaginable pain on innocent victims and their families.

As the father of three daughters, I know—I know—we can do better. I am calling on every colleague to put compassion before leftwing ideology today. This bill would support the deputy sheriff who puts her life on the line every day. This bill would provide hope and justice for victims and their families. So let's vote to support them, not defend extreme policies that actually hurt them.

● This "bullet" symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

MEASURES PLACED ON THE CALENDAR—S. 2181, S. 2182, AND S. 2183

Mr. MCCONNELL. Mr. President, I understand there are three bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2181) to provide guidance and priorities for Federal Government obligations in the event that the debt limit is reached.

A bill (S. 2182) to cut, cap, and balance the Federal budget.

A bill (S. 2183) to reauthorize and reform the Export-Import Bank of the United States, and for other purposes.

Mr. MCCONNELL. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

SANCTUARY CITIES BILL

Mr. REID. Mr. President, I have watched over the years my Republican colleagues who are supposedly concerned about States' rights wipe them out with a speech like the one we have just heard and the legislation before this body today.

I am told and have always believed, Republicans think States and communities should have the ability to do the things they think are appropriate. Any one of these States that my friend refers to—any one of these communities—has a right at any time to change the law. This is not a Federal law they are trying to change; they are trying to change what is taking place in cities throughout the country.

So they are States' rights, my Republican colleague's own words. It certainly doesn't belie the actions they have tried to take. The Republican leader tries to make the bill before this body a political issue. It is a Donald Trump-bashing-immigrants issue.

This bill is opposed by the National Association of Chiefs of Police, it is opposed by the National Council of Mayors, and many different organizations that believe in States' rights. My friend, the Republican leader, would just make things a lot worse, and that is an understatement.

With the provisions in this bill, it is estimated it would take 15 new huge prisons just to handle the people who would be arrested—huge prisons, costing billions of dollars. It is not smart police policy. It is not smart budget policy.

THE DEBT LIMIT

Mr. REID. Mr. President, over the last 10 months, congressional Republicans have proven they are incapable of governing—at least governing productively. Instead, Republicans are governing destructively. It is hard to understand or fathom, but this seems to be what they want: destruction. It is not a word I decided to bring into the conversation today. One Republican Congressman said very recently: "We are looking for creative destruction in how the House operates." This Republican Congressman said, I repeat, "We are looking for creative destruction in how the House operates," and they are as good as their word in the House and sadly also in the Senate.

Time and time again, Republican leaders have brought the United States to the brink of unnecessary disaster, and sadly here we are again, facing another manufactured crisis courtesy of Republicans in Congress. This time it is a debt limit crisis. On November 3, just 2 weeks from today, our great country—the United States of America—will default on its debt unless Republicans start legislating more constructively to solve the problem. Let's be clear about what the debt limit does and doesn't mean. Adjusting the debt limit—when it is absolutely necessary, and it will be in 2 weeks—is necessary to pay this country's bills that are already due. What we face now with the debt ceiling isn't about a penny of new spending. It is not about a penny of new programs or a penny of new taxes. It is not about creating new obligations, only meeting existing ones. The debt limit is about paying what we already owe.

What are these debts? A large, large, large chunk of these is what we owe as a result of an unpaid war, a second unpaid war, and tax breaks for the rich that were unpaid for. Remember, this great theory of President Bush was that these wars would bring a new democracy to the world. Well, the invasion of Iraq was the worst foreign policy decision probably in the history of the country. Look what it has done, and it has been done at the cost of trillions of dollars of taxpayers' money, and that is part of the debt that is due.

These tax breaks for the rich. Why did the Bush administration push these tax breaks? Because it would be great for the economy. Well, it has been great for the rich people. They are getting richer, the poorer are getting poorer, and the middle class are getting squeezed. All these tax cuts were unpaid for. If we don't act, we allow the United States to default. The day of reckoning will be terrible. We will hurt American jobs, families, businesses, and the fallout will be felt around the world. If some Republicans in Congress get their way, the United States will default on this debt. What happens then? The short answer is economic catastrophe.

The former Director of the Congressional Budget Office, Douglas Holtz-Eakin, described last week what will happen if the United States defaults:

The first thing you'll see is a market reaction. Then you've got dramatic impacts on consumer confidence, the world's melting down again and they go into an economic fetal position . . . there's just no good news there.

This wasn't some leftwing blogger; this is a man who did a good job representing this country on a bipartisan basis in the Congressional Budget Office—by the way, during a Republican administration. He said:

The first thing you'll see is a market reaction. Then you've got dramatic impacts of consumer confidence, the world's melting down again and they go into an economic fetal position . . . there's just no good news there.

The Republican chairman of the House Ways and Means Committee, a reasonable PAUL RYAN, said as much last week:

If the United States missed a bond payment, it would shake the confidence of the world economy. All kinds of credit would dry up: loans for small businesses, mortgages for young families. We could even go into a recession.

That is what we will face in 2 weeks if Republicans don't get their act together, and by all signs, it doesn't appear they are going to. All signs indicate that House and Senate Republicans are still not serious about dealing with the debt limit. If they were serious about paying our bills and keeping America on sound economic footing, they would not be proposing an absurd idea of having a "partial default." You can't be partially pregnant; you can't have a partial default. House Republicans have engineered legislation to pick and choose which debts to pay and which to ignore.

Listen to this: Their proposed legislation is going to pay foreign creditors first, such as China, but they don't want to meet our obligations to veterans, Medicare beneficiaries, and millions of middle-class Americans. No. They want to start paying down the debt we owe to China. Think about that. The truth is this pay-China-first approach is just default by another name. This approach would lead a middle-class family into financial ruin, and just imagine what it would do to world markets. I repeat: There is no such thing as a partial default. A partial default is a default.

We can't allow the Federal Government to be delinquent in paying its debts. We have 2 weeks to get something done, and we can if the Republicans come to their senses. This unnecessary drama over paying our bills is already rattling the financial markets. The bond market has already been hurt, and we can see it.

I say to my Republican friends, especially the leaders in the House of Representatives and the U.S. Senate: Start

governing in a way that is not an embarrassment to Congress and the American people.

Mr. President, please announce what we will be doing here today.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF ANN DONNELLY TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Ann Donnelly, of New York, to be United States District Judge for the Eastern District of New York.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided for debate in the usual form.

The assistant Democratic leader.

REFUGEE CRISIS IN GREECE, NOMINATION OF GAYLE SMITH, AND UKRAINE

Mr. DURBIN. Mr. President, I had the privilege of joining Senators SHAHEEN, KLOBUCHAR, and WARREN during the recess that just concluded to travel to Europe to assess the refugee flow that is spilling into Greece and ongoing Russian aggression during our visit to Ukraine.

I will start with the visit to one of our most important NATO European allies, Greece. Greece is struggling, as we all know, with its own economic challenges, but now it is facing an overwhelming flow of refugees across its border.

Almost half a million refugees have flown into Greece just this year. The bulk of the refugees come from across the Aegean Sea from Turkey. They are fleeing war and economic instability in the region. Most are from Syria, but there are many others from Afghanistan, Iraq, and other countries in peril. Many are middle-class families who are simply exhausted from years of horrific war in Syria.

I met many of them and had a chance to speak to them. Their stories are heartbreaking. They are fleeing with their children and whatever they can carry. Their destination is uncertain, but they know they can't stay in the camps or in Syria. They are the victims of smugglers and exploitation. Some of these desperate people are charged 1,000 euros just to cross a 2-mile stretch of ocean between Turkey and Greece.

We were on the island of Lesbos, and those who were able to watch "60 Minutes" this week saw a presentation of what is happening on that small island of about 80,000 people where more than 400,000 refugees have come through in the last several weeks. Many of these refugees are unaccompanied children.

At one of the camps, I met a young man who said he was 17—probably 15—who had come across that stretch of water with his 8-year-old sister. Think for a moment what that family must have gone through in deciding that it was safer for this 15-year-old to take his 8-year-old sister and try to find their way to a safe place in Europe rather than stay in war-torn Syria. That is the reality of many of these refugees and the plight that they face.

On this island of Lesbos, 2,000 refugees are arriving every single day. The Greek Coast Guard showed us stacks of discarded rubber rafts. These rubber rafts are made to hold about 20 people as they cross this 3-mile stretch of ocean. They packed them with over 50 people. They charge 1,000 euros for each adult and 500 euros for each child.

We saw these rafts stacked up and piles of life preservers. Some of them are the types of life preservers and jackets that you might expect, but others are ridiculous. Some of them are literally pool toys, and they say so. They have written right on them that they are not to be used as life preservers. These pool toys are strapped to those little kids who are put in these rafts that come across that stretch of ocean. There were rows upon rows of cheap outboard motors that were used to propel these rafts across the straits.

Incidentally, the smugglers picked someone in the raft and told them that they were in charge. They would ask if they knew how to operate the motor. If they didn't know how to operate it, they would show them how to use it and point them in the right direction. The refugees would then head out in the hope that they would make it across safely, and many times they didn't.

Despite Greece's economic hardship, I was impressed with how the Greek people were handling this refugee crisis. Processing registration centers had been established, and many refugees were quickly on their way to resettlement in Europe.

I mentioned the 15-year-old with his 8-year-old sister. I ran into four others who spoke English, and all of them were college graduates in their 20s. One of them was a pre-med student who said: We just couldn't live any longer with war in Syria. We were ready to risk our lives to find a safer place.

The mayor of Lesbos has been generous and thoughtful in addressing the suffering. He told me he often thought he was handling a ticking time bomb with this refugee crisis. Instead, this island has become an example of what the rest of the world can do.

In Athens, we visited with an impressive NGO known as Praksis that is giving unaccompanied minors a safe, nurturing place to stay while they attempt to place them with families.

The United States leads the world in financial assistance for this Syrian refugee effort, but we have a moral obligation to do that and more. I have called on the administration to accept 100,000 Syrian refugees. I am a cosponsor of the emergency supplemental bill addressing refugee assistance, recently introduced by Senators GRAHAM and LEAHY.

Allow me to put the 100,000 number in perspective. Germany has agreed to accept 800,000 of these Syrian refugees. It is estimated that there are 4 million total. The United States accepted 750,000 Vietnamese refugees and over 500,000 Cuban refugees after the Castro regime took over. Those Cuban refugees included the fathers of two sitting U.S. Senators, one of whom is running for President of the United States. We accepted over 200,000 Soviet Jews who were being persecuted in that country. We have accepted refugees from Somalia and from different places around the world, such as Bosnia. We have assimilated them into America, and we can do it again.

When we go through this process of accepting refugees, we carefully check their backgrounds to make sure that they are not a threat to the United States or anybody who lives here. I think we should continue to do that, but the fact that only 1,700 have made it to our Nation in the last 4 years tells us that we need to do more.

I will continue to be a strong advocate for humanitarian safe zones in Syria so the people there can have a safe place to be treated for their illnesses and to at least live until this war comes to an end.

Let me say something else. It is embarrassing for me to stand before the Senate and note that on our Executive Calendar, which is on the desks of Senators, there includes one nominee, Gayle Smith, who has been nominated to be administrator of the United States Agency for International Development. She has been sitting on this calendar since July 29 of this year.

The USAID, which she seeks to head, is the premier frontline agency for helping refugees. Yet this good woman with a lifetime of experience is being held up in the Senate for entirely political reasons. There are no objections to her personally, and there are no objections to her background.

One Senator is holding up her nomination because the Senator stated publicly that he objects to the President's Iran nuclear agreement. Gayle Smith had nothing to do with that. The USAID had nothing to do with that. Shouldn't we appoint this good person to manage this agency to deal with this international refugee crisis?

While we are at it, they are asking that Thomas Melia of Maryland be the assistant administrator. Wouldn't we want competent management when we are talking about billions of American tax dollars being spent wisely in this humanitarian effort? Yet they languish on this calendar.

If there are objections to these nominees, state them. If not, approve them.

After Greece, we had a visit to Ukraine. I believe what is happening there is deeply important to us in the United States, and I am committed to seeing that Ukraine succeed as a Democratic sovereign nation. It is hard to describe what has happened there in a year and a half. A shamefully corrupt regime which is deeply influenced by Russia was rejected by the Ukrainian people. As the country tried to get back on its feet and build a more transparent and Democratic future, Russia and Vladimir Putin staged an invasion first by taking over Crimea and then by invading eastern Ukraine.

The Russians have turned eastern Ukraine into a dysfunctional, grim, and abandoned wasteland, somehow under the illusion that it would be the new Russia. More than a million people have been displaced in eastern Ukraine and thousands have been killed. The captured land was even used as a base to shoot down a civilian airliner, killing hundreds. A recent Dutch investigation showed that this was done with Russian weaponry. If only President Putin would try to help with the investigation of the Malaysian plane that was shot down instead of nakedly blocking the effort of the U.N. Security Council, we would have even more information about this horrible tragedy.

Despite agreeing in Minsk to a pull-back of heavy weapons, exchange of prisoners, and return of border control in the east, Russia has dragged its feet on every term of the agreement, incorrectly hoping that the world will not notice. We notice.

Yet amid all this transparent and barbaric effort to undermine Ukraine, the country has found a new unity and determination. It has taken on significant reforms. During my visit with my fellow Senators, I was struck by how many dedicated Ukrainians are working for a better future. They are now members of Parliament and local officials coming right out of the Maidan demonstration. They are giving everything they can for the future of their country.

I have been a strong supporter of President Obama's efforts to support Ukraine to train and equip its military and provide significant assistance for their courageous effort. As the world's attention is distracted to many other challenges, let's not lose sight of the ongoing struggle in Ukraine. The United States and Europe must remain united on sanctions against Russia as long as it continues to invade and occupy a sovereign nation like Ukraine.

I will conclude by recognizing the many dedicated Foreign Service officers working in our embassies that we meet with on our trips. They are on the frontlines of American leadership and generosity. Ambassador Geoffrey Pyatt in Ukraine and Ambassador David Pearce in Greece are two we worked with during our recent visit.

As the Republicans threaten government shutdown after government shutdown, let us not forget that these men and women and many like them literally risk their lives every single day standing up and representing the United States around the world.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

STOP SANCTUARY POLICIES AND PROTECT AMERICANS BILL

Mr. VITTER. Mr. President, I rise again in strong support of the Stop Sanctuary Policies and Protect Americans Act, which we will be voting on later today. I was here on the floor yesterday laying out the strong case in support of that, talking to many colleagues before this vote today, as I have been for the past several days.

Today I rise to focus on some arguments from the other side that are erroneous and misleading, quite frankly, and to debunk those arguments so everyone has the full, true, and clear picture of why this legislation is so needed.

First, I have heard a few of my colleagues talk about the need for Federal and local authorities to do a better job of working together. For instance, Senator DURBIN, who just left the floor, said: "Federal and local authorities must do a better job of communicating and coordinating so that undocumented immigrants with serious criminal records are detained and deported, period."

Similarly, Senator FEINSTEIN said: "It is very clear to me that we have to improve cooperation between local, State, and Federal law enforcement."

Let me say that I completely agree with them, and they are laying out a strong case for this legislation, not against it, because we need to do something about the cause of the non-cooperation, the obstacle between that full cooperation, which absolutely needs to happen every day. Simply wishing for a better outcome isn't going to make it happen.

The fact is, there are dozens of sanctuary cities—jurisdictions that have those policies—that were cooperating in the past and that want to cooperate, but they have been faced with lawsuits from the ACLU and others and court decisions wherein local law enforcement officials could be held liable for violating an individual's constitutional rights simply for honoring a detainer request from ICE. That is ridiculous. That is an abusive threat. Our legislation on the floor today is going to remove that threat.

The Stop Sanctuary Policies and Protect Americans Act allows for that cooperation between local and Federal authorities to resume again because section 4 of the bill will facilitate State and local compliance with the ICE detainer and remove that onerous and unreasonable threat. Cooperation has been stifled by lawsuits aimed at bullying local law enforcement, and this bill will grant local law enforcement the authority to clearly comply with ICE detainers without threat of liability. It will protect them from that liability for simply complying with ICE detainers.

I will remind my colleagues that it will do nothing to infringe on an individual's civil or constitutional rights. They still have the same ability to pursue those against ICE or anyone else they choose.

That is why this legislation is supported by people who know something about what needs to happen for local and Federal authorities to cooperate. Who am I talking about? The Federal Law Enforcement Officers Association—they know what they are talking about. The International Union of Police Associations—they live it every day. The National Association of Police Organizations and the National Sheriffs' Association—don't my colleagues think they know what is needed on the ground? They do. And because they do, they strongly support this legislation.

Second, some colleagues on the other side argue that this bill won't do anything; instead, we need so-called comprehensive immigration reform such as the Gang of 8 bill. But the Gang of 8 bill that my colleagues are pushing—1,200 pages long when it passed the Senate—didn't do anything to resolve this issue of sanctuary cities. It didn't do anything to change the abusive lawsuits I am speaking about. It didn't do anything to encourage Federal and local authorities to cooperate in real time—absolutely nothing. That is just the fact, once we read the 1,200 pages. All the Gang of 8 bill does is lead with a big amnesty—an amnesty overnight—for about 11 million illegal immigrants in our country today. So that comprehensive immigration reform bill—the Gang of 8 bill or whatever we want to call it—does nothing in this area that is so crucial to fix, does nothing to remove these abusive lawsuits as obstacles to the clear and full cooperation between Federal, State, and local authorities, which even folks on the other side of the bill admit needs to happen and is a problem right now.

There are lots of myths about our bill versus the facts.

With that in mind, I ask unanimous consent to have printed in the RECORD a myth v. fact sheet that lays out clearly the myths, the arguments made against this legislation, and the real

facts of the Stop Sanctuary Policies and Protect Americans Act, S. 2146.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MYTH V. FACT—STOP SANCTUARY POLICIES ACT (S. 2146)

1. S. 2146 does not punish illegal immigrants who come forward to report crimes.

Myth: Under S. 2146, “reporting crimes or otherwise interacting with law enforcement could lead to immigration detention and deportation.”¹

Fact: S. 2146 provides that if a jurisdiction has a policy that local law enforcement will not inquire about the immigration status of crime victims or witnesses, such jurisdiction will not be deemed a sanctuary jurisdiction and will not lose any federal funds. See section 3(e).

2. S. 2146 does not require local law enforcement to carry out federal immigration responsibilities.

Myth: S. 2146 would “require[e] state and local law enforcement to carry out the federal government’s immigration enforcement responsibilities,” and thus “the federal government would be substituting its judgment for the judgment of state and local law enforcement agencies.”²

Fact: The bill does not require local law enforcement “to carry out federal immigration responsibilities.” Removing illegal immigrants remains the exclusive province of the federal government. The bill simply withholds certain federal funds from jurisdictions that prohibit their local law enforcement officers from cooperating with federal officials in the limited circumstance of honoring an immigration detainer.

It is politicians in sanctuary jurisdictions who, by tying the hands of local law enforcement, are “substituting [their] judgment for the judgment of state and local law enforcement.”

3. S. 2146 is necessary to keep dangerous criminals off of the streets.

Myth: “Congress should focus on overdue reforms of the broken immigration system to allow state and local law enforcement to focus their resources on true threats—dangerous criminals and criminal organizations.”³

Fact: Sanctuary cities are the ones preventing local law enforcement from focusing on dangerous criminals and criminal organizations—by forbidding local law enforcement officers from holding such criminals.

The illegal immigrant who killed Kate Steinle explained that he chose to live in San Francisco because it was a sanctuary city, and he knew San Francisco would not take action against him. He was right. Three months before Kate’s death, the federal government asked San Francisco officials to hold him, but San Francisco refused.

4. S. 2146 does not force the U.S. to bear liability for unconstitutional actions by local law enforcement.

Myth: S. 2146 includes “provisions requiring DHS to absorb all liability in lawsuits brought by individuals unlawfully detained in violation of the Fourth Amendment.”⁴

Fact: If a lawsuit alleges that a local officer knowingly violated Fourth Amendment or other constitutional rights, under S. 2146, the individual officer, not the federal government, will bear all liability. See section 4(c).

For some lawsuits, the U.S. will be substituted as defendant—specifically, suits alleging that the immigration detainer should not have been issued. But such a claim could already be brought against the

U.S. under existing law; thus, S. 2146 does not create a new source of liability for the federal government. S. 2146 simply provides that if the federal government made the error, the federal government should be the defendant.

5. S. 2146 is fully consistent with the Fourth Amendment and preserves individuals’ rights to sue for constitutional violations.

Myth: “The Fourth Amendment provides that the government cannot hold anyone in jail without getting a warrant or the approval of a judge.”⁵

Fact: The Constitution requires probable cause to detain an individual, which can be established by a judicial warrant issued before the arrest or by a demonstration of probable cause after the arrest. Otherwise police could never arrest someone whom they see committing a crime.

S. 2146 does not alter the requirement for probable cause. In fact, S. 2146 explicitly preserves an individual’s ability to sue if he or she is held without probable cause or has suffered any other violation of a constitutional right.

ENDNOTES

1. Email from Lutheran Immigration and Refugee Service (Oct. 19, 2015).

2. Letter from Law Enforcement Immigration Task Force (Oct. 15, 2015).

3. Letter from Law Enforcement Immigration Task Force (Oct. 15, 2015).

4. Letter from ACLU (Oct. 19, 2015).

5. Letter from ACLU (Oct. 19, 2015).

Mr. VITTER. Mr. President, let me highlight the two biggest ones. The first one is that our legislation would somehow punish and make it more difficult for illegal persons to report crimes and cooperate with local law enforcement. That is a pure myth. What is the fact? Well, read the bill, as the American people suggest. Read the bill. Our bill, S. 2146, specifically provides that if a jurisdiction has a policy that local law enforcement will not inquire about the immigration status of crime victims or witnesses, such jurisdiction will not be deemed a sanctuary jurisdiction and it will not lose Federal funds over that. So that argument is simply a myth.

The second argument often made is that somehow this legislation is requiring local law enforcement to carry out Federal immigration responsibilities. Again, that is a pure myth, a purely erroneous argument, and if we read the bill, S. 2146, we will see it is simply not true. The bill does not require local law enforcement “to carry out Federal immigration responsibilities” in any way, shape, or form. Removing illegal immigrants remains the exclusive province of the Federal Government. The bill simply withholds certain Federal funds from jurisdictions that prohibit exactly the cooperation that our opponents on the other side say is so necessary and correctly say is so necessary. So that, again, is the fact versus the myth that is being propagated.

Again, we have several myths versus facts as part of the record, and I urge everyone, starting with our colleagues,

Democrats and Republicans, to study it carefully.

This is an important issue. Sanctuary cities are a real problem, and we need to fix that problem to move forward. So I urge my colleagues to look carefully at this issue of what is driving these sanctuary cities policies. Our legislation will take up those drivers, those obstacles, will solve those problems, and will result in the cooperation at all levels of law enforcement that we desperately need.

I urge my colleagues to vote yes later today so we can push forward with this important and critical legislation.

Mr. LEAHY. Mr. President, today, we will finally vote on the nomination of Judge Ann Donnelly to be a Federal district judge in the Eastern District of New York. She was first nominated for this judicial emergency vacancy nearly a year ago, back in November 2014. She was voted out of the Judiciary Committee by unanimous voice vote over 4 months ago on June 4, but since then she has been blocked from receiving a vote on the Senate floor. Senator SCHUMER has twice sought to secure a vote for Judge Donnelly through unanimous consent requests in July and September, but was blocked by Republicans both times. No substantive reason was given for this obstruction, which is hurting both our justice system and the people who seek justice in those courts.

Judge Donnelly is not the only New York nominee ready for a vote today on the Executive Calendar. LaShann Hall, a partner at a prominent national law firm, was nominated to the other judicial emergency vacancy in the Eastern District of New York last November as well. She was voted out of the Judiciary Committee by unanimous voice vote at the same time as Judge Donnelly, and she is still awaiting a vote.

Also waiting for a vote is Lawrence Vilardo, who has been nominated to the vacancy in the Western District of New York in Buffalo. The Western District of New York has one of the busiest caseloads in the country and handles more criminal cases than Washington, DC, Boston, or Cleveland; yet there is not a single active Federal judge in that district, and the court is staying afloat only through the voluntary efforts of two judges on senior status who are hearing cases in their retirement. Despite these circumstances, Republicans continue to hold Mr. Vilardo’s nomination up as well. There is no good reason why these two other noncontroversial New York nominees could not be confirmed today. The same goes for the rest of the noncontroversial judicial nominees on the Executive Calendar.

In the Judiciary Committee, I have continued to work with Chairman GRASSLEY to hold hearings on judicial

nominees. We will hold a hearing tomorrow for four more judicial nominees. But the pattern we have seen over the last 9 months is that, once nominees are voted out of committee and awaiting confirmation on the floor, the Republican leadership refuses to schedule votes. So far this year, we have only confirmed seven judges. That is not even one judge per month. Some Republicans claim that this is reasonable, but by any measure, it is not. By this same point in 2007, when I was chairman of the Judiciary Committee and we had a Republican President, the Senate had already confirmed 33 judges. At this current rate, by the end of the year, the Senate will have confirmed the fewest number of judges in more than a half century.

This pattern is especially egregious in light of the rising number of judicial vacancies. In fact, as a direct result of Republican obstruction, vacancies have increased by more than 50 percent, from 43 to 67. That means there are not enough judges to handle the overwhelming number of cases in many of our Federal courtrooms. Additionally, the number of Federal court vacancies deemed to be "judicial emergencies" by the nonpartisan Administrative Office of the U.S. Courts has increased by 158 percent since the beginning of the year. There are now 30 judicial emergency vacancies that are affecting communities across the country.

The Leadership Conference on Civil and Human Rights recently issued a memorandum documenting the real life impact of the Senate Republicans' obstruction on the judicial confirmation process. Three States where communities are most hurt are Texas, Alabama, and Florida. Texas, for example, has nine judicial vacancies—with seven of them deemed to be judicial emergencies. Incredibly, one of the district court positions has been vacant for over 4 years, and a fifth circuit position in Texas has been vacant for more than 3 years. The memorandum reports that, in the Eastern District of Texas, the delays caused by the vacancy in that court has placed greater pressure on criminal defendants to forego trials and simply plead guilty to avoid uncertain and lengthy pretrial detentions. That is not justice.

Similarly, Alabama has five current vacancies that remain unfilled, and Florida has three. These rising vacancies are leading to an unsustainable situation in too many states. As Chief Judge Federico Moreno of the Southern District of Florida noted, "It's like an emergency room in a hospital. The judges are used to it and people come in and out and get good treatment. But the question is, can you sustain it? Eventually you burn out."

I urge the majority leader to schedule votes for the 14 other consensus judicial nominees on the Executive Calendar without further delay. If the Re-

publican obstruction continues and if home State Senators cannot persuade the majority leader to schedule a vote for their nominees soon, then it is unlikely that even highly qualified nominees with Republican support will be confirmed by the end of the year. These are nominees that members of the leader's own party want confirmed. Let us work together to confirm nominees and help restore our third branch to full strength.

Shortly we will begin voting on Judge Ann Donnelly to fill a judicial emergency vacancy in the Federal District Court for the Eastern District of New York. Since September 2014, she has served as a judge on the New York County Supreme Court. Judge Donnelly previously presided on the Kings County Supreme Court from 2013 to 2014 and in the Bronx County Supreme Court from 2009 to 2013. Prior to becoming a judge, she worked at the New York County District Attorney's Office for 25 years as an assistant district attorney, senior trial counsel, and as chief of the Family Violence Child Abuse Bureau. She has the support of her two home State Senators, Senator SCHUMER and Senator GILLIBRAND. She was voted out of the Judiciary Committee by unanimous voice vote on June 4, 2015. I will vote to support her nomination.

Mr. VITTER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Ann Donnelly, of New York, to be United States District Judge for the Eastern District of New York?

Mr. FRANKEN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from New Hampshire (Mrs. SHAHEEN) is necessarily absent.

The PRESIDING OFFICER (Mr. CASSIDY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 279 Ex.]

YEAS—95

Alexander	Fischer	Murphy
Ayotte	Flake	Murray
Baldwin	Franken	Nelson
Barrasso	Gardner	Paul
Bennet	Gillibrand	Perdue
Blumenthal	Grassley	Peters
Booker	Hatch	Portman
Boozman	Heinrich	Reed
Boxer	Heitkamp	Reid
Brown	Heller	Risch
Burr	Hirono	Roberts
Cantwell	Hoeven	Rounds
Capito	Inhofe	Sanders
Cardin	Isakson	Sasse
Carper	Johnson	Schatz
Casey	Kaine	Schumer
Cassidy	King	Scott
Coats	Kirk	Sessions
Cochran	Klobuchar	Shelby
Collins	Lankford	Stabenow
Coons	Leahy	Tester
Corker	Lee	Thune
Cornyn	Manchin	Tillis
Cotton	Markey	Toomey
Crapo	McCain	Udall
Cruz	McCaskill	Vitter
Daines	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wicker
Ernst	Moran	Wyden
Feinstein	Murkowski	

NAYS—2

Blunt Sullivan

NOT VOTING—3

Graham Rubio Shaheen

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

STOP SANCTUARY POLICIES AND PROTECT AMERICANS ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2146, which the clerk shall now report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 252, S. 2146, a bill to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally reenter the United States after being removed, and to provide liability protection for State and local law enforcement who cooperate with Federal law enforcement and for other purposes.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, the American people have demanded for years that the Federal Government faithfully enforce our Nation's immigration laws. Americans are tired of seeing their laws flouted and their communities plagued by the horrible crimes that typically accompany illegal immigration. But for too long, the pleas of the

American people on this issue have gone unheeded here in Washington.

See, when it comes to the problem of illegal immigration, the political class and the business class—our Nation's elites—are of one mind. They promise robust enforcement at some point in the future but only on the condition that the American people accept a pathway to citizenship now for the millions of illegal immigrants who are already in this country.

Not wanting to be swindled, the American people wisely rejected this deal, which the Washington class calls "comprehensive immigration reform." Of course, the elites don't like this one bit. So instead, they have taken matters into their own hands. They bend or ignore the law to make it more difficult for immigration enforcement officers to do their job.

We have seen this repeatedly with the Obama administration. President Obama has illegally granted amnesty to millions of illegal immigrants with no statutory authorization whatsoever, even though, before his reelection, the President assured the American people he couldn't do so without an act of Congress. As President Obama said, when asked whether he could grant amnesty, "I am not an emperor."

Well, I agree with President Obama. But yet, just a few months after saying he couldn't do this because he was not an emperor, apparently he discovered he was an emperor, because he did precisely what he acknowledged he lacked the constitutional authority to do.

Although the administration today claims to be focusing its resources on deporting illegal immigrants with criminal records, it has adopted a policy where many illegal immigrants that the administration deems to be low-priority criminals will not be detained and deported but will be released back into our communities.

Remarkably, in the year 2013 the Obama administration released from detention roughly 36,000 convicted criminal aliens who were actually awaiting the outcome of deportation proceedings. These criminal aliens were responsible for 193 homicide convictions. They were responsible for 426 sexual assault convictions, 303 kidnapping convictions, 1,075 aggravated assault convictions, and 16,070 drunk driving convictions. All of this was on top of the additional 68,000 illegal immigrants with criminal convictions that the Federal Government encountered in 2013 but never took into custody for deportation. Dwell on those numbers for a moment.

In 1 year, the Obama administration releases over 104,000 criminal illegal aliens, people who have come into this country illegally who have additional criminal convictions—murderers, rapists, thieves, drunk drivers.

One wonders what the administration says to the mother of a child lost to a

murderer released by the Obama administration because they will not enforce the laws. One wonders what the Obama administration says to the child of a man killed by a drunk driver released by the Obama administration because they will not enforce our immigration laws.

While this administration's refusal to enforce the laws is bad enough, the scandalously poor enforcement of our immigration laws is made much, much worse by the lawless actions of the roughly 340 so-called sanctuary jurisdictions across the country. Although these jurisdictions are more than happy—eager, even—to take Federal taxpayer dollars, they go out of their way to obstruct and impede Federal immigration enforcement by adopting policies that prohibit their law enforcement officers from cooperating with Federal officers. Some of the jurisdictions even refuse to honor requests from the Federal Government to temporarily hold a criminal alien until Federal officers can take custody of the individual. Not only are these sanctuary policies an affront to the rule of law, but they are extremely dangerous.

According to a recent study by the Center for Immigration Studies, between January 1 and September 30, 2014—just a 9-month period—sanctuary jurisdictions released 9,295 alien offenders who the Federal Government was seeking to deport. That is roughly 1,000 offenders a month that sanctuary jurisdictions released to the people. Now, of those 9,295, 62 percent had prior criminal histories or other public safety issues. Amazingly, to underscore just how dangerous this is to the citizenry, 2,320 of those criminal offenders were rearrested within the 9-month period for committing new crimes after they had already been released by the sanctuary jurisdiction. If that doesn't embody lawlessness, it is difficult to imagine what does—jurisdictions that are releasing over and over criminal illegal aliens, many of them violent criminal illegal aliens, and exposing the citizens who live at home to additional public safety risk, to additional terrorist risk.

This same study found that the Federal Government was unable to reapprehend the vast majority of the alien offenders released by the sanctuary jurisdictions—69 percent as of last year. Even Homeland Security Secretary Jeh Johnson has admitted that these sanctuary policies are "unacceptable." "It is counterproductive to public safety," he said, "to have this level of resistance to working with our immigration enforcement personnel."

I am thrilled to hear the Secretary of Homeland Security say so out loud. I assume that means that the Obama administration will be supporting the legislation before this body. After all, the Secretary of Homeland Security says it is "unacceptable," and that "it is

counterproductive to public safety." Yet, sadly, the Obama administration is not supporting the legislation before this body.

Indeed, it has taken the tragic and terrible death of Kate Steinle to galvanize action here in Washington. Kate died in the arms of her father on a San Francisco pier after being fatally shot by an illegal alien who had several felony convictions and had been deported from the United States multiple times. Her death is heartbreaking.

In the Senate Judiciary Committee we had the opportunity to hear from Kate Steinle's family. The heartbreak is even more appalling because Kate's killer had been released from custody and not turned over to the Federal Government to be deported because of San Francisco's sanctuary policy.

The city of San Francisco is proudly a sanctuary city. They say to illegal immigrants across the country and across the world: Come to San Francisco. We will protect you from Federal immigration laws. We, the elected democratic leaders of this city, welcome illegal immigrants, including violent criminal illegal immigrants such as the murderer who took Kate Steinle's life.

These policies are inexcusable. They are a threat to the public safety of the American people, and they need to end. That is why I am proud to be one of the original cosponsors of the Stop Sanctuary Policies and Protect Americans Act, which strips certain Federal funds, especially community development block grants, from jurisdictions that maintain these lawless policies. If these jurisdictions insist on making it more difficult to remove criminal aliens from our communities, then these Federal dollars should go instead to jurisdictions that will actually cooperate with the Federal Government, that are willing to enforce the law rather than aid and abet the criminals. It makes no sense to continue sending Federal money to local governments that intentionally make it more difficult and costly for the Federal Government to do its job.

But this bill doesn't just address sanctuary jurisdictions. It also addresses the problem of illegal immigrants who, like Kate Steinle's killer, are deported but illegally reenter the country, which is a felony. This class of illegal aliens has a special disregard and disdain for our Nation's laws, and too often these offenders also have serious rap sheets.

In 2012, just over a quarter of the illegal aliens apprehended by Border Patrol had prior deportation orders. That is an astounding 99,420 illegal aliens. Of the illegal reentry offenders who were actually prosecuted in fiscal year 2014—that is just 16,556 offenders—a fraction of those committed a felony. The majority of those who were prosecuted had extensive or recent criminal histories, and many were dangerous

criminals. Even though the majority of offenders had serious criminal records, the average prison sentence was just 17 months, down from an average of 22 months in 2008.

In fact, more than a quarter of illegal reentry offenders received a sentence below the guidelines range because the government sponsored the low sentence. Because we are failing to adequately deter illegal aliens who have already been deported from illegally reentering the country, I introduced Kate's Law in the Senate.

I wish to thank Senators VITTER and GRASSLEY for working with me to incorporate elements of Kate's Law into this bill. I also wish to recognize and thank all of the original cosponsors who joined me in this bill—Senators BARRASSO, CORNYN, ISAKSON, JOHNSON, PERDUE, RUBIO, SULLIVAN, and TOOMEY.

Because of this bill, any illegal alien who illegally reenters the United States and has a prior aggravated felony conviction or two prior illegal reentry convictions will face a mandatory sentence of 5 years in prison. We must send the message that defiance of our laws will no longer be tolerated, whether it is by the sanctuary cities themselves or by the illegal reentry offenders who they harbor.

The problem of illegal immigration in this country will never be solved until we demonstrate to the American people that we are serious about securing the border and enforcing our immigration laws and until we have a President who is willing to and, in fact, committed to actually enforcing the laws and securing the borders.

This bill is just a small step, but at least it is a step in the right direction. Yet there will be two consequences from the vote this afternoon. First, it will be an opportunity for our friends on the Democratic side of the aisle to declare to the country on whose side they stand.

When they are campaigning for reelection, more than a few Democratic Senators tell the voters they support securing the borders. More than a few Democratic Senators tell the voters: Of course we shouldn't be releasing criminal illegal aliens. More than a few Democratic Senators claim to have no responsibility for the 104,000 criminal illegal aliens released by the Obama administration in the year 2013.

These Senators claim to have no responsibility for the murder of Kate Steinle, invited to San Francisco by that city's sanctuary city policy. This vote today will be a moment of clarity. No Democratic Senator will be able to go and tell his or her constituents: I oppose sanctuary cities. I support securing the border if they vote today in favor of sending Federal taxpayer funds to subsidize the lawlessness of sanctuary cities.

The Senate Judiciary Committee heard testimony from families who had

lost loved ones to violent criminal illegal aliens—one after the other after the other. We heard about children who were sexually abused and murdered by violent illegal aliens. We heard from family members who have lost loved ones to drunk drivers illegally in this country.

During the hearing, I asked the senior Obama administration official for immigration enforcement how she could look into the eyes of those family members and justify releasing murderers, rapists, and drunk drivers over and over and over again.

Indeed, at that hearing I asked the head of immigration enforcement for the Obama administration: How many murderers did the Obama administration release this week? Her answer: I don't know. I asked her: How many rapists did the Obama administration release this week? Her answer: I don't know. How many drunk drivers? I don't know.

None of us should be satisfied with that answer or with a President and administration that refuse to enforce the laws and are willfully and repeatedly releasing violent criminal illegal aliens into our communities and endangering the lives of our families and children.

This vote today is a simple decision for every Democratic Senator: With whom do you stand? Do you stand with the violent criminal illegal aliens who are being released over and over again? Because mind you, a vote no is to say the next time the next murderer—like Kate Steinle's murderer—comes in, we should not enforce the laws, and we shouldn't have a mandatory 5-year prison sentence. Instead, we should continue sanctuary cities that welcome and embrace him until perhaps it is our family members who lose their lives.

It is my hope that in this moment of clarity the Democratic members of this body will decide they stand with the American people and not with the violent criminal illegal aliens.

It is worth noting, by the way, the standard rhetorical device that so many Democratic Senators use is to say: Well, not all immigrants are criminals. Well, of course they are not. I am the son of an immigrant who came legally to this country 58 years ago. We are a nation of immigrants, of men and women fleeing oppression and seeking freedom, but this bill doesn't deal with all immigrants. It deals with one specific subset of immigrants: criminal illegal aliens. It deals with those who come to this country illegally and also have additional criminal convictions, whether it is homicide, sexual assault, kidnapping, battery, or drunk driving. If it is the Democrats' position for partisan reasons that they would rather stand with violent criminal illegal aliens, that is a sad testament on where one of the two major political parties in this country stands today. I suspect the voters who elect

them would be more than a little surprised at how that jibes with the rhetoric they use on the campaign trail.

If, as many observers predict, Democratic Senators choose to value partisan loyalty to the Obama White House over protecting the lives of the children who will be murdered by violent criminal illegal aliens in sanctuary cities if this body does not act, and if they vote on a party-line vote, as many observers have predicted, that will provide a moment of clarity. I will also suggest that it underscores the need for Republican leadership to bring this issue up again—and not in the context where Democrats can blithely block it and obstruct any meaningful reforms to protect our safety, secure the border, enforce the law, and stop violent illegal criminal aliens from threatening our safety—in the context of a must-pass bill and attach it to legislation that will actually pass in law.

I am very glad we are voting on this bill this week. That is a good and positive step. It is one of the few things in the last 10 months we have voted on that actually responds to the concerns of the men and women who elected us.

I salute leadership for bringing up this vote, but if a party-line vote blocks it, then the next step is not simply to have a vote. The next step is to attach this legislation to must-pass legislation and to actually fix the problem. Leadership loves to speak of what they call governing, and in Washington governing is always set at least an octave lower. Well, when it comes to stopping sanctuary cities and protecting our safety, we need some governing. We need to actually fix the problem rather than have a show vote.

My first entreaty is to my Democratic friends across the aisle. Regardless of areas where we differ on partisan politics, this should be an easy vote. Do you stand with the men and women of your State or do you stand with violent criminal illegal aliens? We will find out in just a couple of hours.

My second entreaty is to Republican leadership. If Democrats are partisans first rather than protecting the men and women they represent, then it is up to Republican leadership to attach this to a must-pass bill and actually pass it into law and solve the problem—not to talk about it, but to do it. It is my hope that is what all of us do together.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise today to speak out against a bill that is misguided, stands against everything that America represents, and suggests that it will protect Americans when, in fact, it will protect Americans less.

From our founding, our principles have been guided by core values of equality, fairness, freedom, and tolerance, and in turn, we have honored the

many ways that immigrants have contributed to this country since its inception. Yet the other side of the aisle is once again engaged in a stubborn, relentless, and shameful assault against immigrants.

As the son of immigrants myself, I find it hard not to take offense at the anti-immigrant rhetoric we are hearing from their Presidential candidates. It is unacceptable, deplorable, and should be renounced by every American. We are witnessing the most overtly nativist, xenophobic campaign in modern U.S. history. We have hit a new low with the extraordinarily hateful rhetoric that diminishes immigrants' contributions to American history and particularly demonizes the Latino community by labeling Mexican immigrants as rapists and criminals.

The Republican leading in the polls actually launched his Presidential candidacy by attacking immigrants, saying:

They're bringing drugs. They're bringing crime. They're rapists.

Please spare me. It is senseless and false. Yet some of my Senate colleagues have decided to jump on the GOP's fearmongering bandwagon, seeking to blindly stamp millions of hardworking, law-abiding immigrant families as criminals and rapists, and that is why we are here today. That anti-immigrant rhetoric has made its way to the Senate floor courtesy of Donald Trump and some Republicans eager to capitalize on this rhetoric for their own political gain.

This is nothing more than another offensive anti-immigrant bill, another effort to demonize those who risk everything for a better life for themselves and their children, those who were left with no choice but to flee persecution and violence or else face a certain death. That is what we are debating here today. Those are the individuals this legislation seeks to brand as criminals.

This bill does nothing more than instigate fear and divide our Nation. Supporters of this bill may say that it is in response to a tragedy such as what happened in San Francisco, and what happened in San Francisco was a tragedy. Such tragedies will not be prevented by this legislation but by real immigration reform. I am happy to have that debate—a real debate, an honest and compassionate debate, a debate the country deserves—but that is not what is happening in this bill.

The title of the bill asserts that it will protect Americans. Well, to be clear, this bill will not protect Americans because it second guesses decisions made by local law enforcement around the country about how to best police their own communities and ensure public safety.

What is worse, this bill mandates local law enforcement to take on Federal immigration enforcement duties

by threatening to strip away funding from as many as 300 local jurisdictions, from programs such as the community development block grant, community-oriented policing services, and the State Criminal Alien Assistance Program. These are programs that directly help our towns and communities. The CDBG Program grows local economies and improves the quality of life for families. It has assisted hundreds of millions of people with low and moderate incomes, stabilized neighborhoods, provided affordable housing, and improved the safety and quality of life of American citizens. The Cops on the Beat grant funds salaries and benefits for police officers who serve us every day by keeping our communities safe, and they deserve better than being dragged into partisan politics.

My colleague from Louisiana seeks to strip funding from localities that undertake the balancing of public safety considerations and refuse to act as Immigration and Customs Enforcement agents. But this bill goes even further than that. This bill isn't content with taking discretion away from local communities; it takes it away from the judicial branch. It adds new mandatory minimums when, as a nation, we are trying to move away from that approach. The new mandatory minimum sentences would have a crippling financial impact with no evidence that they would actually deter future violations of the law. They could cost American taxpayers hundreds of millions of dollars. I think that deserves a serious, thoughtful debate in the Judiciary Committee, with expert testimony on whether this really makes us safer or whether we are throwing away hard-earned taxpayer dollars. But we won't even get that debate because this bill was fast-tracked as a Republican priority, and it didn't even go through the regular committee process.

The U.S. Senate cannot nurture an environment that demonizes and dehumanizes Latinos and the entire immigrant community. By threatening to strip CDBG funding from cities, Senate Republicans are saying that it is OK to withhold funding from economically vulnerable American citizens, senior citizens, veterans, and children to promote their anti-immigrant agenda and that it is OK to cut COPS funding, which has long promoted public safety through community policing.

A one-size-fits-all approach that punishes State and local law enforcement agencies that engage in well-established community policing practices just doesn't make sense. Local communities and local law enforcement are better judges than Congress of what keeps their communities safe. Police need cooperation from the community to do their jobs. That is why over the past several years hundreds of localities across our Nation, with the support of some of the toughest police

chiefs and sheriffs, have limited their involvement in Federal immigration enforcement out of concerns for community safety and violations of the Fourth Amendment. They need witnesses and victims to be able to come forward without fear of recrimination because of their immigrant status, and fear of deportation should never be a barrier to reporting crime or seeking help from the police. This fear undermines trust between law enforcement and the communities they protect and creates a chilling effect.

These policies were put in place because local jurisdictions don't want to do ICE's job for them. Effective policing cannot be achieved by forcing an unwanted role upon the police by threat of sanctions or withholding assistance, especially at a time when law enforcement agencies are strengthening police-community relations.

Furthermore, why do my Republican colleagues believe they know better than the local towns and citizens who live this day in and day out? They talk endlessly about decentralizing government, giving the power back to local communities, but not this time. It is no wonder that this bill is opposed by law enforcement, including the Fraternal Order of Police, the Law Enforcement Immigration Task Force, the U.S. Conference of Mayors, immigrant and Latino rights organizations, faith groups, and domestic violence groups, among others.

This bill is not a real solution to our broken immigration system. The bottom line is that we need comprehensive immigration reform. We passed bipartisan legislation in 2013, but we haven't had a real discussion in Congress for over 2 years.

A recent Pew poll found that 74 percent of Americans overall said that undocumented immigrants should be given a pathway to stay legally. That included 66 percent of Republicans, 74 percent of Independents, and 80 percent of Democrats who support a pathway to legal status for undocumented immigrants. This bipartisan support is not new.

Comprehensive immigration reform, previously passed in the Senate, brought millions of people out of the shadows who had to prove their identity, pass a criminal background check, pay taxes, and provide an earned path to citizenship so ICE could focus on the people who were true public safety threats. The bill also increased penalties for repeat border crossers. It included \$46 billion in new resources, including no fewer than 38,000 trained, full-time, active Border Patrol agents deployed and stationed along the southern border. It increased the real GDP of our country by more than 3 percent in 2023 and 5.4 percent in 2033—an increase of roughly \$700 billion in the first 10 years and \$1.4 trillion in the second 10. It would have reduced

the Federal deficit by \$197 billion over the next decade and by another \$700 billion in the following. That is almost \$1 trillion in deficit spending reductions by giving 11 million people a pathway to citizenship. That was a real solution. That is the type of reform we need. That, in fact, is the opportunity that existed. Unfortunately, the other body, the House of Representatives, did not even have a vote. To the extent that Americans are less safe, it is because of their inaction that we are less safe today.

Tragedies should not be used to scapegoat immigrants. They should not be used to erode trust between law enforcement and our communities. We cannot let fear drive our policymaking.

So let's actively and collectively resist the demagoguery that threatens to shape American policymaking for the worse. I believe a vote to proceed is a vote against the Latino and immigrant communities of our country, and I hope that on a bipartisan basis we can reject it.

With that, I yield the floor.

Mrs. FEINSTEIN. Mr. President, I wish to discuss sanctuary cities.

Two women, Kate Steinle and Marilyn Pharis, were killed in California over the summer, both allegedly by undocumented individuals with criminal records.

The suspect in each case had recently been released from local custody without notice to Federal immigration officials, which could have resulted in those individuals being removed from the country instead of being released.

I believe these murders could have been prevented if there were open channels of communication between local law enforcement and Federal immigration authorities about dangerous individuals.

In both cases, those lines of communication broke down, and two women died.

In my view, local law enforcement agencies should be required to notify Federal authorities—if such notification is requested—that they plan to release a dangerous individual, such as a convicted felon.

This is a reasonable solution that would target those criminals who shouldn't be released back onto the street.

While I do support mandatory communication between local, State, and Federal officials, I do not support the bill before us today.

The bill we will soon be voting on would target all undocumented immigrants for deportation.

It would divert already stretched local law enforcement resources away from dangerous criminals and from policing in their own communities. I do not support such an action.

This bill also includes a detention requirement that goes beyond dangerous individuals—it would cover any immigrant sought to be detained.

This is a standard that could be abused in another administration, and it is potentially a huge unfunded mandate to impose on States and localities.

In addition to being an unfunded mandate, the bill would make drastic cuts to police departments, sheriffs departments, and local community programs.

Specifically it would cut the COPS Hiring Program; the State Criminal Alien Assistance Program, known as SCAAP; and the Community Development Block Grant Program.

Last year, 21 California jurisdictions received \$13.2 million in COPS hiring grants to hire police officers.

California also received \$57 million in SCAAP funds to help cover costs of holding undocumented immigrants.

And California communities received \$356.9 million under the Community Development Block Grant Program.

As a former mayor, I know how important these funds are to local communities.

The bill would also impose lengthy Federal prison sentences on all undocumented immigrants.

This would include mothers crossing the border to see their children.

It would include agricultural workers who are vital to California's economy.

It would include other essentially innocent individuals who simply want to make a better life for themselves and their families.

In my view, this goes much too far, and I cannot support it.

I would, however, like to talk further about the murders of Kate Steinle and Marilyn Pharis and what I believe should be done to protect public safety.

Kate Steinle, a 32-year-old woman, was shot and killed in July while walking along San Francisco's Pier 14 with her father.

The suspected shooter, Juan Francisco Lopez-Sanchez, had a long criminal record.

He had seven felony convictions, including one for possession of heroin and another for manufacturing narcotics.

He had also been removed from the country five times.

The chain of events that led to Kate's murder began on March 23, when San Francisco County Sheriff Ross Mirkarimi requested that Lopez-Sanchez be transferred from Federal prison to San Francisco.

The sheriff's request was based on a 20-year-old marijuana possession warrant.

On March 26, Lopez-Sanchez was booked into San Francisco County jail. However, the 20-year-old marijuana charge was quickly dropped, and Lopez-Sanchez was later released.

Immigration and Customs Enforcement had asked Sheriff Mirkarimi to let the agency know when Lopez-Sanchez would be released. That did not happen.

A simple phone call would have been enough, but Sheriff Mirkarimi failed to notify Federal officials.

In July, only a few months after his release, Lopez-Sanchez shot and killed Kate Steinle.

In fact, not only did the sheriff fail to notify, the failure was a consequence of a deliberate policy.

Just weeks before his office requested the transfer of Lopez-Sanchez, the sheriff adopted a policy forbidding his own deputies from notifying immigration officials.

The policy specifically states that sheriff department staff shall not provide release dates or times to immigration authorities.

Let me be clear: this isn't State law or even San Francisco law. This is the sheriff's own policy.

I believe this policy is wrong, and I have called on the sheriff to change it. San Francisco Mayor Ed Lee has made the same request.

On July 24, Marilyn Pharis was brutally attacked with a hammer and sexually assaulted in her home by two suspects.

The 64-year-old Air Force veteran died in the hospital from her injuries a week later.

One of the individuals charged with this heinous crime is a 20-year-old U.S. citizen named Jose Fernando Villagomez.

The other is a 29-year-old undocumented immigrant named Victor Aureliano Martinez Ramirez.

According to ICE, Martinez Ramirez was arrested in May 2014, but he had no prior felony convictions or deportations.

He was subject to what is called an ICE detainer request, asking the local jurisdiction to hold him until ICE could pick him up.

The local jurisdiction did not hold the suspect, nor did they notify ICE of his release.

In the ensuing months, Martinez Ramirez accumulated multiple misdemeanor convictions, including possession of methamphetamine and battery.

One of his convictions included a protection order requiring him to stay away from a particular individual.

On July 20, he pleaded guilty to additional misdemeanor charges of possessing a dagger and drug paraphernalia.

He was sentenced to 30 days, but that wasn't to begin until October 31. He was released from custody and, 4 days later, allegedly attacked, raped, and killed Marilyn Pharis in her own home.

I believe these two cases demonstrate the need for better communication between local, State, and Federal authorities before a dangerous individual with a criminal record is released.

When our committee was set to markup an earlier bill from Senator VITTER, I prepared a simple amendment to ensure such communication happens. That markup was cancelled.

I'd like to describe this approach now.

First, it would require notification by a State or local agency of the impending release of certain dangerous individuals, if ICE requests such notification.

It would apply to individuals where there is probable cause to believe they are aliens who are removable from the country and who pose a threat to the community.

Immigration offenses would be covered only if the individual had actually received more than 1 year in prison, which would happen for a person with a significant criminal history.

The amendment I prepared would not include harmful cuts to law enforcement and community programs, which I believe are unnecessary and unwise.

The legal precedents from the Supreme Court show that Congress can impose a reporting requirement on a State or local government, without threatening harmful funding cuts.

That is the approach I would take—I believe it would protect public safety without harming otherwise law-abiding immigrants or State or local law enforcement.

Before I conclude, I'd like to remind my colleagues that this is not a choice between being pro-immigrant or pro-criminal.

I am pro-immigrant. Immigrants make a tremendous contribution to this country and to my State.

They work some of the most difficult jobs, from agriculture to construction to hospitality.

They are part of the fabric of our country.

I, myself, am the daughter of an immigrant.

I strongly support comprehensive immigration reform, which I think is the only long-term solution to many of these problems.

I also support the President's executive actions to eliminate the threat of deportation for young people who have been raised here, as well as the parents of American citizens.

And I agree with immigrant advocates who want to prevent families from being separated because of a minor infraction like a broken tail light.

The position I support strikes a balance.

It would keep dangerous individuals off the street, while protecting otherwise law-abiding immigrants who are just here to work and provide their children with a better future.

I believe the deaths of Kate Steinle and Marilyn Pharis could have been prevented.

I believe we can and should fix the problems that led to their deaths by requiring that local officials notify Federal officials before they release dangerous criminals, if asked to do so.

I oppose Senator VITTER's bill, which would sweep up otherwise law-abiding

immigrants and divert resources away from where they are most needed.

We should focus our efforts on dangerous criminals, and I hope that when we again take up comprehensive immigration reform, that is what happens.

I thank the Chair.

Mrs. BOXER. Mr. President, the death of Kate Steinle in San Francisco by a convicted felon who illegally crossed the border multiple times was horrific. It left a family heartbroken and shocked our community, our State, and our Nation.

We cannot allow a tragedy like this to happen again.

We should never give sanctuary to serious and violent felons, but this Republican bill is not the answer.

Getting rid of sanctuary cities will not reduce crime—in fact, it will only increase crime and make us less safe.

That is why this bill is opposed by law enforcement, immigrant rights organizations, faith groups, domestic violence groups, labor unions, housing and community development organizations, mayors of California's biggest cities, and the National League of Cities—as well as many others.

The truth is that sanctuary cities keep our neighborhoods safe by promoting trust and cooperation between police officers and immigrant communities. And that trust is essential to protecting all of us.

Let me give a quick example.

A few years ago in Seattle, more than two dozen Asian women were sexually assaulted in the same neighborhood over a 2-year period.

Because of the strong relationship between police and the community—a community where police are generally prohibited from asking about immigration status—many of the immigrant victims were willing to come forward and share information with the police, which led to the perpetrator's arrest.

Don't just take my word for it—listen to what law enforcement in our communities say about the importance of sanctuary city policies.

As former San Jose Police Chief Rob Davis said: "We have been fortunate enough to solve some terrible cases because of the willingness of illegal immigrants to step forward, and if they saw us as part of the immigration services, I just don't know if they'd do that anymore."

As Ohio Chief of Police Richard Biehl explained: "Sanctuary policies and practices are not designed to harbor criminals. On the contrary, they exist to support community policing, ensuring that the community at large—including immigrant communities—trusts State and local law enforcement and feels secure in reporting criminal conduct."

Ending sanctuary policies would keep the voices of immigrant victims and witnesses quiet.

That means crimes would go unreported, cases would go unsolved, and

dangerous criminals would go unpunished.

Ending these policies would actually give sanctuary to dangerous criminals because, without the help of immigrant communities, these violent offenders will continue to threaten our safety.

We know this because there are many places in this country where immigrants do not feel safe coming forward.

As Texas Sheriff Lupe Valdez said: "A lot of undocumented individuals came from areas where they can't trust the police. The uniform has pushed them into the shadows. Good law enforcement cannot be carried out this way."

Just listen to some of the immigrants who were too terrified to come forward and report horrific crimes.

Take it from Maria, an immigrant survivor of serious domestic violence, who fled from Texas to Indiana, where her abuser tracked her down.

When he came to her house at midnight, she was too afraid to call 911—fearing she could be deported—so she called her lawyer over and over. Because it was the middle of the night, her attorney was not at work and came in the next morning to a series of frantic messages left on her voicemail.

Ultimately, Maria's abuser was not able to get into the house, but her life was in danger because she thought that law enforcement wasn't a safe option.

Take it from Cecilia, a young Guatemalan girl in Colorado.

Cecilia was sexually abused by a family friend at the age of 5. Her parents, undocumented immigrants, learned about the abuse, but they were terrified to report the crime to the police because they were told by family and friends that the police could not be trusted. They were told that, if they came forward, they would be reported to immigration and deported.

A year later, the same perpetrator sexually abused another young child. It wasn't until the father of that child contacted Cecilia's parents that they decided to go to the police together, and the perpetrator was caught and prosecuted.

But because of their initial fear of reporting the crime, another child was harmed.

So why would we pass a bill that could discourage victims or witnesses from coming forward for help?

Why would we pass a bill that would make it harder for law enforcement to solve crimes and keep our communities safe?

This Republican bill is also dangerous because it would cut off COPS grants that help communities protect residents by hiring officers.

We should be doing everything we can to help local police departments—not take away their ability to put officers on the street.

Republicans also want to punish communities by taking away their

community development block grants, which would hurt thousands of working families who rely on these funds for safe, affordable housing and other critical services.

This GOP bill would also take away SCAAP funding, which reimburses State and local governments for the costs of incarcerating undocumented immigrants. This funding has been repeatedly slashed, and it has never been enough—especially in my State of California, which spends nearly \$1 billion a year on these incarceration costs.

These cuts would have devastating impact on States and local communities.

Now, there are some California communities reviewing their specific policies and forging cooperation agreements with Federal immigration officials—and I think that's a good thing.

I believe that State and local officials should examine their policies to ensure that they are preserving the trust that law enforcement has built in our communities, while keeping serious and violent felons off our streets.

Unfortunately, this Republican bill would do the exact opposite—it would undermine the trust that has been developed between police and immigrant communities, and it would set back efforts to solve cases and put dangerous criminals behind bars.

The real question is: Why are we even considering this bill?

Why isn't Congress passing the bipartisan comprehensive immigration reform bill that the Senate passed more than 2 years ago?

That bipartisan bill would make our country safer by adding 20,000 more Border Patrol agents; increasing surveillance; and hiring additional prosecutors and judges to boost prosecutions of illegal border crossings.

The measure would also make clear that serious or violent felons will never get a pathway to citizenship or legal status.

And the bill would bring families out of the shadows—so that they don't fear being deported or separated from their families . . . so they feel comfortable cooperating with police and reporting crimes in their communities.

Let's make our communities safer by passing real immigration reform and by defeating this misguided Republican bill.

I urge my colleagues to vote no.

STOP SANCTUARY POLICIES AND PROTECT AMERICANS ACT

Mr. INHOFE. Mr. President, from January through August of 2014, over 8,100 aliens that U.S. Immigration and Customs Enforcement had identified for deportation were released back into our communities by sanctuary jurisdictions. Over 5,000 of those released had a criminal history. In that same time period, 1,900 of those 8,100 went on to be charged with another 7,500 crimes.

These are crimes that would not have been committed had local authorities cooperated with Federal authorities in enforcing our laws.

This summer, everyone heard the case of Kate Steinle who was shot and killed in San Francisco by an illegal immigrant who had seven felony convictions and had been deported five times. Rather than turn him over to ICE, San Francisco released him, allowing him to commit more crimes. This guy even admitted that he was in San Francisco because their liberal laws would protect him.

While this one case received the media attention it deserved, many other preventable crimes don't.

For example, the city of Los Angeles released one immigrant who had been arrested for the continuous sexual abuse of a child. ICE wanted custody of this deviant. ICE tried to get custody of him. However, rather than hand him over to Federal law enforcement and get this guy out of our country and away from our children, Los Angeles ignored ICE's detainer and released him. He was later arrested for sodomy of a victim under 10 years old. Another child became a victim of this predator because liberal policies would rather release him into our communities than get him out of our country.

This year, sanctuary cities have already released more than 9,000 criminal aliens from jail and these criminals are committing more crimes.

In California, an immigrant was arrested for battery last year, but instead of turning him over to ICE, the local sheriff released him. This July, he raped and beat a 64-year-old woman so severely that she died 8 days later—yet another preventable death due to the intentional failure of a jurisdiction to comply with federal law.

How many more do we have to have before people realize what these policies are doing to our communities? Over 300 States, cities, and counties have sanctuary laws, ordinances, or policies that protect criminals and hurt the innocent. These jurisdictions continue to receive money from the Federal Government even though they continue to ignore Federal laws and rebuff Federal agencies working to enforce the laws.

Enough is enough.

I believe that, if a jurisdiction chooses not to cooperate with federal law enforcement, they should not be the beneficiary of federal grants. This is why I cosponsored S. 2146, the Stop Sanctuary Policies and Protect Americans Act, which my colleagues on the other side of the aisle filibustered. It is why I have cosponsored similar legislation introduced by Senator SESSIONS.

Unfortunately, others would rather let politics come before doing what they know is right and failed to protect our communities from further victimization. When the proper enforcement

of current law could save lives and protect the innocent, how could you not vote to do so?

The PRESIDING OFFICER (Mr. CRUZ). The Senator from New York.

DONNELLY CONFIRMATION

Mr. SCHUMER. Mr. President, I am going to discuss the bill on the floor in a minute, but first I wish to take a moment to congratulate the newly confirmed district judge for the Eastern District of New York, Ann Donnelly. She just passed the Senate with a vote of 95 to 2—nearly unanimous and deservedly so.

There are few more qualified for a Federal judgeship than Ann Donnelly. She has dedicated her life to public service, having spent a quarter decade as a prosecutor in the prestigious New York County District Attorney's Office under Bob Morgenthau. She accumulated a host of awards there and rose through the leadership ranks of the office. Then, in 2009, she became a State court judge in New York, hearing a wide variety of cases. She has a stellar academic record, having graduated from the University of Michigan and Ohio State University School of Law.

I could tick off more of her accomplishments, and the list would be long, but Judge Donnelly is more than a brilliant resume. I know her well. She is at her core a kind, thoughtful, and compassionate person. Anyone who knows her or who has interacted with her even briefly knows she is fair, open-minded, and has exactly the kind of temperament that will make her an exceptional Federal judge.

I congratulate Ann Donnelly and her family—particularly her mother—on her confirmation. I know her mother is so proud of her. It is a milestone day in her career and a bright day for the Eastern District of New York.

Mr. President, today the Senate will turn its attention to a divisive immigration bill that has no hope of becoming law. Today's vote won't be on a comprehensive bill, as was the one the Senate passed 2 years ago—one that secures our borders, provides a jolt to the economy, provides a pathway to citizenship for hard-working, law-abiding immigrants who pay their taxes to get right with the law.

I want to be clear with the American people on this. Today's vote is nothing but a political show vote. Senator VITTER knows his bill has no chance of passing the Senate or being signed into law. As stated by my friend the Republican junior Senator from Nevada—here is what he said: "You know we have votes because people are running for president, so I am not surprised we have votes because people are running for governor." No other sentence sums it up better as to what a waste of time this is, and that is to say nothing about the substance of the bill, which has drawn opposition from nearly every important interest group. A

broad coalition of major law enforcement groups, faith groups, labor, cities, elected officials, housing advocates, and immigrant rights groups oppose this bill. I suspect there are Members of the Republican caucus who oppose many parts of it. Why? Because it is a bill that would jeopardize hundreds of millions of dollars in the name of punishing immigrants and cities where they live.

This bill would strip away community development block grants, community COPS grants to hire more cops, and SCAAP, a proposal that funds jurisdictions that are doing what many on the other side want them to do by locking up unauthorized immigrants who commit crimes. Everyone believes that if a person commits a serious crime unrelated to being an immigrant—not like crossing the border or forging a document but a serious crime—law enforcement should be required to cooperate and those folks should be deported, plain and simple. But in the name of trying to help law enforcement, this bill hurts law enforcement because it will take away so many of the grants law enforcement needs. It will take away the grants that help create a way of incarcerating those who commit serious crimes.

All of these cuts would come while also astronomically increasing the size of prison population and related costs, without decreasing the deficit by a single dime. This will put a huge burden on our State and local taxpayers. Their taxes would go way up if this bill were passed into law and implemented.

To be clear, the death of Kathryn Steinle in San Francisco was tragic. It never should have happened. I mourn not only her family but the family of any American killed in a senseless act of gun violence. For people like the killer of Ms. Steinle, law enforcement should cooperate with the Federal authorities and deport those folks.

This is not the way to exercise better law enforcement. Punishing cities and communities and yanking Federal funding from cops will not get us to a better immigration system or safeguard our communities.

The bill we passed in 2013, which I was proud to author with a number of Democratic and Republican colleagues, is the opposite of this bill in every way. Our bill was supported by a broad coalition of groups, from business, labor, faith communities, immigrant communities, and law enforcement. Our bill paid for itself and went on to decrease the deficit by \$160 billion over 10 years and to increase GDP by 3.3 percent. Our bill secured the border—this bill doesn't do that—not only with more resources and staff but by cracking down on repeat border crossers and those who overstay their visas. It did it in a smart way. The goal of our friend from Louisiana isn't accomplished in his bill, but it is in comprehensive immi-

gration reform—the goal of making sure those who are repeat border crossers and those who overstay their visas are dealt with properly.

Our bill paved a tough but fair pathway to citizenship, shielding law-abiding immigrants from deportation, fostering trust with law enforcement, and exposing the criminals in their communities who would rather live in the shadows.

Our bill was a bipartisan compromise. There is no compromise here. I daresay many of my colleagues on the other side of the aisle, when they look at provisions in this bill, do not like them. This is a show vote—a vote, as my Republican colleague from Nevada said, to help someone in his quest for political office.

There are so many vitally important policy debates we could be turning to today. Instead, the Senate Republican leadership insists on leading us into this dark, divisive place for nothing more than political theater. Think of the urgent bipartisan issues we should be working on, including the debt ceiling. We are about to default because of the shenanigans going on on the other side. The Perkins Loan Program so that kids can go to college; the land and water conservation programs are expiring. The highway bill—we don't have a highway bill, yet we are doing this. And if we don't take action by the end of the year, millions of seniors will see a 52-percent increase in their Medicare bill. How many Americans would want us to do that and not the divisive show vote that has no chance of passing?

I urge my colleagues to oppose this bill. Just as importantly, I beg my colleagues to join us on this side of the aisle in turning to a serious debate on comprehensive immigration reform—something they have so far refused to do.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

The Senator is advised that the Senate is under an order to recess at this time.

Mr. TOOMEY. Mr. President, I ask unanimous consent that I be recognized for such time as I may consume and that Senator HIRONO be recognized following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. Mr. President, I rise to speak on S. 2146, the Stop Sanctuary Policies and Protect Americans Act, which the Senate will vote on shortly and which our colleagues have been speaking about.

First, I want to recognize and thank my colleagues for joining in this effort—Senator VITTER, Senator GRASSLEY, Senator CRUZ, and Senator JOHNSON—and introducing this very important bill. I can't believe the way it is

being mischaracterized, and I will try to address some of those mischaracterizations.

Let's be clear. This bill is about keeping our communities safe from violent crime. That is what it is about. It is necessary because of the sanctuary cities that we have across America.

This is not a manufactured problem. This is a very real problem. There is one father who knows about it all too well. Jim Steinle was walking arm in arm with his daughter on a pier in San Francisco. Suddenly a gunman leaps out, opens fire, and hits Kate. She falls into her father's arms and pleads, "Help me, dad," while she bleeds to death.

What is so outrageous about this, among other things, is that the shooter never should have been on the pier that day, in the first place. He was an illegal immigrant who had been convicted of seven felonies. He had been deported five times, and there he is on the San Francisco pier, shooting and killing an innocent woman. It is more outrageous than that. Just 3 months earlier, the Department of Homeland Security had asked the San Francisco Police Department, when they had picked up this man, to hold him until DHS officials could come and get him. They had made that specific request when this man was in the custody of the San Francisco Police Department, but San Francisco refused to cooperate. Knowing that DHS wanted them to hold this man for a short period of time until their agents could get there and take him into custody, having had that request from DHS, San Francisco said no, and they released him so he could then go out and commit a murder.

Why in the world would they release a man such as this when DHS has asked them to hold him? It is because San Francisco is a sanctuary city. What that means is that it is the policy of the city of San Francisco—having commanded their local law enforcement, their police department—to not cooperate with Federal officials seeking to prosecute immigration issues. Even when they want to cooperate, they are forbidden from cooperating. Think about how absurd this is.

If Federal officials had called the San Francisco Police Department about any other kind of crime—larceny, burglary, a trademark violation—they would have been happy to cooperate. They would have cooperated, in fact. But because the crime was related to illegal immigration, the San Francisco Police Department's hands were tied. The police were forced to release the man who would then go on and kill Kate Steinle. As a father of three young children, I can't even begin to think about the pain that the Steinles just went through, and what is so maddening is that it was entirely unnecessary.

OCTOBER 20, 2015.

Sadly, this is not the only case, as you know. According to the Department of Homeland Security, during an 8-month period last year, sanctuary jurisdictions—cities and counties that have adopted this policy of noncooperation—have released over 8,000 illegal immigrants they had in their custody, and 1,800 of these were later arrested for criminal acts. This includes two cities that refused to hold individuals who had been arrested for child sexual abuse. In both cases the individuals were later arrested for sexually assaulting young children. This is how outrageous this has become.

For the record, let me make it clear that I completely understand that the vast majority of immigrants would not commit these crimes. That is not what this is about. But the truth of the matter is that any large group of individuals is going to have a certain number of criminals within it. Of the 11 million people who are here illegally, some are inevitably violent criminals.

The Stop Sanctuary Policies and Protect Americans Act provides a solution to this in three parts. First, under our legislation sanctuary jurisdictions will lose certain Federal funds. If a city or county or municipality decides they will declare or forbid their law enforcement officials from cooperating and even sharing information with Federal Department of Homeland Security officials, they will lose some Federal funding.

Second, this legislation includes Kate's Law. This provides for a mandatory minimum 5-year sentence for a person who reenters the United States illegally after having been convicted of an aggravated felony or having been convicted twice before of illegal reentry.

Finally, there is the third part of this legislation. Across America dozens of municipalities that had been cooperating with Federal immigration officials have been forced to become sanctuary communities or counties because several Federal courts have held that local law enforcement may not cooperate when DHS asks them to hold an illegal immigrant. They maintain that there is not the statutory authority for local law enforcement to do so. Therefore, if the local police were to cooperate, as they should, they would be liable for damages, and this would apply even to dangerous criminal cases. We solve that problem by making it clear that when local law enforcement is acting in a fashion consistent with what DHS is requesting—what DHS has the authority to do themselves—then there would be no such legal liability.

Some of my Democratic colleagues have said that we don't need this legislation and that all we need is greater cooperation between Federal and local law enforcement. Well, that is absolutely factually incorrect. It is not possible to have the level of cooperation

that we need to have because of these court decisions, because the court decisions effectively are precluding the kind of cooperation that we need. That is why Congress needs to act.

We need to make it clear that local law enforcement can in fact hold somebody that the Department of Homeland Security needs to have held, just as the Department of Homeland Security has that authority themselves. The Stop Sanctuary Policies and Protect Americans Act provides a valid solution. It confirms that local law enforcement officers are allowed to cooperate when Federal officials ask them to hold illegal immigrants.

It is carefully drafted to protect individual liberties. If an individual's civil liberties or constitutional rights are violated, then that individual can still file suit and can still seek a remedy, and that is as it should be. But this legislation to stop sanctuary policies act really should have very broad bipartisan support.

Let's keep in mind the people we are talking about here. As a practical matter, the only cases in which this applies is that small subset of illegal immigrants who even the Obama administration wishes to hold for deportation—only that small subset of people that the Obama administration believes is dangerous enough to warrant removal. Really, we can't even have local law enforcement officials cooperate under those circumstances?

President Obama's own Secretary of Homeland Security has declared that sanctuary cities are "not acceptable." He has described them as "counterproductive to public safety." There is no real basis for voting no on this.

Opponents have turned to misrepresenting this in many ways, but the facts are overwhelming.

There are three national law enforcement groups that have written a powerful letter addressing some of the misrepresentations that have been made about this bill. They have reaffirmed their support for this bill. They include the National Sheriffs' Association, the National Association of Police Organizations, and the Federal Law Enforcement Officers Association.

Mr. President, I ask unanimous consent to have their letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Senator DAVID VITTER,
U.S. Senate, Hart Senate Office Bldg., Washington, DC.
Chairman CHUCK GRASSLEY,
U.S. Senate, Hart Senate Office Bldg., Washington, DC.
Senator RON JOHNSON,
U.S. Senate, Hart Senate Office Bldg., Washington, DC.
Senator PAT TOOMEY,
U.S. Senate, Russell Senate Office Bldg., Washington, DC.
Senator TED CRUZ,
U.S. Senate, Russell Senate Office Bldg., Washington, DC.

DEAR SENATORS VITTER, TOOMEY, GRASSLEY, CRUZ, AND JOHNSON: On behalf of the National Sheriffs' Association, the National Association of Police Organizations, and the Federal Law Enforcement Officers Association and the local, state, and federal law enforcement officers we represent, we write to reiterate our support for the Stop Sanctuary Policies and Protect Americans Act (S.2146) and to correct some misrepresentations regarding the Act.

As the law enforcement officers on the front lines working to protect our communities, we know firsthand the challenges facing police officers. We know when a bill makes our jobs more difficult and when a bill makes our jobs easier.

We have been surprised to hear some misrepresent this bill and its effects on law enforcement.

For example, some have claimed that the Stop Sanctuary Policies Act will "require[] state and local law enforcement to carry out the federal government's immigration enforcement responsibilities," and thus "the federal government would be substituting its judgment for the judgment of state and local law enforcement agencies." Nothing in the Stop Sanctuary Policies Act requires local law enforcement "to carry out federal immigration responsibilities." Removing illegal immigrants remains the exclusive province of the federal government. The bill simply withholds certain federal funds from jurisdictions that prohibit their local law enforcement officers from cooperating with federal officials in the limited circumstance of honoring an immigration detainer. It is politicians in sanctuary jurisdictions who, by tying the hands of local law enforcement, are "substituting [their] judgment for the judgment of state and local law enforcement."

Others have resorted to scare tactics, warning that that S.2146 will lead to the deportation of those who report crimes to law enforcement. This is simply false. The bill provides that if a jurisdiction has a policy that it will not inquire about the immigration status of crime victims or witnesses, the jurisdiction will not be deemed a sanctuary jurisdiction and will not lose any federal funds.

To be clear: We believe the Stop Sanctuary Policies Act will make America safer, enhance the ability of police to protect and serve, and provide greater flexibility for law enforcement officers at every level—federal, state, and local.

We also write to address those Members of Congress who insist that the Stop Sanctuary Policies Act is not needed; instead, Congress should "encourage" local officers to cooperate with federal officials. This ignores one crucial fact: Across America, federal courts have issued decisions forbidding local officers from cooperating with federal requests to hold an illegal immigrant. These decisions

provide that local law enforcement and municipalities may be sued if they cooperate with federal officials to detain dangerous criminals. Under these decisions, even if a federal official would have had the authority to hold the individual, local law enforcement can still be sued.

Too often, local law enforcement officers are left with a terrible choice: Either release an individual who has been convicted of or arrested for violent crimes, or be sued and lose funds that are needed to protect our communities. As a result of these lawsuits, scores of cities and counties across America have become sanctuary jurisdictions.

The Stop Sanctuary Policies Act provides a solution. The bill confirms that local law enforcement may cooperate with federal requests to hold an illegal immigrant. The bill provides that when local officers comply with such requests, they are delegated the same powers to hold an illegal immigrant as a DHS official would have. If the detention would have been legal if carried out by the Department of Homeland Security (DHS), then under S.2146 it is still legal; it does not become a crime simply because it is a local sheriff acting instead of a DHS official.

This provision was carefully drafted to protect individual liberties. It preserves an individual's ability to sue for a violation of a constitutional or civil rights, regardless of whether the violation was the result of negligence or was purposeful. Under S.2146, if there was no basis to detain the individual—DHS issued the request for someone in the U.S. legally—the individual may still sue for a violation of rights. The difference is that the party responsible for the error, the federal government, is liable; not a local police officer or jailer acting in good faith. If a local law enforcement officer acts improperly—mistreating an individual or continuing to hold an individual after federal officials issue a release order—the individual may sue, with the local officer liable for all costs and judgments.

Contrary to the assertions of the American Civil Liberties Union (ACLU)—the party that has orchestrated these lawsuits against local law enforcement officers—the Stop Sanctuary Policies Act is fully consistent with the Fourth Amendment. In a letter to Congress, the ACLU states, "The Fourth Amendment provides that the government cannot hold anyone in jail without getting a warrant or the approval of a judge." The fact is that the Constitution requires probable cause to detain an individual, which can be established by a judicial warrant issued before the arrest or by a demonstration of probable cause after the arrest. Otherwise police could never arrest someone whom they see committing a crime. The Stop Sanctuary Policies Act does not alter the requirement for probable cause. To the contrary, S.2146 explicitly preserves an individual's ability to sue if he or she is held without probable cause or has suffered any other violation of a constitutional right.

The ACLU also tries scare tactics. It claims that the Stop Sanctuary Policies Act includes "provisions requiring DHS to absorb all liability in lawsuits brought by individuals unlawfully detained in violation of the Fourth Amendment." This is false. If a lawsuit alleges that a local officer knowingly violated Fourth Amendment or other constitutional rights, then under S.2146, the individual officer will bear all liability—not the federal government. For some lawsuits, the U.S. will be substituted as defendant—specifically, suits alleging that the immigration detainer should not have been

issued. But such a claim could already be brought against the U.S. under existing law; thus, S.2146 does not create a new source of liability for the federal government. S.2146 simply provides that if the federal government made the error, the federal government should be the defendant.

We, the law enforcement officers of America, are on the front lines day after day. We know the challenges of apprehending criminals and the difficulties of working with crime victims and witnesses—especially those who may be fearful of local and federal authorities. Based on our collective knowledge and experience, we strongly support the Stop Sanctuary Policies Act (S.2146) and urge the Senate to pass this important legislation.

Sincerely,

NATIONAL SHERIFFS'
ASSOCIATION.
NATIONAL ASSOCIATION OF
POLICE ORGANIZATIONS.
FEDERAL LAW
ENFORCEMENT OFFICERS
ASSOCIATION.

Mr. TOOMEY. Mr. President, let me finish by reminding my colleagues that the vote we are about to have is not actually a vote on this bill in its current form. If Members object to a provision in it or they want to add a provision in it, then, by all means, let's vote to get on the bill. Let's open up debate, and we will have amendments, we will have a discussion, and we will have a debate. They are free to attempt to improve this bill and modify this bill, as they see fit.

This vote today is not a final passage vote. It is a vote on whether the issue of sanctuary jurisdictions is important enough to merit the Senate's consideration.

I was just shocked to hear one of our colleagues describe this bill as a waste of time. Really, a waste of time? That is unbelievable. How could the lives of Kate Steinle and the other victims who have been lost because of this ridiculous policy be a waste of the Senate's time when the courts are precluding the cooperation between local and Federal law enforcement officials because we have not acted? There is a simple solution. It starts with passing a motion to proceed so we can get on this bill and hopefully complete it successfully. I think the lives of Kate Steinle and the other victims are not a waste of time. I think we should be addressing this issue. We should be addressing it today.

I urge my colleagues to vote aye so that we can begin considering this very important—and it should be broadly supported—bipartisan piece of legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I would like to urge my colleagues to oppose S. 2146, the Stop Sanctuary Policies and Protect Americans Act.

Hundreds of cities and local jurisdictions across our country have financial, constitutional, and public safety

concerns with using scarce local tax dollars to hold immigrants in jail when they otherwise would be entitled to release under the law. These cities and towns are being called sanctuary cities because they have made a local and fact-based choice to keep their communities safe rather than serve as an arm of immigration enforcement.

This bill would create new criminal penalties for undocumented immigrants and make life even harder for them, most of whom are honest, hard-working people, not criminals. The bill also takes severe steps to penalize these sanctuary cities by stripping them of critical community block grants and Federal homeland security and law enforcement funding. While this bill purports to protect our communities, it is strongly opposed by law enforcement, victims' advocates, and local and State government leaders.

Why do they oppose this bill?

Demonizing our immigrant communities and using them as scapegoats does not make America safer. Decades of research shows the following: that immigrants as a group are not a threat to public safety, that immigrants are less likely to commit serious crimes than the rest of Americans, and that the higher rates of immigration are associated with lower rates of violent crime.

Law enforcement is clear. This bill would limit their ability to keep all people in their communities safe. Good community policy requires collaboration and trust. Our law enforcement officials want to spend their time going after people who truly pose a threat to our safety. This bill would have us spend limited resources pursuing hard-working though undocumented members of their communities with no criminal history. Community law enforcement should not be coerced, because that is what this bill would require. It is a requirement. Community law enforcement should not be coerced into serving as an arm of Federal Immigration and Customs Enforcement. That is what this bill does. Nobody is talking about voluntary collaboration and support for Federal Government enforcement of laws. Throughout this Congress, my Republican colleagues often rail against the Federal Government telling State and local governments what to do, but now when it comes to something as important as public safety and law enforcement, it is suddenly OK to second guess State and local law enforcement?

Instead of turning hard-working immigrants into bogeymen, we should be focusing on real solutions for violent crime in our communities. If my colleagues who support this bill are serious about addressing violence in America, then they should come to the table to talk about how we can strengthen our laws to keep guns out of the hands of criminals and the mentally ill.

I have been saying, along with many of my colleagues for over a year now, if my Republican colleagues want to discuss immigration reform, we welcome that debate. Everyone agrees our immigration system is broken and needs reform. It has been 28 months since the Senate passed a comprehensive immigration bill that had strong bipartisan support.

Even though it was not perfect from my perspective, we nonetheless worked together to come up with a compromise bill, but House Republicans ducked the issue and refused to take up the immigration reform bill. The Senate comprehensive immigration bill would have reduced the Federal deficit by \$1 trillion in just two decades because of the broad economic benefits immigration reform granted.

It would have protected and united families, strengthened our border security, improved our economy, and encouraged job creation in our country. The Senate's bill would have gotten millions of people out of the shadows, requiring them to pass criminal background checks and earn their path to citizenship. It would have let immigration enforcement officials focus on true security threats to our country.

The Senate's immigration bill included \$46 billion in new resources to help our Border Patrol, Immigration and Customs Enforcement agents. Of this amount, roughly \$30 billion was added to the bill to further secure our borders, but that is not enough for some Republicans. Apparently, some will not be happy until we literally round up every undocumented immigrant—some 11 million of them in our country—and deport them, which would be catastrophic to our economy, not to mention impossible to do. The current sanctuary cities debate is not the first time some have tried to use myths about immigrants to scare Americans. This rhetoric could not be further from the truth about immigrants.

I urge my colleagues to oppose these scare tactics and to vote no on the motion to proceed to S. 2146.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CORKER).

STOP SANCTUARY POLICIES AND PROTECT AMERICANS ACT—MOTION TO PROCEED—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 252, S. 2146, a bill to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally reenter the United States after being removed, and to provide liability protection for State and local law enforcement who cooperate with Federal law enforcement and for other purposes.

Mitch McConnell, David Vitter, John Barrasso, Dan Sullivan, David Perdue, Bill Cassidy, Ron Johnson, Steve Daines, James Lankford, James E. Risch, John Boozman, Mike Lee, Richard C. Shelby, John Cornyn, Jeff Sessions, Johnny Isakson, Patrick J. Toomey.

The PRESIDING OFFICER (Mr. PORTMAN). By unanimous consent the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2146, a bill to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally reenter the United States after being removed, and to provide liability protection for State and local law enforcement who cooperate with Federal law enforcement and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 45, as follows:

[Rollcall Vote No. 280 Leg.]

YEAS—54

Alexander	Enzi	Murkowski
Ayotte	Ernst	Paul
Barrasso	Fischer	Perdue
Blunt	Flake	Portman
Boozman	Gardner	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Coats	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	Manchin	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Vitter
Donnelly	Moran	Wicker

NAYS—45

Baldwin	Cantwell	Feinstein
Bennet	Cardin	Franken
Blumenthal	Carper	Gillibrand
Booker	Casey	Heinrich
Boxer	Coons	Heitkamp
Brown	Durbin	Hirono

Kaine	Mikulski	Schumer
King	Murphy	Shaheen
Kirk	Murray	Stabenow
Klobuchar	Nelson	Tester
Leahy	Peters	Udall
Markey	Reed	Warner
McCaskill	Reid	Warren
Menendez	Sanders	Whitehouse
Merkley	Schatz	Wyden

NOT VOTING—1

Graham

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 45.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from Florida.

UNANIMOUS CONSENT REQUEST—S. 1082

Mr. RUBIO. Mr. President, I don't think any of us in any of the 50 States have not had calls from our constituents about the Veterans' Administration. I know that certainly in Florida, I have. We are blessed to have so many people who are either in uniform or have served in uniform.

We make two fundamental promises to the men and women who serve our country. The first is that if we ever put them into hostility, they will be better equipped, better trained, and have more information than their adversaries. I, of course, fear that all three of those promises have eroded.

Here is the second promise we make to them: After they take care of us and they come home, we will take care of them. That is a promise that, sadly, is also not being kept.

There are a lot of different issues we can get into when it comes to veterans and what they are facing in this country, but one that has received a lot of attention is the Veterans' Administration and in particular the role it plays in providing health care for those returning or those who have served our country and have been facing challenges ever since. We have all had the phone calls to our office, and we have seen the media reports about it.

I am proud that last year we were able to pass legislation that gave the Secretary of the VA the ability to fire senior executives who weren't doing their jobs. This is the point—and this is where I always stop and remind everyone there are really good people working in the VA. In fact, the enormous majority of people at the VA are good people who care passionately about our veterans. There are some phenomenal VA facilities in this country, and then there are some facilities that aren't working. There are some individuals within that agency who, quite frankly, are not doing their jobs well. The problem is that they can't be held accountable because they are protected by law, and as a result they can't be removed.

We expanded that law a year ago to include the ability to fire senior executives who weren't doing their jobs, but to date that has not been used to much

effect. So earlier this year we introduced followup legislation, and the followup legislation gives the Secretary of the Department the authority to remove any employee of Veterans Affairs based on performance—or lack thereof—or misconduct. It gives them the authority to remove such individuals from the civil service or demote the individual through a reduction in grade or annual pay rate.

I am proud that this bill has gone through the process here in the Senate. It has passed out of committee and is now ready for action. I hope we will take action on this. There is a different version in the House. It has also gone through their committees, and they are waiting for their process to move it through. There are some differences between the two, which, of course, would be worked out in conference.

I think the prudent thing to do at this point, given the fact that the Senate bill has worked its way through the process and is now ready for action, is to take action. This is about creating accountability. By the way, this is about taking care of our veterans, but it is also about taking care of the people at the VA who are doing their jobs. This is also about them. It isn't fair to them that people who aren't doing their jobs continue in their positions and in many instances are increasing the workload on others because they are not performing or carrying their weight.

That is why I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 272, S. 1082; further, that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, reserving the right to object, I respect deeply and in fact support the arguments made by my colleague from Florida. There are goals here to be served, and I strongly support them as well. Accountability has been lacking for too long in the Department of Veterans Affairs. That is a simple fact on which we can all agree. In fact, we took a major step in the right direction with the passage of the access and accountability act during the last session with bipartisan support.

I would support this measure if a number of simple changes were made to it to comply with the Constitution. This measure lacks some of the basic constitutional guarantees that again and again the Supreme Court of the United States has said are absolutely mandatory. This bill, unfortunately, fails to provide sufficient notice in advance of any firing or disciplinary action, a statement of cause, a right to

be heard, and an opportunity for basic administrative constitutional guarantees.

I commit to work with my colleague from Florida on seeking to improve this bill. In fact, I have proposed a measure that is now pending in the Committee on Veterans' Affairs, S. 1856, which will improve the management of the VA in many of the same ways, but it avoids these constitutional pitfalls.

As a former attorney general, I care deeply about enforcement, which is to say effective enforcement. A disciplinary action now under appeal in the Federal circuit will decide the constitutionality of exactly these procedures. In the meantime, we ought to avoid creating unnecessary litigation and challenge to a law that should be enforced effectively. This one, unfortunately, cannot be. I believe strongly there are measures and ways to achieve greater accountability. It isn't a luxury or convenience; it is a necessity that the VA is held accountable. The more effective way to hold the VA accountable is to pass a measure that is fully constitutional and, in addition, provides more effective protection for whistleblowers. They are the ones who come forward speaking truth to power. They are the ones with critical facts necessary for accountability. This measure, unfortunately, fails to afford sufficient protection for those whistleblowers. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Florida.

Mr. RUBIO. Mr. President, the difference between this bill and the one in the House is the Whistleblower Protection Act. So if that is the issue the Senator is concerned with, I would ask if the Senator from Connecticut would then be willing not to object, to lift the objection, if we could move forward on the House bill that is now here and ready for us to take up as well because it does contain the whistleblower protection language.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I would be more than willing—indeed, happy—to work with my colleague from Florida on specific language that improves the whistleblower protection language. I think his bill takes a step in the right direction by providing that the Office of Special Counsel provide approval for any disciplinary action. That is a good step, but I believe it could be made more effective. I think the opportunity to be heard with notice for cause or discipline or firing is essential to effective enforcement. I share the goal—strongly share it—of making sure that accountability is enforced.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Again, the House version of this bill, which is ready for us to

take up today, has stronger accountability language which we do not oppose. It simply was not included for purposes of time at the committee level. But we are prepared to move now, if we could, because the House version is here and ready for action on our part, and it has the stronger accountability language. It sounds as though, no matter what, we are probably going to have a delay here on acting on this matter.

I would say this for people watching here in the Gallery or at home or anywhere they might see it later—I just want everybody to understand what we are saying here. All we are saying in this bill is that if you work for the VA and you aren't doing your job, they get to fire you. I think people are shocked that doesn't actually exist in the entire government since there is no other job in the country where, if you don't do your job, you don't get fired. But in this instance, we are just limiting it to one agency. This should actually be the rule in the entire government. If you are not doing your job, you should get fired. But this is just limiting it to the VA because we have a crisis there with the lack of accountability.

I would hope we can move forward on this, and I am prepared to listen to anyone who wants to improve this. We went through the normal course and process in the Senate. We went through the committee. It had hearings. Opportunities for amendments were offered at the time. So if there is a good-faith effort—and I believe that there is—then let's improve this and take action on it. We need to have a VA that is more interested in the welfare and security of our veterans than the job security of Federal employees.

I said at the outset that there are really good people at the VA. The vast majority of employees at the VA are doing their jobs and doing them well. They care about these veterans. It isn't fair to them that there are people on the payroll taking up seats, taking up slots, taking up money, and taking up time who aren't doing their jobs, and they literally cannot be fired. They literally cannot be removed. It is a near impossibility. The process is so expensive, so long, so troublesome, so complicated that in essence they cannot be removed.

Unfortunately, we will not be able to move forward on this today, it appears, but I hope that in quick succession we will be able to come together and get this done to provide a higher level of accountability that is so necessary in every agency of government but none more so than Veterans Affairs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, one last word. I want to simply concur in the very powerful and eloquent statements made by my colleague from

Florida. I think we all share those sentiments in this body that—and I am quoting now from legislation: Any employee who engages in malfeasance, overprescription of medication, insubordination, violation of any duty of care should be disciplined and very possibly fired.

We are talking about the process to achieve that end. I can commit that I will work with my colleague from Florida to make sure this body approves a measure that is effective as a deterrent to those kinds of violations of basic duty. To be effective as a deterrent, it has to be enforceable, and that is our common goal here.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, a few moments ago the Senate refused to move forward on an important piece of legislation, sometimes called the sanctuary cities bill. I want to explain for whoever may be listening and particularly for my colleagues what a terrible mistake our Democratic colleagues made—with the exception of two—by voting to block consideration of this piece of legislation.

What this bill would do is withhold Federal funds from jurisdictions that basically violate current law—that violate the information-sharing requirement in immigration law, Section 642 of the 1996 Illegal Immigration Reform and Immigrant Responsibility Act. Secondly, it would withhold Federal funds from those jurisdictions that refuse to honor the lawful, legal process known as the detainer, or request to notify Federal authorities if local law enforcement decides to release an illegal immigrant who happens to have been arrested for some other unrelated reason.

This is a truly important issue. As we have seen from the news, Kate Steinle out in California was killed by somebody who had repeatedly violated our laws not only by entering the country illegally but also by committing offenses against the persons and property of American citizens. Essentially what happens is when local jurisdictions give up and refuse to honor the detainers or give notice to Federal authorities before they release individuals, then people are going to get hurt. The Kate Steinles of the world will get killed.

In my State of Texas, we have had Houston police officers and other law enforcement personnel killed by illegal immigrants who have routinely broken our laws and have terrible criminal records. But if we can't get the cooperation of local law enforcement authorities to work with the Federal authorities, then unfortunately public safety will be harmed.

I am going to pull back a little bit and ask my colleagues to look at this perhaps from 30,000 feet. There is a reason at the time our Constitution was written that article VI, clause 2 simply

said the Federal law is the supreme law of the land. In other words, Federal laws trump State laws and local laws.

If we think about it, as James Madison said, if we didn't have Federal law as the supreme law of the land, essentially the authority of the whole country—the elected officials, the President, the Congress, those serving in the Federal Government—the laws of the country would be made subordinate to the parts of the country—the cities, the counties, the States—that essentially defy Federal law, and our system would be in chaos.

Indeed, what our colleagues across the aisle appear to have ratified here is not one Nation under the law, but a confederation of different jurisdictions that can pick and choose what laws they want to comply with. That is a recipe for chaos.

One of the reasons I think the American people are so angry with what they see happening in Washington these days—indeed, I think they have moved beyond anger to fear. They are fearful for the future of our country. When we see individual cities and States effectively nullify Federal law by refusing to cooperate or saying: We don't care what the Federal Government says; we are going to impose our own will, this is a recipe for chaos and for the very fabric of our country to unravel.

At different points in our Nation's history we have had States which said: We aren't going to respect Federal law; we are going to nullify it, in effect. That is what these cities that defy the Federal authorities and the supremacy of Federal law are doing. They are saying we don't have to comply with the law, and so the American people—I think out of apprehension over what they see happening here when States, cities, and other jurisdictions decide to pick and choose which laws will apply—realize this is a recipe for disunity and, in this case, for danger.

The people whom we are fighting for are families and communities that want to live in peace and safety in their local communities. That is what this legislation is about. This legislation, of course, is called Stop Sanctuary Policies and Protect Americans Act. All it does, simply stated, is to restore law and order across the country and to hold certain cities that want to defy Federal law accountable. It would limit Federal funding for State and local governments that refuse to cooperate. Basically, the Stop Sanctuary Policies and Protect Americans Act encourages compliance with Federal law, as I said a moment ago, and uses the power of the purse to withhold Federal funds from those jurisdictions that refuse to cooperate with the Federal law. The goal, as I said, is to protect our communities from those who would pose a danger to our society. It does not target legal immigrants who seek

to live a law-abiding and productive life here.

Frankly, I do not understand the Democrats'—with the exception of two who voted to get on this legislation and offer amendments and constructive suggestions—refusal to move this legislation forward, because it harms the public safety and it causes our country to become a confederation of different jurisdictions that can pick and choose which laws they want to enforce.

I mentioned one terrible incident over the summer, the murder of Kate Steinle in San Francisco by an illegal immigrant with a known and lengthy criminal record. This is just one example. This sad story poignantly demonstrates the consequences of the administration's abject failure when it comes to enforcing our immigration laws. People get hurt. People get killed. This legislation would address the root cause of this tragedy by targeting criminal aliens and those local entities that refuse to do anything to help the Kate Steinles of the world, and it would specifically serve to counter the policies of those city governments, such as San Francisco, that are known to shield criminal aliens from deportation. They openly defy the 1996 Federal law that requires information sharing. They openly refuse to cooperate with Federal orders and detainers and to notify the Federal Government when people are released from their jail sentence even though they know there is an outstanding deportation order pending.

This bill also extends the mandatory minimum sentence for those who attempt to reenter the country after being removed for breaking our laws. Time and again we are met with the tragic news of some other American citizen who was killed, injured or assaulted by somebody who has reentered the country, after being removed for violating our laws, and keeps coming back and committing other criminal acts.

We need to send a clear signal to those who attempt to enter our country illegally and violate and ignore our laws that they will have to answer for them and certainly will not be allowed to come back.

Some have rightly noted that this bill is not about immigration reform, and I agree. This bill is simply about enforcing our current law and holding those jurisdictions that refuse to comply with current law accountable by withholding Federal funds.

This legislation underscores the concept that, unbelievably, has been lost among municipalities across the country. Despite what the current administration might have us think, upholding the Federal law is not a suggestion. It is a legal requirement for all of us. We can't, in good faith, ask the American people to trust us when it comes to reforming our broken immigration system until they see us willing to stand

up and enforce the laws that are currently on the books and hold those jurisdictions, municipalities, States, and other local entities that refuse to comply with Federal law accountable. That is why organizations such as the National Sheriffs' Association and the National Association of Police Organizations have voiced their support for this legislation.

To sum up, the Stop Sanctuary Policies and Protect Americans Act really serves as a confidence-building exercise for Congress. If the American people don't see us actually stepping up and demanding that local jurisdictions enforce current law, how can they expect us to pass complex immigration reform legislation to address our broken immigration system? Unfortunately, in this confidence-building exercise, the Senate, led by our colleagues across the aisle, has failed in that confidence-building exercise. What they have done is to reinforce the belief that there are Members of the Senate who believe that local jurisdictions can openly defy Federal law and there will be no recourse and no accountability.

Frankly, it is hard for me to understand how our Democratic colleagues can, in good conscience, block this legislation, given some of the horrific crimes that have occurred, such as the crime that was committed against Kate Steinle in San Francisco. There are many, many, many tragic examples of this happening over and over in our country. This was our opportunity to do something about it, but unfortunately, for reasons unbeknownst to me, our Democratic colleagues will not even allow us to pass a bill which will hold jurisdictions that refuse to enforce current Federal law accountable. I yield the floor.

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, this week we have been discussing and taking up legislation to address the problem of sanctuary cities. In fact, just earlier today, we had a procedural vote on a motion to proceed to actually get on the bill. It failed. It only had 54 votes. The threshold in the Senate to get on a bill is 60 votes. Democrats here in the Senate decided to block consideration of this bill and to have that 60-vote threshold in play, and as a consequence, it failed. We had 54 votes. I think only two Democratic Senators voted to proceed to this legislation, and I would argue that is very unfortunate because this is a piece of legislation which represents common sense

and what I think the American people want us to be focused on when it comes to the issue of dealing with crime in our communities and illegal immigration in a way that ensures that those who come to this country and commit crimes aren't allowed to stay here.

According to the Department of Homeland Security, there are 334 jurisdictions across our country right now that have official policies discouraging cooperation with Federal immigration enforcement officers. Among other things, that means these jurisdictions regularly ignore what are called detainers, requests from the Department of Homeland Security to hold an individual for deportation. As a city prepares to release an illegal immigrant who has been convicted of or charged with a crime, the Department of Homeland Security will send a detainer asking that the individual be held for a brief period—usually 48 hours—until Federal immigration officers can take custody.

In a majority of the cities across the country, law enforcement would simply comply with this request and hold the individual until the Department of Homeland Security can arrive, but in sanctuary cities officials regularly ignore these requests and simply release these individuals from jail and back into the population at large—a practice that has resulted in the release of approximately 1,000 undocumented criminals per month. According to information from U.S. Immigration and Customs Enforcement, 9,295 imprisoned individuals whom Federal officials sought to deport were released into the population between January 1 and September 30 of last year. They released 9,295 imprisoned individuals in just 9 months. Of those 9,295 individuals, 5,947, or 62 percent, had a significant prior criminal history or presented a threat to public safety even before the arrest that preceded their release, and many went on to be arrested again within a short period of time.

There is a terrible human cost to sanctuary cities' decision to refuse to cooperate with U.S. immigration law. There has been a lot of discussion on the floor about Kate Steinle. Kate Steinle paid that cost when she was murdered on a San Francisco pier while walking with her father on July 1, 2015. She was shot by an undocumented immigrant who had been convicted of no fewer than seven felonies—seven felonies—prior to the decision of the city of San Francisco to ignore a request from the Department of Homeland Security and then go on and release this man into the population.

Unfortunately, Kate Steinle is not alone. Marilyn Pharis of Santa Maria, CA, was raped and then bludgeoned by an undocumented immigrant who had previously been arrested for battery but had been released after the local sheriff's office decided to ignore a re-

quest to detain him until he could be taken into Federal custody.

A 2-year-old California girl—a 2-year-old—was brutally beaten by her mother's boyfriend, an undocumented immigrant with felony drug and drunk driving convictions, who was released on bail after the crime despite a request from Federal officials that he be detained.

In 2011, Dennis McCann was killed when he was hit and dragged by a car driven by a drunk driver with a blood alcohol content nearly four times the legal limit. His killer turned out to be Saul Chavez, an undocumented immigrant with a prior drunk driving conviction. After Dennis McCann's death, the Department of Homeland Security filed a request asking that Immigration and Customs Enforcement be notified if Chavez was scheduled to be released. Cook County, however, chose to ignore this request, and after being released on bail, Dennis's killer apparently fled the country. Four years later, Dennis's family is still waiting to see justice done.

Unfortunately, I could go on and on. Decisions to release undocumented immigrants convicted of crimes, instead of detaining them for Federal officials, have resulted in far too many tragedies like those of Marilyn Pharis and Kate Steinle, and too many families in this country are mourning as a result.

Cooperation between local and Federal law enforcement is essential to protecting Americans, and detainer requests from the Department of Homeland Security are a key tool that helps Federal officials make sure dangerous individuals are not going back onto our Nation's streets.

When cities and counties ignore these requests, they force immigration officers to attempt to track down undocumented criminals after they have been released into the community. According to the Center for Immigration Studies, this requires an exponentially larger expenditure of funds and manpower and success is not guaranteed. Immigration and Customs Enforcement needs the support of cities and local law enforcement if it is going to keep these individuals off our Nation's streets.

The legislation we have been discussing today would take a substantial step forward toward handling the threat posed by sanctuary cities. The Stop Sanctuary Policies and Protect Americans Act, which has strong support from law enforcement organizations and victims' families, will withhold Federal funds under three grant programs and redirect those funds to jurisdictions that comply with Federal immigration laws. It will also provide crucial legal protections to law enforcement officers that will allow them to cooperate with Federal immigration authorities without the fear of lawsuits.

This act also incorporates provisions known as Kate's Law, named after Kate Steinle. These provisions would increase the maximum penalty for illegally reentering the United States after being deported and create a maximum penalty of 10 years for reentering the country illegally after being deported three or more times. Kate's Law would also create a mandatory minimum sentence of 5 years for those reentering the country after having been convicted of an aggravated felony prior to deportation or for those who reenter the country after two previous convictions for illegal reentry.

What happened to Kate Steinle on that pier in San Francisco should never have happened. It likely could have been prevented if San Francisco had chosen to respect the Department of Homeland Security's request to hold her killer until immigration officers could pick him up.

I hope the stop sanctuary policies act will move forward in the Senate so we will be able to send a version of this legislation to the President. It is time we started ensuring that dangerous criminals like Kate Steinle's killer don't end up back on the streets. We have that opportunity today. We ought to vote to move to this bill.

What is truly remarkable and amazing is that we couldn't even get on the bill to debate it. It was blocked by our colleagues on the other side who prevented even proceeding to the bill—a motion to proceed, which takes 60 votes in the Senate. It would have been very easy to get on the bill and at least have that debate. If they didn't like the provisions in the bill, they would have an opportunity to amend it and discuss the bill as we should be doing in the Senate, but instead the Democratic Senators chose to block the consideration, even the very consideration of legislation that would go to great lengths to try and prevent the types of tragedies we witnessed this last summer with Kate Steinle and so many others who have fallen prey to acts of violence by those who are here illegally and have prior experience with the law, prior convictions, and who are clear dangers to people and families all across this country.

It is a tragedy we weren't able to get on the bill. I hope our Democratic colleagues will change their minds and allow us to proceed to this legislation, to debate it, to vote on it, to pass it, and to send it to the President for his signature.

CYBERSECURITY INFORMATION SHARING BILL

Mr. President, I also wish to speak in support of S. 754, which I think we will be discussing momentarily, the Cybersecurity Information Sharing Act, or what is referred to as CISA, which the Senate is going to be debating this week. I commend Chairman BURR and Vice Chairman FEINSTEIN for their bipartisan work to bring this bill to the floor.

It seems that every week we learn of another serious cyber attack against U.S. businesses and government agencies. The most devastating recent attack is the one against the Office of Personnel Management that compromised the background check information of more than 21 million Americans. The pace of such attacks appears to be accelerating. According to the security firm Symantec, last year alone, more than 300 million new types of malicious software or computer viruses were introduced on the Web or nearly, if my colleagues can believe this, 1 million new threats each and every day.

Just last month, Director of National Intelligence James Clapper testified before the House Intelligence Committee that "cyber threats to U.S. national and economic security are increasing in frequency, scale, sophistication, and severity of impact."

From my position as head of the Senate commerce committee, I have promoted the great potential of the emerging Internet of Things—which promises to yield improvements in convenience, efficiency, and safety by connecting everyday products to the Web—but I have also held several hearings on the cyber security risks and challenges that accompany an increasingly connected world. By increasing the sharing of cyber threat information between and among the private and public sectors, the bill would authorize the voluntary sharing of cyber threat information and would provide commonsense liability protections for companies that share such information with the government or their peers, when they abide by the bill's requirements. The goal is to help companies and the government better protect their networks from malicious cyber attacks by sharing information about those threats earlier and more broadly.

Similar bipartisan legislation was reported by the Senate Intelligence Committee last year that was never considered by the Democratic-controlled Senate at the time. This year the Intelligence Committee passed a bill by a bipartisan vote of 14 to 1, which should portend a strong bipartisan vote on the floor of the Senate.

The House of Representatives has also passed two bills to facilitate the sharing of cyber threats, so we are now within striking distance of finally enacting critical cyber security information-sharing legislation after several false starts in recent years.

I know some have questioned whether this bill provides appropriate protections for personal privacy and civil liberties. I appreciate these concerns, and I believe the bill's sponsors have meaningfully addressed them, including through modifications to be included in a managers' amendment.

This bill is not a surveillance bill. Among other things, the modified bill would limit the sharing of information

to that defined as "cyber threat indicators" and "defensive measures" taken to detect, prevent or mitigate cyber security threats.

The bill also requires private sector and Federal entities to remove personally identifiable information prior to sharing threat indicators, and the Federal Government can only use the cyber threat information it receives for cyber security purposes and to address a narrow set of crimes, such as the sexual exploitation of children.

The bill also requires regular oversight of the government's sharing activities by the Privacy and Civil Liberties Oversight Board created after 9/11 and by relevant agency inspectors general.

In the end, it is important to remember that CISA is about cyber threats—like the malware being used by criminals in hostile states—not personal information. Meanwhile, failing to enact this bill could actually make it easier for criminals in rogue states to continue collecting our personal information from vulnerable systems.

Let me be clear. This is not a silver bullet and it will not render cyberspace completely safe—no bill can do that—but CISA is an important piece of the ongoing effort to improve our cyber security.

Late last year, after a decade without passing major cyber security legislation, Congress enacted five cyber security laws that target other pieces of the cyber puzzle. I coauthored one of these—the Cybersecurity Enhancement Act—with former Senator Jay Rockefeller. This law ensures the continuation of a voluntary and private sector-led process at the Commerce Department's National Institute of Standards and Technology, or what we refer to as NIST, to identify best practices to protect our Nation's critical infrastructure from cyber threats. The Cybersecurity Enhancement Act also promotes cutting-edge research, public awareness of cyber security risks, and improvements in our cyber security workforce.

CISA will work together with this new law and others to ensure that businesses have timely warning about current threats so they can better protect themselves—and all of us—from cyber attacks. It does so in a manner that protects individual privacy and avoids government mandates.

I look forward to the coming debate on the bill—including a healthy consideration of amendments—and I urge my colleagues to join the bipartisan sponsors and a broad coalition of stakeholders around this country in supporting this much needed legislation.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, since we are still on the sanctuaries bill, before we turn to the cyber legislation, I ask

unanimous consent that I be allowed to address the Senate after Chairman BURR has completed his remarks and after Ranking Member FEINSTEIN has completed her remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, we are quickly moving to a point where I think the majority leader will come to the floor and will call up the cyber security bill.

Let me remind my colleagues that we have been on the floor briefly before, and the conclusion then was that we agreed to a unanimous consent request that made in order 22 amendments. It was not a limiting UC. So there is the opportunity for additional amendments to come to the floor.

As we start, I say to my colleagues that if we have a level of cooperation by the Members—if in fact they come, debate, and vote on amendments—we can resolve this in literally a matter of a couple of days. If people want to try to obstruct, then it is going to be a lengthy process procedurally.

I don't think there is a lot new that we are going to learn. What is the fact? The fact is that actors around the world continue to attack U.S. systems and, in many cases, penetrate them: Sony Films, Anthem Health, OPM.

The Presiding Officer, as a member of our committee, knows that the amount of personal data that is being accumulated out there somewhere provides almost a roadmap to everything about anybody. What we are attempting to do with this cyber bill I want the American people to understand: This is not to prevent cyber attacks. I would love to figure out technologically how we do it. Nobody has been able to do it. What this is designed to do is to minimize the data that is lost, to minimize the personal information that an individual gleans out of going into a database and pulling out that information.

The vice chairman and I have worked with other members of the committee to report a bill out of the committee on a 14-to-1 vote. We are now almost 3 months behind the House of Representatives, which has passed two bills that we desperately need to get out of the Senate in a piece of legislation that we could conference with the House of Representatives. In a conversation just this morning that I had with the White House, they are supportive of this bill getting out of the Senate and having the bill on the President's desk so that he could sign it into law and we could have this in place.

Let me make some overall points on the cyber bill. One, most importantly, it is voluntary. Any business in America can choose to participate or not to participate. They can tell the Federal Government that they have been pene-

trated. They can provide the appropriate data for us to begin the forensics and to tell them in real time: Here is a defensive software package you can put on your system that will make it immune from that tool again. But more importantly, it might minimize the amount of data that is lost and certainly would allow the government to then broadcast to business more widely: Here is the tool that is being used today and here is the defensive mechanism to keep other businesses from having the same penetration and data loss.

Now, it is important that I say that when we started there were 22 amendments that were placed in order. I am proud to tell my colleagues that we have worked out eight of those amendments. They will be incorporated in a managers' amendment that will also have an additional six amendments that we think strengthen the concerns that have been expressed about privacy. They also address certain areas of cross-jurisdiction, such as the Department of Homeland Security. We now have those chairmen and those ranking members fully on board in support of this legislation. Now we have to go through the process. At the root of this is moving forward a piece of legislation on cyber that is a voluntary piece of legislation by companies.

I mentioned real time. I know the Presiding Officer has heard this in committee. If we can't promise real time, we can't promise to anybody who is willing to provide the data that we can actually stop or minimize data loss. So it is absolutely crucial that this all function in real time. To have a voluntary program that involves real time transfer of information means that there have to be incentives for that to be done.

Let me just point out two things. For a company to talk to a competitor after they have been attacked and penetrated, we provide antitrust protection to them to talk directly to that competitor as fast as they possibly can to find out whether we have multiple systems that are at risk. For the company to report to the Federal Government we provide liability protection just for the transfer of that information. As Members read the bill, they will see that statutorily we don't allow personal data that is unrelated to the forensics—needed to identify who did the attack, with what type of a tool, and what the defensive mechanism is—that statutorily cannot be transferred from a private company to the government. Additionally, we say to every Federal agency that might receive in real time this data that if there is personal data that is transmitted from a company to the Federal Government, you cannot distribute personal data.

I am not sure how it gets stronger than where we are, but I have come to this conclusion after working on this

legislation for this entire year—and the vice chairman has worked on it for multiple years: There are some people who don't want legislation. We have met with every person who had a good thought—legislation that would send us in a positive direction but still embrace the policy found in this legislation. It is limited, but there are some who we can't in fact satisfy.

So let me say this to those companies that have expressed opposition to this piece of legislation. It is really clear. Choose not to participate. It is voluntary. To those companies that find no value in it, if you have an aversion to what we have written, don't participate—even though a majority of businesses in America are actually calling my office and the vice chairman's office saying: When are we going to get this done? We need this. We need it.

It is that simple. That is the beauty of it being voluntary. Voluntary also means that the U.S. Chamber of Commerce is 100 percent supportive of this legislation. Now we never have full agreement from a membership of an association, but it takes a majority—in fact, it takes well over a majority—for an organization such as that to come out publicly supporting it. So I say very boldly, if you don't like the piece of legislation, it is real easy: You just don't participate in it.

Some have called this a surveillance bill. Let me just knock that down real quick. First, this bill requires private companies and the government to eliminate any irrelevant personal, identifiable information before sharing cyber threat indicators or defensive measures. Second, this bill does not allow the government to monitor private networks or computers. Third, this bill does not allow the government to shut down Web sites or require companies to turn over personal information. Fourth, this bill does not permit the government to retain or use cyber threat information for anything other than cyber security purposes, identifying the cyber security threat, protecting individuals from death or serious bodily or economic harm, and protecting minors or investigating limited cyber crime offenses. Fifth, it provides rigorous oversight and requires a periodic interagency inspector general report to assess whether the government has violated any of the requirements found in this act. The report would also assess any impact this bill may have on privacy and civil liberties.

Finally, our managers' amendment has incorporated additional provisions that enhance privacy protection. First, our managers' amendment omitted the government's ability to use cyber information to investigate or prosecute serious violent felonies.

Personally, I thought that was a pretty good thing. I can understand where it is outside of the scope of a

cyber bill, but information about a felony that you learned in this I thought was something the American people would want us to act on. Individuals raised issues on it. We dropped it out of the bill.

Secondly, our managers' amendment limited cyber threat information sharing authorities to those that are shared for cyber security purposes. In other words, it is only for cyber security purposes.

Both of these changes ensure that nothing in our bill reaches beyond the focused cyber security threats that it intends to prevent and deter. Nothing in this bill creates any potential for surveillance authorities. Despite rumors to the contrary, CISA's voluntary cyber threat indicator sharing authorities do not provide in any way for the government to spy on or use library and book records, gun sales, tax records, educational records or medical records. Given that cyber hackers have hacked into and stolen so much publicly disclosed private, personal information, it is astounding that privacy groups would oppose a bill that has nothing to do with surveillance and seeks to protect their private information from being stolen. I guess that has been the most troubling aspect of the road we have traveled—that we are trying to protect personal data, and yet the groups that say they are the stewards of personal data are the ones that, in fact, are the most vocal on this.

CISA ensures the government cannot install, employ or otherwise use cyber security systems on private sector networks. No one can hack back into a company computer system even if their purpose is to protest against or quash cyber attacks.

The government cannot retain or use cyber threat information for anything other than cyber security purposes; preventing, investigating, disrupting or prosecuting limited cyber crimes; protecting minors; and protecting individuals from death or serious bodily or economic harm. The government cannot use cyber threat information in regulatory proceedings.

That is what we are here talking about. This is voluntary and it is targeted at minimizing data loss. It is targeted at trying to protect the personal data of the American people found in every database in every company around the world.

Mr. President, I am going to turn to my vice chairman as we get ready for Senator WYDEN to make remarks and for leader MCCONNELL to come to the floor.

I would put Members on notice once again. It is our intent to have some opening comments, to actually make the managers' amendment pending, to make those amendments that were part of the unanimous consent agreement but not worked out as part of the managers' package pending.

I encourage those Members who have authorship of those pending amendments to come and debate them, and we will schedule a vote for them. If you have additional amendments, come and offer those amendments and we will start debate on it. It is our goal, with the cooperation of Members, to work expeditiously through all of the amendments one wants to consider and to dispose of them and to finalize cyber security legislation in the Senate so we can move to the House and conference a bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I want to begin by saying that I very much agree with what Chairman BURR has just stated. It is factual. It is the truth.

For me, I have worked on this issue for 7 years now. And this is actually the third bill that we have tried to move.

I want to thank the two leaders for bringing the bill to the floor, and I hope it can be considered quickly.

Up front I want to make clear, if it hasn't been made clear, that this legislation is a first step only to improve our Nation's defenses against cyber attack and cyber intrusion. It is not a panacea, and it will not end our vulnerabilities. But it is the most effective first legislative step we believe that we can take.

This legislation is about providing legal clarity and legal protection so that companies can share cyber threat information voluntarily with each other and with the government. It provides companies the protections they need and puts strong privacy rules in place.

At the beginning of this debate, I think it is important to talk about the depth and breadth of the cyber threat we actually face every day, because rarely does a month go by without the announcement of a significant cyber attack or intrusion on an American company or an agency of the U.S. Government. These attacks compromise sensitive personal information, intellectual property or both.

Just in the last year, major banks, health insurers, tech companies, and retailers have seen tens of millions of their customers' sensitive data stolen through cyber means. In 2014 the Internet security company Symantec reported that over 348 million identities were exposed through data breaches. Threats in cyber space do not just risk the personal data of Americans. They are a significant and growing drain on our economy as malicious actors steal our money, rob companies of intellectual property, and threaten our ability to innovate.

The cyber security company McAfee and the think tank Center for Strategic and International Studies esti-

mated last year that the cost of cyber crime is more than \$400 billion annually. The same study stated that losses from cyber theft could cost the United States as many as 200,000 jobs. These are not theoretical risks; they are happening today and every day.

As we know all too well in the wake of cyber intrusions at the Office of Personnel Management, cyber threats are not only aimed against the private sector. They are also aimed against the public sector. Every day, foreign nation-states and cyber criminals scour U.S. Government systems and our defense industrial base for information on government programs and personnel—every single day.

More than 22 million government employees and security clearance applicants had massive amounts of personal information stolen from the Office of Personnel Management, reportedly taken by China. These employees now face increased risk of theft and fraud, and also their information could be used for intelligence operations against them and the United States.

As bad as this is—and it is bad—we have seen in the last few years an acceleration of an even more concerning trend, that of cyber attack instead of just cyber theft. In 2012 major U.S. financial institutions saw an unprecedented wave of denial-of-service attacks on their systems.

Saudi Aramco—reported to be the world's largest oil and gas company—was the victim of a cyber attack that wiped out a reported three-quarters of its corporate computers. In 2013 we saw further escalations of these threats as waves of denial-of-service attacks were aimed at some of our largest banks. In early 2014 Iran launched a cyber attack on the Sands Casino which, according to the public testimony of the Director of National Intelligence, James Clapper, rendered thousands of computer systems inoperable. Last November we saw one of the most publicized cyber attacks when North Korean attacks broke into Sony Pictures Entertainment, stole vast amounts of sensitive and personal data, and destroyed the company's internal network.

These breaches of personal information and loss of intellectual property and destructive attacks continue online every day. It is only a matter of time before America's critical infrastructure—major banks, the electric grid, dams, waterways, the air traffic control system, and others—is targeted for a cyber attack that could seriously affect hundreds of thousands of lives.

Clearly it is well beyond the time to act. There is no legislative or administrative step we can take that will end cyber crimes and cyber warfare. However, since the Intelligence Committee began looking seriously at this in 2008, we have heard consistently that improving the exchange of information about cyber threats and cyber vulnerabilities can yield a real and significant

improvement to U.S. cyber security. That is why this bill is the top cyber legislative priority for the Congress, the Obama administration, and the business community.

I have heard directly from dozens of corporate executives about the importance of cyber security legislation, as have the Intelligence Committee staff in hundreds of meetings over the course of years in drafting this legislation. As Chairman BURR has said, not only has the U.S. Chamber of Commerce called for this legislation but so have dozens—specifically 52—of industry groups representing some of the largest sectors of our economy. On the floor in early August, I listed 40 associations that have written in support of the legislation. Today there are 52.

I ask unanimous consent that the list of supporters of this bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CYBERSECURITY INFORMATION SHARING ACT
ENDORSEMENTS

Agricultural Retailers Association, Airlines for America, Alliance of Automobile Manufacturers, American Bankers Association, American Cable Association, American Chemistry Council, American Coatings Association, American Fuel & Petrochemical Manufacturers, American Gaming Association, American Gas Association, American Insurance Association, American Petroleum Institute.

American Public Power Association, American Water Works Association, ASIS International, Association of American Railroads, Association of Metropolitan Water Agencies, BITS—Financial Services Roundtable, College of Healthcare Information Management, Computing Technology Industry Association, Executives Computing Technology Industry Association, Edison Electric Institute, Electronic Payments Coalition, Electronic Transactions Association, Federation of American Hospitals, Food Marketing Institute.

Global Automakers, GridWise Alliance, Healthcare Information and Management Systems Society, Health Information Trust Alliance, Large Public Power Council, National Association of Chemical Distributors, National Association of Manufacturers, National Association of Mutual Insurance Companies, National Association of Water Companies, National Business Coalition on e-Commerce & Privacy, National Cable & Telecommunications Association, National Retail Federation.

National Rural Electric Cooperative Association, Property Casualty Insurers Association of America, Real Estate Roundtable, Retail Industry Leaders Association, Rural Broadband Association, Security Industry Association, Software & Information Industry Association, Society of Chemical Manufacturers & Affiliates, Telecommunications Industry Association, Transmission Access Policy Study Group, United States Telecom Association, U.S. Chamber of Commerce, Utilities Telecom Council, Wireless Association.

Mrs. FEINSTEIN. Mr. President, regrettably this is the third attempt to pass a cyber security information sharing bill in recent years. In 2012 the Lie-

berman-Collins Cybersecurity Act of 2012 was on the floor. It included a title on information sharing which the Intelligence Committee helped produce. It was an important piece of legislation, but it only received one Republican vote.

Last Congress, then-vice chairman of the Intelligence Committee Saxby Chambliss and I set out to draft a narrower bill just on information sharing in the hopes of attracting bipartisan support. The Intelligence Committee approved a bill in 2014 by a strong bipartisan vote of 12 to 3, but it never reached the Senate floor due to privacy concerns. So this is the third try.

I am very pleased that Chairman BURR and I now have the opportunity to bring a bill to the floor that both sides can and should support. This bill is bipartisan. It is narrowly focused. It puts in place a number of privacy protections, many of which we will outline shortly. I believe the bipartisan vote of 14 to 1 in the Senate Intelligence Committee in March underscores this fact. I would like to commend Senator BURR's leadership and his willingness to negotiate a bipartisan bill with me that can and should—and I hope will—receive a strong vote in the Senate. Let me take a few minutes to describe the main features of the bill and its privacy protections.

In short, it does the following five things:

First, the bill recognizes that the Federal Government has information about cyber threats that it can and should share with the private sector and with State, local, and tribal governments. The bill requires the Director of National Intelligence to put in place a process to increase the sharing of information on cyber threats already in the government's hands with the private sector to help protect an individual or a business. So that is the sharing between the government and the private sector. This includes sharing classified data with those with security clearances and an appropriate need to know but also requires the DNI to set up a process to declassify more information to help all companies secure their networks. We have heard over and over again from companies that the information they get from the government today is not sufficient. That needs to change.

Second, the bill provides clear authorization for private sector entities to take appropriate actions. That includes an authorization for a company to monitor its networks or information on its networks for cyber security purposes only. No other type of monitoring is permitted, nor is the use of information acquired through such monitoring allowed for purposes other than cyber security.

There is also an authorization for a company to implement a defensive measure on its network to detect, pre-

vent, or mitigate a cyber threat. This authorization by definition does not authorize a defensive measure that destroys, renders unusable, or substantially harms a computer system or information on someone else's network. This is an important point. There has been concern that the bill would immunize a company for damage it might cause to other people's networks. The managers' amendment makes clear that the authorization in this bill allows companies to block malicious traffic coming from outside their network and stop threats on their systems but not conduct offensive activities or otherwise have substantial effects off their networks.

Finally, there is an authorization for companies to share limited cyber threat information or defensive measures with other companies or with government agencies. It does not authorize sharing anything other than cyber information. In a critical change, the managers' amendment states that sharing is for cyber security purposes only. So this really is a very limited authorization.

It is important to note that while these activities are authorized, they are not mandatory. Information sharing, monitoring, and use of defensive measures are all voluntary. The bill makes explicit that there are no requirements for a company to act or not to act.

I have heard from technology companies in the past couple of weeks that they are concerned that this bill requires them to share customer information with the government. That is false. Companies can choose to participate or they can choose not to. If they do, they can only share cyber threat information, not their company's personal information or their online activity.

The third thing this bill does is it puts in place procedures and limitations for how the government will receive, handle, and use cyber information provided by the private sector. The bill requires two sets of policies and procedures. The first set—to be written by the Attorney General and the Secretary of Homeland Security—requires that cyber information that comes to the Federal Government will be made available to all appropriate Federal departments and agencies without unnecessary delay and that the information sharing system inside the government is auditable and is consistent with privacy safeguards.

The second set of required guidelines is designed to limit the privacy impact of the sharing of cyber information and specifically limits the government's receipt, retention, use, and dissemination of personal information. These guidelines are to be written by the Attorney General. They will be made public.

The bill specifically limits the use of cyber information by the government.

Federal agencies can only use the information received through this bill for a cyber security purpose, for the purpose of identifying a cyber threat, preventing or responding to an imminent threat of death, serious bodily harm, serious economic harm, including an imminent terrorist attack, preventing or responding to a serious threat of harm to a minor, and preventing, investigating, or prosecuting specific cyber-related crimes.

Fourth, the bill creates what we call in shorthand a portal at the Department of Homeland Security and requires that cyber information is received by the government through the Homeland Security portal, from which it can be distributed quickly and responsibly to appropriate departments and agencies. This portal was the joint proposal a few years ago by former DHS Secretary Janet Napolitano, FBI Director Bob Mueller, and NSA Director Keith Alexander. The purpose of the portal is to centralize the entry point for cyber information sharing so that the government can effectively and efficiently receive that cyber information, can protect privacy, and can ensure that all the appropriate departments with cyber security responsibility can quickly learn about threats.

A key aspect of this centralized portal is to enable information to move where it needs to go automatically. Once cyber threat information enters the portal, it will be shared in real time—meaning without human intervention and at machine speed—to the other appropriate Federal agencies. The belief is that they can put in a filter and do a privacy scrub, if you will, just in case there is any private information, such as a Social Security number, a driver's license number, or something like that, that can be instantly moved out.

Such a real-time exchange is necessary because if there are indications that a cyber attack is underway, the response to stop that attack will need to be immediate and not subject to any delay. The bill makes clear that this can and should be done in a way that ensures that privacy is protected, improving both privacy protections and the ability to quickly protect sensitive systems.

Fifth and finally, the bill provides liability protection to companies that act in accord with the bill's provisions. Specifically, the bill provides liability protection for companies that properly monitor their computer networks or that share information the way the bill allows. The bill specifically does not protect companies from liability in the case of gross negligence or willful misconduct, nor does it protect those who do not follow its privacy protections.

As I mentioned earlier, there are many privacy protections throughout the bill. Because this is a key point of interest for a number of Senators, I wish to list 10 of them.

No. 1, it is voluntary. The bill doesn't require companies to do anything they choose not to do. There is no requirement to share information with another company or with the government, and the government cannot compel any sharing by the private sector. So if there is this tech company or that tech company that doesn't want to provide this information, don't do it. Nothing forces you to do it. This is 100 percent voluntary.

No. 2, it narrowly defines the term "cyber threat indicator" to limit the amount of information that may be shared under the bill. Only information that is necessary to describe or identify cyber threats can be shared.

No. 3, the authorizations are clear, but they are limited. Companies are fully authorized to do three things: monitor their networks or provide monitoring services to their customers to identify cyber threats, use limited defensive measures to protect against cyber threats on their networks, and share and receive cyber information with each other and with Federal, State or local governments. No surveillance, no sharing of personal or customer information is allowed.

No. 4, there are mandatory steps that companies must take before sharing any cyber threat information with other companies or the government. Companies must review information before it is shared for irrelevant privacy information, and they are required to remove any such information that is found. A bank would not be able to share a customer's name or account information. Social Security numbers, addresses, passwords, and credit information would be unrelated to a cyber threat and would, except in very exceptional circumstances, be removed by the company before sharing.

No. 5, the bill requires that the Attorney General establish mandatory guidelines to protect the privacy of any information the government receives. These guidelines will be public. The guidelines will limit how long the government can retain any information and provide notification requirements and a process to destroy mistakenly shared information. It also requires the Attorney General to create sanctions for any government official who does not follow these mandatory privacy guidelines.

No. 6, the Department of Homeland Security, not the Department of Defense or the intelligence community, is the primary recipient of the shared cyber information.

No. 7, the managers' amendment includes a new provision, which was suggested by Senator CARPER, with the backing of a number of privacy groups, to allow the Department of Homeland Security—and I say this again—to scrub the data as it goes through the portal to make sure it does not contain irrelevant personal information.

No. 8, the bill restricts the government's use of voluntarily shared information to cyber security efforts, imminent threats to public safety, protection of minors, and cyber crimes. Unlike previous versions, the government cannot use this information for general counterterrorism analysis or to prosecute noncyber crimes.

No. 9, the bill limits liability protection to only monitoring for cyber threats and sharing information about them when a company complies with the bill's privacy requirements, and it explicitly excludes protection for gross negligence or willful misconduct.

No. 10, above and beyond these mandatory protections, there are a number of oversight mechanisms in the bill which involve Congress, the heads of agencies, the inspectors general, and the Privacy and Civil Liberties Oversight Board.

In sum, this bill allows for strictly voluntary sharing of cyber security information with many layers of privacy protections.

As I have noted, the managers' amendment that we will consider shortly, I hope, will include several key privacy protections. We will be describing them in more detail when we turn to that amendment.

Mr. President, I hope this has made clear that we have tried to very carefully balance the need for improved cyber security with the need to protect privacy and private sector interests. As I said earlier, this is the third bill on information sharing. We have learned from the prior two efforts.

It is clear from the headlines and multiple data breach notifications that customers and employees are now receiving that this bill is necessary and we need to act now instead of after a major cyber attack seriously impacts hundreds or thousands of lives or costs us billions or trillions of dollars.

We have a good bill. I know there are some cynics. I know there are some tech companies that may be worried about what their customers might do. Then don't participate if you don't want to, but I have talked to enough CEOs who have said to me: Please do this. We need this ability to share, and the only way we can get this ability is with liability protection for sharing cyber threat material, so this is very important.

I again thank the chairman for everything he has done to lead this effort. It is my hope that we will have a good, civil debate and that we will be able to pass this bill with a substantial margin.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, this afternoon we begin the discussion of cyber security legislation. I think it is important to say at the outset that I think everybody who hears the notion

that the Senate is talking about cyber security would say: Boy, you have to be for that. We all read about cyber hacks regularly, so you ask: Why not be for what they are talking about in the Senate?

I begin by way of saying that the fact is not every bill with cyber security in the title is necessarily a good idea. I believe this bill will do little to make Americans safer but will potentially reduce the personal privacy of millions of Americans in a very substantial way. In the beginning, I think it is particularly telling who opposes this legislation at this time. The Business Software Alliance has said they cannot support this bill. They have members such as Apple, IBM, and Microsoft, and they are saying that at this time they cannot be for this bill. The Computer and Communications Industry Association has members such as Google, Facebook, and Amazon. They have said they cannot support the legislation at this time. America's librarians cannot support it at this time. Twitter cannot support it at this time. Wikimedia Foundation and Yelp can't support it at this time.

The groups I am talking about are ones with members who have companies with millions and millions of customers, and they are saying they can't support this bill at this time.

I think I know why these companies that didn't have a problem with previous kinds of versions of this legislation are saying they don't support it. These companies are hearing from their customers and they are worried their customers are saying: This doesn't look like it is going to protect our privacy. Of course, we want to be safe. We also want to have our liberty. Ben Franklin famously said anyone who gives up their liberty to have security really doesn't deserve either—so we know what Americans want.

I would submit the reason these companies are coming out in opposition to this legislation is they don't want their customers to lose confidence in their products. They are looking at this legislation, and they are saying the privacy protections are woefully inadequate and their customers are going to lose confidence in their products.

I appreciate that the managers are trying to make the bill better. It is quite clear to me, having listened to two colleagues—whom I respect very much—that they are very much aware that their bill has attracted widespread opposition. The comment was made that Apple, Google, everyone should be for this.

I would say again—respectfully to my colleagues, the authors, with whom I have served since we all came to the committee together—even with the managers' amendment, the core privacy issues are not being dealt with.

I would just read now from a few of the comments—maybe I am missing

something. Maybe I heard a list of all the privacy issues that had been addressed. I haven't seen any privacy groups the Democrats or Republicans look to saying they support the privacy protections in the bill, but let me give you an example of a few who surely don't.

This is what Yelp says: "Congress is trying to pass a 'cyber security' bill that threatens your privacy."

This is what the American Library Association is saying. I will admit, Mr. President, I am a little bit tilted toward librarians because my late mother was a librarian. We all appreciate the librarians we grew up with. The librarians say that this bill "de facto grants broad new mass data collection powers to many federal, as well as state and even local government agencies."

Salesforce, a major player in the digital space located in California, says:

At Salesforce, trust is our number one value and nothing is more important to our company than the privacy of our customers' data. . . . Salesforce does not support CISA and has never supported CISA.

They have a hashtag.

Follow #StopCISA for updates.

This is the group that represents the Computer and Communications Industry Association—this is Google, Amazon, and Microsoft, the biggest major tech companies. Again, these are companies with millions of customers, and the companies are worried that this bill lacks privacy protections and their customers are going to lose confidence in some of what may be done under this. They say they support the goals, of course—which we all do—of dealing with real threats and sharing information. They state: "But such a system should not come at the expense of users' privacy, need not be used for purposes unrelated to cyber security, and must not enable activities that might actively destabilize the infrastructure the bill aims to protect."

Mr. President, we heard my colleague, the chair of the committee, a member of the Committee on Finance whom I have worked with often, say that the most important feature of the legislation is that it is voluntary. The fact is that it is voluntary for companies. It will be mandatory for their customers. And the fact is that companies can participate without the knowledge and consent of their customers, and they are immune from customer oversight and lawsuits if they do so. I am all for companies sharing information about malware and foreign hackers with the government, but there ought to be a strong requirement to filter out unrelated personal information about customers.

I want to emphasize this because this is probably my strongest point of disagreement with my friends who are the sponsors. There is not in this bill a strong requirement to filter out unre-

lated personal information about these millions of customers who are going to be affected. This bill would allow companies to hand over a large amount of private and personal information about millions of their customers with only a cursory review. In my judgment, information about those who have been victims of hacks should not be treated in essentially the same way as information about the hackers. Without a strong requirement to filter out unrelated personal information, that is unfortunately what this bill does.

At the outset of this discussion, we were told this bill would have substantial security benefits. I heard for days, for example, that this bill would have prevented the OPM attack, that it would have stopped the serious attack on government personnel records. After technologists reviewed that particular argument, that claim has essentially been withdrawn.

There is a saying now in the cyber security field: If you can't protect it, don't collect it. If more personal consumer information flows to the government without strong protections, my view is it is going to end up being a prime target for hackers.

Sharing information about cyber security threats is clearly a worthy goal, and I would like to find ways to encourage more of that responsibly. Yet if you share more information without strong privacy protections, millions of Americans will say: That is not a cyber security bill; it is a surveillance bill. My hope is that, working in a bipartisan way, by the time we have completed this legislation on the floor, that will not be the case.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BURR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. Mr. President, I listened patiently to my friend and colleague, and we are on the committee together, so this is not the first time we have had a frank discussion. But let me say to those companies that have reached out to him, and he listed them—I am not going to bother going through 53 associations and the number of companies that are represented because there are hundreds and hundreds. They are sectors of our economy. It is the financial industry. It is automotive. It is practically everybody in retail.

There are a couple of things that still shock me because I really can't make the connection. A technology company has a tremendous amount of users, and those users put their personal data on that—pick one—and the company says there is nothing more important than

protecting the data of their users. It strikes me, because I was in business for 17 years before I came to this insane place, that any business in the world would say: I don't have a problem with putting this in place as long as I don't have to use it. I can make a decision whether I use it or whether I don't.

It may be that when they get an opportunity to see the final product and it is in place, they may say: Well, you know what, this isn't so bad. This actually took care of some of the concerns we have.

But to make a blanket statement for a company whose No. 1 concern is the protection of its customers' data—to ignore the threat today that is real and will be felt by everybody, if it hasn't been felt by them, and not have something in place is irresponsible by those companies.

Again, I point to the fact that if this were a mandatory program, I could understand why they might, for market share reasons or marketing reasons, go out and say: We are not covered by this. But this is voluntary for everybody. There is not a soul in the world who has to participate. But the ones that are really concerned about their customers' data, the ones that really understand there are companies, individuals, and countries trying to hack their systems will succumb to the fact that something is better than nothing.

It is sort of like going home to North Carolina—and I see the leader is coming—where this year we have had a rash of sharks. It is one thing to know there are sharks out there and swim and say: How could one bite me? Well, you know you have hackers out there. It seems as if you take precautions when you go swimming, and it seems as if you should take precautions to keep from being hacked.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

CYBERSECURITY INFORMATION SHARING ACT of 2015

Mr. McCONNELL. Mr. President, under the order of August 5, 2015, I ask that the Chair lay before the Senate S. 754.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 754, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 754) to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 2716

(Purpose: In the nature of a substitute)

Mr. BURR. Mr. President, as under the previous order, I call up the Burr-

Feinstein amendment, which is at the desk, and I ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. BURR] proposes an amendment numbered 2716.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. BURR. Mr. President, for the information of all Senators, this substitute includes agreed-upon language on the following amendments: Carper, No. 2615; Carper, No. 2627; Coats, No. 2604; Flake, No. 2580; Gardner, No. 2631; Kirk, No. 2603; Tester, No. 2632; Wyden, No. 2622, and, I might add, a handful of amendments that have been worked out in addition to those which were part of that unanimous consent agreement by both the vice chair and myself.

The vice chair and I have a number of amendments to be made pending under the previous consent order, and I ask unanimous consent that they be called up and reported by number.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2581, AS MODIFIED, TO
AMENDMENT NO. 2716

Mr. BURR. Mr. President, I call up the Cotton amendment No. 2581, as modified, to correct the instruction line.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from North Carolina [Mr. BURR], for Mr. COTTON, proposes an amendment numbered 2581, as modified, to amendment No. 2716.

The amendment, as modified, is as follows:

(Purpose: To exempt from the capability and process within the Department of Homeland Security communication between a private entity and the Federal Bureau of Investigation or the United States Secret Service regarding cybersecurity threats)

On page 31, strike line 13 and insert the following:

authority regarding a cybersecurity threat; and

(iii) communications between a private entity and the Federal Bureau of Investigation or the United States Secret Service regarding a cybersecurity threat;

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, let me add at this time that the vice chairman and I have worked aggressively, as have our staffs, to incorporate the suggestions and the concerns Members and companies have raised with us. If we believed they made the legislation stronger—stronger from the standpoint of minimizing data loss and stronger from the standpoint of the privacy concerns—let me assure my colleagues we

have accepted those and we have incorporated them in the managers' amendment. If, in fact, we couldn't agree or felt that it in any way was detrimental to the legislation, the vice chair and I have agreed to oppose those amendments.

I think it is important that this bill represent exactly what we have sold: an information sharing bill, a bill that is voluntary.

So I would suggest to those who hear this debate and say "I don't really understand all this cyber stuff. I hear about it and don't really understand it," let me put it in these terms. What this legislation does is it creates a community watch program, and like any neighborhood watch program, the spirit of what we are trying to do is to protect the neighborhood. It doesn't mean that every resident on every street in that community in that neighborhood is going to be a participant, but it means that neighborhood is committed to making sure that if crimes are happening, they are out there to stop them, to report them, and maybe through reporting them, the number of crimes over time will continue to decrease.

Well, I would share with you that is what we are doing with the cyber security bill. We are out now trying to set up the framework for a community watch program, one that is voluntary, that doesn't require every person to participate, but it says: For those of you who can embrace this and can report the crimes, it is not only beneficial to you, it is beneficial to everybody.

So I respect the fact there are a few companies out there saying: This is no good; we shouldn't have this. Really? Do you want to deny this to everybody? There are a heck of a lot of businesses that have made the determination that this is beneficial to their business, that it is beneficial to their sector.

This is beneficial to the overall U.S. economy. That is what the Senate is here to do. We are not here to pick winners and losers; we are here to create a framework everybody can operate in that advances the United States in the right direction.

Shortly we will have an opportunity to make pending some additional amendments, and I encourage all Members, if your amendment is pending, to come down and debate it. If you have additional amendments, please come down and offer them and debate them. With the cooperation of Members, we can process these in a matter of days and we can then send this out of the Senate and be at a point where we could conference with the House.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

AMENDMENT NO. 2552, AS MODIFIED, TO
AMENDMENT NO. 2716

Mrs. FEINSTEIN. Madam President, I call up the Coons amendment No. 2552, as modified.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Mr. COONS, proposes an amendment numbered 2552, as modified, to amendment No. 2716.

The amendment, as modified, is as follows:

(Purpose: To modify section 5 to require DHS to review all cyber threat indicators and countermeasures in order to remove certain personal information)

Beginning on page 23, strike line 3 and all that follows through page 33, line 10 and insert the following:

(3) REQUIREMENTS CONCERNING POLICIES AND PROCEDURES.—Consistent with the guidelines required by subsection (b), the policies and procedures developed and promulgated under this subsection shall—

(A) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 4 that are received through the process described in subsection (c) of this section and that satisfy the requirements of the guidelines developed under subsection (b)—

(i) are shared in an automated manner with all of the appropriate Federal entities;

(ii) are not subject to any unnecessary delay, interference, or any other action that could impede receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(B) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 4 in a manner other than the process described in subsection (c) of this section—

(i) are shared as quickly as operationally practicable with all of the appropriate Federal entities;

(ii) are not subject to any unnecessary delay, interference, or any other action that could impede receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(C) consistent with this Act, any other applicable provisions of law, and the fair information practice principles set forth in appendix A of the document entitled “National Strategy for Trusted Identities in Cyberspace” and published by the President in April 2011, govern the retention, use, and dissemination by the Federal Government of cyber threat indicators shared with the Federal Government under this Act, including the extent, if any, to which such cyber threat indicators may be used by the Federal Government; and

(D) ensure there is—

(i) an audit capability; and

(ii) appropriate sanctions in place for officers, employees, or agents of a Federal entity who knowingly and willfully conduct activities under this Act in an unauthorized manner.

(4) GUIDELINES FOR ENTITIES SHARING CYBER THREAT INDICATORS WITH FEDERAL GOVERNMENT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall develop and make publicly available guidance to assist entities and promote sharing of cyber threat indicators with Federal entities under this Act.

(B) CONTENTS.—The guidelines developed and made publicly available under subparagraph (A) shall include guidance on the following:

(i) Identification of types of information that would qualify as a cyber threat indicator under this Act that would be unlikely to include personal information of or identifying a specific person not necessary to describe or identify a cyber security threat.

(ii) Identification of types of information protected under otherwise applicable privacy laws that are unlikely to be necessary to describe or identify a cybersecurity threat.

(iii) Such other matters as the Attorney General considers appropriate for entities sharing cyber threat indicators with Federal entities under this Act.

(b) PRIVACY AND CIVIL LIBERTIES.—

(1) GUIDELINES OF ATTORNEY GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1), develop, submit to Congress, and make available to the public interim guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this Act.

(2) FINAL GUIDELINES.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1) and such private entities with industry expertise as the Attorney General considers relevant, promulgate final guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this Act.

(B) PERIODIC REVIEW.—The Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers and private entities described in subparagraph (A), periodically review the guidelines promulgated under subparagraph (A).

(3) CONTENT.—The guidelines required by paragraphs (1) and (2) shall, consistent with the need to protect information systems from cybersecurity threats and mitigate cybersecurity threats—

(A) limit the impact on privacy and civil liberties of activities by the Federal Government under this Act;

(B) limit the receipt, retention, use, and dissemination of cyber threat indicators containing personal information of or identifying specific persons, including by establishing—

(i) a process for the timely destruction of such information that is known not to be directly related to uses authorized under this Act; and

(ii) specific limitations on the length of any period in which a cyber threat indicator may be retained;

(C) include requirements to safeguard cyber threat indicators containing personal information of or identifying specific persons from unauthorized access or acquisition, including appropriate sanctions for activities by officers, employees, or agents of the Federal Government in contravention of such guidelines;

(D) include procedures for notifying entities and Federal entities if information received pursuant to this section is known or determined by a Federal entity receiving such information not to constitute a cyber threat indicator;

(E) protect the confidentiality of cyber threat indicators containing personal information of or identifying specific persons to the greatest extent practicable and require recipients to be informed that such indicators may only be used for purposes authorized under this Act; and

(F) include steps that may be needed so that dissemination of cyber threat indicators is consistent with the protection of classified and other sensitive national security information.

(c) CAPABILITY AND PROCESS WITHIN THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, in coordination with the heads of the appropriate Federal entities, shall develop and implement a capability and process within the Department of Homeland Security that—

(A) shall accept from any entity in real time cyber threat indicators and defensive measures, pursuant to this section;

(B) shall, upon submittal of the certification under paragraph (2) that such capability and process fully and effectively operates as described in such paragraph, be the process by which the Federal Government receives cyber threat indicators and defensive measures under this Act that are shared by a private entity with the Federal Government through electronic mail or media, an interactive form on an Internet website, or a real time, automated process between information systems except—

(i) communications between a Federal entity and a private entity regarding a previously shared cyber threat indicator; and

(ii) communications by a regulated entity with such entity's Federal regulatory authority regarding a cybersecurity threat;

(C) shall require the Department of Homeland Security to review all cyber threat indicators and defensive measures received and remove any personal information of or identifying a specific person not necessary to identify or describe the cybersecurity threat before sharing such indicator or defensive measure with appropriate Federal entities;

(D) ensures that all of the appropriate Federal entities receive in an automated manner such cyber threat indicators as quickly as operationally possible from the Department of Homeland Security;

(E) is in compliance with the policies, procedures, and guidelines required by this section; and

(F) does not limit or prohibit otherwise lawful disclosures of communications, records, or other information, including—

(i) reporting of known or suspected criminal activity, by an entity to any other entity or a Federal entity;

(ii) voluntary or legally compelled participation in a Federal investigation; and

(iii) providing cyber threat indicators or defensive measures as part of a statutory or authorized contractual requirement.

(2) **CERTIFICATION.**—Not later than 10 days prior to the implementation of the capability and process required by paragraph (1), the Secretary of Homeland Security shall, in consultation with the heads of the appropriate Federal entities, certify to Congress whether such capability and process fully and effectively operates—

(A) as the process by which the Federal Government receives from any entity a cyber threat indicator or defensive measure under this Act; and

(B) in accordance with the policies, procedures, and guidelines developed under this section.

(3) **PUBLIC NOTICE AND ACCESS.**—The Secretary of Homeland Security shall ensure there is public notice of, and access to, the capability and process developed and implemented under paragraph (1) so that—

(A) any entity may share cyber threat indicators and defensive measures through such process with the Federal Government; and

(B) all of the appropriate Federal entities receive such cyber threat indicators and defensive measures as quickly as operationally practicable with receipt through the process within the Department of Homeland Security.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 2582 TO AMENDMENT NO. 2716

Mr. BURR. Madam President, I call up the Flake amendment No. 2582.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from North Carolina [Mr. BURR], for Mr. FLAKE, proposes an amendment numbered 2582 to amendment No. 2716.

The amendment is as follows:

(Purpose: To terminate the provisions of the Act after six years)

At the end, add the following:

SEC. 11. EFFECTIVE PERIOD.

(a) **IN GENERAL.**—Except as provided in subsection (b), this Act and the amendments made by this Act shall be in effect during the 6-year period beginning on the date of the enactment of this Act.

(b) **EXCEPTION.**—With respect to any action authorized by this Act or information obtained pursuant to an action authorized by this Act, which occurred before the date on which the provisions referred to in subsection (a) cease to have effect, the provisions of this Act shall continue in effect.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 2612, AS MODIFIED, TO
AMENDMENT NO. 2716

Mrs. FEINSTEIN. Madam President, I call up the Franken amendment No. 2612, as modified.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Mr. FRANKEN, proposes an amendment numbered 2612, as modified, to amendment No. 2716.

The amendment, as modified, is as follows:

(Purpose: To improve the definitions of cybersecurity threat and cyber threat indicator)

Beginning on page 4, strike line 12 and all that follows through page 5, line 21, and insert the following:

system that is reasonably likely to result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

(B) **EXCLUSION.**—The term “cybersecurity threat” does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

(6) **CYBER THREAT INDICATOR.**—The term “cyber threat indicator” means information that is necessary to describe or identify—

(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

(B) a method of defeating a security control or exploitation of a security vulnerability;

(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

(E) malicious cyber command and control; (F) the harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

(G) any other attribute of a cybersecurity threat, if disclosure of such information is not otherwise prohibited by law; or

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 2548, AS MODIFIED, TO
AMENDMENT NO. 2716

Mr. BURR. Madam President, I call up the Heller amendment No. 2548, as modified, to correct the instruction line.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from North Carolina [Mr. BURR], for Mr. HELLER, proposes an amendment numbered 2548, as modified, to amendment No. 2716.

The amendment, as modified, is as follows:

(Purpose: To protect information that is reasonably believed to be personal information or information that identifies a specific person)

On page 12, line 19, strike “knows” and insert “reasonably believes”.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 2587, AS MODIFIED, TO
AMENDMENT NO. 2716

Mrs. FEINSTEIN. Madam President, I call up the Leahy amendment No. 2587, as modified.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Mr. LEAHY, proposes an amendment numbered 2587, as modified, to amendment No. 2716.

The amendment, as modified, is as follows:

(Purpose: To strike the FOIA exemption)

Beginning on page 35, strike line 1 and all that follows through page 35, line 13.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 2564, AS MODIFIED, TO
AMENDMENT NO. 2716

Mr. BURR. Madam President, I call up the Paul amendment No. 2564, as modified, to correct the instruction line.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from North Carolina [Mr. BURR], for Mr. PAUL, proposes an amendment numbered 2564, as modified, to amendment No. 2716.

The amendment, as modified, is as follows:

(Purpose: To prohibit liability immunity to applying to private entities that break user or privacy agreements with customers)

On page 40, after line 24, insert the following:

(d) **EXCEPTION.**—This section shall not apply to any private entity that, in the course of monitoring information under section 4(a) or sharing information under section 4(c), breaks a user agreement or privacy agreement with a customer of the private entity.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 2557 TO AMENDMENT NO. 2716

Mrs. FEINSTEIN. Madam President, I call up the Mikulski amendment No. 2557.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Ms. MIKULSKI, proposes an amendment numbered 2557 to amendment No. 2716.

The amendment is as follows:

(Purpose: To provide amounts necessary for accelerated cybersecurity in response to data breaches)

At the appropriate place, insert the following:

SEC. _____. FUNDING.

(a) **IN GENERAL.**—Effective on the date of enactment of this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2015, an additional amount for the appropriations account appropriated under the heading “SALARIES AND EXPENSES” under the heading “OFFICE OF PERSONNEL MANAGEMENT”, \$37,000,000, to remain available until September 30, 2017, for accelerated cybersecurity in response to data breaches.

(b) **EMERGENCY DESIGNATION.**—The amount appropriated under subsection (a) is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i)

of the Balanced Budget and Emergency Deficit Control Act of 1985, and shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

AMENDMENT NO. 2626 TO AMENDMENT NO. 2716

Mrs. FEINSTEIN. Madam President, I call up the Whitehouse amendment No. 2626.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Mr. WHITEHOUSE, proposes an amendment numbered 2626 to amendment No. 2716.

The amendment is as follows:

(Purpose: To amend title 18, United States Code, to protect Americans from cybercrime)

At the end, add the following:

SEC. ____ . STOPPING THE SALE OF AMERICANS' FINANCIAL INFORMATION.

Section 1029(h) of title 18, United States Code, is amended by striking "if—" and all that follows through "therefrom." and inserting "if the offense involves an access device issued, owned, managed, or controlled by a financial institution, account issuer, credit card system member, or other entity organized under the laws of the United States, or any State, the District of Columbia, or other Territory of the United States."

SEC. ____ . SHUTTING DOWN BOTNETS.

(a) AMENDMENT.—Section 1345 of title 18, United States Code, is amended—

(1) in the heading, by inserting "**and abuse**" after "**fraud**";

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking "or" at the end;

(ii) in subparagraph (C), by inserting "or" after the semicolon; and

(iii) by inserting after subparagraph (C) the following:

"(D) violating or about to violate paragraph (1), (4), (5), or (7) of section 1030(a) where such conduct would affect 100 or more protected computers (as defined in section 1030) during any 1-year period, including by denying access to or operation of the computers, installing malicious software on the computers, or using the computers without authorization;" and

(B) in paragraph (2), by inserting ", a violation described in subsection (a)(1)(D)," before "or a Federal"; and

(3) by adding at the end the following:

"(c) A restraining order, prohibition, or other action described in subsection (b), if issued in circumstances described in subsection (a)(1)(D), may, upon application of the Attorney General—

"(1) specify that no cause of action shall lie in any court against a person for complying with the restraining order, prohibition, or other action; and

"(2) provide that the United States shall pay to such person a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in complying with the restraining order, prohibition, or other action."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of section for chapter 63 is amended by striking the item relating to section 1345 and inserting the following:

"1345. Injunctions against fraud and abuse."

SEC. ____ . AGGRAVATED DAMAGE TO A CRITICAL INFRASTRUCTURE COMPUTER.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

"§ 1030A. Aggravated damage to a critical infrastructure computer

"(a) OFFENSE.—It shall be unlawful, during and in relation to a felony violation of section 1030, to knowingly cause or attempt to cause damage to a critical infrastructure computer, if such damage results in (or, in the case of an attempted offense, would, if completed have resulted in) the substantial impairment—

"(1) of the operation of the critical infrastructure computer; or

"(2) of the critical infrastructure associated with such computer.

"(b) PENALTY.—Any person who violates subsection (a) shall, in addition to the term of punishment provided for the felony violation of section 1030, be fined under this title, imprisoned for not more than 20 years, or both.

"(c) CONSECUTIVE SENTENCE.—Notwithstanding any other provision of law—

"(1) a court shall not place any person convicted of a violation of this section on probation;

"(2) except as provided in paragraph (4), no term of imprisonment imposed on a person under this section shall run concurrently with any term of imprisonment imposed on the person under any other provision of law, including any term of imprisonment imposed for the felony violation of section 1030;

"(3) in determining any term of imprisonment to be imposed for the felony violation of section 1030, a court shall not in any way reduce the term to be imposed for such violation to compensate for, or otherwise take into account, any separate term of imprisonment imposed or to be imposed for a violation of this section; and

"(4) a term of imprisonment imposed on a person for a violation of this section may, in the discretion of the court, run concurrently, in whole or in part, only with another term of imprisonment that is imposed by the court at the same time on that person for an additional violation of this section, if such discretion shall be exercised in accordance with any applicable guidelines and policy statements issued by the United States Sentencing Commission pursuant to section 994 of title 28.

"(d) DEFINITIONS.—In this section

"(1) the terms 'computer' and 'damage' have the meanings given the terms in section 1030; and

"(2) the term 'critical infrastructure' has the meaning given the term in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 5195c(e))."

(b) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following:

"1030A. Aggravated damage to a critical infrastructure computer."

SEC. ____ . STOPPING TRAFFICKING IN BOTNETS.

(a) IN GENERAL.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

"(6) knowing such conduct to be wrongful, intentionally traffics in any password or similar information, or any other means of access, further knowing or having reason to know that a protected computer would be accessed or damaged without authorization in a manner prohibited by this section as the result of such trafficking;"

(2) in subsection (c)—

(A) in paragraph (2), by striking ", (a)(3), or (a)(6)" each place it appears and inserting "or (a)(3)"; and

(B) in paragraph (4)—

(i) in subparagraph (C)(i), by striking "or an attempt to commit an offense"; and

(ii) in subparagraph (D), by striking clause (ii) and inserting the following:

"(ii) an offense, or an attempt to commit an offense, under subsection (a)(6)"; and

(3) in subsection (g), in the first sentence, by inserting ", except for a violation of subsection (a)(6)," after "of this section".

AMENDMENT NO. 2621, AS MODIFIED, TO

AMENDMENT NO. 2716

Mrs. FEINSTEIN. Madam President, I call up the Wyden amendment No. 2621, as modified.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Mr. WYDEN, proposes an amendment numbered 2621, as modified, to amendment No. 2716.

The amendment, as modified, is as follows:

(Purpose: To improve the requirements relating to removal of personal information from cyber threat indicators before sharing)

On page 17, strike lines 9 through 22 and insert the following:

(A) review such cyber threat indicator and remove, to the extent feasible, any personal information of or identifying a specific individual that is not necessary to describe or identify a cybersecurity threat; or

(B) implement and utilize a technical capability configured to remove, to the extent feasible, any personal information of or identifying a specific individual contained within such indicator that is not necessary to describe or identify a cybersecurity threat.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, as the vice chair and I have said numerous times this afternoon, nothing would make us happier than for Members to come to the floor. We have amendments pending. We have a managers' amendment. Everybody knows exactly what is in this bill. Let's start the debate. Let's vote on amendments. Let's end this process in a matter of days. We are prepared to vote on every amendment.

So at this time, I ask unanimous consent that on Thursday, October 22, at 11 a.m., the Senate vote on the pending amendments to the Burr-Feinstein substitute to S. 754, with a 60-vote threshold for those amendments that are not germane; and that following the disposition of the amendments, the substitute, as amended, if amended, be agreed to, the bill, as amended, be read a third time, and the Senate vote on passage with a 60-vote threshold for passage.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I certainly support most of the amendments that were just described. However, I am especially troubled about amendment No. 2626, which would significantly expand a badly outdated Computer Fraud and Abuse Act. I have sought to modernize the Computer Fraud and Abuse Act, and I believe that amendment No. 2626 would take that law—the Computer Fraud and Abuse Act—in the wrong direction. I would object to any unanimous consent request that includes that amendment. Therefore, I object to this request.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Carolina.

Mr. BURR. Madam President, the Senate functions best when Members are free to come to the floor and offer amendments, debate the amendments, and have a vote on the amendments. I might even share Senator WYDEN's concerns about that particular piece of legislation. I am not sure. It is a judiciary issue. The vice chair is on the Judiciary Committee. It is an amendment that we were not able to pass in the managers' amendment. But as the vice chair and I said at the beginning of this process, we would like the Senate to function like it is designed, where every Member feels invested, and if they have a great idea, come down, introduce it as an amendment, debate it, and let your colleagues vote up or down against it. If we can't move forward with a process like that, then it is difficult to see how in a reasonable amount of time we are going to complete this agenda.

So I would only urge my colleague from Oregon that there is nothing to be scared about. This is a process we will go through, and a nongermane amendment, which I think this would be listed as—I look for my staff. It would be a nongermane amendment—requiring 60 votes, a threshold that the Senate designed to pass practically anything.

So I urge him to reconsider at some point, and I will make a similar unanimous consent request once he has had an opportunity to think about it. But also, we will work to see if in fact that amendment might be modified in a way that might make it a little more acceptable for the debate and for colleagues to vote on it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, as the Senate turns its focus to legislation related to the critical issue of our Nation's cyber security and in the light of Chinese President Xi Jinping's state visit last month, I would like to reflect on America's security in cyber space.

As the global economy becomes increasingly dependent on the Internet, the exponential increase in the number and scale of cyber attacks and cyber thefts are straining our relationship

with international trading partners throughout the world. This is especially true for our important trade relationship with China. This year alone, the United States has experienced some of the largest cyber attacks in our Nation's history—many of which are believed to have been perpetrated by the Chinese. Just last February, hackers breached the customer records of the health insurance company Anthem Blue Cross Blue Shield. Many news sources reported that China was responsible for the attack. This cyber attack resulted in the theft of approximately 80 million customers' personally identifiable information, including Social Security numbers and information that can be used for identity theft.

In the early summer, cyber criminals also hacked United Airlines, compromising manifest data that detailed the movement of millions of Americans. According to the news media, China was again believed to have been responsible.

But the most devastating cyber attack this year was on the U.S. Government's Office of Personnel Management. This past June, sources report that the OPM data breach, considered the worst cyber intrusion ever perpetrated against the U.S. Government, affected about 21.5 million Federal employees and contractors. Hackers successfully accessed sensitive personal information, including security clearance files, Social Security numbers, and information about employees' contacts and families. Again, China was the suspected culprit.

Most troubling, the OPM breach included over 19.7 million background investigation records for cleared U.S. Government employees. The exposure of this highly sensitive information not only puts our national security at risk but also raises concern that foreign governments may be keeping detailed databases on Federal workers and their associations.

I was pleased during the Chinese President's visit to Washington last month that President Obama expressed his "very serious concerns about growing cyber threats" and stated that the cyber theft of intellectual property and commercial trade secrets "has to stop." President Obama and President Xi Jinping came to an agreement not to "conduct or knowingly support" cyber theft of intellectual property or commercial trade secrets.

Even so, Director of Intelligence James Clapper expressed doubts about the agreement in a hearing before the Senate Armed Services Committee last week. When Chairman MCCAIN asked Mr. Clapper if he was optimistic about the deal, he told members of the committee he was not. I add my skepticism of this agreement to the growing chorus of lawmakers, military leaders, and intelligence community personnel who have voiced similar concerns.

As Admiral Rogers, head of the National Security Agency and U.S. Cyber Command, has said, "China is the biggest proponent of cyberattacks being waged against the U.S." We must do more to defend ourselves against this growing threat. Unfortunately, I have been disappointed in this administration's inability to protect our Federal computer systems from cyber intrusions and to hold criminals accountable for their participation in cyber attacks committed against the United States. Sadly, the cyber threats facing our Nation are not limited to China. Investigators believe Russia, North Korea, Iran, and several other nations have also launched cyber attacks against our government, U.S. citizens, and of course companies. These attacks are increasing both in severity and in number.

In April, Russian hackers accessed White House networks containing sensitive information, including emails sent and received by the President himself.

In May, hackers breached IRS servers to gain access to 330,000 American taxpayers' tax returns. That same month a fraudulent stock trader manipulated U.S. markets, costing the stock exchange an estimated \$1 trillion in just 36 minutes. In July, it was reported that a Russian spear phishing attack shut down the Joint Chiefs of Staff email system for 11 days. Just 1 month ago, hackers stole the personal data of 15 million T-Mobile customers by breaching Experian, the company that processes credit checks for prospective customers. This stolen data includes names, birth dates, addresses, Social Security numbers, and credit card information.

These breaches have a serious and real cost for the victims. According to the Federal Trade Commission, the average identity fraud victim in 2012 incurred an average of \$365 in losses. Incredibly, all of these high-profile breaches have occurred this year, making 2015 perhaps the worst year ever in terms of attacks on our national cyber security.

Prior to 2015, we also saw several high-profile breaches at large American corporations, including Target, Home Depot, Sony, and others. Our lack of effective cyber security policies and procedures threatens the safety of our people, the strength of our national defense, and the future of our economy. We must be more vigilant in reinforcing our cyber infrastructure to better defend ourselves against these attacks. In doing so, Congress must create a deterrent for those who seek to commit cyber attacks against our Nation. Our adversaries must know they will suffer dire consequences if they attack the United States. Finding a solution to this critical problem must be an urgent priority for the Senate.

I agree with Leader MCCONNELL that we must move forward in the Senate

with legislation to improve our Nation's cyber security practices and policies. I am supportive of the objectives outlined in Chairman BURR and Vice Chairperson FEINSTEIN's bipartisan Cybersecurity Information Sharing Act, CISA.

I was pleased to see the Senate Select Committee on Intelligence pass the Burr-Feinstein CISA bill out of the committee by an overwhelming bipartisan vote of 14 to 1. This important legislation incentivizes and authorizes private sector companies to voluntarily share cyber threat information in real time that can be useful in detecting cyber attacks and in preventing future cyber intrusions.

I also commend Chairman BURR and Vice Chairman FEINSTEIN's efforts to include provisions in CISA to protect personal privacy, including a measure that prevents a user's personally identifiable information from being shared with government agencies. Additionally, CISA sets limits on information that can be collected or monitored by allowing information to be used only for cyber security purposes.

As the American economy grows ever more dependent on the Internet, I believe CISA represents an important first step in protecting our Nation's critical infrastructure from the devastating impact of cyber attacks. Congress must do more to adequately protect and secure America's presence in cyber space.

In light of recent revelations highlighting our Federal Government's inability to adequately protect and secure classified data and other sensitive information, I joined Senator CARPER, the ranking member of the Homeland Security and Governmental Affairs Committee, in introducing the Federal Computer Security Act.

The Hatch-Carper bill shines light on whether our Federal Government is using the most up-to-date cyber security practices and software to protect Federal computer systems and databases from both external cyber attackers and insider threats. Specifically, this legislation requires Federal agency inspectors general to report to Congress on the security practices and software used to safeguard classified and personally identifiable information on Federal computer systems themselves.

This bill also requires each Federal agency to submit a report to each respective congressional committee with oversight jurisdiction describing in detail to each committee which security access controls the agency is implementing to protect unauthorized access to classified and sensitive, personally identifiable information on government computers.

Requiring an accounting of each Federal agency's security practices, software, and technology is a logical first step in bolstering our Nation's cyber

infrastructure. These reports will guide Congress in crafting legislation to prevent future large-scale data breaches and ensure that unauthorized users are not able to access classified and sensitive information.

Agencies should be employing multifactor authentication policies and should be implementing software to detect and monitor cyber security threats. They should also be using the most up-to-date technology and security controls. The future of our Nation's cyber security starts with our Federal Government practicing good cyber hygiene. In strengthening our security infrastructure, the Federal Government should be accountable to the American people, especially when cyber attacks affect millions of taxpayers.

I have heard from many constituents who have expressed concerns about the state of America's cyber security. I am honored to represent a State that is an emerging center of technological advancement and innovation, with the growing hub of computer companies expanding across a metropolitan area known as Silicon Slopes. The people of Utah recognize that our Nation's future depends on America's ability to compete in the digital area. They understand we must create effective cyber security policies so we can continue to lead the world in innovation and technology advancement.

I am pleased to announce that an amended version of the Federal Computer Security Act is included in Chairman BURR and Vice Chairman FEINSTEIN's managers' package. I wish to express my appreciation to both the chairman and vice chairman for their willingness to work with me in fine-tuning this legislation. I appreciate it. I wish to also thank Chairman RON JOHNSON and Ranking Member TOM CARPER of the Homeland Security and Governmental Affairs Committee for their efforts in this endeavor as well.

In addition to broad bipartisan support in the Senate, the Federal Computer Security Act enjoys support from key industry stakeholders. Some of our Nation's largest computer security firms support the bill, including Symantec, Adobe, and CA Technologies. Several industry groups have also voiced their support, including the Business Software Alliance and the IT Alliance for the Public Sector.

I commend Intelligence Committee Chairman BURR and Vice Chairman FEINSTEIN for their leadership in managing this critical cyber security legislation. As Leader MCCONNELL works to restore the Senate to its proper function, I am grateful we have been able to consider this legislation in an open and transparent fashion. By reinstating the open amendment process, we have not only been able to vote on dozens of amendments this year, we have been able to refine legislation

through robust consideration and debate. I think we voted on approximately 160-plus amendments so far this year, and they are about evenly split between Democrats and Republicans.

With the renewal of longstanding Senate practices, we are passing meaningful laws that will better serve the needs of the American people. May we build on the foundation of success as we work to improve this critically important Cybersecurity Information Sharing Act.

I wish to again thank the distinguished leaders of this Intelligence Committee. Having served 18 years on the Intelligence Committee, I really appreciate the work that both of them have done, especially on this bill, and I look forward to its passage.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I thank the distinguished Senator from Utah for his words. They are much appreciated, as is his friendship as well. I think he knows that. I believe the chairman feels certainly as strongly if not more strongly than I do.

I rose to be able to make a brief statement about the sanctuary bill as in morning business, if that is possible.

The PRESIDING OFFICER. Without objection, it is so ordered.

STOP SANCTUARY POLICIES AND PROTECT
AMERICANS BILL

Mrs. FEINSTEIN. Madam President, I voted against Senator VITTER's bill. I believe it goes much too far. My longer statement is in the RECORD, but I want to respond to some of what I heard today. I do believe we should ensure that there is a notification prior to release of a dangerous individual with a criminal record, just as Senator SCHUMER said on this floor. I do believe we could take a narrow action to do just that. We could focus on dangerous individuals and not on all undocumented immigrants who happen to be taken into State or local custody. We could require notification without threatening vital law enforcement and local government funding, as Senator VITTER's bill does.

I had an amendment prepared for the Judiciary Committee's consideration when the committee had scheduled the bill for markup over a series of weeks, but the committee canceled its markup, so we were on the floor today with a bill that has never been heard in full by the Judiciary Committee.

Senator VITTER's bill includes a notification requirement and a detention requirement. It is not limited to those who are dangerous or have particular criminal records. It would cover a farmworker who was detained for a broken taillight or a mother who was detained for similar reasons, taking her away from her children. This is a

standard that could be abused in another administration, and it is potentially a huge unfunded mandate to impose on States and localities.

The bill would also impose lengthy criminal sentences at the Federal level for individuals coming across the border to see their families or to perform work that is vital to the economy of California and the Nation. For example, in California, virtually the majority, if not all, of the farmworkers are undocumented. It happens to be a fact. It is why the agriculture jobs bill was part of the immigration reform act which was before this body and passed this body and went to the House and had no action.

Although Members on the other side state that this bill has support among law enforcement, I will note that the Major Cities Chiefs Association, the Major County Sheriffs' Association, the Fraternal Order of Police, the United States Conference of Mayors, and the National League of Cities are opposed to this bill or have submitted letters opposing threats to Federal law enforcement funding over this issue.

So, bottom line, I do believe we should do something about the circumstance that led to the tragic murder of Kate Steinle, which occurred in my city and State, and the tragic murder of Marilyn Pharis, which happened in the middle part of my State. I will support a reasonable effort to do just that, but this is not a targeted effort. It is too broad, and so I opposed it. My full statement is in the RECORD, but because it was spoken about on the floor, I did want to add these words.

I thank the Presiding Officer, and I yield the floor.

THE PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, moving back to cyber security, we now have S. 754 before the Senate, and we have a managers' package that is pending. We have a number of amendments that have been accepted and incorporated in the managers' package. We have several amendments that we could not reach agreement on, but those Members have the opportunity to come to the Senate floor. The amendments are already pending. They can debate those amendments, and they can have a vote on their amendment. For Members who might just now be engaging or who have had an opportunity to further read the bill, there are still present opportunities to offer perfecting amendments.

Let me suggest to my colleagues that when the vice chairman and I started down this road, we knew we couldn't reach unanimous consent of every company in the country and every Member of Congress. It was our goal, and I think we are pretty close to it when we look at the numbers. But there will be companies that object to this bill for some reason that I might not recognize.

The vice chairman has said this and I have said it and I want to reiterate it another time: This bill is voluntary. It does not require any company in America to participate in this. It does not require any entity to turn over information to the Federal Government for purposes of the Federal Government partnering with that company to determine who hacked their system, who penetrated, and who exfiltrated personal data. If a company has made the determination that they don't want to support this bill for whatever reason, I am resigned to the fact that that is a debate between their customers and themselves. It is, in fact, their customers that have to question the actions of the company.

I can confidently tell my colleagues that Senator FEINSTEIN and I have done everything to make sure there is wholesome participation by companies on a voluntary basis. We see tremendous value in those parts of our government that are experts at processing attacks like this to be able to identify who did it and what tools were used but, more importantly, what software defensive mechanism we can put on our systems to limit any additional exfiltration of data and, more broadly, to the rest of the business community say: Here is an attack that is in progress. Here is the tool they are using. Here is how you defend your data.

Now, we leave open, if we pass it, that there may be a company that decides they don't support this legislation. They can still participate in this program. Do we think if they get a call from the Department of Homeland Security or from the National Security Agency saying "Here is an attack that is happening; here is the tool they are using," they are going to look at their system and say "Is it in our system?" They get the benefit of still participating and partnering with the Federal Government, even though they didn't support the legislation.

I know over the next day or so the vice chairman and I will concentrate on sharing with Members what is actually in the managers' package. We don't leave it up to staff just to cover it.

Let me just briefly share 15 points that I would make about the managers' package.

No. 1, it eliminates the government's uses for noncyber crimes; in other words, a removal of the serious violent felonies.

No. 2, it limits the authorizations to share cyber threat information for cyber security purposes, period.

No. 3, it eliminates new FOIA exemptions. In other words, everybody is under the same FOIA regulations that existed prior to this legislation being enacted.

No. 4, it ensures defensive measures are properly limited. We can't get wild

and put these things in places that government shouldn't be, regardless of what the threat is.

No. 5, it includes the Secretary of Homeland Security as coauthor—coauthor—of government-sharing guidelines. I think this is an incredibly important part. The individual who is in charge of Homeland Security, that Secretary, is actively involved in the guidelines that are written.

No. 6, it clarifies exceptions to the DHS portal entry point for the transfer of information.

No. 7, it adds a requirement that the procedures for government sharing include procedures for notifying U.S. persons whose personal information is known to have been shared in violation—in violation—of this act. In other words, if a company mistakenly transmits information, the government is required to notify that individual. But, additionally, the government is statutorily required not to disseminate that information to any other Federal agency once it comes in and is identified.

No. 8, it clarifies the real-time automated process for sharing through that DHS portal.

No. 9, it clarifies that private entities are not required to share information with the Federal Government or another private entity.

No. 10, it adds a Federal cyber security enhancement title.

No. 11, it adds a study on mobile device security.

No. 12, it adds a requirement for the Secretary of State to produce an international cyber space policy strategy.

No. 13, it adds a reporting provision concerning the apprehension and prosecution of international cyber criminals.

No. 14, it improves the contents of the biannual report on CISA's implementation. My colleagues might remember, as some have raised issues on this, they have said: Why are there not more reports? There are biannual reports on the implementation and how it is done.

No. 15, and last, is additional technical and conforming edits.

Now, we didn't get into detail. We will get into detail later, but I say that because if that has in any way triggered with somebody who felt they were opposed to the bill because of something they were told was in it, maybe it was covered by one of those 15 things that I just talked about. They are things that were brought to the attention of the vice chairman and me, and we sat down and looked at it. If we didn't feel as though it changed the intent of the bill—and we have always erred on the side of protecting personal data, of not letting this legislation extend outside of what it was intended to do. Where we have drawn the line is when we believed that the effort was to thwart the effectiveness of this legislation.

I will remind my colleagues one last time: This legislation does not prevent cyber attacks. This legislation is designed to minimize the loss of the personal data of the customers of the companies that are penetrated by these cyber actors.

As we stand here today, we have had some rather significant breaches within the United States. I remind my colleagues that just today it was proposed that a high school student has hacked the unclassified accounts, the personal email, of the Secretary of the Department of Homeland Security and the Director of the CIA. Is there anybody who really thinks that this is going to go away because we are having a debate in the Senate and in the Congress of the United States, that the people who commit these acts and go without any identification are going to quit? No. It is going to become more rampant and more rampant and more rampant. From the standpoint of 2 of 15 Members who are designated by the U.S. Senate and its leadership to, on behalf of the other 85, look at the most sensitive information that our country can accumulate about threats, as many threads of threats as we look at today on the security of the American people, I think I can speak for the vice chairman: We are just as concerned about the economic security of the United States based upon the threat that we are faced with from cyber actors here at home and, more importantly, around the world.

I urge my colleagues, if you have something to contribute, come to the floor and contribute it. If you have an amendment already pending, come to the floor and debate it and vote on it. Give us the ability to work through the great thoughts of all 100 Members, but recognize the fact that those individuals whom you have entrusted to represent you with the most sensitive information that exists in our country came to a 14-to-1 vote when they passed this originally out of the Intelligence Committee. That is because of how grave we see the threat and how real the attackers are.

I thank the vice chairman. She has been absolutely wonderful to work with through this process. We are going to have a long couple of days if we process all of this, but I am willing to be here as long as it takes so that we can move on to conference with the House.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I thank the chairman for those words. I have one little duty left.

AMENDMENT NO. 2626

Madam President, I call for the regular order with respect to Whitehouse amendment No. 2626.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 2626, AS MODIFIED

Mrs. FEINSTEIN. I ask that the amendment be modified with the changes that are at the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

At the end, add the following:

SEC. ____ STOPPING THE SALE OF AMERICANS' FINANCIAL INFORMATION.

Section 1029(h) of title 18, United States Code, is amended by striking "title if—" and all that follows through "therefrom," and inserting "title if the offense involves an access device issued, owned, managed, or controlled by a financial institution, account issuer, credit card system member, or other entity organized under the laws of the United States, or any State, the District of Columbia, or other Territory of the United States."

SEC. ____ SHUTTING DOWN BOTNETS.

(a) AMENDMENT.—Section 1345 of title 18, United States Code, is amended—

(1) in the heading, by inserting "**and abuse**" after "**fraud**";

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking "or" at the end;

(ii) in subparagraph (C), by inserting "or" after the semicolon; and

(iii) by inserting after subparagraph (C) the following:

"(D) violating or about to violate section 1030(a)(5) where such conduct has caused or would cause damage (as defined in section 1030) without authorization to 100 or more protected computers (as defined in section 1030) during any 1-year period, including by—

"(i) impairing the availability or integrity of the protected computers without authorization; or

"(ii) installing or maintaining control over malicious software on the protected computers that, without authorization, has caused or would cause damage to the protected computers;" and

(B) in paragraph (2), by inserting ", a violation described in subsection (a)(1)(D)," before "or a Federal"; and

(3) by adding at the end the following:

"(c) A restraining order, prohibition, or other action described in subsection (b), if issued in circumstances described in subsection (a)(1)(D), may, upon application of the Attorney General—

"(1) specify that no cause of action shall lie in any court against a person for complying with the restraining order, prohibition, or other action; and

"(2) provide that the United States shall pay to such person a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in complying with the restraining order, prohibition, or other action."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of section for chapter 63 is amended by striking the item relating to section 1345 and inserting the following:

"1345. Injunctions against fraud and abuse."

SEC. ____ AGGRAVATED DAMAGE TO A CRITICAL INFRASTRUCTURE COMPUTER.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

"§ 1030A. Aggravated damage to a critical infrastructure computer

"(a) OFFENSE.—It shall be unlawful, during and in relation to a felony violation of sec-

tion 1030, to knowingly cause or attempt to cause damage to a critical infrastructure computer, if such damage results in (or, in the case of an attempted offense, would, if completed have resulted in) the substantial impairment—

"(1) of the operation of the critical infrastructure computer; or

"(2) of the critical infrastructure associated with such computer.

"(b) PENALTY.—Any person who violates subsection (a) shall, in addition to the term of punishment provided for the felony violation of section 1030, be fined under this title, imprisoned for not more than 20 years, or both.

"(c) CONSECUTIVE SENTENCE.—Notwithstanding any other provision of law—

"(1) a court shall not place any person convicted of a violation of this section on probation;

"(2) except as provided in paragraph (4), no term of imprisonment imposed on a person under this section shall run concurrently with any term of imprisonment imposed on the person under any other provision of law, including any term of imprisonment imposed for the felony violation of section 1030;

"(3) in determining any term of imprisonment to be imposed for the felony violation of section 1030, a court shall not in any way reduce the term to be imposed for such violation to compensate for, or otherwise take into account, any separate term of imprisonment imposed or to be imposed for a violation of this section; and

"(4) a term of imprisonment imposed on a person for a violation of this section may, in the discretion of the court, run concurrently, in whole or in part, only with another term of imprisonment that is imposed by the court at the same time on that person for an additional violation of this section, if such discretion shall be exercised in accordance with any applicable guidelines and policy statements issued by the United States Sentencing Commission pursuant to section 994 of title 28.

"(d) DEFINITIONS.—In this section

"(1) the terms 'computer' and 'damage' have the meanings given the terms in section 1030; and

"(2) the term 'critical infrastructure' means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have catastrophic regional or national effects on public health or safety, economic security, or national security."

(b) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following:

"1030A. Aggravated damage to a critical infrastructure computer."

SEC. ____ STOPPING TRAFFICKING IN BOTNETS.

(a) IN GENERAL.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (7), by adding "or" at the end; and

(B) by inserting after paragraph (7) the following:

"(8) intentionally traffics in the means of access to a protected computer, if—

"(A) the trafficker knows or has reason to know the protected computer has been damaged in a manner prohibited by this section; and

"(B) the promise or agreement to pay for the means of access is made by, or on behalf of, a person the trafficker knows or has reason to know intends to use the means of access to—

“(i) damage the protected computer in a manner prohibited by this section; or
“(ii) violate section 1037 or 1343;”;

(2) in subsection (c)(3)—

(A) in subparagraph (A), by striking “(a)(4) or (a)(7)” and inserting “(a)(4), (a)(7), or (a)(8)”;

(B) in subparagraph (B), by striking “(a)(4), or (a)(7)” and inserting “(a)(4), (a)(7), or (a)(8)”;

(3) in subsection (e)—

(A) in paragraph (11), by striking “and” at the end;

(B) in paragraph (12), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(13) the term ‘traffic’, except as provided in subsection (a)(6), means transfer, or otherwise dispose of, to another as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value.”; and

(4) in subsection (g), in the first sentence, by inserting “, except for a violation of subsection (a)(8),” after “of this section”.

Mrs. FEINSTEIN. I thank the Chair and yield the floor.

Mr. BURR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERDUE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SANCTUARY CITIES BILL

Mr. PERDUE. Madam President, I rise to speak very briefly about the Stop Sanctuary Cities Act, which I was proud to cosponsor in the Senate. Simply put, this legislation protects American citizens from criminal illegal immigrants. Today, at least 340 cities across our country are choosing not to enforce our Nation's immigration laws. These sanctuary cities have become a safe haven for criminals who are not only in the United States illegally but also are committing additional crimes and repeatedly reentering trying our country after being deported. This summer we witnessed the tragic impact this lawlessness has on American citizens when Kate Steinle was murdered in San Francisco, a sanctuary city, by a felon living in our country illegally and who was previously deported five separate times. Three months prior to Kate's tragic death, the Department of Homeland Security actually asked San Francisco to detain her murderer, but the sanctuary city refused to cooperate and released the criminal back into the community. Had they not done that, had they turned that person over to Homeland Security as they were requested, Kate might still be with us.

This is unconscionable. I do not think I can overstate the importance of this Stop Sanctuary Cities Act to the American people and to the people of my home State of Georgia. The fact is that Kate Steinle did not have to die at

the hands of a seven-time convicted felon and a five-time deportee. Kate and many others would not have died if our country had a functional immigration system and a government that actually enforces our laws.

This is why it is absolutely crucial that we stop sanctuary cities and address this illegal immigration crisis, which has also become a national security crisis. This bill would have done just that, and yet we were not able to even get it on the floor to have a debate. This is what drives people in my home State absolutely apoplectic. We want to get these bills to the floor, have an open debate, and let's let Americans see how we all vote on critical issues like this.

It is a very sad day, indeed, when this body cannot come together to stop rogue cities from breaking our Nation's laws, protecting the livelihood of American citizens, and support our law enforcement officials. I thank Senator VITTER and Chairman GRASSLEY for working closely with the victims' families and law enforcement to produce this legislation. I hope we can continue to debate this and get this bill back on the floor. I will keep fighting to stop this lawlessness and protect all Americans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, last week the former head of the National Oceanic and Atmospheric Administration, Robert M. Hoyt, passed away at the age of 92. Dr. Hoyt served this Nation under five Presidents and pioneered the peaceful use of satellites to understand our weather and climate. He said:

We do have environmental problems and they're serious ones, the preservation of species among them, but the climate is the environmental problem that's so pervasive in its effects on the society. . . . The climate is really the only environmental characteristic that can utterly change our society and our civilization.

That was in 1977. That same year, James F. Black, a top scientific researcher at the Exxon Corporation, gave that company's executives a similar warning. “[T]here is general scientific agreement,” he told Exxon's Management Committee, “that the most likely manner in which mankind

is influencing the global climate is through carbon dioxide release from the burning of fossil fuels.” According to emerging reports, Exxon executives kept that warning a closely guarded company secret for years.

I rise today for the 115th time to urge that we wake up to the threat of climate change. I rise in the midst of a decades-long purposeful corporate campaign of misinformation, which has held this Congress and this Nation back from taking meaningful action to prevent that utter change.

Scrutiny of the corporate campaign of misinformation intensifies, and scrutiny of the fossil fuel polluters behind it intensifies, and the regular cast of rightwing climate denier attack dogs have their hackles up.

On May 6 I gave a speech on the floor of the Senate. The speech compared the misinformation campaign by the fossil fuel industry about the dangers of carbon pollution to the tobacco industry's misinformation campaign about the dangers of its product. The relevance of that comparison is that the U.S. Department of Justice, under the civil provisions of the Federal racketeer influenced and corrupt organizations statute—RICO for short—brought an action against the tobacco industry. The United States alleged that the tobacco industry's misinformation campaign was fraudulent, and the United States won in a lengthy and thorough decision by U.S. District Judge Gladys Kessler.

You can go ahead and read them. DOJ's complaint and Judge Kessler's decision can be found at the Web sites of the Justice Department and the Public Health Law Center, respectively, and they are linked on my Web site, whitehouse.senate.gov/climate change. I will warn you that Judge Kessler's decision is a long one, but it makes good reading.

The comparison is strong. There are whole sections of the Department of Justice civil RICO complaint and whole sections of Judge Kessler's decision where you can remove the word “tobacco” and put in the word “carbon” and remove the word “health” and put in the word “climate,” and the parallel with the fossil fuel industry climate denial campaign is virtually perfect.

This is not an idea I just cooked up. Look at the academic work of Professor Robert Brulle of Drexel University and Professor Riley Dunlap of Oklahoma State University. Look at the investigative work of Naomi Oreskes' book “Merchants of Doubt,” David Michaels' book “Doubt is Their Product,” and Gerald Markowitz and David Rosner's book “Deceit and Denial,” describing this industry-backed machinery of deception.

Look at the journalistic work of Neela Banerjee, Lisa Song, David Hasemyer, and John Cushman, Jr., in

the recent reporting of InsideClimate News about what Exxon knew about climate change versus the falsehoods that Exxon chose to tell the public. Look at a separate probe by journalists Sara Jerving, Katie Jennings, Masako Melissa Hirsch, and Susanne Rust in the Los Angeles Times.

From all their work, we know now that Exxon, for instance, knew about the effect of its carbon pollution as far back as the late 1970s but ultimately chose to fund a massive misinformation campaign rather than tell the truth. “No corporation,” said professor and climate change activist Bill McKibben, “has ever done anything this big and this bad.”

Just today, the person who probably knows the most about the tobacco litigation, the assistant attorney general of the United States who prosecuted that case as a civil matter and won it in the U.S. District Court, Sharon Eubanks, said about the climate denial RICO idea: “I think a RICO action is plausible and should be considered.”

This is how Judge Kessler depicted the culpable conduct of the tobacco industry in her decision in that case: “Defendants have intentionally maintained and coordinated their fraudulent position on addiction and nicotine as an important part of their overall efforts to influence public opinion and persuade people that smoking is not dangerous.”

Now compare that to the findings of Dr. Brulle, whose research shines light on the dark-money campaigns that fund and support climate denial. This climate denial operation, to quote Dr. Brulle, is “a deliberate and organized effort to misdirect the public discussion and distort the public’s understanding of climate.”

The parallels between what the tobacco industry did and what the fossil fuel industry is doing now are so striking, I suggested in my speech of May 6, that it was worth a look, that civil discovery could reveal whether the fossil fuel industry’s activities cross that same line into racketeering.

I said that again in an op-ed piece I wrote in the Washington Post on May 29 regarding the civil RICO action against tobacco. Oh my, what a caterwauling has ensued from the fossil fuel industry trolls. Here is a quick highlight reel of the tempest of rightwing invective.

One climate denier, Christopher Monckton, declared: “Senator WHITEHOUSE is a fascist goon.”

Another denier compared me to Torquemada, the infamous torturer of the Inquisition.

The official Exxon responder got so excited about this suggestion that he used a word I am not even allowed to use on the Senate floor. He forgot rule No. 1 in crisis management: Don’t lose your cool.

The rightwing Web site breitbart.com responded by calling me “the prepos-

terous Democrat senator for Rhode Island” and saying the notion that there is an industry-led effort to mislead the American people about the harm caused by carbon pollution is “a joke,” a conspiracy theory on par with Area 51 or the faking of the Moon landing. Well, tell that to the tobacco industry.

Paul Gigot, the editorial page editor of the Wall Street Journal, said global warming concerns “are based on computer models, not by actual evidence, not by actual evidence of what we’ve seen so far.” Tell that to the scientists who measure the effects of climate change every day, particularly in our oceans.

The polluter-funded George C. Marshall Institute, a longtime climate denial outfit—and who knows how they got to take respectable George C. Marshall’s name and slap it on the front of a climate denial industry front—they wrote that this was an attack on constitutional rights. Well, that kind of presumes the answer because there is no constitutional right to commit fraud.

Similarly, Calvin Beisner, founder of another phony baloney industry front called the Cornwall Alliance, said the same: The mere suggestion of considering this action represents a “direct attack on the rights to freedom of speech and the press guaranteed by the First Amendment” and is “horribly bad for science.” Coming from a science-denial outfit, that concern for science is rich. Again, fraud is not protected by the First Amendment.

In the National Review, I was accused of wanting to launch “organized crime investigations . . . against people and institutions that disagree with [me] about global warming” in order to “lock people up as Mafiosi.” Crime? Lock people up? Let’s remember, we are talking about civil RICO, not criminal. No one went to jail in the tobacco case. Investigating the organized climate denial scheme under civil RICO is not about putting people in jail.

Query why the National Review would mislead people about such an obvious fact, and they are not alone. The rightwing blogosphere has lit up with nonsense about how this is a criminal charge. Read the tobacco complaint. It is on the Department of Justice Web site. Even people who purport to be legal scholars are misleading folks that way. All a civil RICO case does is get people to actually have to tell the truth under oath in front of an actual impartial judge or jury and under cross-examination, which the Supreme Court has described as “the greatest legal invention ever invented for the discovery of truth.” No more spin and deception—but that is exactly the audience polluters and their allies cannot bear, so the flacks set off criminal smokescreens and launch fascist goon and Torquemada hysterics.

A few weeks ago, 20 scientists agreed with me and wrote a letter to Attorney

General Lynch supporting the idea of using civil RICO. That was too much for the troll-in-chief for the fossil fuel industry, the Wall Street Journal editorial page. The Wall Street Journal editorial page has long been an industry science-denial mouthpiece. They use the same playbook every time: one, deny the science; two, question the motives of reformers; and three, exaggerate the costs of reforms.

For example, when scientists warned that chlorofluorocarbons could break down the atmosphere’s ozone layer, the Wall Street Journal ran editorials—for decades—devaluing the science, attacking scientists and reformers, and exaggerating the costs associated with regulating CFCs. It turns out they were dead wrong.

When acid rain was falling in the Northeast, the Wall Street Journal editorial page questioned the science, claimed the sulphur dioxide cleanup effort was driven by politics, and said fixing it carried a huge price tag. Ultimately, the Journal’s editorial page, after years of this, had to recant and admit that the cap-and-trade program for sulphur dioxide “saves about \$700 million annually compared with the cost of traditional regulation and has been reducing emissions by four million tons annually.”

Now, on climate change, the Journal is back to the same pattern: Deny the science, question the motives of climate scientists, exaggerate the costs of tackling carbon pollution.

For decades, the Journal has been persistently publishing editorials against taking any action to prevent manmade climate change. On this, the editorial page said that by talking about civil RICO, I am trying to “forcibly silence” the denial apparatus. Forcibly silence? First of all, against the billions of the Koch brothers and the billions of ExxonMobil, fat chance that I have much “force” to use. And silence? I don’t want them silent. I want them testifying in a forum where they have to tell the truth.

Is the Journal really saying that in a forum where climate deniers have to tell the truth, their only response would have to be silence? Making them tell the truth “forcibly silences” them? The only thing civil RICO silences is fraud.

By the way, the Journal editorial never mentions that the government won the civil RICO case against tobacco and on very similar facts. That would detract from the fable. Whom does the Journal cast as their victim in their fable? None other than Willie Soon, whom they said I singled out for—this is what they said—having “published politically inconvenient research on changes in solar radiation.” Politically inconvenient research.

Actually, what is inconvenient for Dr. Soon is that the New York Times reported that he got more than half his

funding from big fossil fuel interests such as ExxonMobil and the Charles Koch Foundation to the tune of \$1.2 million and didn't disclose it. Dr. Soon's research contracts even gave his industry backers a chance for comment and input before he published, and he referred to the papers he produced for them as "deliverables." In case anyone listening doesn't know this, that is not how real science works. Of course, none of this sordid financial conflict is even mentioned by the Wall Street Journal editorial page. They would rather pretend that Dr. Soon is being singled out for "politically inconvenient" views. Please.

It gets better. In the editorial, the role of neutral expert commenting on all of this goes to Georgia Tech's Judith Curry. She offers the opinion that my "demand . . . for legal persecution . . . represents a new low in the politicization of science." This is a particularly rich and conflict-riddled opinion, as Ms. Curry is herself a repeat anti-climate witness performing regularly in committees for Republicans here in Congress. Again, there is no mention of this interest of Ms. Curry's in the Wall Street Journal editorial.

The fossil fuel industry's climate denial machine rivals or exceeds that of the tobacco industry in size, scope, and complexity. Its purpose is to cast doubt about the reality of climate change in order to forestall moves toward cleaner fuels and to allow the Kochs and the Exxons of the world to continue making money at everybody else's expense. And the Wall Street Journal editorial page plays its part in this machine.

Even though it is only the editorial page and not the Journal's well-regarded newsroom, facts and logic are supposed to matter. Ignoring the successful tobacco litigation, omitting the salient fact of Dr. Soon being paid by the industry involved in his research, and bringing in a climate denier as their neutral voice without even disclosing that conflict—I would like to see the Wall Street Journal editorial page get that editorial by the editorial standards of their own newsroom.

So why all the histrionics on the far right? Why all the deliberate subterfuge between civil and criminal RICO? Why all the name-calling? Have we perhaps touched a little nerve? Have we made the hit a bit too close to home? Maybe a civil RICO case is indeed plausible and should be considered. Are the cracks in the dark castle of climate denial as it crumbles beginning to maybe rattle the occupants?

Whatever the motivation of the Wall Street Journal and other rightwing climate denial outfits, it is clearly long past time for this climate denial scheme to come in from the talk shows and the blogosphere and have to face the kind of truth-testing audience a civil RICO investigation could provide. It is time to let the facts take their

place and let climate denial face that greatest legal engine ever invented for the discovery of truth.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Burr-Feinstein amendment No. 2716.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 2716 to S. 754, a bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

Mitch McConnell, John Cornyn, Johnny Isakson, Richard Burr, John McCain, Shelley Moore Capito, Orrin G. Hatch, John Thune, Chuck Grassley, Pat Roberts, John Barrasso, Jeff Flake, Lamar Alexander, Bill Cassidy, Deb Fischer, Susan M. Collins, Patrick J. Toomey.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill, S. 754.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 754, an original bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

Mitch McConnell, John Cornyn, Johnny Isakson, Richard Burr, John McCain, Shelley Moore Capito, Orrin G. Hatch, John Thune, Chuck Grassley, Pat Roberts, John Barrasso, Jeff Flake, Lamar Alexander, Bill Cassidy, Deb Fischer, Susan M. Collins, Patrick J. Toomey.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE EXPLANATION

Mr. RUBIO. Mr. President, on September 28, 2015, I was unable to vote on

the motion to proceed to a short-term budget—continuing resolution—that, among other measures, denied taxpayer funding to Planned Parenthood. I would have voted no.

On September 30, 2015, I was unable to vote on final passage of a short-term budget—continuing resolution—to fund the government through December 11, 2015, including taxpayer funding for Planned Parenthood. I would have voted no.

REMEMBERING JEFFREY A. MATHIAS

Mr. MARKEY. Mr. President, I am a cosponsor of a resolution the Senate is likely to pass this evening honoring the lives of the 33 crew members aboard the *El Faro* which sank near the Bahamas during Hurricane Joaquin earlier this month.

I want to take this opportunity to express my deepest sympathy and sincere condolences to the family of *El Faro* crewman Jeffrey A. Mathias of Kingston, MA. He was just 42 years old.

Jeff loved the sea. When he attended Tabor Academy, he learned how to sail aboard the school's sailing ship the *Tabor Boy*. Jeff followed his passion to the prestigious Massachusetts Maritime Academy, where in 1996 he graduated with a degree in marine engineering. Upon graduation, he worked at Seamass and then Altran, where he was involved with nuclear power plants. In 1998, he landed his dream job on a cargo vessel.

Jeff sailed to Africa, Europe, North Korea, Alaska, Hawaii, California, and the Caribbean. He reached the officer's position of chief engineer and was responsible for shaft repairs on many vessels.

Jeff leaves his beloved wife, Jennifer Brides Mathias; his 3 adored children, daughters Hayden, 7, Heidi, 5, and son, Caleb, 3, all of Kingston. He also leaves behind his parents, J. Barry and Lydia Jones Mathias, of Kingston and his brother John.

Another son of Massachusetts who loved the sea was President John F. Kennedy. He famously stated, "I really don't know why it is that all of us are so committed to the sea, except I think it's because in addition to the fact that the sea changes, and the light changes, and ships change, it's because we all came from the sea. And it is an interesting biological fact that all of us have in our veins the exact same percentage of salt in our blood that exists in the ocean, and, therefore, we have salt in our blood, in our sweat, in our tears. We are tied to the ocean. And when we go back to the sea—whether it is to sail or to watch it—we are going back from whence we came."

I also offer my condolences to the family, friends, and loved ones of every member of the *El Faro* crew.

ADDITIONAL STATEMENTS

TRIBUTE TO SERGEANT MICHAELA BOUSHEY AND STAFF SERGEANT SHAYNE BOUSHEY

• Mr. DAINES. Mr. President, I wish to recognize SGT Michaela Boushey and SSG Shayne Boushey as Montanans of the Week. These two soldiers represent not only the best that Montana has to offer, but the best this country has to offer.

SGT Michaela Boushey served in the Montana Army National Guard for 8 years. For 4 years, she served in the 112th Security and Support Detachment Aviation Unit whose mission is to protect our borders, collect and transmit intelligence, and to provide support for the Department of Justice. Michaela's commitments and service to our country has never faltered, and we are so grateful for her service, sacrifice, and loyalty to our great Nation.

Her husband, SSG Shayne Boushey, was deployed with both the infantry battalion and the military police company. During his deployment to Afghanistan, Shayne and his team were targeted by Taliban forces. When a suicide bomber detonated himself, 6 were killed and 13 were seriously wounded. Shayne's fast thinking, bravery, and resolve in this life-threatening situation saved the lives of many in his team.

We owe our freedom to these soldiers and the thousands of American servicemembers like them. It is with the humblest gratitude that I thank them for their courage and unwavering loyalty.●

TRIBUTE TO CHASE DELLWO

• Mr. DAINES. Mr. President, today I would like to highlight an incredibly courageous Montanan and a man very dear to my staff and me: Chase Dellwo. Chase is a strong example of the courage, bravery, and quick thinking that sets Montanans apart.

Chase Dellwo, like myself and many other Montanans, is a hunter. In recent weeks, however, Chase showed resolve that many could never achieve. While bow hunting with his brother recently, Chase climbed up a narrow creek expecting to drive a herd of elk toward his waiting brother.

Having been focused on the elk, Chase did not notice the sleeping grizzly bear 3 feet from where he stood. Startling the now awake animal, Chase soon found himself head to head with this 400-pound bear. Chase recounts later that there was no time for him to draw his weapon back before he had been knocked off his feet and bit on the top and back of his head.

With his eye swollen shut, part of his scalp hanging over his eye, and blood pouring from his wounds, he suffered through the animal's repeated assaults. This attack in normal circumstances

would have been the end of a hunter's life, but not in the case of Chase Dellwo. Mid-attack, Chase remembered an article his grandmother had sent him about large animals having terrible gag reflexes.

This quick thinking led him to plunge his arm down the animal's throat, enacting the bear's gag reflex, and subsequently scaring the animal away. Despite incredible disorientation, he found his way to his brother and was in turn rushed to the nearest hospital.

After undergoing multiple hours of surgery to fix his many lacerations, Chase sat with his wife, defending the bear, saying that it had been just as startled as he had. His many injuries led to multiple stitches, staples, and a hospital stay, but this 26-year-old remains alive and has encouraged Montana residents to be more aware of the animals that share their land.

I commend Chase on his courage and smarts that saved his life and wish him luck on both his recovery and the upcoming hunting season.●

REMEMBERING BETTE BAILLY

• Mr. GARDNER. Mr. President, I wish to honor the life of Bette Bailly from Burlington, CO, who passed away earlier this month after serving nearly 50 years in the broadcast industry.

Bette was an inspiration to others in her professional life and in her community. She was due to celebrate 50 years of dedicated service at her station, KNAB-AM, in just 2 years' time and was honored and recognized with numerous awards throughout her career. As a businesswoman, Bette was hard-charging and took a no-nonsense approach to broadcasting. Her tenacity was well known and respected throughout Northeastern Colorado.

Bette was also devoted to the Burlington community. She volunteered her time at the Burlington Chamber of Commerce, the Rotary Club, numerous local boards, and her church.

Undoubtedly, Bette will be missed dearly by her family, her community, and the State of Colorado. We will never forget her contributions to local broadcasting.●

RECOGNIZING BERKLEY SCHOOLS

• Mr. PETERS. Mr. President, I wish to recognize the 175th Anniversary of Berkley Schools. I appreciate the opportunity to recognize this truly significant milestone in the history of the Berkley School District and the city of Berkley, MI. I am proud of Berkley's enduring commitment to providing quality public education and wish it many more decades of successful service to its students and their families.

Throughout its history, the Berkley School District has set the benchmark in public education, ensuring its stu-

dents are prepared for success, both as individuals and leaders in an increasingly global community. The district's continued dedication to academics is apparent in its recognition by North Central Accreditation, as well as the many honors its students have received in marketing, communications, literacy and poetry, robotics, and video production. Berkley High School boasts 21 advanced placement and college level courses—more than any other traditional high school campus—and provides the highest math curriculum of any high school in Michigan's Oakland County. Additionally, the district's Norup International School is the United States only K-8 International Baccalaureate program housed on one campus. It is no surprise Berkley High School enjoys a 98 percent graduation rate, with nearly 100 percent of those graduates enrolling in colleges and universities.

In addition to ensuring its students' success in the classroom, the Berkley School District provides an opportunity for students to participate in a wide variety of varsity sports, clubs, and student organizations. From football and softball, to rugby and skiing, students can compete for the Berkley Bears throughout the year. Students also entertain as members of the high school's marching band, symphonic band, concert band, and jazz band, as well as with its three choirs and theater program. I applaud the Berkley School District for providing opportunities for students to explore art, music, and literature.

Berkley had been associated with education for nearly a century when the city was incorporated in 1932. The Berkley School was mentioned as part of the Royal Oak Township School District No. 7 in 1840. It was housed in the Blackmon School, at the corner of Coolidge and Catalpa, from 1840 until a new school building was established in 1901. The new building, named South School, was located at the northeast corner of Coolidge and 11 Mile Road until it was converted into a dormitory for teachers in 1920. The district's growth was swift. In 1921, the district built Angell School, a four-room building, on Bacon Street. Four years later, in 1925, the district added two more schools, Pattengill and Burton, which were occupied before they were even completed.

Despite its success, the Berkley School District was not immune to the hardships of the Great Depression. In January 1930, all pupils were placed on half days, half of the faculty was dismissed, bus service was eliminated, and the gym was closed. The following year, the district was forced to close Burton and Pattengill schools. Fortunately, both schools were reopened in time for the "baby boom" that followed the end of World War II. As the district's population grew, Berkley

High School opened in 1949, followed by Tyler and Oxford Schools in 1951; Hamilton School in 1952; and the district's two junior high schools, Anderson and Norup, in 1956 and 1957.

Today, the Berkley School District continues to be a leader in providing excellent public education in the State of Michigan. It serves as an example of how community-driven, quality education can not only enrich the lives of students, but also drive the growth and quality of life in the surrounding community for generations. I am pleased to help celebrate the 175th Anniversary of Berkley Schools and wish it many more decades of successful service to its students and their families.●

RECOGNIZING THE UNIVERSITY OF CENTRAL FLORIDA'S COLLEGIATE CYBER DEFENSE CLUB

● Mr. RUBIO. Mr. President, as October marks Cyber Security Awareness Month, I wish to recognize the University of Central Florida, UCF, Collegiate Cyber Defense Club on winning the 2015 National Collegiate Cyber Defense Competition's Alamo Cup for a second year in a row in April 2015. This achievement not only exemplifies the boundless educational opportunities provided by UCF, but also demonstrates how students in Florida are leading the next generation of growth and development in increasingly vital 21st century industries.

The UCF Collegiate Cyber Defense Club, also known as Hack@UCF was founded in 2012 and today has 200 members that represent the university in cyber competitions around the Nation. Most notably, Hack@UCF annually competes in the National Collegiate Cyber Defense Competition, CCDC. In partnership with the Center for Infrastructure Assurance and Security, CIAS, at the University of Texas at San Antonio, the CCDC started in 2005 to provide educational institutions with a controlled environment to further educate and assess the future generation's skills in combatting cyber attacks. This year, the competition challenged 2,400 undergraduate and graduate students representing 200 colleges and universities to operate and maintain a mock business, while continuously defending against cyber attacks created by government and industry experts.

I am proud that the talented students of UCF were able to stand out as the best collegiate team during the competition for the past 2 years. As our Nation will continue to face the threat of cyber attacks on our economy, businesses, and national security, it is critical to promote and invest in educational programs that empower students and provide them with the necessary tools to be successful in this industry.

It is an honor to congratulate all members of the UCF Collegiate Cyber

Defense Club on this achievement. I hope it will inspire other students in the State of Florida and across the Nation to get involved in the cyber security industry. I wish the group an abundance of success in the future and the best of luck in next year's competition.●

TRIBUTE TO DR. FRANK FIERMONTE

● Mr. SANDERS. Mr. President, I wish to recognize Dr. Frank Fiermonte, a physician from Orleans, VT, who cared for the people of Vermont's North Country with distinction for many years. As Vermont's Northland Journal prepares to publish the final installment of a series on Dr. Fiermonte, I want to join in recognizing his service to Vermont.

Dr. Fiermonte was a true "country doctor" who was willing to travel long distances to see his patients at all hours and in all seasons. I have heard Frank tell many an anecdote about how, after a home visit to a rural area, family and friends of the patient had to help him get his car unstuck during mud season or dug out from a snow bank in the winter.

Like many country doctors, he served a vast area, encompassing not just his hometown of Derby, but also a wide swath of Orleans and Essex Counties and even across the border into Quebec. Yet he intimately knew all of the families he served, which sometimes spanned several generations. The stories from North Country residents in the Northland Journal make it clear that Dr. Fiermonte made a tremendous impact on the community. This quote from a former Derby resident stands out in particular: "Dr. Fiermonte was a godsend to the Derby area. He was always available day or night."

What always strikes me most about Frank is how personal the practice of medicine was for him. In today's modern world, health care can sometimes be a very impersonal experience. In fact, there is much discussion in Vermont and Washington about returning to a more patient-centered system. We would do well to learn from people like Dr. Frank Fiermonte and his contemporaries, who are the embodiment of that ideal. Motivated by the desire to serve his community and deliver the best care possible, for Dr. Fiermonte, it was all about the patient.

Dr. Frank Fiermonte has earned my deepest respect, and I thank him for his years of service to the North Country.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2181. A bill to provide guidance and priorities for Federal Government obligations in the event that the debt limit is reached.

S. 2182. A bill to cut, cap, and balance the Federal budget.

S. 2183. A bill to reauthorize and reform the Export-Import Bank of the United States, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO (for himself and Mr. CARDIN):

S. 2184. A bill to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes; to the Committee on Foreign Relations.

By Ms. HEITKAMP (for herself, Ms. AYOTTE, Ms. COLLINS, Mrs. CAPITO, Mr. HOEVEN, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Ms. HIRONO, and Mrs. GILLIBRAND):

S. 2185. A bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO:

S. 2186. A bill to provide the legal framework necessary for the growth of innovative private financing options for students to fund postsecondary education, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PAUL (for himself and Mr. ROBERTS):

S. Res. 290. A resolution expressing the sense of the Senate that any protocol to, or other agreement regarding, the United Nations Framework Convention on Climate Change of 1992, negotiated at the 2015 United Nations Climate Change Conference in Paris will be considered a treaty requiring the advice and consent of the Senate; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 134

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 134, a bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marijuana, and for other purposes.

S. 314

At the request of Mr. GRASSLEY, the names of the Senator from Montana (Mr. TESTER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 370

At the request of Mrs. FEINSTEIN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S.

370, a bill to require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes.

S. 403

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 403, a bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, and for other purposes.

S. 613

At the request of Mrs. GILLIBRAND, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 637

At the request of Mr. CRAPO, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 851

At the request of Mr. THUNE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 851, a bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services.

S. 1013

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1077

At the request of Mr. BENNET, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1077, a bill to provide for expedited development of and priority review for breakthrough devices.

S. 1082

At the request of Mr. INHOFE, his name was added as a cosponsor of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 1315

At the request of Mr. ENZI, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 1315, a bill to protect the right of law-abiding citizens to transport

knives interstate, notwithstanding a patchwork of local and State prohibitions.

S. 1375

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1375, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1394

At the request of Mr. MERKLEY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1394, a bill to amend the Federal Water Pollution Control Act to establish within the Environmental Protection Agency a Columbia River Basin Restoration Program.

S. 1493

At the request of Mr. ISAKSON, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1493, a bill to provide for an increase, effective December 1, 2015, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 1520

At the request of Ms. KLOBUCHAR, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 1520, a bill to protect victims of stalking from violence.

S. 1539

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1539, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 1559

At the request of Ms. AYOTTE, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1624

At the request of Ms. STABENOW, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1624, a bill to provide predictability and certainty in the tax law, create jobs, and encourage investment.

S. 1686

At the request of Ms. BALDWIN, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. 1686, a bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in pass-thru entities.

S. 1766

At the request of Mr. SCHATZ, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1766, a bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes.

S. 1767

At the request of Mr. ISAKSON, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1767, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to combination products, and for other purposes.

S. 1789

At the request of Mr. RUBIO, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 1789, a bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

S. 1801

At the request of Ms. KLOBUCHAR, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1801, a bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation.

S. 1831

At the request of Mr. TOOMEY, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1833

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1833, a bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program.

S. 1882

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1882, a bill to support the sustainable recovery and rebuilding of Nepal following the recent, devastating earthquakes near Kathmandu.

S. 1926

At the request of Ms. MIKULSKI, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator

from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1926, a bill to ensure access to screening mammography services.

S. 1931

At the request of Mr. MORAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1931, a bill to reaffirm that certain land has been taken into trust for the benefit of certain Indian tribes.

S. 1944

At the request of Mr. SULLIVAN, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 2002

At the request of Mr. CORNYN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2002, a bill to strengthen our mental health system and improve public safety.

S. 2028

At the request of Mr. PAUL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2028, a bill to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 2034

At the request of Mr. TOOMEY, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Arkansas (Mr. COTTON), the Senator from Idaho (Mr. RISC), the Senator from Idaho (Mr. CRAPO), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Nebraska (Mrs. FISCHER), the Senator from Louisiana (Mr. CASSIDY), the Senator from Utah (Mr. LEE), the Senator from Arizona (Mr. MCCAIN), the Senator from Montana (Mr. DAINES), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 2034, a bill to amend title 18, United States Code, to provide additional aggravating factors for the imposition of the death penalty based on the status of the victim.

S. 2042

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2042, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2067

At the request of Mr. WICKER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2067, a bill to

establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2136

At the request of Mr. VITTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2136, a bill to establish the Regional SBIR State Collaborative Initiative Pilot Program, and for other purposes.

S. 2145

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 2145, a bill to make supplemental appropriations for fiscal year 2016.

S. 2146

At the request of Mr. VITTER, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 2146, a bill to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally re-enter the United States after being removed, and to provide liability protection for State and local law enforcement who cooperate with Federal law enforcement and for other purposes.

S. 2148

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from California (Mrs. BOXER) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 2148, a bill to amend title XVIII of the Social Security Act to prevent an increase in the Medicare part B premium and deductible in 2016.

S. 2163

At the request of Ms. KLOBUCHAR, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2163, a bill to amend title 23, United States Code, to direct the Secretary of Transportation to require that broadband conduits be installed as a part of certain highway construction projects, and for other purposes.

S. RES. 282

At the request of Mrs. SHAHEEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 282, a resolution supporting the goals and ideals of American Diabetes Month.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 290—EXPRESSING THE SENSE OF THE SENATE THAT ANY PROTOCOL TO, OR OTHER AGREEMENT REGARDING, THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE OF 1992, NEGOTIATED AT THE 2015 UNITED NATIONS CLIMATE CHANGE CONFERENCE IN PARIS WILL BE CONSIDERED A TREATY REQUIRING THE ADVICE AND CONSENT OF THE SENATE

Mr. PAUL (for himself and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 290

Whereas the 105th Congress passed S. Res. 98, which required the Kyoto Protocol to the United Nations Framework Convention on Climate Change of 1992 to receive Senate advice and consent prior to ratification: Now, therefore, be it

Resolved, That it is the sense of the Senate that any protocol to, or other agreement regarding, the United Nations Framework Convention on Climate Change of 1992, negotiated at the 2015 United Nations Climate Change Conference in Paris will be considered a treaty requiring the advice and consent of the Senate.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2713. Mr. WHITEHOUSE (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table.

SA 2714. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 209, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes; which was ordered to lie on the table.

SA 2715. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table.

SA 2716. Mr. BURR (for himself and Mrs. FEINSTEIN) proposed an amendment to the bill S. 754, *supra*.

SA 2717. Mr. UDALL (for himself, Mrs. SHAHEEN, Mr. TESTER, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 754, *supra*; which was ordered to lie on the table.

SA 2718. Mr. UDALL (for himself, Mrs. SHAHEEN, Mr. TESTER, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 754, *supra*; which was ordered to lie on the table.

SA 2719. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 754, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2713. Mr. WHITEHOUSE (for himself and Mr. GRAHAM) submitted an

amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ STOPPING THE SALE OF AMERICANS' FINANCIAL INFORMATION.

Section 1029(h) of title 18, United States Code, is amended by striking "title if—" and all that follows through "therefrom." and inserting "title if the offense involves an access device issued, owned, managed, or controlled by a financial institution, account issuer, credit card system member, or other entity organized under the laws of the United States, or any State, the District of Columbia, or other Territory of the United States."

SEC. ____ SHUTTING DOWN BOTNETS.

(a) AMENDMENT.—Section 1345 of title 18, United States Code, is amended—

(1) in the heading, by inserting "**and abuse**" after "**fraud**";

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking "or" at the end;

(ii) in subparagraph (C), by inserting "or" after the semicolon; and

(iii) by inserting after subparagraph (C) the following:

"(D) violating or about to violate section 1030(a)(5) where such conduct has caused or would cause damage (as defined in section 1030) without authorization to 100 or more protected computers (as defined in section 1030) during any 1-year period, including by—

"(i) impairing the availability or integrity of the protected computers without authorization; or

"(ii) installing or maintaining control over malicious software on the protected computers that, without authorization, has caused or would cause damage to the protected computers;" and

(B) in paragraph (2), by inserting ", a violation described in subsection (a)(1)(D)," before "or a Federal"; and

(3) by adding at the end the following:

"(c) A restraining order, prohibition, or other action described in subsection (b), if issued in circumstances described in subsection (a)(1)(D), may, upon application of the Attorney General—

"(1) specify that no cause of action shall lie in any court against a person for complying with the restraining order, prohibition, or other action; and

"(2) provide that the United States shall pay to such person a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in complying with the restraining order, prohibition, or other action."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of section for chapter 63 is amended by striking the item relating to section 1345 and inserting the following:

"1345. Injunctions against fraud and abuse."

SEC. ____ AGGRAVATED DAMAGE TO A CRITICAL INFRASTRUCTURE COMPUTER.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

"§ 1030A. Aggravated damage to a critical infrastructure computer

"(a) OFFENSE.—It shall be unlawful, during and in relation to a felony violation of section 1030, to knowingly cause or attempt to

cause damage to a critical infrastructure computer, if such damage results in (or, in the case of an attempted offense, would, if completed have resulted in) the substantial impairment—

"(1) of the operation of the critical infrastructure computer; or

"(2) of the critical infrastructure associated with such computer.

"(b) PENALTY.—Any person who violates subsection (a) shall, in addition to the term of punishment provided for the felony violation of section 1030, be fined under this title, imprisoned for not more than 20 years, or both.

"(c) CONSECUTIVE SENTENCE.—Notwithstanding any other provision of law—

"(1) a court shall not place any person convicted of a violation of this section on probation;

"(2) except as provided in paragraph (4), no term of imprisonment imposed on a person under this section shall run concurrently with any term of imprisonment imposed on the person under any other provision of law, including any term of imprisonment imposed for the felony violation of section 1030;

"(3) in determining any term of imprisonment to be imposed for the felony violation of section 1030, a court shall not in any way reduce the term to be imposed for such violation to compensate for, or otherwise take into account, any separate term of imprisonment imposed or to be imposed for a violation of this section; and

"(4) a term of imprisonment imposed on a person for a violation of this section may, in the discretion of the court, run concurrently, in whole or in part, only with another term of imprisonment that is imposed by the court at the same time on that person for an additional violation of this section, if such discretion shall be exercised in accordance with any applicable guidelines and policy statements issued by the United States Sentencing Commission pursuant to section 994 of title 28.

"(d) DEFINITIONS.—In this section

"(1) the terms 'computer' and 'damage' have the meanings given the terms in section 1030; and

"(2) the term 'critical infrastructure' means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have catastrophic regional or national effects on public health or safety, economic security, or national security."

(b) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following:

"1030A. Aggravated damage to a critical infrastructure computer."

SEC. ____ STOPPING TRAFFICKING IN BOTNETS.

(a) IN GENERAL.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (7), by adding "or" at the end; and

(B) by inserting after paragraph (7) the following:

"(8) intentionally traffics in the means of access to a protected computer, if—

"(A) the trafficker knows or has reason to know the protected computer has been damaged in a manner prohibited by this section; and

"(B) the promise or agreement to pay for the means of access is made by, or on behalf of, a person the trafficker knows or has reason to know intends to use the means of access to—

"(i) damage the protected computer in a manner prohibited by this section; or

"(ii) violate section 1037 or 1343;"

(2) in subsection (c)(3)—

(A) in subparagraph (A), by striking "(a)(4) or (a)(7)" and inserting "(a)(4), (a)(7), or (a)(8)"; and

(B) in subparagraph (B), by striking "(a)(4), or (a)(7)" and inserting "(a)(4), (a)(7), or (a)(8)";

(3) in subsection (e)—

(A) in paragraph (11), by striking "and" at the end;

(B) in paragraph (12), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(13) the term 'traffic', except as provided in subsection (a)(6), means transfer, or otherwise dispose of, to another as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value;" and

(4) in subsection (g), in the first sentence, by inserting ", except for a violation of subsection (a)(8)," after "of this section".

SA 2714. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 209, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Indian Tribal Energy Development and Self-Determination Act Amendments of 2015".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—INDIAN TRIBAL ENERGY DEVELOPMENT AND SELF-DETERMINATION ACT AMENDMENTS

Sec. 101. Indian tribal energy resource development.

Sec. 102. Indian tribal energy resource regulation.

Sec. 103. Tribal energy resource agreements.

Sec. 104. Technical assistance for Indian tribal governments.

Sec. 105. Conforming amendments.

Sec. 106. Report.

TITLE II—MISCELLANEOUS AMENDMENTS

Sec. 201. Issuance of preliminary permits or licenses.

Sec. 202. Tribal biomass demonstration project.

Sec. 203. Weatherization program.

Sec. 204. Appraisals.

Sec. 205. Leases of restricted lands for Navajo Nation.

Sec. 206. Extension of tribal lease period for the Crow Tribe of Montana.

Sec. 207. Trust status of lease payments.

TITLE I—INDIAN TRIBAL ENERGY DEVELOPMENT AND SELF-DETERMINATION ACT AMENDMENTS

SEC. 101. INDIAN TRIBAL ENERGY RESOURCE DEVELOPMENT.

(a) IN GENERAL.—Section 2602(a) of the Energy Policy Act of 1992 (25 U.S.C. 3502(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (C), by striking "and" after the semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

“(E) consult with each applicable Indian tribe before adopting or approving a well spacing program or plan applicable to the energy resources of that Indian tribe or the members of that Indian tribe.”; and

(2) by adding at the end the following:

“(4) PLANNING.—

“(A) IN GENERAL.—In carrying out the program established by paragraph (1), the Secretary shall provide technical assistance to interested Indian tribes to develop energy plans, including—

“(i) plans for electrification;

“(ii) plans for oil and gas permitting, renewable energy permitting, energy efficiency, electricity generation, transmission planning, water planning, and other planning relating to energy issues;

“(iii) plans for the development of energy resources and to ensure the protection of natural, historic, and cultural resources; and

“(iv) any other plans that would assist an Indian tribe in the development or use of energy resources.

“(B) COOPERATION.—In establishing the program under paragraph (1), the Secretary shall work in cooperation with the Office of Indian Energy Policy and Programs of the Department of Energy.”.

(b) DEPARTMENT OF ENERGY INDIAN ENERGY EDUCATION PLANNING AND MANAGEMENT ASSISTANCE PROGRAM.—Section 2602(b)(2) of the Energy Policy Act of 1992 (25 U.S.C. 3502(b)(2)) is amended—

(1) in the matter preceding subparagraph (A), by inserting “, intertribal organization,” after “Indian tribe”;

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(3) by inserting after subparagraph (B) the following:

“(C) activities to increase the capacity of Indian tribes to manage energy development and energy efficiency programs.”.

(c) DEPARTMENT OF ENERGY LOAN GUARANTEE PROGRAM.—Section 2602(c) of the Energy Policy Act of 1992 (25 U.S.C. 3502(c)) is amended—

(1) in paragraph (1), by inserting “or a tribal energy development organization” after “Indian tribe”;

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “guarantee” and inserting “guaranteed”;

(B) in subparagraph (A), by striking “or”;

(C) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following:

“(C) a tribal energy development organization, from funds of the tribal energy development organization.”; and

(3) in paragraph (5), by striking “The Secretary of Energy may” and inserting “Not later than 1 year after the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2015, the Secretary of Energy shall”.

SEC. 102. INDIAN TRIBAL ENERGY RESOURCE REGULATION.

Section 2603(c) of the Energy Policy Act of 1992 (25 U.S.C. 3503(c)) is amended—

(1) in paragraph (1), by striking “on the request of an Indian tribe, the Indian tribe” and inserting “on the request of an Indian tribe or a tribal energy development organization, the Indian tribe or tribal energy development organization”; and

(2) in paragraph (2)(B), by inserting “or tribal energy development organization” after “Indian tribe”.

SEC. 103. TRIBAL ENERGY RESOURCE AGREEMENTS.

(a) AMENDMENT.—Section 2604 of the Energy Policy Act of 1992 (25 U.S.C. 3504) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “or” after the semicolon at the end;

(ii) in subparagraph (B)—

(I) by striking clause (i) and inserting the following:

“(i) an electric production, generation, transmission, or distribution facility (including a facility that produces electricity from renewable energy resources) located on tribal land; or”; and

(II) in clause (ii)—

(aa) by inserting “, at least a portion of which have been” after “energy resources”;

(bb) by inserting “or produced from” after “developed on”; and

(cc) by striking “and” after the semicolon at the end and inserting “or”; and

(iii) by adding at the end the following:

“(C) pooling, unitization, or communitization of the energy mineral resources of the Indian tribe located on tribal land with any other energy mineral resource (including energy mineral resources owned by the Indian tribe or an individual Indian in fee, trust, or restricted status or by any other persons or entities) if the owner, or, if appropriate, lessee, of the resources has consented or consents to the pooling, unitization, or communitization of the other resources under any lease or agreement; and”;

(B) by striking paragraph (2) and inserting the following:

“(2) a lease or business agreement described in paragraph (1) shall not require review by, or the approval of, the Secretary under section 2103 of the Revised Statutes (25 U.S.C. 81), or any other provision of law (including regulations), if the lease or business agreement—

“(A) was executed—

“(i) in accordance with the requirements of a tribal energy resource agreement in effect under subsection (e) (including the periodic review and evaluation of the activities of the Indian tribe under the agreement, to be conducted pursuant to subparagraphs (D) and (E) of subsection (e)(2)); or

“(ii) by the Indian tribe and a tribal energy development organization for which the Indian tribe has obtained a certification pursuant to subsection (h); and

“(B) has a term that does not exceed—

“(i) 30 years; or

“(ii) in the case of a lease for the production of oil resources, gas resources, or both, 10 years and as long thereafter as oil or gas is produced in paying quantities.”;

(2) by striking subsection (b) and inserting the following:

“(b) RIGHTS-OF-WAY.—An Indian tribe may grant a right-of-way over tribal land without review or approval by the Secretary if the right-of-way—

“(1) serves—

“(A) an electric production, generation, transmission, or distribution facility (including a facility that produces electricity from renewable energy resources) located on tribal land;

“(B) a facility located on tribal land that extracts, produces, processes, or refines energy resources; or

“(C) the purposes, or facilitates in carrying out the purposes, of any lease or agreement entered into for energy resource development on tribal land;

“(2) was executed—

“(A) in accordance with the requirements of a tribal energy resource agreement in effect under subsection (e) (including the periodic review and evaluation of the activities of the Indian tribe under the agreement, to be conducted pursuant to subparagraphs (D) and (E) of subsection (e)(2)); or

“(B) by the Indian tribe and a tribal energy development organization for which the Indian tribe has obtained a certification pursuant to subsection (h); and

“(3) has a term that does not exceed 30 years.”;

(3) by striking subsection (d) and inserting the following:

“(d) VALIDITY.—No lease or business agreement entered into, or right-of-way granted, pursuant to this section shall be valid unless the lease, business agreement, or right-of-way is authorized by subsection (a) or (b).”; (4) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—

“(A) AUTHORIZATION.—On or after the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2015, a qualified Indian tribe may submit to the Secretary a tribal energy resource agreement governing leases, business agreements, and rights-of-way under this section.

“(B) NOTICE OF COMPLETE PROPOSED AGREEMENT.—Not later than 60 days after the date on which the tribal energy resource agreement is submitted under subparagraph (A), the Secretary shall—

“(i) notify the Indian tribe as to whether the agreement is complete or incomplete;

“(ii) if the agreement is incomplete, notify the Indian tribe of what information or documentation is needed to complete the submission; and

“(iii) identify and notify the Indian tribe of the financial assistance, if any, to be provided by the Secretary to the Indian tribe to assist in the implementation of the tribal energy resource agreement, including the environmental review of individual projects.

“(C) EFFECT.—Nothing in this paragraph precludes the Secretary from providing any financial assistance at any time to the Indian tribe to assist in the implementation of the tribal energy resource agreement.”;

(B) in paragraph (2)—

(i) by striking “(2)(A)” and all that follows through the end of subparagraph (A) and inserting the following:

“(2) PROCEDURE.—

“(A) EFFECTIVE DATE.—

“(i) IN GENERAL.—On the date that is 271 days after the date on which the Secretary receives a tribal energy resource agreement from a qualified Indian tribe under paragraph (1), the tribal energy resource agreement shall take effect, unless the Secretary disapproves the tribal energy resource agreement under subparagraph (B).

“(ii) REVISED TRIBAL ENERGY RESOURCE AGREEMENT.—On the date that is 91 days after the date on which the Secretary receives a revised tribal energy resource agreement from a qualified Indian tribe under paragraph (4)(B), the revised tribal energy resource agreement shall take effect, unless the Secretary disapproves the revised tribal energy resource agreement under subparagraph (B).”; (ii) in subparagraph (B)—

(I) by striking “(B)” and all that follows through clause (ii) and inserting the following:

“(B) DISAPPROVAL.—The Secretary shall disapprove a tribal energy resource agreement submitted pursuant to paragraph (1) or (4)(B) only if—

“(i) a provision of the tribal energy resource agreement violates applicable Federal law (including regulations) or a treaty applicable to the Indian tribe;

“(ii) the tribal energy resource agreement does not include 1 or more provisions required under subparagraph (D); or”; and

(II) in clause (iii)—

(aa) in the matter preceding subclause (I), by striking “includes” and all that follows through “section—” and inserting “does not include provisions that, with respect to any lease, business agreement, or right-of-way to which the tribal energy resource agreement applies—”;

(bb) by striking subclauses (I), (II), (V), (VIII), and (XV);

(cc) by redesignating clauses (III), (IV), (VI), (VII), (IX) through (XIV), and (XVI) as clauses (I), (II), (III), (IV), (V) through (X), and (XI), respectively;

(dd) in item (bb) of subclause (XI) (as redesignated by item (cc))—

(AA) by striking “or tribal”; and

(BB) by striking the period at the end and inserting a semicolon; and

(ee) by adding at the end the following:

“(XII) include a certification by the Indian tribe that the Indian tribe has—

“(aa) carried out a contract or compact under title I or IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) for a period of not less than 3 consecutive years ending on the date on which the Indian tribe submits the application without material audit exception (or without any material audit exceptions that were not corrected within the 3-year period) relating to the management of tribal land or natural resources; or

“(bb) substantial experience in the administration, review, or evaluation of energy resource leases or agreements or has otherwise substantially participated in the administration, management, or development of energy resources located on the tribal land of the Indian tribe; and

“(XIII) at the option of the Indian tribe, identify which functions, if any, authorizing any operational or development activities pursuant to a lease, right-of-way, or business agreement approved by the Indian tribe, that the Indian tribe intends to conduct.”;

(iii) in subparagraph (C)—

(I) by striking clauses (i) and (ii);

(II) by redesignating clauses (iii) through (v) as clauses (ii) through (iv), respectively; and

(III) by inserting before clause (ii) (as redesignated by subclause (II)) the following:

“(i) a process for ensuring that—

“(I) the public is informed of, and has reasonable opportunity to comment on, any significant environmental impacts of the proposed action; and

“(II) the Indian tribe provides responses to relevant and substantive public comments on any impacts described in subclause (I) before the Indian tribe approves the lease, business agreement, or right-of-way.”;

(iv) in subparagraph (D)(ii), by striking “subparagraph (B)(iii)(XVI)” and inserting “subparagraph (B)(iv)(XI)”;

(v) by adding at the end the following:

“(F) EFFECTIVE PERIOD.—A tribal energy resource agreement that takes effect pursuant to this subsection shall remain in effect to the extent any provision of the tribal energy resource agreement is consistent with applicable Federal law (including regula-

tions), unless the tribal energy resource agreement is—

“(i) rescinded by the Secretary pursuant to paragraph (7)(D)(iii)(II); or

“(ii) voluntarily rescinded by the Indian tribe pursuant to the regulations promulgated under paragraph (8)(B) (or successor regulations).”;

(C) in paragraph (4), by striking “date of disapproval” and all that follows through the end of subparagraph (C) and inserting the following: “date of disapproval, provide the Indian tribe with—

“(A) a detailed, written explanation of—

“(i) each reason for the disapproval; and

“(ii) the revisions or changes to the tribal energy resource agreement necessary to address each reason; and

“(B) an opportunity to revise and resubmit the tribal energy resource agreement.”;

(D) in paragraph (6)—

(i) in subparagraph (B)—

(I) by striking “(B) Subject to” and inserting the following:

“(B) Subject only to”; and

(II) by striking “subparagraph (D)” and inserting “subparagraphs (C) and (D)”;

(ii) in subparagraph (C), in the matter preceding clause (i), by inserting “to perform the obligations of the Secretary under this section and” before “to ensure”; and

(iii) in subparagraph (D), by adding at the end the following:

“(iii) Nothing in this section absolves, limits, or otherwise affects the liability, if any, of the United States for any—

“(I) term of any lease, business agreement, or right-of-way under this section that is not a negotiated term; or

“(II) losses that are not the result of a negotiated term, including losses resulting from the failure of the Secretary to perform an obligation of the Secretary under this section.”;

(E) in paragraph (7)—

(i) in subparagraph (A), by striking “has demonstrated” and inserting “the Secretary determines has demonstrated with substantial evidence”;

(ii) in subparagraph (B), by striking “any tribal remedy” and inserting “all remedies (if any) provided under the laws of the Indian tribe”;

(iii) in subparagraph (D)—

(I) in clause (i), by striking “determine” and all that follows through the end of the clause and inserting the following: “determine—

“(I) whether the petitioner is an interested party; and

“(II) if the petitioner is an interested party, whether the Indian tribe is not in compliance with the tribal energy resource agreement as alleged in the petition.”;

(II) in clause (ii), by striking “determination” and inserting “determinations”; and

(III) in clause (iii), in the matter preceding subclause (I) by striking “agreement” the first place it appears and all that follows through “, including” and inserting “agreement pursuant to clause (i), the Secretary shall only take such action as the Secretary determines necessary to address the claims of noncompliance made in the petition, including”;

(iv) in subparagraph (E)(i), by striking “the manner in which” and inserting “, with respect to each claim made in the petition, how”; and

(v) by adding at the end the following:

“(G) Notwithstanding any other provision of this paragraph, the Secretary shall dismiss any petition from an interested party that has agreed with the Indian tribe to a

resolution of the claims presented in the petition of that party.”;

(F) in paragraph (8)—

(i) by striking subparagraph (A);

(ii) by redesignating subparagraphs (B) through (D) as subparagraphs (A) through (C), respectively; and

(iii) in subparagraph (A) (as redesignated by clause (ii))—

(I) in clause (i), by striking “and” at the end;

(II) in clause (ii), by adding “and” after the semicolon; and

(III) by adding at the end the following:

“(iii) amend an approved tribal energy resource agreement to assume authority for approving leases, business agreements, or rights-of-way for development of another energy resource that is not included in an approved tribal energy resource agreement without being required to apply for a new tribal energy resource agreement;” and

(G) by adding at the end the following:

“(9) EFFECT.—Nothing in this section authorizes the Secretary to deny a tribal energy resource agreement or any amendment to a tribal energy resource agreement, or to limit the effect or implementation of this section, due to lack of promulgated regulations.”;

(5) by redesignating subsection (g) as subsection (j); and

(6) by inserting after subsection (f) the following:

“(g) FINANCIAL ASSISTANCE IN LIEU OF ACTIVITIES BY THE SECRETARY.—

“(1) IN GENERAL.—Any amounts that the Secretary would otherwise expend to operate or carry out any program, function, service, or activity (or any portion of a program, function, service, or activity) of the Department that, as a result of an Indian tribe carrying out activities under a tribal energy resource agreement, the Secretary does not expend, the Secretary shall, at the request of the Indian tribe, make available to the Indian tribe in accordance with this subsection.

“(2) ANNUAL FUNDING AGREEMENTS.—The Secretary shall make the amounts described in paragraph (1) available to an Indian tribe through an annual written funding agreement that is negotiated and entered into with the Indian tribe that is separate from the tribal energy resource agreement.

“(3) EFFECT OF APPROPRIATIONS.—Notwithstanding paragraph (1)—

“(A) the provision of amounts to an Indian tribe under this subsection is subject to the availability of appropriations; and

“(B) the Secretary shall not be required to reduce amounts for programs, functions, services, or activities that serve any other Indian tribe to make amounts available to an Indian tribe under this subsection.

“(4) DETERMINATION.—

“(A) IN GENERAL.—The Secretary shall calculate the amounts under paragraph (1) in accordance with the regulations adopted under section 103(b) of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2015.

“(B) APPLICABILITY.—The effective date or implementation of a tribal energy resource agreement under this section shall not be delayed or otherwise affected by—

“(i) a delay in the promulgation of regulations under section 103(b) of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2015;

“(ii) the period of time needed by the Secretary to make the calculation required under paragraph (1); or

“(iii) the adoption of a funding agreement under paragraph (2).

“(h) CERTIFICATION OF TRIBAL ENERGY DEVELOPMENT ORGANIZATION.—

“(1) IN GENERAL.—Not later than 90 days after the date on which an Indian tribe submits an application for certification of a tribal energy development organization in accordance with regulations promulgated under section 103(b) of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2015, the Secretary shall approve or disapprove the application.

“(2) REQUIREMENTS.—The Secretary shall approve an application for certification if—

“(A)(i) the Indian tribe has carried out a contract or compact under title I or IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.); and

“(ii) for a period of not less than 3 consecutive years ending on the date on which the Indian tribe submits the application, the contract or compact—

“(I) has been carried out by the Indian tribe without material audit exceptions (or without any material audit exceptions that were not corrected within the 3-year period); and

“(II) has included programs or activities relating to the management of tribal land; and

“(B)(i) the tribal energy development organization is organized under the laws of the Indian tribe;

“(ii)(I) the majority of the interest in the tribal energy development organization is owned and controlled by the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed; and

“(II) the organizing document of the tribal energy development organization requires that the Indian tribe with jurisdiction over the land maintain at all times the controlling interest in the tribal energy development organization;

“(iii) the organizing document of the tribal energy development organization requires that the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed own and control at all times a majority of the interest in the tribal energy development organization; and

“(iv) the organizing document of the tribal energy development organization includes a statement that the organization shall be subject to the jurisdiction, laws, and authority of the Indian tribe.

“(3) ACTION BY SECRETARY.—If the Secretary approves an application for certification pursuant to paragraph (2), the Secretary shall, not more than 10 days after making the determination—

“(A) issue a certification stating that—

“(i) the tribal energy development organization is organized under the laws of the Indian tribe and subject to the jurisdiction, laws, and authority of the Indian tribe;

“(ii) the majority of the interest in the tribal energy development organization is owned and controlled by the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed;

“(iii) the organizing document of the tribal energy development organization requires that the Indian tribe with jurisdiction over the land maintain at all times the controlling interest in the tribal energy development organization;

“(iv) the organizing document of the tribal energy development organization requires that the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed) own and control

at all times a majority of the interest in the tribal energy development organization; and

“(v) the certification is issued pursuant to this subsection;

“(B) deliver a copy of the certification to the Indian tribe; and

“(C) publish the certification in the Federal Register.

“(i) SOVEREIGN IMMUNITY.—Nothing in this section waives the sovereign immunity of an Indian tribe.”.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2015, the Secretary shall promulgate or update any regulations that are necessary to implement this section, including provisions to implement—

(1) section 2604(e)(8) of the Energy Policy Act of 1992 (25 U.S.C. 3504(e)(8)), including the process to be followed by an Indian tribe amending an existing tribal energy resource agreement to assume authority for approving leases, business agreements, or rights-of-way for development of an energy resource that is not included in the tribal energy resource agreement;

(2) section 2604(g) of the Energy Policy Act of 1992 (25 U.S.C. 3504(g)) including the manner in which the Secretary, at the request of an Indian tribe, shall—

(A) identify the programs, functions, services, and activities (or any portions of programs, functions, services, or activities) that the Secretary will not have to operate or carry out as a result of the Indian tribe carrying out activities under a tribal energy resource agreement;

(B) identify the amounts that the Secretary would have otherwise expended to operate or carry out each program, function, service, and activity (or any portion of a program, function, service, or activity) identified pursuant to subparagraph (A); and

(C) provide to the Indian tribe a list of the programs, functions, services, and activities (or any portions of programs, functions, services, or activities) identified pursuant to subparagraph (A) and the amounts associated with each program, function, service, and activity (or any portion of a program, function, service, or activity) identified pursuant to subparagraph (B); and

(3) section 2604(h) of the Energy Policy Act of 1992 (25 U.S.C. 3504(h)), including the process to be followed by, and any applicable criteria and documentation required for, an Indian tribe to request and obtain the certification described in that section.

SEC. 104. TECHNICAL ASSISTANCE FOR INDIAN TRIBAL GOVERNMENTS.

Section 2602(b) of the Energy Policy Act of 1992 (25 U.S.C. 3502(b)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) TECHNICAL AND SCIENTIFIC RESOURCES.—In addition to providing grants to Indian tribes under this subsection, the Secretary shall collaborate with the Directors of the National Laboratories in making the full array of technical and scientific resources of the Department of Energy available for tribal energy activities and projects.”.

SEC. 105. CONFORMING AMENDMENTS.

(a) DEFINITION OF TRIBAL ENERGY DEVELOPMENT ORGANIZATION.—Section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501) is amended—

(1) by redesignating paragraphs (9) through (12) as paragraphs (10) through (13), respectively;

(2) by inserting after paragraph (8) the following:

“(9) The term ‘qualified Indian tribe’ means an Indian tribe that has—

“(A) carried out a contract or compact under title I or IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) for a period of not less than 3 consecutive years ending on the date on which the Indian tribe submits the application without material audit exception (or without any material audit exceptions that were not corrected within the 3-year period) relating to the management of tribal land or natural resources; or

“(B) substantial experience in the administration, review, or evaluation of energy resource leases or agreements or has otherwise substantially participated in the administration, management, or development of energy resources located on the tribal land of the Indian tribe.”; and

(3) by striking paragraph (12) (as redesignated by paragraph (1)) and inserting the following:

“(12) The term ‘tribal energy development organization’ means—

“(A) any enterprise, partnership, consortium, corporation, or other type of business organization that is engaged in the development of energy resources and is wholly owned by an Indian tribe (including an organization incorporated pursuant to section 17 of the Indian Reorganization Act of 1934 (25 U.S.C. 477) or section 3 of the Act of June 26, 1936 (25 U.S.C. 503) (commonly known as the ‘Oklahoma Indian Welfare Act’)); and

“(B) any organization of 2 or more entities, at least 1 of which is an Indian tribe, that has the written consent of the governing bodies of all Indian tribes participating in the organization to apply for a grant, loan, or other assistance under section 2602 or to enter into a lease or business agreement with, or acquire a right-of-way from, an Indian tribe pursuant to subsection (a)(2)(A)(ii) or (b)(2)(B) of section 2604.”.

(b) INDIAN TRIBAL ENERGY RESOURCE DEVELOPMENT.—Section 2602 of the Energy Policy Act of 1992 (25 U.S.C. 3502) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “tribal energy resource development organizations” and inserting “tribal energy development organizations”; and

(B) in paragraph (2), by striking “tribal energy resource development organizations” and inserting “tribal energy development organizations”; and

(2) in subsection (b)(2), by striking “tribal energy resource development organization” and inserting “tribal energy development organization”.

(c) WIND AND HYDROPOWER FEASIBILITY STUDY.—Section 2606(c)(3) of the Energy Policy Act of 1992 (25 U.S.C. 3506(c)(3)) is amended by striking “energy resource development” and inserting “energy development”.

(d) CONFORMING AMENDMENTS.—Section 2604(e) of the Energy Policy Act of 1992 (25 U.S.C. 3504(e)) is amended—

(1) in paragraph (3)—

(A) by striking “(3) The Secretary” and inserting the following:

“(3) NOTICE AND COMMENT; SECRETARIAL REVIEW.—The Secretary”; and

(B) by striking “for approval”;

(2) in paragraph (4), by striking “(4) If the Secretary” and inserting the following:

“(4) ACTION IN CASE OF DISAPPROVAL.—If the Secretary”; and

(3) in paragraph (5)—

(A) by striking “(5) If an Indian tribe” and inserting the following:

“(5) PROVISION OF DOCUMENTS TO SECRETARY.—If an Indian tribe”; and

(B) in the matter preceding subparagraph (A), by striking “approved” and inserting “in effect”;

(4) in paragraph (6)—

(A) by striking “(6)(A) In carrying out” and inserting the following:

“(6) SECRETARIAL OBLIGATIONS AND EFFECT OF SECTION.—

“(A) In carrying out”;

(B) in subparagraph (A), by indenting clauses (i) and (ii) appropriately;

(C) in subparagraph (B), by striking “approved” and inserting “in effect”; and

(D) in subparagraph (D)—

(i) in clause (i), by striking “an approved tribal energy resource agreement” and inserting “a tribal energy resource agreement in effect under this section”; and

(ii) in clause (ii), by striking “approved by the Secretary” and inserting “in effect”; and

(5) in paragraph (7)—

(A) by striking “(7)(A) In this paragraph” and inserting the following:

“(7) PETITIONS BY INTERESTED PARTIES.—

“(A) In this paragraph”;

(B) in subparagraph (A), by striking “approved by the Secretary” and inserting “in effect”;

(C) in subparagraph (B), by striking “approved by the Secretary” and inserting “in effect”; and

(D) in subparagraph (D)(iii)—

(i) in subclause (I), by striking “approved”; and

(ii) in subclause (II)—

(I) by striking “approval of” in the first place it appears; and

(II) by striking “subsection (a) or (b)” and inserting “subsection (a)(2)(A)(i) or (b)(2)(A)”.

SEC. 106. REPORT.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that details with respect to activities for energy development on Indian land, how the Department of the Interior—

(1) processes and completes the reviews of energy-related documents in a timely and transparent manner;

(2) monitors the timeliness of agency review for all energy-related documents;

(3) maintains databases to track and monitor the review and approval process for energy-related documents associated with conventional and renewable Indian energy resources that require Secretarial approval prior to development, including—

(A) any seismic exploration permits;

(B) permission to survey;

(C) archeological and cultural surveys;

(D) access permits;

(E) environmental assessments;

(F) oil and gas leases;

(G) surface leases;

(H) rights-of-way agreements; and

(I) communization agreements;

(4) identifies in the databases—

(A) the date lease applications and permits are received by the agency;

(B) the status of the review;

(C) the date the application or permit is considered complete and ready for review;

(D) the date of approval; and

(E) the start and end dates for any significant delays in the review process;

(5) tracks in the databases, for all energy-related leases, agreements, applications, and permits that involve multiple agency review—

(A) the dates documents are transferred between agencies;

(B) the status of the review;

(C) the date the required reviews are completed; and

(D) the date interim or final decisions are issued.

(b) INCLUSIONS.—The report under subsection (a) shall include—

(1) a description of any intermediate and final deadlines for agency action on any Secretarial review and approval required for Indian conventional and renewable energy exploration and development activities;

(2) a description of the existing geographic database established by the Bureau of Indian Affairs, explaining—

(A) how the database identifies—

(i) the location and ownership of all Indian oil and gas resources held in trust;

(ii) resources available for lease; and

(iii) the location of—

(I) any lease of land held in trust or restricted fee on behalf of any Indian tribe or individual Indian; and

(II) any rights-of-way on that land in effect;

(B) how the information from the database is made available to—

(i) the officials of the Bureau of Indian Affairs with responsibility over the management and development of Indian resources; and

(ii) resource owners; and

(C) any barriers to identifying the information described in subparagraphs (A) and (B) or any deficiencies in that information; and

(3) an evaluation of—

(A) the ability of each applicable agency to track and monitor the review and approval process of the agency for Indian energy development; and

(B) the extent to which each applicable agency complies with any intermediate and final deadlines.

TITLE II—MISCELLANEOUS AMENDMENTS

SEC. 201. ISSUANCE OF PRELIMINARY PERMITS OR LICENSES.

(a) IN GENERAL.—Section 7(a) of the Federal Power Act (16 U.S.C. 800(a)) is amended by striking “States and municipalities” and inserting “States, Indian tribes, and municipalities”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall not affect—

(1) any preliminary permit or original license issued before the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2015; or

(2) an application for an original license, if the Commission has issued a notice accepting that application for filing pursuant to section 4.32(d) of title 18, Code of Federal Regulations (or successor regulations), before the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2015.

(c) DEFINITION OF INDIAN TRIBE.—For purposes of section 7(a) of the Federal Power Act (16 U.S.C. 800(a)) (as amended by subsection (a)), the term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 202. TRIBAL BIOMASS DEMONSTRATION PROJECT.

(a) PURPOSE.—The purpose of this section is to establish a biomass demonstration project for federally recognized Indian tribes and Alaska Native corporations to promote biomass energy production.

(b) TRIBAL BIOMASS DEMONSTRATION PROJECT.—The Tribal Forest Protection Act

of 2004 (Public Law 108-278; 118 Stat. 868) is amended—

(1) in section 2(a), by striking “In this section” and inserting “In this Act”; and

(2) by adding at the end the following:

“SEC. 3. TRIBAL BIOMASS DEMONSTRATION PROJECT.

“(a) STEWARDSHIP CONTRACTS OR SIMILAR AGREEMENTS.—For each of fiscal years 2016 through 2020, the Secretary shall enter into stewardship contracts or similar agreements (excluding direct service contracts) with Indian tribes to carry out demonstration projects to promote biomass energy production (including biofuel, heat, and electricity generation) on Indian forest land and in nearby communities by providing reliable supplies of woody biomass from Federal land.

“(b) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, at least 4 new demonstration projects that meet the eligibility criteria described in subsection (c) shall be carried out under contracts or agreements described in subsection (a).

“(c) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or agreement under this section, an Indian tribe shall submit to the Secretary an application—

“(1) containing such information as the Secretary may require; and

“(2) that includes a description of—

“(A) the Indian forest land or rangeland under the jurisdiction of the Indian tribe; and

“(B) the demonstration project proposed to be carried out by the Indian tribe.

“(d) SELECTION.—In evaluating the applications submitted under subsection (c), the Secretary shall—

“(1) take into consideration—

“(A) the factors set forth in paragraphs (1) and (2) of section 2(e); and

“(B) whether a proposed project would—

“(i) increase the availability or reliability of local or regional energy;

“(ii) enhance the economic development of the Indian tribe;

“(iii) result in or improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

“(iv) improve the forest health or watersheds of Federal land or Indian forest land or rangeland;

“(v) demonstrate new investments in infrastructure; or

“(vi) otherwise promote the use of woody biomass; and

“(2) exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

“(e) IMPLEMENTATION.—The Secretary shall—

“(1) ensure that the criteria described in subsection (c) are publicly available by not later than 120 days after the date of enactment of this section; and

“(2) to the maximum extent practicable, consult with Indian tribes and appropriate intertribal organizations likely to be affected in developing the application and otherwise carrying out this section.

“(f) REPORT.—Not later than September 20, 2018, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

“(1) each individual tribal application received under this section; and

“(2) each contract and agreement entered into pursuant to this section.

“(g) INCORPORATION OF MANAGEMENT PLANS.—In carrying out a contract or agreement under this section, on receipt of a request from an Indian tribe, the Secretary

shall incorporate into the contract or agreement, to the maximum extent practicable, management plans (including forest management and integrated resource management plans) in effect on the Indian forest land or rangeland of the respective Indian tribe.

“(h) TERM.—A contract or agreement entered into under this section—

“(1) shall be for a term of not more than 20 years; and

“(2) may be renewed in accordance with this section for not more than an additional 10 years.”.

(c) ALASKA NATIVE BIOMASS DEMONSTRATION PROJECT.—

(1) DEFINITIONS.—In this subsection:

(A) FEDERAL LAND.—The term “Federal land” means—

(i) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)) administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(ii) public lands (as defined in section 103 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(B) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(C) SECRETARY.—The term “Secretary” means—

(i) the Secretary of Agriculture, with respect to land under the jurisdiction of the Forest Service; and

(ii) the Secretary of the Interior, with respect to land under the jurisdiction of the Bureau of Land Management.

(D) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) AGREEMENTS.—For each of fiscal years 2016 through 2020, the Secretary shall enter into an agreement or contract with an Indian tribe or a tribal organization to carry out a demonstration project to promote biomass energy production (including biofuel, heat, and electricity generation) by providing reliable supplies of woody biomass from Federal land.

(3) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, at least 1 new demonstration project that meets the eligibility criteria described in paragraph (4) shall be carried out under contracts or agreements described in paragraph (2).

(4) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or agreement under this subsection, an Indian tribe or tribal organization shall submit to the Secretary an application—

(A) containing such information as the Secretary may require; and

(B) that includes a description of the demonstration project proposed to be carried out by the Indian tribe or tribal organization.

(5) SELECTION.—In evaluating the applications submitted under paragraph (4), the Secretary shall—

(A) take into consideration whether a proposed project would—

(i) increase the availability or reliability of local or regional energy;

(ii) enhance the economic development of the Indian tribe;

(iii) result in or improve the connection of electric power transmission facilities serving

the Indian tribe with other electric transmission facilities;

(iv) improve the forest health or watersheds of Federal land or non-Federal land;

(v) demonstrate new investments in infrastructure; or

(vi) otherwise promote the use of woody biomass; and

(B) exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

(6) IMPLEMENTATION.—The Secretary shall—

(A) ensure that the criteria described in paragraph (4) are publicly available by not later than 120 days after the date of enactment of this subsection; and

(B) to the maximum extent practicable, consult with Indian tribes and appropriate tribal organizations likely to be affected in developing the application and otherwise carrying out this subsection.

(7) REPORT.—Not later than September 20, 2018, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

(A) each individual application received under this subsection; and

(B) each contract and agreement entered into pursuant to this subsection.

(8) TERM.—A contract or agreement entered into under this subsection—

(A) shall be for a term of not more than 20 years; and

(B) may be renewed in accordance with this subsection for not more than an additional 10 years.

SEC. 203. WEATHERIZATION PROGRAM.

Section 413(d) of the Energy Conservation and Production Act (42 U.S.C. 6863(d)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) RESERVATION OF AMOUNTS.—

“(A) IN GENERAL.—Subject to subparagraph (B) and notwithstanding any other provision of this part, the Secretary shall reserve from amounts that would otherwise be allocated to a State under this part not less than 100 percent, but not more than 150 percent, of an amount which bears the same proportion to the allocation of that State for the applicable fiscal year as the population of all low-income members of an Indian tribe in that State bears to the population of all low-income individuals in that State.

“(B) RESTRICTIONS.—Subparagraph (A) shall apply only if—

“(i) the tribal organization serving the low-income members of the applicable Indian tribe requests that the Secretary make a grant directly; and

“(ii) the Secretary determines that the low-income members of the applicable Indian tribe would be equally or better served by making a grant directly than a grant made to the State in which the low-income members reside.

“(C) PRESUMPTION.—If the tribal organization requesting the grant is a tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) that has operated without material audit exceptions (or without any material audit exceptions that were not corrected within a 3-year period), the Secretary shall presume that the low-income members of the applicable Indian tribe would be equally or better served by making a grant directly to the tribal organization than by a grant made to the State in which the low-income members reside.”;

(2) in paragraph (2)—

(A) by striking “The sums” and inserting “ADMINISTRATION.—The amounts”;

(B) by striking “on the basis of his determination”;

(C) by striking “individuals for whom such a determination has been made” and inserting “low-income members of the Indian tribe”; and

(D) by striking “he” and inserting “the Secretary”; and

(3) in paragraph (3), by striking “In order” and inserting “APPLICATION.—In order”.

SEC. 204. APPRAISALS.

(a) IN GENERAL.—Title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) is amended by adding at the end the following:

“SEC. 2607. APPRAISALS.

“(a) IN GENERAL.—For any transaction that requires approval of the Secretary and involves mineral or energy resources held in trust by the United States for the benefit of an Indian tribe or by an Indian tribe subject to Federal restrictions against alienation, any appraisal relating to fair market value of those resources required to be prepared under applicable law may be prepared by—

“(1) the Secretary;

“(2) the affected Indian tribe; or

“(3) a certified, third-party appraiser pursuant to a contract with the Indian tribe.

“(b) SECRETARIAL REVIEW AND APPROVAL.—Not later than 45 days after the date on which the Secretary receives an appraisal prepared by or for an Indian tribe under paragraph (2) or (3) of subsection (a), the Secretary shall—

“(1) review the appraisal; and

“(2) approve the appraisal unless the Secretary determines that the appraisal fails to meet the standards set forth in regulations promulgated under subsection (d).

“(c) NOTICE OF DISAPPROVAL.—If the Secretary determines that an appraisal submitted for approval under subsection (b) should be disapproved, the Secretary shall give written notice of the disapproval to the Indian tribe and a description of—

“(1) each reason for the disapproval; and

“(2) how the appraisal should be corrected or otherwise cured to meet the applicable standards set forth in the regulations promulgated under subsection (d).

“(d) REGULATIONS.—The Secretary shall promulgate regulations to carry out this section, including standards the Secretary shall use for approving or disapproving the appraisal described in subsection (a).”.

SEC. 205. LEASES OF RESTRICTED LANDS FOR NAVAJO NATION.

(a) IN GENERAL.—Subsection (e)(1) of the first section of the Act of August 9, 1955 (commonly known as the “Long-Term Leasing Act”) (25 U.S.C. 415(e)(1)), is amended—

(1) by striking “, except a lease for” and inserting “, including a lease for”;

(2) by striking subparagraph (A) and inserting the following:

“(A) in the case of a business or agricultural lease, 99 years;”;

(3) in subparagraph (B), by striking the period at the end and inserting “;” and

(4) by adding at the end the following:

“(C) in the case of a lease for the exploration, development, or extraction of any mineral resource (including geothermal resources), 25 years, except that—

“(i) any such lease may include an option to renew for 1 additional term of not to exceed 25 years; and

“(ii) any such lease for the exploration, development, or extraction of an oil or gas resource shall be for a term of not to exceed 10 years, plus such additional period as the Navajo Nation determines to be appropriate

in any case in which an oil or gas resource is produced in a paying quantity.”.

(b) GAO REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit to Congress a report describing the progress made in carrying out the amendment made by subsection (a).

SEC. 206. EXTENSION OF TRIBAL LEASE PERIOD FOR THE CROW TRIBE OF MONTANA.

Subsection (a) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(a)), is amended in the second sentence by inserting “, land held in trust for the Crow Tribe of Montana” after “Devils Lake Sioux Reservation”.

SEC. 207. TRUST STATUS OF LEASE PAYMENTS.

(a) DEFINITION OF SECRETARY.—In this section, the term “Secretary” means the Secretary of the Interior.

(b) TREATMENT OF LEASE PAYMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2) and at the request of the Indian tribe or individual Indian, any advance payments, bid deposits, or other earnest money received by the Secretary in connection with the review and Secretarial approval under any other Federal law (including regulations) of a sale, lease, permit, or any other conveyance of any interest in any trust or restricted land of any Indian tribe or individual Indian shall, upon receipt and prior to Secretarial approval of the contract or conveyance instrument, be held in the trust fund system for the benefit of the Indian tribe and individual Indian from whose land the funds were generated.

(2) RESTRICTION.—If the advance payment, bid deposit, or other earnest money received by the Secretary results from competitive bidding, upon selection of the successful bidder, only the funds paid by the successful bidder shall be held in the trust fund system.

(c) USE OF FUNDS.—

(1) IN GENERAL.—On the approval of the Secretary of a contract or other instrument for a sale, lease, permit, or any other conveyance described in subsection (b)(1), the funds held in the trust fund system and described in subsection (b), along with all income generated from the investment of those funds, shall be disbursed to the Indian tribe or individual Indian landowners.

(2) ADMINISTRATION.—If a contract or other instrument for a sale, lease, permit, or any other conveyance described in subsection (b)(1) is not approved by the Secretary, the funds held in the trust fund system and described in subsection (b), along with all income generated from the investment of those funds, shall be paid to the party identified in, and in such amount and on such terms as set out in, the applicable regulations, advertisement, or other notice governing the proposed conveyance of the interest in the land at issue.

(d) APPLICABILITY.—This section shall apply to any advance payment, bid deposit, or other earnest money received by the Secretary in connection with the review and Secretarial approval under any other Federal law (including regulations) of a sale, lease, permit, or any other conveyance of any interest in any trust or restricted land of any Indian tribe or individual Indian on or after the date of enactment of this Act.

SA 2715. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other

purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) No citizen or lawful permanent resident shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Cybersecurity Information Sharing Act of 2015.

“(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”.

SA 2716. Mr. BURR (for himself and Mrs. FEINSTEIN) proposed an amendment to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Table of contents.

TITLE I—CYBERSECURITY INFORMATION SHARING

Sec. 101. Short title.

Sec. 102. Definitions.

Sec. 103. Sharing of information by the Federal Government.

Sec. 104. Authorizations for preventing, detecting, analyzing, and mitigating cybersecurity threats.

Sec. 105. Sharing of cyber threat indicators and defensive measures with the Federal Government.

Sec. 106. Protection from liability.

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TITLE II—FEDERAL CYBERSECURITY ENHANCEMENT

Sec. 201. Short title.

Sec. 202. Definitions.

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Sec. 205. Federal cybersecurity requirements.

Sec. 206. Assessment; reports.

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Sec. 208. Identification of information systems relating to national security.

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TITLE III—FEDERAL CYBERSECURITY WORKFORCE ASSESSMENT

Sec. 301. Short title.

Sec. 302. Definitions.

Sec. 303. National cybersecurity workforce measurement initiative.

Sec. 304. Identification of cyber-related roles of critical need.

Sec. 305. Government Accountability Office status reports.

TITLE IV—OTHER CYBER MATTERS

Sec. 401. Study on mobile device security.

Sec. 402. Department of State international cyberspace policy strategy.

Sec. 403. Apprehension and prosecution of international cyber criminals.

Sec. 404. Enhancement of emergency services.

Sec. 405. Improving cybersecurity in the health care industry.

Sec. 406. Federal computer security.

Sec. 407. Strategy to protect critical infrastructure at greatest risk.

TITLE I—CYBERSECURITY INFORMATION SHARING

SEC. 101. SHORT TITLE.

This title may be cited as the “Cybersecurity Information Sharing Act of 2015”.

SEC. 102. DEFINITIONS.

In this title:

(1) AGENCY.—The term “agency” has the meaning given the term in section 3502 of title 44, United States Code.

(2) ANTITRUST LAWS.—The term “antitrust laws”—

(A) has the meaning given the term in section 1 of the Clayton Act (15 U.S.C. 12);

(B) includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that section 5 of that Act applies to unfair methods of competition; and

(C) includes any State law that has the same intent and effect as the laws under subparagraphs (A) and (B).

(3) APPROPRIATE FEDERAL ENTITIES.—The term “appropriate Federal entities” means the following:

(A) The Department of Commerce.

(B) The Department of Defense.

(C) The Department of Energy.

(D) The Department of Homeland Security.

(E) The Department of Justice.

(F) The Department of the Treasury.

(G) The Office of the Director of National Intelligence.

(4) CYBERSECURITY PURPOSE.—The term “cybersecurity purpose” means the purpose of protecting an information system or information that is stored on, processed by, or transiting an information system from a cybersecurity threat or security vulnerability.

(5) CYBERSECURITY THREAT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “cybersecurity threat” means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

(B) EXCLUSION.—The term “cybersecurity threat” does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

(6) **CYBER THREAT INDICATOR.**—The term “cyber threat indicator” means information that is necessary to describe or identify—

(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

(B) a method of defeating a security control or exploitation of a security vulnerability;

(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

(E) malicious cyber command and control;

(F) the actual or potential harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

(G) any other attribute of a cybersecurity threat, if disclosure of such attribute is not otherwise prohibited by law; or

(H) any combination thereof.

(7) **DEFENSIVE MEASURE.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term “defensive measure” means an action, device, procedure, signature, technique, or other measure applied to an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(B) **EXCLUSION.**—The term “defensive measure” does not include a measure that destroys, renders unusable, provides unauthorized access to, or substantially harms an information system or data on an information system not belonging to—

(i) the private entity operating the measure; or

(ii) another entity or Federal entity that is authorized to provide consent and has provided consent to that private entity for operation of such measure.

(8) **ENTITY.**—

(A) **IN GENERAL.**—Except as otherwise provided in this paragraph, the term “entity” means any private entity, non-Federal government agency or department, or State, tribal, or local government (including a political subdivision, department, or component thereof).

(B) **INCLUSIONS.**—The term “entity” includes a government agency or department of the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.

(C) **EXCLUSION.**—The term “entity” does not include a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(9) **FEDERAL ENTITY.**—The term “Federal entity” means a department or agency of the United States or any component of such department or agency.

(10) **INFORMATION SYSTEM.**—The term “information system”—

(A) has the meaning given the term in section 3502 of title 44, United States Code; and

(B) includes industrial control systems, such as supervisory control and data acquisition systems, distributed control systems, and programmable logic controllers.

(11) **LOCAL GOVERNMENT.**—The term “local government” means any borough, city, coun-

ty, parish, town, township, village, or other political subdivision of a State.

(12) **MALICIOUS CYBER COMMAND AND CONTROL.**—The term “malicious cyber command and control” means a method for unauthorized remote identification of, access to, or use of, an information system or information that is stored on, processed by, or transiting an information system.

(13) **MALICIOUS RECONNAISSANCE.**—The term “malicious reconnaissance” means a method for actively probing or passively monitoring an information system for the purpose of discerning security vulnerabilities of the information system, if such method is associated with a known or suspected cybersecurity threat.

(14) **MONITOR.**—The term “monitor” means to acquire, identify, or scan, or to possess, information that is stored on, processed by, or transiting an information system.

(15) **PRIVATE ENTITY.**—

(A) **IN GENERAL.**—Except as otherwise provided in this paragraph, the term “private entity” means any person or private group, organization, proprietorship, partnership, trust, cooperative, corporation, or other commercial or nonprofit entity, including an officer, employee, or agent thereof.

(B) **INCLUSION.**—The term “private entity” includes a State, tribal, or local government performing electric or other utility services.

(C) **EXCLUSION.**—The term “private entity” does not include a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(16) **SECURITY CONTROL.**—The term “security control” means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality, integrity, and availability of an information system or its information.

(17) **SECURITY VULNERABILITY.**—The term “security vulnerability” means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

(18) **TRIBAL.**—The term “tribal” has the meaning given the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 103. SHARING OF INFORMATION BY THE FEDERAL GOVERNMENT.

(a) **IN GENERAL.**—Consistent with the protection of classified information, intelligence sources and methods, and privacy and civil liberties, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General, in consultation with the heads of the appropriate Federal entities, shall develop and promulgate procedures to facilitate and promote—

(1) the timely sharing of classified cyber threat indicators in the possession of the Federal Government with cleared representatives of relevant entities;

(2) the timely sharing with relevant entities of cyber threat indicators or information in the possession of the Federal Government that may be declassified and shared at an unclassified level;

(3) the sharing with relevant entities, or the public if appropriate, of unclassified, including controlled unclassified, cyber threat indicators in the possession of the Federal Government;

(4) the sharing with entities, if appropriate, of information in the possession of the Federal Government about cybersecurity threats to such entities to prevent or mitigate adverse effects from such cybersecurity threats; and

(5) the period sharing, through publication and targeted outreach, of cybersecurity best practices that are developed based on ongoing analysis of cyber threat indicators and information in possession of the Federal Government, with attention to accessibility and implementation challenges faced by small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 532)).

(b) **DEVELOPMENT OF PROCEDURES.**—

(1) **IN GENERAL.**—The procedures developed and promulgated under subsection (a) shall—

(A) ensure the Federal Government has and maintains the capability to share cyber threat indicators in real time consistent with the protection of classified information;

(B) incorporate, to the greatest extent practicable, existing processes and existing roles and responsibilities of Federal and non-Federal entities for information sharing by the Federal Government, including sector specific information sharing and analysis centers;

(C) include procedures for notifying, in a timely manner, entities that have received a cyber threat indicator from a Federal entity under this title that is known or determined to be in error or in contravention of the requirements of this title or another provision of Federal law or policy of such error or contravention;

(D) include requirements for Federal entities sharing cyber threat indicators or defensive measures to implement and utilize security controls to protect against unauthorized access to or acquisition of such cyber threat indicators or defensive measures;

(E) include procedures that require a Federal entity, prior to the sharing of a cyber threat indicator—

(i) to review such cyber threat indicator to assess whether such cyber threat indicator contains any information that such Federal entity knows at the time of sharing to be personal information or information that identifies a specific person not directly related to a cybersecurity threat and remove such information; or

(ii) to implement and utilize a technical capability configured to remove any personal information or information that identifies a specific person not directly related to a cybersecurity threat; and

(F) include procedures for notifying, in a timely manner, any United States person whose personal information is known or determined to have been shared by a Federal entity in violation of this Act.

(2) **COORDINATION.**—In developing the procedures required under this section, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General shall coordinate with appropriate Federal entities, including the Small Business Administration and the National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), to ensure that effective protocols are implemented that will facilitate and promote the sharing of cyber threat indicators by the Federal Government in a timely manner.

(c) **SUBMITTAL TO CONGRESS.**—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the appropriate Federal entities, shall submit to Congress the procedures required by subsection (a).

SEC. 104. AUTHORIZATIONS FOR PREVENTING, DETECTING, ANALYZING, AND MITIGATING CYBERSECURITY THREATS.

(a) **AUTHORIZATION FOR MONITORING.**—

(1) IN GENERAL.—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, monitor—

(A) an information system of such private entity;

(B) an information system of another entity, upon the authorization and written consent of such other entity;

(C) an information system of a Federal entity, upon the authorization and written consent of an authorized representative of the Federal entity; and

(D) information that is stored on, processed by, or transiting an information system monitored by the private entity under this paragraph.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the monitoring of an information system, or the use of any information obtained through such monitoring, other than as provided in this title; or

(B) to limit otherwise lawful activity.

(b) AUTHORIZATION FOR OPERATION OF DEFENSIVE MEASURES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, operate a defensive measure that is applied to—

(A) an information system of such private entity in order to protect the rights or property of the private entity;

(B) an information system of another entity upon written consent of such entity for operation of such defensive measure to protect the rights or property of such entity; and

(C) an information system of a Federal entity upon written consent of an authorized representative of such Federal entity for operation of such defensive measure to protect the rights or property of the Federal Government.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the use of a defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(c) AUTHORIZATION FOR SHARING OR RECEIVING CYBER THREAT INDICATORS OR DEFENSIVE MEASURES.—

(1) IN GENERAL.—Except as provided in paragraph (2) and notwithstanding any other provision of law, an entity may, for a cybersecurity purpose and consistent with the protection of classified information, share with, or receive from, any other entity or the Federal Government a cyber threat indicator or defensive measure.

(2) LAWFUL RESTRICTION.—An entity receiving a cyber threat indicator or defensive measure from another entity or Federal entity shall comply with otherwise lawful restrictions placed on the sharing or use of such cyber threat indicator or defensive measure by the sharing entity or Federal entity.

(3) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the sharing or receiving of a cyber threat indicator or defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(d) PROTECTION AND USE OF INFORMATION.—

(1) SECURITY OF INFORMATION.—An entity monitoring an information system, operating a defensive measure, or providing or receiving a cyber threat indicator or defensive measure under this section shall implement and utilize a security control to protect against unauthorized access to or acquisition of such cyber threat indicator or defensive measure.

(2) REMOVAL OF CERTAIN PERSONAL INFORMATION.—An entity sharing a cyber threat indicator pursuant to this title shall, prior to such sharing—

(A) review such cyber threat indicator to assess whether such cyber threat indicator contains any information that the entity knows at the time of sharing to be personal information or information that identifies a specific person not directly related to a cybersecurity threat and remove such information; or

(B) implement and utilize a technical capability configured to remove any information contained within such indicator that the entity knows at the time of sharing to be personal information or information that identifies a specific person not directly related to a cybersecurity threat.

(3) USE OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES BY ENTITIES.—

(A) IN GENERAL.—Consistent with this title, a cyber threat indicator or defensive measure shared or received under this section may, for cybersecurity purposes—

(i) be used by an entity to monitor or operate a defensive measure that is applied to—

(I) an information system of the entity; or

(II) an information system of another entity or a Federal entity upon the written consent of that other entity or that Federal entity; and

(ii) be otherwise used, retained, and further shared by an entity subject to—

(I) an otherwise lawful restriction placed by the sharing entity or Federal entity on such cyber threat indicator or defensive measure; or

(II) an otherwise applicable provision of law.

(B) CONSTRUCTION.—Nothing in this paragraph shall be construed to authorize the use of a cyber threat indicator or defensive measure other than as provided in this section.

(4) USE OF CYBER THREAT INDICATORS BY STATE, TRIBAL, OR LOCAL GOVERNMENT.—

(A) LAW ENFORCEMENT USE.—

(i) PRIOR WRITTEN CONSENT.—Except as provided in clause (ii), a cyber threat indicator shared with a State, tribal, or local government under this section may, with the prior written consent of the entity sharing such indicator, be used by a State, tribal, or local government for the purpose of preventing, investigating, or prosecuting any of the offenses described in section 105(d)(5)(A)(vi).

(ii) ORAL CONSENT.—If exigent circumstances prevent obtaining written consent under clause (i), such consent may be provided orally with subsequent documentation of the consent.

(B) EXEMPTION FROM DISCLOSURE.—A cyber threat indicator shared with a State, tribal, or local government under this section shall be—

(i) deemed voluntarily shared information; and

(ii) exempt from disclosure under any State, tribal, or local law requiring disclosure of information or records.

(C) STATE, TRIBAL, AND LOCAL REGULATORY AUTHORITY.—

(i) IN GENERAL.—Except as provided in clause (ii), a cyber threat indicator or defensive measure shared with a State, tribal, or local government under this title shall not be directly used by any State, tribal, or local government to regulate, including an enforcement action, the lawful activity of any entity, including an activity relating to monitoring, operating a defensive measure, or sharing of a cyber threat indicator.

(ii) REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF

CYBERSECURITY THREATS.—A cyber threat indicator or defensive measures shared as described in clause (i) may, consistent with a State, tribal, or local government regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of a regulation relating to such information systems.

(e) ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Except as provided in section 108(e), it shall not be considered a violation of any provision of antitrust laws for 2 or more private entities to exchange or provide a cyber threat indicator, or assistance relating to the prevention, investigation, or mitigation of a cybersecurity threat, for cybersecurity purposes under this title.

(2) APPLICABILITY.—Paragraph (1) shall apply only to information that is exchanged or assistance provided in order to assist with—

(A) facilitating the prevention, investigation, or mitigation of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system; or

(B) communicating or disclosing a cyber threat indicator to help prevent, investigate, or mitigate the effect of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system.

(f) NO RIGHT OR BENEFIT.—The sharing of a cyber threat indicator with an entity under this title shall not create a right or benefit to similar information by such entity or any other entity.

SEC. 105. SHARING OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES WITH THE FEDERAL GOVERNMENT.

(a) REQUIREMENT FOR POLICIES AND PROCEDURES.—

(1) INTERIM POLICIES AND PROCEDURES.—Not later than 60 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall, in coordination with the heads of the appropriate Federal entities, develop and submit to Congress interim policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(2) FINAL POLICIES AND PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall, in coordination with the heads of the appropriate Federal entities, promulgate final policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(3) REQUIREMENTS CONCERNING POLICIES AND PROCEDURES.—Consistent with the guidelines required by subsection (b), the policies and procedures developed and promulgated under this subsection shall—

(A) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 104(c) through the real-time process described in subsection (c) of this section—

(i) are shared in an automated manner with all of the appropriate Federal entities;

(ii) are only subject to a delay, modification, or other action due to controls established for such real-time process that could impede real-time receipt by all of the appropriate Federal entities when the delay, modification, or other action is due to controls—

(I) agreed upon unanimously by all of the heads of the appropriate Federal entities;

(II) carried out before any of the appropriate Federal entities retains or uses the

cyber threat indicators or defensive measures; and

(III) uniformly applied such that each of the appropriate Federal entities is subject to the same delay, modification, or other action; and

(iii) may be provided to other Federal entities;

(B) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 104 in a manner other than the real time process described in subsection (c) of this section—

(i) are shared as quickly as operationally practicable with all of the appropriate Federal entities;

(ii) are not subject to any unnecessary delay, interference, or any other action that could impede receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(C) consistent with this title, any other applicable provisions of law, and the fair information practice principles set forth in appendix A of the document entitled “National Strategy for Trusted Identities in Cyberspace” and published by the President in April, 2011, govern the retention, use, and dissemination by the Federal Government of cyber threat indicators shared with the Federal Government under this title, including the extent, if any, to which such cyber threat indicators may be used by the Federal Government; and

(D) ensure there are—

(i) audit capabilities; and

(ii) appropriate sanctions in place for officers, employees, or agents of a Federal entity who knowingly and willfully conduct activities under this title in an unauthorized manner.

(4) GUIDELINES FOR ENTITIES SHARING CYBER THREAT INDICATORS WITH FEDERAL GOVERNMENT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall develop and make publicly available guidance to assist entities and promote sharing of cyber threat indicators with Federal entities under this title.

(B) CONTENTS.—The guidelines developed and made publicly available under subparagraph (A) shall include guidance on the following:

(i) Identification of types of information that would qualify as a cyber threat indicator under this title that would be unlikely to include personal information or information that identifies a specific person not directly related to a cyber security threat.

(ii) Identification of types of information protected under otherwise applicable privacy laws that are unlikely to be directly related to a cybersecurity threat.

(iii) Such other matters as the Attorney General and the Secretary of Homeland Security consider appropriate for entities sharing cyber threat indicators with Federal entities under this title.

(b) PRIVACY AND CIVIL LIBERTIES.—

(1) GUIDELINES OF ATTORNEY GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee-1), develop, submit to Congress, and make available to the public interim guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of

cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(2) FINAL GUIDELINES.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee-1) and such private entities with industry expertise as the Attorney General considers relevant, promulgate final guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(B) PERIODIC REVIEW.—The Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers and private entities described in subparagraph (A), periodically, but not less frequently than once every two years, review the guidelines promulgated under subparagraph (A).

(3) CONTENT.—The guidelines required by paragraphs (1) and (2) shall, consistent with the need to protect information systems from cybersecurity threats and mitigate cybersecurity threats—

(A) limit the effect on privacy and civil liberties of activities by the Federal Government under this title;

(B) limit the receipt, retention, use, and dissemination of cyber threat indicators containing personal information or information that identifies specific persons, including by establishing—

(i) a process for the timely destruction of such information that is known not to be directly related to uses authorized under this title; and

(ii) specific limitations on the length of any period in which a cyber threat indicator may be retained;

(C) include requirements to safeguard cyber threat indicators containing personal information or information that identifies specific persons from unauthorized access or acquisition, including appropriate sanctions for activities by officers, employees, or agents of the Federal Government in contravention of such guidelines;

(D) include procedures for notifying entities and Federal entities if information received pursuant to this section is known or determined by a Federal entity receiving such information not to constitute a cyber threat indicator;

(E) protect the confidentiality of cyber threat indicators containing personal information or information that identifies specific persons to the greatest extent practicable and require recipients to be informed that such indicators may only be used for purposes authorized under this title; and

(F) include steps that may be needed so that dissemination of cyber threat indicators is consistent with the protection of classified and other sensitive national security information.

(c) CAPABILITY AND PROCESS WITHIN THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, in coordination with the heads of the appropriate Federal entities, shall develop and implement a capability and process within the Department of Homeland Security that—

(A) shall accept from any entity in real time cyber threat indicators and defensive measures, pursuant to this section;

(B) shall, upon submittal of the certification under paragraph (2) that such capability and process fully and effectively operates as described in such paragraph, be the process by which the Federal Government receives cyber threat indicators and defensive measures under this title that are shared by a private entity with the Federal Government through electronic mail or media, an interactive form on an Internet website, or a real time, automated process between information systems except—

(i) consistent with section 104, communications between a Federal entity and a private entity regarding a previously shared cyber threat indicator to describe the relevant cybersecurity threat or develop a defensive measure based on such cyber threat indicator; and

(ii) communications by a regulated entity with such entity's Federal regulatory authority regarding a cybersecurity threat;

(C) ensures that all of the appropriate Federal entities receive in an automated manner such cyber threat indicators shared through the real-time process within the Department of Homeland Security;

(D) is in compliance with the policies, procedures, and guidelines required by this section; and

(E) does not limit or prohibit otherwise lawful disclosures of communications, records, or other information, including—

(i) reporting of known or suspected criminal activity, by an entity to any other entity or a Federal entity;

(ii) voluntary or legally compelled participation in a Federal investigation; and

(iii) providing cyber threat indicators or defensive measures as part of a statutory or authorized contractual requirement.

(2) CERTIFICATION.—Not later than 10 days prior to the implementation of the capability and process required by paragraph (1), the Secretary of Homeland Security shall, in consultation with the heads of the appropriate Federal entities, certify to Congress whether such capability and process fully and effectively operates—

(A) as the process by which the Federal Government receives from any entity a cyber threat indicator or defensive measure under this title; and

(B) in accordance with the policies, procedures, and guidelines developed under this section.

(3) PUBLIC NOTICE AND ACCESS.—The Secretary of Homeland Security shall ensure there is public notice of, and access to, the capability and process developed and implemented under paragraph (1) so that—

(A) any entity may share cyber threat indicators and defensive measures through such process with the Federal Government; and

(B) all of the appropriate Federal entities receive such cyber threat indicators and defensive measures in real time with receipt through the process within the Department of Homeland Security.

(4) OTHER FEDERAL ENTITIES.—The process developed and implemented under paragraph (1) shall ensure that other Federal entities receive in a timely manner any cyber threat indicators and defensive measures shared with the Federal Government through such process.

(5) REPORT ON DEVELOPMENT AND IMPLEMENTATION.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act,

the Secretary of Homeland Security shall submit to Congress a report on the development and implementation of the capability and process required by paragraph (1), including a description of such capability and process and the public notice of, and access to, such process.

(B) **CLASSIFIED ANNEX.**—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(d) **INFORMATION SHARED WITH OR PROVIDED TO THE FEDERAL GOVERNMENT.**—

(1) **NO WAIVER OF PRIVILEGE OR PROTECTION.**—The provision of cyber threat indicators and defensive measures to the Federal Government under this title shall not constitute a waiver of any applicable privilege or protection provided by law, including trade secret protection.

(2) **PROPRIETARY INFORMATION.**—Consistent with section 104(c)(2), a cyber threat indicator or defensive measure provided by an entity to the Federal Government under this title shall be considered the commercial, financial, and proprietary information of such entity when so designated by the originating entity or a third party acting in accordance with the written authorization of the originating entity.

(3) **EXEMPTION FROM DISCLOSURE.**—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall be—

(A) deemed voluntarily shared information and exempt from disclosure under section 552 of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records; and

(B) withheld, without discretion, from the public under section 552(b)(3)(B) of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records.

(4) **EX PARTE COMMUNICATIONS.**—The provision of a cyber threat indicator or defensive measure to the Federal Government under this title shall not be subject to a rule of any Federal agency or department or any judicial doctrine regarding ex parte communications with a decision-making official.

(5) **DISCLOSURE, RETENTION, AND USE.**—

(A) **AUTHORIZED ACTIVITIES.**—Cyber threat indicators and defensive measures provided to the Federal Government under this title may be disclosed to, retained by, and used by, consistent with otherwise applicable provisions of Federal law, any Federal agency or department, component, officer, employee, or agent of the Federal Government solely for—

(i) a cybersecurity purpose;

(ii) the purpose of identifying a cybersecurity threat, including the source of such cybersecurity threat, or a security vulnerability;

(iii) the purpose of identifying a cybersecurity threat involving the use of an information system by a foreign adversary or terrorist;

(iv) the purpose of responding to, or otherwise preventing or mitigating, an imminent threat of death, serious bodily harm, or serious economic harm, including a terrorist act or a use of a weapon of mass destruction;

(v) the purpose of responding to, or otherwise preventing or mitigating, a serious threat to a minor, including sexual exploitation and threats to physical safety; or

(vi) the purpose of preventing, investigating, disrupting, or prosecuting an offense arising out of a threat described in clause (iv) or any of the offenses listed in—

(I) sections 1028 through 1030 of title 18, United States Code (relating to fraud and identity theft);

(II) chapter 37 of such title (relating to espionage and censorship); and

(III) chapter 90 of such title (relating to protection of trade secrets).

(B) **PROHIBITED ACTIVITIES.**—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be disclosed to, retained by, or used by any Federal agency or department for any use not permitted under subparagraph (A).

(C) **PRIVACY AND CIVIL LIBERTIES.**—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall be retained, used, and disseminated by the Federal Government—

(i) in accordance with the policies, procedures, and guidelines required by subsections (a) and (b);

(ii) in a manner that protects from unauthorized use or disclosure any cyber threat indicators that may contain personal information or information that identifies specific persons; and

(iii) in a manner that protects the confidentiality of cyber threat indicators containing personal information or information that identifies a specific person.

(D) **FEDERAL REGULATORY AUTHORITY.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be directly used by any Federal, State, tribal, or local government to regulate, including an enforcement action, the lawful activities of any entity, including activities relating to monitoring, operating defensive measures, or sharing cyber threat indicators.

(ii) **EXCEPTIONS.**—

(I) **REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF CYBERSECURITY THREATS.**—Cyber threat indicators and defensive measures provided to the Federal Government under this title may, consistent with Federal or State regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of regulations relating to such information systems.

(II) **PROCEDURES DEVELOPED AND IMPLEMENTED UNDER THIS TITLE.**—Clause (i) shall not apply to procedures developed and implemented under this title.

SEC. 106. PROTECTION FROM LIABILITY.

(a) **MONITORING OF INFORMATION SYSTEMS.**—No cause of action shall lie or be maintained in any court against any private entity, and such action shall be promptly dismissed, for the monitoring of information systems and information under section 104(a) that is conducted in accordance with this title.

(b) **SHARING OR RECEIPT OF CYBER THREAT INDICATORS.**—No cause of action shall lie or be maintained in any court against any entity, and such action shall be promptly dismissed, for the sharing or receipt of cyber threat indicators or defensive measures under section 104(c) if—

(1) such sharing or receipt is conducted in accordance with this title; and

(2) in a case in which a cyber threat indicator or defensive measure is shared with the Federal Government, the cyber threat indicator or defensive measure is shared in a manner that is consistent with section 105(c)(1)(B) and the sharing or receipt, as the case may be, occurs after the earlier of—

(A) the date on which the interim policies and procedures are submitted to Congress under section 105(a)(1) and guidelines are

submitted to Congress under section 105(b)(1); or

(B) the date that is 60 days after the date of the enactment of this Act.

(c) **CONSTRUCTION.**—Nothing in this section shall be construed—

(1) to require dismissal of a cause of action against an entity that has engaged in gross negligence or willful misconduct in the course of conducting activities authorized by this title; or

(2) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

SEC. 107. OVERSIGHT OF GOVERNMENT ACTIVITIES.

(a) **BIENNIAL REPORT ON IMPLEMENTATION.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, and not less frequently than once every 2 years thereafter, the heads of the appropriate Federal entities shall jointly submit and the Inspector General of the Department of Homeland Security, the Inspector General of the Intelligence Community, the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Inspector General of the Department of Energy, in consultation with the Council of Inspectors General on Financial Oversight, shall jointly submit to Congress a detailed report concerning the implementation of this title during—

(A) in the case of the first report submitted under this paragraph, the most recent 1-year period; and

(B) in the case of any subsequent report submitted under this paragraph, the most recent 2-year period.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

(A) An assessment of the sufficiency of the policies, procedures, and guidelines required by section 105 in ensuring that cyber threat indicators are shared effectively and responsibly within the Federal Government.

(B) An evaluation of the effectiveness of real-time information sharing through the capability and process developed under section 105(c), including any impediments to such real-time sharing.

(C) An assessment of the sufficiency of the procedures developed under section 103 in ensuring that cyber threat indicators in the possession of the Federal Government are shared in a timely and adequate manner with appropriate entities, or, if appropriate, are made publicly available.

(D) An assessment of whether cyber threat indicators have been properly classified and an accounting of the number of security clearances authorized by the Federal Government for the purposes of this title.

(E) A review of the type of cyber threat indicators shared with the appropriate Federal entities under this title, including the following:

(i) The number of cyber threat indicators received through the capability and process developed under section 105(c).

(ii) The number of times that information shared under this title was used by a Federal entity to prosecute an offense consistent with section 105(d)(5)(A).

(iii) The degree to which such information may affect the privacy and civil liberties of specific persons.

(iv) A quantitative and qualitative assessment of the effect of the sharing of such cyber threat indicators with the Federal Government on privacy and civil liberties of

specific persons, including the number of notices that were issued with respect to a failure to remove personal information or information that identified a specific person not directly related to a cybersecurity threat in accordance with the procedures required by section 105(b)(3)(D).

(v) The adequacy of any steps taken by the Federal Government to reduce such effect.

(F) A review of actions taken by the Federal Government based on cyber threat indicators shared with the Federal Government under this title, including the appropriateness of any subsequent use or dissemination of such cyber threat indicators by a Federal entity under section 105.

(G) A description of any significant violations of the requirements of this title by the Federal Government.

(H) A summary of the number and type of entities that received classified cyber threat indicators from the Federal Government under this title and an evaluation of the risks and benefits of sharing such cyber threat indicators.

(3) RECOMMENDATIONS.—Each report submitted under paragraph (1) may include recommendations for improvements or modifications to the authorities and processes under this title.

(4) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) REPORTS ON PRIVACY AND CIVIL LIBERTIES.—

(1) BIENNIAL REPORT FROM PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.—Not later than 2 years after the date of the enactment of this Act and not less frequently than once every 2 years thereafter, the Privacy and Civil Liberties Oversight Board shall submit to Congress and the President a report providing—

(A) an assessment of the effect on privacy and civil liberties by the type of activities carried out under this title; and

(B) an assessment of the sufficiency of the policies, procedures, and guidelines established pursuant to section 105 in addressing concerns relating to privacy and civil liberties.

(2) BIENNIAL REPORT OF INSPECTORS GENERAL.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act and not less frequently than once every 2 years thereafter, the Inspector General of the Department of Homeland Security, the Inspector General of the Intelligence Community, the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Inspector General of the Department of Energy shall, in consultation with the Council of Inspectors General on Financial Oversight, jointly submit to Congress a report on the receipt, use, and dissemination of cyber threat indicators and defensive measures that have been shared with Federal entities under this title.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall include the following:

(i) A review of the types of cyber threat indicators shared with Federal entities.

(ii) A review of the actions taken by Federal entities as a result of the receipt of such cyber threat indicators.

(iii) A list of Federal entities receiving such cyber threat indicators.

(iv) A review of the sharing of such cyber threat indicators among Federal entities to identify inappropriate barriers to sharing information.

(3) RECOMMENDATIONS.—Each report submitted under this subsection may include such recommendations as the Privacy and Civil Liberties Oversight Board, with respect to a report submitted under paragraph (1), or the Inspectors General referred to in paragraph (2)(A), with respect to a report submitted under paragraph (2), may have for improvements or modifications to the authorities under this title.

(4) FORM.—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

SEC. 108. CONSTRUCTION AND PREEMPTION.

(a) OTHERWISE LAWFUL DISCLOSURES.—Nothing in this title shall be construed—

(1) to limit or prohibit otherwise lawful disclosures of communications, records, or other information, including reporting of known or suspected criminal activity, by an entity to any other entity or the Federal Government under this title; or

(2) to limit or prohibit otherwise lawful use of such disclosures by any Federal entity, even when such otherwise lawful disclosures duplicate or replicate disclosures made under this title.

(b) WHISTLE BLOWER PROTECTIONS.—Nothing in this title shall be construed to prohibit or limit the disclosure of information protected under section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats), section 7211 of title 5, United States Code (governing disclosures to Congress), section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military), section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) (governing disclosure by employees of elements of the intelligence community), or any similar provision of Federal or State law.

(c) PROTECTION OF SOURCES AND METHODS.—Nothing in this title shall be construed—

(1) as creating any immunity against, or otherwise affecting, any action brought by the Federal Government, or any agency or department thereof, to enforce any law, executive order, or procedure governing the appropriate handling, disclosure, or use of classified information;

(2) to affect the conduct of authorized law enforcement or intelligence activities; or

(3) to modify the authority of a department or agency of the Federal Government to protect classified information and sources and methods and the national security of the United States.

(d) RELATIONSHIP TO OTHER LAWS.—Nothing in this title shall be construed to affect any requirement under any other provision of law for an entity to provide information to the Federal Government.

(e) PROHIBITED CONDUCT.—Nothing in this title shall be construed to permit price-fixing, allocating a market between competitors, monopolizing or attempting to monopolize a market, boycotting, or exchanges of price or cost information, customer lists, or information regarding future competitive planning.

(f) INFORMATION SHARING RELATIONSHIPS.—Nothing in this title shall be construed—

(1) to limit or modify an existing information sharing relationship;

(2) to prohibit a new information sharing relationship;

(3) to require a new information sharing relationship between any entity and another entity or a Federal entity; or

(4) to require the use of the capability and process within the Department of Homeland Security developed under section 105(c).

(g) PRESERVATION OF CONTRACTUAL OBLIGATIONS AND RIGHTS.—Nothing in this title shall be construed—

(1) to amend, repeal, or supersede any current or future contractual agreement, terms of service agreement, or other contractual relationship between any entities, or between any entity and a Federal entity; or

(2) to abrogate trade secret or intellectual property rights of any entity or Federal entity.

(h) ANTI-TASKING RESTRICTION.—Nothing in this title shall be construed to permit a Federal entity—

(1) to require an entity to provide information to a Federal entity or another entity;

(2) to condition the sharing of cyber threat indicators with an entity on such entity's provision of cyber threat indicators to a Federal entity or another entity; or

(3) to condition the award of any Federal grant, contract, or purchase on the provision of a cyber threat indicator to a Federal entity or another entity.

(i) NO LIABILITY FOR NON-PARTICIPATION.—Nothing in this title shall be construed to subject any entity to liability for choosing not to engage in the voluntary activities authorized in this title.

(j) USE AND RETENTION OF INFORMATION.—Nothing in this title shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use any information shared under this title for any use other than permitted in this title.

(k) FEDERAL PREEMPTION.—

(1) IN GENERAL.—This title supersedes any statute or other provision of law of a State or political subdivision of a State that restricts or otherwise expressly regulates an activity authorized under this title.

(2) STATE LAW ENFORCEMENT.—Nothing in this title shall be construed to supersede any statute or other provision of law of a State or political subdivision of a State concerning the use of authorized law enforcement practices and procedures.

(1) REGULATORY AUTHORITY.—Nothing in this title shall be construed—

(1) to authorize the promulgation of any regulations not specifically authorized by this title;

(2) to establish or limit any regulatory authority not specifically established or limited under this title; or

(3) to authorize regulatory actions that would duplicate or conflict with regulatory requirements, mandatory standards, or related processes under another provision of Federal law.

(m) AUTHORITY OF SECRETARY OF DEFENSE TO RESPOND TO CYBER ATTACKS.—Nothing in this title shall be construed to limit the authority of the Secretary of Defense to develop, prepare, coordinate, or, when authorized by the President to do so, conduct a military cyber operation in response to a malicious cyber activity carried out against the United States or a United States person by a foreign government or an organization sponsored by a foreign government or a terrorist organization.

SEC. 109. REPORT ON CYBERSECURITY THREATS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of other appropriate elements of the intelligence community, shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on cybersecurity threats, including cyber attacks, theft, and data breaches.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the current intelligence sharing and cooperation relationships of the United States with other countries regarding cybersecurity threats, including cyber attacks, theft, and data breaches, directed against the United States and which threaten the United States national security interests and economy and intellectual property, specifically identifying the relative utility of such relationships, which elements of the intelligence community participate in such relationships, and whether and how such relationships could be improved.

(2) A list and an assessment of the countries and nonstate actors that are the primary threats of carrying out a cybersecurity threat, including a cyber attack, theft, or data breach, against the United States and which threaten the United States national security, economy, and intellectual property.

(3) A description of the extent to which the capabilities of the United States Government to respond to or prevent cybersecurity threats, including cyber attacks, theft, or data breaches, directed against the United States private sector are degraded by a delay in the prompt notification by private entities of such threats or cyber attacks, theft, and breaches.

(4) An assessment of additional technologies or capabilities that would enhance the ability of the United States to prevent and to respond to cybersecurity threats, including cyber attacks, theft, and data breaches.

(5) An assessment of any technologies or practices utilized by the private sector that could be rapidly fielded to assist the intelligence community in preventing and responding to cybersecurity threats.

(c) ADDITIONAL REPORT.—At the time the report required by subsection (a) is submitted, the Director of National Intelligence shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report containing the information required by subsection (b)(2).

(d) FORM OF REPORT.—The report required by subsection (a) shall be made available in classified and unclassified forms.

(e) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term “intelligence community” has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 110. CONFORMING AMENDMENT.

Section 941(c)(3) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 2224 note) is amended by inserting at the end the following: “The Secretary may share such information with other Federal entities if such information consists of cyber threat indicators and defensive measures and such information is shared consistent with the policies and procedures promulgated by the Attorney General and the Secretary of Homeland Security under section 105 of the Cybersecurity Information Sharing Act of 2015.”.

TITLE II—FEDERAL CYBERSECURITY ENHANCEMENT

SEC. 201. SHORT TITLE.

This title may be cited as the “Federal Cybersecurity Enhancement Act of 2015”.

SEC. 202. DEFINITIONS.

In this title—

(1) the term “agency” has the meaning given the term in section 3502 of title 44, United States Code;

(2) the term “agency information system” has the meaning given the term in section 228 of the Homeland Security Act of 2002, as added by section 203(a);

(3) the term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives;

(4) the terms “cybersecurity risk” and “information system” have the meanings given those terms in section 227 of the Homeland Security Act of 2002, as so redesignated by section 203(a);

(5) the term “Director” means the Director of the Office of Management and Budget;

(6) the term “intelligence community” has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)); and

(7) the term “Secretary” means the Secretary of Homeland Security.

SEC. 203. IMPROVED FEDERAL NETWORK SECURITY.

(a) IN GENERAL.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended—

(1) by redesignating section 228 as section 229;

(2) by redesignating section 227 as subsection (c) of section 228, as added by paragraph (4), and adjusting the margins accordingly;

(3) by redesignating the second section designated as section 226 (relating to the national cybersecurity and communications integration center) as section 227;

(4) by inserting after section 227, as so redesignated, the following:

“SEC. 228. CYBERSECURITY PLANS.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency information system’ means an information system used or operated by an agency or by another entity on behalf of an agency;

“(2) the terms ‘cybersecurity risk’ and ‘information system’ have the meanings given those terms in section 227; and

“(3) the term ‘intelligence community’ has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

“(b) INTRUSION ASSESSMENT PLAN.—

“(1) REQUIREMENT.—The Secretary, in coordination with the Director of the Office of Management and Budget, shall develop and implement an intrusion assessment plan to identify and remove intruders in agency information systems.

“(2) EXCEPTION.—The intrusion assessment plan required under paragraph (1) shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.”;

(5) in section 228(c), as so redesignated, by striking “section 226” and inserting “section 227”; and

(6) by inserting after section 229, as so redesignated, the following:

“SEC. 230. FEDERAL INTRUSION DETECTION AND PREVENTION SYSTEM.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency’ has the meaning given that term in section 3502 of title 44, United States Code;

“(2) the term ‘agency information’ means information collected or maintained by or on behalf of an agency;

“(3) the term ‘agency information system’ has the meaning given the term in section 228; and

“(4) the terms ‘cybersecurity risk’ and ‘information system’ have the meanings given those terms in section 227.

“(b) REQUIREMENT.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall deploy, operate, and maintain, to make available for use by any agency, with or without reimbursement—

“(A) a capability to detect cybersecurity risks in network traffic transiting or traveling to or from an agency information system; and

“(B) a capability to prevent network traffic associated with such cybersecurity risks from transiting or traveling to or from an agency information system or modify such network traffic to remove the cybersecurity risk.

“(2) REGULAR IMPROVEMENT.—The Secretary shall regularly deploy new technologies and modify existing technologies to the intrusion detection and prevention capabilities described in paragraph (1) as appropriate to improve the intrusion detection and prevention capabilities.

“(c) ACTIVITIES.—In carrying out subsection (b), the Secretary—

“(1) may access, and the head of an agency may disclose to the Secretary or a private entity providing assistance to the Secretary under paragraph (2), information transiting or traveling to or from an agency information system, regardless of the location from which the Secretary or a private entity providing assistance to the Secretary under paragraph (2) accesses such information, notwithstanding any other provision of law that would otherwise restrict or prevent the head of an agency from disclosing such information to the Secretary or a private entity providing assistance to the Secretary under paragraph (2);

“(2) may enter into contracts or other agreements with, or otherwise request and obtain the assistance of, private entities to deploy and operate technologies in accordance with subsection (b);

“(3) may retain, use, and disclose information obtained through the conduct of activities authorized under this section only to protect information and information systems from cybersecurity risks;

“(4) shall regularly assess through operational test and evaluation in real world or simulated environments available advanced protective technologies to improve detection and prevention capabilities, including commercial and non-commercial technologies and detection technologies beyond signature-based detection, and utilize such technologies when appropriate;

“(5) shall establish a pilot to acquire, test, and deploy, as rapidly as possible, technologies described in paragraph (4);

“(6) shall periodically update the privacy impact assessment required under section 208(b) of the E-Government Act of 2002 (44 U.S.C. 3501 note); and

“(7) shall ensure that—

“(A) activities carried out under this section are reasonably necessary for the purpose of protecting agency information and agency information systems from a cybersecurity risk;

“(B) information accessed by the Secretary will be retained no longer than reasonably necessary for the purpose of protecting agency information and agency information systems from a cybersecurity risk;

“(C) notice has been provided to users of an agency information system concerning access to communications of users of the agency information system for the purpose of protecting agency information and the agency information system; and

“(D) the activities are implemented pursuant to policies and procedures governing the

operation of the intrusion detection and prevention capabilities.

“(d) PRIVATE ENTITIES.—

“(1) CONDITIONS.—A private entity described in subsection (c)(2) may not—

“(A) disclose any network traffic transiting or traveling to or from an agency information system to any entity without the consent of the Department or the agency that disclosed the information under subsection (c)(1); or

“(B) use any network traffic transiting or traveling to or from an agency information system to which the private entity gains access in accordance with this section for any purpose other than to protect agency information and agency information systems against cybersecurity risks or to administer a contract or other agreement entered into pursuant to subsection (c)(2) or as part of another contract with the Secretary.

“(2) LIMITATION ON LIABILITY.—No cause of action shall lie in any court against a private entity for assistance provided to the Secretary in accordance with this section and any contract or agreement entered into pursuant to subsection (c)(2).

“(3) RULE OF CONSTRUCTION.—Nothing in paragraph (2) shall be construed to authorize an Internet service provider to break a user agreement with a customer without the consent of the customer.

“(e) ATTORNEY GENERAL REVIEW.—Not later than 1 year after the date of enactment of this section, the Attorney General shall review the policies and guidelines for the program carried out under this section to ensure that the policies and guidelines are consistent with applicable law governing the acquisition, interception, retention, use, and disclosure of communications.”

(b) PRIORITIZING ADVANCED SECURITY TOOLS.—The Director and the Secretary, in consultation with appropriate agencies, shall—

(1) review and update governmentwide policies and programs to ensure appropriate prioritization and use of network security monitoring tools within agency networks; and

(2) brief appropriate congressional committees on such prioritization and use.

(c) AGENCY RESPONSIBILITIES.—

(1) IN GENERAL.—Except as provided in paragraph (2)—

(A) not later than 1 year after the date of enactment of this Act or 2 months after the date on which the Secretary makes available the intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of 2002, as added by subsection (a), whichever is later, the head of each agency shall apply and continue to utilize the capabilities to all information traveling between an agency information system and any information system other than an agency information system; and

(B) not later than 6 months after the date on which the Secretary makes available improvements to the intrusion detection and prevention capabilities pursuant to section 230(b)(2) of the Homeland Security Act of 2002, as added by subsection (a), the head of each agency shall apply and continue to utilize the improved intrusion detection and prevention capabilities.

(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

(3) DEFINITION.—Notwithstanding section 202, in this subsection, the term “agency information system” means an information system owned or operated by an agency.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit an agency from applying the intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of 2002, as added by subsection (a), at the discretion of the head of the agency or as provided in relevant policies, directives, and guidelines.

(d) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by striking the items relating to the first section designated as section 226, the second section designated as section 226 (relating to the national cybersecurity and communications integration center), section 227, and section 228 and inserting the following:

“Sec. 226. Cybersecurity recruitment and retention.

“Sec. 227. National cybersecurity and communications integration center.

“Sec. 228. Cybersecurity plans.

“Sec. 229. Clearances.

“Sec. 230. Federal intrusion detection and prevention system.”

SEC. 204. ADVANCED INTERNAL DEFENSES.

(a) ADVANCED NETWORK SECURITY TOOLS.—

(1) IN GENERAL.—The Secretary shall include in the Continuous Diagnostics and Mitigation Program advanced network security tools to improve visibility of network activity, including through the use of commercial and free or open source tools, to detect and mitigate intrusions and anomalous activity.

(2) DEVELOPMENT OF PLAN.—The Director shall develop and implement a plan to ensure that each agency utilizes advanced network security tools, including those described in paragraph (1), to detect and mitigate intrusions and anomalous activity.

(b) IMPROVED METRICS.—The Secretary, in collaboration with the Director, shall review and update the metrics used to measure security under section 3554 of title 44, United States Code, to include measures of intrusion and incident detection and response times.

(c) TRANSPARENCY AND ACCOUNTABILITY.—The Director, in consultation with the Secretary, shall increase transparency to the public on agency cybersecurity posture, including by increasing the number of metrics available on Federal Government performance websites and, to the greatest extent practicable, displaying metrics for department components, small agencies, and micro agencies.

(d) MAINTENANCE OF TECHNOLOGIES.—Section 3553(b)(6)(B) of title 44, United States Code, is amended by inserting “, operating, and maintaining” after “deploying”.

(e) EXCEPTION.—The requirements under this section shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

SEC. 205. FEDERAL CYBERSECURITY REQUIREMENTS.

(a) IMPLEMENTATION OF FEDERAL CYBERSECURITY STANDARDS.—Consistent with section 3553 of title 44, United States Code, the Secretary, in consultation with the Director, shall exercise the authority to issue binding operational directives to assist the Director in ensuring timely agency adoption of and compliance with policies and standards promulgated under section 11331 of title 40, United States Code, for securing agency information systems.

(b) CYBERSECURITY REQUIREMENTS AT AGENCIES.—

(1) IN GENERAL.—Consistent with policies, standards, guidelines, and directives on information security under subchapter II of chapter 35 of title 44, United States Code, and the standards and guidelines promulgated under section 11331 of title 40, United States Code, and except as provided in paragraph (2), not later than 1 year after the date of the enactment of this Act, the head of each agency shall—

(A) identify sensitive and mission critical data stored by the agency consistent with the inventory required under the first subsection (c) (relating to the inventory of major information systems) and the second subsection (c) (relating to the inventory of information systems) of section 3505 of title 44, United States Code;

(B) assess access controls to the data described in subparagraph (A), the need for readily accessible storage of the data, and individuals’ need to access the data;

(C) encrypt or otherwise render indecipherable to unauthorized users the data described in subparagraph (A) that is stored on or transiting agency information systems;

(D) implement a single sign-on trusted identity platform for individuals accessing each public website of the agency that requires user authentication, as developed by the Administrator of General Services in collaboration with the Secretary; and

(E) implement identity management consistent with section 504 of the Cybersecurity Enhancement Act of 2014 (Public Law 113–274; 15 U.S.C. 7464), including multi-factor authentication, for—

(i) remote access to an agency information system; and

(ii) each user account with elevated privileges on an agency information system.

(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to an agency information system for which—

(A) the head of the agency has personally certified to the Director with particularity that—

(i) operational requirements articulated in the certification and related to the agency information system would make it excessively burdensome to implement the cybersecurity requirement;

(ii) the cybersecurity requirement is not necessary to secure the agency information system or agency information stored on or transiting it; and

(iii) the agency has all taken necessary steps to secure the agency information system and agency information stored on or transiting it; and

(B) the head of the agency or the designee of the head of the agency has submitted the certification described in subparagraph (A) to the appropriate congressional committees and the agency’s authorizing committees.

(3) CONSTRUCTION.—Nothing in this section shall be construed to alter the authority of the Secretary, the Director, or the Director of the National Institute of Standards and Technology in implementing subchapter II of chapter 35 of title 44, United States Code. Nothing in this section shall be construed to affect the National Institute of Standards and Technology standards process or the requirement under section 3553(a)(4) of such title or to discourage continued improvements and advancements in the technology, standards, policies, and guidelines used to promote Federal information security.

(c) EXCEPTION.—The requirements under this section shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

SEC. 206. ASSESSMENT; REPORTS.

(a) **DEFINITIONS.**—In this section—

(1) the term “intrusion assessments” means actions taken under the intrusion assessment plan to identify and remove intruders in agency information systems;

(2) the term “intrusion assessment plan” means the plan required under section 228(b)(1) of the Homeland Security Act of 2002, as added by section 203(a) of this Act; and

(3) the term “intrusion detection and prevention capabilities” means the capabilities required under section 230(b) of the Homeland Security Act of 2002, as added by section 203(a) of this Act.

(b) **THIRD PARTY ASSESSMENT.**—Not later than 3 years after the date of enactment of this Act, the Government Accountability Office shall conduct a study and publish a report on the effectiveness of the approach and strategy of the Federal Government to securing agency information systems, including the intrusion detection and prevention capabilities and the intrusion assessment plan.

(c) **REPORTS TO CONGRESS.**—

(1) **INTRUSION DETECTION AND PREVENTION CAPABILITIES.**—

(A) **SECRETARY OF HOMELAND SECURITY REPORT.**—Not later than 6 months after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the status of implementation of the intrusion detection and prevention capabilities, including—

(i) a description of privacy controls;

(ii) a description of the technologies and capabilities utilized to detect cybersecurity risks in network traffic, including the extent to which those technologies and capabilities include existing commercial and non-commercial technologies;

(iii) a description of the technologies and capabilities utilized to prevent network traffic associated with cybersecurity risks from transiting or traveling to or from agency information systems, including the extent to which those technologies and capabilities include existing commercial and non-commercial technologies;

(iv) a list of the types of indicators or other identifiers or techniques used to detect cybersecurity risks in network traffic transiting or traveling to or from agency information systems on each iteration of the intrusion detection and prevention capabilities and the number of each such type of indicator, identifier, and technique;

(v) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from agency information systems and the number of times the intrusion detection and prevention capabilities blocked network traffic associated with cybersecurity risk; and

(vi) a description of the pilot established under section 230(c)(5) of the Homeland Security Act of 2002, as added by section 203(a) of this Act, including the number of new technologies tested and the number of participating agencies.

(B) **OMB REPORT.**—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Director shall submit to Congress, as part of the report required under section 3553(c) of title 44, United States Code, an analysis of agency application of the intrusion detection and prevention capabilities, including—

(i) a list of each agency and the degree to which each agency has applied the intrusion

detection and prevention capabilities to an agency information system; and

(ii) a list by agency of—

(I) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such cybersecurity risks; and

(II) the number of instances in which the intrusion detection and prevention capabilities prevented network traffic associated with a cybersecurity risk from transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such agency information systems.

(2) **OMB REPORT ON DEVELOPMENT AND IMPLEMENTATION OF INTRUSION ASSESSMENT PLAN, ADVANCED INTERNAL DEFENSES, AND FEDERAL CYBERSECURITY BEST PRACTICES.**—The Director shall—

(A) not later than 6 months after the date of enactment of this Act, and 30 days after any update thereto, submit the intrusion assessment plan to the appropriate congressional committees;

(B) not later than 1 year after the date of enactment of this Act, and annually thereafter, submit to Congress, as part of the report required under section 3553(c) of title 44, United States Code—

(i) a description of the implementation of the intrusion assessment plan;

(ii) the findings of the intrusion assessments conducted pursuant to the intrusion assessment plan;

(iii) advanced network security tools included in the Continuous Diagnostics and Mitigation Program pursuant to section 204(a)(1);

(iv) the results of the assessment of the Secretary of best practices for Federal cybersecurity pursuant to section 205(a); and

(v) a list by agency of compliance with the requirements of section 205(b); and

(C) not later than 1 year after the date of enactment of this Act, submit to the appropriate congressional committees—

(i) a copy of the plan developed pursuant to section 204(a)(2); and

(ii) the improved metrics developed pursuant to section 204(b).

SEC. 207. TERMINATION.

(a) **IN GENERAL.**—The authority provided under section 230 of the Homeland Security Act of 2002, as added by section 203(a) of this Act, and the reporting requirements under section 206(c) shall terminate on the date that is 7 years after the date of enactment of this Act.

(b) **RULE OF CONSTRUCTION.**—Nothing in subsection (a) shall be construed to affect the limitation of liability of a private entity for assistance provided to the Secretary under section 230(d)(2) of the Homeland Security Act of 2002, as added by section 203(a) of this Act, if such assistance was rendered before the termination date under subsection (a) or otherwise during a period in which the assistance was authorized.

SEC. 208. IDENTIFICATION OF INFORMATION SYSTEMS RELATING TO NATIONAL SECURITY.

(a) **IN GENERAL.**—Except as provided in subsection (c), not later than 180 days after the date of enactment of this Act—

(1) the Director of National Intelligence, in coordination with the heads of other agencies, shall—

(A) identify all unclassified information systems that provide access to information that may provide an adversary with the abil-

ity to derive information that would otherwise be considered classified;

(B) assess the risks that would result from the breach of each unclassified information system identified in subparagraph (A); and

(C) assess the cost and impact on the mission carried out by each agency that owns an unclassified information system identified in subparagraph (A) if the system were to be subsequently designated as a national security system, as defined in section 11103 of title 40, United States Code; and

(2) the Director of National Intelligence shall submit to the appropriate congressional committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report that includes the findings under paragraph (1).

(b) **FORM.**—The report submitted under subsection (a)(2) shall be in unclassified form, and shall include a classified annex.

(c) **EXCEPTION.**—The requirements under subsection (a)(1) shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

SEC. 209. DIRECTION TO AGENCIES.

(a) **IN GENERAL.**—Section 3553 of title 44, United States Code, is amended by adding at the end the following:

“(h) **DIRECTION TO AGENCIES.**—

“(1) **AUTHORITY.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), in response to a known or reasonably suspected information security threat, vulnerability, or incident that represents a substantial threat to the information security of an agency, the Secretary may issue an emergency directive to the head of an agency to take any lawful action with respect to the operation of the information system, including such systems owned or operated by another entity on behalf of an agency, that collects, processes, stores, transmits, disseminates, or otherwise maintains agency information, for the purpose of protecting the information system from, or mitigating, an information security threat.

“(B) **EXCEPTION.**—The authorities of the Secretary under this subsection shall not apply to a system described subsection (d) or to a system described in paragraph (2) or (3) of subsection (e).

“(2) **PROCEDURES FOR USE OF AUTHORITY.**—The Secretary shall—

“(A) in coordination with the Director, establish procedures governing the circumstances under which a directive may be issued under this subsection, which shall include—

“(i) thresholds and other criteria;

“(ii) privacy and civil liberties protections; and

“(iii) providing notice to potentially affected third parties;

“(B) specify the reasons for the required action and the duration of the directive;

“(C) minimize the impact of a directive under this subsection by—

“(i) adopting the least intrusive means possible under the circumstances to secure the agency information systems; and

“(ii) limiting directives to the shortest period practicable;

“(D) notify the Director and the head of any affected agency immediately upon the issuance of a directive under this subsection;

“(E) consult with the Director of the National Institute of Standards and Technology regarding any directive under this subsection that implements standards and guidelines developed by the National Institute of Standards and Technology;

“(F) ensure that directives issued under this subsection do not conflict with the standards and guidelines issued under section 11331 of title 40;

“(G) consider any applicable standards or guidelines developed by the National Institute of Standards and issued by the Secretary of Commerce under section 11331 of title 40; and

“(H) not later than February 1 of each year, submit to the appropriate congressional committees a report regarding the specific actions the Secretary has taken pursuant to paragraph (1)(A).

“(3) IMMINENT THREATS.—

“(A) IN GENERAL.—Notwithstanding section 3554, the Secretary may authorize the use of protective capabilities under the control of the Secretary for communications or other system traffic transiting to or from or stored on an agency information system for the purpose of ensuring the security of the information or information system or other agency information systems, if—

“(i) the Secretary determines there is an imminent threat to agency information systems;

“(ii) the Secretary determines a directive under subsection (b)(2)(C) or paragraph (1)(A) is not reasonably likely to result in a timely response to the threat;

“(iii) the Secretary determines the risk posed by the imminent threat outweighs any adverse consequences reasonably expected to result from the use of protective capabilities under the control of the Secretary;

“(iv) the Secretary provides prior notice to the Director, and the head and chief information officer (or equivalent official) of each agency to which specific actions will be taken pursuant to subparagraph (A), and notifies the appropriate congressional committees and authorizing committees of each such agencies within seven days of taking an action under this subsection of—

“(I) any action taken under this subsection; and

“(II) the reasons for and duration and nature of the action;

“(v) the action of the Secretary is consistent with applicable law; and

“(vi) the Secretary authorizes the use of protective capabilities in accordance with the advance procedures established under subparagraph (C).

“(B) LIMITATION ON DELEGATION.—The authority under this subsection may not be delegated by the Secretary.

“(C) ADVANCE PROCEDURES.—The Secretary shall, in coordination with the Director, and in consultation with the heads of Federal agencies, establish procedures governing the circumstances under which the Secretary may authorize the use of protective capabilities subparagraph (A). The Secretary shall submit the procedures to Congress.

“(4) LIMITATION.—The Secretary may direct or authorize lawful action or protective capability under this subsection only to—

“(A) protect agency information from unauthorized access, use, disclosure, disruption, modification, or destruction; or

“(B) require the remediation of or protect against identified information security risks with respect to—

“(i) information collected or maintained by or on behalf of an agency; or

“(ii) that portion of an information system used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency.

“(i) ANNUAL REPORT TO CONGRESS.—Not later than February 1 of each year, the Director shall submit to the appropriate con-

gressional committees a report regarding the specific actions the Director has taken pursuant to subsection (a)(5), including any actions taken pursuant to section 11303(b)(5) of title 40.

“(j) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Appropriations, the Committee on Homeland Security, the Committee on Oversight and Government Reform, and the Committee on Science, Space, and Technology of the House of Representatives.”.

(b) CONFORMING AMENDMENT.—Section 3554(a)(1)(B) of title 44, United States Code, is amended—

(1) in clause (iii), by striking “and” at the end; and

(2) by adding at the end the following:

“(v) emergency directives issued by the Secretary under section 3553(h); and”.

TITLE III—FEDERAL CYBERSECURITY WORKFORCE ASSESSMENT

SEC. 301. SHORT TITLE.

This title may be cited as the “Federal Cybersecurity Workforce Assessment Act”.

SEC. 302. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Armed Services in the House of Representatives;

(E) the Committee on Homeland Security of the House of Representatives;

(F) the Committee on Oversight and Government Reform of the House of Representatives; and

(G) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) DIRECTOR.—The term “Director” means the Director of the Office of Personnel Management.

(3) ROLES.—The term “roles” has the meaning given the term in the National Initiative for Cybersecurity Education’s Cybersecurity Workforce Framework.

SEC. 303. NATIONAL CYBERSECURITY WORKFORCE MEASUREMENT INITIATIVE.

(a) IN GENERAL.—The head of each Federal agency shall—

(1) identify all positions within the agency that require the performance of cybersecurity or other cyber-related functions; and

(2) assign the corresponding employment code, which shall be added to the National Initiative for Cybersecurity Education’s National Cybersecurity Workforce Framework, in accordance with subsection (b).

(b) EMPLOYMENT CODES.—

(1) PROCEDURES.—

(A) CODING STRUCTURE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, acting through the National Institute of Standards and Technology, shall update the National Initiative for Cybersecurity Education’s Cybersecurity Workforce Framework to include a corresponding coding structure.

(B) IDENTIFICATION OF CIVILIAN CYBER PERSONNEL.—Not later than 9 months after the date of enactment of this Act, the Director,

in coordination with the Director of National Intelligence, shall establish procedures to implement the National Initiative for Cybersecurity Education’s coding structure to identify all Federal civilian positions that require the performance of information technology, cybersecurity, or other cyber-related functions.

(C) IDENTIFICATION OF NONCIVILIAN CYBER PERSONNEL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Defense shall establish procedures to implement the National Initiative for Cybersecurity Education’s coding structure to identify all Federal noncivilian positions that require the performance of information technology, cybersecurity, or other cyber-related functions.

(D) BASELINE ASSESSMENT OF EXISTING CYBERSECURITY WORKFORCE.—Not later than 3 months after the date on which the procedures are developed under subparagraphs (B) and (C), respectively, the head of each Federal agency shall submit to the appropriate congressional committees of jurisdiction a report that identifies—

(i) the percentage of personnel with information technology, cybersecurity, or other cyber-related job functions who currently hold the appropriate industry-recognized certifications as identified in the National Initiative for Cybersecurity Education’s Cybersecurity Workforce Framework;

(ii) the level of preparedness of other civilian and non-civilian cyber personnel without existing credentials to take certification exams; and

(iii) a strategy for mitigating any gaps identified in clause (i) or (ii) with the appropriate training and certification for existing personnel.

(E) PROCEDURES FOR ASSIGNING CODES.—Not later than 3 months after the date on which the procedures are developed under subparagraphs (B) and (C), respectively, the head of each Federal agency shall establish procedures—

(i) to identify all encumbered and vacant positions with information technology, cybersecurity, or other cyber-related functions (as defined in the National Initiative for Cybersecurity Education’s coding structure); and

(ii) to assign the appropriate employment code to each such position, using agreed standards and definitions.

(2) CODE ASSIGNMENTS.—Not later than 1 year after the date after the procedures are established under paragraph (1)(E), the head of each Federal agency shall complete assignment of the appropriate employment code to each position within the agency with information technology, cybersecurity, or other cyber-related functions.

(c) PROGRESS REPORT.—Not later than 180 days after the date of enactment of this Act, the Director shall submit a progress report on the implementation of this section to the appropriate congressional committees.

SEC. 304. IDENTIFICATION OF CYBER-RELATED ROLES OF CRITICAL NEED.

(a) IN GENERAL.—Beginning not later than 1 year after the date on which the employment codes are assigned to employees pursuant to section 203(b)(2), and annually through 2022, the head of each Federal agency, in consultation with the Director and the Secretary of Homeland Security, shall—

(1) identify information technology, cybersecurity, or other cyber-related roles of critical need in the agency’s workforce; and

(2) submit a report to the Director that—
(A) describes the information technology, cybersecurity, or other cyber-related roles identified under paragraph (1); and

(B) substantiates the critical need designations.

(b) GUIDANCE.—The Director shall provide Federal agencies with timely guidance for identifying information technology, cybersecurity, or other cyber-related roles of critical need, including—

(1) current information technology, cybersecurity, and other cyber-related roles with acute skill shortages; and

(2) information technology, cybersecurity, or other cyber-related roles with emerging skill shortages.

(c) CYBERSECURITY NEEDS REPORT.—Not later than 2 years after the date of the enactment of this Act, the Director, in consultation with the Secretary of Homeland Security, shall—

(1) identify critical needs for information technology, cybersecurity, or other cyber-related workforce across all Federal agencies; and

(2) submit a progress report on the implementation of this section to the appropriate congressional committees.

SEC. 305. GOVERNMENT ACCOUNTABILITY OFFICE STATUS REPORTS.

The Comptroller General of the United States shall—

(1) analyze and monitor the implementation of sections 203 and 204; and

(2) not later than 3 years after the date of the enactment of this Act, submit a report to the appropriate congressional committees that describes the status of such implementation.

TITLE IV—OTHER CYBER MATTERS

SEC. 401. STUDY ON MOBILE DEVICE SECURITY.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall—

(1) complete a study on threats relating to the security of the mobile devices of the Federal Government; and

(2) submit an unclassified report to Congress, with a classified annex if necessary, that contains the findings of such study, the recommendations developed under paragraph (3) of subsection (b), the deficiencies, if any, identified under (4) of such subsection, and the plan developed under paragraph (5) of such subsection.

(b) MATTERS STUDIED.—In carrying out the study under subsection (a)(1), the Secretary shall—

(1) assess the evolution of mobile security techniques from a desktop-centric approach, and whether such techniques are adequate to meet current mobile security challenges;

(2) assess the effect such threats may have on the cybersecurity of the information systems and networks of the Federal Government (except for national security systems or the information systems and networks of the Department of Defense and the intelligence community);

(3) develop recommendations for addressing such threats based on industry standards and best practices;

(4) identify any deficiencies in the current authorities of the Secretary that may inhibit the ability of the Secretary to address mobile device security throughout the Federal Government (except for national security systems and the information systems and networks of the Department of Defense and intelligence community); and

(5) develop a plan for accelerated adoption of secure mobile device technology by the Department of Homeland Security.

(c) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term “intelligence community” has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 402. DEPARTMENT OF STATE INTERNATIONAL CYBERSPACE POLICY STRATEGY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall produce a comprehensive strategy relating to United States international policy with regard to cyberspace.

(b) ELEMENTS.—The strategy required by subsection (a) shall include the following:

(1) A review of actions and activities undertaken by the Secretary of State to date to support the goal of the President's International Strategy for Cyberspace, released in May 2011, to “work internationally to promote an open, interoperable, secure, and reliable information and communications infrastructure that supports international trade and commerce, strengthens international security, and fosters free expression and innovation.”.

(2) A plan of action to guide the diplomacy of the Secretary of State, with regard to foreign countries, including conducting bilateral and multilateral activities to develop the norms of responsible international behavior in cyberspace, and status review of existing discussions in multilateral fora to obtain agreements on international norms in cyberspace.

(3) A review of the alternative concepts with regard to international norms in cyberspace offered by foreign countries that are prominent actors, including China, Russia, Brazil, and India.

(4) A detailed description of threats to United States national security in cyberspace from foreign countries, state-sponsored actors, and private actors to Federal and private sector infrastructure of the United States, intellectual property in the United States, and the privacy of citizens of the United States.

(5) A review of policy tools available to the President to deter foreign countries, state-sponsored actors, and private actors, including those outlined in Executive Order 13694, released on April 1, 2015.

(6) A review of resources required by the Secretary, including the Office of the Coordinator for Cyber Issues, to conduct activities to build responsible norms of international cyber behavior.

(c) CONSULTATION.—In preparing the strategy required by subsection (a), the Secretary of State shall consult, as appropriate, with other agencies and departments of the United States and the private sector and nongovernmental organizations in the United States with recognized credentials and expertise in foreign policy, national security, and cybersecurity.

(d) FORM OF STRATEGY.—The strategy required by subsection (a) shall be in unclassified form, but may include a classified annex.

(e) AVAILABILITY OF INFORMATION.—The Secretary of State shall—

(1) make the strategy required in subsection (a) available to the public; and

(2) brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the strategy, including any material contained in a classified annex.

SEC. 403. APPREHENSION AND PROSECUTION OF INTERNATIONAL CYBER CRIMINALS.

(a) INTERNATIONAL CYBER CRIMINAL DEFINED.—In this section, the term “international cyber criminal” means an individual—

(1) who is believed to have committed a cybercrime or intellectual property crime against the interests of the United States or the citizens of the United States; and

(2) for whom—

(A) an arrest warrant has been issued by a judge in the United States; or

(B) an international wanted notice (commonly referred to as a “Red Notice”) has been circulated by Interpol.

(b) CONSULTATIONS FOR NONCOOPERATION.—The Secretary of State, or designee, shall consult with the appropriate government official of each country from which extradition is not likely, due to the lack of an extradition treaty with the United States or other reasons, in which one or more international cyber criminals are physically present to determine what actions the government of such country has taken—

(1) to apprehend and prosecute such criminals; and

(2) to prevent such criminals from carrying out cybercrimes or intellectual property crimes against the interests of the United States or its citizens.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees an annual report that includes—

(A) the number of international cyber criminals located in other countries, disaggregated by country, and indicating from which countries extradition is not likely due to the lack of an extradition treaty with the United States or other reasons;

(B) the nature and number of significant discussions by an official of the Department of State on ways to thwart or prosecute international cyber criminals with an official of another country, including the name of each such country; and

(C) for each international cyber criminal who was extradited to the United States during the most recently completed calendar year—

(i) his or her name;

(ii) the crimes for which he or she was charged;

(iii) his or her previous country of residence; and

(iv) the country from which he or she was extradited into the United States.

(2) FORM.—The report required by this subsection shall be in unclassified form to the maximum extent possible, but may include a classified annex.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Homeland Security, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives.

SEC. 404. ENHANCEMENT OF EMERGENCY SERVICES.

(a) COLLECTION OF DATA.—Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security, acting through the National Cybersecurity and Communications Integration Center, in coordination with appropriate Federal entities and the Director for Emergency Communications, shall establish a process by which a Statewide Interoperability Coordinator may report data on any cybersecurity risk or incident involving any information system or

network used by emergency response providers (as defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101)) within the State.

(b) **ANALYSIS OF DATA.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security, acting through the Director of the National Cybersecurity and Communications Integration Center, in coordination with appropriate entities and the Director for Emergency Communications, and in consultation with the Director of the National Institute of Standards and Technology, shall conduct integration and analysis of the data reported under subsection (a) to develop information and recommendations on security and resilience measures for any information system or network used by State emergency response providers.

(c) **BEST PRACTICES.**—

(1) **IN GENERAL.**—Using the results of the integration and analysis conducted under subsection (b), and any other relevant information, the Director of the National Institute of Standards and Technology shall, on an ongoing basis, facilitate and support the development of methods for reducing cybersecurity risks to emergency response providers using the process described in section 2(e) of the National Institute of Standards and Technology Act (15 U.S.C. 272(e)).

(2) **REPORT.**—The Director of the National Institute of Standards and Technology shall submit a report to Congress on the methods developed under paragraph (1) and shall make such report publicly available on the website of the National Institute of Standards and Technology.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to—

(1) require a State to report data under subsection (a); or

(2) require an entity to—

(A) adopt a recommended measure developed under subsection (b); or

(B) follow the best practices developed under subsection (c).

SEC. 405. IMPROVING CYBERSECURITY IN THE HEALTH CARE INDUSTRY.

(a) **DEFINITIONS.**—In this section:

(1) **BUSINESS ASSOCIATE.**—The term “business associate” has the meaning given such term in section 160.103 of title 45, Code of Federal Regulations.

(2) **COVERED ENTITY.**—The term “covered entity” has the meaning given such term in section 160.103 of title 45, Code of Federal Regulations.

(3) **HEALTH CARE CLEARINGHOUSE; HEALTH CARE PROVIDER; HEALTH PLAN.**—The terms “health care clearinghouse”, “health care provider”, and “health plan” have the meanings given the terms in section 160.103 of title 45, Code of Federal Regulations.

(4) **HEALTH CARE INDUSTRY STAKEHOLDER.**—The term “health care industry stakeholder” means any—

(A) health plan, health care clearinghouse, or health care provider;

(B) patient advocate;

(C) pharmacist;

(D) developer of health information technology;

(E) laboratory;

(F) pharmaceutical or medical device manufacturer; or

(G) additional stakeholder the Secretary determines necessary for purposes of subsection (d)(1), (d)(3), or (e).

(5) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Sec-

retary shall submit, to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report on the preparedness of the health care industry in responding to cybersecurity threats.

(c) **CONTENTS OF REPORT.**—With respect to the internal response of the Department of Health and Human Services to emerging cybersecurity threats, the report shall include—

(1) a clear statement of the official within the Department of Health and Human Services to be responsible for leading and coordinating efforts of the Department regarding cybersecurity threats in the health care industry; and

(2) a plan from each relevant operating division and subdivision of the Department of Health and Human Services on how such division or subdivision will address cybersecurity threats in the health care industry, including a clear delineation of how each such division or subdivision will divide responsibility among the personnel of such division or subdivision and communicate with other such divisions and subdivisions regarding efforts to address such threats.

(d) **HEALTH CARE INDUSTRY CYBERSECURITY TASK FORCE.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security, shall convene health care industry stakeholders, cybersecurity experts, and any Federal agencies or entities the Secretary determines appropriate to establish a task force to—

(A) analyze how industries, other than the health care industry, have implemented strategies and safeguards for addressing cybersecurity threats within their respective industries;

(B) analyze challenges and barriers private entities (notwithstanding section 2(15)(B), excluding any State, tribal, or local government) in the health care industry face securing themselves against cyber attacks;

(C) review challenges that covered entities and business associates face in securing networked medical devices and other software or systems that connect to an electronic health record;

(D) provide the Secretary with information to disseminate to health care industry stakeholders for purposes of improving their preparedness for, and response to, cybersecurity threats affecting the health care industry;

(E) establish a plan for creating a single system for the Federal Government to share information on actionable intelligence regarding cybersecurity threats to the private sector in near real time, at no cost to the recipients of such information, including which Federal agency or other entity may be best suited to be the central conduit to facilitate the sharing of such information; and

(F) report to Congress on the findings and recommendations of the task force regarding carrying out subparagraphs (A) through (E).

(2) **TERMINATION.**—The task force established under this subsection shall terminate on the date that is 1 year after the date of enactment of this Act.

(3) **DISSEMINATION.**—Not later than 60 days after the termination of the task force established under this subsection, the Secretary shall disseminate the information described in paragraph (1)(D) to health care industry stakeholders in accordance with such paragraph.

(e) **CYBERSECURITY FRAMEWORK.**—The Secretary shall establish, through a collabo-

orative process with the Secretary of Homeland Security, health care industry stakeholders, the National Institute of Standards and Technology, and any Federal agency or entity the Secretary determines appropriate, a single, voluntary, national health-specific cybersecurity framework that—

(1) establishes a common set of security practices and standards that specifically pertain to a range of health care organizations;

(2) supports voluntary adoption and implementation efforts to improve safeguards to address cybersecurity threats; and

(3) is consistently updated and applicable to the range of health care organizations described in paragraph (1).

SEC. 406. FEDERAL COMPUTER SECURITY.

(a) **DEFINITIONS.**—In this section:

(1) **COVERED SYSTEM.**—The term “covered system” shall mean a national security system as defined in section 11103 of title 40, United States Code, or a Federal computer system that provides access to personally identifiable information.

(2) **COVERED AGENCY.**—The term “covered agency” means an agency that operates a covered system.

(3) **LOGICAL ACCESS CONTROL.**—The term “logical access control” means a process of granting or denying specific requests to obtain and use information and related information processing services.

(4) **MULTI-FACTOR LOGICAL ACCESS CONTROLS.**—The term “multi-factor logical access controls” means a set of not less than 2 of the following logical access controls:

(A) Information that is known to the user, such as a password or personal identification number.

(B) An access device that is provided to the user, such as a cryptographic identification device or token.

(C) A unique biometric characteristic of the user.

(5) **PRIVILEGED USER.**—The term “privileged user” means a user who, by virtue of function or seniority, has been allocated powers within a covered system, which are significantly greater than those available to the majority of users.

(b) **INSPECTOR GENERAL REPORTS ON COVERED SYSTEMS.**—

(1) **IN GENERAL.**—Not later than 240 days after the date of enactment of this Act, the Inspector General of each covered agency shall each submit to each Comptroller General of the United States and the appropriate committees of jurisdiction in the Senate and the House of Representatives a report, which shall include information collected from the covered agency for the contents described in paragraph (2) regarding the Federal computer systems of the covered agency.

(2) **CONTENTS.**—The report submitted by each Inspector General of a covered agency under paragraph (1) shall include, with respect to the covered agency, the following:

(A) A description of the logical access standards used by the covered agency to access a covered system, including—

(i) in aggregate, a list and description of logical access controls used to access such a covered system; and

(ii) whether the covered agency is using multi-factor logical access controls to access such a covered system.

(B) A description of the logical access controls used by the covered agency to govern access to covered systems by privileged users.

(C) If the covered agency does not use logical access controls or multi-factor logical access controls to access a covered system, a description of the reasons for not using such

logical access controls or multi-factor logical access controls.

(D) A description of the following data security management practices used by the covered agency:

(i) The policies and procedures followed to conduct inventories of the software present on the covered systems of the covered agency and the licenses associated with such software.

(ii) What capabilities the covered agency utilizes to monitor and detect exfiltration and other threats, including—

(I) data loss prevention capabilities; or
(II) digital rights management capabilities.

(iii) A description of how the covered agency is using the capabilities described in clause (ii).

(iv) If the covered agency is not utilizing capabilities described in clause (ii), a description of the reasons for not utilizing such capabilities.

(E) A description of the policies and procedures of the covered agency with respect to ensuring that entities, including contractors, that provide services to the covered agency are implementing the data security management practices described in subparagraph (D).

(3) EXISTING REVIEW.—The reports required under this subsection may be based in whole or in part on an audit, evaluation, or report relating to programs or practices of the covered agency, and may be submitted as part of another report, including the report required under section 3555 of title 44, United States Code.

(4) CLASSIFIED INFORMATION.—Reports submitted under this subsection shall be in unclassified form, but may include a classified annex.

(c) GAO ECONOMIC ANALYSIS AND REPORT ON FEDERAL COMPUTER SYSTEMS.—

(1) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report examining, including an economic analysis of, any impediments to agency use of effective security software and security devices.

(2) CLASSIFIED INFORMATION.—A report submitted under this subsection shall be in unclassified form, but may include a classified annex.

SEC. 407. STRATEGY TO PROTECT CRITICAL INFRASTRUCTURE AT GREATEST RISK.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE AGENCY.—The term “appropriate agency” means, with respect to a covered entity—

(A) except as provided in subparagraph (B), the applicable sector-specific agency; or

(B) in the case of a covered entity that is regulated by a Federal entity, such Federal entity.

(2) APPROPRIATE AGENCY HEAD.—The term “appropriate agency head” means, with respect to a covered entity, the head of the appropriate agency.

(3) COVERED ENTITY.—The term “covered entity” means an entity identified under subsection (b).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Select Committee on Intelligence of the Senate;

(B) the Permanent Select Committee on Intelligence of the House of Representatives;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on Energy and Natural Resources of the Senate; and

(F) the Committee on Energy and Commerce of the House of Representatives;

(5) SECRETARY.—The term “Secretary” means the Secretary of the Department of Homeland Security

(b) IDENTIFICATION OF CRITICAL INFRASTRUCTURE AT GREATEST RISK REQUIRED.—No later than 60 days after the date of the enactment of this Act, the Secretary shall identify critical infrastructure entities where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(c) STATUS OF EXISTING CYBER INCIDENT REPORTING.—

(1) IN GENERAL.—No later than 120 days after the date of the enactment of this Act, the Secretary, in conjunction with the appropriate agency head (as the case may be), shall submit to the appropriate congressional committees describing the extent to which each covered entity reports significant intrusions of information systems essential to the operation of critical infrastructure to the Department of Homeland Security or the appropriate agency head in a timely manner.

(2) FORM.—The report submitted under paragraph (1) may include a classified annex.

(d) MITIGATION STRATEGY REQUIRED FOR CRITICAL INFRASTRUCTURE AT GREATEST RISK.—

(1) IN GENERAL.—No later than 180 days after the date of the enactment of this Act, the Secretary, in conjunction with the appropriate agency head (as the case may be), shall conduct an assessment and develop a strategy that addresses each of the covered entities, to ensure that, to the greatest extent feasible, a cyber security incident affecting such entity would no longer reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(2) ELEMENTS.—The strategy submitted by the Secretary with respect to a covered entity intrusion shall include the following:

(A) An assessment of whether each entity should be required to report cyber security incidents.

(B) A description of any identified security gaps that must be addressed.

(C) Additional statutory authority necessary to reduce the likelihood that a cyber incident could cause catastrophic regional or national effects on public health or safety, economic security, or national security.

(3) SUBMITTAL.—The Secretary shall submit to the appropriate congressional committees the assessment and strategy required by paragraph (1).

(4) FORM.—The assessment and strategy submitted under paragraph (3) may each include a classified annex.

(e) SENATE OF CONGRESS.—To the extent that the Secretary proposes to require the reporting of significant cyber intrusions of any covered entity pursuant to a recommendation identified in subsection (d) it is the Sense of Congress that—

(1) the Secretary should ensure that the policies and procedures established for such reporting incorporate, to the greatest extent practicable, processes, roles, and responsibilities of appropriate agencies and entities, including sector specific information sharing and analysis centers, that were in effect on the day before the date of the enactment of this Act;

(2) no cause of action should lie or be maintained in any court against a covered entity, and such action should be promptly dis-

missed for sharing information with the Secretary or the appropriate agency head for sharing such information;

(3) the Secretary or appropriate agency head, as the case may be, should, under section 103 and to the greatest extent practicable, make available to any covered entity submitting a report such cyber threat indicators as the Secretary or appropriate agency head considers appropriate; and

(4) the Secretary or the appropriate agency head (as the case may be) should take such actions as the Secretary or the appropriate agency head (as the case may be) considers appropriate to protect from disclosure the identity of the covered entity.

SA 2717. Mr. UDALL (for himself, Mrs. SHAHEEN, Mr. TESTER, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 11. EXTENSION OF LAND AND WATER CONSERVATION FUND.

Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “September 30, 2015” and inserting “December 11, 2015”; and

(2) in subsection (c)(1), by striking “September 30, 2015” and inserting “December 11, 2015”.

SA 2718. Mr. UDALL (for himself, Mrs. SHAHEEN, Mr. TESTER, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. PERMANENT REAUTHORIZATION OF LAND AND WATER CONSERVATION FUND.

(a) IN GENERAL.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “During the period ending September 30, 2015, there” and inserting “There”; and

(2) in subsection (c)(1), by striking “through September 30, 2015”.

(b) PUBLIC ACCESS.—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

“(c) PUBLIC ACCESS.—Not less than 1.5 percent of amounts made available for expenditure in any fiscal year under section 200303, or \$10,000,000, whichever is greater, shall be used for projects that secure recreational public access to existing Federal public land for hunting, fishing, and other recreational purposes.”.

SA 2719. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and

for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . IMPROVING CYBERSECURITY IN THE HEALTH CARE INDUSTRY.

(a) **DEFINITIONS.**—In this section:

(1) **BUSINESS ASSOCIATE.**—The term “business associate” has the meaning given such term in section 160.103 of title 45, Code of Federal Regulations.

(2) **COVERED ENTITY.**—The term “covered entity” has the meaning given such term in section 160.103 of title 45, Code of Federal Regulations.

(3) **HEALTH CARE CLEARINGHOUSE; HEALTH CARE PROVIDER; HEALTH PLAN.**—The terms “health care clearinghouse”, “health care provider”, and “health plan” have the meanings given the terms in section 160.103 of title 45, Code of Federal Regulations.

(4) **HEALTH CARE INDUSTRY STAKEHOLDER.**—The term “health care industry stakeholder” means any—

(A) health plan, health care clearinghouse, or health care provider;

(B) patient advocate;

(C) pharmacist;

(D) developer of health information technology;

(E) laboratory;

(F) pharmaceutical or medical device manufacturer; or

(G) additional stakeholder the Secretary determines necessary for purposes of subsection (d)(1), (d)(3), or (e).

(5) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit, to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report on the preparedness of the health care industry in responding to cybersecurity threats.

(c) **CONTENTS OF REPORT.**—With respect to the internal response of the Department of Health and Human Services to emerging cybersecurity threats, the report shall include—

(1) a clear statement of the official within the Department of Health and Human Services to be responsible for leading and coordinating efforts of the Department regarding cybersecurity threats in the health care industry; and

(2) a plan from each relevant operating division and subdivision of the Department of Health and Human Services on how such division or subdivision will address cybersecurity threats in the health care industry, including a clear delineation of how each such division or subdivision will divide responsibility among the personnel of such division or subdivision and communicate with other such divisions and subdivisions regarding efforts to address such threats.

(d) **HEALTH CARE INDUSTRY CYBERSECURITY TASK FORCE.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security, shall convene health care industry stakeholders, cybersecurity experts, and any Federal agencies or entities the Secretary determines appropriate to establish a task force to—

(A) analyze how industries, other than the health care industry, have implemented strategies and safeguards for addressing cybersecurity threats within their respective industries;

(B) analyze challenges and barriers private entities (notwithstanding section 2(15)(B), excluding any State, tribal, or local government) in the health care industry face securing themselves against cyber attacks;

(C) review challenges that covered entities and business associates face in securing networked medical devices and other software or systems that connect to an electronic health record;

(D) provide the Secretary with information to disseminate to health care industry stakeholders for purposes of improving their preparedness for, and response to, cybersecurity threats affecting the health care industry;

(E) establish a plan for creating a single system for the Federal Government to share information on actionable intelligence regarding cybersecurity threats to the private sector in near real time, at no cost to the recipients of such information, including which Federal agency or other entity may be best suited to be the central conduit to facilitate the sharing of such information; and

(F) report to Congress on the findings and recommendations of the task force regarding carrying out subparagraphs (A) through (E).

(2) **TERMINATION.**—The task force established under this subsection shall terminate on the date that is 1 year after the date of enactment of this Act.

(3) **DISSEMINATION.**—Not later than 60 days after the termination of the task force established under this subsection, the Secretary shall disseminate the information described in paragraph (1)(D) to health care industry stakeholders in accordance with such paragraph.

(e) **CYBERSECURITY FRAMEWORK.**—The Secretary shall establish, through a collaborative process with the Secretary of Homeland Security, health care industry stakeholders, the National Institute of Standards and Technology, and any Federal agency or entity the Secretary determines appropriate, a single, voluntary, national health-specific cybersecurity framework that—

(1) establishes a common set of security practices and standards that specifically pertain to a range of health care organizations;

(2) supports voluntary adoption and implementation efforts to improve safeguards to address cybersecurity threats; and

(3) is consistently updated and applicable to the range of health care organizations described in paragraph (1).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on October 20, 2015, at 10 a.m., room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 20, 2015, at 10 a.m., to conduct a hearing entitled “The Persistent North Korea Denuclearization and Human Rights Challenge.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 20, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON MULTILATERAL INTERNATIONAL DEVELOPMENT, MULTILATERAL INSTITUTIONS, AND INTERNATIONAL ECONOMIC, ENERGY, AND ENVIRONMENTAL POLICY

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy be authorized to meet during the session of the Senate on October 20, 2015, at 2:45 p.m., to conduct a hearing entitled “2015 Paris International Climate Negotiations: Examining the Economic and Environmental Impacts.”

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 256, 257, 258, 259, 260, 261, and 262, en bloc.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bills be read a third time and passed, that the motions to reconsider be considered made and laid upon the table, and that any statements related to the bills be printed in the RECORD, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

SGT. ZACHARY M. FISHER POST OFFICE

The bill (H.R. 322) to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the “Sgt. Zachary M. Fisher Post Office,” was ordered to a third reading, was read the third time, and passed.

SGT. AMANDA N. PINSON POST OFFICE

The bill (H.R. 323) to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the “Sgt. Amanda N. Pinson Post Office,” was ordered to a third reading, was read the third time, and passed.

LT. DANIEL P. RIORDAN POST OFFICE

The bill (H.R. 324) to designate the facility of the United States Postal

Service located at 11662 Gravois Road in St. Louis, Missouri, as the "Lt. Daniel P. Riordan Post Office," was ordered to a third reading, was read the third time, and passed.

RICHARD "DICK" CHENAULT POST OFFICE BUILDING

The bill (H.R. 558) to designate the facility of the United States Postal Service located at 55 South Pioneer Boulevard in Springboro, Ohio, as the "Richard 'Dick' Chenault Post Office Building," was ordered to a third reading, was read the third time, and passed.

STAFF SERGEANT ROBERT H. DIETZ POST OFFICE BUILDING

The bill (H.R. 1442) to designate the facility of the United States Postal Service located at 90 Cornell Street in Kingston, New York, as the "Staff Sergeant Robert H. Dietz Post Office Building," was ordered to a third reading, was read the third time, and passed.

OFFICER DARYL R. PIERSON MEMORIAL POST OFFICE BUILDING

The bill (H.R. 1884) to designate the facility of the United States Postal Service located at 206 West Commercial Street in East Rochester, New York, as the "Officer Daryl R. Pierson Memorial Post Office Building," was ordered to a third reading, was read the third time, and passed.

JAMES ROBERT KALSU POST OFFICE BUILDING

The bill (H.R. 3059) to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the James Robert Kalsu Post Office Building, was ordered to a third reading, was read the third time, and passed.

NATIONAL CASE MANAGEMENT WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 261.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 261) designating the week of October 11 through October 17, 2015, as "National Case Management Week" to recognize the role of case management in improving health care outcomes for patients.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 261) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 22, 2015, under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, OCTOBER 21, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, October 21; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein; further, that the time during morning business be equally divided, with the majority controlling the first half and the Democrats controlling the final half; finally, that following morning business, the Senate then resume consideration of S. 754.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:19 p.m., adjourned until Wednesday, October 21, 2015, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate October 20, 2015:

THE JUDICIARY

ANN DONNELLY, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

HOUSE OF REPRESENTATIVES—Tuesday, October 20, 2015

The House met at noon and was called to order by the Speaker pro tempore (Mr. MOOLENAAR).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 20, 2015.

I hereby appoint the Honorable JOHN R. MOOLENAAR to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

THE GRAVEYARD OF EMPIRES

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, this weekend, I learned that there would be no cost-of-living adjustment this year for those living on Social Security. Not only will Social Security recipients not see a cost-of-living increase this year but, also, disabled veterans.

There are over 131,000 veterans on disability in North Carolina who will be suffering this year. Our senior citizens and disabled veterans are having a difficult time making ends meet, and it is not fair that the Federal Government continues to waste money with failed policies like Afghanistan. It is disgraceful.

Mr. Speaker, we will be raising the debt ceiling of this Nation for years to come because of wasteful spending. This means we will be borrowing more money to continue spending more than we take in. Our annual Federal deficit is still over \$400 billion a year.

The American people are sick and tired of our wasteful spending, and I know they are frustrated. Once again,

our failed policy in Afghanistan is a prime example of the waste, fraud, and abuse of the American taxpayer dollar, but it continues on and on for years to come.

In the recent House-Senate conference bill, Congress included \$38 billion for the Overseas Contingency Operation, which is a slush fund used to get around sequestration spending caps for the Department of Defense.

We have already spent over \$685 billion in Afghanistan since 2001, and according to the Congressional Budget Office, we will be spending at least \$30 billion a year in Afghanistan for the next 8 years, and Congress has never debated the policy of Afghanistan.

This slush fund goes to fund our never-ending wars in Iraq, Syria, and Afghanistan. We continue to spend money on a fool's errand in the Middle East. Meanwhile, our disabled veterans at home cannot keep up with the rising costs of daily living. President Obama will be keeping 10,000 troops in Afghanistan through all of next year and at least 5,000 there after 2016.

Mr. Speaker, years ago, I reached out to a former commandant of the Marine Corps whom I knew, and I asked him to give me his advice on Afghanistan. Many times he has given me his best advice, but one that has stuck with me for years is this—and I quote the commandant:

"What do we say to the mother and father . . . the wife . . . of the last marine or soldier killed to support a corrupt government and corrupt leader in a war that cannot be won?"

Mr. Speaker, that is Afghanistan. It is a waste.

How ridiculous it is that Congress and the administration think we can change history. The history of Afghanistan has shown that no outside military force has ever changed it, from Alexander the Great, to the British, to the Russians. It is truly the graveyard of empires, and I hope we won't have a headstone there, waiting, that will read, "Welcome, America, to the graveyard of empires."

Mr. Speaker, this poster beside me is a reminder of the cost of war in Afghanistan. There is a little girl holding her mother's hand as they are waiting to follow a caisson down to bury the little girl's father and the wife's husband.

Congress, wake up. We are heading for collapse in this country. Let's not continue to spend and waste money, blood, and limbs in Afghanistan.

Mr. Speaker, I ask God to please bless our men and women in uniform,

to please bless the families of our men and women in uniform, and, God, please bless America and please wake up the Congress before it is too late.

NURSING HOME ACCOUNTABILITY ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. WALKER) for 5 minutes.

Mr. WALKER. Mr. Speaker, we have a problem in making sure that all of our senior adult population is treated with the utmost respect and proper care.

HUD's Section 232 Program was intended to provide Federal loan insurance for loans covering the needs of nursing homes and other elder-care facilities. However, while HUD requires these applicants to submit their latest quality ratings, which is a one-star to five-star rating from the Centers for Medicare and Medicaid Services, or CMS, the quality rating is not a deciding factor.

This has allowed nursing homes that provide routinely poor care to receive repeated taxpayer insurance loans. Among others, this is seen in the rise in the number and volume of one-star facilities that received HUD insurance each year from 2009 to 2012 but, also, in reports over two decades from GAO's and HUD's inspectors general.

Clearly, HUD's steps haven't gone far enough to provide real reform to ensure that taxpayer dollars do not go to nursing homes that consistently provide poor care to our seniors and to our needy. We must ensure that taxpayer support is going to nursing homes that provide quality care for their residents, not to facilities that provide continually deficient care.

By linking CMS' quality ratings to loan eligibility, the Nursing Home Accountability Act ensures that new federally backed loans go to nursing homes with a demonstrated commitment to quality care for their residents.

Bottom line, what my bill states is this:

Under CMS' Five-Star Quality Rating System, if a nursing home receives a rating of two stars or less for 30 consecutive months, the nursing home will then be ineligible for any future section 232 loans.

After a nursing home becomes ineligible for future section 232 loans under this Act, it can become eligible once more for future loans if the facility

maintains a rating of three stars or more for 30 months.

Regarding ratings, all nursing homes receive a blank slate when this law is enacted, and HUD is allowed to continue to service previously issued loans under this law.

I would also like to say thanks to our local FOX affiliate for researching the gross mismanagement of Federal funds and bringing a greater awareness of this important matter.

Overall, I look forward to opening the national conversation of how we can better focus this program on the quality of care provided to our seniors and to the needy.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Almighty God, we give You thanks for giving us another day.

As the Members return, we ask Your blessing on all those who are discerning significant options about leadership here in the people's House. May a spirit of freedom and public responsibility prevail among the other voices competing for ascendancy in the conversations and debates that ensue.

Bless all Members with wisdom in good measure—pressed down, shaken together, and running over—that the legacy of great legislators of our history might be carried on with integrity for the benefit of all.

May all that is done in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. CARTER) come forward and lead the House in the Pledge of Allegiance.

Mr. CARTER of Georgia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SOUTH CAROLINIANS ARE AN INSPIRATION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the past 2 weeks in South Carolina have been inspiring as I learned and saw spontaneous acts of thoughtfulness and compassion for flood victims.

The thousand-year rain event was a disastrous collision of a weather front from the west meeting a moisture-laden trough from the east caused by Hurricane Joaquin bypassing the State, dumping 11 trillion gallons of water, inundating communities with rainfalls up to 26 inches overnight. The volume was equal to filling the Rose Bowl over 130,000 times.

Governor Nikki Haley and National Guard Adjutant General Bob Livingston, backed up by the State Guard, have continued to lead dedicated personnel for safety and recovery. Colonel Kevin Shwedo will be the recovery coordinator.

Individual acts of heroism arise daily, such as the courage of Frank Roddey, Ryan Truluck, Drew Bozard, and Zack Hudson, who were cited by The State for rescuing, by boat, neighbors from their submerged Lake Katherine homes. Every church and school has energized volunteers and relief efforts for families.

The Salvation Army thanked Mary and J.T. Gandolfo with Rich O'Dell for raising over \$141,000 in a WLTX telethon, with Columbia Rotary Club members receiving the calls.

Homeland Security Secretary Jeh Johnson deserves praise for his dedicated FEMA personnel and SBA representatives implementing Federal assistance.

In conclusion, God bless our troops, and the President by his actions should never forget September the 11th in the global war on terrorism.

NATIONAL FOREST PRODUCTS WEEK

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of National Forest Products Week.

The forestry and wood product manufacturing industry support over 44,000 jobs in the State of Georgia.

Over the past several years, many architects around the world have dem-

onstrated the successful application of next-generation lumber and mass-timber technologies. These new technologies are providing a new, sustainable solution for building safe, cost effective, and high-performing buildings, most of the time in densely populated cities around the world.

By making forests sustainable and promoting wood product innovation, we can ensure that the wood product industry will continue to be a significant employer throughout the United States. I encourage continued support of forest lands and support for strong wood product markets so we can keep this industry healthy for future generations.

I thank those in the forest product industry for your continued contributions to our local economy, the State of Georgia, and the entire Nation.

CONGRATULATING STUDENTS AT MARVIN WARD ELEMENTARY SCHOOL

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today, I rise to recognize the students and faculty at Marvin Ward Elementary School in Winston-Salem, North Carolina.

With news of the destructive flooding in South Carolina on their minds, this title I school conducted an informal collection of supplies for those impacted by the devastation. In just 24 hours, the school community had come together for the people of South Carolina and collected clothing, blankets, towels, pillows, baby supplies, toiletries, pet food, and over 60 cases of water.

In addition to reading, writing, and arithmetic, it is clear that the administration and faculty have also been teaching important lessons in compassion and generosity, which I am sure went along very well with the lessons being learned by these students from their families.

Ward Elementary met the call for assistance with extraordinary result. Its students should be commended for their giving spirit and commitment to helping others.

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

HOUSE OF REPRESENTATIVES, OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER,

Washington, DC, October 16, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules

of the House of Representatives, that I have been served with two grand jury subpoenas for documents issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I have determined that compliance with one of the subpoenas is consistent with the privileges and rights of the House. After further consultation with counsel, I will make the determinations required by Rule VIII with respect to the second subpoena.

Sincerely,

ED CASSIDY.

COMMUNICATION FROM DIRECTOR OF APPROPRIATIONS, THE HONORABLE CHAKA FATTAH, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Michelle Anderson-Lee, Director of Appropriations, the Honorable CHAKA FATTAH, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
October 16, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the Eastern District of Pennsylvania, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

MICHELLE ANDERSON-LEE,
Director of Appropriations,
Office of Congressman Chaka Fattah.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

JUDICIAL REDRESS ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1428) to extend Privacy Act remedies to citizens of certified states, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1428

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Judicial Redress Act of 2015”.

SEC. 2. EXTENSION OF PRIVACY ACT REMEDIES TO CITIZENS OF DESIGNATED COUNTRIES.

(a) CIVIL ACTION; CIVIL REMEDIES.—With respect to covered records, a covered person may bring a civil action against an agency and obtain civil remedies, in the same manner, to the same extent, and subject to the same limitations, including exemptions and exceptions, as an individual may bring and obtain with respect to records under—

(1) section 552a(g)(1)(D) of title 5, United States Code, but only with respect to disclosures intentionally or willfully made in violation of section 552a(b) of such title; and

(2) subparagraphs (A) and (B) of section 552a(g)(1) of title 5, United States Code, but such an action may only be brought against a designated Federal agency or component.

(b) EXCLUSIVE REMEDIES.—The remedies set forth in subsection (a) are the exclusive remedies available to a covered person under this section.

(c) APPLICATION OF THE PRIVACY ACT WITH RESPECT TO A COVERED PERSON.—For purposes of a civil action described in subsection (a), a covered person shall have the same rights, and be subject to the same limitations, including exemptions and exceptions, as an individual has and is subject to under section 552a of title 5, United States Code, when pursuing the civil remedies described in paragraphs (1) and (2) of subsection (a).

(d) DESIGNATION OF COVERED COUNTRY.—

(1) IN GENERAL.—The Attorney General may, with the concurrence of the Secretary of State, the Secretary of the Treasury, and the Secretary of Homeland Security, designate a foreign country or regional economic integration organization, or member country of such organization, as a “covered country” for purposes of this section if—

(A) the country or regional economic integration organization, or member country of such organization, has entered into an agreement with the United States that provides for appropriate privacy protections for information shared for the purpose of preventing, investigating, detecting, or prosecuting criminal offenses; or

(B) the Attorney General has determined that the country or regional economic integration organization, or member country of such organization, has effectively shared information with the United States for the purpose of preventing, investigating, detecting, or prosecuting criminal offenses and has appropriate privacy protections for such shared information.

(2) REMOVAL OF DESIGNATION.—The Attorney General may, with the concurrence of the Secretary of State, the Secretary of the Treasury, and the Secretary of Homeland Security, revoke the designation of a foreign country or regional economic integration organization, or member country of such organization, as a “covered country” if the Attorney General determines that such designated Federal agency or component—

(A) is not complying with the agreement described under paragraph (1)(A);

(B) no longer meets the requirements for designation under paragraph (1)(B); or

(C) impedes the transfer of information (for purposes of reporting or preventing unlawful activity) to the United States by a private entity or person.

(e) DESIGNATION OF DESIGNATED FEDERAL AGENCY OR COMPONENT.—

(1) IN GENERAL.—The Attorney General shall determine whether an agency or component thereof is a “designated Federal agency or component” for purposes of this section. The Attorney General shall not designate any agency or component thereof other than the Department of Justice or a component of the Department of Justice without the concurrence of the head of the relevant agency, or of the agency to which the component belongs.

(2) REQUIREMENTS FOR DESIGNATION.—The Attorney General may determine that an agency or component of an agency is a “designated Federal agency or component” for purposes of this section, if—

(A) the Attorney General determines that information exchanged by such agency with a covered country is within the scope of an agreement referred to in subsection (d)(1)(A); or

(B) with respect to a country or regional economic integration organization, or member country of such organization, that has been designated as a “covered country” under subsection (d)(1)(B), the Attorney General determines that designating such agency or component thereof is in the law enforcement interests of the United States.

(f) FEDERAL REGISTER REQUIREMENT; NON-REVIEWABLE DETERMINATION.—The Attorney General shall publish each determination made under subsections (d) and (e). Such determination shall not be subject to judicial or administrative review.

(g) JURISDICTION.—The United States District Court for the District of Columbia shall have exclusive jurisdiction over any claim arising under this section.

(h) DEFINITIONS.—In this Act:

(1) AGENCY.—The term “agency” has the meaning given that term in section 552(f) of title 5, United States Code.

(2) COVERED COUNTRY.—The term “covered country” means a country or regional economic integration organization, or member country of such organization, designated in accordance with subsection (d).

(3) COVERED PERSON.—The term “covered person” means a natural person (other than an individual) who is a citizen of a covered country.

(4) COVERED RECORD.—The term “covered record” has the same meaning for a covered person as a record has for an individual under section 552a of title 5, United States Code, once the covered record is transferred—

(A) by a public authority of, or private entity within, a country or regional economic integration organization, or member country of such organization, which at the time the record is transferred is a covered country; and

(B) to a designated Federal agency or component for purposes of preventing, investigating, detecting, or prosecuting criminal offenses.

(5) DESIGNATED FEDERAL AGENCY OR COMPONENT.—The term “designated Federal agency or component” means a Federal agency or component of an agency designated in accordance with subsection (e).

(6) INDIVIDUAL.—The term “individual” has the meaning given that term in section 552a(a)(2) of title 5, United States Code.

(i) PRESERVATION OF PRIVILEGES.—Nothing in this section shall be construed to waive any applicable privilege or require the disclosure of classified information. Upon an agency’s request, the district court shall review in camera and ex parte any submission by the agency in connection with this subsection.

(j) EFFECTIVE DATE.—This Act shall take effect 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Tennessee (Mr. COHEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1428 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

I would like to begin by thanking Mr. SENSENBRENNER and Ranking Member CONYERS for introducing this important bipartisan legislation to extend privacy protections and help ensure that the flow of law enforcement information between the European Union and the United States continues unimpeded.

In recent years, several broad and highly publicized leaks of classified U.S. intelligence information have eroded the global public’s trust in the United States Government and our technology sector. As a result, both the Federal Government and U.S. businesses that operate overseas are facing growing challenges from proposals to limit the international flow of data.

Our allies in Europe, in particular, are concerned that the European public will no longer support law enforcement cooperation with U.S. authorities if we do not enact legislation to restore their public’s trust in U.S. privacy protections.

Moreover, American businesses across all sectors face negative commercial consequences abroad as a result of the climate that has been created by the unauthorized disclosure of classified data.

H.R. 1428, the Judicial Redress Act, can go a long way toward restoring our allies’ faith in U.S. data privacy protections and helping facilitate agreements such as the Data Privacy and Protection Agreement that enhance international cooperation.

According to the Department of Justice, the Judicial Redress Act is crit-

ical to reestablishing a trusting relationship between the European Union and the United States, to ensuring continued strong law enforcement cooperation between the United States and Europe, and to preserving the ability of American companies to do business internationally.

The Judicial Redress Act accomplishes this by granting citizens of designated foreign countries a limited number of civil remedies against the Federal Government, similar to those already provided U.S. citizens and lawful permanent residents under the Privacy Act.

This legislation is narrowly tailored in that it only applies with respect to information obtained through international law enforcement channels. Any lawsuit brought pursuant to this bill is subject to the same terms and restrictions that apply to U.S. citizens and lawful permanent residents under the Privacy Act.

If this legislation is enacted, citizens of designated foreign governments will be able to sue the United States in Federal District Court with respect to intentional and willful public disclosures of law enforcement information by the Federal Government that injure those citizens.

Additionally, for information that is not subject to an exemption under the Privacy Act, covered foreign citizens will be able to seek redress for failures by the Federal Government to grant access to records or to amend incorrect records. American citizens are already afforded these types of judicial redress rights in many foreign countries.

Although these may be limited civil remedies against the United States Government, they will provide European citizens with the core benefits of the Privacy Act and, in doing so, will greatly help to restore the public trust necessary for the continued success of our law enforcement cooperation with Europe.

The bill will also facilitate adoption of the Data Privacy and Protection Agreement and promote a healthy environment for U.S. companies that do business overseas.

I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, October 6, 2015.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 1428, the Judicial Redress Act of 2015. As you know, the Committee on the Judiciary received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on March 18, 2015. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Com-

mittee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1428 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on the Judiciary, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 6, 2015.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: Thank you for your letter regarding H.R. 1428, the “Judicial Redress Act of 2015.” As you noted, the Committee on Oversight and Government Reform was granted an additional referral on the bill.

I am most appreciative of your decision to forego formal action on H.R. 1428 so that it may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of the bill, the Committee on the Oversight and Government Reform is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction. I would support your effort to seek appointment of an appropriate number of conferees on any House-Senate conference involving this legislation.

I will include a copy of our letters in the Committee’s report on H.R. 1428 and in the Congressional Record during floor consideration of H.R. 1428.

Sincerely,

BOB GOODLATTE,
Chairman.

Mr. COHEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation before us today is good for national security, good for privacy, and good for business. It is unquestionably the right thing to do for our Nation’s closest allies.

Under current law, United States citizens are entitled to access and request a correction to personal records held by a Federal agency. If the agency denies access or fails to make a requested change or otherwise violates their privacy rights, then we may seek redress in Federal court.

Under current law, these rights are conveyed only to United States citizens and not to the citizens of our closest allies, even though many European countries offer our citizens similar rights overseas, probably somewhat like the Europeans give our folks monies when they record a song and play it over there, but we don’t. We should have that same reciprocity and fairness.

H.R. 1428, the Judicial Redress Act, will extend these core privacy protections to the citizens of certain foreign countries, those designated by the Attorney General as trusted allies. This small change to our laws will afford immediate benefits both at home and abroad.

This act will facilitate information-sharing partnerships with law enforcement agencies across the globe. We know from experience that open lines of communication with our allies yield intelligence and save lives.

The act will enable the U.S. and the European Union to complete an umbrella agreement to govern information sharing across the Atlantic for law enforcement and counterterrorism purposes. This agreement, which would include significant protections for individual privacy, would not go into effect until we have made these changes.

Earlier this year a coalition of companies, trade associations, and civil rights organizations wrote to the leadership of both parties to outline the economic cost of “a significant erosion of global public trust in both the U.S. Government and the U.S. technology sector.” Their fears appear to have been well founded.

Earlier this month, citing concerns about insufficient privacy safeguards in the United States, the European Court of Justice effectively suspended the safe harbor agreement that allows companies to move digital information across the Atlantic.

Although there is far more work to be done to restore the agreement, I hope that our allies will take this legislation as a sign of good faith and recognize that a basic right to privacy extends beyond our borders and we will work to restore the public trust necessary for the continued success of U.S. industry overseas.

The Judicial Redress Act is supported by the White House, the Department of Justice, and other Federal law enforcement agencies. It has been endorsed by the Chamber of Commerce, Information Technology Industry Council, Facebook, Google, Microsoft, and IBM, among others.

At base, this bill is a measure of basic fairness. Our friends abroad should have some course of redress with respect to information that they provided to the U.S. Government in the first place.

We all benefit when the information we share is accurate. Our partners in trade and security should have the ability to seek recourse when it is not.

I thank Representative SENSENBRENNER for his leadership on this issue, for his leadership on many issues, including sentencing reform, for his extreme knowledge of the world, and for sharing it with me on occasion. I thank Mr. GOODLATTE for those same talents and achievements.

I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations of the Committee on the Judiciary, and the chief sponsor of this legislation.

Mr. SENSENBRENNER. Mr. Speaker, strong international relationships abroad are critical to the safety and advancement of the United States. That is why I was pleased to introduce the Judicial Redress Act of 2015 with Ranking Member JOHN CONYERS and to speak in favor of it today.

For many years, the United States and the European Union have worked together to secure data protection for their citizens under agreements known as safe harbor. Earlier this month, however, the European Court of Justice issued a landmark ruling invalidating the agreement because of privacy concerns.

The European court’s ruling illustrates how fragile trust between nations can be. It is easily lost and hard to rebuild. Moreover, this lack of trust has had huge economic and security consequences for the United States. Our businesses have struggled against public backlash and protectionist policies, and our government has faced increasingly difficult negotiations to share law enforcement and intelligence data.

The Judicial Redress Act of 2015 is central to our efforts to rebuild strained relationships with our allies and to ensure privacy and security for both American and European Union citizens. The sudden termination of the safe harbor framework strikes a blow to U.S. businesses by complicating commercial data flows. If we fail to pass the Judicial Redress Act, we risk similar disruption to the sharing of law enforcement information.

In many ways, the Judicial Redress Act is a privacy bill. It is backed and supported by many of our country’s top privacy advocates. But make no mistake. The bill is crucial to U.S. law enforcement. At the heart of the Judicial Redress Act is the pressing need for the continued sharing of law enforcement data across the Atlantic.

In our complex digital world, privacy and security are not competing values. They are weaved together inseparably, and today’s policymakers must craft legal frameworks that support both.

This bill provides our allies with limited remedies relative to the data they share with the United States, similar to those American citizens enjoy under the Privacy Act. It is a way to support our foreign allies and to ensure the continued sharing of law enforcement data.

Specifically, the bill will give citizens of covered countries the ability to

correct flawed information in their record and access U.S. courts if the U.S. Government unlawfully discloses their personal information.

As United States citizens, we already enjoy similar protections in Europe. Granting these rights to our closest allies and their citizens will be a positive step forward in restoring our international reputation and rebuilding trust.

In fact, our European colleagues have noted that the passage of the Judicial Redress Act is critical to negotiating a new agreement, central to their willingness to continue sharing law enforcement data with the United States and necessary to improving relations between nations.

If we fail to pass this bill, we will undermine several important international agreements, further harm our businesses operating in Europe, and severely limit sharing of law enforcement information.

The Judicial Redress Act currently enjoys broad support and has been endorsed by the Department of Justice as well as the Chamber of Commerce and numerous U.S. businesses.

I would like to thank my colleagues, Representatives JOHN CONYERS, RANDY FORBES, and GLENN THOMPSON, for cosponsoring this legislation, as well as Senators ORRIN HATCH and CHRISTOPHER MURPHY for their work on companion legislation in the Senate.

The Judicial Redress Act amounts to a small courtesy that will pay huge diplomatic and economic dividends. I urge my colleagues to pass this important bill and my colleagues in the Senate to take it up without delay.

Let’s put the President’s infamous pen to good use by signing this legislation.

Mr. COHEN. Mr. Speaker, I will perfunctorily reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. COLLINS), a member of the Committee on the Judiciary.

Mr. COLLINS of Georgia. Mr. Speaker, it is important, I think, to come over here and discuss H.R. 1428, the Judicial Redress Act. Echoing a lot that has been said already, this is a great starting point for, really, a broader conversation about privacy rights and a conversation that is sorely needed.

I supported this bill when it passed the Committee on the Judiciary unanimously, and I am proud to support it today. The bill extends the same rights afforded to Americans under the 1974 Privacy Act to citizens of certain allied nations. Importantly, only citizens of countries who extend similar rights to Americans for redress for privacy violations are eligible.

As everyone here is aware, revelations about U.S. surveillance operations created serious trust issues, and both the government and tech sectors

experienced a decline in that global trust. Advances in technology and innovation have made it possible and necessary for law enforcement to exchange information, but it should not be done at the expense of privacy rights.

In order to restore global trust and ensure continued competitiveness for our thriving tech industry, we must work to restore consumers' faith that their data is secure in U.S. tech companies and their privacy rights are protected.

□ 1615

The United States tech industry employed an estimated 6.5 million people in 2014 and made up a large 7.1 percent of the U.S. GDP, which is going to do nothing but grow.

The free flow of transnational data is critical for the continued success of this industry that contributes in such a major way to our economy. We have to show our allies that they can be confident sharing data across the oceans and the various barriers.

The Judicial Redress Act is a step toward regaining trust and rebuilding cooperation with our allies, ensuring that U.S. businesses can continue to grow and thrive internationally. H.R. 1428 is particularly important because the U.S. and the EU have negotiated the Data Protection and Privacy Agreement for the last 2 years.

During the negotiations over the agreement, the EU Parliament and EU Commission made clear that the Safe Harbor Agreement would not be finalized absent U.S. enactment of a law to enable EU citizens to sue the U.S. Government for major privacy violations. With the European Court of Justice Ruling on the Safe Harbor Agreement, it is more important than ever that we create solutions that work for today's ever-changing tech industry, from the small companies to the household names. It is also critical that we work with our allies to create a clear standard for governing the privacy of personal information to ensure strong and cooperative exchanges between law enforcement.

Laws and agreements written before many of today's innovations even existed are due for an update, and this bill is an important first step that I am proud to support. I am thankful that the chairman has brought it forward for this body to put its stamp on and send to the Senate so that it will be taken up and then sent to the President so that we will continue to move forward in the protection of privacy rights for all Americans and our companies.

Mr. COHEN. Mr. Speaker, I appreciate being part of this bill, and thank you for your efforts.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I again reiterate, this bill is a good bill.

It is a very important bill that will help promote law enforcement cooperation around the globe and will help U.S. companies that do business overseas to be able to better obtain the respect and trust of foreign governments and foreign citizens, so I urge my colleagues to support this legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of the bipartisan H.R. 1428, the "Judicial Redress Act of 2015."

H.R. 1428 is important bill that will help conclude longstanding negotiations to improve the framework for data transfers between law enforcement agencies in United States and Europe.

European nations have long provided privacy protections to U.S. citizens and this legislation would reciprocate that practice.

If enacted, the Judicial Redress Act would extend the legal rights granted to American citizens under the 1974 Privacy Act to citizens of select foreign nations.

Specifically, those individuals would be given the ability to seek access to records private entities turn over to U.S. government officials as part of criminal investigations and they would be able to correct those records if they contain false information, as well as get redress from the government if those records were turned over illegally.

Under the current law, U.S. citizens and lawful permanent residents are able to sue the United States for intentional and willful public disclosures of law enforcement information that injures those citizens.

The same rights should be afforded to our closest allies and those we entrust with our privacy protection and hold accountable for reciprocal offenses.

Let me express my appreciation to Chairman of the House Judiciary Subcommittee on Crime, Terrorism, Homeland Security and Investigations, Mr. SENSENBRENNER and Ranking Member CONYERS for their leadership and commitment to privacy protection and accountability to our foreign allies.

As a nation that aims to uphold the principles of justice and fairness, it is time that we ensure that all those engaged with our nation are afforded these core protections.

The Judicial Redress Act upholds these principles by providing critical remedies to citizens of designated U.S. allies who have been unfairly targeted by American surveillance and law enforcement activities.

By extending legal rights afforded under the 1974 Privacy Act to citizens of select foreign nations, we all benefit.

Citizens of the United States benefit from privacy protections in other countries, and the Judicial Redress Act provides reciprocal trust and assurances that our closest allies will be treated fairly and justly.

Strengthening international relationships and building trust backed by our government is essential to our national security and economic growth.

Passing the Judicial Redress Act simply is the right thing to do.

H.R. 1428 will ensure greater cooperation among international law enforcement agencies, and encourage these nations to share critical law enforcement information with one another.

H.R. 1428 will also mend critical relationships between American businesses and international consumers by restoring trust that transnational data will be kept secure and protected.

International consumers will feel more comfortable sharing their information allowing for the free-flow of data and commerce.

This legislation is endorsed by the Department of Justice and federal law enforcement agencies and broadly supported by tech companies and businesses, including the U.S. Chamber of Commerce, Trans-Atlantic Business Council, the Internet Infrastructure Coalition, and other groups.

The Judicial Redress Act is a step in the right direction to ensure continued advancement in the technology industry, international corporate competitiveness, and demonstrated leadership in privacy protection and upholding foundational legal rights.

For all of these reasons, I support H.R. 1428 and urge my colleagues to join me.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 1428.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SECURING THE CITIES ACT OF 2015

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3493) to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3493

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Securing the Cities Act of 2015".

SEC. 2. SECURING THE CITIES PROGRAM.

(a) IN GENERAL.—Title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.) is amended by adding at the end the following new section:

"SEC. 1908. SECURING THE CITIES PROGRAM.

"(a) ESTABLISHMENT.—The Director for Domestic Nuclear Detection shall establish the 'Securing the Cities' ('STC') program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas. Through such program the Director shall—

“(1) assist State, local, tribal, and territorial governments in designing and implementing, or enhancing existing, architectures for coordinated and integrated detection and interdiction of nuclear or other radiological materials that are out of regulatory control;

“(2) support the development of a region-wide operating capability to detect and report on nuclear and other radioactive materials out of operational control;

“(3) provide resources to enhance detection, analysis, communication, and coordination to better integrate State, local, tribal, and territorial assets into Federal operations;

“(4) facilitate alarm adjudication and provide subject matter expertise and technical assistance on concepts of operations, training, exercises, and alarm response protocols;

“(5) communicate with, and promote sharing of information about the presence or detection of nuclear or other radiological materials among appropriate Federal, State, local, tribal, and territorial governments, in a manner that ensures transparency with the jurisdictions served by such program; and

“(6) provide any other assistance the Director determines appropriate.

“(b) DESIGNATION OF JURISDICTIONS.—In carrying out the program under subsection (a), the Director shall designate jurisdictions from among high-risk urban areas under section 2003, and other cities and regions, as appropriate.

“(c) CONGRESSIONAL NOTIFICATION.—The Director shall notify the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate not later than three days before the designation of new jurisdictions under subsection (b) or other changes to participating jurisdictions.

“(d) GAO REPORT.—Not later than one year after the date of the enactment of this section, the Comptroller General of the United States shall submit to the congressional committees specified in subsection (c) an assessment, including an evaluation of the effectiveness, of the STC program under this section.

“(e) PROHIBITION ON ADDITIONAL FUNDING.—No funds are authorized to be appropriated to carry out this section. This section shall be carried out using amounts otherwise appropriated or made available for such purpose.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 1907 the following new item:

“Sec. 1908. Securing the Cities program.”.

SEC. 3. MODEL EXERCISES.

Not later than 120 days after the date of the enactment of this Act, the Director for Domestic Nuclear Detection of the Department of Homeland Security shall report to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate on the feasibility of the Director developing model exercises to test the preparedness of jurisdictions participating in the Securing the Cities program under section 1908 of the Homeland Security Act of 2002 (as added by section 2 of this Act) in meeting the challenges that may be posed by a range of nuclear and radiological threats.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New York (Mr. DONOVAN) and the gentleman from New York (Mr. HIGGINS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. DONOVAN).

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 3493, the Securing the Cities Act of 2015.

In April 2010, the President stated: “The single biggest threat to U.S. security, both short-term, mid-term and long-term, would be the possibility of a terrorist organization obtaining a nuclear weapon.”

Since that time, the threat to our cities from nuclear terrorism has not abated. The rise of ISIS and the resurgence of al Qaeda have only increased the likelihood that radiological material will fall into the hands of those who wish to harm America.

Just last week, the Associated Press reported that the FBI foiled an attempt by smugglers in Eastern Europe to sell nuclear material to Middle Eastern extremist groups. That report stated that, in the past 5 years, the FBI has disrupted four other attempts by smugglers from the former Soviet Union to sell nuclear materials to criminal organizations.

These events only reinforce the testimony delivered before the House Committee on Homeland Security last month by Commissioner William Bratton of the New York City Police Department. In that testimony, the commissioner described the current terrorist threat to Manhattan as the highest it has ever been, and he specifically referenced the danger of illicit nuclear material entering the city.

Thankfully, since the attacks of September 11, 2001, this Congress, successive administrations, and local law enforcement have partnered to build the capability to guard against this risk.

In particular, the Department of Homeland Security initiated the Securing the Cities program within the Domestic Nuclear Detection Office. The Securing the Cities program provided training, equipment, and other resources to State and local law enforcement in high-risk urban areas to prevent a terrorist group from carrying out an attack using a radiological or nuclear device.

The Securing the Cities program began in 2006 as a pilot program in the New York City region, which included Jersey City and Newark. Since 2007, the New York City region has pur-

chased nearly 14,000 radiation detectors and has trained nearly 20,000 personnel.

The pilot program has been so successful, it was expanded to the Los Angeles-Long Beach region in fiscal year 2012, the national capital region in fiscal year 2014, and just last week the cities of Houston and Chicago were announced as the fiscal year 2015 and 2016 recipients.

H.R. 3493 would authorize the Securing the Cities program, which has proven its utility as a pilot program. With continued authorization, we can assure that the extraordinary capability built by local law enforcement in conjunction with DHS does not become a hollow capability, unable to be effectively used at the critical moment.

I would like to thank my colleagues who have helped bring this authorization to the floor, especially Chairman MCCAUL of the Homeland Security Committee, and my good friend PETE KING, and also my friend from Texas Representative JACKSON LEE.

I urge all Members to join me in supporting this bill.

I reserve the balance of my time.

Mr. HIGGINS. Mr. Speaker, I yield myself such time as I may consume, and rise in support of H.R. 3493, Securing the Cities Act of 2015.

Mr. Speaker, the Securing the Cities program is a grant and technical assistance program administered by the Department of Homeland Security's Domestic Nuclear Detection Office. Since its inception nearly a decade ago, the Securing the Cities program has provided thousands of first responders with the tools they need to detect radiological and nuclear threats.

Started as a pilot project in 2006 in the New York City, Newark, and New Jersey metropolitan areas, the program has grown to include Los Angeles and Long Beach in 2012, and the Washington, D.C., Federal district in 2014. This year, the program has identified Houston and Chicago as high-priority areas for expanding the program.

Under the program, the initial grant award is generally used for planning and analysis at a regional level, with subsequent grants going towards equipment, training, and exercises. Importantly, through the Securing the Cities program, the Domestic Nuclear Detection Office is able to channel subject-matter expertise, training coordination, and technical support to all the identified high-risk metropolitan areas.

H.R. 3493, like the bill I introduced that will be next to be considered, is targeted at bolstering the security of our communities from the threat of a nuclear attack. As such, Mr. Speaker, I urge support of H.R. 3493.

We have an opportunity today to take action to bolster our defense against rogue actors and terrorists who would seek to detonate a nuclear device on U.S. soil. The disclosure in recent weeks of a thwarted plot by

Moldovan operatives to provide smuggled nuclear materials to terrorist organizations with ambition to attack the United States has crystallized the need for action. Today, we can take such action. By approving H.R. 3493 and authorizing the Securing the Cities program, we will be enhancing the Nation's ability to detect and prevent a radiological and nuclear attack in cities facing the highest risk.

Mr. Speaker, I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support H.R. 3493, the Securing the Cities Act of 2015.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, and Ranking Member of the Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I rise in strong support of H.R. 3493, the "Securing the Cities Act of 2015," which will require the Director for Domestic Nuclear Detection to create a Securing the Cities program.

The codification of the Securing the Cities Program under H.R. 3493, will:

1. Assist state, local, tribal, and territorial governments in creating and implementing, or perfecting existing structures for coordinated and integrated detection and interdiction of nuclear or other radiological materials that are out of regulatory control;

2. Support the creation of a region-wide operating capability to identify and report on nuclear and other radioactive materials out of operational control;

3. Provide resources to improve detection, analysis, communication, and organization to better integrate state, local, tribal, and territorial property into federal operations;

4. Facilitate the establishment of protocol and processes to effectively respond to threats posed by nuclear or radiological materials being acquired or used by terrorists; and

5. Designate participating jurisdictions from among high-risk urban areas and other cities and regions, as appropriate, and notify Congress at least three days before designating or changing such jurisdictions.

H.R. 3493 would also require the Comptroller General to investigate and assess the effectiveness of the "Securing the Cities Program."

The potential for a terrorist attack using nuclear or radiological material is low, but should it occur the consequences would be catastrophic, and for this reason we cannot be lax in our efforts to deter, detect and defeat attempts by terrorists to perpetrate such a heinous act of terrorism.

I represent the 18th Congressional District of Texas, which is located in the Houston area, which is the 4th largest city in the United States and home to over 2 million residents.

Earlier this year the Department of Homeland Security (DHS) announced that the city of Houston would receive \$30 million dollars over 5 years under the Securing the Cities Program.

The funding, came from DHS's Domestic Nuclear Office and, will be used to work with

partners in the Houston area to build a robust, regional nuclear detection capability for law enforcement and first responder organizations.

This is an important federal effort to increase the ability of major urban cities to detect and protect against radiological and nuclear threats.

The Securing Cities Program began in 2006 as a pilot project for the New York City region.

The cities and regions that are participating include Washington DC/National Capital Region, New York City, Los Angeles/Long Beach area, and now Houston Texas.

The DHS Domestic Nuclear Detection Office provides equipment and assistance to regional partners in conducting training and exercises to further their nuclear detection capabilities and coordinate with federal operations.

Unfortunately, the age of terrorism makes this a more dangerous and uncertain time than the decades following World War II when nation/state nuclear arsenals were being created.

I am pleased that Houston is at the forefront of nuclear safety in our country, and it is time to make the Securing the Cities Program vital for all of our major cities to catch up.

Nuclear threats are more perilous than what our nation faced during the Cold War because these threats come from non-state actors who often do not have the same level of concern for the wellbeing of their people who may face the consequences of a nuclear attack against the United States.

I urge my colleagues to vote in favor of this important resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 3493, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DONOVAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

KNOW THE CBRN TERRORISM THREATS TO TRANSPORTATION ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3350) to require a terrorism threat assessment regarding the transportation of chemical, biological, nuclear, and radiological materials through United States land borders and within the United States, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3350

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Know the CBRN Terrorism Threats to Transportation Act".

SEC. 2. TERRORISM THREAT ASSESSMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary of Intelligence and Analysis, shall conduct a terrorism threat assessment of the transportation of chemical, biological, nuclear, and radiological materials through United States land borders and within the United States.

(b) CONSULTATION.—In preparing the terrorism threat assessment required under subsection (a), the Under Secretary for Intelligence and Analysis shall consult with the Administrator of the Transportation Security Administration, the Commissioner of U.S. Customs and Border Protection, and the heads of other Federal departments and agencies, as appropriate, to ensure that such terrorism threat assessment is informed by current information about homeland security threats.

(c) DISTRIBUTION.—Upon completion of the terrorism threat assessment required under subsection (a), the Under Secretary for Intelligence and Analysis shall disseminate such terrorism threat assessment to Federal partners, including the Department of Transportation and the Department of Energy, and State and local partners, including the National Network of Fusion Centers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from New York (Mr. HIGGINS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. DONOVAN).

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3350, the Know the CBRN Terrorism Threats to Transportation Act, introduced by the gentleman from New York (Mr. HIGGINS).

This bill requires the Department of Homeland Security, through the Office of Intelligence and Analysis, to conduct a terrorism threat assessment of the transportation of chemical, biological, nuclear, and radiological materials across our land borders and within the United States.

As a fellow New Yorker, I share Congressman HIGGINS' security concerns related to the transportation of spent nuclear fuel across the Canadian-New York border. It is an appropriate response to have the Department of Homeland Security conduct a risk assessment related to this initiative.

DHS is responsible for assessing potential terror threats against the homeland. Threats related to CBRN materials are one of the most serious.

Terrorist groups have long had an interest in using CBRN materials. In addition to concerns that terror groups

may try to create or purchase CBRN materials, there are concerns that terrorists could exploit such materials with legitimate commercial uses, including when such materials are transported from one location to another. It is this concern that the bill seeks to address.

The bill also directs that the results of the assessment be shared with relevant Federal, State, and local agencies, including the Department of Energy and the National Network of Fusion Centers. Coordination and information-sharing within the Department, as well as between the Department and other agencies, is critical for securing the homeland efficiently.

This is a commonsense bill, and I encourage my colleagues to support this bill.

I reserve the balance of my time.

□ 1630

Mr. HIGGINS. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3350, the Know the CBRN Terrorism Threats to Transportation Act.

Mr. Speaker, I thank the chairman of the subcommittee, Mr. KING of New York; Chairman MCCAUL; and my ranking member, Mr. THOMPSON of Mississippi, for their support of my bill.

H.R. 3350, the Know the CBRN Terrorism Threats to Transportation Act, would direct the Department of Homeland Security's Office of Intelligence and Analysis to conduct a terrorism threat assessment of the risks associated with transportation of chemical, biological, nuclear, and radiological materials.

Terrorists and militant groups have expressed an interest in using weapons of mass destruction, especially those utilizing chemical, biological, radiological, and nuclear, known as CBRN, agents or materials.

In fact, according to a recent Associated Press investigation, the FBI uncovered a plot by rogue Moldavian operatives to sell nuclear material to foreign terrorist organizations that have an interest in targeting the United States.

Next year the Department of Energy plans to allow the transporting by truck of highly enriched uranium from Canada to South Carolina. As a cost-saving measure, the planned shipment would be in liquid form.

These trucks are scheduled to enter the United States via the Peace Bridge in Buffalo, New York. An attack or an accident involving one of these trucks crossing the Peace Bridge could have devastating consequences.

The Peace Bridge is the busiest passenger crossing on the northern border and the second busiest cargo port of entry. Closing the bridge for an extended period of time would cause great economic harm to the region and national economies. Further, an attack

could contaminate the Great Lakes, which contain 84 percent of North America's surface freshwater, with highly radioactive material.

Despite these risks, the Department of Energy approved this route, relying on an analysis of this route that is 20 years old, and did not anticipate carrying such high-level waste. In other words, the Federal Government is about to begin importing highly radioactive material, which has never been shipped in this manner, using outdated, pre-9/11 information that does not reflect the threats we face today.

To ensure that all relevant Federal agencies, including the Department of Energy, have the information they need to make decisions and develop policies that are informed by the terrorism threat picture, my bill would direct the Department of Homeland Security to share its assessment with Federal partners.

Mr. Speaker, I urge Members to support H.R. 3350, a measure that will not only help ensure the Department of Energy has the information it needs with respect to transporting dangerous material through high-risk areas throughout the United States, but that other Federal agencies who are faced with similar questions are able to make better informed decisions.

Many of the routes used for the transport of CBRN materials were approved nearly 20 years ago and, as such, reflect a pre-9/11 mindset with respect to the threat and consequences of terrorism.

My bill will ensure that the Department of Homeland Security assesses and shares threat information with the Department of Energy and other Federal agencies to ensure that they have the information needed to reach complicated decisions about transporting dangerous nuclear material throughout our communities.

Enactment of my legislation will send a message to citizens at risk in Buffalo and beyond that we care about keeping them secure and ensuring that Federal policy is informed by the best information we have on terrorism threats.

With that, I ask for my colleagues' support.

I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is common sense to require DHS to conduct terrorism threat assessments for the legitimate storage, sale, or transportation of CBRN materials.

This bill complements the bill the House just considered, H.R. 3493, the Securing the Cities Act of 2015. We need to take all appropriate measures to safeguard our citizens from nuclear weapons and weapons of mass destruction.

The Securing the Cities program creates a warning and detection system

around New York City and other high-risk locations. H.R. 3350 supplements this concept by requiring a proactive approach in reviewing security concerns related to the transportation of CBRN materials.

In closing, I wanted to express appreciation to Congressman HIGGINS, the ranking member of the Counterterrorism and Intelligence Subcommittee, and to the subcommittee chairman, PETER KING, for moving H.R. 3350.

I urge support for the underlying measure.

I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I rise today in support of H.R. 3350, the Know the CBRN Terrorism Threats to Transportation Act. The Department of Homeland Security and the Under Secretary of Intelligence and Analysis play a critical role in the safety of American families. Their work assessing the transportation of chemical, biological, nuclear, and radiological (CBRN) materials is essential for maintaining a high level of security for the country. This is why the Know the CBRN Terrorism Threats to Transportation Act must be passed.

The fact that my home state shares an international border gives me insight and understanding of the issues that border communities face. Extremist groups have an array of potential agents and delivery methods to choose from for chemical, biological, radiological, or nuclear attacks. Castor beans, cyanide, sarin and other chemical agents are examples of the spectrum of terrorist CBRN threats. These materials need to be assessed in order to ensure the safety of not only our border communities, but our nation.

The Know the CBRN Terrorism Threats to Transportation Act requires a three step process for improving the safety of our borders. First, to prepare for the execution of a terrorism threat assessment regarding CBRN materials, the Under Secretary for Intelligence and Analysis will consult with the Administrator of the Transportation Security Administration and the heads of other federal departments and agencies. This is critical in ensuring that the assessment is conducted with the highest level of expertise. Next, the terrorism threat assessment of the transportation of CBRN materials can be conducted. Finally, the assessment must be distributed to federal, state, and local partners so that everyone protecting our borders is informed and updated. At a time when this information should be readily available, we are still waiting to find the best process to address this critical issue.

I would like to close by saying that I am proud of our chamber for taking this important step to ensure that the data on the transportation of hazardous materials is readily available and accessible. I also want to thank my colleagues for understanding the importance of information regarding CBRN threats and the role of this information in strengthening our security.

Ms. JACKSON LEE. Mr. Speaker, I rise today in strong support of H.R. 3350, the "Know the CBRN Terrorism Threats to Transportation Act," which requires the Department of Homeland Security's Office of Intelligence and Analysis to conduct a terrorism threat assessment regarding the ground transportation

of chemical, biological, nuclear, and radiological (CBRN) materials.

As a senior member of the Homeland Security Committee and the Ranking Member of the Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I appreciate the significance of this bill.

On September 11, 2001, 2,977 people were killed after terrorists hijacked four commercial aircraft and used three of them as guided missiles to destroy much of the complex that made up the New York City Twin Towers as well as a wing of the Pentagon.

The fourth plane was crashed into a field in Shanksville, Pennsylvania as passengers heroically attempted to retake the plane from the control of hijackers.

Since September 11, 2001, security experts have warned of vulnerabilities that exist should terrorists plan to attack a chemical facility located within the United States or worse yet, gain unlawful access to a facility, pipelines, or transit routes and steal chemicals for a mass attack against civilians.

Transportation of chemical, biological, radiological, and nuclear (CBRN) materials across our borders and within the United States may become targets for terrorists who seek to do us harm.

The 18th Congressional District of Texas, which I serve, is home to some of the world's largest petrochemical producers, which employ thousands of Houston area residents.

Chemicals are a vital and common presence in the lives of our nation's citizens, but we often forget how dangerous they can be under the wrong conditions.

On April 17, 2013, the small town of West, Texas felt the power and destructive force of ammonium nitrate when an accidental fire ignited what is believed to have been between 140 to 160 tons of the chemical.

This was no terrorist attack, but a very tragic accident.

The accident in the town of West, Texas reminded all of us who represent districts that count chemical plants or their owners and operators as constituents—how important it is to protect the transport of these products from theft or misuse by terrorists.

Ports, railways, pipelines, and trucks are critical to the domestic transport of chemical products.

U.S. seaports, like the Port of Houston, are vulnerable to terrorist attacks.

Ports serve as America's gateway to the global economy since the nation's economic prosperity rests on the ability of containerized and bulk cargo arriving unimpeded at U.S. ports to support the rapid delivery system that underpins the manufacturing and retail sectors.

A central component of national security is the ability of our international ports to move goods into and out of the country.

According to the Department of Commerce in 2012, Texas exports totaled \$265 billion.

The Port of Houston is a 25-mile-long complex of diversified public and private facilities located just a few hours' sailing time from the Gulf of Mexico.

In 2012, ship channel-related businesses contributed 1,026,820 jobs and generated more than \$178.5 billion in statewide economic activity.

In 2014, the Port of Houston was ranked among U.S. ports:

1. 1st in foreign tonnage;
2. 1st among Texas ports with 46% of market share by tonnage and 95% market share in containers by total TEUS in 2014;
3. 1st among Gulf Coast container ports, handling 67% of U.S. Gulf Coast container traffic in 2014; and
4. 2nd in U.S. port in terms of total foreign cargo value (based on U.S. Dept. of Commerce, Bureau of Census)

The Government Accountability Office (GAO), reports that the Port of Houston and its waterways and vessels, are part of an economic engine handling more than \$700 billion in cargo annually.

The Port of Houston houses approximately 100 steamship lines offering services that link Houston with 1,053 ports in 203 countries.

The Port of Houston is home to a \$15 billion petrochemical complex, the largest in the nation and second largest in the world.

With the nation's largest petrochemical complex supplying over 40 percent of the nation's base petrochemical manufacturing capacity, what happens at the Port of Houston affects the entire nation.

In 2004, nearly 155 million tons of chemicals were transported by rail in North America, which constitutes 1.75 million rail cars of hazardous materials.

The volume of hazardous materials moving by rail more than doubled since 1980 indicates that rail has become an integral part of the tremendous increase in the transport of hazardous materials.

According to the Texas Department of Transportation approximately 2,200 trains per week travel within the Houston regional rail network, which is comprised of more than 800 miles of mainline tracks and 21 miles of railroad bridges.

I support this bill because we must protect the American people against potential terrorism through the unconventional use of biological, chemical or radiological materials that have a beneficial commercial or industrial purpose.

Without the proper precautions and security measures major U.S. cities such as Houston, Texas may be vulnerable to chemical, biological, radiological, and nuclear attacks by terrorist.

H.R. 3350 addresses many problems by requiring the Secretary of Homeland Security to conduct a terrorism threat assessment of the transportation of chemical, biological, nuclear, and radiological materials through the United States land borders and within the United States.

In order to enforce the required threat assessment the Under Secretary for Intelligence and Analysis shall consult with the Administrator of the Transportation Security Administration, the Commissioner of U.S. Customs and Border protection, and the heads of other Federal departments and agencies, as deemed appropriate to ensure that such terrorism threat assessment is informed by current information about homeland security threats.

Congress must take forward action as threats of chemical and biological terrorism rise and terrorist groups actively seeking haz-

ardous chemicals in order to inflict harm against American citizens.

I urge my colleagues to support me on H.R. 3350 in order to assess threats to our transportation infrastructure.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 3350.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DONOVAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DHS HEADQUARTERS REFORM AND IMPROVEMENT ACT OF 2015

Mr. MCCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3572) to amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3572

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “DHS Headquarters Reform and Improvement Act of 2015”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is the following:

- Sec. 1. Short title; Table of contents.
Sec. 2. Prohibition on additional authorization of appropriations.

TITLE I—DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS REAUTHORIZATION

- Sec. 101. Definitions.
Sec. 102. Headquarters components.
Sec. 103. Chief Privacy Officer.
Sec. 104. Office of Policy.
Sec. 105. Quadrennial homeland security review.
Sec. 106. Future years homeland security program.
Sec. 107. Management and execution.
Sec. 108. Chief Financial Officer.
Sec. 109. Chief Procurement Officer.
Sec. 110. Chief Information Officer.
Sec. 111. Chief Human Capital Officer.
Sec. 112. Chief Security Officer.
Sec. 113. Cost savings and efficiency reviews.
Sec. 114. Field efficiencies plan.
Sec. 115. Resources to respond to operational surges.
Sec. 116. Department of Homeland Security rotation program.

TITLE II—DHS ACQUISITION ACCOUNTABILITY AND EFFICIENCY

- Sec. 201. Definitions.
Subtitle A—Acquisition Authorities
Sec. 211. Acquisition authorities for Under Secretary for Management.

Sec. 212. Acquisition authorities for Chief Financial Officer.

Sec. 213. Acquisition authorities for Chief Information Officer.

Sec. 214. Requirements to ensure greater accountability for acquisition programs.

Subtitle B—Acquisition Program Management Discipline

Sec. 221. Acquisition Review Board.

Sec. 222. Requirements to reduce duplication in acquisition programs.

Sec. 223. Government Accountability Office review of Board and of requirements to reduce duplication in acquisition programs.

Sec. 224. Excluded Party List System waivers.

Sec. 225. Inspector General oversight of suspension and debarment.

Subtitle C—Acquisition Program Management Accountability and Transparency

Sec. 231. Congressional notification and other requirements for major acquisition program breach.

Sec. 232. Multiyear acquisition strategy.

Sec. 233. Acquisition reports.

Sec. 234. Government Accountability Office review of multiyear acquisition strategy.

Sec. 235. Office of Inspector General report.

SEC. 2. PROHIBITION ON ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.

No additional funds are authorized to be appropriated to carry out this Act and the amendments made by this Act. This Act and such amendments shall be carried out using amounts otherwise available for such purposes.

TITLE I—DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS REAUTHORIZATION

SEC. 101. DEFINITIONS.

Section 2 of the Homeland Security Act of 2002 is amended—

(1) by redesignating paragraphs (13) through (18) as paragraphs (15) through (20);

(2) by redesignating paragraphs (9) through (12) as paragraphs (10) through (13);

(3) by inserting after paragraph (8) the following:

“(9) The term ‘homeland security enterprise’ means relevant governmental and non-governmental entities involved in homeland security, including Federal, State, local, and tribal government officials, private sector representatives, academics, and other policy experts.”; and

(4) by inserting after paragraph (13), as so redesignated, the following:

“(14) The term ‘management integration and transformation’—

“(A) means the development of consistent and consolidated functions for information technology, financial management, acquisition management, and human capital management; and

“(B) includes governing processes and procedures, management systems, personnel activities, budget and resource planning, training, real estate management, and provision of security, as they relate to functions cited in subparagraph (A).”.

SEC. 102. HEADQUARTERS COMPONENTS.

(a) IN GENERAL.—Section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “through the Office of State and Local Coordination (established under section 801)” and inserting “through the Office of Partnership and Engagement”;

(B) in paragraph (2), by striking “and” after the semicolon at the end;

(C) in paragraph (3), by striking the period and inserting “; and”; and

(D) by adding at the end the following:

“(4) entering into agreements with governments of other countries, in consultation with the Secretary of State, and international nongovernmental organizations in order to achieve the missions of the Department.”; and

(2) by adding at the end the following:

“(h) HEADQUARTERS.—

“(1) COMPONENTS.—The Department Headquarters shall include the following:

“(A) The Office of the Secretary.

“(B) The Office of the Deputy Secretary.

“(C) The Executive Secretariat.

“(D) The Management Directorate, including the Office of the Chief Financial Officer.

“(E) The Office of Policy.

“(F) The Office of General Counsel.

“(G) The Office of the Chief Privacy Officer.

“(H) The Office of Civil Rights and Civil Liberties.

“(I) The Office of Operations and Coordination and Planning.

“(J) The Office of Intelligence and Analysis.

“(K) The Office of Legislative Affairs.

“(L) The Office of Public Affairs.

“(2) FUNCTIONS.—The Secretary, through the Headquarters, shall—

“(A) establish the Department’s overall strategy for successfully completing its mission;

“(B) establish initiatives that improve performance Department-wide;

“(C) establish mechanisms to ensure that components of the Department comply with Headquarters policies and fully implement the Secretary’s strategies and initiatives and require the head of each component of the Department and component chief officers to comply with such policies and implement such strategies and initiatives;

“(D) establish annual operational and management objectives to determine the Department’s performance;

“(E) ensure that the Department successfully meets operational and management performance objectives through conducting oversight of component agencies;

“(F) ensure that the strategies, priorities, investments, and workforce of Department agencies align with Department objectives;

“(G) establish and implement policies related to Department ethics and compliance standards;

“(H) manage and encourage shared services across Department components;

“(I) lead and coordinate interaction with Congress and other external organizations; and

“(J) carry out other such functions as the Secretary determines are appropriate.”.

(b) ABOLISHMENT OF DIRECTOR OF SHARED SERVICES.—

(1) ABOLISHMENT.—The position of Director of Shared Services is abolished.

(2) CONFORMING AMENDMENT.—Section 475 of the Homeland Security Act of 2002 (6 U.S.C. 295), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

(c) ABOLISHMENT OF THE OFFICE OF COUNTERNARCOTICS ENFORCEMENT.—

(1) ABOLISHMENT.—The Office of Counternarcotics Enforcement is abolished.

(2) CONFORMING AMENDMENTS.—The Homeland Security Act of 2002 is amended—

(A) by repealing section 878 (6 U.S.C. 112), and the item relating to that section in the

table of contents in section 1(b) of such Act; and

(B) in subparagraph (B) of section 843(b)(1) (6 U.S.C. 413(b)(1)), by striking “by—” and all that follows through the end of that subparagraph and inserting “by the Secretary; and”.

SEC. 103. CHIEF PRIVACY OFFICER.

(a) IN GENERAL.—Section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by inserting “to be the Chief Privacy Officer of the Department,” after “in the Department,”; and

(ii) by striking “, to assume” and inserting “and who shall have”;

(B) by amending paragraph (6) to read as follows:

“(6) preparing a report to Congress on an annual basis on—

“(A) activities of the Department that affect privacy, including complaints of privacy violations, implementation of section 554 of title 5, United States Code (popularly known as the Privacy Act of 1974), internal controls, and other matters; and

“(B) the number of new technology programs implemented in the Department each fiscal year, the number of those programs that the Chief Privacy Officer has evaluated to ensure that privacy protections are considered and implemented, the number of those programs that effectively implemented privacy protections into new technology programs, and an explanation of why any new programs did not effectively implement privacy protections.”;

(3) by redesignating subsections (b) through (e) as subsections (c) through (f); and

(4) by inserting after subsection (a) the following:

“(b) ADDITIONAL RESPONSIBILITIES.—In addition to the responsibilities under subsection (a), the Chief Privacy Officer shall—

“(1) develop guidance to assist components of the Department in developing privacy policies and practices;

“(2) establish a mechanism to ensure such components are in compliance with Federal, regulatory, statutory, and the Department’s privacy requirements, mandates, directives, and policy;

“(3) work with the Chief Information Officer of the Department to identify methods for managing and overseeing the Department’s records, management policies, and procedures;

“(4) work with components and offices of the Department to ensure that information sharing activities incorporate privacy protections;

“(5) serve as the Department’s central office for managing and processing requests related to section 552 of title 5, United States Code, popularly known as the Freedom of Information Act;

“(6) develop public guidance on procedures to be followed when making requests for information under section 552 of title 5, United States Code;

“(7) oversee the management and processing of requests for information under section 552 of title 5, United States Code, within Department Headquarters and relevant Department component offices;

“(8) identify and eliminate unnecessary and duplicative actions taken by the Department in the course of processing requests for information under section 552 of title 5, United States Code; and

“(9) carry out such other responsibilities as the Secretary determines are appropriate, consistent with this section.”; and

(5) by adding at the end the following:

“(g) REASSIGNMENT OF FUNCTIONS.—The Secretary may reassign the functions related to managing and processing requests for information under section 552 of title 5, United States Code, to another officer within the Department, consistent with requirements of that section.”.

SEC. 104. OFFICE OF POLICY.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by—

(1) redesignating section 601 as section 890B, and transferring that section to appear immediately after section 890A; and

(2) striking the heading for title VI and inserting the following:

“TITLE VI—POLICY AND PLANNING

“SEC. 601. OFFICE OF POLICY.

“(a) ESTABLISHMENT OF OFFICE.—There shall be in the Department an Office of Policy. The Office of Policy shall be headed by an Under Secretary for Policy, who shall be appointed by the President, by and with the advice and consent of the Senate.

“(b) MISSION.—The mission of the Office of Policy is to lead, conduct, and coordinate Department-wide policy, strategic planning, and relationships with organizations or persons that are not part of the Department.

“(c) COMPONENTS OF OFFICE.—The Office of Policy shall include the following components:

“(1) The Office of Partnership and Engagement under section 602.

“(2) The Office of International Affairs under section 603.

“(3) The Office of Policy Implementation under section 604.

“(4) The Office of Strategy and Planning under section 605.

“(d) RESPONSIBILITIES OF THE UNDER SECRETARY.—Subject to the direction and control of the Secretary, the Under Secretary for Policy shall—

“(1) serve as the principal policy advisor to the Secretary;

“(2) coordinate with the Under Secretary for Management and the General Counsel of the Department to ensure that development of the Department's budget is compatible with the priorities, strategic plans, and policies established by the Secretary, including those priorities identified through the Quadrennial Homeland Security Review required under section 707;

“(3) incorporate relevant feedback from, and oversee and coordinate relationships with, organizations and other persons that are not part of the Department to ensure effective communication of outside stakeholders' perspectives to components of the Department;

“(4) establish a process to ensure that organizations and other persons that are not part of the Department can communicate with Department components without compromising adherence by the officials of such components to the Department's ethics and policies;

“(5) manage and coordinate the Department's international engagement activities;

“(6) advise, inform, and assist the Secretary on the impact of the Department's policy, processes, and actions on State, local, tribal, and territorial governments;

“(7) oversee the Department's engagement and development of partnerships with non-profit organizations and academic institutions;

“(8) administer the Homeland Security Advisory Council and make studies available to the Committee on Homeland Security of the House of Representatives and the Committee

on Homeland Security and Governmental Affairs of the Senate on an annual basis; and

“(9) carry out such other responsibilities as the Secretary determines are appropriate, consistent with this section.

“(e) COORDINATION BY DEPARTMENT COMPONENTS.—

“(1) IN GENERAL.—To ensure consistency with the Secretary's policy priorities, the head of each component of the Department shall coordinate with the Office of Policy, as appropriate, in establishing new policies or strategic planning guidance.

“(2) INTERNATIONAL ACTIVITIES.—

“(A) FOREIGN NEGOTIATIONS.—Each component of the Department shall coordinate with the Under Secretary for Policy plans and efforts of the component before pursuing negotiations with foreign governments, to ensure consistency with the Department's policy priorities.

“(B) NOTICE OF INTERNATIONAL TRAVEL BY SENIOR OFFICERS.—Each component of the Department shall notify the Under Secretary for Policy of the international travel of senior officers of the Department.

“(f) ASSIGNMENT OF PERSONNEL.—The Secretary shall assign to the Office of Policy permanent staff and, as appropriate and consistent with sections 506(c)(2), 821, and 888(d), other appropriate personnel detailed from other components of the Department to carry out the responsibilities under this section.

“(g) DEPUTY UNDER SECRETARY FOR POLICY.—

“(1) IN GENERAL.—The Secretary may—

“(A) establish within the Department of Homeland Security a position, to be called the Deputy Under Secretary for Policy, to support the Under Secretary for Policy in carrying out the Under Secretary's responsibilities; and

“(B) appoint a career employee to such position.

“(2) LIMITATION ON ESTABLISHMENT OF DEPUTY UNDER SECRETARY POSITIONS.—A Deputy Under Secretary position (or any substantially similar position) within the Department of Homeland Security may not be established except for the position provided for by paragraph (1) unless the Secretary of Homeland Security receives prior authorization from Congress.

“(3) DEFINITIONS.—For purposes of paragraph (1)—

“(A) the term ‘career employee’ means any employee (as that term is defined in section 2105 of title 5, United States Code), but does not include a political appointee; and

“(B) the term ‘political appointee’ means any employee who occupies a position which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.

“SEC. 602. OFFICE OF PARTNERSHIP AND ENGAGEMENT.

“(a) IN GENERAL.—There shall be in the Office of Policy an Office of Partnership and Engagement.

“(b) HEAD OF OFFICE.—The Secretary shall appoint an Assistant Secretary for Partnership and Engagement to serve as the head of the Office.

“(c) RESPONSIBILITIES.—The Assistant Secretary for Partnership and Engagement shall—

“(1) lead the coordination of Department-wide policies relating to the role of State and local law enforcement in preventing, preparing for, protecting against, and responding to natural disasters, acts of terrorism, and other man-made disasters within the United States;

“(2) serve as a liaison between State, local, and tribal law enforcement agencies and the Department, including through consultation with such agencies regarding Department programs that may impact such agencies;

“(3) coordinate with the Office of Intelligence and Analysis to certify the intelligence and information sharing requirements of State, local, and tribal law enforcement agencies are being addressed;

“(4) work with the Administrator to ensure that law enforcement and terrorism-focused grants to State, local, and tribal government agencies, including grants under sections 2003 and 2004, the Commercial Equipment Direct Assistance Program, and other grants administered by the Department to support fusion centers and law enforcement-oriented programs, are appropriately focused on terrorism prevention activities;

“(5) coordinate with the Science and Technology Directorate, the Federal Emergency Management Agency, the Department of Justice, the National Institute of Justice, law enforcement organizations, and other appropriate entities to support the development, promulgation, and updating, as necessary, of national voluntary consensus standards for training and personal protective equipment to be used in a tactical environment by law enforcement officers;

“(6) create and foster strategic communications with the private sector to enhance the primary mission of the Department to protect the American homeland;

“(7) advise the Secretary on the impact of the Department's policies, regulations, processes, and actions on the private sector;

“(8) interface with other relevant Federal agencies with homeland security missions to assess the impact of these agencies' actions on the private sector;

“(9) create and manage private sector advisory councils composed of representatives of industries and associations designated by the Secretary to—

“(A) advise the Secretary on private sector products, applications, and solutions as they relate to homeland security challenges;

“(B) advise the Secretary on homeland security policies, regulations, processes, and actions that affect the participating industries and associations; and

“(C) advise the Secretary on private sector preparedness issues, including effective methods for—

“(i) promoting voluntary preparedness standards to the private sector; and

“(ii) assisting the private sector in adopting voluntary preparedness standards;

“(10) promote existing public-private partnerships and developing new public-private partnerships to provide for collaboration and mutual support to address homeland security challenges;

“(11) assist in the development and promotion of private sector best practices to secure critical infrastructure;

“(12) provide information to the private sector regarding voluntary preparedness standards and the business justification for preparedness and promoting to the private sector the adoption of voluntary preparedness standards;

“(13) coordinate industry efforts, with respect to functions of the Department of Homeland Security, to identify private sector resources and capabilities that could be effective in supplementing Federal, State, and local government agency efforts to prevent or respond to a terrorist attack;

“(14) coordinate with the Commissioner of Customs and Border Protection and the appropriate senior official of the Department

of Commerce on issues related to the travel and tourism industries;

“(15) coordinate the activities of the Department relating to State and local government;

“(16) assess, and advocate for, the resources needed by State and local governments to implement the national strategy for combating terrorism;

“(17) provide State and local governments with regular information, research, and technical support to assist local efforts at securing the homeland;

“(18) develop a process for receiving meaningful input from State and local governments to assist the development of the national strategy for combating terrorism and other homeland security activities; and

“(19) perform such other functions as are established by law or delegated to such Assistant Secretary by the Under Secretary for Policy.

“SEC. 603. OFFICE OF INTERNATIONAL AFFAIRS.

“(a) IN GENERAL.—There shall be in the Office of Policy an Office of International Affairs.

“(b) HEAD OF OFFICE.—The Secretary shall appoint an Assistant Secretary for International Affairs to serve as the head of the Office and as the chief diplomatic officer of the Department.

“(c) FUNCTIONS.—

“(1) IN GENERAL.—The Assistant Secretary for International Affairs shall—

“(A) coordinate international activities within the Department, including activities carried out by the components of the Department, in consultation with other Federal officials with responsibility for counterterrorism and homeland security matters;

“(B) advise, inform, and assist the Secretary with respect to the development and implementation of Departmental policy priorities, including strategic priorities for the deployment of assets, including personnel, outside the United States;

“(C) develop, in consultation with the Under Secretary for Management, guidance for selecting, assigning, training, and monitoring overseas deployments of Department personnel, including minimum standards for predeployment training;

“(D) develop and update, in coordination with all components of the Department engaged in international activities, a strategic plan for the international activities of the Department, establish a process for managing its implementation, and establish mechanisms to monitor the alignment between assets, including personnel, deployed by the Department outside the United States and the plan required by this subparagraph;

“(E) develop and distribute guidance on Department policy priorities for overseas activities to personnel deployed overseas, that, at a minimum, sets forth the regional and national priorities being advanced by their deployment, and establish mechanisms to foster better coordination of Department personnel, programs, and activities deployed outside the United States;

“(F) maintain awareness regarding the international travel of senior officers of the Department and their intent to pursue negotiations with foreign government officials, and review resulting draft agreements;

“(G) develop, in consultation with the components of the Department, including, as appropriate, with the Under Secretary for the Science and Technology Directorate, programs to support the overseas programs conducted by the Department, including training, technical assistance, and equipment to ensure that Department personnel

deployed abroad have proper resources and receive adequate and timely support;

“(H) conduct the exchange of homeland security information, in consultation with the Under Secretary of the Office of Intelligence and Analysis, and best practices relating to homeland security with foreign nations that, in the determination of the Secretary, reciprocate the sharing of such information in a substantially similar manner;

“(I) submit information to the Under Secretary for Policy for oversight purposes, including preparation of the quadrennial homeland security review and on the status of overseas activities, including training and technical assistance and information exchange activities and the Department's resources dedicated to these activities;

“(J) promote, when appropriate, and oversee the exchange of education, training, and information with nations friendly to the United States in order to share best practices relating to homeland security; and

“(K) perform such other functions as are established by law or delegated by the Under Secretary for Policy.

“(2) INVENTORY OF ASSETS DEPLOYED ABROAD.—For each fiscal year, the Assistant Secretary for International Affairs, in coordination with the Under Secretary for Management, shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate with the annual budget request for the Department, an annual accounting of all assets of the Department, including personnel, deployed outside the United States on behalf of the Department.

“(3) STANDARDIZED FRAMEWORK FOR COST DATA.—The Assistant Secretary for International Affairs shall utilize a standardized framework to collect and maintain comparable cost data for all assets of the Department, including personnel, deployed outside the United States to prepare the annual accounting required by paragraph (2).

“(4) EXCLUSIONS.—This subsection does not apply to international activities related to the protective mission of the United States Secret Service, or to the Coast Guard when operating under the direct authority of the Secretary of Defense or the Secretary of the Navy.

“SEC. 604. OFFICE OF POLICY IMPLEMENTATION.

“(a) IN GENERAL.—There shall be in the Office of Policy an Office of Policy Implementation.

“(b) HEAD OF OFFICE.—The Secretary shall appoint a Director of the Office of Policy Implementation to serve as the head of the Office.

“(c) RESPONSIBILITIES.—The Director of the Office of Policy Implementation shall lead, conduct, coordinate, and provide overall direction and supervision of Department-wide policy development for the programs, offices, and activities of the Department, in consultation with relevant officials of the Department, to ensure quality, consistency, and integration across the Department, as appropriate.

“SEC. 605. OFFICE OF STRATEGY AND PLANNING.

“(a) IN GENERAL.—There shall be in the Office of Policy of the Department an Office of Strategy and Planning.

“(b) HEAD OF OFFICE.—The Secretary shall appoint a Director of the Office of Strategy and Planning who shall serve as the head of the Office.

“(c) RESPONSIBILITIES.—The Director of the Office of Strategy and Planning shall—

“(1) lead and conduct long-term Department-wide strategic planning, including the

Quadrennial Homeland Security Review and planning guidance for the Department, and translate the Department's statutory responsibilities, strategic plans, and long-term goals into risk-based policies and procedures that improve operational effectiveness; and

“(2) develop strategies to address unconventional threats to the homeland.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended—

(1) by striking the items relating to title VI and inserting the following:

“TITLE VI—POLICY AND PLANNING

“Sec. 601. Office of Policy.

“Sec. 602. Office of Partnership and Engagement.

“Sec. 603. Office of International Affairs.

“Sec. 604. Office of Policy Implementation.

“Sec. 605. Office of Strategy and Planning.”.

(2) by inserting after the item relating to section 890A the following:

“Sec. 890B. Treatment of charitable trusts for members of the Armed Forces of the United States and other governmental organizations.”.

(c) APPOINTMENT OF UNDER SECRETARY FOR POLICY; CONTINUATION OF SERVICE OF ASSISTANT SECRETARY.—

(1) TIME OF APPOINTMENT.—The President may appoint an Under Secretary for Policy under section 601 of the Homeland Security Act of 2002, as amended by this Act, only on or after January 20, 2017.

(2) HEAD OF OFFICE PENDING APPOINTMENT.—The individual serving as the Assistant Secretary for Policy of the Department of Homeland Security on the date of the enactment of this Act, or their successor, may continue to serve as an Assistant Secretary and as the head of the Office of Policy established by such section, until the date on which the Under Secretary for Policy is appointed under such section in accordance with paragraph (1).

(d) APPOINTMENT OF ASSISTANT SECRETARY FOR INTERNATIONAL AFFAIRS; ABOLISHMENT OF EXISTING OFFICE.—

(1) TIME OF APPOINTMENT.—The Secretary of Homeland Security may appoint an Assistant Secretary for International Affairs under section 602 of the Homeland Security Act of 2002, as amended by this Act, only on or after January 20, 2017.

(2) HEAD OF OFFICE PENDING APPOINTMENT.—The individual serving as the Assistant Secretary for International Affairs of the Department of Homeland Security on the date of the enactment of this Act, or their successor, may continue to serve as a Deputy Assistant Secretary and as the head of the Office of International Affairs established by such section, until the date the Under Secretary for Policy is appointed under such section in accordance with paragraph (1).

(3) ABOLISHMENT OF EXISTING OFFICE.—

(A) IN GENERAL.—The Office of International Affairs within the Office of the Secretary is abolished.

(B) TRANSFER OF ASSETS AND PERSONNEL.—The assets and personnel associated with such Office are transferred to the head of the Office of International Affairs provided for by section 603 of the Homeland Security Act of 2002, as amended by this Act.

(C) CONFORMING AMENDMENT.—Subsection 879 of the Homeland Security Act of 2002 (6 U.S.C. 459), and the item relating to such section in section 1(b) of such Act, are repealed.

(e) ABOLISHMENT OF OFFICE FOR STATE AND LOCAL LAW ENFORCEMENT.—

(1) IN GENERAL.—The Office for State and Local Law Enforcement of the Department of Homeland Security is abolished.

(2) TRANSFER OF FUNCTIONS, ASSETS, AND PERSONNEL.—The functions authorized to be performed by such office immediately before the enactment of this Act, and the assets and personnel associated with such functions, are transferred to the head of the Office of Partnership and Engagement provided for by section 602 of the Homeland Security Act of 2002, as amended by this Act.

(3) CONFORMING AMENDMENT.—Subsection (b) of section 2006 of the Homeland Security Act of 2002 (6 U.S.C. 607) is repealed.

(f) ABOLISHMENT OF OFFICE FOR STATE AND LOCAL GOVERNMENT COORDINATION.—

(1) IN GENERAL.—The Office for State and Local Government Coordination of the Department of Homeland Security is abolished.

(2) TRANSFER OF FUNCTIONS AND ASSETS.—The functions authorized to be performed by such office immediately before the enactment of this Act, and the assets and personnel associated with such functions, are transferred to the head of Office of Partnership and Engagement provided for by section 602 of the Homeland Security Act of 2002, as amended by this Act.

(3) CONFORMING AMENDMENTS.—Section 801 of the Homeland Security Act of 2002 (6 U.S.C. 631), and the item relating to that section in the table of contents in section 1(b) of such Act, are repealed.

(g) ABOLISHMENT OF SPECIAL ASSISTANT TO THE SECRETARY.—

(1) IN GENERAL.—The Special Assistant to the Secretary authorized by section 102(f) of the Homeland Security Act of 2002 (6 U.S.C. 112(f)), as in effect immediately before the enactment of this Act, is abolished.

(2) TRANSFER OF FUNCTIONS AND ASSETS.—The functions authorized to be performed by such Special Assistant to the Secretary immediately before the enactment of this Act, and the assets and personnel associated with such functions, are transferred to the head of the Office of Partnership and Engagement provided for by section 602 of the Homeland Security Act of 2002, as amended by this Act.

(3) CONFORMING AMENDMENT.—Section 102(f) of the Homeland Security Act of 2002 (6 U.S.C. 112(f)) is repealed.

(h) CONFORMING AMENDMENTS RELATING TO ASSISTANT SECRETARIES.—Section 103(a) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)) is amended—

(1) in paragraph (1), by striking subparagraph (I) and redesignating subparagraph (J) as subparagraph (I); and

(2) by amending paragraph (2) to read as follows:

“(2) ASSISTANT SECRETARIES.—

“(A) ADVICE AND CONSENT APPOINTMENTS.—The Department shall have the following Assistant Secretaries appointed by the President, by and with the advice and consent of the Senate:

“(i) The Assistant Secretary, U.S. Immigration and Customs Enforcement.

“(ii) The Assistant Secretary, Transportation Security Administration.

“(B) OTHER PRESIDENTIAL APPOINTMENTS.—The Department shall have the following Assistant Secretaries appointed by the President:

“(i) The Assistant Secretary, Infrastructure Protection.

“(ii) The Assistant Secretary, Office of Public Affairs.

“(iii) The Assistant Secretary, Office of Legislative Affairs.

“(C) SECRETARIAL APPOINTMENTS.—The Department shall have the following Assistant Secretaries appointed by the Secretary:

“(i) The Assistant Secretary, Office of Cybersecurity and Communications.

“(ii) The Assistant Secretary for International Affairs under section 602.

“(iii) The Assistant Secretary for Partnership and Engagement under section 603.

“(D) LIMITATION ON CREATION OF POSITIONS.—No Assistant Secretary position may be created in addition to the positions provided for by this section unless such position is authorized by a statute enacted after the date of the enactment of the DHS Headquarters Reform and Improvement Act of 2015.”

(i) HOMELAND SECURITY ADVISORY COUNCIL.—Section 102(b) of the Homeland Security Act of 2002 (6 U.S.C. 112(b)) is amended by striking “and” after the semicolon at the end of paragraph (2), striking the period at the end of paragraph (3) and inserting “; and”, and adding at the end the following:

“(4) shall establish a Homeland Security Advisory Council to provide advice and recommendations on homeland-security-related matters.”

(j) PROHIBITION ON NEW OFFICES.—No new office may be created to perform functions transferred by this section, other than as provided in section 601 of the Homeland Security Act of 2002, as amended by this Act, unless the Secretary of Homeland Security receives prior authorization from Congress permitting such change.

(k) DEFINITIONS.—In this section each of the terms “functions”, “assets”, and “personnel” has the meaning that term has under section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(l) DUPLICATION REVIEW.—The Secretary of Homeland Security shall—

(1) within 1 year after the date of the enactment of this Act, complete a review of the international affairs offices, functions, and responsibilities of the components of the Department of Homeland Security, to identify and eliminate areas of unnecessary duplication; and

(2) within 30 days after the completion of such review, provide the results of the review to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 105. QUADRENNIAL HOMELAND SECURITY REVIEW.

Section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

“(1) REVIEW REQUIRED.—In fiscal year 2017, and every 4 years thereafter, the Secretary shall conduct a review of the homeland security of the Nation (in this section referred to as a ‘quadrennial homeland security review’). Such review shall be conducted so that it is completed, and the report under subsection (c) is issued, by no later than December 31, 2017, and by December 31 of every fourth year thereafter.”; and

(B) in paragraph (3) by striking “The Secretary shall conduct each quadrennial homeland security review under this subsection in consultation with” and inserting “In order to ensure that each quadrennial homeland security review conducted under this section is coordinated with the quadrennial defense review conducted by the Secretary of Defense under section 118 of title 10, United States Code, and any other major strategic review relating to diplomacy, intelligence, or other national security issues, the Secretary shall conduct and obtain information and feedback from entities of the homeland security enterprise through”;

(2) in subsection (b)—

(A) in paragraph (5), by striking “and” after the semicolon at the end;

(B) in paragraph (6), by striking the period and inserting “; and”; and

(C) by adding after paragraph (6) the following:

“(7) leverage analytical tools and resources developed as part of the quadrennial homeland security review to support the Department’s ongoing programs and missions.”;

(3) in subsection (c)(2)—

(A) by striking “and” after the semicolon at the end of subparagraph (H);

(B) by redesignating subparagraph (I) as subparagraph (L); and

(C) by inserting after subparagraph (H) the following:

“(I) a description of how the conclusions under the quadrennial homeland security review will inform efforts to develop capabilities and build capacity of States, local governments, Indian tribes, and private entities, and of individuals, families, and communities;

“(J) as appropriate, proposed changes to the authorities, organization, governance structure, or business processes (including acquisition processes) of the Department in order to better fulfill responsibilities of the Department;

“(K) where appropriate, a classified annex, including materials prepared pursuant to section 306 of title 5, United States Code, relating to the preparation of an agency strategic plan, to satisfy, in whole or in part, the reporting requirements of this paragraph; and”.

SEC. 106. FUTURE YEARS HOMELAND SECURITY PROGRAM.

Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 454) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—Not later than the 30 days following the date of each fiscal year on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a Future Years Homeland Security Program that provides detailed estimates of the projected expenditures and corresponding requests for appropriations included in that budget. The Future Years Homeland Security Program shall cover the fiscal year for which the budget is submitted and the 4 succeeding fiscal years.”; and

(2) by adding at the end the following:

“(d) CONSISTENCY OF BUDGET REQUEST WITH ESTIMATES.—For each fiscal year, the Secretary shall ensure that the projected amounts specified in program and budget information for the Department submitted to Congress in support of the President’s budget request are consistent with the estimated expenditures and proposed appropriations necessary to support the programs, projects, and activities of the Department included in the budget pursuant to section 1105(a)(5) of title 31, United States Code.

“(e) EXPLANATION OF ALIGNMENT WITH STRATEGIES AND PLANS.—Together with the detailed estimates of the projected expenditures and corresponding requests for appropriations submitted for the Future Years Homeland Security Program, the Secretary shall provide an explanation of how those estimates and requests align with the homeland security strategies and plans developed and updated as appropriate by the Secretary.

Such explanation shall include an evaluation of the organization, organizational structure, governance structure, and business processes (including acquisition processes) of the Department, to ensure that the Department is able to meet its responsibilities.

“(f) **PROJECTION OF ACQUISITION ESTIMATES.**—Each Future Years Homeland Security Program shall project—

“(1) acquisition estimates for a period of 5 fiscal years, with specified estimates for each fiscal year, for major acquisition programs by the Department and each component therein, including modernization and sustainment expenses; and

“(2) estimated annual deployment schedules for major acquisition programs over the 5-fiscal-year period.

“(g) **CONTINGENCY AMOUNTS.**—Nothing in this section shall be construed as prohibiting the inclusion in the Future Years Homeland Security Program of amounts for management contingencies, subject to the requirements of subsection (b).

“(h) **CLASSIFIED OR SENSITIVE ANNEX.**—The Secretary may include with each submission under this section a classified or sensitive annex containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law, including information that is determined to be Sensitive Security Information under section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114) to Congress in a classified or sensitive annex.

“(i) **AVAILABILITY OF INFORMATION TO THE PUBLIC.**—The Secretary shall make available to the public in electronic form the information required to be submitted to Congress under this section, other than information described in subsection (h).”.

SEC. 107. MANAGEMENT AND EXECUTION.

Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended by striking subsections (a) and (b) and inserting the following:

“(a) **IN GENERAL.**—Subject to the direction and control of the Secretary, the Under Secretary for Management shall serve as the following:

“(1) The Chief Management Officer for all matters related to the management and administration of the Department in support of homeland security operations and programs. With regard to the management functions for which the Under Secretary has responsibility by law or by direction of the Secretary, the Under Secretary for Management takes precedence in the Department after the Secretary and the Deputy Secretary of Homeland Security.

“(2) The senior official with the authority to administer, implement, and direct management integration and transformation across functional disciplines of the Department, including—

“(A) information technology, financial management, acquisition management, and human capital management of the Department to improve program efficiency and effectiveness;

“(B) ensure compliance with laws, rules, regulations, and the Department's policies;

“(C) conduct regular oversight; and

“(D) prevent unnecessary duplication of programs in the Department.

“(b) **RESPONSIBILITIES.**—In addition to responsibilities designated by the Secretary or otherwise established by law, the Under Secretary for Management shall be responsible for performing, or delegating responsibility for performing, the following activities of the Department:

“(1) Development of the budget, management of appropriations, expenditures of funds, accounting, and finance.

“(2) Acquisition and procurement activities under section 701(d).

“(3) Human resources and personnel.

“(4) Information technology and communication systems, in consultation with the Under Secretary for Intelligence and Analysis, as appropriate.

“(5) Facilities, property, equipment, and other material resources.

“(6) Real property and personal property.

“(7) Security for personnel, information technology and communications systems, facilities, property, equipment, and other material resources.

“(8) Strategic management planning, annual performance planning, and identification and tracking of performance measures relating to the responsibilities of the Department, including such responsibilities under section 306 of title 5, United States Code.

“(9) Oversight of grants and other assistance management programs to ensure proper administration.

“(10) Management integration and transformation within each functional management discipline of the Department, including information technology, financial management, acquisition management, and human capital management, and the transition process, to ensure an efficient and orderly consolidation of functions and personnel in the Department and transition, including the—

“(A) development of coordinated data sources and connectivity of information systems to the greatest extent practical to enhance program visibility and transparency;

“(B) development of standardized, automated, and real-time management information to uniformly manage and oversee programs, and make informed decisions to improve the efficiency of the Department;

“(C) development of effective program management and regular oversight mechanisms, including clear roles and processes for program governance, sharing of best practices, and access to timely, reliable, and analyzed data on all acquisitions and investments;

“(D) implementation of mechanisms to promote accountability for management integration among Department and component chief officers;

“(E) integration of financial management systems within and across the Department to ensure financial transparency, support daily operational and financial decision-making, and maintain consecutive unqualified opinions for all financial statements, including the responsibility to review, approve, and oversee the planning, design, acquisition, deployment, operation, maintenance, and modernization of business systems;

“(F) integration of human resource management systems within and across the Department to track and record information (including attrition rates, knowledge, skills, and abilities critical for workforce planning, identifying current and future human capital needs, including recruitment efforts and improving employee morale), including the responsibility to review, approve, and oversee the planning, design, acquisition, deployment, operation, maintenance, and modernization of business systems;

“(G) development of a management integration strategy for the Department and its components to be submitted annually with the President's budget to ensure that management of the Department is strengthened in the areas of human capital, acquisition,

information technology, and financial management, which shall include—

“(i) short- and long-term objectives to effectively guide implementation of interoperable business systems solutions;

“(ii) issuance of guidance and action plans with dates, specific actions, and costs for implementing management integration and transformation of common functional disciplines across the Department and its components;

“(iii) specific operational and tactical goals, activities, and timelines needed to accomplish the integration effort;

“(iv) performance measures to monitor and validate corrective measures;

“(v) efforts to identify resources needed to achieve key actions and outcomes;

“(vi) other issues impeding management integration;

“(vii) reporting to the Government Accountability Office twice annually to demonstrate measurable, sustainable progress made in implementing the Department's corrective action plans and achieving key outcomes, including regarding—

“(I) leadership commitment;

“(II) capacity building; and

“(III) continuous monitoring to address Government Accountability Office designations of programs at high risk for waste, fraud, and abuse, including with respect to strengthening management functions;

“(viii) review and approve any major update to the Department's strategy related to management integration and transformation across functional disciplines and lines of business, including any business systems modernization plans to maximize benefits and minimize costs for the Department; and

“(ix) before December 1 of each year in which a Presidential election is held, the development of a transition and succession plan to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the homeland security congressional committees.

“(H) Oversight, including the conduct of internal audits and management analyses, of the programs and activities of the Department. Such supervision includes establishing oversight procedures to ensure a full and effective review of the efforts by Department components to implement policies and procedures of the Department for management integration and transformation.

“(I) Any other management duties that the Secretary may designate.”.

SEC. 108. CHIEF FINANCIAL OFFICER.

Section 702 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and by inserting after subsection (a) the following:

“(b) **RESPONSIBILITIES.**—Notwithstanding sections 901 and 1122 of title 31, United States Code, the Chief Financial Officer, in consultation with the Under Secretary for Management and the Under Secretary for Intelligence and Analysis, as appropriate, shall—

“(1) lead cost-estimating practices for the Department, including the development of the Department's policy on cost estimating and approval of life cycle cost estimates;

“(2) oversee coordination with the Office of Policy on the Department's long-term strategic planning to ensure that the development of the Department's budget is compatible with the priorities, strategic plans, and policies established by the Secretary;

“(3) develop and oversee the Department's financial management policy;

“(4) provide guidance for and over financial system modernization efforts throughout the Department;

“(5) establish effective internal controls over financial reporting systems and processes throughout the Department;

“(6) lead assessments of internal controls related to the Department's financial management systems and review financial processes to ensure that internal controls are designed properly and operate effectively;

“(7) lead the Department's efforts related to financial oversight, including identifying ways to streamline and standardize business processes;

“(8) lead and provide guidance on performance-based budgeting practices for the Department to ensure that the Department and its components are meeting missions and goals;

“(9) ensure that Department components' senior financial officers certify that their major acquisition programs have adequate resources to execute their programs through the 5-year future years homeland security program period, so that the Department's funding requirements for major acquisition programs match expected resources;

“(10) ensure that components identify and report all expected costs of acquisition programs to the Chief Financial Officer of the Department;

“(11) oversee Department budget formulation and execution;

“(12) fully implement a common accounting structure to be used across the entire Department by fiscal year 2019; and

“(13) track, approve, oversee, and make public information on expenditures by components of the Department for conferences, as appropriate, including by requiring each component of the Department to—

“(A) report to the Inspector General of the Department the expenditures by the component for each conference hosted or attended by Department employees for which the total expenditures of the Department exceed \$20,000, within 15 days after the date of the conference; and

“(B) with respect to such expenditures, provide to the Inspector General—

“(i) the information described in subsections (a), (b), and (c) of section 739 of Public Law 113-235; and

“(ii) documentation of such expenditures.”.

SEC. 109. CHIEF PROCUREMENT OFFICER.

(a) **IN GENERAL.**—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is further amended by adding at the end the following:

“SEC. 708. CHIEF PROCUREMENT OFFICER.

“(a) **IN GENERAL.**—There is a Chief Procurement Officer of the Department, who shall report directly to the Under Secretary for Management. The Chief Procurement Officer is the senior procurement executive for purposes of section 1702(c) of title 41 United States Code, and shall perform procurement functions as specified in such section. The Chief Procurement Officer also shall perform other functions and responsibilities set forth in this section and as may be assigned by the Under Secretary for Management.

“(b) **RESPONSIBILITIES.**—The Chief Procurement Officer shall—

“(1) exercise leadership and authority to the extent delegated by the Under Secretary for Management over the Department's procurement function;

“(2) issue procurement policies, and shall serve as a senior business advisor to agency officials on acquisition-related matters, including policy and workforce matters, as de-

termined by the Under Secretary for Management;

“(3) account for the integrity, performance, and oversight of Department procurement and contracting functions and be responsible for ensuring that a procurement's contracting strategy and plans are consistent with the intent and direction of the Acquisition Review Board;

“(4) serve as the Department's main liaison to industry on procurement-related issues;

“(5) oversee a centralized certification and training program, in consultation with the Under Secretary for Management, for the entire Department acquisition workforce while using, to the greatest extent practicable, best practices and acquisition training opportunities already in existence within the Federal Government, the private sector, or universities and colleges, as appropriate, and including training on how best to identify actions that warrant referrals for suspension or debarment;

“(6) delegate or retain contracting authority, as appropriate;

“(7) provide input on the periodic performance reviews of each head of contracting activity of the Department;

“(8) collect baseline data and use such data to establish performance measures on the impact of strategic sourcing initiatives on the private sector, including, in particular, small businesses;

“(9) ensure that a fair proportion (as defined pursuant to the Small Business Act (15 U.S.C. 631 et seq.)) of Federal contract and subcontract dollars are awarded to small businesses, maximize opportunities for small business participation, and ensure, to the extent practicable, small businesses that achieve qualified vendor status for security-related technologies are provided an opportunity to compete for contracts for such technology; and

“(10) conduct oversight of implementation of administrative agreements to resolve suspension or debarment proceedings and, upon request, provide information to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate about the effectiveness of such agreements at improving contractor responsibility.

“(c) **HEAD OF CONTRACTING ACTIVITY DEFINED.**—In this section the term ‘head of contracting activity’ means each official responsible for the creation, management, and oversight of a team of procurement professionals properly trained, certified, and warranted to accomplish the acquisition of products and services on behalf of the designated components, offices, and organizations of the Department, and as authorized, other government entities.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of such Act is further amended by adding at the end of the items relating to such title the following:

“Sec. 708. Chief Procurement Officer.”.

SEC. 110. CHIEF INFORMATION OFFICER.

(a) **IN GENERAL.**—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended—

(1) in subsection (a), by adding at the end the following: “In addition to the functions under section 3506(a)(2) of title 44, United States Code, the Chief Information Officer shall perform the functions set forth in this section and such other functions as may be assigned by the Secretary.”;

(2) by redesignating subsection (b) as subsection (e); and

(3) by inserting after subsection (a) the following:

“(b) **RESPONSIBILITIES.**—In addition to the functions under section 3506 of title 44, United States Code, the Chief Information Officer, in consultation with the Under Secretary for Management, shall—

“(1) advise and assist the Secretary, heads of the components of the Department, and other senior officers in carrying out the responsibilities of the Department for all activities relating to the budgets, programs, and operations of the information technology functions of the Department;

“(2) to the extent delegated by the Secretary—

“(A) exercise leadership and authority over Department information technology management; and

“(B) establish the information technology priorities, policies, processes, standards, guidelines, and procedures of the Department to ensure interoperability and standardization of information technology;

“(3) serve as the lead technical authority for information technology programs;

“(4) maintain a consolidated inventory of the Department's mission critical and mission essential information systems, and develop and maintain contingency plans for responding to a disruption in the operation of any of those information systems;

“(5) maintain the security, visibility, reliability, integrity, and availability of data and information technology of the Department including the security of the Homeland Security Data Network;

“(6) in coordination with relevant officials of the Department, ensure that the Department is in compliance with subchapter II of chapter 35 of title 44, United States Code;

“(7) establish policies and procedures to effectively monitor and manage vulnerabilities in the supply chain for purchases of information technology;

“(8) in coordination with relevant officials of the Department, ensure Department compliance with Homeland Security Presidential Directive 12;

“(9) in coordination with relevant officials of the Department, ensure that information technology systems of the Department meet the standards established under the information sharing environment, as defined in section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485);

“(10) develop measures to monitor the performance of Department components' use and implementation of information technology systems and consistently monitor such performance to ensure that such systems are used effectively;

“(11) ensure that Department components report to the Chief Information Officer of the Department a complete inventory of information systems and fully adhere to Department guidance related to information technology;

“(12) carry out any other responsibilities delegated by the Secretary consistent with an effective information system management function; and

“(13) carry out authorities over Department information technology consistent with section 113419 of title 40, United States Code.

(c) **STRATEGIC PLANS.**—In coordination with the Chief Financial Officer, the Chief Information Officer shall develop an information technology strategic plan every 5 years and report to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate on—

“(1) how the information technology strategic plans developed under this subsection are used to help inform the Department's budget process;

“(2) how the Department's budget aligns with priorities specified in the information technology strategic plans;

“(3) in cases in which it is not possible to fund all information technology strategic plan activities for a given fiscal year, the rationale as to why certain activities are not being funded in lieu of higher priorities;

“(4) what decisionmaking process was used to arrive at these priorities and the role of Department components in that process; and

“(5) examine the extent to which unnecessary duplicate information technology within and across the components of the Department has been eliminated.

“(d) SOFTWARE LICENSING.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the DHS Headquarters Reform and Improvement Act of 2015, and every 2 years thereafter until 2020, the Chief Information Officer, in consultation with Department component chief information officers, shall—

“(A) conduct a Department-wide inventory of all existing software licenses held by the Department, including utilized and unutilized licenses;

“(B) assess the needs of the Department and the components of the Department for software licenses for the subsequent 2 fiscal years;

“(C) examine how the Department can achieve the greatest possible economies of scale and cost savings in the procurement of software licenses;

“(D) determine how the use of shared cloud-computing services will impact the needs for software licenses for the subsequent 2 fiscal years; and

“(E) establish plans and estimated costs for eliminating unutilized software licenses for the subsequent 2 fiscal years.

“(2) EXCESS SOFTWARE LICENSING.—

“(A) PLAN TO REDUCE SOFTWARE LICENSES.—If the Chief Information Officer determines through the inventory conducted under paragraph (1) that the number of software licenses held by the Department and the components of the Department exceed the needs of the Department as assessed under paragraph (1), the Secretary, not later than 90 days after the date on which the inventory is completed, shall establish a plan for bringing the number of such software licenses into balance with such needs of the Department.

“(B) PROHIBITION ON PROCUREMENT OF NEW SOFTWARE LICENSES.—

“(i) IN GENERAL.—Except as provided in clause (ii), upon completion of a plan established under paragraph (1), no additional resources may be obligated for the procurement of new software licenses for the Department until such time as the need of the Department exceeds the number of used and unused licenses held by the Department.

“(ii) EXCEPTION.—The Chief Information Officer may authorize the purchase of additional licenses and amend the number of needed licenses as necessary.

“(3) GAO REVIEW.—The Comptroller General of the United States shall review the inventory conducted under paragraph (1)(A) and the plan established under paragraph (2)(A).

“(4) SUBMISSION TO CONGRESS.—The Chief Information Officer shall submit a copy of each inventory conducted under paragraph (1)(A) and each plan established under paragraph (2)(A) to the Committee on Homeland Security of the House of Representatives and

the Committee on Homeland Security and Governmental Affairs of the Senate.”.

(b) COMPLETION OF FIRST DEFINITION OF CAPABILITIES.—The Chief Information Officer shall complete the first implementation of section 701(c) of the Homeland Security Act of 2002, as amended by this section, by not later than 1 year after the date of the enactment of this Act.

SEC. 111. CHIEF HUMAN CAPITAL OFFICER.

Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended to read as follows:

“SEC. 704. CHIEF HUMAN CAPITAL OFFICER.

“(a) IN GENERAL.—There is a Chief Human Capital Officer of the Department who shall report directly to the Under Secretary of Management.

“(b) RESPONSIBILITIES.—The Chief Human Capital Officer shall—

“(1) develop and implement strategic workforce planning efforts that are consistent with Government-wide leading principles, and that are in line with Department strategic human capital goals and priorities;

“(2) develop performance measures to provide a basis for monitoring and evaluating Department-wide strategic workforce planning efforts;

“(3) develop strategies to recruit, hire, and train the Department workforce;

“(4) work with the component heads to identify methods for managing and overseeing human capital programs and initiatives;

“(5) develop a career path framework, and create opportunities for leader development;

“(6) serve as the Department's central office for managing employee resources, including training and development opportunities;

“(7) coordinate the Department's human resource management system;

“(8) conduct efficiency reviews to determine if components are implementing human capital programs and initiatives; and

“(9) identify and eliminate unnecessary and duplicative human capital policies and guidance.

“(c) COMPONENT STRATEGIES.—

“(1) IN GENERAL.—Each component of the Department shall coordinate with the Chief Human Capital Officer of the Department to develop or maintain its own 5-year workforce strategy that will support the Department's goals, objectives, performance measures, and determination of the proper balance of Federal employees and private labor resources.

“(2) STRATEGY REQUIREMENTS.—The Chief Human Capital Officer shall ensure that, in the development of the strategy required by subsection (c), the head of the component reports to the Chief Human Capital Officer on the human resources considerations associated with creating additional Federal full-time equivalent positions, converting private contractor positions to Federal employee positions, or relying on the private sector for goods and services, including—

“(A) hiring projections, including occupation and grade level, as well as corresponding salaries, benefits, and hiring or retention bonuses;

“(B) the identification of critical skills requirements over the 5-year period, any current or anticipated need for critical skills required at the Department, and the training or other measures required to address such need;

“(C) recruitment of qualified candidates and retention of qualified employees;

“(D) supervisory and management requirements;

“(E) travel and related personnel support costs;

“(F) the anticipated cost and impact on mission performance associated with replacing Federal personnel due to their retirement or other attrition; and

“(G) other appropriate factors.

“(d) ANNUAL SUBMISSION.—The Secretary shall provide to the appropriate congressional committees, together with submission of the annual budget justification, information on the progress within the Department of fulfilling the workforce strategies required under subsection (c).”.

SEC. 112. CHIEF SECURITY OFFICER.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by section 109(a) of this Act, is further amended by adding at the end the following:

“SEC. 709. CHIEF SECURITY OFFICER.

“(a) IN GENERAL.—There is a Chief Security Officer of the Department, who shall report directly to the Under Secretary for Management.

“(b) RESPONSIBILITIES.—The Chief Security Officer shall—

“(1) develop and implement the Department's security policies, programs, and standards;

“(2) identify training and provide education to Department personnel on security-related matters; and

“(3) provide support to Department components on security-related matters.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is further amended by adding at the end of the items relating to such title the following:

“Sec. 709. Chief Security Officer.”.

SEC. 113. COST SAVINGS AND EFFICIENCY REVIEWS.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary for Management of the Department of Homeland Security, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that—

(1) provides a detailed inventory of the management and administrative expenditures and activities of the components of the Department and identifies potential cost savings and efficiencies for those expenditures and activities of each such component;

(2) examines the size, experience level, and geographic distribution of the operational personnel of the Department, including Customs and Border Protection officers, Border Patrol agents, Customs and Border Protection Air and Marine agents, Customs and Border Protection agriculture specialists, Federal Protective Service law enforcement security officers, Immigration and Customs Enforcement agents, Transportation Security Administration officers, Federal air marshals, and members of the Coast Guard; and

(3) makes recommendations for adjustments in the management and administration of the Department that would reduce deficiencies in the Department's capabilities, reduce costs, and enhance efficiencies.

SEC. 114. FIELD EFFICIENCIES PLAN.

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and Committee on Homeland Security and Governmental Affairs of the Senate a field efficiencies plan that—

(A) examines the facilities and administrative and logistics functions of components of the Department of Homeland Security located within designated geographic areas; and

(B) provides specific recommendations and an associated cost-benefit analysis for the consolidation of the facilities and administrative and logistics functions of components of the Department within each designated geographic area.

(2) **CONTENTS.**—The field efficiencies plan submitted under paragraph (1) shall include the following:

(A) An accounting of leases held by the Department or its components that have expired in the current fiscal year or will be expiring in the next fiscal year, that have begun or been renewed in the current fiscal year, or that the Department or its components plan to sign or renew in the next fiscal year.

(B)(i) An evaluation for each designated geographic area of specific facilities at which components, or operational entities of components, of the Department may be closed or consolidated, including consideration of when leases expire or facilities owned by the Government become available.

(ii) The evaluation shall include consideration of potential consolidation with facilities of other Federal, State, or local entities, including—

- (I) offices;
- (II) warehouses;
- (III) training centers;
- (IV) housing;
- (V) ports, shore facilities, and airfields;
- (VI) laboratories; and
- (VII) other assets as determined by the Secretary.

(iii) The evaluation shall include the potential for the consolidation of administrative and logistics functions, including—

- (I) facility maintenance;
- (II) fleet vehicle services;
- (III) mail handling and shipping and receiving;
- (IV) facility security;
- (V) procurement of goods and services;
- (VI) information technology and telecommunications services and support; and
- (VII) additional ways to improve unity of effort and cost savings for field operations and related support activities as determined by the Secretary.

(C) An implementation plan, including—

- (i) near-term actions that can co-locate, consolidate, or dispose of property within 24 months;
- (ii) identifying long-term occupancy agreements or leases that cannot be changed without a significant cost to the Government; and

(iii) how the Department can ensure it has the capacity, in both personnel and funds, needed to cover up-front costs to achieve consolidation and efficiencies.

(D) An accounting of any consolidation in the Department or its component's real estate footprint, including the co-location of personnel from different components, offices, and agencies within the Department.

SEC. 115. RESOURCES TO RESPOND TO OPERATIONAL SURGES.

On an annual basis, the Secretary of Homeland Security shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the circumstances in which the Secretary exercised the authority during the preceding year to reprogram or transfer funds to address un-

foreseen costs, including the costs associated with operational surges, and information on any circumstances in which limitations on the transfer or reprogramming of funds impacted the Secretary's ability to address such unforeseen costs.

SEC. 116. DEPARTMENT OF HOMELAND SECURITY ROTATION PROGRAM.

(a) **ENHANCEMENTS TO THE ROTATION PROGRAM.**—Section 844(a) of the Homeland Security Act of 2002 (6 U.S.C. 414(a)) is amended as follows:

(1) In paragraph (1)—

(A) by striking “Not later than 180 days after the date of enactment of this section, the” and inserting “The”; and

(B) by striking “for employees of the Department” and inserting “for certain personnel within the Department”.

(2) In paragraph (2)—

(A) by redesignating subparagraphs (A) through (G) as subparagraphs (C) through (I), and inserting before subparagraph (C), as so redesignated, the following:

“(A) seek to foster greater Departmental integration and unity of effort;

“(B) seek to help enhance the knowledge, skills, and abilities of participating personnel with respect to the Department's programs, policies, and activities;”;

(B) in subparagraph (D), as so redesignated, by striking “middle and senior level”; and

(C) in subparagraph (G), as so redesignated, by inserting before “invigorate” the following: “seek to improve morale and retention throughout the Department and”.

(3) In paragraph (3)(B), by striking clause (iii) and redesignating clauses (iv) through (viii) as clauses (iii) through (vii).

(4) By redesignating paragraphs (4) and (5) as paragraphs (5) and (6), and inserting after paragraph (3) the following:

“(4) **ADMINISTRATIVE MATTERS.**—In carrying out any program established pursuant to this section, the Secretary shall—

“(A) before selecting employees for participation in such program, disseminate information broadly within the Department about the availability of the program, qualifications for participation in the program, including full-time employment within the employing component or office not less than one year, and the general provisions of the program;

“(B) require each candidate for participation in the program to be nominated by the head of the candidate's employing component or office and that the Secretary, or the Secretary's designee, select each employee for the program solely on the basis of relative ability, knowledge, and skills, after fair and open competition that assures that all candidates receive equal opportunity;

“(C) ensure that each employee participating in the program shall be entitled to return, within a reasonable period of time after the end of the period of participation, to the position held by the employee, or a corresponding or higher position, in the employee's employing component or office;

“(D) require that the rights that would be available to the employee if the employee were detailed from the employing component or office to another Federal agency or office remain available to the employee during the employee participation in the program; and

“(E) require that, during the period of participation by an employee in the program, performance evaluations for the employee—

“(i) shall be conducted by officials in the employee's office or component with input from the supervisors of the employee at the component or office in which the employee is placed during that period; and

“(ii) shall be provided the same weight with respect to promotions and other rewards as performance evaluations for service in the employee's office or component.”.

(b) **CONGRESSIONAL NOTIFICATION AND OVERSIGHT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall provide information to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate about the status of the homeland security rotation program authorized by section 844 of the Homeland Security Act of 2002, as amended by this section.

TITLE II—DHS ACQUISITION ACCOUNTABILITY AND EFFICIENCY

SEC. 201. DEFINITIONS.

(a) **IN GENERAL.**—In this title:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of Homeland Security.

(2) **DEPARTMENT.**—The term “Department” means the Department of Homeland Security.

(3) **CONGRESSIONAL HOMELAND SECURITY COMMITTEES.**—The term “congressional homeland security committees” means—

(A) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations of the House of Representatives and of the Senate.

(b) **ADDITIONAL DEFINITIONS.**—In this title:

(1) **ACQUISITION.**—The term “acquisition” has the meaning provided in section 131 of title 41, United States Code.

(2) **BEST PRACTICES.**—The term “best practices”, with respect to acquisition, means a knowledge-based approach to capability development that includes identifying and validating needs; assessing alternatives to select the most appropriate solution; clearly establishing well-defined requirements; developing realistic cost assessments and schedules; securing stable funding that matches resources to requirements; demonstrating technology, design, and manufacturing maturity; using milestones and exit criteria or specific accomplishments that demonstrate progress; adopting and executing standardized processes with known success across programs; establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and integrating these capabilities into the Department's mission and business operations.

(c) **AMENDMENTS TO DEFINITIONS IN HOMELAND SECURITY ACT OF 2002.**—Section 2 of the Homeland Security Act of 2002 is amended—

(1) by striking “In this Act,” and inserting “(a) **IN GENERAL.**—In this Act,”;

(2) in paragraph (2)—

(A) by inserting “(A)” after “(2)”; and

(B) by adding at the end the following new subparagraph:

“(B) The term ‘congressional homeland security committees’ means—

“(i) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(ii) the Committees on Appropriations of the House of Representatives and of the Senate, where appropriate.”; and

(3) by adding at the end the following new subsection:

“(b) **ACQUISITION-RELATED DEFINITIONS.**—In this Act, the following definitions apply:

“(1) **ACQUISITION.**—The term ‘acquisition’ has the meaning provided in section 131 of title 41, United States Code.

“(2) ACQUISITION DECISION AUTHORITY.—The term ‘acquisition decision authority’ means the authority, held by the Secretary acting through the Deputy Secretary or Under Secretary for Management—

“(A) to ensure compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives;

“(B) to review (including approving, halting, modifying, or cancelling) an acquisition program through the life cycle of the program;

“(C) to ensure that program managers have the resources necessary to successfully execute an approved acquisition program;

“(D) to ensure good program management of cost, schedule, risk, and system performance of the acquisition, including assessing acquisition program baseline breaches and directing any corrective action for such breaches; and

“(E) to ensure that program managers, on an ongoing basis, monitor cost, schedule, and performance against established baselines and use tools to assess risks to a program at all phases of the life cycle of the program to avoid and mitigate acquisition program baseline breaches.

“(3) ACQUISITION DECISION EVENT.—The term ‘acquisition decision event’, with respect to an investment or acquisition program, means a predetermined point within the acquisition phases of the investment or acquisition program at which the investment or acquisition program will undergo a review prior to commencement of the next phase.

“(4) ACQUISITION DECISION MEMORANDUM.—The term ‘acquisition decision memorandum’, with respect to an acquisition, means the official acquisition decision event record that includes a documented record of decisions, exit criteria, and assigned actions for the acquisition as determined by the person exercising acquisition decision authority for the acquisition.

“(5) ACQUISITION PROGRAM BASELINE.—The term ‘acquisition program baseline’, with respect to an acquisition program, means a summary of the cost, schedule, and performance parameters, expressed in standard, measurable, quantitative terms, which must be met in order to accomplish the goals of the program.

“(6) CAPABILITY DEVELOPMENT PLAN.—The term ‘capability development plan’, with respect to a proposed acquisition, means the document that the Acquisition Review Board approves for the first acquisition decision event related to validating the need of a proposed acquisition.

“(7) COMPONENT ACQUISITION EXECUTIVE.—The term ‘Component Acquisition Executive’ means the senior acquisition official within a component who is designated in writing by the Under Secretary for Management, in consultation with the component head, with authority and responsibility for leading a process and staff to provide acquisition and program management oversight, policy, and guidance to ensure that statutory, regulatory, and higher level policy requirements are fulfilled, including compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management.

“(8) LIFE CYCLE COST.—The term ‘life cycle cost’, with respect to an acquisition program, means all costs associated with research, development, procurement, operation, integrated logistics support, and disposal under the program, including supporting infrastructure that plans, manages,

and executes the program over its full life, and costs of common support items incurred as a result of the program.

“(9) MAJOR ACQUISITION PROGRAM.—The term ‘major acquisition program’ means a Department acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 (based on fiscal year 2015 constant dollars) over its life cycle cost.”.

Subtitle A—Acquisition Authorities

SEC. 211. ACQUISITION AUTHORITIES FOR UNDER SECRETARY FOR MANAGEMENT.

Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341), as amended by section 107 of this Act, is further amended by adding at the end the following:

“(e) ACQUISITION AND RELATED RESPONSIBILITIES.—

“(1) IN GENERAL.—Notwithstanding section 1702(b) of title 41, United States Code, the Under Secretary for Management is the Chief Acquisition Officer of the Department. As Chief Acquisition Officer, the Under Secretary shall have the authority and perform the functions as specified in section 1702(b) of such title, and perform all other functions and responsibilities delegated by the Secretary or described in this subsection.

“(2) DUTIES AND RESPONSIBILITIES.—In addition to the authority and functions specified in section 1702(b) of title 41, United States Code, the duties and responsibilities of the Under Secretary for Management related to acquisition include the following:

“(A) Advising the Secretary regarding acquisition management activities, taking into account risks of failure to achieve cost, schedule, or performance parameters, to ensure that the Department achieves its mission through the adoption of widely accepted program management best practices and standards.

“(B) Exercising the acquisition decision authority to approve, halt, modify (including the rescission of approvals of program milestones), or cancel major acquisition programs, unless the Under Secretary delegates the authority to a Component Acquisition Executive pursuant to paragraph (3).

“(C) Establishing policies for acquisition that implement an approach that takes into account risks of failure to achieve cost, schedule, or performance parameters that all components of the Department shall comply with, including outlining relevant authorities for program managers to effectively manage acquisition programs.

“(D) Ensuring that each major acquisition program has a Department-approved acquisition program baseline, pursuant to the Department’s acquisition management policy.

“(E) Ensuring that the heads of components and Component Acquisition Executives comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives.

“(F) Ensuring that grants and financial assistance are provided only to individuals and organizations that are not suspended or debarred.

“(G) Distributing guidance throughout the Department to ensure that contractors involved in acquisitions, particularly companies that access the Department’s information systems and technologies, adhere to internal cybersecurity policies established by the Department of Homeland Security.

“(3) DELEGATION OF ACQUISITION DECISION AUTHORITY.—

“(A) LEVEL 3 ACQUISITIONS.—The Under Secretary for Management may delegate acquisition decision authority in writing to the

relevant Component Acquisition Executive for an acquisition program that has a life cycle cost estimate of less than \$300,000,000.

“(B) LEVEL 2 ACQUISITIONS.—The Under Secretary for Management may delegate acquisition decision authority in writing to the relevant Component Acquisition Executive for a major acquisition program that has a life cycle cost estimate of at least \$300,000,000 but not more than \$1,000,000,000 if all of the following requirements are met:

“(i) The component concerned possesses working policies, processes, and procedures that are consistent with Department-level acquisition policy.

“(ii) The Component Acquisition Executive has adequate, experienced, dedicated program management professional staff commensurate with the size of the delegated portfolio.

“(iii) Each major acquisition program concerned has written documentation showing that it has a Department-approved acquisition program baseline and it is meeting agreed-upon cost, schedule, and performance thresholds.

“(4) EXCLUDED PARTIES LIST SYSTEM CONSULTATION.—The Under Secretary for Management shall require that all Department contracting and procurement officials consult the Excluded Parties List System (or successor system) as maintained by the General Services Administration prior to awarding a contract or grant or entering into other transactions to ascertain whether the selected contractor is excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and nonfinancial assistance and benefits.

“(5) RELATIONSHIP TO UNDER SECRETARY FOR SCIENCE AND TECHNOLOGY.—

“(A) IN GENERAL.—Nothing in this subsection shall diminish the authority granted to the Under Secretary for Science and Technology under this Act. The Under Secretary for Management and the Under Secretary for Science and Technology shall cooperate in matters related to the coordination of acquisitions across the Department so that investments of the Directorate of Science and Technology can support current and future requirements of the components.

“(B) OPERATIONAL TESTING AND EVALUATION.—The Under Secretary for Science and Technology shall—

“(i) ensure, in coordination with relevant component heads, that major acquisition programs—

“(I) complete operational testing and evaluation of technologies and systems;

“(II) use independent verification and validation of operational test and evaluation implementation and results; and

“(III) document whether such programs meet all performance requirements included in their acquisition program baselines;

“(ii) ensure that such operational testing and evaluation includes all system components and incorporates operators into the testing to ensure that systems perform as intended in the appropriate operational setting; and

“(iii) determine if testing conducted by other Federal agencies and private entities is relevant and sufficient in determining whether systems perform as intended in the operational setting.”.

SEC. 212. ACQUISITION AUTHORITIES FOR CHIEF FINANCIAL OFFICER.

Section 702 of the Homeland Security Act of 2002 (6 U.S.C. 342), as amended by section 108 of this Act, is further amended by adding at the end of subsection (c)(2) the following new subparagraph:

“(J) Notwithstanding section 902 of title 31, United States Code, provide leadership over financial management policy and programs for the Department as they relate to the Department’s acquisitions programs, in consultation with the Under Secretary for Management.”.

SEC. 213. ACQUISITION AUTHORITIES FOR CHIEF INFORMATION OFFICER.

Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343), as amended by section 110(a) of this Act, is further amended by adding at the end the following new subsection:

“(f) **ACQUISITION RESPONSIBILITIES.**—Notwithstanding section 11315 of title 40, United States Code, the acquisition responsibilities of the Chief Information Officer, in consultation with the Under Secretary for Management, shall include the following:

“(1) Oversee the management of the Homeland Security Enterprise Architecture and ensure that, before each acquisition decision event, approved information technology acquisitions comply with departmental information technology management processes, technical requirements, and the Homeland Security Enterprise Architecture, and in any case in which information technology acquisitions do not comply with the Department’s management directives, make recommendations to the Acquisition Review Board regarding such noncompliance.

“(2) Be responsible for providing recommendations to the Acquisition Review Board established in section 836 of this Act on information technology programs, and be responsible for developing information technology acquisition strategic guidance.”.

SEC. 214. REQUIREMENTS TO ENSURE GREATER ACCOUNTABILITY FOR ACQUISITION PROGRAMS.

(a) **IN GENERAL.**—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by sections 109(a) and 112(a) of this Act, is further amended by adding at the end the following:

“SEC. 710. REQUIREMENTS TO ENSURE GREATER ACCOUNTABILITY FOR ACQUISITION PROGRAMS.

“(a) **REQUIREMENT TO ESTABLISH MECHANISM.**—Within the Management Directorate, the Under Secretary for Management shall establish a mechanism to prioritize improving the accountability, standardization, and transparency of major acquisition programs of the Department in order to increase opportunities for effectiveness and efficiencies and to serve as the central oversight function of all Department acquisition programs.

“(b) **RESPONSIBILITIES OF EXECUTIVE DIRECTOR.**—The Under Secretary for Management shall designate an Executive Director to oversee the requirement under subsection (a). The Executive Director shall report directly to the Under Secretary and shall carry out the following responsibilities:

“(1) Monitor the performance of Department acquisition programs regularly between acquisition decision events to identify problems with cost, performance, or schedule that components may need to address to prevent cost overruns, performance issues, or schedule delays.

“(2) Assist the Under Secretary for Management in managing the Department’s acquisition portfolio.

“(3) Conduct oversight of individual acquisition programs to implement Department acquisition program policy, procedures, and guidance with a priority on ensuring the data it collects and maintains from its components is accurate and reliable.

“(4) Serve as the focal point and coordinator for the acquisition life cycle review

process and as the executive secretariat for the Acquisition Review Board established under section 836 of this Act.

“(5) Advise the persons having acquisition decision authority in making acquisition decisions consistent with all applicable laws and in establishing clear lines of authority, accountability, and responsibility for acquisition decisionmaking within the Department.

“(6) Engage in the strategic planning and performance evaluation process required under section 306 of title 5, United States Code, and sections 1105(a)(28), 1115, 1116, and 9703 of title 31, United States Code, by supporting the Chief Procurement Officer in developing strategies and specific plans for hiring, training, and professional development in order to rectify any deficiency within the Department’s acquisition workforce.

“(7) Oversee the Component Acquisition Executive structure to ensure it has sufficient capabilities and complies with Department policies.

“(8) Develop standardized certification standards in consultation with the Component Acquisition Executives for all acquisition program managers.

“(9) In the event that a program manager’s certification or actions need review for purposes of promotion or removal, provide input, in consultation with the relevant Component Acquisition Executive, into the relevant program manager’s performance evaluation, and report positive or negative experiences to the relevant certifying authority.

“(10) Provide technical support and assistance to Department acquisitions and acquisition personnel in conjunction with the Chief Procurement Officer.

“(11) Prepare the Department’s Comprehensive Acquisition Status Report, as required by the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113-6; 127 Stat. 343) and section 840 of this Act, and make such report available to congressional homeland security committees.

“(12) Prepare the Department’s Quarterly Program Accountability Report as required by section 840 of this Act, and make such report available to the congressional homeland security committees.

“(c) **RESPONSIBILITIES OF COMPONENTS.**—Each head of a component shall comply with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management. For each major acquisition program, each head of a component shall—

“(1) define baseline requirements and document changes to those requirements, as appropriate;

“(2) establish a complete life cycle cost estimate with supporting documentation, including an acquisition program baseline;

“(3) verify each life cycle cost estimate against independent cost estimates, and reconcile any differences;

“(4) complete a cost-benefit analysis with supporting documentation;

“(5) develop and maintain a schedule that is consistent with scheduling best practices as identified by the Comptroller General of the United States, including, in appropriate cases, an integrated master schedule; and

“(6) ensure that all acquisition program information provided by the component is complete, accurate, timely, and valid.

“SEC. 711. ACQUISITION DOCUMENTATION.

“(a) **IN GENERAL.**—For each major acquisition program, the Executive Director respon-

sible for the preparation of the Comprehensive Acquisition Status Report, pursuant to paragraph (11) of section 710(b), shall require certain acquisition documentation to be submitted by Department components or offices.

“(b) **WAIVER.**—The Secretary may waive the requirement for submission under subsection (a) for a program for a fiscal year if either—

“(1) the program has not—

“(A) entered the full rate production phase in the acquisition life cycle;

“(B) had a reasonable cost estimate established; and

“(C) had a system configuration defined fully; or

“(2) the program does not meet the definition of ‘capital asset’, as defined by the Director of the Office of Management and Budget.

“(c) **CONGRESSIONAL OVERSIGHT.**—At the same time the President’s budget is submitted for a fiscal year under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and Committee on Homeland Security and Governmental Affairs of the Senate information on the exercise of authority under subsection (b) in the prior fiscal year that includes the following specific information regarding each program for which a waiver is issued under subsection (b):

“(1) The grounds for granting a waiver for that program.

“(2) The projected cost of that program.

“(3) The proportion of a component’s annual acquisition budget attributed to that program, as available.

“(4) Information on the significance of the program with respect to the component’s operations and execution of its mission.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is further amended by adding after the item relating to section 709 the following new item:

“Sec. 710. Requirements to ensure greater accountability for acquisition programs.

“Sec. 711. Acquisition documentation.”.

Subtitle B—Acquisition Program Management Discipline

SEC. 221. ACQUISITION REVIEW BOARD.

(a) **IN GENERAL.**—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following new section:

“SEC. 836. ACQUISITION REVIEW BOARD.

“(a) **IN GENERAL.**—The Secretary shall establish an Acquisition Review Board (in this section referred to as the ‘Board’) to strengthen accountability and uniformity within the Department acquisition review process, review major acquisition programs, and review the use of best practices.

“(b) **COMPOSITION.**—The Deputy Secretary or Under Secretary for Management shall serve as chair of the Board. The Secretary shall also ensure participation by other relevant Department officials, including at least 2 component heads or their designees, as permanent members of the Board.

“(c) **MEETINGS.**—The Board shall meet every time a major acquisition program needs authorization to proceed from acquisition decision events through the acquisition life cycle and to consider any major acquisition program in breach as necessary. The Board may also be convened for non-major acquisitions that are deemed high-risk by the Executive Director referred to in section

710(b) of this Act. The Board shall also meet regularly for purposes of ensuring all acquisitions processes proceed in a timely fashion to achieve mission readiness.

“(d) RESPONSIBILITIES.—The responsibilities of the Board are as follows:

“(1) Determine whether a proposed acquisition has met the requirements of key phases of the acquisition life cycle framework and is able to proceed to the next phase and eventual full production and deployment.

“(2) Oversee executable business strategy, resources, management, accountability, and alignment to strategic initiatives.

“(3) Support the person with acquisition decision authority for an acquisition in determining the appropriate direction for the acquisition at key acquisition decision events.

“(4) Conduct systematic reviews of acquisitions to ensure that they are progressing in compliance with the approved documents for their current acquisition phase.

“(5) Review the acquisition documents of each major acquisition program, including the acquisition program baseline and documentation reflecting consideration of trade-offs among cost, schedule, and performance objectives, to ensure the reliability of underlying data.

“(6) Ensure that practices are adopted and implemented to require consideration of trade-offs among cost, schedule, and performance objectives as part of the process for developing requirements for major acquisition programs prior to the initiation of the second acquisition decision event, including, at a minimum, the following practices:

“(A) Department officials responsible for acquisition, budget, and cost estimating functions are provided with the appropriate opportunity to develop estimates and raise cost and schedule matters before performance objectives are established for capabilities when feasible.

“(B) Full consideration of possible trade-offs among cost, schedule, and performance objectives for each alternative is considered.

“(e) ACQUISITION PROGRAM BASELINE REPORT REQUIREMENT.—If the person exercising acquisition decision authority over a major acquisition program approves the program to proceed into the planning phase before it has a Department-approved acquisition program baseline, then the Under Secretary for Management shall create and approve an acquisition program baseline report on the decision, and the Secretary shall—

“(1) within 7 days after an acquisition decision memorandum is signed, notify in writing the congressional homeland security committees of such decision; and

“(2) within 60 days after the acquisition decision memorandum is signed, submit a report to such committees stating the rationale for the decision and a plan of action to require an acquisition program baseline for the program.

“(f) BEST PRACTICES DEFINED.—In this section, the term ‘best practices’ has the meaning provided in section 4(b) of the DHS Headquarters Reform and Improvement Act of 2015.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is further amended by adding after the item relating to section 835 the following new item: “Sec. 836. Acquisition Review Board.”

SEC. 222. REQUIREMENTS TO REDUCE DUPLICATION IN ACQUISITION PROGRAMS.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

“SEC. 837. REQUIREMENTS TO REDUCE DUPLICATION IN ACQUISITION PROGRAMS.

“(a) REQUIREMENT TO ESTABLISH POLICIES.—In an effort to reduce unnecessary duplication and inefficiency for all Department investments, including major acquisition programs, the Deputy Secretary, in consultation with the Under Secretary for Management, shall establish Department-wide policies to integrate all phases of the investment life cycle and help the Department identify, validate, and prioritize common component requirements for major acquisition programs in order to increase opportunities for effectiveness and efficiencies. The policies shall also include strategic alternatives for developing and facilitating a Department component-driven requirements process that includes oversight of a development test and evaluation capability; identification of priority gaps and overlaps in Department capability needs; and provision of feasible technical alternatives, including innovative commercially available alternatives, to meet capability needs.

“(b) MECHANISMS TO CARRY OUT REQUIREMENT.—The Under Secretary for Management shall coordinate the actions necessary to carry out subsection (a), using such mechanisms as considered necessary by the Secretary to help the Department reduce unnecessary duplication and inefficiency for all Department investments, including major acquisition programs.

“(c) COORDINATION.—In coordinating the actions necessary to carry out subsection (a), the Deputy Secretary shall consult with the Under Secretary for Management, Component Acquisition Executives, and any other Department officials, including the Under Secretary for Science and Technology or his designee, with specific knowledge of Department or component acquisition capabilities to prevent unnecessary duplication of requirements.

“(d) ADVISORS.—The Deputy Secretary, in consultation with the Under Secretary for Management, shall seek and consider input within legal and ethical boundaries from members of Federal, State, local, and tribal governments, nonprofit organizations, and the private sector, as appropriate, on matters within their authority and expertise in carrying out the Department’s mission.

“(e) MEETINGS.—The Deputy Secretary, in consultation with the Under Secretary for Management, shall meet at least quarterly and communicate with components often to ensure that components do not overlap or duplicate spending or activities on major investments and acquisition programs within their areas of responsibility.

“(f) RESPONSIBILITIES.—In carrying out this section, the responsibilities of the Deputy Secretary, in consultation with the Under Secretary for Management, are as follows:

“(1) To review and validate the requirements documents of major investments and acquisition programs prior to acquisition decision events of the investments or programs.

“(2) To ensure the requirements and scope of a major investment or acquisition program are stable, measurable, achievable, at an acceptable risk level, and match the resources planned to be available.

“(3) Before any entity of the Department issues a solicitation for a new contract, coordinate with other Department entities as appropriate to prevent unnecessary duplication and inefficiency and—

“(A) to implement portfolio reviews to identify common mission requirements and crosscutting opportunities among compo-

nents to harmonize investments and requirements and prevent unnecessary overlap and duplication among components; and

“(B) to the extent practicable, to standardize equipment purchases, streamline the acquisition process, improve efficiencies, and conduct best practices for strategic sourcing.

“(4) To ensure program managers of major investments and acquisition programs conduct analyses, giving particular attention to factors such as cost, schedule, risk, performance, and operational efficiency in order to determine that programs work as intended within cost and budget expectations.

“(5) To propose schedules for delivery of the operational capability needed to meet each Department investment and major acquisition program.

“(g) BEST PRACTICES DEFINED.—In this section, the term ‘best practices’ has the meaning provided in section 4(b) of the DHS Headquarters Reform and Improvement Act of 2015.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is further amended by adding after the item relating to section 836 the following new item:

“Sec. 837. Requirements to reduce duplication in acquisition programs.”

SEC. 223. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF BOARD AND OF REQUIREMENTS TO REDUCE DUPLICATION IN ACQUISITION PROGRAMS.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a review of the effectiveness of the Acquisition Review Board established under section 836 of the Homeland Security Act of 2002 (as added by section 221) and the requirements to reduce unnecessary duplication in acquisition programs established under section 837 of such Act (as added by section 222) in improving the Department’s acquisition management process.

(b) SCOPE OF REPORT.—The review shall include the following:

(1) An assessment of the effectiveness of the Board in increasing program management oversight, best practices and standards, and discipline among the components of the Department, including in working together and in preventing overlap and unnecessary duplication.

(2) An assessment of the effectiveness of the Board in instilling program management discipline.

(3) A statement of how regularly each major acquisition program is reviewed by the Board, how often the Board stops major acquisition programs from moving forward in the phases of the acquisition life cycle process, and the number of major acquisition programs that have been halted because of problems with operational effectiveness, schedule delays, or cost overruns.

(4) An assessment of the effectiveness of the Board in impacting acquisition decision-making within the Department, including the degree to which the Board impacts decisionmaking within other headquarters mechanisms and bodies involved in the administration of acquisition activities.

(c) REPORT REQUIRED.—The Comptroller General shall submit to the congressional homeland security committees a report on the review required by this section not later than 1 year after the date of the enactment of this Act. The report shall be submitted in unclassified form but may include a classified annex.

SEC. 224. EXCLUDED PARTY LIST SYSTEM WAIVERS.

The Secretary of Homeland Security shall provide notification to the congressional

homeland security committees within 5 days after the issuance of a waiver by the Secretary of Federal requirements that an agency not engage in business with a contractor in the Excluded Party List System (or successor system) as maintained by the General Services Administration and an explanation for a finding by the Secretary that a compelling reason exists for this action.

SEC. 225. INSPECTOR GENERAL OVERSIGHT OF SUSPENSION AND DEBARMENT.

The Inspector General of the Department of Homeland Security—

(1) may audit decisions about grant and procurement awards to identify instances where a contract or grant was improperly awarded to a suspended or debarred entity and whether corrective actions were taken to prevent recurrence; and

(2) shall review the suspension and debarment program throughout the Department of Homeland Security to assess whether suspension and debarment criteria are consistently applied throughout the Department and whether disparities exist in the application of such criteria, particularly with respect to business size and categories.

Subtitle C—Acquisition Program Management Accountability and Transparency

SEC. 231. CONGRESSIONAL NOTIFICATION AND OTHER REQUIREMENTS FOR MAJOR ACQUISITION PROGRAM BREACH.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

“SEC. 838. CONGRESSIONAL NOTIFICATION AND OTHER REQUIREMENTS FOR MAJOR ACQUISITION PROGRAM BREACH.

“(a) BREACH DEFINED.—The term ‘breach’, with respect to a major acquisition program, means a failure to meet any cost, schedule, or performance parameter specified in the acquisition program baseline.

“(b) REQUIREMENTS WITHIN DEPARTMENT IF BREACH OCCURS.—

“(1) NOTIFICATIONS.—

“(A) NOTIFICATION OF BREACH.—If a breach occurs in a major acquisition program, the program manager for that program shall notify the Component Acquisition Executive for the program, the head of the component concerned, the Executive Director referred to in section 710(b) of this Act, the Under Secretary for Management, and the Deputy Secretary.

“(B) NOTIFICATION TO SECRETARY.—If a major acquisition program has a breach with a cost overrun greater than 15 percent or a schedule delay greater than 180 days from the costs or schedule set forth in the acquisition program baseline for the program, the Secretary and the Inspector General of the Department shall be notified not later than 5 business days after the breach is identified.

“(2) REMEDIATION PLAN AND ROOT CAUSE ANALYSIS.—

“(A) IN GENERAL.—In the case of a breach with a cost overrun greater than 15 percent or a schedule delay greater than 180 days from the costs or schedule set forth in the acquisition program baseline, a remediation plan and root cause analysis is required, and the Under Secretary for Management or his designee shall establish a date for submission within the Department of a breach remediation plan and root cause analysis in accordance with this subsection.

“(B) REMEDIATION PLAN.—The remediation plan required under this subsection shall be submitted in writing to the head of the component concerned, the Executive Director referred to in section 710(b) of this Act, and the Under Secretary for Management. The plan shall—

“(i) explain the circumstances of the breach;

“(ii) provide prior cost estimating information;

“(iii) propose corrective action to control cost growth, schedule delays, or performance issues;

“(iv) in coordination with Component Acquisition Executive, discuss all options considered, including the estimated impact on cost, schedule, or performance of the program if no changes are made to current requirements, the estimated cost of the program if requirements are modified, and the extent to which funding from other programs will need to be reduced to cover the cost growth of the program; and

“(v) explain the rationale for why the proposed corrective action is recommended.

“(C) ROOT CAUSE ANALYSIS.—The root cause analysis required under this subsection shall determine the underlying cause or causes of shortcomings in cost, schedule, or performance of the program, including the role, if any, of the following:

“(i) Unrealistic performance expectations.

“(ii) Unrealistic baseline estimates for cost or schedule or changes in program requirements.

“(iii) Immature technologies or excessive manufacturing or integration risk.

“(iv) Unanticipated design, engineering, manufacturing, or technology integration issues arising during program performance.

“(v) Changes in procurement quantities.

“(vi) Inadequate program funding or changes in planned out-year funding from 1 5-year funding plan to the next 5-year funding plan as outlined in the Future Years Homeland Security Program required under section 874 of this Act.

“(vii) Legislative, legal, or regulatory changes.

“(viii) Inadequate program management personnel, including lack of training, credentials, certifications, or use of best practices.

“(3) CORRECTION OF BREACH.—The Under Secretary for Management or his designee shall establish a date for submission within the Department of a program of corrective action that ensures that 1 of the following actions has occurred:

“(A) The breach has been corrected and the program is again in compliance with the original acquisition program baseline parameters.

“(B) A revised acquisition program baseline has been approved.

“(C) The program has been halted or cancelled.

“(c) REQUIREMENTS RELATING TO CONGRESSIONAL NOTIFICATION IF BREACH OCCURS.—

“(1) NOTIFICATION TO CONGRESS.—If a notification is made under subsection (b)(1)(B) for a breach in a major acquisition program with a cost overrun greater than 15 percent or a schedule delay greater than 180 days from the costs or schedule set forth in the acquisition program baseline, or with an anticipated failure for any key performance threshold or parameter specified in the acquisition program baseline, the Under Secretary for Management shall notify the congressional homeland security committees of the breach in the next quarterly Comprehensive Acquisition Status Report after the Under Secretary for Management receives the notification from the program manager under subsection (b)(1)(B).

“(2) SUBSTANTIAL VARIANCES IN COSTS OR SCHEDULE.—If a likely cost overrun is greater than 20 percent or a likely delay is greater than 12 months from the costs and schedule set forth in the acquisition program baseline

for a major acquisition program, the Under Secretary for Management shall include in the notification required in (c)(1) a written certification, with supporting explanation, that—

“(A) the acquisition is essential to the accomplishment of the Department’s mission;

“(B) there are no alternatives to such capability or asset that will provide equal or greater capability in both a more cost-effective and timely manner;

“(C) the new acquisition schedule and estimates for total acquisition cost are reasonable; and

“(D) the management structure for the acquisition program is adequate to manage and control performance, cost, and schedule.

“(3) SUBMISSIONS TO CONGRESS.—Not later than 30 calendar days after submission to such committees of a breach notification under paragraph (1) of this section for a major acquisition program, the Under Secretary for Management shall submit to such committees the following:

“(A) A copy of the remediation plan and the root cause analysis prepared under subsection (b)(2) for the program.

“(B) A statement describing the corrective action or actions that have occurred pursuant to subsection (b)(3) for the program, with a justification for the action or actions.

“(d) ADDITIONAL ACTIONS IF BREACH OCCURS.—

“(1) PROHIBITION ON OBLIGATION OF FUNDS.—During the 90-day period following submission under subsection (c)(3) of a remediation plan, root cause analysis, and statement of corrective actions with respect to a major acquisition program, the Under Secretary for Management shall submit a certification described in paragraph (2) of this subsection to the congressional homeland security committees. If the Under Secretary for Management does not submit such certification by the end of such 90-day period, then funds appropriated to the major acquisition program shall not be obligated until the Under Secretary for Management submits such certification.

“(2) CERTIFICATION.—For purposes of paragraph (1), the certification described in this paragraph is a certification that—

“(A) the Department has adjusted or restructured the program in a manner that addresses the root cause or causes of the cost growth in the program; and

“(B) the Department has conducted a thorough review of the breached program’s acquisition decision event approvals and the current acquisition decision event approval for the breached program has been adjusted as necessary to account for the restructured program.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is further amended by adding after the item relating to section 837 the following new item:

“Sec. 838. Congressional notification and other requirements for major acquisition program breach.”.

SEC. 232. MULTIYEAR ACQUISITION STRATEGY.

(a) IN GENERAL.—

(1) AMENDMENT.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

“SEC. 839. MULTIYEAR ACQUISITION STRATEGY.

“(a) MULTIYEAR ACQUISITION STRATEGY REQUIRED.—Not later than 1 year after the date of the enactment of this section, the Secretary shall submit to the appropriate homeland security committees a multiyear acquisition strategy to guide the overall direction

of the acquisitions of the Department while allowing flexibility to deal with ever-changing threats and risks and to help industry better understand, plan, and align resources to meet the future acquisition needs of the Department. The strategy shall be updated and included in each Future Years Homeland Security Program required under section 874 of this Act.

“(b) CONSULTATION.—In developing the strategy, the Secretary shall consult with others as the Secretary deems appropriate, including headquarters, components, employees in the field, and when appropriate, individuals from industry and the academic community.

“(c) FORM OF STRATEGY.—The report shall be submitted in unclassified form but may include a classified annex for any sensitive or classified information if necessary. The Department also shall publish the plan in an unclassified format that is publicly available.

“(d) CONTENTS OF STRATEGY.—The strategy shall include the following:

“(1) PRIORITIZED LIST.—A systematic and integrated prioritized list developed by the Under Secretary for Management or his designee in coordination with all of the Component Acquisition Executives of Department major acquisition programs that Department and component acquisition investments seek to address, that includes the expected security and economic benefit of the program or system and an analysis of how the security and economic benefit derived from the program or system will be measured.

“(2) INVENTORY.—A plan to develop a reliable Department-wide inventory of investments and real property assets to help the Department plan, budget, schedule, and acquire upgrades of its systems and equipment and plan for the acquisition and management of future systems and equipment.

“(3) FUNDING GAPS.—A plan to address funding gaps between funding requirements for major acquisition programs and known available resources including, to the maximum extent practicable, ways of leveraging best practices to identify and eliminate overpayment for items to prevent wasteful purchasing, achieve the greatest level of efficiency and cost savings by rationalizing purchases, aligning pricing for similar items, and utilizing purchase timing and economies of scale.

“(4) IDENTIFICATION OF CAPABILITIES.—An identification of test, evaluation, modeling, and simulation capabilities that will be required to support the acquisition of the technologies to meet the needs of the plan and ways to leverage to the greatest extent possible the emerging technology trends and research and development trends within the public and private sectors and an identification of ways to ensure that the appropriate technology is acquired and integrated into the Department's operating doctrine and procured in ways that improve mission performance.

“(5) FOCUS ON FLEXIBLE SOLUTIONS.—An assessment of ways the Department can improve its ability to test and acquire innovative solutions to allow needed incentives and protections for appropriate risk-taking in order to meet its acquisition needs with resiliency, agility, and responsiveness to assure the Nation's homeland security and facilitate trade.

“(6) FOCUS ON INCENTIVES TO SAVE TAXPAYER DOLLARS.—An assessment of ways the Department can develop incentives for program managers and senior Department acquisition officials to prevent cost overruns,

avoid schedule delays, and achieve cost savings in major acquisition programs.

“(7) FOCUS ON ADDRESSING DELAYS AND BID PROTESTS.—An assessment of ways the Department can improve the acquisition process to minimize cost overruns in requirements development, procurement announcements, requests for proposals, evaluation of proposals, protests of decisions and awards and through the use of best practices as defined in section 4(b) of the DHS Headquarters Reform and Improvement Act of 2015 and lessons learned by the Department and other Federal agencies.

“(8) FOCUS ON IMPROVING OUTREACH.—An identification and assessment of ways to increase opportunities for communication and collaboration with industry, small and disadvantaged businesses, intra-government entities, university centers of excellence, accredited certification and standards development organizations, and national laboratories to ensure that the Department understands the market for technologies, products, and innovation that is available to meet its mission needs to inform the requirements-setting process and before engaging in an acquisition, including—

“(A) methods designed especially to engage small and disadvantaged businesses and a cost-benefit analysis of the tradeoffs that small and disadvantaged businesses provide, barriers to entry for small and disadvantaged businesses, and unique requirements for small and disadvantaged businesses; and

“(B) within the Department Vendor Communication Plan and Market Research Guide, instructions for interaction by program managers with such entities to prevent misinterpretation of acquisition regulations and to permit freedom within legal and ethical boundaries for program managers to interact with such businesses with transparency.

“(9) COMPETITION.—A plan regarding competition as described in subsection (e).

“(10) ACQUISITION WORKFORCE.—A plan regarding the Department acquisition workforce as described in subsection (f).

“(11) FEASIBILITY OF WORKFORCE DEVELOPMENT FUND PILOT PROGRAM.—An assessment of the feasibility of conducting a pilot program to establish an acquisition workforce development fund as described in subsection (g).

“(e) COMPETITION PLAN.—The strategy shall also include a plan (referred to in subsection (d)(9)) that shall address actions to ensure competition, or the option of competition, for major acquisition programs. The plan may include assessments of the following measures in appropriate cases if such measures are cost effective:

“(1) Competitive prototyping.

“(2) Dual-sourcing.

“(3) Unbundling of contracts.

“(4) Funding of next-generation prototype systems or subsystems.

“(5) Use of modular, open architectures to enable competition for upgrades.

“(6) Acquisition of complete technical data packages.

“(7) Periodic competitions for subsystem upgrades.

“(8) Licensing of additional suppliers, including small businesses.

“(9) Periodic system or program reviews to address long-term competitive effects of program decisions.

“(f) ACQUISITION WORKFORCE PLAN.—

“(1) ACQUISITION WORKFORCE.—The strategy shall also include a plan (referred to in subsection (d)(10)) to address Department acquisition workforce accountability and talent

management that identifies the acquisition workforce needs of each component performing acquisition functions and develops options for filling those needs with qualified individuals, including a cost-benefit analysis of contracting for acquisition assistance.

“(2) ADDITIONAL MATTERS COVERED.—The acquisition workforce plan shall address ways to—

“(A) improve the recruitment, hiring, training, and retention of Department acquisition workforce personnel, including contracting officer's representatives, in order to retain highly qualified individuals that have experience in the acquisition life cycle, complex procurements, and management of large programs;

“(B) empower program managers to have the authority to manage their programs in an accountable and transparent manner as they work with the acquisition workforce;

“(C) prevent duplication within Department acquisition workforce training and certification requirements through leveraging already-existing training within the Federal Government, academic community, or private industry;

“(D) achieve integration and consistency with Government-wide training and accreditation standards, acquisition training tools, and training facilities;

“(E) designate the acquisition positions that will be necessary to support the Department acquisition requirements, including in the fields of—

“(i) program management;

“(ii) systems engineering;

“(iii) procurement, including contracting;

“(iv) test and evaluation;

“(v) life cycle logistics;

“(vi) cost estimating and program financial management; and

“(vii) additional disciplines appropriate to Department mission needs;

“(F) strengthen the performance of contracting officer's representatives (as defined in subpart 1.602-2 and subpart 2.101 of the Federal Acquisition Regulation), including by—

“(i) assessing the extent to which contracting officer's representatives are certified and receive training that is appropriate;

“(ii) determining what training is most effective with respect to the type and complexity of assignment; and

“(iii) implementing actions to improve training based on such assessment; and

“(G) identify ways to increase training for relevant investigators and auditors to examine fraud in major acquisition programs, including identifying opportunities to leverage existing Government and private sector resources in coordination with the Inspector General of the Department.

“(g) FEASIBILITY OF WORKFORCE DEVELOPMENT FUND PILOT PROGRAM.—The strategy shall also include an assessment (referred to in subsection (d)(11)) of the feasibility of conducting a pilot program to establish a Homeland Security Acquisition Workforce Development Fund (in this subsection referred to as the ‘Fund’) to ensure the Department acquisition workforce has the capacity, in both personnel and skills, needed to properly perform its mission and ensure that the Department receives the best value for the expenditure of public resources. The assessment shall address the following:

“(1) Ways to fund the Fund, including the use of direct appropriations, or the credit, transfer, or deposit of unobligated or unused funds from Department components into the Fund to remain available for obligation in

the fiscal year for which credited, transferred, or deposited and to remain available for successive fiscal years.

“(2) Ways to reward the Department acquisition workforce and program managers for good program management in controlling cost growth, limiting schedule delays, and ensuring operational effectiveness through providing a percentage of the savings or general acquisition bonuses.

“(3) Guidance for the administration of the Fund that includes provisions to do the following:

“(A) Describe the costs and benefits associated with the use of direct appropriations or credit, transfer, or deposit of unobligated or unused funds to finance the Fund.

“(B) Describe the manner and timing for applications for amounts in the Fund to be submitted.

“(C) Explain the evaluation criteria to be used for approving or prioritizing applications for amounts in the Fund in any fiscal year.

“(D) Explain the mechanism to report to Congress on the implementation of the Fund on an ongoing basis.

“(E) Detail measurable performance metrics to determine if the Fund is meeting the objective to improve the acquisition workforce and to achieve cost savings in acquisition management.”

(2) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is further amended by adding after the item relating to section 838 the following new item:

“Sec. 839. Multiyear acquisition strategy.”

(b) **CONFORMING AMENDMENT TO FUTURE YEARS HOMELAND SECURITY PROGRAM.**—Section 874(b) of the Homeland Security Act of 2002 (6 U.S.C. 454(b)) is amended—

(1) by striking “and” at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(4) include the multiyear acquisition strategy required under section 839 of this Act.”

SEC. 233. ACQUISITION REPORTS.

(a) **IN GENERAL.**—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

“SEC. 840. ACQUISITION REPORTS.

“(a) **COMPREHENSIVE ACQUISITION STATUS REPORT.**—

“(1) **IN GENERAL.**—The Under Secretary for Management each year shall submit to the congressional homeland security committees, at the same time as the President’s budget is submitted for a fiscal year under section 1105(a) of title 31, United States Code, a comprehensive acquisition status report. The report shall include the following:

“(A) The information required under the heading ‘Office of the Under Secretary for Management’ under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112-74) (as required under the Department of Homeland Security Appropriations Act, 2013 (Public Law 113-6)).

“(B) A listing of programs that have been cancelled, modified, paused, or referred to the Under Secretary for Management or Deputy Secretary for additional oversight or action by the Board, Department Office of Inspector General, or the Comptroller General.

“(C) A listing of established Executive Steering Committees, which provide governance of a program or related set of programs and lower-tiered oversight, and support be-

tween acquisition decision events and component reviews, including the mission and membership for each.

“(2) **INFORMATION FOR MAJOR ACQUISITION PROGRAMS.**—For each major acquisition program, the report shall include the following:

“(A) A narrative description, including current gaps and shortfalls, the capabilities to be fielded, and the number of planned increments or units.

“(B) Acquisition Review Board (or other board designated to review the acquisition) status of each acquisition, including the current acquisition phase, the date of the last review, and a listing of the required documents that have been reviewed with the dates reviewed or approved.

“(C) The most current, approved acquisition program baseline (including project schedules and events).

“(D) A comparison of the original acquisition program baseline, the current acquisition program baseline, and the current estimate.

“(E) Whether or not an independent verification and validation has been implemented, with an explanation for the decision and a summary of any findings.

“(F) A rating of cost risk, schedule risk, and technical risk associated with the program (including narrative descriptions and mitigation actions).

“(G) Contract status (including earned value management data as applicable).

“(H) A lifecycle cost of the acquisition, and time basis for the estimate.

“(3) **UPDATES.**—The Under Secretary shall submit quarterly updates to such report not later than 45 days after the completion of each quarter.

“(b) **QUARTERLY PROGRAM ACCOUNTABILITY REPORT.**—The Under Secretary for Management shall prepare a quarterly program accountability report to meet the Department’s mandate to perform program health assessments and improve program execution and governance. The report shall be submitted to the congressional homeland security committees.”

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is further amended by adding after the item relating to section 839 the following new item:

“Sec. 840. Acquisition reports.”

SEC. 234. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF MULTIYEAR ACQUISITION STRATEGY.

(a) **REVIEW REQUIRED.**—After submission to Congress of the first multiyear acquisition strategy (pursuant to section 839 of the Homeland Security Act of 2002) after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the plan within 180 days to analyze the viability of the plan’s effectiveness in the following:

(1) Complying with the requirements in section 839 of the Homeland Security Act of 2002, as added by section 232 of this Act.

(2) Establishing clear connections between Department objectives and acquisition priorities.

(3) Demonstrating that Department acquisition policy reflects program management best practices and standards.

(4) Ensuring competition or the option of competition for major acquisition programs.

(5) Considering potential cost savings through using already-existing technologies when developing acquisition program requirements.

(6) Preventing duplication within Department acquisition workforce training require-

ments through leveraging already-existing training within the Federal Government, academic community, or private industry.

(7) Providing incentives for program managers to reduce acquisition and procurement costs through the use of best practices and disciplined program management.

(8) Maximizing small business utilization in acquisitions by, to the maximum extent practicable, ensuring strategic sourcing vehicles seek to increase participation by small businesses, including small and disadvantaged business.

(9) Assessing the feasibility of conducting a pilot program to establish a Homeland Security Acquisition Workforce Development Fund.

(b) **REPORT REQUIRED.**—The Comptroller General shall submit to the congressional homeland security committees a report on the review required by this section. The report shall be submitted in unclassified form but may include a classified annex.

SEC. 235. OFFICE OF INSPECTOR GENERAL REPORT.

(a) **REVIEW REQUIRED.**—No later than 2 years following the submission of the report submitted by the Comptroller General of the United States as required by section 234, the Department’s Inspector General shall conduct a review of whether the Department has complied with the multiyear acquisition strategy (pursuant to section 839 of the Homeland Security Act of 2002) and adhered to the strategies set forth in the plan. The review shall also consider whether the Department has complied with the requirements to provide the Acquisition Review Board with a capability development plan for each major acquisition program.

(b) **REPORT REQUIRED.**—The Inspector General shall submit to the congressional homeland security committees a report of the review required by this section. The report shall be submitted in unclassified form but may include a classified annex.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MCCAUL) and the gentleman from New York (Mr. HIGGINS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. MCCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MCCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the Committee on Homeland Security, I rise today in strong support of H.R. 3572, the Department of Homeland Security Headquarters Reform and Improvement Act of 2015, which I introduced with my colleague from Mississippi, Ranking Member BENNIE THOMPSON.

This important, bipartisan legislation reforms and streamlines DHS headquarters so it can more effectively focus on its core mission of better protecting national security. At the same

time, this bill saves millions in taxpayer dollars and reins in unnecessary bureaucracy.

DHS headquarters plays an important role in providing direction and oversight to the Department's 22 components; yet, over the years, Department management has become bloated and unwieldy.

DHS has established, reorganized, and expanded offices and programs without the approval of Congress, created new assistant secretary positions, and spent billions of dollars on acquisitions that don't meet the needs of our men and women on the frontlines securing the homeland.

This bill helps to get DHS management on track by mandating multiple efficiency reviews to ensure taxpayer dollars are not wasted but, instead, directly linked to protecting the homeland. It also requires DHS to increase transparency with Congress, to hold acquisition programs accountable, and to better communicate with industry when making major acquisition decisions.

I would like to take this opportunity to thank Oversight and Management Efficiency Subcommittee Chairman SCOTT PERRY and Ranking Member BONNIE WATSON COLEMAN for their leadership in conducting much of the oversight and research that informed the bill, especially their work to reform DHS' troubled acquisitions process. I am grateful for their tremendous efforts.

In addition, this bill eliminates unnecessary assistant secretary and director positions, abolishes unproductive, idle offices, consolidates offices to streamline functionality, and prohibits the Department of Homeland Security Secretary from creating any new assistant secretary positions without prior congressional approval.

In short, Mr. Speaker, this bill ensures that the Department of Homeland Security is a leaner, less bureaucratic, and more efficient organization focused on the mission and getting the job done.

While H.R. 3572 addresses waste, fraud, abuse, and a lack of transparency at DHS headquarters, it is just one part of a larger suite of legislation that this committee has passed this year dedicated to reforming and improving the Department overall.

To date, we have passed by voice vote more than 40 bills addressing similar shortcomings at CBP, TSA, FEMA, Secret Service, NPPD, and S&T, just to name a few.

I am very proud of our success in passing specific targeted bills dedicated to reining in bureaucracy, saving taxpayer dollars, providing much-needed congressional guidance, and protecting national security.

I am grateful to all the members of this committee and to the staff on both sides of the aisle whose hard work and

bipartisan commitment to the priority of keeping America safe helped to make all of this legislation possible.

My committee approved this bill unanimously last month, something you don't hear of every day in this Congress.

In conclusion, I urge all Members of the House to join me in supporting this bipartisan bill that will help DHS to operate more efficiently and effectively in protecting the American people.

Mr. Speaker, I reserve the balance of my time.

Mr. HIGGINS. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3572, the Department of Homeland Security Headquarters Reform and Improvement Act of 2015.

Mr. Speaker, the Department of Homeland Security was established in 2003, when 22 agencies were folded together in what was the most substantial reorganization of Federal agencies since the National Security Act of 1947.

Since that time, the Department of Homeland Security has faced an ever-evolving range of threats and has taken on more missions and responsibilities, most notably with respect to cybersecurity.

Even as the Department of Homeland Security has risen to the operational demands of the post-9/11 world, departmental integration and coordination of key activities—such as policy development, acquisitions, and human capital management—have been a challenge.

As a result, the comptroller general and the Department of Homeland Security inspector general have repeatedly found instances where decisionmaking at the component level has resulted in performance failures that have wasted limited Department of Homeland Security resources.

H.R. 3572 is designed to drive improvements at all levels of the Department and to codify key departmental management directives that were issued in recent years.

Specifically, H.R. 3572 would strengthen the under secretary for management; authorize and realign central offices within the Management Directorate; bolster the Office of Policy, including its management of DHS overseas personnel; and address the Department's employee morale issues.

Importantly, H.R. 3572 codifies the Department's acquisition policies, promoting management practices designed to deliver needed capabilities while actively managing risk.

This bipartisan measure was introduced by Chairman MCCAUL on September 18, and Ranking Member THOMPSON was his original cosponsor.

The degree to which this bill is a bipartisan product was further underscored by the acceptance of 13 amendments offered by Democratic members at the full committee markup held on September 30.

Mr. Speaker, H.R. 3572 is in line with Department of Homeland Security Secretary Jeh Johnson's Unity of Effort initiative. For example, it streamlines how the Department conducts outreach with Homeland Security stakeholders, including businesses and local government agencies, and integrates that process with the Department's policymaking.

Additionally, in an effort to address chronic morale issues and build bridges between Department of Homeland Security components, H.R. 3572 directs the Department to establish a rotational program for its workforce.

Finally, the bill elevates the Assistant Secretary for Policy to an under secretary level, a move that successive DHS leaders have sought.

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By doing so, the bill seeks to not only improve departmentwide policymaking, but to also advance the goals of the initiative.

With that, Mr. Speaker, I urge passage of H.R. 3572.

Mr. Speaker, I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will be brief.

I think it is an excellent bipartisan bill. I want to thank Mr. HIGGINS from New York for his presentation here today and support, and I want to thank the other side of the aisle for working with me and continuing to work with me in a bipartisan way to get things done for the country. I think that is how most committees should work; and certainly for one that involves protecting the American people, I think it is paramount that we work together, both Republicans and Democrats.

With that, Mr. Speaker, I urge my colleagues to support H.R. 3572.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the House Committee on Homeland Security and the Ranking Member of the Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I rise in support of H.R. 3572, the "Department of Homeland Security Headquarters Reform and Improvement Act of 2015."

This bill will establish DHS-wide strategic priorities for international engagement, mechanisms for monitoring resource deployment abroad, and strategic priorities and cost data for DHS programs and activities abroad.

H.R. 3572 provides support for DHS's "Unity of Effort" campaign and addresses redundancy among departmental programs.

The bill clarifies and streamlines the offices that constitute DHS Headquarters and better outlines their respective responsibilities.

Specifically, H.R. 3572 achieves these goals by:

1. Establishing an undersecretary for management and makes him or her the chief acquisition officer in the Homeland Security Department; and

2. Establishing two new offices within the department and updates the department's acquisition procedures.

Finally, the bill empowers the Inspector General to review the Department's suspension and debarment program and assess whether disparities exist in the criteria applied.

The bill addresses the need for DHS to develop strategic priorities for international engagement, establish mechanisms for monitoring resource deployment abroad, and developing strategic priorities, and collecting cost data for its programs and activities abroad.

I am pleased that H.R. 3572 incorporates several amendments that I offered during the full committee markup which improve the bill.

Jackson Lee Amendment Number 1 requires the Assistant Secretary for International Affairs to advise the Secretary of Homeland Security on strategic priorities for overseas deployment, establish a mechanism for monitoring alignment between assets, including personnel, with said priorities, and develop a standardized framework to collect and maintain cost data for overseas personnel.

Jackson Lee Amendment Number 2 made technical changes to H.R. 3572 regarding the conversion of contractor positions to Federal employee positions and requiring congressional authorization for adding any new office within the Office of Policy.

Since its creation in 2002, in the aftermath of the terrorist attack of 9/11, the Department of Homeland Security has been, and must continue to be, ever vigilant in its activities to protect the homeland and the lives and property of Americans.

DHS faces a number of challenges, including the need for more resources, better training, better use of technology, and a constantly changing environment of homeland security threats.

H.R. 3572 is a positive step forward in this effort and I urge my colleagues to join me in supporting the "Department of Homeland Security Headquarters Reform and Improvement Act of 2015."

Mr. MCCAUL. Mr. Speaker, I submit the following exchange of letters between the Committee on Homeland Security and the Transportation and Infrastructure Committee regarding H.R. 3572.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, October 22, 2015.

Hon. BILL SHUSTER,
Chairman, Transportation and Infrastructure
Committee, Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your interest in H.R. 3572, the "DHS Headquarters Reform and Improvement Act of 2015." I appreciate your cooperation in refraining from requesting a sequential referral on this bill in the interest of allowing it to move expeditiously under suspension of the House Rules on October 20, 2015. Because H.R. 3572 has now passed the House, the Parliamentarians can no longer render an official decision as to any jurisdictional claim the Transportation and Infrastructure Committee may have had.

I therefore acknowledge that the question of the Transportation and Infrastructure Committee's jurisdictional interest in a certain provision of H.R. 3572 has not been fully adjudicated and that no final decision as to that point was made. I further agree that the

absence of a final decision will not prejudice any claim the Transportation and Infrastructure Committee may have with respect to this legislation in the future.

A copy of this letter will be entered into the Congressional Record.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, October 22, 2015.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security,
Ford House Office Building, Washington,
DC.

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 3572, the "DHS Headquarters Reform and Improvement Act of 2015". This legislation includes matters that I believe fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 3572, the Committee on Transportation and Infrastructure agreed to forgo action on this bill despite the fact that the Parliamentarians were unable to fully litigate the jurisdictional question. However, this was conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction.

I request that you please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record.

Sincerely,

BILL SHUSTER,
Chairman.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, H.R. 3572, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REQUIRING BUDGET SUBMISSIONS TO PROVIDE AN ESTIMATE OF THE COST PER TAXPAYER OF THE DEFICIT

Mr. MESSER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1315) to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REQUIREMENT IN BUDGET SUBMISSION WITH RESPECT TO THE COST PER TAXPAYER OF THE DEFICIT.

Section 1105(a) of title 31, United States Code, is amended—

(1) redesignating paragraph (37) (relating to the list of outdated or duplicative plans and reports) as paragraph (39); and

(2) by adding at the end the following:“(40) in the case of a fiscal year in which the budget is projected to result in a deficit, an estimate of the pro rata cost of such deficit for taxpayers who will file individual income tax returns for taxable years ending during such fiscal year.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. MESSER) and the gentleman from Kentucky (Mr. YARMUTH) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. MESSER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MESSER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first, I apologize for my voice today. My son, Hudson, and I attended the Patriots-Colts game on Sunday night, and, unfortunately, the Colts were not successful by a touchdown, but I lost my voice in the process of rooting them on.

I would like to thank Budget Chairman TOM PRICE and Ranking Member VAN HOLLEN for bringing H.R. 1315 to the floor. I rise today in support of this small but important measure.

H.R. 1315 requires the President's annual budget submission to Congress to include the cost per taxpayer of any budget deficit in a given fiscal year. This bill is based on a simple principle: each hardworking American taxpayer deserves to know how much the deficit costs them each year. This requirement would be a powerful reminder to the President and the Congress that our decisions here in Washington have real-world consequences.

Since 2010, the national debt has increased by over \$5 trillion. That is unsustainable, and it is irresponsible. Rather than make some tough choices, we just spend more money we don't have and borrow some more. Unfortunately, because of out-of-control spending, we will, once again, be hitting our debt ceiling soon. That means in 2 weeks, we will have borrowed the maximum amount of money our country is allowed to borrow by law, which now is \$18.1 trillion.

Now, think about that for a second. We are \$18.1 trillion in debt. That is approximately \$154,000 per taxpayer. And instead of asking ourselves, "How can we stop the borrow-and-spend cycle?"

we are asking, “Should we borrow more money?”

Mr. Speaker, it is past time we get our fiscal house in order. I know this bill won't solve our Nation's fiscal problems, and it won't prevent the government from spending more money that it doesn't have; however, making this information the bill requires more easily accessible will help us and our constituents better understand the real-world impact of budgets that never balance.

It is past time we get our fiscal house in order. I know this bill, again, won't solve our Nation's problems.

Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to discuss H.R. 1315, legislation which requires the President's budget to include an estimate of the size of the deficit on a per-taxpayer basis. I don't oppose this legislation—indeed, I voted for a previous version of it in the last Congress—but I am having a hard time understanding what, if anything, it will accomplish.

Requiring the President's budget to include a basic calculation will do nothing to produce better policies or outcomes that the American people are demanding. And when I say “a basic calculation,” I am talking about a calculation that my 7-year-old nephew, Lucas, could do probably without his smartphone. But I will vote “yes” because I don't think this bill will do any harm.

I do think it says something about the majority's priorities that this bill is even being considered. We are facing a series of enormous and serious budget issues, yet the majority is devoting floor time to legislation that is essentially meaningless.

Our government is now operating with funding under a continuing resolution that will expire on December 11, and we have failed to address the pending, across-the-board cuts known as sequestration that will drastically reduce funding for education, infrastructure, job training, and nutrition programs for children and the elderly. Those programs aren't meaningless. Millions of Americans depend on them.

On top of all that, unless Congress acts, we will default on the full faith and credit of the United States in less than a month. That would cost our economy billions of dollars. We need to be meeting the urgency of the situation with urgent action on the House floor to raise the debt ceiling and avert a disastrous default.

Additionally, we only have a few weeks left before the Federal highway program runs out of money again, yet it isn't even scheduled for floor debate. We have yet to extend tax provisions that benefit millions of taxpayers, both individuals and small businesses. They

deserve certainty, not meaningless legislation like this.

These priorities, which are also the priorities of the American people, demand our attention. We should be working on reaching agreements to resolve these issues. Instead, we are not just wasting our time, we are wasting America's time.

Let's face it, this bill has two purposes: first, to create the illusion for the American people that Congress is actually being productive; and, second, to suggest, and possibly to scare, millions of Americans into thinking that they will be responsible for a certain amount of debt—an absurd notion, just as the notion that every American bears an equal share of our tax burden.

So, Mr. Speaker, I will vote for this bill. Again, I think it is a pointless exercise, but that is kind of where Congress is in this unfortunate era.

Mr. Speaker, I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the gentleman's comments. I certainly appreciate his support for the legislation. I would just suggest I don't think this is meaningless at all. I think it is important that we let the American taxpayer understand the true cost of operating our government with constant deficits.

When you throw around numbers in this town like billion and trillion, it is very hard to put them into a scale that the average American can understand. When you look at a \$400-billion deficit that we now have on the books—and somehow brag to ourselves, as if we are somehow serving the American people well—and you divide that by 152 million taxpayers, it is over \$3,000 we are still adding to the debt. When you look at the entire national debt of \$18 trillion, it is \$150,000 a person. It is unsustainable.

There are, of course, costs to the economy. No one is suggesting that a bill collector is going to come to an individual taxpayer's door, knock, and ask for \$150,000. But it gives us a sense of the scale of debt that we are accumulating—five times, for the individual taxpayer, the average wage in this American society.

It is unsustainable, and it ought to be called out. That is why we have this bill. I think there can be honest disagreements about how we solve our fiscal challenges, but no disagreement about the fact that we ought to be transparent with the American people about what we are doing.

Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the remarks of my friend from across the Ohio River. I would say that if we want to do things like show what the per-taxpayer impact of our decisions might

be, we also might want to look at how much the Federal deficit has been reduced in the last 8 years.

In 2009, when President Obama came into office, the Federal deficit was \$1.4 trillion. It is now right about just over \$400 billion—still a lot of money. But I did the calculation, and that is almost a \$7,000 reduction in the deficit per individual taxpayer over the last 8 years. So it can be a positive thing as well.

But if we want to add a mathematical calculation to a budget, we really ought to be looking at the one the Republican Party approved in March. That budget, the Republican House budget, doesn't add up. When I say that, I mean it literally doesn't add up. Here are a couple of examples:

Their budget fully repeals ObamaCare but still counts all the revenue that is raised from the law.

The House has approved more than \$610 billion worth of tax cuts this year, yet none of that lost revenue is accounted for in the Republican budget.

There are other tax cuts that are scheduled to expire that we all know will be extended, but, again, the Republican budget reflects none of that lost revenue.

So, yes, I will support this bill which requires that the President's budget include this one very basic calculation. I just wish my colleagues on the other side of the aisle would apply basic addition and subtraction to their own budget and, more importantly, deal with the truly important issues that confront this country in the weeks to come.

Mr. Speaker, I yield back the balance of my time.

Mr. MESSER. Again, Mr. Speaker, I thank my friend from Kentucky for his remarks.

I believe the most direct path towards a healthier and more secure economy now and in the future is less spending, lower taxes, a balanced budget, and a smaller debt. The first step, though, is more transparency, letting taxpayers know what is happening here. Mr. Speaker, I urge my colleagues to support H.R. 1315.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. MESSER) that the House suspend the rules and pass the bill, H.R. 1315.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1700

SUPPORTING THE PEOPLE OF
UKRAINE TO FREELY ELECT
THEIR GOVERNMENT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 348) supporting the right

of the people of Ukraine to freely elect their government and determine their future, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 348

Whereas after President Yanukovich had fled Kyiv, Russian President Vladimir Putin ordered the forcible and illegal occupation of Crimea in March 2014;

Whereas Russian-led separatists have forcibly seized large areas of Ukraine and continue their attacks on Ukraine's forces;

Whereas the Russian Federation has continued to engage in relentless political, economic, and military aggression to subvert the independence and violate the territorial integrity of Ukraine;

Whereas the United States has supported the democratically elected Government of Ukraine, which represents the will of the people of Ukraine, and Congress has passed multiple pieces of legislation to provide support to Ukraine;

Whereas Congress passed the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (Public Law 113-95), which authorized loan guarantees for the Government of Ukraine;

Whereas Congress passed the Ukraine Freedom Support Act of 2014 (Public Law 113-272), which authorized the Administration to provide Ukraine's Government with support to facilitate necessary reforms, and stated that it is United States policy to assist the Government of Ukraine in restoring its sovereignty and territorial integrity;

Whereas in September 2014, a cease-fire agreement was brokered between Ukraine, Russia, and Russian-led separatists, but the agreement was never fully implemented;

Whereas in February 2015, an additional cease-fire, known as the Minsk Implementation Agreement or Minsk 2, was agreed upon;

Whereas the United States has assisted in many elections around the world, including Ukraine's Presidential election in May 25, 2014, to ensure that international election standards are upheld;

Whereas early parliamentary elections were held on October 26, 2014, but 29 of the 450 seats in parliament were not filled due to the inability to hold elections in areas controlled by separatists;

Whereas, despite the disenfranchisement of people living in separatist-controlled areas, international election observers declared the parliamentary elections in the rest of the country to have met international standards;

Whereas Ukraine and Russia are participating States of the Organization for Security and Cooperation in Europe and party to its commitments, including the 1990 Copenhagen Document which states that States "will respect each other's right freely to choose and develop, in accordance with international human rights standards, their political, social, economic and cultural systems" and that "free elections that will be held at reasonable intervals by secret ballot or by equivalent free voting procedure, under conditions which ensure in practice the free expression of the opinion of the electors in the choice of their representatives";

Whereas the next local elections are scheduled to take place in Ukraine on October 25, 2015;

Whereas these elections are critical to continued legislative and constitutional reform in Ukraine;

Whereas the Russian-led separatists in eastern Ukraine continue to refuse to implement Ukrainian law and to permit Ukrainian authorities to conduct elections in the areas they control and have therefore made free and fair elections in those areas impossible;

Whereas Ukraine's government has therefore been forced to postpone the local elections in those areas; and

Whereas the United States is supporting efforts to promote citizen engagement in the constitutional reform process, educating voters, and election monitoring: Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly supports the right of the people of Ukraine to freely elect their government and determine their future;

(2) urges the Administration to expedite assistance to Ukraine to facilitate the political, economic, and social reforms necessary for free and fair elections that meet international standards; and

(3) condemns attempts on the part of outside forces, specifically the Government of Russia, its agents and supporters, to interfere in Ukraine's elections, including through intimidation, violence, or coercion.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, almost 2 years after the conflict in Ukraine began, Russian aggression there remains almost a daily regular occurrence. The fighting has taken over 8,000 Ukrainian lives, and that number is growing as Russia continues to provide weapons and support to separatists in eastern Ukraine.

Last year, along with Ranking Member ELIOT ENGEL and several other members of the Foreign Affairs Committee—there were eight of us, as I recall, including the gentleman from Rhode Island (Mr. CICILLINE), who is the author of this resolution before us today—we traveled to Ukraine to see the situation on the ground. We traveled to Kyiv and we traveled to Dnepropetrovsk in the east, and we spoke with local officials. We spoke with representatives from civil society, women's groups, lawyers' groups, local government, different minority groups, a broad range of individuals—leaders of the Tatar community, leaders of the Jewish community there, and even former supporters of President Yanukovich, among many, many others.

We heard that same message from everyone, namely, that they were com-

mitted to building a peaceful, united Ukraine that is free to determine its own future, and that they want to do it without outside interference.

Now there is a new effort to bring peace to this war-torn region under the so-called Minsk agreements. These specify a number of measures that must be implemented by all sides, one of which is to hold local elections by the end of this year. The Ukrainian Government has scheduled these for October 25, which is this Sunday.

Unfortunately, they cannot be held in the areas controlled by Russian-led separatists because intimidation and manipulation make free and fair elections impossible in these regions. But they will take place in the rest of the country where independent observers will ensure that they meet international standards, and this is to be welcomed.

Their hoped-for success will be a real-world demonstration that Ukraine is continuing to implement the democratic reforms that Ukrainian people are determined to bring peace into their country with.

I urge my colleagues to vote for this bipartisan resolution and reaffirm that America's commitment to Ukraine's independence and to the right of the Ukrainian people to determine their own future is strong and it is enduring.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this measure.

First of all, I want to thank Mr. CICILLINE for drafting this resolution. With its passage, we will again be signaling that the United States stands with the people of Ukraine, that we want them to chart the future for their own country, and that we reject the aggression and unlawfulness of Russia's actions under President Putin.

Let me also thank our chairman, ED ROYCE. The hallmark of the Foreign Affairs Committee is our success in advancing good, bipartisan legislation, and this resolution is a prime example of business as usual for our committee. I am very proud of it.

Our interest in Ukraine is nothing new. Over the past year, our committee has focused a great deal on this crisis. We have passed legislation aimed at assisting Ukraine. We want to see a successful democratic transition, we want Ukraine's territorial integrity to be restored, and we want to deter Russia from further aggression.

The cease-fire in Ukraine finally seems to be holding. That is good news, but I still have deep concerns.

First of all, while the upcoming elections are important, not all of Ukraine's citizens will have their voices heard. Only areas under Kyiv's control will be casting ballots—and Russia has a history of sticking its nose in Ukraine's elections. Putin has

said that he won't interfere with this vote. But I am not holding my breath, nor should anyone else.

So we will be looking for some specific benchmarks. For instance, the agreement in Minsk requires that elections in Donetsk and Luhansk be held after Russia draws down its forces there. Not just Russian personnel, but all military equipment, all mercenaries, all support for proxies must be out of these areas before elections. It is critical that the OSCE mount a full-scale observation mission and be permitted to monitor every stage of the process. We will be keeping a close eye on this as well.

Yet, even if Minsk is followed to the letter—a cease-fire, followed by elections, followed by restoration of Kyiv's control over its own eastern border—the international order will remain compromised. This agreement does not address Crimea, nor does it hold the force of international law.

And as much as we talk about Minsk, we shouldn't forget prior and far more important agreements, such as the Helsinki Final Act and the Budapest Memorandum, which reaffirmed the core principle of the Final Act: that the territorial integrity of states is inviolable.

Ukraine was part of the former Soviet Union; and when the Soviet Union collapsed, Ukraine gave up its nuclear weapons. As part of giving that up, Ukraine was guaranteed its territorial integrity—guaranteed by the United States, by Russia, and by others. Certainly they are being betrayed right now, and we should not stand for it.

Lastly, we should have no illusions that this agreement will deter President Putin's aggression. Indeed, as Moscow dials up its intervention in the Middle East in Syria, Ukraine is looking more and more like just one element of a much larger scheme by President Putin to destabilize countries on Russia's borders. That is what Putin wants to do. He wants to keep Ukraine unstable and destabilized.

So, with this resolution, we reaffirm our support for Ukraine, we express our hope that Minsk will keep the peace, and we make clear that we are keeping a watchful eye on Russia and that we are ready to continue assisting Ukraine to consolidate its democratic gains and restore its territorial integrity.

Ukraine wants to be democratic. Ukraine wants to look toward the West. Ukraine does not want to be dominated by Russia. We should give them all the support that they deserve. That is what the United States does, that is what the United States is all about, and that is what this resolution does. I urge my colleagues to support this measure.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, it is now my pleasure to yield 3 minutes to the gentleman from Rhode Island (Mr. CICILLINE), the author of this resolution.

Mr. CICILLINE. Mr. Speaker, I thank the gentleman for yielding.

I rise to support H. Res. 348, supporting free elections in Ukraine.

I want to thank Chairman ROYCE and Ranking Member ENGEL for their strong support and cosponsorship of this legislation, which I was proud to introduce and which affirms Congress' unwavering support for free elections in Ukraine. I thank my many colleagues on both sides of the aisle who have signed on as cosponsors and contributed to the final language of the bill.

Support of the democratic and economic development of Ukraine in the face of Russian aggression remains one of the most vital efforts the United States can undertake to combat Russian belligerence and demonstrates our unwavering commitment to promoting democracy and human rights around the world.

Next week—next Sunday, in fact—the people of Ukraine will head to the polls to exercise their right to choose their own government. However, because of the continued defiance of Russian-led separatists, not every region of Ukraine will be able to participate in these elections.

The illegal and forcible occupation of Crimea and the ongoing Russian support for separatists in eastern Ukraine are a clear violation of international law and diplomacy. The Minsk II agreement was a historic step toward potentially ending the violence and unrest in the country, and it is now upon the Governments of Ukraine, Russia, and the U.S. and our European allies as implementing partners to ensure its successful execution. The existing cease-fire is a positive development, but one that must be accompanied by free elections and restoration of Ukraine's territorial integrity.

Ukraine has local elections scheduled for most of the country—except some separatist-controlled areas—for this Sunday, October 25. This resolution demonstrates this Congress' steadfast commitment to supporting the right of the people of Ukraine to freely elect their government and determine their future. It condemns any Russian attempts to interfere in Ukraine's elections in any way, including through intimidation, violence, or coercion. During Ukraine's last elections, these tactics were used to prevent Ukrainians from voting in certain regions. This cannot happen again, and any actions undermining these elections must be met with swift and uncertain international condemnation.

At this delicate juncture in Ukraine's history, it is essential that the United States and our European allies con-

tinue to demonstrate firm support for Ukrainian territorial integrity, sovereignty, and the right of Ukrainian people to participate in free and fair elections. America has a long history of supporting free and fair elections and the right of people to decide their own future.

This resolution was passed by the Committee on Foreign Affairs with overwhelming bipartisan support, and I urge my colleagues to support its passage today.

Mr. ROYCE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my good friend from New York and, of course, the distinguished chairman of the committee.

I rise in support of H. Res. 348. The people of Ukraine have the right to hold free and fair elections within the sovereign territory of their own country. The ruthless tyranny of Russian military aggression in Ukraine must end, and we must never agree to a settlement that even hints to President Vladimir Putin that the borders of Europe are up for sale.

The resolution notes: the forcible and illegal occupation of Crimea. The United States must make it clear in both our words and our deeds that Crimea is within the sovereign territory of Ukraine, and we will not recognize its forcible and illegal annexation by Russia—ever. This resolution is clear on that account, and I thank the author, Mr. CICILLINE, for it.

The Senate and House of Representatives recently passed the fiscal year 2016 National Defense Authorization Act conference report. That text included an amendment I authored to prohibit the authorization of funds to be obligated or expended in order to implement any activity that could be construed as recognizing the sovereignty of the Russian Federation over Ukraine's Crimea. Crimea is not an issue we can allow to fade into the background—ever. As the resolution notes in just its second clause, this was Putin's original sin in Ukraine.

If we are to deter, Mr. Speaker, further Russian separatist and revanchist moves in eastern Ukraine, we must never yield on Crimea.

Mr. ROYCE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

In closing, once again, I want to voice my strong support for this resolution. I again thank Mr. CICILLINE for authoring this measure and his leadership, and I thank our chairman once again.

Even with a cease-fire in place, the crisis in Ukraine is a major threat to the international order. The United States stands with the people of

Ukraine as they try to chart the path forward for their country and restore their territorial integrity. So long as President Putin's aggression continues, we need to stay focused on this serious challenge. I urge my colleagues to support this measure.

I yield back the balance of my time.

□ 1715

Mr. ROYCE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, let me again thank ELIOT ENGEL, along with Mr. CICILLINE and Mr. CONNOLLY—cosponsors of this resolution with myself and other members of that committee—but mention in particular the decision we made to go as far east in Ukraine as we could. We traveled to the border of Luhansk and Donetsk, actually, because Dnipropetrovsk was where we flew in. To the south is Donetsk. To the east is Luhansk.

One of the great advantages of having with us the ranking member—an individual who knows the country well and knows the people well, Mr. ELIOT ENGEL—is the fact that both of his grandparents on his mother's side are from Ukraine and both of his grandparents on his father's side are from Ukraine.

It is a reminder to us of the long struggle, the long, ardent effort, for independence, for some modicum of freedom, that the people of Ukraine have struggled for all of these years, a dream that finally seemed realized; and now, in the wake of that, you have the occupation of the eastern and southern parts of the country.

I think it is a reminder to all of us of how we can be surprised on the world stage. The United States, in my opinion, could do more in this particular case to end the aggression. As people told us in Dnipropetrovsk—and we were there, actually. We had a service in the synagogue where Mr. ENGEL spoke during Passover. People asked us in each of these groups—the city council, the governor, the women's groups, the different civil society groups—they said: We can handle the fact that every skin-headed malcontent that Putin can recruit, that he radicalizes, and he trains—then they send them here, and we capture them, and we hold them in our brig until the end of hostilities—but what is a real challenge is the Russian armor, that Russian equipment out there. We can't match that. We need anti-tank missiles.

Now, anti-tank weapons is what they have asked for. Many of us in Congress, myself included, have asked that we more forcefully oppose Russian aggression by giving those people on those frontlines the armaments they need to defend themselves, and the House has gone on record as taking this position.

I think it would be a deterrent against Russian aggression that has brought so much suffering, and my

hope is that, as we go forward, we convince the administration as well.

The local elections scheduled for this Sunday are a concrete example that Ukrainians are determined to do all that they can to achieve peace throughout the entirety of that country. By overwhelmingly adopting this bipartisan resolution, I believe the House will send a clear message to the Ukrainian people that the United States remains committed to their right to have Ukrainians choose their own government and choose their own destiny.

I want to thank the gentleman from Rhode Island for authoring this particular bill, and I urge its passage.

I yield back the balance of my time.

Mr. PASCRELL. Mr. Speaker, I rise today in support of H. Res. 348 to support the right of the people of Ukraine to freely elect their government and determine their future, which was introduced by my friend, Representative DAVID CICILLINE.

Citizens everywhere should be afforded the right to freely choose their leaders—and the people of Ukraine are no different. It is imperative that the American people stand with Ukrainians to ensure that the future of their government is determined freely and fairly.

Russian troops began an illegal occupation of Crimea following the resignation of Ukrainian President Viktor Yanukovich in March 2014. In spite of economic sanctions, diplomatic efforts and successive ceasefires, we have tragically seen over 6,500 people killed in eastern Ukraine since Russia annexed Crimea. Russia's continued violations of the Minsk agreement by ignoring the ceasefire is simply unacceptable. Their actions betray their previous commitments and have derailed good faith efforts to de-escalate the crisis in Ukraine. Russia's continued military aggression in Ukraine threatens peace and security in the region. Russia's aggression has also hindered the electoral process and disenfranchised voters in the troubled region. I support Ukraine's right to determine their own future, protect their territorial integrity and we must do all we can to prevent the slaughter of innocent lives.

Mrs. LAWRENCE. Mr. Speaker, I rise today to encourage the passage of H. Res. 348, supporting the right of Ukrainian citizens to freely elect their officials and determine their future. I would like to emphasize the importance of protecting democracy around the world. In 2015, it is essential that we ensure people at home and abroad are able to elect their government representatives by exercising this basic right.

This issue is of particular importance to me as the Congressional Representative for the 14th District of Michigan, which is home to a large population of women and minorities who fought hard to gain the right to vote. This year marked the 50th anniversary of the Voting Rights Act, which is of critical importance in protecting every citizen's right to participate in free and fair elections. However, fair elections are also vital to democracies across the globe. Therefore, we must act appropriately when those rights are infringed upon.

This resolution demonstrates the federal government's commitment to protect Ukraine's

critical elections. Ukraine's next local elections are scheduled to take place on October 25, 2015 and are essential for the continuation of legislative and constitutional reform. We cannot allow Russia or other outside forces to interfere with Ukraine's elections, especially through intimidation, violence, or coercion. By supporting the right of the people of Ukraine to freely elect their government and have a say in their future, we are working toward ensuring all people around the world benefit from these basic yet profoundly critical rights.

I am grateful that our chamber is continuing with our legacy of safeguarding democracy. I want to thank my colleagues on both sides of the aisle for supporting America's commitment to defending these important freedoms around the world.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H. Res. 348 in support of the people of Ukraine in their exercise of their self-determination to free, fair and uninterrupted elections.

As the country with the oldest and most powerful democracy in the world, the United States has supported democracy, the rule of law and human rights all over the globe from Nigeria to Pakistan to China, to name a few.

The outcome of the October 25 elections in Ukraine is at the backdrop of the forcible and illegal occupation of Crimea, ordered by President Vladimir Putin of Russia.

The rights of the people of Ukraine to free, fair and transparent elections is especially critical, with Crimea currently under siege of Russian-led separatists who continue their attacks on Ukraine's forces set in place to protect the sovereignty of Ukraine.

Here in Congress, we have worked tirelessly to support free and fair elections in Ukraine through our support of its May 2014 elections, ensuring that international standards were upheld just as we have assisted in many elections in countries in transition or fighting insecurity from Nigeria to Pakistan.

In Nigeria and Pakistan, the elections occurred at the background of terrorism from Boko Haram, Al Qaida and other terrorist networks, who acted so viciously and caused thousands of Nigerians and Pakistanis to lose their lives and livelihoods.

Similarly, the citizens of Ukraine are at risk of being disenfranchised because of separatist controlled areas.

To this end the United States has worked to broker peace in Ukraine so that the people of Ukraine can exercise their right to self-determination though our support of the cease-fire agreement brokered between Ukraine, Russia and the Russian-led separatists which was not fully implemented and the subsequent Minsk Implementation Agreement.

But I say to the people of the Ukraine, remain strong, we stand with you in exercising your Constitutional and human right to choose who will represent you.

The upcoming October 25, 2015 elections are critical for sustainable legislative and constitutional reform in Ukraine which will help promote democracy, the rule of law, upholding of human rights, the creation of security, all of which will catalyze the economic, social, cultural and political enfranchisement of the people of Ukraine, securing a bright future for the capable and exciting youth of Ukraine.

Indeed, here in Congress, we have taken numerous actions to uphold the sanctity of the right to economic, political and social enfranchisement of the people of Ukraine by passing the following legislation:

The Ukraine Freedom Support Act of 2014, authorizing the United States President to provide Ukraine's government with support necessary to set up infrastructure for reforms that will facilitate restoring Ukraine's sovereignty and territorial integrity including lethal defense services and articles, such as anti-tank, anti-armor and counter-artillery radar (worth \$100 million in FY 2015 and \$125 million in each of fiscal years 2016 and 2017 for such weapons); and

Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014, which authorized loan guarantees for the Government of Ukraine.

Due to its geographical location, the Central European nation of Ukraine historically has been pushed and pulled between its neighbors with Europe to its west and Russia to its east.

This push pull from interested parties has caused conflict over the direction Ukraine would take after its independence from the former Soviet Union in 1991.

For example, in November of 2013, Ukrainian President Viktor Yanukovich suspended negotiations with the European Union over an agreement to integrate Ukraine into various European economic and political associations and instead accepted \$15 billion and other inducements to enter into closer ties with Moscow.

The decisions taken by President Yanukovich triggered demonstrations by thousands of Ukrainian citizens in the capital city of Kiev and throughout the country which led to numerous arrests, detentions and violent clashes, which led to the deaths of close to 100 protesters in February 2014.

In a cowardly act, President Yanukovich fled to the predominantly ethnic Russian region of Crimea in southeastern Ukraine, and then to Russia because of the chaos caused by his suspension of negotiations with the EU and the subsequent unrest that ensued, which also caused his unpopularity within his own party.

After President Yanukovich deserted his own people, an opportunistic Russian military force took up positions throughout Crimea, where, under a series of treaties that followed the dissolution of the Soviet Union, Russia had continued to maintain a series of military bases, notably at Sevastopol, where the Russian Black Sea naval fleet is based.

Indeed, Crimea itself was technically transferred from the Soviet republic of Russia to the Soviet republic of Ukraine in 1954.

Subsequently, in March 2014, Russian President Vladimir Putin signed legislation formally incorporating Crimea into Russia.

The United States and the European Union have opined that Russia's action is illegal and we have imposed a series of economic sanctions on Russia.

Russia continues to provide military equipment, training and other assistance to separatists and paramilitary forces in eastern Ukraine, resulting in an ongoing conflict with an estimated 6,000 deaths, hundreds of thousands of refugees and widespread destruction.

The Russian-led separatists in eastern Ukraine continue to refuse to implement Ukrainian law and stand in the way of the Ukrainian authorities to conduct elections in areas controlled by the separatists and hence are a stumbling block to free and fair elections in those areas.

Yet under all this stress, Ukraine continues to strive for its self determination.

I commend all anti-corruption efforts in Ukraine.

The state Anti-Corruption Strategy Program Implementation for 2014–2017, which delineates anti-corruption reforms, persons, deadlines and infrastructure;

The creation of a National Agency for Prevention of Corruption;

The Ukrainian Law on Prevention of corruption, a new system which outlines financial control with electronic asset declaration of public servants;

The specialized Anti-Corruption Prosecutor's Office;

Corruption Offender Registry; and

Many more efforts to combat corruption and enhance the rule of law and financial integrity in Ukraine.

Mr. Speaker, I urge support of this resolution protecting the rights of the people of Ukraine to freely elect their government and determine their future.

Mr. Speaker, I also urge the Administration to expedite assistance to Ukraine to facilitate the political, economic and social reforms necessary for free and fair elections that meet international standards.

The Russian government, Russian-led separatists, its agents and supporters should not interfere in Ukraine's elections, through intimidation, violence or coercion.

The current relentless political, economic and military aggression on the people of Ukraine geared at subverting the independence, self determination and the territorial integrity of Ukraine must stop.

I urge the people of Ukraine to help facilitate free and fair elections in Ukraine.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 348, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 10, SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS REAUTHORIZATION ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 692, DEFAULT PREVENTION ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 114–300) on the resolution (H. Res. 480) providing for consideration of the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes, and providing for consideration of the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1937, NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2015

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 114–301) on the resolution (H. Res. 481) providing for consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3493, by the yeas and nays;

H.R. 3350, by the yeas and nays;

H. Res. 348, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SECURING THE CITIES ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the

bill (H.R. 3493) to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 411, nays 4, not voting 19, as follows:

[Roll No. 550]

YEAS—411

Abraham	Cole	Garrett
Adams	Collins (GA)	Gibbs
Aderholt	Collins (NY)	Gibson
Aguilar	Comstock	Goodlatte
Allen	Conaway	Graham
Amodei	Connolly	Granger
Ashford	Conyers	Graves (GA)
Babin	Cook	Graves (LA)
Barletta	Cooper	Graves (MO)
Barr	Costa	Green, Al
Barton	Costello (PA)	Green, Gene
Bass	Courtney	Griffith
Beatty	Cramer	Grijalva
Becerra	Crenshaw	Grothman
Benishek	Crowley	Guinta
Bera	Cuellar	Guthrie
Beyer	Culberson	Hahn
Bilirakis	Cummings	Hanna
Bishop (GA)	Curbelo (FL)	Hardy
Bishop (MI)	Davis (CA)	Harper
Bishop (UT)	Davis, Rodney	Harris
Black	DeFazio	Hartzler
Blackburn	DeGette	Hastings
Blum	Delaney	Heck (NV)
Blumenauer	DeLauro	Heck (WA)
Bonamici	DelBene	Hensarling
Bost	Denham	Herrera Beutler
Boustany	Dent	Higgins
Boyle, Brendan	DeSantis	Hill
F.	DeSaulnier	Himes
Brady (PA)	DesJarlais	Hinojosa
Brady (TX)	Deutch	Holding
Brat	Diaz-Balart	Honda
Bridenstine	Dingell	Hoyer
Brooks (AL)	Doggett	Huelskamp
Brooks (IN)	Dold	Huffman
Brownley (CA)	Donovan	Huizenga (MI)
Buchanan	Doyle, Michael	Hultgren
Buck	F.	Hunter
Bucshon	Duckworth	Hurd (TX)
Burgess	Duffy	Hurt (VA)
Bustos	Duncan (SC)	Israel
Butterfield	Duncan (TN)	Issa
Byrne	Edwards	Jackson Lee
Calvert	Ellison	Jeffries
Capps	Ellmers (NC)	Jenkins (KS)
Capuano	Emmer (MN)	Jenkins (WV)
Cardenas	Engel	Johnson (GA)
Carney	Eshoo	Johnson (OH)
Carson (IN)	Esty	Johnson, E. B.
Carter (GA)	Farenthold	Johnson, Sam
Carter (TX)	Farr	Jolly
Cartwright	Fattah	Jordan
Castor (FL)	Fincher	Joyce
Castro (TX)	Fitzpatrick	Kaptur
Chabot	Fleischmann	Katko
Chaffetz	Flores	Keating
Chu, Judy	Forbes	Kelly (MS)
Cicilline	Foster	Kelly (PA)
Clark (MA)	Fox	Kennedy
Clarke (NY)	Frankel (FL)	Kildee
Clawson (FL)	Franks (AZ)	Kilmer
Clay	Frelinghuysen	Kind
Cleaver	Fudge	King (IA)
Clyburn	Gabbard	King (NY)
Coffman	Gallego	Kinzinger (IL)
Cohen	Garamendi	Kirkpatrick

Kline	Noem	Sewell (AL)
Knight	Nolan	Sherman
Kuster	Norcross	Shimkus
Labrador	Nugent	Shuster
LaHood	Nunes	Simpson
LaMalfa	O'Rourke	Sinema
Lamborn	Olson	Slaughter
Lance	Palazzo	Smith (MO)
Langevin	Pallone	Smith (NE)
Larsen (WA)	Palmer	Smith (NJ)
Larson (CT)	Pascarell	Smith (TX)
Latta	Paulsen	Smith (WA)
Lawrence	Pearce	Speier
Lee	Perlmutter	Stefanik
Levin	Perry	Stewart
Lewis	Peters	Stivers
Lieu, Ted	Peterson	Stutzman
Lipinski	Pittenger	Swalwell (CA)
LoBiondo	Pitts	Takai
Loeb	Pocan	Takano
Lofgren	Poe (TX)	Thompson (CA)
Long	Poliquin	Thompson (MS)
Loudermilk	Polis	Thompson (PA)
Love	Pompeo	Thornberry
Lowenthal	Posney	Tiberi
Lowe	Price (NC)	Tipton
Lucas	Price, Tom	Titus
Luetkemeyer	Quigley	Tonko
Lujan Grisham	Rangel	Torres
(NM)	Reed	Trotter
Lujan, Ben Ray	Reich	Tsongas
(NM)	Reichert	Turner
Lummis	Renacci	Upton
Lynch	Ribble	Valadao
MacArthur	Rice (NY)	Van Hollen
Maloney,	Rice (SC)	Vargas
Carolyn	Richmond	Veasey
Maloney, Sean	Rigell	Vela
Marchant	Roby	Velázquez
Massie	Roe (TN)	Visclosky
Matsui	Rogers (AL)	Wagner
McCarthy	Rogers (KY)	Walberg
McCauley	Rohrabacher	Walden
McClintock	Rokita	Walker
McCollum	Rooney (FL)	Walorski
McDermott	Ros-Lehtinen	Walters, Mimi
McGovern	Roskam	Walz
McHenry	Ross	Wasserman
McKinley	Rothfus	Schultz
McMorris	Rouzer	Waters, Maxine
Rodgers	Roybal-Allard	Watson Coleman
McNerney	Royce	Weber (TX)
McSally	Ruiz	Webster (FL)
Meadows	Ruppersberger	Welch
Meehan	Russell	Wenstrup
Meeks	Ryan (OH)	Westerman
Meng	Ryan (WI)	Westmoreland
Messer	Salmon	Whitfield
Mica	Sánchez, Linda	Williams
Miller (FL)	T.	Wilson (FL)
Miller (MI)	Sanchez, Loretta	Wilson (SC)
Moolenaar	Sarbanes	Wittman
Mooney (WV)	Scalise	Womack
Moore	Schakowsky	Woodall
Moulton	Schiff	Yarmuth
Mullin	Schrader	Yoder
Mulvaney	Schweikert	Yoho
Murphy (FL)	Scott (VA)	Young (AK)
Murphy (PA)	Scott, Austin	Young (IA)
Nadler	Scott, David	Young (IN)
Napolitano	Sensenbrenner	Zeldin
Neugebauer	Serrano	Zinke
Newhouse	Sessions	

NAYS—4

Amash	Jones
Gohmert	Sanford

NOT VOTING—19

Brown (FL)	Grayson	Payne
Crawford	Gutiérrez	Pelosi
Davis, Danny	Hice, Jody B.	Pingree
Fleming	Hudson	Rush
Fortenberry	Kelly (IL)	Sires
Gosar	Marino	
Gowdy	Neal	

□ 1857

Messrs. GOHMERT and JONES changed their vote from “yea” to “nay.”

Mr. JEFFRIES changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

KNOW THE CBRN TERRORISM THREATS TO TRANSPORTATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3350) to require a terrorism threat assessment regarding the transportation of chemical, biological, nuclear, and radiological materials through United States land borders and within the United States, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 18, as follows:

[Roll No. 551]

YEAS—416

Abraham	Carson (IN)	Dingell
Adams	Carter (GA)	Doggett
Aderholt	Carter (TX)	Dold
Aguilar	Cartwright	Donovan
Allen	Castor (FL)	Doyle, Michael
Amash	Castro (TX)	F.
Amodei	Chabot	Duckworth
Ashford	Chaffetz	Duffy
Babin	Chu, Judy	Duncan (SC)
Barr	Cicilline	Duncan (TN)
Barton	Clark (MA)	Edwards
Bass	Clarke (NY)	Ellison
Beatty	Clawson (FL)	Ellmers (NC)
Becerra	Clay	Emmer (MN)
Benishek	Cleaver	Engel
Bera	Clyburn	Eshoo
Beyer	Coffman	Esty
Bilirakis	Cohen	Farenthold
Bishop (GA)	Cole	Farr
Bishop (MI)	Collins (GA)	Fattah
Bishop (UT)	Collins (NY)	Fincher
Black	Comstock	Fitzpatrick
Blackburn	Conaway	Fleischmann
Blum	Connolly	Flores
Blumenauer	Conyers	Forbes
Bonamici	Cook	Foster
Bost	Cooper	Fox
Boustany	Costa	Frankel (FL)
Boyle, Brendan	Costello (PA)	Franks (AZ)
F.	Courtney	Frelinghuysen
Brady (PA)	Cramer	Fudge
Brady (TX)	Crenshaw	Gabbard
Brat	Crowley	Gallego
Bridenstine	Cuellar	Garamendi
Brooks (AL)	Culberson	Garrett
Brooks (IN)	Curbelo (FL)	Gibbs
Brown (FL)	Davis (CA)	Gibson
Brownley (CA)	Davis, Rodney	Gohmert
Buchanan	DeFazio	Goodlatte
Buck	DeGette	Graham
Bucshon	Delaney	Granger
Burgess	DeLauro	Graves (GA)
Bustos	DelBene	Graves (LA)
Butterfield	Denham	Graves (MO)
Byrne	Dent	Green, Al
Calvert	DeSantis	Green, Gene
Capps	DeSaulnier	Griffith
Capuano	DesJarlais	Grijalva
Cardenas	Deutch	Grothman
Carney	Diaz-Balart	Guinta

Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch
MacArthur
Maloney,
Carolyn
Maloney, Sean
Marchant

Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascarelli
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Lewis
Rice (NY)
Rice (SC)
Richmond
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)

Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Viscosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—18

Barletta
Crawford
Cummings
Davis, Danny
Fleming
Fortenberry
Gosar
Gowdy
Grayson
Gutiérrez
Hice, Jody B.
Hudson
Kelly (IL)
Marino
Payne
Pelosi
Pingree
Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1906

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BARLETTA. Mr. Speaker, on rollcall No. 551 I was unavoidably detained. Had I been present, I would have voted "yes."

SUPPORTING THE PEOPLE OF UKRAINE TO FREELY ELECT THEIR GOVERNMENT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 348) supporting the right of the people of Ukraine to freely elect their government and determine their future, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 4, not voting 17, as follows:

[Roll No. 552]

YEAS—413

Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)

Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Foster
Foxy
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Graham
Granger
Graves (GA)
Graves (IA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)

Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch
MacArthur
Maloney,
Carolyn
Maloney, Sean
Marchant

O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascarelli
Paulsen
Pearce
Perlmutter
Perry
Peterson
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Simpson
Sinema
Sires
Slaughter
Messer
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko

Torres	Walker	Williams
Trott	Walorski	Wilson (FL)
Tsongas	Walters, Mimi	Wilson (SC)
Turner	Walz	Wittman
Upton	Wasserman	Womack
Valadao	Schultz	Woodall
Van Hollen	Waters, Maxine	Yarmuth
Vargas	Watson Coleman	Yoder
Veasey	Weber (TX)	Yoho
Vela	Webster (FL)	Young (AK)
Velázquez	Welch	Young (IA)
Visclosky	Wenstrup	Young (IN)
Wagner	Westerman	Zeldin
Walberg	Westmoreland	Zinke
Walden	Whitfield	

NAYS—4

Duncan (TN)	Massie
Jones	Rohrabacher

NOT VOTING—17

Crawford	Grayson	Payne
Fleming	Gutiérrez	Pelosi
Fortenberry	Hice, Jody B.	Pingree
Franks (AZ)	Hudson	Rush
Gosar	Kelly (IL)	Shuster
Gowdy	Marino	

□ 1914

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes today. Had I been present, I would have voted "yea" on rollcall votes 550, 551, and 552.

LIBRARIAN OF CONGRESS SUCCESSION MODERNIZATION ACT OF 2015

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the bill (S. 2162) to establish a 10-year term for the service of the Librarian of Congress, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the bill is as follows:

S. 2162

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Librarian of Congress Succession Modernization Act of 2015".

SEC. 2. APPOINTMENT AND TERM OF SERVICE OF LIBRARIAN OF CONGRESS.

(a) IN GENERAL.—The President shall appoint the Librarian of Congress, by and with the advice and consent of the Senate.

(b) TERM OF SERVICE.—The Librarian of Congress shall be appointed for a term of 10 years.

(c) REAPPOINTMENT.—An individual appointed to the position of Librarian of Congress, by and with the advice and consent of the Senate, may be reappointed to that position in accordance with subsections (a) and (b).

(d) EFFECTIVE DATE.—This section shall apply with respect to appointments made on or after the date of the enactment of this Act.

SEC. 3. CONFORMING AMENDMENT.

The first paragraph under the center heading "LIBRARY OF CONGRESS" under the center heading "LEGISLATIVE" of the Act entitled "An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", approved February 19, 1897 (29 Stat. 544, chapter 265; 2 U.S.C. 136), is amended by striking "to be appointed by the President, by and with the advice and consent of the Senate,".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HONORING CHIEF EDWARD J. HUDAK, JR.

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to congratulate Edward J. Hudak, Jr., on being sworn in this past Friday, October 16, as the chief of police for the Coral Gables Police Department.

Chief Hudak has a long record of service to south Florida, having worked for 26 years for the city of Coral Gables and its police department, helping residents and visitors alike in "The City Beautiful," a city which I am so humbled and honored to represent.

As I am, Chief Hudak is a proud University of Miami Hurricane. Chief Hudak earned his undergraduate and master's degree from the U, having more recently graduated from the FBI's National Law Enforcement Executive Academy.

Coral Gables is indeed fortunate to have such a hardworking and relentless civil servant take the lead at its police department.

Congratulations, Chief Hudak, on being named the top cop of "The City Beautiful," the city of Coral Gables.

HISPANIC HERITAGE MONTH

(Mr. GALLEG0 asked and was given permission to address the House for 1 minute.)

Mr. GALLEG0. Mr. Speaker, as we close Hispanic Heritage Month and look back at our community's history and ongoing challenges, I rise today to celebrate the 25th anniversary of the White House Initiative on Educational Excellence for Hispanics.

For 25 years, the Initiative has played an important role in advancing the dialogue and policies that have helped our community move forward. This year, as part of its anniversary celebration, the Initiative released the

Bright Spots in Hispanic Education, an online national catalog. The catalog features 230 programs, organizations, and initiatives that are supporting and investing in educational attainment of Hispanics from cradle to career.

Today, I congratulate four Bright Spots in my district that have been recognized for their outstanding commitment and contributions to our community: the American Dream Academy, the Bilingual Nursing Fellows Program, the Fowler Head Start Program, and the Victoria Foundation. These programs are leading the way to close the education gap. I look forward to continuing to work with them as they find ways to ensure every child, including Latino children, has the tools they need to succeed.

REMEMBERING AITKIN COUNTY SHERIFF'S INVESTIGATOR STEVEN SANDBERG

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today with a heavy heart to honor Aitkin County Sheriff's Investigator Steven Sandberg, who was killed in the line of duty last week.

Investigator Sandberg was deeply respected by his community and was somebody who was always handling the county's toughest cases, which meant putting himself in harm's way.

Those who knew Steven knew that he was a dedicated family man and a committed parent, not missing a single one of his daughter's basketball games.

He was also a shining light for his entire community. He was a former three-sport athlete at Aitkin High School. He served as a volunteer firefighter for 17 years, and he taught Sunday school at the local Methodist church.

Mr. Speaker, Steven Sandberg dedicated his life to serving others and keeping people safe. We honor his sacrifice. My thoughts are with his wife, Kristi, and with his daughter, Cassie, as well as with the entire community in Aitkin County.

HISPANIC HERITAGE MONTH

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute.)

Mr. CÁRDENAS. Mr. Speaker, I come here to remind us how diverse our country is and how beautiful it is that we have been celebrating Hispanic Heritage Month for the last 30 days.

I just wanted to take the opportunity to remind everybody that when we do things like that, it is not to talk about how we are different or separate. No, it is to talk about how alike we are and to talk about how wonderful and great our country is.

The tapestry of people that come from all over the world come here to start a new life, come here to create opportunities, perhaps not for them, but for the next generation. Together, we have created the greatest country that this world has ever known and has ever seen.

From Europe, from the Americas, from Africa, from Australia, from all parts of the planet, people come to this country for a better life and a second chance.

I hope and pray that in these Chambers we can live up to the responsibility of holding true to the values of America and holding true to our responsibilities as a legislative body of this country to create and pass laws to make sure that everybody can continue to have those opportunities for generations to come.

HONORING JUNE SORG

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize Elk County, Pennsylvania, Commissioner June Sorg. June was honored recently with the County Commissioners Association of Pennsylvania's Outstanding Commissioner of the Year Award and with the Special Presidential Award. This award recognizes a commissioner who has contributed to the advancement of county government.

June has a long career of public service, serving for six terms as county commissioner, totaling 24 years. In that time, she has been a leader in Elk County on issues ranging from human services, workforce investment, prison issues, infrastructure improvement, recycling, and environmental issues.

Specific accomplishments during June's tenure include consolidation of county offices to a centralized location, improvements to the county's jail, and the construction of Elk County's new emergency management center.

As you know, Mr. Speaker, county commissioners across the country dedicate countless hours toward the improvement of counties and communities that they serve. I know that June's Sorg's work proves this is true in Elk County.

HEROIN TASK FORCE AND STOP ABUSE ACT

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today to thank the new members of the bipartisan task force to combat the heroin epidemic. We introduced our

first piece of legislation, the Stop Abuse Act, this month.

Heroin abuse in the United States has reached unprecedented levels, increasing 63 percent over the last decade. This addictive and dangerous drug has torn a path through every community, destroying families and ruining lives.

In my home State of New Hampshire, the number of patients admitted to the State-funded treatment programs reached over 1,500 in 2013, doubling the number from 2004.

Nationwide, in 2014, heroin abuse was responsible for nearly 8,200 deaths. In just 10 years, the number of addicts has doubled to over 500,000.

To address this health crisis, we must expand coordination between local, State, and Federal governments, law enforcement agencies, and medical professionals. We must assemble the best ideas from experts around the country, which is why Congresswoman ANN KUSTER and I formed the bipartisan task force. We are doing everything possible to raise awareness, increase education, and hear from families and individuals affected by the spread of heroin.

I urge my colleagues to join our effort so we can stop this epidemic.

MINNESOTA LYNX BASKETBALL TEAM

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, allow me to congratulate the Minnesota Lynx Basketball Team. This wonderful basketball team has won three titles in 5 years. This is the great sports story of our time.

I would like to just let the Minnesota Lynx, their coach, and all their fans know that we are incredibly proud of them. We celebrated, and we had a victory parade.

We had all those things happen, but the truth is that this is women's basketball. It is high quality, and it is excellent. It shows girls that women are excellent athletes, and it shows boys the same thing. This is great for our whole country and great for our community in Minnesota.

We are proud of the Minnesota Lynx. Do you know what? I want to know if they can win another one next year. I wouldn't put it past them.

Go Minnesota Lynx.

FEDERAL DEFICIT

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, yesterday, the Treasury Department confirmed what we already knew: we have cut the Federal deficit to the lowest

level since this President took office. At \$439 billion, the deficit is about 10 percent lower than in 2014 and is less than one third of what it was in 2009.

Yet, earlier this week, the administration was quick to boast about announcing the deficit being down that low when we asked in the past, "What is the plan, Mr. President, for balancing the budget ever?" Not telling me how to do it, but when. We haven't gotten any answer.

This has been the result of discipline started by House Republicans with the Budget Control Act and other measures to keep spending in line so that we will have a chance some day to have a truly balanced budget.

If we had the economy responding and things to help spur the economy, we could reach that goal even faster, perhaps even by 2019. With the right discipline, we could balance the budget. Then no longer will we have to have a debate about whether we should be extending the debt limit, which I think is appalling for all of us here, especially for the next generation who are going to have to pay the price on that.

So this is indeed good news. We want to get that budget deficit number to zero as soon as we can and maintain the business of this country.

CONGRATULATING BAYLOR COLLEGE OF MEDICINE AND RICE UNIVERSITY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I am very excited today to congratulate the researchers from the Baylor College of Medicine and Rice University in my hometown of Houston.

On Monday, they announced an important discovery about the structure of human genetic material, an advance that one day could enable scientists to fix genetic defects that lead to disease. This was in the journal of the Proceedings of the National Academy of Sciences. The authors included experts from Stanford, the Broad Institute of MIT and Harvard, who brought about this particular research, described the process through which a 6-foot-long string of human DNA folds and organizes itself.

The main excitement about this is that to the many children, to the many young people, to the many families who suffer the loss of a child through a deadly disease, we now have research that may alter that process and impact, if you will, the DNA that results in diseases that cause the death of our children.

Let me congratulate Baylor and Rice University for this great success, and we look forward to saving lives from Houston, Texas.

□ 1930

CHAOS IN AMERICA'S
INFRASTRUCTURE SYSTEM

The SPEAKER pro tempore (Mr. LAHOOD). Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, this is chaos week in Washington, and there are a lot of things going on. Most people want to talk about Benghazi or—I don't know—maybe the Speaker, the next Speaker or the last Speaker. However, what I would like to talk about today is chaos in America's infrastructure system.

Early this morning on my way to the airport in Sacramento I was driving up Interstate 5, the highway that connects Mexico and Canada and Oregon and Washington and California. I hit a huge pothole and then another pothole. It turns out that the entire right lane was a series of potholes for the 9 miles that I traveled to get to the airport. That is not unusual, but that is the story of America's infrastructure.

Everybody here on the floor wants to talk about how our great Nation is the world's most vibrant economy, the place where intellectual infrastructure takes place, but it certainly is not the place where physical infrastructure takes place. We rank 16th among the developed nations in the world on our infrastructure.

Travel to China. High-speed rail is going every which way. They have new airports. I remember the comment of our Vice President when he flew into LaGuardia in New York City. It wasn't very complimentary.

We have a need to build the infrastructure of this Nation because it is upon the infrastructure that the economy grows. It is upon the highways that we travel and move the goods and services. It is upon the transit system that more than 45 percent of Americans depend on for their transportation.

We have got problems. I was reminded of Apollo 13 and that very famous quote coming back from space: "Houston, we've had a problem here." Yep. America, we have got problems.

That is a picture of the bridge on Interstate 5 in Washington State. Just a little bit north of this bridge is the Canadian border. This bridge collapsed about 3 years ago. There are 63,500 bridges in America that are deficient, and over the last decade we have seen Americans die on bridges that have collapsed. We have got a problem.

Among other things, given all the chaos here in Washington, we have got a problem with infrastructure. The House of Representatives is going to take up an infrastructure bill this week in committee. We will talk about that a little later.

First I want to go through some of the other problems besides bridges and highways. Oh, by the way, it would take \$780 billion to bring our highways up to adequate standards. That is a lot of money. Or maybe it is not. That is about three-quarters of what we have spent in Afghanistan over the last 14 years. I guess we make decisions here about where we spend money.

Forty-two percent of our highways are in inadequate condition, and congestion abounds in 42 percent of the urban highways. Yep, we have got problems, but we can solve them. We will see whether the House of Representatives and the Committee on Transportation and Infrastructure is willing to solve the problems this week when we take up the infrastructure bill here in the House of Representatives.

I would like to have my colleague from California, Representative JANICE HAHN, address one of our other problems. It is a problem that she is particularly aware of. She represents the greatest port in America, the Port of Los Angeles, and its neighboring port, the Port of Long Beach.

Representative HAHN.

Ms. HAHN. Mr. Speaker, I would like to thank my good colleague from California, Mr. GARAMENDI, for devoting this Special Order hour to the needs that we have in this country when it comes to our infrastructure.

I am sort of excited because this week, at long last, barely in time before the highway trust fund runs out of money, we are finally going to look at a long-term surface transportation bill to fund some of our Nation's most critical infrastructure, which you have been talking about.

Our Nation's highways, our roads, our bridges, they have been neglected far too long. Today we unfortunately have an infrastructure crisis. Not only do the American people rely on these roads to get from point A to point B safely and efficiently, our economy relies on them as well.

I have been advocating, as you know, for more funding for our freight network. That is the series of highways and roads that go from our ports and our manufacturing hubs and that the vast majority of our Nation's freight travel on. Our Nation's ports are hard at work, bringing in cargo from all over the world and exporting the products of American manufacturing to the growing overseas market.

Twenty-two million jobs nationwide rely on the efficient movement of goods in and out of our ports. These jobs rely on our Nation's freight network. For too long we have failed to invest in this important infrastructure and allowed it to crumble. Too many bridges along the freight network are in disrepair, and too many of our highways are unable to handle the modern levels of traffic.

Now, many of us deal with the inconvenience of traffic every day, but this

same traffic also costs both businesses and consumers money, and it threatens our economy's ability to stay competitive in the 21st century global economy.

As the roads on our freight network become more and more unreliable, the cost of transporting these goods increases, and American manufacturers and consumers pay the price. That is why I proposed legislation that would drastically increase the funding of this freight network infrastructure.

I thought it would be a good idea, and my bill would have used existing customs fees to provide \$2 billion every year just to fund this freight network and the infrastructure projects without, by the way, raising any taxes. I thought, by investing in our freight network, we could give American businesses and manufacturers a competitive edge and spur job creation across the country.

The highway bill that we are considering this week provides just \$750 million per year in freight funding. That is less than half of what I was hoping for. But it is a start. I hope that we can continue this conversation and find ways to invest in our ports and in this freight network at the level that our economy needs.

I hope that in coming days we can work in a bipartisan way to improve the highway bill and ensure that it passes before the end of this year. I would like to see the freight network expanded to include that last mile. Those are the roads that connect everything to our ports with highways and with rail. And when we talk about improving our roads, these last mile roads are often forgotten, even when they have the greatest amount of traffic.

I hope that we can expand the freight title to include funding for on-dock rail at our ports. Investing in on-dock rail would actually ease traffic on our highways by taking a lot of those trucks off the roads. That cargo would come off the ships, go right onto the rail and then to the end consumer.

This bill is a positive step. It is not perfect. It is not as good as I would like to have seen, but it is the right step for a long-term plan to invest in our Nation's critical infrastructure.

I am looking forward to working with you, Mr. GARAMENDI. Thank you for your leadership on this. Thank you for talking about why Make It In America makes sense. But none of that makes sense unless we can finally invest in this infrastructure in this country to, as you said, make this country great and make it work for everyone.

Mr. GARAMENDI. Representative HAHN, your leadership on the port issues is well known. You head up the PORTS Caucus here in the House of Representatives. You are constantly badgering all of us about the necessity of the ports being expanded.

We know the Eastern ports are facing the challenge of providing access for the Panamax ships, bigger ships being able to go through the Panama Canal. As you have told us so many times, we need to improve the infrastructure on the West Coast for the efficiency so that we can keep those Panamax ships on the West Coast.

The freight issue that you talked about so eloquently here is absolutely on. It is the major part of the American transportation economy. We look at roads, we look at railroads, but the notion of combining this into a comprehensive strategy in which we talk about the movement of goods, the freight movement.

Your leadership is very, very important. I thank you so very much for joining us. I know that you have a tight schedule for the evening, but you broke away to bring us the very, very important message.

I want to continue on here really with the ports. The American Society of Civil Engineers does a report card on the American infrastructure. We would fail. We would have to go back to remedial classes if their report card was somehow the way in which we would judge the work of the United States Congress because, with regard to ports, as we just discussed, it is a C, even though progress has been made.

To meet the needs of the ports, we are going to have to spend an additional \$46 billion over and above what is already programmed. We are going to have to spend \$748 billion in the future in order to meet the needs of the highways, and that just gets us out of the D rating provided by the American Society of Civil Engineers.

For transit, it is also a D. As I said earlier, some one-half of American households depend upon transit because they don't have a car, and 45 percent of the urban passengers cannot get the services that they need from transit.

It goes on and on and on. Bridges, a C-plus. As I said earlier, 63,500 bridges are inadequate. For the rail system, part of what Congresswoman HAHN was talking about, the railroads have invested over \$75 billion of their own money improving their systems, but the intermodal programs that are so necessary require that those rails connect to the highways, to the trucking industry, and that hasn't been done. So the rails actually receive a C-plus ranking.

We have got work to do here. We have got some very, very serious problems. Let me just put this up because there are solutions available to us.

If we take a look at the problem, in this case, the global assessment of the United States is 16th for transportation infrastructure. The solution? Invest. For every dollar that we invest, the economy grows by \$3.54. So when you put a dollar in, suddenly you get

the economy moving. People go to work.

For every billion dollars that we invest in roads and bridges, we are going to create 21,671 jobs. Those are people that are getting good, high-quality, high-paying, middle-income jobs. Guess what. They are going to pay taxes. So you invest a dollar and you get back \$3.54 of economic activity. And you get tax growth, not new taxes, but new people paying taxes.

That is what we want. We want people to go to work. We want jobs in America. We find that, if we invest in infrastructure, we have got the opportunity to create jobs, to increase the tax base, and grow the economy.

Now, on the negative side, underinvesting in infrastructure costs America over 900,000 jobs, including 97,000 jobs in manufacturing. These things go together. We have fortunately had over the years a buy-America requirement in the infrastructure financing for highways and bridges and the rest and for transit, that your tax dollars, my tax dollars, all of our tax dollars, are required to be used to buy American-made goods, equipment, services, buses, and the like.

Unfortunately, it is only 50 percent. So a transit agency can take your tax money and spend 50 percent of that tax money on buying a bus or a train from China, and the other 50 percent presumably would have to be spent on American-made services and goods.

□ 1945

Not good enough. I think it ought to be 99 percent. Why not use our tax money to buy American?

So these are the opportunities and the problems that we have available to us, and that is the large outsourcing that I just talked about.

And the solution? Make It In America. I have talked about that for 5 years here on the floor. Build the American economy with Make It In America laws and regulations. Use our tax money to buy American-made goods and equipment.

Here is what it means. Let me give you a couple of examples of the good news and the bad news. Here is why Make It In America strategies are important.

The bad news is California, my home State, where we had to rebuild the San Francisco-Oakland Bay Bridge, spanning from Oakland to the peninsula, San Francisco. It fell down during the '89 earthquake, and then we decided we had to rebuild it.

Well, you know, it takes a long time to figure out how to build it and what it is going to look like. It took forever. However, it was a multibillion-dollar project; and someone decided that it would be cheaper to buy Chinese steel than American steel, so they contracted with a Chinese steel company. The result was 3,000 jobs in China, a

brand-new steel mill to manufacture the most high-quality steel. And what the Chinese sent to America was deficient. The welds were insufficient. There were problems in the quality of the steel.

The result was, at least part of that problem was, some \$3.5 billion overrun. That is the bad news. California really screwed up. We say, "Make it in America."

Guess what happened on the other side of the continent? New York needed to rebuild a new bridge, the New York Tappan Zee Bridge. It was made with United States manufactured steel; total cost, \$3.9 billion, 7,728 American jobs because they undertook a buy America requirement, and they bought it in America; on time, under budget. The Tappan Zee Bridge, good; the San Francisco Bay Bridge, bad.

Make it in America, buy American, that ought to be our policy.

I want to move on to where we are this week. On October 29, the United States Congress will engage in its favorite game: kicking the can down the road.

We will take up a transportation and infrastructure bill in the House of Representatives Transportation and Infrastructure Committee this week. Good for us. Several months late, not in time for next week's deadline. So we will kick the can down the road. We will give ourselves another couple of months to ponder how we can address the needs of America's infrastructure.

I want to suggest to you there is a way we can do it. I put this chart up to challenge all of us. This chart displays the opportunity as well as the potential for the missed opportunity.

There are three new infrastructure pieces of legislation that are floating around the United States Capitol. But before we go to those three, I want to call your attention to where we are today.

Highway funding, this is today's highway funding. We are spending somewhere around \$264 billion on highways, \$64.2 billion on transit. The entire amount over a 6-year period of time—this is 6 years—is \$319 billion. This does not include the rail system.

So \$319 billion is what we are spending today over a 6-year period of time. I have already said how inadequate that is. I won't go back through that again.

Now, the administration proposed but, frankly, never pushed, never put any weight behind it and, I think, copped out on what is, in my view, a very, very good bill, a comprehensive bill that included rail transit—again, not included here. It was a bill that had \$449 billion, not including the rail, over a 6-year period, compared to the \$319 billion that we are spending today. That amounts to, what, \$120 billion a year more—actually, \$130 billion a year more.

That is good. That is what we need. I misquoted that. It is \$130 billion over 6 years. That is the kind of money that we need to build the infrastructure.

Highways, \$317 billion, over 6 years, compared to where we are today, \$246 billion. Significant increase, enough to fix the potholes on I-5. Transit, \$114.6 billion over 6 years, compared to today, \$64 billion over 6 years. The entire sum, \$449 billion, compared to \$319 billion over 6 years.

That is the kind of progress that we can and must make if we want to move from 16th among the world's economies, developed economies, to get back up into the top five. That is what we need to do.

Now, once again, this does not include the rail transit. If you add the rail transit in, these numbers are a little bigger. That is the kind of effort.

The United States Senate, what did they decide to do in their bill called the Senate DRIVE Act? \$276 billion compared to \$246 billion over 6 years; \$74.9 billion for transit, compared to \$64 billion. That is good. That is \$10 billion. Better, but not enough. We actually need over \$114 billion or \$115 billion.

The entire sum on the Senate side, not including rail, is \$361 billion compared to \$319 billion. Better, but not enough. Not sufficient to build the infrastructure that this economy and this society need to move out of 16th place back into the top tier of five.

Now, where is the House of Representatives?

This week, we are going to take up a bill that is less than the Senate bill and just a little, teeny, tiny bit better than what we are doing today. So if you are happy with what we are doing today, you will love the House bill. But if you don't want potholes, if you want to deal with congestion, if you want to deal with ports and freight, if you want to move from a D to a B or an A, you don't do it with the House bill.

I understand, this is a starting point. This is the beginning of negotiations. But why in the world would you begin negotiations at the bottom when you need to get to the top? It beats me. I don't get it.

We have got to build the American infrastructure. It is how we move our economy. It is how we move people back to work in good, middle-class jobs. It is how your tax money should be spent.

And how can we raise the revenue for this?

Well, we don't need to increase the gasoline or the diesel tax. Keep it the same, no increase. People can argue that it should or should not be increased, but you don't need to.

This proposal, the GROW AMERICA Act, the additional \$100-plus billion dollars over 6 years to build our infrastructure, is fully paid for by keeping the gasoline and the diesel tax at the

level it is today and going after the hidden profits of the United States corporations that have skipped out on their responsibility to this country.

They are hiding their profits overseas. We need to go after those profits and say: You owe it to America; bring that money back and pay your just taxes. That is how this is paid for, fully paid for.

How much? About \$120 billion over 6 years, enough to get the job done.

American corporations won't be allowed to run away from their responsibility to their country. They will pay their fair share, here in America. No more tax dodges overseas, folks.

So, where are we? The question for the Congress of the United States is: Are we going to go with what we have today, just a little bit more, just keeping up with inflation? Is that good enough for America to be number one? No, it is not.

Can we do better without burdening the truckers, without burdening the commuters? We can, if we are willing to step up to the American corporations, the big and the powerful, and say: Pay your fair share.

Oh, by the way, their fair share is 14 percent, which is less than one-half of the corporate tax rate.

We will see what happens. The House of Representatives, the men and women that you have elected, are going to make some decisions. We will make a decision about Speaker eventually. That will get taken care of eventually. We will make some decisions about a few other things. But the infrastructure issue of this Nation is fundamental to economic growth.

I hope we make the right decision. I hope we make the decision to grow this economy, to make it in America, spend your tax dollars here at home, and give you the roads, the transit system, the ports, the freight movement, the airports that you need and America needs.

Mr. Speaker, I yield back the balance of my time.

HONORING AMERICA'S PHARMACISTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. COLLINS) is recognized for 60 minutes as the designee of the majority leader.

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate the opportunity to be here this evening. It is a good time to be back here on the floor tonight, especially after coming back from a week. I am always very pleased to go see home, be a part of folks who get outside this beltway, get outside where they get up in morning, they go to work, they do the things that families do and communities do, and they do so with a sense of purpose and work.

I think tonight we are going to bring to light, during our time together, we

are going to talk about some of the great folks, our American pharmacists and the battle that they carry on every day. They are true champions on the front lines of health care.

Tonight we are going to be joined by several people. My good colleague from Georgia, BUDDY CARTER, is going to be here. DAVE LOEBSACK from Iowa is going to be here as well. We will have many people come in and out.

Over the next 60 minutes, I hope the words that we speak will encourage and inspire those who care for our constituents in their time of need.

Back in 1925, the first celebration of National Pharmaceutical Week was held October 11-17. In 2004, American Pharmacists Month was launched to bring greater awareness to the expanding role of pharmacists in the healthcare system and recognize their unwavering commitment to patient care.

On October 1, we celebrated Pharmacist Appreciation Day and participated in the third annual tweet-a-thon. This year, there were 7,214 tweets from 1,285 tweeters, and I wanted to share some of my favorite ones at this time.

They say:

Can you give me a flu shot through the drive-through?

We do more than count pills. We ensure medication safety for our patients in a variety of settings. We save lives.

We filled insulin for a patient after she was refused by the big box pharmacies.

What does Batman have in common with your pharmacist? They save lives.

I wanted to be a pharmacist because in my small town, doctors rotated in and out, but the pharmacist knew my community.

Every year, the American Pharmacists Association Academy of Student Pharmacists creates a national theme to encourage and advocate for the profession of pharmacy, and this year the theme is: Live your "why." We are going to come back to that a lot tonight, Live your "why."

It is incredible to read the outpouring of stories from student pharmacists around the country.

Hannah Holbrook is a pharmacy student at ULM, one of the most active and committed student pharmacist chapters in the Nation. She told a local paper: "Even as students, we can be leaders and have impact on patients."

I believe the next generation of pharmacists is going to do truly remarkable things that could radically transform patient care, but it won't happen unless Congress acts. We must act to level the playing field so independent and community pharmacists can not only compete, all they are asking for is a chance, and we need to make sure that we step up and do that.

Tonight, like I said, we are going to share from many as we go tonight, but I want to start off with Representative BLUM, who has come down to speak with us. He has got to run off on some other events, but we wanted to get you

here tonight. We are glad that you are here to speak on this important issue for your community and others.

I yield to the gentleman from Iowa (Mr. BLUM).

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Mr. BLUM. Mr. Speaker, I rise today in support of pharmacies across the country, especially the independent community pharmacies who operate in a tough business climate to serve rural areas and provide patients with convenient, affordable, and personal care.

In my home State of Iowa, 72 of our 99 counties are considered medically underserved; and of these, 27 are served by only one pharmacy. Many of these areas are rural, and a large number of citizens in these sparsely populated areas rely on their community pharmacy for access to lifesaving drugs and treatments.

Unfortunately, the implementation of Federal policy to address the rising costs of drugs has left independent community pharmacists at a disadvantage. Often unable to cover the costs of maintaining and managing a storefront, community pharmacies are closing their doors at an alarming rate. This leaves many Americans without access to the timely, efficient, and personal patient services they provide.

To that end, I am most happy to cosponsor H.R. 592, to ensure that pharmacists are recognized as providers under Medicare part B so that my constituents can have access to local healthcare services instead of traveling long distances to seek out care.

Additionally, I am also proud to work with the gentleman from Georgia (Mr. COLLINS) as well as my colleagues across the aisle, such as Congressman DAVE LOEBSACK from the Second District of Iowa, to lower the cost of drugs and promote fair competition and choice, which will ultimately benefit patients.

I will continue to work to pass legislation, such as H.R. 244, to increase the transparency of drug payment rates under Medicare part D and TRICARE, while ensuring a fair, competitive market for generic drugs.

Finally, I wish to highlight the work of Hartig Drug Stores, the second-oldest family-owned independent drug-store company in America, which has locations throughout my district, including my hometown of Dubuque, Iowa. Hartig's pharmacies operate in three States, employing 437 people.

I believe we should be enacting policies that allow these kinds of local pharmacies to thrive instead of shut down. My hope is that through the continued hard work of their dedicated employees and the implementation of better policies at the Federal level, these family businesses will continue to serve patients in and around my district for many years to come.

Mr. COLLINS of Georgia. Thank you, Mr. BLUM.

I think what you have recognized are the struggles that are going on right now. And what I have found—I was speaking with a Member tonight from one of our Midwestern districts. It was on the floor as we were voting earlier. I started explaining what was going on in our independent pharmacies. This Member did not know. They had not had a chance to interact. They didn't know what was going on and the changes that were going on. So you being here tonight helps highlight that.

I think as we educate Members, this is just an inequity that is in our healthcare system that needs to be fixed.

I appreciate the gentleman from Iowa (Mr. BLUM) being here.

There are many things that are talked about in our time up here. Many times, we talk about not being able to work together. This is an issue that draws us together.

Mr. LOEBSACK and I have worked through two Congresses now on this issue. We are going to work on more together. It is my honor to yield to the gentleman from Iowa (Mr. LOEBSACK) to expound on this because we have been working on this for a while, and it is good to have you here tonight.

Mr. LOEBSACK. Thank you, Mr. COLLINS. It is great to be here. I know that you folks have a lot of things going on on your side of the aisle, and it is a testament to your commitment to this issue that you have gotten a number of your colleagues here tonight to speak to this issue, to speak to the importance of independent and community pharmacists.

It is really, really important for America that we talk about this. And as Mr. COLLINS said—and Mr. CARTER, I appreciate your invitation as well—it is really important that we speak to how important these folks are for our communities, for health care, for their patients.

Mr. BLUM, thank you for being here tonight as well.

Mr. BLUM represents the district that borders me to the north, and he mentioned the Hartig pharmacy. They have a pharmacy in Iowa City, and I took a little bit of time out of my schedule a couple years ago to visit there and to hear the problems that they have when it comes to all kinds of issues.

This month, of course, is American Pharmacists Month. It is a month during which we recognize the important role that pharmacies play in our communities. Pharmacists are, in fact, frontline healthcare providers, and they are counselors for many patients who consistently depend on their training and expertise to stay informed, to stay healthy, and to stay out of the hospital. They also play an incredibly important role in strengthening the economies of the areas they serve, particularly in rural counties like so

many of those that I represent of the 24 counties I have.

It is also crucial that these pharmacies have a level playing field, as was already mentioned by the gentleman from Iowa (Mr. BLUM), when trying to run a successful business in a challenging and complex environment. Like most small-business owners, community pharmacists face many challenges to compete and negotiate on a day-to-day basis with large entities on their business transactions.

I have personally visited, as I have said, many of these pharmacies in my district, the Second District. I have learned firsthand how they often struggle to compete.

One problem I have heard, for example, from many pharmacists is that the reimbursement system—and I am sure we are going to hear more from folks about that tonight—for generic drugs is largely unregulated; and it is, in fact, a mystery to many folks. Generic prescription drugs account for the vast majority of drugs dispensed, so it is critical for pharmacists' bottom line that their reimbursement is transparent.

However, pharmacists are reimbursed for generics via the maximum allowable cost, or MAC, lists created by pharmacy benefits managers, PBMs—the drug plan middleman, something we have heard so much about. But the methodology used to create these lists is not disclosed. It is a secret. It shouldn't be a secret. It should be open. We need to have transparency on this front. Also, the lists aren't updated on a regular basis, resulting in pharmacists often being reimbursed below what it costs them to actually acquire the drugs. That makes no sense whatsoever.

So to address the problem, I partnered with the gentleman from Georgia (Mr. COLLINS) to introduce H.R. 244, the MAC Transparency Act. We have a lot of folks onboard on this. It is a bipartisan bill at a time when, as Mr. COLLINS said, there is not a lot of bipartisanship in this body at the moment.

Basically, what this bill would do is it would ensure that Federal health plan reimbursements to pharmacies keep pace with generic drug prices, which can skyrocket overnight, as we know.

I am not going to go into great detail at the moment. We have got time to talk about this a little bit more. There are other things we can talk about tonight. But I just wanted to say a few things at the outset and to just thank you again, Mr. COLLINS and Mr. CARTER, for setting this particular time aside so we can really educate our colleagues, as much as anything, about the problems facing independent community pharmacists.

Mr. COLLINS of Georgia. I thank my colleague. I do appreciate that.

And that is the issue here: education. People can look in on this. They can hear what we are talking about. They can see this education part of it.

This is found in every district. It is almost like veterans. There is no Member of Congress that doesn't have veterans' issues, because they come from every area. Every one of our districts has independent pharmacists. And as one told me just the other day, he said, if the condition doesn't change, they will be gone in a year and a half.

I have had, even in my area, county governments who believe that they can cut their healthcare costs by going and taking the pharmacies and putting them with a PBM and centralizing it for county employees. They said that they would save X amount of dollars. And when I called my county commissioner and asked him about this, I said: You save this amount of money. But, I said: If you realize, if you take county employees out of the system, government operating this—and this is someone on my side of the aisle. I told him: You take government and put this in control, you are going to put pharmacies out of business. And I said: How much do you save when they have to lay off employees? They shutter their businesses, and you lose sales tax, property tax, and the peripheral income that comes with that.

We have got to address it, and that is why we are here tonight. This educational process is important.

When you come up through the legislative ranks—whether it is here in Congress or the State house, where I started, you meet folks who you learn to have a great deal of respect for, especially from the places that they have come and what they have done in the past.

BUDDY CARTER, the Congressman from the southeast coastline of Georgia, is one of those who actually is a pharmacist.

I think one of the things I want to emphasize tonight is—and some people might be saying: Why are you bashing pharmacists? We are not bashing pharmacists. Pharmacists are great. I love them. No matter where they work, it is the system that they are trapped in that is broken, that is hurting the individuals who need that care.

So tonight we are going to have a great perspective from one in the profession who understands this firsthand, from owning those pharmacies, but also dispensing and taking care of patients.

With that, I yield to the gentleman from Georgia (Mr. CARTER) for his comments.

Mr. CARTER of Georgia. Thank you, Representative COLLINS, and thank you for hosting this tonight. This is certainly a very important subject. It is very important to me, personally, yes, but it is more important to our healthcare system.

Mr. Speaker, for over 2,000 years, the practice of pharmacies has existed to help people with their ailments. Today, the most common pharmacy position is that of the community pharmacist. Community pharmacists are the front lines of medication, instructing and counseling on the proper use and adverse effects of medically prescribed drugs.

However, over the past decade, there have been several issues that have threatened the role of community pharmacists. Being a community pharmacist myself, I know these issues all too well. I believe that there are three main issues that we can address in Congress that will allow the community pharmacists to continue to fill the invaluable role of counseling Americans on the proper use and dangers of prescription medications.

First of all, MAC pricing transparency.

When I became a Member of the United States Congress and I got involved in government, I jokingly said that if I could learn 10 percent of all the acronyms in the Federal Government, I think I would have been a success. Then I got to thinking about it, and I feel a little silly now because there are a lot of acronyms in pharmacy as well. One of those is MAC, M-A-C, maximum allowable cost. Another is PBM, pharmacy benefits manager.

Now let's talk about MAC pricing transparency. This is a bill that is being offered, and this is a situation that needs to be taken care of. It needs to be addressed. It is perhaps one of the most pressing—if not the most pressing—issues facing community pharmacists right now.

MAC is a price list. The maximum allowable cost is a price list that lists the upper limit or the maximum amount that an insurance plan will pay for a generic drug. In other words, if you have a generic drug and it is on that MAC list, they are going to tell you what the maximum allowable cost is. That maximum allowable cost may be \$10. Now, if you can buy it for \$9, more power to you; but if you have to buy it for \$11, you are only going to get paid \$10. That is why they call it the maximum allowable cost.

Each insurance plan sets the maximum allowable cost for the plan. Some States require them to follow a certain policy, if you will, a certain procedure when they set those plans, those prices. Most States don't. In a lot of States that don't, the insurance companies can set it wherever they want to, whatever they want to set it at. They may choose a drug that is only available in a certain area for a certain price.

For instance, if I am in southeast Georgia, I may not be able to get that drug at that price that they set it at because they used the price that it is available in the northeast and is not

available to us in the southeast. That is why we have got to have transparency. That is why we have got to have maximum allowable cost transparency.

PBMs are supposed to ensure that the cost of the drugs do not rise to unaffordable price levels, which is supposed to allow continued access to medications to Americans and maintain low costs for employers who provide coverage for those employees, and that is very important. They are supposed to set those prices so that their plan's recipients, the ones that are covered, are able to get those medications.

Therein lies a couple of problems. One is what I just explained, that it is not always available at the price that they set. A second is that sometimes the price goes up. We know that the price of generics have been going up significantly and rapidly. When that happens, sometimes the insurance companies, the PBMs, are slow to raise their MAC prices, which means that if I have got a MAC price of \$10 and, overnight, the price of that drug went up to \$20, until the insurance company raises the MAC price, I am still going to get paid \$10 even though it is costing me \$20. That cannot be sustainable for community pharmacists.

Community pharmacy is somewhat different from other healthcare providers in that we have a product. We actually have a product that we have to pay for. We have that product.

Now, granted, doctors' offices have injectables they have to pay for and so and so, and we understand that. But in community pharmacy, we actually have that product on our shelf, and we have got to pay for it, regardless of how much we get paid for it. The wholesaler doesn't say: Well, how much did you get paid for it? That is how much we are going to charge you.

We wish it worked that way, but it doesn't work that way.

The way it works is they have got a set price. If it is \$20 and I am only getting paid \$10 for it, I am losing that \$10.

Now, some of you may think: Well, you can make up that \$10, can't you, and charge the patient? No. You can't do that.

If they have got a copay, that copay is \$5, that is what they pay. I can't charge them \$15 to make up for that difference. That is not allowed. That is one of the things that is leading to the detriment of the community pharmacy.

But perhaps an even more important point there is what happens with the patient. Because, keep in mind, ultimately what we are talking about here, when we are talking about keeping community pharmacies open, when we are talking about making certain that this provider is available, we are talking about the patients.

□ 2015

We are talking about the patient and patient care. If I am not able to pay for

that medication because I am not getting reimbursed enough, that patient is not going to get the medication, and that is going to lead to even more medical costs. That is why this is so vitally important. In the end, what it comes to is patient care.

What is the problem? What is the problem with PBMs, with the pharmacy benefits managers? First of all, there is no transparency. There is no transparency in the contracts with the PBMs. For example, several years ago Meridian Health Systems, a nonprofit that owns and operates six hospitals in southern New Jersey, hired a PBM to help reduce their surging medication costs for its 12,000 employees and their families.

This PBM projected it would slice at least \$763,000 from Meridian's \$12 million in annual medication spending. Just 3 months into the contract Meridian was on pace to balloon by \$1.3 million. This PBM insisted that it was actually saving Meridian money. It was not.

After some investigation by Meridian, Meridian discovered that this PBM was making huge gross profits ranging from \$5 per prescription to multiple times that amount. In one example, Meridian was charged \$92.53 on a generic bottle of antibiotics while the PBM only paid \$26.91 to get the prescription filled. That is a profit spread of \$65.62.

Therein lies the problem in what is referred to as the spread, the difference between what the PBM actually charged the company and the difference in what they actually paid for. That is the spread that the PBMs work on.

The amount that PBMs charge the small businesses, the customer, or the government under part D of Medicare can be significantly more than what it actually costs for them to fill the prescription. As I mentioned, PBMs don't always update their price list in a reasonable amount of time. This hurts pharmacies, and more than that, again, it hurts patients.

There has been evidence to suggest that some PBMs wait until 4 to 6 months to update that reimbursement rates after a drug price rises. There has been evidence of that.

I have experienced that while I was still working. Ten months ago, before I entered Congress, before I became a Member of Congress, when I was still running my drugstore, I experienced this. I experienced where a product would go up in cost, yet the PBM would not adjust their price, their cost, their MAC.

We would have months, literally months, where we were getting paid less than what we were having to pay for the drug. Obviously, that is not sustainable. That business model doesn't work for anyone regardless of who it is.

This leaves pharmacists getting reimbursed for drug prices that could be

extremely out of date. Any small business in the country can't sustain operability when they don't know how much it costs to provide the customer with their service. You are basically asking a business owner to operate with no understanding of revenue. No one in the country can operate a business like this.

We need as much transparency as possible to make sure that PBMs are doing what they were created to do. My colleague from Georgia (Mr. COLLINS) has introduced H.R. 244, the MAC Transparency Act, which would provide much-needed transparency to the operations of PBMs and provide pharmacies, businesses, and Americans a better understanding of their insurance coverage and the true drug costs. This is a very important piece of legislation.

Another issue that is very important and extremely important to pharmacists is provider status. Now, Mr. Speaker, I graduated from pharmacy school in 1980. I have what is known as a bachelor of pharmacy degree. Back then it was a 5-year degree. The pharmacists that are graduating now are graduating with a doctor of pharmacy degree, a 4-year professional degree that usually comes after a bachelor's degree.

In most cases, they have at least 6 and, in most cases, 8 years of education. Their clinical expertise is so impressive right now. The practice of pharmacy has changed so much during the years that I have been practicing. I have seen it go from where we did nothing more than fill prescriptions to where now the pharmacist is a vital member of the healthcare team.

Mr. COLLINS mentioned a little while ago about someone asking if they could get a flu shot in a drive-through. We have actually seen that done sometimes. But the point that I want to make is pharmacists now are actually administering vaccines.

How does that help us? How does that help Americans? How does that help our healthcare system? Obviously, our vaccination rate improves. Keep in mind, in south Georgia, where I represent, rural health care is a concern. We quite often say that, in Georgia, there are two Georgias. There is north Georgia and the Atlanta metro area and then there is the rest of Georgia.

Access to health care is very important in south Georgia, particularly in the rural area of south Georgia, where you find that pharmacists are some of the most accessible healthcare professionals out there. If it were not for our pharmacists, many of these patients would not get those vaccinations, and that is very important. It is very important that we have provider status for pharmacists.

The U.S. healthcare system has come into an era of integrated care delivery systems that provide all-encompassing care to Americans. This new structure

of care will provide Americans with the type of care that allows constant collaboration with all sectors of health care to provide the highest level of care.

As all of us know, the majority of Americans that rely on healthcare professionals are the elderly. However, under part B of Medicare, pharmacists are excluded from the list of providers under Medicare part B.

This is something that is going to have to change. Regardless of how you might feel about the Affordable Care Act, regardless of how you might feel about what is our state of health care here in America now, one thing is for certain. We are going to have to utilize all disciplines in health care to improve our system. We are going to have to utilize pharmacists. We are going to have to utilize nurses and physician's assistants. We are going to have to make use of all of those.

Now, to my physician friends, make no mistake about it. Doctors remain the quarterback. They remain the captains of the team. We have to have them. They are essential. But these services that have been provided in the old model where doctors did everything and the other healthcare professionals didn't participate has got to change in order for health care to sustain here in America.

We have got to utilize these. My wife is a physical therapist. The physical therapists who are graduating now, again, are so clinically oriented and they can do so much more. We find that in all different aspects in allied health care.

That is something that we have to do. That is why it is vitally important that we have provider status for pharmacists, physicians, physician's assistants, certified nurse practitioners, qualified psychologists, clinical social workers, certified nurse midwives, and certified registered nurse anesthetists.

All of those are reimbursable and covered under Medicare part B, but pharmacists are not. Pharmacists need to be included in that. These professionals make up a healthcare team that provides an integrated healthcare plan for the treatment of a patient. However, I have never experienced a patient that required this level of care without being prescribed medications. It is a vital part of it.

If we don't get the medications to them, the whole process fails. Why does the patient go to the doctor and spend all this time being diagnosed and this doctor use all of his expertise in diagnosing this patient if they are not going to get the medications? It is a vital part.

We refer to it as a three-legged stool where you have got the physician, you have got the pharmacist, and you have got the patient. All of them have to work together to make the system work.

If we really want to provide a fully integrated healthcare system, pharmacists' services should be included under Medicare. This is why my friend from Kentucky (Mr. GUTHRIE) has introduced H.R. 592, the Pharmacy in Medically Underserved Areas Enhancement Act. This legislation would include pharmacists under the list of providers under Medicare part B and provide a true integrated healthcare team for Medicare patients.

Finally, the third thing that we need to do and that Congress can do—some health plans, particularly Medicare prescription plans, have selected certain pharmacies to be the plan's preferred provider. We must have any willing provider, pharmacy legislation, rather than allow insurance plans to pick and choose a preferred pharmacy.

Now, this is something I have, unfortunately, a lot of experience with. I have been practicing for over 34 years now. Let me tell you, I have had patients who have been with me that long. They are a part of my family.

I have provided services to them. They have come to my store. I have provided generations of services to them, to their parents, to their grandparents, and now to them and to their children. Yet, they at the first of the year come to me, some of them in tears, and tell me, "I have got to change pharmacies. I don't want to. But my insurance plan is telling me that this is the only pharmacy I can use."

Sometimes the PBMs will mask it by saying, "Well, that is not true. They can use you. They can go ahead and pay for the medications and submit us the receipts and we will see if we can reimburse them or they can go to our preferred pharmacy and pay the \$5 copay." That is not a choice. That is not a choice at all.

Other plans will tell you, "Okay. You can use this pharmacy outside of our preferred network if you want to. The copay is going to be \$45. But if you use our preferred pharmacy, the copay is going to be \$5."

Well, let me tell you, if you have 10 prescriptions, as a lot of elderly patients do, are you going to pay \$450 as opposed to \$50? That is not a choice. That is not something that is going to lead patients to stay with their pharmacy.

They are going to have to change, and they don't want to do that. Mr. Speaker, having a choice makes a difference. These relationships that patients have with their healthcare providers are very, very important.

So my colleague from Virginia (Mr. GRIFFITH) has offered legislation to remedy this problem. The Ensuring Seniors Access to Local Pharmacies Act of 2015 would allow Medicare enrollees to keep their longtime pharmacist if that pharmacist agrees to the terms and conditions of the Medicare prescription drug plan.

In providing this reform, we will be able to provide a free market system for prescription drug plans that will lower cost while also providing comfort to Americans. This is win-win.

Now, before you say, "Oh, Buddy, all you are saying is that you want to force people to have to do this," no, not at all. I am a free market guy. You will not meet more of a free market person than me. All we are asking to do is to have the ability to compete. That is all we are asking to do, to participate in the free market.

If the insurance company—if the PBM, sets the reimbursement, if I see, okay, this is the reimbursement they are going to pay me, if I am willing to accept that reimbursement, I should be able to participate. That is all we are saying.

Give us the opportunity, if we are a willing provider, to participate. Select Networks are hurting us. But, more importantly—more importantly—they are hurting the patients.

Why is that? Because now the patient, instead of going to my pharmacy where it is convenient, where they have been going for 34 years, where their parents went, where their grandparents went, are having to go and travel long distances, particularly in south Georgia, to get to the pharmacy that is a Select pharmacy, the Select provider. A lot of times they just do without. Then what happens? Then all of a sudden medical costs rise, and we don't see adherence. That is a problem.

So those three things, Mr. Speaker, are three things that are very important to community pharmacies.

I want to thank again my colleague from Georgia (Mr. COLLINS) for bringing this up and let you know that I have been honored to serve as a pharmacist. I think it is a noble profession.

But, most importantly, I want to make sure you understand this is about the patients. If community pharmacies don't survive, this is going to mean that health care in this country suffers.

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate my friend from Georgia and his passionate defense of what we are doing here tonight.

Earlier this month many of my colleagues and I sent a letter to CMS in support of proposed guidance to ensure part D plan cosponsors consistently report pharmacy price concessions. That letter was led by fellow Georgian and a good champion of pharmacists, AUSTIN SCOTT, and it is my pleasure to yield some time to him now.

Mr. AUSTIN SCOTT of Georgia. Thank you, Mr. COLLINS and Mr. LOEBACK. I appreciate your being here. This is certainly a bipartisan issue and gets to the heart of some of the challenges in health care in our country right now. I certainly rise today in support of our Nation's community pharmacists and our phar-

macies which play a critical role in our healthcare system.

Many of these independent businesses operate in underserved areas like the ones that I represent in rural Georgia, 24 counties. In areas where a doctor may be many miles away, local pharmacists deliver flu shots, give advice on over-the-counter drugs, and help with late-night drugstore runs for sick kids.

Many people see their pharmacists much more often than their doctor, and there is a very personal relationship between these community pharmacists, patients, and the physician. They are community pillars, and they contribute greatly to the economies. It is crucial that these pharmacies have a level playing field when trying to run a successful business in a challenging and complex environment.

As you know, Mr. COLLINS, I was an insurance broker for many years. I thought I might tell a very personal story about one of my clients who, shortly after their contract was issued, the gentleman's child got sick and they needed a prescription filled. So they went to the local big box pharmacist or pharmacy, and they wouldn't fill it for them.

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Even when I, as the agent, could provide evidence that the person was insured without the card, they simply would not fill the gentleman's prescription. The local community pharmacist was the one that filled the script.

Now, the irony of it and what we are talking about here and where the real problem comes in is that, when the person got their insurance card because of the PBMs, they could no longer use that community pharmacist that was the only one that would provide the service that they needed when they actually needed it.

So it is extremely important that, when we have these business models, we keep those local community pharmacists where they are able to run a successful business and stay in business.

During the August district work period, I stopped by another drugstore, a small drug store in Quitman that had been there many, many years. Generations of people have continued to rely on them for their services.

While I was there, I watched one of our senior citizens, a lovely lady, come in. The owner called her by name. They caught up on family and friends and what was going on in life, and she had some questions about the medications.

And let me tell you that pharmacist knew the answer to every single one. He knew her history with those medications and was able to answer those questions that she asked. She left there with a smile on her face knowing that she knew what she needed to take, when she needed to take it, and what she needed to take it with.

As I stopped at these local community pharmacies like the ones I visited in August, I continued to hear concerns from them about what is happening in the pricing structure and that, if the price on a drug goes up, the insurance company has the ability and takes several months to change the rate when the price goes up. But if the price comes down, as happens in free market sometimes, they immediately reduce the price that they reimburse to the pharmacist.

There should be no excuse for the difference in the timeframe in which the reimbursement occurs. If it can be done when the price is changing to the downside, it can certainly be done in the same time limit when the price is changing to the upside.

A lot of things we have seen lately in pharmacy. We saw where a venture capitalist purchased a drug and raised the price of that drug several thousandfold overnight. That has been happening, and local community pharmacists have expressed concerns with this issue for many years.

It has happened with nitroglycerine tablets, for example, that has been around for decades and decades. They have gone from 8 cents apiece to \$8 apiece. Digoxin for a heart condition, doxycycline, the same thing has happened with these drugs.

How is this happening? And who is going to help us fix this if not for the ability to get the information from their local community pharmacist?

They are the ones that care the most, and they are the ones that are willing to help resolve the challenges with the higher drug costs in this country.

So one would ask: How is it that, in many cases, our local pharmacists are kept from being able to participate in the networks? Well, in many cases, the networks that are blocking out the local community pharmacists are actually owned by the big box pharmacies.

If you want to talk about a conflict of interest, that is about as conflicted as it gets when your big box pharmacists own the network that actually can determine who you can get your drugs from and they box out their own competition.

Quite honestly, I think it would be a wonderful issue for the Federal Trade Commission to get involved in and to bring competition back into that area.

One of the things that I think would help is H.R. 793, the Ensuring Seniors Access to Local Pharmacies Act of 2015. I want to thank my colleagues that are here that are also cosponsors for it.

This bill allows community pharmacies that are located in medically underserved areas or areas that have health professional shortages the ability to participate in Medicare part D in the preferred pharmacy networks so long as they are willing to accept the contract terms and conditions that

other in-network providers operate under.

This is reasonable. This is patient choice. This keeps the small business owner out there. Let me ask you to make no mistake about it. This is big business versus small business.

One of the other things that I want to talk about is MAC, the maximum allowable cost. Pharmacists are often reimbursed for generics by this MAC list. You have heard BUDDY CARTER talk about this earlier. He certainly knows more about it than I do. This list is created by the PBMs, but nobody knows how they create this list.

As patients, we have a right to determine how the costs are derived for the drugs that we are going to take. And understand this. It is not a manufacturer's cost. It is not a manufacturer's cost. It is a maximum allowable cost. When the lists are updated, certainly it should be done in a timely manner.

I am happy to have cosponsored H.R. 244, and I certainly hope to see that bipartisan bill pass.

With that, Mr. COLLINS, thank you for taking the lead on this issue.

Our local community pharmacists are extremely important to our healthcare system. There is a way to create a scenario under which the patients have more choice and that requires keeping that local community pharmacist in business.

Mr. COLLINS of Georgia. Well, Mr. SCOTT, I don't disagree with you. I thank you for being here. You have been a great champion to this cause as well.

I think the interesting thing here—I want to repeat—basically, what we are going back to is some simple fixes. We are not asking for one to be preferred over another one.

I think exactly what the PBMs actually want is they want to prefer and they want to run you into their network and control you.

And, by the way, most people don't realize that a lot of our community pharmacists have to buy from PBM, who operate other big box stores, who, in turn, then audit them and can fine them if they don't follow the plan exactly.

These are the kind of crazy things that just obviously—

Mr. AUSTIN SCOTT of Georgia. Can I repeat one thing you just said right there?

Mr. COLLINS of Georgia. Go right ahead.

Mr. AUSTIN SCOTT of Georgia. They get to audit their competitors. Now, in what other scenario in the world could you say it is a free market when your competitor, who is the big box multi-billion-dollar operation, gets to audit their small business competitor?

Mr. COLLINS of Georgia. It is baffling. That is why H.R. 244 simply says you have 7 days to update the list, number one. Number two, it says that

patients will not be forced by PBMs to use a PBM-owned pharmacy, an obvious conflict of interest.

And according to Medicare data, PBM on mail order pharmacies may charge plans more, as much as 83 percent more, to fill prescriptions than community pharmacies.

Mr. LOEBSACK, you have been with us on this from day one. Tell me some more about what you are hearing out there.

Mr. LOEBSACK. Oh, my gosh. First of all, I want to thank Mr. CARTER. It is testimonials like his that I have been hearing for the last 10 years, since I have been in Congress, since I first went to an independent community pharmacist, and you spoke with such great passion.

You are not alone, as you know. Every single person like you in my district can tell me the same things that you have told me. That is why I am on these bills. That is why I am talking tonight about these issues.

I don't have the firsthand experience that you have as a pharmacist. The closest I ever got to a pharmacy, other than picking up my prescription drugs, before I got into Congress was when I was 16 and 17 years old. I was a delivery boy for Greenville Pharmacy in Sioux City, Iowa, which, by the way, still exists, since 1969. Actually, longer ago than that it was established. But I would deliver prescription drugs to folks, especially to the elderly who couldn't get out of their home, who couldn't get to the pharmacy.

That is what this is about, as you said. It is about making sure ultimately. And as a Member of Congress, my job is to make sure that folks have access to affordable quality health care.

And that is where pharmacists play such an important role, whether it is with medication therapy management or just simply consulting on an informal basis with someone who comes in and has a lot of different prescriptions and is confused by what to take and when to take them.

You folks really do such a wonderful job. And if we lost that service, as you said, because of unfair business practices, because of being squeezed by the big guys—and it doesn't make any sense at all for that to happen—then patients would suffer in the end.

That is why I support both of these pieces of legislation, two of these that have been mentioned already. 244, which Mr. COLLINS just mentioned again, to make sure that everyone understands what it is about, it is a measure that will increase transparency of generic drug payment rates in Medicare part D and the Federal Employees Health Benefits program, which serves a lot of folks, as we know, millions of folks, and in the TRICARE pharmacy program by requiring those PBMs, one, to provide pricing updates at least once

every 7 days. That doesn't seem like a lot to ask, to me, and I am sure it doesn't seem like a lot to ask for you; number two, disclose the sources used to update that MAC list and to notify pharmacies of any changes in individual drug prices before these prices can be used as a basis of reimbursement. This is complete common sense. That is why there are Republicans and Democrats alike on this bill, and I hope we can move this bill forward.

In Iowa, the State legislature did pass something not quite this comprehensive, but something similar to this, because in Iowa folks understand what these PBMs are doing and what those independent community pharmacists are up against.

And the second piece of legislation, H.R. 592 that was already referenced, again, a bipartisan piece of legislation, has got 218 cosponsors. If memory serves me, that is exactly the number we need, if everybody votes, to pass a piece of legislation in this body. We could get it done. If we brought it to the floor, we could get it done.

Maybe we ought to do a discharge petition. Sorry. I don't mean to create too many anxieties there with you folks. But, nonetheless, we have got to get this thing done. It is about making sure that our pharmacists are able to continue to deliver the kind of quality health care.

Look, whatever we decide at the Federal level when it comes to utilizing pharmacists to their full potential, this legislation does stipulate that nothing will override State scope of practice laws as well.

Because I know that a lot of folks in other professions have concerns about that, that pharmacists are going to go too far. Well, they are not going to. If States have laws in place about scope of practice, this legislation will not override that.

But it is about making sure, as Mr. CARTER said and as Mr. COLLINS would agree and others who have been so active on these issues would agree—it is about making sure that folks get the quality care that they need.

If we close down these pharmacies in these rural areas—95 percent of the folks in Iowa are within 5 miles of an independent community pharmacist—if they close down those pharmacies, those folks in my district who depend upon those pharmacies and those pharmacists are going to suffer. That is unacceptable to me.

Thanks again for giving me the time to speak on this.

Mr. COLLINS of Georgia. Mr. LOEBSACK, you hit it right. There are so many times we get to talking policy and big picture up here. The bottom line is what we do up here—and when I was in the State legislature, you could see it because you were a little bit closer—States are starting to pick up this mantle, as you just said, in Iowa and

other States. But it goes back to that feeling of what I call security.

Now, as I said just a few minutes ago, the pharmacist is not the issue. The pharmacist is someone who helps in the curing process. They are part of that.

I don't want to ever have anyone who happened to watch this to say, "Why are you bashing pharmacists?" We are not bashing pharmacists. What we are taking shots at and what we are trying to find solutions for is an abusive practice that has been set up in the name of saving money at the expense of the patient. That is unacceptable.

It is time we have a hearing up here on those kind of abuses. I call for that. I call for the bills to be brought to the floor. Let's do those kind of things. We have got 26 cosponsors and growing daily on H.R. 244. They are understanding the issue.

As we go into this thing, one of the things that I talked about earlier and I said I was going to come back to was: Live your "why." You know, think about this. I want everybody to have a choice. If you like going to the big box and getting your bananas, your shotgun shells, and your aspirin at the same place, go for it. That is great. I love it.

But if you want to go to there and then go by and see your pharmacist who opened up, hung a shingle, so to speak, had that American Dream, he sells other things—and in my pharmacy I can get a scoop of ice cream and I sit there and talk and I see people and see life. That is what it is about. It is not about forcing us in.

That is one of the problems that on our side we have had about health care in general. The government, that is not the place. This is an area where we have got our thumb sort of on the scale, and we have got to stop that. I think this is what does that, and your help has been tremendous in that regard.

Congressman CARTER, one of the things we see in Georgia and I know we have seen it in Iowa—in short, you have a story—I have got stories I am going to probably share a little bit later—just where this is has affected a patient.

Several of my pharmacists talk about how they have had customers that have been coming to them for years and then get a disease that they can't keep the medicine because it is too expensive. Do you have some examples like that where this kind of legislation would help?

Mr. CARTER of Georgia. Well, there is no question about it. As I said earlier, I am a free market guy. All I want to do is compete, and I want to compete on a level playing field. Let me compete.

You know, when I first entered pharmacy before PBMs became so vogue and became such a big part of this, it

was pretty easy in the sense of being in business in pharmacy because all you had to do was be nice to the people.

□ 2045

I mean, it was about customer service. It was about taking care of the patient, and that is what we are talking about—taking care of the patient.

I told you earlier I have had generations of families who trade with me—grandparents, parents.

Mr. COLLINS of Georgia. I want to jump in right here on this, and if you have a story, we will talk about it.

My own family member had an issue, and we were discussing medication. I knew the doctor—I could call—but my first call was to my pharmacist because I said I knew I could get him; I knew he would answer; and at the time—and what was amazing was—my parents didn't buy their drugs from him, but, yet, he picked up the phone, and he heard my complaint.

Is that sort of what you see and what you have seen as well?

Mr. CARTER of Georgia. Oh, there is no question about it. In fact, I have experienced it.

Look, I have been a community pharmacist, as I said earlier, for 34 years. I have been in business for myself for almost 28 years now. I live near where my pharmacy is. I live less than 5 miles away from it. I am a member of that community. I was the mayor of that community for 9 years. For 9 years, I was mayor. I served in the State legislature. I represent them now in Congress, and I have gotten calls in the middle of the night.

What is interesting and what has been very rewarding for me professionally is when I ran for office and when I would be knocking on doors, and I would introduce myself. "I know you. I know you. You helped my mother when she was under hospice care. You got up and went to the store and met me there one night and got her medication." Now, let me tell you that that makes you feel good.

Mr. COLLINS of Georgia. It does. Again, when you get into this, it is about people.

Mr. CARTER of Georgia. It is.

Mr. COLLINS of Georgia. Politics and drug stores and people. This is about politics. This is about people. It is those people. It is people. It is policy.

What kinds of things have you heard, Mr. LOEBSACK?

Mr. LOEBSACK. I just want to say one thing.

Pharmacists are among the most respected folks in all of America, and there is a reason for that.

Now, Mr. CARTER, I realize you went from being a pharmacist to being a Congressman.

Mr. COLLINS of Georgia. We do question that.

Mr. LOEBSACK. We might question your judgment about that kind of a

transition, and you are finding out about that; but, nonetheless, every single time I go to a pharmacist, it is the same thing—they care. They care about their patients.

Again, I have so many stories, but it would take forever for me to recount all the stories of all of the pharmacies I have gone to in my congressional district over the last 9 years. I have 24 counties. I have a lot of local pharmacies, as you might imagine, and those pharmacists are among the most respected folks in the community. They are right up there with the clergymen; so that tells you something about them and about their profession and about how folks look up to them and about how folks depend upon them.

As you just said, they are the folks who get called when they are worried about their prescriptions. They are the folks who can be reached the most easily. Other professionals can be reached, but pharmacists are right there at the ready, and that is very important.

Mr. COLLINS of Georgia. It is.

If you are following and tracking, we can talk bills, and we can talk regulations, and those are great things; but the bottom line is what is best in the health care arena from the whole perspective.

You did a great job, Representative CARTER, about talking about the doctor and all the different agencies coming in together.

I will never forget, when growing up, the story, for me, of, when you got to the pharmacist, you were getting better. One, I had gotten through the doctor's office—I had gotten my shot, or I had gotten whatever—but I had gotten to the pharmacist's. Just give me some medicine. Let me go home. Back then, there was some tasting bad stuff—I don't know where that came from—but I remember going in, and they would take time, and they would care.

Still, in my district and in many of your districts, you can go in and look at the community pharmacist who was on the square. A lot of them had lunch counters. A lot of them had other things. They sold cards and trinkets. What is amazing to me today is I do not want to see through consolidation and corporate work a system that has a fingerprint on the scale, where government has basically allowed this to happen—to start taking away the centerpieces of American squares. When you start taking away the centerpieces of squares and of lots and of communities, both big and small—when you start doing that—then we are part of the problem. It is time we started educating everybody we can.

Do you see that?

Mr. CARTER of Georgia. I do see that.

I want to mention just two things.

First of all, as an American taxpayer, you can imagine my being in business and having what we call "taxation

without participation." Here we have Medicare part D plans that are paid for and supplemented through the government, which I pay taxes to, but my business is not allowed to participate. I am being taxed. I am paying my taxes and am doing what I am supposed to do. It is being used for a plan that excludes my business. How fair is that? I am not asking for anything special. All I am asking for is an even playing field.

Another thing that I want to mention is that I have intentionally not mentioned the names of PBMs. There are some good PBMs, and it is not the company that I have the problem with as much as it is the process and the model. I mean, that is very important to understand—we are talking about the model here—but I will tell you this. There have been numerous instances where companies think they are going to be saving money, and the PBMs have misled them into thinking they are going to save money. Let me tell you that these are some of the most profitable businesses around.

Mr. COLLINS of Georgia. May I jump in right here?

Mr. CARTER of Georgia. Sure.

Mr. COLLINS of Georgia. You may have heard this.

I agree with you in that there are some great PBMs out there that do work. We are not just saying PBMs in general.

The other thing that bothers me is—and I have heard this from my pharmacist, and you, I know, have experienced this, and we have talked about it, and Mr. LOEBSACK has as well—my pharmacists, my community pharmacists, are scared to say something. They are scared to talk about what is actually going on because they are scared their contracts will get canceled. They are scared that they will get another audit.

I am sorry. I am not a pharmacist. You can't audit me, and I am going to stand here and talk about it for the pharmacists because they can't. That is wrong. Anybody who wants to say that that is right, I do not understand that; but when you have got pharmacists who are just honest, hard-working people who are trying to run independent businesses and when they are scared to talk about their vendors to work a workable plan, what are we doing here? This should be easy.

Mr. LOEBSACK. It doesn't serve any of us. It certainly doesn't serve any of us in the end, because those folks are the ones who are serving us, and if they are suppressed—if their voices cannot be heard—that stifles competition. It goes back to the market. It stifles competition, and that is not good for any of us in the end.

Mr. COLLINS of Georgia. When things change and when they say that we can't give input because we are scared, that is just a problem.

We are coming up on our time of closing.

Any last comments, Mr. LOEBSACK?

Mr. LOEBSACK. Yes.

Thank you, Mr. COLLINS. Thanks again for inviting me and Mr. CARTER. I really do appreciate this.

As always, Mr. CARTER, I have learned something tonight from a pharmacist—I always do—and I really appreciate your comments.

I just want to touch upon sort of the issue of the city square. That is so important for so many of our rural districts, as you folks know all too well. It is kind of hard to explain that to our more urban colleagues, but we have to do the best that we can. A pharmacy is so absolutely critical for the economy of a small community. Yes, it is absolutely critical and necessary to serve the population in the area, but it is important for the economy as well.

We have a pharmacy—Mahaska Drug in Oskaloosa, Iowa. It is off the square a little bit, but it is such an important institution in its own right. Every Christmas, they have wonderful decorations, and they have things to sell for Christmas. I mean, people come to depend upon them to do the kinds of things they have done in providing not just the pharmacy services but other things as well. If they were to go under as a pharmacy, I am not at all sure that they would survive, and that community would suffer as a result. Folks' choices would be lessened. Their tradition would be hurt. It would be a disaster in many ways for so many of our local communities if those pharmacies were to close down.

I, for one, am with you. I am not willing to accept that. I am going to fight as hard as I possibly can with you, and we are going to do it together, holding hands across the aisle, which, as you know, doesn't get done a lot around here; but when we can come together, I think it is important for us to do that. So thanks again for organizing this tonight. I appreciate it.

Mr. COLLINS of Georgia. Mr. CARTER, would you like to add just a couple of things?

Mr. CARTER of Georgia. I will very quickly.

First of all, again, I want to thank you, Representative COLLINS and my colleagues—all of you—for participating in this. This has been a great exercise.

Among my proudest possessions are the plaques that the baseball teams give you every year whenever you sponsor a team, and I have got a wall that is just filled with them. Patients come in all the time. "There I am. I played ball. That was the team I was on," and they point toward it. It was the Carter's Pharmacy team.

I want to ask you: How many PBMs have you seen sponsoring Little League Baseball teams? I mean, seriously.

Folks, we are talking about something that is essential to our communities, and this is a dire situation. I am

telling you. If this is not fixed soon, you are going to see a whole profession of community pharmacies going by the wayside. This is a matter of survival here.

Again, we are not asking for a government handout. All we are asking for is to be able to compete. It is to be able to compete in a fair market, in a free market, on a level playing field. Ultimately, the loser here is going to be the patient. If we allow this to happen and community pharmacies go away, the ones who are going to suffer are going to be the patients.

Thank you again for this. I can't tell you how proud I am of my profession, a profession that I chose years ago when I was in high school and when I was a delivery driver. After I realized I was not going to be the athlete that I wanted to be, I decided it was time to get serious and decide on a profession. I did, and I could not be any prouder than the profession I chose of professional pharmacy. Thank you.

Mr. COLLINS of Georgia. I thank all of my colleagues for coming here tonight.

I am going to go back to where we started: Live your "why." Live your "why." That is all we are asking. Our independent pharmacists and our community pharmacists are just simply saying: Let us have an even playing field. We will play with the big boys. We don't care. Just let us have our "why." When we do that, our benefits come to our communities.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HUDSON (at the request of Mr. MCCARTHY) for today on account of family reasons.

Mr. PAYNE (at the request of Ms. PELOSI) for today through October 23 on account of medical procedure.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1735. An act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

ADJOURNMENT

Mr. COLLINS of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 56 minutes

p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 21, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3169. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Captain William W. Wheeler III, United States Navy, to wear the insignia of the grade of rear admiral (lower half), in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

3170. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Otero County, NM, et al.); [Docket ID: FEMA-2015-0001] [Internal Agency Docket No.: FEMA-8403] received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3171. A letter from the Executive Director, NACIQI, Office of Postsecondary Education, Department of Education, transmitting the Department's annual report of the National Advisory Committee on Institutional Quality and Integrity for FY 2015, pursuant to Sec. 114(e) of the Higher Education Act of 1965, as amended; to the Committee on Education and the Workforce.

3172. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's biennial report to Congress entitled Scientific and Clinical Status of Organ Transplantation for 2011-2012, in accordance with Sec. 376 of the Public Health Service Act, 42 U.S.C. 274d; to the Committee on Energy and Commerce.

3173. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's biennial report to Congress entitled Scientific and Clinical Status of Organ Transplantation 2008-2010, in accordance with Sec. 376 of the Public Health Service Act, 42 U.S.C. 274d; to the Committee on Energy and Commerce.

3174. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's NURSE Corps Loan Repayment and Scholarship Programs Report to Congress for FY 2014, in accordance with Sec. 846(h) of the Public Health Service Act; to the Committee on Energy and Commerce.

3175. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-propen-1-aminium, N,N-dimethyl-N-propenyl-, chloride, homopolymer; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0363; FRL-9933-98] received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3176. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Michigan; 2006 PM2.5 and 2008 Lead NAAQS State Board Infrastructure SIP Requirements [EPA-R05-OAR-2014-0657; FRL-9935-63-Region 5] received October 15, 2015, pursuant

to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3177. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: The 2016 Critical Use Exemption from the Phaseout of Methyl Bromide [EPA-HQ-OAR-2013-0369; FRL-9935-69-OAR] (RIN: 2060-AS44) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3178. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Redesignation Substitute for the Houston-Galveston-Brazoria 1-Hour Ozone Nonattainment Area; Texas [EPA-R06-OAR-2014-0259; FRL-9935-68-Region 6] received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3179. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Revisions to State Boards and Conflict of Interest Provisions [EPA-R06-OAR-2013-0614; FRL-9935-53-Region 6] received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3180. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyrimethanil; Pesticide Tolerances [EPA-HQ-OPP-2015-0012; FRL-9935-11] received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3181. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Poly[oxy(methyl-1,2-ethanediyl)], a-[(9Z)-1-oxo-9-octadecen-1-yl]-w-[(9Z)-1-oxo-9-octadecen-1-yl]oxy-; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0442; FRL-9935-34] received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3182. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Texas: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2015-0109; FRL-9936-00-Region 6] received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3183. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Potassium Salts of Hops Beta acids; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0374; FRL-9933-73] received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3184. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Petroleum Refinery

Sector Risk and Technology Review and New Source Performance Standards [EPA-HQ-OAR-2010-0682; FRL-9935-40-OAR] (RIN: 2060-AQ75) received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3185. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — National Ambient Air Quality Standards for Ozone [EPA-HQ-OAR-2008-0699; FRL-9933-18-OAR] (RIN: 2060-AP38) received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3186. A letter from the Deputy Chief, CCR Division, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Ensuring Continuity of 911 Communications [PS Docket No.: 14-174] received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3187. A letter from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Improving 911 Reliability [PS Docket No.: 13-75]; Reliability and Continuity of Communications Networks, Including Broadband Technologies [PS Docket No.: 11-60] received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3188. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of a proposed lease to the government of Nicaragua, Transmittal No. 01-16, pursuant to Sec. 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3189. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report entitled "Report of U.S. Citizen Expropriation Claims and Certain Other Commercial and Investment Disputes", pursuant to Sec. 527(f) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Pub. L. 103-236; to the Committee on Foreign Affairs.

3190. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, as required by Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

3191. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010 as required by Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

3192. A communication from the President of the United States, transmitting notification that the national emergency, with respect to significant narcotics traffickers centered in Colombia declared in Executive Order 12978 of October 21, 1995, is to continue in effect beyond October 21, 2015, as required by Sec. 202(d) of the National Emergencies

Act, 50 U.S.C. 1622(d); (H. Doc. No. 114—68); to the Committee on Foreign Affairs and ordered to be printed.

3193. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277, 5 U.S.C. 3345-3349d; to the Committee on Oversight and Government Reform.

3194. A letter from the Executive Analyst (Political), Food and Drug Administration, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277, 5 U.S.C. 3345-3349d; to the Committee on Oversight and Government Reform.

3195. A letter from the Acting Director, U.S. Office of Personnel Management, transmitting the Office's report entitled "Federal Student Loan Repayment Program Calendar Year 2014", pursuant to 5 U.S.C. 5379(h)(1); to the Committee on Oversight and Government Reform.

3196. A letter from the Division Chief, Legislative Affairs and Correspondence, Bureau of Land Management, Department of the Interior, transmitting the final map and corridor boundary description for the Crooked Wild and Scenic River, pursuant to Pub. L. 90-542, Sec. 3(b), as amended; 16 U.S.C. 1271-1287; to the Committee on Natural Resources.

3197. A letter from the Branch Chief, Endangered Species Listing, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; 4(d) Rule for the Georgetown Salamander [Docket No.: FWS-R2-ES-2014-0008; 4500030113] (RIN: 1018-BA32) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3198. A letter from the Chief, Branch of Endangered Species Listing, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Diplacus vanderbergensis* (Vandenberg Monkeyflower) [Docket No.: FWS-R8-ES-2013-0049] [4500030113] (RIN: 1018-AZ33) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3199. A letter from the Acting Listing Branch Chief, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Species Status for *Trichomanes punctatum* ssp. *floridanum* (Florida Bristle Fern) [Docket No.: FWS-R4-ES-2014-0044; 4500030113] (RIN: 1018-AY97) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3200. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Ohio Regulatory Program [OH-254-FOR; Docket ID: OSM-2012-0012; SID1S SS08011000 SX066A000 156S180110; S2D2S SS08011000 SX066A000 15XS051520] received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3201. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Kentucky

Regulatory Program [SATS No.: KY-253-FOR; Docket ID: OSM-2009-0014; SID1S SS08011000 SX066A000 167S180110; S2D2S SS08011000 SX066A000 16XS051520] received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3202. A letter from the Acting Branch Chief, Endangered Species Listing, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Status for 16 Species and Threatened Status for 7 Species in Micronesia [Docket No.: FWS-R1-ES-2014-0038] [4500030113] (RIN: 1018-BA13) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3203. A letter from the Acting Branch Chief, Endangered Species Listing, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Dakota Skipper and Poweshiek Skipperling [Docket No.: FWS-R3-ES-2013-0017] [4500030113] (RIN: 1018-AZ58) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3204. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — 2015-2016 Refuge-Specific Hunting and Sport Fishing Regulations [Docket No.: FWS-HQ-NWRS-2015-0029; FXRS12650900000-156-FF09R20000] (RIN: 1018-BA57) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3205. A letter from the Deputy Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Pennsylvania Regulatory Program [SATS No. PA-154-FOR; Docket ID: OSM-2010-0002; SID1S SS08011000 SX066A000 167S180110 S2D2S SS08011000 SX066A000 16XS051520] received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3206. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE174) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3207. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No.: 140117052-4402-02] (RIN: 0648-XE113) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3208. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule

— Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2015 Winter II Quota [Docket No.: 140117052-4402-02] (RIN: 0648-XE156) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3209. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No.: 101206604-1758-02] (RIN: 0648-XD779) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3210. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Snowy Grouper [Docket No.: 0907271173-0629-03] (RIN: 0648-XE181) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3211. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition filed on behalf of workers from the Hooker Electrochemical Corporation in Niagara Falls, New York, to be added to the Special Exposure Cohort, pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 and 42 C.F.R. pt. 83; to the Committee on the Judiciary.

3212. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's interim final rule — Visas: Documentation of Non-immigrants under the Immigration and Nationality Act, as Amended (RIN: 1400-AD17) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3213. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Procedures for Issuing Visas (RIN: 1400-AD84) received October 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3214. A letter from the Assistant Administrator, Office of Procurement, National Aeronautics and Space Administration, transmitting the Department's final rule — NASA Federal Acquisition Regulation Supplement: Drug- and Alcohol-Free Workforce and Mission Critical Systems Personnel Reliability Program (NFS Case 2015-N002) (RIN: 2700-AE17) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Science, Space, and Technology.

3215. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Department's final rule — Collection of Administrative Debts [Docket No.: SSA-2011-0053] (RIN: 0960-AH36) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1428. A bill to extend Privacy Act remedies to citizens of certified states, and for other purposes (Rept. 114-294, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3493. A bill to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes; with an amendment (Rept. 114-295). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3350. A bill to require a terrorism threat assessment regarding the transportation of chemical, biological, nuclear, and radiological materials through United States land borders and within the United States, and for other purposes (Rept. 114-296). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3572. A bill to amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, and for other purposes; with an amendment (Rept. 114-297). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 598. A bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes; with an amendment (Rept. 114-298). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 2320. A bill to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes; with an amendment (Rept. 114-299). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Rules. House Resolution 480. Resolution providing for consideration of the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes, and providing for consideration of the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States (Rept. 114-300). Referred to the House Calendar.

Mr. NEWHOUSE: Committee on Rules. House Resolution 481. Resolution providing for consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness (Rept. 114-301). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 1428 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHUSTER (for himself, Mr. DEFAZIO, Mr. GRAVES of Missouri, and Ms. NORTON):

H.R. 3763. A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BISHOP of Utah:

H.R. 3764. A bill to provide that an Indian group may receive Federal acknowledgment as an Indian tribe only by an Act of Congress, and for other purposes; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself, Mr. COLLINS of Georgia, and Mr. JOLLY):

H.R. 3765. A bill to amend the Americans with Disabilities Act of 1990 to promote compliance through education, to clarify the requirements for demand letters, to provide for a notice and cure period before the commencement of a private civil action, and for other purposes; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself and Mr. CONNOLLY):

H.R. 3766. A bill to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. BLACKBURN (for herself and Mr. WALKER):

H.R. 3767. A bill to amend title 44, United States Code, to prohibit the assembly or manufacture of secure credentials or their component parts by the Government Publishing Office; to the Committee on House Administration.

By Ms. BROWN of Florida:

H.R. 3768. A bill to amend title 5, United States Code, to provide that rates of basic pay for members of the Senior Executive Service are determined on the basis of the position, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESJARLAIS (for himself and Mrs. BLACKBURN):

H.R. 3769. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. DOGGETT (for himself, Mr. MCDERMOTT, Mr. GENE GREEN of Texas, Mr. LEWIS, Mr. RANGEL, Ms. CLARKE of New York, Mr. VEASEY, Ms. MOORE, Ms. SCHAKOWSKY, Mr. GRIJALVA, Ms. DELAUNO, Mr. BLUMENAUER, Mr. RUSH, Mr. VARGAS, Mr.

TONKO, Mr. NADLER, Mr. COURTNEY, Mr. GARAMENDI, Mr. BUTTERFIELD, Mr. CARTWRIGHT, Mr. POCAN, Mr. DANNY K. DAVIS of Illinois, Mr. HASTINGS, and Ms. JUDY CHU of California):

H.R. 3770. A bill to amend title XVIII of the Social Security Act to prevent surprise billing practices, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES:

H.R. 3771. A bill to establish a procedure in the House of Representatives and the Senate to accomplish the policies contemplated by the Concurrent Resolution on the Budget for Fiscal Year 2016, to encourage the timely completion of fiscal policy work in Congress, and to provide for regulatory relief to grow the economy, and for other purposes; to the Committee on Rules, and in addition to the Committees on Oversight and Government Reform, the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY (for herself, Ms. BROWN of Florida, Mr. ENGEL, Ms. NORTON, Mr. KIND, Mr. NOLAN, Mr. RANGEL, Mr. TAKANO, Mr. HASTINGS, and Mr. COHEN):

H.R. 3772. A bill to reduce childhood obesity, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself, Ms. EDWARDS, and Mrs. COMSTOCK):

H.R. 3773. A bill to amend title 49, United States Code, relating to the authority of the Secretary of Transportation under the public transportation safety program; to the Committee on Transportation and Infrastructure.

By Mr. PETERS (for himself and Mr. COOPER):

H.R. 3774. A bill to amend title 31, United States Code, to apply the debt limit only to debt held by the public and to adjust the debt limit for increases in the gross domestic product; to the Committee on Ways and Means.

By Mr. PETERS:

H.R. 3775. A bill to amend the Congressional Budget Act of 1974 to provide for a debt stabilization process, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GABBARD (for herself and Mr. HURD of Texas):

H. Res. 482. A resolution expressing the sense of the House that Congress should recognize the benefits of charitable giving and express support for the designation of #GivingTuesday; to the Committee on Ways and Means.

tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SHUSTER:

H.R. 3763.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of Commerce with foreign Nations, and among the several States, and with Indian Tribes) and Clause 7 (related to establishment of Post Offices and Post Roads).

By Mr. BISHOP of Utah:

H.R. 3764.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3

By Mr. POE of Texas:

H.R. 3765.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. POE of Texas:

H.R. 3766.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article 1, Section 9, Clause 7

By Mrs. BLACKBURN:

H.R. 3767.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. BROWN of Florida:

H.R. 3768.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Regulations to Effectuate Power—Art. I, Sec. 8, Cls. 18

The Congress shall have power [. . .] To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the constitution in the Government of the United States, or in any Department of officer thereof

By Mr. DESJARLAIS:

H.R. 3769.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the U.S. Constitution: The Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. DOGGETT:

H.R. 3770.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mr. FLORES:

H.R. 3771.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 5, Clause 2 of the United States Constitution, which on confers each house of Congress the power to determine the rules of its proceedings; Article 1, Section 8, Clauses 1 and 2 of the United States Constitution, which confer on Congress the power to collect and manage revenue for the payment of debts owed by the United States and to borrow money on the credit of the

United States; and Article 1, Section 9, Clause 7 of the United States Constitution, which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law."

By Mrs. LOWEY:

H.R. 3772.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution

By Ms. NORTON:

H.R. 3773.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution.

By Mr. PETERS:

H.R. 3774.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of section 8 of article I of the Constitution.

By Mr. PETERS:

H.R. 3775.

Congress has the power to enact this legislation pursuant to the following:

Clause 2, Section 8, Article I of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 31: Mr. BROOKS of Alabama.
H.R. 188: Mrs. MILLER of Michigan.
H.R. 224: Ms. MAXINE WATERS of California,
Mr. PASCRELL, Mr. RICHMOND, Mr. MCGOVERN, Ms. SPEIER, Mr. LEWIS, Mr. GUTIÉRREZ, Mr. CUMMINGS, Mr. CARSON of Indiana, Ms. VELÁZQUEZ, Mr. FARR, Mr. TONKO, Mr. COHEN, Ms. MATSUI, Mr. GRAYSON, and Ms. BONAMICI.
H.R. 282: Mr. BERA.
H.R. 379: Mrs. MILLER of Michigan and Mr. COHEN.
H.R. 389: Ms. DELAUNO.
H.R. 448: Mr. FATTAH.
H.R. 465: Mr. EMMER of Minnesota.
H.R. 500: Mr. MCDERMOTT.
H.R. 525: Mr. HURT of Virginia.
H.R. 546: Mrs. NAPOLITANO, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. BASS, Mr. CAPUANO, Mr. NEAL, Ms. WILSON of Florida, Mr. THOMPSON of California, Mr. CARTWRIGHT, Mr. KEATING, and Mr. SESSIONS.
H.R. 563: Mr. CONYERS.
H.R. 578: Mr. LAMBORN.
H.R. 590: Ms. DUCKWORTH.
H.R. 592: Mr. GALLEGO, Mr. GRAVES of Louisiana, and Mr. CARTER of Texas.
H.R. 632: Ms. KUSTER, Mr. MEEKS, and Mr. CASTRO of Texas.
H.R. 662: Mr. PETERSON, Mrs. LUMMIS, and Mr. RICE of South Carolina.
H.R. 699: Mrs. BEATTY.
H.R. 721: Mr. WENSTRUP.
H.R. 759: Mr. QUIGLEY.
H.R. 765: Mr. COFFMAN.
H.R. 816: Mr. WILSON of South Carolina.
H.R. 834: Mr. PETERS.
H.R. 842: Ms. WILSON of Florida.
H.R. 845: Ms. DUCKWORTH.
H.R. 865: Mr. CULBERSON.
H.R. 870: Ms. SLAUGHTER, Mr. COURTNEY, and Ms. WASSERMAN SCHULTZ.
H.R. 920: Mrs. LAWRENCE.
H.R. 921: Mr. BERA.
H.R. 956: Ms. JENKINS of Kansas.
H.R. 985: Mr. SERRANO and Mr. GENE GREEN of Texas.
H.R. 990: Mr. CAPUANO.
H.R. 997: Mr. ADERHOLT and Mr. McCAUL.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-

- H.R. 1019: Miss RICE of New York and Mr. BISHOP of Michigan.
H.R. 1062: Ms. JENKINS of Kansas.
H.R. 1087: Mr. DEUTCH.
H.R. 1111: Mr. PAYNE.
H.R. 1141: Mr. TAKAI.
H.R. 1151: Mr. DUNCAN of Tennessee.
H.R. 1197: Ms. NORTON, Mr. PASCRELL, and Ms. ROS-LEHTINEN.
H.R. 1205: Mr. YOHO.
H.R. 1247: Mr. DANNY K. DAVIS of Illinois.
H.R. 1258: Mr. SHERMAN, Mr. NEAL, Mr. SERRANO, Ms. WASSERMAN SCHULTZ, Mr. BUTTERFIELD, Ms. JENKINS of Kansas, Mr. CLEAVER, Mr. VELA, Ms. LINDA T. SÁNCHEZ of California, and Mr. CONYERS.
H.R. 1282: Mr. GRAYSON, Ms. DUCKWORTH, and Mr. PRICE of North Carolina.
H.R. 1284: Mr. GRAYSON.
H.R. 1299: Mr. JORDAN.
H.R. 1301: Mr. CHABOT, Mr. BOST, and Mr. LOBIONDO.
H.R. 1312: Mr. ASHFORD, Mr. KEATING, and Ms. NORTON.
H.R. 1346: Mr. DELANEY.
H.R. 1347: Mr. DELANEY.
H.R. 1389: Mr. BROOKS of Alabama.
H.R. 1401: Ms. WILSON of Florida.
H.R. 1422: Ms. HERRERA BEUTLER.
H.R. 1453: Ms. BASS and Mr. DESJARLAIS.
H.R. 1457: Ms. NORTON.
H.R. 1475: Mr. SMITH of Missouri, Mr. PASCRELL, Mr. POMPEO, Mr. LOEBSACK, Mr. TOM PRICE of Georgia, and Mr. MOULTON.
H.R. 1515: Mrs. WATSON COLEMAN.
H.R. 1548: Mrs. WATSON COLEMAN.
H.R. 1550: Mr. GUINTA, Mrs. WAGNER, Mr. RENACCI, and Mr. CONNOLLY.
H.R. 1559: Mr. HULTGREN and Mr. BYRNE.
H.R. 1568: Mr. HASTINGS, Mr. CICILLINE, and Mr. LOWENTHAL.
H.R. 1602: Ms. MOORE.
H.R. 1603: Ms. JUDY CHU of California, Mr. VAN HOLLEN, Mr. HENSARLING, and Mr. MASSIE.
H.R. 1608: Mr. JEFFRIES, Mrs. BLACKBURN, and Mr. YOUNG of Iowa.
H.R. 1610: Mr. BISHOP of Michigan.
H.R. 1643: Mr. BISHOP of Michigan.
H.R. 1655: Mr. NEWHOUSE, Mr. BUCSHON, and Ms. DELBENE.
H.R. 1670: Mr. PASCRELL and Mr. CONYERS.
H.R. 1671: Mr. PAULSEN, Mr. SAM JOHNSON of Texas, and Mr. BISHOP of Michigan.
H.R. 1674: Ms. LEE.
H.R. 1684: Mr. KILMER.
H.R. 1688: Mr. RUSH.
H.R. 1716: Mr. KELLY of Pennsylvania.
H.R. 1728: Ms. LEE and Mr. GRAYSON.
H.R. 1733: Mr. BRADY of Pennsylvania.
H.R. 1736: Mr. KING of Iowa.
H.R. 1752: Mr. CARTER of Texas.
H.R. 1763: Ms. NORTON, Mr. RYAN of Ohio, Ms. KAPTUR, Ms. SCHAKOWSKY, Mr. KIND, Mr. VAN HOLLEN, Ms. SLAUGHTER, Mr. LOWENTHAL, Mr. GRIJALVA, and Mrs. BEATTY.
H.R. 1769: Mr. CRAMER, Ms. KAPTUR, Mr. WELCH, Mr. BUTTERFIELD, and Mr. POCAN.
H.R. 1784: Mr. HOLDING.
H.R. 1786: Mr. THOMPSON of Pennsylvania, Mr. HILL, and Mr. BRADY of Pennsylvania.
H.R. 1818: Mrs. KIRKPATRICK and Ms. JENKINS of Kansas.
H.R. 1854: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1859: Ms. SCHAKOWSKY and Mr. LEWIS.
H.R. 1861: Mr. GROTHMAN.
H.R. 1877: Mr. COFFMAN and Ms. LEE.
H.R. 1956: Ms. ADAMS.
H.R. 1957: Ms. ADAMS.
H.R. 1958: Ms. BROWNLEY of California.
H.R. 1978: Mr. HUFFMAN.
H.R. 2016: Mr. KEATING, Mr. DEFAZIO, Mr. CÁRDENAS, and Ms. VELÁZQUEZ.
H.R. 2087: Mr. CICILLINE.
H.R. 2125: Mr. TONKO.
H.R. 2142: Mr. KATKO.
H.R. 2173: Mr. ELLISON.
H.R. 2221: Mr. JOHNSON of Ohio.
H.R. 2224: Mr. HASTINGS and Ms. NORTON.
H.R. 2228: Mr. LIPINSKI.
H.R. 2247: Mr. FLEMING.
H.R. 2254: Mr. VEASEY.
H.R. 2287: Mr. FINCHER and Mr. HULTGREN.
H.R. 2304: Mr. BISHOP of Michigan.
H.R. 2350: Mr. HONDA.
H.R. 2400: Mr. FORTENBERRY and Mr. WESTERMAN.
H.R. 2410: Mr. DEUTCH.
H.R. 2434: Ms. FUDGE.
H.R. 2460: Mr. SIMPSON.
H.R. 2563: Mr. GRAYSON, Mr. PRICE of North Carolina, Mr. CÁRDENAS, Ms. LEE, and Mr. CUMMINGS.
H.R. 2500: Mr. DAVID SCOTT of Georgia.
H.R. 2510: Mrs. LAWRENCE and Mr. BYRNE.
H.R. 2513: Mr. FLORES.
H.R. 2515: Ms. CLARKE of New York.
H.R. 2536: Mr. WELCH.
H.R. 2540: Ms. ADAMS.
H.R. 2568: Mr. JODY B. HICE of Georgia.
H.R. 2597: Mr. COFFMAN, Ms. JENKINS of Kansas, and Ms. STEFANIK.
H.R. 2646: Mr. HILL.
H.R. 2654: Mr. KATKO, Mr. MURPHY of Florida, Mr. BEYER, and Ms. KELLY of Illinois.
H.R. 2657: Mr. TONKO and Mr. YODER.
H.R. 2689: Mrs. DAVIS of California.
H.R. 2697: Mrs. NAPOLITANO, Ms. LEE, Mr. HASTINGS, and Mr. SCHIFF.
H.R. 2698: Mr. ZINKE, Mr. STUTZMAN, Mr. CRAMER, and Mr. HUIZENGA of Michigan.
H.R. 2710: Mr. HANNA, Mr. JOHNSON of Ohio, Mr. THOMPSON of Pennsylvania, Mr. MASSIE, and Mr. HENSARLING.
H.R. 2726: Ms. WASSERMAN SCHULTZ and Mr. MEEKS.
H.R. 2737: Mr. RENACCI and Mr. JONES.
H.R. 2764: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2769: Ms. JENKINS of Kansas.
H.R. 2799: Mr. BOUSTANY.
H.R. 2801: Mr. OLSON.
H.R. 2802: Mr. MICA.
H.R. 2811: Mr. CARTWRIGHT.
H.R. 2849: Mr. CÁRDENAS, Ms. LEE, Mr. KEATING, and Mr. GRAYSON.
H.R. 2855: Ms. MCCOLLUM.
H.R. 2858: Mr. MCNERNEY, Mr. SARBANES, Mr. GENE GREEN of Texas, Mr. NEAL, Ms. WASSERMAN SCHULTZ, Mr. SERRANO, Ms. VELÁZQUEZ, Ms. KAPTUR, Mr. SIRES, Mr. CROWLEY, Mr. CLEAVER, Mr. LOEBSACK, Mr. MACARTHUR, Mr. VELA, Mr. BERA, Mr. SHERMAN, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 2867: Miss RICE of New York and Ms. SPEIER.
H.R. 2871: Mr. KEATING.
H.R. 2880: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2896: Mr. BROOKS of Alabama, Mrs. LUMMIS, Mrs. LOVE, and Mr. FINCHER.
H.R. 2903: Mr. CICILLINE, Mr. SIMPSON, and Mrs. BEATTY.
H.R. 2918: Ms. WILSON of Florida.
H.R. 2920: Mr. SMITH of New Jersey and Ms. VELÁZQUEZ.
H.R. 2987: Ms. FUDGE, Mr. GIBSON, Mr. SEAN PATRICK MALONEY of New York, Mr. PERLMUTTER, and Ms. SEWELL of Alabama.
H.R. 2994: Mr. ENGEL, Mr. HUFFMAN, and Mr. KEATING.
H.R. 3044: Ms. BROWNLEY of California and Mrs. BEATTY.
H.R. 3048: Mr. RUSSELL and Ms. JENKINS of Kansas.
H.R. 3063: Mr. COLE.
H.R. 3099: Ms. SCHAKOWSKY and Mr. FORTENBERRY.
H.R. 3110: Ms. GABBARD.
H.R. 3164: Ms. SLAUGHTER.
H.R. 3177: Mr. KEATING.
H.R. 3221: Ms. MCCOLLUM.
H.R. 3229: Mr. COFFMAN, Mr. RUPPERSBERGER, Mr. NEWHOUSE, Mr. CALVERT, and Ms. SLAUGHTER.
H.R. 3255: Mr. EMMER of Minnesota.
H.R. 3263: Mr. HONDA.
H.R. 3268: Mr. CLEAVER, Mr. LOEBSACK, Mr. FATTAH, Mr. KATKO, and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 3283: Mr. RIBBLE.
H.R. 3306: Ms. CLARKE of New York.
H.R. 3309: Mr. COOK.
H.R. 3314: Mr. OLSON and Mr. SAM JOHNSON of Texas.
H.R. 3326: Mr. KNIGHT, Mr. LAMALFA, Mr. BISHOP of Michigan, and Mrs. WAGNER.
H.R. 3339: Mrs. MIMI WALTERS of California.
H.R. 3340: Mr. MCHENRY.
H.R. 3351: Mr. JOHNSON of Georgia, Mr. POCAN, and Mr. BRADY of Pennsylvania.
H.R. 3355: Mr. DAVID SCOTT of Georgia, Ms. BROWN of Florida, and Mr. GIBSON.
H.R. 3356: Mr. ROSKAM.
H.R. 3364: Mr. WELCH, Ms. LEE, Ms. SPEIER and Ms. WILSON of Florida.
H.R. 3366: Mr. GRIJALVA, Ms. FUDGE, and Mr. HONDA.
H.R. 3381: Mr. THOMPSON of California, Mr. WALZ, Mr. COHEN, Mr. ROONEY of Florida, Mr. HONDA, Mr. TONKO, and Ms. SLAUGHTER.
H.R. 3384: Mr. MEEKS.
H.R. 3393: Mr. COFFMAN.
H.R. 3399: Mr. CONYERS, Ms. KAPTUR, Mr. POCAN, Mr. POLIS, Mr. MEEKS, Ms. DELBENE, Mr. GIBSON, Ms. LOFGREN, Mr. SMITH of Washington, Mr. RANGEL, Mr. CAPUANO, Ms. FUDGE, and Ms. KELLY of Illinois.
H.R. 3411: Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. SCHAKOWSKY, Mr. KEATING, Mr. DANNY K. DAVIS of Illinois, and Mr. RICHMOND.
H.R. 3445: Ms. SCHAKOWSKY.
H.R. 3463: Mrs. COMSTOCK.
H.R. 3470: Mr. DOLD, Ms. NORTON, Ms. EDWARDS, Mr. MURPHY of Florida, Mr. SMITH of Washington, Mr. VAN HOLLEN, Ms. DUCKWORTH, and Mr. HONDA.
H.R. 3471: Ms. JENKINS of Kansas, Mr. RYAN of Ohio, Mrs. CAPPS, Mr. JODY B. HICE of Georgia, and Ms. SINEMA.
H.R. 3480: Mr. JOHNSON of Georgia and Mr. TOM PRICE of Georgia.
H.R. 3488: Mr. HUELSKAMP, Ms. JENKINS of Kansas, and Mr. WESTERMAN.
H.R. 3514: Ms. WILSON of Florida, Mr. KILMER, Mr. SWALWELL of California, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 3516: Mr. WALDEN, Mr. ALLEN, and Mr. NUNES.
H.R. 3518: Mr. BLUMENAUER.
H.R. 3520: Ms. BROWN of Florida and Mr. PASCRELL.
H.R. 3522: Mr. McDERMOTT.
H.R. 3526: Ms. SPEIER, Mr. HUFFMAN, Mr. POCAN, Ms. CLARK of Massachusetts, Ms. TSONGAS, Ms. DELBENE, and Mr. HECK of Washington.
H.R. 3535: Ms. ESHOO.
H.R. 3542: Ms. JUDY CHU of California and Ms. EDWARDS.
H.R. 3556: Ms. JACKSON LEE and Mr. KILMER.
H.R. 3568: Ms. DUCKWORTH.
H.R. 3573: Mr. JOYCE.
H.R. 3585: Mr. LIPINSKI.
H.R. 3589: Mr. KING of New York.
H.R. 3591: Mr. COLLINS of New York, Mr. KING of New York, Mr. LARSON of Connecticut, and Mr. COOPER.

H.R. 3610: Mr. PIERLUISI.
 H.R. 3618: Mr. NUNES.
 H.R. 3621: Mr. COHEN.
 H.R. 3630: Ms. HERRERA BEUTLER.
 H.R. 3632: Ms. SPEIER.
 H.R. 3636: Mr. SMITH of Texas.
 H.R. 3640: Ms. WILSON of Florida and Ms. JUDY CHU of California.
 H.R. 3651: Ms. GRANGER, Ms. STEFANIK, Ms. JENKINS of Kansas, Mr. CLEAVER, Mr. JONES, Ms. DUCKWORTH, Ms. LINDA T. SÁNCHEZ of California, Mr. BARR, Mr. CUELLAR, Mr. COFFMAN, Mr. WALZ, Mr. LOEBSACK, Mrs. HARTZLER, Mrs. BEATTY, and Mr. DAVID SCOTT of Georgia.
 H.R. 3652: Miss RICE of New York, Ms. SCHAKOWSKY, Ms. MOORE, and Ms. JUDY CHU of California.
 H.R. 3654: Mr. WEBER of Texas, Mr. DESANTIS, and Mr. LOWENTHAL.
 H.R. 3664: Mr. WILSON of South Carolina and Mr. HASTINGS.
 H.R. 3666: Ms. SLAUGHTER, Mr. HANNA, and Mr. TONKO.
 H.R. 3668: Mr. VALADAO.
 H.R. 3669: Mrs. NAPOLITANO, Ms. BROWNLEY of California, and Mr. SWALWELL of California.
 H.R. 3687: Mr. CRAMER and Mr. EMMER of Minnesota.
 H.R. 3691: Mr. PASCRELL.
 H.R. 3696: Mr. BECERRA, Mr. GENE GREEN of Texas, Mr. COHEN, Mr. TAKAI, Mr. POCAN, Mr. YARMUTH, Ms. GABBARD, Ms. WASSERMAN SCHULTZ, Ms. NORTON, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BONAMICI, Mrs. CAPPS, Mr. VAN HOLLEN, and Ms. FRANKEL of Florida.
 H.R. 3699: Mr. CARTER of Georgia.
 H.R. 3707: Mr. KILMER.
 H.R. 3711: Ms. JACKSON LEE and Mr. GUTIÉRREZ.
 H.R. 3712: Ms. SCHAKOWSKY.
 H.R. 3720: Ms. JUDY CHU of California, Ms. LEE, and Mr. WELCH.
 H.R. 3733: Mr. GARAMENDI and Ms. JUDY CHU of California.

H.R. 3744: Mr. MURPHY of Florida.
 H.R. 3756: Mrs. NAPOLITANO, Ms. BROWNLEY of California, Ms. NORTON, Mr. JONES, Mr. HARPER, and Ms. BROWN of Florida.
 H.R. 3757: Mr. SCHRADER, Mr. COSTA, and Mr. ASHFORD.
 H.J. Res. 30: Mr. POCAN.
 H.J. Res. 59: Mr. JOHNSON of Ohio and Mr. HECK of Nevada.
 H. Con. Res. 86: Ms. FUDGE, Mr. HASTINGS, Ms. LEE, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HINOJOSA, Mr. CASTRO of Texas, and Mrs. LAWRENCE.
 H. Res. 12: Mr. COSTELLO of Pennsylvania.
 H. Res. 28: Mr. HECK of Washington.
 H. Res. 54: Mr. UPTON, Ms. WILSON of Florida and Mr. YOUNG of Iowa.
 H. Res. 110: Mr. COURTNEY.
 H. Res. 130: Ms. SPEIER.
 H. Res. 214: Mr. CARSON of Indiana.
 H. Res. 265: Mr. CICILLINE.
 H. Res. 293: Mr. ROHRBACHER, Mr. WESTMORELAND, Miss RICE of New York, Mr. KELLY of Pennsylvania, and Ms. JENKINS of Kansas.
 H. Res. 348: Ms. JACKSON LEE.
 H. Res. 386: Mr. HASTINGS and Ms. WILSON of Florida.
 H. Res. 428: Ms. WILSON of Florida, Ms. JUDY CHU of California, and Mr. LARSEN of Washington.
 H. Res. 429: Ms. MCCOLLUM, Mr. PETERS, and Ms. WILSON of Florida.
 H. Res. 456: Mr. POLIS.
 H. Res. 467: Ms. SLAUGHTER, Mr. ENGEL, Mr. RANGEL, Mr. GUTIÉRREZ, Mr. CICILLINE, Ms. MATSUI, Mr. RUSH, Ms. JACKSON LEE, Mr. LARSON of Connecticut, Mr. DEUTCH, Mr. RICHMOND, Mr. GALLEGO, Ms. PINGREE, Ms. KAPTUR, Ms. LEE, Mr. RYAN of Ohio, Mr. SARBANES, Mrs. WATSON COLEMAN, Mrs. LAWRENCE, Mr. ISRAEL, Mr. BLUMENAUER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MEEKS, Mr. LYNCH, Ms. BONAMICI, Ms. CASTOR of Florida, Mrs. DAVIS of California, Mr. HASTINGS, Mr. LEVIN, Mr. KEATING, and Mr. CONYERS.

H. Res. 472: Ms. ROYBAL-ALLARD.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative CHAFFETZ, or a designee, to H.R. 10, the Scholarships for Opportunity and Results Reauthorization Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative ALAN LOWENTHAL, or a designee, to H.R. 1937, the National Strategic and Critical Minerals Production Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

32. The SPEAKER presented a petition of St. Charles Parish Council, relative to Resolution No. 6182, declaring the St. Charles Parish Council's and Parish President's support of and solidarity with all law enforcement personnel across these great United States, and to recognize and honor all of the men and women who currently serve or who have served as law enforcement officers, and in particular those who serve or have served in St. Charles Parish and the State of Louisiana; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE OCCASION OF PAUL D. TERRY'S RETIREMENT FROM GOVERNMENT SERVICE

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. ROGERS of Kentucky. Mr. Speaker, I rise to recognize and honor a long-time and trusted member of the Appropriations Committee staff, Paul D. Terry, who is retiring following nearly fifty years of service to his Nation. If one were to describe Paul, he would begin by saying that his qualities exemplify those found in a true American patriot. He is always at work early, stays late, always on task, and never ever complains about the challenges that face him. One might find this hard to believe—and assume that these words are simply tributary rhetoric—but if you know Paul, you know every word is true.

Paul comes from the heart of the plains—Norfolk, Nebraska, a farm boy attending a one room country school with one teacher, sixteen students in nine grades. He made good marks, and upon graduation from high school received an appointment to the U.S. Military Academy at West Point. The day after graduation, he married the love of his life, Ann, and began to raise a family.

Paul was an Armor officer trained at Fort Knox, Kentucky, and successfully completed all of the major military education courses, including parachute and Ranger school. His military career took him across the globe. He was first assigned in Germany, then attended helicopter flight school, returned to assignments at Fort Knox and again to Germany. Paul commanded an Abrams tank battalion in Kansas and then served in a variety of important capacities at the Pentagon before his family moved to Korea for his final military tour.

Including his Academy years, Paul's retirement comprises over 34 years of service to the U.S. Army, retiring as a full Colonel. He served the Ballistic Missile Defense Organization upon retirement, and, most recently, for the past 15 years, the Committee on Appropriations has been fortunate to benefit from Paul's years of military experience, his expert knowledge of protocols and procedures, and his dedication to our country.

During his years in Congress, Paul has been a professional staff member for the Defense Subcommittee. His various portfolios have included operations and maintenance accounts, Working Capitol funds, Department of Defense Inspector General accounts, Civil Air Patrol funding, Army-wide procurement and research and development accounts, and the Joint IED Defeat Organization. Through these portfolios, Paul has helped the Committee provide thoughtful guidance to the Department, including its policies related to all Army ground and air combat resources.

It will be difficult to fill Paul Terry's shoes here in Congress. In fact, that task will be quite impossible. But Paul has served his nation well, and the achievement of his retirement is fully deserved.

God's speed Paul. You will be missed by one and all here in the Nation's Capital.

HONORING HANNAH FREEDOM SCHOOL

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize the Hannah Freedom School's Resolution on Childhood Poverty, which seeks to end childhood poverty by 2030. Introduced by the Hannah Children's Defense Fund's Freedom School's 2015 Scholars—a group of 50 children ages 7–10 in Marin City, California—this resolution promotes equal access to opportunities for all children. In recognition of the scholars' commitment to combating poverty in our community and beyond, it is fitting that I submit the following resolution.

HANNAH FREEDOM SCHOOL RESOLUTION ON CHILDHOOD POVERTY

As part of the Children's Defense Fund's Freedom School Family, we are taught that we can make a difference in ourselves, our families, our communities, the nation and the world. In order to be all that we can be, we have learned that all children everywhere deserve a Healthy Start, a Head Start, a Fair Start, a Safe Start and a Moral Start and the support of caring families and communities. But we also have learned that not all kids get what they deserve. Global poverty denies children these important opportunities. In as much as:

In America, 14.7 million children live in poverty. That means that about one out of every five kids is poor. If you are black or brown, the number is closer to one in three—even in families where parents are working.

If you are poor as a child, you have a lesser chance of graduating from high school or going to college, but a greater chance of going to jail or being in a low paying job, which means you have a greater chance of becoming a poor adult, suffering from poor health, and becoming involved in the criminal justice system.

Poverty has no face. It can be anybody. It can be anywhere. Not just homeless people. Not just kids in hoodies. Not just in urban areas. It is even in Marin. There are 21,000 poor families in Marin who live on less than \$24,000 a year, while most families in our county earn more than \$80,000 per year.

Children living in poverty, almost 2,000 in Marin, often struggle in school to keep up with their classmates in math, science and language arts.

Poverty is not safe. It is not healthy. It is not fair. It is wrong. It must be ended.

We, the students of Hannah Freedom School commit to work toward ending child-

hood poverty in our lifetime, joining the global initiative to end poverty by 2030. Therefore, Be It Resolved that:

Being poor is like being on punishment. It means that you have to go without. You have to go without good and nutritious food, decent housing, healthy neighborhoods, or schools that address your needs or celebrate your culture. It amounts to 'cruel and unusual' punishment that must be abolished.

Childhood poverty can be ended globally by 2030.

We as children are using our voices, now it's time for the adults to use theirs.

We call on our lawmakers to imagine ending child poverty in our county, in our state, in our nation now.

Ending child poverty means that we will be able to stop the cradle to prison pipeline, we will be better educated, and we will be better prepared for a peaceful world.

As Bryan Stevenson, founder and Executive Director of the Equal Justice Initiative, stated: "The opposite of poverty is not wealth . . . the opposite of poverty is justice . . . and opportunity."

RECOGNIZING THE CROATIAN SONS LODGE NUMBER 170

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to congratulate the Croatian Sons Lodge Number 170, of the Croatian Fraternal Union, on the festive occasion of its Golden Member banquet, held on Sunday, October 18, 2015.

The Croatian Fraternal Union celebrated their gala at the Croatian Center in Merrillville, Indiana. Traditionally, the celebration entails a formal recognition of the Union's Golden Members, those who have reached fifty years of membership. This year's honorees who have attained fifty years of membership include Carol Ann Ammon, Rosemarie Brackett, Janet Browning, Nicholas James Constantine, Michael Dujmovic, Thomas Michael Gillam, Florence A. Liss, Denise Ann Lukrafka, Patricia Anne Marince, Margaret J. Mrzljak, Ronald E. Ostrowski, Penelope A. Pappas, Marian Lucille Pozgay, Richard James Putz, Carolyn Rarey, Barbara Ann Rubesha, James Joseph Rubino, Richard Sturtridge, James William Svetich, and Mary Ann Tuskan.

This memorable day began with a mass at Saint Joseph the Worker Croatian Catholic Church in Gary, Indiana, with the Reverend Father Stephen Loncar officiating.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending Lodge President John Miksich and all the members of the Croatian Fraternal Union Lodge Number 170 for their loyalty and radiant display of passion for their ethnicity. The Croatian community has played a key role in enriching the quality of life and culture of Northwest Indiana. It is my hope that this year will

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

bring renewed prosperity for all members of the Croatian community and their families.

INDUSTRIAL CHEMICAL CORPORATION, SIMPLY STORAGE, AND 5280 ARMORY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise to recognize Industrial Chemical Corporation, Simply Storage and 5280 Armory for receiving the Business Collaboration Award from the Arvada Economic Development Association.

The Business Collaboration Award was created to honor a one-of-a-kind partnership between three private Arvada businesses who overcame the challenges of growing their companies.

Industrial Chemical Corporation needed a small piece of land to be able to expand their rail capability. 5280 Armory needed to find larger space to expand their operation, and Simply Storage wanted to bring their storage facility to Arvada. The collaboration between these companies resulted in finding a suitable solution for each of these expanding companies to stay and grow in Arvada—a big win for the community.

I extend my deepest congratulations to Industrial Chemical Corporation, Simply Storage and 5280 Armory for this well-deserved honor from the Arvada Economic Development Association. I am proud of your collaboration and commitment to the community.

OCTOBER 20, 2015 EASTERN IOWA
HONOR FLIGHT

HON. DAVID LOESACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. LOESACK. Mr. Speaker, today, over eighty Iowa veterans of World War II, the Korean War, and the Vietnam War will travel to our nation's capital. Together, they will visit the monuments that were built in their honor by a grateful nation.

For many, today will be the first time they will see the National World War II Memorial, the Korean War Veterans Memorial, the Vietnam War Memorial, and Arlington National Cemetery. I can think of no greater honor than to be able to thank Iowa's and our nation's heroes for their service to our country.

We owe these heroes a debt of gratitude, and the Honor Flight demonstrates that we as a state and as a country will never forget the debt we owe those who have worn our nation's uniform. As a reminder of the service and sacrifice of the Greatest Generation, I am proud to have a piece of marble in my office from the quarry that was used to build the World War II Memorial. Our World War II, Korean War, and Vietnam War veterans rose to defend not just our nation, but the freedoms, democracy, and values that make our country the greatest nation on earth. They did so as

one people and one country. Their sacrifices and determination in the face of great threats to our way of life are both humbling and inspiring.

I am tremendously proud to welcome the Eastern Iowa Honor Flight and Iowa's veterans of World War II, the Korean War, and the Vietnam War to our nation's capital today. On behalf of every Iowan I represent, I thank them for their service to our country.

RECOGNIZING NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to celebrate the valiant contributions of individuals with disabilities in the workplace. Twenty-five years ago America took an enormous stride as a nation when enacting the Americans with Disabilities Act (ADA). This legislation was monumental in promoting equal opportunity for those with a disability seeking employment, yet nearly a quarter century later discrimination still exists.

Over forty-eight million Americans have a disability, but are unemployed at a rate that is twice that of people without disabilities. Despite the courageous effort of those with disabilities to change beliefs of employers they still face grave challenges in the workplace. We must come together as a nation to support those here in the United States suffering from employment discrimination because of a disability. America can become a stronger nation when we utilize the talents of and celebrate the gifts of all of our people. During National Disability Employment Awareness Month, we recognize Americans with disabilities that strengthen our workforce, communities, and country.

Many great organizations such as People Inc. in Western New York strive to promote equality for those with disabilities. People Inc. was founded in 1986 with a goal to give individuals with disabling conditions or other special needs support they need to participate and succeed in an accepting society. People Inc. is working toward a future where all persons whose needs limit their integration into the community can reach their highest level of human potential as responsible members of society.

I will continue to fight for the equal employment opportunity for those with disabilities. It is time that we put people with disabilities on a level playing field with every other American. I have supported and cosponsored the Fair Wages for Workers with Disabilities Act, a bill that overturns 75-year-old provisions that allow individuals with disabilities to be employed at subminimum wage rates.

Mr. Speaker, thank you for allowing me a few moments to recognize National Disability Employment Awareness Month. I ask that my colleagues join me in support for those with disabilities in the workplace and encourage them to spread awareness across the United States this October.

RECOGNIZING THE NEWLY NATURALIZED CITIZENS OF NORTHWEST INDIANA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate thirty individuals who took their oath of citizenship on Friday, October 16, 2015. This memorable occasion, presided over by Judge Joseph S. Van Bokkelen, was held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On October 16, 2015, the following people, representing many nations throughout the world, took their oaths of citizenship in Hammond, Indiana: Mary Ann Quinesio Caduco, Ruel Tafalla Caduco, Vanessa Elizabeth Ochoa Gonzalez, Ana Martins Murta, Heloisa Bezerra Martins, Lewelyn Estrera Arevalo, Paulius Junokas, Roxana Mendoza Diaz, Osvaldo Fonseca Hernandez, Nelia Rieza Aragon, Edenia Floriselda Fley Centeno, Seungyup Sun, Thuy Thi Hong Le, Yamyelene Anne Almanzor Hartsough, Mei Wang, Evelyn Leanos Mota, Henry Kavolu Ndisya, Yen Ngoc Nguyen, Veena Jhamandas Prithyani, Luz Cruz, Karina Gomez, Nestor Hodgson, Judith Adanely Hunt, Orawan Yooplao Krizman, Jeff Nguefack Mbeleke, Pedro Raygoza, Joanna Reyna, Maria del Rosario Serrano, Chantal Emefa Vibgedor, and Pinar Zorlutuna Vural.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country “. . . of the people, by the people, and for the people.” They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals who became citizens of the United States of America on October 16, 2015. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

COSTCO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Costco for receiving the Arvada Economic Development Association (AEDA) Outstanding Large Business Award.

The Outstanding Large Business Award is given to a large business in the community for their commitment to the local economy and job creation, particularly through their investment in the community and corporate culture.

Costco is the second largest global retailer with more than 80 million members. They have won many awards including being named the "Most Admired Company" by Fortune Magazine two years in a row. More importantly, Costco maintains a code of ethics that speak to the culture of respect they have for their members, employees and suppliers.

Costco opened their location in Arvada on September 19, 2001. Over the past 14 years they have grown to 250 employees, added several suppliers, and are a huge economic engine for the city of Arvada.

I extend my deepest congratulations to Costco for this well-deserved honor from the Arvada Economic Development Association. I am proud of the service they provide our community and am certain their products and services will continue to benefit the community for decades to come.

CELEBRATING THE WORK OF
MR. DON WICK

HON. SUZAN K. DELBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Ms. DELBENE. Mr. Speaker, I rise today to celebrate the great work of a constituent of mine, Mr. Don Wick. Throughout his 28 years as Executive Director of the Economic Development Association of Skagit County, Don has been critical to supporting businesses throughout the county and region.

From the many business workshops and seminars to the outreach and mentorship programs, Don's tenure at EDASC has expanded and diversified the access to opportunity in Skagit County. One such program, the Leadership Skagit program, was recognized by the 2004 Governor's Leadership Award and strengthens the community by developing leaders who are informed, inclusive and connected through shared learning experiences.

Don understands that the engine of our economy is driven by our people and communities. His success at EDASC is due in part to his ability to engage with people and build relationships with them.

His leadership and commitment to the Skagit County community has allowed EDASC to build successful partnerships with local businesses and foster job growth that will continue to sustain the quality of life in our region for years to come.

It has always been a pleasure working with Don who is always enthusiastic and upbeat. It's contagious. Whether through radio broadcasting or economic development, he has left a lasting positive impact, and I wish him the very best in whatever his next venture may be. He has dedicated the past 28 years to helping Skagit County grow and prosper, ensuring it's better off than when he started, and I have no doubt he'll continue giving back to the community in his retirement.

HONORING PASO PACÍFICO

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize Paso Pacífico, an organization wholeheartedly dedicated to the restoration and conservation of the natural ecosystem of Central America's Pacific Slope, on the occasion of its 10th anniversary. Headquartered in Ventura County, California, Paso Pacífico transcends distance by committing itself to an ecological mission and vision that is shared by the Nicaraguan communities that it serves.

Beginning as a collaborative dream of Sarah Otterstrom and Liza Gonzalez, Paso Pacífico has grown into an exceptional organization that strives to rescue, save, and rehabilitate the natural wonders and resources of Central America, and specifically Nicaragua. Paso Pacífico has worked diligently to collaborate with private landowners, local businesses, government agencies, local and international non-governmental organizations, schoolchildren, and conservation scientists to protect Nicaragua's fragile ecosystem.

For the past decade, Paso Pacífico has empowered local communities and economies by creating and managing community programs throughout the region. These programs have ranged from mitigating climate change to rebuilding forests in order to positively affect the future of the global ecology. Paso Pacífico has developed conservation programs to address the issues that impact the local coastal and marine ecosystems. The organization's efforts include beach cleanup projects that have been comprised of over 6,000 people spanning across 80 beaches in Nicaragua, removing over 330,000 pounds of trash. Since 2005, Paso Pacífico has had a profound impact and has saved the habitats of the local endangered wildlife, including four species of sea turtles, the black-handed spider monkey, and the yellow-naped Amazon parrot.

Due to an outstanding and remarkable team including a dedicated staff, active Board of Directors, and numerous scientists, professionals, and volunteers, Paso Pacífico has achieved notable success through its unique programs and initiatives. Paso Pacífico has received the Emil M. Mrak International Award from the University of California, Davis, as well as the Gold Level Validation by the Climate, Community & Biodiversity Alliance. Paso Pacífico has also been honored and recognized by National Geographic, the United

States Forest Service, and the Disney Conservation Fund.

For their significant and critical efforts to protect the environment along the Pacific Coast of Central America, I am honored to recognize Paso Pacífico for 10 years of service. It is with sincere gratitude that I congratulate Paso Pacífico on reaching this momentous milestone and I wish them continued success in their future endeavors.

HONORING THE LIFE OF
DR. WAYNE DYER

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Dr. Wayne Dyer. Dr. Dyer was an internationally renowned author and speaker in the field of self-development and spiritual growth. Over the span of his four-decade career, he wrote 42 books, 21 of which became New York Times bestsellers, and this wide readership earned him the affectionate nickname of "the father of motivation" among his fans.

Born and raised in Detroit, Michigan, Dr. Dyer earned his doctorate in educational counseling from Wayne State University before serving as a professor at St. John's University in New York. Through his early work as a college educator, and as a clinical psychologist, he discovered the need to make the principles of self-discovery and personal growth available to the general public.

After publishing a string of best-selling books on the practical psychology of self-improvement, Dr. Dyer felt a shift in his thinking that led him to explore the spiritual aspects of human experience. "My purpose is to help people look at themselves and begin to shift their concepts," Dr. Dyer said at the time. "Remember, we are not our country, our race, or religion. We are eternal spirits. Seeing ourselves as spiritual beings without label is a way to transform the world and reach a sacred place for all of humanity."

Dr. Dyer created several audio programs and videos, and appeared on thousands of television and radio shows over the course of his career. Many of his books have been featured as PBS specials, raising over \$200 million for public television stations nationwide and making Dr. Dyer one of PBS's most successful fund-raisers. This philanthropic spirit was intrinsic to Dr. Dyer, as illustrated by his charitable contributions to his alma mater, Wayne State University, which totaled more than \$1 million.

Dr. Dyer's first feature film, *The Shift*, was released in 2009, followed in 2012 by the autobiographical film, *My Greatest Teacher*. The second film dramatized a defining moment in Dyer's life, when he had visited the grave of his father, who had abandoned him as a young boy. While the intention that day had been to exact some form of vengeance on the man Dyer felt had sent him down a dark path of rage and alcoholism, at the gravesite Dr. Dyer was overcome by inexplicable feelings of love and forgiveness. He

credited this experience with changing the trajectory of his life. The date of this experience was August 30, 1974. On the exact same day, 41 years later, Dr. Dyer passed on.

Beyond this formative experience with his father, Dr. Dyer counted among his teachers St. Francis of Assisi, Lao Tzu, Rumi, Carl Jung, and Abraham Maslow.

Despite a childhood spent in orphanages and foster homes, Dr. Dyer made his dreams come true. He lived to teach others to overcome their perceived limits and engage in their "Highest Self."

Just before his passing, Dr. Dyer had returned from Australia and New Zealand, where he lectured in front of thousands of people. As a father to eight children and nine grandchildren, he was back home in Maui looking forward to spending time with his family, while gearing up for the launch of his upcoming book.

While he had struggled with leukemia, Dr. Dyer was the healthiest he had been in years, keeping a very active schedule. His death has officially been attributed to heart failure.

Dr. Dyer was a man dedicated to the betterment of others. His work touched countless lives, and his influence will certainly be missed.

DENNIS MEYER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise to recognize Dennis Meyer of Das Meyer Fine Pastry Chalet for receiving the Lloyd J. King Entrepreneurial Spirit Award from the Arvada Economic Development Association.

This prestigious business award, named after the founder of King Soopers in Olde Town Arvada, is presented to an individual with characteristics of an exemplary entrepreneur. Dennis Meyer has been baking since 1965 and is renowned as a Certified Executive Pastry Chef, Master Baker. A member of the American Academy of Chefs, Dennis was named "Chef of the Year" in 1987 and has won numerous gold medals in culinary competitions, including "People's Choice" and "Best of Show." He started his family owned business in 1985 in Arvada, Colorado. In 2006, he was inducted into the Colorado Chefs Hall of Fame.

The spirit behind Das Meyer Fine Pastry Chalet is led by the vision, creativity, kindness and generosity of the founder Dennis Meyer. His commitment to making his clients' special occasions memorable is remarkable and a tribute to his success.

I congratulate Dennis Meyer and all of the employees of Das Meyer Fine Pastry Chalet for this well-deserved honor from the Arvada Economic Development Association. I thank him for his commitment to excellence and his continued service to the community.

RECOGNIZING THE DEDICATED SERVICE OF NORTHWEST FLORIDA'S MAXINE IVEY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize Ms. Maxine Ivey on the occasion of her retirement as Executive Director of Northwest Florida Rural Health Network. For twenty years, Ms. Ivey has dedicated her life to serving the Gulf Coast community, and I am pleased to honor her outstanding achievements.

Northwest Florida Rural Health Network, which serves Escambia, Santa Rosa, Okaloosa and Walton Counties, is one of nine health networks in the State of Florida created to improve health care services and access in rural communities. Ms. Ivey has worked tirelessly with the Network since it was first established in 1995 and has held various leadership roles. While as Director of Purchasing and Volunteers for Jay Hospital prior to her husband's passing, Ms. Ivey, along with her husband, Don, who was the Jay Hospital Administrator at the time, worked together as a team to help keep the hospital open and to ensure that their community's health care needs were properly met. As a result of her leadership and continued dedication to service before self, Ms. Ivey eventually became Executive Director of the Northwest Florida Rural Health Network.

Ms. Ivey's service to Northwest Florida, however, is not limited to her work with the Network. She sits on the Jay Town Council and is the President of the Northwest Florida Area Agency on Aging. In this capacity Maxine works closely with the Florida Department of Elder Affairs and other local, state and national agencies to facilitate the needs of the elderly so they can age safely and with dignity in their own homes. Ms. Ivey is also an active member of Jay First Baptist Church and is a loving mother of three.

Mr. Speaker, on behalf the Gulf Coast community, I am pleased to congratulate Ms. Maxine Ivey on her well-earned retirement after 20 years of dedicated service to Northwest Florida. My wife Vicki and I wish her and her three sons all the best for continued success.

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. HINOJOSA. Mr. Speaker, unfortunately, I was unable to be present in the House chamber for certain roll call votes. Had I been present on October 7th and 8th, I would have voted 'nay' on roll calls 536, 537, 538, and 544. I would have voted 'yea' on roll calls 539, 540, and 543.

HONORING VIETNAM WAR MOVING WALL MEMORIAL

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. DEUTCH. Mr. Speaker, I rise today to commemorate the Vietnam Memorial Wall opening ceremony in the City of Coral Springs, Florida. The servicemembers whose names are written on the Wall fought valiantly to protect our Nation, and they rightfully deserve our recognition and admiration.

The Moving Wall is a half-size replica of the Vietnam Veterans Memorial in Washington DC, which stands as a testament to the loss endured in the Vietnam War. This display is coming to my district thanks to the dedication of Commissioner Lou Cimaglia, who served in the Army Reserve for eight years and made it his goal to bring the Wall to Coral Springs.

The Moving Wall will be on display in Coral Springs, Florida from October 22 to 26, 2015. This event allows area residents to experience the Vietnam War Memorial and to reflect on the sacrifice of the men and women who fought in this conflict. Participants will also have the opportunity to leave mementos at the Wall, which will later be included at The Moving Wall Museum in Washington, DC.

I thank the Veterans Coalition for their help bringing the Wall to Coral Springs and John Devitt, Norris Shears, Gerry Haver for building the Wall. I also thank Commissioner Cimaglia, and all Vietnam veteran volunteers who worked tirelessly to make this event possible. I am proud to honor them and this event, and express deep appreciation for all Vietnam War veterans' service to our Nation.

RED ROCKS COMMUNITY COLLEGE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Red Rocks Community College's (RRCC) Health Sciences Campus for receiving the Arvada Economic Development Association (AEDA) Community Partnership Award.

The Community Partnership Award recognizes organizations and businesses that represent new investment and economic opportunities in Arvada. The award is being given to Red Rocks Community College for their capital investment in the new Health Sciences Campus in Arvada.

The Arvada campus is already home to RRCC's health programs as well as associate degree and general education courses that transfer to four-year institutions. The campus is currently undergoing a large expansion to help meet the needs of the growing health care needs of the community. Expected to be completed by fall of 2016, the new building will provide state-of-the-art instructional space for health sciences, enhanced curriculum for healthcare programs, accommodate additional students, and help develop new programs in line with industry demands.

I extend my deepest congratulations to Red Rocks Community College's (RRCC) Health Sciences Campus for being honored by the Arvada Economic Development Association. I am proud of their contribution to our community and look forward to their new completed campus and future expansion.

HONORING THE LIFE AND DEDICATED SERVICE OF MILLARD FILLMORE ADAMS, JR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. MILLER of Florida. Mr. Speaker, it is with both profound sadness and deep gratitude that I rise to honor Millard Fillmore Adams, Jr., of Santa Rosa County, who died suddenly on October 7, 2015.

Born and raised in Northwest Florida and a native of Santa Rosa County, Mr. Adams graduated from Milton High School in 1963. He earned his undergraduate degree from Bob Jones University in Greenville, South Carolina, and it was during his time in Greenville where he met his bride of 47 years, Ms. Donna Spurr of Nova Scotia, Canada.

Mr. Adams answered the call to serve his country by joining the U.S. Army during the Vietnam War. Upon his return to Northwest Florida, he became owner and operator of WCKC AM radio, a local sports station that, among other things, broadcasted football games from his alma mater, Milton High School.

However, Mr. Adams's service and dedication to his community extended far beyond that of local radio. He served as a member on the Milton City Council and as Mayor of Milton from 1979 to 1980. In 1980, he joined the Santa Rosa County Board of County Commissioners, where he served as a commissioner until 1984 and then again from 1988 to 1992. Mr. Adams also served as Director of the Santa Rosa County Chapter of the American Red Cross and was an active member of Campus Church at Pensacola Christian College. His countless contributions to Florida's First Congressional District in his various capacities are innumerable, and his death is a great loss to our community.

While many will remember Mr. Adams as a patriot who served our Nation honorably or as local official who left a lasting impact on Northwest Florida, his family and friends will remember him as a loving husband, father, grandfather, and brother.

Mr. Speaker, on behalf of the House of Representatives, I am proud to honor the life and dedicated service of Millard Adams, Jr. My wife Vicki and I extend our deepest condolences and prayers to his wife, Donna; son, John and daughter-in-law Jennifer; daughter-in-law, Melissa; his grandchildren, Kailyn, Jaxon, Caroline, and Ryan; his sisters, Cynthia and Francis; and the entire Adams' family.

TRIBUTE TO THE HONOR FLIGHT OF OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. WALDEN. Mr. Speaker, I rise to recognize the 27 veterans from Oregon who will be visiting their memorial this Saturday in Washington, D.C. through Honor Flight of Oregon. Ten of these veterans served over 70 years ago in World War II, and 17 served in the Korean War. Veterans of both wars will see the memorials dedicated to their service here in Washington. On behalf of a grateful state and country, we welcome these heroes to our nation's capital.

The World War II veterans on this flight from Oregon are as follows: Henry Turner, Army; Marvin Worden, Army; William Carhart Jr, Army Air Force; Edward Nicolaides, Marines; William Ackermann Jr, Navy; Clement K. Hyer, Navy; John T. Hyer, Navy; Stuart Richardson, Navy; Floyd Schrock, Navy; Vincent Stone, Navy.

The Korean War veterans on this flight from Oregon are as follows: James Bartlett, Air Force; Robert Burton, Air Force; Patricia Moyer, Air Force; Joseph Violette, Air Force; Raymond Coburn, Army; Henry Faria, Army; Clifford Friesen, Army; Wilferd Krein, Army; William Gemmet, Marines; James Aday, Navy; John Ames, Navy; Darrell Davis, Navy; Charles Johnson, Navy; James McDonald, Navy; Allen Nash, Navy; Paul Standing, Navy; Raold Stroup, Navy.

These 27 heroes join the estimated 20,000–25,000 veterans who will travel to Washington D.C. from their home states in 2015, adding to the 138,800 veterans who have been honored through the Honor Flight Network of volunteers nationwide since 2005.

Mr. Speaker, each of us is humbled by the courage of these brave Americans who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of Honor Flight of Oregon for their exemplary dedication and service to this great country.

TRIBUTE TO PAULINE MOBERG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Pauline Moberg on the celebration of her 100th birthday. Pauline celebrated this special day on October 4, 2015 in Creston, Iowa.

Our world has changed a great deal during the course of Pauline's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones, and the internet. We have fought in wars overseas, seen the rise and fall

of Soviet communism, and witnessed the birth of new democracies. Pauline has lived through 17 United States Presidents and 24 Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Pauline in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the United States House of Representatives to join me in congratulating Pauline on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

BELOVED TEACHER, NOW PUBLISHED AUTHOR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. OLSON. Mr. Speaker, I rise today to recognize Cheryl Richardson, a talented and creative teacher from Richmond, Texas who has added author to her list of accomplishments.

As a fourth grade teacher at Manford Williams Elementary in Richmond, Ms. Richardson recently published her first children's book. You might recognize her under her pen name, Giddy Gragert. Fufu's Bistro is about a young boy who plays with his food when one day his food starts playing back. His imagination takes him on a journey around the world. By combining her love of travel and her daughter's love for playing with food, Cheryl wrote a book that inspires creativity and curiosity in young children. Cheryl selflessly dedicates her time to helping children succeed. This new book is just another way Cheryl will be able to inspire kids to dream big. We are all proud of Ms. Richardson's hard work.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Cheryl, or Giddy, on her first book.

S&H PRODUCTS, INC.

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize S&H Products, Inc. for receiving the Arvada Economic Development Association (AEDA) Outstanding Small Business Award.

The Outstanding Small Business Award is given to a small business for their commitment to capital improvements and employment growth particularly through their investment in the community and corporate culture.

Since 1988, S&H Products has been designing and manufacturing premium-grade firefighting equipment, including fire hose nozzles, wye valves, shut-off valves, wildland hose clamps, and other related products for both commercial and government applications. Their products are used in 90 percent of wildland firefighting suppression efforts across the country, including in Colorado, a state that is greatly impacted by wildfires every year.

S&H Products is a great example of a successful local company with a 'Make It In America' philosophy and a commitment to high-quality products. Today, they are a family owned and operated business that oversees all its own product development from concept and design to manufacturing and testing from its facility in Arvada. Currently S&H employs about 33 people, up almost 50 percent from three years ago.

I extend my deepest congratulations to S&H Products, Inc. and all of their employees for being honored by the Arvada Economic Development Association. I am proud of the service they provide our community and am certain their products and service will continue to benefit the wildland firefighting and our communities for decades to come.

TRIBUTE TO FRED LEONHARDT

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. MICA. Mr. Speaker, it is my honor to pay tribute to Frederick Wayne Leonhardt of Orlando, Florida, who passed away October 10, 2015. During my years of service, I have recognized a number of friends, public servants and individuals in the Journal of the U.S. House of Representatives. However, with Fred Leonhardt's sudden passing, I have lost a close friend and Delta Chi Fraternity Brother whom I have known for nearly half a century. In Central Florida, we have lost one of our most active and successful community leaders. His family has lost a loved one whose smile, caring and beaming optimism are now fond memories. Fred touched thousands of lives with his untiring efforts on behalf of individuals and civic organizations and through his work with local, state and national leaders. Few individuals in Florida have achieved the level and record of success in volunteer leadership positions as this gentleman.

Fred was born October 26, 1949 in Daytona Beach to Frederick Walter Leonhardt and Gaetane Wirtanen Leonhardt. Raised in Volusia County, Florida, he attended Seabreeze High School and went on to the University of Florida. That was when I first met Fred, during rush in his first few days on campus. During his college days, Fred was active in student affairs and he became Florida Delta Chi Fraternity President. He was honored with membership in Florida Blue Key and served in many student leadership positions. After graduating with a Bachelors and then a Law Degree, Fred served our nation as a JAG officer in the United States Army.

After marrying Vicki Cook, daughter of Tom and Gloria, and beginning his practice in Daytona Beach; the Leonhardts settled in Orlando in 1988 with their two children, Whitaker and Ashley. He joined GrayRobinson law firm in 1992. Fred not only chaired the Daytona Beach Area Chamber of Commerce, but also the Greater Orlando Chamber of Commerce and State of Florida Chamber of Commerce.

His list of civic, bar and community activities is almost unmatched by any citizen. Fred was an active member of the Central Florida Part-

nership, Floridians for Better Transportation, University of Central Florida Foundation, Tiger Bay Club of Central Florida, Leadership Florida, Volusia County United Way, the National Council of the Boy Scouts of America, Celebration Health Foundation and served as a Trustee Emeritus for the University of Florida Law School.

He is survived by Vicki Cook Leonhardt of Ponce Inlet; their children, Ashley Leonhardt Lee and her husband Kevin of Ormond Beach and Frederick Whitaker Leonhardt and his wife Amanda of Orlando; granddaughter Madison Grace Lee; and sister Germaine Leonhardt Moffett of Daytona Beach.

Mr. Speaker, I ask you and my colleagues to join me in recognizing the life, public service and legacy of my friend and a great American, Fredrick Wayne Leonhardt.

TRIBUTE TO CAROL SPARR

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Carol Sparr of Red Oak, Iowa, for being inducted into the Iowa 4-H Hall of Fame during a ceremony at the Iowa State Fair. Inductees to the Hall of Fame must demonstrate dedication, encouragement, commitment and guidance to Iowa's 4-H students throughout the years.

Carol grew up in Rulo, Nebraska where she attended Peru State College. She and her husband, Ted, now reside in Red Oak, Iowa. Carol became involved in 4-H when her daughter Trasy joined the organization. For 35 years Carol has served as the Food and Nutrition Superintendent for the county fair and has helped oversee the annual bake sale. She now spends most of her free time volunteering in the community at Meals on Wheels, the Montgomery County Board of Health, and the First United Methodist Church of Red Oak.

Mr. Speaker, I applaud and congratulate Carol for earning this award. It is truly an honor to represent her, and Iowans like her, in the United States Congress. I urge my colleagues in the United States House of Representatives to join me in congratulating Carol for her numerous accomplishments in the 4-H community. I wish her nothing but continued success moving forward.

RECOGNIZING THE ARIZONA BRANCH OF THE INTER- NATIONAL DYSLEXIA ASSOCIA- TION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Ms. SINEMA. Mr. Speaker, I rise today to recognize the Arizona Branch of the International Dyslexia Association and the thousands of Arizonans impacted by dyslexia.

October is Dyslexia Awareness Month, a time to spread awareness and commit to en-

suring that Americans with dyslexia have the resources they need to succeed in the classroom and in the workplace.

According to the International Dyslexia Association, up to 20 percent of Americans experience symptoms of dyslexia. That's one in five Americans—making dyslexia the most common learning disability in the United States.

Dyslexia is a language-based learning disability, the symptoms of which can have a profound effect on a person's ability to read, write, and perform other language-related tasks. While dyslexia is a life-long condition, we know that—with the proper resources—people with dyslexia can manage their symptoms and succeed in school and in life.

For over three decades, the Arizona Branch of the International Dyslexia Association has empowered Arizona families impacted by dyslexia, provided resources to educators, and fostered a community committed to the success of Arizonans with learning disabilities. I am honored to recognize their courageous efforts today.

I am also committed to working with my fellow members of the Dyslexia Caucus, a bipartisan group that supports education and career opportunities for people with dyslexia, and ensures that their voices are heard in Congress.

By working together and forming strong partnerships with community leaders like the Arizona Branch of the International Dyslexia Association, we can ensure Americans impacted by dyslexia have the resources necessary to achieve their full potential.

HONORING THE DEDICATED SERV- ICE AND SELFLESS SACRIFICE OF SENIOR AIRMAN NATHAN C. SARTAIN

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. MILLER of Florida. Mr. Speaker, it is with both profound sadness and deep gratitude that I rise to pay tribute to a fallen decorated American hero.

On October 2, 2015, Senior Airman Nathan C. Sartain, who was assigned to the United States Air Force 66th Security Forces Squadron based out of Hanscom Air Force Base in Massachusetts, lost his life in a tragic C-130 crash in Jalalabad, Afghanistan while deployed with the 455th Expeditionary Security Forces Squadron and valiantly serving our Nation in support of Operation Freedom's Sentinel. Senior Airman Sartain was 29 years old, but lived a lifetime marked by and full of service.

Born and raised in Pensacola, Florida, Senior Airman Sartain made the Northwest Florida community proud with his many achievements. He excelled at Pensacola High School where he was a member of the National Honor Society and Junior Reserve Officer Training Corps, where he twice was named an outstanding cadet. Additionally, he was inducted into the Kitty Hawk Air Society's Daniel L. "Chappie" James Chapter designed to encourage personal excellence and promote community

service and was awarded the Air Force Sergeants' Association medal in 2001.

Answering the call of duty and following in his father's footsteps of service, Senior Airman Sartain enlisted in the Air Force in 2013. Upon graduating from Basic Training and the Air Force Security Forces Academy Training, he served as an Installation Patrolman and mobilized as a Fly Away Security Team member, a role in which his missions would take him across the globe standing guard in defense of our Nation. His awards include the Air Force Commendation Medal, Air Force Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal, and the Global War on Terrorism Service Medal.

His life stands as a testament that freedom is not free, and as exemplified by his extraordinary heroism, Senior Airman Sartain's legacy will echo in time as an example of the ultimate sacrifice in the name of freedom. On behalf of the Northwest Florida community and a grateful Nation, my wife, Vicki, joins me in praying that God is with Nathan's wife, Lana; stepdaughter, Alexia; parents, Phillip and Janice; siblings, Jeremy, Heather and Dewayne; stepmother, Maralee; and all of the beloved family and friends he held so dear. We ask that God continue to bless them and the United States of America.

HONORING THE MINISTRY OF REV.
DR. JAMES C. PERKINS

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. BARR. Mr. Speaker, I rise today in order to recognize the faith and service of Rev. Dr. James C. Perkins of Detroit, Michigan to the gospel ministry and its congregants for the last 41 years. My hometown of Lexington, Kentucky has the distinguished honor to host Dr. Perkins as he preaches the gospel to three of our community's churches. His words, written and spoken, have moved many throughout the country for four decades and will continue to do so for years to come.

Over the course of the Fifth Annual Simultaneous Revival in Lexington, the Reverend will preach the gospel and speak words of compassion to the Sixth District of Kentucky's own Shiloh Baptist Church, Antioch Missionary Baptist Church, and Imani Baptist Church. The event, hosted by the Interdenominational Pastoral Fellowship of Lexington and Vicinity, will spread the word of God and the enlightened message of peace and goodwill throughout the Commonwealth.

Dr. Perkins has been recognized throughout this great country and around the world as a leader in civil rights issues and advocacy for those who face daily struggles, seeking to remedy earthly woes through faith, prayer, and the support of the ministry. The Reverend's close relationship with many prominent groups and institutions such as the Council of Baptist Pastors of Detroit, Wiley College of Marshall, Texas, Morehouse School of Religion of Atlanta, Georgia, and the National Council of Churches has spread the Lord's word of good

faith and love for our fellow man far and wide. In recognition of these good works, Dr. Perkins is a recipient of the Gandhi, King, Ikeda Community Builders Prize; an accolade bestowed by Morehouse College upon those who ardently pursue a life of work dedicated to the principle of constructing a world filled with dignity, freedom, and happiness for all people.

The Reverend's dedication to the gospel and preservation of the rights of Americans of all walks of life has been an inspiration to us all. On behalf of the residents of the Sixth Congressional District, I welcome him to Central Kentucky.

TRIBUTE TO DICK BERGSTROM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Dick Bergstrom of Creston, Iowa, for being selected as a member of the Creston High School Hall of Fame.

A Cedar Falls native, Dick played football at the University of Northern Iowa and was the head football coach for 33 years at Creston High School, during which he coached 17 straight winning seasons and 10 playoff teams. He taught mathematics, health, and physical education during his time at CHS.

Mr. Speaker, Dick's efforts embody the Iowa spirit and I am honored to represent him, and Iowans like him, in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Dick for his achievements and wish him nothing but continued success.

INTRODUCTION OF THE PROTECT
RIDERS OF METRO RAIL PUBLIC
TRANSPORTATION ACT OF 2015

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Ms. NORTON. Mr. Speaker, I rise to introduce the Protect Riders of Metrorail Public Transportation Act of 2015 (PROMPT Act). I am joined by Ms. EDWARDS of Maryland and Mrs. COMSTOCK of Virginia introducing this important piece of legislation that impacts our respective jurisdictions. The bill permits the U.S. Department of Transportation (DOT) Secretary to administer State safety oversight activities for the Washington Metropolitan Area Transit Authority until the District of Columbia, Virginia, and Maryland develop a State safety oversight program certified by the Secretary. The bill also permits the DOT Secretary to use the existing safety oversight formula funds set aside for the State Safety Oversight agency for transit safety oversight.

Following the catastrophic 2009 WMATA Metrorail accident that killed nine residents of

the region, Congress gave the Federal Transit Administration (FTA) safety oversight authority for transit rail systems as part of the Moving Ahead for Progress in the 21st Century Act (MAP-21). MAP-21 directed FTA to create and implement a national public transportation safety plan, and gave FTA the authority to set and enforce minimum safety standards for transit rail systems. MAP-21 also gave FTA the authority to oversee state safety oversight programs for transit rail and provided \$22 million annually nationwide for formula grants to eligible state safety oversight programs.

On January 12, 2015, smoke filled a Metrorail train near the L'Enfant Plaza Metro Station in Washington, DC, killing one passenger and injuring at least 84 passengers. The National Transportation Safety Board (NTSB) launched an investigation of the incident, examining the cause of the accident and expects to issue a final report early next year. NTSB is also investigating the Tri-State Oversight Committee (TOC), which was charged with supervising Metro's rail safety oversight program, and the FTA, which has not yet issued any safety regulations nor created a national public transportation safety plan.

Earlier this year, the FTA conducted a safety management inspection of WMATA's rail and bus systems and audited the Tri-State Oversight Committee. FTA identified 78 corrective actions for Metrorail to address 44 safety findings and 13 corrective actions for Metrobus to address 10 safety findings. FTA's audit of the TOC found significant gaps in safety oversight, with the TOC lacking enforcement authority and failing to meet MAP-21 legal and financial requirements. Among the FTA's recommendations was that the jurisdictions transition the TOC into the Metro Safety Commission, which was authorized by the DOT Secretary in February 2014.

Following an August 6, 2015, derailment of a Metrorail train outside of the Smithsonian Metro Station, the NTSB issued an urgent recommendation to the DOT Secretary that Congress amend 45 U.S.C. 1104(3) to list WMATA as a commuter authority, authorizing the Federal Railroad Administration (FRA) to exercise regulatory oversight of WMATA Metrorail. On October 9, 2015, the DOT Secretary responded to the NTSB recommendation by directing the FTA itself to take over direct safety oversight from the TOC. DOT will have available resources from FTA and FRA to implement direct safety oversight, which will include direct enforcement and investigation by FTA of WMATA Metrorail, and FTA will perform unannounced facility inspections and issuances of directives to address any safety inefficiencies.

This bill codifies the DOT response to the NTSB recommendation and makes the funding that would go to the TOC available to DOT and FTA to carry out direct safety oversight. I believe WMATA Metrorail riders will be relieved that the FTA will take direct oversight of Metrorail until the DOT Secretary certifies that a fully functioning Metro Safety Commission is up and running.

I urge my colleagues to support this legislation.

CELEBRATING THE 275TH ANNIVERSARY OF TORRINGTON, CONNECTICUT

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Ms. ESTY. Mr. Speaker, I rise today to celebrate the 275th anniversary of Torrington, Connecticut.

On Saturday, I had the honor of commemorating the city's 275th anniversary with local public officials and members of the community. Gathered on the steps of City Hall, we marked this historic milestone, honored the city's residents, and showcased the best of Torrington. The event hosts were the City of Torrington, the Warner Theatre, and the Torrington Historical Society.

In October 1740, residents established a town government only five years after the first settler, Ebenezer Lyman Jr., came to Torrington. Within a few short years, the first church, meeting house, and main roads were built, and Torrington flourished. In the early 19th century, Torrington industrialized. Several large brass mills opened, making the city a hub of production in the area. Over time, Torrington's population grew to meet these new labor demands. Among these new inhabitants were a diverse group of immigrants, bringing with them cultures that would enrich Torrington's commerce, art, and architecture.

When our nation was embroiled in the Second World War, Torrington put its industrial muscle behind the war effort. The city produced vital materials for our troops and contributed to victory. Manufacturing continues to be a substantial industry in Torrington. Many of these companies have called Torrington home for decades, while others have found the city recently and discovered that it is an ideal location.

Today, Torrington is a thriving, vibrant community. It has set an example for what a city can do when residents work together with a vision for the future. The city boasts cultural attractions that bring visitors from near and far to see all that Torrington has to offer.

I am honored to represent the City of Torrington in the United States Congress. I would like to thank Torrington's Municipal Historian Ken Buckbee and the Torrington 275 Organizing Committee for planning a spectacular celebration to recognize Torrington's 275th anniversary.

Congratulations to Torrington.

TRIBUTE TO MARION DRESDOW

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Marion Dresdow on the celebration of her 100th birthday.

Our world has changed a great deal during the course of Marion's life. Since her birth, we have revolutionized air travel and walked on

the moon. We have invented the television, cellular phones, and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism, and witnessed the birth of new democracies. Marion has lived through 17 United States Presidents and 24 Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Marion in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the United States House of Representatives to join me in congratulating Marion on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

HONORING REVEREND GRIFFIN DAVIS, SR. ON HIS 50TH PASTORAL ANNIVERSARY AT THE HILLTOP MISSIONARY BAPTIST CHURCH

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. HASTINGS. Mr. Speaker, I rise today to recognize Reverend Griffin Davis, Sr. and commemorate the 50th anniversary of his esteemed ministry. As a devoted pastor, he has spent many years worshipping at Hilltop Missionary Baptist Church in Riviera Beach, Florida.

Reverend Davis has always gone out of his way to help those in need in his community. "Life is incomplete without God," Reverend Davis has said. "We need to get off the seat of 'do-nothing' and go out and find the Lord." Since its founding, Hilltop have brought many people together to share their deep love and devotion to the Lord.

Reverend Davis has always acted as a beacon of good-will and served as a dependable figure whom the city and its residents can rely on. His ministry has focused on providing good will and support to assist those who are most vulnerable, including the poor and disabled, and most importantly, senior citizens and children in need. He is routinely involved in ambitious projects, whether it is providing a furnished home for a church member, providing clothes and food for the hungry, or simply listening to those who yearn to be heard. Each and every one of Rev. Davis' efforts have reflected the sheer love and pride he holds for his fellow congregants. I am truly honored to join his family, friends, and everyone in the community in honoring him.

Mr. Speaker, Reverend Griffin Davis, Sr. is a remarkable man whose heart knows no bounds. I have had the privilege to see firsthand the selfless work that he has been able to accomplish, and wish him many more years of service to his ministry. I am proud to not only represent him in Congress, but also call him my close friend.

RECOGNIZING THE 125TH ANNIVERSARY OF KEUKA COLLEGE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. REED. Mr. Speaker, I rise today to recognize the 125th anniversary of Keuka College.

Keuka College was founded in 1890 on the shores of Keuka Lake in the Finger Lakes region of New York. This independent, liberal arts college was established by Rev. George Harvey Ball, who sought to provide high-quality education to all deserving students regardless of their economic backgrounds.

Over the past 125 years, Keuka College has offered students a vibrant educational curriculum focused on experiential learning and community service. All students are required to complete at least 140 hours of hands-on experience every year, putting into practice what they learn in the classroom. This enables students to gain significant, real-world experience and professional skills before they enter the workforce. The student-designed internship program "Field Period" has received national recognition from the Carnegie Foundation for the Advancement of Teaching and the President's Higher Education Community Service Honor Roll.

Keuka College offers 31 bachelor's degree programs on its home campus, many with specialized concentrations. In addition, the College offers seven master's degree programs and pre-professional programs in dentistry, law, medicine, veterinary medicine, optometry, pharmacy, and occupational therapy. These programs fulfill the College's mission statement by developing "exemplary citizens and leaders" who realize "their full personal and professional potential."

I ask my colleagues to join me in congratulating Keuka College on 125 years of success. I am proud to recognize this remarkable milestone and the great contributions the College has made, and will continue to make, to New York's 23rd Congressional District.

TRIBUTE TO GEORGE MERTZ

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate George Mertz of Walnut, Iowa, on the celebration of his 100th birthday on October 3, 2015.

In George's early years he took over the family farm implement business and sold real estate in Walnut, Iowa. He married Evelyn Oldehoff on September 10, 1944, and has four sons, 13 grandchildren, 17 great-grandchildren, and one great-great-grandchild. George admirably served in the U.S. Air Force during the Second World War. Longevity runs in the family, as his dad lived to be 101.

Mr. Speaker, it is an honor to represent George, and Iowans like him, in the United States Congress. I urge my colleagues in the

United States House of Representatives to join me in congratulating George in reaching this incredible milestone. I wish him continued health and happiness in the years to come.

**CHILDREN'S NATIONAL HEALTH
SYSTEM'S DIVISION OF DIAG-
NOSTIC IMAGING AND RADI-
OLOGY**

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating Children's National Health System and its Division of Diagnostic Imaging and Radiology on the International Day of Radiology and on the tremendous impact that pediatric medical imaging and radiation has on children's health care in the District of Columbia.

Children's National Health System and its Division of Diagnostic Imaging and Radiology offers District residents access to a specialized staff, full-time Child Life Specialists, state-of-the-art equipment and walk-in radiographs. When a procedure, such as an MRI, requires sedation, Children's National is the only hospital in the national capital region that guarantees a child's anesthesia is administered by a fellowship-trained pediatric anesthesiologist.

Children's National has one of the few radiology programs in the United States with several physicists on staff. Children's physicists ensure patient safety through careful monitoring of all equipment. Their physicists supervise radiation safety throughout the hospital, can answer parents' questions about the radiation dose for an exam and ensure safe and effective application of Magnetic Resonance Imaging.

Children's National performs approximately 130,000 diagnostic imaging studies each year. These studies play a critical role in the detection, diagnosis and management of a wide variety of diseases affecting children; and they are performed by specially trained physicians, technologists, sonographers, nurses and child life specialists who understand the unique needs of our youngest patients. Medical imaging reduces the number of invasive surgeries, unnecessary hospital admissions and lengths of hospital stays, and helps lower health care costs for Americans.

On November 8, 2015, the International Day of Radiology, sponsored by the American College of Radiology, the European Society of Radiology and the Radiologic Society of North America, is celebrating the 120th anniversary of the discovery of the X-ray by Wilhelm Conrad Röntgen and the important role medical imaging and radiation oncology serve in health care. Children's National will designate Friday, November 6, 2015, to celebrate the International Day of Radiology, which this year is dedicated to pediatric imaging.

Mr. Speaker, I ask the House of Representatives to join me in celebrating the 2015 International Day of Radiology and recognizing and honoring Children's National Health System and its Division of Diagnostic Imaging and Ra-

diology for their invaluable contributions to improving pediatric radiology on behalf of the residents of the District of Columbia.

**WELCOME TO SCENIC PEARLAND,
TEXAS**

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Pearland, Texas for earning a Gold Level Scenic City Certification. Pearland residents already know how beautiful this city is, and we are proud that everybody across Texas agrees.

Scenic Texas, a non-profit organization, awarded the Gold Level Scenic City Certification to Pearland for five years. The organization took note of Pearland's beautiful landscapes, tree-lined streets, and dedication to cultural arts. This certification further demonstrates Pearland's commitment to improving the quality of life for its residents. We are extremely proud of this growing city.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Pearland. Thank you for keeping our little piece of Texas beautiful.

**TRIBUTE TO JOE AND DOROTHY
HILDRETH**

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Joe and Dorothy Hildreth of Underwood, Iowa, on the very special occasion of their 50th wedding anniversary. Joe and Dorothy were married in 1965.

Joe and Dorothy's lifelong commitment to each other and their children, Brenda and Pam, along with their grandchildren, truly embodies Iowa values. I commend this devoted couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion. I wish them and their family nothing but the best moving forward.

**IN RECOGNITION OF THE SANTA
MONICA HEALTH CENTER RUN
BY PLANNED PARENTHOOD LOS
ANGELES**

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. TED LIEU of California. Mr. Speaker, I rise today to honor the Santa Monica Health Center run by Planned Parenthood Los Angeles. The Santa Monica Health Center, which is located in the heart of the 33rd Congressional

District, serves more than twenty thousand of my constituents every year.

Planned Parenthood Los Angeles has provided high-quality and affordable health services for fifty years, including reproductive health care, cancer screenings, sex education, and health counseling. Thanks to their consistent commitment to patient care, they are now the largest private provider of reproductive health services in Los Angeles County. Planned Parenthood clinics are particularly essential to the health of young, disadvantaged, and low-income patients.

I am inspired by the tireless dedication and exceptional skill shown by the Santa Monica Health Center's employees, volunteers, and champions. Since its inception, the Santa Monica Health Center has worked to preserve and defend the reproductive rights of all Angelenos. By ensuring access to reproductive care, they have steadfastly protected their patients' autonomy and future opportunities.

The Santa Monica Health Center's clinicians and patient advocates earned our deepest thanks, recognition, and support. I urge my colleagues to join me in commending them for their years of service to the residents of the 33rd District.

HONORING NELSON SHANKS

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. FITZPATRICK. Mr. Speaker, from presidents to popes to princesses, Nelson Shanks painted them all.

An internationally renowned portrait artist, he called my district of Bucks County home—painting some of his most iconic works in his studio in Andalusia, Bensalem.

Throughout his decades-long career, Shanks served on the faculty of several prominent art organizations, including the Art Institute of Chicago and the National Academy of Design before founding Studio Incamminati in Philadelphia. Celebrated for his adherence to Realism, he was a recipient of the Gold Medal for Lifetime Achievement by the Portrait Society of America.

While Shanks once remarked that "If you can see it, and if you know your color, you can paint it," there is no doubt that his masterpieces far exceeded the simplicity he stated.

Nelson Shanks passed away at the end of August, but his legacy lives on in the timeless works of art around the globe.

**TRIBUTE TO JOHN AND EMOGENE
KAUFMAN**

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate John and Emogene Kaufman of Council Bluffs, Iowa, on the very special occasion of their 65th wedding anniversary. They were married on September 16, 1950, at the First Christian Church

in Council Bluffs, where they have remained members.

John and Emogene's lifelong commitment to each other and their children, John and Susan, their grandchildren, and great-grandchildren, truly embodies Iowa values. I commend this devoted couple on their 65th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

75TH ANNIVERSARY OF LONG
BEACH BRANCH OF NAACP

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. LOWENTHAL. Mr. Speaker, I rise today to honor the Long Beach Branch of the National Association for the Advancement of Colored People, which is celebrating its 75th anniversary this week. Since its founding in 1940, the NAACP has been at the forefront of the fight to protect the civil rights of all Americans. The mission statement of the NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination in the United States. It has done so by advocating for and influencing the passage of numerous pieces of landmark legislation including the Civil Rights Act and the Voting Rights Act. It has also been a forceful voice behind numerous court decisions that have set our nation's course on civil rights.

The NAACP has had a presence in Long Beach, CA since 1940 and has done much to advance the cause of civil rights for the city's residents. Before the Civil Rights Act of 1964, Los Angeles County was similar to many segregated counties throughout the nation and African-American residents in the county experienced racial discrimination in all aspects of their lives. The NAACP was central in the fight to combat these injustices and worked over the following decades to expand voter participation, legally challenge the segregated school system, and bring the equality of opportunity to Long Beach. Today, the Long Beach Branch of the NAACP sponsors many award winning programs and projects, such as the Community Impact Program, which promotes academic excellence, social responsibility, leadership, and community service. Since its founding, the Long Beach Branch has been recognized over 20 times with the prestigious Thalheimer Awards, the National NAACP's top award given to branches for outstanding achievements. The Long Beach Branch NAACP has also been recognized as one of the best NAACP branches in California. This success is thanks in no small part to the NAACP, which has always resolutely placed them in the vanguard of the struggle for equality.

Despite all that has been accomplished over the years, the mission and goals of the NAACP remains an ongoing journey. Racial profiling remains a pervasive policy in both the workplace and in many police departments all over the country; inequities in the criminal jus-

tice system continue to overwhelmingly impact African Americans; and, threats to voter access continue to gain traction in certain areas of the country. These injustices show that the NAACP's work is just as important today as it was when the Long Beach Branch NAACP was founded 75 years ago. While our recognition of past progress made under the leadership of the NAACP is critical and necessary, we also must look to the future and rededicate ourselves as Americans to the fulfillment of their goals of a truly equal and just society for all Americans.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,152,705,110,034.31. We've added \$7,525,828,061,121.23 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO THE FABRIC AND
FRIENDS QUILT GUILD

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize the Fabric and Friends Quilt Guild of Adair County, Iowa, for their continued service to our country's veterans.

The Guild, which was formed in 2001, began with members creating "cooling ties" for soldiers deployed to Iraq and quilts for service members recovering at Walter Reed Hospital. Guild members now present "Red, White and Blue" quilts to local service members.

Mr. Speaker, the selflessness and dedication each member of this group demonstrates embodies the Iowa spirit and I am honored to represent them, and Iowans like them, in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in recognizing the Fabric and Friends Quilt Guild for their service to our armed service members and veterans and wish them nothing but continued success.

IN MEMORY OF MARTHA CAROLYN
EDENS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. WILSON of South Carolina. Mr. Speaker, on Thursday, October 15th, South Caro-

linians paused from recovery efforts of record flooding to recognize the life of Martha Carolyn Edens with a Service of Death and Resurrection at Trenholm Road United Methodist Church in Columbia.

The Reverend Doctor Bill Bouknight properly began the sermon recognizing her as a Caring Conservative.

Martha Edens was a devoted pioneer in establishing the modern Republican Party. She was an active volunteer in August 1961 electing Richland Representative Charlie Boineau to the House of Representatives as the first Republican elected to the General Assembly in the Twentieth Century. He was joined in 1962 by State Representative Floyd Spence of Lexington who was the first elected official to switch parties. Through her family's dedication she lived a revolution where Republicans by 2010 held elected all statewide state and federal offices. Additionally super majorities were achieved in the State House and Senate with eight of nine federal offices. From isolated pockets of Republican transplants from the Northeast and Midwest in 1961, the party is now dominant in almost every corner of the state.

She helped establish a broad-based party in 2010 electing Nikki Haley as the state's first female Governor in 340 years and as America's second Indian-American Governor. With Tim Scott, being the second African-American elected to Congress in the twentieth Century and in 2014 he achieved being the first popularly elected African-American ever from the South to the U.S. Senate. Additionally with Alan Wilson, South Carolina elected American's youngest State Attorney General.

Martha Edens' vision and dedication to the principles of limited government and expanded freedom have been adopted by the people of South Carolina. On October 11th, a thoughtful obituary was published in The State of Columbia, South Carolina.

Columbia Memorial service for Martha Carolyn Edens, 87, will be held at 4:00 p.m. Thursday, October 15, 2015, at Trenholm Road United Methodist Church. Following the service, the family will receive friends in the church dining hall. Burial will be private in Greenlawn Memorial Park. Dunbar Funeral Home, Devine Street Chapel, is assisting the family.

Ms. Edens died Friday, October 9, 2015. Born in Richland County, she was the daughter of the late James Drake Edens Sr. and May Florence Youmans Edens. She graduated from Dreher High School, attended Brenau University in Gainesville, Ga., and graduated from the University of South Carolina.

Martha lived a well-spent life of love, dedication and generosity. In addition to being a loving, caring mother to her two children, Martha accomplished more in her life than most people even dream of. She was active in politics, her college fraternity, Zeta Tau Alpha, her church, Trenholm Road United Methodist and her community. Among the highlights of Martha's many accomplishments was being awarded the Order of the Palmetto in 1995 by Governor Carroll A. Campbell.

On the local level, she served the Richland County Republican Party as Party Chairman, Finance Chairman and Precinct Committeeman. Martha served as Vice Chairman of the First Tuesday Republican Club. She was a member of the Richland County Ivory

Club, the Richland County Republican Women's Club and was a governor's mansion docent.

A true community leader, Martha was also an active member of Trenholm Road United Methodist Church, having served on numerous boards and committees and was an Advisory Board member of Lutheran Theological Seminary. Martha was also an active board member of the Palmetto Society of the United Way and the Salvation Army of Columbia and she was former president and member of the State Board of Directors of South Carolina Easter Seal Society. Additionally, Martha was a member of the South Carolina Museum Commission and the SC Law Institute Council. She was a former member of the Advisory Board of Republic National Bank and the Citizens Committee for the Construction of the Richland County Judicial Center. She served as treasurer of the South Carolina Republican Party.

A longtime member of the Capitol 100 Foundation, Martha served our state as National Committeewoman on the Republican National Committee, where she became known as one of the most outstanding national committeewomen in the nation. As National Committeewoman, she served on the Rules Committee of the RNC, was elected Vice Chairman of the Southern Region and served on the Chairman's Executive Committee, having served four years in each of those positions. In 1992, Martha served, along with Honorary Chairman Carroll A. Campbell, as Chairman of the Southern Republican Conference. Elected to serve as one of eight members of the Site Selection Committee for the 1996 Republican National Convention, Martha also served on the Committee on Arrangements for the San Diego convention. On the state level, Martha had the honor of serving on the South Carolina Election Commission.

She served as Vice President on the Board of Trustees of Brenau University for thirty years, received the Outstanding Alumnae Award for Community Service and received the prestigious Mary Mildred Sullivan Award given to distinguished alumnae.

Martha was also a member of the Board of Visitors for Columbia College, the Advisory Board for the Medical University of South Carolina and served Richland County School District Two as a Board of Trustees member, Secretary, Vice President and Chairman. Additionally, Martha held office on the Board of Trustees of Richland Memorial Hospital and worked as a volunteer with the Help-Line Crisis Intervention Program and Baptist Medical Center Hospice.

Dearest to her heart, though, was her lifelong involvement with Zeta Tau Alpha Fraternity. She served as Province President for the states of North and South Carolina and Georgia, National Vice President, National President, National Extension Director, Chairman, International Office Building Committee, President of Zeta Tau Alpha Foundation and served on the Foundation Board as a director. Her fraternity honors were as an Honor Ring Recipient, Vivian Ulmer Smith Rushing Award, Alumnae Certificate of Merit, Louise Kettler Helper Award and Outstanding Alumnae Award.

Martha Carolyn Edens had many dear friends who valued her dry wit, her sharp humor and her unflinching sense of style. Her honesty, ethics and fairness could always be counted on. She gave generously in donating her time and talents.

Surviving are her daughter, Dinah Helms Cook (Phil); daughter-in-law, Pamela Blaylock Helms; grandchildren, Blake Edens

Helms, James Cook, Jennifer Cook and Allison Cook. Also surviving are nieces and nephews and many dear friends. Martha was predeceased by her former husband, William Edgar Helms Jr.; her son, William Edgar Helms III; and brothers, James Drake Edens Jr. and William Youmans Edens Sr.

RETIREMENT OF DAVE OLSON (WASHINGTON RIVER PROTECTION SOLUTIONS)

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. NEWHOUSE. Mr. Speaker, I rise to recognize the contributions of Dave Olson, who is retiring as President of Washington River Protection Solutions, a Tank-Farm Contractor at the Hanford Nuclear site in Central Washington.

After 30 years of service, Dave's retirement is well-deserved. Since taking over as President of WRPS in 2013, he has been an outstanding leader and under his leadership the company has tackled some of the most complex waste remediation issues at the site, while maintaining one of the best safety records across the EM complex.

Hanford is one of the most critical environmental cleanup projects in the world—with 56 million gallons of radioactive and hazardous chemical waste stored in underground tanks—and Dave's dedication and contributions have been invaluable to the project.

Dave also volunteered as a member of the Hanford Working Group, which I formed to advise me on issues of importance to the Hanford Site and local communities. I would like to congratulate Dave on his retirement and thank him for his time, valuable insight, and dedicated service to the cleanup mission at Hanford and the long-term prosperity of the Tri-Cities.

TRIBUTE TO LARRY PETERSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Larry Peterson, of Creston, Iowa, for being selected as a member of the Creston High School Hall of Fame.

Mr. Peterson has been writing for newspapers since the day he graduated from the University of Iowa in 1979. He has spent 30 years writing for the Creston News Advertiser, where he has served as sports editor, assistant editor, feature writer and sports writer. Larry has covered more than 3,000 high school games, numerous state championship teams and more than 100 individual champions during his time as a sports writer. Larry has also spent almost 16 years coaching teams in Creston throughout the years.

Mr. Speaker, Larry's efforts embody the Iowa spirit and I am honored to represent him, and Iowans like him, in the United States Con-

gress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Larry for his achievements and wish him nothing but continued success.

IN RECOGNITION OF PAKACHOAG SCHOOL

HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. MCGOVERN. Mr. Speaker, I rise today to ask my colleagues in the U.S. House of Representatives to join me in recognizing the accomplishments of Pakachoag School.

Pakachoag School, located in Auburn, Massachusetts, was recently named a 2015 National Blue Ribbon School by the U.S. Department of Education. Pakachoag prides itself on its dedication to providing students with the tools they need to succeed in the dynamic and fast-paced world surrounding them. Auburn schools have a history of educational excellence. In 2014, the Julia Bancroft School won a Blue Ribbon award. Due to redistricting, Julia Bancroft and Pakachoag have since merged. Educators of the Auburn Public Schools provide committed and enthusiastic leadership, creating a comprehensive and inviting educational environment. The Pakachoag pledge, "We are Prepared, Aware, and Kind!" echoes the school's focus on ensuring students can become considerate and intelligent luminaries in the world outside the classroom.

To inspire civic responsibility and leadership, Pakachoag promotes numerous Community Service Learning Projects. Through fundraising, volunteer work, and reading programs, the importance of "giving back" is instilled in students. The school also offers a number of events and programs such as food drives and community reading days that not only reflect upon the student's development, but benefit the community as a whole.

Pakachoag School also strives to provide a comprehensive and inclusive environment within the school's walls. Pakachoag's special needs program is one of the most intensive in the Auburn school system. Extracurricular activities like student government and a student-written newspaper, along with on-site before and after-school childcare through the Galaxy Program, demonstrate how Pakachoag is deeply committed to the success, nurturing, and overall wellbeing of each and every one of its students.

None of these wonderful educational achievements would be possible without the talented educators and staff members at Pakachoag School. Administrative leadership under Superintendent Dr. Maryellen Brunelle can be associated with her passion for the success of her students, as well as a dedication to creating a warm and welcoming learning environment. The tireless efforts by all of those involved can be credited to Pakachoag's success.

I am so proud to represent the faculty, students, and staff of the Pakachoag School and the Auburn School System, and I look forward

to what they will continue to accomplish in the future. I ask you to join me in congratulating the Pakachoag School for being named a 2015 National Blue Ribbon School.

PERSONAL EXPLANATION

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. McNERNEY. Mr. Speaker, I was necessarily absent from the House on February 26, 2015. Had I been present, I would have

voted NO on H. Res. 125 (Roll Call 93). I would like to accurately reflect my stance on this issue.

TRIBUTE TO RAMON AND JEAN
SMITH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Ramon and Jean Smith of Atlantic, Iowa, on the very spe-

cial occasion of their 60th wedding anniversary. They were married on September 18, 1955.

Ramon and Jean's lifelong commitment to each other and their children, Sherrie, Terry, and Doug, truly embodies Iowa values. I commend this devoted couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

SENATE—Wednesday, October 21, 2015

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, for the beauty of the Earth and the glories of the skies, we praise You. For Your love that extends to us undeserved mercies, we lift our hearts in grateful thanksgiving.

In this challenging season of our national life, give our lawmakers the wisdom to look to You. May they remember that You are the author and finisher of our Nation's destiny, guiding us with Your prevailing providence. Lord, inspire our Senators to remove obstacles that hinder them from accomplishing Your purposes. May they seek only to please You.

God of grace and glory, thank You for continuing to be our refuge and strength.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The Democratic leader is recognized.

BENGHAZI SELECT COMMITTEE

Mr. REID. Mr. President, former First Lady, U.S. Senator of the State of New York, and Secretary of State Hillary Clinton will testify before the so-called Benghazi Select Committee tomorrow. In recent weeks, it has become absolutely clear that this committee is nothing more than a political hit job on Hillary Clinton.

I remember a program, "Queen for a Day." I guess this is "Speaker for the Day." Republican Majority Leader of the House of Representatives MCCARTHY—here is what he said on a TV show, radio show, or whatever it was:

Everybody thought Hillary Clinton was unbeatable, right? But we put together a Benghazi special committee, a select committee. What are her numbers today? Her numbers are dropping.

Well, that is one reason he was Speaker for the day. There were other

reasons, of course. But he told the truth. He told the truth. Congressman MCCARTHY isn't the only Republican to speak the truth about this so-called committee. Last week Republican Congressman RICHARD HANNA of New York said:

Sometimes the biggest sin you can commit in D.C. is to tell the truth. This may not be politically correct, but I think that there was a big part of this investigation that was designed to go after people and an individual, Hillary Clinton. After what Kevin McCarthy said, it's difficult to accept at least a part of it was not true. I think that's the way Washington works. But you'd like to expect more from a committee that's spent millions of dollars and tons of time.

That is an understatement—about \$5 million just for this one select committee. There have been other hearings that have cost huge amounts of taxpayer dollars. They are going again tomorrow, and they said be ready for 8 hours—8 hours of interrogation. And that is what it is, an interrogation.

These two quotes are from two House Republicans. HANNA from New York is not a Democrat; he is a Republican.

The message is clear: The Benghazi Committee is a political calculation meant to influence Presidential elections. And there is more. Now we have found out that one of the Republican staffers on the committee claims that he—the staffer—was unfairly fired because he refused to unfairly target Secretary Clinton. But what else could be expected from a committee whose sole purpose is to drag a Presidential hopeful through the mud?

It is no secret that for the last 2 years, numerous Republican-directed organizations with huge amounts of money have been targeting Hillary Clinton—for more than 2 years—because they knew she would likely run for President and they wanted to soften her up, just as MCCARTHY said.

Look at the committee's record. In 17 months, committee Republicans have held a whopping three hearings—in 17 months. Tomorrow's hearing will be the first public hearing since January. It is October. October is winding down. Instead, Republican Chairman TREY GOWDY and his committee have focused millions of dollars and thousands of staff hours on Hillary Clinton—and Hillary Clinton only. The committee has interviewed or deposed eight Clinton campaign staffers. Yet Chairman GOWDY has held only one hearing with an expert from the intelligence community and not a single hearing with anyone from the Department of Defense, which is clearly a key entity responding to attacks on our diplomatic post. And what have they learned in all

that time? Nothing. A recent report by the Democrats on the Benghazi Select Committee confirms that none of the witnesses they interviewed supported any of the wild conspiracy theories regarding those attacks.

Contrast the Benghazi Committee with the work of the legally required investigation of these attacks, the Accountability Review Board. This independent review was overseen by respected leaders, Ambassador Thomas Pickering, who is one of the great diplomats of our time, and ADM Michael Mullen. They completed their work in less than 3 months, not 17 months. The review board immediately put out a hard-hitting report with a series of recommendations to make sure an attack like this doesn't happen someplace else around the world. And what was Secretary Clinton's reaction to that report? She took responsibility immediately and began to implement the recommendations from the Accountability Review Board.

In summary, Republicans spent at least \$5 million to attack Secretary Clinton. On this one committee, this one select committee, they have spent \$4.7 or \$4.8 million. Republicans have done little to investigate the Benghazi attacks. And what little work House Republicans actually did only reaffirmed the basic findings of all three of these previous investigations.

House Republicans sadly have used the tragic deaths of four innocent Americans and turned it into an appalling political farce. The very notion that an official House committee was used as a political tool is inexcusable. I would suggest that the chairman of that committee should be ashamed of himself. It is even more disgraceful when nearly 5 million taxpayer dollars were spent on this political hit job.

Senate Democrats will continue to fight to get this sham of a committee disbanded. Weeks ago, we sent a letter to Speaker BOEHNER urging him to bring this disgraceful committee to an end, but, no, they are plodding forward. Today, Senate Democrats sent a letter to the Republican National Committee requesting that it reimburse the American people for the Benghazi Committee's expenses. Why did we do that? It is only fair since the so-called committee is clearly a Republican political organization.

CYBERSECURITY INFORMATION SHARING BILL

Mr. REID. Mr. President, today the Senate turns its attention to the cybersecurity bill. It is way overdue. The

bill, which is OK, is better than nothing—let's put it that way.

The ranking member of the Intelligence Committee, Senator FEINSTEIN, and the chairman of that committee, Senator BURR, have worked hard on this legislation, which addresses a serious national security issue. In fact, it is so serious that we should have addressed this topic long ago. We tried to. As Senate Democrats, we tried so very hard. We had a comprehensive cybersecurity bill on the floor 3 years ago which was much deeper and better than this one—3 years ago—but our Republican colleagues blocked us from even debating the bill. We couldn't even debate the bill. Why? They, the Republicans, were told the chamber of commerce didn't like it. At about the same time, the chamber of commerce's whole operation was hacked by the Chinese. The people who worked down there expected things to come out in English, but they came out in Chinese. But they didn't like the bill anyway, so they told the Republicans to oppose it, and they marched over here and opposed it.

Democrats, however, realize cybersecurity is a serious issue. We know how important cybersecurity is for the national security of our country and the financial security of our economy.

Even though this bill is not our perfect bill, we are going to cooperate with our Republican colleagues. Several months ago we reached an agreement with Republicans to begin debating this legislation, and now we can process it in an efficient and bipartisan manner.

Would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein.

Mr. REID. Mr. President, I suggest the absence of a quorum.

I withdraw that. The reason we were going to have a quorum call—I know other people want to have a chance to speak, but Senator MCCONNELL is on his way.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

DRUG ABUSE EPIDEMIC

Mr. MCCONNELL. Mr. President, before discussing the bill currently before

the Senate, I would like to note that President Obama will be heading to West Virginia today with Drug Czar Botticelli to announce additional steps the Federal Government will take to address America's prescription drug abuse and heroin epidemic.

This epidemic has been particularly devastating to my constituents. Today, drug overdoses—principally driven by painkillers—claim more Kentucky lives than car accidents. Today, increased heroin overdose rates account for nearly one-third of all drug overdose deaths in the Commonwealth. Today, thousands of innocent babies are born dependent on opioids.

I recently hosted Director Botticelli in Kentucky to discuss critical issues such as these. I am encouraged to see him and the President engaged and proposing certain steps that my home State of Kentucky has already embraced.

Drug abuse certainly isn't a partisan issue. Many Members of the Senate are actively engaged on the matter. I know the President will be joined today by West Virginia's Republican Senator and Democratic Senator. Finding solutions to this epidemic will require all of us, Republicans and Democrats alike, to work together at the Federal, State, and local levels. Today's announcement is encouraging because it is always positive to see Republicans and Democrats working together to address this epidemic.

Here is another bipartisan opportunity for us to work together on this issue: Let's pass S. 799, the Protecting Our Infants Act. I hope the Senate will pass that important bipartisan legislation very soon.

CYBERSECURITY INFORMATION SHARING BILL

Mr. MCCONNELL. Mr. President, earlier this year, millions of people were affected when the Obama administration was hit by a devastating cyber attack. It is an attack that has been described as "one of the worst breaches in U.S. history," but it is hardly the last one we will face.

The challenges posed by cyber attacks are real, and they are broad. They threaten governments, businesses, and individuals. Americans see these threats in the public sector. For instance, as reports have indicated, the sensitive personal information of millions who purchase insurance through ObamaCare is especially vulnerable. Americans see these threats in the private sector as well. For instance, despite the cyber deal recently agreed upon between China and the administration, press reports indicate that Chinese hacking attempts on American companies and businesses appear to be continuing unabated. Americans also know that a cyber attack is essentially a personal attack on their own privacy.

It is violating to think of strangers digging through our medical records and emails. It is worrying to think of criminals accessing credit card numbers and Social Security information.

That is why the Senate will again consider bipartisan legislation to help Americans' most private and personal information. It would do so by defeating cyber attacks through the sharing of information. It contains modern tools that cybersecurity experts tell us could help prevent future attacks against both public and private sectors. It contains important measures to protect individual privacy and civil liberties. It has been carefully scrutinized by Senators of both parties. In short, this legislation is strong, transparent, and bipartisan. Republicans and Democrats joined together to pass this legislation through committee, the administration supports it, and the House has already passed similar legislation. With a little cooperation, we can pass it here shortly as well.

The chair of the Intelligence Committee, Senator BURR, is working to set votes on pending amendments and has accommodated other Senators in the form of a substitute amendment. I wish to thank him for his hard work on this legislation. I wish to also thank the vice chair, Senator FEINSTEIN, as well. Every Senator should want to protect Americans' most private and personal information, which means every Senator should want to see this bill pass. With a little cooperation, we will.

OBAMACARE

Mr. MCCONNELL. Mr. President, barely a week goes by that we don't see another harmful consequence of ObamaCare, a poorly conceived and badly executed law. It has caused costs to millions of Americans. It has harmed the quality and availability of care. Now comes further evidence that ObamaCare is a mess of a law, filled with broken promises.

We recently learned the Kentucky Health Cooperative, a nonprofit health insurer created by ObamaCare with Federal taxpayer funds, will cease operations and stop offering health care plans at the end of the year. For the second time in as little as 3 years, as many as 51,000 Kentuckians will lose the health care coverage they currently have and will be forced to choose a new plan—all thanks to ObamaCare. This Kentucky co-op was a boondoggle from the start. It received nearly \$150 million in Federal loans, including a solvency loan this past November in a failed taxpayer bailout to try to keep it afloat. It had the largest recorded loss of all 23 co-ops in our whole country. The Kentucky co-op had the biggest loss of any co-op in the whole country—more than \$50 million in 2014.

Things were hardly much better for the Kentuckians who actually enrolled in it. Over the past 2 years, the co-op saw double-digit premium increases on the individual market. If it had survived, it was planning on increasing premiums for its members by 25 percent in 2016. If this contraption had survived into next year, it was going to increase premiums by 25 percent.

Here is what the Kentucky co-op's CEO said about this particular government-subsidized health care plan: "In the plainest language, things have come up short of where they need to be."

That is for sure. If only we would have that kind of honesty from the Obama administration on the many failures of ObamaCare. The collapse of the Kentucky co-op is emblematic of the situation across the land. The Obama administration claimed their government-subsidized co-ops would provide affordable and sustainable alternatives to private insurance. The truth is anything but that. What is even more disappointing is that the Obama administration itself predicted a nearly 40-percent default rate on its taxpayer loans to co-ops.

Now, 21 of 23 co-ops nationwide were losing money as of the end of last year. Enrollment in these co-ops fell below projections for the majority of plans. Kentucky's neighbor to the south, Tennessee, will shut down its co-op, leaving approximately 27,000 enrollees looking for new coverage at the end of the year. In Colorado, the State's biggest health insurer on their exchange—a nonprofit co-op—also announced its closure this month, forcing 83,000 Coloradans to find new insurance for next year. The same is true in Iowa, Nebraska, Nevada, Oregon, and Louisiana. From the bayous of Louisiana to the Pacific Northwest, from the Big Apple to the Great Plains and the Rocky Mountains, ObamaCare co-ops are failing all over America. In all, one-third of the 23 ObamaCare health co-ops have failed, leaving about 400,000 policyholders nationwide looking for new coverage for 2016.

These failures of ObamaCare health co-ops come as absolutely no surprise to those of us who predicted that giving the government more control of our health care system would be detrimental to the health care coverage people rely on. I said so on the Senate floor as far back as 2009.

The administration knew beforehand that this plan was not viable and that tens of thousands of people could lose their coverage. They chose to cling fast to a disastrous leftwing experiment with our health care system over choosing stability and affordable coverage for the many people caught up in ObamaCare and these failed health co-ops. What a colossal mess.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I would like to associate myself with the remarks of the majority leader and point out in today's New York Times, Wednesday, October 21, the big headline—"Insurance Out of Reach for Many, Despite Law." Despite this law, insurance is out of reach for many. I know my colleagues who were back home visiting with people around their home State last week, listening to what was on constituents' minds, heard exactly this—the problems of the health care law.

I was at home in Wyoming, and I heard from a lot of people who are very concerned about President Obama's collapsing health care law. That is what this law is doing; it is collapsing. People in Wyoming learned that one insurance company—WINhealth—will no longer be selling insurance through the ObamaCare exchange in our State. The company said it had to stop selling ObamaCare plans because there was no way to make money without big taxpayer subsidies coming from Washington. This company was already planning to raise rates significantly next year, and it turns out that even that wasn't going to be enough money to make it worthwhile. In less than 2 weeks, ObamaCare exchanges across the country will start selling insurance for next year. The total number of companies left selling insurance in the exchange for the State of Wyoming will be exactly one—one. There will be no competition at all in the ObamaCare exchange. If your doctor doesn't take that insurance, you are out of luck. If you can't afford it, you are out of luck. Is that how ObamaCare was supposed to work? Is that what the President promised the American people?

I got an email from one of my constituents yesterday—Al Harris, a great guy, in Green River, WY, and he wrote: "HELP!!!!!!!" He said: "WINHealth has become the latest casualty of ObamaCare." Al says that at his business "I have about 30 people that now will have no insurance . . . at least not this insurance. I am scrambling with few options and I'm convinced any option will be substantially more expensive." Al said: "This train wreck needs to be stopped."

I agree. President Obama and Democrats in Congress made a mess of the health care system in our country, but they said they had a better way of doing things. They said they knew best how to create competition and how health care should operate in America. They created all these Washington mandates. They required people to buy expensive coverage that was more than most people wanted, needed or could afford. Then they created the exchanges where people could buy this new, expensive Washington-mandated insurance coverage. Now the people of Wyoming are left with one option on

the ObamaCare exchange. Buy this insurance from this one company or the IRS will come knocking at your door to collect a big tax penalty. The penalty is going up next year.

Because of the significant failures of the Obama administration, rural Americans now have fewer choices. It is not just in Wyoming. We learned last week that insurance co-ops in Colorado, Oregon, and Tennessee are all closing their doors. Why? Because they have lost so much money. Eight of the twenty-three health care co-ops in the country have collapsed, completely collapsed in the last couple of months. Co-ops have closed in New York, Kentucky—as the majority leader said—in Louisiana, in Nevada, in Iowa, and Nebraska. Many are in rural areas where people already don't have a lot of choice.

We are talking about one-half million people who are going to lose their coverage, losing their insurance. Remember that promise President Obama made: If you like your coverage, you can keep your coverage. Where is the President now? The President says the health care law is working better than he even thought. Amazing. ObamaCare created these co-ops claiming to provide low-cost insurance. Then it saddled each of them with so many mandates and so many restrictions that they needed massive taxpayer bailouts. All together, these failed co-ops collected nearly \$900 million already in taxpayer loans to get the help they needed to get going. That is how President Obama put this together.

Now these co-ops have sunk, others are sinking, and they are taking the taxpayer loans with them. The ones that are trying to survive have been saying we are going to have to hike our rates. The co-op in Utah plans to raise its premiums by 58 percent starting in January just to be able to stay open. Is that what the President promised when he said rates would drop \$2,500 per family?

In Montana, the rates are set to go up 43 percent for some co-op plans. That is not what anyone in America needed, and it is certainly not what rural Americans need. President Obama said the American people were going to get more choices—more choices—because of his law instead of getting fewer choices. Yet he stands up and boldly says it is working better than he expected.

ObamaCare created the illusion of coverage. Now even the illusion is disappearing. What is even worse for rural Americans is that it is not just the coverage that is turning out to be an illusion under ObamaCare. The care is actually disappearing. Earlier this month, we learned that Mercy Hospital in Independence, KY, will be closing soon. This is the 56th rural hospital to close in the United States since 2010 when ObamaCare became law. Another

238 hospitals are in danger of closing. The added expense, the regulations, and the other destructive side effects of ObamaCare are a big reason for this. The patients who rely on these hospitals will have to find some other place to go to get their medical care—somewhere further away from home.

Democrats in Congress—many who live in big cities—may take for granted they can get to a hospital quickly. It is not the case in rural America. As a doctor who has practiced medicine for 25 years, I can tell you that the extra time people spend traveling to a hospital can make all the difference in the world between life and death. For someone who has had a heart attack or has been in a traffic accident or for a woman with a high-risk pregnancy, every minute counts. Only 20 percent of the U.S. population lives in rural areas, and these areas account for 60 percent of all trauma deaths. Americans living in these rural areas don't and didn't need President Obama making it tougher for their rural local hospital to stay open. Mercy Hospital was the center of medical care in the community for 100 years. It has provided jobs for nearly 200 people.

In many parts of the country, such as in Independence, KS, and in much of my home State of Wyoming, the local hospital can be the biggest employer in the community. If the hospital closes, these people lose their jobs and the tax base for the community goes down, which means fewer services, such as schools, firefighters, and public safety, and maybe the local restaurant or florist won't have enough business to stay open. Nurses, teachers, and other workers may move away looking for a better opportunity somewhere else. It would also make it harder for the town to attract new businesses, new doctors, and more teachers, and the town suffers.

That is what these communities across America are facing. Is that what President Obama promised the American people? Is that how ObamaCare was supposed to work?

Ezekiel Emanuel is one of the President's architects of the health care law. He says that shutting down 56 hospitals is not enough. He has actually written a book about this. It is astonishing. The architect of the President's health care law has written a book, and he says that over the next few years—between now and 2020—more than 1,000 hospitals will close. There will be 1,000 American communities where people will be farther away from medical care. We will have 1,000 American towns in danger because of the lost jobs and lost health care.

There is no dispute that we needed health care reform in this country. We did not need this destructive, disruptive, and dangerous ObamaCare law. It has been bad for patients, it has been bad for the providers—the nurses and

doctors who take care of those patients—and it has been terrible for the American taxpayers. It has been especially hard on rural communities.

We have to do something to stop this corrosive condition that causes hospitals to close, insurance co-ops to collapse, and health care choices to disappear.

Democrats in Congress need to sit down with Republicans and start talking about the kind of health care reforms that the American people need, want, and deserve.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Indiana.

WASTEFUL SPENDING

Mr. COATS. Mr. President, I return to the floor this week for my 24th edition of "Waste of the Week." I have been coming down every week that Congress has been in session during this cycle talking about waste, fraud, and abuse of hard-earned taxpayer dollars. This is the 24th edition, and today I want to highlight improper Medicare payments.

We all know that Medicare is important to our older citizens, of which I am one. Tens of millions of Americans depend on Medicare for their health care coverage, and we all know that we have the responsibility here in this body to preserve these important health benefits for those who depend on them. Preserving these benefits is protecting Medicare from waste, fraud, and abuse. Unfortunately, throughout the history of Medicare, it has been plagued by improper payments, and it is shocking to hear the numbers.

The Government Accountability Office has reported that improper Medicare payments totaled nearly \$60 billion in 2014 alone, and over the last 10 years, there has been \$336 billion of improper payments in the Medicare system. This figure does not even include improper payments for certain Medicare programs whose record keeping does not date back that far.

Examples of improper Medicare payments include services that are not medically necessary, duplicative billing for services by providers, ineligible practice locations, and spending on services that actually never took place. Yes, actions that never took place have been billed to the government. It wasn't discovered until later that those reimbursements were improper, and it is rampant. This is taking money out of American people's pockets. It is also denying those who have Medicare the coverage that they are entitled to under the program. It is driving Medicare down a road to insolvency that we are going to have to deal with, and I think we should have been dealing with it over the past few years.

Since we can't summon the political will—to my great distress—to recog-

nize the fact that Medicare is careening toward insolvency at some point, which will result in significantly cutting benefits for current members receiving benefits under Medicare or require massive tax increases to cover the deficit, one of the areas we can deal with now is to at least address those issues where we know that abuse has taken place.

This is the 24th time I have come down to the floor to talk about this issue, and I have this chart with a thermometer on it to demonstrate the spending that has taken place. We wanted to reach the goal of defining \$100 billion of waste, fraud, and abuse. Well, we shot way past that. I mean, we just can't catch up with it. These are matters that have been accounted for by the Government Accountability Office. This is not something that Republicans are just making up or drawing from anecdotal items that appear in the paper or are raised on the talk shows. These are examples of what we have already documented.

Every once in a while when I come down here, I could talk about the \$60 billion, and we could add \$60 billion to our climbing accountability of the total of waste, fraud, and abuse. But every fourth or fifth time I like to address something that is so egregious that it draws the public attention to say that we ought to look into this or to press their elected representatives to do something about this matter and say: Can you believe we are wasting money on something as frivolous as this?

The Washington Post recently said in an editorial about improper Federal payments: "Every misspent dollar lining an undeserving pocket is a dollar not available for those who need the help."

Now, from time, as I have said, I try to bring up something that catches the public interest. We have talked about Federal grants that were used to prove that massaging of rabbits—using rabbits as an example—makes them feel better after a strenuous workout. I think most of us could have figured that out without having to spend some \$300,000. I think it was even more than that—as a grant. Somebody came to the conclusion that this would be a worthy project and a good use of taxpayer dollars. That got a lot of attention.

Today I will talk about improper payments that were made to ambulance suppliers. Medicare coverage allows ambulance transports when a patient's medical condition at the time of transport is such that any other means of transportation would endanger the patient's health.

If something happens with the patient at home where the spouse decides to drive the patient to the hospital but then comes to the conclusion that, no, that could potentially endanger the

person's health further and decides to call 911 instead for an ambulance and they decide they need to transport this person so he or she has medical care on the way to the hospital, then a person is eligible under Medicare for transportation by the ambulance if they can prove that is necessary. The transport has to be for a patient who has a condition that is covered under Medicare in order to get a ride home from the hospital. So the patient gets transferred both to the medical provider, usually the hospital, and is then transported back to his or her house if it is medically necessary.

As a further requirement to qualify for the reimbursement, the provider who is providing the ambulance service has to meet specific qualifications in addition to what I just said. It can only be transportation that takes you to a hospital, a skilled nursing facility or a dialysis facility for certain patients, and then the ambulance can take them back home after they have received the care. Unfortunately, even with these guidelines, fraud is taking place and millions of taxpayer dollars are being wasted.

A recent report by the inspector general from the Department of Health and Human Services, which oversees Medicare, found that Medicare made \$207 million in questionable ambulance service payments during the first half of 2012. Shockingly, these payments include \$30 million where Medicare paid for transportation even though the beneficiaries may not have received any Medicare services at either the time of pickup or dropoff or at the locations or anywhere else. Thus, we are talking about millions of taxpayer dollars that may have been spent on phantom transports.

These improper charges were made and sent to Washington and the ambulance services were reimbursed.

Can you imagine an ambulance with its lights flashing and going down the road on its way to the hospital while cars pull over to the side of the road, as we are required to do, because presumably the person in the ambulance is in danger and their health is at risk? They need to get them to the hospital or maybe the person needs dialysis and doesn't have means of transportation. No, these may be empty ambulances with their lights flashing—cars pulling over. Then they bill the government and are getting reimbursements for the trip to and from the hospital. There has been \$207 million of documented improper billing for these services.

Let me give one example. One of those services is a Pennsylvania company that fraudulently billed Medicare \$3.6 million for transports, and the supplier recruited patients that did not require any transport. They made a deal with them. They said: Look, we are going to use your name to submit the billing for reimbursement. We know

that you don't need the transportation for anything, but we need to document this so we can get our money back. So what we will do is give you part of the reimbursement. We will pay you some of the money that we get if you will allow us to use your name and identity—maybe your Social Security number or Medicare card number—and you will be in on the deal. So if you get a call from an inspector or somebody trying to verify this reimbursement, say: Yeah, I had to go to the hospital or dialysis, and yes, that was a legitimate charge. This company was finally identified after charging \$3.6 million for transportation that did not meet Medicare coverage requirements.

You might say: OK, that is one company charged with fraud. You read about that in the paper. The inspector general found that one out of every five suppliers had a questionable billing practice, and that is how it totals up to \$207 million. Clearly, this is a problem that has to be addressed, and if we address this problem, we can save the taxpayer money or we can at least make sure that this money is going to cover the necessary medical treatment for those under Medicare. With 10,000 retirees entering the Medicare program every day, we need to slow down the movement toward insolvency. We need to deal with that here in Congress. We should have been dealing with this issue before. So by putting these proper safeguards in place, over \$207 million in questionable ambulance services could be eliminated and taxpayers' dollars could be saved.

This is a small addition to an ever-growing list of savings to the taxpayer if we can eliminate waste, fraud, and abuse.

I will bring up my chart. As I said before, we used to have a thermometer here to show this, how we were creeping up, and it went so high, it started going to the ceiling. We now have a total of \$117,141,182,855 and change in terms of waste, fraud, and abuse. We will be back next week for the next installment of many more to come.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. ISAKSON. Mr. President, last night the National Defense Authorization Act arrived at the White House and on the desk of the President of the United States. President Obama has said he is going to veto it or he has threatened to veto it. I rise on the floor of the Senate today to beg him to rethink his position and caution him before he moves too swiftly to send the message to the rest of the world that America is disengaged. If he vetoes the National Defense Authorization Act, he

is convincing and confirming for Vladimir Putin, Kim Jong Un, the Chinese Government, the Ayatollah in Iran, and the rest of the world that America is relegating itself to a spectator on the sidelines of world affairs rather than a beacon of hope for the oppressed, those in search of democracy, and those who are at the feet of dictators.

It is time that we make sure our military is funded and authorized to the levels that are necessary to confront the world's challenges, which are more today than I have ever seen. I have just returned from the Mediterranean, where I was on the USS *Winston Churchill*, the destroyer that is dealing with some of the problems of the migration of people fleeing totalitarian governments in the Middle East. I was at Fort Gordon, GA, where the cyber command is now being set up by the U.S. Army. Cyber terrorism and cyber threats are the biggest threats we face today. I was at Fort Benning, and our Strykers in the brigade are there and in need of upgrades and continuation of improvements. I was at Fort Moody in Valdosta, GA, where the A-10s are housed, but they are going away unless we extend them, and this Defense authorization bill will do that.

While the rest of the world is burning and falling apart, this President is looking the other way and saying: No, I am not going to agree with the overwhelming majority of Congress. Instead, I am going to put America on the sidelines of world affairs.

We cannot afford for that to happen. We are the greatest country on the face of this Earth. We don't find anybody trying to break out of the United States of America; they are all trying to break in. But if we abandon our role of strength, we will never have the peace and the prosperity and the democracy we want to see around the world. Instead, we will be a second-string player in the influence of world affairs.

The National Defense Authorization Act is one thing the Congress—House and Senate alike—has agreed upon overwhelmingly. The vote in the Senate was a veto-proof vote. The vote in the House was a very significant vote. The President should read that to understand that the representatives of the people are saying to him: We want America to be strong. We don't want our military to be reconstituted. We don't want the dictators of the world taking advantage of vacuums that we have created because we looked the other way and we abandoned ourselves.

We need to think about something and think about it closely. Right now in Greece, for example, half a million people in the last year have gone through there, fleeing Syria, trying to find their way to Europe—half a million. A million and a half will probably go through there next year. The world

is trying to flee oppression and dictators wherever they are, and the rest of the free world cannot afford to take care of the rest of the world unless we stop what is happening in the Middle East.

Bashar Al-Assad should be stopped. The Russians should be asked to retrench and come back. We should get back to the table, being the strongest power in the world and being an effective player in the Middle East and being a power that is feared rather than one that is looked at and left wondering. America is abandoning the role it has always held since the end of World War II, and it would be a shame for us to do that.

So, Mr. President, let me ask you to do this: Think real hard before Halloween because that is when the time runs out and you have to either sign the bill or veto it. Think real hard about the America that you took over running as President of the United States 7 years ago. Think about how we got to where we are today. Think about all those who have sacrificed and who have lived and died, in some cases, to keep America free. Are you going to look them in the face or their memory in the face and say to them: I am just not going to reauthorize the National Defense Authorization Act. I would rather play politics with those who have fought and risked their lives for the United States of America.

In closing my remarks, I want to tell my colleagues what we did in the NDAA because I want the people of Georgia and the people of America to understand what the President will be vetoing.

He will be vetoing the improvements in our cyber command as we move our new cyber command of the U.S. Army to Fort Gordon.

He will be saying to Guantanamo Bay: It is OK, we can move the rest of the prisoners from Guantanamo Bay and move them into the United States of America and close Guantanamo Bay—because the NDAA bill prohibits that from happening.

He will be able to say to Stryker Brigade units: You will just have to wait a little bit longer for modernization.

He will have to say to our marines on the ground in Iraq and Afghanistan and in the Middle East: We are going to do away with the A-10s, so you won't have the close air support you have to have in the infantry and in the military to fight the battles of the 21st century.

He will be saying to our veterans who come back home from around the world: No, we are not going to do job training so that you can easily transfer from the military into a meaningful job in the private sector.

He will say to husbands and wives of military families: We are taking away your basic housing allowance because there are two of you in the same family getting it and we are cutting it in half.

Even though you signed up for a program that guaranteed you would get it, we are cutting it in half and taking it away.

I don't want to be part of a country that says that to the men and women who volunteered to fight for us.

Let's send the right message to the rest of the world. Let's sign the National Defense Authorization Act. Let's not play politics with those who risked their lives. Let's remember we still are America, the greatest country on the face of this Earth. God has blessed us, but with that blessing comes responsibility. It means the President should act, act decisively, act now, and not veto the Defense Authorization Act.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FISCAL DEADLINES FACING AMERICA

Mr. CARDIN. Mr. President, to paraphrase Ronald Reagan, "Here we go again."

Treasury Secretary Jack Lew has warned us that the Federal Government will bump up against the statutory debt ceiling on Tuesday, November 3. Shortly after that, on December 11, the fiscal year 2016 continuing resolution will expire, bringing the prospects of yet another government shutdown.

Absent a budget deal to suspend sequestration and lift the spending caps imposed under the Budget Control Act, we face draconian spending cuts that will harm both our economic recovery and our national security. Meanwhile, authority for the Export-Import Bank has expired already, and authority to spend surface transportation funding will expire at the end of this month.

This is no way to run a government. It is time to end this mindless fiscal brinkmanship and negotiate a comprehensive budget deal that resolves all of these issues. The American people demand and deserve no less. But first we must act on the debt ceiling.

With respect to the debt ceiling, Treasury Secretary Lew wrote to House Speaker JOHN BOEHNER on October 15 warning that extraordinary measures to forestall hitting the statutory debt ceiling will be exhausted as soon as November 3. At that point, the Federal Government will have a cash balance of about \$30 billion but will be facing obligations totaling as much as \$60 billion on certain days.

Secretary Lew wrote in his letter:

Operating the United States government with no borrowing authority, with only the

cash on hand on a given day, would be profoundly irresponsible. As I wrote previously, we anticipate that a remaining cash balance of less than \$30 billion will be depleted quickly. In fact, we do not foresee any reasonable scenario in which it would last for an extended period of time. The government makes approximately 80 million payments a month, including Social Security and veteran benefits, military salaries, Medicare reimbursements, and many others. In the absence of congressional action, Treasury would be unable to satisfy all of these obligations for the first time in the history of the United States . . .

The creditworthiness of the United States is an essential component of our strength as a nation. Protecting that strength is the sole responsibility of Congress, because only Congress can extend the nation's borrowing authority. Moreover, as you know, increasing the debt limit does not authorize any new spending. It simply allows Treasury to pay for expenditures Congress has approved, in full and on time.

I couldn't agree with Secretary Lew more. Raising the debt ceiling allows us to pay for what has already been appropriated by Congress for spending. This has nothing to do with how much we are going to spend as a nation; it has everything to do with whether we are going to honor our bills. The United States of America has to pay its bills. Just as when American families use a credit card, when a bill is due, it needs to be paid in a timely manner. At no time in our history has our country been unable or unwilling to pay its debts. Raising our debt ceiling has to be done—not so we can spend more, as Secretary Lew pointed out, but to pay the bills we already have. Default is not an option.

Some Republicans, particularly in the House, have suggested that the Federal Government can prioritize its payments to avoid a technical default. Some have dubbed this "pay China first" because, as my colleagues know, much of our public debt is held by the Chinese. It is disturbing that our Republican colleagues are considering such a proposal. It simply won't work. The Federal Government makes 80 million to 100 million payments monthly, including Social Security, veteran benefits, military salaries, and Medicare reimbursements. The Treasury Department doesn't have the manpower, the computer capability, or the guidelines to sort out who gets paid when.

The Bipartisan Policy Center has prepared a comprehensive analysis of what happens if we hit the so-called X-date without lifting the debt ceiling. As the Bipartisan Policy Center notes, "The reality will be chaotic," with the Treasury Department being forced to pick "winners" and "losers." We might have to shut down the entire Justice Department, the Federal courts, the Federal Highway Administration, the Federal Aviation Administration, and other agencies. These are critically important missions that people in this country depend upon. We might have to suspend tax refunds—refunds taxpayers desperately need. We might

have to stop paying Federal workers, 30 percent of whom are veterans and contractors. As the Bipartisan Policy Center notes, "On a day-to-day basis, handling all payments for important and popular programs, (e.g., Social Security, Medicare, Medicaid, Defense, Military Active Duty Pay) will quickly become impossible."

Delaying the decision to increase the debt limit jeopardizes our economy and our standing in the world. The mere suggestion that the Federal Government might miss a payment caused Standard & Poor's to downgrade our sovereign credit rating from AAA to AA-plus after the 2011 debt limit standoff.

A default is a default. We can't pick winners and losers. If we default on any of our debt, it will affect our creditworthiness and our bond ratings. If we don't transfer the payments to State and local governments—and a large part of our budget depends upon them receiving their Federal share of programs—it will cause State and local governments to default, affecting their bond ratings and increasing the cost of borrowing, a hidden tax—not a hidden tax—an additional tax to the taxpayers of this country.

During the last debt limit showdown in 2013, yields for targeted securities in secondary markets rose from 1 basis point in mid-September to over 50 basis points just prior to the resolution of the standoff in October. The Government Accounting Office estimates that the 2013 impasse cost the Federal Government between \$38 million and \$70 million in added interest payments to service the debt. This is what taxpayers had to pay because Congress did not in a timely way increase the debt limit. So it is not only the default, it is the time we take. We have to act now. We should have acted well before now. If we keep playing with fire, we are going to get burned and burned badly.

In addition to lifting the debt ceiling, which needs to be done first, we need to negotiate a comprehensive budget deal. Last week administration officials announced that the fiscal year 2015 deficit was \$44 billion—\$44 billion—less than the previous year. Last year's deficit was \$439 billion. This is still too high, but let's put the number in context. It was the lowest share of our economy—at 2.5 percent—since 2007. As Treasury Secretary Lew pointed out, under the President's leadership, the deficit has been cut by roughly three-quarters as a share of the economy since 2009—the fastest sustained deficit reduction since just after World War II.

It is important to remember that the previous administration—the Bush administration—inherited the biggest surpluses in history and promptly squandered them on two ill-conceived tax cuts and a war in Iraq that was paid for on a credit card.

Then we had the biggest recession since the Great Depression. This was

the situation the Obama administration inherited—from surpluses to deficits to recession. The Obama administration took effective, extraordinary measures to pull the economy back from the brink. Economists Alan Blinder and Mark Zandi, writing for the Center on Budget and Policy Priorities, estimated that without the measures taken in late 2008 and early 2009 the peak-to-trough decline in real gross domestic product, which was barely over 4 percent, would have been close to a stunning 14 percent; the economy would have contracted by more than 3 years, more than twice as long as it did; more than 17 million jobs would have been lost, about twice the actual number; the unemployment rates would have peaked at just under 16 percent, rather than the actual 10 percent; the budget deficit would have grown to more than 20 percent of GDP, about double the actual 10 percent, topping off at \$2.8 trillion in fiscal year 2011.

My point is that the actions taken by the Obama administration pulled our economy out of recession and back to growth. It did it in a responsible manner. So we took emergency measures necessary to stop the economic free fall, and since then we have had the fastest deficit reduction since just after World War II.

We are now using a different policy, as we should. I mention that because our Republican colleagues want to cut domestic spending even more. That is not sustainable. As the Center on Budget and Policy Priorities noted last year, spending cuts have exceeded tax increases by a 3-to-1 margin already. Put another way, for every dollar of new revenue we have received, we have cut spending by \$3.27. We have contracted, particularly on the discretionary domestic side.

We need to come together and negotiate a deal that keeps the Federal Government open, not shut. The 2013 shutdown, according to Moody's Analytics, cost the economy \$20 billion and 120,000 jobs. Still, the so-called tea party Republicans and Presidential candidates want to shut down the government right before the holidays in a misguided notion that it will somehow prevent Planned Parenthood from providing health care services to low-income women and their families. Two years ago, the same individuals thought that shutting down the government would prevent the Affordable Care Act from being implemented. They were wrong then, and they are wrong now. The damage they did—and could do again—is to our economy and our standing in the world.

A realistic budget deal will need to protect Federal workers from further harm. Since 2011 Federal workers have contributed \$159 billion to deficit reduction. Federal workers have contributed \$159 billion to deficit reduction. They didn't cause the deficit. They

have endured 3 years of pay freezes and two substandard pay increases since then for a total of \$137 billion. They lost another billion dollars in pay because of sequestration-related furloughs. Federal employees hired in 2013 and since 2014 are paying an extra \$21 billion for their pensions.

Each and every Federal worker is being asked to do more with less as agency budgets have been frozen or cut. This is happening to hardworking, patriotic public servants who are mostly middle class and struggling to get along as are so many other Americans. Enough is enough.

Since the 1950s and 1960s, the U.S. population has increased by 76 percent and the private sector workforce has surged 133 percent, but the size of the Federal workforce has risen just 11 percent. Relative to the private sector, the Federal workforce is less than one-half the size it was back in the 1950s and 1960s. The picture that emerges is one of a Federal civilian workforce whose size has significantly shrunk compared to the U.S. population it serves, the private sector workforce, and the magnitude of its various missions and Federal expenditures.

Additionally, picking on Federal workers in a budget deal or shutting down the government hurts veterans. Over 30 percent of civilian Federal employees are veterans, compared to 7.8 percent of the non-Federal workforce. The Federal Government hires a lot more veterans—30 percent of our workforce—another reason we should be mindful of what we do to our Federal workforce. Do we really want to cut the pay and benefits for these individuals even more than we have already? Do we really want to force them to work during a shutdown but not pay them on time or force them to stay home involuntarily and have them worry about whether they will be paid at all? Is this how we want to honor the men and women who stood in harm's way to defend our Nation and who continue to serve us?

The missions that are carried out by our Federal workforce are great missions, and they perform more work in a smaller workforce. It is time to recognize what they do for our country. Preventing Federal workers from doing their jobs doesn't just harm them; it harms all Americans because Federal workers control our borders and make sure our air and water are clean and our food and drugs are safe. They support our men and women in uniform and care for our wounded warriors. They help our manufacturers compete abroad, discover cures for life-threatening diseases, and prosecute criminals and terrorists. They maintain and protect critical infrastructure, explore the universe, process passport applications, and make sure Social Security, Medicare, and other social safety net programs are functioning properly. When

Federal workers do their jobs, they are helping each and every American live a safer and more prosperous life.

Our tasks here in Congress should be straightforward. First, we need to raise the debt ceiling so we can continue to pay our bills and maintain the full faith and credit of the U.S. Government. Second, we need to keep the Federal Government open for business and keep the Federal workers on their jobs. Third, we need to negotiate a comprehensive budget deal that replaces sequestration—a budget that maintains critical Federal investments while spreading the burden of deficit reduction in a fair way and holding Federal workers and their families harmless after subjecting them to so much hardship over the past several months and years. Fourth, we need to reauthorize the Export-Import Bank, a bank that helps us with a level playing field on international commerce, particularly with small companies, and we must reauthorize our surface transportation program on a 6-year reauthorization. You can't do a major highway, bridge, or transit program with a Federal partner that gives only a couple months of commitment. We need to have a multi-year transportation reauthorization passed.

Heretofore, one of the greatest attributes of the American character has been pragmatism. We can acknowledge and respect our differences, but at the end of the day the American people have entrusted us with governing. That means being pragmatic, sitting down, listening to each other, compromising, and providing policies that will stand the test of time. Let us do our job on behalf of all Americans.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

CYBERSECURITY INFORMATION SHARING ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 754, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 754) to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

Pending:

Burr/Feinstein amendment No. 2716, in the nature of a substitute.

Burr (for Cotton) modified amendment No. 2581 (to amendment No. 2716), to exempt from the capability and process within the Department of Homeland Security communication between a private entity and the Federal Bureau of Investigation or the United States Secret Service regarding cybersecurity threats.

Feinstein (for Coons) modified amendment No. 2552 (to amendment No. 2716), to modify section 5 to require DHS to review all cyber threat indicators and countermeasures in order to remove certain personal information.

Burr (for Flake/Franken) amendment No. 2582 (to amendment No. 2716), to terminate the provisions of the Act after six years.

Feinstein (for Franken) modified amendment No. 2612 (to amendment No. 2716), to improve the definitions of cybersecurity threat and cyber threat indicator.

Burr (for Heller) modified amendment No. 2548 (to amendment No. 2716), to protect information that is reasonably believed to be personal information or information that identifies a specific person.

Feinstein (for Leahy) modified amendment No. 2587 (to amendment No. 2716), to strike the FOIA exemption.

Burr (for Paul) modified amendment No. 2564 (to amendment No. 2716), to prohibit liability immunity to applying to private entities that break user or privacy agreements with customers.

Feinstein (for Mikulski/Cardin) amendment No. 2557 (to amendment No. 2716), to provide amounts necessary for accelerated cybersecurity in response to data breaches.

Feinstein (for Whitehouse/Graham) modified amendment No. 2626 (to amendment No. 2716), to amend title 18, United States Code, to protect Americans from cybercrime.

Feinstein (for Wyden) modified amendment No. 2621 (to amendment No. 2716), to improve the requirements relating to removal of personal information from cyber threat indicators before sharing.

SENTENCING REFORM AND CORRECTIONS ACT

Mr. CORNYN. Mr. President, it is easy for the public and the press to focus on the issues that divide us in Washington, DC, and around the country. In fact, in Washington, DC, that is a world-class sport—focusing on division, the things that separate us, the things where we clearly can't agree, on occasion—but today I am happy to highlight an area marked by broad consensus and true bipartisan spirit.

In my time in the Senate I have learned that neither political party can get what they want done if they try to do it alone. The only way things happen are when consensus is achieved, and that takes a lot of hard work, a lot of cooperation, and a lot of collaboration. If your goal is 100 percent of what you want or nothing, my experience is you get nothing here.

I know "compromise" sometimes is a dirty word in today's lexicon. I was just rereading a quote from Ronald Reagan, somebody conservatives look to as an example of the iconic conservative leader. He was pretty clear that if he could get 75 to 80 percent of what he wanted to achieve, he would say: I will

take it, and I will fight about the rest of it another day.

But the good news is we have found a way, amidst a lot of the division and polarization here, to achieve a bipartisan coalition on some important criminal justice reforms. Last week I stood with a bipartisan group and introduced the Sentencing Reform and Corrections Act of 2015. This has literally been years in the making, and it was a proud and consequential moment for the Senate.

This week we have kept that momentum going. Senator GRASSLEY, chairman of the Judiciary Committee, held a hearing Monday to discuss the new bill with various stakeholders, and tomorrow the Judiciary Committee will vote on sending the bill to the full Senate for consideration.

This legislation is long overdue and a major step forward for the country. Similar to other successful efforts—and particularly those that inform my actions in the Senate—I look to experiences in the State and what has been tried, tested, and found to work and how it might apply to our job here at the national level.

Back in 2007, in Austin, legislators were confronting a big problem. They had a major budget shortfall, an overcrowded prison system, and high rates of recidivism—repeat criminals—or as one former inmate referred to himself in Houston the other day at a roundtable I held, he called himself a frequent flier in the criminal justice system. I think we all know what he meant. But instead of building more prisons and hoping that would somehow fix the problem, these leaders in Austin decided to try a different approach. They scrapped the blueprints for more prisons, and they went to work developing reforms to help low- and medium-risk offenders who were willing to take the opportunity to turn around their lives and become productive members of society.

I think we would have to be pretty naive to say that every criminal offender who ends up in prison is going to take advantage of these opportunities. They will not—not all of them will, but some of them will. Some of them will be remorseful. Some of them will see how they wasted their life, the damage they have done to their families, including their children, and they will actually look for an opportunity to turn around their lives after having made a major mistake and ending up in our prisons.

In my State, we have a pretty well-deserved reputation for being tough on crime. I don't think anybody questions that, but we also realize we need to be smart on crime, and we need to look at how we achieve the best outcomes for the taxpayers and for the lives which can be salvaged and made productive through their hard work and the opportunity we have provided to them. We

also realized that even though incarceration does work—I don't think anybody can dispute the fact that when somebody is in prison, they are not committing crimes in our communities and across the country—but here is the rub: One day almost all of them will be released from prison. The question then is, Will they be prepared to live a productive life or will they be that frequent flier who ends up back in prison through the turnstile of a criminal life?

So in Texas we improved and increased programs designed to help men and women to take responsibility for their crimes and to prepare them for reentry into society. The results were pretty startling. Between 2007 and 2012, our overall rate of incarceration fell by 9.4 percent—almost 10 percent—the crime rate dropped by 16 percent, and we saved more than \$2 billion worth of taxpayer money and we were able to shutter three prison facilities in the process.

I wish to return briefly to the crime rate. Former Attorney General Mukasey, a longtime Federal judge in New York, made the point that it is not the incarceration rate that measures the success of our sentencing practices, it is actually the crime rate.

I know there are many people who feel we have overincarcerated, but I think we need to keep our eye on the ball; that is, on the crime rate. As a result of these reforms in Texas, our total crime rate dropped by 16 percent, something worth paying attention to, but even more impressive than these statistics are the stories I have heard from former inmates who have actually taken advantage of this opportunity to turn around their lives. They paint a powerful picture of how these reforms can be used and the potential impact of this legislation across the country.

Again, nobody is naive enough to think everybody is going to have a turnaround story and experience like this, but last week I had the chance to visit with a number of faith-based and nonprofit groups in Houston this time, as well as some of the former inmates they have supported—all of whom are helping inmates prepare to reenter society set up for success rather than failure.

I was particularly struck by the story of one young man by the name of Emilio Parker. By the time he was 33, Emilio had spent almost half of his life in prison, including several years in solitary confinement. He started using drugs at a very early age, and after he became addicted he found more and more opportunities for crime to feed his addiction. Spending so much time in prison leaves little chance to acquire skills to succeed once you are outside, but fortunately for Emilio he found the support needed in a group called SER-Jobs for Progress in Houston. SER stands for Service Employ-

ment Redevelopment. A strange acronym, SER, but it is a community group whose mission is to equip people such as Emilio for the workforce. Their organization has helped turn around many lives in astounding ways, and Emilio was no exception.

When he started the job readiness program SER offered, he didn't know how to turn on a computer, but with their help he graduated with the program, and it helped put him on a new direction in life—one that did not include prison.

His success represents the tremendous opportunity we have before us to enact similar reforms on the Federal level in order to offer rehabilitation to inmates, reduce crime, and save taxpayers' hard-earned money.

Part of this legislation is to focus on the people most likely to take advantage of these opportunities, low- and medium-risk inmates. Indeed, what we offer them is credit, if they participate in these programs, to lesser confinement; for example, a halfway house or the like. These are the folks we believe are most likely to have learned from their experience in prison and will take advantage of the opportunity and turn around their lives. High-risk criminals who have made a life of crime I think are the least likely to take advantage of these programs and will not be available under this legislation. If it is successful, we might want to reconsider that and see whether it can be expanded.

The Sentencing Reform and Corrections Act truly represents how the Senate was meant to function: in a bipartisan manner that can effect long-lasting change for the benefit of the American people.

I thank Chairman GRASSLEY for his leadership—this would not have happened without him—and his commitment to bring us together to develop a bill that provides needed reforms to our criminal justice system. This is an extraordinary moment, where we have people on differing ends of the political spectrum coming together and finding a place where we can reach consensus.

I am particularly pleased, as I have indicated, that the CORRECTIONS Act, authored by Senator SHELDON WHITEHOUSE and me, is such a key part of this package. Pretty much everyone agrees our prisons are dangerously overcrowded and that recidivism rates—when offenders land back in prison—are too high. The hard part is coming up with a solution that addresses these problems and yet breaks the cycle of reincarceration without jeopardizing public safety. And nothing we are doing will jeopardize public safety. That should be the litmus test of anything we do. I do believe this legislation strikes that balance by building on our experience in Texas and other States across the country and focusing on rehabilitation for low-level

offenders and tough sentences for hardened criminals.

I know the Presiding Officer, who was attorney general of his State of Alaska, has had a lot of experience in this area. I remember in law school one of the things we learned is that one of the goals of our criminal justice system is to rehabilitate people—to help them turn around their lives—but over the years we have almost forgotten that. I think what we have demonstrated by the Texas experience—and other experience—is that through faith-based volunteers, through job training, through helping people deal with their drug and alcohol addiction—which oftentimes exacerbates their problems and puts them behind bars, like Emilio—we can literally offer a helping hand for those who will take advantage of it. For those who are truly nonviolent and low-level offenders, this bill does represent a second chance.

This bill also reforms and improves law enforcement tools, such as mandatory minimum sentences, without eliminating them or reducing them across the board. This was a tough negotiation because, in particular, some of our Senators were focused on sentence reduction, but I have to say I have been very aware that we can't handle this on an across-the-board basis. Sentences have to be appropriate for the individual behavior and misconduct of the defendant themselves, not just some across-the-board panacea. By targeting those who are most likely to reoffend and teaching them how to succeed in the real world, we can not only reduce the crime rate—as our experience has shown in Texas—but help people turn around their lives and save billions of dollars.

So at a time when the news likes to report the divisions and polarizations here in Washington—and there are plenty of important fights, and I am not opposed to fighting for principles, but there are a lot of areas like this where we can continue to work together productively. In fact, as I said earlier, the whole system of our Constitution was designed to force consensus before big decisions such as this are made. That is the way it should be because any time a minority or even one political party can force their will on the other party—as we have seen happen before—it doesn't end well. When our system works the way it should, by people of good faith coming together, seeing a problem, trying to come up with a solution, and working together on a bipartisan basis, our system works very well. I believe this is a good example.

I look forward to working with all of our colleagues once this bill is voted out of the Judiciary Committee—which I believe it will be on Thursday—as we anticipate action here on the floor. Perhaps other Senators have other

ideas that will actually improve the legislation we have crafted so far, but I do believe the President is amenable to considering a bill in this area. He has said so publicly. Again, this is another of those rare opportunities we can have to work together with the President to try to solve a problem, help save money, and help people turn around their lives.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I will vote for the cyber security bill. Obviously, this is a whole new era of attack on our country. On September 11, 2001, we certainly realized that the two big oceans on either side of our country that had protected us for centuries—the Atlantic and the Pacific—no longer provided that protection because we could see, in the case of 2001, an attack from within. Thus, that revised so much of our defense strategy.

Now we see the other kind of attack from within that is stealthy, insidious, and it is constant because the cyber attacks are coming to the U.S. Government as well as the U.S. industry, the business community, and U.S. citizens. The threat of cyber attack is vast and it is varied, from cyber criminals who steal personal information such as credit card and Social Security numbers, to foreign governments or state-sponsored groups that steal sensitive national security information, that steal our intellectual property, and that put at risk our economy and critical infrastructure.

I want to give one example of obtaining Social Security numbers through cyber attacks or through other means. What we found in Tampa, FL, is that street crime actually subsided because the criminals had figured that either by cyber attacks or by other means of getting Social Security numbers, they could file false income tax returns and request refunds. So with a laptop, they could do what they had done previously by breaking into and entering someone's home to steal money, and it was so much easier. And that is just one small example, but just the theft of security numbers, which they use on false income tax returns—we think that is an attack which is costing the U.S. Government, in income tax, at least \$5 billion a year.

We have heard all about these attacks. Some of us in the Senate have been affected by these attacks. How many times have we heard that hackers have stolen our names, our addresses, our credit card numbers? Look what

the hackers did to 40 million Target customers and 56 million Home Depot customers. They accessed checking and savings account information of 76 million J.P. Morgan Bank customers. They stole the personal information of 80 million customers of the health insurance company Anthem. Those are a few examples. Target, Home Depot, J.P. Morgan, Anthem—that is just a handful of examples. Also, remember that North Korea hacked Sony. Iran hacked the Sands Casino. China hacked the U.S. Government Office of Personnel Management. They have your information and they have my information because our information is with the Office of Personnel Management.

The attacks keep coming. We are hearing from homeland security, defense, intelligence, and private sector leaders that we have to take this threat seriously and do something about it.

I must say that it was one of the most frustrating things for this Senator, as a former member of the Senate Intelligence Committee, when we were trying to pass this very same bill 3 and 4 years ago and the business community, as represented by the U.S. Chamber of Commerce, wanted nothing to do with it because they thought it was an invasion of their privacy. Times have changed, and the hacking continues.

We see that finally we are able to get through and put together a bill on which I think we can get broad support from many different groups that are concerned about privacy and about sharing of information in the business community. This bill provides the means for the government and the private sector to share cyber threat information while taking care to protect the personal information and privacy of our people. We all face the same threat, and our adversaries use similar malware and techniques. Sharing information is critical to our overall cyber security.

What this does is it directs the Director of National Intelligence, working with other agencies and building on the information sharing that is already taking place, to put cyber threat information in the hands of the private sector to help protect businesses and individuals. It authorizes private companies to monitor and defend their networks and share with each other and the government at all levels the cyber threats and attacks—all levels of government: State, local, tribal, and Federal. This is a point of contention because these activities are strictly voluntary. That is part of the problem we had 3 and 4 years ago in trying to enact this legislation. It is strictly voluntary, limited to cyber security purposes, and subject to reasonable restrictions and privacy protections.

The bill also creates the legal certainty and incentives needed to promote further sharing of information.

So what the legislation does is it sets up a hub or a portal inside the Department of Homeland Security where cyber threat information comes in, it is scrubbed of irrelevant personal information, and then it is shared inside and outside the government quickly and efficiently because, after all, if you have a cyber attack somewhere in America that suddenly has the opportunity to explode in its application, you have to have a central point at which you can coordinate that cyber attack. That is what this portal, this hub in the Department of Homeland Security is set up to do.

This Senator feels that this bill balances the urgent need to address the threat of continued cyber attacks with privacy concerns. As the vice chair of the Intelligence Committee said yesterday, this bill is just the first step.

I am delighted that Senator FEINSTEIN just walked onto the floor of the Senate. I am quoting what the Senator said yesterday: We can and we ought to do more to improve our Nation's cyber security.

I say through the Chair to the distinguished senior Senator from California that I have shared with the Senate my frustration over the last 4 years, as a former member of the Senate Intelligence Committee, that it was so hard to get people to come together. But now, finally, even though it is voluntary, we at least have a point at which, when a cyber attack comes somewhere in America, we can centralize that, it can be scrubbed of private information, and then it can be shared in our multiplicity of levels of government and the private sector to help defend against the cyber attacks.

These cyber attacks are coming every day. They are relentless. If we don't watch out, what is going to happen has already happened to someone and it is going to be happening to innumerable American businesses. I strongly urge the Senate to pass this legislation.

Since the senior Senator from California is on the floor, I wish to take this opportunity to thank her for her perspicacity, her patience, and her stick-to-itiveness. Finally, 4 years later, it is here, and we are going to pass it this week. I thank the Senator from California.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I would like to respond to what the distinguished Senator from Florida said.

Senator, you know what a pleasure it was to have you on the intelligence committee. I think you understand the time that we have spent to get this bill done, which is now about 6 years, and to take this first step, not because it is a perfect step but because it is a first step that is voluntary, with new authorities that people and companies

can use if they want to, and if they don't want to, they don't have to. If they want to, it can be effective in enabling companies to share cyber security information and therefore protect themselves. I know you understand this. I am so grateful for that understanding and for your help.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mrs. FEINSTEIN. I will.

Mr. NELSON. Will the Senator share her thoughts with the Senate about how the Nation's national security defense depends on us being able—we have the guns, the tanks, the airplanes, the missiles, and all of that, but there is a new type of threat against the very security of this Nation, and this legislation is a first step.

Mrs. FEINSTEIN. I can try to. I remember that in 2008 there were two significant cyber bank robberies: the Royal Bank of Scotland, I think for \$8 million, and Citibank for \$10 million. This was not public right away because nobody wanted it known. Then you see the more recent attacks of Aramco being taken down, Sony, and it goes on and on. The information is not often shared publicly by companies who should be asking: This happened to our company; can you share anything that might help us handle this? That kind of thing doesn't happen because everybody is afraid of liability, and so it is very concerning.

I remember when Joe Lieberman was chairman of the homeland security committee, which had a bill. As the Senator will remember, we had the information sharing part of that bill, and we sat down with the U.S. Chamber of Commerce, I believe on three occasions, to try to work out differences, and we couldn't. The U.S. Chamber of Commerce is massive and all over the United States. It includes small businesses, medium-sized businesses, and some big businesses, and there was deep concern among its members. That took years to work out.

Finally, the Senate may be ready to take a first step, and this first step is to permit the voluntary sharing of cyber information, which, if it is stripped of private data, will be protected with liability immunity and protected because it goes through a single DHS portal and doesn't go directly to the intelligence community, which was a big concern to the private community. All of this has been worked out in order to try to come up with a basis for taking this first step.

I am sorry the Senator is no longer on our committee because my friend was really a great asset, and Florida is lucky to have my friend and colleague as their Senator.

This is just the beginning. All of the iterations on this cyber legislation have been bipartisan, so that has to say something to people. We have learned as we have done the drafting on this,

and we have very good staff who are technically proficient. So they know what can work and what can't work.

I hope I have answered that question from the Senator from Florida. If I can, I will go on and make some remarks on the managers' amendment.

Yesterday Senator BURR and I spoke on this floor to describe the Cybersecurity Information Sharing Act of 2015, which is now the pending business. Senator BURR filed a managers' package on behalf of both of us, and I will quickly run through that package.

This amendment is the product of bipartisan negotiations over the past several weeks within the Intelligence Committee and with sponsors of other amendments to the bill. The managers' amendment makes several key changes to the bill to clarify authorization language, improve privacy protections, and make technical changes. It also—and I think this is of note—includes the text of 14 separate amendments. Those amendments were offered by our colleagues and I am pleased that we are able to add them to this legislation.

In sum, this amendment has two main components. It makes important changes to the bill that we announced in August to address privacy concerns about the legislation. Second, it includes several amendments authored by our colleagues that had agreement on both sides of the aisle. I will run through these amendments that will be part of the managers' package, and I do so hopefully to reassure Members that these are positive amendments.

First, it eliminates a provision on government use of cyber information on noncyber crime. The managers' amendment eliminates a provision in the committee-passed bill that would have allowed the government to use cyber information to investigate and prosecute "serious violent felonies." Eliminating this provision is a very significant privacy change. We made this change because it has been a top bipartisan concern and the provision had been used by privacy groups to claim that this is a surveillance bill. As the chairman made clear on the floor yesterday, it is not. One of the reasons it is not is because it prohibits the government from using information for crimes unrelated to cyber security.

Let me be clear. The chairman said it, and I will say it today. This is not a surveillance bill. We have eliminated this provision and helped, I believe, to eliminate these concerns. So, please, let us not speak of this bill as something that isn't.

Second, it limits the authorization to share cyber threat information to cyber security purposes. The managers' amendment limits the authorization for sharing cyber threat information provided in the bill to sharing for cyber security purposes only. This is another significant privacy change, and it has

been another top bipartisan and privacy group concern.

Third, it eliminates a new FOIA exemption. The managers' amendment eliminated the creation of a new exemption in the Freedom of Information Act specific to cyber information that was in the committee-passed bill. Cyber threat indicators and defensive measures shared in accordance with the bill's procedures would still be eligible for existing FOIA exemptions, but it doesn't add new ones.

Four, it ensures that defensive measures are properly limited. The bill allows a company to take measures to defend itself, as one might expect, and the managers' amendment clarifies that the authorization to employ defensive measures does not allow an entity to gain unauthorized access to a computer network.

Five, it includes the Secretary of Homeland Security as coauthor of the government-sharing guidelines. The managers' amendment directs both the Attorney General and the Secretary of Homeland Security, rather than solely just the Attorney General, to develop policies and procedures to govern how the government quickly and appropriately shares information about cyber threats. That should be a no-brainer.

Six, it clarifies exceptions to the Department of Homeland Security's so-called portal. The managers' amendment clarifies the types of cyber information sharing that are permitted to occur outside the DHS portal created by the bill. Specifically, the bill narrows communications outside of the Department of Homeland Security portal regarding previously shared cyber threat information.

Seven, it requires procedures for notifying U.S. persons whose personal information has been shared by a Federal entity in violation of the bill. The managers' amendment adds a modified version of Wyden amendment No. 2622, which requires the government to write procedures for notifying U.S. persons whose personal information is known or determined to have been shared by the Federal Government in a manner inconsistent with this act.

Eight, it clarifies the real-time automated process for sharing through the DHS portal. Here the managers' amendment adds a modified version of the Carper amendment No. 2615, which clarifies that there may be situations under which the automated real-time process of the DHS portal may result in very limited instances of delay, modification or other action due to the controls established for the process. The clarification requires that all appropriate Federal entities agree in advance to the filters, fields or other aspects of the automated sharing system before such delays, modifications or other actions are permitted.

Senator CARPER has played a very positive role on this issue. He is the

ranking member on the homeland security committee. He sat down with both Senator BURR and me earlier this year. He has proposed some very good changes, and this is one of them, which is in the managers' package.

Also, the clarification ensures that such agreed-upon delays will apply across the board uniformly to all appropriate Federal entities, including the Department of Homeland Security.

This was an important change for both Senator CARPER and Senator COONS and for the Department of Homeland Security. I am pleased we were able to reach agreement on it. Essentially, it will allow a fast real-time filter—and I understand this can be done—that will do an additional scrub of information going through that portal before the cyber information goes to other departments to take out anything that might be related to personal information, such as a driver's license number, an account, a Social Security number or whatever it may be. DHS believes they can put together the technology to be able to do that scrub in as close to real time as possible.

This should be very meaningful to the privacy community, and I really hope it is meaningful because I want to believe that their actions are not just to try to defeat this bill, but that their actions really are to make the bill better. If I am right, this is a very important addition.

Again, I thank Senator CARPER and Senator COONS, and I also thank the chairman for agreeing to put this in.

Nine, it clarifies that private entities are not required to share information with the Federal Government or another private entity. This is clear now. This amendment adds the Flake amendment No. 2580, which reinforces this bill's core voluntary nature by clarifying that private entities are not required to share information with the Federal Government or another private entity.

In other words, if you don't like the bill, you don't have to do it. So it is hard for me to understand why companies are saying they can't support the bill at this time. There is no reason not to support it because they don't have to do anything. There are companies by the hundreds, if not thousands, that want to participate in this, and this we know.

Ten, it adds a Federal cyber security enhancement title. The managers' amendment adds a modified version of another Carper amendment, which is No. 2627, the Federal Cybersecurity Enhancement Act of 2015, as a new title II of the cyber bill. The amendment seeks to improve Federal network security and authorize and enhance an existing intrusion detection and prevention system for civilian Federal networks.

Eleventh, we add a study on mobile device security. The managers' amendment adds a modified version of the

Coats amendment No. 2604, which requires the Secretary of Homeland Security to carry out a study and report to Congress on the cyber security threats to mobile devices of the Federal Government.

I wish to thank Senator COATS, who is a distinguished member of the Intelligence Committee and understands this bill well, for this amendment.

Twelfth, it adds a requirement for the Secretary of State to produce an international cyber space policy strategy. The managers' amendment adds Gardner/Cardin amendment No. 2631, which requires the Secretary of State to produce a comprehensive strategy focused on United States international policy with regard to cyber space.

It is about time we do something like this. I am personally grateful to both Senators Gardner and Cardin for this amendment.

Thirteenth, the managers' amendment adds a reporting provision concerning the apprehension and prosecution of international cyber criminals. The managers' amendment adds a modified version of Kirk-Gillibrand amendment No. 2603, which requires the Secretary of State to engage in consultations with the appropriate government officials of any country in which one or more cyber criminals are physically present and to submit an annual report to appropriate congressional committees on such cyber criminals.

It is about time that we get to the point where we can begin to make public more about cyber attacks from abroad because it is venal, it is startling, it is continuing, and in its continuation, it is growing into a real monster. Let there be no doubt about that.

Fourteenth, it improves the contents of the biennial report on implementation of the bill. The managers' amendment adds a modified version of the Tester amendment No. 2632, which requires detailed reporting on, No. 1, the number of cyber threat indicators received under the DHS portal process—good, let's know—and, No. 2, the number of times information shared under this bill is used to prosecute certain cyber criminals. If we can catch them, we should. We should know when prosecutions are made. Then, No. 3 is the number of notices that were issued, if any, for a failure to remove personal information in accordance with the requirements of this bill.

Mr. President, I am spending a great deal of time on these details because there are rumors beginning to circulate that the bill does this or does that, which are not correct. This managers' package is a major effort to encapsulate what Members on both sides had concerns about. And I think the numbers of Republican and Democratic amendments that are incorporated are about equal.

Fifteenth, this managers' amendment improves the periodic sharing of cyber security best practices with a focus on small businesses. The managers' amendment adds the Shaheen amendment No. 2597, which promotes the periodic sharing of cyber security best practices that are developed in order to assist small businesses as they improve their cyber security.

I think this is an excellent amendment and Senator SHAHEEN should be commended.

Sixteenth, the managers' amendment adds a Federal cyber security workforce assessment title. The managers' amendment adds Bennet-Portman amendment No. 2558, the Federal Cybersecurity Workforce Assessment Act, as a new title III to this bill. The title addresses the need to recruit a highly qualified cyber workforce across the Federal Government.

There are just a few more, but, again, I do this to show—and the chairman is here—that we have listened to the concerns from our colleagues and we have tried to address them, so nobody should feel we are ramming through a bill and that we haven't considered the views from others. The managers' amendment is, in fact, a major change to the bill that reflects this collegial—sometimes a little more exercised, but collegial—discussion. Does the chairman agree?

Mr. BURR. Mr. President, I appreciate the opportunity to say that I totally agree. The vice chairman and I have worked aggressively for the entirety of the year where we had differences, and we found ways to bridge those differences, where we heard from Members, where we heard from associations, where we heard from businesses. We worked with them to try to accommodate their wishes, as long as it stayed within the spirit of what we were trying to accomplish, which is information sharing in a voluntary capacity.

The vice chair and I came to the floor yesterday and said if an amendment—if an initiative falls outside of that, then we will stand up and oppose it because we understand the role this legislation should play in the process.

The vice chairman said this is the first step. I don't want to scare Members, but there are some other steps. We are not sure what they are today or we would be on the floor suggesting those, but if we can't take the first step, then it is hard to figure out what the next and the next and the next are. So I am committed to continuing to work with the vice chairman and, more importantly, with all Members to incorporate their great suggestions as long as we all stay headed in the same direction, and I know the vice chairman and I are doing that.

Mrs. FEINSTEIN. Mr. President, I thank the chairman very much. If I may, through the Chair, I want the

chairman to know how much I appreciate this tack he has taken to be flexible and willing throughout this process, which extends into this managers' package. So I believe—I truly believe—what we have come up with in this managers' package and what Members have contributed to it makes it a better cyber bill. I know the chairman feels the same way. We can just march on shoulder to shoulder and hopefully get this done.

I will finish up the few other items I have to discuss because I want people who have concerns to listen to what is being said because these changes have a major impact on the bill.

Next, No. 17 establishes a process by which data on cyber security risks or incidents involving emergency response information systems can be reported. The managers' amendment adds Heitkamp amendment No. 2555, which requires the Secretary of Homeland Security to establish a process by which a statewide interoperability coordinator may report data on any cyber security risk or incident involving emergency response information systems or networks. This is a process for reporting, and certainly we need to know more.

Next, No. 18 requires a report on the preparedness of the health care industry to respond to cyber security threats, and the Secretary of Health and Human Services to establish a health care industry cyber security task force. The managers' amendment adds Alexander-Murray amendment No. 2719. This is a reporting requirement to improve the cyber security posture of the health care industry.

I don't think anyone wants to have their health care data hacked into. This is deeply personal material and it should be inviolate.

The provision requires the Secretary of Health and Human Services to submit a report to Congress on the preparedness of the health care industry to respond to cyber security threats. If we really want to help protect health care information, we have to know what is going on, and that is what this amendment enables. It also requires the Secretary to establish a health care industry cyber security task force.

Next is No. 19, which requires new reports by inspectors general. The managers' amendment adds a modified version of the Hatch amendment No. 2712, which requires relevant agency inspectors general to file reports with appropriate committees on the logical access standards and controls within their agencies.

Let's know what standards and what controls they have. I think it is a very prudent request of the Senator from Utah, and I am glad we were able to include it.

Next is No. 20, which adds a requirement for the DHS Secretary to develop a strategy to protect critical infra-

structure at the greatest risk of a cybersecurity attack. The managers' amendment adds the Collins amendment No. 2623, which requires DHS to identify critical infrastructure entities at the greatest risk of a catastrophic cyber security incident.

This is where we have had a number of concerns recently. The chairman's staff and my staff are working on this. Remember, this is a voluntary bill, and we do not want any language that might be interpreted to imply that this is not a voluntary bill. I know Senator COLLINS has a lot of knowledge of this area, and I believe we are going to be able to work this out.

This amendment does not convey any new authorities to the Secretary of Homeland Security to require that critical infrastructure owners and operators take action, nor does it mandate reporting to the Federal Government. Its intent, which I applaud, is for the government to have a better understanding of those critical infrastructure companies that, if hacked, could cause extremely significant damage to our Nation.

In conclusion, I would like to thank my colleagues for their thoughtful and helpful amendments. I am pleased that we have such a fulsome managers' package. I believe this managers' package strengthens our bill. It adds important clarifications, including meaningful privacy protections, it does not do operational harm, and it further improves the strong bill that the Intelligence Committee passed by a strong vote of 14 to 1 earlier this year.

I wanted to do this so that all Members know what is in the managers' package, and both the chairman and I believe that these additions are in the best interests of making a good bill even better.

I thank the Presiding Officer, and I yield the floor.

THE PRESIDING OFFICER (Mr. SASSE). The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to acknowledge the remarks of the distinguished Senator from California and the Senator from North Carolina, and I thank them for their important work on the cyber bill. I know we are going to be discussing a lot of that, and why it is important to our national security.

NATIONAL DEFENSE AUTHORIZATION ACT

This afternoon I wish to talk about another important bill that is moving its way through the process of becoming law, and that is the National Defense Authorization Act, the NDAA.

As did many of my colleagues, I spent last week back home in my great State of Alaska. In Alaska, it is hard not to see the strength and pride in our military everywhere, every day, everywhere we go. I will provide a few examples.

We have what is called the Alaska Federation of Natives Convention, an

annual convention that we have with a very important group of Alaskans. The theme this year was "Heroes Among Us" at the convention. It was about heroes among us because Alaskan Natives serve in the U.S. military at higher rates than any other ethnic group in the country—a real special kind of patriotism. I had the honor, really, to meet dozens of these great veterans from all kinds of wars. I met veterans from World War II, the Attu campaign. A lot of Americans don't realize that Alaska was actually invaded by the Japanese and we had to fight to eject them from the Aleutian Islands. I met veterans from the Philippines campaign under General MacArthur. I met veterans from the Korean war who served at the Chosin Reservoir. I had a great opportunity to meet an Honor Flight coming back from Washington, our veterans from World War II, Korea. Of course, just walking around Anchorage you see and hear military members training all the time. We have a great base, JBER, with F-22s ripping through the sky, our military members keeping us safe. That sound is what we call in Alaska the sound of freedom, when you hear those jets roaring. It is everywhere.

In Alaska, we love our veterans and our military. We honor them. We know that providing for the national defense of our great nation, taking care of our troops, and taking care of our veterans is certainly one of the most important things we do in the Senate. Of course, it is not just Alaska. I am sure when the Presiding Officer was home in the great State of Nebraska there was the same patriotic feeling of supporting our troops and the importance of our national defense.

For the most part, that feeling exists here in Washington. I have been honored to sit on two committees that focus on these issues a lot: on the Armed Services Committee and Veterans' Affairs Committee. These are very bipartisan committees and where support for our national defense, our troops, and our veterans is across the board on both sides of the aisle—no doubt about it. But I do say "for the most part" because, as the Presiding Officer knows, nothing is truly as it seems in Washington, DC.

I have spoken on the floor, as a number of Senators have, about what motivated a number of us last year to actually throw our hat in the ring and run for the U.S. Senate. Like the Presiding Officer, I know a lot of us were concerned about the country going in the wrong direction, about a dysfunction in Washington, about a government that has run up an \$18 trillion debt, no economic growth, our credit rating being downgraded, no amendments being brought to the Senate floor, no budget for the Federal Government attempted, no appropriations bills attempted for years. The most deliberative body in

the world was certainly a body that had been shut down, and a lot of us saw a need to change that.

So we are starting to change that. We are back to regular order. We are talking about debating bills. There have been dozens, if not hundreds, of amendments already this year—last year there were only 14 amendments—and we passed a budget. We passed 12 appropriations bills to fund the government—very bipartisan—and we are focusing on the issues, whether it is cyber security, defense or taking care of our veterans, something the vast majority of the American people want us to focus on.

For example, we brought to the floor two critical appropriations bills just a couple of months ago—the Defense appropriations bill and the Military Construction and Veterans Affairs bill. These passed out of the Appropriations Committee by huge bipartisan majorities, 27 to 3 on the Defense appropriations bill and 21 to 9 on the Military Construction and Veterans Affairs bill. This is what the American people want us to do—get back to regular order, fund the government, and put together a budget. So far, so good. That is what we are called to do.

Here is where the dysfunction of Washington, DC, began to rear its head again: These bills that are critical to our troops, our defense, and our veterans—all with strong bipartisan support in committee—were brought to the floor of the Senate and they were filibustered. They were filibustered. The bill to fund our military, that funds our national defense and takes care of our veterans was filibustered—blocked—stopped by our friends on the other side of the aisle. I am not sure why. I still don't know why. As a matter of fact, I haven't seen anyone who actually voted to filibuster these important bills come down to the Senate floor and say: Here is why we voted against funding our troops. Here is why we voted against funding our veterans.

I think the overwhelming majority of Americans, regardless of what State they live in, would say: No, no, no. You need to vote for these bills that are funding our military, veterans, and national defense. That is one of the most important things we want you to do. The bottom line on those votes is that our troops, our veterans, and our national defense were shortchanged because they didn't get funded.

Let me move on to the Defense authorization bill, what I want to talk about today. This is an annual undertaking that sets the policies, programs, and defense strategy for our military. It also authorizes spending on national defense and our military. Again, it is certainly one of the most important tasks this body does, and I think most Senators on both sides of the aisle would agree with that.

Once again, as with the appropriations bill, we were working closely to-

gether on a bipartisan basis. I was on the Armed Services Committee and this moved through the committee and it was very bipartisan. It was voted out on a strong bipartisan vote to come to the floor. I commend Chairman MCCAIN, who did a great job on that as the chairman of the Armed Services Committee, and Ranking Member REED of Rhode Island did a fantastic job. I must admit that this Senator feared a little bit of a replay in terms of the scenario we saw with the appropriations bill—meaning strong bipartisan support out of the committee and then coming to the Senate floor and being filibustered. I feared this, in part, because at one point during the Defense authorization debate the minority leader came and stated that the Defense authorization bill was “a waste of time.”

A waste of time? Tell that to the marines, the soldiers, the airmen, the sailors, and their families—those members of the military who are defending our country right now—that this bill was a waste of time. I guarantee they would not agree with that statement. Fortunately, neither did the Senate. To the contrary, the Senate has now voted on the Defense authorization bill twice, once as an original bill and once as part of a conference report with very strong bipartisan and veto-proof majorities, with 71 Senators the first time around and 73 when we voted on it a couple of weeks ago. I mention the phrase “veto-proof majority” because incredibly the President of the United States, the Commander in Chief, has said he is going to veto this bill when it comes to his desk. It was just sent to him yesterday.

I don't know how the Commander in Chief is going to explain that to the troops or to their families or to the American people or to the 73 Senators who voted for that bill. It is important to recognize that although we may think this is all inside Washington and no one is really following it, something like this impacts morale when the Commander in Chief is saying: Hey, troops, I am going to veto this.

This is a copy of the Marine Corps Times. I subscribe and read the Marine Corps Times. A lot of marines and members of the military read this all over the world. Guaranteed, our men and women deployed overseas read the Marine Corps Times. In this edition there is an article about how President Obama has vowed to veto the Defense authorization bill. We have marines fighting overseas who are reading this, and they are not getting it.

This week in the Marine Corps Times:

The MOAA [Military Officers Association of America] and other military advocacy groups have argued against the presidential veto, calling the legislation a critical policy measure that cannot be delayed. The measure has been signed into law in each of the last 53 years, and includes a host of other specialty pay and bonus reauthorizations.

In a statement from MOAA officials in this article that thousands of our Active-Duty troops are reading:

The fact is that we are still a nation at war, and this legislation is vital to fulfilling wartime requirements. There comes a time when this year's legislative business must be completed, and remaining disagreements left to be addressed next year.

To govern is to choose. To govern is to prioritize.

President Obama's administration has spent years negotiating the Iran deal and this body spent weeks debating the President's Iran deal. We put a lot of time into it, and the President's administration put an enormous amount of time into it.

On the Iran deal, part of the hope from Secretary Kerry, the President, and others was that once it got passed by the U.S. Congress—by the way, on a partisan minority vote—that Iran would somehow start to change its behavior and say: Look, America is someone we want to partner with.

Since the Senate passed the Iran deal, let's see what has happened. Iran has sent troops to Syria. Iran has backed Hamas, which is now engaging in knife-murdering attacks against Israelis. The Iranian leader has stated that Israel shouldn't exist within the next 25 years. Iran has violated the U.N. Security Council ballistic missile resolutions, and this Senator and many others think Iran has already violated the deal by firing ballistic missiles with a range of 1,000 miles. Iran has sentenced an American reporter for the Washington Post for spying. I don't think the behavior that a lot of the supporters for this deal anticipated is happening.

More broadly, I think it is important to put into context what is going on with our national security, the NDAA, the moving forward with the Iran deal, and the President's threat to veto the NDAA. The President's Iran deal, once implemented, will be giving tens of billions of dollars to Iran, the world's biggest state sponsor of terrorism—but the President threatens to veto the Defense bill that actually funds our military. The President's Iran deal will lift sanctions on Iranian leaders such as General Soleimani, who literally has the blood of American soldiers on his hands—but the President threatens to veto U.S. troop pay bonuses and improved military retirement benefits. The President's Iran deal gives Iran access to conventional weapons, ballistic missile technology, and advanced nuclear centrifuges—but the President threatens to veto funding for advanced weapons systems for our Armed Forces. Finally, the President's Iran deal certainly is going to allow more funding for terrorist groups like Hezbollah and Hamas—but the President is threatening to veto a bill that provides additional resources for our troops to fight terrorists such as ISIS.

To govern is to choose. To govern is to prioritize. Has it really come to the point where the White House is more focused on freeing up funds for Iranian terrorists than funding America's brave men and women in uniform? I certainly hope not.

I ask all of my fellow Senators who voted for this bill in a very strong bipartisan way and my fellow Alaskans and Americans to reach out to the White House. Let them know that you oppose the President's veto of this bill.

What we need is a strong military, particularly now. We need to support our troops and our veterans, and we need President Obama to sign—not veto—this bill which is critical to our national defense.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

43RD ANNIVERSARY OF THE CLEAN WATER ACT
AND EPA'S CLEAN WATER RULE

Mr. CARDIN. Mr. President, this past Sunday was the 43rd anniversary of the enactment of the Clean Water Act. In 1972, the Clean Water Act amended the Federal Water Pollution Control Act, which was the first major U.S. law to address water pollution. This law was enacted with bipartisan support—I could really say on a nonpartisan issue—because the Congress in 1972 and the administration recognized that clean water was in our national interest. It was important to our public health, it was important to our environment, and it was important to our economy. This law established the basic structure for regulating pollutant discharges into the waters of the United States, and it has been the cornerstone of our efforts to protect our Nation's waterways.

Several times we have done cost analysis of the cost of regulation versus the benefit of clean water. It is overwhelmingly on the side of the benefit to our community, better health, better environment, and a better economy. On this occasion I would like to speak about the recent efforts to protect America's waterways, such as the EPA's final clean water rule, and why we should defend these efforts and allow nationwide implementation.

In May, the EPA released their final clean water rule, which completed another chapter in the Clean Water Act's history. As the Clean Water Act worked to restore the health of our Nation's water resources, we saw the U.S. economy grow, demonstrating that America does not have to choose between the environment and a robust economy. A clean environment helped build a robust economy.

Two Supreme Court decisions, however, call on the EPA and the Army

Corps to clarify the definitions of the waters of the United States. The EPA's final rule restores some long overdue regulatory certainty to the Clean Water Act. I might tell you, in reviewing this rule, it basically reestablishes the longstanding understanding of what were the waters of the United States and what was subject to regulation.

This rule allows the Clean Water Act to continue its important function of restoring the health of our Nation's waters. The rule became effective this August, but immediately following the implementation and on this anniversary, there have been unprecedented attacks on the final rule. As the rule came out, a Federal district court in North Dakota granted a preliminary injunction, blocking its implementation.

The EPA continued to implement the rule in all States but the 13 States that filed the suit that led to the injunction. However, in October, the U.S. Court of Appeals for the Sixth Circuit decided to stay the implementation of the rule for the entire country. This attempt to overturn the clean water rule is dangerous, shortsighted, and a step away from good governance, public health, and commonsense environmental protection.

Let me tell you what is at risk. What is at risk are our Nation's streams and 200 million acres of wetlands. Over half of our streams and over 200 million acres of wetland are now at risk of not being under regulation under the Clean Water Act.

These protections are needed for drinking supplies for one out of every three Americans. I am very concerned about the impact on all States, but let me just talk for a moment, if I might, about my own State of Maryland. Marylanders rely upon our water as part of our life. We live on the water. Seventy percent of Marylanders live in coastal areas. We depend upon clean water. We are particularly concerned about our drinking supply of water as well as the health of the Chesapeake Bay.

We are at risk with the waters of the United States confusion out there because of the Supreme Court decisions and now the stay of this rule by the court. The Clean Water Act and EPA's final rules are essential to the health of the Chesapeake Bay. Wetland protections are especially critical to the Chesapeake Bay because the wetlands soak up harmful nutrient pollution.

This past Monday, I was in Howard County at a NOAA announcement of the Chesapeake Bay B-WET grant. These are bay, watershed, education, and training funds. These are small dollars that go to institutions to help educate our children. In this case, the Howard County Conservancy received a grant because they bring all of the students from the Howard County public

schools to an outdoor experience to rate and judge the streams in our community.

The streams, of course, flow into the Chesapeake Bay. They are giving us a report card. I must tell you, that report card is not going to be as good as it should be. Without the protections in the Clean Water Act, it is going to be more difficult to meet the goals we need to in order to protect the Chesapeake Bay and all of the watersheds in this country for future generations.

The health of the bay is closely linked to upstream water quality and the restoration and protection of headwaters. It should go without saying that these waters are located in States beyond Maryland's borders. Improvements to upstream water quality are positively correlated with the water quality of the bay. We need a national program. That is what the Clean Water Act is. It is a national commitment because we know that the watersheds go beyond State borders.

In Maryland, we set up the Chesapeake Bay Partnership. Yes, Virginia and Maryland are working together, but we also have the cooperation of Pennsylvania, of New York, of West Virginia, of Delaware. Why? Because these States contribute to the water supplies going into the Chesapeake Bay. We need to protect these waters.

Protecting of America's waters is critically important to public health. So what is at stake here? What is at stake if we derail the clean water rule? The public health of the people of Maryland and all States around this country. Public health and the environment in my State and the States of my colleagues have become seriously at risk from this decision that hinders this essential commonsense guidance.

I hope the court moves swiftly to affirm the rule in its final decision and restores the invaluable protections needed for the drinking supplies of one out of every three Americans. As we recognize the anniversary of the Clean Water Act, I want us to continue to defend this Nation's waters from pollution. This act ensures that every citizen receives the clean water they need and deserve.

The EPA's final clean water rule provides further regulatory clarity that we need to ensure the health of our water resources. I urge my colleagues to continue to defend and fight for clean water as we recognize the 43rd anniversary of the Clean Water Act. Every Congress should, as its legacy, add to the protections that we provide for clean water in this country. That should be the legacy of every Congress, but we certainly don't want to hinder that record. Therefore, we need to implement the EPA's clean water rule nationwide. I urge my colleagues to support such action.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 2612, AS MODIFIED

Mrs. FEINSTEIN. Mr. President, I call for the regular order with respect to the Franken amendment No. 2612.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 2612, AS FURTHER MODIFIED

Mrs. FEINSTEIN. Mr. President, I ask that the amendment be further modified to correct the instruction line in the amendment.

The PRESIDING OFFICER. The amendment is so further modified.

The amendment, as further modified, is as follows:

Beginning on page 4, strike line 9 and all that follows through page 5, line 21, and insert the following:

system that is reasonably likely to result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

(B) EXCLUSION.—The term “cybersecurity threat” does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

(6) CYBER THREAT INDICATOR.—The term “cyber threat indicator” means information that is necessary to describe or identify—

(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

(B) a method of defeating a security control or exploitation of a security vulnerability;

(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

(E) malicious cyber command and control;

(F) the harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

(G) any other attribute of a cybersecurity threat, if disclosure of such information is not otherwise prohibited by law; or

Mrs. FEINSTEIN. Thank you.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 2581, AS MODIFIED

Mr. BURR. Mr. President, I call for the regular order with respect to the Cotton amendment No. 2581.

The PRESIDING OFFICER. The amendment is now pending.

The Senator from Louisiana.

MENTAL HEALTH REFORM ACT

Mr. CASSIDY. Mr. President, for 25 years I have worked in the Louisiana public hospital system. You cannot help but notice when you work in a public hospital system, but also in private hospitals, how often mental health issues are directly a part of a patient who comes to see you. It does not just have to be a physician seeing patients in the emergency room. Each

of our families, mine included, has a family member or a friend with serious mental illness. It is nonpartisan. It cuts across demographic lines.

If I go before a group anywhere in my State, indeed anywhere in the Nation, and bring up the need to address serious mental illness, all heads nod yes. It is true of my family. It is true of yours. It is true of almost everybody watching today. I am old enough to remember when people would not speak of cancer. There was a stigma associated with having cancer. That is long gone, much to our advantage, but for some reason, there continues to be a stigma, a shame, associated with mental illness. I will argue that stigma and sense of shame has retarded what we can do.

This is something that we have to address, we have to discuss, and we have to go forward. The discussion right now, frankly, is being driven by tragedy: Lafayette, Louisiana; Newtown; Charleston; Oregon; Tennessee. We have heard stories and they are beyond heartbreaking, but what is not spoken of are the broken families, the parents that know there is something wrong with their child but do not know where to go to receive help, ending up in an overcrowded emergency room or with their child in a jail or prison when a more appropriate setting would be elsewhere.

It is in the midst of these terrible tragedies that at least we can hope they can serve as a catalyst for society and Congress to begin to fix America's broken mental health system. Maybe something good can happen, even from tragedies as horrific as these.

The question is, if one of the roles of Congress is to respond to societal needs that justify Federal involvement, should we not ask ourselves why has there been such a failure to address the issue of serious mental illness? I am pleased to say that my colleague, Senator CHRIS MURPHY, and I wish to change that. We have introduced the bipartisan Mental Health Reform Act, which now has 10 cosponsors, both Republican and Democrat.

Our bill begins to fix our mental health system and attempts to address the root cause of mass violence, which is recognized but untreated mental illness. How does our bill begin to do so? First, patients too often cannot get the care they need and too often have a long delay between diagnosis and treatment. Access delayed is access denied. Access is hampered by a shortage of mental health providers and too few beds for those with serious mental illness who truly need to be hospitalized.

Related to this, right now people with major mental illness tend to die from physical illness as much as 20 years younger than someone who does not have serious mental illness. As a physician, I know if we treat the whole patient, if we integrate care, it is better. Medicaid, though, by policy, will

not pay for a patient to see two physicians on the same day.

So imagine this: A family practitioner sees a patient who clearly has major mental illness and, because the patient is right there, would like him to walk down the hallway to see her friend the psychiatrist, to have both addressed immediately while the patient is there. Medicaid will not pay the psychiatrist. On the other hand, the patient might be seeing a psychiatrist and have seriously high blood pressure or evidence for diabetes out of control, but the psychiatrist cannot say: Wait a second. Let me walk you down the hallway to see my colleague, the family practitioner, because Medicaid will not pay for that. By the way, private health insurance will. This is a policy change we need for public health insurance. Our bill would allow patients to use both mental and physical health services the same day.

Secondly, most people have their first episode of serious mental illness between the ages of 15 and 25, starting down a path that ends with their life and their family's lives tragically altered. This bill attempts to identify those young folks, stopping that path from ever opening up, and preventing the first episode of serious mental illness or, if it does occur, leading them on a path of wholeness, a path towards wellness.

Another thing our bill does is it establishes a grant program focused on intensive early intervention for children who demonstrate those first signs that can evolve into serious mental illness that may only occur in adolescence or adulthood. A second grant program supports pediatricians who are consulting with mental health teams. This program has already been successful in States such as Massachusetts and Connecticut.

Third, without appropriate treatment options, prisons, jails, and emergency rooms have become the de facto mental health care providers. More than three times as many mentally ill are housed in prisons and jails than in hospitals, according to the National Sheriffs' Association. Overcrowded U.S. emergency rooms have become the treatment source of last resort for psychiatric patients. We incentivize States to create alternatives where patients may be seen, treated, and supervised in outpatient settings, as opposed to being incarcerated.

Our bill creates an Under Secretary for Mental Health within the U.S. Department of Health and Human Services. This Under Secretary's responsibility would be to coordinate mental health services across the Federal system to help identify and implement effective and promising models of care.

It reauthorizes successful programs, such as the community mental health block grant and State-based data collection. The bill also increases funding

for critical biomedical research on mental health. On top of this, it strengthens the transparency and enforcement of mental health parity by requiring the U.S. Departments of Labor, Health and Human Services, and Treasury to audit the implementation of the mental health parity movement to determine the parity between mental and physical health services.

Our bill does other things, but the most important thing it does is it helps prevent tragedies. It helps families, and it helps those broken individuals affected by mental illness become whole.

In 2006, William Bruce of Maine was a 24-year-old who needed help. He suffered with schizophrenia and had been hospitalized. Without contacting his parents, our broken health care system allowed William to be released—even though his doctors said he was “very dangerous indeed for release to the community.” Sadly, 2 months later he murdered his mother at home with a hatchet. This story is tragic and heart-breaking, and even worse, it could possibly have been prevented if we had worked then to fix our broken mental health system. We wish to fix it now so there is not another such episode in the future.

The time for mental health reform is now. If not now, when? If not us, who? If not now and not us, there will be more Lafayettes, Newtowns, Charles-tons, Tennessees, Oregons, and more broken families.

This bill does not wave a magic wand, but it puts us on a path where we can say these things that once occurred perhaps no longer will.

Thank you.

I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Connecticut.

Mr. MURPHY. Mr. President, I am on the floor today to join my good friend from Louisiana, Senator CASSIDY, as we formally introduce to the Chamber the Mental Health Reform Act of 2015. I thank him personally for all the time he has put into this not only as a Member of the Senate but previous to this as a Member of the House of Representatives.

This effort is patterned after a bill Senator CASSIDY and my namesake, Representative TIM MURPHY of Pennsylvania, worked on for years in the House of Representatives.

I wish to begin by sharing a story with you—that is the way Senator CASSIDY ended. I will talk about a woman from Bloomfield, CT, named Betsy. She has a 28-year-old son, John, who suffers from schizoaffective disorder. It is a serious mental illness whose signs began showing when John was 15 years old. He was hospitalized—think about this—15 different times between the ages of 15 years old and 18 years old,

generally only for time-limited stays ranging from about 5 days to maybe 2 weeks. Despite the severity of the condition, he was told upon discharge there was really nowhere for him to go, no permanent solution for this young man. He was just an adolescent, but his parents were told there was no place for him to be treated. What resulted was not only John getting to a breaking point but his parents as well.

As we know, serious mental illness doesn't affect just the individual person, it also affects family members who are trying to care for them.

Without needed supports and services, John became increasingly remote and psychotic until he was hospitalized again. Upon discharge this time, John went to a shelter—the only place he could go. Since he couldn't follow the shelter's rules, John, whom his mother said was “young, fragile, vulnerable and mentally unstable,” was kicked out to survive homeless on the streets.

John finally—finally—was able to get a bed at a place that was able to house him for longer than 2 weeks, Connecticut Valley Hospital. That ability to get John stabilized for a longer period of time, get him into a real treatment plan, allowed him to then transfer into a community bed in Middletown, CT. That is where John is today. John has been living successfully out in the community for 3 years. But we spent millions of dollars on John's care, which led to no better outcome for him. We wasted millions of dollars and potentially thousands of hours of time because he was shuttled in and out of hospitals without any long-term treatment and without any hope for him and his family.

What Senator CASSIDY and I are trying to say is that there is a better way. We are already spending billions of dollars on inadequate mental health care in this country. We need to do better, but a lot of this is just about spending money in a more effective way.

One of the programs our bill helps fund is an early-intervention program for individuals who show their first episode of psychosis. The program the National Institutes of Mental Health just evaluated—with findings released yesterday—was the RAISE Program. And in Connecticut we run a similar program called the STEP Program. What this study showed yesterday is that if you provide wraparound services to an individual who shows a first episode of psychosis—comprehensive, immediate services—you can get a dramatic decrease in the number of episodes they show later in life. In Connecticut, we found that the STEP Program reduced hospitalizations by nearly 50 percent after individuals were given those wraparound services immediately. When they did need hospitalizations later on, they were on average 6 days less than when you didn't provide those wraparound services.

These are the types of programs that could have helped Betsy's son John early so that he could have started his recovery as a teenager rather than in his twenties. They could have saved the U.S. Government and the State of Connecticut a lot of money as well.

The trendlines beyond the anecdotes are very disturbing. Mental illness has been on the rise for the past few decades. One out of five adults today is coping with mental illness. If you look at the time period from 1987 to 2007, the number of people with mental disorders who qualify for SSI has risen by 2½ times. From 1980 to 2000, we put up to 72,000 people in our jails who prior to deinstitutionalization would have been in psychiatric hospitals—people who are in jail primarily or only because of their psychiatric disorder.

Just in the last 2 years alone, the number of people that HRSA estimates to be living in a mental health shortage area has gone from 91 million—that is pretty bad to start with—up to 97 million. That is just 2 years of data. Since 2005, we have closed 14 percent of our inpatient beds in this country. So what is happening is a dramatic increase in the number of people who are suffering from mental illness and a rather dramatic decrease in both outpatient and inpatient capacity. We have to provide more resources to meet the demand, but we also have to spend money better.

Senator CASSIDY covered our piece of legislation accurately, so I won't go into detail, but I wish to talk about our process. What we decided to do at the beginning of this year was bring together all of the groups—the provider groups, the advocacy groups, the hospital groups—who have worked on this issue for years and then bring in those in the House of Representatives who have been working on this as well: Representative TIM MURPHY and EDDIE BERNICE JOHNSON.

They have a bipartisan reform bill in the House. We decided not to start from scratch but to take their piece of legislation, knowing that it has a good chance of passage in the House, and try to build on it and improve it.

We spent 6 months meeting with all of these groups and coming up with our own consensus product that today has the support of a cross-section of behavioral advocacy groups all across the country, including the National Alliance for the Mentally Ill, the National Council for Behavioral Health, the American Psychological Association, the American Psychiatric Association, social workers, the American Foundation for Suicide Prevention, and the list goes on. We also went out to our colleagues as well, knowing that nothing in the Senate can pass without not just bipartisan support but bipartisan support that reflects the diversity of both of our caucuses. We think we were able to build a good foundation of co-sponsors for this bill: Senators

FRANKEN, STABENOW, BLUMENTHAL, and SCHUMER on the Democratic side, and Senators MURKOWSKI, COLLINS, VITTER, and CAPITO on the Republican side. We hope that this coalition of groups on the outside, this alliance with a reform effort in the House that we believe has legislative legs, and a good one-for-one with some cosponsors in the Senate, will allow us to move this bill forward, and we have to. We have to.

So I will end where Senator CASSIDY began his remarks, which is why the Nation's attention has turned to this question of how we reform our mental health system. We lived through a tragic and gut-wrenching episode of mass destruction in Newtown, CT. Senator CASSIDY has had his own experience with mass tragedy. The reality is that the reasons why we see these episodes of mass shootings are complicated, but if you read the report on Adam Lanza's intersection with Connecticut's mental health system, you will see that it failed him. It failed him and it failed his family. I don't know that correcting the mental health system alone would have changed what happened in Newtown, but I know that if we fix our mental health system, we will have a downward pressure on the episodes of mass violence that happen in this country.

But, as Senator CASSIDY said, we should fix our mental health system because it is broken for everyone, regardless of whether an individual has a predisposition towards violence, because, of course, the reality is that people with mental illness are much more likely to be the victims of violence than they are to be the perpetrators of violence. So there is no inherent connection between mental illness and violence. But these mass shootings have drawn the Nation's attention to what Congress can agree on right now that will try to improve public safety across this Nation.

We are not going to get a background checks bill this year. I hoped we could, but we won't. What we can get is a mental health reform bill, and that will help everyone—the case in Maine, the individual in Bloomfield, and millions of others who have had a miserable experience with a mental health system that is broken today, in part because of lack of coordination and in part because of lack of funding.

I am so thankful to Senator CASSIDY for being with me on the floor today. I am grateful for his friendship and for his cooperation on bringing this truly bipartisan Mental Health Reform Act to the floor of the Senate. We recommend it to our colleagues. We look forward to the upcoming hearings in the HELP Committee that we both sit on, and we hope to be back on the floor of the Senate as soon as possible to move forward on its passage through this body.

I say thank you to my colleague in the Senate, Senator CASSIDY.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I rise to express my strong support for the bill before the Senate, S. 754, the Cybersecurity Information Sharing Act, and I want to thank the bill's managers for their leadership in drafting this bill and putting a lot of hard work into the bill.

Cyber security challenges that threaten us are very real challenges. We receive almost daily reminders of the importance of effective cyber security to protect our private data and the safety and security of the entire Nation from cyber attacks. These attacks have compromised the personal information of so many Americans as well as sensitive national security information. That national security issue might even be the biggest of the ones we hope to deal with.

The legislation before us will encourage the government and the private sector to work together to address these cyber security challenges. This bill helps create a strong legal framework for information sharing that will help us respond to these threats. The bill authorizes private companies to voluntarily share cyber threat information with each other and with the government. In turn, the bill permits the government to share this type of information with private entities.

The bill reduces the uncertainty and, most importantly, the legal barriers that either limit or prohibit the sharing of cyber threat information today. At the same time, the bill includes very significant privacy protections to strike a balance between maintaining security and protecting our civil liberties. For example, it restricts the government from acquiring or using cyber threat information except for limited cyber security purposes.

So, as I did at the beginning, I want to salute the leadership of the chair and vice chair of the Select Committee on Intelligence, Senator BURR and Senator FEINSTEIN, for their efforts on this bill. I know from the last couple of Congresses that this type of legislation isn't easy to put together. In the 112th Congress, I cosponsored cyber security legislation along with several of my colleagues. This involved working across several committees of jurisdiction. Last Congress, as then-ranking member of the Judiciary Committee, I continued to work with the Select Committee on Intelligence and others on an earlier version of this bill. Unfortunately, Democratic leadership never

gave the Senate an opportunity to debate and to vote on that bill in the last Congress.

Senators BURR and FEINSTEIN were undaunted, however, and this Congress they diligently worked and continued to seek input from relevant committees of jurisdiction, including the Judiciary Committee that I chair. They incorporated the views of a broad range of Senators and worked to address the concerns of stakeholders outside of the Congress. This has produced their managers' amendment.

This is a bill that enjoys broad bipartisan support. As with most pieces of legislation that come before the Senate, it is not a perfect piece of legislation from any individual Senator's point of view, but in finding common ground, it has turned out to be a good bill that addresses a very real problem.

It is time for us to do our job and to vote. This is how the Senate is supposed to work. Now is the time for action because the question isn't whether there will be another cyber attack, the question is when that attack will happen.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BURR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. Mr. President, I am here to briefly talk on S. 754, the cyber security bill. Yesterday Vice Chairman DIANNE FEINSTEIN and I came to the floor and encouraged our Members who had amendments or who had an interest in debating the bill to come to the floor. It was my hope that we could finish in a couple of days with the cooperation of Members. We have not gotten that level of cooperation. Therefore, this will take several more days to finish. But it doesn't lessen the importance for those Members who have amendments in the queue—meaning they are pending—to come to the floor and talk about their amendments if they would like to. At some point, we will culminate this process, and those amendments that have yet to be disposed of will have votes with a very limited amount of debate time included.

It is my hope that we will have a wholesome debate and that people will have an opportunity to know what is in this bill if they don't today. But more importantly, through that debate we are able to share with the American people why a cyber security bill is so important and, more importantly, why we have done it in a way that we think it will be embraced and endorsed by not just corporate America but by individuals throughout the country.

Let me announce today that this bill will be done either Monday evening or Tuesday morning based upon what the leadership on both sides can agree to as it relates to the debate. The Vice Chair and I also came to the floor and we made this statement: We have worked aggressively in a bipartisan way to incorporate in the managers' package, which is currently pending, 14 amendments, and 8 of those amendments were included in the unanimous consent agreement made earlier this year when we delayed consideration of the bill until the day when we moved forward. There were several amendments on which we weren't able to reach an agreement or that we believed changed the policy significantly enough that this was not just an information sharing bill that was voluntary for corporations throughout this country. In the absence of being able to keep this bill intact in a way that we thought we needed to, the Vice Chairman and I have agreed to lock arms and to be opposed to those additional amendments.

Having said that, the debate to date has focused on the fact that there are technology companies across this country that are opposed to this bill. Yesterday the Vice Chairman and I repeatedly reminded our colleagues and the American people that this is a voluntary bill. There is nothing mandatory in it. The reality is that if you don't like what is in this, if for some reason you don't want to participate in what I would refer to as a community watch program—it is real simple; it is voluntary—do not participate. Choose not to inform the Federal Government when hackers have penetrated your system and stolen personal data out of it. Just choose not to tell us. But do not ruin it for everybody else. In a minute I am going to go through again why I think the cyber security bill should become law, why I think this is the first step of how we protect the personal data of the American people, and why hundreds, if not thousands, of businesses support this information sharing bill. But I can't stress that enough for those who oppose this. Most of them are, in fact, companies that hold the most private data in the world. Let me say that again. Those who are expressing opposition to this bill hold the largest banks of personal data in the world.

The decision as to whether they are for the bill or against the bill is their decision. The decision whether they utilize this voluntary program to further protect the personal data that is in their system is between them and their customers. But I have to say that it defies reason as to why a company that holds that much personal data wouldn't at least like to have the option of being able to partner with the Federal Government in an effort to minimize data loss, whether it is at their company or whether it is in their

industry sector or whether it is in the global economy as a whole.

The last time I checked, the health of U.S. businesses was reliant on the health of the U.S. economy, and the health of the U.S. economy is affected by the health of the global economy. I know the Presiding Officer understands that because he was in business like I was for 17 years.

It really does concern me that one could be opposed to something that insulates the U.S. economy from having an adverse impact by the cyber security act and believes that they are OK even though it might tank the U.S. economy.

At the end of the day, I want to try to put this in 101 terms, the simplest terms of what the information sharing bill does. I am going to break it into three baskets. It is about business to business. This bill allows a company that has been hacked—where somebody has penetrated their computer system and has access to their data—to immediately pick up the phone and call their competitor and ask their competitor whether they have had a similar penetration of their system.

It is only reasonable to expect that the first person you would go to is a company that has a business that looks exactly like yours. In that particular case, this legislation provides that company with protection under the anti-trust laws. Anti-trust forbids companies from collaborating together. What we say is that if it has do with minimizing the loss of data, we want to allow the collaboration of competitors for the specific reason of discussing a cyber attack.

The Senate recognizes I have designed something in this that doesn't require a corporate lawyer to sit in the room when the decision is made. I have no personal dislike for lawyers other than the fact that they slow things down. To minimize the loss of data means you have to have a process that goes in real time from the bottom of the chain all the way to the decision-making and the communication back down, not only to that business, but to the entire economy. Having a lawyer that has to think whether we can legally do this defeats the purpose of trying to minimize data loss. So we give them a blanket exemption under the anti-trust laws so they know up front that they can pick up the phone and call their competitor, and there is no Justice Department that will come down on them as long as they confine it to the discussion of cyber attack.

At the same time we initiate what I call business to government, which means that when the IT department is talking to their competitor, the IT department can put out a notification through the Federal portal that they have been attacked, and that initiates the exchange of a limited amount of information that has been predetermined

by everybody in the Federal Government who needs to do the forensics of who attacked, what tool they used, and what defensive mechanism could be put up in the way of software that would eliminate the breach.

In the statute we have said, one, you can't transmit personal data unless it is absolutely crucial to understanding the forensics of the attack. We have also said in statutory language to the government agencies: If for some reason personal data makes it through your filters, you cannot transmit that personal data anywhere else within the Federal Government or to the public.

We have gone to great lengths to make sure that personal data is not disclosed through the notification process of a hack. I understand that the personal data has already been accessed by the individual who committed the act, but we want to make sure that the government doesn't contribute to the distribution of that data.

In order to create an incentive in a voluntary program for a business to initiate that notification to the Federal Government, we provide liability protection. Anytime a company allows personal data or data on their business to get out, there could potentially be a shareholder's suit. What we do is provide a blanket liability protection to make sure that a company can't be sued for the government notification of a security breach where data has been removed and it is in the best interest of the government to know it, to react to it, and for the general population of businesses in America to understand it.

So we have business-to-business collaboration with your competitor, anti-trust protection, business-to-government liability protection, no personal data transmitted, and the last piece is government to business.

It is hard for me to believe that the government didn't have the statutory authority to convey to businesses across America when a cyber attack is in progress. The Federal Government has to be asked to come in and typically will be asked by the company that has been attacked, but how about their competitors? How about the industry sector? How about the whole U.S. economy? There is no authority to do that. This bill creates the authority in the Federal Government to receive that information from a company that has been penetrated, to process it, to understand who did it, to understand the attack tool they used, to determine the defensive mechanism of software that it can be put on, and then to notify American businesses that there is an attack happening now, and here is the attack tool and software you can buy off the shelf and put on your computer system to protect you. That is it. That is the entire information sharing bill, and it is voluntary.

I will touch on eight items very briefly. Why is there a need for cyber legislation? I don't want to state the obvious, but we have already seen that individuals and nation states penetrate the private sector and steal personal data, and the Federal Government can steal personal data. I thought it would hit home with my colleagues when the Office of Personnel Management was breached, and now we are up to 22 to 24 million individuals who were compromised. More importantly, the personal data at OPM extended to every individual who had ever applied for a security clearance, who had ever been granted security clearance, and who had security clearances and are now retired, but for some reason that application remained in the database. That application, which consists of 18 pages, has the most personal information one can find. It lists your parents and their Social Security numbers, your brothers, your sisters, where you lived since you graduated from college. It even has a page that asks you to share the most obvious way that someone might blackmail you. It has probably some of the most damaging personal information that one can have breached.

Cyber attacks have harmed multiple U.S. companies. If this weren't serious, would the President of China and the President of the United States, when they met several weeks ago, have come to an agreement about how they would intercede if one country or the other commits a cyber attack against each other? Probably not.

Our bill is completely voluntary, and I think it is safe to say that those who want to share data can, in fact, share data on this.

I mentioned the words "real time." What we want to do is create a real-time system because we want a partnership. We want a partnership with other private companies and we want a partnership with the private and public sector, and you can't get a partnership by mandating it. All you can get is an adversarial relationship. We maintain that voluntary status in the hope that the sharing of that information is, in fact, real time. We can control—once you transmit to the Federal Government—how to define "real time." I have no control over a private company's decision once they know they have been breached to the point that they actually make a notification to the Federal Government, but with the liability protection and anti-trust coverage, we are convinced that we are structured from the beginning to create an incentive for real time to take place.

We protect personal privacy. Many have come to the floor and have suggested that this is a surveillance bill. Let me say to my colleagues and to the American people: There is no capability for this to become a surveillance bill. The managers' amendment took

those items that people were concerned with and eliminated it. We can be accused of a lot of things, but to accuse this of being a surveillance bill is either a sign of ignorance or a sign that one is being disingenuous. It is not a surveillance bill. Be critical of what we are attempting to do, be critical of what we do, but don't use the latitude to suggest that this is something that it is not.

We require private companies and the government to eliminate any irrelevant personal, identifiable information before sharing the cyber threat indicators or putting up defensive mechanisms.

This bill does not allow the government to monitor private networks or computers. It does not let government shut down Web sites or require companies to turn over personal information.

This bill does not permit the government to retain or use cyber threat information for anything other than cyber security purposes, identifying a cyber security threat, protecting individuals from death or serious bodily or economic harm, protecting minors, or investigating limited cyber crime offenses.

This bill provides rigorous oversight and requires a periodic interagency inspector general's report to assess whether the government has violated any of the requirements in this bill. The report also will assess any impact this bill may have on privacy and civil liberties. In the report, we require the IG to report to us whether anybody does anything outside what the statute allows them to do, but we also ask the IG to make a gut call on whether we have protected privacy and civil liberties.

Finally, our managers' amendment has incorporated an additional provision to enhance privacy protections first. Our managers' amendment omitted the government's ability to use cyber information to investigate and prosecute serious and violent felonies. Let me raise my hand and say I am guilty. I felt very strongly that that should have been in the bill. If we find during an investigation that an individual has committed a felony that is not related to a cyber attack, I thought we should turn that information over to law enforcement but, no, we dropped it. I don't want there to be any question as to whether this is an effective cyber information sharing bill.

Our managers' amendment limited cyber threat information sharing authorities to those items that are shared for cyber security purposes. Both of these changes ensure that nothing in our bill reaches beyond the focus of cyber security threats that are intended to prevent and deter an attack, and nothing in this bill creates any potential for surveillance authorities.

Now, as I said, despite rumors to the contrary, this bill is voluntary. It is a

voluntary threat indicator to share with authorities and does not provide in any way for the government to spy on or use library and book records, gun sales, tax records, educational records, or medical records. There is something in that for every member of every State.

I can honestly look at my librarians and say we haven't breached the public libraries' protection of personal data. I will say librarians are not fans of this legislation. I don't think they have read the managers' amendment that spells out the concerns we heard and then said: This can't go there. I am not sure we can statutorily state it any clearer than what we have done.

Given that cyber attackers have hacked into, stolen, and publicly disclosed so much private, personal information, it is astounding to me that privacy groups would oppose this bill. It has nothing to do with surveillance, and it seeks to protect private information from being stolen.

There are no offensive measures. This bill ensures that the government cannot install, employ or otherwise use cyber security systems on private sector networks. In other words, no one can hack back into another computer, even if the purpose is to protect against or squash a cyber attack. It can't be done. It is illegal.

The government cannot retain or use cyber threat information for anything other than cyber security purposes, including preventing, investigating, disrupting, and prosecuting limited cyber crimes, protecting minors, and protecting individuals from death or serious bodily harm, or economic harm.

The government cannot use cyber threat information in regulatory proceedings. Let me state that again. The government cannot use cyber threat information in regulatory proceedings. If somebody believes this is not voluntary and that there is some attempt to try to get a mandatory hook in here where regulators can turn around and bypass the legislative responsibility of the Congress of the United States, let me just say, we are explicit. It cannot be done. But we are also explicit that the government cannot retain this information for anything other than the list of items I discussed. This provides focused liability protection to private companies that monitor their own systems and share cyber threat indicators and defensive mechanisms in accordance with the act, but the liability protection is not open-ended. This doesn't provide liability protection for a company that engages in gross negligence or willful misconduct. I am not a lawyer, but I have been told that ties it up pretty tightly; that it makes a very small, narrow lane that companies can achieve liability protection, and that lane means they are transferring that information to the Federal Government.

Last, independent oversight. This bill provides rigorous oversight. It requires a periodic interagency inspector general's report to assess whether the government has violated any of the requirements of this act. The report also will assess any impact that this bill may have on privacy and civil liberties as well as an assessment of what the government has done to reduce any impact.

This bill further requires an independent privacy and civil liberties oversight board to assess any impact this bill may have on privacy and civil liberties and is, in fact, reviewed internally by an inspector general. The inspector general checks to make sure they live by the letter of the law. The inspector general makes an assessment on the privacy and civil liberties, and we set up an independent board to look at whether, in fact, privacy and civil liberties have been protected.

I say to my colleagues, if there is more that they need in here, tell us what it is. The amendment process is open.

Here is where we are. Privacy folks don't want a bill, period. Some Members don't want a bill, period. I get it. I am willing to adapt to that. I only need 60 votes for this to pass, and then I have to conference it with the House that has two different versions. Then I have to go to the other end of Pennsylvania Avenue, and I have to convince the President and his whole administration to support this bill. Let me quote the Secretary of the Department of Homeland Security. They support this bill. The National Security Council tomorrow is going to come out in support of this bill. Why? Because most people recognize the fact that we need this, that this is the responsible thing to do. This is why Congress was created.

If, in fact, there are those who object, don't participate. I say to those businesses around the country, I am not going to get into your decisionmaking, although I think it is flawed. You hold most of the personal data of any companies out there. Yet you don't want to see any coordinated effort to minimize data loss in the U.S. economy. I think that is extremely shortsighted. I think your customers would disagree with you, but the legislation was written in a way that allows you to opt out and to say: I don't want to play in this sandbox.

I say to my colleagues and to the American people: Is that a reason for us not to allow the thousands of companies that want to do it, representing hundreds of thousands and millions of customers who want to protect their credit card number, their health records, all the personal data that is out there on them—if they want to see that protected, should they not have that done because some companies say they don't want to play? No. We make

it voluntary, and we allow them to opt out. They can explain to their customers why. If I am with another tech company and they are participating in this, they must be more interested in protecting my data. I think it is a tough sell myself as a guy in business for 17 years.

I know what is up here. Some are looking at this as a marketing tool. They are going to go out and say: We don't participate in transferring data to the Federal Government. Oh, really. Wait until the day you get penetrated. Wait until the day they download all of that personal information on all of your customers. You are going to be begging for a partnership with the Federal Government. Then we are going to extend it to you, whether you liked it or not, whether you voted for the bill or supported the bill or spoke in favor of the bill or ever participated in it. If we pass this bill, which I think we will, they will have an opportunity to partner with the Federal Government and to do it in an effective way. In the meantime, I think there will be just as many businesses using a marketing tool that says: We like the cyber information sharing bill, and if we ever need to use it, we are looking forward to partnering with the Department of Homeland Security, the FBI, and the National Security Agency because we want to minimize the exposure of the loss of data our customers could have.

Mark my words. There is a real battle getting ready to brew here. Again, putting on my business hat, I like the idea of being able to go out and sell the fact that I am going to partner if something happens much better than selling the pitch that I am going to do this alone. Think about it. A high school student last week hacked the personal email account of the Secretary of the Department of Homeland Security and the Director of the CIA. This is almost "Star Trek." "Beam me up, Scotty."

There are people who believe that this is just going to go away. It is not going away. Every day there is an attempt to try to penetrate a U.S. company, an agency of the Federal Government for one reason: to access personal data. The intent is there from individuals and from nation states. For companies that think this is going to go away or think they are smart enough that it is not going to happen to them, I have seen some of the best and they are one click away from somebody downloading and entering their system and that click may not be protected by technology. It may be the lack of ability of an employee to make the right decision on whether they open an email, and boom, they have just exposed everybody in their system.

So I will wrap up because I see my good friend and colleague Senator WYDEN is here. We will have several days, based upon the process we have in front of us, to talk about the good,

and some will talk about the bad, which I don't think exists, but let me assure my colleagues that the ugly part of this—the ugly part of this—is that cyber theft is real. It doesn't discriminate. It goes to where the richest pool of data is. In the case of the few companies that are not supportive of this bill, they are the richest depositories of personal data in the world. I hope they wake up and smell the roses.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Oregon.

Mr. WYDEN. Mr. President, I would like to inform my colleague, the distinguished chairman of our Intelligence Committee, I am always thinking about the history of the committee. I believe Chairman BURR, the ranking minority member Senator FEINSTEIN, and I have been on the Intelligence Committee almost as long as anybody in history.

I always like to work with my colleague. This is an area where we have a difference of opinion. I am going to try to outline what that is and still try to describe how we might be able to work it out.

Mr. BURR. May I thank my colleague?

Mr. WYDEN. Of course.

Mr. BURR. Mr. President, I thank my colleague. I think he diplomatically referred to me as old, but I know that wasn't the case. He is exactly right. We have served together for a long time. We agree on most issues. This is one that we disagree on, but we do it in a genuine and diplomatic way. Contrary to maybe the image that some portray to the American people, we fight during the day and we can have a drink or go to dinner at night, and we are just as likely to work on a piece of legislation together next week. So that is what this institution is and it is why it is so great.

Mr. WYDEN. Well said. There is nothing better than having Carolina barbecue unless it is Oregon salmon. Yes, we old jocks, former football players and basketball players, we have tough debates and then we go out and enjoy a meal.

Here is how I would like to start this afternoon. The distinguished chairman of the committee is absolutely correct in saying that cyber security is a very substantial problem. My constituents know a lot about that because one of our prominent employers, SolarWorld, a major manufacturer in renewable energy, was hacked by the Chinese simply because this employer was trying to protect its rights under trade law. In fact, our government indicted the People's Liberation Army for their hacking into this major Oregon employer. So no question that cyber security is a major problem.

Second, there is no question in my mind that information sharing can be very valuable in a number of instances.

If we know, for example, someone is associated with hackers, malware, this sort of thing, of course it is important to promote that kind of sharing. The difference of opinion is that I believe this bill is badly flawed because it doesn't pass the test of showing that when we share information, we have to have robust privacy standards or else millions of Americans are going to look up and they are going to say that is really not cyber security. They are going to say it is a surveillance bill. So that is what the difference of opinion is.

AMENDMENT NO. 2621, AS MODIFIED

Let me turn to how I have been trying to improve the legislation. I am going to speak for a few minutes on my amendment No. 2621 to the bill that we have been discussing and that is now pending in the Senate. Obviously, anybody who has been watching the debate on this cyber security bill has seen what we would have to call a spirited exchange of views. Senators are debating the substance of the legislation and, as I just indicated to Chairman BURR and I have indicated to ranking minority member Senator FEINSTEIN, there is agreement on a wide variety of points and issues.

Both supporters and opponents of the bill agree that sharing information about cyber security threats, samples of malware, information about malicious hackers, and all of this makes sense and one ought to try to promote more of it. Both supporters and opponents now agree that giving corporations immunity from customer lawsuits isn't going to stop sophisticated attacks such as the OPM personnel records breach.

I am very glad that there has been agreement on that point recently, because proponents of the bill sometimes said that their legislation would stop hacks such as the one that took place at OPM. When technologists reviewed it, that was clearly not the case, and the claim has been withdrawn that somehow this bill would prevent hacks like we saw at OPM.

The differences of opinion between supporters and opponents of the bill—who do agree on a variety of these issues—surround the likely privacy impact of the bill. Supporters have essentially argued that the benefits of this bill, perhaps, are limited—particularly now that they have withdrawn the claim that this would help against an OPM attack—but that every little bit helps. But there is no downside to them to just pass the bill. It makes sense. Pass the bill. There is no downside.

Opponents of the bill, who grow in number virtually every day, have been arguing that the bill is likely to have a significant negative impact on the personal privacy of a large number of Americans and that this greatly outweighs the limited security benefits. If an information sharing bill doesn't in-

clude adequate privacy protections, I am telling you, colleagues, I think those proponents are going to have people wake up and say: I really don't see this as a cyber security bill, but it really looks to me like a surveillance bill by another name.

(Mr. TOOMEY assumed the Chair.)

Colleagues who are following this and looking at the bill may be trying to sort through this discussion between proponents and opponents. To help clarify the debate, I would like to get into the text of the bill for just a minute.

If colleagues look at page 17 of the Burr-Feinstein substitute amendment, which is the latest version with respect to this bill, Senators are going to see a key section of the bill. This is the section that discusses the removal of personal information when data is shared with the government. The section says very clearly that in order to get immunity from a lawsuit a private company has to review the data they would provide and remove any information the company knows is personal information unrelated to a cyber security threat. This language, in my view, clearly creates an incentive for companies to dump large quantities of data over to the government with only a cursory review. As long as that company isn't certain that they are providing unrelated personal information, that company gets immunity from lawsuits. Some companies may choose to be more careful than that, but this legislation and the latest version—the Burr-Feinstein substitute amendment—would not require it. This bill says with respect to personal data: When in doubt, you can hand it over.

My amendment No. 2621 is an alternative. It is very simple. It is less than a page long. It would amend this section that I have just described to say that when companies review the data they provide, they ought to "remove, to the extent feasible, any personal information of or identifying a specific individual that is not necessary to describe or identify a cybersecurity threat." The alternative that I am offering gives companies a real responsibility to filter out unrelated personal information before that company hands over large volumes of personal data about customers or people to the government.

The sponsors of the bill have said that they believe that companies should only give the government information that is necessary for cyber security and should remove unrelated personal information. I agree with them, but for reasons that I have just described, I would say respectfully that the current version of this legislation does not accomplish that goal, and that is why I believe the amendment I have offered is so important.

For an example of how this might work in practice, imagine that a health

insurance company finds out that millions of its customers' records have been stolen. If that company has any evidence about who the hackers were or how they stole this information, of course it makes sense to share that information with the government. But that company shouldn't simply say here you go, and hand millions of its customers' medical records over for distribution to a broad array of government agencies.

The records of the victims of a hack should not be treated the same way that information about the hacker is treated. Companies should be required to make a reasonable effort to remove personal information that is not needed for cyber security before they hand information over to the government. That is what my amendment seeks to achieve. That is not what is in the substitute amendment.

Furthermore, if colleagues hear the sponsors of the substitute saying this bill's privacy protections are strong and you have heard me making the case that they really don't have any meaningful teeth and they are too weak, don't just take my word for it. Listen to all of the leading technology companies that have come out against the current version of this legislation.

These companies know about the importance of protecting both cyber security and individual privacy. The reason they know—and this is the case in Pennsylvania, Oregon, and everywhere else—is that these companies have to manage the challenge every single day. Companies in Pennsylvania and Oregon have to ensure they are protecting both cyber security and individual privacy. Those companies know that customer confidence is their lifeblood and that the only way to ensure customer confidence is to convince customers that if their product is going to be used, their information will be protected, both from malicious hackers and from unnecessary collections by their government.

I would note that there is another reason why it is important to get the privacy protections I am offering in my amendment at this time. The companies that I just described are competing on a global playing field. These companies have to deal with the impression that U.S. laws do not adequately protect their customers' information. Right now these companies—companies that are located in Pennsylvania and Oregon—are dealing with the fallout of a decision by a European court to strike down the safe harbor data agreement between the United States and the European Union. The court's ruling was based on the argument that U.S. laws in their present form do not adequately protect customer data. Now, I strongly disagree with this ruling. At the same time, I would say to my colleagues and to the Presiding Officer—he and I have

worked closely on international trade as members of the Finance Committee—and I would say to colleagues who are following this international trade question and the question of the European Union striking down the safe harbor for our privacy laws, in my view this bill is likely to make things even more difficult for American companies that are trying to get access to those customers in Europe.

To give just a sampling of the leading companies that have come out against the CISA legislation, let me briefly call the roll. There is the Apple company. They have millions of customers. They know a great deal about what we have to do to deal with malicious hackers and to protect privacy. There is also Dropbox, Twitter, Salesforce, Yelp, Reddit, and the Wikimedia Foundation. I point to the strong statement by the Computer & Communications Industry Association. Their members include Google, Amazon, Facebook, Microsoft, Yahoo, Netflix, eBay, and PayPal. Those individual companies I have mentioned have millions of customers. The organization that speaks for them says: “CISA’s prescribed mechanism for sharing of Cyber threat information does not sufficiently protect users’ privacy.”

On top of this, there has been widespread opposition from a larger spectrum of privacy advocacy organizations. Here the groups range from the Open Technology Institute to the American Library Association.

I was particularly struck by the American Library Association’s comments in opposition to this bill. I think the leadership said—paraphrasing—something to the effect of when the American Library Association opposes legislation that authors say will promote information sharing, they indicate there was a little something more to it than what the sponsors are claiming.

Wrapping up, I want to make clear, as I said yesterday, that I appreciate that the bipartisan leadership of our committee has tried to respond to these concerns. They know that these large companies with expertise in collecting data and promoting cyber security have all come out against the bill. I heard talk about privacy protections. I don’t know of a single organization that is looked to by either side of the aisle, Democrats and Republicans, for expertise and privacy that has come out in favor of the bill.

So the sponsors of this legislation and the authors of the substitute amendment, which I have tried to describe at length here this afternoon, are correct in saying that they have made some changes, but those changes do not go to the core of the bill.

For example, the amendment I have described would really, in my view, fix this bill by ensuring that there was a significant effort to filter out unre-

lated personal and private information that was sent to the government under the bill.

So I hope Senators will listen to what groups and the companies that have expertise in this field have said. I hope Senators on both sides of the aisle will support the amendments I and others have offered. The Senate needs to do better than to produce a bill with minimal effects on the security of Americans and significant downside for their privacy and their liberty.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 2626, AS MODIFIED

Mr. WHITEHOUSE. Mr. President, I would like to speak for 5 or 6 minutes on the cyber bill.

Unfortunately, I am here to express my distaste for the manner in which this bill has proceeded. I have an amendment that is not going to be voted on. Let me describe some of the characteristics of that amendment.

First of all, it is bipartisan. It is Senator GRAHAM’s and my amendment.

Second, it has had a hearing. We have had a hearing on it in the Judiciary Committee. Considerable work has gone into it.

Third, it has the support of the Department of Justice. It repairs holes in our criminal law for protecting cyber security that we worked on very carefully with the Department of Justice and which we have had testimony in support of from our Department of Justice prosecutors.

Last, it was in the queue. It was in the list of amendments that were agreed to when we agreed to go to the floor with this bill.

So I don’t know how I am going to vote on this bill now. But if you have a bipartisan amendment that has had a hearing, that was in the queue, and that has the support of the Department of Justice and you cannot even get a vote on it, then something has gone wrong in the process.

I remember Senator SESSIONS coming to the floor and wondering how it is that certain Senators appoint themselves masters of the universe and go off in a quiet room someplace and decide that certain amendments will and will not be heard. I am very sympathetic to Senator SESSIONS’ concerns right now.

Let me tell you what the substance of our amendment would do.

First, there are people out there around the world in this cyber universe of fraud and crime who are trafficking in Americans’ financial information for purposes of fraud and theft. If they don’t travel to America or if they don’t have a technical connection to America, we cannot go after them. There is an American victim, but we cannot go after them. That is a loophole that harms Americans that this bill would close.

I cannot believe there is one Member of this institution who would oppose closing a loophole that allows foreign criminals access to Americans’ financial information for fraudulent purposes but puts them beyond the reach of our criminal law. That is one part of what our bill does.

Second, it raises penalties for people who intrude on critical infrastructure. You can go all around this country, you can go to military installations that have way less security concerns than our critical infrastructure, like our electric grid, and you will see chain-link fences that say department of whatever, U.S. Government, stay out. You cannot go in there to picnic, you cannot go in there because you are curious, you cannot go in there for a hike, and the reason is because there is a national security component to what is going on in there.

Well, there is a huge national security component to our critical infrastructure, like our electric grid. All this would do is raise the penalties. You could still go in, but if you get caught doing something illegal there, then it is a little different if you are attacking America’s critical infrastructure than if you are just prowling around in some other portion of the Web that does not have that.

Again, I think if that came to a vote, we would probably get 90 percent of this body in favor. Who is in support of allowing people to mess around in our critical infrastructure?

The third is botnet brokers. Botnets are out there all over the Internet. They are a plague on the Internet. There is no such thing as a good botnet. Everyone would be better off if they were removed. They are like weeds on the Internet. There are people who are brokers who allow access to botnets, and because our laws are so out of date, if you are just brokering access to a botnet for criminal purposes, there is no offense. Why would we not want to empower our Department of Justice to be able to go after people who are criminal brokers allowing access for criminals to botnets to use for criminal purposes against Americans? I don’t understand that.

Lastly, botnet takedowns. A botnet is a weed. We wait until somebody actually encounters that weed and is harmed by it before we allow our Department of Justice to act. We should be out there taking down botnets on a hygiene basis all the time. We are limited because of this artificiality. That is the fourth piece of the bill. It empowers botnet takedowns like the Bugat takedown we just did. We should be doing a lot more of that. Again, unless somebody here is in the botnet caucus and is in favor of more botnets out there, this is something which would probably pass unanimously. Yet I cannot get a vote.

It is bipartisan, has had a hearing, is in the queue, is supported by the Department of Justice, and those are the four sub-elements of it. For some reason, the masters of the universe have gone off and had a meeting in which they decided this is not going to be in the queue. I object to that procedure.

I am sorry we are at this stage at this point because I think that on the merits this would win. This is a bipartisan, good, Department of Justice-supported, law enforcement exercise to protect people against cyber criminals. I don't know what the sense is that there is some hidden pro-botnet, pro-foreign cyber criminal caucus here that won't let an amendment like mine get a vote.

I will yield the floor. I see Senator CARPER here, and he has done great work to try to be more productive than my amendment reflects. I hope we can sort this out to a point where an amendment like mine, which was in the queue in the original deal that got us to this bill, can now get back in some kind of a queue so that we can get this done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I appreciate the yielding by Senator WHITEHOUSE. Let me just say that if your provision, Senator WHITEHOUSE, does not end up in this bill and we actually do pass it, I am sure we will conference with the House. There will be an opportunity to revisit this issue. So I hope you will stay in touch with those of us who might be fortunate enough to be a conferee.

Mr. WHITEHOUSE. I appreciate that very much, more than the Senator can know.

Mr. CARPER. Mr. President, I rise today in support of the cyber security information bill introduced by my colleagues, Senators BURR and FEINSTEIN. I want to commend my colleagues and their staff for their leadership and for their tireless efforts on this extremely important piece of legislation.

As ranking member and former chairman of the Homeland Security and Governmental Affairs Committee, I have been following cyber security and this information sharing proposal in particular literally for years. In fact, when Senator FEINSTEIN first introduced an information sharing bill in 2012—that was like two or three Congress's ago—it was referred to Homeland Security and Governmental Affairs, on which I served. That bill was ultimately folded into a comprehensive cyber security bill that I had the honor of cosponsoring with Senators Joe Lieberman, SUSAN COLLINS, Jay Rockefeller, and Senator FEINSTEIN. We were not able to pass that bill, but I think it has paved the way for other cyber legislation, including the bill that is before us today and a number of the amendments that are

going to be offered to that bill in the managers' amendment, especially.

Last Congress, I worked with our ranking member on homeland security, Dr. Tom Coburn, and our House counterparts to get not one, not two, not three, but four cyber security bills enacted into law, signed by the President. I believe these four bills laid a very strong foundation for some significant improvements on how the Department of Homeland Security carries out its cyber security mission and really for this bill before us too.

What the legislation Dr. Coburn and I worked on during the last Congress did, in essence, was to better equip the Department of Homeland Security to operate at the center of the kind of robust information sharing program that the Burr-Feinstein bill would set up. How do they do that? One, make sure the Department of Homeland Security would have the ability to attract and retain top-flight talent, much like the National Security Agency already has.

The legislation actually takes something called the cyber ops center, NCCIC, within the Department of Homeland Security and makes it real and functional and an entity that people would use and listen to.

Finally, we took an old law called FISMA, the Federal Information Sharing Management Act—we took something that was just a paperwork operation, this FISMA legislation—like a once-in-a-year check to see how good a cyber security agency might be—and turned it into not a paperwork operation, not a once-every-365-days operation, but a 24/7 surveillance operation on the lookout for intrusions within and across the Federal Government broadly.

That legislation, affectionally known as FISMA, was also designed to make clear what the division of labor was between the Office of Management and Budget, OMB, and the Department of Homeland Security on protecting the dot.gov domain. We made it clear that the job of OMB is to, if you will, steer the ship. The job of the Department of Homeland Security is to row the ship, to row the boat. That is a good division of labor given that OMB only has six employees who work on this stuff and the Department of Homeland Security has hundreds. So I think we figured out the sharing of labor, the division of labor, and also made sure the Department of Homeland Security has the resources—the horses, the resources—and the technology they need.

Sharing more cyber security threat information among and between the private sector and the Federal Government players who are on the frontline in cyber security is critical for national security. Over the last couple of years, we have witnessed many troubling cyber attacks against our banks, but not just our banks, against retailers, health providers, government

agencies, and God knows how many others.

Some of those launching these attacks were just criminals. Some of them were just criminals. They want to steal information. They want to make money off of our personal information, off our intellectual property, like our intellectual seed corn, if you will, for companies large and small and for universities as well. Others just want to be disruptive or they want to make political points. Some actors, however, are capable or would like to develop the capability to use a cyber attack to harm people and cause physical damage.

It is long past time for this body to take action to more effectively combat these threats we now face in cyber space. That is why earlier this year I introduced a similar information sharing bill. This bill largely mirrored the administration's original proposal.

The administration asked me to introduce their information sharing bill. Before I did that, we actually had a hearing in the committee on homeland security. Part of the centerpiece of the hearing was the administration's proposal. We got some good ideas on how to make it better. We made it better and introduced that bill to use, if you will, as a point-counter point in a constructive, positive way with the legislation that worked its way through the Intelligence Committee. But we did not stop there. We took information from a lot of experts and stakeholders.

The measure we are discussing today shares the same goals as my original bill—largely the administration's original bill—to increase the sharing of cyber threat information between the Federal Government and the private sector and between different entities within the private sector. I am pleased that we are finally discussing these critical issues on the Senate floor.

The substitute amendment we are debating today makes a number of improvements to the bill that was first made public after the Intelligence Committee reported it out. It also includes several changes that I, as well as several of my colleagues, have been calling for—including the chairman of our committee.

I would like to thank Senators BURR and FEINSTEIN. I thank their staff for working closely with our staff and others to produce what I believe is a significantly smarter and stronger bill. Is it perfect? No, not yet. But I can say there is always room for improvement. That is why we still have a debate on a number of amendments and those like the one mentioned by Senator WHITEHOUSE that may be germane in a different kind of way in conference.

While there may not be agreement on everything in this bill, I believe most of our colleagues would come to the conclusion that it really will help to improve our Nation's cyber security

and, by extension, our national security and, by extension, our economic security.

First, the bill would ensure that the government—our government—is providing actionable intelligence to private sector entities that are seeking to better protect themselves in cyber space. Businesses around our country are hungry for information they can use to fend off attacks and better protect their systems and their customers. This bill would make the Federal Government a much stronger partner for them.

Many companies that I have talked to of late also want to share more information with the Federal Government about what they are seeing online every day, but they are unsure of the rules of the road. In other words, companies want more predictability and they want more certainty when it comes to working with our government. This bill would give them that by clarifying that they won't be putting themselves in legal jeopardy if they choose to share cyber threat information with our Federal Government.

If companies do want to avail themselves of the legal protections the bill offers, they would have to, with two narrow exceptions, use the information sharing portal at the Department of Homeland Security. This puts the Department of Homeland Security, a civilian entity, at the center of the information sharing process. I think this is smart and the right thing to do. In fact, many experts and companies that I have talked to across the country as recently as last week out in Silicone Valley and out on the west coast—they agree with what I have just said.

I know many Americans are uneasy with companies they do business with directly handing over data to an intelligence or law enforcement agency. The Department of Homeland Security will carry out its responsibilities under this bill through the cyber ops center I mentioned earlier called the National Cyber Security and Communications Integration Center—that is a mouthful. We affectionately call it N-Kick. It is the cyber ops center. It includes folks from DHS and other Federal agencies. It includes a number of representatives of financial services, the utility industry, our retail industry, and so forth, all together under one roof, talking together and working together to help us support one another and make it strong and more secure.

One of the bills I worked on with Dr. Coburn last Congress formally, as I said earlier, authorized this center. We are pleased to see that this bill would make the most out of the resources we have already invested in this cyber ops center, NCCIC.

Earlier this month, Secretary Jeh Johnson of the Department of Homeland Security told our Homeland Secu-

rity and Governmental Affairs Committee that beginning in November, the cyber ops center, NCCIC, will have the capability to automate the distribution and receipt of cyber threat indicators. I will say that again—to automate the distribution and the receipt of cyber threat indicators that they receive from others, including those in the private sector. In other words, the Department of Homeland Security will have the ability to share information with other agencies in real time—not next month, not next week, not tomorrow, not in an hour, but in real time, which is really what this little bill before us today requires.

I know that the real-time sharing is incredibly important to the bill's sponsors, and it is important to me and probably to many of our colleagues and stakeholders. Equally important, however, is the ability of the Department of Homeland Security to apply what I call a privacy scrub to the information it receives from industry, the threat indicators that come from industry—see something, say something—stuff that they send to the Department of Homeland Security.

In the bill that I authored with others in my committee, including our chairman, we allow the Department of Homeland Security to, if you will, receive information through its portal from various entities that witness threat indicators, to see it and to put it through the portal, to bring it through the portal to do a privacy scrub. That is one of the things the Department of Homeland Security has expertise in doing.

I used an example at lunch earlier today. I talked about baseball. I know the Presiding Officer has some interest in baseball. There are teams called the Phillies in Philadelphia and the Pirates in Pittsburgh. I would just say to him, thinking about baseball for a minute, let's say you are in the playoffs. Let's say you have a team in the playoffs. You are in the ninth inning, and you need to get somebody out of the bullpen to close. You have a one-run lead. You look to the bullpen. He is now retired, but Mariano Rivera was the best closer in baseball history. You have Mariano Rivera in the bullpen to come in and close the game, and you have three other guys you just called up from the Minor League, so maybe from AAA.

You say: Well, whom do I put in to close the game? Do I put in the best closer we have ever had in baseball history or do I bring in three rookies, three Minor League guys?

Well, you bring in Mariano Rivera.

When it comes to being able to do privacy scrubs, the Department of Homeland Security—that is what they do. That is what they do. Now they have the horses, the ability, and the technology to do it even better.

I know some of my colleagues are concerned that a privacy scrub will

slow down the information sharing process. I share those concerns, but I have been assured by the Department—the bright, smart people at the Department of Homeland Security—that less than 1 percent of the information it receives would actually ever need to be reviewed by a human, by a person. The rest—roughly 95 percent to 99 percent—would be shared with other agencies at machine speed. Bingo.

I am very pleased that DHS has come to an agreement on this process with its agency partners. We will be up and running with a portal in the way I have described in the next couple weeks.

One of the amendments I filed speaks to this privacy scrub process. It would make clear that the Department of Homeland Security could carry out an automated privacy scrub in real time and without delay. In fact, my amendment would add just one word to the bill so that DHS could continue to automatically remove irrelevant or erroneous data from cyber threat information.

I am very pleased that Senators BURR and FEINSTEIN have taken this amendment into consideration and have now modified their substitute amendment to make sure the Department of Homeland Security can do what it does best, and that is to apply a privacy scrub—pulling out personally identifiable information that actually shouldn't be passed on to other Federal agencies. The substitute amendment now calls on DHS to work with its agency partners to agree on a process to share information while protecting privacy. This is a process DHS is already undertaking.

I thank Senators BURR and FEINSTEIN, as well as our friends at the Department of Homeland Security and other agencies, for working so hard to find agreement on this language and for working with my staff and me on this important matter.

Another amendment I put forward with our committee chairman, Senator JOHNSON, aims to improve what we call cyber hygiene across the Federal Government and to prevent attacks against Federal agencies. This language is based on a bill that Senator JOHNSON and I introduced and had reported out of our homeland security committee by a unanimous vote. The amendment does three main things.

First, it would require all Federal agencies to implement specific best practices and state-of-the-art technologies to defend against cyber attacks. For example, we had experts testify about the importance of strong authentication and data encryption. This amendment would make sure that agencies are taking these common-sense steps to bolster their cyber security defenses.

Second, the amendment would accelerate the deployment and adoption of the Department of Homeland Security's cyber intrusion and detection

program, known as EINSTEIN, as in Albert Einstein, but you don't have the "Albert" in the name of this technology; it is called EINSTEIN.

For my colleagues who may not be familiar with EINSTEIN, with respect to homeland security and cyber security, let me take a couple of minutes to describe its main features.

We had EINSTEIN 1 present at the beginning, EINSTEIN 2 was follow-on technology, and then there is EINSTEIN 3. EINSTEIN basically analyzes Internet traffic entering and leaving Federal civilian agencies to identify cyber threats and to try to stop attacks.

This system has been rolled out in phases over the last several years. EINSTEIN 1 is the first step. It sees and actually records Internet traffic, much like a guard at a checkpoint watches cars go by and maybe writes down and records the license plates. EINSTEIN 2 detects anything out of the ordinary and sets off alarms if a piece of malware is trying to enter a Federal network. For example, a car comes through and it is not supposed to come through. That would set off an alarm and enable EINSTEIN 2 to actually detect a cyber intrusion. It doesn't do anything about blocking. It doesn't block the car, in this example. It doesn't block anything. EINSTEIN 3A, the latest version, uses unclassified and classified information to actually block the cyber attack.

So initially EINSTEIN 1 records basically what is being detected, EINSTEIN 2 actually detects bad stuff coming through in terms of an intrusion, and EINSTEIN 3A blocks it. The problem is that less than half of our Federal civilian agencies actually have EINSTEIN 3A in place. They have the ability to record an intrusion, the ability to detect an intrusion, but not the ability to block an intrusion. They need the ability to block. What our legislation would do would be to make sure that agencies have EINSTEIN in place, including the ability to block intrusions, within 1 year.

Finally, our amendment incorporates the language originally drafted by Senator SUSAN COLLINS, the former chair of the homeland security committee and a great colleague of ours for many years, Senator MARK WARNER, Senator KELLY AYOTTE, Senator CLAIRE McCASKILL, Senator DAN COATS, and Senator BARBARA MIKULSKI. They are all cosponsors of the amendment Senator COLLINS offered. These provisions would strengthen the ability of the Department of Homeland Security to shore up cyber defenses at civilian agencies and to address cyber emergencies across the Federal Government.

Again, I am incredibly grateful that Senator FEINSTEIN and Senator BURR agreed to include our language in the substitute amendment language that

worked its way through our committee. We had hearings and had the opportunity to mark up the legislation. It worked the way it is supposed to work. And I think that without exception it had bipartisan support coming through our committee. It is the perfect complement to the information sharing bill we are discussing this week. I think it makes a good bill that much better.

I thank the Senators for working with me and Senator JOHNSON on it.

Just one more thing before I close. I know the Presiding Officer thinks a lot about root causes, and rather than just address the symptoms of a problem, let's think about what is the root cause of the problem. The Senator who is waiting to follow me on the floor, the former Governor of Maine, thinks similarly. I do too. It is not enough to just address the symptoms of these problems. A part of what we need to be thinking about is, How do we get to the root cause?

Until fairly recently, a lot of our financial services institutions in this country were under constant attack by somebody who was trying to overload their Web sites and essentially trying to shut them down. It is sort of like when we were first standing up the Affordable Care Act, they had so much traffic on their Web site that it would kind of break down.

There are so many cyber threats from around the world. We think Iran is behind it. They are trying to do that, to bring down our financial services business—and sometimes with some success.

About a year ago, when we got very serious about negotiating with the Iranians and our partners—the French, the Brits, the Germans, the Russians, and the Chinese—some kind of an agreement where the Iranians would give up any hope they had of having a nuclear weapon and the terms for our lifting our economic sanctions—when it became clear that those were serious negotiations, that something might actually happen from those negotiations, guess what happened to those attacks. We call them DDoS. What do you suppose happened? Well, guess what, they started letting up little by little until the time we actually voted here to let that agreement be enacted and hopefully be administered and implemented. That was a root cause being addressed.

Another root cause we had over in China—for years the Chinese have sought to use cyber attacks to get into our most successful businesses, some of our research and development operations in those businesses, and work being done within Federal agencies on research and development—actually, the intellectual seed corn for creating jobs and opportunity in this country. The cyber attacks were—we believe it was China trying to steal information

from our universities. They were doing a lot of research that could lead to economic activity and job creation. We didn't like it. We don't do that. We don't do that to them, and we don't want them to do that to us. We complained about it and complained about it and called out some of the folks whom we thought were behind this in China.

President Xi visited us in this city about 3 week ago. He and our President had some tough, direct, and probably not entirely comfortable conversations. One of them dealt with this issue, what we believe is the intrusion by Chinese actors in order to steal our intellectual seed corn, in order to maybe have a short step, a shortcut to economic development, economic activity. They would not have to spend the money, the time, and the energy to do all the research that would lead to this innovation and job-creation activity. The agreement that came out of that was the Chinese and our country have agreed that neither side will knowingly steal this kind of information from the other. "Knowingly" is a very broad term, and so we have to make sure that "knowingly" actually means something. Secretary Jeh Johnson, the head of the Homeland Security Department, and Attorney General Loretta Lynch have been assigned to build on this initial agreement and see what we can make of it.

I will close with this. A lot of people in our country don't understand what all this cyber security stuff is—intrusion, EINSTEIN, and all the items we are talking about that are in the legislation which is before us this week. They do know this: It is not good when people can steal the kind of information that needs to be protected. Whether it is part of the government domain, military or intelligence secrets; whether it is economic secrets or developments that lead to economic gain; whether it is personally identifiable information that can be used for blackmail purposes or to monetize and to somehow make money off of that information, we know it is not good. There is no one silver bullet to actually stop this kind of activity, but there are a lot of silver BBs, and some of them are pretty big.

The legislation that is before us today, bolstered by similar legislation that has come out of the Committee on Homeland Security and Governmental Affairs, is a pretty good-sized BB. They are not going to enable us to win this war by themselves, but they will enable us to make real progress. It will make us feel a good bit more secure than we have, knowing that this is an enemy across the globe and that a number of enemies wish us harm. They are not going to give up. There is a lot of money involved. They will be back at us, and we have to bring our "A" game to work every day in the Department of Homeland Security and other

Federal agencies working in tandem with the private sector.

Hopefully, with this information, the folks in the private sector—if they want to get the liability protection and share information with the Federal Government, we want them to use the portal through the Department of Homeland Security. The Department of Homeland Security, to the extent that privacy scrub is needed—it does not happen often. It happens less than 1 percent of the time with the information that comes through the portal. The legislation before us, with the amendments that are offered, will enable us to have that kind of security about our private information and at the same time to do a very good job—a much better job—in protecting what is valuable to us.

Mr. President, I think that is about it for me. I appreciate very much the opportunity to speak. I appreciate the patience of Senator KING, and I will yield the floor to him.

I will just say in closing—no, Senator BLUNT, I will yield to you next. It is good to be with both of you. I look forward to working with you on these and, with respect to the Senator gentleman from Missouri, very closely on related matters.

Thank you so very much.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I thank the Senator from Delaware. He and I have worked on legislation together to protect data security, to have one standard for notifying people whose information has been accessed by people who shouldn't have it, and we are going to continue to work on that and look for opportunities, whether it is this bill or some other bill, to add that important element to what we are doing here.

I come to the floor today, as I am sure many others have, to express support for this bill—for the Cybersecurity Information Sharing Act—a bill that gives us tools we don't currently have, and to break down barriers that we do currently have. This is a bill that would allow individuals who see the information they are responsible for being attacked to call others in their same business and say: Here is what is happening to us right now. If you are not seeing it already, you should be looking for it. When they do that, it doesn't violate any competitive sharing of information. What it does is bring everybody into the loop of defense as quickly as possible and allow them to look for help from the government as well.

So I express support for this bill. We know that day after day Americans who read, watch, or listen to the news learn of another cyber attack. Some involve attacks of government systems, while others involve the private sector.

In 2012 and 2013, hacker groups linked to Iran targeted American bank Web

sites and sustained an attack on those Web sites in a way that was designed to disrupt people trying to do business—trying to pay their own personal bills, trying to do things people should expect to be able to easily do.

Early in 2014, we learned that cyber criminals had stolen 40 million credit card numbers from a major retailer and had probably compromised an additional 70 million accounts. We also have learned that a lot of times when we hear about these, they seem bad enough at first, but they seem a whole lot worse later when we find out what really happened, when we see how deep these criminals were able to go, how deep these terrorists were able to go, how deep these government-sponsored entities were able to go to get at information they shouldn't have.

In September of that same year, September 2014, we learned another major retailer had suffered a data breach. In that case there were 56 million credit card holders.

In February of this year, we learned a health insurance provider's system had been hacked, and 80 million customers were affected. This was a data breach that particularly impacted my State—particularly impacted Missourians—and we saw a huge change in the IRS fraud that occurred this year because, we believe at least, because criminals suddenly had all this sensitive personally identifiable information they had stolen. Suddenly somebody besides you was filing your tax return. Only later did the people who really had the income tax return to file find out that somebody had filed it for them.

In June of this year—maybe the most surprising to all of us who have heard over and over again that the private sector is struggling, we suddenly found out the U.S. Office of Personnel Management increased a previous estimate of how many people were affected by its own data breach. The files of Federal employees and people related to those files was revised upward to 21.5 million people. Then we found out that also included roughly 5.5 million sets of fingerprints.

I am not exactly sure what you could do with somebody's fingerprints on the Internet today. I can only imagine what you might be able to figure out to do with those fingerprints. Remember, your fingerprints don't change, and probably the government entity responsible for that hacking that has those fingerprints is always going to have those fingerprints as they think of new and malicious ways to use them. So we are talking about well over 100 million Americans who already have their personal information in the hands of people it shouldn't be in.

The challenge before us is as clear as it is urgent. Virtually every aspect of our society and our economy rely on information technology. It has enabled

tremendous economic growth, it has enabled tremendous efficiencies in every sector, but it has put all kinds of information out there in ways that, looking back, we are going to wonder why we made that information so available in so many places and left so unprotected.

Federal, State, and local governments rely on that information technology as well. As the technology advances, its widespread adoption has also opened us to new dangers. Modern cyber security threats are sophisticated, they are massive, and they are persistent. This doesn't just happen every day, it happens all the time every day.

The culprits of these attacks and intrusions range in terms of their motives and their abilities. We just heard of a teenager who figured out how to get into the personal account of the CIA director—at least that is the public media report—and the homeland security director. This is not a particularly sophisticated individual, but obviously a pretty capable person who gets to two individuals that one would think would be the most cautious.

Some of these people are bent on sheer vandalism—just the thrill of cyber vandalism—while others are determined to steal intellectual properties from American companies. The motive there is clear. It is easier to steal intellectual property than it is to go through the hard work of creating it. Suddenly that information is out there, and the people who created it have been robbed.

I hear this all the time when I visit companies in my State. We have seen cyber intrusions used for espionage. We have seen one major company attacked for no reason other than to embarrass the company because a foreign government didn't like something the company had done. It is quite a way to have a movie review, that we are just going to destroy as much of your technology as we can by a cyber invasion.

A great many more of these people are motivated by greed—pilfering other people's identities, getting access to other people's account information, and selling that information on the black-market. This becomes a real opportunity for them. The more you remove it from the person who initially got it, the harder it is to find out who initially got it and what they did with it.

Underneath all this is the implication of more serious attacks that can cause physical harm and can cause mass disruption of critical infrastructure of the country that is very dependent on cyber security. This really begs the question: What are we doing to protect our country and our citizens from these cyber adversaries? I have been in Senate for 5 years. I have had the great opportunity to represent the people of Missouri here for 5 years. And

during every one of those 5 years, we have been talking about how important it is that we do something about cyber security. This is the only approach I have seen in those 5 years that has bipartisan support. It has a bicameral consensus. This is something that can happen.

This is a problem that it is time to stop talking about. Do we want some other government to have everybody's fingerprints before we do something about it? This is the time to do something about it. As a member of the Senate Select Committee on Intelligence, I am certainly here to support the chairman of that committee and the vice chairman of that committee to finally pass this bill, a bill to enhance the public-private partnerships that can provide the kind of cyber defense we need.

We need to do that and we need to encourage lots of sharing. We need to encourage sharing of attacks. We need to encourage early on, as I said, the ability to call somebody else in your same business and to contact them and say: This is happening right now. That is the best time to say it. The other option is to say: This happened to us late last night or happened yesterday, but this is happening to us. Is it happening to you?

There is lots of misunderstanding about this concept. Without getting too technical, cyber threats are the malicious codes and algorithms used to infect computer systems and attack networks. They are techniques that use bits and bytes. They are the ones and zeros of the digital age that allow hackers to intrude upon private systems, steal information, perpetrate fraud, or disrupt activities over the Internet.

In very dangerous circumstances, these techniques can be used to remotely control critical infrastructure management systems, such as supervisory control and data acquisition systems. I saw something on the news the other day where some hackers, for no intent other than maybe just to see if they could do it, had figured out how to take over one of the cars that was driving itself. Suddenly the car wasn't driving itself; the hacker was driving the car.

When a particular company finds itself subjected to some novel new approach, the quicker they can share that, the better. When the government discovers a new method being used to infiltrate information technology systems abroad or here, they need to be able to share that with American companies quickly so they can protect themselves. There are things the private sector sees that the government does not, and there are things the government sees that the private sector does not. This legislation gives the obligation and opportunity to both of them to join together in this important

fight. Modern communications networks move at an incredibly rapid pace. We need to be fighting back at that same kind of rapid pace.

This bill establishes a strictly voluntary program. Unlike some of the other programs we have talked about to secure ourselves in a post-9/11 world, this is a strictly voluntary program that leverages American ingenuity to unleash the arsenal of democracy against cyber adversaries.

When it comes to the cyber threat, we have to act for a common purpose. Throughout this debate there has been a great deal of discussion about the need to protect liberty in the information age. I truly think liberty and security are not at odds with one another in this legislation. When it comes to this bill, it comes the closest to having the balance we all would like to see. It takes into consideration the importance of liberty, but it also takes into consideration what happens as we protect our security.

I would close by saying of all the attacks we have had, and as bad as they have been, none of them have been the sort of catastrophic infrastructure attack that we may see that would impact the grid, that impacts our ability to communicate, impacts our ability to make the water system work, or impacts our ability to make the electrical system work. If that happens, the Congress will not only act, the Congress will overreact.

This is the right time to have this debate. Let's put this legislation on the books right now. Let's give the people a law that makes sense at a time when we have the time to debate it, instead of waiting to see the direction we will turn to when we should have debated this and moved in this direction right now. I encourage my colleagues to vote for this bipartisan bill that I think will wind up on the President's desk and become law.

Mr. President, I yield to my patient friend from Maine, who has been waiting. He and I serve on the Select Committee on Intelligence together, and I look forward to his comments.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Maine.

Mr. KING. Mr. President, the United States is under attack. We are under attack—not a week ago, a month ago, September 11 or yesterday, but right at this moment. We are under attack from state actors, from terrorist nonstate actors, and from garden-variety criminals. This cyber issue is one of the most serious that we face.

When I first got here, I was appointed to the Armed Services and Intelligence Committees. On those two committees over the past 3 years, at least half of our hearings have touched upon this issue and the threat that it presents to this country. The leaders of our intelligence community and our military community, in open session and in

closed session, have sounded the alarm over and over and over. The most dramatic—I don't remember what the hearing was—was when one of our witnesses said: "The next Pearl Harbor will be cyber."

As the Senator from Missouri just pointed out, we are fortunate that we have had a number of warning shots but none have been devastating. But we have had warning shots—at Sony, at Target, at Anthem, at the Office of Personnel Management of the U.S. Government, and at the home email of the Director of the CIA. We have had large and small intrusions and cyber attacks that have been more than annoying, but, so far, they haven't been catastrophic. That is just a matter of time. That is why we have to move this bill.

This bill isn't a comprehensive answer to this question, but it is at least a piece of it. It is a beginning. We are going to have to talk about other aspects of our cyber strategy, but at least we can pass this bill, which came out of the committee 14 to 1. It is bipartisan, and it has support in the House. Let's do something.

I do not want to go home to Maine and try to explain to my constituents, when the natural gas system or the electric system is brought down, that we couldn't quite get around to it because of the difference of committee jurisdictions or because we had other priorities or because we were tied up on the budget. This is a priority. It is something we should be doing immediately, and I am delighted that we have moved to it.

Now, as I have sat in the Intelligence Committee every Tuesday and Thursday afternoon for the past 3 years, it occurred to me several months into those debates and the discussions of this and other issues that really we in the Intelligence Committee and also we in this body really are working with and weighing and balancing two constitutional provisions.

The first is the preamble of the Constitution. The most basic responsibility of any government, anywhere, anytime, is to provide for the common defense. That is why governments are formed, to provide the security, and also to insure domestic tranquility. Those two together are the basic functions of why we are here—to protect our people from harm. And that is clearly what this bill is talking about.

But the other constitutional provision in the picture that we also have to weigh is the Fourth Amendment: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. . . ." That is a fundamental premise of who we are as a people.

These two provisions of the Constitution are intentioned—neither one dominates, neither one controls the

other—and it is our job in this body to continuously weigh and calibrate these two provisions and their balance in light of threats and evolving technologies.

When the Fourth Amendment was written, nobody had ever heard of telephones. They certainly had never heard of the Internet. They never thought about any of these things. But they said: The rights “shall not be violated.” It is interesting—“unreasonable searches and seizures.” They didn’t know the threats we would be facing when they said it was a fundamental premise of the U.S. Constitution that we should protect against both foreign and domestic enemies. That is what we have to do, and that is what this bill does.

This bill is very carefully worked up, with a lot of discussion and negotiation, to be effective in protecting the public, while, at the same time, to be effective in protecting the public’s privacy rights in respecting these two principles. We have had warning after warning after warning, and now it is time for us to act.

The good news about the United States is that we are the most wired nation in the world. Technology has been a huge boon to our economy and to our people, and we are way ahead of a lot of the rest of the world in our interrelationship with technology and how we have used it to enhance our lives. That is the good news. The bad news is that we are the most wired country in the world, because that means we are the most vulnerable—*asymmetric vulnerability*. We are more vulnerable because we are more connected. That means we have to take great care in this country to be sure that we don’t allow that vulnerability to result in a catastrophic loss for our people.

Not only are we talking about national security issues, but we are talking about individual people’s lives. If the electric grid went down, people’s lives would and could be lost—in hospitals, at traffic intersections, across the country. If the natural gas system—the vast pipeline system that links our country in terms of energy—somehow went awry because of a cyber intrusion into the operating system, that would have devastating consequences for human lives and also, of course, for the economy of our country. Somebody could get into the routing system of a railroad, and a train carrying hazardous material would be caused to derail. These are the kinds of things that can happen and will likely happen unless we take steps to protect ourselves.

Some of these attacks and intrusions are sponsored by nation-states. We know that. Some of them are sponsored by just garden-variety criminals who are trying to steal our money. Or some of them are large international crimi-

nal organizations that are trying to steal our commercial intelligence and how we build our products and how we compete. Some of them are terrorist organizations that see this as a cheap way to attack America. Why go to all the trouble to build a bomb and smuggle it into the country and all the risk that entails, when you can disrupt the country in just as great a way with a few strokes on a laptop?

It is economic security, national security, economics. It has been estimated worldwide that cyber crime costs our country \$445 billion a year. That is to the global economy—a half trillion dollars a year. Some 200,000 jobs in the United States could be and are being affected, and 800 million personnel records were stolen, and 40 million were Americans.

The cost of cyber crime is estimated to be between 15 and 20 percent of the value created by the Internet. We always talk that we don’t want any taxes on the Internet. This is a tax. This is a tax we are all paying. The users of the Internet are paying to ward off this epidemic of cyber crime.

It is not only the government. Of course, it is companies, such as Sony, Target, Anthem, the industrial base, JP Morgan, Home Depot. The list goes on and on. Most importantly, it is not just the big guys. Sometimes we feel that OK, this is the large banks, the large insurance companies that have to worry about this. In the State of Maine, we have to worry about it.

My staff and I in Maine have reached out to businesses large and small across the State. Every single one, with one exception, listed cyber intrusion as one of their greatest issues.

The Maine Credit Union League, with \$2.5 million a year, and local credit unions are having to deal with cyber intrusion.

One of our Maine health care providers has experienced thousands of attempts to steal confidential data every year. Keeping the data safe is costing them more than \$1 million. This is costing us real money.

At one of our Maine financial institutions, 60 to 70 percent of the emails they get in the bank are phishing emails trying to compromise their secured data.

One of our utilities spent over \$1 million a year just on preventative costs to defend against cyber crime. This is in a State of 1.3 million people. This is real. This is real in our State.

I had a forum over the August break with businesses throughout Maine—mostly small businesses and homeland security. We had 100 businesses come just to visit and sit for a day to talk about this issue. These were small businesses, and all of them were seeing these kinds of problems.

One was a small business with 35 employees that did a deal overseas, and a cyber criminal in effect stole their pay-

ment. They sent a fake invoice to the customer overseas, the customer paid it, and the money went to the crook, not to my company in Maine. That is the kind of thing that is happening, and that is one of the reasons we have to take action today.

No business is immune. No individual is immune. And, of course, this country is not immune.

The price of inaction is just too high. This is something we must attend to. As I mentioned, this bill is not the whole answer, but it is a part of the answer.

Some people say: Well, it is not broad enough. My answer is this: OK, I understand that, but let’s do what we can do and then take it one step at a time.

Some people say it compromises privacy. I don’t believe that it does. Extraordinary measures were imported into this bill in order to protect the privacy of individuals. This is not about individual data. This is about a company voluntarily telling the government and perhaps some other companies: Here is what I am seeing as an attack. How can we collectively defend ourselves against it?

That is what this bill is really all about. We have to take action, and now is the time.

I thank the chair and the vice chair of the Intelligence Committee, the members of the Homeland Security and Governmental Affairs Committee, the members of the Judiciary Committee, and all of those who have contributed to the finalization of this important piece of legislation.

There is an attitude out there that we can’t get anything done around here. I think this gives us an opportunity to prove that idea wrong. We can get things done. We should get things done. This is a chance for us to protect our people, to provide for the common defense—which is our most solemn constitutional responsibility—in a way that also protects the interests of the Fourth Amendment and individual privacy rights.

I hope we can move swiftly, complete the consideration of this bill this week, work out our differences with the House, and get this matter to the President. We have no place to hide if we don’t get this done. This is what we are here for.

Again, I thank my colleagues who worked so hard to bring us to this point.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, before the Senator leaves the floor, I wish to thank him on a well-planned, well-thought-out, and very convincing presentation, and an argument that, frankly, I can add very little to. So I will make my remarks very brief.

I thank the Senator from Maine for highlighting the absolute importance

of the passage of this legislation. And, I might add, he is one of the most serious and hard-working members of the Senate Armed Services Committee as well. I won't go any further.

Mr. President, I rise in strong support of S. 754. I thank my colleagues, Chairman BURR and Vice Chairman FEINSTEIN, for their ongoing leadership.

In the short 2 months since this bill was last on the Senate floor, the need for action on information sharing has only increased. It is not for a lack of trying. We have continuously failed to make progress on this bill. As the Senator from Maine just made clear, that must change. Enacting legislation to confront the accumulating dangers of cyber threats must be among the highest national security priorities of the Congress.

The need for congressional action, in my view, is also enhanced by the administration's inability to develop the policies and framework necessary to deter our adversaries in cyberspace.

Earlier this week we learned just how ineffective the administration has been in addressing our cyber challenges. Within days of reaching an agreement to curb the stealing of information for economic gain, China—China—repeatedly, reportedly, continues its well-coordinated efforts to steal designs of our critical weapons systems and to wage economic espionage against U.S. companies. It is not a surprise, but it serves as yet another sad chapter in this administration's inability to address the cyber threats.

I guess in the last couple of days it has been made known that some hacker hacked into the information of both the Director of the CIA and the chairman of the homeland security committee. That is interesting. As the President's failed China agreement clearly demonstrates, our response to cyber attacks has been tepid at best and nonexistent at worst. Unless and until the President uses the authority he has to defer, deter, defend, and respond to the growing number in severity of cyber threats, we will risk not just more of the same but embolden adversaries in terrorist organizations that will continuously pursue more severe and destructive attacks.

Addressing our cyber vulnerabilities must be a national security priority. Just this week, Admiral Rogers, the head of Cyber Command, reiterated, "It's only a matter of time before someone uses cyber as a tool to do damage to critical infrastructure."

My colleagues don't have to agree with the Senator from Maine or me or anybody else, but shouldn't we listen to Admiral Rogers, the head of Cyber Command, probably the most knowledgeable person or one of the most knowledgeable who said, "It is only a matter of time before someone uses cyber as a tool to do damage to critical infrastructure."

According to the recently retired Chairman of the Joint Chiefs of Staff, General Martin Dempsey, our military enjoys "a significant military advantage" in every domain except for one—cyber space. As General Dempsey said, cyber "is a level playing field. And that makes this chairman very uncomfortable."

I will tell you, it makes this chairman very uncomfortable as well.

Efforts are under way to begin addressing some of our strategic shortfalls in cyber space, including the training of a 6,200-person cyber force. However, these efforts will be meaningless unless we make the tough policy decisions to establish meaningful cyber deterrence. The President must take steps now to demonstrate to our adversaries that the United States takes cyber attacks seriously and is prepared to respond.

This legislation is one piece of that overall deterrence strategy, and it is long past time that Congress move forward on information sharing legislation. We have been debating similar cyber legislation since at least 2012. I am glad this body has come a long way since that time in recognizing that government mandates on the private sector, which operates the majority of our country's critical infrastructure, will do more harm than good in cyber space. The voluntary framework in this legislation properly defines the role of the private sector and the role of the government in sharing threat information, defending networks, and deterring cyber attacks.

At the same time, it is unfortunate that it has taken over 3 years to advance this commonsense legislation. The threats we face in cyber space are real and imminent, as well as quickly evolving. All aspects of the Federal Government, including this body, must commit to more quickly identifying, enacting, and executing solutions to counter cyber threats. If we do not, we will lose in cyber space.

As chairman of the Armed Services Committee, I consider cyber security one of the committee's top priorities. That is why the National Defense Authorization Act provides a number of critical authorities to ensure that the Department of Defense can develop the capabilities it needs to deter aggression, defend our national security interests, and when called upon, defeat our adversaries in cyber space. I find it unacceptable that the President has signaled his intent to veto this legislation that, among other key Department of Defense priorities, authorizes military cyber operations and dramatically reforms the broken acquisition system that has inhibited the development and delivery of key cyber capabilities.

More specifically, the National Defense Authorization Act extends liability protections to Department of De-

fense contractors who report on cyber incidents or penetrations, and it authorizes the Secretary of Defense to develop, prepare, coordinate and, when authorized by the President, conduct a military cyber operation in response to malicious cyber activity carried out against the United States or a U.S. person by a foreign power. The NDAA authorizes \$200 million for the Secretary of Defense to assess the cyber vulnerabilities of every major DOD weapons system. Finally, Congress required the President to submit an integrated policy to deter adversaries in cyber space in the fiscal year 2014 National Defense Authorization Act. I tell my colleagues that we are still waiting on that policy. This year's NDAA includes funding restrictions that will remain in place until it is delivered.

As we dither, our Nation grows more vulnerable, our privacy and security are at greater risk, and our adversaries are further emboldened. The stakes are high, and it is essential that we pass the Cybersecurity Information Sharing Act without further delay.

Let me also mention in closing that probably the most disturbing comment I have heard in a long time on this issue in this challenge is when Admiral Rogers said that our biggest challenge is we don't know what we don't know. We don't know what the penetrations have been, what the attacks have been, whether they have succeeded or not, where they are in this whole realm of cyber and information at all levels. When the person we placed in charge of cyber security says we don't know what we don't know, my friends, that is a very serious situation.

I want to congratulate again both the managers of the bill in their coordination and their cooperation in this bipartisan effort.

I yield the floor.

Mr. KING. Will the Senator yield for a question?

Mr. MCCAIN. I will be pleased to yield.

Mr. KING. I ask the Senator, would you agree that this bill represents an important part of our cyber defense but that in order to deter attacks in the long term, we must have a cyber policy that goes beyond simple defensive measures?

Mr. MCCAIN. I would certainly agree, I would say to my friend from Maine, because if the adversaries that want to commit cyber attacks against the United States of America and our allies believe that there is no price to pay for those attacks, then where is the demotivating factor in all of this which would, if they failed, then keep them from doing what they are doing? It seems to me that this is an act of war, and I don't use that term lightly but I am trying to use it carefully. If you damage intentionally another nation's military or its economy or its ability to function as a government—I would

ask my friend from Maine—wouldn't that fit into at least a narrow interpretation of an act of war? If so, then should we only have defenses? Have we ever been in a conflict where we only have defenses and not the capability to go out and deter further aggression?

Mr. KING. I would suggest to the Senator that if you are in a fight and all you can do is defend and never punch, you are going to eventually lose that fight. I think this is an important area. The theory of deterrence, as distasteful as it might have been, the mutually assured destruction during the nuclear era did in fact prevent the use of nuclear arms for some 70 years. I think we need to be thinking about a deterrence that goes beyond simply defensive measures. I commend the chairman for raising this issue and appreciate your thoughtful consideration.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, it seems as though every week, the American people learn of yet another data breach in which Americans' sensitive, private information has been stolen by cyber criminals or foreign governments. This is a critical national security problem that deserves action by Congress. But our actions must be thoughtful and responsible, and we must recognize that strengthening our Nation's cyber security is a complex endeavor with no single solution.

According to security researchers and technologists, the most effective action Congress can take to improve our cyber security is to require better and more comprehensive data security practices. That is why earlier this year, I introduced the Consumer Privacy Protection Act. That bill requires companies to utilize strong data security measures to protect our personal information and to help prevent breaches in the first place. Companies that benefit financially from gathering and analyzing our personal information should be obligated to take meaningful steps to keep it safe.

But rather than taking a comprehensive approach that addresses the multiple facets of cyber security, the Republican majority appears to be focused entirely on passing the Senate Intelligence Committee's cyber security information sharing bill. While legislation to promote the sharing of cyber threat information could, if done right, be useful in improving our cyber security, it is a serious mistake to believe that information sharing alone is the solution. Information sharing alone would not, for example, have prevented the breach at the Office of Personnel Management, nor would it have prevented other major breaches, such as those at Target, Home Depot, Anthem, or Sony.

Instead of ensuring that companies better safeguard Americans' data, this bill goes in the opposite direction, giving large corporations more liability

protection and even more leeway on how to use and share our personal information with the government—without adequate privacy protections.

Also troubling is the fact that the Republican majority has been intent on jamming this bill through the Senate without any regard for regular process or opportunity for meaningful public debate. Only last year, the Republican leader declared his commitment to "a more robust committee process" and plainly stated that "bills should go through committee." But the bill was drafted behind closed doors by the Senate Intelligence Committee, and it has not been the subject of any open hearings or any meaningful public debate. The text of the bill was only made public after it was reported to the Senate floor, and no other committee of jurisdiction—including the Judiciary Committee—was allowed to consider and improve the bill.

The Judiciary Committee was prevented from considering this bill even though it contains numerous provisions that affect matters squarely within our jurisdiction. First and foremost, the bill creates a framework of information sharing that could severely undermine Americans' privacy. The bill also overrides all existing law to provide broad liability protections for any company that shares information with the government. It also overrides important privacy laws such as the Electronic Communications Privacy Act, ECPA, and the Foreign Intelligence Surveillance Act, FISA, over which the Judiciary Committee has long exercised jurisdiction. CISA even amends the Freedom of Information Act, FOIA, and creates new exemptions from disclosure.

This is just the latest attempt by the majority leader to bypass the Judiciary Committee and jam a bill through the Senate that contains provisions within the jurisdiction of the committee. The bill reported by the Senate Intelligence Committee includes a broad and unnecessary FOIA exemption. FOIA falls under the exclusive jurisdiction of the Senate Judiciary Committee and changes affecting this law should not be enacted without full and careful consideration by the Judiciary Committee. This important transparency law certainly should not be amended in closed session by the Senate Intelligence Committee.

Shortly after the text of the bill was released, I shared with Chairman GRASSLEY my concern that the Judiciary Committee should also consider this bill. He assured me that there would be a "robust and open amendment process" if this bill were considered on the Senate floor. But only a few weeks later, the Republican leadership—with Chairman GRASSLEY's support—attempted to jam the Intelligence Committee's bill through the Senate as an amendment to the Na-

tional Defense Authorization Act, NDAA, without any opportunity for meaningful debate. Republicans and Democrats joined together to reject the majority leader's effort to force the cyber security bill onto the NDAA. Despite this rebuke from both sides of the aisle, just a few weeks later, the majority leader again attempted to jam the bill through the Senate in the final days before August recess, without any serious opportunity to debate and offer amendments.

The majority leader's actions have been part of a consistent disregard for regular order. He has talked about providing an opportunity for fair debate, but at the same time, he has used all procedural mechanisms to stifle process on this bill. Yesterday afternoon, the Senate moved to consideration of this bill—but then not even 2 hours later, the majority leader moved to end debate. That speaks volumes about whether the majority leader is really interested in a full and open debate, and it is not how the U.S. Senate should operate—particularly when it comes to a bill with such sweeping ramifications for Americans' privacy.

Senator FEINSTEIN, the ranking member of the Intelligence Committee, has consistently said that the Senate "should have an opportunity to fully consider the bill and to receive the input of other committees with jurisdiction in this area." She has worked hard to improve the underlying bill with a managers' amendment that addresses a number of my concerns, particularly in regard to FOIA, limiting the sharing of information for cyber security purposes only, and ensuring that the bill would not allow the government to use information to investigate crimes completely unrelated to cyber security. I appreciate these improvements, and Senator FEINSTEIN's efforts to include them in the bill. But again, this bill still has some serious problems and requires a full, public debate. The bill still includes, for example, a FOIA exemption that I believe is overly broad and unnecessary.

In July, the Department of Homeland Security wrote a letter to Senator FRANKEN stating that in their view the bill raises significant operational concerns and certain provisions threaten to severely undermine Americans' privacy. Last week, the Computer & Communications Industry Association—an organization that includes Google, Facebook, and Yahoo!—voiced serious concerns that the bill fails to protect users' privacy and could "cause collateral harm" to "innocent third parties." And this week, major tech companies such as Apple, Dropbox, Twitter, and Yelp have vocally opposed the bill citing concerns for their users' privacy.

The latest version of the bill contains a number of improvements that I and other Senators have been fighting for, and I am glad to see that we are making progress. But we still have work to

do on this bill, and the Senate must have an open and honest debate about the Senate Intelligence Committee's bill and its implications for Americans' privacy. I agree that we must do more to protect our cyber security, but we must be responsible in our actions. Legislation of this importance should not be hastily pushed through the Senate, without a full and fair opportunity for Senators to consider the ramifications of this bill. Unfortunately, by moving so quickly to end debate, it appears that the majority leader is trying to do just that.

Ms. MIKULSKI. Mr. President, I wish to support the Cybersecurity Information Sharing Act of 2015.

Cyber security is the most pressing economic and national security threat facing our country today. As a member of the Senate Select Committee on Intelligence, I am keenly aware of the damage cyber attacks cause on our Nation. As vice chairwoman of the Senate Appropriations Committee, I believe we must have a clear and comprehensive approach to funding cyber security.

In boardrooms and around kitchen tables, concern over cyber security is heightening. It is gaining new traction following the cyber attack on the Office of Personnel Management, which compromised the personal information of more than 22 million Federal employees, contractors, and their families.

The American people expect serious action by Congress. This can and must be done, while respecting privacy and avoiding data misuse by the government or businesses. Congress must act with a sense of urgency to pass the Cybersecurity Information Sharing Act. If we wait for another major cyber attack, we risk overreacting, overregulating, overspending, and overlegislating. The time to act is now.

Our Nation is under attack. Every day, cyber attacks are happening. Cyber terrorists are working to damage critical infrastructure by taking over the power grid or disrupting air traffic control. Cyber spies are moving at breakneck speeds to steal state secrets, intellectual property, and personal information. Cyber criminals are hacking our networks, stealing financial information, and disrupting business operations. These cyber attacks can disrupt critical infrastructure, wipe out a family's entire life savings, take down entire companies, and put human lives at risk. In the past year alone, we've seen cyber attacks against Sony, Home Depot, UPS, JP Morgan Chase, Experian, T-Mobile, Scottrade, and the list goes on. The economic losses of cyber crime are stunning. In 2014, the Center for Strategic and International Studies and McAfee estimated the annual cost from cyber crime to be over \$400 billion.

I have been working on cyber issues since I was elected to the Senate. Our

cyber warriors at the National Security Agency are in Maryland, and I have been working with the NSA to ensure signals intelligence was a national security focus even before cyber was a method of warfare.

In my role on the Intelligence Committee, I served on the Cyber Working Group, which developed findings to guide Congress on getting cyber governance right, protecting civil liberties, and improving the cyber workforce.

As vice chairwoman of the Appropriations Committee and the Commerce, Justice, and Science Subcommittee, I put funds in the Federal checkbook for critical cyber security agencies. These include the Federal Bureau of Investigation, which investigates cyber crime; the National Institute of Standards and Technology, which works with the private sector to develop standards for cyber security technology; and the National Science Foundation, which researches ways to secure our Nation. As a member of the Appropriations Subcommittee on Defense, I fight for critical funding for the intelligence and cyber agencies, including the National Security Agency, Central Intelligence Agency, and Intelligence Advanced Research Projects Activity, who are coming up with the new ideas to create jobs and keep our country safe. These funds are critical to building the workforce and providing the technology and resources to make our cyber security smarter, safer, and more secure.

This bill does three things from a national security perspective. First, it allows businesses and government to voluntarily share information about cyber threats. Second, it requires the Director of National Intelligence to share more cyber threat information with the private sector, both classified and unclassified. Third, it establishes a Department of Homeland Security "portal" for cyber info-sharing with the government to help dot-gov and dot-com in a constitutional manner. These three provisions are an innovation. Despite all the amazing talent companies have, many are being attacked and don't even realize it. This legislation allows unprecedented dot-com and dot-gov cooperation. There are also key provisions on privacy protections and liability protection for companies that monitor their own networks or share information.

Why do we need a bill to make these vital partnerships happen? America is under attack every second of every day. The threat is here, and it is now. If we do not act or if we let the perfect be the enemy of the good, this country will be more vulnerable than ever before, and Congress will have done nothing.

This bill is not perfect. The Department of Homeland Security's role has been criticized by many, including my-

self. I have been skeptical about their ability to perform some duties assigned in this bill. I am still skeptical, although less so than before. But this bill takes important steps to diversify government and private sector actors, so we are not just focusing on DHS, but also keeping civilian agencies in charge. We cannot have intelligence agencies leading this effort with the private sector. Some would like to see that go further, but that is what the amendment process is for.

People in the civil liberties community worry that this bill could allow government intrusions into people's privacy. This was of tantamount concern for me. If we don't protect civil liberties, the added security is for naught because we lose what we value most: our freedom. The authors of this bill, especially Senator FEINSTEIN, have made key improvements on issues of law enforcement powers and protecting core privacy concerns. While not everyone is entirely pleased, this bill has made important strides to balance information sharing and privacy.

The business community is concerned because it fears strangulation and overregulation. They worry that they will open themselves up to lawsuits if they participate in the program with the government. I have heard from Maryland businesses and these are valid concerns. Importantly, this bill has made strides in accommodating business and builds a voluntary framework to allow businesses to choose that protection. Protection does not come without responsibility for participants, but this bill links the need for cyber security, appropriate liability protection, and the expertise of our business community in a way that answers a lot of companies' concerns. We cannot eliminate all government involvement in this issue because it simply won't work, and we will lose key government expertise in the Department of Defense, Federal Bureau of Investigation, and elsewhere. However, we can work to try to minimize it while maintaining the government's role in protecting national security.

I am so proud that the Senate came together in a bipartisan way to draft and pass this legislation. The Senate must pass this legislation now. Working together, we can make our Nation safer and stronger and show the American people we can cooperate to get an important job done.

AMENDMENT NO. 2557

Mr. President, today I wish to speak about my amendment to the cyber security bill. This amendment would provide an additional \$37 million for the Office of Personnel Management, OPM, to accelerate completion of its information technology, IT, modernization and thwart future cyber attacks.

This additional funding would allow OPM to make needed upgrades to cyber security and network systems 1 year

ahead of schedule. This means OPM will not have to wait another year to protect sensitive personnel data by implementing hardware and software upgrades recommended by security experts.

The \$37 million is designated as an emergency under the Budget Control Act of 2011.

For over a year, the Office of Personnel Management's systems were compromised. This hack exposed the financial and personal information of 22 million Federal employees and their families, contractors, job candidates and retirees. This is unacceptable.

OPM's retirement services and background investigation databases contain the most sensitive data OPM holds, including Social Security numbers, health information and fingerprints.

I have heard from employees across the government. Data breaches undermine morale and complicate their ability to serve the American people.

OPM has moved to provide protections, but that is not enough. Securing these systems must be done now. We can't wait for the next budget cycle.

I urge support for my amendment. This is a crisis, so we ought to treat it like one. Twenty-two million Americans who entrusted their data and fingerprints to the government deserve the highest standard of protection.

There is a reason OPM was exploited. Federal cyber security has been weak. The Appropriations Committee has consistently given agencies the resources they asked for to protect their dot-gov systems. But under sequester-level budgeting it hasn't been enough. Constrained agencies don't ask for what is truly needed to do the cyber security job.

Tight budgets mean immediate problems get requested and funded before other much needed IT protection and maintenance. We aren't even doing the simple things.

After the OPM breach, the Office of Management and Budget, OMB, conducted a cyber sprint. OMB asked agencies to take four minimal steps: No. 1, deploy Department of Homeland Security malicious activity detectors; No. 2, patch critical vulnerabilities; No. 3, tighten privileged user policies; and No. 4, accelerate deployment of multifactor authentication.

While there was improvement, only 14 of the 24 agencies met the fourth goal. Some of it is a lack of will, but some is a lack of resources.

OPM knows it needs to harden its information technology.

That is why I am offering this amendment, providing \$37 million in emergency spending to harden OPM systems now—not a year from now. These funds meet the criteria for being designated as emergency spending as set out in the Budget Control Act of 2011. OPM's needs are urgent, temporary, and, regrettably, unforeseen.

What does it mean to designate funds as emergency spending? It means no offsets, so we don't pay for this amendment by drawing from existing funding used to defend the Nation or help America's families.

The need is urgent—our adversaries are still trying to attack us. The need is temporary—these are one-time costs to accelerate IT reform. And the need is unforeseen which is sadly the reason they were not requested in the President's fiscal year 2016 budget in February.

Some say this funding is premature, and OPM is not ready to deploy it effectively. However, those reports were written before Beth Cobert became OPM Acting Director. She is turning OPM around, but she needs the resources to secure OPM's IT systems, and cyber security is a critical issue.

Government can't be reckless with the sensitive data it has. We must do better with dot-gov and get our own house in order. We know what OPM needs to do—they have the will, they have a business plan, and now they need the wallet.

Vote for my amendment No. 2557 to get OPM the resources it needs.

The PRESIDING OFFICER. The Senator from Wisconsin.

UNANIMOUS CONSENT REQUEST—H.R. 3594

Ms. BALDWIN. Mr. President, last week when I was back in my home State of Wisconsin, I had the privilege of hosting a roundtable with college students from all across the southeastern area of the State. The focus of the conversation was how we in Congress could help keep college affordable and accessible. During the course of that conversation, it was abundantly clear that most of the students were very frustrated that Congress could not take some of the most commonsense steps to make that happen. I told them that I shared their frustration and ensured them that I would be going back to Washington, DC, this week to fight on their behalf.

This morning I hosted a Google Hangout and spoke with campus newspapers from across the State of Wisconsin to reiterate my commitment on this issue. So here I am, almost 1 month from the day that I last stood here on the Senate floor, 1 month since a single United States Senator stood up and blocked a commonsense and bipartisan measure that would have continued to provide critical financial support for America's low-income college students.

In the short month since our efforts to reauthorize the Federal Perkins Loan Program were obstructed, the immediate impacts are already becoming quite clear. Last week, the Coalition of Higher Education Assistance Organizations began surveying colleges and universities that participate in the Perkins loan program to learn more about how this obstruction is impacting their

students. After a few days, they heard from over 100 students outlining how allowing Perkins to expire is harming students and institutions alike. There are real impacts being felt by real students right now across America. If we don't act, this damaging impact will ripple across our community. Therefore, we cannot sit idly by.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3594, which is at the desk, that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Mr. President, on behalf of the leadership, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. BALDWIN. Mr. President, this is incredibly frustrating. I am going to spend a few minutes talking about how this objection, this obstruction is impacting the students of America and the higher education institutions of America. There are real impacts that are being felt right now. Students who have previously received Perkins loans will lose their future eligibility if they change institutions or academic programs. Students seeking Perkins loans for the upcoming winter and spring semesters will not be eligible at all if we don't act soon to reauthorize this program. Finally, all future students will be ineligible for this program.

This afternoon right before I came down to the Senate floor, I received a letter from the president of the University of Wisconsin's system, Ray Cross—a letter that was co-signed by all 14 of the UW system university chancellors. In their message, they shared compelling insight into how the sudden end to the Federal Perkins Loan Program is already affecting Wisconsin students. They then closed their letter with this:

[W]e need to keep this program in place. After all, our job is to help students who would not otherwise be able to attend higher education and to help them overcome barriers, particularly financial barriers, all of which helps to ensure access, retention, completion, and a skilled workforce. These are goals upon which all of us can agree.

One month ago our colleagues in the House of Representatives—a body rarely called a place of agreement—took up and passed a measure that would extend this student loan program for 1 year. I previously called up that bill here in the Senate and asked unanimous consent that we extend the Federal Perkins Loan Program. While I look forward to a broader conversation about improving Federal supports for students as we look to reauthorize the Higher Education Act, I don't believe—and I still don't—that we can sit idly by while America's students are left with such uncertainty.

As everyone heard, I asked unanimous consent to proceed to the consideration of the bill, and one Senator stood up on behalf of Republican leadership and blocked our ability at this point in time to extend the Federal Perkins Loan Program by 1 year.

Again, I understand a desire, and frankly, share a desire to have a broader conversation about Federal student aid as part of the Higher Education Act reauthorization effort. I still do not think it is right or fair to let this program expire to the detriment of thousands of students in need. Frankly, this is a perfect example of why the American people are so upset with Washington.

Since 1958, the Federal Perkins Loan Program has been successfully helping Americans access affordable higher education with low-interest loans for students who cannot borrow or afford more expensive private student loans.

In Wisconsin, the program provides more than 20,000 low-income university and college students with more than \$41 million in aid, but the impact of this program isn't just isolated to the Badger State. In fact, the Federal Perkins Loan Program aids over half a million students with financial need each year across 1,500 institutions of higher learning.

The schools themselves originate, service, and collect the fixed interest loan rates, and what is more, institutions maintain loans available for future students because these are revolving funds.

Since the program's creation, institutions have invested millions of dollars of their own funds into the program. In addition to making higher education accessible for low-income students, the program serves as an incentive for people who wish to go into public service by offering targeted loan cancellations for specific professions in areas of high need, such as teaching, nursing, and law enforcement.

As a member of the Senate Health, Education, Labor and Pensions Committee, and as a Senator representing a State with such a rich history of higher education, it is among my highest priorities to fight to ensure that the Federal Perkins Loan Program continues for generations to come, but unfortunately, as we saw, one single Senator stood up again today and said no to students across America who ask for nothing more than an opportunity to pursue their dreams—students such as Andrew.

Andrew is currently a student at the University of Wisconsin in Stevens Point. Without the support of his Perkins loan, Andrew said he would not have had the means to attend college. He has little to no income at his disposal. Today, not only is Andrew making the dean's list every semester, but he now has his sights set on attending law school, also at the University of

Wisconsin. Andrew said: "Without the assistance I get from the Perkins Loan I would be forced to either take out other high-interest loans, or delay my graduation date, or drop out—which is the last thing I want to do."

Today this body also stood up and once again said no to students such as Nayeli Spahr. Nayeli was raised by a single mother who was an immigrant and worked two full-time jobs. Nayeli attended 10 different schools in 3 different States before she finished high school. Without the Federal Perkins Loan Program, Nayeli said her opportunity to get a college education would have been "an illusory dream."

Today Nayeli is the first in her family to finish college and is now in her last year of medical school. She is planning to work with those who are underserved in our urban communities. She finished by saying:

The Perkins loan program helped me reach this point. And its existence is essential to provide that opportunity for other young adults wanting to believe in themselves and to empower their communities to be better. Please save it!

You don't have to look very far to find the dramatic impact that this investment has on America's students. There are thousands of stories like the ones I just shared, representing thousands of students who are still benefiting from the opportunities provided to them by this hugely successful program.

I am disappointed and frustrated that our bipartisan effort in the Senate has again been obstructed. I will continue to fight to extend support for America's students in the form of extending the Federal Perkins Loan Program so that we can find a way to show the half-million American students who rely on this loan program that we are standing with them and that we are committed to helping them build a stronger future for themselves and our country.

I thank the Presiding Officer, and yield back the remainder of my time.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I join my colleague from Wisconsin and other Members who are here on the floor to talk about the Perkins Loan Program. It is a really important program. It serves the needs of many of the students in our States, and it serves a unique need. It provides flexibility that other programs don't provide, and it also allows the colleges and universities to actually contribute to it.

I hope we can get this 1-year extension done, and I hope that the objection will be overridden by the common sense of doing something that the House has already done. By the way, the House of Representatives did it for 1 year also at no cost to the Federal Government because there is no reason to pay for a 1-year extension of a pro-

gram that is a loan program where the colleges and universities take the payments that are made—the repayments—and put them back into the program. So this program is at no cost, and it is certainly an important program that we ought to continue.

I know there is discussion about broader education reform, and I support that. I know this program is not perfect. There are other ways that we could possibly improve it. I am perfectly willing to enter into that discussion and debate it. We should have that debate. We should debate how to make sure college is more affordable for all students, but let's not at this point stop this program that is working and is providing for young people in my State and around the country what they need to be able to afford a quality education.

I was out here a few weeks ago talking about this program, and at that time I talked about some specific schools and the people in my State who depend on this program. It is the oldest Federal program out there that allows students to be able to take advantage of some kind of help in order to get through school, and boy, it is needed now more than ever with tuition costs going up and more and more families feeling the squeeze.

When I go back home, I hear from parents and the students themselves. It is tough. Wages are flat, and in many cases declining. Yet expenses are up, and this is one of them, along with health care and electricity bills. This is not the time to stop the program but to continue this really important program. At the same time, we need to engage in the important debate of how we can reform higher education more generally in order to ensure that everybody has access to an affordable education.

Since 1958, this program has provided more than \$28 billion in loans. It is a program that supports 60 different schools in my State. In the Buckeye State of Ohio, we have 60 schools that have loans under this program. Last year, more than 25,000 Ohio students received financial aid through this program—3,000 young people at Kent State and over 1,700 at the Ohio State University in Columbus.

One of those students is an outstanding young woman. Her name is Keri. She is a junior at Kent State. She interned for me last summer. When I talked to Keri about this program, she said that this is something she absolutely needs to be able to stay in school.

Keri is a young woman for whom I have a lot of respect because she fought the odds. She was in foster care. She went from one foster home to another while she was growing up. Yet she not only fought the odds. She is now excelling in college and doing a great job, but she doesn't have the resources to

stay in college without this program. She is a Pell grant recipient, but she also needs the Perkins Loan Program to be able to stay in school.

This is not just about numbers, folks. This is about people. This is about Keri. This is about young people whom we want to be able to have the opportunity and to be able to get the education they need to get ahead, because it does provide help for those who are most in need.

Well beyond Ohio, of course, 1,700 postsecondary institutions now participate in this program. It shouldn't be controversial. Again, the House passed it for 1 year. It is something that does not require a new appropriation. It is a flexible program. So many of our student loan programs, including the Pell Grant Program and so on, are programs where the schools cannot provide any kind of flexibility. With many of our families and many of our students, Keri being an example, that flexibility is really important. Circumstances change. They may find themselves in a situation where they need a little help to stay in school so they can finish their academic major. They may find they need a little bit of help because of an unfortunate event that they could not anticipate happening in their families, and this program provides that flexibility. Again, the colleges and universities actually contribute to it. It is a matching program where they have to step up and be counted.

Let's not allow these students to fall through the cracks, and let's consider what happens if we do allow that to happen. Students who are applying for the winter semester, which starts in January, or the spring semester may well find that they are not able to receive the aid they need.

I am told that students can lose their eligibility if they change institutions or if they change their majors. These kids could fall between the cracks even if they have a Perkins loan now.

Finally, of course, if we don't act pretty soon, then next fall when there will be up to 150,000 freshman looking for a Perkins loan, they may find they are not eligible for it. This is not acceptable. Let's be sure we do everything we can here to make sure that college is not road-blocked for low-income students who are trying to get a college degree and pursue their dreams. Let's help them get ahead.

Let's pass this. It creates certainty for the students who benefit from the loans, it creates certainty for these colleges and universities, and it ensures that students who need this funding are not stopped and blocked by these high tuitions.

I wish to thank my colleagues Senator COLLINS and Senator CASEY, whom I see is on the floor. I also wish to thank Senator BALDWIN, Senator AYOTTE, Senator MURPHY, and I see

Senator COONS and others who are here.

This is bipartisan, and it is something we can do here in the Senate, just as the House has already acted. Let's not block this program because this could block the students from attaining the educational background they need to be able to succeed in life. Let's move forward with this while at the same time continuing our discussion on the need to ensure that higher education is more broadly reformed to allow everybody to have that opportunity to pursue their dreams.

I thank the Presiding Officer, and I yield my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, let me associate myself with the remarks of Senator BALDWIN and Senator PORTMAN. I thank them for making this bipartisan clarion call to bring this body together on behalf of students. There are over 6,000 students in my State of Connecticut.

I believe Senator BLUMENTHAL is going to give some remarks as well to add Connecticut's list of schools and to debate this issue on the floor.

We have over 1,000 students at the University of Connecticut, over 700 at Yale University, 600 at the University of Bridgeport, 500 at Central Connecticut, and 400 in Eastern Connecticut. All across Connecticut, students are able to attend college because of the Perkins Loan Program. As one of the few Members of the Senate who is still paying back my student loans, who is also saving as fast as I can for my two boys who will hopefully go to college, this debate we are having today strikes me as crazy. We should be having a debate about how we expand access to college. Instead, we are simply trying to protect the existing access we have.

In 10 years the United States has gone from the No. 1 country in the world with respect to the number of 25- to 35-year-olds with college degrees to number 12 in the world. In 10 years we have gone from first to twelfth. The answer for that is the cost of college. The cost of college is making it unaffordable for people to start and unaffordable for many others to complete it.

The Perkins Loan Program is one that doesn't require any additional expenditure of taxpayer dollars. Those 6,000 kids in Connecticut will get to continue to attend college with Perkins loans, with no additional obligation on behalf of taxpayers. That is as good a deal as we can get—no additional expenditure from the Federal Government and hundreds of thousands of kids all across the country—6,000 of them in Connecticut—get to continue in college.

I simply wanted to come to the floor to express my bewilderment that the

Republican leadership is standing in the way of simply preserving the student loan programs that are on the books today. If we go back home to our districts, we are not going to hear from a lot of people who are sympathetic to this argument. They want Congress to be talking about how to make college more affordable. They would be as bewildered as many of us are that Republicans in the Senate are trying to make college less affordable, when there is absolutely no additional expenditure required in order for us simply to preserve the Perkins Loan Program as it currently exists.

Let me just add one story to the mix—the story of Amanda, who is a senior at the University of Hartford. Her family makes about \$67,000 a year. People are going to be familiar with her story because that is just a little bit too much for her to be able to qualify for a Pell grant. So she has to work two different jobs to put money on top of her Stafford loans, to put money on top of the contribution her parents make, just to get into the neighborhood of being able to afford college, but what makes that final difference for Amanda is the Perkins loan.

The only reason she is able to go to the University of Hartford is because of the Perkins loan. She is doing everything we ask. Her parents are putting in some money, she is taking out loans, and she is working two jobs. She says:

I can't imagine how difficult it would have been if federal funding sources such as the Perkins loan had been eliminated as options for me. I've utilized the Perkins loan offered to me, in the full amount, every single year to resolve my account balance. Even now, in my senior year, I have no choice but to work two jobs and I'm barely getting by. Without the Perkins and other financial aid, I truly believe that I would have had to transfer to a community college where I would not have been able to accomplish nearly as much as I have here at the University of Hartford.

On behalf of her and the six other students in Connecticut who will lose their Perkins loan eligibility as long as this Republican objection lasts, I hope it will come together.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I stand to join in with the voices we have already heard from, including Senator MURPHY of Connecticut and Senator PORTMAN of Ohio—bipartisan, of course—who have stood in support of the unanimous consent request of Senator BALDWIN, blocked by the opposing party, that we move forward with reauthorizing the Perkins Loan Program.

The voice that I think is so often missing from the deliberations in the Senate is the voice we just heard brought forward by Senator MURPHY of Connecticut, the voice of our constituents—the constituents who connect with us when we are home in our

States; the constituents who reach out to us by letter and by email. I just wanted to add the voices of my constituents from the State of Delaware.

Apparently, our colleagues have failed to hear from thousands—even hundreds of thousands—of our home State constituents who rely on Federal Perkins loans. This program is a critical lifeline for students across the country who would be well on their way to a college degree if it weren't for the skyrocketing, unsustainable costs of higher education. I think Congress's failure to reauthorize the Perkins Loan Program is already having a negative impact on students and on households across our country. We can see the real-world impact in our home States if we will but listen to our constituents.

Let me give two examples of Delawareans who have recently reached out to me.

Frank, an incoming University of Delaware student, was counting on the Perkins Loan Program to help cover a gap in affording the cost of his higher education. Now that those funds are no longer available, now that the Perkins loans have expired, his family is struggling to figure out how they will pay for his education.

There is also Taylor, a Delawarean, already a college student, who had signed up for a promising new course of study because of a Perkins loan that would make the additional cost possible. Without this funding moving forward, future students like Taylor will also have to turn to private loans—sometimes less accessible, sometimes less affordable—to fill that gap. Frank and Taylor's stories are just a few examples of many that I have received in my office from constituents or conversations I have had at home in Delaware.

When I am with working Delawareans, there is no topic raised more frequently amongst those in my age bracket of how they can afford to send their kids to college. Just the other night, standing around on the sideline of a soccer game, I heard a whole group talking about how can we possibly afford the skyrocketing expenses of higher education.

So the question we are here today to address isn't the great big question of how can we make college affordable, it is just a simple question of how can we extend the Perkins Loan Program. I am proud to join with my colleagues in calling for a permanent extension of this program. In my State of Delaware, nearly 2,000 Delawareans last year received Perkins loans from 2013 to 2014. Those are 2,000 of my constituents who had the chance to go to college, invest in their education, improve their lives for the better, and that is in just 1 year of the program.

In the 50 years since Perkins was created, the program has awarded nearly \$30 billion through 26 million loans

across this entire country. Those are big, abstract numbers, but for my colleagues who remain undecided on whether to support the extension, I urge them to think about the Franks, the Taylors, their constituents, and folks from towns and cities, big and small, all across this country. They are not asking for a free education. The average Perkins loan is just \$2,000. It is not even a rounding error in the scope of the total Federal budget that we fight over here week in and week out, but that is an amount that one student, one family can singlehandedly determine—for an aspiring teacher or a business owner or an inventor or someone who just wants to advance themselves through education—whether they can continue their steady forward progress.

This extension alone is not the Higher Education Act reauthorization many of us have been calling for; it is not the substantial education investment many of us know would be a huge boost to our country, its competitiveness, and our constituents' well-being; it is not a perfect solution to the Delawareans I talk to every day who wonder how they can afford college; it is an important start. So let's come together and act. Even the House of Representatives, of all places, has acted on a bipartisan basis to extend the Perkins Loan Program. We can and should do the same.

I thank my colleagues for their work on this critical issue, and I urge this Chamber to come together to approve an extension of the Federal Perkins Loan Program without delay.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise to speak about the same subject that my colleague from Delaware just raised and so many others before him. It is bipartisan. This loan program, which we have had the luxury, I guess, all these years of relying upon, has allowed us to say that as a country we value higher education. We value that for no matter what family a person is from or what level of income. As I have often said, we believe not only in the context of early learning, when someone is at the beginning of their learning years, but much later when they are in the years of higher education, that they can learn more now and earn more later. That linkage, that direct nexus between learning and earning, is a substantial factor in whether someone can have a good job and a career and success in their life.

However, for a lot of folks, the cost of college, as so many have outlined today, becomes an impossible barrier over which they cannot climb, especially if they are low income. All they are asking for is a fair shot—a fair shot at learning, a fair shot at going to an institution of higher education.

We know this program has meant so much not only to folks across the country, but when we look State by State and examine the number of students, the number of families who are affected now, it is extraordinary, whether we are talking about the Presiding Officer's home State of Colorado or Senator COONS and his constituents in Delaware or Connecticut or Wisconsin or Ohio. Wherever we are, we can see the numbers.

In Pennsylvania, 40,000 students today are beneficiaries of the Perkins Loan Program. We are told as well that this isn't just a program that affects all different income levels; this is a program which is designed and has benefited those who most need it. We are told that one-quarter of recipients are from families with incomes of less than \$30,000. The maximum loan amount per student is \$5,500. If someone is going to a school where it costs \$45,000 or \$50,000, that may not seem like a lot, but for a lot of students who are at institutions that are not so high in cost, that is a big number—or a fraction of that number is a big number. If you are going to graduate school, you can get up to \$8,000 from the Perkins Loan Program. It is a 10-year repayment period. As the Senator from Ohio pointed out, it is a revolving fund. So as one student is paying their Perkins loan back over 10 years, another student is benefiting from that revolving fund.

We have all had individuals in our States—I have talked a couple of times about Nikki Ezzolo. Nikki is a recent graduate of Edinboro University. She had a long and difficult pathway through her higher education years. She is a single mom. She was in school and then out of school. When she finally got through school and had the benefit of a Perkins loan, among other things, she said the following in talking about her own circumstances as a single mom:

I am proud to be a college grad and my daughter is proud of me too. I am so grateful for getting a Perkins loan to help me. I know that I wouldn't be where I am right now—

Meaning with a job after graduating from Edinboro—without it, and that is a really scary thought.

So she is thinking about where she would have been without a Perkins loan. Where she would have been is highly likely out of school and therefore not working. And the job she got is with a major company in our State.

So that is Nikki.

I also mentioned on the floor a couple of weeks ago—and I will not repeat it, but I just want to remind folks of her name. Kayla McBride. She is a recent graduate of Temple University in Philadelphia. She is in one corner of the State in Philadelphia, the opposite corner of the State where Nikki went to school in Edinboro. She indicated she received a Perkins loan to help

with tuition after her mother was laid off.

Then we have another example, someone I met during the break, right near my hometown. We were meeting with students all across the State about this issue. One of them was in Wilkes-Barre. His name is Anthony Fanucci, the student body President, and a senior at Wilkes University in Wilkes-Barre. Anthony's father works overtime to pay for his tuition, and Anthony works every weekend and two jobs over the summer. His Perkins loan helped him stay in school. I met Anthony and he spoke that day in public. Among the things he said was the following:

My strengths got me to Wilkes University, but without financial funding, your strengths and your resume and what you've done before that mean nothing. I never ever seek pity for my financial situation because my financial situation is far from rare.

He is talking about so many students out there who face a fork in the road at some point. If they have Perkins, they can likely stay in school. If they don't have Perkins, many of them—far too many—will not be able to continue their higher education.

We know the program expired on September 30. Here is what it means for—here is the practical implications for students. No new students can receive loans, and while the current recipients are “grandfathered” for 5 years, there is uncertainty because we have never been in this circumstance where the program has expired and we don't know exactly what will happen with regard to the implementation of any kind of new changes or new policy by the administration. It is important to note that some will not be benefiting from the grandfathering provision. A student would not be grandfathered if they do one of the following: if they change their major, if they alter their course of study, or if they transfer. I should also mention the cutoff for the grandfathering was June 30, 2015.

Let's consider one of those circumstances—if they change their major. We are told by a recent study in our State that 75 percent of students will change their major at some point in their years in college. Let's just say that it is 50 percent or 33 percent. Whatever the number is, that is a lot of students changing their major and thereby maybe taking themselves out of the protection of that grandfathering provision for Perkins loans now that we are in the period after it has expired.

Financial aid officials who have written to us talk about other circumstances. I won't read a full letter, but in one letter we got from a financial aid official they talked about “significant changes in a family's financial circumstances” and “unexpected financial difficulties.” That is the real world

of real students and real families without Perkins or at least with the uncertainty with regard to Perkins. Neither situation in my judgment is acceptable. Not having a 1-year extension to a Perkins loan program makes no sense to me and to a lot of students. If we had an extension, we could debate if someone wanted to make changes or debate the elements of a program, but having it expire makes no sense. Even if the expiration doesn't definitively impact you, the uncertainty about that should not be part of a college student's experience. While they are studying, while they are getting through their coursework, especially as freshmen, they should have the certainty or at least the expectation that it will continue to help them.

In summary we should, No. 1, continue to work together in a bipartisan fashion to solve this problem. The good news is, despite the partisan rancor and divisions in Washington and in the Senate and the House, on this we have broad bipartisan support—something on the order of 28 co-sponsors, and at last count 6 are Republicans. So we have got folks in both parties working on this.

We all believe that we have an obligation to do everything we can to support higher education. No student should have to drop out of college because Congress has not done its job.

We have more work to do on this, and I would urge those who have concerns about it or want to have another point of view be debated, that I hope we could work together to get through this impasse and get the Perkins loan at least extended for 1 more year as was done in the House most recently by voice vote.

With that, Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

MR. ALEXANDER. Mr. President, this discussion by very good Senators—and I congratulate the Senator from Pennsylvania and the other Senators who have spoken. The Senators from Pennsylvania and Wisconsin are both on the education committee and we have worked well together and we will continue to discuss this. This shows how difficult it is to do what most Americans have said they would like to see us do, which is to simplify, deregulate, and make it easier and simpler for students to go to college. That is what we are trying to do in the Senate.

Almost every witness who came before us said this: It is too complicated to fill out a form for the current form of student aid, so simplify it. The witnesses have said: Have one undergraduate student loan, have one loan for graduate students, and have one loan for parents. Right now undergraduate students might have three different loans with different interest rates and different terms.

The application process is so complicated that it turns away millions, we have been told, of students who are frustrated by that. The repayment program, which is very generous—not for the Perkins loan, which I will get to in a minute, but for all other direct loans—is so complicated that students don't take advantage of it.

We are toward the end of our work in the Senate education committee to take our giant student loan program, which loans more than \$100 billion taxpayer dollars a year and has more than \$1 trillion dollars of outstanding loans, and simplify it to make it easier and cheaper for students to go to college.

One way to do that is to replace the Perkins loan with a direct loan that has a lower interest rate and a more generous repayment plan. What we are proposing to do is to replace the Perkins loan with a direct loan that is available to every single student who is enrolled in an eligible accredited college. You show up, you enroll, you get the loan. That is available to you. The interest is 4.29 percent today. That is lower than your Perkins loan, and when you pay back the direct loan, you may pay it back like a mortgage over 10 years or you may pay it back over 20 or 25 years, not paying more than 10 or 15 percent of your disposable income. And if you haven't paid it back after those years, it is forgiven. That is what the taxpayers have said to the students. So that lower interest rate and generous repayment program are not a part of the Perkins loan program. What we, a bipartisan group of Senators, are saying is that we need to replace the Perkins loan with that better opportunity.

Let's be clear about who is affected by this. Perkins loans are about 1 percent of all student loans. So, about 99 percent of those students who have student loans are not affected by this discussion. Of those who have Perkins loans, you can keep your Perkins loan. The Department of Education notified all the institutions early in this calendar year and said the Perkins loan expires in the fall. If you grant a new Perkins loan this fall, it will be a 1-year loan. For everybody else who has already got a Perkins loan, you can keep receiving Perkins loans through the end of your program. So, in almost every case, you either got a 1-year loan if you got a new loan for the first time, or if you are already in a program, you keep it through to the end of your program. That is the situation.

It is important for students to know that the bipartisan effort here is to simplify the student loan program and give them a lower interest rate and a better repayment program. Why would you not want that instead of this? One might say we may want to have both. Sure, you would like to have both, but the Congressional Budget Office says it will cost \$5 billion over 10 years to continue the Perkins loan program. The

testimony we heard and our recommendation by this bipartisan group of Senators is we have a better use for that \$5 billion.

We might have a higher amount of money that you could borrow. We know there are going to be more Pell grants granted if we simplify the application process and the repayment process. We would like to give students the opportunity to use their Pell grants year-round. Some way we have got to pay for that, and one way to pay for that is to simplify the system. If we take \$5 billion to continue the Perkins loan program so we can give students a higher interest loan and a worse repayment program, we are also taking money away from the new Pell grants, from the possibility of a year-round Pell grant, and from the other reforms that we would like to make. Why should we be trying to change this now, when the Department has notified all the institutions that this is how things are going to be?

We are toward the end of our work in our committee. We work in a very good bipartisan way. We don't agree on everything; we don't expect to. But Senator MURRAY and I have the Elementary and Secondary Education Act. We expect to be able to do that with the Higher Education Act. The Senators will have a chance to offer amendments in the committee and on the floor. If the full Senate decides that it wants to keep the Perkins loan program and take \$5 billion out of the funds available to give year-round Pell grants to students or the extra Pell grants that we would be able to grant by simplifying the application and instead continue a program with a higher interest rate and a worse repayment program, then the full Senate can do that. I won't recommend it and I won't vote for it, but that is the purpose here.

It is important for everyone considering this to know that President Bush recommended that the program end. President Obama recommended that the program be changed and folded in, in effect, with the regular direct loan program.

The Federal Government hasn't contributed any new money to the Perkins loan program since 2004 because most people know that it is not as good a loan opportunity for almost all students. It is not as fair a use of the money as is the direct loan program.

I prefer private loan programs, but the Congress has decided it is a Federal loan program. To reemphasize, if you are enrolled in any accredited institution, and we have 6,000 of them, all you have to do is show up and you are eligible for the loan. We think you are better off. You will be less likely to over borrow and you will be more likely to go to college if it is a simpler program and if you have a single undergraduate loan, a single graduate loan, and a sin-

gle loan for parents. That is the purpose behind my point of view on this.

This Senator would like for our committee to finish our work. Hopefully we can do that and give it to Senator McCONNELL and let him put it on the floor early in the year, and the Senate can decide which loan programs it wants. If we want to continue the mumbo jumbo of student loan programs we have today, which discourage students from going to college and taking advantage of repayment programs and discourage the kinds of education that most of us want, then the Senate can do that, but I will be arguing against that.

That is why I asked the Senator from Arizona to object today to bringing immediately to the floor this continuation of a program that every institution in the country knew was supposed to end when it ended, and that one President has tried to end and another President has tried to change. Almost every witness that came before our committee said that students will be better off. Students are the ones we care about. As long as we are fair to taxpayers, students will be better off if we simplify the system and have a single undergraduate loan, a single graduate loan, and a single loan for parents.

In addition to that, there is a Federal grant system. If you are in Colorado or Tennessee or Connecticut or Pennsylvania and you want 2 years of college, for those who are eligible for the Pell grant, which you do not have to pay back, the 2 years of college is basically free. The average tuition for a 2-year community college is about \$3,300 a year, and the average Pell grant is about \$3,300 a year. So we are offering the students of this country—it is never easy to pay for college, but the taxpayers have been pretty generous. Basically, we are saying that everywhere in the country if you want 2 years of college and you are in the 40 percent of community college students that are lower income, your 2 years are basically free. If you need more money, you are entitled to a loan that you can pay back at an interest rate this year of 4.29 percent. That is a low interest rate for somebody with no credit rating and no collateral. You can't get that anywhere else, but you can get it from the Federal Government so you can go to college. We are saying in addition to that, you can pay it back over 20 years with your disposable income. If that isn't enough, if you are a teacher or fireman or someone who has not made as much to pay it back, it is forgiven by the taxpayers. We would like the Perkins loan students to have the lower interest rate and the more generous repayment program, and that is why I object to circumventing the committee's decisions.

Let us finish our work. Let us make a decision that we should be able to

make as a whole Senate by early next year, and let the students who already have Perkins loans continue all the way through to the end of their program. Let the students who got it for the first time since July know that they will have that program for this 1 year. This is what every single university in the country was told about earlier this year and reminded of by the Department of Education in September.

Let's do this in an orderly way and let's put the students first. All of us are interested in helping students make it easier and simpler to attend college. I think our bipartisan proposal will replace the Perkins loan with a direct loan opportunity with a lower interest rate and a more generous repayment program. It is a better deal for students and avoids spending that \$5 billion that I would like to use for the year-round Pell grant and for the additional Pell grants that are going to be created by a simpler student aid program.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I do respect the expertise and experience and dedication of my colleague and friend from Tennessee. I especially understand and am grateful for his leadership as the chairman of the Health, Education, Labor and Pensions Committee, which has jurisdiction over this legislation. I understand that he is moving toward reform and overhaul of the current system of financial aid and loans that will make it better for students. That is the goal, that it will be ready perhaps sometime early next year.

As we know from our experience in this body, timelines frequently shift and give way. So early next year may turn into later next year or the spring of next year or at some point in time. In the meantime, futures are in the balance—the futures of students in Connecticut and around the country who are trying to plan in their senior year. Their faces and voices are with me and with all of us every day. Their futures are the future of this country.

The House has extended the Perkins Loan Program for 1 year. Why won't the Senate do it? My colleague from Tennessee urges that we simplify the program. Well, let's simplify decisions that are being made right now at the kitchen tables and the living rooms of families across the country and make available this option even as we simplify and reform the program because the failure to do so vastly complicates and confuses the lives of students who are making real-life decisions while we debate. We are, in fact, debating right now a cyber security information sharing act which pertains to the cloud and computing that takes place in the

cloud. We are talking here in the clouds compared to real-life decisions being made by students and their families every day. I am hearing from them. I am hearing from financial aid administrators, for example at Quinnipiac University in Hamden, CT, who tell me that there is a level of anxiety and angst they have not seen in recent years because of this body's inaction, its failure to continue a program that has worked and worked well for countless students. In fact, in the 2014–2015 school year, institutions in Connecticut disbursed over \$20 million through the Perkins Loan Program, using that funding to provide targeted financial aid to support their very neediest students. Low-income students who face a gap in funding and who have to make hard decisions about real dollars and cents need this program not early next year but right now.

The Senate's failure to act, as the House has done, to extend it for 1 year, abrogates its responsibility. In previous years, Quinnipiac, for example, would have been able to offer these students Perkins loans to close the gaps between what financial aid they are receiving and what they need to continue their education. This year, they are telling students: Sorry, no help available.

These students are the future of our country. They are the ones who are going to be doing the computer science that is necessary for our cyber security. They are the intellectual infrastructure of this country. Our failure to invest in them—and this expiration is only one reflection of that failure to invest—is a failure for the entire country.

I received a note from Nicole Deck—a sophomore at the University of New Haven—telling me how she benefitted from the Perkins program. She is pursuing a double major in marine biology and environmental science. She wrote to me saying: "I appreciate every day that I spend at the University of New Haven thanks to the aid of the Federal Perkins loans."

She said: "Receiving money from the Federal Perkins Loan has allowed me to achieve many of my goals and has opened many doors of opportunity."

The doors of opportunity for Nicole in marine biology and environmental science on the shores of Long Island Sound, where she can put that science to work to help to save Long Island Sound and to help us nationally to preserve our environment, are not only doors of opportunity for her, they are doors of opportunity for our whole country. The failure to extend the Perkins loan program closes those doors.

I met recently with seniors at the New Britain High School. At New Britain High School, these seniors are thinking about where they will be going to school. They are making life-

changing and transformative decisions about their futures based on their financial alternatives. When I asked them "How many of you have, in effect, abandoned the school of your first choice because you couldn't afford it and Federal aid was not available and no scholarships were accessible?" about half of them raised their hands.

I thought to myself, well, things often work out for the better but sometimes not. Sometimes futures are constrained and warped and distorted because a young person with great potential is unable to develop it because of an avenue of education blocked by financial unaffordability.

My colleagues have stated very powerfully and eloquently and it has been a bipartisan debate about what the Perkins Loan Program means to so many students.

I will close by saying that this program involves an example of real institutional skin in the game. It requires institutional capital contributions as a requirement for a school's participation. It fills the gap of affordability that affects our very neediest and often most deserving students.

Our constituents will rightly ask us: Did you reject the student loan program?

No, we did not reject it.

Did you renew it?

No. We simply allowed it to die.

This program has gone into the cloud. We have allowed this to expire when we could extend it for 1 year without really damaging the reform effort underway.

I want to repeat that I respect the HELP Committee chairman's intention and goal to reform all student loan programs, but in the meantime, futures of American students are affected unfairly and unwisely by the inaction by this body.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Connecticut for his eloquent remarks. Let me offer this different perspective. You don't need a Perkins loan to go to a 2-year college. The average tuition at a community college—and they are a terrific opportunity in my State and most States—is about \$3,300. About 40 percent of the students who attend them qualify for a grant of about, on average, \$3,300. So those 2 years are free for most students who need the money. Those students are also entitled to a direct loan if they enroll at the community college. Usually it is \$4,000, \$5,000, to \$6,000. They just walk up and they are entitled to it if they think they need it.

You probably don't need a Perkins loan to go to most of the State universities. At the University of Tennessee, the tuition and fees is about \$12,000. Many of the best colleges and universities are State institutions.

You are entitled to your Pell grant. You are entitled to your direct loan. Then many States and universities have their own programs. For example, in Tennessee there is the HOPE Scholarship, and almost all of the students at the University of Tennessee Knoxville have one.

Where the Perkins loan has been useful—and I will grant that—has been at the expensive private colleges. If it is \$50,000 a year to go to a private college, you can get your Pell Grant, you can get two direct loans, and then you can get a Perkins loan. Then you can end up being in the newspaper for having borrowed so much that people write articles in the Wall Street Journal about how we have created a circumstance where students are overborrowing and cannot pay back their student loans.

So I think the question really is, Should taxpayers spend \$5 billion more over the next 10 years to make it possible for a the student to go to a \$50,000-a-year tuition school or should taxpayers spend that money to create a year-round Pell Grant and hundreds of thousands of additional Pell Grants for low-income students who want another 2 years or 4 years of education? I think that is the question.

Government is about setting priorities. If we had an unlimited amount of money, we could do everything. Except, we do have a problem with overborrowing and complexity. When you add a third loan on top of two other loans so that can you go to a \$50,000-a-year tuition college, that is a choice an American has to make. I am proud of the fact that we have those choices. But we have lots of 18-, 19-, 20-year-olds, and many graduate students, too, who 5 or 10 years later will find they cannot pay it back.

I think we are better off with a single undergraduate loan, a single graduate loan, and a single parent loan that is available to every single student. I think we are better off using whatever savings we have to expand the number of Pell Grants and to offer a year-round Pell Grant.

As I said before, every single institution—all 6,000 of our institutions were told by the Department of Education earlier in 2015: If you grant a Perkins loan this fall to someone who never received one before, it will be for 1 year because the program is ending.

Also, they were told: If someone already has a Perkins loan, you will be able to keep it all the way through the end of their program.

So this is an honest difference of opinion. There are a lot of university presidents—I know a bunch of them. They like the program because it gives them one more tool to use. The question is not just whether they like the program; the question is, What is best for the students? I think taking the available amount of money we have and expanding it for simplifying the

student aid system and making the year-round Pell and the other programs available to students who need it the most—I think that is what we should be doing.

We will finish our work in the Senate education committee hopefully within a few weeks. We will have it ready to come to the floor. We can debate it, and the Senator from Connecticut and I can continue our discussion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 2582

Mr. FLAKE. Mr. President, I rise to speak in support of the Flake amendment No. 2582 that is currently pending before the body. This amendment is very simple. It simply adds a 6-year sunset to the bill. This amendment also keeps in place the liability protections established by the Cyber Security and Information Sharing Act for information that is shared pursuant to the requirements of the bill. Furthermore, the amendment ensures that the requirements on how the information is shared under the act is to be handled remain in effect after the sunset date.

That is all this amendment does. It simply sunsets the bill in 6 years, and it does so in a reasonable and responsible way. I believe in the sunset provision. It is good for us to consider our past decisions 6 years from now, to determine whether what we enacted is operating well, and to debate the overall success of the legislation that we passed 6 years prior. We ought to do that, frankly, on a lot of other legislation we pass.

I do believe the bill we are currently considering, as it is written, strikes the right balance. It puts in place the proper privacy protections, and I plan to support the legislation. However, it is important to make sure that we are forced to go back and evaluate it in the years to come to make sure we actually got it right. Given the nature of the bill being debated before us, it is all the more important to do so in this instance.

I would also note that this 6-year sunset is similar to sunset provisions that were included in both House-passed cyber security bills. So if it is in the House, we ought to have it in the Senate as well.

Both the Protecting Cyber Networks Act, which passed the House by a vote of 307 to 116, and the National Cybersecurity Protection Advancement Act, which passed the House by a vote of 355 to 63, include a 7-year sunset.

I ask my colleagues to support this amendment. I think it does strengthen the bill. It ensures that we evaluate, as we should, any legislation that we pass to ensure that it is having its intended effect.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 697

Mr. VITTER. Mr. President, I rise in strong support of the Frank R. Lautenberg Chemical Safety for the 21st Century Act. Over 2 years ago, I sat down with now the late Senator Frank Lautenberg of New Jersey in an attempt to find compromise and to work together on updating the drastically outdated Toxic Substances Control Act. Updating this law was a long-time goal and passion of Frank's. It was a real goal of mine, although we came at it from very different directions, at least initially. I am saddened Frank isn't here with us to see it finally being brought up for consideration on the floor of the Senate. We worked closely together and forged a significant, productive, positive bipartisan compromise—the sort of work we don't see often enough in the Senate or the Congress itself, but we got it done here, and it is a strong, positive compromise in substance as well.

After Frank's passing, Senator TOM UDALL stepped in to help preserve Frank's legacy and continued working with me to move this reform forward. We have done that consistently over months and months, working on issue after issue, detail after detail, to produce a strong result. I am very proud of the substance of this result because it achieves two very important goals: On the one hand, we certainly protect health and safety and give the EPA the proper authorities to do that with regard to chemicals in commerce. On the other hand, we make sure we don't overburden industry and put them at a disadvantage in terms of remaining America's world leaders in innovation and chemistry. We are world leaders now. We innovate, we produce new chemicals and new uses and new products on a spectacular basis, and we certainly don't want to threaten that. Our Frank R. Lautenberg Chemical Safety for the 21st Century Act doesn't threaten it. It enhances it, it protects health and safety, and that is why I am so proud of this bipartisan work.

We have done that work so completely we are now in a position to pass this bill through the Senate in very short order. In fact, we only need 2 hours of floor time, and we need no amendment votes related to the bill in any way. That is virtually unheard of in the Senate, but it goes to the work that so many folks have done on both sides of the aisle. So with 2 hours of floor time, no amendment votes, we

can pass this bill and move it on to the House. We have been in contact with the House for months, so we are very hopeful we can follow up our action with House action and a final result in relatively short order.

Mr. President, that is why we are coming to the floor today, to ask unanimous consent to establish that process in the near future—a very simple, very short process so we can get this done and achieve this result. Again, no amendment votes are necessary—whether they are germane, related or unrelated, no amendment votes are necessary—and then pass it on to the House. I certainly hope we can have that agreement to move forward in a productive fashion.

With that, let me yield to my Democratic colleague Senator UDALL, who has been such a great partner in this effort following Frank Lautenberg's unfortunate passing.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, I thank my colleague Senator VITTER. It has been a real pleasure working with him on the Toxic Substances Control Act. I think we have brought this a long way.

First, let me speak on the pending cyber security legislation, and then I will be seeking unanimous consent to process another bill.

Protecting our national security and economic interests from cyber attack is a very important priority. I commend Senator BURR and Senator FEINSTEIN for their hard work on their legislation. I know they have also gone through a lot to get floor time on their bill and are working to process amendments. It is clear they have made a serious effort. I respect the chairman, vice chairman, and their staffs for their work.

My understanding is this will pass with a large bipartisan majority in the Senate. As Chairman BURR stated yesterday, the House has already acted on cyber security legislation. He is eager to start reconciling differences and get a bill to the President's desk. That is what good legislators do.

As the chairman knows, I have also been working for a number of years on a complicated legislative project, working with Senator VITTER, Senator INHOFE, and many other Senators of both parties. We are very close to the reform of the totally outdated Toxic Substances Control Act. We all know TSCA is broken. It fails to protect families and it fails to provide confidence in consumer products. We have a chance today to change that and to show that Congress can actually get things done.

I am pleased Chairman BURR is a cosponsor of our legislation, along with over half of the Senate. After years of work, we are now also in a position to seek unanimous passage of TSCA reform so we can go to conference with

the House of Representatives. It has been a long road with lots of productive debate and discussion and cooperation and compromise. This is a balanced bill, one that Republicans, Democrats, industry, and public health groups can all support moving forward.

Not everyone loves our Senate product, but its staunchest opponents are now ready to allow for Senate passage. We can then reconcile our bill with the House, just as Senator BURR seeks to do on cyber security legislation. We have cleared this legislation on the Democratic side of the aisle with a short time agreement. My understanding is that there is nearly unanimous consent—unanimous signoff—on the Republican side as well.

With that, I join with Senators VITTER and INHOFE in asking for unanimous consent. I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the consideration of Calendar No. 121, S. 697; further, that the only amendment in order be a substitute amendment to be offered by Senator INHOFE; that there be up to 2 hours of debate equally divided between the leaders or their designees; and that following the use or yielding back of that time the Senate vote on adoption of the amendment, the bill be read a third time, and the Senate vote on passage of the bill, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER (Mr. VITTER). Is there objection?

Mr. BURR. Reserving the right to object.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, let me say to the authors, I have deep respect for both of you, and you have done an incredible job with this bill. It is one of the reasons I am a cosponsor, because it is good legislation.

It is no surprise to the Senate that I have had a deep desire to add the Land and Water Conservation Fund reauthorization, which has expired, as an amendment to this bill. I seek no time. I only seek the vehicle for an up-or-down vote and a ride—a ride that I can't seem to get by itself. As a matter of fact, I think the authors of this bill know that I have said if somebody can offer me a stand-alone opportunity to debate and vote on the Land and Water Conservation Fund, we can unanimous consent TSCA. We can't achieve that. I certainly don't want to take anything away from what I think is a great bill, and I wouldn't even require time, I would only require a vote.

So I would ask the authors to modify their unanimous consent request to include a vote on the Burr-Ayotte-Bennet amendment in relation to the Land and Water Conservation Fund.

The PRESIDING OFFICER. Will the Senator so modify his request?

Mr. BURR. I ask unanimous consent that the consent be modified to include a vote on the Burr-Ayotte-Bennet amendment in relation to the Land and Water Conservation Fund.

The PRESIDING OFFICER. Will the Senator so modify his request?

Is there objection to the modification?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, we have an opportunity to update and reform the Land and Water Conservation Fund, and to do so in a way that would ensure it works more efficiently and helps solve the problems facing our Federal Government and States. To do so, we need to pursue a few goals.

First, more money from the LWCF should be sent to the States to implement the worthwhile projects. When the LWCF was conceived, 60 percent of its funding was required to go to the States. That statutory requirement was removed years ago, and now just 12 percent of LWCF money is given to the States, with minimal Federal strings attached.

Next, the LWCF should be used to solve, not to exacerbate, the current Federal lands maintenance backlog. The Federal Government has undertaken an impossible task in trying to manage more than 600 million acres of variant terrain dispersed across thousands of miles. Evidence of the Federal Government's failure to manage its holdings is found in the \$13 billion through \$20 billion maintenance backlog, a number that has grown nearly every single year since President Obama has been in office.

Since LWCF was created some 50 years ago, Congress has appropriated nearly \$17 billion to the fund, and 62 percent of this money has been spent on land acquisition, resulting in 5 million acres being added to the Federal estate.

We should work together to improve the LWCF. Let's work together to make sure that North Carolina, New Hampshire, New Mexico, and every other State in this country gets more money. Let's work together to make sure that the Federal Government only acquires such land as it can adequately manage.

On that basis, I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. BURR. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Mexico is recognized.

Mr. UDALL. Mr. President, again, I respect Senator BURR, but I am very disappointed in that objection. I take a back seat to no one in supporting the Land and Water Conservation Fund. It is extremely popular in New Mexico

and critical to enabling our outdoors economy. Senator BURR has been a strong leader on the LWCF. He has brought much needed attention and passion to the issue of reauthorization, and I want to work with him on that. But the current strategy of holding TSCA hostage for LWCF is not the proper one. This is the sort of thing that gives the Senate a bad reputation for dysfunction, and I do not see how it will lead to any progress on LWCF. I have not objected to Senator BURR's efforts to pass reauthorization in the Senate. In fact, I have appraised his efforts. I share his frustration that a small minority of Republicans have blocked his efforts. But now, instead of one bill being blocked, we have two. Without this objection, TSCA would pass today almost unanimously after years of hard work.

So instead of holding TSCA hostage, why not consider LWCF on Senator BURR's legislation?

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEE). Without objection, it is so ordered.

SUPERSTORM SANDY RELIEF AND DISASTER LOAN PROGRAM IMPROVEMENT ACT OF 2015

Mr. VITTER. Mr. President, in the small business committee, we have been working on significant legislation that goes to disaster recovery, the Superstorm Sandy Relief and Disaster Loan Program Improvement Act. We are ready to move that legislation and pass it through the entire Senate.

Since Hurricane Katrina devastated my State of Louisiana in 2005, I have fought to support disaster victims and improve the efficiency and effectiveness of our Nation's disaster relief and recovery efforts. I have continued this vital focus on disaster mitigation and recovery as Chairman of the Committee on Small Business and Entrepreneurship. I stand by my principle that when people are there for you, you will be there for them. Following my brief remarks, I will ask unanimous consent that the Senate pass H.R. 208, which has passed the House unanimously, with the Vitter amendment.

With Superstorm Sandy, similar to after Katrina, we continued to see—and both the GAO and IG confirmed—significant shortcomings with the SBA's disaster loan programs, particularly application processing times and inaccurate information, which discouraged victims from applying for assistance. H.R. 208 reopens the SBA disaster loan program to those victims for one year,

and also includes vital reforms and oversight to the SBA's disaster loan program. This bill does not cost anything as the funds have already been appropriated but sit unused.

The RISE After Disaster Act, which is included in my amendment, passed out of the Small Business Committee with unanimous support, and will provide long-term recovery loans to small businesses through community banks after SBA disaster assistance is no longer available; direct Federal agencies to utilize local contractors for response and recovery efforts, rather than government contractors from Washington, DC, and other areas; address contractor malfeasance, such as the Chinese drywall crisis, by allowing homeowners and businesses to use their SBA disaster loans to remediate their property; provide incentives for innovative firms doing research and development to stay in the disaster-affected area, rather than move elsewhere; and require the SBA to take steps to establish a web portal for disaster assistance, whereby applicants can track the status of applications and approvals, as well as submit required supporting documentation electronically.

Hurricanes Katrina and Rita in 2005, Sandy in 2012, and Joaquin just this month—along with far too many other natural disasters—have all illustrated the devastating effects of hurricanes and flooding on our communities. As Chairman of the Senate Small Business and Entrepreneurship Committee, I am committed to serving small businesses across the country and ensuring that they are afforded the resources and assistance in order to protect themselves from and recover after disasters.

This means rigorous oversight of the SBA's disaster loan programs and extensive examination of economic recovery efforts, agency coordination, and the efficiency of disaster assistance delivery. Small businesses are vital to every community's economy and serve as the major source of jobs—one great incentive to have folks return after a major disaster—and is why helping them to more quickly recover is one of the most effective and beneficial tactics we can and should take.

Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be discharged from further consideration of H.R. 208 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 208) to improve the disaster assistance programs of the Small Business Administration.

There being no objection, the Senate proceeded to consider the bill.

Mr. VITTER. Mr. President, I ask unanimous consent that the Vitter

amendment, which is at the desk, be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2747) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (H.R. 208), as amended, was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I congratulate Senator VITTER on the passage of the bill and would remark on the support for it by Senator BOOKER and Senator MENENDEZ on our side of the aisle.

ILLEGAL, UNREPORTED, AND UNREGULATED FISHING ENFORCEMENT ACT OF 2015

Mr. WHITEHOUSE. Mr. President, I now in turn ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of H.R. 774 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 774) to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 774) was ordered to a third reading, was read the third time, and passed.

Mr. WHITEHOUSE. Mr. President, we have worked long and hard in the bipartisan Oceans Caucus to clear this Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015. It will help fishermen on all of our coasts better withstand foreign competition that cheats, that destroys resources, and that engages in what we call pirate fishing. This is a House bill. It passed with a huge majority on the House side, and now having passed in the Senate, it can go to the President for its signature. It will be good for fishermen across the country.

I thank Senator VITTER for his consideration and for working together to clear both of these bills this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, assuming it is not too late, I ask unanimous consent to be added as a cosponsor of that legislation as well.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, to clarify the request, I ask unanimous consent to be added as a cosponsor of the Senate bill, which represents—excuse me, Mr. President. I withdraw the unanimous consent request.

The PRESIDING OFFICER. The request is withdrawn.

Mr. VITTER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BURR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

CYBERSECURITY INFORMATION SHARING ACT OF 2015—Continued

Mr. BURR. Mr. President, I ask unanimous consent that if cloture is invoked on the Burr-Feinstein substitute amendment to S. 754, the Senate then vote in relation to the Paul amendment No. 2564, as modified, with 10 minutes divided in the usual form prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Mexico.

Mr. UDALL. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 2117, which is a 60-day extension of the Land and Water Conservation Fund.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. Mr. President, reserving the right to object, I believe the amendment number is 2717.

Mr. UDALL. It is amendment No. 2717. The Senator is correct.

Mr. BURR. Mr. President, I thank Senator UDALL. He is a cosponsor of the permanent reauthorization of the Land and Water Conservation Fund. I came to the Senate prior to the expiration of the Land and Water Conservation Fund with the hope that my colleagues would give it a 60-day extension. It has now expired. The 60-day extension on an expired act isn't even an offer that is on the table.

For my colleagues, let me just remind you that the Land and Water Conservation Fund has been around a long time—50 years. Some say: They have \$20 billion in funds; why don't

they just draw on it? It is because they receive about \$900 million a year in royalties off of offshore exploration of energy. Congress in its infinite wisdom said if we are going to tap our natural resources we are going to put part of the royalties of that back into conservation. The unfortunate thing is they never got the \$900 million a year. Our appropriators in the Congress have seen fit to give them on average over the life of this fund about \$390 million a year.

Some of my colleagues suggest that there is a fund over there, the Land and Water Conservation Fund, and you could just tap it. Well, no, there isn't. The appropriators spent that money long ago. As a matter of fact, this year it was just over \$350 billion for the Land and Water Conservation Fund.

So as delighted as I am that he has sponsored the permanent reauthorization, most Members believe that we should reauthorize this permanently. So I would ask the Senator to modify his unanimous consent request to make the amendment read that we would take up the Murkowski-Cantwell permanent extension language.

The PRESIDING OFFICER. Is there objection?

Mr. LEE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. UDALL. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 2717, as modified, which is a 1-year extension of the Land and Water Conservation Fund.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. I object to the last unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

Mr. BURR. And on the current unanimous consent request, if I can address that, reserving the right to object, again, without being repetitive, this is a 1-year extension. The beauty of the effort by Senator CANTWELL and Senator MURKOWSKI, a bipartisan approach to the Land and Water Conservation Fund, addresses exactly what Senator LEE asked for, a reformed bill. This is a package that has been negotiated by Republicans and Democrats—the chairman of the energy committee and an individual who is extremely invested in the Land and Water Conservation Fund.

So I would once again ask the Senator to modify his unanimous consent request to make that amendment read that we move to the Murkowski-Cantwell permanent extension language.

The PRESIDING OFFICER. Is there objection?

Mr. LEE. I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. BURR. I object, Mr. President.

The PRESIDING OFFICER. Objection is heard.

Mr. UDALL. Mr. President, I can't tell you how disappointed I am. The Senator from North Carolina objects to making an unrelated amendment to his bill, but he insists on one to ours. It seems we are at a standoff—a standoff with a bipartisan TSCA reform that has already moved through the Senate. We have done incredible work on this with Senator INHOFE, Senator VITTER, and 60 cosponsors who are ready to roll with this with a very short timeline, and yet we have this objection.

The Land and Water Conservation Fund reauthorization also has a strong majority of the Senate in favor. Fifty-three Senators signed a letter led by Senator BURR recently, and I am confident there are over 60 supporters for this. I am also confident that we will reauthorize and continue to fund the Land and Water Conservation Fund. As the ranking Democrat on the interior subcommittee, that is an extremely high priority for me. But for some reason, TSCA is being held up by demands for a vote on unrelated Land and Water Conservation Fund legislation. I don't see how this would help matters. This dysfunctional situation is what gives the Senate a bad name.

Again, I respect Senator BURR. I know he does not seek a dysfunctional Senate. On the contrary, I have watched him do his best to get the Senate to function on this important cyber security legislation. But this calls out for leadership and cooperation, not ultimatums. I will keep doing what I can to continue the conversation and bring people together on a path forward.

TSCA reform is ready. We will be back one way or another. We will pass in the Senate this bill. We will resolve our differences with the House, and this critical reform will go to the President's desk. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank Senator UDALL for his work on TSCA. His description is pretty accurate. I am doing what the Senate historically has always done, allowing any Member of the Senate to exercise their authority as a Member of this austere body to amend any piece of legislation, and the Senate has functioned for a long time based upon that. It is just recently that we have not allowed that to be exercised. In other words, one Senator can't come to the floor and offer an amendment. He can't come to the floor and propound a unanimous consent request without objection. It has to change. I dare say that TSCA has overwhelming support and so does the Land and Water Conservation Fund. For us to get functional we have to return to where we expect Members to come. I have nongermane amendments on the

cyber security bill, and they would all receive a vote if somebody hadn't objected, and we would actually see the Senate process exactly like it is supposed to, where if a nongermane amendment has 60 votes in favor of it, then it is added. I am not scared to have nongermane amendments on my bill. I have them, and because of somebody's fear, they will get knocked off and two Members of the Senate, a Republican and a Democrat, will not get their day to have a vote on their bill.

I don't object to the Land and Water Conservation Fund being a part of it, as I just expressed. What I object to and what I am disappointed about is that there would be an offer to do a 60-day extension or a 1-year extension from a Member that I know supports permanent reauthorization, because this whole deal on TSCA is to make me look bad. Well, you know what; so be it. I am willing to accept it. I have had the hounds sicced on me. We are at a point now where there is no damage you can do, and what we saw was a nice orchestrated process that was supposed to make me back down.

It is not going to happen. I believe in the Land and Water Conservation Fund. The Senate will take it up, whether it is on this bill or another bill or as stand-alone bill.

And let me just say to my good friend that what we are doing has not been a surprise. I shared with all the authors of this bill that I am going to amend it. I am going to amend it with this. So I hope he agrees that I am not trying to pull a swift one. I have been straight up on this since the beginning, and I will continue to press for it.

Here is the solution. Allow us to have a debate on the Land and Water Conservation Fund permanent reauthorization on the floor of the Senate with an up-or-down vote. If we don't get 60 votes, it doesn't pass. That is the way the Senate is. If Members want this bill or any other bill passed, it is very simple. Let's get the process back like it is supposed to be, and with one assurance: that we will get an opportunity to debate the Land and Water Conservation Fund and have a vote. I am a cosponsor of your bill. I will lift my objection, my attempt to try to amend it, and we will pass it by unanimous consent. It is that simple, and there is described the history of how the Senate has always worked. Let's get back to it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 1:45

p.m. tomorrow, Thursday, October 22, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 339, 340, 341, and 342; that the Senate vote without intervening action or debate on the nominations; that following disposition of the nominations the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERKINS LOAN PROGRAM

Mrs. BOXER. Mr. President, I come to the floor today to urge my colleagues to act to reauthorize the Perkins Loan Program—the Nation's oldest Federal student loan program and a critical lifeline for thousands of low-income students with exceptional need.

This crucial program has the support of many higher education groups, including the Association of American Universities, the National Association of Independent Colleges and Universities, the American Association of Jesuit Colleges and Universities, the National Association of Financial Aid Administrators, the Coalition of Higher Education Assistance Organizations and many others—as well as dozens of individual colleges and universities across the country. Despite this broad support, funding for Perkins Loans expired on October 1.

While our colleagues in the House unanimously approved the Higher Education Extension Act—which would extend the Perkins Loan Program for 1 year—the Senate has yet to act. And that inaction has left thousands of current and future students scrambling to figure out how to pay for school and institutions struggling to find another way to help students afford their education.

This program has existed with broad bipartisan support since 1958 and has provided more than \$28 billion in loans to students in all 50 States. In the 2013–2014 academic year alone, more than 539,000 new and returning students benefited from the Perkins Loans Program—including 46,065 students in California.

Unlike the Federal direct lending programs, Federal Perkins loans are

made and then repaid to the individual university. They are offered at a low, fixed rate of 5 percent—and repayment doesn't begin for 9 months after a student graduates, giving them enough time to get on their feet. The program also includes important loan forgiveness opportunities for those who decide to enter public service after graduating.

This program particularly helps students who have tapped out all other Federal student aid options and still face a gap in paying for school or other expenses. It helps students bridge that funding hole so they don't have to turn to expensive private loans—which don't have the same protections as Federal student loans.

But without this program, the California State Student Association estimates that more than 3,400 students in the California State university system alone could be forced to take out private loans or delay graduation.

Student loan debt now exceeds \$1 trillion. That's more than credit card debt. It's more than auto loans. In fact, it is second only to mortgage debt in this country. We owe it to current and future students to make sure college is as affordable as possible. That is what the Higher Education Extension Act and the Perkins Loan Program do.

We have no time to spare now. Let's get back on track and take up the extension bill that the House already passed and ensure our students are not left in the lurch. Thank you.

ADDITIONAL STATEMENTS

REMEMBERING TECHNICAL SERGEANT STEPHANIE McLAUGHLIN

• Mr. HELLER. Mr. President, today we honor the life and service of TSgt Stephanie McLaughlin, whose passing signifies a great loss to both our State and country. I send my condolences and prayers to her parents, Sharon and Fred; her partner, Harold Kiesling; and the rest of her family in this time of mourning. Technical Sergeant McLaughlin was an incredible service-member, going above and beyond to defend our freedom and uplift the local military community. She was an invaluable member of the Nevada family, and her service will never be forgotten.

Technical Sergeant McLaughlin was born on April 27, 1974, and attended North Hunterdon High School in New Jersey, where she graduated in 1992. She joined the U.S. Air Force in 1993 and then the New Jersey Air National Guard in 1997. Throughout her career, she served at Langley Air Force Base, Virginia; the Pentagon, Washington, DC; McMurdo Station, Antarctica; Ramstein Air Base, Germany; and Carson City Joint Force Headquarters, Nevada. She worked for several two, three, and four star generals during her

service, including Maj. Gen. Ron J. Bath, retired. Most recently, she served as confidential assistant to the adjunct general of Nevada, Brig. Gen. William Burk. Her efficiency in her work and devotion to her job could never be replicated.

Throughout her service, Technical Sergeant McLaughlin was awarded numerous accolades, including the Meritorious Service Medal, four Air Reserve Forces Meritorious Service Medals, the Air Force Commendation Medal, and two Air Force Achievement Medals. I am grateful the Nevada family was given the opportunity to work with Technical Sergeant McLaughlin and learn by her example.

She embodied only the greatest of Nevada's values with passion, fearlessness, and drive that made her a remarkable individual. Her legacy of empathy and determination will echo on for years to come throughout the Silver State. She was one of a kind, and we are lucky to have had such a strong individual working within our State. We will always remember her for her courageous contributions to the United States of America. My office enjoyed working alongside Technical Sergeant McLaughlin, and I am thankful for all of her hard work and dedication to veterans across Nevada. She was always the first one to volunteer in helping others, which was shown both throughout her career and throughout her time working in the local community.

Technical Sergeant McLaughlin was a shining example in Nevada's military community and put forth a tremendous effort working with the Nevada Military Support Alliance. She deeply cared for veterans across the State, bringing together hundreds of Nevadans to support our wounded and fallen warriors, their families, and loved ones. Technical Sergeant McLaughlin sacrificed countless hours helping plan events and fundraisers in support of our State's heroes. I had the pleasure of attending multiple Nevada Military Support Alliance galas planned by Technical Sergeant McLaughlin and have seen firsthand the incredible impact she had on Nevadans, active military servicemembers, and veterans. The footprint she left on this community will be felt for years to come.

Throughout her life, Technical Sergeant McLaughlin demonstrated unparalleled selflessness, both in defending our Nation and in supporting her fellow servicemembers. Her patriotism and drive will never be forgotten. Today, I join the Nevada family in celebrating the life of an upstanding Nevadan, TSgt Stephanie McLaughlin.●

RECOGNIZING KANSAS CITY KANSAS COMMUNITY COLLEGE

• Mr. MORAN. Mr. President, I wish to recognize Kansas City Kansas Community College and its efforts to support

innovation and entrepreneurship by launching 100 Garages, an initiative of the KCKCC Innovation Center to connect area inventors with local makers who can help translate ideas into products. The initiative enables local makers who have skills and equipment to assist those with ideas and inventions by helping them find each other through an online database and other avenues. Additionally, as part of this initiative, KCKCC is launching a class to guide potential inventors from the idea phase through patent searches, licensing, prototyping, and product creation to market and revenue generation.

The story of America is a story of entrepreneurs—individuals who took great risks to pursue their dreams. These entrepreneurs built the foundation of the American economy from its earliest days by pushing forward innovative solutions to some of the world's most pressing challenges. Innovation by entrepreneurs not only improves our lives, but also results in the creation of countless new jobs and opportunities for Americans.

Many of our favorite and most inspiring stories about innovation and entrepreneurship are those that trace their beginnings to the family garage. Many Fortune 500 companies, such as Ford, Apple, and General Electric, got their start with passionate, committed individuals, a promising idea, and a great deal of hard work. Often, the greatest barrier to creating something innovative and transformative is bringing together people and their respective potentials. I commend KCKCC for its efforts to promote innovation and the spirit of entrepreneurship in Kansas City, Wyandotte County, the State of Kansas, and the region.●

RECOGNIZING COOK ME SOMETHIN' MISTER

● Mr. VITTER. Mr. President, oftentimes small businesses are grown out of a desire to help folks in their communities. It is especially encouraging to see this after a catastrophic natural disaster. As we honor National Women's Small Business Week, I would like to recognize Cook Me Somethin' Mister of New Orleans, LA, as Small Business of the Week.

In 2005, in the wake of Hurricane Katrina's devastation, a recent college graduate named Kristen Preau was approached by her employer, the University of New Orleans Athletic Department, to come up with a way to generate much-needed funding for the school. Preau took to what she knew best: her family's beloved jambalaya recipe. Raising \$100,000 in just 3 months at college tailgating events across the country, Preau knew she had a hit. Over the next few years, Preau—known for much of her life as the “Jambalaya Girl”—perfected and expanded her

seasonings, which were selling as quickly as they were stocked on the shelves of local grocery stores. Having roots firmly planted in the Louisiana culinary scene, Preau's family were some of the first folks to cook and serve jambalaya at the French Quarter Fest in New Orleans's famous Jackson Square. The family also enjoyed a close relationship with the late, world famous Cajun Chef Paul Prudhomme who had a hand in blending the “Jambalaya Girl's” seasonings.

Today, Preau's operation has grown into full-time endeavor with five full-time employees producing the “Jambalaya Girl's” products in her hometown of New Orleans. Enjoying great success, Kristen and her jambalaya have gained national recognition and was recently named a Top 100 Small Business in the country for 2015 by the U.S. Chamber of Commerce, the Louisiana Small Business Administration's, SBA, Women in Business Champion, and the Women's Business Enterprise Council, WBEC, South Role Model of the Year for 2014, among others.

Congratulations again to Cook Me Somethin' Mister for being selected as Small Business of the Week, and thank you for your inspiration for woman entrepreneurs across Louisiana. I look forward to seeing your continued growth and success.●

RECOGNIZING HEALTHE HABITS FOR LIVING

● Mr. VITTER. Mr. President, I imagine most Americans are familiar with the importance of making healthful living choices. In honor of National Women's Small Business Month, I would like to recognize Healthe Habits for Living of Lafayette, LA, as Small Business of the Week for their commitment to helping folks reach and maintain healthy lifestyles.

In 2007, after a personal battle with medical issues, Jill Hurley opened Healthe Habits for Living with the mission to help train, coach, and advise other adults in the appropriate skills for exercise, nutrition, and mental strategies to live a healthy lifestyle. Putting her education to work in order to develop a unique approach to battling heart disease, Jill has become accustomed to the physical and mental challenges of individuals suffering from heart disease. To complement their life skills counseling in nutrition and long-term mental success strategies, Jill and her team of physical and occupational therapists also provide physical strength training to their patients, encouraging and enabling a balanced active lifestyle that parallels healthier life changes.

Named the Small Business Administration's, SBA, 2011 Women in Business Champion for Louisiana, Jill's proven endeavor to assist others in reaching their healthy living goals has expanded

to three successful locations across south Louisiana and currently employs an all-female staff of six physical and occupational therapists. Since opening her first location, Jill has continuously hired some of the most qualified and successful therapists in Louisiana, and she encourages her staff to further their educational training as they build outstanding careers in the therapy field.

Women-owned small businesses have an unequivocal impact on our communities and the lives of those who need assistance the most, and Healthe Habits for Living is a testament to the extraordinary achievements of women entrepreneurs across America. Congratulations again to Lafayette's own, Healthe Habits for Living for being selected as Small Business of the Week, and thank you for your commitment to tackling health issues in your community head-on.●

RECOGNIZING 2 SISTERS' SALSA COMPANY

● Mr. VITTER. Mr. President, family-owned small businesses provide parents a one-of-a-kind opportunity to teach their children the value of hard work and taking risks to pursue one's dreams. This is especially true for 2 Sisters' Salsa Company, which started as a kitchen conversation between family friends and has since grown into a successful women-owned venture. In honor of National Woman's Small Business Month, I would like to recognize 2 Sisters' Salsa of Plaquemine, LA, as this week's Small Business of the Week.

2 Sisters' Salsa Company began when family friends, the Deshotels and Bordelons, began occasionally making salsa in their kitchen. After a couple of batches, they began to refine their recipe until they created a finished product to their liking. They soon realized that their salsa had immense potential, so they began jarring and labeling their product for store shelves, which was receiving excellent reviews from friends and family. As the company grew, the need for an original name became critical to the development of their small business. They settled upon 2 Sisters' Salsa in honor of the two sets of sisters of the Deshotels and Bordelon families. With a new name and growing clientele, the daughters of the two families went from being the namesake of 2 Sisters' Salsa Company to full-time employees, helping their parents with production and sale of their salsa products.

Today, 2 Sisters' Salsa has expanded from the Deshotels' kitchen to a new facility in Avoyelles Parish producing 5,000 salsa products a day. As the reigning world champion for the medium salsa category, 2 Sisters' Salsa can be found in over 100 restaurants and retail locations.

The hard work and creativity of Patrick and Brooke Deshotels; Jason and Stacy Bordelon; and their daughters Sara, Emily, Shellie, and Rayne certainly deserve recognition, especially as we celebrate National Women's Small Business Month. Congratulations again to this week's Small Business of the Week, 2 Sisters' Salsa Company, and I wish you continued success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY ORIGINALLY DECLARED IN EXECUTIVE ORDER 13413 OF OCTOBER 27, 2006, WITH RESPECT TO THE SITUATION IN OR IN RELATION TO THE DEMOCRATIC REPUBLIC OF THE CONGO—PM 29

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo declared in Executive Order 13413 of October 27, 2006, is to continue in effect beyond October 27, 2015.

The situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue

to threaten regional stability, continues to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13413 with respect to the situation in or in relation to the Democratic Republic of the Congo.

BARACK OBAMA.
THE WHITE HOUSE, October 21, 2015.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on October 20, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 1735. An act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH) on October 20, 2015.

MESSAGE FROM THE HOUSE

At 12:30 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2162. An act to establish a 10-year term for the service of the Librarian of Congress.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1315. An act to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes.

H.R. 1428. An act to extend Privacy Act remedies to citizens of certified states, and for other purposes.

H.R. 3350. An act to require a terrorism threat assessment regarding the transportation of chemical, biological, nuclear, and radiological materials through United States land borders and within the United States, and for other purposes.

H.R. 3493. An act to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes.

H.R. 3572. An act to amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better pol-

icy, planning, management, and performance, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1315. An act to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes; to the Committee on the Budget.

H.R. 1428. An act to extend Privacy Act remedies to citizens of certified states, and for other purposes; to the Committee on the Judiciary.

H.R. 3350. An act to require a terrorism threat assessment regarding the transportation of chemical, biological, nuclear, and radiological materials through United States land borders and within the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3493. An act to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3572. An act to amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2193. A bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3199. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-3200. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, five (5) reports relative to vacancies in the Department of Defense, received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2015; to the Committee on Armed Services.

EC-3201. A communication from the Assistant to the Board of Governors of the Federal

Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulatory Capital Rules: Implementation of Risk-Based Capital Surcharges for Global Systemically Important Bank Holding Companies" ((RIN7100-AE26) (12 CFR Parts 208 and 217)) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3202. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-3203. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 on April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-3204. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Unverified List (UVL)" (RIN0694-AG72) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3205. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Updated Statements of Legal Authority for the Export Administration Regulations to Include Continuation of Emergency Declared in Executive Order 13224" (RIN0694-AG75) received during adjournment of the Senate in the Office of the President of the Senate on October 15, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3206. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Disturbance Monitoring and Reporting Requirements Reliability Standard" ((RIN1902-AF02) (Docket No. RM15-4-000)) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Energy and Natural Resources.

EC-3207. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: The 2016 Critical Use Exemption from the Phaseout of Methyl Bromide" ((RIN2060-AS44) (FRL No. 9935-69-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2015; to the Committee on Environment and Public Works.

EC-3208. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-propen-1-aminium, N,N-dimethyl-N-propenyl-, chloride, homopolymer; Exemption from the Requirement of a Tolerance" (FRL No. 9933-98) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3209. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Act Redesignation Substitute for the Houston-Galveston-Brazoria 1-hour Ozone Nonattainment Area; Texas" (FRL No. 9935-68-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2015; to the Committee on Environment and Public Works.

EC-3210. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Revisions to State Boards and Conflict of Interest Provisions" (FRL No. 9935-53-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2015; to the Committee on Environment and Public Works.

EC-3211. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Michigan; 2006 PM2.5 and 2008 Lead NAAQS State Board Infrastructure SIP Requirements" (FRL No. 9935-63-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2015; to the Committee on Environment and Public Works.

EC-3212. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "High Frequency Program: Application Guidance for Functional Confirmation and Fragility Evaluation" received in the Office of the President of the Senate on October 8, 2015; to the Committee on Environment and Public Works.

EC-3213. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Mississippi River/Gulf of Mexico Watershed Nutrient Task Force: 2015 Report to Congress"; to the Committee on Environment and Public Works.

EC-3214. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Medicare Payments for Clinical Laboratory Tests in 2014: Baseline Data"; to the Committee on Finance.

EC-3215. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Collection of Administrative Debts" (RIN0960-AH36) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Finance.

EC-3216. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Recovery Auditing in Medicare for Fiscal Year 2014"; to the Committee on Finance.

EC-3217. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Information Reporting on Minimum Essential Coverage" (Notice 2015-68) received in the Office of the President of the Senate on September 22, 2015; to the Committee on Finance.

EC-3218. A communication from the Assistant Secretary, Legislative Affairs, Depart-

ment of State, transmitting, pursuant to law, a report entitled "U.S. Assistance for Palestinian Security Forces and Benchmarks for Palestinian Security Assistance Funds"; to the Committee on Foreign Relations.

EC-3219. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015-0103—2015-0116); to the Committee on Foreign Relations.

EC-3220. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Procedures for Issuing Visas" (RIN1400-AD84) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Foreign Relations.

EC-3221. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "National Environmental Policy Act; Environmental Assessments for Tobacco Products; Categorical Exclusions" (Docket No. FDA-2013-N-1282) received in the Office of the President of the Senate on October 5, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3222. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, a report entitled "Federal Student Loan Repayment Program Calendar Year 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-3223. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2015 Winter II Quota" (RIN0648-XE156) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3224. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer" (RIN0648-XE113) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3225. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Snowy Grouper" (RIN0648-XE181) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3226. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Vermilion Snapper" (RIN0648-XE186) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3227. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

"Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction" (RIN0648-XD779) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3228. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reapportionment of the 2015 Gulf of Alaska Pacific Halibut Prohibited Species Catch Limits for the Trawl Deep-Water and Shallow-Water Fishery Categories" (RIN0648-XE180) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3229. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustment for the Common Pool Fishery" (RIN0648-XE155) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3230. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Bluefish Fishery and Summer Flounder Fishery; Commercial Quota Harvested for the State of Massachusetts" (RIN0648-XE189) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3231. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions No. 30 Through No. 36" (RIN0648-XE187) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3232. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Western Regulatory Area of the Gulf of Mexico" (RIN0648-XE174) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3233. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Financial Officer, Department of Transportation, received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3234. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Improving 911 Reliability; Reliability and Continuity of communications Networks, Including Broadband Technologies" ((FCC 15-95) (PS Docket Nos.

13-75 and 11-60)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3235. A communication from the Deputy Chief of the Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Procedures for Competitive Bidding in Auction 1000, Including Initial Clearing Target Determinations, Qualifying to Bid, and Bidding in Auctions 1001 (Reverse) and 1002 (Forward)" ((FCC 15-78) (AU Docket No. 14-252, GN Docket No. 12-268, WT Docket No. 12-269, and MB Docket No. 15-146)) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3236. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Commission's Rules Concerning Market Modification; Implementation of Section 102 of the STELA Reauthorization Act of 2014" ((FCC 15-111) (MB Docket No. 15-71)) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3237. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Federal Acquisition Regulation Supplement: Drug- and Alcohol-Free Workforce and Mission Critical Systems Personnel Reliability Program" (RIN2700-AE17) received in the Office of the President of the Senate on October 8, 2015; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ISAKSON, from the Committee on Veterans' Affairs:

Special Report entitled "Legislative and Oversight Activities During the 113th Congress by the Senate Committee on Veterans' Affairs" (Rept. No. 114-156).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DONNELLY (for himself and Mr. GARDNER):

S. 2187. A bill to establish a third-party quality system assessment program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GARDNER (for himself and Mr. DONNELLY):

S. 2188. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the humanitarian device exemption; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself, Mr. HELLER, Mr. UDALL, Mr. CRAPO, Mr. BENNET, Mr. GARDNER, Mr. TESTER, Mr. DAINES, Mr. WYDEN, and Mr. RISCH):

S. 2189. A bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 2190. A bill to amend the Higher Education Act of 1965 to establish a scholarship program for educators of rural students and provide for loan forgiveness for rural educators, to amend the Elementary and Secondary Education Act of 1965 to provide professional development grants for rural elementary schools and secondary schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 2191. A bill to establish Federal-State higher education financing partnerships to drive down the cost of tuition for millions of American students; to the Committee on Finance.

By Mr. SCHUMER:

S. 2192. A bill to ensure that States submit all records of individuals who should be prohibited from buying a firearm to the national instant criminal background check system; to the Committee on the Judiciary.

By Mr. CRUZ (for himself, Mr. GRASSLEY, Mr. VITTER, and Mr. PERDUE):

S. 2193. A bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. RUBIO (for himself, Mr. NELSON, Ms. COLLINS, Mr. MARKEY, Mr. KING, Mr. KAINE, Mr. ALEXANDER, Mr. CARPER, Mr. COONS, Mr. WARNER, Mr. PERDUE, Ms. WARREN, and Mrs. GILLIBRAND):

S. Res. 291. A resolution honoring the lives of the 33 crew members aboard the *El Faro*; considered and agreed to.

ADDITIONAL COSPONSORS

S. 235

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 235, a bill to provide for wildfire suppression operations, and for other purposes.

S. 479

At the request of Mrs. FISCHER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 479, a bill to amend the National Trails System Act to direct the Secretary of the Interior to conduct a study on the feasibility of designating the Chief Standing Bear National Historic Trail, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the

third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 1473

At the request of Mr. MARKEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1473, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 1491

At the request of Mr. BROWN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1491, a bill to provide sensible relief to community financial institutions, to protect consumers, and for other purposes.

S. 1503

At the request of Mr. BLUMENTHAL, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1503, a bill to provide for enhanced Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme disease and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1518

At the request of Mr. LEE, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1518, a bill to make exclusive the authority of the Federal Government to regulate the labeling of products made in the United States and introduced in interstate or foreign commerce, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1631

At the request of Mr. SANDERS, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1631, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to modify certain provisions relating to multiemployer pensions, and for other purposes.

S. 1833

At the request of Mr. CASEY, the name of the Senator from Wisconsin

(Ms. BALDWIN) was added as a cosponsor of S. 1833, a bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program.

S. 1856

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1964

At the request of Mr. WYDEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1964, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home with their families, and for other purposes.

S. 1972

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1972, a bill to require air carriers to modify certain policies with respect to the use of epinephrine for in-flight emergencies, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2034

At the request of Mr. TOOMEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2034, a bill to amend title 18, United States Code, to provide additional aggravating factors for the imposition of the death penalty based on the status of the victim.

S. 2041

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2041, a bill to promote the development of safe drugs for neonates.

S. 2066

At the request of Mr. SASSE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 2066, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 2123

At the request of Mr. GRASSLEY, the names of the Senator from Kansas (Mr.

MORAN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Arizona (Mr. FLAKE), the Senator from Minnesota (Mr. FRANKEN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2137

At the request of Mr. BLUNT, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2137, a bill to amend title 10, United States Code, to provide a period for the relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station in order to ease and facilitate the relocation of military families.

S. 2148

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2148, a bill to amend title XVIII of the Social Security Act to prevent an increase in the Medicare part B premium and deductible in 2016.

S. 2170

At the request of Mrs. ERNST, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 2170, a bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

S. CON. RES. 4

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 148

At the request of Mr. KIRK, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 274

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 274, a resolution commemorating the 25th anniversary of the peaceful and democratic reunification of Germany.

AMENDMENT NO. 2548

At the request of Mr. HELLER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 2548 proposed to S. 754, an original bill to improve cybersecurity in the United States through enhanced sharing of information about

cybersecurity threats, and for other purposes.

AMENDMENT NO. 2564

At the request of Mr. PAUL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 2564 proposed to S. 754, an original bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 291—HONORING THE LIVES OF THE 33 CREW MEMBERS ABOARD THE “EL FARO”

Mr. RUBIO (for himself, Mr. NELSON, Ms. COLLINS, Mr. MARKEY, Mr. KING, Mr. KAINE, Mr. ALEXANDER, Mr. CARPER, Mr. COONS, Mr. WARNER, Mr. PERDUE, Ms. WARREN, and Mrs. GILLIBRAND) submitted the following resolution; which was considered and agreed to:

S. RES. 291

Whereas the *El Faro* departed Jacksonville, Florida for Puerto Rico on September 29, 2015, with 33 crew members aboard;

Whereas the crew of the *El Faro* on September 29, 2015, consisted of 28 citizens of the United States and 5 Polish nationals;

Whereas the *El Faro* sent distress alerts on October 1, 2015;

Whereas members of the Coast Guard, Navy, and Air Force valiantly searched for the crew members of the *El Faro*; and

Whereas the people of the United States mourn the loss of the 33 seamen aboard the *El Faro*: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the lives of the 33 crew members aboard the *El Faro* who were lost after the *El Faro* departed on September 29, 2015;

(2) recognizes the valiant search efforts of the members of the Coast Guard, Navy, and Air Force who searched for the crew members of the *El Faro*; and

(3) offers heartfelt condolences to the family, friends, and loved ones of the crew members of the *El Faro*.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2720. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table.

SA 2721. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2722. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2723. Mr. LEAHY (for himself and Mr. LEE) submitted an amendment intended to

be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2724. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2725. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2726. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2727. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2728. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2729. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2730. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2731. Ms. AYOTTE (for Mr. GRAHAM) submitted an amendment intended to be proposed by Ms. Ayotte to the bill S. 754, supra; which was ordered to lie on the table.

SA 2732. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2733. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2734. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2735. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2736. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2737. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2738. Mr. BOOKER (for himself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2739. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2740. Mr. SULLIVAN submitted an amendment intended to be proposed by him

to the bill S. 754, supra; which was ordered to lie on the table.

SA 2741. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2742. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2743. Mr. BURR submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2744. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2745. Mr. FRANKEN (for himself and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, supra; which was ordered to lie on the table.

SA 2746. Mr. BURR submitted an amendment intended to be proposed by him to the bill S. 754, supra; which was ordered to lie on the table.

SA 2747. Mr. VITTER proposed an amendment to the bill H.R. 208, to improve the disaster assistance programs of the Small Business Administration.

TEXT OF AMENDMENTS

SA 2720. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 16, line 9, insert “make reasonable efforts to” before “review”.

On page 16, line 11, strike “knows” and insert “reasonably believes”.

On page 16, line 17, insert “identify and” before “remove”.

On page 16, line 19, strike “knows” and insert “reasonably believes”.

SA 2721. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPORT ON ACCOUNTABILITY FOR THE DATA BREACH OF THE OFFICE OF PERSONNEL MANAGEMENT.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **DATA BREACH.**—The term “data breach” means the data breach of systems of the Office of Personnel Management that occurred during fiscal year 2015 which resulted in the theft of sensitive information of at least 21,500,000 Federal employees and their families.

(b) **REQUIREMENT FOR REPORT.**—Not later than 30 days after date of the enactment of this Act, the President shall submit to the appropriate committees of Congress and make available to the public a report that—

(1) identifies the perpetrator, including any state sponsor, of the data breach;

(2) includes a plan to impose penalties on such perpetrator under United States law; and

(3) describes a strategy to initiate diplomatic discussions with any state sponsor of the data breach.

(c) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) Identification of any individual perpetrator of the data breach, by name and nationality.

(2) Identification of any state sponsor of the data breach, including each agency of the government of the state sponsor that was responsible for authorizing, performing, or endorsing the data breach.

(3) A description of the actions proposed to penalize each individual identified under paragraph (1) under United States law.

(4) The strategy required by subsection (a)(3) shall include—

(A) a description of any action the President has undertaken to initiate or carry out diplomatic discussions with any state sponsor identified under paragraph (2); and

(B) a strategy to initiate or carry out diplomatic discussions in high-level forums and interactions during the 180-day period beginning on the date of the enactment of this Act.

SA 2722. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . BIENNIAL CYBER REVIEW.

(a) **REQUIREMENT FOR REVIEW.**—Beginning in 2016 and not less frequently than once every two years thereafter, the President shall complete a review of the cyber posture of the United States, including an unclassified summary of roles, missions, accomplishments, plans, and programs.

(b) **PURPOSES.**—The purposes of each such review are—

(1) to assess the cyber security of the United States;

(2) to determine and express the cyber strategy of the United States; and

(3) to establish a revised cyber program for the next 2-year period.

(c) **CONTENT.**—Each review required by subsection (a) shall include—

(1) a comprehensive examination of the cyber strategy, force structure, personnel, modernization plans, infrastructure, and budget plan of the United States;

(2) an assessment of the ability of the United States to recover from a cyber emergency;

(3) an assessment of other elements of the cyber program of the United States;

(4) an assessment of critical national security infrastructure and data that is vulnerable to cyberattacks and cybertheft; and

(5) an assessment of international engagement efforts to establish viable norms of behavior in cyberspace to implement the 2011 International Strategy for Cyberspace.

(d) **INVOLVEMENT OF CYBERSECURITY ADVISORY PANEL.**—

(1) **REQUIREMENT TO INFORM.**—The President shall inform the Cybersecurity Advisory Panel established or designated under section ____, on an ongoing basis, of the actions carried out to conduct each review required by subsection (a).

(2) **ASSESSMENT PRIOR TO COMPLETION OF REVIEW.**—Not later than 1 year prior to the date of completion of each review required by subsection (a), the Chairman of the Cybersecurity Advisory Panel shall submit to the President, the assessment of such Panel of actions carried out to conduct the review as of the date of the submission, including any recommendations of the Panel for improvements to the review or for additional matters to be covered in the review.

(3) **ASSESSMENT OF COMPLETED REVIEW.**—At the time each review required by subsection (a) is completed and in time to be included in a report required by subsection (d), the Chairman of the Cybersecurity Advisory Panel shall submit to the President, on behalf of the Panel, an assessment of such review.

(e) **REPORT.**—Not later than September 30, 2016, and not less frequently than once every two years thereafter, the President shall submit to Congress a comprehensive report on each review required by subsection (a). Each report shall include—

(1) the results of the review, including a comprehensive discussion of the cyber strategy of the United States and the collaboration between the public and private sectors best suited to implement that strategy;

(2) a description of the threats examined for purposes of the review and the scenarios developed in the examination of such threats;

(3) the assumptions used in the review, including assumptions relating to the cooperation of other countries and levels of acceptable risk; and

(4) the assessment of the Cybersecurity Advisory Panel submitted under subsection (c)(3).

SEC. ____ . CYBERSECURITY ADVISORY PANEL.

(a) **IN GENERAL.**—The President shall establish or designate a Cybersecurity Advisory Panel.

(b) **APPOINTMENT.**—The President—

(1) shall appoint as members of the Cybersecurity Advisory Panel representatives of industry, academic, nonprofit organizations, interest groups, and advocacy organizations, and State and local governments who are qualified to provide advice and information on cybersecurity research, development, demonstrations, education, personnel, technology transfer, commercial application, or societal and civil liberty concerns;

(2) shall appoint a Chairman of the Panel from among the members of the Panel; and

(3) may seek and give consideration to recommendations for appointments to the Panel from Congress, industry, the cybersecurity community, the defense community, State and local governments, and other appropriate organizations.

(c) **DUTIES.**—The Cybersecurity Advisory Panel shall advise the President on matters relating to the national cybersecurity program and strategy and shall assess—

(1) trends and developments in cybersecurity science research and development;

(2) progress made in implementing the strategy;

(3) the need to revise the strategy;

(4) the readiness and capacity of the Federal and national workforces to implement the national cybersecurity program and strategy, and the steps necessary to improve workforce readiness and capacity;

(5) the balance among the components of the national strategy, including funding for program components;

(6) whether the strategy, priorities, and goals are helping to maintain United States leadership and defense in cybersecurity;

(7) the management, coordination, implementation, and activities of the strategy;

(8) whether the concerns of Federal, State, and local law enforcement entities are adequately addressed; and

(9) whether societal and civil liberty concerns are adequately addressed.

(d) **REPORTS.**—Not less frequently than once every 4 years, the Cybersecurity Advisory Panel shall submit to the President a report on its assessments under subsection (c) and its recommendations for ways to improve the strategy.

(e) **TRAVEL EXPENSES OF NON-FEDERAL MEMBERS.**—Non-Federal members of the Cybersecurity Advisory Panel, while attending meetings of the Panel or while otherwise serving at the request of the head of the Panel while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay. Nothing in this subsection shall be construed to prohibit members of the Panel who are officers or employees of the United States from being allowed travel expenses, including per diem in lieu of subsistence, in accordance with law.

(f) **EXEMPTION FROM FACA SUNSET.**—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Cybersecurity Advisory Panel.

SA 2723. Mr. LEAHY (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 408. AUDIT OF USE OF DEA ADMINISTRATIVE SUBPOENA AUTHORITY.

(a) **AUDIT.**—The Inspector General of the Department of Justice shall perform an audit of the effectiveness and use, including any improper or illegal use, of subpoenas issued pursuant to section 506 of the Controlled Substances Act (21 U.S.C. 876).

(b) **REQUIREMENTS.**—The audit required under subsection (a) shall include—

(1) an examination of the use of subpoenas issued pursuant to section 506 of the Controlled Substances Act (21 U.S.C. 876) during calendar years 2012 through 2014;

(2) a description of any noteworthy facts or circumstances relating to such use, including any improper or illegal use of such authority; and

(3) an examination of the effectiveness of subpoenas issued pursuant to section 506 of the Controlled Substances Act (21 U.S.C. 876) as an investigative tool, including—

(A) the manner in which information acquired pursuant to such subpoenas is collected, retained, analyzed, and disseminated

by the Department of Justice, including any direct access to such information (such as access to raw data) provided to any other department, agency, or instrumentality of the Federal Government, State, local, or tribal governments, or any private sector entity;

(B) whether, and how often, such information was used in civil and criminal proceedings; and

(C) whether, and how often, the Department of Justice used such information to produce an analytical intelligence product for distribution within the Department of Justice to the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) or to any other department, agency, or instrumentality of the Federal Government or of a State, local, or tribal government.

(c) SUBMISSION DATES.—

(1) PRIOR YEARS.—The Inspector General of the Department of Justice shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report containing the results of the audit conducted under this section for calendar years 2012 through 2014 not later than the earlier of—

(A) 1 year after the date of enactment of this Act; or

(B) the date on which the audit required under this section for calendar years 2012 through 2014 is completed.

(2) CALENDAR YEARS 2015 THROUGH 2017.—The Inspector General of the Department of Justice shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report containing the results of the audit conducted under this section for calendar years 2015 through 2017 not later than the earlier of—

(A) December 31, 2018; or

(B) the date on which the audit required under this section for calendar years 2015 through 2017 is completed.

(3) DELAY OF EXISTING REVIEWS PROHIBITED.—The Inspector General of the Department of Justice shall not delay the completion of any review commenced before the date of enactment of this Act pertaining to subpoenas issued pursuant to section 506 of the Controlled Substances Act (21 U.S.C. 876) pending the completion of the reports required by this section.

SA 2724. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 86, line 26, insert “the Director of the National Institute of Standards and Technology and” after “in coordination with”.

SA 2725. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 89, line 23, insert “, the Director of the National Institute of Standards and Technology,” after “Director”.

SA 2726. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 91, line 21, insert “, in consultation with the Director of the National Institute of Standards and Technology,” after “Security”.

SA 2727. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 92, line 9, insert “, in consultation with the Director of the National Institute of Standards and Technology,” after “Secretary”.

SA 2728. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 103, line 12, insert “the Director of the National Institute of Standards and Technology and” after “consultation with”.

SA 2729. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 111, strike lines 21 through 24, and insert the following:

(E) the Committee on Energy and Natural Resources of the Senate;

(F) the Committee on Energy and Commerce of the House of Representatives; and

(G) the Committee on Commerce, Science, and Transportation of the Senate.

SA 2730. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, strike lines 12 through 20, and insert the following:

(D) the Committee on Commerce, Science, and Transportation of the Senate;

(E) the Committee on Armed Services of the House of Representatives;

(F) the Committee on Homeland Security of the House of Representatives;

(G) the Committee on Oversight and Government Reform of the House of Representatives; and

(H) the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2731. Ms. AYOTTE (for Mr. GRAHAM) submitted an amendment intended to be proposed by Ms. AYOTTE to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ SENSE OF THE SENATE.

It is the Sense of the Senate that the Memorandum Opinion for the Assistant Attorney General dated September 20, 2011, does not carry the force of law and the Senate is concerned with the cybersecurity implications of activities undertaken in reliance of such Opinion, including the potential for thefts of personally identifiable information, and the participation in such activities by entities, including successors of such entities, charged or sued by the Government with respect to such activities, with a violation of subchapter IV of chapter 53 of title 31, United States Code, or any other Federal statute relating to monetary transactions.

SA 2732. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—OTHER MATTERS

SEC. 501. EXPANSION OF CHOICE PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) ELIMINATION OF SUNSET.—

(1) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended—

(A) by striking subsection (p); and

(B) by redesignating subsections (q), (r), (s), and (t) as subsections (p), (q), (r), and (s), respectively.

(2) CONFORMING AMENDMENTS.—Such section is amended—

(A) in subsection (i)(2), by striking “during the period in which the Secretary is authorized to carry out this section pursuant to subsection (p)”;

(B) in subsection (p)(2), as redesignated by paragraph (1)(B), by striking subparagraph (F).

(b) EXPANSION OF ELIGIBILITY.—

(1) IN GENERAL.—Subsection (b) of such section is amended to read as follows:

“(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if the veteran is enrolled in the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705 of title 38, United States Code, including any such veteran who has not received hospital care or medical services from

the Department and has contacted the Department seeking an initial appointment from the Department for the receipt of such care or services.”.

(2) CONFORMING AMENDMENTS.—Such section is amended—

(A) in subsection (c)(1)—

(i) in the matter preceding subparagraph (A), by striking “In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the eligible veteran” and inserting “The Secretary shall, at the election of an eligible veteran”; and

(ii) in subparagraph (A), by striking “described in such subsection” and inserting “of the Veterans Health Administration”;

(B) in subsection (f)(1), by striking “subsection (b)(1)” and inserting “subsection (b)”;

(C) in subsection (g), by striking paragraph (3); and

(D) in subsection (p)(2)(A), as redesignated by subsection (a)(1)(B), by striking “, disaggregated by—” and all that follows through “subsection (b)(2)(D)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to hospital care and medical services furnished under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) on and after the date that is 90 days after the date of the enactment of this Act.

SA 2733. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, between lines 6 and 7, insert the following:

(c) PRIVATE RIGHT OF ACTION FOR VIOLATIONS BY FEDERAL ENTITIES OF RESTRICTIONS ON DISCLOSURE, USE, AND PROTECTION OF VOLUNTARILY SHARED CYBER THREAT INDICATORS.—

(1) IN GENERAL.—If a department or agency of the Federal Government knowingly or recklessly violates the requirements of this Act with respect to the disclosure, use, or protection of voluntarily shared cyber threat indicators, the United States shall be liable to a person adversely affected by such violation in an amount equal to the sum of—

(A) the actual damages sustained by the person as a result of the violation or \$50,000, whichever is greater; and

(B) the costs of the action together with reasonable attorney fees as determined by the court.

(2) VENUE.—An action to enforce liability created under this subsection may be brought in the district court of the United States in—

(A) the district in which the complainant resides;

(B) the district in which the principal place of business of the complainant is located;

(C) the district in which the department or agency of the Federal Government that disclosed the information is located; or

(D) the District of Columbia.

(3) STATUTE OF LIMITATIONS.—No action shall lie under this subsection unless such action is commenced not later than two years after the person adversely affected by a violation described in paragraph (1) first

learns, or by which such person reasonably should have learned, of the facts and circumstances giving rise to the action.

SA 2734. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 7 and 8, insert the following:

(c) PRIVATE RIGHT OF ACTION FOR VIOLATIONS BY FEDERAL ENTITIES OF RESTRICTIONS ON DISCLOSURE, USE, AND PROTECTION OF VOLUNTARILY SHARED CYBER THREAT INDICATORS.—

(1) IN GENERAL.—If a department or agency of the Federal Government knowingly or recklessly violates the requirements of this Act with respect to the disclosure, use, or protection of voluntarily shared cyber threat indicators, the United States shall be liable to a person adversely affected by such violation in an amount equal to the sum of—

(A) the actual damages sustained by the person as a result of the violation or \$1,000, whichever is greater; and

(B) the costs of the action together with reasonable attorney fees as determined by the court.

(2) VENUE.—An action to enforce liability created under this subsection may be brought in the district court of the United States in—

(A) the district in which the complainant resides;

(B) the district in which the principal place of business of the complainant is located;

(C) the district in which the department or agency of the Federal Government that disclosed the information is located; or

(D) the District of Columbia.

(3) STATUTE OF LIMITATIONS.—No action shall lie under this subsection unless such action is commenced not later than two years after the person adversely affected by a violation described in paragraph (1) first learns, or by which such person reasonably should have learned, of the facts and circumstances giving rise to the action.

SA 2735. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, between lines 11 and 12, insert the following:

(16) REAL TIME; REAL-TIME.—The terms “real time” and “real-time” means as close to real time as practicable.

(17) DELAY.—The term “delay”, with respect to the sharing of a cyber threat indicator, excludes any time necessary to ensure that the cyber threat indicator shared does not contain any personally identifiable information not needed to describe or identify a cybersecurity threat.

(18) MODIFICATION.—The term “modification”, with respect to the sharing of a cyber threat indicator, excludes any process necessary to ensure that the cyber threat indi-

cator modified does not contain any personally identifiable information not needed to describe or identify a cybersecurity threat.

SA 2736. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON THE INDEFINITE DETENTION OF PERSONS BY THE UNITED STATES.

(a) LIMITATION ON DETENTION.—Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) No person shall be imprisoned or otherwise detained by the United States except consistent with the Constitution.”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a person apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Cybersecurity Information Sharing Act of 2015.

“(3) This section shall not be construed to authorize the imprisonment or detention of any person who is apprehended in the United States.”.

(b) REPEAL OF AUTHORITY OF THE ARMED FORCES OF THE UNITED STATES TO DETAIN COVERED PERSONS PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.—Section 1021 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 801 note) is repealed.

SA 2737. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 16, strike lines 4 through 10, and insert the following:

(1) IN GENERAL.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B) and paragraph (2) and notwithstanding any other provision of law, an entity may, for the purposes permitted under this Act and consistent with the protection of classified information, share with, or receive from, any other entity or the Federal Government a cyber threat indicator or defensive measure.

(B) EXCEPTION FOR DEPARTMENT OF DEFENSE.—Notwithstanding subparagraph (A), no entity is permitted under this Act to share with the Department of Defense or any component of the Department, including the National Security Agency, a cyber threat indicator or defensive measure.

SA 2738. Mr. BOOKER (for himself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, between lines 20 and 21, insert the following:

(6) **LIMITATION ON RECEIPT OF CYBER THREAT INDICATORS.**—A Federal entity may not receive a cyber threat indicator that another Federal entity shared through the process developed and implemented under paragraph (1) unless the Inspector General of the receiving Federal entity certifies that the receiving Federal entity meets the data security standard for receiving such a cyber threat indicator, as established by the Secretary of Homeland Security.

On page 52, strike line 14 and insert the following:

SEC. 10. REPORT ON REDUCTION OF CYBERSECURITY RISK IN AGENCY DATA CENTERS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security, in coordination with the Director of the Office of Management and Budget, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the feasibility of Federal civilian agencies creating an environment for the reduction in cybersecurity risks in agency data centers, including by—

- (1) increasing compartmentalization between systems; and
- (2) providing a mix of security controls between such compartments.

SEC. 11. CONFORMING AMENDMENT.

SA 2739. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CYBERSECURITY TRANSPARENCY.

- (a) **DEFINITIONS.**—In this section—
- (1) the term “Commission” means the Securities and Exchange Commission;
- (2) the term “issuer” has the meaning given the term in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c); and
- (3) the term “reporting company” means any company that is an issuer—

(A) the securities of which are registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 781); or

(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).

(b) **REQUIREMENT TO ISSUE RULES.**—Not later than 360 days after the date of enactment of this Act, the Commission shall issue final rules to require each reporting company, in the annual report submitted under section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m and 78o(d)) or the annual proxy statement submitted under section 14(a) of such Act (15 U.S.C. 78n(a))—

(1) to disclose whether any member of the governing body, such as the board of directors or general partner, of the reporting company is a cybersecurity expert (based on minimum standards established by the Commission, in consultation with the Department of Homeland Security and the National Institute of Standards and Technology), in such detail as necessary to fully describe the nature of the expertise; and

(2) if no member of the governing body of the reporting company is a cybersecurity expert, to briefly describe how the absence of such expertise was taken into account by such persons responsible for identifying and evaluating nominees for any member of the governing body, such as a nominating committee.

(c) **CONSIDERATIONS.**—In establishing the minimum standards for a cybersecurity expert for purposes of subsection (b), the Commission, in consultation with the Department of Homeland Security and the National Institute of Standards and Technology, shall consider whether a person has substantive experience with preventing and addressing cybersecurity threats.

SA 2740. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . COST-BENEFIT ANALYSIS FOR SMALL BUSINESSES.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall—

- (1) conduct a cost-benefit analysis for small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) adopting measures for the sharing of cyber threat indicators and information related to cybersecurity threats; and
- (2) submit to Congress a report detailing the results of the cost-benefit analysis conducted under paragraph (1).

SA 2741. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DEVELOPMENT OF COMPREHENSIVE STRATEGY ON IMPROVING THE CYBERSECURITY OF THE UNITED STATES.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce, acting through the Under Secretary for Industry and Security, shall submit to Congress a comprehensive strategy for improving the cybersecurity of the United States.

SA 2742. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through en-

hanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 76, line 22, insert “the Director of the Office of Management and Budget and” before “the Director of National Intelligence”.

On page 77, line 14, insert “the Director of the Office of Management and Budget and” before “the Director of National Intelligence”.

On page 78, between lines 2 and 3, insert the following:

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to designate an information system as a national security system.

On page 78, line 18, strike “owned” and insert “used”.

Beginning on page 80, line 25, strike “use” and all that follows through “other” on page 81, line 6, and insert “intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of 2002 for the purpose of ensuring the security of”.

SA 2743. Mr. BURR submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 113, strike line 1 and all that follows through page 114, line 6.

SA 2744. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 408. GAO REPORT ON CELL-SITE SIMULATORS.

(a) **DEFINITION.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(b) **REPORT.**—Not later than September 30, 2017, the Comptroller General of the United States shall submit to the appropriate congressional committees a report regarding the use of cell-site simulators (commonly known as “IMSI catchers”) by Federal, State, and local agencies inside the United States, which shall include to the extent that information is available—

(1) a list of each Federal, State, and local agency that uses cell-site simulators, and for what purposes;

(2) an explanation of the approval process that Federal, State, and local agencies require prior to use of cell-site simulators, including whether such agencies have written policies;

(3) the number of State and local agencies that are subject to non-disclosure agreements with respect to the use of cell-site

simulators, and an analysis of whether the non-disclosure agreements are necessary in light of publicly available information about government use of the devices;

(4) the extent to which the Federal Government is providing or funding the purchase of cell-site simulators for State and local agencies, including which Federal grants are used for such purpose;

(5) an explanation of whether Federal, State, and local agencies obtain judicial approval prior to deployment of cell-site simulators, and if so, what type and with what frequency;

(6) an examination of whether court applications seeking approval for the use of cell-site simulators sufficiently explain how the devices work, including—

(A) whether the devices collect information about non-target phones;

(B) the extent to which the devices disrupt service to non-target phones; and

(C) how each Federal, State, or local agency intends to address deletion of data not associated with the target phone;

(7) whether any Federal, State, or local agencies are using cell-site simulators to obtain the contents of communications or for purposes other than locating a particular cellular device;

(8) whether Federal, State, or local agencies have policies or procedures governing the deletion of information collected by cell-site simulators;

(9) an evaluation of whether Federal, State, or local agencies have adequate training and auditing mechanisms in place regarding the use of cell-site simulators;

(10) an evaluation of compliance by the Department of Justice its components with Department of Justice policy guidance governing the use of cell-site simulator technology; and

(11) an evaluation of compliance by the Department of Homeland Security and its components with Department of Homeland Security policy guidance governing the use of cell-site simulator technology.

SA 2745. Mr. FRANKEN (for himself and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 14, strike line 4 and all that follows through page 39, line 21, and insert the following:

(b) **AUTHORIZATION FOR OPERATION OF DEFENSIVE MEASURES.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, operate a defensive measure that is applied to—

(A) an information system of such private entity in order to protect the rights or property of the private entity;

(B) an information system of another entity upon written consent of such entity for operation of such defensive measure to protect the rights or property of such entity; and

(C) an information system of a Federal entity upon written consent of an authorized representative of such Federal entity for operation of such defensive measure to protect the rights or property of the Federal Government.

(2) **CONSTRUCTION.**—Nothing in this subsection shall be construed—

(A) to authorize the use of a defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(c) **AUTHORIZATION FOR SHARING OR RECEIVING CYBER THREAT INDICATORS OR DEFENSIVE MEASURES.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2) and notwithstanding any other provision of law, an entity may, for a cybersecurity purpose and consistent with the protection of classified information, share with, or receive from, any other entity or the Federal Government a cyber threat indicator or defensive measure.

(2) **LAWFUL RESTRICTION.**—An entity receiving a cyber threat indicator or defensive measure from another entity or Federal entity shall comply with otherwise lawful restrictions placed on the sharing or use of such cyber threat indicator or defensive measure by the sharing entity or Federal entity.

(3) **CONSTRUCTION.**—Nothing in this subsection shall be construed—

(A) to authorize the sharing or receiving of a cyber threat indicator or defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(d) **PROTECTION AND USE OF INFORMATION.**—

(1) **SECURITY OF INFORMATION.**—An entity operating a defensive measure or providing or receiving a cyber threat indicator or defensive measure under this section shall implement and utilize a security control to protect against unauthorized access to or acquisition of such cyber threat indicator or defensive measure.

(2) **REMOVAL OF CERTAIN PERSONAL INFORMATION.**—An entity sharing a cyber threat indicator pursuant to this title shall, prior to such sharing—

(A) review such cyber threat indicator to assess whether such cyber threat indicator contains any information that the entity knows at the time of sharing to be personal information or information that identifies a specific person not directly related to a cybersecurity threat and remove such information; or

(B) implement and utilize a technical capability configured to remove any information contained within such indicator that the entity knows at the time of sharing to be personal information or information that identifies a specific person not directly related to a cybersecurity threat.

(3) **USE OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES BY ENTITIES.**—

(A) **IN GENERAL.**—Consistent with this title, a cyber threat indicator or defensive measure shared or received under this section may, for cybersecurity purposes—

(i) be used by an entity to operate a defensive measure that is applied to—

(I) an information system of the entity; or
(II) an information system of another entity or a Federal entity upon the written consent of that other entity or that Federal entity; and

(ii) be otherwise used, retained, and further shared by an entity subject to—

(I) an otherwise lawful restriction placed by the sharing entity or Federal entity on such cyber threat indicator or defensive measure; or

(II) an otherwise applicable provision of law.

(B) **CONSTRUCTION.**—Nothing in this paragraph shall be construed to authorize the use of a cyber threat indicator or defensive

measure other than as provided in this section.

(4) **USE OF CYBER THREAT INDICATORS BY STATE, TRIBAL, OR LOCAL GOVERNMENT.**—

(A) **LAW ENFORCEMENT USE.**—

(i) **PRIOR WRITTEN CONSENT.**—Except as provided in clause (ii), a cyber threat indicator shared with a State, tribal, or local government under this section may, with the prior written consent of the entity sharing such indicator, be used by a State, tribal, or local government for the purpose of preventing, investigating, or prosecuting any of the offenses described in section 105(d)(5)(A)(vi).

(ii) **ORAL CONSENT.**—If exigent circumstances prevent obtaining written consent under clause (i), such consent may be provided orally with subsequent documentation of the consent.

(B) **EXEMPTION FROM DISCLOSURE.**—A cyber threat indicator shared with a State, tribal, or local government under this section shall be—

(i) deemed voluntarily shared information; and

(ii) exempt from disclosure under any State, tribal, or local law requiring disclosure of information or records.

(C) **STATE, TRIBAL, AND LOCAL REGULATORY AUTHORITY.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), a cyber threat indicator or defensive measure shared with a State, tribal, or local government under this title shall not be directly used by any State, tribal, or local government to regulate, including an enforcement action, the lawful activity of any entity, including an activity relating to operating a defensive measure or sharing of a cyber threat indicator.

(ii) **REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF CYBERSECURITY THREATS.**—A cyber threat indicator or defensive measures shared as described in clause (i) may, consistent with a State, tribal, or local government regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of a regulation relating to such information systems.

(e) **ANTITRUST EXEMPTION.**—

(1) **IN GENERAL.**—Except as provided in section 108(e), it shall not be considered a violation of any provision of antitrust laws for 2 or more private entities to exchange or provide a cyber threat indicator, or assistance relating to the prevention, investigation, or mitigation of a cybersecurity threat, for cybersecurity purposes under this title.

(2) **APPLICABILITY.**—Paragraph (1) shall apply only to information that is exchanged or assistance provided in order to assist with—

(A) facilitating the prevention, investigation, or mitigation of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system; or

(B) communicating or disclosing a cyber threat indicator to help prevent, investigate, or mitigate the effect of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system.

(f) **NO RIGHT OR BENEFIT.**—The sharing of a cyber threat indicator with an entity under this title shall not create a right or benefit to similar information by such entity or any other entity.

SEC. 105. SHARING OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES WITH THE FEDERAL GOVERNMENT.

(a) **REQUIREMENT FOR POLICIES AND PROCEDURES.**—

(1) **INTERIM POLICIES AND PROCEDURES.**—Not later than 60 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall, in coordination with the heads of the appropriate Federal entities, develop and submit to Congress interim policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(2) **FINAL POLICIES AND PROCEDURES.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall, in coordination with the heads of the appropriate Federal entities, promulgate final policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(3) **REQUIREMENTS CONCERNING POLICIES AND PROCEDURES.**—Consistent with the guidelines required by subsection (b), the policies and procedures developed and promulgated under this subsection shall—

(A) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 104(c) through the real-time process described in subsection (c) of this section—

(i) are shared in an automated manner with all of the appropriate Federal entities;

(ii) are only subject to a delay, modification, or other action due to controls established for such real-time process that could impede real-time receipt by all of the appropriate Federal entities when the delay, modification, or other action is due to controls—

(I) agreed upon unanimously by all of the heads of the appropriate Federal entities;

(II) carried out before any of the appropriate Federal entities retains or uses the cyber threat indicators or defensive measures; and

(III) uniformly applied such that each of the appropriate Federal entities is subject to the same delay, modification, or other action; and

(iii) may be provided to other Federal entities;

(B) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 104 in a manner other than the real time process described in subsection (c) of this section—

(i) are shared as quickly as operationally practicable with all of the appropriate Federal entities;

(ii) are not subject to any unnecessary delay, interference, or any other action that could impede receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(C) consistent with this title, any other applicable provisions of law, and the fair information practice principles set forth in appendix A of the document entitled “National Strategy for Trusted Identities in Cyberspace” and published by the President in April, 2011, govern the retention, use, and dissemination by the Federal Government of cyber threat indicators shared with the Federal Government under this title, including the extent, if any, to which such cyber threat indicators may be used by the Federal Government; and

(D) ensure there are—

(i) audit capabilities; and

(ii) appropriate sanctions in place for officers, employees, or agents of a Federal entity who knowingly and willfully conduct activities under this title in an unauthorized manner.

(4) **GUIDELINES FOR ENTITIES SHARING CYBER THREAT INDICATORS WITH FEDERAL GOVERNMENT.**—

(A) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall develop and make publicly available guidance to assist entities and promote sharing of cyber threat indicators with Federal entities under this title.

(B) **CONTENTS.**—The guidelines developed and made publicly available under subparagraph (A) shall include guidance on the following:

(i) Identification of types of information that would qualify as a cyber threat indicator under this title that would be unlikely to include personal information or information that identifies a specific person not directly related to a cyber security threat.

(ii) Identification of types of information protected under otherwise applicable privacy laws that are unlikely to be directly related to a cybersecurity threat.

(iii) Such other matters as the Attorney General and the Secretary of Homeland Security consider appropriate for entities sharing cyber threat indicators with Federal entities under this title.

(b) **PRIVACY AND CIVIL LIBERTIES.**—

(1) **GUIDELINES OF ATTORNEY GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1), develop, submit to Congress, and make available to the public interim guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(2) **FINAL GUIDELINES.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1) and such private entities with industry expertise as the Attorney General considers relevant, promulgate final guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(B) **PERIODIC REVIEW.**—The Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers and private entities described in subparagraph (A), periodically, but not less frequently than once every two years, review the guidelines promulgated under subparagraph (A).

(3) **CONTENT.**—The guidelines required by paragraphs (1) and (2) shall, consistent with the need to protect information systems from cybersecurity threats and mitigate cybersecurity threats—

(A) limit the effect on privacy and civil liberties of activities by the Federal Government under this title;

(B) limit the receipt, retention, use, and dissemination of cyber threat indicators containing personal information or information that identifies specific persons, including by establishing—

(i) a process for the timely destruction of such information that is known not to be di-

rectly related to uses authorized under this title; and

(ii) specific limitations on the length of any period in which a cyber threat indicator may be retained;

(C) include requirements to safeguard cyber threat indicators containing personal information or information that identifies specific persons from unauthorized access or acquisition, including appropriate sanctions for activities by officers, employees, or agents of the Federal Government in contravention of such guidelines;

(D) include procedures for notifying entities and Federal entities if information received pursuant to this section is known or determined by a Federal entity receiving such information not to constitute a cyber threat indicator;

(E) protect the confidentiality of cyber threat indicators containing personal information or information that identifies specific persons to the greatest extent practicable and require recipients to be informed that such indicators may only be used for purposes authorized under this title; and

(F) include steps that may be needed so that dissemination of cyber threat indicators is consistent with the protection of classified and other sensitive national security information.

(c) **CAPABILITY AND PROCESS WITHIN THE DEPARTMENT OF HOMELAND SECURITY.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, in coordination with the heads of the appropriate Federal entities, shall develop and implement a capability and process within the Department of Homeland Security that—

(A) shall accept from any entity in real time cyber threat indicators and defensive measures, pursuant to this section;

(B) shall, upon submittal of the certification under paragraph (2) that such capability and process fully and effectively operates as described in such paragraph, be the process by which the Federal Government receives cyber threat indicators and defensive measures under this title that are shared by a private entity with the Federal Government through electronic mail or media, an interactive form on an Internet website, or a real time, automated process between information systems except—

(i) consistent with section 104, communications between a Federal entity and a private entity regarding a previously shared cyber threat indicator to describe the relevant cybersecurity threat or develop a defensive measure based on such cyber threat indicator; and

(ii) communications by a regulated entity with such entity's Federal regulatory authority regarding a cybersecurity threat;

(C) ensures that all of the appropriate Federal entities receive in an automated manner such cyber threat indicators shared through the real-time process within the Department of Homeland Security;

(D) is in compliance with the policies, procedures, and guidelines required by this section; and

(E) does not limit or prohibit otherwise lawful disclosures of communications, records, or other information, including—

(i) reporting of known or suspected criminal activity, by an entity to any other entity or a Federal entity;

(ii) voluntary or legally compelled participation in a Federal investigation; and

(iii) providing cyber threat indicators or defensive measures as part of a statutory or authorized contractual requirement.

(2) **CERTIFICATION.**—Not later than 10 days prior to the implementation of the capability and process required by paragraph (1), the Secretary of Homeland Security shall, in consultation with the heads of the appropriate Federal entities, certify to Congress whether such capability and process fully and effectively operates—

(A) as the process by which the Federal Government receives from any entity a cyber threat indicator or defensive measure under this title; and

(B) in accordance with the policies, procedures, and guidelines developed under this section.

(3) **PUBLIC NOTICE AND ACCESS.**—The Secretary of Homeland Security shall ensure there is public notice of, and access to, the capability and process developed and implemented under paragraph (1) so that—

(A) any entity may share cyber threat indicators and defensive measures through such process with the Federal Government; and

(B) all of the appropriate Federal entities receive such cyber threat indicators and defensive measures in real time with receipt through the process within the Department of Homeland Security.

(4) **OTHER FEDERAL ENTITIES.**—The process developed and implemented under paragraph (1) shall ensure that other Federal entities receive in a timely manner any cyber threat indicators and defensive measures shared with the Federal Government through such process.

(5) **REPORT ON DEVELOPMENT AND IMPLEMENTATION.**—

(A) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to Congress a report on the development and implementation of the capability and process required by paragraph (1), including a description of such capability and process and the public notice of, and access to, such process.

(B) **CLASSIFIED ANNEX.**—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(d) **INFORMATION SHARED WITH OR PROVIDED TO THE FEDERAL GOVERNMENT.**—

(1) **NO WAIVER OF PRIVILEGE OR PROTECTION.**—The provision of cyber threat indicators and defensive measures to the Federal Government under this title shall not constitute a waiver of any applicable privilege or protection provided by law, including trade secret protection.

(2) **PROPRIETARY INFORMATION.**—Consistent with section 104(c)(2), a cyber threat indicator or defensive measure provided by an entity to the Federal Government under this title shall be considered the commercial, financial, and proprietary information of such entity when so designated by the originating entity or a third party acting in accordance with the written authorization of the originating entity.

(3) **EXEMPTION FROM DISCLOSURE.**—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall be—

(A) deemed voluntarily shared information and exempt from disclosure under section 552 of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records; and

(B) withheld, without discretion, from the public under section 552(b)(3)(B) of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records.

(4) **EX PARTE COMMUNICATIONS.**—The provision of a cyber threat indicator or defensive measure to the Federal Government under this title shall not be subject to a rule of any Federal agency or department or any judicial doctrine regarding ex parte communications with a decision-making official.

(5) **DISCLOSURE, RETENTION, AND USE.**—

(A) **AUTHORIZED ACTIVITIES.**—Cyber threat indicators and defensive measures provided to the Federal Government under this title may be disclosed to, retained by, and used by, consistent with otherwise applicable provisions of Federal law, any Federal agency or department, component, officer, employee, or agent of the Federal Government solely for—

(i) a cybersecurity purpose;

(ii) the purpose of identifying a cybersecurity threat, including the source of such cybersecurity threat, or a security vulnerability;

(iii) the purpose of identifying a cybersecurity threat involving the use of an information system by a foreign adversary or terrorist;

(iv) the purpose of responding to, or otherwise preventing or mitigating, an imminent threat of death, serious bodily harm, or serious economic harm, including a terrorist act or a use of a weapon of mass destruction;

(v) the purpose of responding to, or otherwise preventing or mitigating, a serious threat to a minor, including sexual exploitation and threats to physical safety; or

(vi) the purpose of preventing, investigating, disrupting, or prosecuting an offense arising out of a threat described in clause (iv) or any of the offenses listed in—

(I) sections 1028 through 1030 of title 18, United States Code (relating to fraud and identity theft);

(II) chapter 37 of such title (relating to espionage and censorship); and

(III) chapter 90 of such title (relating to protection of trade secrets).

(B) **PROHIBITED ACTIVITIES.**—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be disclosed to, retained by, or used by any Federal agency or department for any use not permitted under subparagraph (A).

(C) **PRIVACY AND CIVIL LIBERTIES.**—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall be retained, used, and disseminated by the Federal Government—

(i) in accordance with the policies, procedures, and guidelines required by subsections (a) and (b);

(ii) in a manner that protects from unauthorized use or disclosure any cyber threat indicators that may contain personal information or information that identifies specific persons; and

(iii) in a manner that protects the confidentiality of cyber threat indicators containing personal information or information that identifies a specific person.

(D) **FEDERAL REGULATORY AUTHORITY.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be directly used by any Federal, State, tribal, or local government to regulate, including an enforcement action, the lawful activities of any entity, including activities relating to operating defensive measures or sharing cyber threat indicators.

(ii) **EXCEPTIONS.**—

(I) **REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF CYBERSECURITY THREATS.**—Cyber threat indi-

cators and defensive measures provided to the Federal Government under this title may, consistent with Federal or State regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of regulations relating to such information systems.

(II) **PROCEDURES DEVELOPED AND IMPLEMENTED UNDER THIS TITLE.**—Clause (i) shall not apply to procedures developed and implemented under this title.

SEC. 106. PROTECTION FROM LIABILITY.

SA 2746. Mr. BURR submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 11, line 3, strike “period” and insert “periodic”.

On page 20, line 21, strike “measures” and insert “measure”.

On page 56, line 8, strike “and” and all that follows through “(7)” on line 9 and insert the following:

(7) the term “national security system” has the meaning given the term in section 11103 of title 40, United States Code; and

(8)

On page 57, line 8, strike “and”.

On page 57, line 11, strike the period at the end and insert “; and”.

On page 57, between lines 11 and 12, insert the following:

“(4) the term ‘national security system’ has the meaning given the term in section 11103 of title 40, United States Code.

On page 64, lines 14 and 15, strike “Notwithstanding section 202, in this subsection” and insert “In this subsection only”.

On page 69, line 13, strike “all taken” and insert “taken all”.

On page 76, line 22, insert “and the Director of the Office of Management and Budget” after “Intelligence”.

On page 77, lines 12 and 13, strike “, as defined in section 11103 of title 40, United States Code”.

On page 77, line 14, insert “and the Director of the Office of Management and Budget” after “Intelligence”.

On page 78, between lines 2 and 3, insert the following:

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to designate an information system as a national security system.

On page 78, line 18, strike “owned” and insert “used”.

Beginning on page 80, line 25, strike “use” and all that follows through “other” on page 81, line 6, and insert “intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of 2002 for the purpose of ensuring the security of”.

On page 84, line 25, strike “Act” and insert “Act of 2015”.

On page 88, line 8, strike “non-civilian” and insert “noncivilian”.

On page 91, line 11, strike “203 and 204” and insert “303 and 304”.

On page 96, line 19, strike “likely,” and insert “likely”.

On page 96, line 22, strike “present” and insert “present,”.

On page 107, line 10, strike “shall each” and insert “shall”.

On page 107, lines 11 and 12, strike “each Comptroller General of the United States and”.

On page 110, strikes lines 6 through 16.

On page 114, line 7, strike “SENATE” and insert “SENSE”.

SA 2747. Mr. VITTER proposed an amendment to the bill H.R. 208, to improve the disaster assistance programs of the Small Business Administration; as follows:

On page 2, strike lines 1 through 5 and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Recovery Improvements for Small Entities After Disaster Act of 2015” or the “RISE After Disaster Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

DIVISION A—SUPERSTORM SANDY RELIEF AND DISASTER LOAN PROGRAM IMPROVEMENTS

Sec. 1001. Short title.

Sec. 1002. Findings.

TITLE I—DISASTER ASSISTANCE IMPROVEMENTS

1101. Revised disaster deadline.

1102. Use of physical damage disaster loans to construct safe rooms.

1103. Reducing delays on closing and disbursement of loans.

1104. Safeguarding taxpayer interests and increasing transparency in loan approvals.

1105. Disaster plan improvements.

DIVISION B—RECOVERY IMPROVEMENTS FOR SMALL ENTITIES

Sec. 2001. Short title.

TITLE I—IMPROVEMENTS OF DISASTER RESPONSE AND LOANS

Sec. 2101. Additional awards to small business development centers, women’s business centers, and SCORE for disaster recovery.

Sec. 2102. Collateral requirements for disaster loans.

Sec. 2103. Assistance to out-of-State business concerns to aid in disaster recovery.

Sec. 2105. FAST program.

Sec. 2106. Use of Federal surplus property in disaster areas.

Sec. 2107. Recovery opportunity loans.

Sec. 2108. Contractor malfeasance.

Sec. 2109. Local contracting preferences and incentives.

Sec. 2110. Clarification of collateral requirements.

TITLE II—DISASTER PLANNING AND MITIGATION

Sec. 2201. Business recovery centers.

TITLE III—OTHER PROVISIONS

Sec. 2301. Increased oversight of economic injury disaster loans.

Sec. 2302. GAO report on paperwork reduction.

Sec. 2303. Report on web portal for disaster loan applicants.

DIVISION A—SUPERSTORM SANDY RELIEF AND DISASTER LOAN PROGRAM IMPROVEMENTS

SEC. 1001. SHORT TITLE.

This division may be cited as the “Superstorm Sandy Relief and Disaster Loan Program Improvement Act of 2015”.

SEC. 1002. FINDINGS.

On page 3, strike line 5 and insert the following:

TITLE I—DISASTER ASSISTANCE IMPROVEMENTS

SEC. 1101. REVISED DISASTER DEADLINE.

On page 3, line 14, insert “nonprofit entity,” after “homeowner,”.

On page 4, line 9, strike the quotation marks and the second period and insert the following:

“(C) **INSPECTOR GENERAL REVIEW.**—Not later than 6 months after the date on which the Administrator begins carrying out this authority, the Inspector General of the Administration shall initiate a review of the controls for ensuring applicant eligibility for loans made under this paragraph.”.

On page 4, line 10, strike “SEC. 4.” and insert “SEC. 1102.”.

On page 4, line 24, insert “, if such safe room or similar storm shelter is constructed in accordance with applicable standards issued by the Federal Emergency Management Agency” after “disasters”.

On page 5, strike lines 1 through 21 and insert the following:

SEC. 1103. REDUCING DELAYS ON CLOSING AND DISBURSEMENT OF LOANS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (9) the following:

On page 5, line 22, strike “(11)” and insert “(10)”.

On page 6, strike lines 5 through 8 and insert the following:

SEC. 1104. SAFEGUARDING TAXPAYER INTERESTS AND INCREASING TRANSPARENCY IN LOAN APPROVALS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (10), as added by section 1103 of this Act, the following:

On page 6, line 9, strike “(12)” and insert “(11)”.

Beginning on page 6, strike line 14 and all that follows through page 7, line 20, and insert the following:

SEC. 1105. DISASTER PLAN IMPROVEMENTS.

Beginning on page 8, strike line 6 and all that follows through page 9, line 6, and insert the following:

DIVISION B—RECOVERY IMPROVEMENTS FOR SMALL ENTITIES

SECTION 2001. SHORT TITLE.

This division may be cited as the “Recovery Improvements for Small Entities After Disaster Act of 2015” or the “RISE After Disaster Act of 2015”.

TITLE I—IMPROVEMENTS OF DISASTER RESPONSE AND LOANS

SEC. 2101. ADDITIONAL AWARDS TO SMALL BUSINESS DEVELOPMENT CENTERS, WOMEN’S BUSINESS CENTERS, AND SCORE FOR DISASTER RECOVERY.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (11), as added by section 1104 of this Act, the following:

“(12) **ADDITIONAL AWARDS TO SMALL BUSINESS DEVELOPMENT CENTERS, WOMEN’S BUSINESS CENTERS, AND SCORE FOR DISASTER RECOVERY.**—

“(A) **IN GENERAL.**—The Administration may provide financial assistance to a small business development center, a women’s business center described in section 29, the Service Corps of Retired Executives, or any proposed consortium of such individuals or entities to spur disaster recovery and growth

of small business concerns located in an area for which the President has declared a major disaster.

“(B) **FORM OF FINANCIAL ASSISTANCE.**—Financial assistance provided under this paragraph shall be in the form of a grant, contract, or cooperative agreement.

“(C) **NO MATCHING FUNDS REQUIRED.**—Matching funds shall not be required for any grant, contract, or cooperative agreement under this paragraph.

“(D) **REQUIREMENTS.**—A recipient of financial assistance under this paragraph shall provide counseling, training, and other related services, such as promoting long-term resiliency, to small business concerns and entrepreneurs impacted by a major disaster.

“(E) **PERFORMANCE.**—

“(i) **IN GENERAL.**—The Administrator, in cooperation with the recipients of financial assistance under this paragraph, shall establish metrics and goals for performance of grants, contracts, and cooperative agreements under this paragraph, which shall include recovery of sales, recovery of employment, reestablishment of business premises, and establishment of new small business concerns.

“(ii) **USE OF ESTIMATES.**—The Administrator shall base the goals and metrics for performance established under clause (i), in part, on the estimates of disaster impact prepared by the Office of Disaster Assistance for purposes of estimating loan-making requirements.

“(F) **TERM.**—

“(i) **IN GENERAL.**—The term of any grant, contract, or cooperative agreement under this paragraph shall be for not more than 2 years.

“(ii) **EXTENSION.**—The Administrator may make 1 extension of a grant, contract, or cooperative agreement under this paragraph for a period of not more than 1 year, upon a showing of good cause and need for the extension.

“(G) **EXEMPTION FROM OTHER PROGRAM REQUIREMENTS.**—Financial assistance provided under this paragraph is in addition to, and wholly separate from, any other form of assistance provided by the Administrator under this Act.

“(H) **COMPETITIVE BASIS.**—The Administration shall award financial assistance under this paragraph on a competitive basis.”.

SEC. 2102. COLLATERAL REQUIREMENTS FOR DISASTER LOANS.

(a) **IN GENERAL.**—Section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended in the third proviso—

(1) by striking “\$14,000” and inserting “\$25,000”; and

(2) by striking “major disaster” and inserting “disaster”.

(b) **SUNSET.**—Effective on the date that is 3 years after the date of enactment of this Act, section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended in the third proviso—

(1) by striking “\$25,000” and inserting “\$14,000”; and

(2) by inserting “major” before “disaster”.

(c) **REPORT.**—Not later than 180 days before the date on which the amendments made by subsection (b) are to take effect, the Administrator of the Small Business Administration shall submit to Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the effects of the amendments made by subsection (a), which shall include—

(1) an assessment of the impact and benefits resulting from the amendments; and

(2) a recommendation as to whether the amendments should be made permanent.

SEC. 2103. ASSISTANCE TO OUT-OF-STATE BUSINESS CONCERNS TO AID IN DISASTER RECOVERY.

(a) IN GENERAL.—Section 21(b)(3) of the Small Business Act (15 U.S.C. 648(b)(3)) is amended—

(1) by striking “(3) At the discretion” and inserting the following:

“(3) ASSISTANCE TO OUT-OF-STATE SMALL BUSINESS CONCERNS.—

“(A) IN GENERAL.—At the discretion”; and

(2) by adding at the end the following:

“(B) DISASTER RECOVERY ASSISTANCE.—

“(i) IN GENERAL.—At the discretion of the Administrator, the Administrator may authorize a small business development center to provide advice, information, and assistance, as described in subsection (c), to a small business concern located outside of the State, without regard to geographic proximity to the small business development center, if the small business concern is located in an area for which the President has declared a major disaster.

“(ii) TERM.—

“(I) IN GENERAL.—A small business development center may provide advice, information, and assistance to a small business concern under clause (i) for a period of not more than 2 years after the date on which the President declared a major disaster for the area in which the small business concern is located.

“(II) EXTENSION.—The Administrator may, at the discretion of the Administrator, extend the period described in subclause (I).

“(iii) CONTINUITY OF SERVICES.—A small business development center that provides counselors to an area described in clause (i) shall, to the maximum extent practicable, ensure continuity of services in any State in which the small business development center otherwise provides services.

“(iv) ACCESS TO DISASTER RECOVERY FACILITIES.—For purposes of this subparagraph, the Administrator shall, to the maximum extent practicable, permit the personnel of a small business development center to use any site or facility designated by the Administrator for use to provide disaster recovery assistance.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, subject to the availability of funds, the Administrator of the Small Business Administration should, to the extent practicable, ensure that a small business development center is appropriately reimbursed for any legitimate expenses incurred in carrying out activities under section 21(b)(3)(B) of the Small Business Act, as added by subsection (a).

SEC. 2105. FAST PROGRAM.

(a) DEFINITIONS.—Section 34(a) of the Small Business Act (15 U.S.C. 657d(a)) is amended—

(1) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) CATASTROPHIC INCIDENT.—The term ‘catastrophic incident’ means a major disaster that is comparable to the description of a catastrophic incident in the National Response Plan of the Administration, or any successor thereto.”.

(b) PRIORITY.—Section 34(c)(2) of the Small Business Act (15 U.S.C. 657d(c)(2)) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B)(vi)(III), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) shall give special consideration to an applicant that is located in an area affected by a catastrophic incident.”.

(c) ADDITIONAL ASSISTANCE.—Section 34(c) of the Small Business Act (15 U.S.C. 657d(c)) is amended by adding at the end the following:

“(5) ADDITIONAL ASSISTANCE FOR CATASTROPHIC INCIDENTS.—Upon application by an applicant that receives an award or has in effect a cooperative agreement under this section and that is located in an area affected by a catastrophic incident, the Administrator may—

“(A) provide additional assistance to the applicant; and

“(B) waive the matching requirements under subsection (e)(2).”.

SEC. 2106. USE OF FEDERAL SURPLUS PROPERTY IN DISASTER AREAS.

Section 7(j)(13)(F) of the Small Business Act (15 U.S.C. 636(j)(13)(F)) is amended—

(1) by inserting “(i)” after “(F)”; and

(2) by adding at the end the following:

“(ii)(I) In this clause—

“(aa) the term ‘covered period’ means the 2-year period beginning on the date on which the President declared the applicable major disaster; and

“(bb) the term ‘disaster area’ means the area for which the President has declared a major disaster, during the covered period.

“(II) The Administrator may transfer technology or surplus property under clause (i) on a priority basis to a small business concern located in a disaster area if—

“(aa) the small business concern meets the requirements for such a transfer, without regard to whether the small business concern is a Program Participant; and

“(bb) for a small business concern that is a Program Participant, on and after the date on which the President declared the applicable major disaster, the small business concern has not received property under this subparagraph on the basis of the status of the small business concern as a Program Participant.

“(III) For any transfer of property under this clause to a small business concern, the terms and conditions shall be the same as a transfer to a Program Participant, except that the small business concern shall agree not to sell or transfer the property to any party other than the Federal Government during the covered period.

“(IV) A small business concern that receives a transfer of property under this clause may not receive a transfer of property under clause (i) during the covered period.

“(V) If a small business concern sells or transfers property in violation of the agreement described in subclause (III), the Administrator may initiate proceedings to prohibit the small business concern from receiving a transfer of property under this clause or clause (i), in addition to any other remedy available to the Administrator.”.

SEC. 2107. RECOVERY OPPORTUNITY LOANS.

Section 7(a)(31) of the Small Business Act (15 U.S.C. 636(a)(31)) is amended—

(1) in subparagraph (A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively; and

(B) by inserting before clause (ii), as so redesignated, the following:

“(i) The term ‘disaster area’ means the area for which the President has declared a major disaster, during the 5-year period beginning on the date of the declaration.”; and

(2) by adding at the end the following:

“(H) RECOVERY OPPORTUNITY LOANS.—

“(i) IN GENERAL.—The Administrator may guarantee an express loan to a small business concern located in a disaster area in accordance with this subparagraph.

“(ii) MAXIMUMS.—For a loan guaranteed under clause (i)—

“(I) the maximum loan amount is \$150,000; and

“(II) the guarantee rate shall be not more than 85 percent.

“(iii) OVERALL CAP.—A loan guaranteed under clause (i) shall not be counted in determining the amount of loans made to a borrower for purposes of subparagraph (D).

“(iv) OPERATIONS.—A small business concern receiving a loan guaranteed under clause (i) shall certify that the small business concern was in operation on the date on which the applicable major disaster occurred as a condition of receiving the loan.

“(v) REPAYMENT ABILITY.—A loan guaranteed under clause (i) may only be made to a small business concern that demonstrates, to the satisfaction of the Administrator, sufficient capacity to repay the loan.

“(vi) TIMING OF PAYMENT OF GUARANTEES.—

“(I) IN GENERAL.—Not later than 90 days after the date on which a request for purchase is filed with the Administrator, the Administrator shall determine whether to pay the guaranteed portion of the loan.

“(II) RECAPTURE.—Notwithstanding any other provision of law, unless there is a subsequent finding of fraud by a court of competent jurisdiction relating to a loan guaranteed under clause (i), on and after the date that is 6 months after the date on which the Administrator determines to pay the guaranteed portion of the loan, the Administrator may not attempt to recapture the paid guarantee.

“(vii) FEES.—

“(I) IN GENERAL.—Unless the Administrator has waived the guarantee fee that would otherwise be collected by the Administrator under paragraph (18) for a loan guaranteed under clause (i), and except as provided in subclause (II), the guarantee fee for the loan shall be equal to the guarantee fee that the Administrator would collect if the guarantee rate for the loan was 50 percent.

“(II) EXCEPTION.—Subclause (I) shall not apply if the cost of carrying out the program under this subsection in a fiscal year is more than zero and such cost is directly attributable to the cost of guaranteeing loans under clause (i).

“(viii) RULES.—Not later than 270 days after the date of enactment of this subparagraph, the Administrator shall promulgate rules to carry out this subparagraph.”.

SEC. 2108. CONTRACTOR MALFEASANCE.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (12), as added by section 2101 of this Act, the following:

“(13) SUPPLEMENTAL ASSISTANCE FOR CONTRACTOR MALFEASANCE.—

“(A) IN GENERAL.—If a contractor or other person engages in malfeasance in connection with repairs to, rehabilitation of, or replacement of real or personal property relating to which a loan was made under this subsection and the malfeasance results in substantial economic damage to the recipient of the loan or substantial risks to health or safety, upon receiving documentation of the substantial economic damage or the substantial risk to health and safety from an independent loss verifier, and subject to subparagraph (B), the Administrator may increase the amount of

the loan under this subsection, as necessary for the cost of repairs, rehabilitation, or replacement needed to address the cause of the economic damage or health or safety risk.

“(B) REQUIREMENTS.—The Administrator may only increase the amount of a loan under subparagraph (A) upon receiving an appropriate certification from the borrower and person performing the mitigation attesting to the reasonableness of the mitigation costs and an assignment of any proceeds received from the person engaging in the malfeasance. The assignment of proceeds recovered from the person engaging in the malfeasance shall be equal to the amount of the loan under this section. Any mitigation activities shall be subject to audit and independent verification of completeness and cost reasonableness.”.

SEC. 2109. LOCAL CONTRACTING PREFERENCES AND INCENTIVES.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by inserting after subsection (e) the following:

“(f) CONTRACTING PREFERENCE FOR SMALL BUSINESS CONCERNS IN A MAJOR DISASTER AREA.—

“(1) DEFINITION.—In this subsection, the term ‘disaster area’ means the area for which the President has declared a major disaster, during the period of the declaration.

“(2) CONTRACTING PREFERENCE.—An agency shall provide a contracting preference for a small business concern located in a disaster area if the small business concern will perform the work required under the contract in the disaster area.

“(3) CREDIT FOR MEETING CONTRACTING GOALS.—If an agency awards a contract to a small business concern under the circumstances described in paragraph (2), the value of the contract shall be doubled for purposes of determining compliance with the goals for procurement contracts under subsection (g)(1)(A).”.

SEC. 2110. CLARIFICATION OF COLLATERAL REQUIREMENTS.

Section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended by inserting after “which are made under paragraph (1) of subsection (b)” the following: “: *Provided further*, That the Administrator, in obtaining the best available collateral for a loan of not more than \$200,000 under paragraph (1) or (2) of subsection (b) relating to damage to or destruction of the property of, or economic injury to, a small business concern, shall not require the owner of the small business concern to use the primary residence of the owner as collateral if the Administrator determines that the owner has other assets of equal quality and with a value equal to or greater than the amount of the loan that could be used as collateral for the loan: *Provided further*, That nothing in the preceding proviso may be construed to reduce the amount of collateral required by the Administrator in connection with a loan described in the preceding proviso or to modify the standards used to evaluate the quality (rather than the type) of such collateral”.

TITLE II—DISASTER PLANNING AND MITIGATION

SEC. 2201. BUSINESS RECOVERY CENTERS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (13), as added by section 2108 of this Act, the following:

“(14) BUSINESS RECOVERY CENTERS.—

“(A) IN GENERAL.—The Administrator, acting through the district offices of the Administration, shall identify locations that may

be used as recovery centers by the Administration in the event of a disaster declared under this subsection or a major disaster.

“(B) REQUIREMENTS FOR IDENTIFICATION.—Each district office of the Administration shall—

“(i) identify a location described in subparagraph (A) in each county, parish, or similar unit of general local government in the area served by the district office; and

“(ii) ensure that the locations identified under subparagraph (A) may be used as a recovery center without cost to the Government, to the extent practicable.”.

TITLE III—OTHER PROVISIONS

SEC. 2301. INCREASED OVERSIGHT OF ECONOMIC INJURY DISASTER LOANS.

(a) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (14), as added by section 2201 of this Act, the following:

“(15) INCREASED OVERSIGHT OF ECONOMIC INJURY DISASTER LOANS.—The Administrator shall increase oversight of entities receiving loans under paragraph (2), and may consider—

“(A) scheduled site visits to ensure borrower eligibility and compliance with requirements established by the Administrator; and

“(B) reviews of the use of the loan proceeds by an entity described in paragraph (2) to ensure compliance with requirements established by the Administrator.”.

(b) SENSE OF CONGRESS RELATING TO USING EXISTING FUNDS.—It is the sense of Congress that no additional Federal funds should be made available to carry out the amendments made by this section.

SEC. 2302. GAO REPORT ON PAPERWORK REDUCTION.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report evaluating steps that the Small Business Administration has taken, with respect to the application for disaster assistance under section 7(b) of the Small Business Act (15 U.S.C. 636(b)), to comply with subchapter I of chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”) and related guidance.

SEC. 2303. REPORT ON WEB PORTAL FOR DISASTER LOAN APPLICANTS.

Section 38 of the Small Business Act (15 U.S.C. 657j) is amended by adding at the end the following:

“(c) REPORT ON WEB PORTAL FOR DISASTER LOAN APPLICATION STATUS.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this subsection, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report relating to the creation of a web portal to the track the status of applications for disaster assistance under section 7(b).

“(2) CONTENTS.—The report under paragraph (1) shall include—

“(A) information on the progress of the Administration in implementing the information system under subsection (a);

“(B) recommendations from the Administration relating to the creation of a web portal for applicants to check the status of an application for disaster assistance under section 7(b), including a review of best practices

and web portal models from the private sector;

“(C) information on any related costs or staffing needed to implement such a web portal;

“(D) information on whether such a web portal can maintain high standards for data privacy and data security;

“(E) information on whether such a web portal will minimize redundancy among Administration disaster programs, improve management of the number of inquiries made by disaster applicants to employees located in the area affected by the disaster and to call centers, and reduce paperwork burdens on disaster victims; and

“(F) such additional information as is determined necessary by the Administrator.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on October 21, 2015, at 10 a.m. in room SD-106 of the Dirksen Senate Office Building, to conduct a hearing entitled “Agriculture Biotechnology: A Look at Federal Regulation and Stakeholder Perspectives.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on October 21, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on October 21, 2015, at 9:30 a.m. to conduct a hearing entitled “Ongoing Migration from Central America: An Examination of FY2015 Apprehensions.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on October 21, 2015, at 2:15 p.m., in room SD-628 of the Dirksen Senate Office Building, to conduct a hearing entitled “The GAO Report on ‘INDIAN ENERGY DEVELOPMENT’: Poor Management by BIA Has Hindered Development on Indian Lands.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on October 21, 2015, at 10 a.m., in

room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on October 21, 2015, at 2:30 p.m., in room SD-562 of the Dirksen Senate Office Building, to conduct a hearing entitled "Virtual Victims: When Computer Tech Support Becomes a Scam."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SUPERFUND, WASTE MANAGEMENT, AND REGULATORY OVERSIGHT

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Waste Management, and Regulatory Oversight of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on October 21, 2015, at 10 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of Regulatory Impact Analyses for U.S. Environmental Protection Agency Regulations."

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE LIVES OF THE 33 CREW MEMBERS ABOARD THE "EL FARO"

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 291, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 291) honoring the lives of the 33 crew members aboard the *El Faro*.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 291) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

COMMEMORATING THE DISCOVERY OF THE POLIO VACCINE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 108 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 108) commemorating the discovery of the polio vaccine and supporting efforts to eradicate the disease.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 108) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 24, 2015, under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 2193

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 2193) to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

Mr. McCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, OCTOBER 22, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it

adjourn until 10 a.m., Thursday, October 22; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of S. 754, with the time until 11 a.m. equally divided between the two leaders or their designees; finally, that the filing deadline for all second-degree amendments to both the substitute amendment No. 2716 and the underlying bill, S. 754, be at 10:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:01 p.m., adjourned until Thursday, October 22, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

AFRICAN DEVELOPMENT FOUNDATION

LINDA I. ETIM, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2021, VICE MIMI E. ALEMAYEHOU, TERM EXPIRED.

SECURITIES AND EXCHANGE COMMISSION

LISA M. FAIRFAX, OF MARYLAND, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2020, VICE LUIS AGUILAR, TERM EXPIRED.

HESTER MARIA PEIRCE, OF OHIO, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 5, 2016, VICE DANIEL M. GALLAGHER, JR., RESIGNED.

DEPARTMENT OF STATE

JEAN ELIZABETH MANES, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EL SALVADOR.

SCOT ALAN MARCIEL, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNION OF BURMA.

LINDA SWARTZ TAGLIALATELA, OF NEW YORK, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BARBADOS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATION OF ST. KITTS AND NEVIS, SAINT LUCIA, ANTIGUA AND BARBUDA, THE COMMONWEALTH OF DOMINICA, GRENADA, AND SAINT VINCENT AND THE GRENADINES.

HOUSE OF REPRESENTATIVES—Wednesday, October 21, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 21, 2015.

I hereby appoint the Honorable JOHN J. DUNCAN, Jr., to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

DRUG CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, my State of West Virginia is experiencing a crisis. West Virginia is leading the country in a rather grim category: drug overdoses. This issue goes beyond party lines, and it is ripping our State apart.

President Obama is bringing national attention to our drug crisis by coming to my district this afternoon to discuss the prescription drug and heroin epidemic.

The statistics are disturbing. Overdoses in West Virginia increased by 134 percent between 2012 and 2013, which accounts for about 34 drug overdose deaths per 100,000 West Virginia residents. This overdose rate is more than double the national average.

There is no magical solution to this epidemic. We need local, State, and Federal officials to work together to effectively fight back. One of the ways that we can do this is to have the Federal Government support the High Intensity Drug Trafficking Areas pro-

gram, also known as HIDTA. The HIDTA program provides needed funds to law enforcement to combat drug trafficking while also helping local treatment and prevention efforts.

I have been hosting roundtable discussions across my district to hear directly from communities that are affected by the drug epidemic. I recently held one of these discussions in the town of Romney, West Virginia, in September, to talk about the ongoing issues they face in that community.

Officials at the meeting agreed that we need to utilize all resources available at the local, State, and Federal levels, and we agreed that HIDTA was a key tool in fighting back. It was also pointed out that foster parents are needed to help care for children whose parents are struggling with drug addiction issues.

So you can help, too.

But addressing drug trafficking is not the only thing that needs to be done to help fight the epidemic. We need to help the youngest victims of our shared battle with this crisis: infants who are born addicted.

That is why I cosponsored and voted for H.R. 1462, the Protecting Our Infants Act of 2015, which passed the House unanimously and is awaiting action in the U.S. Senate. This bill addresses a condition called neonatal abstinence syndrome by helping to find the best way to diagnose, evaluate, and coordinate Federal efforts to help research and respond to this debilitating condition. Infants who suffer from neonatal abstinence syndrome can experience seizures, respiratory impairments, tremors, fever, and difficulty feeding.

Research published by the Journal of Perinatology found that the number of infants suffering from withdrawal grew nearly fivefold from 2000 to 2012. Evidence also shows that an infant is born with drug withdrawal every 25 minutes in the United States.

In West Virginia, it is estimated that, in 1 out of every 13 births, a baby is addicted to drugs. This is a problem that needs serious attention immediately, but this is just one crucial step.

To help fight addiction, one of the latest tools available to the public in West Virginia is a new 24-hour call line that has been launched to help people battling substance and mental health issues in West Virginia.

The call line is 1-844-HELP4WV. The line is open 24 hours a day, 7 days a week, with the promise of never being put on hold. We must continue to work together to fight this epidemic.

LEGALIZING MARIJUANA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, advocates from the new emerging marijuana industry in Oregon are descending on Capitol Hill at a very critical time for this fledgling industry.

They have a report about the implementation of Oregon's Ballot Measure 91—overwhelmingly approved by voters last year—to legalize, tax, and regulate marijuana at the State level. Possession became legal July 1. Retail sales were authorized in existing dispensaries on the 1st of October to significant interest around the State. The first week saw an estimated \$11 million in sales.

They are working hard to implement the spirit and the letter of the measure, working closely with the Oregon legislature to refine it, learning from the experience of States like Washington and Colorado that have already legalized adult use.

Theirs is a positive story of economic opportunity, product development, tax revenues, more freedom for individuals, and eliminating the racial disparities in the enforcement of a failed policy of prohibition that comes down heavily against young men of color, especially African Americans.

At the same time, there was a scathing report this week from Brookings Institution researchers John Hudak and Grace Wallack that called out the roadblocks that are being put in place by law enforcement and Federal policies that stifle medical marijuana research, that interfere with the science and the doctor-patient relationship in ways that are completely unwarranted, counterproductive, and destructive.

They come at a time when the Federal Government has told the Drug Enforcement Agency to stop harassing medical providers after Congress clearly passed legislation to protect the industry and, more importantly, a patient's right to medicine.

The Rohrabacher-Farr amendment passed with strong bipartisan support, clearly specifying that the Federal Government should not interfere with State-legal medical marijuana operations.

The Department of Justice, unfortunately, took an outrageously flawed position, which infuriated those of us who authored these provisions and have worked to pass them over the last 2 years. The DEA ignored the law, and

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the Department of Justice defended them in this unfortunate action.

It is the latest example of how far out of touch the Federal Government agencies are with the reality on the ground, with the will of the majority of the American people, who think that marijuana should be legal, and with the policies of the President himself.

President Obama has declared marijuana no more harmful than other perfectly legal substances, like tobacco, which is, in fact, true, and that he had bigger fish to fry than fight against State legalization. Unfortunately, some parts of his Federal Government are still frying those fish.

The good news is that the tide has turned. As I mentioned, the majority of the American people now think marijuana should be legal, as 23 States, the District of Columbia, and Guam now have medical marijuana and 17 more have authorized a limited version of medical marijuana. We have 4 States and the District of Columbia that permit outright adult use, with more States considering this over the course of the next year.

All the Federal Government has to do, as Secretary Clinton recently said in Colorado, is just stay out of the way. Stop interfering. Let legal marijuana businesses have bank accounts. Don't force them to be all cash. Let them deduct their business expenses from their taxes instead of penalizing them with grotesquely punitive levels of tax. Let the States continue in their efforts at reform. Let them treat it just like we do alcohol.

The day is fast coming when the Federal policy will be to robustly research and, ultimately, deschedule—or remove—marijuana from the Controlled Substances Act, no longer pretending that it is or should be a Schedule I controlled substance, and, instead, tax and regulate it at the Federal level.

In the meantime, the States will continue marching forward; the public will continue to request that we, at the Federal level, stop interfering with medical marijuana; and Congress will continue our efforts with increasingly large, bipartisan majorities to make this policy work to replace the failed attempt at marijuana prohibition.

CONGRESS AND ISRAEL MUST STAND TOGETHER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, the United States and Israel share the same principles and values: fundamental ideas like freedom, democracy, respect for the rule of law, and human rights.

Our nations also share, sadly, the same security concerns, like fighting terrorism and seeing stability in the

Middle East, two issues that seemingly grow worse for the entire region day by day, but especially for Israel. Many of the recent tragic terror attacks and incidents of violence in Israel have been incited by both the Palestinian Authority and Hamas, with Abu Mazen openly inciting the violence himself.

Tomorrow the Foreign Affairs Committee will mark up a resolution that I introduced alongside my south Florida colleague, Congressman TED DEUTCH, which condemns the anti-Israel and anti-Semitic incitement by Abu Mazen and the Palestinian Authority. When Israeli citizens cannot walk out of their homes to go safely to work or to go to the grocery store for fear of another terrorist attack, we must hold the Palestinian leadership accountable.

Abu Mazen is also threatening Israel at the United Nations, where he seeks to delegitimize Israel and seeks unilateral Palestinian statehood. Just last month, Abu Mazen told the U.N. General Assembly that Palestinians would not abide by past agreements, proving, once again, that he is no partner for peace.

This morning a maneuver was foiled at UNESCO when the P.A. attempted to include incendiary text in a resolution that claimed the Western Wall was part of a Muslim holy site; and, next week, Abu Mazen is scheduled to speak at a special meeting at the U.N. Human Rights Council.

You have got to be kidding: Abu Mazen speaking at a Human Rights Council.

President Obama must hold Abu Mazen accountable instead of continuing to give him a pass for his actions and show that actions have consequences.

But these aren't the only challenges that Israel faces. In addition to the terror inside Israel, it remains surrounded by threats like ISIL, Iran, Syria, challenges that are shared by the United States.

The Iran deal is riddled with loopholes, with ambiguities, and with outright dangerous provisions, including a sunset clause that paves the way for a nuclear-armed Iran in as little as 15 years—just bide the time. It also includes the lifting of the arms embargo against Iran and the lifting of sanctions on Iran's ballistic missile program.

In addition, the Iran deal releases billions of dollars that is allowing the regime to increase its terror financing and helps fulfill its destructive ambitions in the Middle East.

For years, Congress, not the administration, has led the charge to push back against Iran and to sanction it through an effective sanctions program that constricts its energy, transportation, and financial sectors.

It is now up to Congress to be proactive again, to get out in front of the Iranian deal, and to ensure that the

administration holds Iran accountable and will not allow incremental cheating, because it is almost impossible to see this administration scuttling the deal for anything less than a major violation on Iran's part. We need to develop stronger sanctions against Iran for its illicit behavior and ensure that the administration fully enforces the sanctions on the books.

While the U.N. resolutions implementing an arms embargo and restricting Iran's ballistic missile program are still in place, Iran is already testing our resolve. It is violating these resolutions. It test-fired a ballistic missile, and it continues to ship arms to Assad and Hezbollah to use against the people of Syria and against Israel.

□ 1015

Congress must move to enact additional sanctions against Iran, and we must designate and sanction Iran's Revolutionary Guard Corps and the Quds Force, because they will be the big winners in this sanctions relief. We must target Hezbollah and Iran's other proxies because you can be sure that, with Hezbollah, it is only a matter of when, not if, it decides to attack Israel.

We must ensure that Israel has what it needs to defend itself from Hezbollah and from other outside threats. With Iran providing Hezbollah with more advanced rockets and missiles, even with precision-guided systems, Israel is facing an enemy with almost 150,000 rockets pointed at every major city in Israel. Congress needs to get more funding to Israel for its David's Sling system, for its Iron Dome system; and we need to do it sooner, rather than later.

Israel is an oasis of freedom in a desert of tyranny, a desert of terror and instability; and it is absolutely vital, Mr. Speaker, that Congress and Israel stand together to face these challenges united. The President won't do it. The Congress must.

COMMUNITY VOICES: WHY NUTRITION ASSISTANCE MATTERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I recently had the pleasure of speaking with a group of people involved with Community Voices: Why Nutrition Assistance Matters. It was inspiring to hear about the real and positive impacts our Federal nutrition programs have in the daily lives of Americans all across this country.

Community Voices is a summer-long national campaign launched by the Center for American Progress, the Coalition on Human Needs, Witnesses to Hunger, the Food Research and Action Center, Feeding America, and the Academy of Nutrition and Dietetics.

It was started to share the personal stories of individuals and service providers who experienced firsthand programs like SNAP or WIC or school meals. These contributors are the real experts when it comes to the importance and effect of our vital nutrition assistance programs.

The Community Voices campaign culminated in this booklet, a compilation of many of these personal stories. I would like to take a moment and share a few of these stories.

Jonetta, from Sacramento, California, says:

"Several years ago, I left an abusive relationship, and now I am raising my daughter by myself. My daughter participates in the school meal program and the after-school snack program. The snack program really helps so that my daughter isn't as hungry when she gets home from school.

"We also receive \$356 a month in SNAP. This money is supposed to supplement my food budget, but it is really all of my food budget because my income barely covers my rent. Right now, I'm homeless, and it is hard to find a place to live for less than \$500 a month.

"Because of SNAP, we are not starving. As a mom, I try to cut out a lot of bad food from my family's diet, but it is a difficult task to buy the healthier food because it is expensive. It's also very difficult because we have been homeless for a couple of months, so I have to use other people's refrigerators.

"I am very thankful for these programs and to all the people who are trying to make all these programs better. They really helped me and my daughter."

Let me share another story from Linda from the Massachusetts Coalition of the Homeless:

"Several years ago, I volunteered at a summer program at a park in Morgantown, Kentucky, assisting with skill-building activities. Without this nutrition program, the kids who came would not have had lunch, since school was not in session. If the kids didn't come to that park for nutritional food, I'm not sure they would have gotten it anywhere else. None of the food was wasted; and if there was any food left over, the kids would take it back to their families.

"Food is a basic human right, and our government sometimes forgets that and needs to be reminded. This is a moral imperative for our country to make sure that all people, especially children, have the resources needed to develop—even more so for families and children in poverty."

I want to thank Jonetta, Linda, and all of those who took the time to share their stories. They remind us that these programs are helping real families who are trying to do their best in very difficult times.

Mr. Speaker, all too often the discussion around SNAP and our other antihunger programs is punctuated by misinformation, false stereotypes, or downright nasty rhetoric. It is frustrating, and it is wrong.

Community Voices reminds us what a positive difference these programs make for families who are really struggling.

The data backs up just how important these programs are. In 2014 alone, for example, SNAP lifted 4.7 million people out of poverty, including 2.1 million children. Ninety-two percent of benefits go to households with incomes below the poverty line, which includes millions of struggling families working hard every day to put food on the table.

Federal investment in our nutrition programs is one of the smartest investments we can make. For example, for every \$1 spent on preventive services for a pregnant woman in WIC, the program saves \$4.21 in Medicaid costs by reducing the risk of preterm birth and associated costs.

Mr. Speaker, I have long believed that we need to hear firsthand from the people who are directly touched by SNAP, WIC, or school meals. They are the real experts, and they can guide us, as Members of Congress, as we work to strengthen and improve these programs.

Every Member of Congress should have received a Community Voices booklet. It is a call to action to protect our vital nutrition assistance programs. I encourage you to read the stories about how these programs are helping families who need them most. Without them, hunger would be much, much worse in this country.

I urge you to keep their stories in mind the next time proposals come before Congress to cut funding for WIC or restrict access to SNAP or make it more difficult for kids to get healthy meals in school. Harmful changes like these would hurt real families who are already struggling. We should not make their lives more difficult. We should not be making hunger worse in this country. Mr. Speaker, we can and we should do more to end hunger now.

FIRE PREVENTION MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to recognize October as National Fire Prevention Month and would like to thank all the firefighters across my district and across the Nation for all that they do to keep our communities safe.

In 2013, departments across the United States responded to nearly 400,000 fires, resulting in \$7 billion in property damage and more than 2,700

deaths. That, unfortunately, amounts to an average of eight people every day.

Of those who lost their lives as a result of fire, one in four was caused by a fire that started in a bedroom. This is one of the reasons why one focus of this year's Fire Prevention Month is to raise awareness that every bedroom needs a working smoke detector.

Mr. Speaker, as a volunteer firefighter with nearly three decades of experience, I know that smoke detectors save lives. The statistics prove this, showing that working smoke detectors cut the risk of dying in a fire by half.

Smoke detectors are inexpensive and easy to install. I urge everyone to take action to help prevent future tragedies.

GOODWILL INDUSTRIES' 50TH ANNIVERSARY

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to mark the 50th anniversary of Goodwill Industries of North Central, located in my district. This organization assists people across a huge portion of north central Pennsylvania, including 13 counties.

Goodwill has been a valuable part of its region since its launch in 1966. Over the years, their service area has grown to cover more than a dozen counties, 20 stores—the most recent addition, our 21st store, which is an online store they operate—and has created jobs for more than 500 people. Last week, I visited Goodwill's distribution center in Jefferson County, Pennsylvania, and learned more about the organization's plans to open an additional three stores as well as a donation training center.

Fifty years after its founding, hard work and determination are still the cornerstone to Goodwill of North Central's foundation.

It certainly helps that this great local organization is backed by a highly regarded national network. Across the United States, Goodwill is considered one of the top five most valuable and recognized nonprofit brands and is the second-largest nonprofit organization. Pennsylvania alone is served by 10 Goodwill Industries service areas; and Goodwill has solid ties to the communities it services through partnerships with local businesses, schools, and human service agencies, helping individuals overcome life challenges through opportunity, education, training, and employment.

I often say that I wear many hats during my day-to-day routine: father, husband, community member, caregiver, legislator, and so on. I am sure most of you would agree with the fact that the different roles that you fulfill in your life provide you with diverse perspectives and help shape your outlook on what is most important. My experiences have solidified my belief in the value of community. Whether we are talking about our national economy, the quality of our health care, or closing the skills gap, we can agree

that the most successful efforts start in our local communities from the ground up.

Those who donate to Goodwill can have peace of mind that their money is going to the right place, since 90 cents of every dollar is directed toward its mission and its services. These services were provided to nearly 1,200 people across the north central region in Pennsylvania in 2013, providing an immeasurable benefit to our region.

The 50th anniversary celebration is a great time to reflect on all of the growth that Goodwill Industries of North Central has achieved as a team and to continue to prepare your plans for the future. I commend them for all their remarkable accomplishments, and I look forward to the great things that are to come.

DEFAULT PREVENTION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. HIMES) for 5 minutes.

Mr. HIMES. Mr. Speaker, I rise this morning in some horror and alarm over the so-called Default Prevention Act that this Chamber will be considering. Of all the Orwellian names that the House comes up with for legislation, this one is truly deserving of an award by the Ministry of Truth.

For those of you at home who have not been following the swirling, mad-cap antics around the House of Representatives lately, let me assure you that the Default Prevention Act in no way prevents a default. The Default Prevention Act, in fact, specifies that two categories of people get paid in the event that the Congress does not raise the debt ceiling. It specifies that private bondholders of U.S. Treasuries will get paid interest, and it specifies that Social Security recipients will be held harmless. They will get paid.

Now, at some level, maybe that sounds attractive; but everybody else that is expecting a check or a salary or some form of repayment by the United States Government, they are out of luck.

1.4 million Active-Duty troops, they are not in this bill as somebody who gets paid if the government doesn't raise the debt ceiling. Four million disabled veterans are out of luck under this bill. One million doctors who today are providing Medicare services to our senior citizens are out of luck. Sorry. You didn't make it into the Default Prevention Act cooked up by the Republican majority.

Mr. Speaker, this is a bill that stunningly and explicitly defines for the world, tells everybody exactly how the U.S. Government intends to be a deadbeat, who we are going to pay and who we are not going to pay, and here is how we are going to be a deadbeat.

Why would you do that? What possible sense does that make?

There are all kinds of reasons why this is a terrible piece of legislation, but let me just focus on two.

Number one, I hear constantly from my friends on the Republican side of the aisle that everything creates winners and losers: the Affordable Care Act, the Ex-Im Bank, you name it. Dodd-Frank creates winners and losers. This bill very explicitly creates winners: Social Security recipients and bondholders.

By the way, who are these bondholders? Who holds United States Treasury debt? Do you?

I will tell you who holds most of it: China. China does. This is why, on the Democratic side of the aisle, we have called this bill the Pay China First Act, which is actually a much better description of what this act actually does than the Default Prevention Act.

More seriously, Mr. Speaker, I worked in the capital markets for a long time. There is no way to gracefully default on your debt, to say, "Oh, we will pay interest; we will pay Social Security. But we are not going to pay soldiers; we are not going to pay Medicare." Once you tell the world that we do not intend to abide by our obligations, the world loses its faith in the United States.

Folks, this debt ceiling is a fiction. It is an absurdist fiction. What do we get from it? The debt ceiling has never prevented the accumulation of debt. That happens because this Chamber and the United States Congress chooses to spend more money than it chooses to tax and bring in.

There are really only two ways to reduce the deficit and the debt: you can tax more, which nobody likes to do; or you can spend less, which it turns out that nobody really wants to do either because, of course, everybody in this Chamber has the things that they want to spend their money on, but the other guy's stuff, well, that we are going to cut.

So we have the ultimate hypocrisy of saying we are going to tax too little and spend too much, create a deficit, but then we are going to vote on this magical thing called the debt ceiling that will allow us to say "I am not raising the debt ceiling because I oppose spending." It is absurd. And you know what? It leads to legislation like this.

□ 1030

Mr. Speaker, we have seen this movie before. Pretty soon in the next couple of days, grown men and women in this Chamber are going to talk about maybe the Treasury minting a high-denomination platinum coin to solve this problem, as though we were characters in some kind of "Harry Potter" movie instead of responsible legislators.

This needs to stop, Mr. Speaker. My constituents are sick and tired of the House of Representatives acting in this

fashion: ideological and absurd. My constituents want us to come together to deal with the real problems facing America: of improving the economy, of making education accessible. But, no, we are going to spend some time on this absurdly named Default Prevention Act.

I urge my colleagues to vote against this thing and move on to more serious issues.

OUR NATION'S DEBT TAX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, in a mere 14 days, America will hit the limit for our national debt; but rather than working with Congress to address the causes of our debt, President Obama is demanding we dump more debt on our kids and grandkids.

President Obama is very different from Senator Obama. Here is a photo of Senator Obama speaking on the Senate floor, and here is what he said on our national debt on the Senate floor on March 16, 2006:

"The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. It is a sign that the U.S. Government can't pay its own bills. It is a sign that we now depend on ongoing financial assistance from foreign countries to finance our government's reckless fiscal policies.

"Over the past 5 years, our Federal debt has increased by \$3.5 trillion to \$8.6 trillion. That is 'trillion' with a 'T.' That is money that we have borrowed from the Social Security trust fund, borrowed from China and Japan, borrowed from American taxpayers.

"Numbers that large are sometimes hard to understand. Some people may wonder why they matter. Here is why: This year the Federal Government will spend \$220 billion on interest."

The \$8.6 trillion that horrified Senator Obama in 2006 has exploded to \$18.1 trillion on President Obama's watch. "That is 'trillion' with a 'T,'" to quote Senator Obama.

Senator Obama later explained:

"Every dollar we pay in interest is a dollar that is not going to investment in America's priorities. Instead, interest payments are a significant tax on all Americans, a debt tax that Washington doesn't want to talk about."

Senator Obama abhorred a debt tax that Washington didn't want to talk about, and now he refuses to talk about his new debt tax.

Senator Obama closed by saying:

"Increasing America's debt weakens us domestically and internationally. Leadership means that 'the buck stops here.' Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans

deserve better. I, therefore, intend to oppose the effort to increase America's debt limit."

If Senator Obama thought that a national debt of \$8.6 trillion with a T is a "failure of leadership," what has changed? Why is President Obama okay with a new debt tax of over \$20 trillion, trillion with a T?

Clearly, President Obama has forgotten Senator Obama's words, but the American people remember. On their behalf and on behalf of all young Americans who will be crushed by this new debt, I ask President Obama to decrease our debt by working with Congress to stop his new debt tax.

DONALD TRUMP HOSTING "SATURDAY NIGHT LIVE"

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, did you hear that "Saturday Night Live" has invited Donald Trump to host the show in November? Now, let me get the exact quote from July when Donald Trump launched his "make America hate again" campaign. He said:

"When Mexico sends its people, they're not sending their best . . . They're sending people that have lots of problems, and they're bringing us those problems. They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people."

"They're sending us not the right people. It's coming from more than Mexico. It's coming from all over South and Latin America, and it's coming probably from the Middle East."

While much of what Donald Trump says is hilarious, intentionally or otherwise, bald-faced racism for political gain isn't funny. His statements should disqualify him from being able to take the stage in any entertainment venue and speak to the American people as if what he said was no big deal.

It is not that I don't get the joke—I haven't been kidnapped by the politically correct police—but when public figures cross certain lines, they should lose their privileges to host TV shows, at least until they have apologized for their unacceptable behavior. To put Donald Trump on the air in America's living rooms on the signature comedy show of one of the most important national networks after saying that Mexicans are rapists, drug dealers, and criminals, that is a corporate blunder too big to be ignored.

What happened, NBC and Comcast? Within a couple of weeks after Trump launched those racist bombs, you dumped Trump. You dumped his TV show on your network. You dumped his pageants and other ventures on NBC and Universal networks like Telemundo.

In July, NBC said: "Due to the recent derogatory statements by Donald Trump regarding immigrants, NBCUniversal is ending its business relationship with Mr. Trump."

NBC said: "Respect and dignity for all people are cornerstones of our values."

NBC, you were not alone in dumping Trump. Macy's Department Stores dumped Trump's clothing line, Serta dumped Trump's mattresses, chef Jose Andres pulled his new restaurant from a Trump hotel, and Univision dumped a Trump pageant. Even NASCAR and ESPN dumped Trump. Corporate America stepped up to the plate and dumped Trump, and we all applauded.

Let's be clear: the goodwill that corporate America earned from dumping Trump didn't just come from the Mexican-American community. No, when Trump says Mexicans are murderers, rapists, and drug dealers, Puerto Rico knows he is talking about us, too, and Colombians and Salvadorans, and pretty much everyone in the Latino community.

Look, Americans aren't very good at telling us apart; so when we are under attack by a tycoon running for the Republican Presidential nomination, we can't tell us apart either. We are all family.

What happened, Comcast, Universal, and NBC? Now, 3 months later, have Donald Trump's words been expunged? Did I miss an apology on one of his almost nightly television appearances? Has he confessed his racist and hateful call to action?

Well, NBC installing Trump as SNL host may be good for ratings, but it is a bigger deal than a cameo or being a guest on "The Tonight Show." I am calling you out.

If Donald Trump had said gays and lesbians were murderers and raping Americans, would he get to host a show? It is every bit as much a fiction and a lie.

Donald Trump has said some pretty awful things about women individually and collectively. But what if he said most women were criminals? Would the writers be thinking up sketches for Trump if he had slandered an entire gender rather than an entire ethnic group?

Trump says he wants to do away with the part of the Constitution that allowed freed slaves, freed African American slaves to be treated fully as American citizens. Yes, Trump thinks we do not need the 14th Amendment to the Constitution.

But what if he said that Black people were murderers, rapists, drug dealers? Would you still pitch skits with Donald Trump and some lighthearted banter?

What if all the Latino cast members all walked off the job at "Saturday Night Live"? Oh, wait, you don't have any Latino cast members.

I do seem to remember Comcast spending a lot of time on Capitol Hill

when they had a merger deal with Time Warner and they wanted support from Members of Congress. Comcast said Latinos were so important to them, and they had plans to do this and that and the other thing to support the Latino and immigrant community.

What happened? The merger didn't go through, so you no longer feel the sense of corporate responsibility to the 55 million Latinos that live in the USA? Giving free airtime to people who insult and malign them is now part of your business model?

I just want to say one last thing to producer Lorne Michaels. I wonder if he had said that Canadians were rapists, murderers, and drug dealers, would you be inviting him on SNL?

Mr. Speaker, I place in the RECORD a letter that I sent NBC Comcast yesterday.

HOUSE OF REPRESENTATIVES,
Washington, DC, October 20, 2015.

Mr. BRIAN ROBERTS,
Chairman/President/CEO, Comcast Corp.,
Philadelphia, PA.

Mr. STEPHEN B. BURKE,
President/CEO, NBCUniversal,
New York, NY.

DEAR MESSRS. ROBERTS AND BURKE: Having Donald Trump as a guest on every news and entertainment program is one thing, but allowing him to host Saturday Night Live is another. It is a level of endorsement that says to America that every hateful and racist thing Donald Trump has said since the moment he launched his campaign is acceptable and no big deal.

Well, it is a big deal. He said Mexicans are rapists, criminals and drug-dealers, and to be clear, when he said Mexicans are those things, he was tarring all Latinos and all immigrants. His exact words were, "They're sending us not the right people. It's coming from more than Mexico. It's coming from all over South and Latin America, and it's coming probably from the Middle East."

The reaction in July from NBC was swift and clear: "Due to the recent derogatory statements by Donald Trump regarding immigrants, NBCUniversal is ending its business relationship with Mr. Trump." And NBC said, "Respect and dignity for all people are cornerstones of our values."

Serta, Macy's, NASCAR, Univision, and ESPN were among the others that also acted to dump Trump.

Three months later, because he is a ratings and comedy bonanza, Lorne Michaels and Saturday Night Live (SNL) are giving the Trump campaign 90 minutes of free network airtime.

I think I speak for a lot of Americans, especially immigrant Americans and Latino Americans, when I say that if SNL is allowed to proceed, it would be a huge corporate blunder.

When Comcast sought a merger with Time Warner, I and a lot of my Congressional Hispanic Caucus colleagues heard from you about your commitment to the Latino community and the level of corporate responsibility you pledged to your diverse audience. I certainly hope that your commitment to "respect and dignity for all people" was not some hollow promise and is in fact a cornerstone of your values.

Please disinvite him. Make a statement: Derogatory statements of the nature trumpeted by Trump about any group disqualifies someone from hosting shows on

your network. Send a message that racism is not funny and that responsibility to your viewers and the public is more important than ratings. It is a chance for your company—again—to show you are committed to your audience in more ways than just the ad revenues they provide you.

Please do the right thing and dump Trump.

Sincerely,

LUIS V. GUTIÉRREZ,
Member of Congress.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

WEST VIRGINIA'S DRUG CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, President Obama is coming to West Virginia today to talk about our State's and Nation's drug crisis. What I hope he will also talk about on his visit to our capital city, Charleston, what I hope he will acknowledge, is our State's jobs crisis. West Virginia has lost good jobs: jobs in our coal mines, jobs in our schools and small businesses, jobs in our small towns and communities throughout southern West Virginia.

Regulations from the President's own Environmental Protection Agency are forcing coal mines to close. Our coal miners are out of work. Our coal families are facing an uncertain future. We have lost an estimated 43 percent of our coal jobs in just the last 6 years under this administration's policies.

Eighteen percent—18 percent—of unemployed people reported using illegal drugs. That is more than twice the number of people who used illegal drugs who were employed. The best antidrug policy is a good jobs policy.

West Virginia has the highest overdose rate in the country. We also have the highest unemployment rate in the country. Nearly every family in this State has been touched by drug abuse and, tragically, far too many families. There are those who have suffered and actually buried a loved one due to the horrible disease of addiction.

The President will announce several initiatives to help address the heroin and opioid crisis. He is going to talk about prescriber training. He is going to talk about access to naloxone, a powerful antidote to an overdose. He is going to talk about public education.

□ 1045

He is going to talk about public education. These are all excellent steps. These are actually things we already are doing in West Virginia. We have taken great strides on many fronts, including these in West Virginia, to arrest this problem.

These proposals, however, I am afraid, do not go far enough to really make a difference and treat those bat-

ting addiction. The President needs to propose a strong plan to get people real treatment to address their addictions and become healthy and productive members of society again.

Many West Virginians who want treatment don't have anywhere to go. Those suffering from addiction are forced to leave West Virginia to find help, treatment, and their families are falling apart.

To improve West Virginia, to give West Virginians hope for a better future, to give them an alternative to destructive lifestyles, we have to get people back to work.

Mr. President, a good job solves a lot of problems.

West Virginians are a proud people. We are not asking for a handout. We want to do a full day's work for a full day's pay.

The administration is crushing West Virginia's coal miners, machinists, healthcare workers, truckers, small business owners, and Main Street.

Mr. President, if you want to help win the war on drugs, stop your war on coal. What we need is the Federal Government to get out of the way of West Virginia, and let us get back to work.

The SPEAKER pro tempore (Mr. OLSON). Members are reminded to address their remarks to the Chair.

WE CANNOT RUN THE MIDDLE EAST

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, over the past 15 years, we have had thousands of young Americans killed and thousands more maimed and trillions of U.S. taxpayer dollars spent in our failed attempts at nation building in Iraq, Afghanistan, and other parts of the Middle East.

Surely, surely, we have learned a very expensive lesson, that we cannot run the Middle East. In fact, in some ways, our good intentions have made things worse.

Now some companies and people who make money off of an interventionist foreign policy are clamoring for us to get in an even bigger way in bloody Syria.

Mr. Speaker, this is not true conservatism.

Mr. Speaker, the conservative columnist Thomas Sowell wrote recently and said: "What lessons might we learn from the whole experience of the Iraq War? If nothing else, we should never again imagine that we can engage in 'nation-building' in the sweeping sense that term acquired in Iraq—least of all building a democratic Arab nation in a region of the world that has never had such a thing in a history that goes back thousands of years."

David Keene, the conservative opinion editor of the Washington Times, wrote:

The concept of U.S. national interests was stretched beyond any rational meaning. America took on more than we could possibly handle. The result is a generation of young Americans who have never known peace; a decade in which thousands of our best have died or been maimed, with little to show for their sacrifices; our enemies have multiplied; and the national debt has skyrocketed.

Mr. Speaker, President Kennedy said in one of his most famous speeches at the University of Washington in 1961:

We must face the fact that the United States is neither omnipotent nor omniscient, that we are only 6 percent of the world's population, that we cannot impose our will on the other 94 percent of mankind, that we cannot right every wrong or reverse each adversity, and that, therefore, there cannot be an American solution to every world problem.

The only difference now, Mr. Speaker, is that we are 4 percent of the world's population instead of 6 percent that he mentioned. But I would repeat those words of President Kennedy: "We cannot right every wrong or reverse every adversity and that, therefore, there cannot be an American solution to every world problem."

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 49 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

We continue to ask Your blessing on all those who are discerning significant options about leadership here in the people's House.

You endow all Your people with gifts of various designs, meant to be used in service to others. May the pressures that come to bear not obscure honest self-reflection and evaluation of the gifts that each has to bring to the needs of this time in the people's House.

Bless all Members with a sense of their collective responsibility to our Nation and to this assembly so that the American people might look forward to the coming months with hope and a renewed respect and trust in those whom they have elected.

May all that is done today and in the days to come be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina (Mr. PITTENGER) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTENGER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

UNESCO WESTERN WALL VOTE

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, this morning an initiative aimed at delegitimizing Israel was defeated at UNESCO.

Abu Mazen is set to head to the U.N. Human Rights Council for an emergency meeting next week where he will surely spew more of his dangerous rhetoric and even further inflame the tensions between the Palestinians and Israelis.

The U.S. has had a clear policy of defending Israel from these biased attacks at the U.N., but recently we have seen perhaps a troubling shift in policy by the current administration.

The administration's refusal to stand publicly and firmly with Israel emboldens groups at the U.N. to push forward with these initiatives and undermines longstanding U.S. policy. If the administration won't counter these efforts at the U.N., then Congress must use every tool at our disposal to hold these agencies and Abu Mazen accountable.

Mr. Speaker, we must send a clear message to all the member states at the U.N. that Congress stands with Israel and that we will not allow these efforts to continue that seek to undermine the Jewish state, our best ally, and the U.N.

RHODE ISLAND WALK FOR EPILEPSY

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to recognize the 2015 Rhode Island Walk for Epilepsy, which will take place this Saturday, October 24, at Slater Memorial Park in Pawtucket.

One in 26 people will develop epilepsy at some point in their lifetime. Today in the United States, there are 4.3 million adults and 750,000 children who are living with epilepsy or a seizure disorder.

There is no known cure for epilepsy, and it is critical that we do more to support research that will help develop new forms of treatment for those suffering from this disease.

I want to extend my deep gratitude to everyone who has been involved in planning this year's Rhode Island Walk for Epilepsy. I want to especially recognize one of my constituents, Robbie Thorp, whom I had the opportunity to meet with in April of this year when he was selected to serve as Rhode Island's ambassador for the Kids Speak Up conference in Washington, D.C.

Robbie is an impressive young man who has already demonstrated himself to be a strong advocate for epilepsy awareness in Rhode Island.

Again, I extend my best wishes for a successful event to him and everyone taking part in this Saturday's Rhode Island Walk for Epilepsy.

GARLAND DENNY—A DEDICATED PATRIOT

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, I rise today in memory of my good friend, Garland Denny, a true and dedicated patriot devoted to helping veterans in need.

Mr. Denny died last week at the age of 84. During the Korean war, Mr. Denny served our country aboard the USS *Franklin D. Roosevelt*.

Following a long and successful career as a structural steel draftsman, Mr. Denny spent his retirement advocating for a special postage stamp to raise money for veterans' services.

In support of Mr. Denny, 55 Members of the House and Senate joined me this summer in writing the U.S. Postmaster General urging the creation of a Stamp Out PTSD semipostal stamp to help raise money for PTSD research and treatment.

We remain committed to Mr. Denny's goal of helping veterans and overcoming the bureaucracy standing in the way. Mr. Denny reminds us that one committed American can make a big difference.

His sons, Chuck and James, have joined me today in the House Chamber and intend to carry on their father's mission. May God bless you both and your sister, Sue.

DEBT CEILING

(Mr. GALLEG0 asked and was given permission to address the House for 1 minute.)

Mr. GALLEG0. Mr. Speaker, as Republicans bicker behind closed doors, the deadline to raise the debt limit draws closer and closer.

If we fail to act in time, interest rates will skyrocket, the dollar will plummet, and the stock market could collapse. That is unacceptable. It is time to bring this manufactured crisis to an end.

Let's not fool ourselves. Even if the Republican leadership does manage to pass a last-minute extension, the mere threat of a default will inflict real damage on the American economy. Economists tell us that the 2011 debt limit standoff cost American jobs and contributed to the downgrade of the U.S. credit rating, and we are repeating the same mistake today.

That is why the true threat to our fragile economic recovery isn't our budget deficit; it is the leadership deficit that exists within the Republican Party. Unfortunately, for conservative Republicans, irresponsibility has become a badge of honor and recklessness a source of pride.

Mr. Speaker, the American people want leadership instead of brinksmanship. They want cooperation and compromise instead of deadlock and dysfunction. Let's raise the debt ceiling and move on to the critical work of building a stronger and more prosperous Nation.

DEBT MANAGEMENT AND FISCAL RESPONSIBILITY ACT

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, our national debt now stands at more than \$18 trillion. If current law remains unchanged, the CBO projects Federal debt can exceed \$50 trillion in our lifetime. This cannot be sustained.

That is why I have introduced the Debt Management and Fiscal Responsibility Act. This bill provides early and clear-eyed assessment of the debt well before even reaching the statutory debt limit.

Under this bill, the Treasury Secretary would report on three items: first, the national debt and debt protection; second, debt reduction proposals; and, third, regular progress reports to Congress on debt reduction. All of this information would be made readily available to the public.

The national debt is a shared responsibility, and it will take a shared executive legislative approach to reduce it. We can no longer afford to put \$18 trillion on autopilot. Let's deal with it head-on and find a responsible measure to retire the debt before it is too late.

CONSUMER PRICE INDEX FOR THE ELDERLY

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, last week, the Social Security Administration announced that there would be no cost of living adjustment to Social Security benefits next year.

This news has seniors in western New York worried. The price of food, housing, and health care have increased. Without a corresponding increase in benefits, seniors will be asked to do more with less.

The formula used to determine cost of living adjustments is not properly reflecting the senior economy. Seniors spend more on housing, food, and medical care and less on travel and education. That is why I support legislation to adopt a new formula, called the Consumer Price Index for the Elderly, that would give weight to price increases in housing and medical care and more accurately reflect the costs incurred by seniors.

Unless Congress acts, the incomes of 60 million Americans will be effectively reduced. That would be bad for our economy and worse for the vulnerable Americans that we are here to protect.

GRATEFUL RESPONSE TO SOUTH CAROLINA FLOOD

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, despite the destruction of the thousand-year rain event flooding, it was a testament to the people of South Carolina working together. Led by Governor Nikki Haley and Adjutant General Bob Livingston, our State is a model for disaster response.

I am grateful for our State Emergency Management Division, led by Director Kim Stenson, for over 1,500 successful rescue missions and to all of our first responders for the countless rescues.

Credit is due to Director Christy Hall and the South Carolina Department of Transportation for their tireless work. During the flooding, over 500 roads and bridges were closed. I know firsthand, as the road I live on was washed out, the location of our family home for the last six generations, which was named by my grandmother.

Donations and volunteers have come from across the Nation. The Salvation Army, led by Major Roger Coulson, has provided over 50,000 meals to displaced persons in the flooding. The Red Cross, inspired by national president Gale McGovern's visit, has operated 26 shelters.

I appreciate the positive spirit of the people of South Carolina spontaneously coming together as family and neighbors before turning to government.

In conclusion, God bless our troops, and the President by his actions must never forget September the 11th in the global war on terrorism.

Thank you, Coach Steve Spurrier, for developing winning Gamecocks.

MUST-ACT DEADLINES

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, well, even some of my Republican colleagues acknowledge that there is chaos in their conference and that chaos has consequences. Governing from one manufactured crisis to another, we have piled up a whole series of must-act deadlines.

In just 8 days, the U.S. Government will default unless Congress acts. Once again, Republicans are jeopardizing the full faith and credit of the United States.

Unfortunately, that is just one of the deadlines that we face in this calendar of chaos. In just weeks, we have got to pass another budget or face another GOP-engineered shutdown.

We have to pass a highway trust fund bill. Hopefully, it is not another short-term patch but something that actually gets Americans working and rebuilds our infrastructure.

Sadly, the Export-Import Bank still sits idle. Fortunately, a handful of courageous Republicans joined all Democrats, and next week, hopefully, we will be able to get that moving again. It shouldn't take that kind of an extraordinary measure. We ought to be able to do it through the normal course of legislation.

This chaos is out of hand.

Hardworking Americans go to work every day. We need to do our job in Congress, and that is to do the business of the American people. Mr. Speaker, we have long passed time. We need to get to work.

SOAR ACT

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, the House this week will vote on H.R. 10, the SOAR Reauthorization Act, known as the Scholarships for Opportunity and Results Act. This will authorize the D.C. Opportunity Scholarship Program for an additional 5 years.

At the core of this scholarship program is a simple premise that every American child deserves the opportunity to receive a great education. No child should be forced to attend low-performing public schools when alternatives for parents and their children are available right around the corner.

Education is essential to climbing the ladder of success in this Nation,

and this bill takes a positive step forward in giving parents the ability to provide more opportunities and choices to pave the way to a better future for their children.

I urge my colleagues to support this responsible measure, and I thank Speaker BOEHNER for bringing this legislation to our floor.

BALANCED BUDGET PROPOSAL

(Mr. CARNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNEY. Mr. Speaker, I rise today to urge my colleagues to bring responsible budgeting to our Nation's Capitol. First of all, this means funding the government every year without a shutdown, but also it means balancing the budget.

Since I have served in Congress, we have been consumed by fights over deficit reduction and budget priorities. We have gone from crisis to crisis, never coming up with a long-term plan. After the crisis is over, nothing happens.

Recently, I introduced a balanced budget amendment that would add discipline to the budget process and require the government to spend within its means. Balanced budget proposals are not new. But unlike most proposals, my amendment protects Social Security, enables long-term capital investments, and ensures that we can respond to emergencies.

In Delaware, like most States, the law requires the State to have a balanced budget. As Delaware Secretary of Finance, I helped make that happen. We should hold the Federal Government to the same standard.

If the United States is going to continue to be the strongest economy in the world, we need to address our budget deficits now. I urge my colleagues to bring order and responsibility to our budget process by passing my amendment.

□ 1215

NATIONAL DYSLEXIA AWARENESS MONTH

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, October is National Dyslexia Awareness Month. This is something that is very close to my family. My wife and I watched our daughter struggle to learn to read. She dreaded reading aloud in class, and worrying what her classmates thought affected her self-esteem.

With hard work, our daughter was able to catch up and surpass many of her classmates. Over time, she discovered her strengths in math and science, which helped her increase her confidence.

It wasn't until high school that we found out she actually has dyslexia. This diagnosis has helped her understand how her brain works and realize that her difference gives her some advantages.

We are extremely proud of how hard she has worked to overcome these challenges and not let them get in the way of her success. Mr. Speaker, it is important that we bring awareness to dyslexia and educate our communities about the impact on families.

NATIONAL FOREST PRODUCTS WEEK

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, today I rise to recognize the importance of the forest products industry as we celebrate National Forest Products Week.

In my home State of New Hampshire, we have a rich tradition of supporting working forests and recognizing the ways in which our forests contribute to our State's economic livelihood and the vitality of our rural communities.

The forest products industry employs over 7,000 Granite Staters. These men and women proudly continue our State's legacy of responsible forest stewardship. From timber production to biomass energy, our forests provide a wide range of sustainably sourced products that citizens and businesses rely on throughout our country.

My district is home to both biomass power plants and wood pellet manufacturing facilities that are important job creators in the renewable energy sector, and I am proud to serve as co-chair of the bipartisan Congressional Biomass Caucus.

As part of our efforts to underscore the economic and environmental contributions to our Nation's forests, we must rededicate ourselves to preserving these treasured lands for future generations to come.

NDAA VETO THREAT

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Mr. Speaker, I think this is absolutely nuts. Yesterday the House and the Senate sent the President the National Defense Authorization bill requesting his signature, which he has now threatened to veto.

I was an Air Force pilot for 14 years, and I sit on the House Permanent Select Committee on Intelligence. I understand how critical it is that our military be prepared; and to be prepared, they have to be adequately funded.

Vetoing NDAA means that we simply don't provide authorization for funding

for our troops. It means we cut our military readiness. It means we can't continue our fight against ISIS. It cuts such critical programs that protect us as our missile defense program. I just simply don't understand it.

The President doesn't have any specific objections to this bill. It funds to the exact level that he has requested. By doing this, the President has ignored the primary responsibility that the Federal Government has to defend and protect the United States.

I hope that the President will not fail in that responsibility. I hope he will sign this critically important bill.

WE MUST TAKE ACTION ON GUN VIOLENCE

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Mr. Speaker, today marks 3 weeks since the mass shooting at Umpqua Community College in Roseburg that cost nine innocent Americans their lives. As that tragedy fades from the headlines, the daily tragedy of gun violence in America drums on.

Last week, in south Florida, Janel Hamilton was shot to death by her godmother's son while watching TV. She was 19 and dreamed of becoming a lawyer.

Last weekend, in Chicago, a 3-year-old boy named Eian Santiago was shot to death by his 6-year-old brother. They were playing cops and robbers.

Last night, in New York City, police officer Randolph Holder succumbed to a gunshot wound in the head. He was responding to gun violence in East Harlem.

In the last 96 hours alone, 91 Americans have lost their lives to gun violence. That is nearly 1 person killed by guns every hour in the United States.

The American people expect us to take action. They expect us to stand up to those who fight to prevent us from taking action; yet, hour by hour goes by in this Congress without hearings, without debate, and without action.

Mr. Speaker, I will be back next week and the week after that and the week after that. Gun violence won't stop until this Congress takes action, and neither will I.

OUR MENTAL HEALTH SYSTEM

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, our mental health system is abusive and neglectful to those with a serious mental illness. Worse yet, these policies disproportionately impact minorities and the poor. African Americans are 50 percent less likely to re-

ceive psychiatric treatment. Out-patient mental health spending for African Americans is 40 percent lower.

While there is an overall shortage of mental health professionals, only 3 percent of psychiatrists and 2 percent of psychologists are African American. The rate is similar for Latino mental health professionals and worse for Native Americans.

If you are a minority or low income and have a serious mental illness, you are more likely to end up in prison, where 80 percent of inmates don't receive any treatment.

If you are low income, Medicaid makes it harder for you to access inpatient mental health treatment, won't let you see two doctors on the same day, and says, you can't take the medications your doctor prescribed.

Stop this discrimination. I ask Members to cosponsor and pass the Helping Families of Mental Health Crisis Act, H.R. 2646. People with serious mental illness can and do get better with help, but where there is no help, there is no hope.

IT IS TIME TO GET REAL ABOUT GUN VIOLENCE

(Ms. ADAMS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ADAMS. Mr. Speaker, it is time to get real about gun violence in America. As the entrusted voices for millions of Americans, we have a responsibility to address gun violence. In our schools, in our movie theaters, and even in our churches the threat is ever present.

Most recently a dangerous individual went on the campus of a community college in Roseburg, Oregon, and opened fire, taking nine lives and injuring seven. My thoughts and prayers are with the family and friends as they mourn.

Chris Mintz, a veteran from Randleman, North Carolina, was among those injured while rushing into the crossfire in an effort to defuse the situation. I am honored by his bravery, and I wish him a speedy and full recovery.

From Newtown to Blacksburg, to Aurora, to Charleston, these senseless shootings are becoming far too common. It is not just mass shootings that are bothersome because every day 88 people die because of gun violence. That is more than 30,000 Americans killed every year.

How many lives must be lost before we say that now is the right time to pass commonsense legislation to keep guns out of the wrong hands? We can make a difference. We must, but we must take action now.

PREVENTABLE CHILD AND MATERNAL DEATHS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, today I rise in support of our children and salute the medical researchers and the pediatricians who are seeking to find cures for debilitating and preventable childhood diseases.

The leadership of the U.S. is crucial in helping end many of these childhood and maternal deaths. That is why we have included specific provisions in 21st Century Cures for children.

Cures bring benefits. Let me give you an example: polio. In 1988, the World Health Organization had a resolution to support the worldwide eradication of polio. Through the work of American researchers, private citizens, and Rotarians, polio vaccines have nearly eradicated this scourge worldwide.

American leadership should continue to help end preventable childhood and maternal deaths.

RECOGNIZING NATIONAL FOREST PRODUCTS WEEK

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today I rise to recognize National Forest Products Week and to acknowledge what an important role our forests play in all of our daily lives.

The Second District of Florida is home to hundreds of thousands of acres of public and private forest lands. The Apalachicola National Forest alone is nearly 1,000 square miles.

Just last week, I participated in a work day with the Nature Conservancy in the Apalachicola Forest to learn how responsible management can boost the economic and environmental value of forestland.

I am proud that north Florida forests make such an important contribution to our country's economy and our environment. We depend on wood for the structure of our homes, the paper we write on, and a million different things in between, but most significantly for the oxygen we breathe.

FOREST PRODUCTS WEEK RECOGNITION

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Mr. Speaker, I also rise today in recognition of National Forest Products Week and the men and women across our country that work in this crucial industry. Forest products have been an integral part of the North American economy even before our States were united.

From our beginnings, forest products built ships and were the main source of fuel. Through our industrialization, forest products became the foundation of our vast rail system and the media that fills our great libraries. Today so much of everything we get is shipped and contained in forest products. Forest products have always been the backbone of housing, a critical sector of our economy.

Forest products are green, renewable, and sequester carbon. We have been prolific in perfecting our conversion technologies, developing new products, and growing more timber. In fact, we have more trees today in America than in 1900.

To keep our forests healthy and our economy strong, we need to develop more markets at home and abroad for our forest products, and we need to commit more research to find cost-effective ways to utilize our woody biomass, a vast, renewable, carbon-neutral fuel source.

IMPORTANT ISSUES THAT NEED FUNDING

(Mr. HASTINGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTINGS. Mr. Speaker, this month all of us know that we are addressing the issue of breast cancer and cancer generally. I will proudly wear this label today for the number of people around our country and around the world that are suffering from cancer.

On Monday, I participated at Nova Southeastern University with experts in genomics and studying this issue. I learned from them that only 8 percent of grants are made from the National Institutes of Health. That is an incredible resource for all of us, and we need to be about the business of increasing the National Institutes of Health's opportunities to go forward on breast cancer.

The second part of my remarks this morning, Mr. Speaker, deals with airport workers, specifically in Fort Lauderdale and elsewhere. They are fighting for \$15 an hour. These are the people that clean up the toilets at the airport in Broward County. They are the people who carry the people on the airplane with wheelchairs. We can at least afford \$15 an hour for them.

□ 1230

REAUTHORIZE THE NATIONAL DEFENSE AUTHORIZATION ACT

(Mr. TROTT asked and was given permission to address the House for 1 minute.)

Mr. TROTT. Mr. Speaker, I rise today to highlight the potentially grave situation facing our Nation's security this week.

Despite the National Defense Authorization Act garnering widespread bipartisan support in both Houses of Congress, President Obama has inexplicably threatened to veto it. Our soldiers and their families deserve better than an administration that plays politics with the pay for our troops and puts our national security on the line just to prove a political point.

What I find most shocking is the President spent the last several months fighting to lift economic sanctions so that Iran's terrorist army could receive billions in aid, and now he is planning to block funding for America's military. This is unbelievable. Our soldiers deserve better. Our Nation deserves better.

America is facing increased threats from around the globe. We have soldiers fighting in Afghanistan. We have military families bravely continuing with their lives as their loved ones risk their lives for freedom.

Not only do we need to fully fund our troops, but we need to show the world that, when it comes to our defense and national security, the United States stands as one strong, unified body.

Mr. Speaker, it is time the President drops the partisan games and stands with our troops. It is time he signs the bill.

WE ARE THE GREATEST NATION ON THE PLANET

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, I feel compelled to take this opportunity to remind us how great we are as a country, but also to remind ourselves that we are as great as we are as individuals collectively that make our country so great, a country where anyone can practice whatever faith they choose to practice.

You can come to this country from whatever part of the world and start anew and perhaps reach heights that you could never dream of in other places. We still are the greatest nation on the planet.

I am compelled to say these words because far too often I see, almost everywhere I turn, where people want to leave this country. They talk about how we are not great and how we need to get back to greatness.

We have never lost that greatness. I think it is really important for us to understand, as Members of Congress, that our responsibility is to guide this country and to legislate and to make decisions, but to always keep in mind those fundamental responsibilities that we have held true for so many hundreds of years in this country and that we are blessed to be the greatest nation on the planet. The only way that we can do that is if we take our personal

responsibilities to heart and exercise that every single day.

SUPPORT YOUR LOCAL CHAMBER OF COMMERCE DAY

(Mr. GRAVES of Louisiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAVES of Louisiana. Mr. Speaker, I rise today on Support Your Local Chamber of Commerce Day.

Livingston Parish is one of the fastest growing parishes in the State of Louisiana, and the chamber of commerce appropriately—with the extraordinary growth of this parish, we have had a growth in the businesses, the mom-and-pop businesses, and the large industrial businesses as well. Appropriately, the Livingston Parish Chamber of Commerce was recognized for the Louisiana State Chamber of the Year Award for the mid-size category by the Louisiana Association of Chamber of Commerce Executives.

When you have a parish that grows at rapid rates, you have huge swells in population. You have all sorts of demands on infrastructure, but you have demands on the growth of the businesses as well. Particularly, the Livingston Parish Chamber of Commerce was recognized in the areas of business resource and representation, community alignment, organizational excellence, and professional development.

Mr. Speaker, businesses like North Oaks Health System, Rouses Markets, Big Mike's Sports Bar and Grill, and Ferrara Fire Apparatus are all businesses that are members of the Chamber of Commerce.

Congratulations to the 500 businesses that are members of the Livingston Parish Chamber of Commerce, to Wayne, April, and all the folks in Livingston Parish.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. SIMPSON) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 21, 2015.

Hon. JOHN A. BOEHNER,
Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 21, 2015 at 9:14 a.m.:

That the Senate passed without amendment H.R. 322.

That the Senate passed without amendment H.R. 323.

That the Senate passed without amendment H.R. 324.

That the Senate passed without amendment H.R. 558.

That the Senate passed without amendment H.R. 1442.

That the Senate passed without amendment H.R. 1884.

That the Senate passed without amendment H.R. 3059.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 10, SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS REAUTHORIZATION ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 692, DEFAULT PREVENTION ACT

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 480 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 480

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments recommended by the Committee on Oversight and Government Reform now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order

against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, House Resolution 480 provides for consideration of H.R. 10, the Scholarships for Opportunity and Results Reauthorization Act, and H.R. 692, the Default Prevention Act.

These bills are important steps forward on two issues of great importance to Americans: education and fiscal issues.

H.R. 10, the Scholarships for Opportunity and Results Reauthorization Act, also known as the SOAR Reauthorization Act, would continue important funding provided to help young students here in Washington, D.C., reach their full potential. This legislation would provide \$60 million annually for 5 years, split equally among the District's public schools, charter schools, and the District of Columbia Opportunity Scholarship Program, which enables low-income students to attend a private school that would otherwise be out of their reach.

Two amendments to the bill have been made in order for consideration, one by a Republican and another by a Democrat.

I have great confidence that the SOAR Reauthorization Act is a positive step for students in the District of Columbia and that, through its example, it will provide a model for success that could be adopted by States across the country.

The rule also provides for consideration of H.R. 692, the Default Prevention Act. As my colleagues are all aware, the Treasury Department has asserted that its ability to use extraordinary measures to avoid reaching the statutory debt limit will be exhausted in coming days, possibly by November 3.

The legislation before us is a vital step to take default off the table,

should extraordinary measures be exhausted, providing certainty to financial markets and hardworking Americans that we will pay our debts and meet our obligations.

The Default Prevention Act would authorize the Secretary of the Treasury to issue debt obligations necessary to continue making principal and interest payments on our debt, and would also ensure continued access to the funds in the Social Security trust fund necessary to pay Social Security benefits in full.

Mr. Speaker, it is simply common sense that we permanently close out the possibility of default and give seniors and other Social Security beneficiaries confidence that they will continue to receive the funds they rely on.

We can protect the full faith and credit of the United States and ensure that our credit ratings and economy are not impacted by policy battles here in Congress over future spending policies.

Mr. Speaker, I commend this rule and both of the underlying bills to my colleagues for their support.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentlewoman from North Carolina for yielding the customary 30 minutes to me for debate.

Mr. Speaker, I rise today in opposition to this rule, which provides for consideration of both H.R. 10, the Scholarships for Opportunity and Results Reauthorization Act, and H.R. 692, the Default Prevention Act. Once again, we are playing grab bag rules, and I maintain that that is not the process of regular order.

Each time I have the privilege of managing a rule which, with only four members of the minority on the committee, happens quite often, I find myself in the same position: frustrated with my friends, the House Republicans', complete disregard for regular order; their use of one rule to consider multiple unrelated pieces of legislation; and, most significantly, disillusioned that, in a time when so much can and must be done for the American people, we continue to spend precious time with partisan, dead-on-arrival measures.

H.R. 10 would reauthorize the Opportunity Scholarship Program through the years 2021. OSP is the only federally created and funded elementary and secondary private school voucher program in the United States.

Last night, my friend from Utah came forward and spoke, as is his responsibility. And I would just ask him, do they have the same program in Beaver, Utah, or Centerville, Utah, or Altamont?

I didn't know they had an Altamont. I come from Altamonte Springs, Florida. They spell it without the E. But they don't have this voucher program

that they are trying to foist on the District of Columbia.

The program, which awards need-based scholarships to children in the District of Columbia to attend a participating private school of their choice, was created in 2004 and last reauthorized in 2011.

I would like to note from the outset that the current school voucher program is authorized through September 2016. That is almost a full year from now. Given the numerous pressing and time-sensitive matters facing this body, I can't help but feel bewildered as to why we are rushing to reauthorize D.C. school vouchers, yet we continue to ignore our Nation's crumbling infrastructure, income inequality, the need for jobs, immigration reform, the need for sensible gun control in the wake of mass shootings and countless other deaths at the instance of guns, particularly children, and our lack of a long-term budget. I continue to await a straight answer from my Republican colleagues and hope that we can get this question answered before today's debate concludes.

Now, I also want to make something clear. The members of the Washington, D.C. City Council have said that they do not want the D.C. voucher program to be reauthorized.

□ 1245

In a letter to the chairman of the House Committee on Oversight and Government Reform, the majority of the members of the D.C. Council expressed their belief that "Federal funds should be invested in the existing public education system—both public schools and public charter schools—rather than being diverted to private schools."

They go on to describe past findings on vouchers, saying that "the evidence is clear that the use of vouchers has had no statistically significant impact on overall student achievement in math or reading, or for students from schools in need of improvement."

Despite this very clear letter, in what I can only describe as "typical Republican fashion," this body is going full steam ahead in its efforts to impose its political will regardless.

I remind those here today and watching at home that Washington, D.C., is a Federal district. Congress maintains the power to overturn laws approved by the D.C. Council, can vote to impose laws on D.C., and gets final approval of the D.C. Council's budget.

Washington, D.C.'s Delegate to the House of Representatives, my very good friend and a mentor to all of us not only on this issue, but countless others, Ms. ELEANOR HOLMES NORTON, who has served in this body for 24 years, is not permitted to vote on final passage of any legislation, let alone legislation directly intended to govern the jurisdiction which she was elected to serve.

One might hope that Congress would consider the wishes of the representatives of Washington, D.C., and the nearly 660,000 residents of the District who are taxpayers without representation. But, as we see today, that simply isn't the case.

Mr. Speaker, the underlying legislation would make significant changes to the way in which the program is evaluated, and that is a problem.

In 2012, The Washington Post published an article titled "Quality Controls Lacking for D.C. Schools Accepting Federal Vouchers." The piece examined some of the schools receiving vouchers.

Among them were "a nondenominational Christian school" that "occupies a soot-stained storefront between a halal meat shop and an evening wear boutique." The school consists of two classrooms, and "students travel nearly 2 miles down Georgia Avenue to the city's Emery Recreation Center" for gym class.

Another school "follows a learning model known as 'Suggestopedia,' a philosophy of learning developed by a Bulgarian psychotherapist Georgi Lozanov that stresses learning through music, stretching, and meditation."

A third is described as "an accredited K-8 school supported by the Nation of Islam," which "occupies the second floor of a former residence east of the Anacostia River." The classrooms are described as being former bedrooms, and the only bathroom in the school was described as having "a floor blackened with dirt and a sink coated in grime. The bathtub was filled with paint cans and cleaning supplies concealed by a curtain."

With descriptions like this of schools just a few miles away from this Chamber, I would like to think we would want more evaluations on these schools, not less.

Moving on to H.R. 629, a very bogus bill that plans for the unprecedented default on the full faith and credit of the United States, this measure is a debt prioritization bill and one that elevates the payments of debts to bondholders, including Switzerland, the Cayman Islands, and China, and they would be paid over the obligations to America's troops, veterans, seniors, and students, as well as Medicare recipients.

As Democratic members of the House Ways and Means Committee astutely put it: "Under this legislation, the effect would be to pay China"—and Japan and others—"first, and some Americans not at all."

We have been down this road before. Indeed, the debt limit standoff and government shutdown of 2013 cost an estimated 120,000 jobs and disrupted public and private credit markets so profoundly that the total estimated borrowing costs for the Federal Government, businesses, and homeowners during that crisis totaled approximately

\$70 million. Defaulting on our debt is simply not an option, and H.R. 629 is, as Treasury Secretary Jack Lew put it, “default by another name.”

We cannot play this game. We need to be about the business of honoring our obligations. The last time we went down this road our debt rating was lowered, and I suggest it may happen again.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. I would like to thank the gentlewoman for yielding me time.

Mr. Speaker, I come from a family of educators. My father taught me in fifth grade. My brother and sister are both teachers. My wife is a teacher. One of my sons recently spent 2 years doing Teach for America in an inner-city school before he started graduate school.

Every weekend, it seemed, while he was teaching, we would hear stories and personal experiences of children who desperately needed help to get the education that they needed so they had any chance, any hope, of being successful in life.

And, finally, I am also the father of six children. I understand in a deeply personal way how important it is that we teach our children and educate our children.

This idea goes back to Jamestown, 1609, where literally for the first time in the history of the world we made a commitment that we would educate all of our children, that every village, every town, every community would educate all of our children. That is what the SOAR program is about: giving all of our children the opportunity to succeed.

So let's look at the program and see what it has accomplished. Since 2004, more than 6,000 children have had the opportunity to attend a private school of their choice. This has changed the trajectory of their lives. More than 90 percent of them now graduate from high school, compared with 58 percent throughout the rest of Washington, D.C. Eighty-eight percent of them go on to a 2- or a 4-year university. Eighty-five percent of their parents express satisfaction with this program.

Why in the world would you want to take that away? How could you not support this program? How could you not want to give these children the opportunity to succeed? Why in the world would you put the interests of unions and teachers above the interests of these children who desperately need our help?

I would ask my colleagues to support this rule and to support the underlying legislation. Give these kids an opportunity to succeed. That is all we are asking for.

Mr. HASTINGS. Mr. Speaker, would the Chair be kind enough to tell me how much time remains for both sides.

The SPEAKER pro tempore. The gentleman from Florida has 20 minutes remaining. The gentlewoman from North Carolina has 25 minutes remaining.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Let me respond to the gentleman from Utah who spoke of his family's background and education.

Firstly, my former wife, who is now deceased, taught school for 35 years, first and second grade. My son, who has his Ph.D., as my friend's son is about the business of getting his graduate degree, worked in education, taught sixth grade for a number of years, and then recruited schoolteachers for Palm Beach County and Broward County in Florida.

The question was why would we not want to educate every child, and the gentleman referenced a period in 1609 when we certainly were not educating every child. I went to school for the first time in 1941 to a school that was built by Julius Rosenwald, and I recommend a documentary that is in the movies throughout the country now. Mr. Rosenwald, at the insistence of Booker T. Washington, built schools for Black children, 642 of them, in the South, where there were none.

My mother didn't have an opportunity to go to that school. Other people in my town never had an opportunity to get an education, and you come here and you talk about why would we not want this education.

If it is so good, then why isn't it everywhere? And why are you picking on the District of Columbia? Perhaps someone who knows that very well will be able to tell us more than myself with my passion.

Mr. Speaker, I am very pleased to yield 3 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON), my very good friend, a member of the Committee on Oversight and Government Reform.

Ms. NORTON. I thank my good friend from Florida for yielding and for his passion for our children.

Mr. Speaker, the short answer to the gentleman who wants to know why would we want to take away vouchers from these children is that we don't want to take vouchers away from these children. We want those who are currently in the program to maintain their voucher until they graduate.

But I should caution Members on both sides about voting for \$100 million for a private school voucher program for a District that didn't ask for it while the Republican majority has pending a \$2 billion cut for K-12 education for kids in their own districts.

The irony is that, when Newt Gingrich was Speaker, he first proposed private school vouchers, but as conservative as he was, he worked with me on a home rule public charter school alternative. The D.C. Council had voted for charter schools, but there were only

two or three fledgling schools and charters weren't going anywhere.

Today, Mr. Speaker, there are 115 public charter schools in the District, and the reason is that, with my support, Speaker Gingrich placed H.R. 3019 in the 1995-1996 omnibus legislation establishing the D.C. public charter school board.

Today almost half of D.C. students go to publicly accountable charter schools, and most of these schools have long waiting lists. That, my friend, is what choice looks like.

Another speaker has now stepped forward with a private school voucher program to be authorized for the third time today, although the evaluation that Congress mandated definitively shows that the program failed to meet its stated goal to help children improve.

□ 1300

Vouchers did not improve math or reading scores for the children from low-income neighborhoods in this program, and that was the reason for the bill in the first place.

In light of that failure, I offered a compromise, and the President supports it. All of the students in the current voucher program would remain until graduation, but no new students would be funded. That would mean years of private school vouchers, but only in the District of Columbia, because this Congress has just voted down similar private school vouchers for the Nation.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. NORTON. That, my friends, is what compromise looks like: first, phenomenal growth of public charter schools, which are supported by both Congressional Republicans and Democrats; second, allowing all current students to remain in private voucher schools until graduation. If more compromises like this were on the floor, the majority would not be divided into multiple factions that have nothing to show for years of leadership.

Mr. Speaker, I thank the gentleman for yielding.

Ms. FOXX. Mr. Speaker, it is a big surprise to see a member of the minority opposing the provision of additional education funding to low-income students.

My colleague earlier mentioned that some members of the D.C. Council oppose H.R. 10. I would like to bring it to the attention of the House that D.C. Councilwoman Anita Bonds has asked that her name be removed from that letter, saying: “I am hopeful that many more of our neediest families have the opportunity to take advantage of the program.” She knows that students in public, charter, and private

schools all benefit equally from this legislation, and I welcome her support.

Mr. Speaker, I now yield 5 minutes to the gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. Mr. Speaker, I thank the gentlewoman for yielding. I want to thank the Rules Committee for reporting H.R. 692 to the floor.

This Nation now staggers under more than \$18 trillion of debt, nearly a \$7.5 trillion run up by this administration alone. The interest on that debt is one of the fastest growing components of the Federal budget. If there is ever any doubt over the security and reliability of the debt owed by this government, the interest rates that lenders charge us would quickly rise and overwhelm us.

Now, the Democrats say, well, just raise the debt limit, and, of course, we realize in this era of chronic deficit spending—establishing new records under this administration—that we have to do so. Congress alone has the power to incur debt, and the debt limit is the method by which we discharge our responsibility; but when we do so, it is also Congress' responsibility to review and revise the policies that are driving that debt.

The fundamental problem under both Democratic and Republican Congresses is that this process is fraught with controversy. The bigger the debt, the bigger the controversy; and the bigger the controversy, the more likely that credit markets are to demand higher interest payments to meet their greater risk. Given the size of our debt, that could produce an interest tidal wave that could sink our budget and our Nation along with it.

The Default Prevention Act simply provides that, if the debt limit is reached, the Treasury Secretary may continue to borrow above that limit for the sole purpose of paying principal and interest that is due. It is an absolute guarantee that the debt of the United States will be honored.

Most States have various laws to guarantee payment of their debts. In fact, a few years ago, Ben Bernanke praised these State provisions for maintaining confidence in their bonds. It amazes me that we can't all agree on this simple principle: that we should guarantee the loans made to the Federal Government. That is all this bill does.

Yet we have heard opposition from the other side, and they basically make two charges. One is that this pays foreign governments first while shorting our troops. We just heard that from the gentleman from Florida. Well, what xenophobic nonsense. The fact is most of our debt is held by Americans—often, in pension funds—so it protects Americans far more than foreign governments.

But they miss the main point. It is the Nation's credit that makes it pos-

sible to meet all of our other obligations. When you are living off your credit card, as our Nation is at the moment, you had better make your minimum payment first or you won't be able to pay all of your other bills.

In the veto threat, the President leveled the other charges we heard from the gentleman from Florida, that it is just an excuse for not paying our other bills. Well, do they actually believe that these other States that have guaranteed their sovereign debts for generations have ever used these guarantees as an excuse not to pay their other bills? On the contrary, by providing clear and unambiguous mandates to protect their credit first, they actually support and maintain their ability to pay for all of their other obligations.

So let me be crystal clear: delaying payment on any of our obligations would be unprecedented and dangerous. There is one thing, though, that could do even more damage than delaying payment on our other bills, and that is the mere threat of a default on our sovereign debt. This measure takes that threat off the table, and it ensures credit markets that their investments in the United States are as certain as anything can be in life.

A few years ago, Senator Barack Obama vigorously and forcefully opposed a debt limit sought by the Bush administration. He said it was a failure of leadership. Well, I have never equated Senator Obama's opposition to the debt limit increase as anything other than a principled and well-placed concern over the proper management of our finances. It is sad that he cannot give the opposition the same courtesy.

Mr. Speaker, we may disagree over the appropriate role of Congress in adjusting the debt limit, but at least can't we all agree that during these disputes the sovereign debt of the United States is never in doubt? That is all that this bill says; that is all that this bill does. Mr. Speaker, let's pass this rule and proceed with consideration of the bill.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from California referred to my comments as "xenophobic nonsense." I firmly disagree. It kind of gives xenophobia a new meaning. I merely pointed out that a large portion of our debt is held by other countries and that the legislation that he supports proposes to pay them before 80 million obligations that the Treasury Department has.

Mr. Speaker, Congress has only 8 legislative days left to protect the full faith and credit of the United States. If we defeat the previous question, I am going to offer an amendment to the rule and bring up legislation that would allow—and I would ask the gentleman from California if he would support this—a clean extension of the debt ceiling.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield 4 minutes to the gentleman from Vermont (Mr. WELCH) to discuss our proposal. My friend from Vermont is a distinguished gentleman and a former Member of the Rules Committee.

Mr. WELCH. Mr. Speaker, I thank the gentleman.

Mr. Speaker, let's be clear. Raising the debt ceiling has absolutely nothing to do at all with increasing government spending. It only has to do with whether America will pay its bills for obligations already incurred.

Many of those obligations, by the way, are for expenditures that I vigorously opposed: trillions of dollars on the wars in Iraq and Afghanistan, unpaid for, and trillions of dollars in tax cuts for the very wealthy that are unpaid for.

But the United States of America, in good times and bad, through Republican Presidents and Democratic Presidents, in Republican-led and Democratic-led Congresses, has always paid its bills—always. We have done it for two reasons.

First, it is the right thing to do. A promise made is a promise kept. An obligation incurred is an obligation honored. Mr. Speaker, a confident nation keeps its word. A confident nation pays its bills, not some of them. It pays all of them.

Second, running from our creditors, stiffing them, picking and choosing whom to pay among them is as fiscally reckless as it is dishonorable. This new theory that America can actually consider it feasible as an option to default is extremely dangerous and very costly.

Mr. Speaker, in 2011, when this tactic was first seriously considered and we came on the brink of default, it cost U.S. taxpayers \$19 billion in unnecessary interest charges. That is \$19 billion that could have been used to fix our highways or invest in scientific research, or it is \$19 billion that your side might have preferred for tax cuts, or we could have split it. But that would have been half for tax cuts and half for investment. Yet we squandered that at the expense of the American taxpayer.

The use of the debt ceiling as a tactic to get your way on another issue is playing financial Russian roulette with America's credibility, with the well-being of the American taxpayer and the full faith and credit of the United States of America to meet all its obligations. We have maintained that bond

with ourselves and our creditors for over 200 years, and this bill asks us to abandon it now.

How can it be that the party of Ronald Reagan can propose this legislation? It was Ronald Reagan who said that denigration of the full faith and credit of the United States would have substantial effects on the domestic financial markets and the value of the dollar. He is right.

How can it be the party of PAUL RYAN? The chair of our Ways and Means Committee said that just refusing to vote for the debt ceiling, I don't think that is a strategy.

Will the debt ceiling be raised? Does it have to be raised? Yes. Reagan was right then, and PAUL RYAN is right now.

Mr. Speaker, I want to point out something that the proponents of this legislation would prefer to keep in the dark. The entire reason the debt ceiling must be raised now is to accommodate the budget that they passed over my strong objection on March 25, 2015. The Price budget, supported by 228 Republicans and opposed by 182 Democrats, projected an increase of our debt limit of nearly \$2 trillion. Today that bill has become due, and the folks who supported that budget are running for the hills on acting on the debt ceiling that is required to accommodate the budget that they passed.

Mr. Speaker, this House now, as a result of the will of the American people, is led by a Republican majority. It is a majority that we in the minority have an obligation to do our best to work with. However, it is a majority that is raising questions that have never been raised before.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. WELCH. Mr. Speaker, they are using debt default and government shutdown as a tactic to get their way on an issue of concern to some of them. I admire Speaker BOEHNER that he put the country first and he put the House first in not letting this government be shut down over a real dispute on Planned Parenthood funding. But we have got to get past this, and the Republican majority has to make a decision whether it is going to govern or it is going to empower those who believe that default and shutdown are legitimate tactics to resolve legitimate debates that we have among us.

Mr. Speaker, we cannot now—we cannot ever—default on our obligations and our commitment to the American taxpayer to be fiscally responsible by paying our bills.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Speaker, I rise today in support of H.R. 10, but I wanted to clarify some of the debate that

has been going on with my friend opposite, the gentleman from Florida.

Many of the concerns that he has raised have been addressed in our Oversight and Government Reform Committee. Specifically, I put forth an amendment that required strong evaluations that would evaluate the scholarship program. Additionally, the committee passed an amendment to ensure not only strong accreditation standards as well, but equally important is the gentlewoman from the District of Columbia. I have made a personal commitment to her to work on making sure that we have proper accountability with regard to this scholarship program. None of us wants to be loose with the American taxpayer dollars.

I want to also stress that this program does not decrease funding for D.C. public schools or charter schools. Indeed it is an addition to that appropriation. But it really comes down this, Mr. Speaker: it is the students that have benefited from this particular program.

I was part of a hearing that was held at Archbishop Carroll High School. When you look into the faces of those students that were given an opportunity with a scholarship to not have to go to the school because of where they live but they got a scholarship to be able to go to a private school, you look into their faces and you hear the stories of just how it has affected their families and given them hope, Mr. Speaker, it is one of those things that I think that we have to find a bipartisan solution to identify the problem areas, perhaps, that need to be addressed, but to also come alongside those parents, both fathers and mothers, who were there in the hearing who were applauding the successes of their children.

□ 1315

It is with great pride that I strongly support H.R. 10. I encourage my colleagues opposite to do the same. I am committed to working through some of those issues that they have addressed.

Mr. HASTINGS. Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, I thank the gentlewoman for yielding.

I am pleased to support this rule because of the underlying bill that is there.

Normally, the 10th Amendment says that education is delegated to the States. So I would be opposing anything this body does on education, except the Constitution also grants Congress the jurisdiction over the District of Columbia.

When there is a program that is a success—and this has been a success—a study by the Department of Education concluded that this D.C. Opportunity

Scholarship significantly improves students' chances of graduating from high school.

I spent 28 years as a high school teacher. In that time, I saw all sorts of wonder programs being mandated from the Federal level and the State level. The most common expression of all teachers is "This too shall pass."

But the one thing that was never mandated to us was the concept of freedom, allowing teachers to teach their specialties, allowing parents the ability of having a choice on where they sent their kids. Choice is a powerful tool.

When I was in the State legislature, I had a bill that dealt with compulsory attendance. I had a PTA mother that came up to me once and said, "I hate you and I hate your bill because, when my 17-year-old doesn't want to go to school in the morning, I want to be able to look at him and say, 'You have to go to school. It is the law.'" And I thought: Thanks a lot. That is the exact attitude I want to have from a high school junior in my class when he shows up.

You see, when kids are forced to be where they choose not to be, they are unsatisfied jerks. But kids, knowing they had a choice, they would now attend in a positive attitude, even if it was the same school.

That is what this bill tries to do. We trust choice in all sorts of behaviors. We give people choices in food, in our homes, in our energy, and all the necessities of life. So why do we limit freedom and choice in something as important as education?

Ronald Reagan once said: "Our leaders must remember that education doesn't begin with some isolated bureaucrat in Washington. It doesn't even begin with State or local officials. Education begins in the home, where it's a parental right and responsibility. Both our public and our private schools exist to aid our families in the instruction of our children, and it's time some people back in Washington stopped acting as if family wishes were only getting in the way."

I applaud Speaker BOEHNER for this bill. Speaker BOEHNER, when it comes to kids, clearly gets it, and he has been an advocate on their behalf. Kids belong to the parents, not to an educator, not to a legislator, not to a special interest group.

It is time we start trusting parents and individuals, which is why I urge support of this rule that will bring this bill, a good bill, to the floor for us to support as well.

Mr. HASTINGS. Mr. Speaker, I continue to reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentlewoman for yielding.

I rise in support of the rule and urge specific passage of H.R. 10, the Scholarships for Opportunity and Results Reauthorization Act.

Over 10 years ago Congress took action to give the children of the District a hand-up through access to a quality education by creating the D.C. Opportunity Scholarship program. I was heavily involved at that time, as a Member of the House Appropriations Committee that oversaw the District's budget, and our committee provided the initial funds.

The program was the first and only initiative in America where the Federal Government provides low-income families with funds to send their children where they will have a chance to thrive—private or parochial schools—because, in some cases, some D.C. schools were not providing that opportunity. That is not all schools, but some schools.

We all know the story of some District of Columbia public schools—low graduation rates, high dropout rates, low math and reading scores—that need to do better. We can all agree that all children in the District deserve a first-class education and the lifelong benefits that come from that education, whether it be public, private, parochial, or charter.

The bill before us today will reauthorize the D.C. Opportunity Scholarship program for 5 years. By the way, the program is a huge success. Last year over 3,600 students submitted applications and the program enrolled nearly 1,500 students.

Through these scholarships, District children have flourished. In 2014, 88 percent of high school graduates who were enrolled in the D.C. Opportunity Scholarship program enrolled in 2- or 4-year colleges, a very high mark.

Mr. Speaker, Congress should listen to the voices of parents, as we did 10 years ago, who want their children to succeed, and we should continue to work to ensure that the program not only survives, but that it grows.

I commend Speaker BOEHNER for all his years of leadership on behalf of the children of Washington not only in terms of his support for this legislation, but many things he does as a private citizen.

I urge my colleagues to join in support of the rule and this legislation.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

We should be working together to ensure that all children have the opportunity to receive a quality education and taking action to guarantee that the United States pays all of its bills on time and in full. Neither of these bills accomplish those vitally necessary goals for this great country.

I urge my colleagues to vote “no” and defeat the previous question and vote “no” on the rule.

I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

These are crucial bills. They make significant progress on two important issues: addressing our fiscal crisis in a responsible manner and the education of our next generation.

We cannot squander the incredible wealth this country has built over decades of hard work by the American people. The full faith and credit of the United States is not ours here, as Members of Congress. It is theirs, the American people. We are the reserve currency because individuals across the world look to us for prudent fiscal choices and rock-steady resolve in our principles and integrity.

There are few debates more contentious in this body than those over spending levels or the leverage points that our system provides to exert control over those levels.

The Default Prevention Act would enable us to continue to fight tooth and nail over the right direction for our country's finances while giving Americans and financial markets certainty that they can remain confident in the Federal Government meeting its obligations.

We can and should stay up late at night and have passionate debates in this Chamber over how to address mandatory spending, but we shouldn't allow retired and disabled Americans to stay up late at night because they fear their Social Security checks won't arrive.

The Default Prevention Act is commonsense legislation to remove catastrophe as a possibility by enabling the Secretary of the Treasury to issue debt necessary to make principal and interest payments on the national debt and pay Social Security benefits in full. It is the right first step in beginning a conversation about how to constructively address our immense fiscal challenges.

If we don't address those challenges, we will be unable to provide for other important programs, such as the Scholarships for Opportunity and Results Reauthorization Act, or SOAR Reauthorization Act, which this resolution provides for consideration of as well.

As any parent knows, the education of our children is one of our highest priorities. For far too long children in Washington, D.C., have not received the education they deserve, but have suffered from unacceptable achievement levels in graduation rates.

The SOAR Reauthorization Act continues a successful three-sector approach to improving the lives and educational outcomes of low-income students in the District. It provides \$60 million in funding for students, split equally among D.C. public schools, charter schools, and scholarships for students to attend private schools that would otherwise be out of reach.

Students receiving private school education have demonstrated higher

test scores and significantly higher graduation rates, showcasing the importance of continuing students access to these institutions.

These programs are an important example of the need for innovation and experimentation in how to best reform our educational system to benefit students, not entrenched interests.

It has been an honor for me to personally witness some of the students who have benefited from the programs included in the SOAR Reauthorization Act. After seeing the hope for the future these students have in their eyes, I cannot fathom preventing other students from receiving their own second chances.

Mr. Speaker, I believe both of these underlying bills are positive steps forward on issues of great import to our Nation, and I commend them and this rule providing for their consideration to all of my colleagues for their support.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak in opposition to the Rule and the underlying bill H.R. 10, the Scholarships for Opportunity and Results Reauthorization Act.

H.R. 10 would reauthorize the District of Columbia private school voucher program, the Opportunity Scholarship Program (OSP), for five years through 2021.

In 2004, Congress established OSP, the first and only federally created or funded elementary and secondary private school voucher program in the United States.

In 2011, Congress reauthorized OSP through fiscal year 2016 in the Scholarships for Opportunity and Results Act (SOAR Act).

Under the SOAR Act, DC households with incomes that do not exceed 185 percent of the poverty line may receive an annual maximum voucher payment per student of \$8,000 for grades K–8 and \$12,000 for grades 9–12.

In addition, H.R. 10 makes a significant change to the evaluation of OSP's effectiveness.

The bill prohibits a control study group in making evaluations of the OSP and requires a less rigorous “quasi-experimental research design” than under the SOAR Act.

Since 2004, almost \$190 million has been spent on DC voucher schools. That is money that could have been spent on District public schools, which serve all students.

Instead of working on longer term solutions, such as reauthorizing ESEA, or working on job creation, the Majority is pushing its own education priorities on a local jurisdiction through this misguided legislation.

This bill pursues the wrong course by doing the following:

The voucher program is the latest Republican attack on the District of Columbia's right to self-government.

The local District government did not request this reauthorization nor did its only member of Congress, Del. ELEANOR HOLMES NORTON.

If the District wants to establish a voucher program, it has the authority to do so.

Republicans have already tried to overturn DC's gun, marijuana, abortion, needle exchange, and non-discrimination laws.

They have also threatened DC's mayor with jail time over the city's marijuana law. Now they want to write education law in DC.

The bill would authorize the use of federal funds to pay for private school tuition in the District of Columbia, despite overwhelming evidence that the program, first authorized in 2004, has failed to improve student academic achievement, as measured by math and reading scores—including among the students the program was designed to most benefit, those from low-performing public schools.

Despite having numerous states vote down efforts to implement private school voucher programs; Republicans continue to use the District of Columbia as a testing ground for their own agenda.

The bill does not recognize that 44 percent of DC public school students attend charter schools, and 75 percent of DC public school students attend out-of-boundary public schools.

Unlike private schools, traditional public and charter schools are publicly accountable and subject to all civil rights laws.

Mr. Speaker, I urge my colleagues to join me in voting against this rule and the underlying bill.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 480 OFFERED BY
MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3737) to responsibly pay our Nation's bills on time by temporarily extending the public debt limit, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3737.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to

offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 1937, NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2015

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 481 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 481

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the good gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

□ 1330

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, just yesterday, the Rules Committee met and reported a rule for House Resolution 481, providing for the consideration of an important piece of legislation—H.R. 1937, the National Strategic and Critical Minerals Production Act of 2015.

This rule provides for the consideration of H.R. 1937 under a structured rule, with five amendments made in order, four of which, I might point out, were offered by Democratic Members of this body. Therefore, this rule provides for a balanced, deliberative, and open debate if we focus our remarks on the merits of the National Strategic and Critical Minerals Production Act and don't go off on unnecessary tangents.

Mr. Speaker, I am pleased to support both House Resolution 481 and the underlying bill, H.R. 1937. I would like to congratulate the gentleman from Nevada (Mr. AMODEI) for sponsoring this legislation, and I would also like to thank the gentleman from Utah, Chairman ROB BISHOP, for his leadership on this important issue.

Mr. Speaker, this rule will allow us to consider the National Strategic and Critical Minerals Production Act, an important bill that will streamline our country's mine permitting processes to remove unnecessary and burdensome bureaucratic hurdles, which can delay some mining activities and projects by up to a decade—10 years—which is an outrageous amount of time that is indicative of the problem we seek to address here today.

The permitting system the Federal Government currently uses to provide for the extraction of rare earth minerals in the U.S. is outdated, unproductive, and, more often than not, hinders our ability to extract these critical resources. This red tape has a devastating impact on communities across the country and in the West, particularly, that rely on the ability to obtain and develop these minerals for economic growth and our Nation's security.

Our country is blessed with a myriad of rare earth minerals that are increasingly used to manufacture high-tech equipment as well as many other everyday applications and products. Many countries around the world are already working to improve their infrastructure, providing the United States with an exceptional opportunity to play a major role in the growing minerals marketplace by supplying foreign countries and businesses, as well as domestic companies, with the resources necessary to remain competitive in the

international economy. However, a lack of communication between local, State, and Federal permitting agencies exists, and it creates a bureaucratic backlog of applications that delays mining activity by approximately, like I said, 7 to 10 years, which, if not addressed, will impede the ability of U.S. mineral companies to increase their share of the global marketplace.

Mr. Speaker, due to onerous government red tape, the frivolous lawsuits that result, and a burdensome permitting process, good-paying jobs in the United States mining industry have moved overseas and have put domestic manufacturing jobs at the mercy of our foreign competitors. H.R. 1937 would fix our outdated and uncertain bureaucratic permitting system, which negatively impacts investment in our economy by discouraging domestic companies from extracting and developing these critical minerals.

This is especially unfortunate given that we have only begun to scratch the surface of what we can potentially develop from our abundant natural resources, which have played such a critical role in making the U.S. a leading world economy and industrial power. Our Nation has vast energy potential from sources such as coal, oil shale, and natural gas, as well as numerous critical minerals that we should be developing. Yet the development of our domestic minerals resources has been obstructed time and time again under this administration, which, unfortunately, places the political goals of special interests over the welfare and well-being of hardworking Americans.

Mr. Speaker, simply put, the Federal Government should promote investments in the U.S. and in American companies by creating a regulatory framework that encourages the safe development of domestic resources. If we are going to address the growing mineral trade imbalance—with more U.S. mining jobs moving overseas and higher energy and commodity prices here at home—we must first put a stop to the bureaucratic delays that are at the root of the problem.

This legislation does just that by telling Federal agencies to make a decision about whether a project should move forward or not—a simple “yes” or “no”—and do it in a timely manner. Give people certainty. We have streamlined and improved this process for other domestic industries, and it is now time to do it for our rare earth minerals sector, which is responsible for some of the highest paying middle class jobs across the country. It is illogical and irrational that red tape and delayed permit approvals can lead to 10 years of deliberation over whether or not to approve a mining permit or project. Actually, it borders on insanity.

Mr. Speaker, this is a good, straightforward rule, allowing for the consider-

ation of an important piece of legislation that will provide the U.S. with a unique opportunity to tap into the growing global marketplace for rare earth minerals by supplying both foreign and domestic companies with the resources they need to remain competitive.

Mr. Speaker, I support the rule's adoption, and I urge my colleagues to support both the rule and the underlying bill.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, I rise in opposition to the rule and the underlying bill—the so-called Strategic and Critical Minerals Production Act.

My colleague from Washington mentioned what is not being discussed here today. Again, to be clear, it feels like we are at Groundhog Day here. We have 8 legislative days until we hit the debt limit and default on our Nation's debt. In 6 legislative days, the Federal transportation authorization will expire. In 22 legislative days, we will be on the brink of yet another government shutdown. To a certain extent, I feel like we are fiddling while Rome burns. Here we are, talking about an issue which, I am sure, deserves its day in the Sun. I will talk about some of the deficiencies in this bill, but we are tackling a recycled bill that in similar form has already passed this body and that doesn't address any of these urgent deadline items that we are actually facing.

In fact, as I travel across my district in Colorado, I don't hear a lot of my constituents crying out for access to sand and clay. I do hear them saying, “Don't default on the national debt.” “Do something about the budget.” “Make sure that we prevent another government shutdown.” Yet all of those deadlines are looming while we are fiddling here with other bills that aren't going anywhere and aren't becoming law and have already passed this body in similar form. So, for the fourth time in three Congresses, we are going to consider a nearly identical measure that the Republicans have brought to the floor despite the Senate's unwillingness to pick it up and the President's opposition.

The so-called Strategic and Critical Minerals Production Act promotes industry interests over the American people's health and welfare. The biggest conceptual problem with it is the definition that it gives of “strategic and critical minerals.” The bill not only expands the mining companies' ability to mine on public lands for minerals like gold and copper, but also materials that one would think, by no stretch of common sense, are rare, like sand and clay.

If we include sand from the beach or from my kids' sandbox as a mineral of

critical development and if we include the gravel from my driveway as a mineral of critical development, I am not sure what we are excluding. I think this applies to almost everything. In fact, I am not even sure how we are even saying the term “critical and strategic” can even apply here when we are talking about sand and gravel and some of the most common natural resources that we have.

This bill permits nearly all mining operations to circumvent the important public health and environmental review processes that are required under the National Environmental Policy Act.

Instead of maintaining a reasonable threshold to ensure that we focus on resources and developing resources that are actually critical for our defense or for our economy, this bill expands our definition of “strategic and critical,” effectively making it worthless. By including everything and by saying everything is strategic and critical, you are effectively saying that nothing is strategic and critical. That is what this bill does while we are 8 days from hitting the debt limit, while we are 6 days from expiring on the Federal transportation authorization.

By the way, I have to talk about how these “days” work because we are 8 days from the debt limit and 6 days from the transportation authorization. Those aren’t real days that Americans know. That is because the Republicans always send this Congress on vacation nearly every week. So it might be 6 legislative days. I think it is, actually, 15 or 20 days, but Congress isn’t working for most of those. While these deadlines tick, Members of Congress are actually at home most of the time because the Republican leadership won’t let us work. They won’t let us come here. They are adjourning the session. That is why, when something is 20 days off, we are sounding alarm bells, saying it is 6 days off—because they are only letting us work 6 of those 20 days. I would be happy to show up for the other 14, Mr. Speaker, but you wouldn’t be here to gavel us into session.

PARLIAMENTARY INQUIRY

Mr. POLIS. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. POLIS. What would happen if I showed up and you were not here to gavel us down into session?

The SPEAKER pro tempore. The Chair will not respond to a hypothetical question.

Mr. POLIS. Maybe we will just have to try that sometime when we are 2 or 3 days from the expiration of our transportation funding or from defaulting on our national debt. I will be happy to come here to an empty Chamber.

I recall one time, Mr. Speaker, when you and the Republican majority acci-

dentally left the cameras on, and our Democratic whip, STENY HOYER, was on the floor, demanding why we couldn’t bring up a bill. Maybe, if I am here and if you are not here, Mr. Speaker, we can get those C-SPAN cameras turned on when we are 2 or 3 days from a deadline so that the American people understand this funny math, where somehow 20 days is only 6 legislative days because you don’t let us work the other 14, when hardworking Americans have to go to work every day to support their families.

This bill’s impacts are far reaching. As drafted, it makes the term “critical and strategic” meaningless. The legislation would increase the pollution of our water resources for States dealing with extreme drought conditions and deadly blazes. The last thing we need is to jeopardize our already scarce sources of water. We can’t afford to do any more harm to the quality of our limited water supplies and to risk the jobs that are created across the West through outdoor recreation, leisure, and agriculture.

Why the House Republicans see a need for legislation to further promote mining interests at the expense of public health continues to be mystifying. The industry already has free rein to extract mineral resources. Under the antiquated 1872 mining law, Federal land managers are actually barred from denying hard rock mining proposals. The Bureau of Land Management and the Forest Service have almost never denied a large mining process. Why exempt them further from all environmental review for sand and gravel, which aren’t even rare elements?

This bill fails to update the antiquated legal framework. It fails to address the reforms needed. It fails to protect our environment. It doesn’t change the fact that mining companies currently enjoy—guess what, Mr. Speaker. What do you think—a 3 percent royalty rate? What do they pay—a 2 percent royalty rate? Do they pay a 1 percent royalty rate? No. They pay a zero percent royalty rate on Federal land. This bill fails to address that. It doesn’t change the fact that mining companies have left an estimated half a million mines. That is nearly one for every person in my district, Mr. Speaker. Half a million mines all across the country have been abandoned, most of which are in dire need of cleanup or restoration, which this bill fails to address.

I had the opportunity to introduce a bill with Ranking Member GRIJALVA earlier this year that would have addressed many of these ongoing failures in mining accountability, but it hasn’t been brought up before the committee. Instead, legislation like this, the so-called Strategic and Critical Minerals Production Act, is rocketed to the floor even though it has passed four times in the last three sessions.

Instead of confronting real challenges facing our economy, facing American families, we continue to line the pockets of the mining industry, which already has one of the fattest profit margins of any, while risking the health of the American people and exploiting our natural resources without adequate return and royalties to the taxpayers, who own our public lands.

I oppose the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I have no further requests for time, and I am prepared to close.

I reserve the balance of my time.

□ 1345

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up legislation that would permanently authorize the Land and Water Conservation Fund. The Land and Water Conservation Fund supports the protection of public lands and waters, such as natural parks, forests, and recreation areas.

Many conservation organizations from my district and nationally have been in to meet with me on this important topic, and I know they have reached out to other Members on the Hill as well.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, the Strategic and Critical Minerals Production Act—again, it is hard to say that name with a straight face when they are defining strategic and critical minerals in such a broad way that it involves basically the dirt under our feet, the sand under our feet, the gravel in our drive. When you define something like that and try to mean everything, you wind up meaning nothing.

Rather than actually doing something to protect minerals that are critical for our defense, for our economy, this bill waters that down by expanding this access to sand and dirt and gravel, maximizing mining companies’ profits at the expense of our health, our water, our land, and our natural resources.

Furthermore, the underlying bill would damage our economy by placing the use of the mining industry above the many other important economic uses of our public lands. I will give you some examples. How about hunting? angling? hiking? biking? These are the economic drivers in my district, Mr. Speaker.

If we didn't have an environmental review process and large gravel pits and silver mines were put in place with wild abandon, we would lose jobs. We would lose most jobs in Eagle and Summit Counties which relate to the tourism industry. The beautiful, pristine, outdoor public lands that attract visitors from across the country—probably from your district, Mr. Speaker—Vail, Breckenridge, Winter Park, and Rocky Mountain National Park, we would love to have you; but you better come quickly before this bill becomes law, because there won't be much to see if it does.

When visiting my constituents in Colorado this summer, expanding mining access was not one of the issues that they brought up. In fact, they asked me to ensure that mining companies are held accountable to greater levels of accountability and transparency. They asked me to develop environmental safeguards to make sure that disasters and tragedies don't occur and that abandoned mines are cleaned up and that our extraction industry can be done in a thoughtful way, and to make sure it doesn't destroy jobs by conflicting with other higher and better economic uses of some parcels of public land.

Look, Members on both sides of the aisle support the development of rare earth and critical mineral policy. There is no disagreement about that. I would be happy to work with my colleague, Mr. Speaker, from Washington State and others on putting together a commonsense bill that defines rare earth and critical minerals in a commonsense way. Not the dirt beneath our feet, not the sand in my kid's sandbox, but in a commonsense way where we look at the needs of industry, our supply, we define it, and we come up with a targeted access plan, including access to our public lands in appropriate ways, that is expedited for national priority items. That is not what this bill does.

We could work together, Mr. Speaker. And this body needs to work together, not just on this bill, but to avoid defaulting on our national debt, to continue to fund our highways and infrastructure, in fact, to keep government open. We might only have 11 legislative days to try to keep government open.

By the way, I think that is 30-some actual days for most Americans, Mr. Speaker. As we talked about, you won't be here, Mr. Speaker. If there is a way that I can be here and advance an agenda of keeping government open, I would be happy to, but I am afraid it requires a Speaker to gavel us in.

Now, there are bills that seek to balance the challenges of mining with its impact on surrounding communities, but, unfortunately, Mr. Speaker, my colleagues weren't interested in discussing those. Instead we are dis-

cussing a recycled bill for the fourth time that would eliminate environmental review, allow for the unfettered mining of public lands, define critical minerals in such a way that it means the dirt between your toes and the sand in your kid's sandbox. It would likely not be brought up by the Senate and dead on arrival at the President's desk.

This is a job-destroying bill that the American people are not even asking Congress to take up. It takes a simple concept—preserving access to critical resources, which would have strong bipartisan support—and contorts it into a divisive job-destroying, health-destroying, commonsense-defying issue that doesn't appear anywhere on the priority list of struggling families across the country.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question and to vote "no" on the rule.

I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, House Resolution 481 is a fair rule allowing for balanced, deliberative, and open debate, just as my colleague is asking, as well as numerous amendment opportunities from both parties.

It provides for the consideration of a bill that is critical to the economic well-being of mining communities across the country, which are reeling from the continual impacts of Federal regulation and the bureaucratic permitting process we have in place.

This regulatory environment has led to lost jobs and wages in the mining industry, ultimately hurting the middle class families that many of these rules and regulations claim they are intended to protect.

H.R. 1937 streamlines our country's mine permitting process by removing unnecessary and onerous hurdles, which can lead to decades-long delays for mining activities and projects. The current Federal permitting system for the extraction of rare earth minerals is outdated, unproductive, and often impedes our ability to extract these critical minerals.

You know, our country is blessed with a myriad of rare earth minerals, but this Federal red tape has had a devastating impact on the mining communities in our country whose livelihoods depend on the ability to obtain and develop these resources.

We must stop punishing middle class Americans with these heavyhanded and poorly considered regulations that more often than not have unintended consequences and serious negative economic impacts.

Mr. Speaker, already many countries around the world are looking to improve their infrastructure, which provides the U.S. with the unique opportunity to tap into this growing global market. Due to strong international demand for rare earth minerals, allow-

ing for greater development of domestic resources also creates a unique opportunity to further American trade relationships and decrease our trade deficit.

Additionally, by increasing the available supply of these rare earth minerals, manufacturing companies will be able to more efficiently produce their products, which could reduce consumer costs and open the door to greater innovation. Further, our outdated permitting system negatively impacts investment in our economy that hinders our ability to take on this expanded role in the global marketplace for these mineral resources.

The Federal Government should be promoting investment in the U.S. by creating a regulatory framework that encourages the safe development of domestic resources. If we want to address the growing minerals trade imbalance, as we see more and more U.S. mining jobs moving overseas and higher energy and commodity prices here at home, then we must fix these delays which are at the root of the problem.

Mr. Speaker, this rule allows for consideration of an important piece of legislation that will address the burdensome permitting and regulatory hurdles that are harmful to this vital industry. Yet, while this legislation allows for greater utilization of domestic resources, it also maintains important environmental safeguards designed to ensure the health of our constituents and ecosystems, striking an important balance that has been absent far too long.

While my colleague from Colorado and I may have a few differences of opinion, I firmly believe this rule and the underlying bill are strong measures that are critically important to our country's future, both for my State as well as his and many, many others in this country.

Mr. Speaker, I support the rule's adoption, and I urge my colleague to support House Resolution 481, and the underlying bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 481 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1814) to permanently reauthorize the Land and Water Conservation Fund. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report

the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1814.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, sec-

tion 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on H. Res. 480;

Adoption of H. Res. 480, if ordered;

Ordering the previous question on H. Res. 481; and

Adoption of H. Res. 481, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 10, SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS REAUTHORIZATION ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 692, DEFAULT PREVENTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 480) providing for consideration of the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes, and providing for consideration of the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 241, nays 181, not voting 12, as follows:

[Roll No. 553]

YEAS—241

Abraham	Guinta	Pearce
Aderholt	Guthrie	Perry
Allen	Hanna	Pittenger
Amash	Hardy	Pitts
Amodei	Harper	Poe (TX)
Babin	Harris	Poliquin
Barletta	Hartzler	Pompeo
Barr	Heck (NV)	Posey
Barton	Hensarling	Price, Tom
Benishek	Herrera Beutler	Ratcliffe
Bilirakis	Hice, Jody B.	Reed
Bishop (MI)	Hill	Reichert
Bishop (UT)	Holding	Renacci
Black	Hudson	Ribble
Blackburn	Huelskamp	Rice (SC)
Blum	Huizenga (MI)	Rigell
Bost	Hultgren	Roby
Boustany	Hunter	Roe (TN)
Brady (TX)	Hurd (TX)	Rogers (AL)
Brat	Hurt (VA)	Rogers (KY)
Bridenstine	Issa	Rohrabacher
Brooks (AL)	Jenkins (KS)	Rokita
Brooks (IN)	Jenkins (WV)	Rooney (FL)
Buchanan	Johnson (OH)	Ros-Lehtinen
Bucshon	Johnson, Sam	Roskam
Burgess	Jolly	Ross
Byrne	Jones	Rothfus
Calvert	Jordan	Rouzer
Carter (GA)	Joyce	Royle
Carter (TX)	Katko	Russell
Chabot	Kelly (MS)	Ryan (WI)
Chaffetz	Kelly (PA)	Salmon
Clawson (FL)	King (IA)	Sanford
Coffman	King (NY)	Scalise
Cole	Kinzinger (IL)	Schweikert
Collins (GA)	Kline	Scott, Austin
Collins (NY)	Knight	Sensenbrenner
Conaway	Labrador	Sessions
Cook	LaHood	Shimkus
Costello (PA)	LaMalfa	Shuster
Cramer	Lamborn	Simpson
Crawford	Lance	Smith (MO)
Crenshaw	Latta	Smith (NE)
Culberson	LoBiondo	Smith (NJ)
Curbelo (FL)	Long	Smith (TX)
Davis, Rodney	Love	Stefanik
Denham	Lucas	Stewart
Dent	Luetkemeyer	Stivers
DeSantis	Lummis	Stutzman
DesJarlais	MacArthur	Thompson (PA)
Diaz-Balart	Marchant	Thornberry
Dold	Marino	Tiberi
Donovan	Massie	Tipton
Duffy	McCarthy	Trott
Duncan (SC)	McCaul	Turner
Duncan (TN)	McClintock	Upton
Ellmers (NC)	McHenry	Valadao
Emmer (MN)	McKinley	Wagner
Farenthold	McMorris	Walberg
Fincher	Rodgers	Walden
Fitzpatrick	McSally	Walker
Fleischmann	Meadows	Walorski
Fleming	Meehan	Walters, Mimi
Flores	Messer	Weber (TX)
Forbes	Mica	Webster (FL)
Fortenberry	Miller (FL)	Wenstrup
Fox	Miller (MI)	Westerman
Franks (AZ)	Moolenaar	Westmoreland
Frelinghuysen	Mooney (WV)	Whitfield
Garrett	Mullin	Williams
Gibbs	Mulvaney	Wilson (SC)
Gibson	Murphy (PA)	Wittman
Gohmert	Neugebauer	Womack
Goodlatte	Newhouse	Woodall
Gosar	Noem	Yoder
Granger	Nugent	Yoho
Graves (GA)	Nunes	Young (AK)
Graves (LA)	Olson	Young (IA)
Graves (MO)	Palazzo	Zeldin
Griffith	Palmer	Zinke
Grothman	Paulsen	

NAYS—181

Adams	Becerra	Bonamici
Aguilar	Bera	Boyle, Brendan
Ashford	Beyer	F.
Bass	Bishop (GA)	Brady (PA)
Beatty	Blumenauer	Brown (FL)

Brownley (CA) Hahn
 Bustos Hastings
 Butterfield Heck (WA)
 Capps Higgins
 Capuano Himes
 Cárdenas Hinojosa
 Carney Honda
 Carson (IN) Hoyer
 Cartwright Huffman
 Castor (FL) Israel
 Castro (TX) Jackson Lee
 Chu, Judy Jeffries
 Cicilline Johnson (GA)
 Clark (MA) Johnson, E. B.
 Clarke (NY) Kaptur
 Clay Keating
 Cleaver Kennedy
 Cohen Kildee
 Connolly Kilmer
 Conyers Kind
 Cooper Kirkpatrick
 Costa Kuster
 Courtney Langevin
 Crowley Larsen (WA)
 Cuellar Lawrence
 Cummings Lee
 Davis (CA) Levin
 Davis, Danny Lewis
 DeFazio Lieu, Ted
 DeGette Lipinski
 Delaney Loeb sack
 DeLauro Lofgren
 DelBene Lowenthal
 DeSaulnier Lowey
 Deutch Lujan Grisham
 Dingell (NM)
 Doggett Luján, Ben Ray
 Doyle, Michael (NM)
 F. Lynch
 Duckworth Maloney,
 Edwards Carolyn
 Ellison Maloney, Sean
 Engel Matsui
 Eshoo McCollum
 Esty McDermott
 Farr McGovern
 Fattah McNeerney
 Foster Meeks
 Frankel (FL) Meng
 Fudge Moore
 Gabbard Moulton
 Gallego Murphy (FL)
 Garamendi Nadler
 Graham Napolitano
 Green, Al Neal
 Green, Gene Nolan
 Grijalva Norcross
 Gutiérrez O'Rourke

NOT VOTING—12

Buck Grayson Payne
 Clyburn Kelly (IL) Rice (NY)
 Comstock Larson (CT) Wilson (FL)
 Gowdy Loudermilk Young (IN)

□ 1422

Ms. VELÁZQUEZ changed her vote from “yea” to “nay.”

Mr. COFFMAN changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. LARSON of Connecticut. Mr. Speaker, on October 21, 2015—I was not present for rollcall vote 553. If I had been present for this vote, I would have voted “nay” on rollcall vote 553.

The SPEAKER pro tempore (Mr. DENHAM). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 182, not voting 7, as follows:

[Roll No. 554]

AYES—245

Abraham Grothman Paulsen
 Aderholt Guinta Pearce
 Allen Guthrie Perry
 Amash Hanna Pittenger
 Amodei Hardy Pitts
 Babin Harper Poe (TX)
 Barletta Harris Poliquin
 Barr Hartzer Pompeo
 Barton Heck (NV) Posey
 Benishek Hensarling Price, Tom
 Bilirakis Herrera Beutler Ratcliffe
 Bishop (MI) Hice, Jody B. Reed
 Bishop (UT) Hill Reichert
 Black Holding Renacci
 Blackburn Hudson Ribble
 Blum Huelskamp Rice (SC)
 Bost Huizenga (MI) Rigell
 Boustany Hultgren Roby
 Brady (TX) Hunter Roe (TN)
 Brat Hurd (TX) Rogers (AL)
 Bridenstine Sherman Rogers (KY)
 Brooks (AL) Issa Rohrabacher
 Brooks (IN) Jenkins (KS) Rokita
 Buchanan Jenkins (WV) Rooney (FL)
 Buck Johnson (OH) Ros-Lehtinen
 Bucshon Johnson, Sam Roskam
 Burgess Jolly Ross
 Byrnes Jones Rothfus
 Calvert Jordan Rouzer
 Carter (GA) Joyce Royce
 Carter (TX) Katko Russell
 Chabot Kelly (MS) Ryan (WI)
 Chaffetz Kelly (PA) Salmon
 Clawson (FL) King (IA) Sanford
 Coffman King (NY) Scalise
 Cole Kinzinger (IL) Schweikert
 Collins (GA) Kline Scott, Austin
 Collins (NY) Knight Sensenbrenner
 Comstock Labrador Sessions
 Conaway LaHood Shimkus
 Cook LaMalfa Shuster
 Costello (PA) Lamborn Simpson
 Cramer Lance Smith (MO)
 Crawford Latta Smith (NE)
 Crenshaw LoBiondo Smith (NJ)
 Culberson Long Smith (TX)
 Curbelo (FL) Loudermilk Stefanik
 Davis, Rodney Love Stewart
 Denham Lucas Stivers
 Dent Luetkemeyer Stutzman
 DeSantis Lummis Thompson (PA)
 DesJarlais MacArthur Thornberry
 Diaz-Balart Marchant Tiberi
 Dold Marino Tipton
 Donovan Massie Trott
 Duffy McCarthy Turner
 Duncan (SC) McCaul Upton
 Duncan (TN) McClintock Valadao
 Ellmers (NC) McHenry Wagner
 Emmer (MN) McKinley Walberg
 Farenthold McMorris Walden
 Fincher Rodgers Walker
 Fitzpatrick McSally Walorski
 Fleischmann Meadows Walters, Mimi
 Fleming Meehan Weber (TX)
 Flores Messer Webster (FL)
 Forbes Mica Wenstrup
 Fortenberry Miller (FL) Westerman
 Foxx Miller (MI) Westmoreland
 Franks (AZ) Moolenaar Whitfield
 Frelinghuysen Mooney (WV) Williams
 Garrett Mullin Wilson (SC)
 Gibbs Mulvaney Wittman
 Gibson Murphy (PA) Womack
 Gohmert Neugebauer Woodall
 Goodlatte Newhouse Yoder
 Gosar Noem Yoho
 Granger Nugent Young (AK)
 Graves (GA) Nunes Young (IA)
 Graves (LA) Olson Young (IN)
 Graves (MO) Palazzo Zeldin
 Griffith Palmer Zinke

NOES—182

Adams Ashford Beatty
 Aguilar Bass Bera

Beyer
 Bishop (GA) Graham
 Blumenauer Green, Al
 Bonamici Green, Gene
 Boyle, Brendan Grijalva
 F. Gutiérrez
 Brady (PA) Hahn
 Brown (FL) Hastings
 Brownley (CA) Heck (WA)
 Bustos Higgins
 Butterfield Himes
 Capps Honda
 Capuano Hoyer
 Cárdenas Huffman
 Carney Israel
 Carson (IN) Jackson Lee
 Cartwright Jeffries
 Castor (FL) Johnson (GA)
 Castro (TX) Johnson, E. B.
 Chu, Judy Kaptur
 Cicilline Keating
 Clark (MA) Kennedy
 Clarke (NY) Kildee
 Clay Kilmer
 Cleaver Kind
 Cohen Kirkpatrick
 Connolly Kuster
 Conyers Langevin
 Cooper Larsen (WA)
 Costa Larson (CT)
 Courtney Lawrence
 Crowley Lee
 Cuellar Levin
 Cummings Lewis
 Davis (CA) Lieu, Ted
 Davis, Danny Lipinski
 DeFazio Loeb sack
 DeGette Lofgren
 Delaney Lowenthal
 DeLauro Lowey
 DelBene Lujan Grisham
 DeSaulnier (NM)
 Deutch Luján, Ben Ray
 Dingell (NM)
 Doggett Lynch
 Doyle, Michael Maloney,
 F. Carolyn
 Duckworth Maloney, Sean
 Edwards Matsui
 Ellison McCollum
 Engel McDermott
 Eshoo McGovern
 Esty McNeerney
 Farr Meeks
 Fattah Meng
 Foster Moore
 Frankel (FL) Moulton
 Fudge Murphy (FL)
 Gabbard Nadler
 Gallego Napolitano
 Garamendi Neal

NOT VOTING—7

Becerra Grayson Pelosi
 Clyburn Kelly (IL)
 Gowdy Payne

□ 1430

So the resolution was agreed to.
 The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1937, NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 481) providing for consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national

security and manufacturing competitiveness, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 243, nays 184, not voting 7, as follows:

[Roll No. 555]

YEAS—243

Abraham	Graves (GA)	Murphy (PA)
Aderholt	Graves (LA)	Neugebauer
Allen	Graves (MO)	Newhouse
Amash	Griffith	Noem
Amodei	Grothman	Nugent
Babin	Guinta	Nunes
Barletta	Guthrie	Olson
Barr	Hanna	Palazzo
Barton	Hardy	Palmer
Benishek	Harper	Paulsen
Bilirakis	Harris	Pearce
Bishop (MI)	Hartzler	Perry
Black	Heck (NV)	Pittenger
Blackburn	Hensarling	Pitts
Blum	Herrera Beutler	Poe (TX)
Bost	Hice, Jody B.	Poliquin
Boustany	Hill	Pompeo
Brady (TX)	Holding	Posey
Brat	Hudson	Price, Tom
Bridenstine	Huelskamp	Ratcliffe
Brooks (AL)	Huizenga (MI)	Reed
Brooks (IN)	Hultgren	Reichert
Buchanan	Hunter	Renacci
Buck	Hurd (TX)	Ribble
Bucshon	Hurt (VA)	Rice (SC)
Burgess	Issa	Rigell
Byrne	Jenkins (KS)	Roby
Calvert	Jenkins (WV)	Roe (TN)
Carter (GA)	Johnson (OH)	Rogers (AL)
Carter (TX)	Johnson, Sam	Rogers (KY)
Chabot	Jolly	Rohrabacher
Chaffetz	Jones	Rokita
Clawson (FL)	Jordan	Rooney (FL)
Coffman	Joyce	Ros-Lehtinen
Cole	Katko	Roskam
Collins (GA)	Kelly (MS)	Ross
Collins (NY)	Kelly (PA)	Rothfus
Comstock	King (IA)	Rouzer
Conaway	King (NY)	Royce
Cook	Kinzinger (IL)	Russell
Costello (PA)	Kline	Ryan (WI)
Cramer	Knight	Salmon
Crawford	Labrador	Sanford
Crenshaw	LaHood	Scallise
Culberson	LaMalfa	Schweikert
Curbelo (FL)	Lamborn	Scott, Austin
Davis, Rodney	Lance	Sensenbrenner
Denham	Latta	Sessions
Dent	LoBiondo	Shimkus
DeSantis	Long	Shuster
DesJarlais	Loudermilk	Simpson
Diaz-Balart	Love	Smith (MO)
Dold	Lucas	Smith (NE)
Donovan	Luetkemeyer	Smith (NJ)
Duffy	Lummis	Smith (TX)
Duncan (SC)	MacArthur	Stefanik
Duncan (TN)	Marchant	Stewart
Ellmers (NC)	Marino	Stivers
Emmer (MN)	Massie	Stutzman
Farenthold	McCarthy	Thompson (PA)
Fincher	McCaul	Thornberry
Fitzpatrick	McClintock	Tiberi
Fleischmann	McHenry	Tipton
Fleming	McKinley	Trott
Flores	McMorris	Turner
Forbes	Rodgers	Upton
Fortenberry	McSally	Valadao
Fox	Meadows	Wagner
Franks (AZ)	Meehan	Walberg
Frelinghuysen	Messer	Walden
Garrett	Mica	Walker
Gibbs	Miller (FL)	Walorski
Gibson	Miller (MI)	Walters, Mimi
Gohmert	Moolenaar	Weber (TX)
Goodlatte	Mooney (WV)	Webster (FL)
Gosar	Mullin	Westerman
Granger	Mulvaney	Westmoreland

Whitfield
Williams
Wilson (SC)
Wittman
Womack

Woodall
Yoder
Yoho
Young (AK)
Young (IA)

Young (IN)
Zeldin
Zinke

The vote was taken by electronic device, and there were—ayes 244, noes 185, not voting 5, as follows:

[Roll No. 556]

AYES—244

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.

Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DeBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge

Bishop (UT)
Clyburn
DeFazio

NAYS—184

Gabbard
Gallego
Garamendi
Graham
Grayson
Pallone
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebuck
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano

NOT VOTING—7

Gowdy
Kelly (IL)
Payne

Neal
Nolan
Norcross
O'Rourke
Pascarelli
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Webster (FL)

Abraham	Grothman	Pearce
Aderholt	Guinta	Perry
Allen	Guthrie	Pittenger
Amash	Hanna	Pitts
Amodei	Hardy	Poe (TX)
Babin	Harper	Poliquin
Barletta	Harris	Pompeo
Barr	Hartzler	Posey
Barton	Heck (NV)	Price, Tom
Benishek	Hensarling	Ratcliffe
Bilirakis	Herrera Beutler	Reed
Bishop (MI)	Hice, Jody B.	Reichert
Bishop (UT)	Hill	Renacci
Black	Holding	Ribble
Blackburn	Hudson	Rice (SC)
Blum	Huelskamp	Rigell
Bost	Huizenga (MI)	Roby
Boustany	Hultgren	Roe (TN)
Brady (TX)	Hunter	Rogers (AL)
Brat	Hurd (TX)	Rogers (KY)
Bridenstine	Hurt (VA)	Rohrabacher
Brooks (AL)	Issa	Rokita
Brooks (IN)	Jenkins (KS)	Rooney (FL)
Buchanan	Jenkins (WV)	Ros-Lehtinen
Buck	Johnson, Sam	Roskam
Bucshon	Jolly	Ross
Burgess	Jones	Rothfus
Byrne	Jordan	Rouzer
Calvert	Joyce	Royce
Carter (GA)	Katko	Russell
Carter (TX)	Kelly (MS)	Ryan (WI)
Chabot	Kelly (PA)	Salmon
Chaffetz	King (IA)	Sanford
Clawson (FL)	King (NY)	Scalise
Coffman	Kinzinger (IL)	Schweikert
Cole	Kline	Scott, Austin
Collins (GA)	Knight	Sensenbrenner
Collins (NY)	Labrador	Sessions
Comstock	LaHood	Shimkus
Conaway	LaMalfa	Shuster
Cook	Lamborn	Simpson
Costello (PA)	Lance	Smith (MO)
Cramer	Latta	Smith (NE)
Crawford	LoBiondo	Smith (NJ)
Crenshaw	Long	Smith (TX)
Culberson	Loudermilk	Stefanik
Curbelo (FL)	Love	Stewart
Davis, Rodney	Lucas	Stivers
Denham	Luetkemeyer	Stutzman
Dent	Lummis	Thompson (PA)
DeSantis	MacArthur	Thornberry
DesJarlais	Marchant	Tiberi
Diaz-Balart	Marino	Tipton
Dold	Massie	Trott
Donovan	McCarthy	Turner
Duffy	McCaul	Upton
Duncan (SC)	McClintock	Valadao
Duncan (TN)	McHenry	Wagner
Ellmers (NC)	McKinley	Walberg
Emmer (MN)	McMorris	Walden
Farenthold	Rodgers	Walker
Fincher	McSally	Walorski
Fitzpatrick	Meadows	Walters, Mimi
Fleischmann	Meehan	Weber (TX)
Fleming	Messer	Webster (FL)
Flores	Mica	Westerman
Forbes	Miller (FL)	Westmoreland
Fortenberry	Miller (MI)	Whitfield
Fox	Moolenaar	Williams
Franks (AZ)	Mooney (WV)	Wilson (SC)
Frelinghuysen	Mullin	Wittman
Garrett	Mulvaney	Womack
Gibbs		Woodall
Gibson		Yoder
Gohmert		Yoho
Goodlatte		Young (AK)
Gosar		Young (IA)
Granger		Young (IN)
		Zeldin
		Zinke

NOES—185

Adams	Beatty	Bishop (GA)
Aguilar	Becerra	Blumenauer
Ashford	Bera	Bonamici
Bass	Beyer	

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

Boyle, Brendan F.	Grijalva	Pallone
Brady (PA)	Gutiérrez	Pascarell
Brown (FL)	Hahn	Pelosi
Brownley (CA)	Hastings	Perlmutter
Bustos	Heck (WA)	Peters
Butterfield	Higgins	Peterson
Capps	Himes	Pingree
Capuano	Hinojosa	Pocan
Cárdenas	Honda	Polis
Carney	Hoyer	Price (NC)
Carson (IN)	Huffman	Quigley
Cartwright	Israel	Rangel
Castor (FL)	Jackson Lee	Rice (NY)
Castro (TX)	Jeffries	Richmond
Chu, Judy	Johnson (GA)	Roybal-Allard
Cicilline	Johnson, E. B.	Ruiz
Clark (MA)	Kaptur	Ruppersberger
Clarke (NY)	Keating	Rush
Clay	Kennedy	Ryan (OH)
Cleaver	Kildee	Sánchez, Linda T.
Cohen	Kilmer	Sanchez, Loretta
Connolly	Kind	Sarbanes
Conyers	Kirkpatrick	Schakowsky
Cooper	Kuster	Schiff
Costa	Langevin	Schrader
Courtney	Larsen (WA)	Scott (VA)
Crowley	Larson (CT)	Scott, David
Cuellar	Lawrence	Serrano
Cummings	Lee	Sewell (AL)
Davis (CA)	Levin	Sherman
Davis, Danny	Lewis	Sinema
DeFazio	Lieu, Ted	Sires
DeGette	Lipinski	Slaughter
Delaney	Loebach	Smith (WA)
DeLauro	Lofgren	Speier
DeBene	Lowenthal	Swalwell (CA)
DeSaulnier	Lowey	Takai
Deutch	Lujan Grisham	Takano
Dingell	(NM)	Thompson (CA)
Doggett	Lujan, Ben Ray	Thompson (MS)
Doyle, Michael F.	(NM)	Titus
Duckworth	Lynch	Tonko
Edwards	Maloney,	Torres
Ellison	Carolyn	Tsongas
Engel	Maloney, Sean	Van Hollen
Eshoo	Matsui	Vargas
Esty	McCollum	Veasey
Farr	McDermott	Vela
Fattah	McGovern	Velázquez
Foster	McNerney	Visclosky
Frankel (FL)	Meeks	Walz
Fudge	Meng	Wasserman
Gabbard	Moore	Schultz
Gallego	Moulton	Waters, Maxine
Garamendi	Murphy (FL)	Watson Coleman
Graham	Nadler	Welch
Grayson	Napolitano	Wilson (FL)
Green, Al	Neal	Yarmuth
Green, Gene	Nolan	
	Norcross	
	O'Rourke	

NOT VOTING—5

Clyburn	Johnson (OH)	Payne
Gowdy	Kelly (IL)	

□ 1445

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO RECOMMIT ON H.R. 10, SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS REAUTHORIZATION ACT, OR H.R. 692, DEFAULT PREVENTION ACT

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to recommit on H.R. 10 or H.R. 692 may be subject to postponement as though under clause 8 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

DEFAULT PREVENTION ACT

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to House Resolution 480, I call up the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 480, the bill is considered read.

The text of the bill is as follows:

H.R. 692

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Default Prevention Act”.

SEC. 2. PAYMENT OF PRINCIPAL AND INTEREST ON PUBLIC DEBT AND SOCIAL SECURITY TRUST FUNDS.

(a) IN GENERAL.—In the event that the debt of the United States Government, as defined in section 3101 of title 31, United States Code, reaches the statutory limit, the Secretary of the Treasury shall, in addition to any other authority provided by law, issue obligations under chapter 31 of title 31, United States Code, to pay with legal tender, and solely for the purpose of paying, the principal and interest on obligations of the United States described in subsection (b) after the date of the enactment of this Act.

(b) OBLIGATIONS DESCRIBED.—For purposes of this subsection, obligations described in this subsection are obligations which are—

(1) held by the public, or

(2) held by the Old-Age and Survivors Insurance Trust Fund and Disability Insurance Trust Fund.

(c) PROHIBITION ON COMPENSATION FOR MEMBERS OF CONGRESS.—None of the obligations issued under subsection (a) may be used to pay compensation for Members of Congress.

(d) OBLIGATIONS EXEMPT FROM PUBLIC DEBT LIMIT.—Obligations issued under subsection (a) shall not be taken into account in applying the limitation in section 3101(b) of title 31, United States Code, to the extent that such obligation would otherwise cause the limitation in section 3101(b) of title 31, United States Code, to be exceeded.

(e) REPORT ON CERTAIN ACTIONS.—

(1) IN GENERAL.—If, after the date of the enactment of this Act, the Secretary of the Treasury exercises his authority under subsection (a), the Secretary shall thereafter submit a report each week the authority is in use providing an accounting relating to—

(A) the principal on mature obligations and interest that is due or accrued of the United States, and

(B) any obligations issued pursuant to subsection (a).

(2) SUBMISSION.—The report required by paragraph (1) shall be submitted to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 692, the Default Prevention Act, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if you want to guarantee that the United States will never default, then you should vote for this bill. If you want to protect working families from the consequences of default, then you should vote for this bill. If you want to make sure that seniors get every dime of their Social Security, then vote for this bill.

Mr. Speaker, this bill does not raise the debt limit, but it eliminates the threat of default. The full faith and credit of our country is too important to put at risk. What this bill says is very simple. It says that we will never fail to pay our debts. That is just it. That is all it does. It is just paying our debts.

We know the consequences of default. We know it would shake the world's confidence in us. We know that it could freeze up credit across this country. That is why with this bill, we are taking default off the table. It is common sense.

I want to thank Mr. MCCLINTOCK for developing this legislation, and I ask my colleagues to support it.

Mr. Speaker, I would like to yield the remainder of my time to the gentleman from Kansas (Ms. JENKINS) and ask unanimous consent that she be able to control the time from here on.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say at the beginning what needs to be said at the end. This doesn't take default off the table. This is an effort to obscure the reality. It does not take default off in any meaningful way.

Default by any other name is default, and essentially what this bill does is to address part of the problem but leave the rest of it very much outstanding and very much there. This bill plays with fire. This bill essentially—essentially—attacks the credit of the United States of America.

The Republicans are at it once again. In 2011, they played with it, they played with fire, and America was burned. The stock market plunged. The S&P downgraded for the first time in history the credit of this country. It lowered private pension balances. It essentially increased the cost of mortgages for people in this country. That

wasn't enough. That in 2013 the Republicans played with fire and shut down the government. We lost 120,000 jobs. We slowed GDP growth, and there was an increase of \$70 million in terms of the cost of financing debt.

So what is this really all about? What it is about is paying China and other foreign governments first and essentially putting at risk millions of Americans. So I just want to refer to who is at risk here. Who would be subject to default?

Payments and benefits to 1.4 million Active-Duty troops, their pay is at risk; benefits to almost 4 million disabled veterans; payment for health care for 5.9 million veterans; education assistance for over 1 million; and loan support for homes for over 500,000 or 600,000 veterans. And then payments to small businesses would be put at risk, payments to physicians under Medicare, payments to 30 million-plus kids in terms of their meals, and payments to hundreds of thousands of grantees of NIH.

So, Mr. Speaker, that is really what this is all about. Nine percent of the expenditures of this country are going to be safeguarded, mostly for foreign investors, and 30 percent in terms of Social Security payments. That means 60 percent would be at risk, 60 percent of the 80 to 100 million payments each month.

So, essentially, what the Republicans are doing is creating, here, a camouflage. But the problem with it is that it is so transparent. It might be as a purpose to try to find a few more votes on the Republican side, but when the camouflage is so obvious, I don't think it will work.

The administration has stated its position. That position is very clear, and I want to read from this Statement of Administration Policy. I quote the last paragraph:

The President will not tolerate political gamesmanship, which caused the Nation's credit rating to be downgraded in 2011 and proved harmful to both the United States and the global economy. For this reason, if the President is presented with legislation that would result in the Congress' choosing to default on our obligations and imperil the full faith and credit of the United States, he would veto it.

So this bill cannot become law. So why do it? Why not simply face up to the need to address the full faith and credit of the United States? I think the answer is this isn't policy, this is a ploy, and ploys should not be used putting at risk the full faith and credit of the United States and payments at risk for millions and millions of Americans. That is really what this is all about.

This is irresponsible. This is indefensible. The only possible reason for passing a bill that can't go anywhere is maybe to pick up a few votes here. That is irresponsible in terms of the full faith and credit of this beloved country of ours.

So, Mr. Speaker, I strongly urge strong opposition to this. When this came up once before, I think every Democrat voted "no"—every Democrat. So we are supposed to be kind of in a new era talking about bipartisanship. We are supposed to be, once again, thinking maybe we can act together. Instead, what we have here is a bill by Republicans essentially acting alone. It is a serious mistake.

Mr. Speaker, I reserve the balance of my time.

Ms. JENKINS of Kansas. Mr. Speaker, at this time, I yield 5 minutes to the gentleman from California (Mr. McCLINTOCK), the author of the legislation.

Mr. McCLINTOCK. I thank the gentleman.

Mr. Speaker, this bill simply guarantees that the sovereign debt of the United States will be paid in full and on time—period. How could that possibly be controversial? Yet in today's political environment, it is.

The sovereign debt of the United States is what makes it possible for us to pay all of our other obligations in this era of chronic deficit spending that we are now in. This bill provides an absolute guarantee of that credit.

Although the Constitution explicitly commands that the public debt of the United States is not to be questioned, it provides no practical mechanism to achieve this aim. This bill provides that mechanism. It says that, whenever we reach the debt limit, the Treasury Secretary can continue to borrow to pay interest and principal on the debt.

It amazes me that many of our friends on the other side of the aisle support loan guarantees to foreign corporations and to special interest groups, but they are unwilling to guarantee the loans to our own government.

Mr. Speaker, the national debt is now larger than the entire economy. It has doubled in the last decade. The interest on that debt is the fastest growing component of the Federal budget. It threatens to exceed our entire defense budget in just 8 years.

If there is ever any doubt over the security and reliability of the debt owed by this government, the rates we pay to service our debt would quickly rise and sink our country in a tidal wave of red ink.

Now, this is not a substitute for raising the debt limit. We all recognize that in this era of chronic deficit spending under this administration that is going to have to happen. We have a responsibility to raise the debt limit, but we also have a responsibility to review the policies that are driving that debt.

□ 1500

The Default Prevention Act says loudly and clearly to the world that, no

matter how much we may differ and quarrel here in Washington, the sovereign debt of this Nation is guaranteed and that their loans to it are absolutely safe.

We hear the charge that this would pay debts owed to foreign governments before paying our own troops. Actually, more than half of our debt is held by Americans, often in American pension funds. China holds just 7 percent. But whether our loans come from China or from Charleston, without the Nation's credit, we cannot pay our troops or meet all of our other obligations.

Opponents charge that this is an excuse not to pay our other debts. Well, what nonsense. This maintains the credit that is necessary to pay our other debts.

Most States guarantee that their sovereign debt will be secure and they have done so for generations. Do our friends actually suggest that any of these States has ever used these guarantees as an excuse not to pay their other bills? On the contrary, by protecting their credit first, they actually support and maintain their ability to pay for all of their other obligations.

The President contends that this is tantamount to a family saying it would make its house payment, but not its car payment. I sure hope he is getting better economic advice than that.

But let's continue the analogy. If the family is living on its credit cards, as we are as a Nation, it had better make the minimum payment on its credit card first or it won't be able to pay all the rest of its bills.

And when that family has to increase its credit limit because it is not spending within its means, it had better have a serious conversation about what is driving its debt and what to do about it.

Principled disputes over how the debt limit is addressed are going to happen from time to time. Just a few years ago then-Senator Barack Obama vigorously opposed an increase in the debt limit sought by the Bush administration.

When these controversies erupt, as they inevitably do in a free society, it is imperative that credit markets are supremely confident that their loans to the United States are secure.

Providing such a guarantee would prevent a future debt crisis and give Congress the calm it needs to negotiate the changes that must be made to bring our debt under control as we authorize still more debt.

The voices in opposition to this bill are the same voices that have cheered the most profligate spending and borrowing binge in the history of this Nation. It is time that we managed our affairs responsibly, and guaranteeing our debt is an important step in doing so.

Mr. LEVIN. Madam Speaker, I yield myself 30 seconds.

The gentleman says we are going to raise the debt limit. Raise it. Get a bill here that raises it. And then this political game will be totally unnecessary. Raise it. Where is the bill?

I yield 3 minutes to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Madam Speaker, my colleagues, the last few days in New York people have been asking me: Do you really think PAUL RYAN is going to become Speaker of the House? I said: No. They said: Why? Don't you believe he is intelligent, smart, dedicated? I said: That is just the problem. I can't find anyone that I know and like that is more conservative than PAUL RYAN. PAUL RYAN, if he were to become Speaker, would be saying to the Republicans: I cannot accept this responsibility unless you respect the integrity of the United States of America. They said: Well, CHARLIE, what does that mean? I said: Well, PAUL RYAN wouldn't allow us to go into default. PAUL RYAN would support increasing the debt ceiling. PAUL RYAN would recognize that we need our infrastructure, we need our jobs, we need education. They said: Well, what is the difference with that? I said: If PAUL RYAN were to get these type of commitments from the Republican Party, Speaker BOEHNER never would have left, MCCARTHY never would have left.

So what are we going through today? Well, PAUL RYAN knows that this is not going to become law. Why? Because it doesn't make any sense.

It is almost like if you were in a corporation—since we are using analogies—and they say: We promise you you are not going to go bankrupt. You say: Well, how are you going to do that, since the only people that you have to pay are those you borrowed money from? Well, what about the cost of manufacturers? What about the salaries of the workers? What about the health benefits? What about the other things that make America great? Well, we didn't say that we are going to protect you for that. But just for the principal and the interest that you have to pay, you protect it.

This doesn't make any sense at all. But since it is going to be vetoed, this must mean something to those people that, when you say government, they get angry, when you say Obama, they see red, when you find cooperation with Democrats, they say that you are not faithful to the Republic.

So I don't know who these people are. We don't see them. They don't talk this way. But someone that can believe that just paying off debt, foreign and domestic, and not taking care of our veterans, not taking care of our military, not taking care of our health concern—if you really think that these things are just going to be forgotten, these are not the principles that PAUL RYAN believes in.

So, if this passes, if it is vetoed, can't we try to believe that, if you really

want to have a Republican Speaker, take this garbage off the table, say you are going to cooperate for our country? This is more important than Republicans and Democrats.

We are talking about the prestige, the full faith and credit of the United States of America. People don't ask whether you are Republican or Democrat. They just want to know are you going to pay your debts.

I thank you for this opportunity.

And, PAUL, if they don't want you as Speaker, we will keep you as our chairman.

Ms. JENKINS of Kansas. Madam Speaker, at this time, I yield 2 minutes to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Madam Speaker, I thank the gentlewoman.

I rise today in simple, but strong, support for H.R. 692, the Default Prevention Act.

This commonsense bill makes clear that the United States and those who vote on the floor of this Chamber prioritize our debt and our Social Security payments over our reckless government and otherwise irresponsible spending.

With this bill, we take the hysteria out of our spending debate and codify the integrity of our Nation's full faith and credit. And I would say, Madam Speaker, that those that appear to oppose this bill really and truly at the end of the day need the hysteria that surrounds this issue to not go away simply so political points around this issue can continue to be made.

Now, here is a real scary point, not political at all. Today, as we stand here, our national debt stands in excess of \$18 trillion. Yet, according to the Congressional Budget Office, government revenues were \$3.25 trillion for fiscal year 2015 alone.

With \$3.25 trillion revenue coming in, ladies and gentlemen, we do not have a revenue problem. But with \$18 trillion in debt, we certainly have a spending problem. We must get to the root of it, and this bill is a responsible step forward.

It is a responsible step forward because it truly takes the politics of this debt and this hysteria off the table so that we can see as American people and as a Congress so that we can be exposed to the problems so that we can face it and, ultimately, so that we can solve it.

That is what we came to Washington to do. I think a little bit all of us did. For me, it is the majority of why I came to Washington, so that our tough decisions can be faced, met, resolved, and we can ultimately reduce this debt so that our children and grandchildren in the here and now and yet to come don't have to be the first and second generations in American history that are left worse off.

Mr. LEVIN. Madam Speaker, it is now my pleasure to yield 3 minutes to

the gentleman from Maryland (Mr. HOYER), our Whip.

Mr. HOYER. Madam Speaker, I thank the gentleman for yielding.

I have been here for some period of time, and I have heard a lot about caucuses. But I would like to see us do what the gentleman from Indiana says, although I disagree with him on his conclusion.

I would like to see the formation of a responsibility caucus, a caucus that is honest with the American people, that doesn't pretend that this debt limit vote is a real vote.

It is a real vote when you cut revenues by hundreds of billions of dollars and don't pay for it. And if you think that that does not up the debt and somehow pays for it, you haven't been around for the last 35 years watching.

The responsibility caucus would say to the American people: If we bought it, we are going to pay for it. Whether it was Social Security, Medicare, an aircraft carrier, roads and bridges, whatever it was, we will pay for it.

But one of the first things our Republican friends did was they negated pay-for, and they certainly wouldn't have it apply to tax cuts. Almost every responsible economist I have talked with says there is no way you can do this without effectively having default.

Because if you prioritize debt, by definition, what you are saying is there are some debts we will not pay. As soon as you say that, you have defaulted. You may not default to a bond owner, but you have defaulted on an obligation of the most creditworthy nation on Earth, the United States of America.

This is a game. It is an irresponsible game. It is a game unworthy of responsible representatives. Of course we are going to pay our debts. We are America. When we say of course we are going to pay our debts, it means that we will pay our debts.

In order to do that, you need to up the debt limit. If you don't want the debt limit to go higher, stop buying things or pay for things or do both.

I urge my colleagues to reject this irresponsible charade that is a pretense of fiscal responsibility, not a reality. This is not worthy of this Congress or the American people. It is clear that this House has been a deeply divided House and a dysfunctional House for a number of months now, indeed, for a number of years.

I understand that there are some people who demand legislation like this that won't go anywhere and really won't do anything, and it will put the credit of the United States at further risk. Let us reject this charade.

Ms. JENKINS of Kansas. Madam Speaker, I yield myself such time as I may consume.

I come today to the House as a supporter of the Default Prevention Act. Right now our Nation stands at over

\$18 trillion in debt, a number simply too large to comprehend.

As the House, we have an obligation to the American people to rein in out-of-control Federal spending and put our economy on a sustainable path forward.

However, while House Republicans will continue to act to reduce our national debt and restore fiscal responsibility to the Federal Government, we cannot put the full faith and credit of the United States Government at risk.

The Default Prevention Act ensures that we will continue to pay our existing debt obligations providing the economic security and certainty that our economy needs.

This legislation does not allow for an increase in the debt limit. It simply allows us to satisfy our existing debt obligations and avoid default, even if we reach the debt ceiling.

This bill also protects Social Security beneficiaries and Americans with disabilities by ensuring that their benefits will continue to be paid on time. Hardworking Americans deserve to have their benefits protected, and this bill does just that. This legislation is a commonsense measure that protects Americans' credit and integrity.

I urge all Members of the House to support it.

I reserve the balance of my time.

Mr. LEVIN. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA), our caucus chair.

Mr. BECERRA. Madam Speaker, I thank the gentleman from Michigan for yielding.

1.4 million troops, 4 million disabled veterans, more than 30 million children who participate on a daily basis in school lunch programs, and small businesses all over the country are some of the Americans who will pay the price if Republicans refuse to authorize our government to pay all its bills.

□ 1515

There are only 8 legislative days left for Congress to avoid defaulting on paying America's financial bills. Yet, our House Republican colleagues show no signs of putting serious business first and trying to work with their Democratic colleagues to pay our Nation's bills on time and in full. This bill isn't a solution. It is a sham.

First, it instructs our government to pay foreign creditors ahead of paying our troops or paying our veterans, who have honorably served our country and have earned their benefits.

Second, our Republican colleagues propose under this bill to borrow new money to pay for previously borrowed money and to say that the previously borrowed money won't count on the books. Borrowing money off the books to cover debt sounds a lot like a Ponzi scheme.

This is simply default by another name, bringing our economy closer to

the brink. Maybe some people in this Chamber have forgotten 2011. When the Republicans brought us to the brink of default in 2011, the stock market plunged and the S&P downgraded our credit rating for the first time in our Nation's history.

In 2013, our Republican colleagues proposed default threats, and the government shutdown that followed cost us 120,000 jobs and \$24 billion in slow GDP growth just as the economy was taking hold.

The Secretary of the Treasury, Secretary Lew, said in a letter last week: "There is no way to predict the irreparable damage that default would have on global financial markets and the American people."

Madam Speaker, you wouldn't constantly run your small business on the edge of default. So why would Republicans try to run the largest economy in the world this way?

We need to move forward. We have 8 days. Let us defeat this bill and get our real work done.

Ms. JENKINS of Kansas. Madam Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. I thank the gentleman.

Madam Speaker, my colleague from Maryland made the comment just a moment ago of the "responsibility caucus," that he would like to see more of that.

What I would submit to everybody in this Chamber is that, ultimately, what my colleague from California's bill is all about is, indeed, just that because, if you think about it, we really are living in an age of default.

Laurence Kotlikoff, from Boston University, has said that, in a thing called generational accounting, the imputed cost of governing—the imputed cost for a child born in America today in terms of future costs all in—is about 80 percent.

Eighty percent is not all that far from a thing called slavery if you have to be indentured to the Federal Government for the preponderance of your life and your life's work. What this is ultimately about is defusing that bomb.

Erskine Bowles was the former Chief of Staff to President Clinton. He ran a commission that looked at the way our Federal Government spent money. He said that what we have before us is the most predictable financial crisis in the history of man and that it is but 10 years off—roughly, 10 years off.

So, as we have a legitimate debate—and we will have a legitimate debate between Republicans and Democrats and Independents and all of us as Americans in where we go next—what this does is defuse that bomb of a train wreck with regard to international and national credit markets as we have that debate, and that is a very good thing.

This bill is about drawing a line as we have deadlines that come and go with this debate. It is about a tug of war that is taking place, and it is about saying let's step back and not risk credit markets and what might happen next on that front.

Secondly, it is about simple priorities. In a family's budget, they differentiate between the mortgage budget and the movie budget. Not all government expenditure is equal.

There is a whole host of programs in the Federal Government that make a lot of sense and some, frankly, that don't, some that add a lot of value and some that add a little bit of value. For us to say, "I will tell you what. As we go through those deliberations, let's back up and protect the financial creditworthiness of the United States Government," it is, ultimately, a real step of responsibility.

I commend my colleague from California for offering this bill. I thank him for his work to defuse a ticking time bomb in the debate that will take place—a ticking time bomb that will go on, nonetheless, with regard to what happens next with regard to the national debt.

Mr. LEVIN. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. THOMPSON), another distinguished member of our committee.

Mr. THOMPSON of California. I thank the gentleman for yielding.

Madam Speaker, here we go again. We are only weeks from defaulting on our debt, and this bill does nothing to deal with that. The bill before us today is, essentially, a plan for defaulting on our obligations.

As my friend said, the Republican gentleman from Louisiana, all this does is prioritize our debt. If you are prioritizing your debt, by definition, you are defaulting. You are not paying your bills.

This would prioritize our repayment, putting our veterans, small businesses, and our first responders behind foreign governments in regard to receiving the payment that is due to them.

We have to pay our bills. We cannot go down this road again. We have seen this movie before, and it is not going to change. The last time we came close to defaulting on our debt, the results were terrible. In 1 month, job growth dropped by more than 130,000 jobs. The S&P 500 tanked by nearly 20 percent, and our credit rating was downgraded for the first time in history.

No one knows for sure what the full extent of the damage to the economy would be if we were to default on our debt. But, as Chairman RYAN said earlier, we know that it would "freeze up our economy"—higher interest rates for mortgages on auto loans, student loans, and credit cards; higher interest rates and less access to business loans needed to finance payrolls, building inventories, or to invest in equipment

and construction; families' retirement savings in 401(k)'s dropping as the stock market tanks; almost 4 million veterans not receiving disability benefits; and doctors, medical providers, and hospitals not getting their pay.

The debt limit is not something to play around with. We simply need to pay our bills. Vote a resounding "no" on this bill, and let's pay our bills.

Ms. JENKINS of Kansas. Madam Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), our whip.

Mr. SCALISE. I thank the gentlewoman from Kansas for yielding.

I want to thank my friend from California (Mr. MCCLINTOCK) for bringing this bill forward.

Madam Speaker, the Default Prevention Act takes off the table the ability for any President to use the debt ceiling as an opportunity to threaten default on the credit of the United States of America.

If you think about this, we are talking about whether or not the United States is going to pay its bills. This should be something that the President—any President—should understand as a basic responsibility of his duty in office whether or not Congress can come to an agreement with the President on the debt ceiling, which, by the way, should be something the Speaker, the majority leader, and the President are directly engaged in.

The fact that the President walked away from talks on negotiations on the debt ceiling tells you that he is not taking this in the serious way that he should. In fact, it also proves that the President wants to use the debt ceiling to threaten the default of the United States. That is irresponsible of any President. No President should have the option of defaulting or of even threatening default, and this bill takes default off the table as an option.

Now, why would the President be opposed to that?

I think it answers itself, Madam Speaker, because the President wants to threaten default and have that as a political weapon to try to scare the markets and to try to scare our seniors, who, by the way, are the largest holders of debt. Seniors shouldn't have to worry about whether or not that debt would be paid. Any creditor shouldn't be worried.

If the United States is going to borrow money, we should first focus on getting to a balanced budget, which this President is opposed to. Once we get to a balanced budget, we should also be focused on making sure we are paying the debts that were incurred.

The fact that the President wants to threaten default as an option shouldn't be available. This bill takes default off the table, and it makes the focus really clear that the United States is going to live within its means, uphold its obligations, and then go and focus on at-

tacking the real root problems that got us into this debt in the first place.

I urge all of my colleagues to vote for this piece of legislation. Let's send it over to the Senate, where they should pass it on to the President.

Mr. LEVIN. Madam Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE) for a unanimous consent request.

Ms. JACKSON LEE. I thank the ranking member.

Madam Speaker, I rise to oppose H.R. 692, for we should pay our debts. This bill is called the Pay China First Act.

Madam Speaker, I rise in strong opposition to speak on H.R. 692, the so-called 'Default Prevention Act of 2015,' which would result in the Congress refusing to pay the financial obligations it has already incurred.

This bill, which ought to be called the "Pay China First Act," is virtually-identical to the one House Republicans brought to the floor in May 2013, which House Democrats unanimously opposed and which wasted time and taxpayer money on its consideration before pushing the nation to the brink of default just a few months later.

American families do not get to choose which bills to pay and which ones to ignore; neither can the United States Congress without putting the nation into default for the first time in its history.

In 1789, Alexander Hamilton, the nation's first and greatest Treasury Secretary, understood that the path to American prosperity and greatness lay in its creditworthiness which provided the affordable access to capital needed to fund internal improvements and economic growth.

The nation's creditworthiness was one of its most important national assets and according to Hamilton: "the proper funding of the present debt, will render it a national blessing."

But to maintain this blessing, or to "render public credit immortal," Hamilton understood that it was necessary that: "the creation of debt should always be accompanied with the means of extinguishment."

In other words, to retain and enjoy the prosperity that flows from good credit, it is necessary for a nation to pay its bills.

H.R. 692 threatens the full faith and credit of the United States, costs American jobs, hurt businesses of all sizes, and does irreparable damage to the economy.

It is important to note that under the economic stewardship of the Obama Administration, the Dow Jones Industrial Average closed above 17,000 for the first time ever, and unemployment has fallen to 5.1 percent, the lowest since the Clinton Administration.

Madam Speaker, obligations not guaranteed by H.R. 692, and therefore in danger of not being paid on a daily basis, include pay for active-duty military, veterans benefits, Medicare and Medicaid payments, and payments to small businesses.

In short, H.R. 692 is simply default by another name.

Americans want a clean debt limit increase, which Congress has been doing numerous times and was the normal process until 2011 when the House Republicans hijacked the process in a futile and quixotic effort to repeal the Affordable Care Act.

H.R. 692 reflects a House Republican governing philosophy that puts ideology over progress and partisan showmanship over common-sense legislating.

Madam Speaker, we cannot continue to hold our nation hostage, punishing the recipients of Social Security, Medicaid, and Medicare who depend upon their benefits for economic survival.

That is why I support a long-term increase in the debt limit that would provide economic stability to consumers, businesses, and financial organizations and certainty to capital markets.

In contrast, the bill before us, H.R. 692, is merely a short-term measure with unnecessary complications, needlessly perpetuating uncertainty in the nation's fiscal system, and favors the Chinese government over Americans.

My colleagues want to buy time so that they can figure out how to squeeze the American taxpayer even more by devising bone-crunching cuts and slashes to entitlement programs as opposed to sitting down and working with Democrats to come up with reasonable budget reforms which do not hurt seniors or the , disadvantaged.

Madam Speaker, Social Security is currently the only source of income for nearly two-thirds of older American households receiving benefits, and roughly one-third of those households depend on Social Security for nearly all of their income.

Half of those 65 and older have annual incomes below \$18,500, and many older Americans have experienced recent and significant losses in retirement savings, pensions, and home values.

Today, every dollar of the average Social Security retirement benefit of about \$14,800 is absolutely critical to the typical beneficiary.

Contrary to some claims, Social Security is not the cause of our nation's deficit problem.

Not only does the program operate independently, but it is prohibited from borrowing.

Social Security must pay all benefits from its own trust fund.

If there are insufficient funds to pay out full benefits, benefits are automatically reduced to the level supported by the program's own revenues.

Instead of short-term management of self-inflicted fiscal crises, it is incumbent upon us on both sides of the aisle to find the common ground needed to put the nation on a sounder fiscal path.

If President Obama has made clear that he remains willing to work with both parties in Congress to budget responsibly and to achieve additional deficit reduction consistent with the principles of balance, shared growth, and shared opportunity.

But, as of today Madam Speaker, Congress has only two options—raise the debt ceiling to allow the Treasury to pay the nation's bills, or refuse to do so and have the nation default for the first time in history.

I urge my colleagues to join me in voting against H.R. 692.

Mr. LEVIN. Madam Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), another very distinguished member of our committee.

Mr. BLUMENAUER. Thank you.

Madam Speaker, I am listening to my friend from Louisiana rewrite history.

It is not the President who is threatening to default on the national debt. It is the Republican Congress that is refusing to do what was granted to every President in the past—Republican or Democrat—which is to deal with raising the debt ceiling, which is, after all, money we have already spent, money that they approved.

They have been in charge for the last 5 years. The notion that we can somehow distinguish the semantics of this proposal, distinguishing between sovereign debt and the rest of the 80 million transactions that the Treasury makes every day, is lunacy.

If you disagree with our protections to seniors, veterans, the military, Medicare, Medicaid, the FBI, food safety, cut them, but you don't. You nibble away at them. You have never offered a balanced budget when you have been in charge. We had balanced budgets when President Clinton was President. Thank you very much. Unless you assure everyone, nobody is protected.

As for the notion somehow that the President walked away from the negotiations with Simpson-Bowles, where was PAUL RYAN? I like PAUL RYAN. PAUL RYAN refused to embrace Simpson-Bowles' proposals. They cannot pass their vision. They want to blame the President and the American people.

I would respectfully suggest that we ought to reject this fig leaf and get down to business: raise the debt ceiling as we have done repeatedly in the past for Presidents, whether they are Republicans or Democrats, get past the rhetoric, and then deal with structural issues going forward.

Let's rebuild and renew America. Let's raise the gas tax so we can deal with our crumbling infrastructure, something that Ronald Reagan did in 1982, when we faced a deficit in the highway trust fund then.

The SPEAKER pro tempore (Ms. ROSELEHTINEN). The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. There are simple, commonsense solutions, by the way, that are supported by the U.S. Chamber and the AFL-CIO, truckers and AAA, business, government, to be able to get the country moving again, to repair crumbling infrastructure, and not add to the deficit. One simple, little step—something we could do—not deal with goofy legislation like is offered today.

Ms. JENKINS of Kansas. Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Speaker, we are asked: Why don't you just raise the debt limit?

Let me again make this very clear.

As long as we spend more than we take in, we have a responsibility to raise the debt limit. Republicans acknowledge that responsibility. Democrats acknowledge that responsibility.

Yet, with that responsibility comes a concomitant duty to review the policies that are driving that debt. The Republicans acknowledge this responsibility. The Democrats do not. That is the fine point of the matter.

That is a policy debate, and it is controversial, but that controversy should not roil credit markets and threaten to increase the cost of our borrowing.

Given the size of the debt that we are carrying—and this administration has nearly doubled it by its policies—even a small increase in interest rates could mean a catastrophic increase in interest payments, and those increased interest payments in the tens—possibly, hundreds—of billions of dollars would come at the cost of every other program that the Democrats cherish.

We keep hearing about the S&P downgrading our credit rating in 2011. Let me remind them that, for months prior to that downgrade, the S&P demanded that we reduce our 10-year projected deficit by at least \$4 trillion or they would downgrade our sovereign debt. We ultimately only reduced it by \$1.2 trillion because of the voices that we now hear raised against this bill, and the S&P followed through on that threat.

□ 1530

My Democratic colleagues are right, a threat not to pay interest and principal on our debt is the biggest threat to our credit. That is precisely the threat this bill takes off the table by guaranteeing our sovereign debt.

My friends are correct that failure to pay our other bills would be a very bad thing, and it is much to be avoided. There is no dispute in that.

As long as the debt limit has to be increased, there is going to be controversy; and that controversy, whether during Republican or Democratic Congresses or Republican or Democratic administrations, must not be allowed to provoke an increase in borrowing costs because we have frightened credit markets.

This is not a threat to default. It is a promise not to default on the sovereign debt that we use to fund everything else that we do. My friends on the left make no distinction between sovereign debt and our other obligations. That may explain some of the reasons we are in the mess we are in.

The fact is our sovereign debt is what makes it possible to pay for our other obligations as long as we continue to spend beyond our means. This measure guarantees the sovereign debt.

The policies advocated by the opponents of this motion are precisely the policies that have caused our country to wander now through 7 years down a

dark road of debt, doubt, despair, and economic malaise.

It is time for a new morning in America, and that begins with guaranteeing the sovereign debt of this Nation. I ask for your support for this bill.

Mr. LEVIN. Could I ask the Speaker how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Michigan has 10 minutes remaining, and the gentlewoman from Kansas has 13½ minutes remaining.

Mr. LEVIN. Madam Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND), another distinguished member of our committee.

Mr. KIND. Madam Speaker, this unquestionably is one of the most dangerous bills that we will be considering in this session of Congress because this gives this body permission, for the very first time in our Nation's history, to default on our financial obligations.

They claim that they are splitting the baby here by paying bondholders only. One of the largest bondholders we have, of course, is China, so this is a pay China first bill.

I have a feeling that the financial markets, the investors, and the credit rating agencies will view this for what it is however: a default is a default is a default.

A great nation like the United States of America should pay our bills. We should pay our bills.

Now, no one can stand here or sit here today with complete certainty and tell us what the market reaction would be if we start defaulting on any financial obligations we have as a nation, and that is really the point. Why would we even take that chance? Why would we take a chance of a downgrade to our credit, of an increase in interest rates which would impact everyone, from small businesses to families to farmers? It would drive up borrowing costs, which would act as a brake on economic activity and the job growth we have right now because we have never done this before. That is the danger that this legislation sets up.

If my friends on the other side are so concerned about debt and overspending, then perhaps they ought not have supported legislation this year alone—bills that they have passed—that would increase our national debt by \$1.5 trillion over the next 10 years because you refused to pay for the tax cuts or the spending increases that were in that legislation through offsets in the budget. That may come as news or surprise to the other side, but the Congressional Budget Office score is \$1.5 trillion of new debt over 10 years based on legislation you supported: repealing SGR, \$141 billion; permanent expensing, \$380 billion; get rid of the estate tax, another \$180 billion, and others. It adds up to 1.5.

So if there is so much concern about excess spending and debt and what it is

doing to our economy, then maybe we ought to look at ourselves first and the action that is being taken on this House floor.

We should not go down this path. We should stop creating the uncertainty and dysfunction coming out of Washington and give the economy a chance to recover.

I encourage my colleagues to reject this legislation.

Ms. JENKINS of Kansas. Madam Speaker, I reserve the balance of my time.

Mr. LEVIN. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY), vice chair of our Caucus.

Mr. CROWLEY. Madam Speaker, I rise in strong opposition to the Pay China First Act. We should call it, in my opinion, Put America Last Act because that is exactly what this does. This bill will codify into law a new law. It will ensure U.S. taxpayers are forced to pay China and other regimes as well as foreign banks first. That means we will pay China before we pay veterans, before we pay for Medicare to cover our seniors, and before we pay our enlisted troops bravely serving overseas. It means we are going to pay these guys before we pay these guys. We are going to pay these guys before we pay these guys.

Even Chairman RYAN, in a memo to House Republican colleagues, acknowledges that, in fact, China and other foreign debt holders will be paid before Medicare, before our elderly receive their checks, and before our troops receive their salaries.

This whole bill is a sign of misplaced priorities. There are countless issues that Americans have called on us to address that we need to tackle to ensure this country remains healthy and strong, yet this is a bill the Republicans have chosen to bring to the floor. This is a bill that you have chosen to bring to the floor.

At least now we know. We know this Congress is not serious about paying our Nation's bills because, under this bill, we resort to having the U.S. file, in essence, a bankruptcy. Filing for bankruptcy and walking away from debt obligations may work for Donald Trump, but it doesn't work for middle class Americans. Average Americans who work hard to pay their bills and live up to their financial obligations—and that includes American veterans and seniors—the Republicans would have waiting in line for their VA benefits behind Chinese bankers.

I cannot support a measure that puts China above our veterans, above our seniors, and above our servicemembers.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield an additional 1 minute to the gentleman from New York.

Mr. CROWLEY. Madam Speaker, if you ask the American people, "Who

should be paid first, these guys or these guys?" I suggest they would agree with us. These guys should get paid first.

Oppose this Pay China First Act, and let's keep America first.

Let me also add this, Madam Speaker.

Have you ever heard of dine and ditch? This is the biggest dine and ditch I have ever heard of. When I was a kid, some of my friends wanted to go to restaurants, eat as much as they could, and then run out before they paid their bill, and I would never let them do that. I felt it was immoral. That is exactly what we are suggesting we do today.

Who got stuck paying for that bill? The waitress. Who is the waitress in this case? The American people. The American people, they get stuck when you dine and ditch on them. Even suggesting for a moment that we may not pay our debt and that we may default sends the wrong message to America. It sends the wrong message to the world.

Defeat this measure.

Ms. JENKINS of Kansas. Madam Speaker, I reserve the balance of my time.

Mr. LEVIN. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS), another very distinguished member of our committee.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I rise in strong opposition to the Pay China First Act. I am truly shocked that the Republican leadership is advancing a bill that approves America defaulting on its debt.

This is a dangerous action that jeopardizes the full faith and credit of our Nation. It also jeopardizes the well-being of millions of our most vulnerable citizens.

I cannot support a bill that would tell my constituents that repaying our debt to foreign countries is more important than paying their salaries for military service or paying their disability benefits or providing them student loans.

How can I tell small businesses in Illinois that repaying our debt to a foreign government is more important than paying them for providing goods and services to our government? How can I tell Illinois doctors and hospitals that we can pay China for lending us money, but we cannot pay them for taking care of our elderly?

The Council of Economic Advisers estimated that the 2013 debt limit stand-off and shutdown cost us 120,000 jobs, and the GAO estimated that it resulted in \$70 million in increased borrowing cost on securities issued during the last crisis.

The 2013 debt limit fiasco already damaged our economic recovery, yet the Republican leadership insists yet again on a path to harm our national economy and well-being simply for political posturing.

I urge my colleagues to oppose this shameful bill that says that debt to foreign countries is more important than our citizens.

We should protect our economy. Pass a clean bill to raise our debt ceiling.

Ms. JENKINS of Kansas. Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Speaker, I know that this great Hall has become a national gallery for hyperbole, but I think the opponents of this measure have taken it to a whole new level. Pay China first, what xenophobic nonsense.

China holds about 7 percent of our debt. Most of our debt is owed to Americans, much of it in pension funds and debts to Social Security pensioners.

If we don't maintain our credit, we can't meet any of our other obligations, including our troops in the field. And if there is even a suggestion that our sovereign debt is not absolutely secure, we could see a spike in interest costs that will take money away from the very programs that the Democrats say they are trying to defend. That is the reality of it.

This is a question over whether we should guarantee the sovereign debt of the United States, and I would ask again: Why is it and how is it that my friends on the Democratic side of the aisle can get wildly enthusiastic about taxpayers being forced to guarantee loans to foreign corporations, foreign governments, or domestic special interests and yet not be willing to guarantee the full faith and credit of the United States simply by allowing the Treasury Secretary to continue to borrow to meet our interest and principal payments if we should ever reach a point where the debt limit has been reached?

It is the debate over the debt limit that tends to roil markets. We are going to meet our debt obligations, but that debate that is required to review the policies that are driving our debt is what roils those markets.

This calms that debate. This assures everyone who makes loans to the Federal Government that their loans are secure. This keeps our interest costs down, and it guarantees the credit of the United States that is necessary to meet all of our other obligations.

Ms. JENKINS of Kansas. Madam Speaker, as I have no further speakers, and I am prepared to close. I reserve the balance of my time.

Mr. LEVIN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this is an amazing debate. The gentleman from California talks about guaranteeing. So you guarantee payments to foreign debt holders. You won't guarantee payments to our veterans or to kids with school lunches. You won't guarantee payments to people who are doing medical research. You won't guarantee that.

So here is the problem: you are proceeding on a very partisan basis on a bill that is going nowhere.

You say we need to raise the debt ceiling. We will, and we are going to do it long before there is any consideration of the details about which you speak.

□ 1545

You talk about the need to control spending. We are going to pass a debt ceiling. The disturbing thing is you come here on a partisan basis when there is a crying need for bipartisanship. The only way the debt ceiling can be raised is bipartisan, and you come here today strictly partisan.

That is a bad omen because, in addition to the debt ceiling, there is the continuing resolution. We have also the Medicare premium issue that looms in a few days. We have a highway bill that looms in a few days. The only way they are going to be resolved is on a bipartisan basis. You come here with a bill that won't get, I think, a single Democratic vote, and you know it, and yet your leadership sanctions you to do this.

What does that mean for the future? It is deeply troubling. This is demagoguery. It is an effort maybe to gain a few more Republican votes, but this is too important for that. It is not policy, as I said before. It is a ploy. When it comes to issues like this, it should be beyond that kind of gamesmanship.

In this sense, it is kind of sad you are doing this. It raises questions as to where your leadership is going to take this institution in the future, when already on your side the public has such deep disbelief in what you are doing. It is too late to ask you to pull back. I urged that to your leadership some time ago. I guess we are going to go forth. It is a frightful mistake to be doing it this way.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The Chair will remind Members that remarks in debate must be addressed to the Chair and not to others in the second person.

Ms. JENKINS of Kansas. Madam Speaker, I yield myself such time as I may consume.

Congress still has a great deal of work to do to rein in spending. While conversations to reduce Federal spending continue, we must also continue to pay down our existing debt. The Default Prevention Act before us today provides a responsible way to deal with our debt crisis and protect the full faith and credit of the United States.

As we all know, if the U.S. defaulted on a debt payment, it would do serious harm to the economy and to the hard-working Americans who make this country great. This bill ensures that, even if the debt limit is reached, the U.S. Treasury would not default on our

existing obligations to pay down the debt.

Again, this legislation does not increase the debt limit. Instead, it actually prevents the Treasury from issuing new debt to pay for any new spending unless Congress passes a law to increase the debt limit, a conversation for another day.

This bill, guaranteeing our debt, makes it possible to pay all the bills that the minority claims to want paid. This bill takes the important step of ensuring that Social Security benefits are paid in full and on time. This legislation is a commonsense measure that will protect our Nation's credit and integrity.

Once again, I strongly urge my colleagues to support it.

Madam Speaker, I yield back the balance of my time.

Ms. ROYBAL-ALLARD. Madam Speaker, I stand in opposition to H.R. 692, the so-called Default Prevention Act.

Raising the national debt limit is a basic responsibility of government which ensures America will be able to pay its bills. If we do not raise the debt limit, our nation will default for the first time in its history. Americans' retirement savings will plunge, and interest rates for mortgages, student loans, credit cards, and car payments will skyrocket.

That is why the American people and the American economy need a clean debt limit extension bill that meets all of our financial obligations, not just a few of them. Sadly, the Majority party's Default Prevention Act does not meet this basic standard.

Their bill would guarantee payments above the debt limit to bond holders in China and other foreign countries, without consideration for meeting our obligations to the American people, including troops, veterans, and small businesses. That is irresponsible and wrong.

Taking care of our veterans, troops, and small businesses should be our priority, not guaranteeing payments to China and our other bond holders. This legislation is the Majority's cynical attempt to pass a debt limit bill and say the House is being responsible. The truth is it is not an honest attempt to address the debt limit. The Majority's bill is a sham. Our nation will be in default if we miss any payment for any reason. And the Majority knows the bill will not become law, because the President will veto it if it reaches his desk.

I urge my colleagues to oppose this point-less Default Prevention Act, and pass a clean debt limit extension bill that fulfills our obligations to the American people, avoids economic catastrophe, and truly honors the full faith and credit of the United States.

Ms. BONAMICI. Madam Speaker, Congress should be discussing how to pay its obligations in a responsible manner, which is why I will oppose H.R. 692. This legislation would irresponsibly result in the payment of some obligations but not others. Importantly, this bill could result in payments going to China, but not to active-duty military, veterans, national security, and other important obligations.

Instead of spending time on H.R. 692, which is likely to be vetoed, Congress should be working to raise the debt ceiling in a way that

will prevent a default. Raising the debt ceiling permits payment of obligations already incurred. If we are unable to raise the debt ceiling by November 3rd, the Treasury will not be able to meet its obligations and the nation's credit rating would be in peril. The result would be devastating to our economic recovery.

We can quickly put an end to this unnecessary crisis and the uncertainty it creates. Members of Congress can and must work together to prevent the United States from a catastrophic default, starting with a responsible approach to debt payment. Again, I urge my colleagues to join me in voting no on H.R. 692.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 480, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LEVIN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

QUARTERLY FINANCIAL REPORT REAUTHORIZATION ACT

Mr. CHAFFETZ. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3116) to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

At the appropriate place, insert the following:

SEC. 3. REPORT ON DATA SECURITY PROCEDURES OF THE BUREAU OF THE CENSUS.

(a) REVIEW.—The Secretary of Commerce shall conduct a review of the data security procedures of the Bureau of the Census, including such procedures that have been implemented since the data breaches of systems of the Office of Personnel Management were announced in 2015.

(b) REPORT.—

(1) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the

Secretary of Commerce shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on the review required by subsection (a).

(2) **CONTENTS.**—The report required by paragraph (1) shall—

(A) identify all information systems of the Bureau of the Census that contain sensitive information;

(B) described any actions carried out by the Secretary of Commerce or the Director of the Bureau of the Census to secure sensitive information that have been implemented since the data breaches of systems of the Office of Personnel Management were announced in 2015;

(C) identify any known data breaches of information systems of the Bureau of the Census that contain sensitive information; and

(D) identify whether the Bureau of the Census stores any information that, if combined with other such information, would comprise classified information.

Mr. CHAFFETZ (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Utah?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CHAFFETZ. Madam Speaker, I ask unanimous consent to submit for the RECORD a letter from John Thompson, Director of the Census Bureau, to Chairman McCaul, myself, and others, indicating the Bureau will comply with FISMA when developing the report required by H.R. 3116 and will continue to work with the Secretary of Homeland Security and others to secure the Bureau's network.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

UNITED STATES DEPARTMENT OF
COMMERCE, ECONOMICS AND STA-
TISTICS ADMINISTRATION, U.S.
CENSUS BUREAU,

Washington, DC, October 20, 2015.

Hon. MICHAEL McCaul,
Chairman, Committee on Homeland Security,
House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: This correspondence is regarding the U.S. Census Bureau's compliance with the Federal Information Security Management Act (FISMA) and the provisions of Senate Amendment (S. Admt.) 2710 to H.R. 3116. The Census Bureau is compliant at this time with the requirements of FISMA, and is working with the Secretary of Commerce and the Secretary of Homeland Security to provide information on the data security procedures required by S. Admt. 2710.

We have implemented a formal risk management program in accordance with the National Institute of Standards and Technology (NIST) Special Publication 800-37r1. All of the FISMA reportable systems supporting the Census Bureau are continually assessed

per this guidance and all have a current Authorization to Operate. In addition, the Census Bureau is currently behind a Managed Trusted Internet Protocol Service (MTIPS) provider and is protected by the Department of Homeland Security (DHS) Einstein 1 and 2, which looks at network flow information and network intrusion detection. The Census Bureau is engaged with DHS and MTIPS provider to move behind Einstein 3 Accelerated (E3A) as soon as the DHS and our MTIPS say they are ready. This will give us the added cybersecurity analysis, situational awareness and security response capabilities for DHS to augment our efforts.

The Census Bureau also is actively engaged with the Department of Commerce to implement Phase 2C of the Continuous Diagnostics and Mitigation (CDM) program by the end of calendar year 2016. This will provide us the capability to identify cybersecurity risks more efficiently and prioritize the risks based on potential impacts. The initial meeting with DHS and the service provider took place on October 15, 2015. The Census Bureau reports regularly on this and other aspects of its cybersecurity program to the Department of Commerce, Office of Management and Budget, and DHS.

Please know that the security of our respondents' information is paramount at the Census Bureau. We take seriously our responsibility to honor privacy and protect confidentiality. We will continue to work with the Department of Commerce and DHS to implement effective data security procedures and ensure compliance with FISMA requirements.

Thank you.

JOHN H. THOMPSON,
Director.

SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS REAUTHORIZATION ACT

GENERAL LEAVE

Mr. CHAFFETZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 10.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 480 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 10.

The Chair appoints the gentleman from North Carolina (Mr. HOLDING) to preside over the Committee of the Whole.

□ 1552

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes, with Mr. HOLDING in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 10, the Scholarships for Opportunity and Results, or SOAR, Reauthorization Act.

The SOAR Reauthorization Act continues the three-sector approach to education within the District of Columbia. This approach gives equal funding to D.C. Public Schools, D.C. Public Charter Schools, and the Opportunity Scholarship Program, often referred to as the OSP.

The OSP gives scholarships to children in low-income families to attend a private school so that those children can experience a quality education. The average OSP family makes less than \$22,000 per year. These scholarships allow families to place their children in learning-rich environments.

District of Columbia Public Schools rank at the top in spending per student, but are near the bottom in academic performance. The Opportunity Scholarship Program gives these students the education they deserve so they can pursue the American Dream.

Mr. Chairman, H.R. 10 works not only to provide scholarships to students who need them the most, but also to improve the current state of public school and public charter school education. This bill authorizes equal funding for D.C. Public Schools and for D.C. Public Charter Schools in addition to the Opportunity scholarships.

My friends across the aisle claim that the SOAR Act takes money away from public education. However, that is quite the opposite. The SOAR Act increases funding for public education in the District of Columbia.

In fact, since the three-sector approach has been in effect, D.C. Public Schools and D.C. Public Charter Schools have received a combined \$435 million in Federal funding for school improvement.

Mr. Chairman, the District of Columbia schools would not have received these funds had it not been for the OSP and this three-sector approach. Now we are debating reauthorizing this approach and giving \$20 million annually to each sector for 5 years, \$300 million across 5 years for D.C. education.

It is hard to imagine how anyone who advocates for public education would oppose such an approach that has poured millions of dollars into the D.C. public education system, particularly since the OSP is getting a great return

on its investment and is producing results. The OSP produces \$2.62 in benefits for every dollar spent on the program, according to a study conducted by one of the program's evaluators.

Mr. Chairman, you would be hard pressed to find another government program that generates this sort of result and bang for your buck. We are talking about a 162 percent return on investment here, an investment that has not taken one dime from public education.

Mr. Chairman, it is good stuff. We talk about how to keep this program going because it is really affecting real people and real lives. We talk about the individual students and their families, but it is also borne out in the statistics.

The Opportunity Scholarship students are averaging a 90 percent graduation rate—90 percent—compared to D.C. Public Schools, which was roughly less than a 60 percent graduation rate in 2013 and 2014.

Further, some 88 percent of the Opportunity Scholarship participants enroll in college. Not only are they graduating high school at record levels above and beyond what is happening in public schools, but they are also going on to higher education.

These children, though, are more than a graduation statistic. Their individual lives have been forever changed because of the OSP.

I want to remind our colleagues about Joseph Kelley's son, Rashawn Williams. He had fallen behind in every single subject. His father had to get the courts involved to ensure that his school was following its requirements pursuant to Rashawn's individual education plan. Mr. Kelley was able to get Rashawn a scholarship through the Opportunity Scholarship Program and has said: "I truly shudder to think where my son would be today without it."

Mr. Chairman, the OSP is changing outcomes for the least advantaged. The program places kids in safer high-quality schools that allow them to receive a good education. It brings funding to all sectors of education in D.C. to improve education opportunities for all.

Mr. Chairman, it is important to note that the bill requires all participating Opportunity Scholarship schools to be accredited. The accreditation standards give the taxpayer—and, more importantly, Opportunity Scholarship families—assurances that District students are receiving the education they deserve.

The Opportunity Scholarship currently limits entrance based on a control group for an evaluation study. H.R. 10 removes this arbitrary requirement, instituting a new study to track the results of the Opportunity Scholarships. Removing this barrier to entry increases access to the program and means more families can be afforded quality education for their children.

Mr. Chairman, we had the opportunity to debate this bill in the Committee on Oversight and Government Reform, and I appreciate the perspectives heard from both sides. We had a good, productive field hearing.

I want to thank the gentleman from Ohio (Mr. BOEHNER), the Speaker of the House, our friend and colleague, for authoring this legislation. He has poured his heart and soul out, trying to do what he can do to help these young children. It has had a very positive effect on so many lives and in future generations. It is something we can all be proud about.

He has worked tirelessly to bring opportunity to students within the District of Columbia, and he will be remembered by this body for his effort to bring a quality education to all. I am proud to be a cosponsor of this legislation.

Mr. Chairman, I urge my colleagues to give students in the District of Columbia the opportunity for a quality education by reauthorizing a program that actually works and produces results. It affects real lives. It is called the Scholarships for Opportunity and Results Act. I urge my colleagues to support it.

Mr. Chairman, I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I didn't really expect to be on the floor this afternoon managing this bill. Ironically, I was scheduled to host a briefing today for Members and staff on the constitutionality of the District of Columbia statehood bill, where I was going to show a 17-minute HBO "Last Week Tonight" clip from John Oliver that lampoons the Congress for denying District residents their voting rights, budget and legislative autonomy, and statehood.

Instead, here I am on the floor in a virtual reality show not speaking about the right to self-government, but fighting this latest attempt by the Republican Congress to impose its ideology on D.C. residents.

□ 1600

I ask to include the D.C. Council's letter opposing this bill in the RECORD.

COUNCIL OF THE DISTRICT OF COLUMBIA,

Washington, DC, October 8, 2015.

Hon. JASON CHAFFETZ,
Chairperson, Committee on Oversight & Government Reform, House of Representatives,
Washington, DC.

CHAIRPERSON CHAFFETZ: We write as locally elected officials to express our opposition to renewed efforts to expand a federally funded school voucher program in the District of Columbia. We appreciate your interest in providing support to public education in the District. We strongly believe, however, that federal funds should be invested in the existing public education system—both public schools and public charter schools—rather than being diverted to private schools.

We support the decision by Congress and the President several years ago to phase out

the voucher program. Multiple U.S. Department of Education reports indicate that the program has not lived up to the promises made by proponents. These studies along with two troubling Government Accountability Office reports have also revealed that many of the students participating in the voucher program attend private schools with fewer resources and lower standards than our public schools. The evidence is clear that the use of vouchers has had no statistically significant impact on overall student achievement in math or reading, or for students from schools in need of improvement.

We have serious concerns about using government funds to send our students to private schools that do not have to adhere to the same standards and accountability as do public and public charter schools. For example, private religious schools, which 80% of students with vouchers attend, operate outside the non-discrimination provisions of the D.C. Human Rights Act. Moreover, the voucher proposal is inequitable: if fully funded, the authorization would provide many more dollars per student for vouchers than is allocated per student in public schools and public charter schools.

Although we believe that students who are already receiving a voucher should have the opportunity to maintain and use that voucher through graduation from high school, we do not support expansion of the program to new students. The District devotes considerable funds to public education, and our local policies promote choice for parents. Indeed, over the past decade the quality of public education in D.C. has increased, as a result of reforms and targeted investment. Families can choose from an array of educational institutions based on publicly available performance metrics, both within the D.C. Public Schools system and among the myriad public charter schools. Secretary of Education Arne Duncan has called the progress of D.C. Public Schools "remarkable", while the National Alliance for Public Charter Schools has ranked the District's charter sector as the best in the country.

Despite such ample evidence that the Congressionally imposed voucher program is ineffective, while D.C. public schools improve every year, some members of Congress continue to see our city as their personal petri dish. It is insulting to our constituents, who vote for us but not for any voting member of Congress, that some of your colleagues push their personal agendas on D.C. in a way they could never do in their home states. Attacking D.C. home rule, including any expansion of the voucher program, is irresponsible governing on the part of Congress.

We call on you to respect the wishes of the District's elected officials on the quintessentially local matter of education as you consider this issue.

Sincerely,

David Grosso, DC Council, At-Large,
Chairperson Committee on Education;
Charles Allen, DC Council, Ward 6,
Member, Committee on Education;
LaRuby May, DC Council, Ward 8;
Elissa Silverman, DC Council, At-Large;
Anita Bonds, DC Council, At-Large, Member, Committee on Education;
Yvette Alexander, DC Council, Ward 7, Member, Committee on Education;
Brianna Nadeau, DC Council, Ward 1; Jack Evans, DC Council, Ward 2.

Ms. NORTON. Yet, Mr. Chairman, I have sought a compromise that should be acceptable to Republicans, as it is to President Obama.

We support, and I repeat, we support allowing our current D.C. voucher students to remain in the program until graduation. That ensures D.C. would have voucher students for many years to come.

That is the kind of sensible compromise that Congress must get back to or be content with the label “least productive Congress,” as it has come to be known each year under this majority.

This bill goes beyond the compromise, we have offered, by seeking to admit new students as well. We are here so that Speaker JOHN BOEHNER has a capstone to his own political career. The D.C. voucher program is his pet project, not D.C.’s. The Speaker has introduced only two bills this Congress: a bill on the Iran nuclear agreement and this bill.

Even if Members do not respect D.C.’s right to self-government, they should at least care whether the program improves achievement, which was the stated reason for vouchers in the first place. Far from helping students, however, the program has demonstrably failed.

According to the congressionally mandated evaluation of the program’s effectiveness, this program, these vouchers, have failed to improve academic achievement, as measured by objective math and reading testing scores.

Most importantly, the program has not had significant impacts—that is also from the congressionally mandated evaluation—has not had “significant impacts” on the achievement of students whom the program was designed to most benefit: those who previously attended low-performing public schools.

The majority cites improved high school graduation rates. However, the evaluation did not examine dropout rates or the rigor of the schools’ curriculum or graduation requirements.

The majority also cites high college attendance rates. However, the evaluation did not measure college attendance rates.

Even if the program were successful, Mr. Chairman, it would still not be needed, at least in the District of Columbia, which has perhaps the most robust public school choice program in the country. Almost 50 percent of our public school students attend charter schools, which the National Alliance for Public Charter Schools ranked as the strongest in the Nation. In addition, 75 percent of public school students in the District attend out-of-boundary schools. What D.C. has developed amounts to a model choice education program.

Moreover, the D.C. public schools have made some of the most impressive improvements in the country, by any measure, spurred by competition from the rapidly growing D.C. charter

schools, not from the small number of voucher schools. In fact, a 2013 assessment of D.C. public schools indicated that the District had made the greatest improvement of any urban school district in the Nation.

D.C. charter schools have even higher educational achievement and attainment than D.C. public schools. D.C. charter schools outperform D.C. public schools across traditionally disadvantaged groups, including African Americans and low-income students, and have a higher percentage of such students, precisely the students the voucher program was ostensibly designed to serve.

Greater confidence in D.C.’s public schools is also clear. D.C. public school enrollment has increased for 7 consecutive years, right alongside the very large number of charter schools.

If Congress wants to support D.C. students, we ask that you support our home rule public choice, not impose yours. Any new funding for education in the District should reinforce the hard work of our city, our parents, and our residents, who have shown the Nation how to build a fully accountable public school choice program. D.C. residents, not unaccountable Members of Congress, know best what our children need and how to govern our own affairs.

During this debate, Mr. Chairman, we will consider an amendment I have offered to restore the scientific integrity of the program’s evaluation, one like the evaluation Congress has always mandated, and another to crack down on so-called voucher mills.

Given that the Speaker’s bill will surely pass, I want to work with Members who support vouchers to ensure that our voucher students attend high-quality schools, like our accredited Catholic and other parochial schools, not fly-by-night, often storefront schools in low-income neighborhoods that were opened only after the voucher program was created to get access to unrestricted Federal funds.

I appreciate that the majority indicated in committee and on the floor that they also want to prevent voucher mills. I look forward to continuing to work with them as this bill moves forward to protect our families from voucher mills.

Under the Home Rule Act of 1973, Congress gave the District authority to establish its own education system; and unlike some other local jurisdictions, D.C. has never created a voucher program. Instead, like many D.C. bills in Congress, this bill seeks to impose a program on the District that does not have national support.

Just think of it. Only 3 months ago, both the House and Senate defeated Republican national private voucher amendments on the floor. Members reject private school vouchers for their own constituents but want to impose them on mine. No wonder.

Since 1970, every single referendum to establish State-funded vouchers or tuition tax credits has failed, and by large margins. Now the majority wants to do to the District what it would not dare do at home. The recent vote to deny voucher funding on a national level shows where Republicans really stand.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 4 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. I thank the chairman for this opportunity.

Mr. Chairman, I come to the floor today, after looking in the eyes of the kids, students, their parents, eyes filled with hope and opportunity and success.

I come to the floor today to add my support for H.R. 10, the SOAR Reauthorization Act, because it works. This legislation will ensure the continuation of the successful D.C. Opportunity Scholarship Program, which was established by Congress in 2004, to provide eligible low-income families in the District of Columbia with the opportunity to attend the school of their choice.

Innovative programs like the D.C. Opportunity Scholarship Program are necessary to fix our broken educational system and prepare our children for the 21st century workforce, and I am confident that any of my colleagues would oppose a program that provides students with an opportunity for a better education, especially one that has been an unqualified success.

On average, students in the Opportunity Scholarship Program have a graduation rate of 90 percent, well above the national average, as well as D.C.’s overall graduation rate of 58 percent. These students continue to succeed in their pursuit of higher education, with 88 percent of the graduates going on to attend a 2- or 4-year college or university.

While the benefits to D.C. children are clear, the program also plays an important role in empowering parents to make the best choice for their kids and engaging them in their educational and academic progress. A recent survey of parents found that 85 percent of parents are happy with their child’s current Opportunity Scholarship Program school.

H.R. 10 has garnered the support from a wide array of stakeholders. Just yesterday, in an op-ed entitled “A Misguided Attack on D.C.’s Needy Students,” The Washington Post editorial board defended the SOAR Act and wrote in support of reauthorizing the D.C. Opportunity Scholarship Program, noting that over 6,100 children have benefited from the program, while thousands more are on waiting lists.

The Washington Post also notes that nearly 75 percent of D.C. residents support the program, which has provided

more than \$600 million in funding for traditional public schools, charter public schools, and the voucher program.

It is important to note, Mr. Chairman, that this bill does not take any funding away from D.C. public schools. In fact, the legislation authorizes equal funding to public schools, charter schools, and scholarships.

With an average family income of less than \$22,000 for participating families, this program really is a lifeline for low-income D.C. families, offering students up to \$1,572 to pay for tuition, fees, and transportation. Why, Mr. Chairman, would any of us want to prohibit these students and families from opportunity and success?

This is a hand up to the American Dream. Ensuring our children have access to the best possible education should not be a partisan issue, and receiving a quality education should not be limited to people of means.

I urge my colleagues to continue supporting this program and pass H.R. 10. It is the right thing to do. Let's do it for the kids.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

I simply want to say, once again, that no child currently enrolled in the program under the compromise that I have offered would be stricken from the program and all current voucher students could stay until graduation. It is new students that we object to, given the evaluation that shows that the program had not met its goal, which was to improve reading and math scores. By contrast, we have had improvement in reading and math scores both in the D.C. public schools and the D.C. charter schools.

Also, Mr. Chairman, there is no waiting list for vouchers in the District of Columbia. However, there are long waiting lists for our charter schools, and now, even for some public schools.

Mr. Chairman, I am pleased to yield 3 minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

□ 1615

Mrs. WATSON COLEMAN. I thank the gentlewoman from D.C.

Mr. Chair, it is extremely unfortunate that we are here yet again debating legislation that would interfere with the ability of D.C. residents to make decisions for themselves. So far this Congress, the House has attempted to block laws that would protect District women's reproductive rights and reform Washington's drug laws. And now we are asked to continue a failed private school voucher program, a program that a majority of the D.C. Council opposes and on which they are not even consulted, a program that D.C.'s own longtime Congresswoman opposes.

I am shocked at the arrogance of this body to set aside the will of the citizens of the District of Columbia so fleetingly. It is disgraceful that in this

building, a symbol of our democracy, we impose such policies on a city that does not even get a vote on these decisions.

Additionally, I oppose this bill because it weakens D.C.'s public school system. Instead of taking public dollars to outsource our children's education to private schools, we should be focusing on truly reauthorizing the Elementary and Secondary Education Act. We need an updated ESEA that strengthens public schools for all our children and prepares students for the globally competitive world we live in.

Education should be the great equalizer, and every student should have access to the best education, regardless of their ZIP Code or their socioeconomic status. There are public schools in this country that are among the very best in the world. I am proud that several of them are in my district.

Mr. Chair, we know that public schools can work when we properly support them; but, unfortunately, for certain communities, far too many schools continue to struggle due to lack of resources on one hand and relentless attempts to undermine them on the other. Private vouchers only further perpetuate these inequities by siphoning additional resources for few students while leaving the rest behind in underfunded public schools.

In our global economy, it is more essential than ever that every child receives a quality education. To do that, our public schools need adequate resources. Diverting public money to private and parochial schools only worsens the problem.

I support access to a world-class public education for all students; but too often, the majority in this body undercut that goal, whether through the so-called Student Success Act that leaves students in a lurch or today's SOAR bill that sorely misses the point.

I urge my colleagues to listen to the people of the District of Columbia and their elected representative, Ms. NORTON. Most importantly, listen to the teachers and the parents who oppose this bill, and reject this legislation.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Indiana (Mr. MESSER), the chairman of the Republican Policy Committee.

Mr. MESSER. I thank the gentleman for yielding.

Mr. Chair, I rise in support today of H.R. 10, the Scholarships for Opportunity and Results Reauthorization Act.

I want to commend Speaker BOEHNER for introducing this important legislation and thank him for a lifetime of extraordinary leadership on this issue. Throughout his speakership and under his leadership as a former chairman of the House Committee on Education and the Workforce, Speaker BOEHNER improved educational opportunities for

all students. Literally thousands of kids have access to the American Dream because of his dedication to the D.C. Opportunity Scholarship Program. As chairman of the Congressional School Choice Caucus, I was honored to have Speaker BOEHNER keynote a rally earlier this year with hundreds of Opportunity Scholarship recipients.

I have to tell you, I am amazed at some of the rhetoric that I have been hearing today, talking about it is disgraceful that this legislation is before you.

I will tell you what is disgraceful. It is disgraceful that any child in America has to go to a terrible school, and it is disgraceful that anyone would say that we should do anything but make sure that every one of these kids has an opportunity to go somewhere where they will have a chance to succeed.

Every child deserves equal access to a great education. Lots of kids have great public school options in America. Other families can afford to send their kids to private school if they don't have a great public school option. This debate today is about what we do for those who don't.

Unfortunately, too many kids in our country have their destiny determined by their ZIP Code. These children are stuck in poorly performing schools, and their parents feel powerless to do anything about it.

That is why education choice and the Opportunity Scholarship Program matter. Programs like D.C. OSP allow parents to choose the best educational environment for their child. The freedom provided by school choice levels the playing field and helps ensure all children have a chance to succeed.

This legislation will continue to bring greater educational opportunities to the most underprivileged students in the District of Columbia, and it takes zero—let me repeat that—zero dollars away from D.C. Public Schools. Because of this legislation, more than 6,000 students have had the opportunity to attend a great school. Even better, an incredible 90 percent of D.C. OSP students graduate from high school. The D.C. Opportunity Scholarship Program is clearly a success and needs to continue.

Mr. Chair, I hope for a day when we will be talking about even bolder proposals on this floor, because the truth is we already have school choice in America if you can afford it. The only real question is: What are we going to do for everybody else?

Our Founding Fathers wrote in the Declaration of Independence that all men are created equal and endowed with certain unalienable rights. In modern America, the pursuit of happiness comes on the back of a quality education.

Mr. CHAFFETZ. I reserve the balance of my time.

Ms. NORTON. Mr. Chair, I want to remind the gentleman that the \$100

million doesn't come out of the air, that this majority is cutting \$2 billion from K-12. Most of our children are K-12. That money has to come from somewhere. We know it comes from education funds.

I am pleased to yield 1 minute to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Chair, I rise in opposition to H.R. 10, legislation that would reauthorize the D.C. private school voucher program.

This bill prioritizes an ideological agenda over the rights of D.C. residents to self-govern and, more importantly, over the rights of all students to get a quality education.

In study after study, the voucher program has failed to show any meaningful improvement in student achievement, safety, satisfaction, motivation, or engagement; yet since 2003, it has received nearly \$190 million while failing to adhere to basic accountability standards.

Its funding should be dedicated to improving our underfunded and underresourced public school system, a school system that is required by law to serve all students.

Unlike public schools, private schools receiving voucher students have no requirement to serve all students. Specifically, they are able to—and do—reject students based on prior academic achievement, language ability, socioeconomic background, and other discriminatory factors.

The Acting CHAIR (Mr. POE of Texas). The time of the gentleman has expired.

Ms. NORTON. I am pleased to yield the gentleman an additional 30 seconds.

Mr. TAKANO. Many do not offer the necessary services for students with disabilities.

It is a mistake to continue funding a program that fails to serve all students, damages the public school system, and disregards the District's right to choose its own education policy.

I thank the gentlewoman from D.C. for yielding me the time.

Mr. CHAFFETZ. Mr. Chairman, may I inquire as to how much time each side has.

The Acting CHAIR. The gentleman from Utah has 17 minutes remaining. The gentlewoman from the District of Columbia has 14 minutes remaining.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 1½ minutes to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Chair, I love America. America should be number one, and America's capital should be number one.

I love to talk to immigrants who do so much of the work in our Capital City. They all know America is great. They gush about how anybody can work in America and realize the American Dream.

But when I ask about their kids and where they go to school, they almost uniformly send their kids to Maryland or Virginia schools. Even immigrants who can barely speak English and come from Afghanistan, Pakistan, Eritrea, or Nigeria know that D.C. schools mean stay away. How embarrassing for our country that new immigrants who barely speak English view our Nation's Capital schools with contempt.

Finally, President Obama, we love you and Michelle for the love you show your daughters. You show your love for your daughters by spending some of your substantial salary to keep your daughters out of the D.C. Public Schools. Please, President Obama, show a little love for the children who don't have such wealthy parents and sign the SOAR Act.

Ms. NORTON. Mr. Chair, I just want to tell the gentleman that the so-called immigrants that he speaks to who send their children to schools in Maryland and Virginia live in Maryland and Virginia. Eighty percent of the jobs in the District of Columbia go to people who live in the suburbs.

As to the schools in the District of Columbia, as I have indicated, there are waiting lines to get into almost all the charter schools, and the D.C. public schools have improved so much that some of them also have waiting lines.

I am pleased to yield 5 minutes to the gentleman from Maryland (Mr. CUMMINGS), our very distinguished ranking member.

Mr. CUMMINGS. I thank the gentlewoman from the District of Columbia for yielding and for her leadership.

Mr. Chair, I rise in strong opposition to H.R. 10. We have been told that the purpose of this bill is to help all D.C. children get a better education. I strongly support that objective, but this bill does not do that.

Let me be crystal clear: public funds should support public education. But this bill proposes to spend more than \$100 million over 5 years to fund vouchers to send public school students in the District of Columbia to private schools while House Republicans are proposing to cut \$2 billion from public K-12 education nationally.

Coming from the city of Baltimore, I understand firsthand the complexities of turning around struggling inner-city schools. Almost 10 years ago, I became deeply involved in improving one of my own neighborhood schools—and I am still involved in that—the Maritime Industries Academy High School.

It takes vision, commitment, accountability, and, yes, resources to begin the process of turning troubled schools around. However, it is impossible to turn around public schools if we divert public resources to private schools.

Put simply, H.R. 10 attempts to help a few students at the expense of the vast majority of the District's children.

By dividing the funding it would provide among D.C.'s public schools, public charter schools, and private school vouchers, H.R. 10 provides a third of its total funding to a tiny fraction of the District's students. Specifically, the bill would fund vouchers to enable only 1,442 students—a tiny fraction of the District's 47,548 students—to attend private schools.

The lack of equity is stunning. Our focus should be on maximizing the impact of the Federal Government's limited resources to serve all of the District's students.

Since this bill last passed in 2011 over my strong objection and along party lines, studies of the program have demonstrated that the use of a voucher had no effect on academic achievement, as measured by math and reading scores, school safety, student satisfaction with their school, or motivation and engagement.

Previous studies of this program show that 50 percent of the students from the first two cohorts of the D.C. voucher program eventually dropped out of the program. Students in the program are also less likely to attend a school that offers support programs for those that are academically challenged or have learning difficulties.

In addition, this bill is a direct assault on D.C.'s home rule that was rushed through our committee shortly after Speaker BOEHNER announced his retirement, and the bill is not supported by D.C.'s elected representative in Congress or a majority of the D.C. City Council.

So all the rhetoric justifying massive cuts to education funding—all the talk about budget constraints, about tightening our belts, and about making sacrifices—all that goes out the window when Republicans want to give \$100 million in taxpayer funds to private schools.

□ 1630

As a graduate of public schools and a longtime advocate of quality public education, I believe our highest priority must be to use limited taxpayer dollars to support programs that will truly meet the educational needs of all of our children. This bill does not do that. I urge our colleagues to reject H.R. 10.

Mr. CHAFFETZ. Mr. Chairman, at this time, I am pleased to yield 2 minutes to the gentleman from Minnesota (Mr. KLINE), the chairman of the Committee on Education and the Workforce.

Mr. KLINE. Mr. Chairman, I thank Chairman CHAFFETZ for yielding.

Mr. Chairman, I rise today in strong support of H.R. 10, the Scholarships for Opportunity and Results Reauthorization Act. It is a bill to continue the popular and successful D.C. Opportunity Scholarship Program.

This program is based on the simple notion that every child deserves an excellent education regardless of the

family's background, income, or ZIP Code. The program provides scholarships to students in low-income families so they can escape underperforming schools and receive the quality education they need to excel both in the classroom and later in life. Our investment in this effort is paying off.

Last year, 90 percent of 12th graders who received a D.C. Opportunity scholarship graduated from a high-quality school, and 88 percent went on to pursue a college degree. What is more, when asked if they were satisfied with the child's education, 85 percent of the parents responded "yes." It is no wonder every year the demand for scholarships far exceeds the number of scholarships available. These positive results also explain why this important program has long enjoyed bipartisan support.

Of course, there are some who don't believe these vulnerable families deserve the opportunity to do what is best for their children's education. At a time when this administration has spent billions of dollars pushing its own pet projects and priorities, it has routinely put this modest, successful program on the chopping block. Fortunately, Mr. Chairman, a majority in Congress has continued to stand by these students and families by continuing to support the program, and Speaker JOHN BOEHNER has always stood at the forefront of those efforts.

Few have fought harder or longer for the educational opportunities of D.C. students than Speaker BOEHNER. In fact, throughout his more than 20 years in public office, JOHN BOEHNER has been a tireless champion for families who simply want the opportunity—any opportunity—for their children to receive a quality education. The D.C. Opportunity Scholarship Program began under his leadership. Thanks to his efforts, this initiative has made a positive difference in the lives of thousands of students across the District. This act reflects his continued commitment to these families. More importantly, it reaffirms a bipartisan commitment to the D.C. Opportunity Scholarship Program and the D.C. schoolchildren it serves.

Mr. Chairman, I urge my colleagues to help more low-income students and support this legislation.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this morning, a Member said that a letter had come from a member of the city council, Anita Bonds, asking that her name be removed from the letter sent by the council, the majority of the council, saying that they opposed reauthorization of this bill. That member has since called me. She writes:

"Dear Member of Congress,

"Due to some confusion about my position on the District of Columbia voucher bill (H.R. 10), I want to make my position clear.

I oppose this bill, and I intend to remain a signatory of the letter previously acknowledged that seven of my colleagues on the D.C. Council and I sent to Chairman Jason Chaffetz dated October 8, 2015, in opposition to the bill."

Signed, Councilmember At-large, Anita Bonds.

Mr. Chairman, I submit her letter for the RECORD.

COUNCIL OF THE
DISTRICT OF COLUMBIA,
Washington, DC, October 21, 2015.

DEAR MEMBER OF CONGRESS, Due to some confusion about my position on the District of Columbia school voucher bill (H.R. 10), I want to make my position clear. I oppose this bill, and I intend to remain a signatory of the letter previously acknowledged that seven of my colleagues on the D.C. Council and I sent to Chairman Jason Chaffetz dated October 8, 2015, in opposition to the bill.

Sincerely,

ANITA BONDS.

Ms. NORTON. Mr. Chairman, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 1½ minutes to the gentleman from North Carolina (Mr. WALKER.)

Mr. WALKER. Mr. Speaker, I rise in support today of H.R. 10, the Scholarships for Opportunity and Results Reauthorization Act. In the 10 months that I have been here, one of the neat things that I have experienced is when we participated in a site visit with the Oversight and Government Reform Committee under Chairman CHAFFETZ earlier this year and had a firsthand opportunity to interact with the kids and families about the success of the D.C. Opportunity Scholarship Program.

I was recently reminded just a couple weeks ago when I was sitting in the hearing seeing the families, seeing the moms who were just beaming with pride about their children having this special opportunity. In the 2013 and 2014 school year, the Opportunity Scholarship Program had a graduation rate of 89 percent, which is astonishing compared to the D.C. Public Schools graduation rate of 58 percent.

As a former minister, I have taken groups in the heart of the inner cities, places like New York and Baltimore. Specifically, in Cleveland, there is a school there called Sunbeam Elementary School. Thieves had stolen the copper off the weathervane, the school was filthy, and there was a metal detector for an elementary school. We brought in a team of 60 or 65 people and refurbished the school and did our best. But do you know what? That was only a temporary fix. The SOAR Act is a fix that lasts for a lifetime. It gives scholarships to children in low-income D.C. families to attend a private school. This piece of legislation also allows parents the opportunity to provide a quality education for their children.

I believe that education will only be successful if two foundational truths are rediscovered: first, that parents know what is best for their child, and

they should have the freedom to pursue the path that works for them; secondly, and finally, States must stand up to the Federal Government to reclaim their freedom to educate their children.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, once again, let's get this straight. The control study did not evaluate college attendance. It was not a part of the study. Now, it did evaluate graduation rates. Mr. Chairman, what it did not evaluate was dropout rates.

Private schools are notorious for sending back to the District of Columbia children who they think are not doing well or they are not acting as they think they should act. Unless we had those figures, we would have no idea what the graduation rates were, because the graduation rates are those who were left in the school and did not get sent back.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, at this time, I am pleased to yield 1½ minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Chairman, I rise in strong support of H.R. 10.

Now, why would I rise in support of this? If you hear the rhetoric from the other side, you are saying this is not a program that works; but if you compare the results, it does work. When you just hear that only 55 percent of people in D.C. Public Schools graduate from high school and yet if they have an opportunity to go to this other school, 89 percent graduate, my goodness, what more do you need to understand?

Look, it is very evident about what is going on here. If you want our children to succeed, if you want our children to excel, and if you want America to be able to compete worldwide, then education is the answer. The true issue here is a moral issue and a civil rights issue.

I really believe that President Obama, in 2008, was on to something. This is what the President said:

The single most important factor in determining student achievement is not the color of their skin, it is not where they come from, it is not their parents or how much money their parents have. It is who their teacher is.

Mr. Chairman, if there is one thing that has made this country exceptional, it is that we have allowed everyone the opportunity to rise from whatever level they started at to whatever level they can achieve. It is only possible through education. This program works.

Mr. Chairman, \$60 million is going to be equally divided between the D.C. Opportunity Scholarship Program, D.C. Public Schools, and the D.C. Public Charter Schools. When we give this

money to the parents of these children, when they get a chance to see their children excel, when they get a chance to see their children grow, and when they see a chance for their children to have great success, how can we sit in America's House and debate about is this really what it is all about?

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Members can keep repeating all they want to figures that have come from the air. The only thing evaluated by the congressionally mandated evaluation was the test scores. Our public school students and our charter school students have to take these tests. These children took these tests.

Our public school students are doing better—not nearly as good as they should—and so are our charter schools. In fact, our charter schools are doing even better than our public school students, and these students didn't move at all. That is what the congressionally mandated study showed.

As to civil rights, these schools are exempted from many of the civil rights laws, and for that reason, the Leadership Conference on Civil and Human Rights, the NAACP, and a number of organizations wrote opposing reauthorization of this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from South Carolina (Mr. SANFORD.)

Mr. SANFORD. I thank the chairman.

Mr. Chairman, I think that there is one fundamental question in this debate, and that is: Should a child be trapped in a school that traps them? Should a child be trapped in a school that, for whatever reason, isn't working for them but would forever limit their capacity and their potential in life? To me, that is what H.R. 10 is all about.

I think it is important to remember that 98 percent of the kids that have entered this program have come from schools that were not performing; and in that regard, this is simply a way out, it is a hand up. I think it fundamentally recognizes that dignity and worth that comes with giving somebody a choice.

I think it is something that every human being wants, which is simply a choice. I think it is a recognition of the fact that one size never fits all, that God makes us all different, and therefore a plethora of different choices is vital in the marketplace.

Finally, it is recognition of the fact that the marketplace has the ability to create choices that might take forever in other systems, time that these kids do not have. I would ask that we refocus on the kids.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I don't know about other Members' districts, but I challenge Members to meet what the District of Columbia has done to keep students from being trapped in bad schools.

In your districts, can 75 percent of the children choose to go to a better performing district? They can in mine.

In your district, are there 110 publicly accountable charter schools as an alternative to your own traditional public schools? There are in mine.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Mr. Chairman, I thank the chairman for his leadership in bringing this excellent bill to the floor. This bill—of which, in full disclosure, I am an original cosponsor of—will continue to promote school choice and provide Opportunity scholarships to D.C. students that are most in need, while also expanding D.C. Public Charter Schools, therefore providing more opportunities for Washington students to excel and set themselves up for productive and successful lives.

Now, to date, the Opportunity Scholarship Program has been an educational lifeline for more than 6,000 children from very low-income D.C. families, and more than 16,000 have applied to participate since the 2004–05 school year. Quite simply put, this program works.

It is no secret I am a big proponent of school choice. As chairman of the Early Childhood, Elementary, and Secondary Education Subcommittee, I have heard about the challenges many students in schools are facing, and I firmly believe that when parents have a choice, kids have a chance. This program, which has helped pave the way for others like it across the country, gives that chance, and it creates a healthy competition that causes all schools to improve, therefore helping all students, even those who aren't in the program.

As I have seen in my home State of Indiana and across this great country touring schools and visiting classrooms, Opportunity scholarships provide students a hand up in improving their lives, their family's lives, and their communities. That is why we have a moral obligation to pass this legislation and why I urge my colleagues to join me and join the others here on the floor in reauthorizing the D.C. Opportunity Scholarship Program.

Mr. Chairman, a great education is a great equalizer. It opens doors to unlimited possibilities and provides students the tools that they need to succeed in life.

Ms. NORTON. Mr. Chairman, I reserve the balance of my time.

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Mr. CHAFFETZ. Mr. Chairman, at this time, I am pleased to yield 1

minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I rise today to support the Scholarships for Opportunity and Results Reauthorization Act.

Speaker BOEHNER led the Nation over 10 years ago when he provided flexibility to Washington, D.C., children and their parents through School Choice. I believe that School Choice is paramount to increasing educational gains for all children, but especially our Nation's students who are most in need.

The SOAR Act gives scholarships to low-income students to attend a private school, providing them an opportunity to access a quality education that would otherwise be out of reach.

School Choice has proven to be successful in Washington, D.C., as students using their scholarships have a 90 percent graduation rate compared to the 58 percent graduation rate for D.C. public schools in 2013 and 2014.

We heard today that these statistics have been questioned, and we hope that the public schools are improving. But with this act would they actually be improving?

I encourage my colleagues to stand up for School Choice by supporting the SOAR Act.

Ms. NORTON. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

I would draw our Members' attention to the editorial board comments from yesterday. This is from the Washington Post: A misguided attack on D.C.'s needy students.

I want to remind people, as they did in this document here in this editorial, that eight council members seem unaware that the program was established in 2004 at the initiation of the then-D.C. Mayor Anthony Williams, who was also supported by the chairman of the Council's Education Committee, and it has produced results.

The graduation rates are amazingly good, at roughly 90 percent, compared to D.C. public schools that are less than 60 percent. I think that is strong evidence that it is a winner, that it does provide a good opportunity for people, and that it should be reauthorized.

With that, I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, may I inquire as to how much time each side has remaining?

The Acting CHAIR. The gentleman from Utah has 6 minutes remaining. The gentlewoman from the District of Columbia has 6 minutes remaining.

Mr. CHAFFETZ. Mr. Chairman, at this time, I am pleased to yield 1

minute to the gentleman from Ohio (Mr. BOEHNER), the author of this piece of legislation and the distinguished Speaker of the House.

Mr. BOEHNER. Mr. Chairman, let me thank my colleague for yielding, and thank all my colleagues who are supporting this legislation today.

Many of us remember the story of "The Little Engine That Could." What happened was that the train full of toys wanted to get over the mountain to get to the kids on the other side. The big engine said: No, I cannot. The rusty old engine said: No, I cannot. But the little engine says: I'm not very big, but I think I can. I think I can.

Well, from the beginning, the D.C. Opportunity Scholarship Program has been the little engine that could. We started this back in 2003 with the help of D.C.'s Mayor at the time, Anthony Williams, and D.C. councilman Kevin Chavous.

For years the government was promising the Moon to D.C. families and spending the Moon, essentially, but nothing changed. So we said: If we are going to support public schools and charter schools, let's also give low-income families the chance to apply for scholarships to attend the school of their choice. Let's give them that power.

Because if you have got the resources, you already have school choice. You can send your kids to whatever school you want to send them to. You can move from the neighborhood you are in to where they have got a better school. But if you are poor and you are stuck in a bad neighborhood and your child doesn't have that chance or, frankly, any chance, they are just dead in the water.

Well, the D.C. Opportunity Scholarship Program has been that little lifeline that could. All told, 6,100 students have escaped underperforming schools. In that time, the program has received some 16,000 applications. Last spring 90 percent of 12th graders using the Opportunity scholarships graduated and 88 percent enrolled in a 2- or 4-year college. Of the 1,400 students in the program this year, 87.4 percent would have been in a school that the government has identified as in need of improvement.

These are the kind of results parents dream of for their kids. And while it is my name on the bill, the best champions of this program are some of the most fearless kids you will ever see.

Not only did they have to overcome the doubts of the education establishment, they also had to withstand efforts by some of the most powerful people in this city to kill this program.

So today I am asking each of you to support H.R. 10, which reauthorizes this program for another 5 years. Here is why. Yes, this issue is personal to me and has been for a long time. But, frankly, it ought to be personal to every single Member of this body.

Those of us who work here, who make a good living here, owe something to the kids in this town. We owe these kids a fighting chance at success.

So what I am asking you to do today is help these kids get over the mountain. Help us keep building the movement that could. Vote for H.R. 10.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

The Speaker has said that, without this program, these children would have been in bad neighborhood schools. Well, I think it must be noted that the District of Columbia has done more to make sure that those children are not trapped in such schools than any district I have yet read about or heard of.

I have noted that 75 percent—that means the overwhelming number—of children stuck in neighborhood schools that they believe are not good schools go to the other side of town, if necessary, to a better school. Far from being trapped, they are encouraged to choose a better school. And I have also cited the 110 charter schools that increase their choices.

And, Mr. Chairman, I want you to know that many of the voucher parents whom I have met with—after all, they are my constituents—have said to me that they tried to get into one of our charter schools, but the waiting lists were too long, which is why they went to the voucher schools.

Now, isn't it interesting that the voucher schools have no waiting list, but the D.C. charter schools and many of our public schools have waiting lists, so much so that D.C. has had to combine the public schools and the charter schools on one list in a lottery so that families can choose which school to go to.

How many Members on that side of the aisle have a lottery that lets the children, the parents, choose the best school for them to go to? Do not dare tell me that the District of Columbia leaves children trapped in failing schools. It has gone out of its way to do just the opposite.

And what does it get for it? The imposition by this body of yet another alternative. It is true that, a former mayor, who himself went to Catholic schools, said he was for vouchers. Well, Mr. Chairman, I ask you, then, since the District of Columbia has control of its own education apparatus, why hasn't the District of Columbia set up its own voucher schools? Some other districts have done that. Because the majority, they don't prefer vouchers, Mr. Chairman.

Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentlewoman from the District of Columbia has 2 minutes remaining.

Ms. NORTON. Mr. Chairman, there are many reasons why I oppose this bill. First, it has failed the goal that the Congress gave it. Bring these chil-

dren's test scores up. The public schools have brought their test scores up. The public charter schools have done even better in bringing their test scores up. These children's test scores have not risen.

Moreover, I can't fail to note how recently the majority has cut K-12 by \$2 billion while taking \$100 million out of, obviously, education funds to fund a private school voucher bill.

Mr. Chairman, not everybody on my side of the aisle is for public charter schools, but I have supported public charter schools because my own constituents wanted and needed a way out of neighborhood schools very often.

Yet, even though I come to this floor with home rule choices, this body is insisting on its choices, knowing full well that nobody in the District of Columbia can vote against their choices.

And it says to the District of Columbia residents: No matter what you do, people, no matter how good your choices are, no matter how much you meet the standards we often talk about when it comes to choice, you, who have no vote on this floor, who will not vote on this bill when the bell rings in a few minutes, must do what we say.

That, my good friends, is not a chapter in democracy. It shows once again that Republican do whatever they care to do to the District of Columbia, even when they reject the same choice for their own constituents, and vote down for their constituents what they now impose on mine. Just a few months ago, the House and Senate voted down vouchers, but today—today—they will vote to impose these same vouchers on the District of Columbia.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

I want to correct the record there. I think, obviously, somebody misspoke. The House did not vote on vouchers in this Congress. That is not what has happened.

Mr. Chairman, I insert into the RECORD the letter we got from 500 families, D.C. residents, urging us in the adoption of this.

HOUSE OF REPRESENTATIVES,
Washington, DC, October 20, 2015.

DEAR REPRESENTATIVES: We are a large and diverse number of parents of children attending various schools within the District of Columbia. We write to urge your support of the Scholarships for Opportunity and Results Reauthorization Act (SOAR) (H.R. 10).

The SOAR Act is bipartisan legislation which ensures our rights as parents to choose the best public, charter or private school for our children. It not only provides up to \$20 million for Opportunity Scholarships for low-income families to attend private schools, but also authorizes an additional \$40 million per year for public and charter schools in the District of Columbia. This three-sector initiative provides opportunities for all our children to succeed!

Nearly 6,200 children from very low-income families in the city have attended private

schools through the Opportunity Scholarship Program over the past eleven years—88% coming from areas zoned for schools in need of improvement and 97% African-American or Hispanic. These students graduate at rates 30 points higher than the city's public schools and have a near 90 percent college enrollment rate. These are proven results!

The SOAR Act is an example of what works in education. When we can choose the best public, charter, or private school for our children, there are not only more opportunities to engage in their education, but also for them to achieve greater academic excellence. These outcomes strengthen the city's education system as a whole.

We believe that maintaining and fully funding all educational options are critically important for the city's families, especially low-income families served by the Opportunity Scholarship Program. No child should be denied a safe, quality education because of their family income or zip code.

We therefore urge you to support the swift passage of the SOAR Act.

Sincerely,

Ms. Nichelle Cluff, Mrs. Ifeyinwa Ikoli, Ms. Stephanie Montgomery, Ms. Mary Montgomery, Ms. Nina Harris, Ms. Eboni Purvis, Ms. Juliette Randolph, Ms. Ashley Adams, Ms. Naa Borle Sakeyfi, Mrs. Mariama Bah, Ms. Mia Wilson, Mrs. Sherri Calhoun, Ms. Lamonica Jeffery, Mr. Darrell Cousar, Mr. James Calhoun, Mr. Andrew Cyr, Ms. Kayann McCalla, Mrs. Aldrina Cabrera, Ms. Kiana Wright, Ms. Albertine Cole.

Ms. Dianna Coley, Ms. Tonya Carter, Ms. Giovanna Grayson, Ms. Luciana Udeozor, Ms. Andrea Davis, Mrs. Obiagel nuel-Ejiofor, Mr. Emmanuel Ejiofor, Mr. Rogers Ferguson, Mr. Girma Mihretu, Ms. Molita Gaskins, Ms. Latoya Myers, Ms. Djenane Jeanty, Ms. Keona Lewis, Mrs. Nicole Knott, Mr. Rudy Knott, Mr. Hanna Boku, Mr. Rashawn McCain, Ms. Ann Mmayie, Ms. Rita Pineda, Mr. Okechukwu Mbarah.

Mr. Carlings McPhail, Ms. Ann Meruh, Ms. Shantel Powell-Morgan, Mrs. Marguerita Ramos, Mrs. Muanza Sangamay, Ms. Felicia Thomas, Ms. Sydney Williams, Ms. Caren Kirkland, Mrs. Temitope Tayo, Mr. Anthony Ugorji, Ms. Natasha Tutt, Ms. Dina Bayou, Ms. Natasha Tutt, Mr. Calvin Wright, Mrs. Julia Ugorji, Mrs. Chinwe Mbarah, Mr. Souleymane Bah, Julie McLaughlin, Sheila Martinez, Susan Morais.

Joan Sapienza, Eddie Donahue, Joseph Yohe, Carter Jefferson, Vincent Browning, Jonathan Bender, Peter Frantz, Ellen Graper, Elizabeth LeBras, Kiandra Willis, Robert McKeon, Marcela Price Souaya, Stephen Lennon, Aleasa Chiles-Feggins, Sally Leakamariam, Juleanna Glover, Christopher Reiter, Cristina Khalaf, Tom Shea, Sean Vincent.

Karen Brennan, Ceci Smith, Adrienne Vincent, Pedro Smith, Donna Gibson, Colleen Cavanagh, Chris Long, Aleasa Chiles-Feggins, Mariela Alardon-Yohe, Jennifer Browning, Philippa Bender, Melanie Jefferson, Veronica Nyhan Jones, Michael Truscott, Eavan O'Halloran, Sakinah Dupree, Morris Redd, Ron Josey, Susana Ramos-Izquierdo, Aimee Donahue.

Marisse Rovira, Linda Girardi, Sharlene Mentor, Lisa Richa, James McLaughlin, Glenda Morales, Samuel Parker III, Clarence Jones, Leyla Y. Teos, Mavian Nouget, Kip Ross, Beatriz Lopez, Charles Malloy, Steve Trynosky, Carlos Aquino, Yanira Reyes, Nelly Romero, Sandra Huerta, Eboni Curry, Amanda Lawrence.

Laura Hernandez, Mogus Meles, Danielle Aguirre, Julie Corsig, Andy Corsig, Alan

Joaquin, Stephen Connors, Colton Campbell, Amy Dean, Flavio Cumpiano, John Menditto, Michelle Theic, Liza Figueroa, Shenelle Henry, Glenda Urquilla, Kelly Brown, Maria Granados, Catie Malloy, Ingrid Mejia, Jill Trynosky.

Marlene Aquino, Roselia Gonzalez, Nubia Easil, Jessica Martinez, Beatriz Jansen, Juan Carlos Acajabon Mendez, Betiel Zekarias, Maria Torres, Carrie Hillegass, Mike Hillegass, Barbara Richitt, Victoria Connors, Kiandra Willis, Marilyn Campbell, Bob Dean, Felice Goodwin, Shanti Stanton, Molly Robert, Jen MacLennan, Michael Grady.

Sharon Blume, Brendan O'Brien, Kenia Reyes, Salvador Hernandez, Rob Grabarz, Bentley Storm, Molly Bruno, Jennifer Leonard, Geoff Morrell, Christy Reap, Genet Demisse, Javier Aguirre, Neil McGrail, Kai Schmitz, Jimmy Kemp, Kathy Hagerup, Stephanie McGovern, Yohannes Z. Hadgu, Thomas Fitton, Melinda Johnson.

Theresa Nahazar, Ann McAllister, Dan Goodwin, Daphne de Souza, Darren MacLennan, Alexandra Walsh, Andrew Blume, Greg Talbot, Darren Jansen, Susan Tanis, Sarah Grabarz, Ashley Storm, Jaclyn Madden, Barton Leonard, Ann Morrell, Pat Reap, Jana Patterson, Barbara Swaboda, Stephanie McGrail, Adriana Schmitz.

Susan Kemp, Brian Crowley, John McGovern, Michael Scanlon, Kelly Fitton, Bassam Khalaf, John Nahazar, John McAllister, Marc Sozio, Tyson Redpath, Laverne Lightbourne, Nick Milano, Trisha Corcoran, Eleanor Hopkins, Liza Lindenberg, Katie Krantz, John Morrissey, Joe Patterson, Chima Oluigbo, Sonia Cruz.

Mercedes Rubio, Eddie Donahue, Gilbert Richa, Nick Saunders, Stephen Sexton, Thomas Faust, Meg Molloy, Michelle Wolf, Bruce Cormier, Ryan Angier, Jen Rowan, Lauren Buckley, Collin Cullen, Mary Santiviago, Kelly Sozio, Renee Redpath, Kevin Madden, Susan Milano, Joe Corcoran, Mary Glaser McCahan.

Kate McAuliffe, Meg Knight, Ann Morrissey, Courtney Knowles, Nnenna Oluigbo, Robert Cruz-Reyes, Lydia Dolan, Lauren Lennon, Tom Knight, Joe Beemsterboer, Sarah Sexton, Larisa Faust, Jim Molloy, Kristin Lindquist, Sarah Cormier, Katreana Vigil Pineda, Mike Rowan, Mark Buckley, Brenda Cullen, Sergio Santiviago, Gary Fabiano.

Rene McGuffin, Jorge Costa, Meghan Deerin, Kelly Stanton, Art Frye, John McGill, Mike Bruno, Matt Ritz, Margaret Bond, Billy MacArtee, Anthony Puglisi, Monica Micklos, Tim Yost, Ray Powers, Chris Dolan, Darrell Clark, Chris Connolly, Joni Veith, Courtney Taylor, Athena Meyers.

Joshua Corless, Allison Sheedy, Robin Barth, Sam Depoy, Jung Kang, Connie Fabiano, David McGuffin, Michelle Costa, JB Deerin, Mike Stanton, Barbara Frye, Stephanie McGill, Anne Zorc, Erin Ritz, Chris Delaney, Elena MacArtee, Laura Puglisi, Jeff Micklos, Liz Yost, Tom Hohman.

Desiree Gabbidon, Yves Clark, Michelle Connolly, Tom Veith, Jay Taylor, Greg Meyers, Shannon Corless, Stefan Hagerup, Woo Lee, Marty Depoy, Stephanie O'Leary, Susan O'Keefe, Luwam Berhane, Patti Exposito, Michael Henry, Dan Hickey, Carmen Burducea, Joseph Finnegan, Michael Hyatte, Peter Komives.

Eric Stogoski, Fred Dombo, Dave Madden, Justin Glasgow, Bernardo Ahlbom, Mark Emery, Doug Skomy, Stephen Grimberg, Brendan Delaney, John DiMartino, Jeffrey MacKinnon, Hirut Teklu, Erika Lopez-

Padilla, Michelle Marshall, Abebe Kebede, Shayla Mack, Tesfaye Bune, Michael O'Keefe, Daniel McCahan, Lorenzo Exposito.

Sarah Henry, Stephanie Hickey, Radu Burducea, Elizabeth Finnegan, Theresa Hyatte, Irina Komives, Julia Stogoski, Michelle Dombo, Lisa Madden, Megan Glasgow, Tatiana Ahlborn, Celina Emery, Mary Skorny, Christina Grimberg, Celine Delaney, Ginny Treanor, Gail MacKinnon, Mekuria Gebremichael Bint, Renee Lopez-Padilla, Emebet Worku.

Carlotta Crawford, Solomon Meshesha, Etsegnet Demissie, Sri Winarti, Denisha Dempster, Demssie Gebremedhin, Alembranchi Taye, Tezita Woldegebriel, Tesfaye Abebu Bune, Magie Maling, Jessica Cabrera, LaShawn Debnam, Barbara Destry, Jaanai Johnson, Hewan Abera, Siddiq Anderson, Markina Bailey, Odessa Brown, Rosa Caiza Maldonado, Sharon Coffey.

Dianna Coley, Felicia Dyson, Ruth Fekadu, Dana Grinage, Sandra Hall, Lakia Harris, Shirlene Jackson, Francine Johnson, Nicole Johnson, Rajeev Burks, Mohamad Nugroho, Woinishet Gelete, Johnny Kassa, Cynthia Downes, Genet Tirkso, Wosen Admasu, Sara Caceres, Johanna Rizo Martinez, Nikita Pray, Estela Arellano.

Sagrario Agaton, Mary Addae, Ruth Barnwell, Meka Burch, Sherri Calhoun, Catrice Coleman, Barbara Cunningham, Lashawn Durant, Moanick Fenner, Michelle Glover, Carmen Hall-Ali, Deborah Jackson, Darlene Johnson, Denise Johnson, Wendy Jones, Michael Jones, Alfreda Judd, Lynetta McClam, Adrienne Miles, Claudia Moreno.

Pauline Murray, Brigitta Nyahn, Naha Poindexter, Erin Skinner, Felicia Thomas, Sharon Waller, Lanita Wood, Ms. Myeshia Johnson, Ms. Venete Eason, Ms. Kanita Washington, Mrs. Barbara Graham, Sophie Alozie, Blanca Magarin, Jeanine Henderson-Lebbie, William Walker, IV, Tigestu Zewdie, Sydonie Fisher, William James, Akwilina Perry, Monalisa Reno.

Zakia Williams, Shonta Jones, Pamela Matthews, Cecilia Mensah, Tonya Moore, Priscilla Moultrie, Carolina Novoa, Deborah M. Parker, Michelle Roberts, Sandra Stackhouse, Leslie Void, Varnell Washington, Ms. Kitty Dawson, Ms. Mia Butler, Ms. Tiana Robinson, Mrs. Jill Gelman, Nejat Teman, Nathaniel Garbla, Tefaye Tamire, Patrice Aubrey.

Fatmatta Kamara, Stephon Knox, Dwishnicka Randolph, Nicole Wood, Erica Iweanoge, Amanda Brown-Parks, James Parker, Teata Sanders, Samora St. Firmin, Dionne Clemons, Vernessa Perry, Donald Matthews, Tashana Ellis, Donita Adams, Caroline Beruchan, Steven Garrison, Ms. Holly Destry, Ms. Victoria Heimbold, Mr. Solomon Weldeghebriel, Ms. Jamil Rasberry.

Anne Hedian, Atchoi Osekere-Bond, Margie Bacon, Jill Wright, Cathy Falk, Chanda Foreman, Colleen Scheidel, Kenny Stack, Juliette Randolph, Barbara Andercheck, Indra Thomas, Dog Harvey, Darah Tracy, Ginger Beverly, Tonya Wright, Brandon Winder, Antilecia O'Neal, Uanna Ferguson, Aster Robi, Bernadette Aniekwe.

Patrice Davis, Ms. Maria del Carmen Reyes, Ms. Ingrid Lucas, Ms. Stephanie Goodloe, Mrs. Helen Andemariam, Michael Thomasian, Neslyn Moore, Judy Steele, Kathleen Downey, Judith Home, Niamh O'Mahoney, Arleen Hall, Bobby Rienzo, Teresa Fitzgerald, LaShawne Thomas, Sarah Kane, Frank Washington, Mary Ann Welter, Shawn Hunter, Leslie Sherrill.

Donise Yeager, Keyana Caroline, Sandra Gray, Latasha Monnique Jones Ward, Anthony Speight, Deborah B. Jones, Kim

Atwater, Alvena P. Toland, Loretta Henry, Marilyn Sharpe, Davon Wilson, Sherry Bryant, Elroy Black, Lisa Newman, Shakia Henderson, Octavia Powell, Anita M. Harris, Krestin Clay, Laneka Brakett, Ana Acedo-Garcia.

Garry Jones, John Wallace, Nakeisha Thompson, Donald Lampkins, Renard Hawkins, Tammy Williams, Tynisha Dunn, Jovanna Bailey, Latasha Johon, Bobby Perry, Shalita Knight, Keyana Howard, Kenneth Meredith, Calep Epps, Tyron Byers, Chase Blakney, Curtis Watts, Kishara Odom, Jeffrey Corry, Antonia Payne.

Denise L. Lowery, Stephanie Payner, Tanya Lambright, Elaine E. Harris, Elbert Laker, Ryan Storr, Sylvester Bynum, Lavelle Lamb, Dominique Johnson, Paulette Willims, Martasha Fermin, Oyhani Williams, Nasir McKeiver, Kenneth Wood, Neta Vaught, Mary Joyner, Michelle L. McIntyre, Kaitlin Gallagher, Will E. Henderson, Jeanette Hubbard, Ontavia Lynch, Tasha McKenzie, James R. Willis, Jr.

Mr. CHAFFETZ. Mr. Chairman, I also introduce into the RECORD The Washington Post editorial from yesterday, "A Misguided Attack on D.C.'s Needy Students," actually supporting this.

[From the Washington Post, Oct. 20, 2015]

A MISGUIDED ATTACK ON D.C.'S NEEDY STUDENTS

(By Editorial Board)

Is the federally funded scholarship program for poor D.C. families being forced on an unwilling city? It is safe to say that thousands of D.C. parents whose children are on the waiting list for a scholarship do not think so. Nor, we would venture, do the 6,100 children, predominantly minorities, who have used the scholarships to attend private schools. For that matter, students in the city's public schools who have benefited from the infusion of federal dollars that has accompanied the voucher program probably would not embrace the argument either.

So whom do members of the D.C. Council think they are helping as they urge Congress to kill this program?

Fortunately, it does not appear that the council members will succeed in inflicting this wound on their city. Congress appears poised to reauthorize the D.C. Opportunity Scholarship Program, which provides needy students with up to \$12,572 to pay for tuition, fees and transportation to a school of their choice. The average family income for participating families is less than \$22,000. A bill extending the program for five years and championed by outgoing House Speaker John A. Boehner (R-Ohio) is set for a floor vote Wednesday, while a bipartisan group of senators has filed a companion bill that would continue the program through 2025.

Seeking to derail those efforts, a misguided majority of the D.C. Council, undoubtedly egged on by Del. Eleanor Holmes Norton (D-D.C.) and other voucher critics, wrote a letter to Congress objecting to what they portrayed as an intrusion into local affairs. These eight council members seemed unaware that the program was established in 2004 at the initiation of Anthony Williams (D), then D.C.'s mayor, and with the strong support of Kevin Chavous (D), then chair of the council's Education Committee. Likewise, they were unmoved by polling that has shown 74 percent of D.C. residents support the voucher program, which, despite the specious claims of critics, has improved outcomes for its students without taking a dime from regular public schools.

Indeed, the three-sector federal approach has brought more than \$600 million to D.C. schools, with traditional public schools receiving \$239 million, charter public schools \$195 million and the voucher program \$183 million. At stake for fiscal 2016 is an additional \$45 million. It is fantasy to think there would be additional monies absent vouchers.

School reform has brought improvement throughout the system. Yet, many parents still lack the choices and the access to high-quality education that city politicians take for granted for their own families. We credit D.C. Council Chairman Phil Mendelson (D) and council members Vincent B. Orange (D-At Large), Mary M. Cheh (D-Ward 3), Brandon T. Todd (D-Ward 4) and Kenyan R. McDuffie (D-Ward 5) for not seeking to deprive those parents of choice, and we hope their eight colleagues will rethink their position and put constituents' welfare over misguided ideology.

Mr. CHAFFETZ. Mr. Chairman, the bottom line is this program produces results. I like the variety of choices. And the Delegate has been a real champion for charter schools, and I applaud her for that, I support her in that. But the reality is the scholarships that we are talking about here, the Opportunity scholarships, have yielded the best results with nearly 90 percent graduation rates and roughly 88 percent of the people then going on to college. Those are amazing statistics.

But I have heard a lot of derogatory comments. I have heard everything from misguided, idiotic, disgraceful, weakens, underfunded. Underfunded? Underfunded? That is offensive to us from Utah. We happen to have the lowest per pupil funding in the entire United States. We are not proud of that fact. But the reality is we get roughly \$6,500 per student, where in Washington, D.C. you get about \$19,500 per student. It is not even close. And yet here we are championing and trying to help give more money, more resources, to what are underperforming students and giving them more choices.

I guess one of the things you should consider is if the Congress does support this bill, does pass this bill, it is appropriated, would anybody on the Democratic side of the aisle actually recommend that the city not take the money?

□ 1700

If it is so idiotic, if it is so awful, if it is so derogatory, if it is so negative, then why not cut it off right now? See, they want to continue to allow it to happen for those who have scholarships now because they know it is working, and they could never look those parents in the eye and take it away; but they are going to deny that choice to future generations where we know there has been demonstrable success.

So I am proud of Speaker BOEHNER and what he has done to champion this bill. I think it is a good bill. With that, I urge the adoption of this bill.

Mr. Chairman, I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chair, today, I will vote against H.R. 10, which would continue a flawed program that pursues a partisan ideology at the expense of a child's quality education.

This bill would reauthorize Washington, D.C.'s private school voucher program, the only program in the country using federal money to send children to private and religious schools. The SOAR voucher program was a five year pilot set to expire in 2008. Despite four studies by the Department of Education and two General Accountability Office (GAO) reports concluding that the program wasn't working, Republicans in Congress are doubling down by allowing taxpayer dollars to prop up unaccredited, and even unsafe, schools. The last thing we need, as our students fall further behind their international peers, are voucher schools operating in relative isolation, free of oversight for curriculum, quality or management.

SOAR is the only program of its kind for a reason—there's no way our states would tolerate such nonsense. Sadly, because D.C. has not been freed from the partisan grips of Congress, it has become commonplace to see House Republicans impose their politics on D.C., despite widespread citizen and local government objection, from women's health care to marijuana reform to street design. There's justification for a program that funnels millions of dollars into a program shown to be ineffective and strongly opposed by the people that should matter—the parents, the educators, and taxpayers who support the system.

Worse, the SOAR Act strips students of constitutional protections of civil rights: federal funds can flow to schools that do not meet the federal standards to prevent discrimination against disabled persons, persons of color, persons of a religious group, women, or any other protected class. The SOAR Act is a sad step backward for education policy, civil rights, and good governance, and I strongly oppose it.

Ms. JACKSON LEE. Mr. Chair, I rise to speak in opposition to H.R. 10, the Scholarships for Opportunity and Results Reauthorization Act.

H.R. 10 would reauthorize the District of Columbia private school voucher program, the Opportunity Scholarship Program (OSP), for five years through 2021.

H.R. 10 would reauthorize the Scholarships for Opportunity and Results Act, which provides Federal support for improving traditional public schools in the District of Columbia (D.C.), expanding and improving high-quality D.C. public charter schools, and offering private school vouchers to a limited number of students.

The Obama Administration continues to strongly oppose the private school vouchers program within this legislation, known as the D.C. Opportunity Scholarship Program.

Members of the House should respect the self determination of the residents of D.C. by not forcing education policy onto children or their families at taxpayer expense.

Rigorous evaluation over several years demonstrates that D.C. vouchers have not yielded statistically significant improvements in student achievement by scholarship recipients compared to other students not receiving vouchers.

In addition, H.R. 10 would extend this voucher program to a new population of students previously attending private schools.

Instead of using Federal resources to support a handful of students in private schools, the Federal Government should focus its attention and available resources on improving the quality of public schools for all students.

Mr. Chair, I urge my colleagues to join me in voting against this bill.

Mr. COLE. Mr. Chair, I support the Scholarships for Opportunity and Results Act which has been a remarkable success with overwhelming support among parents whose children participate.

Every American child deserves the opportunity to receive a great education. Education is the key to success no matter your background, race or religion. As a former educator, I know the importance of making sure our children learn the skills they need to succeed in life. And while education is, and should remain, primarily a state and local issue, Congress has constitutional authority for the District of Columbia. I am committed to making sure the parents and teachers in Washington, D.C., and throughout the country, have the tools necessary to provide a world class education to all children.

No child should have to attend a low performing public school when alternatives are available and those alternatives provide positive and long-lasting benefits for a lifetime. I believe strongly in the authority of parents to direct the education and upbringing of their children with minimal interference from government at any level. Consequently, I am an advocate of charter schools, vouchers, and opportunity scholarships—all of which are supported through this legislation. Choice and the possibility to have an opportunity to attend the highest performing schools is what all parents want for their children.

I am hopeful that with the passage of this legislation many more families will have the opportunity to take advantage of public, charter, and private schools. Research has found voucher recipients are more likely to graduate from high school than their public school counterparts—82 percent of students who took advantage of a scholarship program graduated high school, while only 70 percent of students who applied but did not receive a scholarship graduated high school.

Education is essential to not only individual success, but the success of this great nation. H.R. 10 continues the emphasis on educational quality across D.C. and brings opportunity to those most in need by providing them with the option and means to attend a private school. By providing the opportunity to choose, children in D.C. will have an opportunity for a brighter future. For these reasons, I support this legislation, and thank Speaker BOEHNER for bringing this legislation to the floor.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendments recommended by the Committee on Oversight and Government Reform printed in the bill are adopted and the bill, as amended, shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 10

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES IN ACT.

(a) **SHORT TITLE.**—This Act may be cited as the “Scholarships for Opportunity and Results Reauthorization Act” or the “SOAR Reauthorization Act”.

(b) **REFERENCES IN ACT.**—Whenever in this Act an amendment is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Scholarships for Opportunity and Results Act (division C of Public Law 112-10; sec. 38-1853.01 et seq., D.C. Official Code).

SEC. 2. FINDINGS; PURPOSE.

(a) **FINDINGS.**—Congress finds the following:

(1) Parents are best equipped to make decisions for their children, including the educational setting that will best serve the interests and educational needs of their children.

(2) In 1995, Congress passed the DC School Reform Act, which granted the District of Columbia the authority to create public charter schools and gave parents greater educational options for their children.

(3) In 2003, in partnership with the Mayor of the District of Columbia, the chairman of the DC Council Education Committee, and community activists, Congress passed the DC School Choice Incentive Act of 2003 (Public Law 108-199; 118 Stat. 126), to provide opportunity scholarships to parents of students in the District of Columbia to enable them to pursue a high-quality education at a private elementary or secondary school of their choice.

(4) The DC Opportunity Scholarship Program (DC OSP) was part of a comprehensive three-part funding arrangement that provided additional funds for both the District of Columbia public schools and public charter schools of the District of Columbia. The intent behind the additional resources was to ensure both District of Columbia public and charter schools continued to improve.

(5) In 2011, Congress enacted the three-part funding arrangement when it reauthorized the DC OSP and passed the Scholarships for Opportunity and Results (SOAR) Act (division C of Public Law 112-10) with bipartisan support.

(6) While the National Center for Education Statistics indicates that per pupil expenditure for public schools in the District of Columbia is the highest in the United States, performance on the National Assessment of Educational Progress (NAEP) continues to be near the bottom of the country when examining scores in mathematics and reading for fourth and eighth grades. When Congress passed the DC School Choice Incentive Act of 2003, students in the District of Columbia ranked 52 out of 52 States (including the Department of Defense schools). Since that time, the District of Columbia has made significant gains in mathematics and reading. However, students in the District of Columbia still rank in the bottom three States out of 52 States. According to the 2013 fourth grade math NAEP results, 34 percent of students are below basic, 38 percent are at basic, and 28 percent are at proficient or advanced. The 2013 fourth grade reading results found that 50 percent of fourth grade students in the District of Columbia are at or below

basic, 27 percent are at basic, and 23 percent are proficient or advanced.

(7) Since the inception of the DC OSP, there has been strong demand for the program by parents and the citizens of the District of Columbia. In fact, 74 percent of District of Columbia residents support continuing the program (based on the Lester & Associates February 2011 Poll).

(8) Since the program’s inception, parental satisfaction has remained high. The program has also been found to result in significantly higher graduation rates for those students who have received and used their opportunity scholarships.

(9) The DC OSP offers low-income families in the District of Columbia important educational alternatives while public schools are improved. The program should continue to be reauthorized as part of a three-part comprehensive funding strategy for the District of Columbia school system providing equal funding for public schools, public charter schools, and opportunity scholarships for students to attend private schools.

(b) **PURPOSE.**—It is the purpose of this Act to amend the Scholarships for Opportunity and Results Act to provide low-income parents residing in the District of Columbia with expanded educational opportunities for enrolling their children in other schools in the District of Columbia, and provide resources to support educational reforms for District of Columbia Public Schools and District of Columbia public charter schools.

SEC. 3. PROHIBITING IMPOSITION OF LIMITS ON TYPES OF ELIGIBLE STUDENTS PARTICIPATING IN THE PROGRAM.

Section 3004(a) (sec. 38-1853.04(a), D.C. Official Code) is amended by adding at the end the following new paragraph:

“(3) **PROHIBITING IMPOSITION OF LIMITS ON ELIGIBLE STUDENTS PARTICIPATING IN THE PROGRAM.**—

“(A) **IN GENERAL.**—In carrying out the program under this division, the Secretary may not limit the number of eligible students receiving scholarships under section 3007(a), and may not prevent otherwise eligible students from participating in the program under this Act, on any of the following grounds:

“(i) The type of school the student previously attended.

“(ii) Whether or not the student previously received a scholarship or participated in the program.

“(iii) Whether or not the student was a member of the control group used by the Institute of Education Sciences to carry out previous evaluations of the program under section 3009.

“(B) **RULE OF CONSTRUCTION.**—Nothing in subparagraph (A) may be construed to waive the requirement under section 3005(b)(1)(B) that the entity carrying out the program under this Act must carry out a random selection process which gives weight to the priorities described in section 3006 if more eligible students seek admission in the program than the program can accommodate.”.

SEC. 4. REQUIRING ELIGIBLE ENTITIES TO UTILIZE INTERNAL FISCAL AND QUALITY CONTROLS.

Section 3005(b)(1) (sec. 38-1853.05(b)(1), D.C. Official Code) is amended—

(1) by striking “and” at the end of subparagraph (K); and

(2) by adding at the end the following new subparagraph:

“(M) how the entity will ensure that it utilizes internal fiscal and quality controls; and”.

SEC. 5. CLARIFICATION OF PRIORITIES FOR AWARDING SCHOLARSHIPS TO DETERMINING ELIGIBLE STUDENTS.

Section 3006(1) (sec. 38-1853.06(1), D.C. Official Code) is amended—

(1) in subparagraph (A), by striking “identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)” and inserting “identified as a low-achieving school according to the Office of the State Superintendent of Education of the District of Columbia”; and

(2) in subparagraph (C), by striking the semicolon at the end and inserting the following: “, or whether such students have, in the past, attended a private school;”.

SEC. 6. MODIFICATION OF REQUIREMENTS FOR PARTICIPATING SCHOOLS AND ELIGIBLE ENTITIES.

(a) **CRIMINAL BACKGROUND CHECKS; COMPLIANCE WITH REPORTING REQUIREMENTS.**—Section 3007(a)(4) (sec. 38-1853.07(a)(4), D.C. Official Code) is amended—

(1) by striking “and” at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

“(G) conducts criminal background checks on school employees who have direct and unsupervised interaction with students; and

“(H) complies with all requests for data and information regarding the reporting requirements described in section 3010.”.

(b) **ACCREDITATION.**—Section 3007(a) (sec. 38-1853.07(a), D.C. Official Code) is amended—

(1) in paragraph (1), by striking “paragraphs (2) and (3)” and inserting “paragraphs (2), (3), and (5)”; and

(2) by adding at the end the following new paragraph:

“(5) **ACCREDITATION REQUIREMENTS.**—

“(A) **IN GENERAL.**—None of the funds provided under this division for opportunity scholarships may be used by an eligible student to enroll in a participating private school unless one of the following applies:

“(i) In the case of a school that, as of the date of enactment of the SOAR Reauthorization Act, is a participating school, the school is provisionally or fully accredited by an accrediting body described in subparagraphs (A) through (G) of section 2202(16) of the District of Columbia School Reform Act of 1995 (sec. 38-1802.02(16)(A-G), D.C. Official Code), or by any other accrediting body determined appropriate by the District of Columbia Office of the State Superintendent for Schools for the purposes of accrediting an elementary or secondary school.

“(ii) In the case of a school that, as of the day before the date of enactment of the SOAR Reauthorization Act, is a participating school but does not meet the requirements of clause (i)—

“(I) not later than 1 year after the date of enactment of such Act, the school is pursuing full accreditation by an accrediting body described in clause (i); and

“(II) not later than 5 years after the date of enactment of such Act, the school meets the requirements of clause (i), except that an eligible entity may extend this deadline for a single 1-year period if the school provides the eligible entity with evidence from such an accrediting body that the school’s application for accreditation is in process and that the school will be awarded accreditation before the end of such period.

“(iii) In the case of a school that, as of the date of enactment of the SOAR Reauthorization Act, is not a participating school, the school

meets the requirements of clause (i) or, if it does not meet the requirements of clause (i)—

“(I) at the time the school notifies an eligible entity that it seeks to be a participating school, the school is actively pursuing full accreditation by an accrediting body described in clause (i);

“(II) not later than 5 years after the school notifies an eligible entity that it seeks to be a participating school, the school meets the requirements of clause (i), except that an eligible entity may extend this deadline for a single 1-year period if the school provides the eligible entity with evidence from such an accrediting body that the school’s application for accreditation is in process and that the school will be awarded accreditation before the end of such period; and

“(III) the school meets all of the other requirements for participating schools under this Act.

“(B) **REPORTS TO ELIGIBLE ENTITY.**—Not later than 5 years after the date of enactment of the SOAR Reauthorization Act, each participating school shall submit to the eligible entity a certification that the school has been fully or provisionally accredited in accordance with subparagraph (A), or has been granted an extension by the eligible entity in accordance with subparagraph (A)(ii)(II).

“(C) **ASSISTING STUDENTS IN ENROLLING IN OTHER SCHOOLS.**—If a participating school fails to meet the requirements of subparagraph (A), the eligible entity shall assist the parents of the eligible students who attend the school in identifying, applying to, and enrolling in another participating school under this Act.”.

(c) **USE OF FUNDS FOR ADMINISTRATIVE EXPENSES AND PARENTAL ASSISTANCE.**—Section 3007 (sec. 38-1853.07, D.C. Official Code) is amended—

(1) by striking subsections (b) and (c) and inserting the following:

“(b) **ADMINISTRATIVE EXPENSES AND PARENTAL ASSISTANCE.**—The Secretary shall make \$2,000,000 of the amount provided under the grant each year available to an eligible entity receiving a grant under section 3004(a) to cover the following expenses:

“(1) The administrative expenses of carrying out its program under this Act during the year, including—

“(A) determining the eligibility of students to participate;

“(B) selecting the eligible students to receive scholarships;

“(C) determining the amount of the scholarships and issuing the scholarships to eligible students;

“(D) compiling and maintaining financial and programmatic records; and

“(E) conducting site visits as described in section 3005(b)(1)(I).

“(2) The expenses of educating parents about the entity’s program under this Act, and assisting parents through the application process under this Act, including—

“(A) providing information about the program and the participating schools to parents of eligible students;

“(B) providing funds to assist parents of students in meeting expenses that might otherwise preclude the participation of eligible students in the program; and

“(C) streamlining the application process for parents.”; and

(2) by redesignating subsection (d) as subsection (c).

(d) **CLARIFICATION OF USE OF FUNDS FOR STUDENT ACADEMIC ASSISTANCE.**—Section 3007(c) (sec. 38-1853.07(c), D.C. Official Code), as redesignated by subsection (c)(2), is amended by striking “identified for improvement, corrective action, or restructuring

under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)” and inserting “identified as a low-achieving school according to the Office of the State Superintendent of Education of the District of Columbia”.

(e) **PERMITTING USE OF FUNDS REMAINING UNOBLIGATED FROM PREVIOUS FISCAL YEARS.**—Section 3007 (sec. 38-1853.07, D.C. Official Code), as amended by this section, is amended by adding at the end the following new subsection:

“(d) **PERMITTING USE OF FUNDS REMAINING UNOBLIGATED FROM PREVIOUS FISCAL YEARS.**—To the extent that any funds appropriated for the opportunity scholarship program under this Act for any fiscal year (including a fiscal year occurring prior to the enactment of this subsection) remain unobligated at the end of the fiscal year, the Secretary shall make such funds available during the next fiscal year and (if still unobligated as of the end of that fiscal year) any subsequent fiscal year for scholarships for eligible students, except that an eligible entity may use not more than 5 percent of the funds for administrative expenses, parental assistance, and tutoring, in addition to the amounts appropriated for such purposes under section 3007(b) and (c).”.

SEC. 7. PROGRAM EVALUATION.

(a) **REVISION OF EVALUATION PROCEDURES AND REQUIREMENTS.**—

(1) **IN GENERAL.**—Section 3009(a) (sec. 38-1853.09(a), D.C. Official Code) is amended to read as follows:

“(a) **IN GENERAL.**—

“(1) **DUTIES OF THE SECRETARY AND THE MAYOR.**—The Secretary and the Mayor of the District of Columbia shall—

“(A) jointly enter into an agreement with the Institute of Education Sciences of the Department of Education to evaluate annually the opportunity scholarship program under this Act;

“(B) jointly enter into an agreement to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia Public Schools and the District of Columbia public charter schools under this Act; and

“(C) make the evaluations described in subparagraphs (A) and (B) public in accordance with subsection (c).

“(2) **DUTIES OF THE SECRETARY.**—The Secretary, through a grant, contract, or cooperative agreement, shall—

“(A) ensure that the evaluation under paragraph (1)(A)—

“(i) is conducted using an acceptable quasi-experimental research design for determining the effectiveness of the opportunity scholarship program under this Act which does not use a control study group consisting of students who applied for but who did not receive opportunity scholarships; and

“(ii) addresses the issues described in paragraph (4); and

“(B) disseminate information on the impact of the program—

“(i) in increasing academic achievement and educational attainment of participating eligible students; and

“(ii) on students and schools in the District of Columbia.

“(3) **DUTIES OF THE INSTITUTE OF EDUCATION SCIENCES.**—The Institute of Education Sciences of the Department of Education shall—

“(A) assess participating eligible students in each of the grades 3 through 8, as well as one of the grades in the high school level, by supervising the administration of the same reading and math assessment used by the District of Columbia Public Schools to comply with section 1111(b) of the Elementary

and Secondary Education Act of 1965 (20 U.S.C. 6311(b));

“(B) measure the academic achievement of all participating students in the grades described in subparagraph (A); and

“(C) work with the eligible entities to ensure that the parents of each student who receives a scholarship under this Act agree to permit the student to participate in the evaluations and assessments carried out by the Institute under this subsection.

“(4) ISSUES TO BE EVALUATED.—The issues to be evaluated under paragraph (1)(A) shall include the following:

“(A) A comparison of the academic achievement of participating eligible students in the measurements described in paragraph (3) to the academic achievement of a comparison group of students with similar backgrounds in the District of Columbia Public Schools.

“(B) The success of the program under this Act in expanding choice options for parents of participating eligible students and increasing the satisfaction of such parents and students with their choice.

“(C) The reasons parents of participating eligible students choose for their children to participate in the program, including important characteristics for selecting schools.

“(D) A comparison of the retention rates, high school graduation rates, college enrollment rates, college persistence rates, and college graduation rates of participating eligible students with the rates of students in the comparison group described in subparagraph (A).

“(E) A comparison of the college enrollment rates, college persistence rates, and college graduation rates of students who participated in the program in 2004, 2005, 2011, 2012, 2013, 2014, and 2015 as the result of winning the Opportunity Scholarship Program lottery with the rates of students who entered but did not win such lottery in those years and who, as a result, served as the control group for previous evaluations of the program under this Act.

“(F) A comparison of the safety of the schools attended by participating eligible students and the schools in the District of Columbia attended by students in the comparison group described in subparagraph (A), based on the perceptions of the students and parents.

“(G) Such other issues with respect to participating eligible students as the Secretary considers appropriate for inclusion in the evaluation, such as the impact of the program on public elementary schools and secondary schools in the District of Columbia.

“(5) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—

“(A) IN GENERAL.—Any disclosure of personally identifiable information shall be in compliance with section 444 of the General Education Provisions Act (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’) (20 U.S.C. 1232g).

“(B) STUDENTS NOT ATTENDING PUBLIC SCHOOLS.—With respect to any student who is not attending a public elementary school or secondary school, personally identifiable information may not be disclosed outside of the group of individuals carrying out the evaluation for such student or the group of individuals providing information for carrying out the evaluation of such student, other than to the parents of such student.”.

(2) TRANSITION FROM CURRENT EVALUATION.—The Secretary of Education shall terminate the current evaluations conducted under section 3009(a) of the Scholarships for Opportunity and Results Act (sec. 38-1853.09,

D.C. Official Code), as in effect prior to the date of enactment of this Act, after obtaining data for the 2015-2016 school year, and shall submit the reports required with respect to the evaluations in accordance with section 3009(b) of such Act. Effective with respect to the 2016-2017 school year, the Secretary shall conduct new evaluations in accordance with the provisions of section 3009(a) of such Act as amended by this Act, and as a component of the new evaluations, the Secretary shall continue to monitor and evaluate the students who were evaluated in the most recent evaluation under such section prior to the enactment of this Act, along with their corresponding test scores and other information.

(b) DUTY OF MAYOR TO ENSURE INSTITUTE HAS ALL INFORMATION NECESSARY TO CARRY OUT EVALUATIONS.—Section 3011(a)(1) (sec. 38-1853.11(a)(1), D.C. Official Code) is amended to read as follows:

“(1) INFORMATION NECESSARY TO CARRY OUT EVALUATIONS.—Ensure that all District of Columbia public schools and District of Columbia public charter schools make available to the Institute of Education Sciences of the Department of Education all of the information the Institute requires to carry out the assessments and perform the evaluations required under section 3009(a).”.

SEC. 8. FUNDING FOR DISTRICT OF COLUMBIA PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS.

(a) MANDATORY WITHHOLDING OF FUNDS FOR FAILURE TO COMPLY WITH CONDITIONS.—Section 3011(b) (sec. 38-1853.11(b), D.C. Official Code) is amended to read as follows:

“(b) ENFORCEMENT.—If, after reasonable notice and an opportunity for a hearing, the Secretary determines that the Mayor has failed to comply with any of the requirements of subsection (a), the Secretary may withhold from the Mayor, in whole or in part—

“(1) the funds otherwise authorized to be appropriated under section 3014(a)(2), if the failure to comply relates to the District of Columbia public schools;

“(2) the funds otherwise authorized to be appropriated under section 3014(a)(3), if the failure to comply relates to the District of Columbia public charter schools; or

“(3) the funds otherwise authorized to be appropriated under both section 3014(a)(2) and section 3014(a)(3), if the failure relates to both the District of Columbia public schools and the District of Columbia public charter schools.”.

(b) RULES FOR USE OF FUNDS PROVIDED FOR SUPPORT OF PUBLIC CHARTER SCHOOLS.—Section 3011 (sec. 38-1853.11, D.C. Official Code) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) SPECIFIC RULES REGARDING FUNDS PROVIDED FOR SUPPORT OF PUBLIC CHARTER SCHOOLS.—The following rules shall apply with respect to the funds provided under this Act for the support of District of Columbia public charter schools:

“(1) The Secretary may direct the funds provided for any fiscal year, or any portion thereof, to the Office of the State Superintendent of Education of the District of Columbia (OSSE).

“(2) The OSSE may transfer the funds to subgrantees who are specific District of Columbia public charter schools or networks of such schools or who are District of Columbia-based non-profit organizations with experience in successfully providing support or assistance to District of Columbia public charter schools or networks of schools.

“(3) The funds shall be available to any District of Columbia public charter school in good standing with the District of Columbia Charter School Board (Board), and the OSSE and Board may not restrict the availability of the funds to certain types of schools on the basis of the school’s location, governing body, or any other characteristic.”.

SEC. 9. REVISION OF CURRENT MEMORANDUM OF UNDERSTANDING.

The Secretary of Education and the Mayor of the District of Columbia shall revise the memorandum of understanding which is in effect under section 3012(d) of the Scholarships for Opportunity and Results Act (sec. 38-1853.12(d), D.C. Official Code) as of the day before the date of the enactment of this Act to address the following:

(1) The amendments made by this Act.

(2) The need to ensure that participating schools under such Act meet fire code standards and maintain certificates of occupancy.

(3) The need to ensure that District of Columbia public schools and District of Columbia public charter schools meet the requirements under such Act to comply with all reasonable requests for information necessary to carry out the evaluations required under section 3009(a) of such Act.

SEC. 10. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS.

Section 3014(a) (sec. 38-1853.14(a), D.C. Official Code) is amended by striking “each of the 4 succeeding fiscal years” and inserting “each of the 9 succeeding fiscal years”.

SEC. 11. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to school year 2016-2017 and each succeeding school year.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in House Report 114-300. Each further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CHAFFETZ

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-300.

Mr. CHAFFETZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, beginning line 5, strike “identified as a low-achieving school according to the Office of the State Superintendent of Education of the District of Columbia” and insert “identified as one of the lowest-performing schools under the District of Columbia’s accountability system”.

Page 10, beginning line 25, strike “, or by any other accrediting body determined appropriate by the District of Columbia Office of the State Superintendent of Schools for the purpose of accrediting an elementary or secondary school”.

Page 16, beginning line 7, strike “identified as a low-achieving school according to the

Office of the State Superintendent of Education of the District of Columbia" and insert "identified as one of the lowest-performing schools under the District of Columbia's accountability system".

Page 18, line 10, strike "evaluate" and insert "report on".

Page 21, line 12, strike "A comparison of" and insert "A report on".

Page 21, line 18, strike "with the rates" and insert "as well as the rates".

Page 21, line 22, after the period add the following: "Nothing in this subparagraph may be construed to waive section 3004(a)(3)(A)(iii) with respect to any such student."

Page 25, beginning line 20, strike "may direct the funds provided for any fiscal year, or any portion thereof," and insert "shall direct the funds provided for any fiscal year".

The Acting CHAIR. Pursuant to House Resolution 480, the gentleman from Utah (Mr. CHAFFETZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. CHAFFETZ. Mr. Chairman, the manager's amendment that I am offering makes small technical changes to the bill.

First, the amendment substitutes the term "low achieving schools" for "lowest performing schools," which corresponds to the language used by the District of Columbia on this topic.

Second, the amendment makes clear that the Secretary of Education and the Mayor of the District of Columbia will monitor and report on the use of funds authorized by this bill.

Third, the amendment clarifies reporting requirements in the bill to protect students against arbitrary exclusion from the program.

Finally, the amendment requires the Secretary of Education to direct funding for public charter schools to the District's Office of the State Superintendent of Education.

Mr. Chairman, this is a good amendment that reflects the ongoing conversations with the District of Columbia regarding this bill. I urge its adoption.

I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, I rise in opposition to the gentleman's amendment, although I am not opposed to it.

The Acting CHAIR (Mr. GRAVES of Louisiana). Without objection, the gentleman from the District of Columbia is recognized for 5 minutes.

There was no objection.

Ms. NORTON. Mr. Chairman, I actually agree with the chairman, and the chairman has consulted with us on these changes, which are technical in nature.

I do not oppose this amendment. Indeed, I want to thank our chairman for working with us before this committee markup on this bill on some additional technical changes.

Mr. Chairman, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I appreciate working with the Delegate. It

is a good working relationship. We have our opposition from time to time, but she did work with us in this way, and I appreciate her support of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. NORTON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-300.

Ms. NORTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of section 6 the following new subsection:

(F) LIMIT ON PERCENTAGE OF TOTAL STUDENT POPULATION OF SCHOOL WHO RECEIVE OPPORTUNITY SCHOLARSHIPS.—Section 3007(a) (sec. 38-1853.07(a), D.C. Official Code), as amended by subsection (b), is further amended—

(1) in paragraph (1), by striking "paragraphs (2), (3), and (5)" and inserting "paragraphs (2), (3), (5), and (6)"; and

(2) by adding at the end the following new paragraph:

"(6) LIMIT ON PERCENTAGE OF TOTAL STUDENT POPULATION RECEIVING OPPORTUNITY SCHOLARSHIPS.—

"(A) IN GENERAL.—None of the funds provided under this Act for opportunity scholarships may be used by an eligible student to enroll in a participating school for a school year unless the school certifies to the eligible entity that, for the school year, the number of students enrolled in the school who receive opportunity scholarships under this Act does not exceed the number of students enrolled in the school who do not receive opportunity scholarships under this Act.

"(B) EXCEPTIONS.—In determining the number of students enrolled in a school who receive opportunity scholarships under this Act for a school year under subparagraph (A), there shall be excluded any student who was receiving an opportunity scholarship as of the date of the enactment of the Scholarships for Opportunity and Results Reauthorization Act and any student who is the sibling of a student who was receiving an opportunity scholarship as of the date of the enactment of such Act."

Page 18, strike line 23 and all that follows through page 19, line 5 and insert the following:

"(i) is conducted using the strongest possible research design for determining the effectiveness of the opportunity scholarship program under this Act; and"

Page 20, strike lines 4 through 9 and insert the following:

"(C) work with the eligible entities to ensure that the parents of each student who applies for a scholarship under this Act (regardless of whether the student receives the scholarship) and the parents of each student participating in the scholarship program under this Act, agree that the student will participate, if requested by the Institute, in the measurements given annually by the Institute for the period for which the student applied for or received the scholarship, respectively, except that nothing in this subparagraph shall affect a student's priority

for an opportunity scholarship as provided under section 3006."

The Acting CHAIR. Pursuant to House Resolution 480, the gentlewoman from the District of Columbia (Ms. NORTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

The Speaker's voucher bill is sure to pass, and I am sure it is offered with the best of intentions. Therefore, I want to work with him and with Members and with those in the Senate who support vouchers to provide much-needed oversight for the millions in Federal dollars in this bill. It is in that spirit that I offer a two-part amendment, and both parts are entirely consistent with the underlying bill.

The Government Accountability Office, the GAO, said in 2007 and again in 2013 that the voucher program lacks quality control, transparency, and information.

In response, the first part of my amendment restores the scientific integrity of the program's evaluation, copied from prior authorizations of this bill, and the second prohibits voucher mills, not our accredited Catholic schools, which are attended by most of our children, but their competition for vouchers—a small, but significant, number of private schools that would not exist but for this Federal funding.

First, my amendment restores the evaluation of the program's effectiveness that Congress has required since the program was created in 2004—and I am quoting from Congress—"to be conducted using the strongest possible research design."

In contrast, this bill requires the evaluation to be conducted using "an acceptable quasi-experimental research design that actually prohibits the more scientific randomized controlled trial Congress mandated in prior authorizations."

Yet the congressionally mandated evaluation said that randomized controlled trials "are especially important in the context of School Choice because families wanting to apply for a Choice program may have educational goals and aspirations that differ from the average family's."

I appreciate that this bill requires for the first time that schools be accredited, but it gives unaccredited schools 5 years, along with the grace period of a year, to become accredited.

This time frame is so long that it would allow existing and new unaccredited schools to accept voucher students well into the decade. The 50 percent cap that my amendment proposes at least would ensure that voucher schools would ultimately be eliminated.

For example, the GAO found that six participating voucher schools had more

than 80 percent of their enrollment from voucher students. A Washington Post investigation found one school where voucher students comprised 93 percent of the total.

The majority concedes that there is a need for the ongoing evaluation of the program's effectiveness by requiring a study of this bill, but after the mandated study showed that vouchers did not improve student achievement, the majority took care of that by watering down the mandated evaluation.

The second part of my amendment prohibits fly-by-night, often storefront school voucher bills by eliminating the percentage of voucher students in the school to 50 percent of the school's total enrollment. No current voucher student or sibling would be affected by the cap.

My amendment would disqualify so-called voucher mills, a small, but significant, number of schools that cannot survive without government funding, most of which sprang up in low-income neighborhoods after the program was created to get unrestricted Federal funds.

Why should the major recipients of voucher funds—our fully accredited Catholic schools or other parochial and private schools—have to share the available funding with voucher mills of low quality? The way to eliminate these unaccredited schools, which are unworthy of our students, is to require that their enrollment not consist primarily of voucher students.

Mr. Chairman, I ask that the Post's investigation, entitled, "Quality controls lacking for D.C. schools accepting Federal vouchers," be included in the RECORD.

[From the Washington Post, Nov. 17, 2012]

QUALITY CONTROLS LACKING FOR D.C. SCHOOLS ACCEPTING FEDERAL VOUCHERS
(By Lyndsey Layton and Emma Brown)

Congress created the nation's only federally funded school voucher program in the District to give the city's poorest children a chance at a better education than their neighborhood schools offer.

But a Washington Post review found that hundreds of students use their voucher dollars to attend schools that are unaccredited or are in unconventional settings, such as a family-run K-12 school operating out of a storefront, a Nation of Islam school based in a converted Deanwood residence, and a school built around the philosophy of a Bulgarian psychotherapist.

At a time when public schools face increasing demands for accountability and transparency, the 52 D.C. private schools that receive millions of federal voucher dollars are subject to few quality controls and offer widely disparate experiences, the Post found.

Some of these schools are heavily dependent on tax dollars, with more than 90 percent of their students paying with federal vouchers.

Yet the government has no say over curriculum, quality or management. And parents trying to select a school have little independent information, relying mostly on marketing from the schools.

The director of the nonprofit organization that manages the D.C. vouchers on behalf of

the federal government calls quality control "a blind spot."

"We've raised the question of quality oversight of the program as sort of a dead zone, a blind spot," said Ed Davies, interim executive director of the D.C. Children and Youth Investment Trust Corp. "Currently, we don't have that authority. It doesn't exist."

Republicans in Congress established the D.C. voucher program eight years ago to demonstrate the school-choice concepts that the party has been espousing since the 1950s. Vouchers were once thought to be moribund, but came roaring to life in 2010 in states where Republicans took control. Fourteen states have created voucher programs or expanded existing ones in recent years.

Some states, such as Wisconsin, now include middle-class families in their voucher programs. Other states, including Virginia, have begun indirectly steering public dollars to private schools by offering tax credits to those who donate to scholarship funds.

In some cases, the public has pushed back against the idea of routing state dollars from public to private schools. Legal challenges are pending in Colorado and Indiana. In the November elections, Florida voters rejected a ballot amendment that would have permitted tax dollars to flow to religious institutions, including parochial schools. That would have enabled the state to revive a voucher program that had been declared unconstitutional in 2006 by its highest court. Yet Florida continues to offer vouchers for disabled students who want to attend private schools and awards tax credits to corporations that donate to private-school scholarship programs.

In the District, it's clear that vouchers have provided many children with an education at well-established private schools that otherwise would have been out of reach, and their parents rave about the opportunity. Of the 1,584 District students now receiving vouchers, more than half attend Catholic schools and a handful are enrolled at prestigious independent schools such as Sidwell Friends, where President Obama sends his daughters.

But the most comprehensive study of the D.C. program found "no conclusive evidence" that the vouchers improved math and reading test scores for those students who left their public schools.

The study, released by the U.S. Department of Education in 2010, found that voucher students were more likely to graduate than peers without vouchers, based on data collected from families. And parents reported that their children were safer attending the private schools, though the students themselves perceived no difference.

Congress set aside \$20 million for the D.C. voucher program this year. Since 2004, the federal government has appropriated \$133 million for the program.

Private schools that participate in the D.C. program don't have to disclose the number of voucher students they enroll or how much public money they receive, and many declined to release such information to The Post.

While public schools must report test scores and take action when they don't meet goals, private schools participating in the D.C. voucher program are insulated from such interference.

The schools must administer a single standardized test, but can choose the type. Those scores are not made public, and schools can stay in the voucher program no matter how their students fare.

Schools that accept vouchers are required to hold a certificate of occupancy and em-

ploy teachers who are college graduates, but they do not have to be accredited. The Post found that at least eight of the 52 schools are not accredited.

Parents, not the government, should determine a school's quality, according to Kevin Smith, a spokesman for House Speaker John A. Boehner (R-Ohio), a proud product of Catholic schools who designed the voucher program. "Our belief is that parents—when provided appropriate information—will select the best learning environment for their children," he wrote in an e-mail.

At Archbishop Carroll High School, where 40 percent of students receive vouchers, principal Mary Elizabeth Blaufuss agrees. "The question is, to what extent do we trust parents to make educational decisions for their kids?" she said.

Santa Carballo knew little about the Academia de la Recta Porta before enrolling her daughter, Emma, through the voucher program. She chose it because it was across the street from the Catholic school for boys that her son attends, also with a voucher, and it seemed better than a neighborhood public school that has failed for years to meet achievement targets.

"This is private, it's good," said Carballo, an immigrant from El Salvador who works as a waitress and struggles with English. "It's more intelligent. And it's religious, it's good. I'm so happy."

A nondenominational Christian school, the Academia charges \$7,100 a year and occupies a soot-stained storefront between a halal meat shop and an evening wear boutique on a busy stretch of Georgia Avenue NW near the Maryland line.

The K-12 school consists of two classrooms. A drum set and keyboard are stowed in a corner for music class; for gym, students travel nearly two miles down Georgia Avenue to the city's Emery Recreation Center.

Annette and Reginald Miles founded the unaccredited school 13 years ago. He is the pastor of the associated church, she is the school director, their daughter is a teacher and their grandson is a student.

Annette Miles declined to say how many of her 70 students receive vouchers. If the program were to end, the Academia would "have to stretch with fundraising" to continue operating, she said.

To be eligible for a voucher, families must qualify for food stamps or meet other income requirements.

Through the D.C. program, the federal government pays about \$8,000 a year for each elementary school student and \$12,000 for high schoolers. That's less than the \$18,000 a year it costs to educate one child in the D.C. Public Schools. Many of the participating private schools do not offer costly services for children with disabilities, who make up about 18 percent of the DCPS school population.

The voucher payments are enough to cover tuition at most Catholic schools, which enroll about 52 percent of D.C. voucher students. But they pay only a fraction of costs at elite institutions such as the Sheridan School in Northwest D.C., where charges can reach about \$30,000 a year.

Tiblez Berhane has a daughter in eighth grade who is attending Sheridan with a voucher and financial aid from the school. "It's wonderful," said Berhane, an immigrant from Eritrea who works in a day-care center. "We could never afford this."

While Sheridan, Sidwell Friends and the Washington International School each have one voucher student, the Academy for Ideal Education depends almost entirely on the federal program.

Founder Paulette Jones-Imaan created the school more than two decades ago, aiming to provide a nurturing environment with small classes and a learning model known as "Suggestopedia," a philosophy of learning developed by Bulgarian psychotherapist Georgi Lozanov that stresses learning through music, stretching and meditation. Jones-Imaan melds that philosophy with an African-flavored approach that includes students addressing teachers as "Mama" and "Baba," honorifics meaning mother and father.

Jones-Imaan also founded a K-12 public charter school, Ideal Academy, based on the same educational philosophy, in 1999. She served on the board for more than a decade.

But the charter school ran into trouble. Last year, the D.C. Public Charter School Board threatened to close it because of chronic poor performance. Ideal Academy agreed to shutter its high school, which had a particularly poor record, in order to keep its lower grades open. The preschool-8th grade Ideal Academy was classified as "inadequate" this year by the city's charter officials, which means it could be closed if it doesn't improve.

Meanwhile, the private Academy for Ideal Education continues on. More than 90 percent of its approximately 60 students are paying the \$11,400 tuition with vouchers, Jones-Imaan said. "If this program were to end, this school would end," she said.

While some schools have libraries, art studios and athletic fields, the Muhammad University of Islam occupies the second floor of a former residence east of the Anacostia River. The unaccredited K-8 school is supported by the Nation of Islam, according to director Stephanie Muhammad.

Parents choose the school because of its small classes, safety and strict discipline, she said.

About one-third of the 55 students hold vouchers. Few of the others can afford the \$5,335 annual tuition, Muhammad said. They are asked to help defray tuition by raising funds. Last month, they sold pizzas. This month, it's coffee and tea.

The classrooms are small, located in what were perhaps once bedrooms. On the walls are posters of Louis Farrakhan, the controversial leader of the Nation of Islam.

On a recent visit, the only bathroom in the school had a floor blackened with dirt and a sink coated in grime. The bathtub was filled with paint cans and cleaning supplies concealed by a curtain.

Muhammad said in a subsequent interview that the bathroom is used only in emergencies, and students typically use a restroom on the floor below in a day-care center that she had previously described as unrelated to the school.

Kevin P. Chavous, a former D.C. Council member and now a senior adviser to American Federation for Children, which lobbies for voucher programs nationwide, said schools receiving public funds should meet quality standards. But supporters of the D.C. program have been focused on overcoming political challenges, he said.

"There should be some accountability measures in all these programs," Chavous said. "Our biggest challenge has been the constant threats to shut this down before we can even measure the schools."

Since Congress created the voucher program in 2004, Boehner and Sen. Joseph I. Lieberman (I-Conn.) have regularly wrestled with Democrats over its fate. Republicans and Lieberman want to expand the program; Democrats want to phase it out.

"Our goal is to provide a quality education to all children—not just a few—which is why the Obama administration does not believe vouchers are the answer to America's educational challenges," said Justin Hamilton, a spokesman for Education Secretary Arne Duncan.

Del. Eleanor Holmes Norton (D) and D.C. Mayor Vincent C. Gray (D) also are opposed to the voucher program, saying public dollars should go toward improving public schools where they can help the most students.

Still, the program has offered some children a crucial path out of troubled city schools.

Ophelia Johnson and her daughters were homeless when she learned about the voucher program. She obtained vouchers for both her daughters and enrolled them at the Calvary Christian Academy, which she credits with providing her children a secure, caring and consistent environment as she pulled her life together.

"It's wonderful," Johnson said about the voucher program that allowed her daughters to attend the academy. "The atmosphere, the education, and it's also a Christian school. They taught my girls."

Now, Johnson is employed, newly remarried and living with her daughters in a condominium on Capitol Hill. Her older daughter, Tabitha, is applying to colleges.

"She'll be the first to go in the family," Johnson said, pride in her voice.

Ms. NORTON. The Federal vouchers give these schools the Federal Government's seal of approval. Considering that the purpose of the voucher program is to improve student achievement, voucher bills are inconsistent with the congressional intent and should not be enabled with Federal funds or get the Federal imprimatur.

I appreciate that the majority indicated in committee and also on this floor that they, too, oppose voucher mills and are willing to work with me on this issue. I hope to continue to work with the majority as the bill moves forward in order to eliminate voucher bills, which surely no Member supports.

Mr. Chairman, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, this is the same amendment that Delegate NORTON offered to the bill during markup, but it was rejected by the Committee on Oversight and Government Reform.

The amendment would cap the enrollment of OSP students, the Opportunity Scholarship Program, at 50 percent of the school's population without affecting current voucher students or siblings. The amendment would also restore the randomized controlled study requirement.

Mr. Chairman, this program is about opportunity and choice. Parents should be able to choose the best schools for their children, and private schools should have the flexibility to deter-

mine whether or not to enroll OSP students.

I understand the Delegate's concern that students maintain quality standards. In fact, I share it. That is why H.R. 10 requires participating OSP schools to achieve accreditation no later than 5 years after the passage of the act. This is a more effective way to ensure the quality than by arbitrarily excluding students from the program.

Mr. Chairman, the accreditation process required by H.R. 10 will ensure education and administrative quality control. The process will help weed out poor performers from this program without setting a cap on OSP student enrollment.

As for the return to the control group evaluation, this is unnecessary for the OSP. The OSP has been rigorously evaluated using the Gold Standard since 2003, and it has demonstrated positive results. The Gold Standard Evaluation, using a randomized controlled evaluation, deliberately limits participation in the program.

Under this evaluation method, some student applicants received scholarships while other student applicants were placed in a control group that did not receive scholarships. Given the OSP's proven success under this standard, it is time to allow as many students to receive scholarships as funding permits.

Mr. Chairman, it is important to note that the bill does not forsake evaluation. Instead, the bill requires the OSP students' performance base to be compared to that of students of similar backgrounds of the D.C. public schools. The evaluation method means no more students will be barred from a good education through OSP for the sake of the experiment.

Mr. Chairman, on average, 2.5 students apply for each scholarship that is ultimately awarded. We should be focused on meeting the demand for access to a good education rather than arbitrarily limiting students' ability to succeed.

I urge my colleagues to reject this amendment, which would unnecessarily exclude children from the educational opportunities they desire and deserve.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. ALLEN). The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The amendment was rejected.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRAVES of Louisiana) having assumed the chair, Mr. ALLEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that

that Committee, having had under consideration the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes, and, pursuant to House Resolution 480, he reported the bill, as amended by that resolution, back to the House with a further amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. SCOTT of Virginia. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCOTT of Virginia. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Scott of Virginia moves to recommit the bill H.R. 10 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of section 6 the following new subsection:

(f) REQUIRING PROTECTION OF STUDENTS AND APPLICANTS UNDER CIVIL RIGHTS LAWS.—Section 3008 (sec. 38-1853.08, D.C. Official Code) is amended by adding at the end the following new subsection:

“(1) REQUIRING PROTECTION OF STUDENTS AND APPLICANTS UNDER CIVIL RIGHTS LAWS.—In addition to meeting the requirements of subsection (a), an eligible entity or a school may not participate in the opportunity scholarship program under this Act unless the eligible entity or school certifies to the Secretary that the eligible entity or school will provide each student who applies for or receives an opportunity scholarship under this Act with all of the applicable protections available under each of the following laws:

“(1) Title IV of the Civil Rights Act of 1964 (42 U.S.C. 2000c et seq.).

“(2) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

“(3) Title IX of the Education Amendments Act of 1972 (20 U.S.C. 1681 et seq.).

“(4) The Equal Educational Opportunities Act of 1974 (20 U.S.C. 1701 et seq.).

“(5) The Individuals With Disabilities Education Act (20 U.S.C. 1400 et seq.).

“(6) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

“(7) The Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).

“(8) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).”.

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Mr. CHAFFETZ (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

Mr. SCOTT of Virginia. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. SCOTT) is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

I rise to speak in support of the Democratic motion to recommit that would protect the civil rights of students at schools that receive vouchers by requiring the schools to certify that they provide each student with all applicable civil rights protections.

The D.C. voucher program calls into question multiple Federal civil rights protections and turns a blind eye to the government-funded discrimination. For example, religious schools that accept vouchers are permitted to discriminate on the basis of religion in hiring, a violation of traditional principles prohibiting discrimination based on religion when using Federal money.

The fact is that most religious schools are part of a ministry of the sponsoring church, and these schools either cannot or will not separate the religious content from their academic programs. So it is impossible to prevent a publicly funded voucher program from paying for these institutions' religious activities and education.

Furthermore, schools that accept vouchers are allowed to discriminate based on gender in admissions, a violation of the principles of title IX.

In addition to the discrimination based on religion or sex, the D.C. voucher program also raises serious concerns about the civil rights of students with disabilities. IDEA requires that schools that receive Federal IDEA funds provide appropriate education to all students with disabilities, but at least one study found that the schools that accept D.C. vouchers serve students with disabilities at a much lower rate than public schools.

Failing to meet the needs of students with disabilities is just one of the shortcomings of the D.C. voucher program, but another issue is the performance of the school. A 2010 Department of Education report concluded that the use of a voucher had no statistically significant impact on overall student achievement in math or reading.

Additional studies found that students from schools in need of improvement have shown no improvement in math or reading due to the voucher program. Furthermore, participating in the voucher program had no impact on student safety, satisfaction, motivation, or engagement.

Mr. Speaker, many of those who actually won a voucher cannot use them

because the voucher does not cover the full cost of attending a private or religious school. As a result, many who win a voucher find that they cannot use it because they can't afford the remaining cost of the education. So studies have confirmed that fewer than 25 percent of the students who use the vouchers are from schools that were “in need of improvement.”

The D.C. voucher program fails on all counts. It violates principles of traditional civil rights laws, it makes no improvement on student achievement, and it fails to reach the very children it was designed to help.

Our public schools need more funding, not less. Rather than funnel taxpayer funding to private or religious schools that lack civil rights protections and fail to meet the goals of helping the right students, we should focus our efforts on initiatives that will result in overall improvement of the educational system for all of our students.

Mr. Speaker, I urge my colleagues to support our children by supporting this motion to recommit.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Speaker, as I said before, Mr. SCOTT of Virginia is one of my favorite people in this body. I have the greatest respect. His perspective is one that I often share.

I would just highlight for this body here, because I do urge a “no” vote on this motion to recommit, that we had a field hearing in May. We have had good debate. We had a good markup. We had always projected to move this bill in the fall. I think it is time to bring up this bill. So we have never had this issue ever brought to my attention as chairman of the committee.

I would also highlight that section 3008, Nondiscrimination and Other Requirements for Participating Schools—I will read just point A.

“In General.—An eligible entity or school participating in any program under this division shall not discriminate against program participants or applicants on the basis of race, color, national origin, religion, or sex.”

I do look forward to working with the gentleman and anybody else on these issues moving forward, but I would urge a “no” vote on the motion to recommit.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SCOTT of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the order of the House of today, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Passage of H.R. 692;

and The motion to recommit on H.R. 10; and

Passage of H.R. 10, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

DEFAULT PREVENTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 235, nays 194, not voting 5, as follows:

[Roll No. 557]

YEAS—235

Abraham	Costello (PA)	Griffith
Aderholt	Cramer	Grothman
Allen	Crawford	Guinta
Amodei	Crenshaw	Guthrie
Babin	Culberson	Hardy
Barletta	Curbelo (FL)	Harper
Barr	Davis, Rodney	Harris
Barton	Denham	Hartzler
Benishkek	DeSantis	Heck (NV)
Bilirakis	DesJarlais	Hensarling
Bishop (MI)	Diaz-Balart	Herrera Beutler
Black	Dold	Hice, Jody B.
Blackburn	Donovan	Hill
Blum	Duffy	Holding
Bost	Duncan (SC)	Hudson
Boustany	Duncan (TN)	Huelskamp
Brady (TX)	Ellmers (NC)	Huizenga (MI)
Brat	Emmer (MN)	Hultgren
Bridenstine	Farenthold	Hunter
Brooks (AL)	Fincher	Hurd (TX)
Brooks (IN)	Fitzpatrick	Hurt (VA)
Buchanan	Fleischmann	Issa
Buck	Fleming	Jenkins (KS)
Bucshon	Flores	Jenkins (WV)
Burgess	Forbes	Johnson (OH)
Byrne	Fortenberry	Johnson, Sam
Calvert	Fox	Jolly
Carter (GA)	Franks (AZ)	Jordan
Carter (TX)	Frelinghuysen	Joyce
Chabot	Garrett	Katko
Chaffetz	Gibbs	Kelly (MS)
Clawson (FL)	Gohmert	Kelly (PA)
Coffman	Goodlatte	King (IA)
Cole	Gosar	Kinzinger (IL)
Collins (GA)	Gowdy	Kline
Collins (NY)	Granger	Knight
Comstock	Graves (GA)	Labrador
Conaway	Graves (LA)	LaHood
Cook	Graves (MO)	LaMalfa

Lamborn	Perry	Smith (NE)
Lance	Pittenger	Smith (NJ)
Latta	Pitts	Smith (TX)
Long	Poe (TX)	Stefanik
Loudermilk	Poliquin	Stewart
Love	Pompeo	Stivers
Lucas	Posey	Stutzman
Luetkemeyer	Price, Tom	Thompson (PA)
Lummis	Ratcliffe	Thornberry
Marchant	Reed	Tiberi
Marino	Reichert	Tipton
McCarthy	Renacci	Trott
McCaul	Ribble	Turner
McClintock	Rice (SC)	Upton
McHenry	Rigell	Valadao
McKinley	Roby	Wagner
McMorris	Roe (TN)	Walberg
Rodgers	Rogers (AL)	Walden
McSally	Rogers (KY)	Walker
Meadows	Rohrabacher	Walorski
Meehan	Rokita	Walters, Mimi
Messer	Rooney (FL)	Weber (TX)
Mica	Ros-Lehtinen	Webster (FL)
Miller (FL)	Ross	Wenstrup
Miller (MI)	Rothfus	Westerman
Moolenaar	Rouzer	Westmoreland
Mooney (WV)	Royce	Whitfield
Mullin	Russell	Williams
Mulvaney	Ryan (WI)	Wilson (SC)
Murphy (PA)	Salmon	Wittman
Neugebauer	Sanford	Womack
Newhouse	Scalise	Woodall
Noem	Schweikert	Yoder
Nugent	Scott, Austin	Yoho
Nunes	Sensenbrenner	Young (AK)
Olson	Sessions	Young (IA)
Palazzo	Shimkus	Young (IN)
Palmer	Shuster	Zeldin
Paulsen	Simpson	Zinke
Pearce	Smith (MO)	

NAYS—194

Adams	Dingell	Lee
Agullar	Doggett	Levin
Amash	Doyle, Michael	Lewis
Ashford	F.	Lieu, Ted
Bass	Duckworth	Lipinski
Beatty	Edwards	LoBiondo
Becerra	Ellison	Loeback
Bera	Engel	Loftgren
Beyer	Eshoo	Lowenthal
Bishop (GA)	Esty	Lowey
Blumenauer	Farr	Lujan Grisham
Bonamici	Foster	(NM)
Boyle, Brendan	Frankel (FL)	Luján, Ben Ray
F.	Fudge	(NM)
Brady (PA)	Gabbard	Lynch
Brown (FL)	Gallo	MacArthur
Brownley (CA)	Garamendi	Maloney,
Bustos	Gibson	Carolyn
Butterfield	Graham	Maloney, Sean
Capps	Grayson	Massie
Capuano	Green, Al	Matsui
Cárdenas	Green, Gene	McCollum
Carney	Grijalva	McDermott
Carson (IN)	Gutiérrez	McGovern
Cartwright	Hahn	McNerney
Castor (FL)	Hanna	Meeks
Castro (TX)	Hastings	Meng
Chu, Judy	Heck (WA)	Moore
Cicilline	Higgins	Moulton
Clark (MA)	Himes	Murphy (FL)
Clarke (NY)	Hinojosa	Nadler
Clay	Honda	Napolitano
Cleaver	Hoyer	Neal
Clyburn	Huffman	Nolan
Cohen	Israel	Norcross
Connolly	Jackson Lee	O'Rourke
Conyers	Jeffries	Pallone
Cooper	Johnson (GA)	Pascarell
Costa	Johnson, E. B.	Pelosi
Courtney	Jones	Perlmutter
Crowley	Kaptur	Peters
Cuellar	Keating	Peterson
Cummings	Kennedy	Pingree
Davis (CA)	Kildee	Pocan
Davis, Danny	Kilmer	Polis
DeFazio	Kind	Price (NC)
DeGette	King (NY)	Quigley
Delaney	Kirkpatrick	Rangel
DeLauro	Kuster	Rice (NY)
DelBene	Langevin	Richmond
Dent	Larsen (WA)	Roybal-Allard
DeSaulnier	Larson (CT)	Ruiz
Deutch	Lawrence	Ruppersberger

Rush	Sinema	Van Hollen
Ryan (OH)	Sires	Vargas
Sánchez, Linda	Slaughter	Veasey
T.	Smith (WA)	Vela
Sanchez, Loretta	Speier	Velázquez
Sarbanes	Swalwell (CA)	Visclosky
Schakowsky	Takai	Walz
Schiff	Takano	Wasserman
Schrader	Thompson (CA)	Schultz
Scott (VA)	Thompson (MS)	Waters, Maxine
Scott, David	Titus	Watson Coleman
Serrano	Tonko	Welch
Sewell (AL)	Torres	Wilson (FL)
Sherman	Tsongas	Yarmuth

NOT VOTING—5

Bishop (UT)	Kelly (IL)	Roskam
Fattah	Payne	

□ 1751

Mrs. LAWRENCE and Ms. KUSTER changed their vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BISHOP of Utah. Mr. Speaker, on roll-call No. 557, I was unavoidably detained. Had I been present, I would have voted “yes.”

SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS REAUTHORIZATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes, offered by the gentleman from Virginia (Mr. SCOTT), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 185, nays 242, not voting 7, as follows:

[Roll No. 558]

YEAS—185

Adams	Clark (MA)	Edwards
Agullar	Clarke (NY)	Ellison
Ashford	Clay	Engel
Bass	Cleaver	Eshoo
Beatty	Clyburn	Esty
Becerra	Cohen	Farr
Bera	Connolly	Foster
Beyer	Conyers	Frankel (FL)
Bishop (GA)	Cooper	Fudge
Blumenauer	Costa	Gabbard
Bonamici	Courtney	Gallego
Boyle, Brendan	Crowley	Garamendi
F.	Cuellar	Graham
Brady (PA)	Cummings	Grayson
Brown (FL)	Davis (CA)	Green, Al
Brownley (CA)	Davis, Danny	Green, Gene
Bustos	DeFazio	Grijalva
Butterfield	DeGette	Gutiérrez
Capps	Delaney	Hahn
Capuano	DeLauro	Hastings
Cárdenas	DelBene	Heck (WA)
Carney	DeSaulnier	Higgins
Carson (IN)	Deutch	Himes
Cartwright	Dingell	Hinojosa
Castor (FL)	Doggett	Honda
Castro (TX)	Doyle, Michael	Hoyer
Chu, Judy	F.	Huffman
Cicilline	Duckworth	Israel

Jackson Lee	McGovern	Schakowsky	Posey	Sanford	Valadao	Labrador	Palazzo	Smith (MO)
Jeffries	McNerney	Schiff	Price, Tom	Scalise	Wagner	LaHood	Palmer	Smith (NE)
Johnson (GA)	Meeks	Schrader	Ratcliffe	Schweikert	Walberg	LaMalfa	Paulsen	Smith (NJ)
Johnson, E. B.	Meng	Scott (VA)	Reed	Scott, Austin	Walden	Lamborn	Pearce	Smith (TX)
Kaptur	Moore	Scott, David	Reichert	Sensenbrenner	Walker	Lance	Perry	Stefanik
Keating	Moulton	Serrano	Renacci	Sessions	Walorski	Latta	Pittenger	Stewart
Kennedy	Murphy (FL)	Sewell (AL)	Ribble	Shimkus	Walters, Mimi	Lipinski	Pitts	Stivers
Kildee	Nadler	Sherman	Rice (SC)	Shuster	Weber (TX)	Long	Poe (TX)	Stutzman
Kilmer	Napolitano	Sinema	Rigell	Simpson	Webster (FL)	Loudermilk	Poliquin	Thompson (PA)
Kind	Neal	Sires	Roby	Smith (MO)	Wenstrup	Love	Pompeo	Thornberry
Kirkpatrick	Nolan	Slaughter	Roe (TN)	Smith (NE)	Westerman	Lucas	Posey	Tiberi
Kuster	Norcross	Smith (WA)	Rogers (AL)	Smith (NJ)	Whitfield	Luetkemeyer	Price, Tom	Tipton
Langevin	O'Rourke	Speier	Rogers (KY)	Smith (TX)	Williams	Lummis	Ratchliffe	Trott
Larsen (WA)	Pallone	Swalwell (CA)	Rohrabacher	Stefanik	Wilson (SC)	MacArthur	Reed	Turner
Larson (CT)	Pascarell	Takai	Rokita	Stewart	Wittman	Marchant	Renacci	Upton
Lawrence	Pelosi	Takano	Rooney (FL)	Stivers	Womack	Marino	Ribble	Valadao
Lee	Perlmutter	Thompson (CA)	Ros-Lehtinen	Stutzman	Woodall	Massie	Rice (SC)	Wagner
Levin	Peters	Thompson (MS)	Roskam	Thompson (PA)	Yoder	McCarthy	Rigell	Walberg
Lewis	Peterson	Titus	Ross	Thornberry	Yoho	McCaul	Roby	Walden
Lieu, Ted	Pingree	Tonko	Rothfus	Tiberi	Young (AK)	McClintock	Roe (TN)	Walker
Lipinski	Pocan	Torres	Rouzer	Tipton	Young (IA)	McHenry	Rogers (AL)	Walorski
Loeback	Polis	Tsongas	Royce	Trott	Young (IN)	McKinley	Rogers (KY)	Walters, Mimi
Lofgren	Price (NC)	Van Hollen	Ryan (WI)	Turner	Zeldin	McMorris	Rohrabacher	Weber (TX)
Lowenthal	Quigley	Vargas	Salmon	Upton	Zinke	Rodgers	Rokita	Webster (FL)
Lowey	Rangel	Veasey				McSally	Rooney (FL)	Westerman
Lujan Grisham	Rice (NY)	Vela				Meadows	Ros-Lehtinen	Westmoreland
(NM)	Richmond	Velázquez	Buchanan	Kelly (IL)	Westmoreland	Meehan	Roskam	
Luján, Ben Ray	Roybal-Allard	Visclosky	Collins (GA)	Payne		Messer	Ross	
(NM)	Ruiz	Walz	Fattah	Russell		Mica	Rothfus	
Lynch	Ruppersberger	Wasserman				Miller (FL)	Rouzer	
Maloney,	Rush	Schultz				Miller (MI)	Royce	
Carolyn	Ryan (OH)	Waters, Maxine				Moolenaar	Russell	
Maloney, Sean	Sánchez, Linda	Watson Coleman				Mooney (WV)	Ryan (WI)	
Matsui	T.	Welch				Mullin	Salmon	
McCollum	Sanchez, Loretta	Wilson (FL)				Mulvaney	Sanford	
McDermott	Sarbanes	Yarmuth				Murphy (PA)	Scalise	

NOT VOTING—7

□ 1759

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. NORTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 191, not voting 3, as follows:

[Roll No. 559]

YEAS—240

Abraham	Emmer (MN)	King (IA)	Abraham	Cook	Graves (LA)
Aderholt	Farenthold	King (NY)	Aderholt	Cramer	Grothman
Allen	Fincher	Kinzinger (IL)	Allen	Crawford	Guinta
Amash	Fitzpatrick	Kline	Amash	Crenshaw	Guthrie
Amodei	Fleischmann	Knight	Amodei	Culberson	Hanna
Babin	Fleming	Labrador	Babin	Curbelo (FL)	Hardy
Barletta	Flores	LaHood	Barletta	Davis, Rodney	Harper
Barr	Forbes	LaMalfa	Barr	Delaney	Harris
Barton	Fortenberry	Lamborn	Barton	Denham	Hartzler
Benishek	Fox	Lance	Benishek	Dent	Heck (NV)
Bilirakis	Franks (AZ)	Latta	Bilirakis	DeSantis	Hensarling
Bishop (MI)	Frelinghuysen	LoBiondo	Bishop (MI)	DesJarlais	Herrera Beutler
Bishop (UT)	Garrett	Long	Bishop (UT)	Diaz-Balart	Hice, Jody B.
Black	Gibbs	Loudermilk	Black	Donovan	Hill
Blackburn	Gibson	Love	Blackburn	Duffy	Holding
Blum	Gohmert	Lucas	Blum	Duncan (SC)	Hudson
Bost	Goodlatte	Luetkemeyer	Boustany	Duncan (TN)	Huelskamp
Boustany	Gosar	Lummis	Brady (TX)	Ellmers (NC)	Huizenga (MI)
Brady (TX)	Gowdy	MacArthur	Brat	Emmer (MN)	Hultgren
Brat	Granger	Marchant	Bridenstine	Fincher	Hunter
Bridenstine	Graves (GA)	Marino	Brooks (AL)	Fitzpatrick	Hurt (TX)
Brooks (AL)	Graves (LA)	Massie	Brooks (IN)	Fleischmann	Hurt (VA)
Brooks (IN)	Graves (MO)	McCarthy	Buchanan	Issa	Cohen
Buck	Griffith	McCaul	Buck	Fleming	Connolly
Bucshon	Grothman	McClintock	Bucshon	Flores	Conyers
Burgess	Guinta	McHenry	Burgess	Forbes	Cooper
Byrne	Guthrie	McKinley	Byrne	Fortenberry	Costa
Calvert	Hanna	McMorris	Calvert	Fox	Costello (PA)
Carter (GA)	Hardy	Rodgers	Carter (GA)	Franks (AZ)	Courtney
Carter (TX)	Harper	McSally	Carter (TX)	Frelinghuysen	Crowley
Chabot	Harris	Meadows	Chabot	Garrett	Cuellar
Chaffetz	Hartzler	Meehan	Chaffetz	Gibbs	Cummings
Clawson (FL)	Heck (NV)	Messer	Clawson (FL)	Gibson	Davis (CA)
Coffman	Hensarling	Mica	Coffman	Gohmert	Davis, Danny
Cole	Herrera Beutler	Miller (FL)	Cole	Goodlatte	DeFazio
Collins (NY)	Hice, Jody B.	Miller (MI)	Collins (GA)	Gosar	DeGette
Comstock	Hill	Moolenaar	Collins (NY)	Gowdy	DeLauro
Conaway	Holding	Mooney (WV)	Comstock	Granger	DelBene
Cook	Hudson	Mullin	Conaway	Graves (GA)	DeSaulnier
Costello (PA)	Huelskamp	Mulvaney			
Cramer	Huizenga (MI)	Murphy (PA)			
Crawford	Hultgren	Neugebauer			
Crenshaw	Hunter	Newhouse			
Culberson	Hurd (TX)	Noem			
Curbelo (FL)	Hurt (VA)	Nugent			
Davis, Rodney	Issa	Nunes			
Denham	Jenkins (KS)	Olson			
Dent	Jenkins (WV)	Palazzo			
DeSantis	Johnson (OH)	Palmer			
DesJarlais	Johnson, Sam	Paulsen			
Diaz-Balart	Jolly	Pearce			
Dold	Jones	Perry			
Donovan	Jordan	Pittenger			
Duffy	Joyce	Pitts			
Duncan (SC)	Katko	Poe (TX)			
Duncan (TN)	Kelly (MS)	Poliquin			
Ellmers (NC)	Kelly (PA)	Pompeo			

NAYS—191

Adams	Deutch	Larson (CT)
Aguilar	Dingell	Lawrence
Ashford	Doggett	Lee
Bass	Dold	Levin
Beatty	Doyle, Michael	Lewis
Becerra	F.	Lieu, Ted
Bera	Duckworth	LoBiondo
Beyer	Edwards	Loeback
Bishop (GA)	Ellison	Lofgren
Blumenauer	Engel	Lowenthal
Bonamici	Eshoo	Lowey
Bost	Esty	Lujan Grisham
Boyle, Brendan	Farr	(NM)
F.	Foster	Luján, Ben Ray
Brady (PA)	Frankel (FL)	(NM)
Brown (FL)	Fudge	Lynch
Brownley (CA)	Gabbard	Maloney,
Bustos	Gallego	Carolyn
Butterfield	Garamendi	Maloney, Sean
Capps	Graham	Matsui
Capuano	Graves (MO)	McCollum
Cárdenas	Grayson	McDermott
Carney	Green, Al	McGovern
Carson (IN)	Green, Gene	McNerney
Cartwright	Griffith	Meeks
Castor (FL)	Grijalva	Meng
Castro (TX)	Gutiérrez	Moore
Chu, Judy	Hahn	Moulton
Cicilline	Hastings	Murphy (FL)
Clark (MA)	Heck (WA)	Nadler
Clarke (NY)	Higgins	Napolitano
Clay	Himes	Neal
Cleaver	Hinojosa	Nolan
Clyburn	Honda	Norcross
Cohen	Hoyer	O'Rourke
Connolly	Huffman	Pallone
Conyers	Israel	Pascarell
Cooper	Jackson Lee	Pelosi
Costa	Jeffries	Perlmutter
Costello (PA)	Johnson (GA)	Peters
Courtney	Johnson, E. B.	Peterson
Crowley	Kaptur	Pingree
Cuellar	Keating	Pocan
Cummings	Kennedy	Polis
Davis (CA)	Kildee	Price (NC)
Davis, Danny	Kilmer	Quigley
DeFazio	Kind	Rangel
DeGette	Kirkpatrick	Reichert
DeLauro	Kuster	Rice (NY)
DelBene	Langevin	Richmond
DeSaulnier	Larsen (WA)	Roybal-Allard

Ruiz	Sherman	Tsongas
Ruppersberger	Simpson	Van Hollen
Rush	Sinema	Vargas
Ryan (OH)	Sires	Veasey
Sánchez, Linda	Slaughter	Vela
T.	Smith (WA)	Velázquez
Sanchez, Loretta	Speier	Viscosky
Sarbanes	Swalwell (CA)	Walz
Schakowsky	Takai	Wasserman
Schiff	Takano	Schultz
Schrader	Thompson (CA)	Waters, Maxine
Scott (VA)	Thompson (MS)	Watson Coleman
Scott, David	Titus	Welch
Serrano	Tonko	Wilson (FL)
Sewell (AL)	Torres	Yarmuth

NOT VOTING—3

Fattah	Kelly (IL)	Payne
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□ 1807

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MAKING IN ORDER CONSIDERATION OF VETO MESSAGE ON H.R. 1735

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that if a veto message on H.R. 1735 is laid before the House, then after the message is read and the objections of the President are spread at large upon the Journal, further consideration of the veto message and the bill shall be postponed until the legislative day of Thursday, November 5, 2015; and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

AMENDING TITLE XI OF THE SOCIAL SECURITY ACT

Mr. BRADY of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1362) to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1362

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLARIFICATION OF WAIVER AUTHORITY REGARDING PACE PROGRAMS.

Subsection (d)(1) of section 1115A of the Social Security Act (42 U.S.C. 1315a) is amended by striking “and 1903(m)(2)(A)(iii)” and inserting “1903(m)(2)(A)(iii), and 1934 (other than subsections (b)(1)(A) and (c)(5) of such section)”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BRADY) and the gentleman from Oregon (Mr. BLUMENAUER) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1362 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support for S. 1362, the PACE Innovation Act of 2015.

The companion bill in the House, H.R. 3243, was introduced by my longtime colleague and a real champion for the elderly and the frail, CHRIS SMITH of New Jersey.

This legislation is a commonsense, bipartisan approach to increasing flexibility in our healthcare system.

PACE, or the Program of All-Inclusive Care for the Elderly, is an integrated care program that provides hands-on, long-term care and support to beneficiaries who need an institutional level of care but continue to live at home. Many of these beneficiaries are dual eligible, or eligible for both Medicare and Medicaid.

Hardworking Americans who care for these beneficiaries and want to keep their loved ones at home have relied on this program for well over a decade, as the program has now expanded to 32 States.

There are two programs currently operating back in Texas, and I am looking forward to monitoring the program's continued success back home.

However, currently, the PACE model is limited to seniors who meet a specific list of criteria, Federal and State, for needing a nursing home level of care. The PACE Innovation Act would allow Medicare to test the PACE benefit on other vulnerable populations.

With the popularity and success of the PACE program, it is clear that, to live up to its full potential nationally, other populations should be targeted to benefit from comprehensive PACE models.

These beneficiaries are some of our Nation's most vulnerable, who, along with their families, have chosen not to

enter into full-time nursing home care at a facility.

Studies have shown that people receiving care from PACE organizations have better outcomes and less hospitalizations and, more importantly, have more time to spend with their families in their own homes—and that is key.

The PACE Innovation Act is revenue-neutral and widely supported.

I would like to thank fellow Ways and Means Committee members CHARLES BOUSTANY, MIKE KELLY, LYNN JENKINS, EARL BLUMENAUER, BILL PASCRELL, BILL MCDERMOTT, and RICHARD NEAL for their strong support of this effort and encourage that the whole House vote to pass S. 1362 under suspension of the rules and send it to the President's desk.

Mr. Speaker, I reserve the balance of my time.

□ 1815

Mr. BLUMENAUER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the comments from my friend from Texas. Mr. Speaker, there is occasionally a little bit of controversy around the House, a modest amount of disagreement, and, of course, that is just in the Republican conference. There are lots of things that get the spotlight.

But I appreciate the leadership of my friend with our Health Subcommittee on Ways and Means for there are things below the radar screen where we have been working in a thoughtful and bipartisan way to try and see if we can thread the needle on a number of these things that don't have to cost a lot of money, and they enable us to be able to refine healthcare opportunities.

One of the biggest accomplishments of the session was getting the SGR monkey off our back to deal with the sustainable growth rate in a bipartisan fashion, and there have been, I want to say, about 12 bills that have moved out of our Health Subcommittee that deal with initiatives going forward.

What my friend from Texas said about the PACE Act is absolutely true. This is an opportunity for us to take a proven set of techniques to help seniors who want to stay at home, who do not want to be in nursing facilities, being able to give them the flexible needs in terms of services, and it works.

I represent a program in Portland, Oregon, Providence ElderPlace. It serves over 1,000 Oregonians. It has got a solid track record. It has costs that are lower than average if they were Medicaid beneficiaries. In some States, these savings can be nearly 30 percent.

There are opportunities here to be able to give better ongoing service. The hospital readmission rate, for example, the program I mentioned in Oregon, is far under the national average of 15.2 percent. It is about half that rate.

This simply extends this opportunity to a broader range of beneficiaries, people who have complex health conditions, but who are younger, for instance. They are no less deserving of this opportunity. I am absolutely convinced that the results will be every bit as strong.

Mr. Speaker, I appreciate having this bill move forward, and I appreciate the advocacy of my friend, Mr. SMITH from New Jersey. We seem to find a variety of things to work on together in this Congress, and there is nothing that I think is more important and is going to have more long-term impact for people who are quite vulnerable. It is going to save the Federal Government money while it provides better outcomes for patients and for their families.

With that, Mr. Speaker, I reserve the balance of my time urging strong support from my colleagues.

Mr. BRADY of Texas. Mr. Speaker, I am really proud to yield 4 minutes to the gentleman from New Jersey (Mr. SMITH), a real champion for the elderly and the fragile who has really been a leader for so many years on this key issue.

Mr. SMITH of New Jersey. Mr. Speaker, first of all, let me thank KEVIN BRADY, the chairman, for his extraordinary leadership on this and so many other issues, and Mr. BLUMENAUER, with whom we have worked together to build a strong bipartisan push for this piece of legislation.

I do rise in strong support for passage of S. 1362, the PACE Innovation Act. Identical to the companion bill that I introduced along with Mr. BLUMENAUER, this bill will provide PACE programs with flexibility to bring a proven model of care to new populations. The program for all-inclusive care for the elderly, or PACE, is a widely popular program serving over 30,000 seniors around the country.

For those unfamiliar with PACE, the program delivers the entire range of medical and long-term services, including medical care and prescription drug services, physical or occupational therapy, day or respite care, and medical specialties such as dentistry, optometry, and podiatry.

Currently, eligibility for PACE is limited to those aged 55 and over who meet State-specified criteria for needing nursing home-level care. This program will provide wellness and keeps people in their homes. It is already doing it. Now more people will benefit from it. It improves outcomes. And this is all for people who otherwise would be paying catastrophic costs for nursing home care.

Mr. Speaker, PACE has seen a significant growth in recent years, including a 30 percent increase in the number of people receiving services over the last 3 years alone.

PACE has a proven track record in my own State of New Jersey where pro-

grams currently serve roughly 900 seniors throughout the State.

Just last week, Mr. Speaker, I had the opportunity to attend the grand opening and ribbon cutting of a new PACE program in Monmouth County, and it is New Jersey's fifth program.

When I first heard about PACE, I worked hard to bring this valuable program to my State back in 2009. Even though it was around before that, it was one of the best kept secrets around.

They then formed the first PACE program called LIFE, Living Independently for Elderly, at St. Francis Medical Center in the Trenton and Hamilton area. I have visited St. Francis LIFE often since and on its fifth anniversary was overwhelmed by the appreciation of seniors and their families for the program's ability to raise or maintain their quality of life.

The limits, however, and operational restrictions placed on PACE do not allow these programs to serve many others in need. Chronological age should not be the determinant.

If somebody is disabled and could use and should use a nursing home and is eligible, this gives another option to the family to keep them at home. The legislation will allow CMS to establish pilot programs and waive restrictions and test how to best deliver results for new populations.

As Tim Clontz, the chairman of the National PACE Association's Public Policy Committee, testified before the Health Subcommittee on the Energy and Commerce Committee, he told stories about a man named Jim G., a 54-year-old man with early-onset Alzheimer's disease.

He was hospitalized for a lung infection and, as a result, stayed home alone during the day, where he was isolated and struggled with activities of daily living, such as personal grooming, household chores, and child care.

His wife quit her job to care for him full time, but his needs were more than she could handle. He was permanently placed in a memory care unit, and since PACE was not an option for Jim—remember, he is 54 years old—his wife is crowd-sourcing to try to pay his medical care. This heartbreaking story could have been eliminated.

I also chair the Alzheimer's Caucus, Mr. Speaker, here in the House, and I can tell you there are many patients with early onset who could benefit and benefit in a very, very significant way with this change in law.

I look forward to the President's signature. Again, I want to thank you, Kevin, for your leadership and your very distinguished staff.

Mr. BLUMENAUER. Mr. Speaker, I yield myself such time as I may consume to close just by saying, again, I express my appreciation to the chairman and to Mr. SMITH for moving this forward.

We find that the evaluations of the PACE program have proven that participants experience better health outcomes, fewer unmet needs, less pain, less likelihood of depression, and fewer hospitalizations and nursing home admissions.

There are people out there now, if we make this change, that are ready to extend this higher quality of care for very deserving, needy, and vulnerable people who are younger than the threshold 55 years of age.

Mr. Speaker, I urge we vote tonight, enact it into law, and let these people get to work serving these people in a new and profoundly improved way.

Mr. Speaker, I yield back the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I want to thank again these champions, Mr. SMITH and Mr. BLUMENAUER, for coming together on a very important program that makes so much sense.

This is our mom or our dad, our loved one who wants to get care, but doesn't want to be in that nursing home. It is good for them, it is great for the family, and it is good for the taxpayers.

It just makes common sense. Having this strong, bipartisan support for this bill I think is every reason for it to pass through this House, to be signed by the President, and be expanded all across America.

So, Mr. Speaker, I stand in strong support for the PACE Innovation Act and urge its passage. With that, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. COSTELLO). The question is on the motion offered by the gentleman from Texas (Mr. BRADY) that the House suspend the rules and pass the bill, S. 1362.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE SITUATION IN OR IN RELATION TO THE DEMOCRATIC REPUBLIC OF THE CONGO—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-69)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:
To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90

days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo declared in Executive Order 13413 of October 27, 2006, is to continue in effect beyond October 27, 2015.

The situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue to threaten regional stability, continues to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13413 with respect to the situation in or in relation to the Democratic Republic of the Congo.

BARACK OBAMA.

THE WHITE HOUSE, October 21, 2015.

SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI

(Mr. SHERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHERMAN. Mr. Speaker, tomorrow the Select Committee on Benghazi will hold hearings certain to drive congressional approval ratings to new lows. The majority leader, the leader of the Republicans, and the New York Republican, Mr. HANNA, and former Republican Committee staffers have all confessed that the purpose of this committee is no governmental purpose, but the political purpose of driving down Secretary Clinton's approval ratings and political prospects. And for that, we have spent 4.5 million taxpayer dollars.

Even before those admissions, it was apparent that that was the purpose of this committee. They have held four hearings in 17 months and developed nothing of significance. They have abandoned plans to have hearings with top intelligence and defense officials. They have done nothing up until now. Yet, tomorrow, they are set to spend 8 hours grilling one woman.

Nothing about the tragedy in Benghazi has been revealed by this committee, and nothing will be revealed tomorrow. All this committee has done is focus on what has been referred to as Secretary Clinton's damn emails.

Look at the rules that bind Congress on emails. We are free to use any serv-

er. We are free to keep and delete or to take the emails with us.

We have got an 8 percent approval rating. It is going down tomorrow as a result of what the Benghazi Committee plans to do.

TRINIDAD GARZA EARLY COLLEGE HIGH SCHOOL NAMED NATIONAL BLUE RIBBON SCHOOL

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to congratulate the faculty, staff, and students of Trinidad Garza Early College High School at Mountain View for being named a 2015 National Blue Ribbon School.

For the last 33 years, the Department of Education has recognized superior schools for their academic achievement, their progress in closing achievement gaps, and for demonstrating that all students can achieve high levels of success.

Nominated by top education officials in Texas, Trini Garza is one of 335 schools across the country being recognized as a 2015 Blue Ribbon School and one of 28 such schools in the great State of Texas.

As a dual-degree school, Trinity Garza has made it a priority to make students college ready, life ready, and career ready.

I am proud to represent a school that has truly excelled since opening in 2006. Trini Garza, along with 334 other schools, will be recognized at a ceremony in Washington, D.C., on November 9 and 10.

I ask my colleagues to join me in congratulating Trini Garza Early College High School on this important accomplishment.

□ 1830

ADDRESS THE DEBT LIMIT AND REACH A BIPARTISAN BUDGET AGREEMENT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, there are just 9 more legislative days to act fully to protect the full faith and credit of the United States before November 3 in order to prevent the risk of a first ever U.S. default.

We know that a default is not what the American people want. It could shatter retirement savings and send interest rates for mortgages, student loans, credit cards, and car payments soaring. We know that even a threat of default has serious consequences.

We have experienced a downgrading in our credit before because our friends on the other side of the aisle—Republicans—took us to the catastrophic brink. And then, of course, we realized

that what we did today, Pay China First Act, does not help the American people.

If we continue on this pathway, we will impact 1.4 million Active-Duty troops by not paying our debt, 4.1 million disabled veterans who served their country with honor by not paying our debt, 2.3 million veterans who receive home purchasing assistance by not paying our debt, American small businesses that sell goods and services to the government and most doctors and hospitals that treat the 53.8 million Medicare patients around the country by not paying our debt.

We cannot hold the United States hostage or our credit hostage. It is time to address in a fair and reasonable manner the debt of the United States, which is the people of the United States. Get rid of sequester, follow our responsibilities, and pay our bills so that we can help those veterans who need help.

Mr. Speaker, once again House Republicans are putting the narrow partisan interests of their right-wing base ahead of addressing the real challenges and problems facing the American people.

Congress has only 10 legislative days to act to fully protect the full faith and credit of the United States before November 3, in order to prevent the risk of a first-ever U.S. default.

A default would shatter retirement savings and send interest rates for mortgages, student loans, credit cards and car payments soaring.

We know that even the threat of default has serious consequences: plummeting consumer confidence, and drastic slowdowns in job creation and economic growth.

Instead of taking the threat of catastrophic default off the table, this week, Republicans are bringing forward a bill that would give priority to bondholders from China and other foreign nations would be paid first.

This bill, more accurately described as the "Pay China First Act," puts payments to Americans at risk, including those to: 1. 1.4 million active duty troops; 2. 4.1 million disabled veterans who served their country with honor; 3. 2.3 million veterans who receive home purchasing assistance; 4. American small businesses that sell goods and services to the government; 5. Doctors and hospitals that treat the 53.8 million Medicare patients around the country.

The credit rating of the United States is not a hostage to serve Republicans' toxic special interest ideology.

Republicans should bring forward a clean bill to honor the full faith and credit of the United States immediately.

Mr. Speaker, House Republicans have wasted enormous amount of time on irresponsible, futile, and reckless diversions such as trying to repeal the Affordable Care Act, defund Planned Parenthood, and use the Benghazi Select Committee as an adjunct of the Republican National Committee to engage in partisan attacks on the leading candidate for the 2016 Democratic presidential nomination.

Because so much time has been wasted on these frivolous issues, we now have the following critical deadlines staring us in the face:

1. October 29: Highway & Transit Trust Fund expires, endangering good paying jobs and critical construction projects throughout America;

2. November 3: Deadline to raise debt ceiling to protect full faith and credit of the United States.

3. December 11: Deadline to pass a funding bill that keeps the government open.

Americans are already paying a heavy price for House Republicans' legislative mismanagement.

Earlier this summer, Republicans shut down the Export-Import Bank for the first time in its 81-year history.

The Bank provides critical financing assistance—at no cost to taxpayers—to small, medium, and large-sized U.S. businesses that helps them create jobs here at home and sell their products overseas.

Just two months after the Bank shut down, companies across the country are already feeling negative impacts on their ability to compete in the global marketplace.

House Republicans also let the Land and Water Conservation Fund (LWCF) expire on September 30.

Created in 1965, it is one of the nation's most successful conservation programs.

The LWCF uses a small percentage of revenue from offshore oil and gas drilling to invest in public lands and local recreation projects, and helps to support more than 6 million U.S. jobs connected with outdoor recreation.

Mr. Speaker, I renew my call that all Members of the House and Senate work together and address the real problems and challenges facing the American people and to work with the President to reach agreement on an appropriate budget framework that ends sequestration but does not harm our economy or require draconian cuts to middle-class priorities.

HONORING THE LIFE OF DON EDWARDS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from California (Ms. LOFGREN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. LOFGREN. Mr. Speaker, I rise on behalf of the California Democratic congressional delegation to honor the life of Don Edwards, who passed away earlier this month at the age of 100 in his home in Carmel.

Congressman Don Edwards was someone I was proud to know for many years. He was born in San Jose, California, in 1915, growing up on South 13th Street. Living in San Jose at an

idyllic time, he took the trolley to play golf as a young man, attended public schools in San Jose, received his bachelor's degree from Stanford University, where he later studied law, and was admitted to the Bar Association of California in 1940.

He became an FBI agent during the Depression. He used to talk about his service as an FBI agent, which he jokingly referred to as "long hours looking for auto thieves in Indianapolis." But, in fact, he served with great distinction in the FBI, and he went on to serve in the United States Navy as an intelligence officer and a gunnery officer in World War II.

He was first elected to represent what was then California's Ninth Congressional District in 1962, and he served for 32 years, until January 3, 1995.

I remember the first time I saw Congressman Don Edwards. It was before he was a Congressman. He was giving a speech in Mitchell Park in Palo Alto, California. I was just out of elementary school, and I remember how impressed I was and inspired I was by his words. He, in turn, had been inspired by President Kennedy to run for Congress, and he was successfully elected that year.

Over the years, he represented such communities as San Jose, Gilroy, Morgan Hill, parts of Milpitas, Fremont, and Union City. He served on the Judiciary Committee and served as chairman of the House Subcommittee on Civil Liberties and Civil Rights for 23 years. He also sat on the Veterans' Affairs Committee.

Now, Congressman Don Edwards was one of the foremost defenders of civil liberties in Congress. In the 1970s, along with Senator Frank Church and his committee, they exposed the pervasive abuses of civil liberties in J. Edgar Hoover's COINTELPRO, which monitored, infiltrated, and disrupted entirely lawful civil rights and antiwar organizations; and his stature as a former FBI agent really allowed him to be effective in this role.

In his first year in the House, he voted to abolish the House Un-American Activities Committee, and he was involved every year. In fact, I helped him in the early seventies in trying to abolish HUAC. He finally succeeded in 1975. He was involved in the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. He was a dignified and important member of the House Judiciary Committee during the consideration of the impeachment of Richard Nixon. And he was known throughout the country as somebody who stood up for the Constitution.

Earlier today, former Congresswoman Elizabeth Holtzman came on the floor, and we were talking about former Members' right to be present on the floor, but they do not have the right to address the Congress as a former Member. She wanted everyone

to know that she was so proud that she was able to serve with Congressman Edwards on the Judiciary Committee, and she is not alone where people were able to serve with him.

His contributions will live on for many generations, as demonstrated by the Don Edwards San Francisco Bay National Wildfire Refuge, which was the first urban wildfire refuge in the United States. I remember he used to call the chairman of the committee in the seventies every single morning, saying, "Where is my wildfire refuge?" because such endangered species as the California Clapper Rail and the salt marsh harvest mouse were on the verge of extinction, and now they are not because of his work.

As I said, he was a stalwart defender of the Constitution, a tireless advocate for the rights of women, and was known as the "Father of the Equal Rights Amendment," which he introduced every year.

Congressman Edwards was also known as a champion of civil rights. After becoming chairman of the Subcommittee on Civil and Constitutional Rights, then known as Subcommittee Number 4, he managed the Equal Rights Amendment on the House floor in 1971, the extension of the Voting Rights Act in 1982, and all other civil rights bills of the era.

Now, outside of Congress, he took part in civil rights marches in the South. His son Len was a Freedom Rider, and he joined Len Edwards during the Mississippi Summer. He visited Dr. Martin Luther King when Dr. King was imprisoned in the Birmingham, Alabama, jail. And Don Edwards spoke out against apartheid while visiting South Africa.

Congressman Don Edwards had a long, fulfilling life, and part of that fulfillment was his marriage to Edie Wilkie Edwards until her death in April of 2011. She and he were very involved in a group that no longer is active in the House called Members of Congress for Peace Through Law because they were people who believed that we could have a peaceful world, and the route to peace was the rule of law.

Congressman Edwards is survived by four sons, Len Edwards, Samuel, Bruce, and Thomas, as well as four grandchildren and five great-grandchildren. He died peacefully and with a great deal of grace. According to his son Len Edwards: "He died as he lived, an elegant man."

He leaves a legacy of supporting civil rights, advocating for those less fortunate in our society, and as being a strong defender of our Constitution. In fact, in his district, they used to call him not the Congressman from the Tenth Congressional District, but the Congressman from the Constitution.

I am fortunate that when I graduated from college in 1970 and I came to

Washington without a job, I walked into his office and he hired me. I worked for him for nearly 9 years, both here in Washington and in his district in San Jose. He helped me enormously by giving me time off to take exams while I was taking my law school classes. He helped me and mentored me, and I feel a great debt of gratitude to him personally for all he did to help me, but mainly to inspire me and a whole generation of Americans to believe in their country and to believe in their Constitution and to believe in the rule of law and civil rights.

With that, I yield to the gentleman from California, (Mr. FARR), my colleague.

Mr. FARR. Mr. Speaker, I thank Ms. LOFGREN for yielding, the chair of our wonderful California delegation, the largest Democratic delegation in Congress.

When I arrived in Congress in a special election in 1993, Don Edwards was the dean, the chair of the Democratic delegation, the same delegation that his former employee, Congresswoman ZOE LOFGREN, now holds. He was the father figure for all of us from California, and I think of this entire Congress when you look at his remarkable record.

It is ironic that Don Edwards grew up in a Republican family in the Stanford area in Santa Clara Valley, attended Stanford University, was captain of the golf team, did very well in golf, and so much so that the district that I represent every year hosts what was formerly known as the Bing Crosby Clambake, now the AT&T Pro-Am Golf Tournament. And Don Edwards told me that he carried his pro, he got a better score than his pro, and they won the tournament the first Clambake at Pebble Beach.

He soon became president of the Young Republicans. He quickly thereafter left the Young Republicans and became a very, very liberal Democrat. I asked him once as he retired, as Congresswoman LOFGREN said, to Carmel, California—he retired to a home right next to the home that I grew up in and my sister still lives in, so we had many, many nights with him and Edie discussing politics, and I once asked him: What made you become a Democrat? He said: Well, you know, Sam, after I got out of Stanford, I was in the FBI right after law school, and after I knew what the government could do to you through the FBI, I decided that I better be on the other side to protect the rights of individuals.

He then became a Navy intelligence officer. One of the things that happened when he left the FBI—he was no fan of the head of the FBI, J. Edgar Hoover—he asked Congress to audit the FBI. Well, the FBI had never been audited. All of the seizure of the equipment and goods and things that they had taken in the arrest were used to

support them internally, and people thought that there might be some foul play there. Because he asked for that audit, he was on their blacklist. A former FBI agent knew a little bit too much about what was going on inside the FBI and with J. Edgar Hoover.

As a Member of Congress—it is really interesting. He got elected when John F. Kennedy was President, and he left Congress when Bill Clinton was President, so all of those President's between Kennedy and Clinton, Don Edwards had served with. If anybody, he was probably the most dapper, best dressed, politest, nicest human being on this floor.

He had great friends on the Republican side of the aisle, even though he was such a liberal Member of the Democratic Party. One of his friends was Hamilton Fish from New York. They worked together on many of these remarkable acts: the Civil Rights Act of 1964, the rogue Voting Rights Act of 1965. He became chair of the Subcommittee on Civil and Constitutional Rights, and he managed the equal rights amendment on the House floor. He was a constitutional civil rights-human rights expert and passionate about his feelings of the law to protect people.

When Don and Edie retired to Carmel, California, they brought with them a lot of their friends from Washington, and in his home State of California, we used to have wonderful dinner parties together. He was still a member of Cypress Point Golf Club, a very exclusive golf club. In fact, he was the longest surviving member of that club.

□ 1845

Unfortunately, Edie predeceased him—his wonderful wife for many years, whom we all loved—and we were saddened about her development of lung cancer, and she died.

Don wanted to have a memorial service for her at a local church and then the reception at the Cypress Point Country Club, one of the most conservative golf clubs in the United States. Don was very proud after the church service to have invited everybody, and he proudly stated that this was the largest collection of Democrats that had ever been at the Cypress Point Country Club.

He had a great sense of humor, lots of friends. He was a remarkable human being who was able to work across the aisle, something we miss today. With that, he was able to accomplish some of the greatest laws of this country in the modern era.

He was a good friend of Republicans and Democrats, but, most of all, he was the friend of the animals and of the people who could not speak for themselves. We will sorely miss this great man, who served this great institution for a long, long time.

My wife sends all her best. She was at his bedside when he died, and she was part of his caretaking team. We will have services for him in Carmel this Sunday, and there will be services in the San Jose area and future services here in Washington.

So I just stand tonight to give you my thoughts on my relationship with a great man, Don Edwards, who championed civil rights and died at the age of 100.

Ms. LOFGREN. Thank you, SAM FARR.

I now yield to the gentlewoman from San Francisco, California (Ms. PELOSI).

Ms. PELOSI. Thank you very much, Congressman ZOE LOFGREN, the chair of the House Democrats of California, for calling us together in a Special Order to honor a truly great man.

I want to associate myself with the remarks that have gone before and to say to SAM FARR: Thank you to you and to Shary for the love and affection and care that you gave not only to Don Edwards, but to Edie Wilkie, for such a long time. We all talked about how much we loved them. You were there for them all the time, and we are completely, entirely, in your debt. Thank you for the love that you gave them.

Thank you again, ZOE LOFGREN and the entire California delegation, for orchestrating this Special Order hour.

Tonight, Mr. Speaker, we honor an august statesman who labored with dignity, led with integrity, and lived with courage, William Donlon—otherwise known as “Don Edwards”—who passed away last month at the age of 100.

His life was a gift to the Nation.

He protected our communities through his service as an FBI agent. He protected our country through his service in the U.S. Navy during World War II. He moved our country forward through his service as a U.S. Congressman.

Service. Leadership. Patriotism. Don Edwards.

Don reminded us that how we live our values matters; so he fought for fair pay, becoming the “Father of the Equal Rights Amendment.” He stood with the Freedom Riders at a time when they were written off as troublemakers and agitators. He championed the Civil Rights Act of 1964 and fought to protect freedom of speech. He spoke up for workers, for our environment, for the resources needed to improve our country, and for future generations.

As chair of the House Judiciary Subcommittee on Civil and Constitutional Rights for more than 20 years, Don became the “conscience of the Congress” and strived to ensure that all Americans enjoyed equality of opportunity.

He took great pride in the fact that he was the floor leader for the Equal Rights Amendment, that he managed that bill. During his 32 years in the House, Congressman Edwards helped

change the course of history. So significant was his leadership.

Oddly enough, Don won his first election to any office in 1950 when he was elected president of the California Young Republicans. Throughout his life, Don's ability to respect all viewpoints made him a remarkable leader who was respected by Members on both sides of the aisle. When he was 88 years old, Don reminded us that the world works better when we get along, and that is what we owe everybody.

In California, we hold a special place of honor for Congressman Edwards, the long-time dean of the California Democratic delegation. The beautiful, pristine Don Edwards San Francisco Bay National Wildlife Refuge serves as a tribute to his efforts to preserve our environment and our ideals for future generations.

In fact, he, as a modern-day man and as a Member of Congress, with his love of nature and all living things, was probably as close to a model of St. Francis of Assisi as we have ever seen—Don Edwards, a gentle, beautiful man.

Don Edwards never stopped serving our country, and his achievements will stand forever as a living monument to his determined vision and legendary ability. But it wasn't just about that. It is how he encouraged others.

I can tell you, when I came to Congress 28 years ago, there were only 23 women in the House out of 435—12 Democrats, 11 Republicans. To say that we weren't always paid full attention to sounds almost like complaining, but it was a fact. Nobody ever asked, "What do you think?" to any of the women Members. I mean, we made our voices heard, of course, but nobody ever asked, "What do you think?" except Don Edwards.

Don Edwards would ask, "What do you think of this?" to each of us, especially when he was dealing with issues that related directly to us. But even well beyond that, whether we were talking about national security, economic growth—whatever the subject—Don would always ask us, "What do you think?"

I can remember hearing him ask, "NANCY, what do you think?"

And I said, "Don, do you know how unusual that is, to hear you say that?"

And he would ask, "Why do you say that?"

And I said, "Because not many people around here, of the four hundred and something versus the 23, come up and ask the few women who are here what we think."

But he was always about encouraging people to reach their fulfillment and to see what their contribution could do for the common good.

Sadly, we lost Edie Wilkie a few years ago. As SAM FARR mentioned, she predeceased Don by a number of years. He worshiped Edie, and they were a real team for equality, for peace, for

disarmament, for protecting the environment, for promoting opportunity and fairness. They were such a team.

So I hope it is a comfort now to his children and to his grandchildren—to all he loved—that so many people throughout the world and, certainly, in our country mourn the loss of a consummate public servant, a proud Californian, and a proud American.

May his legacy long endure in this House, and may it challenge all of us to do more and to do better on behalf of America's working families.

Thank you again, Congresswoman ZOE LOFGREN, for bringing us together.

Ms. LOFGREN. Thank you, Madam Leader.

It is wonderful for those who served with Don Edwards, for those who knew him by reputation, and for those who worked for him to—

Ms. PELOSI. Will the gentlewoman yield?

Ms. LOFGREN. I yield to the gentlewoman.

Ms. PELOSI. I would like to say how proud he was and thrilled he was that Congresswoman ZOE LOFGREN was going to succeed him in the Congress. He made that well known to all of us. So his service continues his leadership in your excellent service and leadership in the Congress.

Ms. LOFGREN. Thank you, Madam Leader.

Now I turn to my colleague from California who was able to serve with Congressman Edwards for the first 2 years of her service here in the Congress, Congresswoman ANNA ESHOO.

Ms. ESHOO. I thank the gentlewoman from California, the chair of the California Democratic delegation, and my dear friend and colleague.

Mr. Speaker, it is really, I think, bittersweet this evening because we loved Congressman Don Edwards so much, and it is hard to imagine the world without him.

He was the kind of human being that you wanted to have live forever. Instead, his contributions to our Nation, to the State of California, to his community are a record that will be revered for generations and generations and generations to come.

There is a lot that has already been said about Don, beautiful things that have been said about Don, how he graduated from Stanford University and Stanford Law School, how he began his professional career as an FBI agent, and how he joined the Navy as an intelligence officer.

So he served our country in many different roles, and, of course, the crown of his public service career was right here in the House of the people, the House of Representatives. He was a small-business man in a business that his father owned and that he became a part of during the 1950s, and then, of course, he was elected as a Democrat.

In fact, I still have in my office an invitation that Don had sent out. I think

it must have been for some fundraiser that he had had, but the cover of that invitation has Don Edwards standing next to a very young President of the United States, John F. Kennedy.

Young children and those who helped elect John F. Kennedy and anyone else who comes through my office very often remark about the picture. It is something that I cherish, that my staff cherishes, and my constituents do.

It has been said that he was elected to be the president of the California Young Republicans. That is a very prestigious organization, and I can just see Don, elegant in every way.

He dressed magnificently. He had the most beautiful posture. The way he carried himself, he almost kind of glided down the hall.

But he had a deep sense of humility about him. We talk about his greatness and his goodness, and he was never one to want to be served. His joy was in serving. And so he had more than a healthy dose of humility about him.

Don Edwards had an eloquence about him that ran as deep as his beliefs. In my lifetime, he had two great love affairs. One was Edie, and the other was the Constitution. He loved the flag.

He understood that that was a symbol of our country, but he knew that the Constitution, our Constitution, was the soul of our Nation, and that is where he embedded himself—in the Constitution and in the subcommittee that did its work to always reinforce and establish the constitutionality and make the Constitution live for people who it had not touched yet.

If there is anything that would be noble, I think that that is, and the record that he built was one where he was the foremost champion of civil rights, having drafted every civil rights bill in the House of Representatives for two decades. What a record. What a magnificent record.

He loved his community. I remember when he announced that he was retiring. He thanked his constituents for the patience that they had extended to him because, I think, many times in the debate about what is constitutional and how to extend rights to people, it is not always very popular in the beginning.

We love our history once it has been made, but we struggle very hard and don't always recognize the opportunity at hand in that history is being made. In his gentle, elegant way, he thanked his constituents for the patience that they had had with him in that they had stayed with him so that he could do the work that he did on their behalf.

□ 1900

He famously said, in the 1982 extension of the Voting Rights Act: "If you can't vote, you are not a real citizen." So he understood where the nub of the dignity of citizenship rested: voting. I don't think he could really comprehend

why the Voting Rights Act is not being brought up today so that we can all vote on it and improve what is so essential in the life of the citizens of our country.

I think, Mr. Speaker, that Congressman Edwards would be very proud of his colleagues in the California Democratic delegation today, starting with our chair, ZOE LOFGREN, who not only worked side by side with him, but now chairs our delegation.

The values that he carried, the values that he loved and that he made so real and shared with everyone in the House, whether colleagues agreed or disagreed with him, they drew a great sense of joy from him because they knew the love of our Constitution and of our country that he carried, and so they respected him. What he carried and did here, I think he would be very proud of his fellow Californians for carrying those traditions on.

I want to pay tribute especially to Shary Farr, Congressman SAM FARR's wife. As I said to Shary, because she was there when Don took his last breath, I feel that we were all there with him because she was. She did so much in seeing to the great care that was given to him until he took his last breath.

There is a poet that wrote: And so he passed on, and all the trumpets sounded on the other side.

God bless you, Don Edwards, for what you gave and created for our country. We bless your name, and we thank you for your service. It is an honor to honor you. We love the Edwards family, and we always will.

Ms. LOFGREN. Thank you, Congresswoman ESHOO.

You know, it is a small community that we have in Santa Clara County, even though we have millions of people who live in the region.

After Don Edwards was elected, there was a young mayor called Norm Mineta who wanted to run for Congress. We went to the max trying to help Norm Mineta trying to be elected to Congress, and he ultimately was.

Later, Norm Mineta helped a young fellow to the max get elected, and we were so proud that that young legislator was also successful in being elected to Congress, actually in the seat that overlapped that was formerly Norm Mineta's seat.

I yield to the gentleman from California (Mr. HONDA), my colleague in Santa Clara County and also southern Alameda County.

Mr. HONDA. Mr. Speaker, I thank Congresswoman ZOE LOFGREN. I just want to thank her for putting this event together this evening.

Tonight, we heard many words described by folks who have known Don Edwards personally in work and part of his life. We are here tonight to honor my friend Congressman Don Edwards.

Also, a native San Jose, Don was really a true statesman, the likes of

which you don't find often these days. Today, we work to further the modern progressive agenda that he believed in. Our work would not be possible without standing on the shoulders of giants such as Don Edwards who came before us. Don was one of those people that I stood upon his shoulders.

When I first ran for Congress, I went to him and I asked for his advice, because I never had the opportunity to work him. I did work with his sons, and one especially, Len Edwards, who was a judge.

As a school person, I could see the kind of impact that Don has had on his son, Len Edwards, who was a judge. Len was the kind of guy that extended himself, also, as did his dad. He used to run truancy court in the school site that I was a principal of, which is really unique. And this is the kind of legacy that Don Edwards has left behind, a uniqueness of the kind of person that he was.

Don was never afraid to take a stand if he knew it to be right. At every turn, he stood up for what he believed in.

When I ran for Congress, I asked him for his advice, and he just very comfortably looked at me and said: Just do the right thing.

I think that, here in Congress, we often are challenged to do the right thing and not the political thing. Sometimes to do the right thing means to stand in the face of popular winds, knowing that you are doing the right thing in spite of the fact that other folks, other dynamics are trying to move the ship in another direction.

He was the kind of person that was really a stalwart, a true champion of civil and constitutional rights in his nearly three decades in Congress. In 1963, in his first year in Congress, he voted to abolish the House Committee on Un-American Activities. He went on to be the champion of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. And as early as 1972, he was effectively working to protect our environment, authoring a bill to establish the National Wildlife Refuge in San Francisco Bay.

Although he was a self-described liberal Democrat, Congressman Edwards consistently worked across the aisle, including the passage of the Americans with Disabilities Act in 1990 and the Civil Rights Act of 1991, which bolstered employees' rights.

Because of his fearlessness, today we are able to work for more progressive change. Because of his leadership and his modeling, I have been able to use him as my compass in making the right decisions and understanding, to do the right thing. We have to stand up to fear-mongering and seek to ensure that all people are free of fear from bullying, persecution, racism, and sexism. We talk today about equality for women and the need for equal pay for equal work.

As an educator myself and a principal for over 30 years, I am really grateful for the legacy that Don left in the field of education. Himself a product of California public schools, he started the conversation that I now proudly bring my voice to, and that is the need to preserve the civil and constitutional rights for all people.

I know that he agreed that education is also a civil right, and we must find a path to a quality education that is equitable for each and every child.

I thank my friend and colleague, Congresswoman LOFGREN, for hosting this Special Order. It has been said that her experiences and her life experiences are entwined with Congressman Don Edwards. She knew Don better than most of us. Not only was she one of his staffers, but she went on to hold his seat in Congress, as it was said before.

I think that Don would look upon her work and her leadership and her stalwartness and say she is doing the right thing, she is doing it the right way, and she is a person of conscience. I think that would make him very proud.

Not long ago, I was incredibly honored to have someone tell me that I come from a place of fairness and equality. That is our area. That is the area that all of us represent: Congresswoman ANNA ESHOO, ZOE LOFGREN, Leader PELOSI, myself, and others.

Congresswoman LOFGREN has said once that Congressman Edwards had a tremendous sense of fair play, and it is my hope that, together, my colleagues and I can honor his legacy not just tonight, but as we approach our work. When we stand up for religious liberties, true equality for women, for American workers, I think Don might look down and smile upon the kind of work that we are attempting to do.

I learned one thing also from Don Edwards: the importance of giving voice to those who don't have one.

It was mentioned that Norm Mineta was one of the folks that Don Edwards has maxed out for. When Norm Mineta was leading the effort to pass the Civil Liberties Act of 1988, Don Edwards was right there with him to make sure that the mistake that this country had foisted upon Americans of Japanese descent in 1942 was recognized. Because of his work and his leadership, along with Norm Mineta, they were able to be successful in the 100th Congress passing H.R. 442, which was signed into law by President Reagan.

That was done because there was an intense understanding of the Constitution and the violation of the Constitution back in 1942 that our government had consciously foisted upon 120,000 members of its own country. That effort took over 10 years here in Congress. So it is persistence and an understanding that to do the right thing, sometimes it takes persistence and educating other people who would not

otherwise have thought about what happened in 1942.

So I am here because of that work. I am here because of that tremendous effort to make sure that people of different backgrounds, although they may look different, have different religions, different upbringing, different language, different culture, different foods, that they also are accepted as Americans. He gave a voice to us, and that voice allowed us to be able to become participating Members of this Congress.

So, in that modeling, when folks in my own district come up to me and say, we know that you didn't have a voice and someone gave you a voice afterwards, we need a voice in Congress also, that sort of led me to understand and to move in the same direction that Don Edwards would want us to and to be a voice for those who don't have a voice.

For the Ethiopian community, we became a voice. For the Sikh community, we became a voice. For the Muslim community, we became a voice. For those who have been bullied day in and day out because of who they are, we became a voice. This is the legacy that Don Edwards has left with us, and it is an unfinished business that we need to continue to move forward on. It was because of his consciousness, his leadership, his firm belief in doing the right thing in every instance, in spite of the fact that it may not be popular at the moment but it is constitutional, that we continue to move forward.

So I just want to end with thanking my friend, Congresswoman LOFGREN, for hosting this hour. I am truly honored and privileged to stand here today and pay tribute to the long legacy of our friend, Don Edwards.

Ms. LOFGREN. Mr. Speaker, I thank Congressman HONDA for that statement and for his leadership in following the example of Don Edwards.

You know, when Don Edwards announced he was going to retire after 32 years in Congress, I called him—actually, I heard a rumor—and I begged him not to do it, that we needed him in Congress.

He said, there are some new guys on the Judiciary Committee. You don't have to worry about civil rights and civil liberties because they are in good hands, and one of those people was BOBBY SCOTT.

I yield to the gentleman from Virginia (Mr. SCOTT).

□ 1915

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentlewoman for giving me the opportunity to speak in honor of the recently departed Congressman William Donlon "Don" Edwards, a civil rights champion, supporter of the Equal Rights Amendment, defender of the Constitution.

I am proud to say that, as a freshman in Congress, I had the honor to serve

with Congressman Edwards on the Committee on the Judiciary. I would just like to say a few words about his work on that committee.

Congressman Edwards was the living embodiment of the phrase "Equal Justice Under Law," the words etched above the main entrance of the United States Supreme Court Building. When he arrived to Congress in 1963, he noted: "11 States in the Old South practiced apartheid. There was a House Un-American Activities Committee. And the FBI was out of control threatening individual liberties."

As a freshman, he wasted no time adapting to his new role in Congress because he recalled that, when he arrived on Capitol Hill, "Black people couldn't vote in large parts of the country, and if they did, they'd get hanged."

After visiting the American South where his son Leonard worked to register African Americans to vote, he wrote a letter to Dr. Martin Luther King, telling him that he understood "the absolute necessity for the immediate passage" of the Civil Rights Act, and he told Dr. King that "we stand ready to support your efforts here in Washington." With that, he proceeded to work to secure the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

He rose quickly to the rank of chairman of the House Subcommittee on Civil and Constitutional Rights in 1971. In that capacity, he took on major issues, such as the Equal Rights Amendment, which fell just three States short of ratification.

Congressman Edwards said, "It is the irresistible impulse of government to assume more power. My role has been to say no." That statement perfectly captures his drive to eliminate the House Un-American Activities Committee in 1975 and his disapproval of President Nixon's unauthorized use of government agencies to harass political opponents.

Congressman Edwards worked tirelessly to gain the passage of the Americans with Disabilities Act in 1990, the Fair Housing Amendments Act, and the Civil Rights Act of 1991.

He successfully fought to extend the Voting Rights Act in 1982 over the objections of President Reagan, who wanted to end the Justice Department's preclearance power. At the time, Congressman Edwards said simply, "If you can't vote, you are not a real citizen."

Unfortunately, in 2013, the Supreme Court essentially struck down the Justice Department's preclearance powers under the Voting Rights Act in the *Shelby County v. Holder* decision.

When Congressman Edwards retired in 1994, the late Republican Congressman and former chair of the House Committee on the Judiciary, Henry Hyde, said this of Congressman

Edwards: "He is relentlessly liberal, but that's not a vice. The battle for the fullest expression of civil liberties is losing a general, not a foot soldier."

Mr. Speaker, I was honored to serve, although briefly, with this great general who battled for equal justice and equal rights.

Ms. LOFGREN. Mr. Speaker, I thank Congressman SCOTT for those wonderful words.

We have quite a number of California Members as well as others who have asked for their statements to be put in the RECORD, as our time is expiring at this point, but I just would like to make a couple of final comments.

We have talked about Don Edwards' legislative record, but it really was rooted in his values. He was someone who cared about people who didn't have enough, and when he rewrote the Bankruptcy Act, he was thinking about working people who couldn't actually make ends meet.

When the service workers in the House were laid off every time the House recessed and without any ability to actually have a paycheck, the one person they sought for help was Congressman Don Edwards.

I remember lobbyists came in to lobby in favor of discrimination against women, and I was on his staff. He said, "Well, let me call in the young lawyer I rely on for this." When I walked in, that was sort of the end of the conversation.

He lived a long time. He changed this world for the better. We loved him greatly. The fact that so many people went out to California to help him—former staffers, people like Jim Copeland and Debbie McFarland, who actually went out to make sure he had what he needed—was a tribute to the kind of person he was.

As has been mentioned, he was very liberal, but he got along with people who were very conservative. I remember he and Henry Hyde, as ranking member, got along quite well and had a great deal of respect for each other.

At this point, I would just like to say that we miss Don Edwards. We honor his life and contributions. We know that we cannot mourn him. For his 100 years, he made a difference, he made our country better, and we love him for it.

Mr. Speaker, I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, I rise today to honor the life of Congressman Don Edwards, a champion for civil rights, a defender of civil liberties, and a tireless advocate for the residents of California.

Congressman Edwards dedicated his life to public service, from serving as a naval officer during World War II, to his time at the FBI, to his decades of work in the House of Representatives on behalf of his constituents.

Through all of the phases of his life he remained true to his principles, fighting for underserved and underrepresented communities no matter what the cost.

A San Jose native and graduate of Stanford University, Congressman Edwards entered the House of Representatives in 1962, ultimately participating in the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

In the following decades, the Congressman diligently defended, and led efforts to preserve, this critical legislation so that all Americans can today better exercise their Constitutional rights. As Chairman of the Subcommittee on Civil and Constitutional Rights in the House Judiciary Committee he was dedicated to increasing legal protections for women and minorities. His work to level the playing field continued with his leadership in the House Judiciary Committee on the Americans with Disabilities Act of 1990, which ensured that citizens with disabilities have access to the same opportunities as all Americans.

Congressman Don Edwards was also instrumental in preserving some of our greatest national treasures in California. In the early 1970s, Congressman Edwards was one of the key leaders in the creation of the San Francisco Bay National Wildlife Refuge, which was later named in his honor in 1995. His dedication to environmental protection, specifically preserving urban wetlands, will ensure that generations to come will enjoy California's beautiful landscape.

During his 32 years in the House of Representatives and as the dean of the California Democratic delegation, Congressman Edwards was always guided by a sense of justice and fairness; earning the respect of his colleagues and working with both parties to get things done for the people of California and the citizens of our great nation. His legacy will continue to serve as an example for us all in Congress and he will be greatly missed.

Mr. TAKANO. Mr. Speaker, I rise today to honor the memory of former Congressman Don Edwards, a man this body remembers as a champion for civil rights and American workers, and I remember as a kind and compassionate mentor.

With civility and dignity, Congressman Edwards fought the most important civil rights battles of our generation. He challenged discrimination against African-Americans, women, people with disabilities, and others seeking equal protection under the law.

He was also a strong defender of free speech and a fierce advocate for the environment, well before protecting the environment was a common or popular cause.

Congressman Edwards fought for the little guy and everyone knew it. In fact, when Congress would routinely fire all the food service workers on Capitol Hill as a quick fix to budget issues, the workers would appeal to the Congressman from California to stand up for them—even though he wasn't on the committee that made the decision.

He truly was the conscience of the Congress.

My most vivid memory of Congressman Edwards was in 1992, when I narrowly lost my first race for the House. He was the dean of the California delegation at the time, and I was attending the orientation for new Members of Congress, not knowing whether I would ultimately be elected.

In those moments of great anxiety, he showed me great kindness. He walked with me, distracted me from the election news and demonstrated the class and sincerity that he was known for.

Congressman Edwards had a tremendous impact on me and many other people across the country. His legacy is a reminder of Congress' capacity to do great things.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3762, RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015; WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114-303) on the resolution (H. Res. 483) providing for consideration of the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, October 22, 2015, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the third quarter of 2015, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. John Moolenaar	9/23	9/23	Cuba				(³)				
Committee total											

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. JOHN R. MOOLENAAR, Oct. 5, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ROB BISHOP, Chairman, Oct. 7, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Louise Slaughter	*								253.96		253.96
Rose Laughlin	*								253.96		253.96
Hon. James McGovern	6/27	6/28	Kuwait		105.00		(3)				105.00
	6/28	6/29	Iraq		11.00		(3)				11.00
	6/29	6/30	Jordan		191.00			(3)			191.00
	6/30	7/2	Turkey		178.00			(3)			178.00
Committee total					485.00				507.92		992.92

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

* Travel Cancellation.

HON. PETE SESSIONS, Chairman, Oct. 6, 2015.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3216. A letter from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting the Department's final rule — Competitive and Noncompetitive Non-formula Federal Assistance Programs — Specific Administrative Provisions for the Food Insecurity Nutrition Incentive Grants Program (RIN: 0524-AA65) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3217. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Infant Formula: The Addition of Minimum and Maximum Levels of Selenium to Infant Formula and Related Labeling Requirements; Confirmation of Effective Date [Docket No.: FDA-2013-N-0067] received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3218. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.1216 of the Commission's Rules Related to Broadcast Licensee-Conducted Contests [MB Docket No.: 14-226] [RM-11684] received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3219. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3220. A letter from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3221. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3222. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3223. A letter from the Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Alaska; Hunting and Trapping in National Preserves [NPS-AKRO-18755; PPAKAKROZ5, PPMRLEIY.L00000] (RIN: 1024-AE21) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3224. A letter from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting the Department's final rule — List of Pro Bono Legal Service Providers for Individuals in Immigration Proceedings [EOIR Docket No.: 164P; A.G. Order No.: 3565-2015] (RIN: 1125-AA62) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3225. A letter from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting the Department's final rule — Separate Representation for Custody and Bond Proceedings [EOIR Docket No.: 181; AG Order No.: 3563-2015] (RIN: 1125-AA78) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3226. A letter from the Principal Deputy Chief Financial Officer, Department of Labor, transmitting the Department's interim final rule — Administrative Wage Garnishment Procedures (RIN: 1290-AA27) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3227. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — Temporary Agricultural Employment of H-2A Foreign Workers in the Herding or Production of Livestock on the Range in the United States (RIN: 1205-AB70) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3228. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Recovery Auditing in Medicare for Fiscal Year 2014", in accordance with Sec. 1893(h) of the Social Security Act; jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1384. A bill to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law (Rept. 114-302). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 483. Resolution providing for consideration of the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for consideration of motions to suspend the rules (Rept. 114-303). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MOONEY of West Virginia:

H.R. 3776. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions; to the Committee on Appropriations.

By Mr. RIGELL:

H.R. 3777. A bill to provide for relief from sequester under the Balanced Budget and Emergency Deficit Control Act of 1985 and offsets to such relief through reforms in certain revenue and direct spending programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Budget, Energy and Commerce, the Judiciary, Education and the Workforce, Oversight and Government Reform, Homeland Security, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUFFY (for himself and Mr. RIBBLE):

H.R. 3778. A bill to amend title 23, United States Code, with respect to vehicle weight limitations for certain logging vehicles, and

for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. VALADAO (for himself, Mr. SWALWELL of California, Mr. KNIGHT, Mr. NOLAN, Mr. YOUNG of Iowa, Mr. VARGAS, Mr. CALVERT, Mr. JOYCE, Mr. ROYCE, Mr. COOK, Mr. KINZINGER of Illinois, Mr. COSTA, Mr. MCCLINTOCK, Ms. SINEMA, Mr. MURPHY of Florida, Mr. JONES, Mr. LUCAS, Mr. DENHAM, and Mr. DESAULNIER):

H.R. 3779. A bill to restrict the inclusion of Social Security account numbers on documents sent by mail by the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KING of Iowa (for himself, Mrs. BLACKBURN, and Mr. ZINKE):

H.R. 3780. A bill to amend title XVIII of the Social Security Act to sunset certain penalties relating to meaningful electronic health records use by Medicare eligible professionals and hospitals, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Ms. BASS, Mr. LANGEVIN, Mr. MCDERMOTT, Mr. LEWIS, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Ms. BONAMICI, Mr. CARSON of Indiana, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CONYERS, Mr. ELLISON, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. HECK of Washington, Mr. HINOJOSA, Mr. JOHNSON of Georgia, Ms. MATSUI, Mr. MCGOVERN, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. POCAN, Mr. RANGEL, Ms. LINDA T. SANCHEZ of California, Mr. SCOTT of Virginia, Ms. SLAUGHTER, Mr. TAKANO, Mr. VAN HOLLEN, Mr. VARGAS, Mr. CLEAVER, Mrs. DINGELL, Ms. EDWARDS, Mr. COHEN, Ms. BROWN of Florida, Ms. WILSON of Florida, Ms. JACKSON LEE, Mr. SERRANO, Mr. THOMPSON of Mississippi, Mrs. CAROLYN B. MALONEY of New York, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 3781. A bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home with their families, and for other purposes; to the Committee on Ways and Means.

By Mr. CARDENAS (for himself, Mr. COHEN, Mr. CUMMINGS, Mr. ELLISON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JACKSON LEE, Ms. MOORE, Mr. RANGEL, Mr. RICHMOND, Mr. SCOTT of Virginia, and Mr. VARGAS):

H.R. 3782. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to eliminate the use of valid court orders to secure lockup of status offenders, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CARDENAS (for himself, Mr. COHEN, Mr. CUMMINGS, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JACKSON LEE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. NAPOLITANO, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. VAN HOLLEN, and Mr. VARGAS):

H.R. 3783. A bill to provide definitions of terms and services related to community-based gang intervention to ensure that fund-

ing for such intervention is utilized in a cost-effective manner and that community-based agencies are held accountable for providing holistic, integrated intervention services, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CARNEY (for himself, Mr. DUFFY, Mr. QUIGLEY, and Mr. CRENSHAW):

H.R. 3784. A bill to amend the Securities Exchange Act of 1934 to establish an Office of the Advocate for Small Business Capital Formation and a Small Business Capital Formation Advisory Committee, and for other purposes; to the Committee on Financial Services.

By Mr. CASTRO of Texas:

H.R. 3785. A bill to prohibit Executive agencies from using the derogatory term "alien" to refer to an individual who is not a citizen or national of the United States, to amend chapter 1 of title 1, United States Code, to establish a uniform definition for the term "foreign national", and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California (for herself and Mr. PETERS):

H.R. 3786. A bill to amend the Higher Education Act of 1965 and the Truth in Lending Act to clarify the application of prepayment amounts on student loans; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself, Mrs. BUSTOS, and Mr. CRAWFORD):

H.R. 3787. A bill to amend title 23, United States Code, to improve public understanding of how transportation investments are made by public agencies through establishing greater transparency and accountability processes; to the Committee on Transportation and Infrastructure.

By Mr. ELLISON (for himself, Mr. GRIJALVA, and Mr. HUFFMAN):

H.R. 3788. A bill to direct the Secretary of Transportation to develop performance measures for assessing transportation connectivity and accessibility for highway and public transportation systems, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GUINTA:

H.R. 3789. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish a memorial headstone or marker to commemorate an eligible individual whose remains are identified and available but the location of the gravesite is unknown; to the Committee on Veterans' Affairs.

By Ms. KELLY of Illinois:

H.R. 3790. A bill to improve science, technology, engineering, and mathematics education, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. LOVE (for herself and Mr. LUETKEMEYER):

H.R. 3791. A bill to raise the consolidated assets threshold under the small bank holding company policy statement, and for other purposes; to the Committee on Financial Services.

By Ms. MOORE:

H.R. 3792. A bill to assist young adults with obtaining or regaining driver's licenses, and

for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MURPHY of Florida (for himself, Mr. DEUTCH, and Ms. BONAMICI):

H.R. 3793. A bill to amend the Older Americans Act of 1965 to provide equal treatment of LGBT older individuals, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ROSS (for himself and Mr. PERLMUTTER):

H.R. 3794. A bill to amend the Liability Risk Retention Act of 1986 to expand the types of commercial insurance authorized for risk retention groups serving nonprofit organizations and educational institutions, and for other purposes; to the Committee on Financial Services.

By Mr. RYAN of Ohio:

H.R. 3795. A bill to improve certain provisions relating to charter schools; to the Committee on Education and the Workforce.

By Mr. WALKER:

H.R. 3796. A bill to amend section 232 of the National Housing Act to provide that nursing homes receiving low ratings for purposes of the Medicare or Medicaid programs are ineligible for mortgage insurance under such section, and for other purposes; to the Committee on Financial Services.

By Mr. CHABOT:

H. Res. 484. A resolution congratulating the Government and people of the Republic of Turkey as they celebrate Republic Day, and for other purposes; to the Committee on Foreign Affairs.

By Ms. MCSALLY (for herself, Mr.

BISHOP of Michigan, Mr. WEBER of Texas, Mr. DUNCAN of South Carolina, Mr. COOK, Mr. COSTELLO of Pennsylvania, Mr. SAM JOHNSON of Texas, Ms. JENKINS of Kansas, Mr. PERRY, Mr. LAMBORN, Mr. BYRNE, Mr. TOM PRICE of Georgia, Ms. GRANGER, Mr. SALMON, Mrs. WALORSKI, Mr. DESANTIS, Mr. ZINKE, Mrs. COMSTOCK, Mrs. ELLMERS of North Carolina, Mr. DOLD, Mr. SCHWEIKERT, Mr. BARLETTA, Mr. FRANKS of Arizona, Mr. LAMALFA, Mr. CURBELO of Florida, Mr. ROUZER, Mrs. BLACKBURN, Mr. BOUSTANY, Mr. GIBSON, Mr. POLIQUIN, Mr. MULLIN, Mr. DENT, Ms. STEFANK, Mr. RATCLIFFE, Mr. MCCAUL, Mr. VALADAO, Mr. RUSSELL, Mr. DONOVAN, Mr. GOSAR, Mrs. MIMI WALTERS of California, Mrs. LOVE, Mr. KATKO, Mr. CRENSHAW, and Mr. MACARTHUR):

H. Res. 485. A resolution expressing solidarity with the people of Israel in the wake of recent terrorist attacks and condemning the Palestinian Authority for inciting an atmosphere of violence; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MOONEY of West Virginia:

H.R. 3776.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution:

"The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to

pay the debts and provide for the common defense and general welfare of the United States."

Article I, Section 9 of the Constitution:

"No Money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time."

By Mr. RIGELL:

H.R. 3777.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 11: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States."

Article 1, Section 8, Clause 18: "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or officer thereof."

By Mr. DUFFY:

H.R. 3778.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. VALADAO:

H.R. 3779.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. KING of Iowa:

H.R. 3780.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. DOGGETT:

H.R. 3781.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution

By Mr. CARDENAS:

H.R. 3782.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. CARDENAS:

H.R. 3783.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. CARNEY:

H.R. 3784.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . ."

By Mr. CASTRO of Texas:

H.R. 3785.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Authority—Necessary and Proper Clause (Art. I, Sec. 8, Clause 18)

THE U.S. CONSTITUTION

ARTICLE I, SECTION 8: POWERS OF CONGRESS

CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and

proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mrs. DAVIS of California:

H.R. 3786.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. DESAULNIER:

H.R. 3787.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. ELLISON:

H.R. 3788.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States, which states:

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. GUINTA:

H.R. 3789.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause XVIII—The Congress shall have power to make all laws which shall be necessary and proper for carrying in to execution the foregoing powers and all other powers vested . . .

By Ms. KELLY of Illinois:

H.R. 3790.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mrs. LOVE:

H.R. 3791.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "The Congress shall have power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Ms. MOORE:

H.R. 3792.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MURPHY of Florida:

H.R. 3793.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. ROSS:

H.R. 3794.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 3.

By Mr. RYAN of Ohio:

H.R. 3795.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WALKER:

H.R. 3796.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Cl. 1, 3, and 18 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 169: Mr. MCKINLEY and Mr. EMMER of Minnesota.

H.R. 224: Mr. THOMPSON of California, Mr. ISRAEL, Ms. HAHN, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JUDY CHU of California, Mr. ENGEL, Mr. SCOTT of Virginia, Mr. KEATING, Mr. JOHNSON of Georgia, Mr. SRES, Mr. THOMPSON of Mississippi, and Mr. POCAN.

H.R. 226: Mr. VAN HOLLEN and Mr. GUTIÉRREZ.

H.R. 290: Mr. HUFFMAN.

H.R. 309: Ms. LEE.

H.R. 343: Mr. DESAULNIER, Ms. PINGREE, and Mr. POLIQUIN.

H.R. 379: Mr. MCNERNEY.

H.R. 425: Mrs. NAPOLITANO.

H.R. 532: Mr. MURPHY of Florida.

H.R. 542: Mr. KIND.

H.R. 556: Mr. BOST.

H.R. 581: Mr. MOULTON.

H.R. 592: Ms. MCSALLY and Mr. GIBSON.

H.R. 703: Mr. HOLDING.

H.R. 731: Mr. DESAULNIER.

H.R. 746: Mr. LYNCH.

H.R. 775: Mr. CARSON of Indiana, Mr. BUTTERFIELD, and Mr. ENGEL.

H.R. 814: Mr. KATKO.

H.R. 836: Mrs. HARTZLER.

H.R. 842: Mr. MURPHY of Pennsylvania.

H.R. 850: Mr. DESAULNIER.

H.R. 870: Mr. CROWLEY and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 921: Mr. VEASEY.

H.R. 938: Ms. JACKSON LEE.

H.R. 953: Ms. LEE, Mr. BLUMENAUER, Mr. RICHMOND, Ms. SLAUGHTER, Mr. LARSEN of Washington, Miss RICE of New York, Mr. POCAN, and Mr. PASCRELL.

H.R. 985: Ms. ROYBAL-ALLARD and Mr. KIND.

H.R. 989: Ms. FUDGE.

H.R. 1019: Ms. ESHOO.

H.R. 1061: Ms. LEE and Mr. ASHFORD.

H.R. 1062: Mr. MOONEY of West Virginia.

H.R. 1090: Mr. JOLLY.

H.R. 1178: Mr. HUDSON.

H.R. 1185: Mr. DOLD.

H.R. 1211: Ms. TSONGAS and Mr. LANGEVIN.

H.R. 1220: Mr. HURD of Texas, Mr. YOUNG of Indiana, Ms. GABBARD, Mr. COLE, Mr. KENNEDY, Mr. MACARTHUR, Mr. FOSTER, Mr. FATTAH, Ms. DELAURO, Mr. REED, Ms. ESTY, Ms. JUDY CHU of California, Ms. WILSON of Florida, Mr. LANGEVIN, Ms. BASS, and Mr. ROSKAM.

H.R. 1258: Mr. PALLONE, Mr. MOULTON, Mr. POLIQUIN, Mr. SCOTT of Virginia, Mr. WITTMAN, and Mr. KENNEDY.

H.R. 1266: Mr. ZINKE.

H.R. 1301: Ms. JACKSON LEE, Ms. CLARK of Massachusetts, and Mr. MACARTHUR.

H.R. 1309: Mr. FITZPATRICK, Mr. LATTA, and Mr. GRAVES of Georgia.

H.R. 1312: Mr. COSTELLO of Pennsylvania and Mr. SMITH of Missouri.

H.R. 1343: Mrs. DAVIS of California and Mr. TONKO.

H.R. 1384: Mr. MOONEY of West Virginia and Mr. SHUSTER.

H.R. 1388: Mr. EMMER of Minnesota.

H.R. 1401: Mr. KEATING, Mr. DANNY K. DAVIS of Illinois, and Mr. ROSKAM.

H.R. 1430: Mr. HOLDING.

H.R. 1453: Mr. NORCROSS.

H.R. 1457: Mr. PITTS.

H.R. 1475: Mr. POLIQUIN, Mr. LABRADOR, Mr. COOK, and Mr. NORCROSS.

H.R. 1542: Ms. HERRERA BEUTLER, Mr. McDERMOTT, and Mr. KIND.

H.R. 1567: Mr. JOLLY, Mr. SWALWELL of California, and Mr. BISHOP of Michigan.

H.R. 1641: Mrs. LOVE.

H.R. 1680: Ms. DUCKWORTH, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. DEFazio, Ms. WILSON of Florida, and Mr. DESAULNIER.

H.R. 1692: Mr. KEATING.

H.R. 1726: Mr. RANGEL and Ms. NORTON.

H.R. 1733: Ms. NORTON and Mr. PITTS.

H.R. 1737: Mr. BISHOP of Utah, Mr. COFFMAN, Mr. MARINO, and Ms. JENKINS of Kansas.

H.R. 1747: Ms. WILSON of Florida.

H.R. 1758: Miss RICE of New York.

H.R. 1761: Miss RICE of New York.

H.R. 1769: Mr. LUCAS and Mr. YOHO.

H.R. 1786: Mr. EMMER of Minnesota, Mr. HECK of Washington, and Mr. CARNEY.

H.R. 1793: Mr. ZINKE and Mr. SIMPSON.

H.R. 1834: Mr. ROONEY of Florida.

H.R. 1855: Mr. HECK of Washington and Mr. PERLMUTTER.

H.R. 1858: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1901: Mr. LABRADOR.

H.R. 1933: Mr. CAPUANO.

H.R. 1941: Mr. FRELINGHUYSEN and Mr. GRAVES of Missouri.

H.R. 1942: Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of Georgia, Mr. LEWIS, Mr. NEAL, Mr. SCHWEIKERT, Mr. CLEAVER, Mr. CHABOT, and Mr. SCOTT of Virginia.

H.R. 1943: Mr. VISCOSKY.

H.R. 1964: Mr. DENT, Mr. DESJARLAIS, and Mr. FRANKS of Arizona.

H.R. 1966: Ms. WILSON of Florida.

H.R. 1974: Mrs. KIRKPATRICK.

H.R. 2050: Ms. MOORE, Mr. YOUNG of Alaska, Mr. MCNERNEY, Mr. FRELINGHUYSEN, and Mr. YARMUTH.

H.R. 2090: Mr. DESAULNIER.

H.R. 2121: Mr. COFFMAN, Mr. WILLIAMS, and Mr. PITTINGER.

H.R. 2156: Mr. RICE of South Carolina.

H.R. 2205: Mr. LUETKEMEYER.

H.R. 2209: Mr. ISRAEL, Mr. VARGAS, Mr. PITTINGER, and Mr. SHERMAN.

H.R. 2224: Ms. CASTOR of Florida and Mr. SWALWELL of California.

H.R. 2257: Mr. BUCK.

H.R. 2260: Mr. YARMUTH.

H.R. 2287: Mr. GRAVES of Missouri.

H.R. 2293: Mr. CROWLEY, Mr. HIGGINS, Mr. JOHNSON of Georgia, Mr. GENE GREEN of Texas, Mr. NEAL, Mr. MCNERNEY, Mr. SERRANO, Ms. WASSERMAN SCHULTZ, Ms. KAPTUR, Mr. BUTTERFIELD, Mr. CLEAVER, Ms. JENKINS of Kansas, Mr. SHIMKUS, Mr. YOUNG of Iowa, Mr. FATTAH, Mr. VELA, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PALLONE, and Mr. MOULTON.

H.R. 2380: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2406: Mr. KIND.

H.R. 2494: Mrs. LOVE and Mr. ROGERS of Kentucky.

H.R. 2530: Mr. SCHIFF.

H.R. 2536: Mr. RYAN of Ohio.

H.R. 2546: Mr. TAKANO.

H.R. 2566: Mr. GRAVES of Missouri and Mr. KIND.

H.R. 2588: Mr. COFFMAN.

H.R. 2590: Mr. ASHFORD.

H.R. 2597: Mr. HUDSON.

H.R. 2612: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. KEATING, and Mr. PERLMUTTER.

H.R. 2613: Mr. KEATING.

H.R. 2646: Mr. ZINKE, Mr. FATTAH, and Mr. POMPEO.

H.R. 2654: Ms. TITUS.

H.R. 2689: Mr. SWALWELL of California.

H.R. 2710: Mr. ALLEN and Mr. LABRADOR.

H.R. 2726: Mr. DONOVAN.

H.R. 2738: Ms. ESTY.

H.R. 2753: Mr. DEFazio.

H.R. 2759: Mrs. KIRKPATRICK, Ms. KUSTER, Mr. DEFazio, Mr. FORTENBERRY, and Ms. ROYBAL-ALLARD.

H.R. 2799: Mr. STUTZMAN and Mr. KIND.

H.R. 2805: Mr. SWALWELL of California.

H.R. 2823: Mrs. NAPOLITANO.

H.R. 2844: Mrs. BUSTOS.

H.R. 2847: Mr. CICILLINE.

H.R. 2849: Ms. VELÁZQUEZ.

H.R. 2858: Mr. COSTELLO of Pennsylvania and Mr. SCOTT of Virginia.

H.R. 2903: Mr. COLLINS of New York.

H.R. 2911: Mr. WELCH, Ms. MCSALLY, Mr. DAVID SCOTT of Georgia, Mr. BARLETTA, Ms. KUSTER, and Mr. YODER.

H.R. 2939: Mr. KEATING.

H.R. 2944: Mr. DOLD and Ms. GABBARD.

H.R. 2957: Mr. HUFFMAN.

H.R. 2994: Mr. SIRES.

H.R. 3024: Mrs. NOEM and Mr. RANGEL.

H.R. 3026: Mr. NUNES.

H.R. 3033: Mr. COSTELLO of Pennsylvania.

H.R. 3051: Mr. THOMPSON of California and Ms. DUCKWORTH.

H.R. 3064: Ms. DUCKWORTH.

H.R. 3067: Mr. DESAULNIER.

H.R. 3094: Mr. MICA.

H.R. 3126: Mr. ALLEN.

H.R. 3137: Mr. JOLLY.

H.R. 3150: Ms. WILSON of Florida, Mr. MCNERNEY, and Ms. LOFGREN.

H.R. 3180: Mr. MOULTON and Mr. KING of New York.

H.R. 3190: Ms. CASTOR of Florida.

H.R. 3193: Miss RICE of New York.

H.R. 3201: Mr. CURBELO of Florida and Mr. BECERRA.

H.R. 3226: Ms. NORTON and Mr. LANCE.

H.R. 3229: Mrs. HARTZLER.

H.R. 3235: Mr. LYNCH and Ms. ROYBAL-ALLARD.

H.R. 3255: Mr. BOST and Mr. HURD of Texas.

H.R. 3296: Mr. ADERHOLT.

H.R. 3299: Mrs. MIMI WALTERS of California and Mr. BISHOP of Michigan.

H.R. 3314: Mrs. BLACK, Mr. FARENTHOLD, and Mr. WILSON of South Carolina.

H.R. 3326: Mr. CARNEY and Mr. AUSTIN SCOTT of Georgia.

H.R. 3351: Ms. SLAUGHTER, Mr. HIGGINS, Mr. FATTAH, Mr. BRENDAN F. BOYLE of Pennsylvania, and Ms. MCCOLLUM.

H.R. 3355: Ms. SEWELL of Alabama.

H.R. 3364: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. VEASEY.

H.R. 3378: Ms. WILSON of Florida.

H.R. 3381: Mr. BUTTERFIELD.

H.R. 3395: Mr. DESAULNIER and Mr. KEATING.

H.R. 3411: Mr. SWALWELL of California, Mr. DESAULNIER, and Mr. SERRANO.

H.R. 3423: Mr. EMMER of Minnesota, Ms. MCCOLLUM, and Mr. ISRAEL.

H.R. 3427: Mr. SHERMAN, Mr. CICILLINE, Mr. GRIJALVA, Ms. LEE, Ms. JUDY CHU of California, Ms. DELAURO, Ms. JACKSON LEE, Mr. DESAULNIER, and Ms. CLARK of Massachusetts.

H.R. 3455: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 3459: Mr. WOMACK and Mr. HOLDING.

H.R. 3471: Mr. COOK, Ms. TITUS, and Mr. ENGEL.

H.R. 3473: Mr. COSTELLO of Pennsylvania.

H.R. 3484: Mr. KNIGHT, Ms. LINDA T. SANCHEZ of California, Ms. JUDY CHU of California, and Ms. HAHN.

H.R. 3488: Mr. LABRADOR.

H.R. 3516: Mr. HENSARLING, Mr. SMITH of Texas, Mr. BOST, Mr. HARDY, and Mr. BENISHEK.

H.R. 3537: Mr. BISHOP of Michigan.

H.R. 3539: Ms. ESHOO and Mr. DOLD.

H.R. 3549: Mr. KIND.

H.R. 3558: Mr. CONYERS.

H.R. 3573: Mr. LATTI.

H.R. 3618: Mr. MARCHANT.

H.R. 3626: Mr. MCCOLLUM.

H.R. 3632: Mr. ELLISON and Ms. CASTOR of Florida.

H.R. 3655: Mr. LUCAS.

H.R. 3659: Ms. LOFGREN, Mr. GRIJALVA, Ms. SCHAKOWSKY, and Ms. CLARKE of New York.

H.R. 3661: Mr. POLIQUIN.

H.R. 3666: Mrs. WAGNER, Mr. HUIZENGA of Michigan, Ms. CLARKE of New York, and Mr. ISRAEL.

H.R. 3683: Ms. MCCOLLUM and Mr. HUFFMAN.

H.R. 3686: Mr. KLINE.

H.R. 3692: Mr. HUFFMAN and Mr. COSTA.

H.R. 3696: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. RUPPERSBERGER, Mr. LARSEN of Washington, Mr. CUELLAR, Mrs. BUSTOS, Mr. CÁRDENAS, Mr. HIGGINS, Mr. SIRES, Ms. DELBENE, Mr. THOMPSON of California, Mr. LOEBSACK, and Mr. GRAYSON.

H.R. 3699: Mr. LUCAS.

H.R. 3709: Ms. BORDALLO and Mr. HASTINGS.

H.R. 3711: Mr. HUFFMAN and Mr. PETERS.

H.R. 3726: Mr. ROUZER.

H.R. 3733: Ms. CASTOR of Florida.

H.R. 3740: Mrs. NAPOLITANO and Ms. JUDY CHU of California.

H.R. 3743: Mr. FARENTHOLD.

H.R. 3756: Mr. HUFFMAN, Mr. HONDA, Ms. WILSON of Florida, and Mr. POLIQUIN.

H.J. Res. 29: Mr. JOLLY.

H.J. Res. 67: Mr. LUCAS.

H.J. Res. 68: Mr. LUCAS.

H. Con. Res. 17: Mr. CARSON of Indiana, Ms. SEWELL of Alabama, Mrs. ROBY, and Mr. DONOVAN.

H. Con. Res. 40: Ms. CLARKE of New York and Ms. GABBARD.

H. Con. Res. 75: Ms. LOFGREN, Mr. HUFFMAN, Mr. NOLAN, Mr. CÁRDENAS, Mr. FATTAH, Mr. TONKO, Ms. LINDA T. SANCHEZ of California, Mr. DESAULNIER, Mr. PALLONE, Ms. LEE, Mr. ISRAEL, Mr. LARSON of Connecticut, Ms. SLAUGHTER, Mr. CARTWRIGHT, Ms. TITUS, Mr. CAPUANO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. NEAL, Mr. KILDEE, and Mr. MOOLENAAR.

H. Con. Res. 80: Ms. CLARKE of New York.

H. Res. 28: Ms. CLARK of Massachusetts.

H. Res. 54: Ms. DELAURO and Mr. ZINKE.

H. Res. 110: Mr. ISRAEL.

H. Res. 293: Mr. DONOVAN, Mr. LATTI, Mrs. LOWEY, Mr. DUNCAN of South Carolina, Mr. DENT, and Mr. SMITH of New Jersey.

H. Res. 393: Mr. FATTAH, Ms. BONAMICI, Mr. SCOTT of Virginia, Mr. YARMUTH, Mr. COHEN, Ms. VELÁZQUEZ, and Mr. WELCH.

H. Res. 416: Mr. RYAN of Ohio, Mr. BUTTERFIELD, Mr. BLUMENAUER, Ms. CLARKE of New York, Mrs. KIRKPATRICK, and Mr. CALVERT.

H. Res. 417: Mr. ROGERS of Alabama.

H. Res. 428: Mr. LANGEVIN, Mr. CARSON of Indiana, and Mr. DESAULNIER.

H. Res. 433: Mr. DESAULNIER.

H. Res. 443: Ms. DUCKWORTH.

H. Res. 445: Mrs. BUSTOS and Ms. BONAMICI.

H. Res. 471: Mr. LOWENTHAL, Mr. TAKAI, and Mr. TAKANO.

H. Res. 475: Ms. BROWNLEY of California.

H. Res. 479: Mr. KING of New York.

EXTENSIONS OF REMARKS

HONORING RAY GARON ON THE OCCASION OF HIS RETIREMENT FROM THE MANCHESTER RADIO GROUP AFTER MORE THAN 20 YEARS

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Ray Garon on his retirement after 20 plus years with the Manchester Radio Group, and thank him for the outstanding work he did during his career.

Mr. Garon's broad expertise in the radio business has been instrumental to the growth of local stations such as WZID-AM, WFEA-AM, The Mill and Hot Hits. Over the last twenty years with the Manchester Radio Group he has been an integral part of the community and his leadership will be greatly missed.

It is with great admiration that I congratulate Ray Garon on his retirement, and wish him the best on all future endeavors.

IN HONOR OF BISHOP W. W. HAMILTON

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. FARR. Mr. Speaker, I rise today to recognize Bishop W. W. Hamilton on the occasion of the 35th pastoral anniversary of his leadership of the Greater Victory Temple Church of God in Christ in Seaside, California. Bishop Hamilton is a beacon of service to God and his community and an example of love and compassion for all to follow. Under his leadership, Greater Victory Temple has grown into one of the strongest community pillars of the Monterey Peninsula and all of northern California.

Bishop Hamilton was born in San Antonio, Texas. He followed his father, the late Bishop E.E. Hamilton, on the path of religious service and received a Doctor of Divinity degree from Simpson College in San Francisco. He then served as the founding pastor of the Hamilton Memorial Church of God In Christ in San Francisco, California. In 1987, W.W. Hamilton was consecrated as the Bishop and Prelate of the California Northwest Jurisdiction of the Church of God in Christ, the church his father had established.

In 1980 Bishop Hamilton was appointed to serve as Pastor of the Victory Temple Church of God In Christ of Seaside, California. Under his Pastoral leadership a new church building was completed and on March 16, 1984, the Great Victory Church of God In Christ was dedicated debt free. In addition to the remodel-

ing, Bishop Hamilton sought to provide housing and family resources to his community.

Bishop Hamilton has also focused his leadership on community service. He served as the executive director of the San Francisco Redevelopment Agency. Later, under his leadership, the Greater Victory Temple has become a force for community service on the Monterey Peninsula. It offers services for youth such as after school tutoring programs, a community computer lab, after school chess club, and hosts scout groups. It also offers a food pantry in partnership with the local food bank, divorce counseling, works with other community organizations to bring peace to the community, and has invested in community based senior housing.

Throughout his 35 years of leadership, Greater Victory Temple has impacted the lives of countless people within the Seaside and surrounding Monterey Peninsula communities. All those who have had the pleasure to meet Bishop Hamilton know first hand his love and personal commitment to his congregation and surrounding community.

Mr. Speaker, I know that I speak for the whole House in extending our deepest gratitude to Bishop Hamilton for his many years of dedication to the Greater Victory Temple family and the broader community of the Monterey County and Northern California. Our world is a better place because of his efforts.

RECOGNIZING THE EFFORTS OF THE NATIONAL WORLD WAR II MUSEUM TO HONOR AFRICAN AMERICAN VETERANS OF WORLD WAR II

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. RICHMOND. Mr. Speaker, I rise today to recognize the efforts of the National WWII Museum to honor African American veterans of World War II. Most notably, I would like to commend the Museum on its outstanding exhibit, "Fighting for the Right to Fight: African American Experiences in World War II."

African Americans played a vital role in securing Allied victory in World War II and their service helped to preserve democratic institutions in the United States and around the world. The contributions of African Americans during wartime spanned all areas of the war effort, from military combat to domestic manufacturing.

Unfortunately, the same patriotic citizens who sacrificed and risked their lives in the war effort also faced discrimination in military and civilian life. In many cases, African Americans were denied the very liberties they fought to defend. These experiences led many African American soldiers to a dual mission: to win the

war and to secure freedoms at home, a movement that would come to be known as the "Double Victory" campaign. The modern Civil Rights Movements would rise from these historic moments during wartime.

The award-winning exhibit, which opened on July 4, 2015, is a landmark contribution that displays the foundational work by twentieth century African Americans to seek comprehensive social change. The exhibit will remain at the National World War II Museum until May 2016, when it will begin a two-year tour of museums around the country. The Congressional Black Caucus Foundation Veterans Braintrust, supported by President Obama and the First Lady, distinguished the efforts of the National WWII Museum with the 2015 Veterans Braintrust Award.

Mr. Speaker, I applaud the National WWII Museum for their leadership and recognition of the tireless contributions from all Americans during times of war. The unwavering dedication of African Americans to protecting America's values of freedom and liberty is an example for all citizens.

RECOGNIZING THE 100TH ANNIVERSARY OF HOLY TRINITY CATHEDRAL IN MANCHESTER, NEW HAMPSHIRE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. GUINTA. Mr. Speaker, I rise today to recognize the 100th anniversary of Holy Trinity Cathedral in Manchester, New Hampshire.

I am pleased to join with the Eastern Diocese and Polish National Catholic Church in recognizing this great milestone for Holy Trinity Cathedral and its parishioners.

This is a great achievement for both the church and community of Manchester, and speaks highly to the outstanding services and spiritual guidance the parish has offered to residents of the Queen City and surrounding communities. For the past 100 years, Holy Trinity Cathedral has been a landmark in the City of Manchester, and the recent restoration of the church, which included the awarding of a Restoration of a City Landmark Award from the Manchester Historic Association demonstrates the deep impact this church has had on the community and the significance of its presence in downtown Manchester.

Under the leadership of Bishop Paul Sobiechowski the church and its parish community continue to flourish today by spreading the work and word of our savior Jesus Christ, and focusing their efforts on the Polish American community in the city and Southern New Hampshire. I am proud to join with my fellow Granite Staters in recognizing the 100th anniversary of Holy Trinity Cathedral, and wish them all the best in their future years.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

**SALUTE TO THE LIVINGSTON
VOLUNTEER FIRE DEPARTMENT**

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. BABIN. Mr. Speaker, I rise today to recognize and celebrate the 100th Anniversary of the Livingston Volunteer Fire Department, in Livingston, Texas.

On August 23, 1915, the Livingston Volunteer Fire Department was officially established following a decision by the city to give Fire Chief Keenan Peebles full authority over the firefighting equipment, which at the time consisted of three hand pulled hose reels, a few fire hydrants, and three hose reel houses.

During the last 100 years, 275 citizen firefighters have volunteered their time and energy to respond to 24,000 calls under the direction of 17 fire chiefs. Currently, the Livingston Volunteer Fire Department has 39 fire fighters operating out of three stations.

Today, thanks to the support of the local community, the Livingston Volunteer Fire Department is as fully equipped and prepared as any department in Texas.

In celebration of this important milestone, we thank all those who have served as volunteers at the Livingston Volunteer Fire Department for their commitment, dedication and bravery.

IN RECOGNITION OF ROBERT
BISHOP, ESQ., RECIPIENT OF THE
LACKAWANNA PRO BONO'S ROBERT
W. MUNLEY AWARD

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Robert Bishop, Esq., who will be awarded the 2015 Lackawanna Pro Bono's Attorney Robert W. Munley Award. Lackawanna Pro Bono is a non-profit organization established in 1997 to increase the availability of free legal representation for low-income individuals and families throughout Lackawanna County.

Robert has been principal of Hourigan, Kluger & Quinn, PC, since 1985. His practice specializes in estate planning and administration, as well as elder law matters, real estate transactions, business transactions, and corporate matters for clients in Luzerne, Lackawanna and surrounding counties. He is a graduate of Penn State University and Temple University School of Law.

In addition to volunteering his expertise to the Lackawanna Pro Bono, Robert is very active in the Northeastern Pennsylvania community. He is president of the Amos Lodge of B'nai B'rith, vice president of the Greater Scranton Chamber of Commerce, secretary of the Jewish Home of Eastern Pennsylvania, past president of Glen Oak Country Club, past president and board member of Temple Israel of Scranton, past president of the ARC of

Northeastern Pennsylvania, past president and board member of Jewish Family Services of Northeastern Pennsylvania, past president and life member of Scranton Counseling Center, past president and advisory board member of the Salvation Army Citadel in Scranton, past president and board member of the Estate Planning Council of Northeastern Pennsylvania, and a board member of the Schwartz/Mack Foundation. Robert serves on the boards of the ARC Foundation and the Amos Towers Housing Foundation and the advisory boards of the Scranton Area Foundation, the Kania School of Management at the University of Scranton, and M&T Bank. He is an emeritus member of the Penn State Worthington advisory board, and serves on the board of the Jewish Federation of Northeastern Pennsylvania.

It is an honor to recognize Robert Bishop for the great service he has done for his community, and I extend my congratulations on being awarded the Lackawanna Pro Bono's Robert W. Munley Award. I commend Robert for all the effort he has put into making northeastern Pennsylvania a better place to live, work, and raise a family.

**HONORING COMMAND SERGEANT
MAJOR ALBERT L. CAMPBELL,
U.S. ARMY, RETIRED**

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Command Sergeant Major Albert L. Campbell, U.S. Army, Retired of Round Rock, Texas, as a recipient of the Texas 31st District Congressional Veteran Commendation. CSM Campbell answered the call to defend our great nation for over 30 years in the United States Army. Today he lives in Round Rock, Texas where he continues his service to his fellow countrymen as a vibrant part of this growing central Texas community.

Born in Greenwood, SC CSM Campbell left the 11th grade and entered the Army in 1950. After rigorous training at Ft. Benning, GA, he was assigned to K Company, 3rd Battalion, 187th Airborne Regimental Combat Team and stationed in Japan. CSM Campbell earned the Combat Infantrymen's Badge and Bronze Star for heroism fighting in Korea.

Following his assignment in Japan and Korea, CSM Albert L. Campbell served as the Platoon Sergeant for the 2nd Platoon, Company C, 508th of the 82nd Airborne, where he was awarded the Silver Star for gallantry. CSM Campbell would continue his leadership ascension as an instructor at West Point preparatory School at Ft. Belvoir, VA, the United States Military Academy at West Point, and Howard University in Washington, DC. CSM Campbell rounded out his military service in Ft. Hood, Texas where he retired in 1980.

CSM Campbell's service and sense of duty did not end with his military service. CSM Campbell traded his guns for crosses as a Deacon at the One Way Baptist Church, in Round Rock, Texas.

Family and Service to God and Country remain at the center of his life. CSM Campbell continues his longstanding commitment to helping those in need whether physically as a caregiver or emotionally at Round Rock Independent School District's Opportunity Center, where he helps troubled children participate in the mainstream educational process.

I am stirred with the strongest sense of pride and honor as an American that I should have the opportunity to highlight the life of a true servant of the people. All should marvel and stand proud of an American who so strongly answered the call to serve.

CSM Campbell's patriotism and commitment to service reflect the very best values of both our beloved military servicemen and Central Texas. Let today be a celebration of one of our nation's heroes, one who devoted his life to keeping us free and making America a beacon of hope in the world. Along with his friends, family, and loved ones, I wish him both a happy, prosperous, and healthy life in the years ahead.

**TRIBUTE TO URBANDALE'S
WEBSTER ELEMENTARY SCHOOL**

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Webster Elementary School in Urbandale, Iowa, for being selected as a National Blue Ribbon School by the U.S. Department of Education.

In order to receive this prestigious designation, schools must demonstrate a commitment to enriching the academic experience of each and every student by closing the achievement gaps among student subgroups. Overall, 335 schools have received this designation. Urbandale's Webster Elementary School has shown that hard work, dedication, and a commitment to excellence can lead an entire school to academic success. The leaders within this school have found a formula for success by working together to improve student-teacher relationships, meeting each student and their learning styles on an individual level.

Mr. Speaker, the efforts shown by Urbandale's Webster Elementary School demonstrates Iowa's commitment to academic excellence. This award is an embodiment of the hard work and dedication every member of their faculty has displayed to improve the lives of their students. It is truly an honor to represent the students and faculty of the Webster Elementary School in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating them for their achievements, and wish each and every one of them nothing but continued success.

HONORING SERGEANT MAJOR
RICHARD "ROCKY" HERNANDEZ,
SR., U.S. ARMY, RETIRED

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Sergeant Major Richard "Rocky" Hernandez, Sr., U.S. Army, Retired. As a man who has lived his life in the service of his country and fellow man, it brings me great pride as a Texan to highlight the life of this public servant who has inspired many to pay the good will forward. SGM Hernandez selflessly served with distinction throughout his life in the military, the School District of Killeen, and the volunteer service that brought much needed help to retired veterans.

SGM Hernandez was born in Corpus Christi, Texas in March 1946. Heeding the call to service, SGM Hernandez departed high school early and enlisted in the U.S. Army in May, 1963. During his U.S. Army career he served over 14 years in Germany, deployed for one tour in Korea, and served two tours in Vietnam. While in Vietnam SGM Hernandez was assigned to the 196th Infantry Brigade, 23rd Infantry Division. SGM Hernandez was wounded in action on March 23, 1969 by enemy mortar fire and was awarded the Purple Heart Medal.

After achieving the rank of Sergeant Major, Rocky medically retired in 1989 having been disabled through peacetime and wartime injuries sustained in the service of his country. Nevertheless, SGM Hernandez would not be kept down for long. Following his military retirement SGM Hernandez served another 20 years for the Killeen Independent School District.

Yet still the call to serve and desire to help others burned inside. After joining a local Veterans Organization and hearing the voices of veterans seeking help, SGM Hernandez felt inspired to help his fellow veterans and their families navigate the complex VA system. In 1994 SGM Hernandez became a volunteer Veterans Service Officer. Since that time, SGM Hernandez has helped hundreds of veterans gain their well-deserved benefits. Today SGM Hernandez serves as Citizen on Patrol, where he continues his service with his eyes and ears to fight crime and evil wherever it resides.

After serving two full careers, SGM Hernandez exemplifies what it means to be an American and a Texan. May we follow the examples of great men such as SGM Hernandez and live our lives in the service of our fellow men and country. I join SGM Hernandez's family and friends in wishing him nothing but the best in the years ahead.

TRIBUTE TO WELCH'S ORCHARD

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Joe and

Joan Welch of Council Bluffs, Iowa, for celebrating their Orchard's 25th anniversary this season.

As one of a handful of local orchards, Welch's has provided high quality products along with a dedication to customer service. Thousands of local residents flock to the orchard each year to enjoy the wide variety of products that the orchard offers, from honey crisp apples to 100-pound pumpkins. For 25 years Welch's Orchard has been a fun and entertaining attraction for children and adults alike.

Mr. Speaker, I commend and congratulate Joe and Joan Welch and their staff for their 25 years of dedicated service to Council Bluffs and southwest Iowa. I urge my colleagues in the United States House of Representatives to join me in congratulating Welch's Orchard and wishing them nothing but continued success moving forward.

HONORING LIEUTENANT COLONEL
JERRI JONES, U.S. MARINE
CORPS, RETIRED

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Lieutenant Colonel Jerri Jones, U.S. Marine Corps, Retired for her extraordinary dedication to duty and service to our Nation. LtCol Jones has served as a guardian of those in need while serving in the military and continues that service today in the great state of Texas.

LtCol Jones entered the United States Marine Corps on October 28, 1975. Her years of service have taken her throughout the Pacific theater, serving tours in California, Hawaii, and Japan. LtCol Jones' dedication to leading by example earned her the nickname "Combat Jones" while living in a tent in South Korea during the winter of 1979.

LtCol Jones was called to duty again and served a critical role during the first Gulf War that plunged many of her fellow Marines into the heat of battle. The first Gulf War saw many families' breadwinners deployed to active duty, leaving many spouses and families with financial difficulties. LtCol Jones took this crisis head on and eased the burden on these Marine families during these challenging times. LtCol retired on December 1, 1995.

Today LtCol Jones continues her service with the Georgetown Chamber of Commerce, where she coordinates the monthly business networking roundtable. LtCol Jones is well known for motivating and inspiring the Chamber's members with her warm sense of humor and energizing personality.

Nowhere is LtCol Jones' compassion for the defenseless more profound than in her work with the Williamson County Children's Advocacy Center. During her tenure as Executive Director of the Advocacy Center LtCol Jones doubled the number of children and teens helped through the Center. Her leadership, tenacity, and compassion to serve those in need are felt by all who associate with her.

In celebrating LtCol Jones' life I am reminded of the parable of the talents found in

the New Testament in which each servant was rewarded according to the work they had done. With deep admiration and respect, I pay tribute to her for all she has done with her talents in the service of her fellow man. Well done, thou good and faithful servant.

H.R. 702—TO ADAPT TO CHANGING CRUDE OIL MARKETS

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. BLUMENAUER. Mr. Speaker, I voted against H.R. 702—to adapt to changing crude oil markets—on Friday, October 9th. This legislation will broadly remove almost all restrictions on crude oil exports from the United States. It was ill-advised and represented a huge missed opportunity to address our energy needs comprehensively.

Right now, we export limited amounts of crude oil from the United States, and this policy is working. There may come a time when it would be strategic to make an adjustment on our export strategy, but right now we are awash in oil in this country, gasoline prices are low and the President already has the latitude to help some of our strategic partners with limited U.S. exports if he deems it in the national interest.

Those in favor of exporting more crude tout benefits of job creation and lower gas prices. This is dramatically overstated. If some jobs are created in the oil fields, other jobs will be lost in refineries. The Energy Information Administration estimates that exporting more crude now would either have no impact on the cost of gasoline or only slightly reduce the price of gasoline. The real benefactors of this policy change would be large oil companies.

If Congress is going to provide yet another benefit to oil companies who don't need it, at the very least it should be part of a larger energy package that would actually help the American people and further our domestic energy security needs. We need to extend tax credits that support the wind and solar electricity sectors, industries that actually create far more jobs than would come from exporting more crude oil. We need to end some of the more egregious subsidies for the oil and gas sector, subsidies that cost the taxpayers billions of dollars every year. We need to reauthorize the Land and Water Conservation Fund which supports important conservation projects in every community in America. Instead of passing an isolated giveaway to big oil, we should take any energy legislation that comes to the floor as opportunity to look at energy comprehensively, with the ultimate goal of transitioning away from fossil fuels while keeping energy affordable and reliable for the American people.

If Republicans were actually serious about pursuing a bipartisan agenda, they would not have included provisions that broadly prevent the federal government from imposing any restriction on the export of crude oil under other authorities. They would not have included non-germane, vote-buying provisions such as the last-minute addition of funding for the Maritime

Security Program (MSP). That is why I voted for an amendment offered by my colleague, Representative AMASH, to keep MSP at its currently authorized level, instead of the \$500 million increase included in this legislation. There's no doubt that the sustainability of the MSP program is in question without increased funding. That is sadly the case for many federally-supported programs, all directly impacted by a Congress unwilling to provide additional revenue or compromise on an effort to finally eliminate the reckless sequestration caps that I've voted against since day one. Even if MSP were to receive the relief they need ahead of many others hurt by budgetary brinksmanship, the funding level ought to be carefully scrutinized. The highly debated, amended, and conferenced fiscal year 2016 Defense Authorization did exactly that, and concluded that the annual subsidy for MSP participants should increase from \$3.1 million per vessel to \$3.5 million per vessel—a 12.9 percent increase, not the 40 percent increase included in H.R. 702.

Overall, H.R. 702 was bad policy and represented a huge missed opportunity to address our real energy needs.

**CELEBRATING LISA KORBATOV'S
RECOGNITION BY THE BOY
SCOUTS OF AMERICA**

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to congratulate Lisa Korbato on her receipt of the Boy Scouts of America's Distinguished Citizen Award. This award is presented to individuals who have demonstrated leadership above and beyond the call of duty, and dedicated themselves to the betterment of their communities. Lisa's long and distinguished history of leadership throughout the greater Los Angeles area makes her an ideal choice for this great honor.

I have known Lisa for a long time, and I have seen the depth of her commitment to making Los Angeles a better place to live. I have seen the pride she takes in serving our community, and I have seen her work with her fellow Angelenos to improve our city.

Lisa and I share a passion for supporting local youth. Since 2009, she has served as a Governing Member of the Beverly Hills School Board, including a term as its President. In addition, she has served on the Board of Directors for USC Hillel at the University of Southern California, and the Jewish Education Trade School in Granada Hills.

She has been active in numerous youth-oriented community organizations, including Aviva Family and Children's Services, Vista Del Mar, and the Boy Scouts of America, Western Los Angeles County Council. And in 2013, she was honored with the "Legacy of Hope" award by Chai Lifeline, a charity that helps support and inspire children with cancer and other life-threatening illnesses.

Lisa is not afraid to take bold and creative measures to help our children. She initiated and co-wrote a Los Angeles city resolution to

institute a grading system for schools, similar to the way the city grades restaurants. In Beverly Hills, she has petitioned the school board for safer and more sanitary campuses, and even hired a photographer to help her document the campus conditions she was seeking to correct.

I also admire Lisa's support for Israel and the Jewish people: she has been a Board Member of the Israel Grants Fund, a Trustee of the Jewish Community Foundation, and a Senate Club member of the American Israel Public Affairs Committee.

Finally, Lisa is a distinguished L.A. businesswoman, and a superb example of the talent that women bring to leadership positions in our local businesses. She is a co-owner of the commercial property management company Amalgamated Real Estate Services, where she manages twenty Downtown and Westside commercial buildings.

I ask my colleagues to join me in congratulating Lisa Korbato on her well-deserved honor from the Boy Scouts of America, and in urging her to keep up her great work to improve Los Angeles.

**TRIBUTE TO EAGLE SCOUT
NOAH DE KRUIF**

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Noah De Krui of Boy Scout Troop 98 in Urbandale, Iowa, for achieving the rank of Eagle Scout. Noah is the son of Jim and Elizabeth De Krui of Johnston, Iowa.

The Eagle Scout rank is the highest advancement rank in scouting. Only about four percent of Boy Scouts earn the prestigious Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained for more than a century.

To earn the Eagle Scout rank, a Boy Scout must pass specific tests organized by requirements and merit badges, and complete an Eagle Project to benefit the community. Noah has earned 21 merit badges as a Boy Scout. For his Eagle Scout Service Project he and his twin brother Nicholas, who is also an Eagle Scout, revitalized a local school, the Joshua Christian Academy. The project included a complete renovation of the landscaping, painting fresh lines in the parking lots, adding concrete barriers in areas of need, and making a sign to help identify the school. The staff at Joshua Christian Academy really appreciated the effort to make the school safer and more visually appealing.

Mr. Speaker, the example set by this young man demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Noah and his family in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating him on reaching the rank of Eagle Scout and in wishing him nothing but continued success in his future education and career.

HONORING COMMAND SERGEANT
MAJOR ROOSEVELT HUGGINS,
U.S. ARMY, RETIRED

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Command Sergeant Major Roosevelt Huggins, U.S. Army, Retired. It brings me great pride to highlight the life of this great American.

CSM Huggins' service to his beloved nation began July 19, 1961, where he entered the Army at Ft. Hood, Texas. Upon his promotion to Sergeant in Okinawa, Japan, CSM Huggins was shipped out to Vietnam in 1965, where he would serve two tours. On November 6, 1966 while participating in Operation "Eagle Shot Cow" his battery was overrun by a Vietnamese Battalion. For his valiant efforts in Vietnam, CSM Huggins was awarded the Bronze Star and Army Commendation Award with Valor.

After Vietnam CSM Huggins was called to lead and teach in a variety of roles. From 1975–1981 CSM Huggins was assigned to Ft. Carlson, Colorado where he attended a boxing camp. There, he learned the skills that would bring Army Boxing back to Ft. Hood Texas.

CSM Huggins retired August 1, 1991 after more than 30 years of service in the U.S. Army that spanned five countries, war-time conflicts, and multiple states that called him to learn, lead, and teach his fellow soldiers the discipline and skills necessary to defend a nation. CSM Huggins continued his proud tradition of service to his fellow man after his retirement. In 1997 CSM Huggins organized the first Back to School—Stay in School program designed to promote both youth and adult education. CSM Huggins has served as a role model for youth and adults alike.

I am proud to have such a man residing right here in Texas so dedicated to the uplifting and betterment of the community in which he lives, works, and serves. May we all remember and honor this fine example of humility and service. I join CSM Huggins' wife Charmaine, their two sons, three granddaughters, family, and friends in wishing him nothing but the best in the years ahead.

IN RECOGNITION OF THE GREATER
WILKES-BARRE ASSOCIATION OF
REALTORS 100TH ANNIVERSARY

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Greater Wilkes-Barre Association of Realtors as they celebrate 100 years of service to the community. For the past century, the Association's members have helped families in their pursuit of the American dream of home ownership.

The Greater Wilkes-Barre Association of Realtors traces its origins with the establishment of Wilkes-Barre Real Estate Exchange in

1915. Today, with over 400 members, the organization is an affiliate of the National Association of Realtors and operates under the capable leadership of Charles Adonizio III. On January 1, 2016 the Greater Wilkes-Barre Association of Realtors plans to merge with its counterpart, the Greater Hazelton Association of Realtors. The two groups will form the Luzerne County Association of Realtors. With this consolidation, both organizations hope to provide more professional services to their members and to better serve all of Luzerne County.

It is an honor to recognize the Greater Wilkes-Barre Association of Realtors, and I applaud the organization and its members for a century of top-notch professional service to the community. I wish the Association all the best as its members continue their work for northeastern Pennsylvania through the new Luzerne County Association of Realtors.

PERSONAL EXPLANATION

HON. JODY B. HICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. JODY B. HICE of Georgia. Mr. Speaker, on Roll Call Number 550 on suspending the rules and passing H.R. 3493—the Securing the Cities Act of 2015, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YEA.

Mr. Speaker, on Roll Call Number 551 on suspending the rules and passing H.R. 3350—the Know the CBRN Terrorism Threats to Transportation Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YEA.

Mr. Speaker, on Roll Call Number 552 on suspending the rules and adopting H. Res. 348—a resolution supporting the right of the people of Ukraine to freely elect their government and determine their future, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YEA.

TRIBUTE TO DONALD AND JUANITA CLOUSE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Donald and Juanita Clouse of Griswold, Iowa, on the very special occasion of their 65th wedding anniversary. They were married on September 24, 1950 in Tingley, Iowa.

Mr. Speaker, Donald and Juanita's lifelong commitment to each other and their children, Diane, Penny, Cindy and Steve, their grandchildren, and their great-grandchildren, truly embodies our Iowa values. I commend this great couple on their 65th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

TRIBUTE TO JERRY C. PRUIETT

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the career of veteran, community leader, and my longtime friend Jerry C. Pruiett, who will retire after a lifetime of work. Jerry's extraordinary commitment to community service reflects the best values of Central Texas; his strong work ethic and his friendly and inspiring attitude lifts all around him.

Jerry's military career was but a humble beginning of a life filled with love and service. A gifted athlete, Jerry turned down an opportunity to try out for the New York Mets to join the Navy. He served his country aboard two Navy aircraft carriers: the USS *Coral Sea*, known as the "Ageless Warrior", and the USS *Enterprise*, the world's first nuclear powered aircraft carrier.

After the Navy, Jerry continued life in the civil service for two more years at Kelly Air Force Base. Shortly thereafter, Jerry accepted a job with ButterKrust Bakery and shouldered the responsibility of General Sales Manager for 28 years. In 2003, Jerry went to work for K&N Management and will retire on October 24, 2015.

Over the years, Jerry found numerous ways to serve his fellow man in the Round Rock, Texas Community. In 2010 Jerry coordinated a successful golf tournament to support Nexus Outreach to help children born with skin diseases. Having seen his father diagnosed with Alzheimer's, Jerry wanted to do all he could to help those in need and would later organize a fundraiser in support of research into that debilitating disease.

When I reflect on Jerry's life of service and our friendship over the years I am reminded of the teachings of Christ when he taught, "whatever you did for one of the least of these brothers and sisters of mine, you did for me." To Jerry, these are not mere words but a summons by which to live a fulfilling life. I am proud to call Jerry my friend. Round Rock is lucky to have him as a part of our growing community.

Retirement is to be celebrated and enjoyed. It is not the end of a career, but rather the beginning of a new adventure. I salute Jerry Pruiett for his hard work and dedication to his community. I wish him only the best in the years ahead.

IN RECOGNITION OF THE WOMEN'S RESOURCE CENTER, RECIPIENT OF THE LACKAWANNA PRO BONO'S ROBERT W. MUNLEY AWARD

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Women's Resource Center which will be awarded the 2015 Lackawanna Pro Bono's Robert W. Munley Award. Lacka-

wanna Pro Bono is a non-profit organization established in 1997 to increase the availability of free legal representation for low-income individuals and families throughout Lackawanna County.

The Women's Resource Center is a non-profit organization located in Scranton, Pennsylvania. The Women's Resource Center is the sole provider of domestic violence and sexual assault services in Lackawanna and Susquehanna Counties. Since 1976, Women's Resource Center has provided free and confidential services that support justice, autonomy, restoration, and safety for adult and child survivors of domestic violence, sexual assault, dating violence, and stalking. Women's Resource Center utilizes a holistic approach, providing crisis and advocacy services, safe housing, transitional housing and civil/legal representation for survivors. Programs are designed to be flexible to meet the needs of survivors from diverse ethnic, cultural, racial, and socioeconomic backgrounds. In 2014, Women's Resource Center provided services to 1,504 survivors of domestic violence and 297 survivors of sexual assault, providing safe housing for 145 families. Civil legal representation was provided for 110 program participants with 206 case filings.

Today, under the leadership of Executive Director Peg Ruddy, the Women's Resource Center remains a dynamic force in northeastern Pennsylvania, helping over 50,000 women and children in Lackawanna and Susquehanna Counties rebuild their lives free of violence and fear since beginning operations. Of that number, 42,138 were adult and child victims of domestic violence and 9,949 victims of sexual abuse. Those reaching out for help come from all walks of life, socioeconomic backgrounds, education, ethnicities, and sexual orientation. Services are free and extended to everyone, including family members, adult survivors of childhood sexual abuse, and men in same sex relationships.

It is an honor to recognize the Women's Resource Center for the great service it has done for the community, and I extend my congratulations on being awarded the Lackawanna Pro Bono's Robert W. Munley Award. I commend the Women's Resource Center for the great efforts it puts forth to make northeastern Pennsylvania a better community.

PERSONAL EXPLANATION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. WILSON of South Carolina. Mr. Speaker, I submit the following remarks regarding my absence from votes which occurred on October 9, 2015. I departed from Washington due to the flood crisis in the district to accompany Homeland Security Secretary Jeh Johnson and Red Cross National President Gail McGovern.

1) H.R. 702—To Adapt to Changing Crude Oil Market Conditions—YES; Amash Amendment 1—NO; Messer Amendment 5—YES; Messer Amendment 6—YES; Motion to recommit H.R. 702—NO.

TRIBUTE TO EAGLE SCOUT
NICHOLAS DE KRUIF

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nicholas De Kruij of Boy Scout Troop 98 in Urbandale, Iowa, for achieving the rank of Eagle Scout. Nicholas is the son of Jim and Elizabeth De Kruij of Johnston, Iowa.

The Eagle Scout rank is the highest advancement rank in scouting. Only about four percent of Boy Scouts earn the prestigious Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained for more than a century.

To earn the Eagle Scout rank, a Boy Scout must pass specific tests organized by requirements and merit badges, and complete an Eagle Project to benefit the community. Nicholas has earned 21 merit badges as a Boy Scout. For his Eagle Scout Service Project he and his twin brother Noah, who is also an Eagle Scout, revitalized a local school, the Joshua Christian Academy. The project included a complete renovation of the landscaping, painting fresh lines in the parking lots, adding concrete barriers in areas of need, and making a sign to help identify the school. The staff at Joshua Christian Academy really appreciated the effort to make the school safer and more visually appealing.

Mr. Speaker, the example set by this young man demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Nicholas and his family in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating him on reaching the rank of Eagle Scout and in wishing him nothing but continued success in his future education and career.

IN RECOGNITION OF NATIONAL
MEDICAL ASSISTANTS WEEK

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor all medical assistant professionals as we observe National Medical Assistants Week.

According to the U.S. Bureau of Labor Statistics, medical assisting is one of our country's fastest growing occupations with an estimated 584,000 men and women serving nationwide. These medical professionals are central figures in the health care industry as they promote, support, and help maintain cooperative and successful relationships between patients and physicians.

In the U.S., medical assistants have traditionally held jobs almost exclusively in ambulatory care centers, urgent care facilities, and clinics, but this is now changing. Today, medical assistants work in private and public hos-

pitals, inpatient and outpatient facilities, assisted living facilities, or in general practice and specialists' offices. Operating with a wide array of skills at their disposal, medical assistants are responsible for administrative roles such as scheduling appointments, maintaining medical records, recording billing and coding information for insurance purposes, as well as performing clinical duties like taking and recording vital signs, completing medical histories, preparing patients for examination, drawing blood, and administering medications as directed by a physician.

With their unique versatility, medical assistants are assets to the medical field that serves both doctors and patients with loyalty and dedication. It is a privilege to recognize these honorable men and women who are committed to health care and work diligently to heal fellow citizens and others in our country. I wish all who pursue this worthy vocation the best, and I urge all Americans to be aware of their sizeable contributions to our health care system.

REAUTHORIZING THE HIGHWAY
TRUST FUND AND ITS IMPACT
ON OHIO'S THIRD CONGRES-
SIONAL DISTRICT

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mrs. BEATTY. Mr. Speaker, I rise today to discuss the need for federal highway and transit programs across the nation and for Republican leadership to pass the Highway Trust Fund.

Federal highway and transit programs are vitally important to the third congressional district of Ohio, which I proudly represent.

The design, construction, and maintenance of transportation infrastructure in the third congressional district supports 15,184 full-time jobs, earning these families a total of \$602.1 million annually.

Between 2005 and 2014, the federal investment in my congressional district has provided \$1.4 billion to support 380 highway and bridge projects worth \$2.1 billion.

Republican Leadership's failure to enact a robust, long-term funding bill for our decaying infrastructure system, is hurting our economy and hardworking American families all across our nation.

Mr. Speaker, a long-term bill helps provide good-paying jobs, safe and modern infrastructure, and efficient transportation.

Let's reauthorize the Highway and Transit Trust Fund today, before the October 29th deadline.

HONORING COMMAND SERGEANT
MAJOR GEORGE FRANCIS
(FRANK) MINOSKY, U.S. ARMY,
RETIRED

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Command Sergeant Major George Francis (Frank) Minosky, U.S. Army, Retired. CSM Minosky answered the call to defend our great nation for over 25 years. Today he lives in Belton, Texas where he continues to serve his fellow countrymen as a vibrant part of his growing central Texas community.

Born in Cleveland, Ohio CSM Minosky entered the Army in 1970. After a period of rigorous initial entry training, he was assigned to the legendary 82nd Airborne Division. Due to impeccable achievement and promotion to the non-commissioned officer ranks, he was selected for drill sergeant training in 1975. In this capacity, CSM Minosky provided superior leadership and shared his tactical expertise with thousands of recruits at Forts Ord and Sill.

Following his assignment as a drill sergeant, CSM Minosky served in Korea, Fort Bragg, and Hawaii. CSM Minosky's career culminated at Ft Hood, Texas where he retired in 1995 after 25 years of dedicated service. His last official assignment in the United States Army was Command Sergeant Major of 3rd Brigade Combat Team, 1st Cavalry Division, a critical and prestigious assignment. Among a long list of accomplishments, CSM Minosky earned the Legion of Merit, Meritorious Service Medal, Joint Service Commendation Medal, Armed Forces Expeditionary Medal, Southwest Asia Service Medal, Expert Infantryman Badge, and the Master Parachutist Badge.

Upon retiring, CSM Minosky's sense of duty did not end with his active military service. Frank Minosky's dedication to country and soldiers manifested in his efforts with the Veterans of Foreign Wars Post 10377, American Military Retiree Association, Enlisted Retiree Association, Fort Hood Commanding Generals Retiree Council, and the Chief of Staff Army's Retirees Council. Frank Minosky is also an active member of the Association for the United States Army and the First Cavalry Division Association.

Frank Minosky firmly embraced central Texas as his new home in 1992; since then, he has become an indispensable local community leader. Belton, TX singled Frank out as its Citizen of the year on one occasion. He has served superbly as a Belton City Councilman and presently contributes on the Belton Planning and Zoning Board. The good people of Central Texas are blessed to have him among us.

I am stirred with the strongest sense of pride and honor as an American to highlight the life of a true servant of the people. CSM Minosky's patriotism and commitment to service reflect the very best values of our beloved military servicemen and Central Texas. Let today be a celebration of one of our nation's heroes who devoted his life to keeping us free

and making America a beacon of hope in the world. Along with his friends, family, and loved ones, I wish him both a happy, prosperous, and healthy life in the years ahead.

**HONOR THE WORKERS AT THE
MAPLE RIDGE WIND FARM**

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Ms. STEFANIK. Mr. Speaker, I rise today to honor the workers at the Maple Ridge Wind Farm in my district. Many of their employees recently visited Washington, calling on Congress to pass policy that drives more clean energy solutions. Not only does the Maple Ridge Wind Farm supply the electricity needs for 96,000 homes in upstate New York, but since it became a part of the community in 2006, it has also provided \$8 million a year in tax revenues to Lewis County. What has this meant for the community? Well, at Lowville Academy and Central School, they have been able to add 11 positions to the payroll, add 10 advanced placement classes and keep other important programs such as art and music, all thanks to the added tax revenue from the wind project. This has been a remarkable advantage for this school district and the surrounding community. I want to thank the 35 employees—all of whom are local to upstate New York—who keep the Maple Ridge Wind Farm operating. I urge my colleagues to support clean energy incentives, like the Production Tax Credit, which has not only helped the U.S. become the leader in wind energy, but at a local level, drives private investments that can have such a positive impact on our rural communities.

IN RECOGNITION OF DR. ROBERT WRIGHT, RECIPIENT OF THE LACKAWANNA PRO BONO'S ROBERT W. MUNLEY AWARD

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Dr. Robert Wright, recipient of the 2015 Lackawanna Pro Bono's Robert W. Munley Award. Lackawanna Pro Bono is a non-profit organization established in 1997 to increase the availability of free legal representation for low-income individuals and families throughout Lackawanna County.

Credited with transforming the training given to doctors in northeastern Pennsylvania, Dr. Wright is the former president and CEO of the Wright Center for Graduate Medical Education. Originally established by Dr. Wright in 1977 as the Scranton Temple Residency Program, it was renamed in 2010 to honor Dr. Wright. Since its founding, The Wright Center's mission is to continuously improve education and patient care in a collaborative spirit in order to enhance health care outcomes, access, and affordability. The program includes

all three Scranton hospitals and clinics in Scranton, Archbald, and Clarks Summit. Dr. Wright also played an integral role in establishing The Commonwealth Medical College in Scranton and generated significant community support for the endeavor.

Dr. Wright is a graduate of the Temple School of Medicine. He completed his residency training in Internal Medicine at Temple and fellowship training in Hematology and Oncology at the University of Washington in Seattle. He is a Professor of Medicine at Temple University and also holds a volunteer faculty appointment at The Commonwealth Medical College. Dr. Wright was the Founding Chair of The Commonwealth Medical College Board and currently chairs its Academic Affairs and Compliance Committees.

It is an honor to recognize Dr. Robert Wright for the pioneering work he has done for the medical community, and I extend my congratulations to him on being awarded the Lackawanna Pro Bono's Robert W. Munley Award. I commend Dr. Robert Wright for all the effort he has put forth to make northeastern Pennsylvania a better place to live.

TRIBUTE TO THE POULOS FAMILY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Dan, Kathy, and Pete Poulos, of the Pizza King Restaurant in Council Bluffs, Iowa. For 50 years, Pizza King has been a landmark in the business community. It was founded in 1965, and has been a family-owned operation since its inception.

Pizza King has hosted events of all kinds, from wedding rehearsal dinners, to children's parties, to anniversary celebrations. Pizza King has been the restaurant of choice for a quiet dinner for two, a business meeting, or a gathering of over 100. The Poulos Family works together to provide outstanding customer service each and every day. The Pizza King Restaurant is a Council Bluffs institution and has provided delicious food, paired with a warm and inviting atmosphere, for generations of diners.

Mr. Speaker, I commend Dan, Kathy, Pete and the entire Poulos family for 50 years of dedicated service to Council Bluffs and southwest Iowa. I urge my colleagues in the United States House of Representatives to join me in congratulating the Pizza King and its owners for this outstanding achievement. I wish the Poulos family and staff nothing but the best moving forward.

TRIBUTE TO MASTER SERGEANT JIM TORRES, U.S. AIR FORCE, RETIRED

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Master Sergeant Jim Torres,

U.S. Air Force, Retired for his 23 years of dedication, loyalty, and honorable service to our great nation and his continued outstanding community involvement. His has been a life lived in devoted service to others.

MSgt Torres served 3 tours in Vietnam, all as a volunteer. For his selfless service to our country, he was awarded the Bronze Star, the Air Force Commendation Medal, and the Republic of Vietnam Cross of Gallantry for heroic combat action among other awards.

Upon retirement, MSgt Torres continues to serve his fellow veterans in Round Rock, Texas in countless ways. He serves in an involved role in El Amistad, an organization dedicated to helping high school seniors go to college or trade school. MSgt Torres has long been a volunteer at the VA hospital in Kerrville where he takes on an active role reaching out to patients. Known locally as a "one man veteran's help line" he engages in conversations with veterans to hear their story and help with any problem they might be having. MSgt Torres' service doesn't simply stop at conversations with his fellow veterans; he also volunteers at the local Round Rock Veteran's thrift store where proceeds go to help Central Texas veterans. He is beloved by the community for these selfless actions.

MSgt Torres is a quiet hero who takes on community tasks for his fellow man to seek and ensure that local veterans receive the recognition they deserve. I commend him for his selfless service to the United States Air Force and especially to his community. He has been a shining example and direct reflection of the very best values of our nation by his acts of patriotism, citizenship, and commitment to service. I wish him and his family all the best in the future.

SITE COMMISSIONS

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. RUSH. Mr. Speaker, I would like to submit a letter that I and my colleagues sent to the FCC asking for an end to site commissions.

Mr. Speaker, tomorrow the FCC will finally take action to reform prison telephone rates also known as Inmate Calling Services. This action is long overdue. The inmate calling service industry is a monopoly with less than three dominant players. Basically, each correctional facility contracts with one of the big players to be an exclusive service provider. While there is a bidding process, the companies typically agree to pay a percentage of their profits back to the department in exchange for the contract. (an average of 48 percent according to Prison Legal News). Simply, the company that can offer the largest "kickbacks" wins the contract. This is purely "reverse competition". Operating without regulation or proper oversight this shadowy industry has taken advantage of millions of families and their loved ones.

I must mention two citizens critical in my education on this process. First is Charlie Sullivan of CURE a tireless prison reform advocate who approached me over 10 years ago

about this injustice. The second is Ms. Martha Wright, a grandmother, who in 2003 filed a class action lawsuit against these unscrupulous businesses alleging they charged "exorbitant and unconscionable long-distance rates."

In 2005, I first introduced The Family Telephone Connection Protection Act, calling for more competition, rate caps and an end to these insane and insidious "Kickbacks" also known as "site commissions"—which is just a polite name for "Bribery".

For too many years we have allowed predatory companies like Securus to gauge these faceless and voiceless families who are already emotionally and financially devastated. It is unreasonable, unjust and unacceptable to pay \$17 for a 15 minute call or \$300 dollars a month to talk to a loved one.

Mr. Speaker, more than two million Americans are currently incarcerated in our nation's jails and prisons. Their chances for rehabilitation and a successful return to society are vastly improved if they can remain in communication with their families, children, and critical support services. Expensive phone call rates deter such communication and result in recidivism and costly re-incarceration.

After a decade of no oversight, no regulation and no transparency the FCC has a chance tomorrow to finally right a wrong to a powerless segment of our society.

CONGRESS OF THE UNITED STATES,
Washington, DC, October 20, 2015.

Hon. TOM WHEELER,
Chairman, Federal Communications Commission,
Washington, DC.

DEAR CHAIRMAN WHEELER: More than two million Americans are currently incarcerated in our nation's jails and prisons. Their chances for rehabilitation and a successful return to society are vastly improved if they can remain in communication with their families, children, and critical support services. Expensive phone call rates deter such communication and result in recidivism and costly re-incarceration.

For the past decade we, the undersigned Members of Congress, have been imploring the Federal Communications Commission (FCC) to provide a market-based solution to curb these high telephone rates (see the Family Telephone Connection Protection Act, first introduced in the 109th Congress). The Commission is poised on October 22, 2015, to approve a final order on comprehensive inmate calling services (ICS) and we firmly believe that such comprehensive reform is needed to rein in the predatory practices in the ICS marketplace. The lack of competition and the out of control site commissions paid to correctional facilities are partly the cause of these skyrocketing costs. Simply put, up to 60 percent of what prisoners' families pay to receive phone calls from their incarcerated loved ones has nothing to do with the cost of the phone services provided. These artificial rates account for hundreds of millions of dollars paid to state prison systems for exclusive contracts.

For several years, the Commission has correctly concluded that unconstrained site commission practices are the most significant contributing factor to high ICS rates. In its 2013 order, Reducing High Inmate Calling Rates, the Commission cited many examples demonstrating the correlation of site commission and high phone rates.

On September 15, 2015, the Commission outlined in a fact sheet that it "strongly discourages site commissions" but did not pro-

vide any assurance that it plans to eliminate or curb this predatory practice. It also outlined a rate cap of \$1.65 for intrastate, interstate, and international calls. Although establishing a rate cap is a step in the right direction, we believe it must be coupled with eliminating site commissions in order to yield the lowest possible phone rates. We, therefore, urge the Commission to use its statutory authority under Sections 201 and 276 to address site commissions when it undertakes comprehensive ICS reform.

We have all heard the stories and cries of our constituents who, at times, have had to pay up to \$17 for a 15 minute call just to stay in touch with their incarcerated loved ones. We know all too well that ongoing contact between the incarcerated and their families reduces the rate of recidivism in our society. Ending these predatory practices of price gouging at the expense of families is a human rights issue. As the Commission moves towards a vote on ICS, we urge you to exercise the fullest extent of your jurisdiction to protect and service more vulnerable consumers.

Sincerely,

BOBBY L. RUSH,
Member of Congress.
G. K. BUTTERFIELD,
Member of Congress.
ELEANOR HOLMES NORTON,
Member of Congress.
CHARLES B. RANGEL,
Member of Congress.
MARCIA L. FUDGE,
Member of Congress.

TRIBUTE TO DALE AND JANICE WARD

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Dale and Janice Ward of Council Bluffs, Iowa, on the very special occasion of their 50th wedding anniversary. They married in 1965.

Dale and Janice's lifelong commitment to each other and their children, Jill and Lisa, along with their grandchildren, truly embodies our Iowa values. I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

THE PASSING OF WORLD WAR II VETERAN AND PEARL HARBOR SURVIVOR EDWARD F. BORUCKI

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. NEAL. Mr. Speaker, I rise today with a heavy heart to speak about the passing of one of western Massachusetts' heroes, World War II veteran and survivor of the Pearl Harbor attack, Edward F. Borucki.

Edward was born in Holyoke, Massachusetts to Polish immigrants and worked as a

machinist apprentice until he decided to enlist in the Navy in 1940. After going through training in Newport, Rhode Island, he was shipped to the Pacific and assigned to the light cruiser, the USS *Helena*. He moved through the ranks to Yeoman Third Class aboard the vessel and worked in the forward engine room. On the morning of December 7, 1941, Edward was running to his station when the first torpedo hit the forward engine room and knocked him into a bulkhead. He was only thirty seconds from being in the section that was destroyed. He helped seal the section of the ship off and help in anyway he could. After the attack was over, Edward helped carry his wounded and dead shipmates up out of the section and to the hospital.

After the USS *Helena* was transferred back to California for repairs, Edward was transferred to the USS *Rockaway* and then preceded to attend various training schools. In 1944, Edward married his late wife, Viola Mul of Southampton. A year later, he left the Navy with the rank of Chief Petty Officer. Edward was able to take advantage of the GI Bill to get a business degree at American International College in Springfield, MA and a Masters degree at Boston University. Starting in 1955, Edward taught at Chicopee High School and later Chicopee Comprehensive High School until he retired.

Edward never forgot about his experiences in the war and the need to show appreciation to veterans. He was a fixture at a multitude of events honoring veterans around western Massachusetts. He worked for ten years as a veteran's agent in Southampton, helping veterans work through what services are available to them. In the early 2000s, Edward led an effort to get a bridge on Route 5 over the Manhan River dedicated to all those who lost their lives and the survivors of the Pearl Harbor attack. He commented during the campaign to express why the bridge should be named for the Pearl Harbor veterans, "War is hell. We who were in it never want to see another again." Lawmakers in Massachusetts gladly listened to his request and in 2005, the Pearl Harbor Veterans Memorial Bridge.

Mr. Speaker, Edward Borucki was a fine example of the men and women that put their lives on the line for our freedom against the threat of tyranny during the Second World War and who served their community selflessly afterward. I would like to extend my condolences to his family, including his seven sons, and let them know that the thoughts of a grateful nation are with them.

HONORING LIEUTENANT COLONEL MAJOR STEWART, U.S. AIR FORCE, RETIRED

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Lieutenant Colonel Major Stewart, U.S. Air Force, Retired. It is my great honor to highlight the life of this humble American.

Lt. Col. Stewart enlisted in the Army Air Corp in August of 1941 and served throughout

the duration of World War II. Millions of Americans answered the call and sacrificed when our Allies were in trouble; Lt. Col. Stewart was no exception. As a bomber pilot, he completed 70 missions while serving in the Pacific Fleet; 39 of these in the legendary B-25 Mitchell Bomber. Lt. Col. Stewart later transitioned to the B-24; it was in this aircraft that Colonel Stewart would lead a decisive mission to attack a key enemy oil refinery.

The strategic oil-refinery at Balikpapan, Borneo produced over thirty percent of Japan's wartime fuel supply and was heavily defended by enemy fighters and anti-aircraft weapons. On October 14, 1944, Lt. Col. Stewart led a formation of dangerously overloaded B-24 bombers on a daylight bombing run in what was one of the longest flights ever undertaken in the Southwest Pacific. Dedication to mission enabled him to stay the course and place bombs on target despite the damage his plane experienced on approach from enemy fire. For his heroism and extraordinary achievement, Lt. Col. Stewart was awarded the Distinguished Flying Cross, one of the highest honors the military bestows.

I know Lt. Col. Stewart wouldn't boast of his service during WWII, a trying time for our Nation, yet it is his type of heroic actions that led to the defeat of the Axis allies and the evil they spread. Lt. Col. Stewart's achievements didn't stop there. He was awarded the Asiatic-Pacific Theatre Campaign Ribbon with four Bronze Stars for the New Guinea, Bismarck Archipelago, Northern Solomon, and Mandated Islands Campaigns.

Upon return to reserve duty in November of 1945, Lt. Col. Stewart maintained airplanes at Tinker Air Force Base. Yearning to give greater service to his community, he attended school and became a math teacher. After retiring from both the U.S. Air Force Reserves and a teaching career in California, he made his way to Texas. Today Lt. Col. Stewart and his wife live in Cedar Park where he was recently presented a key to the City by Cedar Park Mayor and City Council at the WWII Veteran's Recognition Ceremony. We are honored to have such a humble hero in our midst.

These few meager words cannot fully express the gratitude I share for Lt. Col. Stewart and the brave service he has given. I join his family, friends, and loved ones in deep appreciation for his service to the Nation. May we all follow the example of bravery, heroism, and humility he displays everyday as part of the greatest generation that ever lived.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,152,669,947,434.69. We've added \$7,525,792,989,521.61 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could

have avoided with a balanced budget amendment.

TRIBUTE TO CRAIG AND LINDA WOLTMANN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Craig and Linda Woltmann of Walnut, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on September 12, 1965, at the First Presbyterian Church in Walnut.

Craig and Linda's lifelong commitment to each other, their daughter, Wendy, and their grandchildren, truly embodies our Iowa values. I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

HONORING DR. ROBERT R. HOLMES

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Dr. Robert R. Holmes for his outstanding achievements in the field of engineering. Dr. Holmes was honored in New York on October 13th with the 2015 Government Civil Engineer of the Year award. This award recognizes distinguished civil engineers employed in public service for significant engineering contributions.

Dr. Holmes earned a Bachelor of Science in 1987 and Master of Science in 1989 at the Missouri University of Science and Technology in civil engineering. Dr. Holmes continued his education earning a Ph.D. in civil and environmental engineering from the University of Illinois and began his teaching career soon after. He has taught as an assistant adjunct professor at the University of Illinois since 2006 and adjunct professor at Missouri S&T since 2008.

For over 28 years, Dr. Holmes has worked as a hydrologist and leading member of the United States Geological Survey. He currently serves as a national flood hazard specialist and the senior adviser on flood science and response for the United States Geological Survey. His United States Geological Survey colleagues have given high praise for his contributions to water resources engineering and flood hazards management during his time there.

Dr. Robert R. Holmes is a model of excellence in his field and it is my pleasure to recognize him before the United States House of Representatives.

IN RECOGNITION OF NEW MEXICAN ORGANIZATIONS RECOGNIZED AS "BRIGHT SPOTS" BY THE WHITE HOUSE INITIATIVE ON EDUCATIONAL EXCELLENCE FOR HISPANICS

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to recognize three New Mexican organizations that have gone above and beyond in serving Hispanic students in my home state of New Mexico. Their outstanding work earned them recognition by the White House Initiative on Educational Excellence for Hispanics as "Bright Spots." Bright Spots are described as organizations or programs that help to close the achievement gap.

A total of six organizations in New Mexico have been recognized by the White House and three of those organizations are located in New Mexico's third congressional district. The Los Alamos National Laboratory Foundation (LANLF) encourages Hispanic academic excellence through the support of educational programs. LANLF created programs to support early childhood learning, STEM elementary education, as well as college/workforce development. The second organization in our district is New Mexico Highlands University's Achieving in Research Math and Science (ARMAS). ARMAS has increased the number of Hispanic students earning a Bachelor's of Science degree in a STEM field at the university level. The third organization to receive recognition within our district is ¡Santa Fe YouthWorks! This is a program dedicated to targeting at-risk youth in order to ensure that they have the educational, leadership and life skills to succeed and get ahead.

These programs help raise awareness about Hispanic education and the need to address the achievement gap while serving as models of best practices for successfully engaging our diverse population. Together, these programs have helped countless Hispanics achieve academic and social success. These organizations have had a tremendous effect within their particular communities and on New Mexico as a state, by increasing the number of Hispanic students who attain educational degrees. I applaud these outstanding organizations for contributing to Hispanic academic success in New Mexico.

TRIBUTE TO GENERAL ROBERT SHOEMAKER OF THE U.S. ARMY

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor the distinguished career of General Robert Shoemaker of the U.S. Army. For more than 36 years Gen. Shoemaker served his country in many of our most trying times and has honored both his nation and the Army through his long and distinguished military service.

Robert Shoemaker hails from Almont, Michigan. He was commissioned as a Second Lieutenant upon graduation from West Point in 1946. Early troop assignments included Platoon Leader and Company Commander in Germany from which he went on to serve in Korea. General Shoemaker also served numerous tours in Vietnam and excelled through several echelons of Command.

His hard work did not go unrecognized. General Shoemaker rose to the highest levels of the military and was promoted to four star general and led the U.S. Army Forces (FORSCOM). This command consists of more than 750,000 soldiers, nearly 90 percent of the Army's combat power, and provides expeditionary, campaign-capable land forces to combatant commanders. Under his steady leadership, FORSCOM held fast and true to its motto as "Freedom's Guardian."

Life after retirement for Gen. Shoemaker continues to be one of humble service that feeds his passion to help his fellow man. Gen. Shoemaker has served eight years as the County Commissioner for Bell County, three years as the Heart O' Texas council for the Boy Scouts, and served on the Board of United Way for Texas. Today, Gen. Shoemaker's days are filled with regular attendance at extra-curricular activities in the Killeen-Fort Hood area.

When I reflect on the life and service of Gen. Shoemaker, I am reminded of an oft quoted passage by J. M. Barrie, "the life of every man is a diary in which he means to write one story, and writes another; and his humblest hour is when he compares the volume as it is with what he vowed to make it." I have little doubt Gen. Shoemaker will find any discrepancies when he compares his diaries.

TRIBUTE TO EAGLE SCOUT CARL DEAN CARR

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Carl Dean Carr of Boy Scout Troop 40 in Des Moines, Iowa, for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the prestigious Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained for more than a century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. For his project, Carl worked with the FOCUS program at Hoyt Middle School in Des Moines. FOCUS is a collaborative program between Des Moines Public Schools and Broadlawn Medical Center. They provide academic and counseling services for at-risk students between 3rd and 8th grade. Carl led a group of students that created signs with self-talk statements for a cop-

ing area in the school. Students are able to utilize this area when they are having a tough day so they can compose themselves and rejoin the classroom. The work ethic Carl has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Carl and his family in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating him on reaching the rank of Eagle Scout, and I wish him nothing but continued success in his future education and career.

COMMEMORATING THE LIFE OF KEVIN MASON

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. HURT of Virginia. Mr. Speaker, Representative BEN RAY LUJÁN of New Mexico and I submit these remarks to commemorate the life of Kevin Anderson Mason, who passed away October 1, 2015 at age 44.

Mr. Mason—a native of Altavista, Virginia, who resided with his family in Clovis, New Mexico—was working in Afghanistan as a civilian contractor. On the evening of October 1, 2015, shortly after taking off from the Jalalabad Airfield in Afghanistan, a terrible tragedy occurred when a C-130J crashed, killing six United States airmen and five civilian contractors, including Mr. Mason.

Mr. Mason was a 1990 graduate of Altavista High School and honorably served in the United States Air Force for ten years. He will forever be remembered by his classmates, teammates, and members of the Altavista community as a warm, welcoming, kind-hearted man. Mr. Mason was a star member of Altavista High School's basketball team, and school principal Ty Gafford and coach Dean Hubbard remember him fondly as a cornerstone of the Altavista community. He left behind a wife of nineteen years, Tammy, who he met while stationed at Cannon Air Force Base in Clovis, New Mexico, and their three sons, KJ, Brandon, and Devin, all of whom currently reside in Clovis.

We are forever grateful for Mr. Mason's years of service in the U.S. Air Force and his continued service and sacrifice in defending our nation. Our thoughts and prayers are with the entire Mason family, the Altavista and Clovis communities that mourn his loss, and with all of the families who lost loved ones in this tragic incident.

HONORING GIDEON R. BRADY

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Gideon R. Brady from St. James, Missouri for his achievements as a cadet in the Civil Air Patrol. Gideon is set to receive the General Billy Mitchell Award for his service, one of the most prestigious honors that a cadet can earn. This award is only achieved after passing comprehensive leadership and aerospace exams, as well as a strenuous physical fitness test.

Gideon began his service in the Civil Air Patrol in 2013 with a deep interest in aerospace and rockets. An emphasis on service runs in Gideon's family, as his father Terry is a Chaplain in the Civil Air Patrol and proudly guides him as he progresses through the ranks.

Gideon has proven himself to be an exemplary cadet and it is my pleasure to recognize him before the United States House of Representatives.

TRIBUTE TO THE CORNING CENTER FOR THE FINE ARTS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Corning Center for the Fine Arts (CCFA) as they celebrate their 10th anniversary bringing art and culture to southwest Iowa.

CCFA, housed in a renovated and repurposed building in Corning, opened its doors on Sept 30, 2005. Its studio and gallery were modeled to create an attractive environment for its artist in residence program and has two renovated apartments above for those artists. Since 2006, the art center has been home to 16 artists that have come from the United States and abroad. CCFA also holds annual student art shows to encourage young people to explore their talents.

Mr. Speaker, it is an honor to represent the Corning Center for the Fine Arts and its hard working employees and volunteers in the United States Congress. I ask my colleagues in the United States House of Representatives to join me in congratulating them on their 10th anniversary and wishing them nothing but continued success.

HONORING SERGEANT MAJOR GUADALUPE LOPEZ, U.S. ARMY, RETIRED

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor the distinguished service in both the military and civilian life of Sergeant

Major Guadalupe Lopez, U.S. Army, Retired. SGM Lopez has served with distinction as a guardian of this great nation for over 26 years. Today SGM Lopez continues his service to the country he loves in many capacities in the Killeen—Fort Hood community.

SGM Lopez entered the U.S. Army in September 1954. While he served in a multitude of capacities, his fondest memories are of the tour he served in Vietnam. SGM Lopez spent most of his time planning tactical operations against the enemy on the front lines. While in Vietnam, SGM Lopez was awarded the Bronze Star for his heroic actions on Nov 20, 1969 when his helicopter came under heavy fire.

SGM Lopez retired in March of 1980. While the days of a regimented life in uniform have passed, he still finds ways to serve his fellow soldiers. SGM Lopez served as the Veterans of Foreign Wars of America Post Commander for four years. Today SGM Lopez serves as a member of the Ft. Hood Retiree Council, a position assumed in 2008.

SGM Lopez is also well known for his work as the co-chairman of the Killeen Veteran's Day Parade and the Memorial Day Ceremony held at the Central Texas Veteran's Cemetery since 2007. While the long list of accomplishments and service rendered to his fellow soldiers is too lengthy to be enumerated here, I will use SGM Lopez' own words to convey the sense of dedication he has to his friends and veterans: "We are soldiers for life; we hung up only the suit, we're still connected."

I commend SGM Lopez for his selfless service to his nation and to the United States Army. His leadership has positively impacted soldiers and families that he has served. May we all strive to live a life full of service such as his.

TAKING ACTION ON EUROPE'S WORST REFUGEE CRISIS SINCE WORLD WAR II

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 21, 2015

Mr. SMITH of New Jersey. Mr. Speaker, on Tuesday I convened a Helsinki Commission hearing to scrutinize the European refugee crisis and help determine the most effective ways in which the U.S., the European Union, and the OSCE can and should respond.

The Syrian displacement crisis that has consumed seven countries in the Middle East has become the biggest refugee crisis in Europe since World War II. At least 250,000 people have been killed in Syria's civil war, many of them civilians.

The security forces of Syrian dictator Bashar al-Assad's security forces have been responsible for many of these killings, targeting neighborhoods with barrel bombs and shooting civilians point-blank. ISIS has committed genocide, mass atrocities, and war crimes, against Christians and other minorities, and likewise targeted, brutalized and killed Shia and Sunni Muslims who reject its ideology and brutality.

Fleeing for safety, more than four million Syrians are refugees, the largest refugee pop-

ulation in the world, and another 7.6 million Syrians are displaced inside their home country.

Syria's neighbors—Jordan, Lebanon, Turkey, Iraq, and Egypt—are hosting most of these refugees. Before the Syria crisis, these countries struggled with high rates of unemployment, strained public services, and a range of other domestic challenges. Since the conflict began, Syrian refugees have become a quarter of Lebanon's population, and Iraq, which has been beset by ISIS and sectarian conflict, is hosting almost 250,000 refugees from Syria.

Until this past summer, few Syrian refugees went beyond countries that border their homeland. Syrian refugees and migrants from a range of countries have since come to Europe in such large numbers, and so quickly, that many European countries, especially front-line entry points like Greece, transit countries like Serbia, and destination countries like Germany, have been challenged to respond.

The UN High Commission for Refugees, UNHCR, reports that more than 635,000 refugees and migrants have arrived in Europe by sea in 2015. Fifty three percent of these people are from Syria, sixteen percent from Afghanistan, six percent from Eritrea, and five percent from Iraq. Notably, only fourteen percent of them are women, twenty percent are children, and the remaining sixty five percent are men.

The European crisis requires a response that is European, national, and international, and the United States is essential to it. There must be effective coordination and communication directly between countries as well as through and with entities like the OSCE and European Union. Individual countries also must have the flexibility to respond best to the particular circumstances in their own countries.

The response must address "push" factors, like economic challenges and aid short-falls in countries like Syria's neighbors that have been hosting refugees. It must also address "pull" factors, like decisions individual European countries have made that have attracted refugees.

There is real human need and desperation. Refugees are entrusting themselves to smugglers and where there is human smuggling there is a higher risk of human trafficking. I am especially concerned about the risk of abuse, exploitation, and enslavement, of women and children. Already we are hearing reports that some European countries are failing to protect women and girls from sexual assault and forced prostitution. The lack of separate bathroom facilities for males and females, rooms that can be locked, and other basic measures, enable such attacks. There is no excuse for such failures and everything must be done to ensure that women and children are safe.

There is also the real threat that terrorist groups like ISIS will infiltrate these massive movements of people to kill civilians in Europe and beyond. I am deeply concerned that the screening at many European borders is inadequate and putting lives at risk. All of us must be responsive to the humanitarian needs without compromising one iota on security. European response plans should include specifics about strengthening security screening throughout the European region.

During the conflict in Kosovo, I travelled to Stenkovec refugee camp in Macedonia and was at the McGuire Air Force Base in New Jersey to welcome some of the 4,400 people brought from there to the United States. A refugee—Agron Abdullahu—was apprehended and sent to jail in 2008 for supplying guns and ammunition to the "Fort Dix 5"—a group of terrorists who were also sent to prison for plotting to kill American soldiers at the Fort Dix military installation.

Given Secretary Kerry's announcement in September that the United States intends to resettle at least 85,000 refugees in fiscal year 2016, including at least 10,000 Syrians, and at least 100,000 refugees in fiscal year 2017, the United States and Europe must be on high alert to weed out terrorists from real refugees. Because religious and ethnic minorities often have additional risks and vulnerabilities even as refugees, they should be prioritized for resettlement.

Tuesday's hearing examined the "who" is arriving, the "why" they are coming to Europe, and the "what" has been done and should be done in response. European governments, entities like the OSCE and the EU, and civil society all have critical roles to play.

The United States has been the leading donor to the humanitarian crisis inside Syria and refugee crisis in the region. We also have the largest refugee admissions program in the world. However, according to Tuesday's testimony from Shelly Pitterman, Regional Representative for the UN High Commission for Refugees, "The current inter-agency Syrian Regional Refugee and Resilience (3RP) plan for 2015 is only 41 percent funded, which has meant cuts in food aid for thousands of refugees."

Globally, he warned, "The humanitarian system is financially broke. We are no longer able to meet even the absolute minimum requirements of core protection and lifesaving assistance to preserve the human dignity of the people we care for. The current funding level for the 33 UN appeals to provide humanitarian assistance to 82 million people around the world is only 42 percent. UNHCR expects to receive just 47 percent of the funding we need this year."

At the hearing, Sean Callahan, Chief Operating Officer of Catholic Relief Services, said, "As global leaders in the international humanitarian and refugee response, the U.S. and Europe must heed Pope Francis' call and find new ways to alleviate the suffering and protect the vulnerable." I could not agree more. In the 20th and 21st centuries, the United States and Europe have come together to address the great challenges of our time and this is an opportunity to do so again.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose

of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 22, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 27

9:30 a.m.

Committee on Armed Services
To hold hearings to examine United States military strategy in the Middle East.

SD-G50

10 a.m.

Committee on Energy and Natural Resources
To hold an oversight hearing to examine the Office of Surface Mining, Reclamation, and Enforcement's proposed Stream Protection Rule.

SD-366

Committee on Finance

To hold hearings to examine the Internal Revenue Service's response to Committee recommendations contained in its August 5, 2015 report.

SD-215

Committee on Foreign Relations

To receive a closed briefing on the Administration's response to the Syrian conflict.

SVC-217

1:30 p.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold joint hearings with the House Committee on Homeland Security, Subcommittee on Oversight and Management Efficiency to examine ongoing challenges at the Secret Service and their government-wide implications.

HVC-210

OCTOBER 28

9:30 a.m.

Committee on Foreign Relations

To hold hearings to examine the United States role and strategy in the Middle East.

SD-419

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the state of rural banking, focusing on challenges and consequences.

SD-538

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nomination of Jessica Rosenworcel, of the District of Columbia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2015.

SR-253

2:30 p.m.

Committee on Appropriations

Subcommittee on Energy and Water Development

To hold hearings to examine realizing the potential of the Department of Energy national laboratories.

SD-138

Committee on Health, Education, Labor, and Pensions

Subcommittee on Primary Health and Retirement Security

To hold hearings to examine retirement plan options for small businesses.

SH-216

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the state of our nation's biodefense.

SD-342

Committee on Veterans' Affairs

To hold hearings to examine Department of Veterans Affairs mental health, focusing on ensuring access to care.

SR-418

3:30 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Peter William Bodde, of Maryland, to be Ambassador to Libya, Marc Jonathan Sievers, of Maryland, to be Ambassador to the Sultanate of Oman, Elisabeth I. Millard, of Virginia, to be Ambassador to the Republic of Tajikistan, and Kenneth Damian Ward, of Virginia, for the rank of Ambassador during his tenure of service as United States Representative to the Organization for the Prohibition of Chemical Weapons, all of the Department of State, and John Morton, of Massachusetts, to be Executive Vice President of the Overseas Private Investment Corporation.

SD-419

OCTOBER 29

10 a.m.

Committee on Foreign Relations

To hold hearings to examine the nomination of Thomas A. Shannon, Jr., of Virginia, to be an Under Secretary of State (Political Affairs).

SD-419

HOUSE OF REPRESENTATIVES—Thursday, October 22, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLEISCHMANN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 22, 2015.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

TRANSPORTATION REAUTHORIZATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, today, the House Transportation and Infrastructure Committee will consider a surface transportation reauthorization. Unfortunately, calling it a “reauthorization” doesn’t make it so.

This legislation calls for a 6-year period of reauthorization and hopes to be funded for 3 years, but it doesn’t actually provide a single dime of revenue from the highway trust fund. It is simply an empty shell.

It really doesn’t have to be this hard. There is a single solution that is supported by everyone outside of Capitol Hill, one that has been employed by six red Republican States already this year and championed by Ronald Reagan when he was President: raise the gas tax. Our problems are that we are trying to fund 2015 infrastructure with 1993 dollars—the last time we raised the Federal gas tax.

I have a bill that will accomplish this fact. H.R. 680 provides that assurance

and certainty by phasing in a gas tax increase over 3 years. It will permit us to fully fund a 6-year reauthorization for the first time since 1998 without resorting to gimmicks. It is cosponsored by over three dozen House Members, but, more importantly, it enjoys the broadest base of support for any major piece of legislation before Congress.

Is there any other bill of any significance that is endorsed by the U.S. Chamber and the AFL-CIO, countless business and trade associations, as well as individual unions, the American Trucking Association, representing that industry, and auto users, represented by AAA?

The answer is “no.”

The coalition includes bicyclists, engineers, local government, transit agencies—virtually anyone who builds, maintains, or depends upon our transportation system.

For all the rhetoric about “strengthening the economy,” this will be the one proven way of putting several million people to work at family-wage jobs while it reduces the deficit and strengthens our communities from coast to coast. Every State, every metropolitan area, every rural region of America would benefit both by the transportation improvements as well as the economic impact this work will create.

This has been recognized by independent analysts, editorials in major newspapers, and in small newspapers all across the country. There really is no controversy.

Indeed, in the over two dozen States that have raised transportation revenue since 2012, the legislators who voted for more transportation revenue got reelected by a higher percentage than the legislators who voted against it. It is broadly supported, not politically controversial, and is desperately needed.

I am glad my colleagues were able to reach a compromise on the Transportation and Infrastructure Committee and put forward some interesting ideas. It gives a hint of what could happen if we had a real funding source, which we don’t; and the bill being marked up raises more questions, therefore, than it answers. Even if the House were to embrace it unanimously, we would still be where we were 3 months ago, 6 months ago, and many times before that.

We are facing another short-term extension—this will be the 35th—and are providing zero assurance or long-term certainty to the many who rely on our

transportation system. No country became great building its infrastructure 8 months at a time.

We can have markups and pass a reauthorization shell on the floor of the House; but until we embrace H.R. 680 and raise the gas tax, finding revenue that is sustainable, dedicated, and big enough to do the job, we are still going to be spinning our wheels; and America will be stuck.

ASHLEY MITCHELL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. ABRAHAM) for 5 minutes.

Mr. ABRAHAM. Mr. Speaker, I rise today to highlight the accomplishments of a truly remarkable lady in my district.

Ashley Mitchell is a student at Alexandria High School in Louisiana, and her hard work and dedication to the sport that she loves so much has paid off in huge dividends.

Miss Mitchell just broke two world records while participating in the World Powerlifting Championships in the Czech Republic. Those records were the deadlift at 326.5 pounds and the other at 762 pounds. Now, those are impressive numbers, but even more impressive when you keep in mind that this young lady is 94 pounds. She represented the United States well and has returned home as the world champion for the United States of America.

It is young people like Ashley, who are leaders among their peers and who will be leaders in our communities very soon, whom we encourage.

I urge my colleagues to keep these young people, their potential, and their impressive accomplishments in mind as we do our jobs here in D.C. I commend Ashley for her talent, for her tireless effort, and for representing this country on an international stage in such an impressive manner.

CLIMATE CHANGE AND ADAPTATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, this morning, the National Oceanic and Atmospheric Administration announced that last month was the warmest September in recorded history. Our reality can no longer be ignored. Climate change is here, and communities across the country—and the world—are feeling its effects. Just take the events we have seen unfold in 2015 as an example.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

In April, drought-stricken California witnessed a snowpack with virtually no snow. On the other side of the country, Boston recorded its snowiest year with 110 inches between July 2014 and June 2015. Boston had so much snow, it did not melt until mid-July. 2015 also brought us the wettest months ever recorded in the U.S. within the 121 years of NOAA's recordkeeping; and this year, Tropical Storm Ana became the second-earliest tropical storm in history to make landfall in the U.S., in early May.

So what does all of this mean?

It means that we are no longer at a place where talking about climate change is enough. We need to act, and we need to act now.

I am proud that we have a President who is taking actions like reducing dangerous greenhouse gas emissions to mitigate climate change. Altering our current policies and enacting new ones will help reduce the impacts of climate change in the future. But mitigation is only one piece of the solution. We also need to adapt our policies to handle the effects of our already-changing climate in the present.

Climate change is already happening; and adaptation to climate change is the only way we can help protect the people, the infrastructure, businesses, and ecosystems that are already threatened. We know that societies have adjusted to and have coped with changes in climate with different degrees of success; but our modern life is tailored to the stable climate we have been accustomed to. As the President recently pointed out, our climate is changing faster than we are adapting to it.

While climate change is a global issue, it is often felt on a hyper-local scale, so our cities have to be at the front line of adaptation. We need communities that have better flood defenses, plans for dealing with higher temperatures and heat waves, as well as better management of our water storage and use. Some cities are already taking steps to create these adaptation plans. Roughly 20 percent of cities around the globe have adopted adaptation strategies. My city of Chicago is included on that list.

The most obvious changes that Chicago is dealing with are hotter summers and more intense heat waves. Increased temperatures are leading to countless unforeseen consequences, such as heat-related illness and a deterioration in air quality. Higher temperatures are also boosting the demand for electricity, placing stress on our power plants. Heavy rains and snow are becoming more frequent in winter and spring. Increasing downpours make travel more dangerous, pollute our drinking water, damage crops, and disrupt infrastructure and transportation across the city.

But adaptation means more than protecting our cities. We must also pro-

tect our national defense. Many of our most critical military installations are already at risk.

A 2011 National Research Council report found that 128 U.S. military sites could be impacted by a sea-level rise of just 3 feet. Of those 128 sites, 56 are naval facilities valued at \$100 billion. Recent hurricanes have pushed water levels to dangerous heights in Norfolk, Virginia, threatening the largest naval base in the world. As sea levels rise and storms intensify, climate change threatens to require the relocation of that naval base.

This proves that local and State efforts are simply not enough. We need congressional action to produce lasting solutions that address the root causes of climate change and to prepare us for a very different future.

In closing, I defer to Charles Darwin, who said, "It is not the strongest of the species that survives nor the most intelligent; it is the one that is most adaptable to change."

I urge my colleagues to heed this warning and adapt to the reality in front of us.

SENSE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. ROTHFUS) for 5 minutes.

Mr. ROTHFUS. Mr. Speaker, I rise today to paint a picture of the incredible progress of an industry that is making my district in western Pennsylvania a better place to work and live.

For many years, the coal industry has been an important part of the economy in Pennsylvania. Historic mining activity, unfortunately, left behind large piles of coal refuse. These piles consist of lower-quality coal mixed with rock and dirt.

For a long time, we did not have the technology to use this material, so it accumulated in large piles in cities and towns, close to schools and neighborhoods, and in fields across the region. This has led to a number of environmental problems: vegetation and wildlife have been harmed, the air has been polluted, acid mine drainage has impaired nearby rivers and streams, and problems compound when these piles catch fire.

The cost to clean up all of this is astronomical. Pennsylvania's environmental regulator estimates that fixing abandoned mine lands could take over \$16 billion, \$2 billion of which would be needed for the coal refuse piles alone. We needed an innovative solution to this tough challenge. A commonsense compromise was necessary to get the job done and protect the environment. That is where the coal refuse to energy industry comes in.

Using advanced technology, they have been able to use this previously

unusable fuel to generate electricity. This activity powers remediation efforts that have, so far, been successful in removing over 200 million tons of coal refuse and repairing formerly polluted sites. I visited the Nanty Glo waste coal site, in my district, earlier this week and witnessed the massive transformation this area has undergone.

In this picture, you can see an example of the progress that has been made across the Commonwealth of Pennsylvania. In the foreground are the remnants of a coal refuse pile that is up to 40 feet deep. In the distance, you can see what used to be a coal refuse pile that is almost completely restored. A little bit of work remains. This hillside has been restored, and, soon, it will be covered with trees and wildlife. This is an example of the environmental progress that is being made.

□ 1015

The Nanty Glo site is one of the many examples of the good work being done by the coal refuse energy industry in Pennsylvania and in historic coal sites across the country.

We can all agree that we want to be good stewards of our natural resources and to use them as efficiently as possible. We also want to ensure that regulations do not hamper job creation, the economy, and opportunity for our families.

Unfortunately, expanding EPA regulations threatens to bring much of the waste coal industry's activity to a halt. That would leave billions of dollars of vital cleanup unfinished and hurt jobs and Pennsylvania's energy security.

A lot of people in Washington like to offer up a false choice between protecting the environment and economic opportunity. The success of the coal refuse industry shows that that does not have to be the case.

This week I am introducing a commonsense approach to keeping these facilities open while holding them to tough standards. We are calling this bill the Satisfying Energy Needs and Saving the Environment Act, or SENSE Act, for short.

The bill addresses problems arising from two of the EPA's more expansive rules: the mercury and air toxin standards and the Cross-State Air Pollution Rule, known as CSAPR.

Under CSAPR, which relies on allocations to limit emissions, we are requesting that the status quo remain in place with regard to sulphur dioxide emissions for bituminous coal refuse-fired power generators. Due to the nature of the coal refuse, these facilities would be unable to comply with a new standard that is expected in 2017. Under the mercury and air toxin standards rule, we are proposing to hold the industry to alternative limits for hydrogen chloride or sulphur dioxide emissions.

Consistent with this legislation, Senators TOOMEY and CASEY recently offered an amendment in the Senate exempting these plans from both the MATS and CSAPR requirements. While this proposal was supported by a bipartisan majority of Senators, it failed to achieve the supermajority required to pass.

This shouldn't be a controversial or partisan issue. We want to hold this industry to high standards, but standards that they can actually achieve. My bill will help keep the coal refuse industry in business so that the local community, economy, and environment will continue to reap the benefits. The fact that this industry performs such a vital environmental function means that we owe it to our communities to recognize these circumstances and do everything we can to allow them to keep up the good work.

Dennis Simmers, an engineer with Colver Power Project in Cambria Township and a long-time resident of the area, told me why he hopes my legislation is signed into law and the waste coal industry can go forward. "It's personal," he said. "Three generations of my family lived in Nanty Glo. Unfortunately, they died without ever seeing this environmental catastrophe corrected. There is a real shot now that I will see that in my lifetime."

With my legislation, I am working to ensure his vision becomes a reality.

AFFORDABLE CARE ACT AND HEALTHCARE WITHIN CA-46

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I stand here today a little disheartened, disheartened because my colleagues across the aisle seem to have forgotten about the priorities and the needs of the American people.

For an unprecedented 61st time, the majority has introduced a measure that would cripple the landmark Affordable Care Act. The consequences of such a budget measure would be terrible. Millions of Americans would lose their healthcare insurance, and premiums for others would skyrocket.

The majority claims that the ACA somehow is ineffective, costly, or illegal. They claim that it doesn't work. Well, they are just wrong.

Mr. Speaker, the Affordable Care Act is working. It has been working. It has been working in my hometown. It has been working in Orange County, California, under the Affordable Care Act, the CHIP, and Medicaid. We have expanded insurance to over 12.3 million individuals; 2.6 million of those individuals are Latinos.

Costs under the ACA have been greatly reduced, and the ACA is pro-

jected to save the United States \$200 billion in the next decade and over \$1 trillion in the second decade. I would say that those statistics speak to the success of the Affordable Care Act.

The ACA has had great success back home in my home district. In Orange County, we had the highest number of new people enroll into the healthcare benefit exchange that we have in California. Currently, there are more than 1.3 million Californians that now have health insurance that didn't have it before.

See, Mr. Speaker, before the enactment of the ACA, the folks in my district—well, they considered it a luxury. They chose between buying clothes for their kids to go to school or putting food on the table. Or worse, they used home remedies.

I know because I grew up on home remedies. I grew up not going to the doctor. I grew up trying all these crazy things at home, having a simple flu, and being out of school for 10 days because we couldn't afford to go to the doctor. It is pretty unacceptable in today's time, Mr. Speaker, in the greatest country in the world.

Health care should be a right, not a privilege. We need to continue moving forward. We need to continue moving our communities from a culture of coping to a culture of coverage.

No longer do people have to worry about being denied for their existing health conditions. Quality health insurance is now available to all who seek it. Because nearly 4 out of every 10 people in my district are Medicare recipients, I understand how important this legislation is for working families; so I will continue to work to join with my community-based organizations to ensure that our people are covered.

So tomorrow, when my colleagues across the aisle once again vote—number 61—to defund the Affordable Care Act, I would like for them to think about all the families in America that will suffer when that is passed; think of all the families; think about all the kids and their home remedies.

My colleagues in the minority and I have stood up. We have tried to explain to the other side the importance of the Affordable Care Act, only to have our passionate voices fall on deaf ears.

Despite these continuous attacks against an existing law which has improved the lives of millions of Americans, I will continue to fight for quality health care for the folks back home in my district.

OBAMACARE IS FAILING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I wanted to talk for a few minutes this morning about the families that are

suffering under the false promises of ObamaCare. We are beginning to see this play out all across the country. The ObamaCare failings are very pronounced; and you see them in the communities; and you understand how they are affecting lives.

Now, the supporters of ObamaCare continue to have blinders on about this; and they don't want to admit that the entire premise is a theory, not proven. It was change for the sake of change. It was change for the sake of centralized control. It was change for the sake of the arrogance of the elite making decisions for millions of Americans and determining what kind of health care they were going to be able to access.

We all remember that the press said that the biggest fabrication of the decade was, if you like your doctor, you can keep him. It is all so unfortunate.

I want to look, Mr. Speaker, for just a few minutes at what has happened with these co-ops that are now failing. The failings are very pronounced, and they truly have an imprint and an effect in our communities.

One month before the ObamaCare-funded Oregon co-op announced its failure in bankruptcy, the CEO said she saw a "long health life in front of us." They had a \$50 million Federal loan, if you will, and had managed to enroll only 10,000 people. Now the taxpayers are beginning to wonder if that loan is ever going to be repaid.

Take a look at Colorado. In the Colorado co-op, the same story; 72 million taxpayer dollars, and they enrolled 83,000 people. Do the math on what the enrollment alone is costing the American taxpayer, and do the math on what kind of healthcare access could have been if individuals were going straight to the marketplace.

We have heard Kentucky celebrated as being such a success story and the poster child for the success of ObamaCare. Here is the truth: they have \$146 million in Federal loans and then another \$65 million in an emergency solvency loan. They have 51,000 people in a co-op that is not functioning.

And in Tennessee, where our co-op is going under, \$73 million, and they had 27,000 people enrolled.

Now, my colleagues on the other side of the aisle continue to say, oh, ObamaCare has been such a success. If you do the math and look at the numbers, I take issue with that. I would not term that a success. I term it a failure.

I wonder if the people in Oregon and Colorado, Kentucky and Tennessee are feeling success as they, once again, find out that simply having an insurance card is not health care. It is access to the queue, if the company is solvent and the queue exists.

Imagine, four States, a collective nearly \$500 million for experiments. That is half a billion taxpayer dollars

for experiments in health insurance delivery, all before anybody received any mental health help or received a single mammogram or a single child's vaccine.

We know that ObamaCare is too expensive to afford; and, for all too many, it is too expensive to use once they get the insurance. It is proving to be a failure.

VIOLENCE IN ISRAEL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to express strong support for the people and nation of Israel and to wholly condemn the horrific acts of violence targeting innocent civilians.

My heart goes out to the families of the victims. All people have the right to live in peace and security, and every nation has the right to take actions to protect its citizens.

As chaos envelopes Israel from all borders, we must stand stalwartly with our strongest ally in the region. Over the past month, unprovoked Palestinian attacks against Israeli civilians, including children, police officers, and members of the IDF, have increased to shocking levels.

Perhaps even more disturbing are the Palestinian leadership's recent incitements to violence. In a September 30 address, Palestinian Authority President Mahmoud Abbas addressed the United Nations, saying that Palestinians would no longer be bound by their commitments to the Oslo Accords. One day later, Palestinians ambushed two Jewish Israelis, Rabbi Eitam and Naama Henkin, murdering them in front of their children. Since then, barbaric terrorist attacks against civilians, including stabbings, rock throwing, and deliberate car crashes, have become all too commonplace.

□ 1030

We have seen a 15-year-old teenager stabbed in Jerusalem, two rabbis stabbed and killed in the Old City, five people attacked with a screwdriver in Tel Aviv, and a driver intentionally hitting civilians at a bus stop, then getting out of the car with a sharp object and causing more bloodshed and destruction in broad daylight.

These are only some of the innocent victims of this deplorable violence. Rather than showing leadership and calling for common civility, President Abbas and other Palestinian leaders have chosen to further incite violence.

President Abbas has perpetuated false accusations about the Israeli Government's treatment of Palestinians and undermined the Israeli Government's assurance that it seeks to maintain the status quo on the Temple Mount.

Mr. Speaker, I continue to support the United States' longstanding policy of supporting our partners for peace in the region to reach a two-state solution. However, the Palestinian Authority's words and lack of action to quell the violence calls into question those partnerships.

I call on the international community to speak out against these brutal terrorist attacks. In addition, we must put pressure on those who are taking inflammatory actions that deliberately fuel tensions.

Just yesterday six countries submitted a resolution to UNESCO with the sole intention of delegitimizing Jewish history in our own Holy Land. This is disgraceful. I applaud the efforts of this administration to oppose this harmful and incendiary resolution.

We must unequivocally condemn terrorist attacks and actions wherever and whenever they take place. These violent attacks against Jews in Israel are part of growing anti-Semitism around the globe. Tragically, over the past few years in particular, we have seen a rise in anti-Semitism from the streets of Paris to the streets of Miami Beach in my district.

Around the world, we have seen the spread of a violent and depraved ideology aimed at crushing the values that we hold dear: the freedom to practice and celebrate our own diverse religions and cultures; the right to express ourselves in print and in speech; the right to live in our homelands and walk in our streets with dignity, respect, and safety. We must stand up and speak out whenever these rights are threatened.

As a member of the Appropriations Subcommittee on State, Foreign Operations, and Related Programs, I am proud to advocate for strong funding and cooperation with Israel on matters of mutual interest.

As our strategic and democratic ally, we must bolster efforts to ensure that Israel has the necessary resources she needs to be secure and confront the violent threats against her. The rise in violence in Israel and of anti-Semitism more broadly is deeply troubling to me, as a lawmaker who values and respects the strong U.S.-Israel relationship; but it also impacts me more personally, as a Jew who feels a significant and historic connection to the land of Israel.

No nation on Earth can be expected to sit back and take these kinds of attacks on her citizens without responding.

President Abbas and Palestinian leaders must take clear and meaningful steps to stop this violence and encourage unity and a return to the path toward a peaceful two-state solution. There is absolutely no justification for violence against innocent civilians under any circumstances, and I call for those responsible for these vicious terrorist attacks to be brought to swift justice.

I proudly and firmly stand behind Israel's right to defend herself against malicious, brutal terrorist attacks from outside her borders and from within, and call on others here and around the world to do the same.

NDAA VETO THREAT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CARTER) for 5 minutes.

Mr. CARTER of Texas. Mr. Speaker, I rise to address the House for 5 minutes and talk about what the President is saying he is going to do on the NDAA.

The President is determined to end his second term on a spending spree, and that spending spree will threaten the national defense of this country and hold our military hostage. He is showing his lack of leadership by threatening to veto the NDAA, the National Defense Authorization Act.

I ask you, Mr. Speaker, does this President not understand that the NDAA provides the resources for the military to do their jobs, to protect our great Nation and the freedom that we all enjoy?

The President is willing to jeopardize our national security in favor of more welfare programs. He threatens this reckless veto in spite of the fact that the NDAA has passed for 53 years in a row, a rare display of bipartisanship in this city.

The American people have had enough of political games. They are tired of them. Just turn on the radio and television, and see if you can't learn that. It is especially important when it jeopardizes the men and women of our military and our national security.

It is hard to find a worse example of leadership than a Commander in Chief who is so irresponsible that he is willing to deny his military resources and sacrifice the security of our Nation simply for political games. Even more importantly is that, and that solid statement is exactly what is going on at the White House as he approaches this veto.

I would hope that he would realize that people—men and women, of all ages, from the chief of staff of the Army all the way down to the lowest private—have gone and risked their lives fighting for freedom and for liberty for the last 12 years; and they are being rewarded by a President that won't even back them up by passing the National Defense Authorization Act, something that has been passed by every House, every Senate, and every President for the last 53 years.

His reasoning is, I want more money for the welfare programs, which have been plussed-up over the years until some of them are out of control. Doesn't he think about the guys out there getting shot at or blown up and

who must wonder why the Commander in Chief, the person who our military ultimately answers to, is not on his side, is not standing up for the soldier?

In my district, we have sent warfighters from Fort Hood to these actions now for 12 years. They deserve the support of this Congress. They deserve the support of the President of the United States.

This is a good bill. It is a bill that meets the President's standards that he set for this bill, gives him the increases he requested in this bill; yet, he is going to veto it for his political convenience. This is a shame, a shame on the country, a shame on the Presidency.

I hope that the President will reconsider. If not, I hope this body will have the strength to override this veto and stand up for the American soldier.

PALESTINIAN TERRORISM IN ISRAEL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, at least nine Israelis have been killed and many wounded in the latest wave of Palestinian terror.

Nearly every day in the past few weeks, Palestinians have stabbed, shot, or run over innocent Israeli Jews. These terrorists do not care who their victims are. They want to kill as many Jews as possible.

Earlier this month, Palestinian terrorists murdered an Israeli couple driving in the West Bank right in front of their terrified children. This level of hate violence has not been seen in this region since the suicide bombings in the 2000s.

Why is this happening? What has caused this sudden outbreak of terror? The answer is really pretty simple: incitement by Palestinian leaders.

Just last month, Palestinian Authority President Mahmoud Abbas praised violent riots on the Temple Mount in Jerusalem; yet, the world press ignores his doctrine of murdering Jews. He called Palestinians killed in the clashes "martyrs, fighting to keep the dirty feet of Jews out of the holy site."

The Temple Mount is the holiest place in the world for Jews, but according to Israeli law, only Muslims are able to pray there. Israel has no intention of changing the status quo on Temple Mount, but Abbas simply wants to create a charged atmosphere of violence. This incitement doesn't just come from his speeches.

Get this, Mr. Speaker: Palestinian leaders have turned their schools into virtual incubators to raise children as terrorists. School textbooks in Palestinian schools routinely teach students that Jews are evil and have no right to live in Israel. They are not just taught to hate; they are even instructed spe-

cifically how to stab Jews in these school textbooks.

As all of this incitement translates into real violence that kills Jews and injures Israelis, what has Israel done in response? Israel has reacted how any democratic country would react to defend its people. The policy is simple: if a terrorist is wielding a knife and is spotted, Israeli security is ordered to shoot that terrorist.

Israel has also increased its arrests of terrorists in the West Bank, including the cofounder of Hamas, a terrorist group. To deter more murderous attacks, Israel has destroyed the homes of terrorists who have attacked its citizens. Perhaps these terrorists will think twice about killing people: women, children, and men.

What exactly has our government said about this huge wave of Palestinian terrorism? When Israel is up against the wall, fending off daily attacks, the State Department says that Israel may be using excessive force. Is killing someone who tries to kill you considered excessive force? When did self-defense become excessive force?

Secretary Kerry went as far as to blame the current Palestinian violence on Israeli construction in the West Bank. Mr. Kerry is totally uninformed about what the facts are on the ground. Does Secretary Kerry mean to say that Israeli civilians deserve to be murdered? That is tantamount to saying that 9/11 occurred because of America's foreign policy in the Middle East.

This dangerous logic by the State Department only encourages more terrorist attacks. It does not stop the terrorism. Nothing can justify the killing of innocents.

Instead of our government supporting our Israeli allies, we are turning our backs on them. Instead, we should be standing side by side with Israel, condemning the terrorists. We should be pointing our fingers at the Palestinian leadership who have instigated all of this violence; hold those who preach hate and violence accountable, not give them a pass. Instead of calling out Israel, the State Department should be highlighting the incitement to hatred and violence in the Palestinian curriculum, in their textbooks.

We must stop making excuses for terrorists and stand up for the victims. We must stand up for all of our values and our friends and not betray them. That includes standing with Israel.

And that is just the way it is.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 42 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Rod Cannon, New Vision Worship Center, Zolfo Spring, Florida, offered the following prayer:

Heavenly Father, we are thankful for You and for the government that was built on Your foundation.

We thank You for our Representatives who are charged with focusing on the districts they represent and our Nation as a whole.

Bless them, Father. Let the burden that they have for their communities be shared by the people they represent. I pray for unity in their hearts. May they share one focus, and may that focus be pleasing to You.

Lord, open our eyes that we would see wondrous things from Your law.

Grant every official a strong desire for Your wisdom, the courage to say it, and the commitment to never turn from rectitude.

Father, let our Nation once again be a land pleasing and prosperous in Your sight.

Bless our military and law enforcement who lay their lives on the line every day on our behalf.

In Jesus' name we pray.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Nebraska (Mr. ASHFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. ASHFORD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND ROD CANNON

The SPEAKER. Without objection, the gentleman from Florida (Mr. ROONEY) is recognized for 1 minute.

There was no objection.

Mr. ROONEY of Florida. Mr. Speaker, I rise today to recognize Reverend Rod Cannon of Zolfo Springs, Florida.

This afternoon, Reverend Cannon offered the opening prayer as the guest chaplain for the House of Representatives. I would like to thank Reverend

Cannon for traveling to Washington for this honor and House Chaplain Father Conroy for providing this opportunity to a pastor from the 17th District of Florida.

Reverend Rod Cannon is the senior pastor at New Vision Worship Center in Zolfo Springs, Florida. He comes from a family devoted to the Church of God, where both his father and his son have been influential pastors in that community.

Reverend Cannon has been a leader in his church and the Zolfo Springs community since he arrived at the New Vision Worship Center in 2009. He has offered prayers across the State of Florida, and I am happy that he can add the House of Representatives to his extensive ministry.

I commend Reverend Cannon's commitment to his ministry and wish to thank him for offering the opening prayer today. It was my honor to invite him to Washington as guest chaplain.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. YOUNG of Iowa). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

BLOCKING EPA REGULATION

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute.)

Mrs. WALORSKI. Mr. Speaker, the EPA is at it again. A few weeks ago, this runaway agency released its most expensive regulation in history. The new ozone rule joins a number of other costly, expansive, and crippling regulations put out by the EPA during the Obama administration. According to the EPA's own estimates, this new regulation will be one of the most crippling in history, at a cost of \$1.4 billion a year.

While no one disagrees that the protection of air quality is an essential responsibility, Hoosiers have a proven track record of being good stewards of the environment and good stewards of the economy. Yet the EPA continues to issue rules that overwhelm Hoosier companies and threaten job creation.

We should focus on policies that grow the economy, protect our environment, and not burying job creators under red tape and mandates.

It is time to end the EPA's assault on business. That is why, today, I am introducing a resolution of disapproval that would block this harmful regulation. I urge my colleagues to join me in supporting this resolution.

GREAT LAKES RESTORATION INITIATIVE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, I recently joined my colleagues on the Great Lakes Task Force to ask the White House to support funding for the Great Lakes Restoration Initiative next year.

The Great Lakes is the world's largest system of fresh surface water. It supports 1.5 million American jobs and \$62 billion in wages.

In western New York, Lake Erie is the focus of an amazing transformation of Buffalo's waterfront. Keeping the lake clean for recreation and fishing is essential to sustaining that economic growth.

The Great Lakes Restoration Initiative has also been instrumental in the next phase of Buffalo's waterfront renaissance, the Buffalo River. \$30 million in funding to clean up the river has leveraged \$20 million in private investment. Now the river that the Federal Government declared biologically dead in 1968 will be swimmable and fishable in 5 years.

The Great Lakes Restoration Initiative is creating jobs and improving environmental quality in my community, and it is producing returns for the national economy.

I encourage my colleagues to support the Great Lakes Restoration Initiative funding in the upcoming budget negotiations and to support the passage of the Great Lakes Restoration Act, which would authorize this program through 2020.

NATIONAL DEFENSE AUTHORIZATION ACT

(Mrs. McMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. McMORRIS RODGERS. Mr. Speaker, defending the American people is the chief responsibility of our government, and it is a constitutional obligation that the House and the Senate take seriously.

This week, Congress put the National Defense Authorization Act on the President's desk. It is an important example of how Congress should work together to get the job done for the American people. This is bipartisan. We do it every year to fund our military. For 53 years, Congresses have passed and Presidents have signed this legislation.

Later today, President Obama will veto.

My district is home to Fairchild Air Force Base, and I know firsthand the importance of our defense funding. The National Defense Authorization Act funds vital military operations and equipment. Military families rely on it for salaries, medical care, and transitional resources.

Our Nation was built on service before self. We have an obligation—and the Commander in Chief has an obliga-

tion—to ensure military and defense remains our top priority. Mr. Speaker, the President must act. Stop playing politics. Support our troops. Keep America safe.

POTENTIAL DEFAULT

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, I rise today to oppose any potential default on our Nation's fiscal obligations.

Treasury Secretary Lew stated that we must act before November 3 to avoid a default. If we default, we can't pay our obligations at home, and that means our veterans and seniors go without the benefits that they have earned.

There is no doubt that we must rein in spending, and we must work together—and I know we can—to do so. At the same time, we must keep the promises that we have made to our veterans, to our seniors, and to our Nation's bondholders.

President Ronald Reagan agreed that sacrificing our credit rating in the name of fiscal responsibility is not responsibility at all. He said of a potential default: "Brinkmanship threatens . . . those who rely on Social Security and veterans benefits. Interest rates would skyrocket, instability would occur in financial markets, and the Federal deficit would soar."

Colleagues, let's not bring the government again to the edge of a default. Rather, let's find a bipartisan pathway, which I know we can do, that will control our spending and prevent the devastating effects of default on our economy and our veterans.

RESTORING AMERICANS' HEALTH- CARE FREEDOM RECONCILIATION ACT

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act.

Over the past 10 months, the House has passed a budget, acted to defund Planned Parenthood and other abortion providers, and repealed ObamaCare; yet these actions by the House have been stonewalled in the Senate by its failure to garner the 60 votes necessary to deliver these important pieces of legislation to the President's desk. Now is our chance.

This bill provides an avenue for the Senate to pass what the House has already done. This bill prohibits Federal funding to entities like Planned Parenthood that engage in the practice of elective abortions. In turn, it provides funding to community health centers for improving women's health care.

It repeals the individual and employer mandates in ObamaCare. It repeals the medical device tax and the excise tax on high-cost health insurance plans. It achieves all of this and more, while saving almost \$79 billion in taxpayer dollars.

This bill finally provides a pathway to the President's desk for reforms that we in the House have long fought for.

HONORING ORTIZ FAMILY SERVICE IN U.S. ARMED FORCES

(Mr. RUIZ asked and was given permission to address the House for 1 minute.)

Mr. RUIZ. Mr. Speaker, I rise to recognize a remarkable family of American heroes, men and women who since World War II have served in our Armed Forces to keep all of us and our way of life safe and secure.

The story begins with Mr. Esabel Parga Ortiz and his wife, Maria Montoya Ortiz, who migrated to the United States from Mexico in 1912 and, in 1915, moved to the Coachella Valley.

In the heart of our southern California desert, they put down roots—resilient roots, mind you—and raised their children to value the American Dream. It was those teachings that inspired and drove their sons, Pete and Joseph, to enlist in the U.S. armed services and defend our Nation. Ever since World War II, every generation of the Ortiz family, totaling over 50 family members, have bravely served in America's Armed Forces, putting their lives on the line to protect our freedoms.

For their selfless and honorable service, I am proud to recognize the valor and sacrifices of the Ortiz family.

Thank you for your service.

RECOGNIZING DEBBIE NYE SEMBLER

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, I rise today to recognize the accomplishments of one of the longest serving trustees of the University of South Florida, Mrs. Debbie Nye Sembler. For 12 years, Mrs. Sembler served on the USF board of trustees; and, for 10 years, she served as chair of the campus board of USF St. Petersburg.

As Mrs. Sembler's term of service ends, I pay tribute to her many accomplishments, in particular, her contributions to excellence in higher education, not just for students from Pinellas County and the Tampa Bay area, but for students across the State of Florida and, indeed, around the world.

When Mrs. Sembler became a trustee in 2003, USF St. Petersburg was just earning a reputation as a student-cen-

tric research institution. Today, it has over 7,000 students in 37 undergraduate and graduate programs.

As a trustee, Mrs. Sembler has led USF St. Petersburg through this remarkable growth, ensuring the USF system is recognized today as one of our Nation's leading higher education institutions.

Mr. Speaker, I urge my colleagues to join me in congratulating and thanking Debbie Sembler for her hard work and dedication to USF, for her commitment to higher education, and, most importantly, for her passion for student success.

REAL SCHOOL GARDENS' 100TH LEARNING GARDEN

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to recognize REAL School Gardens, an organization that works in over 40 elementary schools in my district, building gardens that engage the curiosity of students through STEM education.

As a member of the House Science, Space, and Technology Committee, I am proud of the work that REAL School Gardens has done in creating a pipeline, a STEM pipeline, in Texas that increases hands-on learning for all the students, including more than 100,000 students as of this year.

Additionally, REAL School Gardens has become a great equalizer for many students in the Grand Prairie, Dallas, Arlington, and Fort Worth Independent School Districts who have limited access to learning resources.

On November 14, 2015, REAL School Gardens will break ground to create its 100th garden in partnership with Sprouts Farmers Market.

I congratulate REAL School Gardens on this achievement and for their work in engaging the minds of our youngest members in the community.

□ 1215

NATIONAL FOREST PRODUCTS WEEK

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, each year since 1960, the third week in October has been proclaimed National Forest Products Week. It is a week in which we celebrate all of the ways that paper and wood products enhance our daily lives.

This industry is particularly important to the economic success of North Carolina, where nearly 60 percent of the total land area is forest and more than 18 million acres are dedicated to growing timber.

With nearly 250 manufacturing facilities, the State's forest products indus-

try employs more than 40,000 men and women at a payroll of approximately \$2 billion per year. The value of the products produced in and shipped from North Carolina is more than \$10 billion.

America's forests keep our air and water clean while providing renewable energy, wildlife habitat, and recreation. They are also an economic generator, especially in the Nation's rural communities, delivering the paper and manufactured products we rely on every day.

We are grateful for this industry in North Carolina.

WHITE HOUSE FELLOWS PROGRAM

(Mr. BARTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTON. Mr. Speaker, this week the White House Fellows Association is honoring the 50th anniversary of the creation of the White House Fellows Program, established by President Lyndon Johnson back in 1964.

Since its inception, there have been 738 young men and young women who have served the President and the Vice President of the United States and the Cabinet officers in various capacities in all the Federal agencies.

Mr. Speaker, I was honored in 1981 to be selected in the first class of President Reagan's White House Fellows Program. I served with the former Governor of South Carolina, James B. Edwards, the Secretary of Energy, in the Department of Energy.

Mr. Speaker, this is an excellent program open to all young Americans early in their careers who want to spend some time in Washington and then go back to their former careers with a better understanding of how our Federal Government works.

Mr. Speaker, I have introduced H. Con. Res. 82 to recognize the White House fellows and their many contributions to our country. I urge Members to support this resolution if and when it comes to the floor.

HONORING INDIANA'S BLUE RIBBON SCHOOLS

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, I rise today to congratulate and honor two southern Indiana schools for their distinguished success. Farmersville Elementary School in Mt. Vernon and North Elementary School in Poseyville were recently selected as 2015 National Blue Ribbon schools by the U.S. Department of Education for their academic excellence.

Each school will be honored in November, along with 333 other schools from across the country, at a ceremony

here in Washington, D.C. Both schools were recognized as exemplary high-performing schools which is, without a doubt, due to the hard work of dedicated teachers and faculty and committed students.

Congratulations to Farmersville and North Elementary Schools. This is a well-deserved national recognition.

REMEMBERING RANDOLPH HOLDER

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, on Tuesday night, right after dark, Officer Randolph Holder of the NYPD heard on his radio, "Shots fired." He immediately rushed toward the gunfire in East Harlem. He arrived, but was gunned down by an outlaw. Holder was assassinated with a shot to the head.

Just 33 years old, Randolph Holder was an immigrant from Guyana. According to his aunt, his job was first in his life. He cherished the opportunity to become a policeman here in America.

He was a third-generation police officer, following in the footsteps of his father and grandfather, who served as peace officers in Guyana. Randolph was proud to be the first in his family to serve in that capacity in America. His killer was a hardened, violent criminal who shouldn't have been on our streets, according to the mayor.

Mr. Speaker, the war on police officers has resulted in 31 officers being killed in the line of duty just this year. The badge that represents safety for most is a target for some. Those in blue do a job that many of us would never do. So we owe them all, like Officer Holder, our extreme appreciation for taking care of the rest of us.

And that is just the way it is.

VETOING THE NDAA IS IRRESPONSIBLE

(Mrs. WAGNER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WAGNER. Mr. Speaker, I rise today with a simple request. Every day across the globe men and women of the United States Armed Forces make grave sacrifices for our country and are courageously protecting us from a number of evils.

From an Iranian regime pursuing a nuclear weapon to the self-proclaimed Islamic State terrorizing the Middle East, to Russia looking to expand its influence in a world where American leadership is on the decline, we rely on the men and women in uniform to keep us safe.

In Congress, we are tasked with supporting our military, promoting legis-

lation that will give them the tools they need and providing for their families stationed back home.

The House and Senate fulfilled these responsibilities by passing the National Defense Authorization Act in an overwhelmingly bipartisan fashion, reassuring our military that, as they protect us, we will support them.

It is totally irresponsible for the President to veto this bill while our troops are in harm's way, and I call on all Members of Congress to join together to override the bill. There is nothing political or partisan about the support for our military, and it is outrageous that the President would take this action.

JASON SPRADLEY ATTAINS EAGLE SCOUT RANK

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, today I want to give special recognition to a special individual.

Jason Spradley was recently awarded the Eagle Scout designation, the highest rank in the Boy Scouting program. He is a senior at Airline High School in Bossier City and hopes to pursue law and become a JAG officer in the Navy.

While Jason is just 17 years old, he has worked over a decade to reach this Eagle Scout status. The qualifications state a Boy Scout must earn 21 merits to reach this level. Jason earned almost 40.

These young men earn merits by proving their skills in camping, first aid, and many more, but more than learning how to fish or start a fire, Boy Scouts learn about serving their community. Obedience, loyalty, and many other characteristics make up what we know to be a true leader.

The Boy Scouts motto is "Be prepared." I would say Jason and these young men have already built a solid foundation in their lives. I wish him, the rest of the members in troop 105 in Louisiana, and the many other young men across the country who have attained Eagle Scout the very best. I know that they all have a bright future ahead.

NATIONAL FOREST PRODUCTS WEEK

(Mr. ZINKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZINKE. Mr. Speaker, this week we celebrate National Forest Products Week, and I rise to recognize the important contributions of our wood products across Montana and the country.

In my home State alone, we have more than 20 million acres of timber. We have 12 sawmills that employ thou-

sands of Montanans; yet, we can't cut a tree in Montana. The number of lumber products has gone down because we can't figure out in this body how to cut a tree without a lawsuit.

There is a bipartisan bill in the Senate, the Resilient Federal Forests Act, that passed out of this body bipartisan, and the Senate is not picking it up. We are not going to hear about forest fires from now until the end of winter, but they are there, and it is time to act.

When a bipartisan bill comes out of this House and the Senate refuses to pick it up, it has consequences on Montana, and it has consequences on hard-working families that just want to make a living in the timber industry.

AMERICAN FAMILIES ARE LESS SAFE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last Sunday the President's Iranian nuclear deal, a tragic mistake, went into effect. Instead of making the world safer, as promised, American families have become less safe. As reported in The Post and Courier of Charleston, since the Iran deal was reached, the Iranian regime tested a ballistic missile that could reach Israel, in direct violation of U.N. resolutions.

After the test of the missile, the Iranian defense minister said: "We don't ask permission from anyone." This does not come as a surprise. We know the Iranian regime cannot be trusted. Sadly, it is shocking that the President has dismissed the Iranian regime's flagrant disregard of international rules and still insists that Iran will uphold their part of the deal.

The evidence is overwhelming that the Iranian regime will break the agreement, with billions of dollars for new attacks. The President's legacy is American families at risk of terrorist attacks by jihadists and a rogue regime oppressing the people of Iran.

In conclusion, God bless our troops. The President, by his actions, must never forget September the 11th in the global war on terrorism. Tomorrow is the gruesome 32nd anniversary of the murder of 241 Americans at the marine barracks in Beirut by Iran. Our sympathy for their families.

RAISING DOWN SYNDROME AWARENESS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this weekend I will be joining countless advocates in Centre County, Pennsylvania, for a Buddy

Walk hosted by the National Down Syndrome Society. These walks have been held across the Nation for the past 20 years, raising awareness and promoting self-advocacy for those living with Down Syndrome. In spite of some extra challenges, many people with Down Syndrome attend school, work, and contribute to society in a wide variety of ways.

In order to provide those living with Down Syndrome and other disabilities the best start possible, I was happy to cosponsor, along with a majority of my colleagues in the House, the Achieving a Better Life Experience, or ABLE, Act, which was signed into law last year.

This law allows people with disabilities and their families to create a flexible account to help save for medical and dental care, education, community-based support, employment training, housing, and transportation.

In my home State of Pennsylvania, State legislation that will allow deductions of account contributions from State taxable income has been introduced in the Commonwealth's house and senate. I urge their passage to complete the work the Federal Government has started.

DOWN SYNDROME AWARENESS MONTH

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, this month we recognize Down Syndrome Awareness Month. As we celebrate the abilities of more than 400,000 Americans living with Down Syndrome, it is important that we address some of the problems these individuals and their families face.

Families and patients who are affected by Down Syndrome face many related health issues. I had the privilege of meeting a very inspiring patient during the Energy and Commerce's work on 21st Century Cures legislation. Madison, a young girl diagnosed with Down Syndrome, had four major open-heart surgeries all before her 3rd birthday.

An estimated 50 percent of children born with Down Syndrome have some form of heart defect, like Madison; yet, her surgeries are still fairly new in the medical world. Our Cures legislation encourages additional research for medications and procedures that could benefit children like Madison. We must continue our work to promote a better quality of life for all patients across the Nation.

□ 1230

RECOGNIZING INTERNATIONAL DAY OF THE GIRL AND THE GIRL UP MOVEMENT

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to recognize the International Day of the Girl and the Girl Up movement. Their mission is to raise awareness to the neglect and devaluation of girls around the world and to advance girls' lives and opportunities.

Mr. Speaker, in the Aw-Barre refugee camp in Ethiopia, girls under the age of 18 comprise about 30 percent of the population. However, due to the lack of resources, many families of the Aw-Barre have stopped educating their girls. This leaves young women more vulnerable to be victims of sexual violence and significantly limits their lives and opportunities.

Girl Up, a local campaign in Illinois' Tenth Congressional District, is working to combat global crisis like the Aw-Barre refugee camp. Young women, like Celia Buckman of Glenview, are working with their high schools to provide resources like school uniforms, backpacks, and safe spaces to help young women succeed.

I am proud to work with Girl Up and recognize the International Day of the Girl to bring awareness to the complex challenges facing young women around the globe.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 22, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 22, 2015 at 10:47 a.m.:

That the Senate passed with amendments H.R. 208.

That the Senate passed without amendment H.R. 774.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 3762, RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015; WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 483 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 483

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016. All points of order against consideration of the bill are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees; and (2) one motion to recommit with or without instructions.

SEC. 2. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of October 23, 2015.

SEC. 3. It shall be in order at any time on the legislative day of October 22, 2015, or October 23, 2015, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, I want to start with the end of what our Reading Clerk read before I get to the excitement in the beginning.

At the end, what you heard was some blanket authority to consider what I will call housekeeping measures here in the House, and not because Republicans say so, not because Democrats say so, but because Republicans and Democrats come together, consult with one another, and try to find those issues on which we agree to bring forward.

I sit on the Rules Committee, Mr. Speaker. The best thing that happens in this institution is when a bill comes through the Rules Committee, because my colleague Ms. SLAUGHTER and I always make it better. We always make it better.

But we include authority to avoid the Rules Committee for some of these issues that are going to come to the floor fast and furious. Here we are, at the end of a cycle. We are in a leadership change here in the House. You don't know what might happen. What the Rules Committee did last night was to create a pathway to allow the House to continue its business at a moment's notice, and I am glad that we included that provision in here. We also include same-day consideration authority.

Mr. Speaker, one of the things that happened when the big freshman class that I was elected with in 2010 came is we said, for Pete's sake, we need time to read the bills. We need to follow the rules and make sure that all Members have a chance to get deep into the information and legislation.

That persists still today. We have a process today that allows Members to get involved in that legislation. But we still have those emergency times here in this Chamber where something has to happen in a hurry. Whether we are talking about borrowing authority, spending authority, whether we are talking about something for our troops, something for our veterans, things still happen on a moment's notice.

What we have included in here is the ability to bring things more quickly to the floor here in the next short period of time. That is important from a housekeeping perspective, Mr. Speaker, but that is not what is important about this rule today.

What is important about this rule today is that 4½ years ago, the people of the great State of Georgia, its Seventh District, sent me to Congress. I was placed on the Budget Committee in this Congress, the Budget Committee, the committee that writes the framework by which the entire \$3.5 trillion Federal Government is funded. We got together and we worked hard here in the House, Mr. Speaker, and we produced a budget, but the Senate did nothing.

I came back that second year, 2012. We worked hard here in the House. To-

gether, we produced a budget, but the Senate did nothing. We came back again 2013, worked hard here in the House, produced a budget, but the Senate produced nothing.

Mr. Speaker, what we are here today to do—what we are here today to do—is made possible for one reason, and one reason only. That is because, for the first time since 2001, Republicans and Democrats came together in the House; Republicans and Democrats came together in the Senate. We passed a budget; they passed a budget. We conferenced a budget, and America has a balanced budget which it lives under for the first time in 15 years—for the first time in 15 years.

Now, what does that mean?

It is not all that exciting to read the budget, Mr. Speaker. I recommend it to you if you haven't gotten into the details. I recommend it to anybody who hasn't gotten into the details.

But that is not what is exciting. It is not the numbers in the budget that are exciting. What is exciting is that, because we came together, not because we had our ideas and they had their ideas, but because we came together, we have triggered a process called reconciliation.

Now, I am saddened that reconciliation is now in the lexicon of the American people. It is not an important word that folks need to know except for the fact that it gives us access to do things on their behalf that we wouldn't have been able to do before.

I am so pleased that the Secretary of the Senate sent that message over right before we got up to say that the Senate has just acted on two pieces of House legislation. One of those, enacted with no amendments, is going to be on its way to the President's desk. One, done with amendments, we are going to have to consider that again.

So often we do such good work, the 435 of us together in this Chamber, and it does not get past a Senate filibuster. Mr. Speaker, the filibuster is designed to protect the rights of the minority. Republicans use it when they are in the minority; Democrats use it when they are in the minority; but it prevents the people's business from moving forward.

Not so today. Not so today. Because we got together in the House with a budget and the Senate with a budget, because we brought a budget together, we are now in the process of reconciliation, which allows us to have the people's will be done. Fifty-one votes in the Senate now will move legislation forward, as it relates to balancing the budget.

You remember, Admiral Mullen, he said, Mr. Speaker, the greatest threat to American national security wasn't a military threat. He said it was our Federal budget deficit.

We have done such an amazing job collaboratively in this Chamber working on the one-third of the budget pie

called discretionary spending. That is the spending that we have to work on here every year. What we have failed to do together is work on the two-thirds of the pie called mandatory spending, where the real growth in those budget programs occurs. But that failure ends today.

With the passage of this rule, we will move to consider the first reconciliation package that has come to Congress in the 4½ years that I have been here, made possible by the first balanced budget agreement that Congress has come to since 2001.

Mr. Speaker, this is why—this is why—I came to Congress, and we are doing it together here today.

Let me tell you what is in this bill. I have seen it described in the press as a complete and total repeal of the President's healthcare bill. That is nonsense. I would support such an effort if we could bring such an effort to the floor, but that is not what this bill is today. What this bill is today is a group of commonsense, budget-saving, spending-reprioritizing measures.

I will give you an example. There is a medical excise tax that the President's healthcare law put into effect. It is 2.3 percent. It is an excise tax, a gross receipts tax on all medical innovation in this country as it relates to devices. We all know the power to tax is the power to destroy. There is not one Member in this Chamber who supports destroying medical innovation, not one—not one.

But, back at the time when the Congressional Budget Office said the President's healthcare bill was going to cost \$1 trillion, the President said: I am not going to spend a penny more than \$1 trillion. I am going to make sure it is paid for.

He was out there looking hard for money. Turns out, medical innovation was a place he could look. We all see now, in retrospect, that was a terrible idea, much like the other nine bills that we have passed here in this House, that they have passed in the Senate, that the President has signed into law to repeal various unworkable parts of the President's healthcare bill. This is just yet another.

We can do this together here today, made possible by this first budget agreement that we have had since 2001.

The Cadillac tax it is called, Mr. Speaker, another provision that this bill will repeal. It is a Cadillac tax, Mr. Speaker.

As we all know, Cadillac is a fine American automobile. You get in a Cadillac, you feel good. We call it the Cadillac tax because it is on healthcare plans that are too good—too good. Turns out, Mr. Speaker, there are some labor unions in this country that are taking too good of care of their members. Turns out there are some businesses in this country that are looking after the healthcare needs of their employees too much. We want to keep

that down. The last thing we want in this country, apparently, is folks having health care that is too good.

I tell people all the time, Mr. Speaker, I can make everybody in this country poor; I just can't pass a law to make everybody rich. We are so good at dumbing down the system for everybody. Well, that is what this Cadillac tax was designed to do.

The labor unions don't like it. Employers don't like it. We all know it is not the right thing to do, and in a bipartisan way we have introduced legislation to repeal it. This bill, this rule, gives us an opportunity to actually send that to the President's desk.

Mr. Speaker, I won't go on and on about all the good things that are in this bill. I am sure my colleague from New York is going to highlight a lot of those herself, and I don't want to steal all the thunder.

But we are here because 435 of us came together here, 100 came together there, and America is operating under a conferenced budget, and not just a budget, but a balanced budget for the first time since 2001.

A lot of disappointment has come out of Washington, D.C., Mr. Speaker, but we are here on the floor today talking about one of those things we get to celebrate, one of those successes on behalf of the families back home, that we have done together.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank my good friend for yielding me the time, and I yield myself such time as I may consume. I really enjoy serving with him on the Rules Committee because he is always so cheerful and puts such a good face on everything, and heaven knows we can use that in the world.

But the truth is, Mr. Speaker, and my colleague knows it, that by taking away the funding for the healthcare act, you are killing the healthcare act. That means that people would go back to not having preexisting conditions covered.

That means that women in eight States and the District of Columbia would face the fact that their insurance companies consider domestic violence to be a preexisting condition, which translates out, if you are beaten up once, maybe they will cover you. The second time, it is obviously your fault. You have that propensity.

We can't go back to the rising cost of health care with so many Americans using the most expensive kind of health care in the world, the emergency room. We are told that if this were to pass, 13 million Americans would lose their health care.

But the fact of the matter is, Mr. Speaker, this is not going to pass, and we know that. As a matter of fact, I find myself saying over and over again the very same things. I remember say-

ing this is the 35th vote, this is the 40th vote. This, Mr. Speaker, is the 61st vote, using tax money and wasting time, to take health care away from people.

Now, I have asked many, many times in the Rules Committee: What is this great urge to prohibit people from having access to health care?

□ 1245

The best I can come up with is it is not particularly that they don't care about those people, but they want to do something to upset the President. There was a good deal of talk yesterday that, if we could add a few amendments on here, it would really cause him grief.

It is not going to cause him any grief. If this should pass, if the Senate should pass it, which is in control of Republicans—and, you know, if you complain about not passing the bill, take it up with them—what we are going to be doing is, if it gets to the President, he is going to veto it, and you know very good and well that we don't have the votes here to override. So we are wasting time.

We are just wasting time and wasting money. I don't know how many millions of dollars of tax money it has taken with these 61 bills, but then they throw in a little something else here.

They say: Let's defund Planned Parenthood for 1 year. Why? I don't know. Three committees in the House of Representatives are studying Planned Parenthood, and we have got to look forward to one of those other new select committees which will go over the same thing over and over again and come up with the conclusion that Congressman CHAFFETZ came up with after they grilled the president of Planned Parenthood, Cecile Richards, for 5 hours, that there was nothing there, that they broke no law.

I don't know why the American public is not outraged over the fact that none of their business is taken care of, but over and over and over again we talk about taking health care away from people.

One in five American women and a lot of men have used Planned Parenthood and do today. And then you add to that the 13 million people that will lose their health care if this should become law, 3 million of them children.

Now, what should we be doing? Well, how about the Export-Import Bank. It doesn't cost the taxpayers a dime, puts money back into the Treasury. It allows small companies in the United States to be able to afford to export their goods to other countries.

The loss of that bank has already received from both General Electric and Boeing words that they are going to take jobs out of the United States because we don't have it. There is no earthly reason not to have it. As I said, it doesn't cost us anything. It makes us

money. It is just that for some Members of Congress they just don't like it.

Now, this is the same majority that has produced no highway bill. We really are on a road to nowhere. For the first time that I have been in Congress—a highway bill was always something everybody joined. It was always bipartisan.

But we have got roads and bridges crumbling. We have no high-speed rail. Airports are overcrowded. Everybody needs help. But we are working here to do something about the healthcare bill that is already working and Planned Parenthood.

Now, this is the same majority that brought us the 7 legislative days away from risking the full faith and credit of the United States. What that means is that we are refusing—the majority is—to bring up a bill here to pay the debt that they have already incurred. It is the Congress that spends the money, and now they decided they don't want to pay for it. So they are putting that off.

We have heard talks that tomorrow we are supposed to have a bill, but we all know—because we all hear everything that is going on—that there are only 170 votes for that bill, which won't pass it. So we may not see it.

So what we are going to do today is give everybody in the House of Representatives an opportunity to protect the full faith and credit of the United States and not risk another downgrade of our credit rating. To downgrade the credit rating of the United States was something that all previous Congresses felt was an impossible thing for them to allow.

But while this is all festering out there and nothing is being done about it, we are hurling toward another shutdown in mid-December.

So once again we find ourselves: Let's take away that health care. Let's shut down that thing over there. But let's not deal with the issues that we have been sent here, the things that we have been elected to do.

And one of those has to be to protect the full faith and credit of the United States of America, which has always been done and was a responsibility of all previous Congresses.

Now, according to the nonpartisan Congressional Budget Office, the reconciliation bill before us will take health care away from 16 million people, 3 million children, and I might add most of them didn't have any health care at all before the ACA was passed. As I said, it would also defund Planned Parenthood and endanger the health of men and women across the country. If I haven't said it enough, again, this defunds Planned Parenthood.

A scant 3 weeks ago we stood on the floor as the House majority threatened to shut down the government over the funding for Planned Parenthood. The American public gave a very resounding message to Congress: Don't do it.

In fact, nearly seven in ten Americans oppose a government shutdown over Planned Parenthood funding, according to a Quinnipiac poll.

With this 61st vote to dismantle the ACA—and make no mistake about it. It doesn't say in there we are going to kill this thing. We are just going to take the money away from it.

And if you are smart enough to be a Member of Congress of the United States, you know that, if you take the money away from it, you have killed that bill. We all understand that. But as the majority continues to beat their head up against the brick wall of health care, the American people get the headache.

This budget reconciliation bill before us does two things. One, it takes health care away from, as I said, 16 million Americans. Two, it attacks women's health by defunding Planned Parenthood.

I believe that governing this body is a serious job with serious consequences. The brinkmanship that this majority continues to display is dangerous to our economy and unsettling to our Nation. The last time the majority shut down the government over the debt limit, it took \$24 billion out of this economy.

The consequences of this kind of brinkmanship are real. They are not imagined. We have been through it once. Why in the world would we self-inflict that wound on ourselves again?

We should not be pushed to the edge over and over again. We should be planning what we need to do, follow regular order. My dear colleague Mr. WOODALL talked about how wonderfully well Democrats and Republicans work together. I don't know where that is.

I know that the chair of the Benghazi Committee kept talking about he had 7 members. There are actually 12 on there. But it just demonstrated again that the 5 Democrats on there did not signify with them.

We need to focus on the urgent needs of the Nation, not manufactured crises that we are insisting on creating.

To address the real issues, we have got a plan to allow us to pay the bills that this Congress has incurred and to protect the full faith and credit of the United States. We always call for this on rules. We do something called the previous question, which everybody sort of glides over.

This today, what we are doing—when the previous question on this rule vote is called, I hope that every Member who wants to do something about the debt limit and the full faith and credit of the United States will vote “no” so that our side can bring this up and give everybody an opportunity to go home for a weekend without worrying about whether this is going away.

By the time we get back here next week, there will be even fewer legislative days to deal with it. But our

troops, national security, the whole Federal Government, and most of the people in the United States are very much concerned with what will happen if it shuts down.

Let's relieve us of that burden and vote today to deal with the debt limit. I invite all Members to vote for the Democrats' clean, simple bill. It doesn't do anything about taking away regulations from the government, nothing. It simply deals with the most important matter at hand at this point, and that is the full faith and credit of the United States.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I confess. I was sitting over here going through my papers. I was afraid I had come down here on the wrong bill here today, listening to my friend describe it. I tell you that, if you listen to that description and you believe it, you ought to vote “no.” But it is just not true. It is just not true.

In fact, I will go line by line just a little bit. You will not find a CBO document over there that says House Resolution 483 is going to take health care away from 16 million Americans. We are not going to find it.

In fact, you won't find a CBO document that says the underlying bill of H.R. 3762 is going to take health care away from anybody because such a document does not exist.

CBO did say that the President's healthcare bill would provide health care for 16 million Americans. Yet, the President has joined with this House and that Senate nine times so far to repeal errant provisions of that healthcare bill, and that is what we are going to do here in this legislation today.

You won't find any language that suggests that House Resolution 483 is going to deal with preexisting conditions to set back preexisting conditions coverage in any way whatsoever, nor will you find any paper that suggests the underlying bill, H.R. 3672, is going to set back the conversation on preexisting conditions.

Why? Because the President led on the issue of preexisting conditions, Mr. Speaker, much like a great Georgia speaker of this House, Newt Gingrich, and Bill Clinton got together and did in 1996. They got together and outlawed all preexisting conditions for federally regulated plans.

What President Obama did in his healthcare bill has said: Well, as States haven't done it on their own, we are going to do it for all State-regulated plans, too.

This bill doesn't dial that back one iota, not one bit. The President, I believe, won that debate in America. I don't think we are ever going to revisit that debate.

I think that is a success story for families with preexisting conditions

and, again, something else we ought to be celebrating here today, Mr. Speaker, not holding our heads low about.

Mr. Speaker, when the former Chairman of the Joint Chiefs of Staff tells you that the greatest threat to America's national security is our budget deficit—and, at the time that I arrived here in Congress, Mr. Speaker, in 2010, America was running its largest budget deficit in American history, three times the size that they are today—I tell you a bill like this that goes after those deficit numbers is a critically important bill. It is the business that my constituents back home sent me to be about here in this institution.

Now, of course, in the 4½ years that the folks in the Seventh District have lent me their voting card, Mr. Speaker, we have brought budget deficits down each and every year—each and every year—year after year after year after year. But that has been primarily on that discretionary one-third of the pie I talked about, Mr. Speaker.

There is so much more work to be done, and reconciliation is the tool we use to get around the filibuster, to allow the people's will to be done with simple majorities on both sides of the Hill.

Good news. If you don't believe what is in the underlying bill is good for America, you can vote “no,” and if 51 percent of your colleagues agree with you, this bill will not go forward. But that is not going to happen because this is good policy.

And good news, Mr. Speaker. When it goes over to the Senate, if the Senate does not believe this is good policy for America and 51 Senators vote against it, this bill will not go to the President's desk.

But that is not going to happen because there is good policy in the underlying bill. This will go to the President's desk.

As the President sits today, Mr. Speaker, contemplating vetoing the National Defense Authorization Act—in fact, that may be happening even as we are standing here now, that bill that provides authorized funding for all of our troops—I can't possibly predict what he will do when this bill arrives on his desk.

But what my friend from New York fails to mention every time she mentions that 61 times in this House we have dealt with trying to clean up the messes that the Affordable Care Act has created is that 9 of those times the President agreed with us.

It is just so critically important, Mr. Speaker. We get wrapped around the partisan axle in this body in ways that are tremendously discouraging to me, as if it is always an us against them proposition. It is not. It is just a proposition about us—about us—320 million of us.

And nine times so far, Mr. Speaker, just in the short time that I have been

in Congress, the House, the Senate, and the President have gotten together and said the Affordable Care Act is broken and together we can begin to fix it.

I believe this is going to be one of those opportunities as well, Mr. Speaker. It is going to be a tremendous vote, I hope, on passing this rule, which will allow us to begin debate. Pass that underlying resolution.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds.

I just say once again, no, they don't say: We are going to take away pre-existing conditions. They just say: We are taking away the funding for the bill.

When the funding is taken away, it dies. I think almost all Americans understand that.

I am pleased now to yield 3½ minutes to the distinguished gentleman from Michigan (Mr. CONYERS), the distinguished ranking member of the Committee on the Judiciary.

□ 1300

Mr. CONYERS. Mr. Speaker, I thank the gentlewoman.

Mr. Speaker, we are here today to discuss the rule for reconciliation, which I believe we are wasting on a doomed attempt to repeal ObamaCare for the 61st time. That we are doing this again for the 61st time is a problem. But that we are wasting our one shot at budget reconciliation on this is a tremendous shame. We should be using this opportunity to avoid the Senate filibuster to actually make law, not make a point to our bases. The way to do this is by focusing on a bipartisan issue: canceling the sequester.

Mr. Speaker, the sequester is a unique problem in American public policy, a program that is intentionally designed to be a bad idea. It cripples the programs that made the 20th century one of unprecedented progress, and it weakens the bravest military in the world. It is bad for us at home, and it is bad for us overseas.

Its blundering destructive approach to deficit reduction was supposed to push this Congress to compromise. Unfortunately, we have not gotten there because a few intransigents refuse to give up this hostage. But it isn't this body that is paying the ransom for our inaction on the sequester; it is the American people of all walks of life. It is the millions of workers, businesses, public servants, and soldiers who are facing uncertainty and inadequate support.

Mr. Speaker, I would encourage us to stand up and use this one shot on something that matters and can pass, and canceling the sequester is something that both sides could actually agree on. So I urge my colleagues, please, to bring this theater to a close and to return to something we can all support.

Let's use reconciliation to cancel the sequester once and for all.

Mr. Speaker, I thank the gentlewoman.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if I could say to my friend from Michigan, I think there is a lot of wisdom in what he had to say. My friend has been here, Mr. Speaker, since 1965, I believe. I can't remember if he was elected in 1964 and began service in 1965. He has seen a lot of failures and a lot of successes in this institution.

Reconciliation exists for one reason and one reason only, and that is to do the really hard things that we can't get done in other times. I would say to my friend, Mr. Speaker, that the die has been cast on reconciliation for 2015. But as a member of the Budget Committee, I will commit to you that we are going to come back, and we are going to get a conferenced balanced budget next year as well. I hear that drumbeat beginning around this institution: What is it that we can get done together? I hope we get this done.

Make no mistake, I believe this is good underlying legislation. But the past, well, three decades now since 1980, as I think of the big reconciliation measures that have gone through have been things that have changed America for the better forever, and I am grateful to the gentleman for reminding us all of the power of this tool.

Mr. Speaker, 61 times we have had a vote on the President's healthcare bill, that is true. But it is because there are real problems there—again, nine times of which the President has agreed with us about those real problems.

The folks who crafted the President's healthcare bill were smart. I don't have any concerns about the funding that my friend from New York has, Mr. Speaker, because the bill has funding buried in it in such a way we don't have any access to it from this institution. That is why we passed 4½ years' worth of legislation here without getting our arms around that funding.

What we are talking about here, Mr. Speaker, are budget deficits. What we are talking about here is an opportunity to move the needle on mandatory spending. What we are talking about here is about \$81 billion in static scored money, closer to 130 in dynamically scored money, moving the needle on the budget, as Admiral Mullen, then the Chair of the Joint Chiefs of Staff, encouraged us to do.

I don't know where the vote is going to come out, Mr. Speaker. I feel pretty good about it. I feel pretty good about it because it is good underlying policy. I feel pretty good about it because we did this the right way. We started in the Budget Committee. We conferenced it with the Senate. We then sent those reconciliation instructions out to the Energy and Commerce Committee, the

Education and Labor Committee, and the Ways and Means Committee. Each committee did its work, sent that work back to the Budget Committee, and we then brought all that legislation together. Mr. Speaker, if you want a textbook case of how it is supposed to work around here, this is it.

Now, as a fellow who has been disappointed many times in 4½ years in this institution, I am just going to tell my colleagues that if any of my new colleagues believe they are going to have it their way every day of the week, the answer is no. I was disabused of that notion in week one.

But what we can do is bring the collective wisdom of the body together, the collective wisdom of the body and the collective wisdom from our committee structures, and this bill does that. There is only one way to get to this bill, though, Mr. Speaker, and that is to pass this rule today, House Resolution 483, and I encourage my colleagues to do that.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I rise in opposition to the rule and the underlying bill. I do so as somebody who comes from a State which, unlike maybe the gentleman from Georgia, actually embraced this law. The Governor set up an exchange right away, and we have had what Forbes Magazine has described as the highest functioning exchange in the country. Our uninsured rate went from 8 percent down to 4 percent. We have more insurers in the marketplace today than we did before the ACA was passed.

On Labor Day, I was at a picnic with some friends, and there was a gentleman there who was the head of HR for the second largest employer in this community that I was at. It was about a 300-employee firm, a trash hauler, who was actually quite concerned about the ACA's definition of part-time and full-time in terms of raising his rates. For the last 2 years, his rates have gone down. He yelled from the pool where he was playing with his kids, splashing around in the water, saying: Tell President Obama thank you for the Affordable Care Act because our rates have gone down for the 275 people that worked there.

So, Mr. Speaker, then the question is: What does this bill do? The fact of the matter is, by eliminating the individual mandate, by basically destroying the financing of tax subsidies, which is precisely the way that you broaden the insurance market so that you can implement an elimination of preexisting conditions, you, in fact, are totally capsizing the market.

I know that because the State of Connecticut insurance department and

the exchange have looked at what this bill is going to do to the individual mandate, and that is precisely what they said the outcome would be, that it would send rates through the roof and basically shatter the success that our State has accomplished.

What is so ironic about this is that the design of this bill with an individual mandate and tax subsidies for insurance came from the Heritage Foundation. Stuart Butler was the mastermind of this back in the 1990s. I was chairman of the Public Health Committee back then, and I remember vividly that that was the Heritage Foundation, the conservative alternative to healthcare reform, to the Clinton healthcare plan. But, obviously, for political reasons, that is not mentioned very much by the majority as we again debate this ad nauseam.

What is sad is that 2 weeks ago we passed a bill, H.R. 1624, sponsored by my good friend, Mr. GUTHRIE from Kentucky, which amended the Affordable Care Act. It changed the definition of "small employer," and it was done on a bipartisan basis, completely unanimous. It sailed through the House, and President Obama signed it.

Why did that work? Because they did it surgically, because BRETT was smart enough to understand that if you want to get people to come together, you don't load it up with a bunch of poison pills, that you actually present an idea with focus and with logic behind it. Guess what will happen. You will actually get bipartisan support, the complete opposite of the bill that we have before us here today.

Now, I want to point out, though, that there are some signs of intelligent life in this reconciliation bill.

The SPEAKER pro tempore (Mr. MARCHANT). The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 2 minutes.

Mr. COURTNEY. Mr. Speaker, section 305 does, as the gentleman from Georgia points out, eliminate the excise tax on high-class plans.

It is interesting to note that 5 years ago it was the House Members who pushed hard against that proposal with the administration, and we delayed that tax for 5 years. H.R. 2050, which I am the lead sponsor of, I am proud to say we have 166 bipartisan cosponsors. It is verbatim the language that was incorporated into the reconciliation bill.

So I point that out because I do think that it, in fact, will basically sharply increase people's out-of-pocket deductibles because that is what actuaries tell us is the only way you can respond to that kind of tax. It is true that 83 organizations, including organized labor, business groups, and small-business groups have said this is not a workable plan. I mention that here because there is an opportunity here to

do what Congressman GUTHRIE did, which is to take an individual component, an idea, and not load it up with a lot of other baggage which is going to capsize the insurance market, which we know is going to happen if other provisions of the reconciliation bill are passed, that we can actually get it done.

You are giving the White House a perfect excuse to veto this bill and robbing us of the ability to actually address this real problem, which section 305 does recognize, and H.R. 2050 is out there and is on standby for us to move forward on. So let's get rid of the blunt instruments, the baseball bats, and the butchering of this law, and let's focus on bipartisan surgical fixes to real problems.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I say to my friend from Connecticut that the point that he made was made very well by the gentleman from Oklahoma last night while we were in the Rules Committee. You only get to use this procedure once—actually, you can use it three times; but for a variety of different reasons, it is only going to come together for us once this year—and you have to choose how to do that.

I am thrilled—thrilled—that the story that the gentleman from Connecticut tells is of success for his constituents back home in Connecticut. I think that is fabulous. I think that is fabulous.

Mr. Speaker, I don't get to tell as many of those stories. I tell stories of folks who had plans that they liked, and those plans were outlawed by their government. I tell stories about folks who have doctors that they had had relationships with for decades, who were promised that if they liked their doctor they could keep their doctor, who lost access to their doctor because their government told them "no more for you."

I tell stories of the small businesses in the district that were doing the right thing by providing health care for their employees who have now been priced out of that marketplace. They are not required by law to do it, but rates have gone up so much they can't do it themselves—not because of our efforts to provide health care to people, but because of our efforts to tell people what kind of health care is good for them and what kind isn't.

Mr. Speaker, you may not know, the chairman of the Budget Committee is Georgia Congressman Dr. TOM PRICE. Dr. TOM PRICE, in H.R. 2300, has a replacement plan. Dr. TOM PRICE wants to see preexisting conditions out of the marketplace. Dr. TOM PRICE, in H.R. 2300, wants to see individuals able to move their policies from business to business, from place to place.

Mr. Speaker, it is a doctor-patient relationship. It is not a Federal Govern-

ment-patient relationship. It is not a Federal HHS, Health and Human Services-patient relationship, and it is not an insurance company-doctor relationship. It is about me and my physician, you and your physician, our families and our family physician, 320 million Americans at a time.

We have it right here in this institution. We have replacement options right here.

Do not let it be said that in the name of trying to bring sanity to our Federal spending, in the name of trying to fix the errors that were created in the Affordable Care Act, do not let it be said that any Member wants to trample on the healthcare opportunities that families have back home. Our goal is to expand those opportunities, not to contract them.

I celebrate what has happened in Connecticut. I only wish that folks in Connecticut, New York, and elsewhere would support us in Georgia with the challenges that we are having and help us get back to that very personal doctor-patient relationship that we believe is the right of every American.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the budget reconciliation bill avoids the real problems before us, including the debt limit, the Export-Import Bank, a highway bill, a looming shutdown, and more. Instead of addressing the urgent needs of the Nation, the bill doubles down on attacking women's health and marks the 61st time that the House majority has voted to repeal, to defund, or to undermine the Affordable Care Act.

Mr. Speaker, let's try to salvage something from the money we have spent on this hour here at a time that we have literally wasted again, for the 61st time. Let's salvage something from it by voting "no" on the previous question. We can actually accomplish something then.

If the previous question is defeated, we will be able to vote to take care of the issue of debt limit, the full faith and credit of the United States of America.

□ 1315

A simple vote "no" allows us to bring that up, vote for that, go home this weekend not having to be chewing everybody's nails and then everybody in the country wonders what in heck is going to be going on here.

Why don't we for a change here on this day, on this Thursday, do something positive, do something that needs doing, do something we know sooner or later we will do. Do it today on a clean bill, no additions of any kind, just to do it. It is an opportunity that I certainly hope people will take advantage of. I urge them to do that.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge my colleagues to vote “no” so that we can vote “yes” on a vote to deal with the debt limit issue and a “no” vote on the rule.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I firmly believe there is more that unites us than that divides us not just in this Chamber, but in this Nation.

As I have listened to my colleague from New York talk about some of the priorities that America has, I think she is spot on. I think she is spot on.

I am missing votes in the Transportation Committee right now where we are moving that long-term transportation bill so that I can be down here on the floor moving this reconciliation bill.

Mr. Speaker, there is a lot of rust in the gears around here. There is a lot of rust in the gears. It has been since the 1990s that Congress—House and Senate combined—have sent all the appropriations bills to the President before the end of the fiscal year. It has been since the 1990s.

Newt Gingrich ran this institution the last time we did that. Bill Clinton was in the White House the last time we did that. There is a lot of rust in the gears that has accumulated under both Republican and Democratic leadership in this place.

But this year we passed more appropriations bills earlier in the fiscal year than at any point since 1974. This year we are moving the first long-term highway bill that we have seen in almost a decade.

This year we have conferenced a balanced budget for America for the first time in a decade and a half. That is not just a notch to put on the belt of America to say this is what we have done. This is an opportunity to move this budget reconciliation bill.

Mr. Speaker, I do. I am saddened that reconciliation is a word that folks have to go and look up and learn, but it is the only way—the only way—in divided government that the people’s voice can be heard.

There is no other procedure in the United States Congress that allows 51 percent of America to prevail. There is no other ability in the United States Congress for the majority of Americans who have lent their power to Washington to express their views and change the law of the land, save this one.

Mr. Speaker, budget deficits have gone down each and every year since

Speaker JOHN BOEHNER stood right there where you are standing today and NANCY PELOSI handed him the gavel—every year—from record high levels now to the lowest budget deficit in the Obama administration, and we have an opportunity today to do more.

I have heard my colleagues on the other side of the aisle, Mr. Speaker, talk about those things that we can do together, and I agree. I agree.

I have heard my colleagues on the other side talk about their priorities in terms of raising the debt limit and not seeing the government shut down. I halfway agree.

I don’t want to see the government shut down either. We avoided a government shutdown 2 weeks ago and got a little thank you note from a young lady who was in the office.

She said: Dear Congressman, It was good to see you today. Thank you for not letting the American History museum close down while my family was in Washington.

There are real impacts to that. But the fact is the reason we are having the conversation is not because anybody wants to shut the government down. It is because folks want to borrow more money. Mortgaging our children’s future to the tune of \$18 trillion apparently is not mortgaging it enough. We are going to be back and make it \$19 trillion or \$19.5 trillion.

Mr. Speaker, we are not talking about a debt limit that is coming around today. We are talking about one that came around in the spring. The government has just been borrowing and borrowing and borrowing even beyond that debt limit, and they are borrowing because we are spending too much.

Mr. Speaker, look at the tax rolls right now. Do you realize, as we are standing here today, not only is America collecting more in constant dollars—not static dollars, but constant dollars adjusted for inflation—we are collecting more money than at any time in American history, any time.

Per capita in this country, Americans are paying more in taxes than they have ever paid in the history of the Republic, not in inflated 2015 dollars, but in constant dollars adjusted for inflation. The real impact on American families is greater today in taxes than ever before.

Mr. Speaker, the problem is not that we don’t raise enough money. The problem is that we spend too much money. I can’t count the number of good pieces of legislation that have gone to the Senate and failed not on their merits, but because a Democratic filibuster would not even allow the bill to be debated.

With this rule and with this underlying bill, we allow the people’s voice to be heard, we allow the American majority’s voice to be heard, and we have an opportunity to put a bill that

will make a difference for American families on the President’s desk for the very first time.

I encourage all of my colleagues’ strong support of the rule. Upon passage of that rule, Mr. Speaker, I encourage their strong support for the underlying reconciliation measure. We have an opportunity today together to make a difference.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 483 OFFERED BY
MS. SLAUGHTER OF NEW YORK

Strike all after the resolved clause and insert:

That immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3737) to responsibly pay our Nation’s bills on time by temporarily extending the public debt limit, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 2. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3737.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon’s Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker’s ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry,

asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2015

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to

include extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 481 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1937.

The Chair appoints the gentleman from Texas (Mr. MARCHANT) to preside over the Committee of the Whole.

□ 1323

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, with Mr. MARCHANT in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources.

The gentleman from Colorado (Mr. LAMBORN) and the gentleman from California (Mr. LOWENTHAL) each will control 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1937, the National Strategic and Critical Minerals Production Act of 2015. This bill was introduced by my good friend and colleague, Representative MARK AMODEI of Nevada, and myself as the first cosponsor.

Not a day goes by when Americans don't use a product that is made from critical minerals. In fact, life as we know it in the 21st century would not be possible without these minerals.

There would be no computers, no BlackBerry, no iPhones. There would be no MRIs, CAT scans, or x-ray machines. There would be no wind turbines or solar panels. Mr. Chairman, the list is exhaustive of these things that depend on critical and strategic minerals that make our lives possible.

Rare earth elements, a special subset of strategic and critical minerals, are core components of these products in the 21st century. Yet, despite the tremendous need for rare earth elements, the United States has allowed itself to become almost entirely dependent on

China and other foreign nations for these resources.

America has a plentiful supply of rare earth elements, but roadblocks to the development of these critical materials have resulted in China producing 97 percent of the world's supply. That is 97 percent.

Our current policies are handing China a monopoly on these elements, creating a dependence that has serious implications for American jobs, for our economy, and on our national security.

Burdensome red tape, duplicative reviews, frivolous lawsuits, and onerous regulations can hold up new mining projects here in the U.S. for more than 10 years. These unnecessary delays cost American jobs as we become more and more dependent on foreign countries, such as China, for these raw materials.

The lack of domestically produced strategic and critical minerals are prime examples of how the U.S. has regulated itself into a 100 percent dependency on at least 19 critical and unique minerals. It has also earned the United States the unique and unfortunate distinction of being ranked dead last when it comes to permitting mining projects.

The 2014 ranking of countries for mining investment out of 25 major mining countries found that the 7- to 10-year permitting delays are the most significant risk to mining projects in the U.S. We are dead last in that ranking. I can't speak for the other countries, but the reason the U.S. is so slow to issue new mining permits is very simple: government bureaucracy.

H.R. 1937, introduced by my colleague from Nevada, will help us end foreign dependence by streamlining government red tape that blocks America's strategic and critical mineral production. Instead of waiting for over a decade for mining permits to be approved, this bill sets a goal for the total review process for permitting at 30 months, 2½ years.

Now, this isn't a hard deadline, Mr. Chairman. It can be extended. But it is a goal to push the bureaucrats into action on these important infrastructure projects. It shouldn't take a decade to get a project built for minerals that we need in our everyday lives and for our national security. No company can reasonably forecast the price of minerals 10 years in advance.

Finally, above all, this is a Jobs bill. The positive economic impact of this bill will extend beyond just the mining industry. For every good-paying metal mining job created, an estimated 2.3 additional jobs are generated. For every nonmetal mining job created, another 1.6 jobs are created.

This legislation gives the opportunity for American manufacturers, small businesses, technology companies, and construction firms to use American resources to help make the products that are essential to our everyday lives.

As China continues to tighten global supplies of rare earth elements, we should respond with a U.S. mining renaissance that will bring mining and manufacturing jobs back.

The National Strategic and Critical Minerals Production Act, H.R. 1937, is important to our jobs and to our economy. We must act now to cut the Government red tape that is stopping American domestic production and furthering our dependence on foreign countries for our mineral needs.

Mr. Chairman, I reserve the balance of my time.

□ 1330

Mr. LOWENTHAL. Mr. Chair, I yield myself such time as I may consume.

This bill takes us in the wrong direction. It not only fails to make any meaningful reforms to our antiquated system of mining in this country, but it proposes to make them worse. We have a mining system that was put together in the 1870s when the number one goal for President Grant at that time was to get people to settle in the West. I am here to tell you, Mr. Chair, the West has been settled.

As a resident of southern California, we have this 150-year-old bill that really makes things as easy as possible for miners. We still have a law that doesn't require any royalties to be paid on the extraction of hard rock minerals on public lands. Let's be clear. If you drill for oil or gas on public lands or mine coal or soda ash or potash or a number of other minerals, what do you do? You pay a royalty to the American taxpayer, but not if you mine copper or silver or platinum or gold or other valuables. You get to mine royalty free.

When the Mining Law of 1872 was enacted, there was no such thing as environmental safeguards. There was no concept of the multiple uses of public lands to ensure that mining could coexist with grazing, with recreation or conservation. There were no requirements for miners to clean up after themselves when they were done mining. Simply mine as long as it is profitable, and when you are done, just pick up and leave, and don't worry about it, except that the people who live anywhere near the half million abandoned mines in this country need to worry about it. Communities located near the tens of thousands of miles of polluted rivers with toxic acid mine waste, they need to worry about it, and, certainly, the United States Congress needs to worry about it.

But, instead of tackling this problem, what does this bill do? It declares that the biggest problem we have with mining in this country is that we are not doing it fast enough.

So this bill proposes to undermine one of our bedrock environmental laws—the National Environmental Policy Act—and it makes land managers

who are reviewing mine plans prioritize mineral production over every other potential use of the land, which threatens hunting, fishing, grazing, and conservation.

Mr. Chair, it would be one thing if the data showed that a large number of mines were being delayed for no good reason; but, in fact, according to the data from the Bureau of Land Management, mines are getting approved much faster. We just heard that it takes a decade, but let's be clear what the data says.

Between 2005 and 2008, on average, 54 percent of the plans were approved in less than 3 years. In 2009 to 2014, 69 percent of the plans were approved in less than 3 years. So, in reality, rather than taking a decade, we are seeing that the Obama administration is permitting mines at a much faster rate than the Bush administration.

Now, I have an amendment that would address one of the key problems in this bill. This bill has an incredibly broad definition of what is a strategic and critical mineral. I have yet to hear anyone tell me—and we asked in committee—what mineral now doesn't qualify as strategic and critical under this bill. Certainly, none of the witnesses we had at our Natural Resources Committee hearing could, and the majority hasn't suggested anything. Now we are talking about expediting the process for sand and gravel, crushed stones, gold, silver, diamonds. All of these are now going to be considered strategic and critical by the definition in this bill. All get an expedited process for permitting, and they have weaker environmental reviews.

But, even if this bill were limited to the definition for critical minerals that the rest of the world goes by—basically, that those minerals be important, they be unique, and, most importantly, we are defining them as strategic and critical minerals because they are subject to a supply risk—it is clear that this bill does not help.

We had one rare earth element mine start up in this country a few years ago. The rare earth elements are ones that are truly critical. Two months ago, that mine stopped operating because prices were too low. That is what has happened. That one mine was already permitted, already built, and already operating, and it had to be shut down because of economics.

I don't think changing the environmental laws in any way solves the problem of economics, but it certainly would help major international mining conglomerates—companies based in Canada or Australia. It is going to help them grease the skids when they want to open their next giant copper mine or gold mine or uranium mine right next to a national park or a sensitive watershed.

Mr. Chair, this bill is bad policy. The outcomes here won't be any different

than the outcomes over the past two Congresses. This bill is dead on arrival in the Senate, and the administration has already expressed its strong opposition.

What should we be doing?

We should be here today, discussing how to fix our outdated and antiquated mining laws, how to make mining companies pay their fair share, how to clean up the half million abandoned mines that litter our landscape from coast to coast. We shouldn't be here talking about a bill that is only going to make things worse.

I urge my colleagues to oppose H.R. 1937.

Mr. Chair, I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

I would point out to my friend and colleague from California that the National Research Council study has said: "All minerals and mineral products could be or could become critical to some degree depending on their importance and availability."

So you have to look at the total circumstances surrounding the current supply of a mineral and what that mineral is, and they all, literally, could fit that definition according to the National Research Council.

Mr. Chairman, I yield 3 minutes to the gentlewoman from the great State of Wyoming (Mrs. LUMMIS), my colleague, who is also the vice chairman of the full Committee on Natural Resources.

Mrs. LUMMIS. I want to thank Chairman LAMBORN and my good friend and fellow Western Caucus member, Nevada Representative AMODEI, for their work on this important legislation.

Mr. Chairman, let me start by addressing why strategic minerals matter and why we ought to have a piece of legislation like this.

My home State of Wyoming is the headquarters for our Nation's nuclear intercontinental ballistic missile force. These missiles ensure that those who would do us harm are deterred from using nuclear weapons. These weapons are on call 24 hours a day, 365 days a year, but they need regular maintenance and replacement components. Rare earth elements are an important part of these components—from batteries, to computer chips, to display screens and engines. These components—components vital to our technological edge—would require elements that can be difficult to procure.

Now, China controls nearly 80 percent of rare earth production. As we know, China has used this leverage to bully our allies, to limit exports at a time of a dispute, especially recently, with Japan over the control of islands in the South China Sea. The U.S. Navy plans to conduct operations in the area

to remind China of the importance of respecting maritime boundaries and the freedom of navigation; but China is using its 80 percent share of rare earth minerals to leverage our allies. They can do it anytime they want because they have such massive control of this resource.

The bill that Mr. AMODEI is sponsoring, the National Strategic and Critical Minerals Production Act, would simplify the permitting process for domestic mines that will provide resources used in components that are vital to our national security. That is why we need to do it.

Here is an example of the existing problem.

In my home State of Wyoming, the Bear Lodge Critical Rare Earth Project has been going through the current process since 2011. It will be the only large-scale production facility in the U.S. for some rare earth elements designated as critical by the U.S. Department of Energy. They have to coordinate their permit application between the Forest Service, the Nuclear Regulatory Commission, the Army Corps of Engineers, and the Department of Energy.

Under Mr. AMODEI's legislation, one Federal agency would become the lead agency and set project timelines for permit applications and decisions. The total review process would not be authorized to exceed 30 months unless extended by all parties involved. These parties would include State and local governments and local stakeholders. This ensures that local voices will be heard.

Mr. Chairman, I cannot emphasize enough how important I think this legislation is. I am a cosponsor of the legislation. It passed the House in previous Congresses on a bipartisan basis. I urge my colleagues to vote "yes" on H.R. 1937. I thank Mr. AMODEI for his thoughtful consideration of this bill.

Mr. LOWENTHAL. Mr. Chairman, I yield myself such time as I may consume.

I would just like to point out that the proponent of the bill has said—I believe it was the National Research Council—that all minerals and products could be or could become critical to some degree. That is really what they said, but let's be clear what this bill says and what the National Research Council's definition is. That is, really, what we are talking about, and we are going to discuss that later on.

Just what is the definition?

In the bill that we see before us, in terms of strategic and critical minerals, the term "strategic and critical" means minerals that are necessary for national defense and national security requirements—there certainly are some of those—for the national energy infrastructure, including pipelines, refining capacity, electrical power generation, and transmission and renew-

able energy products, for supporting the domestic manufacturing of any mineral for agriculture, housing, telecommunications, health care, transportation and infrastructure, or for the Nation's economic security and balance of trade. For that reason, they are saying let's shorten the process, expedite NEPA—the National Environmental Policy Act—and let's expedite this process.

I ask you: What mineral is not included in this definition? They are including everything.

Let's see what, in actuality, the National Research Council said. They published the report in 2008. It was called: "Minerals, Critical Minerals, and the U.S. Economy," and it defined what should be our definition of strategic and critical minerals.

It states: "To be 'critical,' a mineral must be essential in use." We agree. They talk about strategic, and those proponents talk about essential minerals; but the National Research Council also says: "To be considered 'critical and strategic,' it must be subject to supply restriction." We do not see anything in this bill about supply restriction.

Therefore, what it is is a blank check for mining companies to mine anywhere, to have an expedited process so as not to protect communities; and I think that is a great mistake and takes us the wrong way and is exactly the opposite of what the National Research Council has called for.

Mr. Chair, I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR), who is also a member of the Natural Resources Committee.

Mr. GOSAR. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of H.R. 1937, the National Strategic and Critical Minerals Production Act.

This commonsense legislation will streamline the permitting process and allow for better coordination amongst the relevant State and Federal agencies in order to foster economic growth, create jobs, and ensure a robust domestic supply of strategic and critical minerals.

People have been digging in Arizona for precious metals for centuries. In the 1850s, nearly one in every four people in Arizona was a miner. Without a doubt, mining fueled the growth that makes Arizona the State it is today. In fact, it is part of the five Cs that built Arizona with copper.

□ 1345

Today, the Arizona mining industry is alive. Minerals such as copper, coal, gold, uranium, lime, and potash are still mined throughout my district, but not at the levels they used to be.

These projects employ hundreds of my constituents with high-paying jobs,

jobs that pay over \$50,000 to \$60,000 a year, plus benefits. In rural Arizona, these types of jobs are few and far between.

As I meet with companies that do business throughout my State, the message is clear: we could do better. The length, complexity, and uncertainty of the permitting process is stymieing development and discouraging investors from committing to U.S. mining.

The folks on the ground tell me that because of regulatory excessive overreach by the Federal Government and the cumbersome permitting process, that it can take as long as 10 years. It is becoming a bad business decision to even attempt to get a new U.S. mine off the ground, despite a bountiful supply of domestic resources. We must correct this problem and prevent more American jobs from leaving America.

Rare earth and other critical minerals have been discovered throughout rural Arizona, have been the main economic driver and provider of jobs for communities that otherwise probably wouldn't make it at all. The critical minerals produced in these areas are resources our country badly needs to meet the demand for production of everyday items like cell phones, computers, batteries, and cars.

Let's lessen our dependency on importing critical minerals from countries like China and restore some sanity to our permitting and regulatory process so we can get American miners back to work. Imagine our slogan, "Made in the USA with materials mined in the USA." Now, that is what this bill is all about.

I applaud Mr. AMODEI for his leadership on this critical issue and urge my colleagues to vote "yes" on H.R. 1937.

Mr. LOWENTHAL. Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chair, today we are debating yet another Republican bill restricting access to the courts to only those with deep pockets. H.R. 1937 continues the alarming trend of Republican-sponsored legislation that proposes to limit the average American's access to the courts so businesses that line the pockets of these politicians with campaign contributions can continue to profit.

Misleadingly disguised as a bill stimulating the increased production of strategic minerals, this legislation is actually about shielding the mining industry's poor environmental practices from accountability to victims while simultaneously disenfranchising mining-impacted communities.

H.R. 1937 allows regulators to exempt mining projects from the Equal Access to Justice Act, EAJA. The EAJA allows average Americans access to legal representation to protect their communities. Without EAJA, impacted communities cannot afford lawyers, much

less the litany of scientific and technical experts needed to mount a serious challenge to a multinational mining company. This exemption cripples the ability of those concerned with environmental protection to seek representation and redress in the courts.

For that reason, I urge my colleagues to vote “no” on this bill and preserve justice for all.

Mr. LAMBORN. Mr. Chair, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG), a senior member of the Natural Resources Committee.

Mr. YOUNG of Alaska. Mr. Chair, I am very proud of this bill, and I am a sponsor of this bill, and no one is lining my pockets. I resent that comment. I am thinking of the United States of America and how we are importing these 31 known minerals and the process that we have to go through to mine our own natural resources in our great Nation.

It impedes our capability to be secure, regardless of what one might say. You just don't do this overnight. You have to have time to develop, especially the rare earths. The rest of the minerals we are importing using outside people, countries to import those products from, which we live with. We have people in this Congress and across this place who say we don't need it. We have to follow the example.

By the way, if a miner tries to develop a mine, you have to go through so many different permits; and then when you get done, guess what we have. The lawyers from the big, big environmental organizations like the Safari Club, Sierra Club, and Friends of the Earth, all 58 different groups, file suit by a legal body that impedes the progress for this Nation.

We cannot continue to import all which we need to have this living style we have today, yet that is what a lot of people on that side of the aisle insist upon.

This is a good bill. Mr. AMODEI thought about this bill. How do we retain our security? But more than that, how do we keep jobs within the United States? His comment is “made in the United States by resources mined in the United States.” That is what we should be looking at as this Congress instead of following, I call it, the blind piper: We don't need to drill our oil; we will buy it from abroad. We don't need to mine our minerals; we will buy it from abroad. And, by the way, we will ship our jobs overseas, and we will be further in debt \$18 trillion.

We need our resources. That is what made this Nation great. Everything in this room, in these hallowed Halls, this body came from the earth. It was mined, it was cut, it was manufactured from the earth. Why should we buy it from abroad?

Let's be American. Let's mine for our resources. Let's cut our trees for our resources. Let's build our resources. As

it says right up there: “Let us use our resources God has given for the benefit of mankind.” If we don't do that, we are abusing the job we have here.

Mr. LOWENTHAL. Mr. Chair, I yield myself such time as I may consume.

I would really like to discuss in a little bit more detail the idea that the permitting process is so onerous, that it takes so long to do it.

In 2012, 2013, and 2014, let's talk about the last 3 years of permitting of mines, of plans of operation, what really is the data? I will tell you that of all the plans of operation that were approved in 2012, 93 percent of them were done in 3 years or less; in 2013, 79 percent were done in 3 years or less; and in 2014, it was 68 percent. In summary, in the last 3 years, close to 80 percent of all plans of operation were permitted in less than 3 years. So we are not talking about an onerous time.

Also, let us remember that the same bill was twice introduced last year. It was twice introduced in the last session, and it was also introduced once in the 112th Congress. It never got taken up in the Senate.

This bill, if it ever did get through, let's see what the administration says. I read to you a Statement of Administration Policy:

“The Administration strongly opposes H.R. 1937, which would undermine existing environmental safeguards for, at a minimum, almost all types of hardrock mines on Federal lands. Specifically, H.R. 1937 would undermine sound Federal decision-making by eliminating the appropriate reviews under the National Environmental Policy Act if certain conditions are met, circumventing public involvement in mining proposals, and bypassing the formulation of alternatives to proposals, among other things. The Administration also opposes the legislation's severe restrictions on judicial review. Although the legislation purports to limit litigation, its extremely short statute of limitations and vague constraints on the scope of prospective relief that a court may issue are likely to have the opposite effect.

“The Administration strongly supports the development of rare earth elements and other critical minerals, but rejects the notion that their development is incompatible with existing safeguards regarding the uses of public lands, environmental protection, and public involvement in agency decision-making.”

If we are really concerned about updating this old law, let's work together and come up with a better definition of what is a critical and strategic mineral and let us not eviscerate the environmental protections and the public participation which we now afford people.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I include in the RECORD an exchange of letters between Chairman BISHOP and

Chairman GOODLATTE of the Judiciary Committee on this bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, 28 July 2015.

Hon. ROBERT GOODLATTE,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR MR. CHAIRMAN: On July 9, 2015, the Committee on Natural Resources ordered favorably report H.R. 1937, National Strategic and Critical Minerals Production Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on the Judiciary.

I ask that you allow the Committee on the Judiciary to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support having the Committee on the Judiciary represented on the conference committee. Finally, I would be pleased to include this letter and your response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record when the bill is considered by the House. Thank you for your consideration of my request, and for your continued strong cooperation between our committees.

Sincerely,

ROB BISHOP,
Chairman,
Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 28, 2015.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN BISHOP, I am writing with respect to H.R. 1937, the “National Strategic and Critical Minerals Production Act of 2015,” which the Committee on Natural Resources recently ordered reported favorably. As a result of your having consulted with us on provisions in H.R. 1937 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1937 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 1937.

Sincerely,

BOB GOODLATTE,
Chairman.

Mr. LAMBORN. Mr. Chair, I yield 3 minutes to the gentleman from Utah (Mr. BISHOP), chairman of the Natural Resources Committee.

Mr. BISHOP of Utah. Mr. Chair, they once asked the famous spitball pitcher Gaylord Perry if he put a foreign substance on the ball, and he calmly answered: No. Vaseline is 100 percent American product.

We used to only have to import a handful of rare earth minerals in this country, like eight. Today, we are importing dozens of them because we have, with this administration, a policy of trying to stockpile these resources. Hopefully, when we get through them, we will be able to find some other country that can help us to resupply those resources, kind of like Blanche in "A Streetcar Named Desire," where we are dependent on the kindness of strangers at all times.

Would it not be wiser for us simply to have a consistent policy where we actually have a workforce that is developing, on a regular basis, these rare earth minerals that we can have for our use so that we can have the jobs from them, it can help our economy, and it could give us the security we desperately need? We don't need to keep importing stuff into this country. I mean, we imported the Expos from Montreal to here in Washington. That should be sufficient. That is enough.

I read an article the other day about mining rare earth minerals in the Democratic Republic of the Congo where rare minerals, necessary for iPhones and the Samsung Galaxy phones, were being produced. Miners used their bare hands to filter out the minerals in order to earn a whopping \$5 a day. If the miners use their hands to find the rare minerals, how do you think they handled environment protections and how do you think they reclaimed these projects?

What we need desperately is to use 21st century technology and pay our labor force 21st century wages to produce the strategic and critical minerals that are necessary for our way of life and not be dependent on other countries for these minerals and not take advantage of their miners. This is a no-brainer. Let's do the right thing. As Satchel Paige said: Just throw strikes. Home plate don't move.

We know what we are doing. Pass this bill. It is a good bill.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Chair notes a disturbance in the gallery in contravention of the law and rules of the House.

The Sergeant At Arms will remove those persons responsible for the disturbance and restore order to the gallery.

Mr. LOWENTHAL. Mr. Chair, I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK), who is also a member of the Committee on Natural Resources.

Mr. BENISHEK. Mr. Chair, I rise today in strong support of H.R. 1937,

the National Strategic and Critical Minerals Production Act.

Over the past several decades, our Nation has lagged far behind much of the world in the development and extraction of domestic mineral resources. Falling behind on this front has made our Nation dependent on foreign sources of many vital mineral resources that our economy and national defense need to continue functioning.

Falling behind has also led to the loss of good-paying jobs throughout the country. We have seen this in my district in northern Michigan in the mines that have shut down and the mines that have not been permitted. There is a mine in the western part of my district that has been over 10 years in the permitting process and is still not near open. These jobs are critically needed in my district.

The mines of the U.P. have served our country in times of need, providing many of the raw minerals that we have needed for national defense. If the resources that we have beneath our feet were needed today, these mines would have to go through a significant permitting process that would likely take almost 20 years.

While I support making sure that we behave in an environmentally responsible manner, it is ridiculous that overly burdensome Federal regulations are keeping us from being competitive in the world economy. This bill will cut through some of the bureaucratic red tape that is holding our economy back, leading to a nation that is less dependent on foreign resources for vital natural resources and creating jobs.

I urge all my colleagues to support the responsible development of our domestic natural resources and to vote in favor of this commonsense and long-overdue legislation.

□ 1400

Mr. LOWENTHAL. Mr. Chairman, I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 5 minutes to the gentleman from the Silver State, Nevada (Mr. AMODEI), a former member of the Committee on Natural Resources and the author of this bill.

Mr. AMODEI. Mr. Chairman, God forbid we place dealing with bedrock American issues ahead of the culture of political cliché. It is always nice to be informed of what the status is in the Intermountain West by people from towns that end in the name "Beach."

I find it incredibly interesting that we have heard on several occasions that the administration's average for the supermajority of applications is 36 months or less and how we need to work together on things when the legislation on the floor right now calls for a 30-month timeframe, which is extendable, by the way, with the consent of both parties.

So instead of, Well, let's have an amendment to make it 36 months and

put this on the suspension calendar, we are subjected to "This is bad" and "It disenfranchises the public" and all that.

Let's talk about what this is really about. There is an old saying in the law: When you have got the facts, you argue the facts. When you have got the law, you argue the law. When you don't have either, you just argue.

Here we are. Because everybody in the room knows, depending on what side of the issue you are on, the big tool in this thing is, if we can outwait them, the capital will go elsewhere. Guess what. The folks that believe in that are winning.

When we talk about those bedrock American issues, things like jobs, things like public participation—you know, 30 months, that is longer than we get to hang out here after the people of our district give us their voting card. That is longer—used to be—than somebody would take to try to talk you into voting for them for Governor or President.

Nobody can accuse this legislation, at 2½ years, extendable by stipulation, of forcing the public to sit on their hands. Jobs, participation of the public, balance of trade, that is not important.

I mean, why should we be concerned about balance of trade and exporting the minerals that this country is wealthy with? You want to talk about abandoned mines? In my State, those folks happen to be doing a great job. If you want to talk about the culture of the 1870s, yeah, but it has come a long way.

God forbid, when we talk about paying your fair share, in my State, the industry pays north of \$80,000 a year. Those people pay Federal income taxes. They buy goods and services that are federally taxed: gasoline, tires, all that stuff. But, no, let's send those jobs overseas where none of that happens. None of that happens. That is smart policy. I simply disagree.

God forbid we talk about commercial supplies, national security, strategic supplies. Other speakers have talked about that. This is not some dream job for the minerals extraction industry.

Oh, by the way, let's not look at the folks down in the Palmetto State right now who are experiencing phenomenal floods that might need materials to kind of rebuild their State.

God forbid we talk about sand and gravel for those folks in the Golden State after the Loma Prieta earthquake and they needed to rebuild things called freeways lickety-split.

This is not about supplying sand for your kid's sandbox. This is not about gravel for your driveway in your subdivision. This is about having flexibility to address issues that are mineral related. Because you know what, nobody has called this place, regardless of who is running it, nimble.

When one of these issues comes up, God forbid you give them: That is right, folks. Hang on to your hats. Thirty months to try to get the permission from the Federal Government to extract minerals on that.

With all due respect, what this is all about is: Do you continue to let folks who are opposed to things try to starve them out and wait and wait and wait until the capital goes elsewhere or do you take the folks and the administration's word: Nice job. Takes you 36 months? You want us to change it to 33 months and put it on the suspension calendar? I will do it. But short of that, me thinks thou doth protest too much.

I solicit your earnest support, and I am looking forward to the Senate work on it this time because we are nimble compared to those folks on the north end of the building.

Mr. LOWENTHAL. Mr. Chairman, I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I am prepared to close.

I reserve the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, I yield myself the balance of my time.

In closing, we have heard in this discussion that we should have a sweeping definition, every mineral should be under the definition of a critical mineral, and that we should not be beholden to foreign sources if we don't do that. Well, I agree in many ways. We should not be.

This bill doesn't really deal with that issue because, if the authors were really concerned about restrictions to the supply, they would make the definition of "critical" and "strategic minerals" much narrower. We would not give up our environmental protections. We would not give up our public participation. We would not give up our legal protections when, in fact, there is no danger to the Nation's supply of this mineral.

The problems are really that we are now broadly including everything under this definition, and the bill that is in the Senate under—I think it is Senator MURKOWSKI—has a much more limited definition of what is a strategic and critical mineral.

I urge the authors here, the proponents, to really amend this bill so that we can all work together on this to really restrict the two very specific occasions of when we would enable a change in the protections that we already have under NEPA. Right now, everything is included. This eviscerates all of our protections. I urge a "no" vote.

Mr. Chairman, I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield myself the balance of my time.

In closing, much has been debated here on the floor about what is strategic and what is not strategic. Let me suggest two ways that you could define strategic minerals.

You could define it by making a definition so narrow that, in effect, the legislation picks winners and losers or you could write law that says that certain conditions that require certain elements will be the driver of what is strategic and critical. That means the marketplace will decide what is strategic and critical.

I think that is a much better approach when I talk about this because I recall hearing that, in the late 1890s, the U.S. Patent Office issued a statement—I think I have this correct here—saying that we ought to close down the U.S. Patent Office because everything that can be invented has been invented.

That was in the 1890s. That was before airplanes. That was before cars were commercially available. That was before most telecommunications. This means all the minerals that go into these things weren't even thought of at that time.

What we do in this bill is just very straightforward. We say that the strategic and critical minerals will meet any of the following four criteria—and, by the way, you can find these on page 5, section 3, under "Definitions":

A, for national defense and national security. That is so evident, it hardly needs to be debated.

B, for the Nation's energy infrastructure, including pipelines and refining. That is because of the importance of energy. That certainly should not be debated because we have to have a good energy source if we are going to have a growing economy.

Also, C, to support domestic manufacturing. That includes, obviously, agriculture and housing as well. In other words, to support our economy. Doesn't that make good sense to have a source of strategic and critical minerals for that?

Finally, D, for the Nation's economic security and balance of trade. That makes such good sense because we are seriously out of balance now with China.

This approach is more of a long-term solution because 25 years from now there will be a mineral that somebody will find that will be used for new technology. But if we have defined it so narrowly, as the other side would suggest, that we don't know what that technology is, we have, in fact, been picking winners and losers, and that is the wrong approach.

The right approach is what is embodied in this bill to say that these four conditions will be the ones that define strategic and critical minerals.

Finally, let me close on this: Some people make fun of sand and gravel as being strategic. I guarantee you that, after a major earthquake in northern or southern California, when the freeways collapse, I can tell you that cement and sand and gravel will absolutely fit that definition.

In this bill, strategic and critical minerals are not defined, as some have suggested, as all minerals all the time. Instead, H.R. 1937 allows any mineral to be deemed strategic and critical at a given time when the appropriate situation warrants it. This is vital to protecting our economy, our jobs, and our way of life.

Mr. Chairman, I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chair, I will vote against H.R. 1937, a bill that weakens environmental safeguards while bolstering the mining industry's special privileges on federal lands.

The language in the bill is written in such a way to cover virtually all hardrock mining on federal lands. Instead of using a scientific definition of a critical mineral, a mineral for which there is no substitute, H.R. 1937 considers gravel and sand to be critical minerals, leading to fast-tracked permits for practically any hardrock mines, even when the materials are plentiful. In addition, the bill classifies hardrock mines as infrastructure projects in order to allow hardrock mines to access a streamlined permit process intended for actual infrastructure projects such as surface transportation and pipelines, which have far less of an environmental impact.

The bill directs the Bureau of Land Management and the Forest Service to simplify the process for obtaining permits to extract minerals from federal lands, including eliminating adequate reviews under the National Environmental Policy Act (NEPA). It is widely known that the NEPA review process, through the formulation of alternative proposals and the consideration of public input, leads to improved federal decision-making and better projects. In the end, NEPA saves time, money and reduces negative impacts. Furthermore, NEPA is the primary balancing mechanism against the mining industry's privileged access to billions of dollars worth of minerals on federal lands. The mining industry already enjoys access to hardrock minerals on public lands without paying taxpayers anything.

Finally, the bill limits the ability of aggrieved communities to use the court system to hold the government accountable when contamination from hardrock mining threatens their groundwater or drinking water. H.R. 1937 exempts legal cases brought against hardrock mines from the Equal Access to Justice Act, which means that winning plaintiffs cannot collect attorney fees from the government, ultimately ensuring that poor communities will never challenge these decisions in court.

I support efforts to strengthen our mining regulations. H.R. 1937, however, is a step in the wrong direction. We should be looking to reform the antiquated General Mining Law of 1872. Nearly a century and a half later, a law signed by President Ulysses S. Grant remains the law of the land and carries with it a toxic legacy. The GAO estimates that there may be more than 160,000 abandoned hardrock mines and that 20% of these sites (roughly 33,000) have degraded the environment by contaminating surface water and groundwater or leaving arsenic-contaminated tailings piles.

In its place, the Hardrock Mining Reform and Reclamation Act, H.R. 963, is a meaningful attempt at comprehensive reform and yet it

remains stuck in committee. Unlike the bill being considered on the floor today, H.R. 963 would protect communities and their surroundings by balancing mining with other uses of public land. This legislation would put in place environmental controls to protect water, create jobs and protect natural areas by funding the clean-up of abandoned mines, and compensate taxpayers for the extraction of natural resources.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule, and shall be considered as read.

The text of the bill is as follows:

H.R. 1937

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Strategic and Critical Minerals Production Act of 2015”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The industrialization of developing nations has driven demand for nonfuel minerals necessary for telecommunications, military technologies, healthcare technologies, and conventional and renewable energy technologies.

(2) The availability of minerals and mineral materials are essential for economic growth, national security, technological innovation, and the manufacturing and agricultural supply chain.

(3) The exploration, production, processing, use, and recycling of minerals contribute significantly to the economic well-being, security and general welfare of the Nation.

(4) The United States has vast mineral resources, but is becoming increasingly dependent upon foreign sources of these mineral materials, as demonstrated by the following:

(A) Twenty-five years ago the United States was dependent on foreign sources for 45 nonfuel mineral materials, 8 of which the United States imported 100 percent of the Nation's requirements, and for another 19 commodities the United States imported more than 50 percent of the Nation's needs.

(B) By 2014 the United States import dependence for nonfuel mineral materials increased from 45 to 65 commodities, 19 of which the United States imported for 100 percent of the Nation's requirements, and an additional 24 of which the United States imported for more than 50 percent of the Nation's needs.

(C) The United States share of worldwide mineral exploration dollars was 7 percent in 2014, down from 19 percent in the early 1990s.

(D) In the 2014 Ranking of Countries for Mining Investment (out of 25 major mining countries), found that 7- to 10-year permitting delays are the most significant risk to mining projects in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) STRATEGIC AND CRITICAL MINERALS.—The term “strategic and critical minerals” means minerals that are necessary—

(A) for national defense and national security requirements;

(B) for the Nation's energy infrastructure, including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production;

(C) to support domestic manufacturing, agriculture, housing, telecommunications, healthcare, and transportation infrastructure; or

(D) for the Nation's economic security and balance of trade.

(2) AGENCY.—The term “agency” means any agency, department, or other unit of Federal, State, local, or tribal government, or Alaska Native Corporation.

(3) MINERAL EXPLORATION OR MINE PERMIT.—The term “mineral exploration or mine permit” includes—

(A) Bureau of Land Management and Forest Service authorizations for pre-mining activities that require environmental analyses pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) plans of operation issued by the Bureau of Land Management and the Forest Service pursuant to 43 CFR 3809 and 36 CFR 228A or the authorities listed in 43 CFR 3503.13, respectively, as amended from time to time.

TITLE I—DEVELOPMENT OF DOMESTIC SOURCES OF STRATEGIC AND CRITICAL MINERALS

SEC. 101. IMPROVING DEVELOPMENT OF STRATEGIC AND CRITICAL MINERALS.

Domestic mines that will provide strategic and critical minerals shall be considered an “infrastructure project” as described in Presidential order “Improving Performance of Federal Permitting and Review of Infrastructure Projects” dated March 22, 2012.

SEC. 102. RESPONSIBILITIES OF THE LEAD AGENCY.

(a) IN GENERAL.—The lead agency with responsibility for issuing a mineral exploration or mine permit shall appoint a project lead within the lead agency who shall coordinate and consult with cooperating agencies and any other agency involved in the permitting process, project proponents and contractors to ensure that agencies minimize delays, set and adhere to timelines and schedules for completion of the permitting process, set clear permitting goals and track progress against those goals.

(b) DETERMINATION UNDER NEPA.—

(1) IN GENERAL.—To the extent that the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applies to the issuance of any mineral exploration or mine permit, the requirements of such Act shall be deemed to have been procedurally and substantively satisfied if the lead agency determines that any State and/or Federal agency acting pursuant to State or Federal (or both) statutory or procedural authorities, has addressed or will address the following factors:

(A) The environmental impact of the action to be conducted under the permit.

(B) Possible adverse environmental effects of actions under the permit.

(C) Possible alternatives to issuance of the permit.

(D) The relationship between local long- and short-term uses of man's environment and the maintenance and enhancement of long-term productivity.

(E) Any irreversible and irretrievable commitment of resources that would be involved in the proposed action.

(F) That public participation will occur during the decisionmaking process for authorizing actions under the permit.

(2) WRITTEN REQUIREMENT.—In reaching a determination under paragraph (1), the lead agency shall, by no later than 90 days after receipt of an application for the permit, in a written record of decision—

(A) explain the rationale used in reaching its determination;

(B) state the facts in the record that are the basis for the determination; and

(C) show that the facts in the record could allow a reasonable person to reach the same determination as the lead agency did.

(c) COORDINATION ON PERMITTING PROCESS.—The lead agency with responsibility for issuing a mineral exploration or mine permit shall enhance government coordination for the permitting process by avoiding duplicative reviews, minimizing paperwork, and engaging other agencies and stakeholders early in the process. For purposes of this subsection, the lead agency shall consider the following practices:

(1) Deferring to and relying upon baseline data, analyses and reviews performed by State agencies with jurisdiction over the proposed project.

(2) Conducting any consultations or reviews concurrently rather than sequentially to the extent practicable and when such concurrent review will expedite rather than delay a decision.

(d) MEMORANDUM OF AGENCY AGREEMENT.—If requested at any time by a State or local planning agency, the lead agency with responsibility for issuing a mineral exploration or mine permit, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the project sponsor, State and local governments, and other appropriate entities to accomplish the early coordination activities described in subsection (c).

(e) SCHEDULE FOR PERMITTING PROCESS.—For any project for which the lead agency cannot make the determination described in 102(b), at the request of a project proponent the lead agency, cooperating agencies, and any other agencies involved with the mineral exploration or mine permitting process shall enter into an agreement with the project proponent that sets time limits for each part of the permitting process, including for the following:

(1) The decision on whether to prepare a document required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) A determination of the scope of any document required under the National Environmental Policy Act of 1969.

(3) The scope of and schedule for the baseline studies required to prepare a document required under the National Environmental Policy Act of 1969.

(4) Preparation of any draft document required under the National Environmental Policy Act of 1969.

(5) Preparation of a final document required under the National Environmental Policy Act of 1969.

(6) Consultations required under applicable laws.

(7) Submission and review of any comments required under applicable law.

(8) Publication of any public notices required under applicable law.

(9) A final or any interim decisions.

(f) TIME LIMIT FOR PERMITTING PROCESS.—In no case should the total review process described in subsection (d) exceed 30 months unless extended by the signatories of the agreement.

(g) LIMITATION ON ADDRESSING PUBLIC COMMENTS.—The lead agency is not required to address agency or public comments that were not submitted during any public comment periods or consultation periods provided during the permitting process or as otherwise required by law.

(h) FINANCIAL ASSURANCE.—The lead agency will determine the amount of financial assurance for reclamation of a mineral exploration or mining site, which must cover the

estimated cost if the lead agency were to contract with a third party to reclaim the operations according to the reclamation plan, including construction and maintenance costs for any treatment facilities necessary to meet Federal, State or tribal environmental standards.

(i) **APPLICATION TO EXISTING PERMIT APPLICATIONS.**—This section shall apply with respect to a mineral exploration or mine permit for which an application was submitted before the date of the enactment of this Act if the applicant for the permit submits a written request to the lead agency for the permit. The lead agency shall begin implementing this section with respect to such application within 30 days after receiving such written request.

(j) **STRATEGIC AND CRITICAL MINERALS WITHIN NATIONAL FORESTS.**—With respect to strategic and critical minerals within a federally administered unit of the National Forest System, the lead agency shall—

(1) exempt all areas of identified mineral resources in Land Use Designations, other than Non-Development Land Use Designations, in existence as of the date of the enactment of this Act from the procedures detailed at and all rules promulgated under part 294 of title 36, Code of Federal Regulations;

(2) apply such exemption to all additional routes and areas that the lead agency finds necessary to facilitate the construction, operation, maintenance, and restoration of the areas of identified mineral resources described in paragraph (1); and

(3) continue to apply such exemptions after approval of the Minerals Plan of Operations for the unit of the National Forest System.

SEC. 103. CONSERVATION OF THE RESOURCE.

In evaluating and issuing any mineral exploration or mine permit, the priority of the lead agency shall be to maximize the development of the mineral resource, while mitigating environmental impacts, so that more of the mineral resource can be brought to the marketplace.

SEC. 104. FEDERAL REGISTER PROCESS FOR MINERAL EXPLORATION AND MINING PROJECTS.

(a) **PREPARATION OF FEDERAL NOTICES FOR MINERAL EXPLORATION AND MINE DEVELOPMENT PROJECTS.**—The preparation of Federal Register notices required by law associated with the issuance of a mineral exploration or mine permit shall be delegated to the organization level within the agency responsible for issuing the mineral exploration or mine permit. All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated and transmitted to the Federal Register from the office where documents are held, meetings are held, or the activity is initiated.

(b) **DEPARTMENTAL REVIEW OF FEDERAL REGISTER NOTICES FOR MINERAL EXPLORATION AND MINING PROJECTS.**—Absent any extraordinary circumstance or except as otherwise required by any Act of Congress, each Federal Register notice described in subsection (a) shall undergo any required reviews within the Department of the Interior or the Department of Agriculture and be published in its final form in the Federal Register no later than 30 days after its initial preparation.

TITLE II—JUDICIAL REVIEW OF AGENCY ACTIONS RELATING TO EXPLORATION AND MINE PERMITS

SEC. 201. DEFINITIONS FOR TITLE.

In this title the term “covered civil action” means a civil action against the Fed-

eral Government containing a claim under section 702 of title 5, United States Code, regarding agency action affecting a mineral exploration or mine permit.

SEC. 202. TIMELY FILINGS.

A covered civil action is barred unless filed no later than the end of the 60-day period beginning on the date of the final Federal agency action to which it relates.

SEC. 203. RIGHT TO INTERVENE.

The holder of any mineral exploration or mine permit may intervene as of right in any covered civil action by a person affecting rights or obligations of the permit holder under the permit.

SEC. 204. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.

SEC. 205. LIMITATION ON PROSPECTIVE RELIEF.

In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a legal requirement, and is the least intrusive means necessary to correct that violation.

SEC. 206. LIMITATION ON ATTORNEYS' FEES.

Sections 504 of title 5, United States Code, and 2412 of title 28, United States Code (together commonly called the Equal Access to Justice Act) do not apply to a covered civil action, nor shall any party in such a covered civil action receive payment from the Federal Government for their attorneys' fees, expenses, and other court costs.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. SECRETARIAL ORDER NOT AFFECTED.

Nothing in this Act shall be construed as to affect any aspect of Secretarial Order 3324, issued by the Secretary of the Interior on December 3, 2012, with respect to potash and oil and gas operators.

The CHAIR. No amendment to this bill is in order except for those printed in House Report 114-301. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. LOWENTHAL

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-301.

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, strike lines 1 through 15 and insert the following:

(1) **STRATEGIC AND CRITICAL MINERALS.**—The term “strategic and critical minerals”—

(A) except as provided in subparagraph (B), means—

(i) minerals and mineral groups identified as critical by the National Research Council in the report titled “Minerals, Critical Minerals, and the U.S. Economy” and dated 2008; and

(ii) additional minerals identified by the Secretary of the Interior based on the Na-

tional Research Council criteria in such report; and

(B) does not include sand, gravel, or clay.

Page 5, line 25, after “ties” insert “for strategic and critical minerals”.

Page 6, line 3, after “operation” insert “for strategic and critical mineral mines”.

The CHAIR. Pursuant to House Resolution 481, the gentleman from California (Mr. LOWENTHAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, my amendment would fix a critical problem with this bill, namely, that the name of the bill doesn't match the substance of the bill.

When you read the title, you would think this bill has something to do with critical and strategic minerals, but, in fact, as currently written, the bill would define practically every mined substance—and that is every mined substance in the United States—as being strategic and critical. Sand, gravel, gold, copper, clay, all of these, are strategic and critical under this bill, and I think that is going too far.

In fact, I am still waiting for someone to explain to me what mineral wouldn't fall under the definition of this bill. Certainly none of the witnesses at our June Committee on Natural Resources could name one.

The National Research Council published a 2008 report called “Minerals, Critical Minerals, and the U.S. Economy,” and it states: To be critical, a mineral must be both essential in use and subject to supply restriction.

They go on to point out some specific examples of minerals that are essential, but not critical, such as copper, iron ore, and construction aggregates, such as sand and gravel, except that this bill would completely ignore the National Research Council and many other organizations that know what criticality means and define all of these—copper, iron ore, sand, gravel, and more—as strategic and critical minerals.

There is no doubt that these minerals are essential, but they are widely produced in the United States, and there is no danger of a break in the supply chain. Let me state that again. There is no danger of a break in the supply chain.

Let's talk about the sand and gravel that was just mentioned before. There are roughly 6500 sand and gravel quarries in the United States. We are not going to run out of gravel by not permitting one more gravel mine.

Gravel is important, but no one from the National Research Council or the Department of Energy or any organization that knows the real definition of critical minerals would consider sand and gravel to fall in that category, period, end of discussion.

My amendment would ensure that the scientifically vetted definition determined by the NRC is what the Secretary of the Interior uses to assess the criticality of minerals to be mined under this bill. It would ensure that the bill actually addresses the intent that is suggested by its own title: critical minerals.

□ 1415

It puts no time limits on the identification of these minerals. So, as conditions change over time, the Secretary would be able to add or remove items from the list of critical minerals, as necessary.

Republicans in the Senate understand this. Senator MURKOWSKI, the chair of the Energy and Natural Resources Committee, which oversees mining, has introduced a bill that requires a methodology for determining which minerals would qualify as critical.

That methodology is to be based on an assessment of—I quote in her bill—“whether the materials are subject to potential supply restrictions and also important in use.”

I may not agree with everything that is in Senator MURKOWSKI's bill, but I believe that she at least understands the definition of a critical mineral and is making a serious attempt to expand the production of minerals that are actually critically important and strategic.

But without my amendment, this bill is just a guise for mining interests to loosen public review, judicial review, and environmental protections for all hardrock mining.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

In response, I just have to say one word: earthquake.

During the 2008 Great Southern California ShakeOut, which studied and analyzed the potential effects of a major earthquake, the USGS discovered that there would be a shortfall of building materials, namely, sand and gravel, if there was a major earthquake, God forbid, causing significant damage in the L.A. basin and the surrounding areas.

This amendment, if we accept it, would preclude that sand and gravel would be defined as critical, hindering expedited development of these resources.

Furthermore, by explicitly excluding sand, gravel or clay, this amendment is at fundamental odds with the National Research Council study—I have quoted it earlier—which stated: “All minerals

and mineral products could be or could become critical to some degree, depending on their importance and availability.”

The California Geological Survey recently released information forecasting a continuing shortage in California of permitted aggregate resources so as to meet only one-third of demand over the next 50 years in the State of California.

So we have a shortage coming, whether people like it or not, and that is without a major earthquake. Once again, God forbid.

The bill, as currently structured, does allow the market and the Nation's needs to define a mineral as critical, thereby allowing the flexibility necessary for carrying out the provisions of the act.

However, this amendment would hinder the efficiency and fluidity this bill seeks to inject into the permitting process for critical and strategic minerals by imposing an extra bureaucratic determination to be made by the Secretary of the Interior. It also picks winners and losers in the mining industry.

So for those reasons, Mr. Chairman, I urge opposition to this amendment.

I yield back the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, I would just like to say, in conclusion, that we are talking about a definition of critical and strategic minerals that comes from the NRC, or the National Resource Council, that really talks about things that are essential.

But it also says that, to be declared critical, it must have a danger of disruption in the supply chain. We must have a limit to where we can access other materials.

As it was just pointed out, what happens if there is an earthquake in Southern California? God help us. Let's hope that there is not going to be an earthquake in Southern California. And there is a limitation on the supply.

I would like to urge us to say that the Secretary has the ability to change what is on that list or not under my amendment.

I urge support of my amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mr. LOWENTHAL. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 2 OFFERED BY MRS. DINGELL

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-301.

Mrs. DINGELL. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning at page 7, strike line 5 and all that follows through page 8, line 18, and insert the following:

(b) TREATMENT OF PERMITS UNDER NEPA.— Issuance of a mineral exploration or mine permit shall be treated as a major Federal action significantly affecting the quality of the human environment for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

Beginning at page 9, strike line 19 and all that follows through page 12, line 21.

The CHAIR. Pursuant to House Resolution 481, the gentlewoman from Michigan (Mrs. DINGELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. DINGELL. Mr. Chairman, I yield myself as much time as I may consume.

There are several troubling positions in this legislation, many of which my other colleagues have already addressed this afternoon. But I am particularly concerned with how H.R. 1937 treats the National Environmental Policy Act, or NEPA, as it has become known.

If this bill were to become law, public comment would be severely limited and, in some instances, a proper environmental review may not be conducted at all.

The underlying bill employs a functional equivalence standard, which would permit the lead agency to circumvent a NEPA review if other agencies have performed reviews that are determined to be equivalent. There are several problems with this approach.

First, it is not clear that the six factors listed in the bill compromise all that a NEPA document would explore. So if functional equivalence was applied, the public may not have the complete story about the environmental impacts of a specific project.

Second, case law demonstrates that functional equivalence has historically not been extended to other agencies beyond the EPA because they are simply not equipped to do that kind of work.

That is why the committee heard testimony earlier this year that this provision ignores Congress' choices in NEPA, as well as the judiciary's struggle with functional equivalence.

My amendment strikes the functional equivalence provisions and replaces it with the language that makes it clear that all mine explorations or mine permits are major Federal actions and would require an environmental impact statement under NEPA.

It is well known that hardrock mining can have adverse health impacts, and these projects deserve a formal environmental review.

NEPA has a simple premise: Look before you leap. This landmark law gives the public an opportunity to review

and comment on actions proposed by the government, adding to the evaluation process unique perspectives that highly specialized, mission-driven agencies might otherwise ignore.

We should be preserving and protecting this important tool for public participation rather than undermining it.

I urge my colleagues to support the Dingell amendment.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

I would urge rejection of this amendment because it would make the permitting process for critical and strategic minerals even worse than it currently is. It is already 7 to 10 or more years. It is dead last in the 25 major mineral-producing countries in the world, according to that recent study we cited earlier.

This amendment would strike several key sections of the bill, including the NEPA provisions, the expedited schedule provision, the time limit provision, and the applicability of this law to existing permit application provision.

First, this amendment seeks to remove the NEPA provisions. Our provision does not sidestep or avoid the NEPA process in any way; rather, it codifies a judicial determination for NEPA known as the functional equivalence doctrine.

This doctrine provides that, when an agency action, whether State or Federal, has addressed the substantive requirements of NEPA, such action may be substituted as sufficient rather than having to prepare an entirely new and duplicative environmental study.

This amendment rejects the functional equivalence doctrine and mandates that the issuance of every mineral exploration or mine permit constitutes a "major Federal action," thereby requiring the development of costly and time-consuming environmental impact statements, regardless of a proposed project's size.

Furthermore, this amendment strikes the provisions of the bill that requires the authorizing agency to develop a schedule for the permit process, and it removes the 30-month time constraints that would be put on said authorizing agency.

In other words, it restores the current 7- to 10-year permit process that plagues the mining industry and the production of jobs and the growth of our economy.

Let me mention one thing about automobile manufacturing in particular. An automobile contains rare earths for magnets, copper, aluminum, platinum, and many other critical minerals and elements.

According to Rare Earth Technology Alliance, the average hybrid car contains 61 pounds of rare earth metals. So it is important that we pass this bill.

This amendment unfortunately guts the bill. I would urge opposition to it.

Mr. Chairman, I reserve the balance of my time.

Mrs. DINGELL. Mr. Chairman, I want to quickly respond to some of the points made by my friends on the other side of the aisle.

I do recognize the importance of those metals in auto production. It is important to me. But this bill isn't going to impact them.

To be frank, I think this bill is a solution in search of a problem. NEPA is often a scapegoat for permitting delays, but this does not hold up when you closely examine the facts.

In fact, since 2008, the approval time for hardrock mines has decreased. Last year the average time it took to approve a plan of operations for a hardrock mine was 17 months—17 months—not 10 years.

I want jobs as much as my colleagues do on the other side of the aisle, but I want to protect people. Project complexity, local opposition, and the lack of funding are almost always the culprits for a project being delayed, but everybody wants to blame NEPA unfairly.

Hardrock mines could pose significant threats to public health, water, and the environment. We must ensure that every mining application is properly reviewed under NEPA, as my amendment proposes.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I just want to remind us all that America has a plentiful supply of rare earth elements, but there are roadblocks to developing them, such that China produces 97 percent of the world's supply and there are at least 19 unique minerals that the U.S. has zero supply of.

So if we continue the current regime of 7 to 10 years to permit a mine project—and that is what will happen if we don't pass this bill—then we are going to be dependent on other countries and automobile and all kinds of manufacturing will be affected.

The 2014 ranking of countries for mining investment, out of the 25 major mining companies, found that the delays that we have in this country are the worst in the world; yet, we have such tremendous resources if we were only to use them.

So I think this bill is a good faith and reasonable effort to strike the balance between proper environmental protection by keeping functional equivalence and, yet, producing the minerals that will give us the jobs we need.

Mr. Chairman, I urge rejection of this amendment.

I yield back the balance of my time.

□ 1430

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mrs. DINGELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. DINGELL. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. CARTWRIGHT

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-301.

Mr. CARTWRIGHT. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning at page 14, line 1, strike title II.

The CHAIR. Pursuant to House Resolution 481, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, just off the floor of the House of Representatives, steps outside the door, we have a magnificent statue of one of our Founding Fathers, Thomas Jefferson.

Thomas Jefferson said: "I consider trial by jury as the only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution."

The amendment I offer today, Mr. Chair, ensures that an important right of the American people is preserved: the right to hold the government accountable for their actions, the right of ordinary Americans to go into court and hold the government accountable.

The right to challenge the government in court should not be limited to large groups that are well funded and have the financial ability to pay for a lawyer, and that is exactly what this bill would do. This right should be extended to every American citizen, every small business, every nonprofit organization regardless of the size and scope of their wallets.

Now, as a lifetime courtroom lawyer, I know the importance of being able to access the court system. For many years, I fought to make sure that ordinary Americans could have their day in court and hold wrongdoers accountable.

Access to the courts is a key right envisioned by not only Thomas Jefferson, but all of the Founding Fathers, and is protected by the Equal Access to

Justice Act, the EAJA, which allows eligible individuals to recover fees and expenses from the government if they win their day in court. As a Congressman and former trial attorney, I cannot and will not stand by silently and watch this bill chip away at this American right without standing up and speaking out.

By exempting exploration and mining permits from the Equal Access to Justice Act, this bill prevents valid claims from reaching the courts by prohibiting the government from reimbursing legal expenses to parties that win in court. This overturns 30 years of legal precedent aimed at opening the court's doors to the public.

What I can't understand is why any of my colleagues across the aisle would want to limit review of the government's actions, given the fairly consistent message we hear that government has gotten too big and continues to come up with unnecessary rules and rulings.

EAJA allows average citizens to challenge this kind of thing in court, challenge the very kind of supposed overreach that the majority always likes to talk about.

We have heard time and time again from the majority that blocking access to the courts is necessary to halt frivolous and unnecessary litigation, as if judges are incapable or lack the intellectual rigor to be able to figure it out for themselves; but it is this bill that is frivolous and unnecessary, and the Congressional Budget Office proves it.

The Congressional Budget Office, the CBO, estimates that this bill, H.R. 1937, would reduce direct spending by less than \$50,000 a year. We are throwing up a barrier to access the courts for a paltry \$50,000 a year.

But the larger point is this is money that is awarded to successful claimants against the government. Why would you want to punish the successful claimants in the name of cutting down on frivolous litigation? Frivolous litigation, by definition, is claims that are so bad, they couldn't possibly win in court and never do.

The only reason I can see for the EAJA exemption in this bill is that it further solidifies industry's free pass to mine on U.S. public lands. First, this bill limits public and agency consideration by waiving the National Environmental Policy Act, NEPA, and setting unrealistic time limits. Then title II puts the nail in the coffin by eliminating the public's last opportunity to review a mine's permit by challenging it in open court.

My amendment today would strike all of title II, including the EAJA exemption, in order to maintain this vital, time-honored American public right to challenge the government's decisions in court.

I urge the adoption of this amendment.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Chairman, this amendment strikes title II of the bill, which addresses the judicial review of agency actions relating to exploration and mine permits. This title is designed to address one of the primary contributors to the long permitting timelines and delays we have been talking about this afternoon: relentless litigation brought by environmental organizations.

Regulatory agencies routinely try to craft a lawsuit-proof NEPA document. However, that is impossible. They are going to get sued no matter what. So title II seeks to provide some certainty in the litigation process. Rather than prohibit or block litigation, it does several reasonable things:

It expedites the judicial process by requiring timely filings no later than 60 days after a final agency action. It just keeps the ball rolling. That is entirely reasonable.

It requires the court to proceed expeditiously on reaching a determination in the case. That also is entirely reasonable.

Furthermore, title II provides the project proponent a guaranteed right to intervene. If a company has invested millions or even billions of dollars in a project, they deserve an opportunity to go to court on something that could adversely impact their investment. That, too, is entirely reasonable.

Also, title II limits certain prospective attorneys' fees under the Equal Access to Justice Act. This provision affects all parties to the lawsuit, including permitholders, and has as its purpose dissuading frivolous suits that would harm the Nation's ability to provide these vital resources. That, too, is entirely reasonable.

So for those reasons, I would say, let's reject this amendment. Let's keep title II in the bill. It is essential to have a predictable and reasonable permitting timeline so that we can explore and develop these resources to make our economy stronger. I urge a "no" vote on this amendment.

I reserve the balance of my time.

Mr. CARTWRIGHT. Mr. Chair, I acknowledge my colleague from Colorado. However, his silence on the point I was making is deafening.

The point I made is that cutting out EAJA from this act means that you are attacking successful claims. If your point is to attack frivolous lawsuits, you don't cut out reimbursing legal fees and costs for successful claims. What are we really up to by doing that?

I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from Colorado has 3 minutes remaining.

Mr. LAMBORN. I yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chair, just in answer to the gentleman's question, I would point out that what happens right now is that the EAJA is actually gamed. People can put in 15 or 20 frivolous claims, but if they have a finding on one substantial thing—and always, those lawsuits have a multitude of claims, but then one thing will be tucked in that is simply procedural that the agency forgot the deadline, it didn't have a meeting—and if the judge finds on one, then all are paid for. So they are allowed to bring frivolous actions with one substantiating claim, and it is those frivolous things that tie up and hold up development.

No one objects to the fact that sometimes the agencies are wrong. People do object to the fact that frivolous lawsuits come under the cover of one thing that is just almost inane in the whole discussion.

Mr. CARTWRIGHT. Will the gentleman yield?

Mr. LAMBORN. Mr. Chairman, I yield 15 seconds to the gentleman from Pennsylvania.

Mr. CARTWRIGHT. I have a simple question.

Name one Federal judge who has granted all of the attorneys' fees where there are 15 frivolous claims and one successful one.

I have never heard of such a thing.

Mr. LAMBORN. I yield to the gentleman from New Mexico.

Mr. PEARCE. I would be happy to respond. I will provide the documentation to the gentleman afterwards. I don't have it right here. But we see these things in New Mexico.

Mr. LAMBORN. Reclaiming my time, I will just conclude, Mr. Chairman, by saying that this amendment is not a good amendment for the bill because it guts title II.

We need some predictability in the litigation process as well as in the government bureaucratic process. This allows parties to go to court. It prevents the abuse of EAJA.

It is not the legitimate use of that law that we are after; it is the abuse of that particular law. That is why it is addressed in this bill.

I would urge a "no" vote.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CARTWRIGHT. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. PEARCE

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-301.

Mr. PEARCE. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike title III (page 15, beginning at line 15) and insert the following:

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. SECRETARIAL ORDER NOT AFFECTED.

This Act shall not apply to any mineral described in Secretarial Order 3324, issued by the Secretary of the Interior on December 3, 2012, in any area to which the Order applies.

The CHAIR. Pursuant to House Resolution 481, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chair, in the Permian Basin, which the Second District of New Mexico falls just in the corner of that, two or three counties have tremendous assets. It is home to some of the most prolific and purest forms of potash, which is used for fertilizer, and then it also has significant oil and gas.

When I was elected to Congress in 2002, one of the first things that next year that we began to discover is that the oil and gas and potash industries have had an approximately 50-year running battle against each other. We began to try to sort through the differing opinions, working with the agency, the Interior Department, and over the next 10 approximate years, worked out an agreement with the Secretary of the Interior and the two different industries on how to both get along in the same area. That was a significant undertaking. It was a significant finding by the Interior Department and, again, took almost 10 years of very delicate negotiations. So my amendment to this bill, H.R. 1937, is simply to clarify that nothing in the bill overturns that agreement that has been reached.

Again, this agreement came under the Obama administration but dated back through the Bush administration, so it has been pretty well looked at by both sides, both parties, and has been functioning very well.

It is my desire to simply get the clarifying language that nothing in the bill is going to change that Secretarial order, and, likewise, the amendment does nothing to change the language in the bill. It is just clarifying that this is what we are going to do.

It is extremely important for New Mexico, but also for the Nation, because the potash provides the fertilizer for food sources across the Nation; but also, the oil and gas industry is providing much of the oil and gas that is coming into America's supply right now and driving down the price. The discoveries in that particular region will produce more oil and gas in one county than has been produced in the entire State for its entire history. So it

is not as if these questions are insignificant.

Again, my amendment is very straightforward. It just seeks to clarify that nothing is going to affect that Secretarial order.

□ 1445

Mr. LAMBORN. Will the gentleman yield?

Mr. PEARCE. I yield to the gentleman from Colorado.

Mr. LAMBORN. We support the amendment and commend the author for offering it.

Mr. PEARCE. Mr. Chairman, I reserve the balance of my time.

Mr. CARTWRIGHT. Mr. Chairman, I ask unanimous consent to claim the time that is allotted to the opposition to this amendment, although I do not intend to oppose it.

The CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. CARTWRIGHT. Mr. Chairman, I think it is interesting that this amendment is coming up, as it has in the past, because it simply proves the point we have been trying to make.

The larger point is that this bill is simply too broad. It covers every possible mineral you could mine, including potash. I think the gentleman from New Mexico would agree that potash is not a strategic and critical mineral. It does not need the environmental review waivers that this bill would provide.

What many of my colleagues and I are saying is that potash is no different from many other minerals. The concern for southeastern New Mexico is that potash development and oil and gas drilling should be able to occur without conflict. This bill would threaten that.

Well, we want to make sure that mineral development doesn't conflict with other things as well throughout the country, like hunting, fishing, camping, grazing, recreating, conserving, and other legitimate uses. Unfortunately, this bill threatens that, and we are likely not going to grant exemptions for these purposes like we are for the oil and gas industry.

I would certainly like it if sportsmen were protected from hastily adopted and permitted sand and gravel quarries the same way you want your oil and gas drillers to be protected from hastily permitted potash mines.

Interestingly, potash is a mineral where we import over 80 percent of our supply. We are entirely self-sufficient in sand and gravel. So, by that standard, you could say that potash is more critical and strategic than sand and gravel. But the majority will allow this amendment to be adopted because it benefits oil and gas producers.

Mr. Chairman, meanwhile, the Lowenthal amendment, which takes sand and gravel out of this bill for the benefit of everyone else in this country, is likely to get voted down. I think that is unfortunate.

Mr. Chairman, I urge my colleagues to reject this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. PEARCE. Mr. Chairman, again, this is an amendment that does not change the underlying language of the bill. It simply seeks to clarify to all parties that no change was intended and no change will occur to the existing order from the Secretary.

Mr. Chairman, I would urge everyone to support the amendment and the underlying bill.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. HASTINGS

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-301.

Mr. HASTINGS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

TITLE —MISCELLANEOUS PROVISIONS

SEC. 01. LIMITATION ON APPLICATION.

This Act shall not apply with respect to a proposed strategic and critical minerals mining project unless the project proponent demonstrates that the combined capacity of existing mining operations in the United States producing the same mineral product that will be produced by the project, whether currently in operation or not, but not including mining operations for which a reclamation plan is being implemented or has been fully implemented, is less than 80 percent of the demand for that mineral product in the United States.

SEC. 02. PUBLICATION OF NOTICE REGARDING TRANSPORTATION AND SALE OUTSIDE THE UNITED STATES.

If any intermediate or final mineral product produced by a strategic and critical minerals mining project is to be transported or sold outside the United States, and the project proponent cannot demonstrate that the annual production of such product in the United States exceeds 80 percent of the demand for that product in the United States, the project proponent shall publish at least once prior notice of their intent to make such transport or sale in national newspapers or trade publications, by electronic means, or both, and on any Internet site that is maintained by the project proponent.

The CHAIR. Pursuant to House Resolution 481, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Chairman, when I saw H.R. 1937 as submitted, I agreed with the minority on the Energy and

Mineral Resources Subcommittee that it was in need of a significant amendment, in particular, in the definition of “strategic and critical minerals.”

The amendment submitted by Congressman LOWENTHAL is also a good basis and would correct the bill. However, as this has been rejected in the past, I took a less stringent approach that I believe would be a basis that would at least eliminate the most egregious aspects of the definition.

This bill addresses a real problem, which is that long permitting delays for mining projects in the United States, especially in remote or environmentally sensitive areas, can reach 7 to 10 years in some cases.

This represents a significant project risk for potential investors, which makes them historically more likely to develop projects outside of the United States when there are opportunities to produce the same mineral products.

Increasing international government scrutiny on environmental issues for mining projects outside of the United States along with civil instability in many mineral resource-rich countries has prompted project proponents to look to the United States as a safer alternative, given that projects can be developed in a reasonable timeframe.

That said, Mr. Chairman, the majority's claims of mining permit delays for all kinds of mining projects that prompted this bill are unfounded. Last year the average time it took to approve a plan of operations for a hardrock mine was 17 months, and since 2008, the approval time has actually decreased. As of last year, the Obama administration had approved 69 percent of hardrock mines within 3 years.

Rather than addressing the problem directly with the responsible agencies, as President Obama did in his Presidential order “Improving Performance of Federal Permitting and Review of Infrastructure Projects” dated March 22, 2012, this bill is an end run around the permitting process, the authority of the permitting agencies, and the courts.

H.R. 1937 includes a very broad definition of “strategic and critical minerals” that does not take into account whether these minerals are actually in short supply in the United States. Under the definition as written, cement, and wallboard, as well as gold and diamonds would qualify. It makes one wonder if there is a strategic and critical shortage of jewelry in the United States.

The authors of this bill say that they do not wish to identify which mineral products are “strategic and critical” since this may change over time with changes in national priorities. Therefore, this amendment adds a simple test. This amendment requires proposed “strategic and critical minerals” projects to demonstrate that domestic

capacity to produce strategic and critical minerals is less than 80 percent of domestic requirements. This would eliminate mineral products such as sand and gravel, which the authors claim the bill was never meant to encompass.

The amendment also requires that unless or until the domestic capacity for a “strategic and critical mineral” product exceeds 80 percent of domestic requirements, the public will be notified of the intent to transport or sell any final or intermediate strategic and critical mineral products outside of the United States.

Mr. Chairman, I urge my colleagues to vote in favor of my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Chairman, I am having a little trouble understanding where this amendment is headed and what it is really trying to do. If I understand correctly, it proposes to limit export of strategic and critical minerals if the supply of those minerals is greater than 80 percent of domestic demand. As I am trying to figure that out, one thing that jumps out at me is why is 80 percent a significant milestone? It seems sort of plucked out of thin air. It seems arbitrary.

How would you measure and find that 80 percent of something that is used in many ways around the country, I am not sure how that would be done, by advertising in national newspapers or something? I am just a little unsure.

Also, the amendment appears to be internally inconsistent. On one hand, the amendment seeks to prevent the use of the bill's provisions if the supply is greater than 80 percent of domestic demands. On the other hand, the amendment says that the project proponent cannot show that production exceeds 80 percent of domestic demand, the project proponent must advertise that fact in a national newspaper, trade publications, or Web site.

I am just a little confused as to what this amendment is really trying to get at. But it does seem to be, in the final analysis, a continuation of the over-regulation that has produced this problem in the first place. We have so many regulatory obstacles to producing minerals that it does take 7 to 10 years.

Now, if you take a certain slice out of that process, it may sound like a smaller period of time. But when you add in litigation and everything else that accompanies the process, it is literally 7 to 10 years, especially for hardrock mine projects that produce rare earth minerals and things like that.

There might be a few exceptions for clay or other items that are of less concern, but for hardrock mining, there is

no way to avoid the 7 to 10 years, unfortunately, in our country today. This would be another example of the kind of regulation that just gums up the whole process.

So, Mr. Chairman, I would urge the rejection of this amendment.

I urge a “no” vote.

Mr. Chairman, I yield back the balance of my time.

Mr. HASTINGS. I yield back the balance of my time, Mr. Chairman.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HASTINGS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

Mr. LAMBORN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. MARCHANT, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:30 p.m. today.

Accordingly (at 2 o'clock and 57 minutes p.m.), the House stood in recess.

□ 1532

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MARCHANT) at 3 o'clock and 32 minutes p.m.

NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 481 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1937.

Will the gentleman from Illinois (Mr. BOST) kindly take the chair.

□ 1533

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, with Mr. BOST (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 5 printed in House Report 114-301 offered by the gentleman from Florida (Mr. HASTINGS) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-301 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. LOWENTHAL of California.

Amendment No. 2 by Mrs. DINGELL of Michigan.

Amendment No. 3 by Mr. CARTWRIGHT of Pennsylvania.

Amendment No. 5 by Mr. HASTINGS of Florida.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. LOWENTHAL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. LOWENTHAL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 176, noes 253, not voting 5, as follows:

[Roll No. 560]

AYES—176

Adams	Bustos	Clay
Aguilar	Butterfield	Cleaver
Ashford	Capps	Clyburn
Bass	Capuano	Cohen
Becerra	Cárdenas	Connolly
Bera	Carney	Conyers
Beyer	Carson (IN)	Cooper
Blumenauer	Cartwright	Courtney
Bonamici	Castor (FL)	Crowley
Boyle, Brendan	Castro (TX)	Cummings
F.	Chu, Judy	Davis (CA)
Brady (PA)	Cicilline	Davis, Danny
Brown (FL)	Clark (MA)	DeFazio
Brownley (CA)	Clarke (NY)	DeGette

Delaney	Kind	Polis
DeLauro	Kirkpatrick	Price (NC)
DelBene	Kuster	Quigley
DeSaulnier	Langevin	Rangel
Deutch	Larsen (WA)	Rice (NY)
Dingell	Larson (CT)	Richmond
Doggett	Lawrence	Roybal-Allard
Doyle, Michael	Lee	Ruiz
F.	Levin	Ryan (OH)
Duckworth	Lewis	Sánchez, Linda
Edwards	Lieu, Ted	T.
Ellison	Lipinski	Sanchez, Loretta
Engel	Loebsack	Sarbanes
Eshoo	Lofgren	Schakowsky
Esty	Lowenthal	Schiff
Fatah	Lowe	Schrader
Foster	Lujan Grisham	Scott (VA)
Frankel (FL)	(NM)	Scott, David
Fudge	Luján, Ben Ray	Serrano
Gabbard	(NM)	Sewell (AL)
Galleo	Lynch	Sherman
Garamendi	Maloney,	Sinema
Graham	Carolyn	Sires
Grayson	Maloney, Sean	Slaughter
Green, Al	Matsui	Smith (WA)
Green, Gene	McCollum	Speier
Grijalva	McDermott	Swalwell (CA)
Gutiérrez	McGovern	Takai
Hahn	McNerney	Takano
Hastings	Meeks	Thompson (CA)
Heck (WA)	Meng	Thompson (MS)
Higgins	Moore	Tonko
Himes	Moulton	Torres
Hinojosa	Murphy (FL)	Tsongas
Honda	Nadler	Van Hollen
Hoyer	Napolitano	Vargas
Huffman	Neal	Veasey
Israel	Nolan	Velázquez
Jackson Lee	Norcross	Visclosky
Jeffries	O'Rourke	Walz
Johnson (GA)	Pallone	Wasserman
Johnson, E. B.	Pascarella	Schultz
Kaptur	Pelosi	Waters, Maxine
Keating	Perlmutter	Watson Coleman
Kennedy	Peters	Welch
Kildee	Pingree	Wilson (FL)
Kilmer	Pocan	Yarmuth

NOES—253

Abraham	Crenshaw	Harris
Aderholt	Cuellar	Hartzler
Allen	Culberson	Heck (NV)
Amash	Curbelo (FL)	Hensarling
Amodei	Davis, Rodney	Herrera Beutler
Babin	Denham	Hice, Jody B.
Barletta	Dent	Hill
Barr	DeSantis	Holding
Barton	DesJarlais	Hudson
Benishke	Diaz-Balart	Huelskamp
Bilirakis	Dold	Huizenga (MI)
Bishop (GA)	Donovan	Hultgren
Bishop (MI)	Duffy	Hunter
Bishop (UT)	Duncan (SC)	Hurd (TX)
Black	Duncan (TN)	Hurt (VA)
Blackburn	Ellmers (NC)	Issa
Blum	Emmer (MN)	Jenkins (KS)
Bost	Farenthold	Jenkins (WV)
Boustany	Farr	Johnson (OH)
Brady (TX)	Fincher	Johnson, Sam
Brat	Fitzpatrick	Jolly
Bridenstine	Fleischmann	Jones
Brooks (AL)	Fleming	Jordan
Brooks (IN)	Flores	Joyce
Buchanan	Forbes	Katko
Buck	Fortenberry	Kelly (MS)
Bucshon	Fox	Kelly (PA)
Burgess	Franks (AZ)	King (IA)
Byrne	Frelinghuysen	King (NY)
Calvert	Garrett	Kinzing (IL)
Carter (GA)	Gibbs	Kline
Carter (TX)	Gibson	Knight
Chabot	Gohmert	Labrador
Chaffetz	Goodlatte	LaHood
Clawson (FL)	Gosar	LaMalfa
Coffman	Gowdy	Lamborn
Cole	Graves (GA)	Lance
Collins (GA)	Graves (LA)	Latta
Collins (NY)	Graves (MO)	LoBiondo
Comstock	Griffith	Long
Conaway	Grothman	Loudermilk
Cook	Guinta	Love
Costa	Guthrie	Lucas
Hanna	Hann	Luetkemeyer
Hardy	Harper	Lummis
		MacArthur

Marchant	Posey	Stefanik
Marino	Price, Tom	Stewart
Massie	Ratcliffe	Stivers
McCarthy	Reed	Stutzman
McCaul	Reichert	Thompson (PA)
McClintock	Renacci	Thornberry
McHenry	Ribble	Tiberi
McKinley	Rice (SC)	Tipton
McMorris	Rigell	Titus
Rodgers	Roby	Trott
McSally	Roe (TN)	Turner
Meadows	Rogers (AL)	Upton
Meehan	Rogers (KY)	Valadao
Messer	Rohrabacher	Vela
Mica	Rokita	Wagner
Miller (FL)	Rooney (FL)	Walberg
Miller (MI)	Ros-Lehtinen	Walden
Moolenaar	Roskam	Walker
Mooney (WV)	Ross	Walorski
Mullin	Rothfus	Walters, Mimi
Mulvaney	Rouzer	Weber (TX)
Murphy (PA)	Royce	Webster (FL)
Neugebauer	Ruppersberger	Wenstrup
Newhouse	Russell	Westerman
Noem	Ryan (WI)	Westmoreland
Nugent	Salmon	Whitfield
Nunes	Sanford	Williams
Olson	Scalise	Wilson (SC)
Palazzo	Schweikert	Wittman
Palmer	Scott, Austin	Womack
Paulsen	Sensenbrenner	Woodall
Pearce	Sessions	Yoder
Perry	Shimkus	Yoho
Peterson	Shuster	Young (AK)
Pittenger	Simpson	Young (IA)
Pitts	Smith (MO)	Young (IN)
Poe (TX)	Smith (NE)	Zeldin
Poliquin	Smith (NJ)	Zinke
Pompeo	Smith (TX)	

NOT VOTING—5

Beatty	Kelly (IL)	Rush
Granger	Payne	

□ 1606

Messrs. BARR, TURNER, SCALISE, NEWHOUSE, BARTON, and COFFMAN changed their vote from “aye” to “no.”

Messrs. COURTNEY and CAPUANO changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MRS. DINGELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Mrs. DINGELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 248, not voting 5, as follows:

[Roll No. 561]

AYES—181

Adams	Blumenauer	Capps
Aguilar	Bonamici	Capuano
Ashford	Boyle, Brendan	Cárdenas
Bass	F.	Carney
Beatty	Brady (PA)	Carson (IN)
Becerra	Brown (FL)	Cartwright
Bera	Brownley (CA)	Castro (TX)
Beyer	Bustos	Chu, Judy
Bishop (GA)	Butterfield	Cicilline

Clark (MA)	Huffman	Perlmutter	King (NY)	Nunes	Shuster	Brownley (CA)	Hahn	Pallone
Clarke (NY)	Israel	Peters	Kinzing (IL)	Olson	Simpson	Bustos	Hastings	Pascarell
Clay	Jackson Lee	Pingree	Kline	Palazzo	Sinema	Butterfield	Heck (WA)	Pelosi
Cleaver	Jeffries	Pocan	Knight	Palmer	Smith (MO)	Capps	Higgins	Perlmutter
Clyburn	Johnson (GA)	Polis	Labrador	Paulsen	Smith (NE)	Capuano	Himes	Peters
Cohen	Johnson, E. B.	Price (NC)	LaHood	Pearce	Smith (NJ)	Cárdenas	Hinojosa	Pingree
Connolly	Kaptur	Quigley	LaMalfa	Perry	Smith (TX)	Carney	Honda	Pocan
Conyers	Keating	Rangel	Lamborn	Peterson	Stefanik	Carson (IN)	Hoyer	Polis
Cooper	Kennedy	Rice (NY)	Lance	Pittenger	Stewart	Cartwright	Huffman	Price (NC)
Courtney	Kildee	Richmond	Latta	Pitts	Stivers	Castro (TX)	Israel	Quigley
Crowley	Kilmer	Roybal-Allard	LoBiondo	Poe (TX)	Stutzman	Chu, Judy	Jackson Lee	Rangel
Cuellar	Kind	Ruiz	Long	Poliquin	Thompson (PA)	Ciilline	Jeffries	Rice (NY)
Cummings	Kirkpatrick	Ruppersberger	Loudermilk	Pompeo	Thornberry	Clark (MA)	Johnson (GA)	Richmond
Davis (CA)	Kuster	Rush	Love	Posey	Tiberi	Clarke (NY)	Johnson, E. B.	Roybal-Allard
Davis, Danny	Langevin	Ryan (OH)	Lowey	Price, Tom	Tipton	Clay	Kaptur	Ruiz
DeFazio	Larsen (WA)	Sánchez, Linda	Lucas	Ratcliffe	Titus	Cleaver	Keating	Ruppersberger
DeGette	Larson (CT)	T.	Luetkemeyer	Reed	Trott	Clyburn	Kennedy	Rush
Delaney	Lawrence	Sanchez, Loretta	Lummis	Reichert	Turner	Cohen	Kildee	Russell
DeLauro	Lee	Sarbanes	MacArthur	Renacci	Upton	Connolly	Kilmer	Ryan (OH)
DelBene	Levin	Schakowsky	Marchant	Ribble	Valadao	Conyers	Kind	Sánchez, Linda
DeSaulnier	Lewis	Schiff	Marino	Rigell	Wagner	Cooper	Kirkpatrick	T.
Deutch	Lieu, Ted	Schrader	Masse	Roby	Walberg	Costa	Kuster	Sanchez, Loretta
Dingell	Lipinski	Scott (VA)	McCarthy	Roe (TN)	Walden	Courtney	Langevin	Sarbanes
Doggett	Loeb sack	Scott, David	McCauley	Rogers (AL)	Walker	Crowley	Larsen (WA)	Schakowsky
Doyle, Michael	Lofgren	Serrano	McClintock	Rogers (KY)	Walorski	Cuellar	Larson (CT)	Schiff
F.	Lowenthal	Sewell (AL)	McHenry	Rohrabacher	Walters, Mimi	Cummings	Lawrence	Scott (VA)
Duckworth	Lujan Grisham	Sherman	McKinley	Rokita	Weber (TX)	Davis (CA)	Lee	Scott, David
Edwards	(NM)	Sires	McMorris	Rooney (FL)	Webster (FL)	Davis, Danny	Levin	Serrano
Ellison	Lujan, Ben Ray	Slaughter	Rodgers	Ros-Lehtinen	Wenstrup	DeFazio	Lewis	Sewell (AL)
Engel	(NM)	Smith (WA)	McSally	Roskam	Westerman	DeGette	Lieu, Ted	Sherman
Eshoo	Lynch	Speier	Meadows	Ross	Westmoreland	Delaney	Lipinski	Sinema
Esty	Maloney, Carolyn	Swalwell (CA)	Meehan	Rothfus	Whitfield	DeLauro	Loeb sack	Sires
Farr	Maloney, Sean	Takai	Messer	Rouzer	Williams	DelBene	Lofgren	Slaughter
Fattah	Matsui	Takano	Mica	Royce	Wilson (SC)	DeSaulnier	Lowenthal	Smith (WA)
Foster	Matsui	Thompson (CA)	Miller (FL)	Russell	Wittman	Deutch	Lowey	Speier
Frankel (FL)	McCollum	Thompson (MS)	Moolenaar	Ryan (WI)	Womack	Dingell	Lujan Grisham	Swalwell (CA)
Fudge	McDermott	Tonko	Mooney (WV)	Salmon	Woodall	Doggett	(NM)	Takai
Gabbard	McGovern	Torres	Mullin	Sanford	Yoder	Doyle, Michael	Lujan, Ben Ray	Takano
Galleo	McNerney	Tsongas	Mulvaney	Scalise	Yoho	F.	(NM)	Thompson (CA)
Garamendi	Meeks	Van Hollen	Murphy (PA)	Schweikert	Young (AK)	Duckworth	Lynch	Thompson (MS)
Graham	Meng	Vargas	Neugebauer	Scott, Austin	Young (IA)	Edwards	Maloney, Carolyn	Titus
Grayson	Miller (MI)	Veasey	Newhouse	Sensenbrenner	Young (IN)	Ellison	Maloney, Sean	Tonko
Green, Al	Moore	Vela	Noem	Sessions	Zeldin	Engel	Torres	Torres
Green, Gene	Moulton	Velázquez	Nugent	Shinkus	Zinke	Eshoo	Matsui	Tsongas
Grijalva	Murphy (FL)	Visclosky				Esty	McCollum	Van Hollen
Gutiérrez	Nadler	Walz	Castor (FL)	Kelly (IL)	Rice (SC)	Farr	McDermott	Vargas
Hahn	Napolitano	Wasserman	Cramer	Payne		Fattah	McGovern	Veasey
Hastings	Neal	Schultz				Foster	McNerney	Vela
Heck (WA)	Nolan	Waters, Maxine				Frankel (FL)	Meeks	Velázquez
Higgins	Norcross	Watson Coleman				Fudge	Meng	Visclosky
Himes	O'Rourke	Welch				Gabbard	Moore	Walz
Hinojosa	Pallone	Wilson (FL)				Galleo	Moulton	Wasserman
Honda	Pascarell	Yarmuth				Garamendi	Murphy (FL)	Schultz
Hoyer	Pelosi					Graham	Nadler	Waters, Maxine
						Grayson	Napolitano	Watson Coleman
						Green, Al	Neal	Welch
						Green, Gene	Nolan	Wilson (FL)
						Grijalva	Norcross	Yarmuth
						Gutiérrez	O'Rourke	

NOES—248

Abraham	Conaway	Granger
Aderholt	Cook	Graves (GA)
Allen	Costa	Graves (LA)
Amash	Costello (PA)	Graves (MO)
Amodei	Crawford	Griffith
Babin	Crenshaw	Grothman
Barletta	Culberson	Guinta
Barr	Curbelo (FL)	Guthrie
Barton	Davis, Rodney	Hanna
Benishek	Denham	Hardy
Bilirakis	Dent	Harper
Bishop (MI)	DeSantis	Harris
Bishop (UT)	DesJarlais	Hartzler
Black	Diaz-Balart	Heck (NV)
Blackburn	Dold	Hensarling
Blum	Donovan	Herrera Beutler
Bost	Duffy	Hice, Jody B.
Boustany	Duncan (SC)	Hill
Brady (TX)	Duncan (TN)	Holding
Brat	Ellmers (NC)	Hudson
Bridenstine	Emmer (MN)	Huelskamp
Brooks (AL)	Farenthold	Huizenga (MI)
Brooks (IN)	Fincher	Hultgren
Buchanan	Fitzpatrick	Hunter
Buck	Fleischmann	Hurt (TX)
Bucshon	Fleming	Hurt (VA)
Burgess	Flores	Issa
Byrne	Forbes	Jenkins (KS)
Calvert	Fortenberry	Jenkins (WV)
Carter (GA)	Fox	Johnson (OH)
Carter (TX)	Franks (AZ)	Johnson, Sam
Chabot	Frelinghuysen	Jolly
Chaffetz	Garrett	Jones
Clawson (FL)	Gibbs	Jordan
Coffman	Gibson	Joyce
Cole	Gohmert	Katko
Collins (GA)	Goodlatte	Kelly (MS)
Collins (NY)	Gosar	Kelly (PA)
Comstock	Gowdy	King (IA)

NOT VOTING—5

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1610

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 3 OFFERED BY MR.
CARTWRIGHT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 245, not voting 5, as follows:

[Roll No. 562]

AYES—184

Adams	Becerra	Bonamici
Agullar	Bera	Boyle, Brendan
Ashford	Beyer	F.
Bass	Bishop (GA)	Brady (PA)
Beatty	Blumenauer	Brown (FL)

NOES—245

Abraham	Coffman	Foxx
Aderholt	Cole	Franks (AZ)
Allen	Collins (GA)	Frelinghuysen
Amash	Collins (NY)	Garrett
Amodei	Comstock	Gibbs
Babin	Conaway	Gibson
Barletta	Cook	Gohmert
Barr	Costello (PA)	Goodlatte
Barton	Cramer	Gosar
Benishek	Crawford	Gowdy
Bilirakis	Crenshaw	Granger
Bishop (MI)	Culberson	Graves (GA)
Bishop (UT)	Curbelo (FL)	Graves (LA)
Black	Davis, Rodney	Graves (MO)
Blackburn	Denham	Griffith
Blum	Dent	Grothman
Bost	DeSantis	Guinta
Boustany	DesJarlais	Guthrie
Brady (TX)	Diaz-Balart	Hanna
Brat	Dold	Hardy
Bridenstine	Donovan	Harper
Brooks (AL)	Duffy	Harris
Brooks (IN)	Duncan (SC)	Hartzler
Buchanan	Duncan (TN)	Heck (NV)
Buck	Ellmers (NC)	Hensarling
Bucshon	Emmer (MN)	Herrera Beutler
Burgess	Farenthold	Hice, Jody B.
Byrne	Fincher	Hill
Calvert	Fitzpatrick	Holding
Carter (GA)	Fleischmann	Hudson
Carter (TX)	Fleming	Huelskamp
Chabot	Flores	Huizenga (MI)
Chaffetz	Forbes	Hultgren
Clawson (FL)	Fortenberry	Hunter

Hurd (TX)	Miller (FL)	Scalise	Bera	Graham	Nolan	Hice, Jody B.	Meehan	Schrader
Hurt (VA)	Miller (MI)	Schrader	Beyer	Grayson	Norcross	Hill	Messer	Schweikert
Issa	Moolenaar	Schweikert	Bishop (GA)	Green, Al	O'Rourke	Holding	Mica	Scott, Austin
Jenkins (KS)	Mooney (WV)	Scott, Austin	Blumenauer	Green, Gene	Pallone	Hudson	Miller (FL)	Sensenbrenner
Jenkins (WV)	Mullin	Sensenbrenner	Bonamici	Grijalva	Pascarell	Huelskamp	Miller (MI)	Sessions
Johnson (OH)	Mulvaney	Sessions	Boyle, Brendan	Gutiérrez	Pelosi	Huizenga (MI)	Moolenaar	Shimkus
Johnson, Sam	Murphy (PA)	Shimkus	F.	Hahn	Perlmutter	Hultgren	Mooney (WV)	Shuster
Jolly	Neugebauer	Shuster	Brady (PA)	Hastings	Peters	Hunter	Mullin	Simpson
Jones	Newhouse	Simpson	Brown (FL)	Heck (WA)	Peterson	Hurd (TX)	Mulvaney	Sinema
Jordan	Noem	Smith (MO)	Brownley (CA)	Higgins	Pingree	Hurt (VA)	Murphy (PA)	Smith (MO)
Joyce	Nugent	Smith (NE)	Bustos	Himes	Pocan	Issa	Neugebauer	Smith (NE)
Katko	Nunes	Smith (NJ)	Butterfield	Hinojosa	Polis	Jenkins (KS)	Newhouse	Smith (NJ)
Kelly (MS)	Olson	Smith (TX)	Capps	Honda	Price (NC)	Jenkins (WV)	Noem	Smith (TX)
Kelly (PA)	Palazzo	Stefanik	Capuano	Hoyer	Quigley	Johnson (OH)	Nugent	Stefanik
King (IA)	Palmer	Stewart	Cárdenas	Huffman	Rangel	Johnson, Sam	Nunes	Stewart
King (NY)	Paulsen	Stivers	Carney	Israel	Rice (NY)	Jolly	Olson	Stivers
Kinzinger (IL)	Pearce	Stutzman	Carson (IN)	Jackson Lee	Richmond	Jones	Palazzo	Stutzman
Kline	Perry	Thompson (PA)	Cartwright	Jeffries	Ros-Lehtinen	Jordan	Palmer	Thompson (PA)
Knight	Peterson	Thornberry	Castro (TX)	Johnson (GA)	Roybal-Allard	Joyce	Paulsen	Thornberry
Labrador	Pittenger	Tiberi	Chu, Judy	Johnson, E. B.	Ruiz	Katko	Pearce	Tiberi
LaHood	Pitts	Tipton	Cicilline	Kaptur	Ruppersberger	Kelly (MS)	Perry	Tipton
LaMalfa	Poe (TX)	Trott	Clark (MA)	Keating	Rush	Kelly (PA)	Pittenger	Titus
Lamborn	Poliquin	Turner	Clarke (NY)	Kennedy	Ryan (OH)	King (IA)	Pitts	Trott
Lance	Pompeo	Upton	Clay	Kildee	Sánchez, Linda	King (NY)	Poe (TX)	Turner
Latta	Posey	Valadao	Cleaver	Kilmer	T.	Kinzinger (IL)	Poliquin	Upton
LoBiondo	Price, Tom	Wagner	Clyburn	Kind	Sanchez, Loretta	Kline	Pompeo	Valadao
Long	Ratcliffe	Walberg	Cohen	Kirkpatrick	Sarbanes	Knight	Posey	Walberg
Loudermilk	Reed	Walden	Connolly	Kuster	Schakowsky	Labrador	Price, Tom	Wagner
Love	Reichert	Walker	Conyers	Langevin	Schiff	LaHood	Ratcliffe	Walberg
Lucas	Renacci	Walorski	Cooper	Larsen (WA)	Scott (VA)	LaMalfa	Reed	Walden
Luetkemeyer	Ribble	Walters, Mimi	Courtney	Larson (CT)	Scott, David	Lamborn	Reichert	Walker
Lummis	Rigell	Weber (TX)	Crowley	Lawrence	Serrano	Lance	Renacci	Walorski
MacArthur	Roby	Webster (FL)	Cuellar	Lee	Sewell (AL)	Latta	Ribble	Walters, Mimi
Marchant	Roe (TN)	Wenstrup	Cummings	Levin	Sherman	LoBiondo	Rice (SC)	Weber (TX)
Marino	Rogers (AL)	Westerman	Curbelo (FL)	Lewis	Sires	Long	Rigell	Webster (FL)
Massie	Rogers (KY)	Westmoreland	Davis (CA)	Lieu, Ted	Slaughter	Loudermilk	Roby	Wenstrup
McCarthy	Rohrabacher	Williams	Davis, Danny	Lipinski	Smith (WA)	Love	Roe (TN)	Westerman
McCaul	Rokita	Wilson (SC)	DeFazio	Loeb sack	Speier	Lucas	Rogers (AL)	Westmoreland
McClintock	Rooney (FL)	Wittman	DeGette	Lowenthal	Swalwell (CA)	Luetkemeyer	Rogers (KY)	Whitfield
McHenry	Ros-Lehtinen	Womack	Delaney	Lowe	Takai	MacArthur	Rohrabacher	Williams
McKinley	Roskam	Woodall	DeLauro	Lujan Grisham	Takano	Marchant	Rokita	Wilson (SC)
McMorris	Ross	Yoder	DeBene	(NM)	Thompson (CA)	Marino	Rooney (FL)	Wittman
Rodgers	Rothfus	Yoho	DeSaulnier	Luján, Ben Ray	Thompson (MS)	Massie	Roskam	Womack
McSally	Rouzer	Young (AK)	Deutch	(NM)	Vargas	McCarthy	Ross	Woodall
Meadows	Royce	Young (IA)	Diaz-Balart	Lynch	Veasey	McCaul	Rothfus	Yoder
Meehan	Ryan (WI)	Young (IN)	Dingell	Maloney, Carolyn	Vela	McClintock	Rouzer	Yoho
Messer	Salmon	Zeldin	Doggett	Maloney, Sean	Velázquez	McHenry	Royce	Young (AK)
Mica	Sanford	Zinke	Doyle, Michael	Matsui	Visclosky	McMorris	Russell	Young (IA)
			F.	Edwards	Walz	Rodgers	Ryan (WI)	Young (IN)
			Duckworth	McCollum	Wasserman	McSally	Salmon	Zeldin
			Engel	McDermott	Schultz	Meadows	Sanford	Zinke
			Eshoo	McGovern	Wasserman		Scalise	
			Esty	McNerney	Schultz			
			Farr	Meeks	Waters, Maxine			
			Fattah	Meng	Watson Coleman			
			Foster	Moore	Welch			
			Frankel (FL)	Moulton	Wilson (FL)			
			Fudge	Murphy (FL)	Yarmuth			
			Gabbard	Nadler				
			Gallego	Napolitano				
			Garamendi	Neal				

NOT VOTING—5

Castor (FL) Payne Whitfield
Kelly (IL) Rice (SC)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1615

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. HASTINGS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. HASTINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 246, not voting 5, as follows:

[Roll No. 563]

AYES—183

Adams Ashford Beatty
Aguilar Bass Becerra

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)

NOES—246

Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick

Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler

NOT VOTING—5

Castor (FL) Kelly (IL) Payne
Clawson (FL) Lummis

□ 1620

Ms. MOORE changed her vote from
“no” to “aye.”

So the amendment was rejected.
The result of the vote was announced
as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POE of Texas) having assumed the chair, Mr. BOST, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, and, pursuant to House Resolution 481, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. PETERS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PETERS. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Peters moves to recommit the bill H.R. 1937 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. 01. CLIMATE CHANGE IS REAL.

Nothing in this Act limits the authority of the lead agency with responsibility for issuing a mineral exploration or mine permit from assessing the extent to which the activity proposed to be conducted under the permit may contribute to climate change.

Mr. PETERS (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. PETERS. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

I have been a clear proponent for reducing regulatory burdens and streamlining the environmental review process in ways that make sense.

Before I entered public service, I practiced environmental law for 15 years in large firms, in a government office, and in my own firm. Through that experience, I learned firsthand of the frustration that many businesses and local governments face when they try to navigate a sometimes overly complex and underly responsive permit process.

I also know from experience that time is money. Often a business seeking a permit is paying dearly to hold a property or service a loan while it waits for that permit to be issued, and that is why I have often said that, for applicants, no is the second-best answer. Tell us “no” or tell us how, but don’t string us along.

Unfortunately, the approach that the underlying bill takes is not to streamline the process for analyzing the significant impacts of hardrock mining, which I might support; it just eliminates the review process altogether.

Mr. Speaker, my amendment would not solve that problem but would make an important clarification. As these critical mineral mining projects undergo environmental review, agencies should be able to assess how the project may contribute to climate change.

Recently, the National Oceanic and Atmospheric Administration, or NOAA, reported that the first 7 months of this year had been the hottest such period on record. Globally, average surface temperatures have increased substantially in the last century, and nearly twice as fast in the last 50 years alone. We know that the vast majority of climate scientists, including numerous leading scientific and academic organizations across the world, agree that the planet is warming due to human activities.

How many national academies reject the science of global warming? None. Between November 2012 and December 2013, there were 9,137 peer-reviewed papers written on climate change. Of those 9,137 papers, how many did not agree that climate change is happening because of human activity? One. That is right. Only 1 out of more than 9,000.

So it seems to me that when scientific organizations, including the American Association for the Advancement of Science, the American Chemical Society, the American Geophysical Union, the American Meteorological Society, the American Physical Society, the Geological Society of America, the National Academy of Sciences, and the Intergovernmental Panel on Climate Change all agree that climate change is happening because of human activity, we ought to be listening.

If 99 doctors told you that you had diabetes and 1 said he wasn’t sure, wouldn’t you still do something?

Now, for too long, we have heard that we have to choose between a prosperous economy and a clean environment. San Diegans and people around the country know that is a false choice. We can and we must provide economic opportunity and clean air and water for future generations.

Given the high stakes associated with carbon emissions and climate change on coastal property, energy, defense, our food supply, and our quality of life, shouldn’t we at least understand the long-term costs associated with a project?

By allowing agencies to take a full environmental consideration of a project, including its potential contributions to climate change, my amendment rejects the false choice between a prosperous economy and a healthy climate. We can and we must have both.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

□ 1630

Mr. LAMBORN. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Speaker, this motion to recommit is a procedural motion designed to slow down consideration of this important jobs bill. It is a purely procedural motion, not a substantive motion. I urge us to reject the motion.

It is important to pass this bill. Right now it takes 7 to 10 years to approve a mining project in the U.S. Mr. Speaker, this is dead last among major mining countries. The critical and strategic minerals we mine in this country go into vital infrastructure and manufacturing to improve our way of life.

Mr. Speaker, when we use American resources to create American jobs, we reduce our dependency on foreign countries like China. This bill will reduce bureaucratic red tape, speed up the legal and permitting process, and create certainty so that mining projects will stay here in America.

Mr. Speaker, I urge my colleagues to reject this amendment and support H.R. 1937 to use American resources for American jobs.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. PETERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; ordering the previous question on House Resolution 483; and adoption of House Resolution 483, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 246, not voting 4, as follows:

[Roll No. 564]

AYES—184

Adams	Butterfield	Conyers
Aguiar	Capps	Cooper
Ashford	Capuano	Costa
Bass	Cárdenas	Courtney
Beatty	Carney	Crowley
Becerra	Carson (IN)	Cuellar
Bera	Cartwright	Cummings
Beyer	Castro (TX)	Davis (CA)
Bishop (GA)	Chu, Judy	Davis, Danny
Blumenauer	Cicilline	DeFazio
Bonamici	Clark (MA)	DeGette
Boyle, Brendan	Clarke (NY)	Delaney
F.	Clay	DeLauro
Brady (PA)	Cleaver	DeBene
Brown (FL)	Clyburn	DeSaulnier
Brownley (CA)	Cohen	Deutch
Bustos	Connolly	Dingell

Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallo
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)

NOES—246

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson

Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Fox (AZ)
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)

Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Neowhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey

Castor (FL)
Kelly (IL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

NOT VOTING—4

Payne
Simpson

□ 1636

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PETERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 254, nays 177, not voting 3, as follows:

[Roll No. 565]

YEAS—254

Abraham
Aderholt
Allen
Amash
Amodei
Bachman
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway

Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik

Payne
Simpson

Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver

LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Hill
Newhouse
Noem
Nolan
Nugent
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)

NAYS—177

Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah

Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore

Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Schultz
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)

Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Visclosky
Walz
Wasserman
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)

NOT VOTING—3

Castor (FL) Kelly (IL) Payne

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1642

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3762, RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015; WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 483) providing for consideration of the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for consideration of motions to suspend the rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 244, nays 185, not voting 5, as follows:

[Roll No. 566]

YEAS—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barietta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer

Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene

Paulsen
Pearce
Perry
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—185

Adams
Aguilar
Ashford
Bass

Beatty
Becerra
Bera
Beyer

Bishop (GA)
Blumenauer
Bonamici

Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore

Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)

NOT VOTING—5

Castor (FL) Mica Pittenger
Kelly (IL) Payne

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1649

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 187, not voting 7, as follows:

[Roll No. 567]

YEAS—240

Abraham	Griffith	Perry
Aderholt	Grothman	Pittenger
Allen	Guinta	Pitts
Amodei	Guthrie	Poe (TX)
Babin	Hanna	Poliquin
Barletta	Hardy	Pompeo
Barr	Harper	Posey
Barton	Harris	Price, Tom
Benishek	Hartzler	Ratcliffe
Bilirakis	Heck (NV)	Reed
Bishop (MI)	Hensarling	Reichert
Bishop (UT)	Herrera Beutler	Renacci
Black	Hice, Jody B.	Ribble
Blackburn	Hill	Rice (SC)
Blum	Holding	Rigell
Bost	Hudson	Roby
Boustany	Huelskamp	Roe (TN)
Brady (TX)	Huizenga (MI)	Rogers (AL)
Brat	Hultgren	Rogers (KY)
Bridenstine	Hunter	Rohrabacher
Brooks (AL)	Hurd (TX)	Rokita
Brooks (IN)	Hurt (VA)	Ros-Lehtinen
Buchanan	Issa	Roskam
Buck	Jenkins (KS)	Ross
Bucshon	Jenkins (WV)	Rothfus
Burgess	Johnson (OH)	Rouzer
Byrne	Johnson, Sam	Royce
Calvert	Jolly	Russell
Carter (GA)	Jordan	Ryan (WI)
Carter (TX)	Joyce	Salmon
Chabot	Katko	Sanford
Chaffetz	Kelly (MS)	Scalise
Clawson (FL)	Kelly (PA)	Schweikert
Coffman	King (IA)	Scott, Austin
Cole	King (NY)	Sensenbrenner
Collins (GA)	Kinzingler (IL)	Sessions
Collins (NY)	Kline	Shimkus
Comstock	Labrador	Shuster
Conaway	LaHood	Simpson
Cook	LaMalfa	Smith (MO)
Costello (PA)	Lamborn	Smith (NE)
Cramer	Lance	Smith (NJ)
Crawford	Latta	Smith (TX)
Crenshaw	LoBiondo	Stefanik
Culberson	Long	Stewart
Curbeo (FL)	Loudermilk	Stivers
Davis, Rodney	Love	Stutzman
Denham	Lucas	Thompson (PA)
Dent	Luetkemeyer	Thornberry
DeSantis	Lummis	Tiberi
DesJarlais	MacArthur	Tipton
Diaz-Balart	Marchant	Trott
Dold	Marino	Turner
Donovan	McCarthy	Upton
Duffy	McCaul	Valadao
Duncan (SC)	McClintock	Wagner
Duncan (TN)	McHenry	Walberg
Ellmers (NC)	McKinley	Walden
Emmer (MN)	McMorris	Walker
Farenthold	Rodgers	Walorski
Fincher	McSally	Walters, Mimi
Fitzpatrick	Meadows	Weber (TX)
Fleischmann	Meehan	Webster (FL)
Fleming	Messer	Wenstrup
Flores	Miller (FL)	Westerman
Forbes	Miller (MI)	Westmoreland
Fortenberry	Moolenaar	Whitfield
Fox	Mooney (WV)	Williams
Franks (AZ)	Mullin	Wilson (SC)
Frelinghuysen	Mulvaney	Wittman
Garrett	Murphy (PA)	Womack
Gibbs	Neugebauer	Woodall
Gibson	Newhouse	Yoder
Gohmert	Noem	Yoho
Goodlatte	Nugent	Young (AK)
Gosar	Nunes	Young (IA)
Gowdy	Olson	Young (IN)
Granger	Palazzo	Zeldin
Graves (GA)	Palmer	Zinke
Graves (LA)	Paulsen	
Graves (MO)	Pearce	

NAYS—187

Adams	Bishop (GA)	Butterfield
Aguilar	Blumenauer	Capps
Amash	Bonamici	Capuano
Ashford	Boyle, Brendan	Cárdenas
Bass	F.	Carney
Beatty	Brady (PA)	Carson (IN)
Becerra	Brown (FL)	Cartwright
Bera	Brownley (CA)	Castro (TX)
Beyer	Bustos	Chu, Judy

Cicilline	Huffman	Perlmutter
Clark (MA)	Israel	Peters
Clarke (NY)	Jackson Lee	Peterson
Clay	Jeffries	Pingree
Cleaver	Johnson (GA)	Pocan
Clyburn	Johnson, E. B.	Polis
Cohen	Jones	Price (NC)
Connolly	Kaptur	Quigley
Conyers	Keating	Rangel
Cooper	Kennedy	Richmond
Costa	Kildee	Roybal-Allard
Courtney	Kilmer	Ruiz
Crowley	Kind	Ruppersberger
Cuellar	Kirkpatrick	Rush
Cummings	Kuster	Ryan (OH)
Davis (CA)	Langevin	Sánchez, Linda
Davis, Danny	Larsen (WA)	T.
DeFazio	Larson (CT)	Sánchez, Loretta
DeGette	Lawrence	Sarbanes
Delaney	Lee	Schakowsky
DeLauro	Levin	Schiff
DelBene	Lewis	Schrader
DeSaulnier	Lieu, Ted	Scott (VA)
Deutch	Lipinski	Scott, David
Dingell	Loeb	Serrano
Doggett	Loeb	Sewell (AL)
Doyle, Michael	Lofgren	Sherman
F.	Lowenthal	Sinema
Duckworth	Lowey	Sires
Edwards	Lujan Grisham	Slaughter
Ellison	(NM)	Smith (WA)
Engel	Luján, Ben Ray	Speier
Eshoo	(NM)	Swalwell (CA)
Esty	Lynch	Takai
Farr	Maloney,	Takano
Fattah	Carolyn	Thompson (CA)
Foster	Maloney, Sean	Thompson (MS)
Frankel (FL)	Massie	Titus
Fudge	Matsui	Tonko
Gabbard	McCollum	Torres
Gallego	McDermott	Tsongas
Garamendi	McGovern	Van Hollen
Graham	McNerney	Vargas
Grayson	Meeks	Veasey
Green, Al	Meng	Vela
Green, Gene	Moore	Velázquez
Grijalva	Moulton	Visclosky
Gutiérrez	Murphy (FL)	Walz
Hahn	Nadler	Wasserman
Hastings	Napolitano	Schultz
Heck (WA)	Neal	Waters, Maxine
Higgins	Nolan	Watson Coleman
Himes	Norcross	Welch
Hinojosa	O'Rourke	Wilson (FL)
Honda	Pallone	Yarmuth
Hoyer	Pascrell	
	Pelosi	

NOT VOTING—7

Castor (FL)	Mica	Rooney (FL)
Kelly (IL)	Payne	
Knight	Rice (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1656

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

DEPUTY SANDBERG, WE ARE FOREVER GRATEFUL

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to remember fall-

en Deputy Steven Sandberg, who was shot and killed in the line of duty this past Sunday in St. Cloud, Minnesota.

Deputy Sandberg's death was both senseless and tragic, but we must remember him for the heroic way he chose to live his life.

Deputy Sandberg was an honorable man who served his community for 24 years. He began working for the Aitkin County Sheriff's Office in 1991 and worked as an investigator for the past 20 years.

Every day for more than two decades Deputy Sandberg put his life on the line to protect others, and we will be forever grateful for his service.

Our community has suffered a major loss, and we will never forget what this exceptional man has done for us. Our thoughts and prayers are with Steven's wife Kristi and daughter Cassie as well as his many friends and colleagues during this difficult time.

□ 1700

DEPUTY STEVEN SANDBERG

(Mr. NOLAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NOLAN. Mr. Speaker and Members of the House, Minnesota suffered a terrible tragedy when we lost Deputy Sheriff Steven Sandberg of Aitkin, Minnesota, in the line of duty last weekend.

Deputy Sandberg, a 20-year veteran of the Sheriff's Office, was loved and cherished by his family, by all who knew him, and by the entire region.

His daughter, Cassie, recently said, "I want everyone to know that my dad was so proud to do his job and to serve the entire community."

Cassie, we want you to know that we are proud, too. We are proud to have had your dad's great service in our community. His bravery and his service will never be forgotten.

Today I ask my colleagues to please keep his wife, Kristi, and his daughter, Cassie, in their thoughts and in their prayers.

Please remember to thank and to honor all of the law enforcement officers who put themselves in harm's way every day to keep us safe.

HONORING MAJOR GREG TRUITT

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to honor Coral Gables native Major Greg Truitt on his retirement from the Miami-Dade Police Department.

Starting off as a rookie corrections officer in his early twenties, Greg has held many roles throughout his 40 years in law enforcement before retiring as Commander of the Village of Palmetto Bay's Policing Unit.

The mayor and city manager of Palmetto Bay are here in D.C. today to help honor his years of service and to join me in wishing Major Truitt good health, happiness, and all the best in the years ahead.

Major Truitt's profound leadership and commitment to south Florida have allowed him to shape the lives of countless individuals throughout his impressive career. Greg has shown that there is no greater reward than the satisfaction of serving one's fellow neighbor. For having embraced this most noble of endeavors with such lofty principles, I thank him so very much.

Not one to rest on his laurels since his retirement, Greg continues to volunteer his time to serve our community through his church, the Boy Scouts of America, and as a police reserve officer with the Miami-Dade Police Department.

Godspeed to Greg Truitt.

CONGRATULATIONS TO THE MINNESOTA LYNX

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, the word "dynasty" gets thrown around loosely these days, but with three championships in 5 years, the Minnesota Lynx fit the bill.

Led by Maya Moore, who averaged over 23 points in the playoffs, the Lynx won the title with a hard-fought victory over the Indiana Fever in game 5. Coached by Cheryl Reeve, the Lynx overcame injuries and fatigue to clinch the top seed in the West during the regular season and set up their path to the title.

Mr. Speaker, as the WNBA continues to grow, the players often are called upon to do more than just play basketball. In that vein, the Lynx players have been tremendous ambassadors to the community and are heroes to numerous girls who are pursuing their athletic dreams.

I congratulate the Minnesota Lynx players and the coaches on yet another WNBA title.

FEDERAL-STATE CYBERSECURITY COOPERATION

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, today, here on Capitol Hill, I visited with various National Guard units from different States to learn more about the innovative ways they are keeping us safe in cyberspace. I appreciate their efforts and their service.

The House has passed several measures to protect our cybersecurity this year, and the Senate is now working to

do the same. There is a clear, bipartisan consensus that more needs to be done to protect us from data breaches, malicious hackers, and those who would inflict harm on the American people in using our cyber networks.

Several high-profile data breaches include a hack of the Office of Personnel Management, which accessed highly sensitive information that puts our national security at risk as well as that of many people's private lives.

We must act now to protect our cybersecurity before an even more catastrophic attack occurs. More integration and cooperation is needed among Federal, State, and local levels to be on the same page for the cybersecurity Americans expect of us in government and are promised. I feel we are falling woefully short should another attack occur. We must be prepared better than we are.

PREGNANCY DISCRIMINATION AMENDMENT ACT

(Mr. POLIQUIN asked and was given permission to address the House for 1 minute.)

Mr. POLIQUIN. Mr. Speaker, I ask all Members of our House today to join me in support of H.R. 2800, the Pregnancy Discrimination Amendment Act.

This important piece of legislation expands upon existing law to help protect pregnant women from workplace discrimination, and I am proud to be a cosponsor.

Women account for nearly half of the workforce in our country, so it is particularly hard to believe, in today's society, women are still denied jobs or lose their jobs because they are pregnant. Every time this happens to a mom, it hurts her, it hurts her family, and it hurts our economy.

We must ensure that hardworking moms and moms-to-be are protected from unfair employment decisions. As a society, we should encourage and support all workers. We should help ensure that moms and dads are physically and financially healthy and secure as they approach parenthood.

As a single father myself, who raised my son from the time he was in diapers, I know firsthand how important it is to have a support system. That includes a supportive work environment where soon-to-be parents are not worried about being fired or about being overlooked for jobs or promotions because they have decided to have children.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-70)

The SPEAKER pro tempore (Mr. KELLY of Mississippi) laid before the House the following veto message from the President of the United States:

To The House of Representatives:

I am returning herewith without my approval H.R. 1735, the "National Defense Authorization Act for Fiscal Year 2016." While there are provisions in this bill that I support, including the codification of key interrogation-related reforms from Executive Order 13491 and positive changes to the military retirement system, the bill would, among other things, constrain the ability of the Department of Defense to conduct multi-year defense planning and align military capabilities and force structure with our national defense strategy, impede the closure of the detention facility at Guantanamo Bay, and prevent the implementation of essential defense reforms.

This bill fails to authorize funding for our national defense in a fiscally responsible manner. It underfunds our military in the base budget, and instead relies on an irresponsible budget gimmick that has been criticized by members of both parties. Specifically, the bill's use of \$38 billion in Overseas Contingency Operations funding—which was meant to fund wars and is not subject to budget caps—does not provide the stable, multi-year budget upon which sound defense planning depends. Because this bill authorizes base budget funding at sequestration levels, it threatens the readiness and capabilities of our military and fails to provide the support our men and women in uniform deserve. The decision reflected in this bill to circumvent rather than reverse sequestration further harms our national security by locking in unacceptable funding cuts for crucial national security activities carried out by non-defense agencies.

I have repeatedly called upon the Congress to work with my Administration to close the detention facility at Guantanamo Bay, Cuba, and explained why it is imperative that we do so. As I have noted, the continued operation of this facility weakens our national security by draining resources, damaging our relationships with key allies and partners, and emboldening violent extremists. Yet in addition to failing to remove unwarranted restrictions on the transfer of detainees, this bill seeks to impose more onerous ones. The executive branch must have the flexibility, with regard to those detainees who remain at Guantanamo, to determine when and where to prosecute them, based on the facts and circumstances of each case and our national security interests, and when and where to transfer them consistent with our national security and our humane treatment policy. Rather than taking steps to bring this chapter of our history to a close, as I have repeatedly called upon the Congress to do, this bill aims to extend it.

The bill also fails to adopt many essential defense reforms, including to force structure, weapons systems, and

military health care. Our defense strategy depends on investing every dollar where it will have the greatest effect. My Administration's proposals will accomplish this through critical reforms that divest unneeded force structure, slow growth in compensation, and reduce wasteful overhead. The restrictions in the bill would require the Department of Defense to retain unnecessary force structure and weapons systems that we cannot afford in today's fiscal environment, contributing to a military that will be less capable of responding effectively to future challenges.

Because of the manner in which this bill would undermine our national security, I must veto it.

BARACK OBAMA.

THE WHITE HOUSE, October 22, 2015.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

Pursuant to the order of the House of October 21, 2015, further consideration of the veto message and the bill are postponed until the legislative day of Thursday, November 5, 2015, and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion.

SYRIAN DISPLACEMENT CRISIS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 60 minutes as the designee of the minority leader.

Ms. KAPTUR. Mr. Speaker, I rise today as the Syrian displacement crisis has consumed seven nations in the Middle East, among them Lebanon, Jordan, Turkey, obviously, and Syria itself, and has spawned the largest refugee crisis Europe has faced since World War II.

The scope of the damage is incredible. This protracted conflict has decimated Syria's infrastructure and has already taken the lives of over 250,000 civilians, has displaced over 4 million people, and has subjected tens upon thousands of children in that nation to Assad's horrific barrel bombs. Most everyone who remains in Syria endures power and water cuts, the threat of shelling, galloping inflation, and rampant speculation about: What will happen next? Who will help us, the innocents?

With roads often subject to ambush, freedom to travel has been heavily curtailed. Checkpoints and concrete blast barriers have become accepted adornments of daily life. Institutions such as schools, hospitals, and offices remain open in government-held areas, though many schools have become shelters for the legions of war injured and home-

less. Truly, it is grim. Often, classes are held in double shifts to make room for the extra students. This is everyday life in Syria.

Five years into the conflict that has ravaged this once-modern nation, more than half of the Syrian population is displaced, with over 4 million refugees in neighboring countries and tens of thousands moving toward Europe. We see this on television every evening.

My hometown of Toledo has taken in 8 weary Syrian families—refugees who have now again found hope in the liberty that America offers—but fewer than 2,000 Syrians have come to the United States, though the war has displaced more than 12 million since 2011. The free world simply cannot allow this savage slaughter and dislocation to continue.

We ask ourselves: Where is the leadership for resolution?

□ 1715

Now, in addition to daily airstrikes against civilians by the Syrian Government violating international humanitarian law, Russian warplanes are striking medical facilities and residential areas in non-ISIL areas where rebel forces are fighting to overthrow the Assad regime while Russia publicly proclaims its aim of eliminating ISIL targets.

I brought a map to the floor here that essentially shows most of Syria, who holds it. If one looks at these red dots here, the Russian planes are mainly bombing in the rebel-held areas, not in the ISIL-held areas. So we see a complex situation that has developed on the ground.

As Putin moves with defiance to maintain the Syrian dictatorship, his actions simply must be checked because it tells us that, in the future, there will be more slaughter with what remains if those moderate forces are not allowed to survive.

Since Russia began airstrikes at the end of September, at least 127 civilians, including 36 children and 34 women, have been killed by Russian airstrikes, according to the opposition Syrian Observatory for Human Rights.

For the sake of liberty in Syria, in Europe, and around the world, America, NATO, the Transatlantic Alliance, and our allies in the Middle East must lead the region to peaceful settlement.

I happen to represent a region in America where Syrian Americans have lived for over a century. I can't even explain to you how they feel about the total destruction of their homeland, its artifacts, and its history. I am not even able to contain it in words here.

They came to see me last week, and they asked if I would read some of their words into the RECORD, which I promised I would do this evening. They want the American people and the world to know:

The biggest killer of civilians in Syria is the Assad regime's use of barrel bombs.

Packed with TNT and shrapnel, these dumb bombs have no target and are just dropped from helicopters on civilian neighborhoods. These bombs cause massive destruction and casualties. Thousands upon thousands of children have been killed and injured by these helicopter flights.

And they said to me: Congresswoman, if you can say one thing to the Congress and to those in Washington who can make a difference, please tell them to disrupt and stop these helicopter flyovers. So the barrel bombs aren't coming out of the F-16s obviously flying over Syria, but they are coming from helicopters that the Assad regime is dispatching across that country.

The most important step that can be done to save lives would be the imposition of a no-fly zone. A no-fly zone will turn the tide of war, and bring down the regime of terror and force Assad to negotiate his exit.

We know there is resistance to that, but the world community must meet this latest test in order to secure a better life for the people that remain in Syria, those who may wish to return, and, obviously, the millions that have fled and are in refugee camps throughout that region and now as far as Western Europe.

I would urge the President of our country to consider the appointment of a special envoy without portfolio for Syrian peace to work full-time to bring all relevant nations together to resolve this unfolding tragedy and aim at a civil military strategy for transition and settlement.

I include for the RECORD Anthony Cordesman's writings.

[From the Center for Strategic & International Studies, Oct. 1, 2015]

THE LONG WAR IN SYRIA: THE TREES, THE FOREST, AND ALL THE KING'S MEN

(By Anthony H. Cordesman)

Clichés are clichés, but sometimes it really is hard to see the forest for the trees. In the case of Syria, the "trees" include the UN debate between Obama and Putin over Syria and the fight against Islamic extremism, Russia's sudden military intervention in Syria, the failure of the U.S. training and assist missions in both Syria and Iraq, and the developing scandal in USCENTCOM over exaggerated claims of success for the U.S.-led air campaign in Syria and Iraq.

The most important "tree," however, is trying to negotiate an end to the fighting from the outside, as if Assad was the key issue and as if it would be possible for some diplomatic elite or mix of power brokers to bring Syria back to some state of stability if only Assad would agree to leave and the United States and Russia could agree on how to approach the negotiations.

FOCUSING ON THE TREES WHEN THE FOREST IS BURNING

The problem is that the "forest" is dying, burning, and occupied by four broad sets of fighters that have little reason to cooperate with any UN-led negotiating effort, outside agreement over Assad—with or without U.S. and Russian cooperation.

To shift from one cliché to another, Syria presents far more problems than Humpty Dumpty. "All the king's horses and all the

king's men" couldn't put Syria back together by negotiating a solution from the outside even if there was one King instead of a divided mix of the United States, Russia, Iran, Turkey, Iraq, the other states surrounding Syria, the Arabian Gulf states, Egypt, and France and the other interested European powers.

It shouldn't take a child's nursery rhyme to point out the obvious—although it is one whose origins may date back to England's civil wars and first appeared in print shortly after it became fully clear that there was no way English could ever bring the 13 colonies back under its control. To begin with, there is no equivalent of Humpty.

PUTTING FOUR HUMPTYS TOGETHER WITH NO KING AND NO UNITY AMONG THE KING'S MEN

The problem is not simply ISIS or Assad. ISIS is one of the four "Humptys" in a shattered Syria, but ISIS controls only a limited part of Syria's population even in the east. ISIS occupies both parts of Syria and Iraq. It continues to systematically purge any religious and ideological dissent while neither government in Damascus or the government in Baghdad have shown any clear ability to gain support from a major portion of the Sunnis in the area that ISIS controls.

So far, neither the forces of the Syrian or Iraqi government have had much military success against ISIS, and U.S. claims that Iraq has regained some 35% of the territory it lost to ISIS are little more than dishonest spin. They are based on the maximum line of ISIS advance before any fighting took place and before ISIS established any level of governance or control. They include vast areas of unpopulated desert: areas where no one controls anything because no one is there.

THE KURDS

The second Humpty consists of the Syrian Kurds—who have gone from a partially disenfranchised minority to the equivalent of a mini-state in the north and east of Syria, and have been the only real U.S. military train and assist success. They have no reason to support Assad or any of those who support Assad. They too are divided, and some have ties to Turkish Kurds, some to Iraqi Kurds, some to both, and some are independent.

At the same time, they have no clear economic viability as a state, face growing water problems, and would need to grab a significant part of Syria's limited oil and gas resources in the East to be viable unless they somehow united in a broader Kurdish entity—one that included Turkish and/or Iraqi Kurds and would be likely to create a new set of regional conflicts.

Furthermore, these Administration claims and maps that talk about liberating 35% of the area that ISIS occupied ignore the fact that control of much of the disputed populated areas in Anbar remains undecided, and that it was the Iraqi Kurds which not only recovered much of the lost populated areas that did matter, but grabbed a large additional part of Iraq—including Kirkuk and its oil fields—and created a whole new dimension of the Kurdish problem and its tensions with Iraq's Arab and the Turks while the corrupt government in the Kurdish zone of Iraq has divided and threatened to create a new round of internal power struggles.

THE OTHER SUNNI FIGHTERS

The third Humpty consists of an uncertain coalition of other Sunni fighters. They control—or are fighting for control—in many of the most populated areas in Syria. There are no reliable unclassified estimates of the number, strength, and ideological character

of these factions but there are well over 20 groups—and some estimates go well over 30.

Some, like the Al Nusra Front—one of the most successful in military terms—are linked to Al Qaeda. Others are less radical Islamist factions, but are scarcely secular or moderate, also have no ties to the hollow outside efforts to create moderate governments in exile, and are being backed by Arab states like Qatar, Saudi Arabia, and the UAE. The small groups being given limited support with U.S. weapons and Special Forces assistance are at best petty and uncertain players.

This is also a group of fighters that is fighting the pro-Assad forces in what is increasingly becoming a wasteland. The fighting on the ground, Assad's barrel bombs and the threat of poison gas, deliberate isolation and efforts to starve out rebel held areas have created one of them most serious humanitarian disasters in any one country in modern history.

Many of the more than 4 million Syrian refugees that had left Syria lived in the area where this fight takes place. The same is true of the well over 7 million internally displaced persons (IDPs) that no longer have a real home, job, business, or access to key services like health and education.

Many of the more than 250,000 Syrian civilian dead, and at least 500,000 seriously wounded are the product of this fighting—although it is important to note that the UN ceased to be able to make meaningful casualty estimates well over half a year ago, and the estimates of refugees and IDPs have ceased to increase because (a) there no longer is a basis for guesstimating the increase, and (b) many of the remainder are simply too poor to leave.

To go back to cliché number one, this is the area where the forest has now been burning for some four years. This was one of the most populated and developed parts of Syria. It is an area where Syria's already poor economy probably now has a GDP around 20% of what it was in 2011 and has no clear basis for recovery. It is an area where no top down negotiation between Assad or his backers and any outside faction can begin to put even one Humpty back together again.

THE ASSAD FACTION(S)

The fourth version of Humpty is the group of factions and fighters supporting Assad. It is important to note that this is not a unified group. No one has given most of those in the area Assad control a choice as to who controls them. The majority of the population is Sunni and other non-Alawites. The Alawites are not Shi'ite, and are a gnostic religious group that may have political ties to Iran and the Hezbollah, but Alawites are not Muslims in the normal sense of the term.

There are no reliable data on Syria's population. The CIA estimates, however, that some 17-18 million people remain in Syria, it estimates that 87% are Muslim (official; includes 74% Sunni 74% and 13% that are a mix of Alawi, Ismaili, and Shia). Some 10% are Christian (includes Orthodox, Uniate, and Nestorian), and the final 3% are Druze and some small number of Jews who remain in Damascus and Aleppo).

If one looks at the maps of Syria's sectarian and ethnic divisions before the fighting, they are also distributed into a series of small enclaves, many near the coast. They have no clear "region," and it is far from clear how many of the Sunnis in the regular Syrian forces, the real Shi'ites and other minorities in Syria, or the more secular Sunni businesspersons and civilians would support either Assad or any mix of Assad supporters if they had a choice.

It is also important to note that the World Bank rated the Assad regime as having some of the worst governance in the world before the uprising began in 2011. It was also rated as deeply corrupt. Transparency International rated it as the 159th most corrupt country in the world—out of 175—in 2014. The Arab and UN development reports warned that the younger Assad was no better in moving the country towards real economic development than his father, and that the massive population increase in Syria had created a "youth bulge" for which there were often no real jobs.

The Syrian GDP per capita was at best around \$5,100 even in Purchasing Power Parity P terms in 2011 before the upheavals began—and ranked a dismal 165th in the world. It now may average half that level. Some 33% of the population is 0-14 years of age; 14% is 15-24, and over 500,000 young Syrian men and women now reach job age each year in a country where direct (ignoring disguised) unemployment is estimated to be 33-35%, and the poverty level was well over 12% before the fighting started.

A TIME FOR HONESTY, TRANSPARENCY, AND REALISM

One cannot ignore trees, anymore than one can ignore the forest. The failure of U.S. policy and military efforts, Russian and Iranian support of Assad and major Russian military intervention, and the conflicting ways in which other states intervene will all make things worse. The impact of religious warfare and extremism, and failed Syrian secularism, are even more serious problems.

It is time, however, to stop focusing on either ISIS or Assad, to pretend that Syrian "moderates" are strong enough to either affect the security situation or negotiate for Syria's real fighters, and act as if a shattered nation could be united by some top down negotiation between groups that hate each other and have no competence in dealing with the economic, social, and governance challenges Syria now faces.

The first step in solving a problem is to honestly assess it. No negotiation can work that does not deal with grim realities and divisions created by years of fighting. No amount of U.S. and Russian intervention and argument can bring security or stability. No UN effort at conventional negotiation can survive encounter with reality, and no effort of any kind that does not address the sheer scale of Syrian recovery and reconstruction.

Ms. KAPTUR. Anthony Cordesman, probably one of the most respected thinkers on this subject, ends a very significant analysis of the situation in Syria and greater Europe with this admonition. He tells America: "We face a moment of facing up to honesty, transparency, and realism."

And he tells us, "One cannot ignore trees anymore than one can ignore the forest," related to Syria. "The failure of U.S. policy and military efforts, Russian and Iranian support of Assad and major Russian military intervention, and the conflicting ways in which other states intervene will all make matters worse. The impact of religious warfare and extremism, and failed Syrian secularism, are even more serious problems."

"It is time, however, to stop focusing on either ISIS or Assad, to pretend that Syrian 'moderates' are strong enough to either affect the security situation or negotiate for Syria's real

fighters, and act as if a shattered nation could be united by some top-down negotiation between groups that hate each other and have no competence in dealing with the economic, social, and governance challenges Syria now faces.

"The first step in solving a problem is to honestly assess it. No negotiation can work that does not deal with grim realities and divisions created by years of fighting. No amount of U.S. and Russian intervention and argument can bring security or stability. No U.N. effort at conventional negotiation can survive encounter with reality, and no effort of any kind that does not address the sheer scale of Syrian recovery and reconstruction" can work.

I commend his writings to my colleagues and the major studies that have been done this year by the Center for Strategic and International Studies as providing a glimmer of the road that we must walk toward.

I want to just thank my colleagues for the opportunity to place this in the RECORD tonight.

I want to thank the Syrian Americans that live in northern Ohio for their patriotic citizenship and their deep concern about what more the United States of America could do to bring resolution to this deeply troubling conflict in Syria that has precipitated such unrest, not just through that region but, indeed, to all of greater Europe.

I yield back the remainder of my time.

PRESIDENTIAL VETO OF NDAA

The SPEAKER pro tempore (Mr. EMMER of Minnesota). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Missouri (Mrs. HARTZLER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. HARTZLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. HARTZLER. Fifty-three years ago is a long time. In 1962, John F. Kennedy was President. Gas was 28 cents a gallon. The first Walmart opened. The U.S. Navy SEALs were created, and the Cuban Missile Crisis was on everyone's minds.

Now, we have gone through a lot as a nation since then, but one thing has remained constant: the U.S. Congress and the President of the United States have fulfilled one of our primary obligations according to the Constitution of providing for the common defense by passing a National Defense Authoriza-

tion Act. You may say that Congress hasn't always passed legislation that is needed, but on the National Defense Authorization Act, we have gotten it right. For 53 years in a row now, our Nation's national security needs have been taken care of.

Sadly, that might not be the case this year. The reason? Not because the Representatives of the people did not do their work. It is because the Commander in Chief has chosen to use the military as political pawns to advance his domestic agenda by choosing to veto the NDAA.

Never before in our Nation's history has a President vetoed the National Defense Authorization Act in order to leverage concessions on other areas of government spending. Let me say that again. President Obama's veto stems not from defense policy but, rather, from his desire for more domestic spending unrelated to national defense. This is unprecedented.

Four times during the past 53 years, Presidents have vetoed the NDAA, but it was over specific defense-related provisions in the NDAA itself. Differences were able to be worked out with Congress and concerns quickly addressed so the bill could move forward and our men and women in uniform would have the tools, equipment, and resources they need to keep us safe. Not this year.

Just minutes ago, our President vetoed our Nation's most important bill, which provides for full funding for our military.

Let me share with you what provisions are in this bill and why it is so important. It provides: a 1.3 percent pay raise for our troops; retirement benefits for the 83 percent of our troops who currently see none; the authority for commanders to allow soldiers to carry guns on base to defend themselves, their colleagues in arms, and their families; vital resources and new tools to combat cyber attacks on our critical infrastructure; restrictions on Guantanamo detainee transfers to address the potential illegality of the President's previous unilateral transfers; 12 new F-18 Super Hornets to be built in my home State of Missouri; \$300 million of assistance in lethal aid so the people of Ukraine can defend themselves; \$330 million in funding for the iron dome missile defense system for Israel; and it directs the deployment of a new advanced ballistic missile defense system to defend against the threat of an Iranian intercontinental ballistic missile.

In short, at home and abroad, the NDAA ensures our military has funding for national defense and overseas operations. These are the selfless individuals who we rely upon for our safety and freedom that we are talking about. And in a strongly bipartisan fashion, Congress has authorized that funding at the exact level that the President requested.

In this unprecedented move, the Commander in Chief is using the very troops he commands as pawns in a very dangerous political game. It is wrong to add to the uncertainty our men and women in uniform face as they stand on the front lines of an increasingly uncertain world.

Let us remember, the President recently made a decision to keep almost 10,000 of our soldiers, sailors, airmen, and marines in Afghanistan. On the heels of such a serious decision, asking them to leave their families and lives on hold for another year or more, how could he justify not signing the bill that provides the pay and benefits for our troops?

I am thankful for my colleagues who stand with me here today to tell you why this is such a critical piece of legislation and why this veto cannot stand. We are here to make sure the men and women who put themselves in harm's way for our freedom are a priority to our Nation and not held hostage to political games.

With that, I yield to the gentleman from Oklahoma (Mr. BRIDENSTINE), a Navy veteran and currently lieutenant commander in the United States Navy Reserve.

Mr. BRIDENSTINE. Mr. Speaker, I thank the gentlewoman from Missouri (Mrs. HARTZLER) for all her hard work on these issues.

Just as a point of maybe disagreement, I am no longer in the Navy Reserve. I joined the Oklahoma National Guard, and I will be flying with the Oklahoma Air National Guard.

Mr. Speaker, I thank the gentlewoman for hosting this Special Order, and I would like folks to understand really what my friend from Missouri just said.

The President of the United States vetoed the Defense Authorization because he wants more spending for other domestic programs. This is unprecedented and, quite frankly, it is scary for this country. I am still dumbfounded by it, that you are going to hold defense hostage for a domestic agenda. We don't do that in the United States of America. This President somehow doesn't understand that you don't take the defense of this country hostage for a domestic agenda, and yet that is what he has just done.

I want to share with my colleagues why we do an authorization every year, because the world changes. Things get more dangerous year after year after year.

As a Navy pilot and now as a National Guard pilot, we utilize space. I am on the Strategic Forces Subcommittee of the Armed Services Committee. We hear all kinds of things about space.

I can tell you, as somebody who has used it, we use space for over-the-horizon communications with our space-based communication architecture. We

use it for weather so that we can make sure we can get to the target on time. We use it for intelligence. We use it for missile warning. We use it for a whole host of things: the position, navigation, timing, our GPS satellites, for actually hitting our targets.

Space is critical, yet something has changed drastically in the last few years. The Russians have been launching various things that were not registered with the International Telecommunication Union, the ITU.

□ 1730

What are we discovering that these objects are doing? Well, they are doing very sophisticated co-orbital maneuvers, demonstrating that they can do proximity and rendezvous operations, which means—guess what—ultimately that could be an antisatellite capability.

Friends, if we lose our satellites, we could have even more risk. Imagine your ATM not working. Imagine the food in the grocery store not being there when you go shopping. National security in this country is critically important, and the President is holding it hostage for a different domestic agenda that has absolutely nothing to do with national security. This is absolute craziness.

So what did we do in the NDAA? We plussed up spending on space protection, which is critically important; and we not only plussed up spending on space protection, but we provided authorities, critically necessary authorities so the Department of Defense can actually protect this country in ways that it hasn't had the opportunity to do so before.

For our communications architecture, we are doing Pathfinder programs, and we are purchasing communications in space in ways that we have never done it before. Why? Because we need to distribute the architecture so it complicates the targeting solution for our enemies. We are not doing this because it is fun or because we like it. We are doing it because it is critical for national security.

When the President of the United States vetoes it, it puts all of us in jeopardy. I want to be clear. This is about the troops, there is no doubt about that, but when we are talking about somebody's ATM working, this is about the security of the United States of America, and the President is holding it hostage for a domestic agenda.

When it comes to the troops, just a few items. We talk about the authorities in the NDAA. Well, those of us who have served understand that there are special pays that we receive: combat pay, hazardous duty pay, bonuses for reenlistments, flight pay for those of us who fly. There are pays that are going to be in jeopardy now that otherwise wouldn't be in jeopardy.

By the way, a lot of these pays are for people who are right now serving

this country overseas. Do we not understand that, Mr. President? I should say, Mr. Speaker, the President should understand that.

This is a momentous day in American history and not for good reasons—for tragic reasons.

I would like to thank my colleague from Missouri for hosting this Special Order and giving somebody like me and all these colleagues behind me the opportunity to make sure that America understands what is at stake here. The gentlewoman's leadership on these issues is critical, and America is in jeopardy.

We need to understand what happened today is not the norm. It must not be the norm, and future Presidents must never hold hostage American national security for a domestic agenda.

Mrs. HARTZLER. Mr. Speaker, I would like to thank Mr. BRIDENSTINE for his service to our Nation and his firsthand perspective on how vital this is and what a tragic day it is for our Nation that our Commander in Chief would do this.

Now I would like to turn to another friend and hero to our Nation in many ways, who served both in the Army and the Marine Corps, the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Speaker, I thank the gentlewoman from Missouri, VICKY HARTZLER, for her leadership on the Armed Services Committee and on this critical issue.

I rise today in strong support of the National Defense Authorization Act, and I urge my colleagues to override President Obama's veto. This bipartisan bill provides essential pay and benefits to the men and women serving in our military today. Expanded retirement options for our troops, greater protections against sexual assault in the military, and increased cybersecurity defense funding are among some of the most important authorizations included in the NDAA.

For the Sixth Congressional District of Colorado, the NDAA also contains provisions and language that help Buckley Air Force Base. Buckley not only plays a critical role in our Nation's defense, but it is the largest employer in my district.

Finally, the NDAA also includes language to prevent the transfer of GTMO detainees to U.S. soil. Last week, a delegation from the administration surveyed potential locations for GTMO detainees in Colorado. Along with most Coloradans, I remain adamantly opposed to this move and strongly support the language in the NDAA. There is absolutely no reason to close the Guantanamo Bay detention camp only to finance the incarceration of enemy combatants in the United States.

This legislation is too important to our Nation and to Colorado to become the subject of political games by the White House. Once again, this bill must

become law, and I urge my colleagues in the House to override the President's veto.

Mrs. HARTZLER. Mr. Speaker, Mr. COFFMAN made several excellent points, not only about the importance to Colorado, but certainly to our Nation. He raised a very important point that hasn't been brought up yet: how it prevents the transfer of the prisoners at Guantanamo Bay from coming to our soil; and that is what the administration wants to do is to put them in our backyards and our prisons, and we do not support that, and this NDAA prevents that.

Now I would like to turn to another friend and colleague from the Armed Services Committee, Mr. WILSON. He is quite a hero to this Nation in many ways, but certainly having four sons who have served in the military is one of his major contributions. We are so proud of him and his family and his service.

Mr. WILSON of South Carolina. I thank Congresswoman VICKY HARTZLER for her leadership for military families, and I thank her for referencing my four sons. Of course, I want to give all credit to my wife, Roxanne. She did a great job raising four sons who truly know how important it is to serve our country.

Sadly, President Obama has vetoed this year's National Defense Authorization Act, even though it allocates the same amount of funding as the Department of Defense request that he made himself. The President does not support the bipartisan NDAA because it utilizes wartime funds. Despite utilizing these funds himself, the President accepted this fabrication to veto the NDAA and put servicemembers, military families, and veterans at risk.

On October 3, The Washington Post editorialized: "Refusing to sign this bill would make history, but not in a good way. Mr. Obama should let it become law."

I believe the veto underscores the President's legacy of weakness. This is leading to instability. It is leading to aggression, mass murders, and it is leading to citizens fleeing the violence causing children to drown at sea.

This year's NDAA provides for servicemembers and equips our troops to fight serious threats to American families, like the murderous Islamic State. It supports our allies, like Ukraine and Israel, to defend themselves from aggression. The NDAA establishes meaningful reforms to the Department of Defense acquisition process and creates commonsense improvements to the military retirement system. It fully staffs and resources Cyber Command, which I appreciate as chairman of the Subcommittee on Emerging Threats and Capabilities, to protect American families.

American families deserve peace through strength. The National Defense Authorization Act gives our military critical resources to defend us as we constantly face new threats. It is sad for the President to weaken these reforms and funds and put American families at risk.

Fellow Members, I strongly urge you to override the President's veto. As the appreciative son of a World War II Flying Tigers veteran, as a 31-year veteran of the Army myself, and as the grateful father of four sons serving in the military, I know firsthand that your bipartisan vote will help protect and better serve our troops, military families, veterans, and all American families by promoting and ensuring peace through strength.

Mrs. HARTZLER. I really appreciate the gentleman's service to this Nation as a 31-year veteran; but also serving as chairman of the Subcommittee on Emerging Threats and Capabilities, he has a unique perspective on the inherent dangers facing our Nation now that our President has vetoed this important bill. I thank him for sharing his insights.

Now I will yield to another member of the Armed Services Committee, but more than that, he is a decorated Navy SEAL, and I look forward to hearing his thoughts on this very important moment in our Nation's history. I turn to the gentleman from Montana (Mr. ZINKE).

Mr. ZINKE. Mr. Speaker, today I rise in opposition to the President's veto and ask my colleagues to override it. I come before this body not only as a Representative of the great State of Montana, but also a former commander of SEAL Team Six and a former deputy and acting commander of Naval Special Warfare's efforts in the Persian Gulf.

The job of the Commander in Chief is bound by the Constitution to support the troops, to be the leader, and yet this President vetoes a bipartisan bill to defend our country.

I talk not only as a former commander, but also a father. My daughter is a Navy diver, and my son-in-law is an Active-Duty Navy SEAL. My wife watched her daughter, her husband, and her son-in-law all deploy.

I have seen the consequences of war. I am probably the last individual that would advocate for war. I have seen the consequences and the pain. But when we go to war, the Commander in Chief is obligated to make sure we go to war to win. He has to make sure that our troops have the right training, the right equipment, the right leadership to win decisively on the field of battle. Before this Commander in Chief sends them into harm's way, it is his obligation and duty to make sure that we know the conditions to bring them home.

His actions today are a dereliction of his duty. It affects every soldier, sailor,

airman, and marine in harm's way. A veto and the subsequent continuing resolution causes harm to our troops. I call it garrisoning, where our troops don't train, our fleet can't go in and receive the maintenance necessary. Above all, it gives a message to the troops that are in harm's way that their Commander in Chief does not have their back.

This isn't a Republican or Democratic issue. This is an American issue, because it is America's sons and daughters that we put in harm's way. It is the obligation of a great nation to make sure when we do that we give them everything they need to come home safely.

Mrs. HARTZLER. Mr. Speaker, I don't know of a more articulate way to say how important and imperative it is that we override this veto. I thank Mr. ZINKE for sharing his very real and heartfelt and expert thoughts on this issue.

Now I have a friend who is going to share who is passionate about lots of things and competent on many issues, but I tell you, serving on Armed Services Committee with the gentlewoman from Indiana, JACKIE WALORSKI, I can tell you her main passion is for the men and women in uniform, for our national defense.

I yield to the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Speaker, I thank the distinguished gentlewoman and my friend from Missouri, VICKY HARTZLER.

The NDAA, as we have heard tonight, is the largest single authorization bill that Congress considers and one of this body's most significant pieces of legislation and accomplishments this year. This legislation is critical to our national security. It continues to fund the entire national defense of this country.

For 54 years, Republicans and Democrats in both Houses in this body have come together to pass this defense bill. This year was no different. This Congress sent a bipartisan bill to President Obama. Today, though, the President vetoed this defense budget in order to gain leverage for additional increased spending, his demands of spending, a process of a budgetary procedure that is completely unrelated to this bill.

This defense bill helps our men and women in uniform by adjusting pay and retirement benefits. It removes barriers that prevent access to urgent medical care for members of the armed services while also expanding employment opportunities for those exiting the service. It helps us retain our most experienced servicemembers. It makes those individuals safer by enhancing and improving military training and modernizing our resources and programs.

Lastly, this bill provides very real authorities, such as the ability to pro-

tect Americans by keeping terrorists secured in the detention facility known as GTMO, or Guantanamo Bay. For 54 years, this defense bill has transited party lines and Washington dysfunction. As a candidate, President Obama promised to do the same. But with this veto, he has threatened to end this staple of bipartisanship in this Chamber.

Our servicemen and -women put their lives on the line every day. The least we can do is offer them the security of knowing that they can provide for their families and plan for their own futures.

□ 1745

Mrs. HARTZLER. I thank the gentlewoman. I appreciate that.

Next we have another member of the Armed Services Committee, who is a decorated Army commander, who led soldiers in Iraq, and whose unit was responsible for finding Saddam Hussein, to share his thoughts on this day when the President has vetoed the NDAA and why it is so important that we override this veto.

I yield to the gentleman from Oklahoma (Mr. RUSSELL).

Mr. RUSSELL. I thank the gentlewoman from Missouri for all of her hard work on the Armed Services Committee.

Mr. Speaker, I served my country 21 years in the Infantry in the United States Army and have deployed operationally to Kosovo, Kuwait, Afghanistan and Iraq.

As a combat Infantry veteran, I know firsthand the hardships and dangers that our warriors face. The question that we have to ask is: Why has the President increased the hardship and danger to our troops? Has he forgotten that we have troops in the field that are still fighting?

Has he forgotten that he has committed to contingency operations that created new hardships, new deployments, unscheduled training, unscheduled maintenance? And now, after asking them to turn everything on their heads, he is not even going to support it.

A Presidential veto blocks needed funds for our ongoing combat operations and for our emergency operations and contingencies.

The President claims that we need to do this right; yet, he has created the foreign policy mess that has required our troops to deploy on contingencies and then has asked this body to get additional Congressional authorization for those efforts. And now he adds to their burden.

The veto eliminates crucial planning time just for normal peacetime operations in training from 3 to 6 months, forcing the military to waste millions of dollars as they play a catch-up game, usually in the spring, by having to deal with such efforts to try to make up for lost time.

The veto reduces certainty in our overall national security posture. The veto also blocks a revised retirement program benefiting 83 percent of our warriors that are not currently covered, and it denies expanded access to health care and blocks access to needed drugs.

It continues to leave our warriors defenseless at recruiting stations, camps, posts, and bases by denying their ability to carry firearms in their defense against terror threats.

The veto also blocks a mediocre pay raise that the President himself already reduced by 1 percent, and now they will not even get that pathetic 1 percent pay raise, 1.3 percent.

Mr. Speaker, a Presidential veto makes one thing crystal clear: Nothing is too good for our troops and nothing is what he is going to give them. That is why we will fight to overturn this veto, so that he can hear the people of the United States and our constitutional requirement to defend this republic.

We will overturn this veto, and we ask, Mr. Speaker, that the Nation join us in this fight.

I thank the gentlewoman from Missouri.

Mrs. HARTZLER. I couldn't agree more with the gentleman. Thank you for your leadership, service to our country, and your call for the American people to join us and come alongside us as we fight for the defense of our Nation and for the men and women in uniform.

The thing that I feel is so important tonight is that the American people and everyone here in the House has had an opportunity to hear from people who not only care about their Nation, who are today's patriots, but many of them who have either served themselves on the front line and who have experienced danger and put themselves in harm's way because of it or they have family members that they are supporting in that line of duty.

Our next speaker I want to turn to is certainly one of those, not only a colleague on the Armed Services Committee, but a father who has three sons who are serving in the military, and he knows firsthand the dangers, the sacrifice, and how important this NDAA is to our Nation.

I yield to the gentleman from Florida (Mr. NUGENT).

Mr. NUGENT. Congresswoman HARTZLER, I really appreciate you taking the time to do this today on the floor.

Mr. Speaker, it is an outrage that the President would veto, as the Commander in Chief of our military in general.

Think about this. I have three sons that have served in the military, that currently serve in United States Army, that have served in Iraq and Afghanistan, that have done trips to Haiti to

help during reconstruction as it related to an earthquake.

The President of the United States has made them political pawns.

One of the things that my wife and I felt when they were deployed to Iraq or Afghanistan was that they were the best equipped, best led, best trained troops on the face of the earth. By vetoing the National Defense Authorization Act, we are putting a dagger in the heart of what we are supposed to be holding up.

The Constitution of the United States says that this Congress has the obligation to stand up an Army, to stand up a Navy, to support the President of the United States and the actions that we must take to protect this Nation.

The actions today are strictly a political action when you do a press conference to hold up the fact that he vetoed the National Defense Authorization Act.

You have heard so many members here today talk about the things that this act did or does. And so I call upon all of our friends across the aisle. Democrats, unite with us to overturn this veto because we live in the most dangerous of times.

Go back in time. I can't think of a time—I don't know if you can—where it has been more dangerous in regards to a resurgent Russia, to China, to Iran, to North Korea, to all of the non-state actors out there that are threatening this Nation and our friends and allies around the world.

This is not the time to play political brinksmanship with our military. This is a time to hold them up, lift them up, and let them do their job and know that their Commander in Chief has their back.

I truly do appreciate, Mrs. HARTZLER, your doing this.

Mrs. HARTZLER. Thank you, Mr. NUGENT. I just thought it was so important that you shared, as a parent. I have heard you say this before in committee, that, as a parent, it is vital for you and your wife to know that you are sending the best equipped, best trained force possible over into harm's way so, when you send your sons, you know that they are going to be able to come back safe.

Mr. NUGENT. People forget that there is actually flesh and blood, parents and children, of those young men and women that are serving this country. They forget there are real people in those uniforms. And so that is why this is so important.

Mrs. HARTZLER. Absolutely. And what message is that sending to them right now? Thank you.

Now I would like to turn to Representative DOUG LAMBORN, my friend from Colorado, who has the privilege and does such a great job representing one of the most military-intense districts in the country. I had the oppor-

tunity to visit the Air Force Academy around Memorial Day. I appreciate your leadership on this issue.

I yield to the gentleman from Colorado (Mr. LAMBORN) for whatever he would like to share.

Mr. LAMBORN. I thank the gentlewoman from Missouri for her leadership.

Mr. Speaker, today's veto from the President breaks dangerous new ground for callous disregard for the needs of our men and women in uniform.

While he worked so hard to make sure that the Iranian military had the funding they needed via his disastrous nuclear deal, today he chose to willfully disregard the needs of our own military to make a political point with his veto.

The Presidency has sunk to a new low today. For the first time in history, an American President has vetoed a defense bill because of issues that the bill itself cannot possibly address.

Most of us here in Congress agree that defending our Nation is the first and most important priority, a sacred constitutional duty we have to protect the American people and to keep us safe in an increasingly dangerous world.

Tragically, President Obama is willing to hold defense hostage to try to get more money for agencies like the IRS and the EPA, all of this while we remain at war with extremist groups like al Qaeda and ISIS that want to attack America, all of this while we still are having troops killed overseas, including some from Colorado.

This is pretty simple, really. This administration wants to cut our military and increase spending almost everywhere else. Our troops have already endured massive cuts similar in size to the Clinton drawdown in the nineties, although this time global threats are rising, not falling.

On top of all this, the President wants to send Guantanamo detainees to U.S. soil, including to my own district in Colorado, and is also issuing his veto for this reason.

Look, terrorists will find a reason to hate us no matter what happens in Guantanamo.

I ask my colleagues: Are we willing to let this happen on our watch?

To my fellow Republicans who are rightly concerned about out-of-control Federal spending and an out-of-control Federal debt, please hear me when I say we are working on real reform and real accountability for the large defense budget.

But please also hear me when I say that defense is simply not the driver of our debt, especially over the long term. Defense spending ensures and protects our way of life.

I strongly urge my colleagues to do the right thing for our military and the

right thing for America: override President Obama's reckless and truly dangerous veto.

Mrs. HARTZLER. I thank the gentleman so much because he raises a very good point as far as spending goes in that this bill, the NDAA, provides the exact amount of funding for our defense that the President requested.

Mr. LAMBORN. Down to the penny.

Mrs. HARTZLER. We worked hard to come up with that, but we made sure that our troops had the funding they need. And, yet, as the Commander in Chief, he requested \$612 billion. We gave him \$612 billion in this bill, and then he vetoes it.

Mr. LAMBORN. It makes no sense. It is dangerous, and he is doing it for political reasons that can't be solved in this bill.

Mrs. HARTZLER. You are exactly right. Thank you for your comments.

Now I have a gentleman from Georgia that I have been privileged to be elected with in 2010 and serve alongside in both Agriculture Committee and Armed Services. I believe he is one of the most hardworking members on Armed Services.

If you are his constituent, I want you to know he is at every hearing. He does his homework. And I appreciate him coming out tonight to share his thoughts on the NDAA.

I yield to the gentleman from Georgia (Mr. AUSTIN SCOTT).

Mr. AUSTIN SCOTT of Georgia. I want to thank you, Mrs. HARTZLER, for what you have done here.

Mr. Speaker, I want to thank you for the opportunity to discuss what has happened here today. As we talked earlier today, I honestly thought there was a chance that we wouldn't be here speaking about this. I thought that maybe this one time our Commander in Chief would do what was right.

I hope you will take an opportunity to look at the news. I am looking at it right now.

Obama to hold photo op to veto defense bill. Obama plans to hold a photo op in the Oval Office when he uses his veto pen on the National Defense Authorization Act, according to his public schedule.

Ladies and gentlemen, when I am around the District, I hear a lot of complaints: Why can't Congress just work together? Why can't you get along?

The National Defense Authorization Act came out of the Armed Services Committee 60-2, 60-2. There was one Democrat and one Republican that voted against the bill; 60-2.

It came through the House. A significant majority voted for the National Defense Authorization bill on the floor. It passed out of the Senate with over 70 votes.

When I am talking to Americans, I have used this as an example of how not everything you see in the press is

true, that there are issues like national security that the Democrats and the Republicans in Washington, D.C., absolutely take very seriously, and when it comes to the well-being of our men and women that serve the country and their families and making sure that they have the training and the equipment that they need, that this is an example of how we are able to put partisanship aside and work in the best interest of everybody in the country, most especially those that serve so honorably.

And the President held a photo op to veto the bill.

I want to thank my fellow colleagues, both Democrats and Republicans, for their work on this bill. Certainly I supported it. I continue to support it.

I think one of the things that continues to be mentioned and needs to be mentioned over and over and over again is the President got the total of what he asked for with regard to the authorization of the funds for carrying out the fight against ISIL, for the operations of the military.

There were a couple of things in it that he didn't like. One the them was the transfer of terrorists out of Guantanamo Bay.

□ 1800

Now, I would just ask that you think about the fact that, since the first NDAA 50 years ago, it has only been vetoed four times. In each instance, there was an agreement effectively prior to the veto on how to resolve it.

But not this guy, not this guy. He holds a photo op. He holds a photo op so that he can show off while he vetoes the National Defense Authorization Act.

I just hope that my colleagues on the other side of the aisle will join us as we work to override the President's veto in the House. I honestly believe that we will get the votes in the House to do that.

I hope that the Members of the Senate who voted for the National Defense Authorization Act will vote for it again when they have the opportunity to do so after we send the bill over there, after we have overridden the President's veto with this piece of legislation in the House.

Ladies and gentlemen, I would like to apologize. If the President won't do it, I want to do it. What happened today I think will long be looked upon as one of the worst moments of American leadership.

With that, Mrs. HARTZLER, I thank you again for what you have done for the men and women who serve and your service in this House.

Mrs. HARTZLER. I thank the gentleman.

I think it is so important to remember that national defense is not a partisan issue. It is a constitutional duty.

It is a constitutional privilege that we have, as elected officials in this country, to provide for the common defense.

The bill did pass overwhelmingly with bipartisan support in the House, in the committee, and over in the Senate. I am hopeful as well that we will be able to continue to join together to override this veto.

My friend from Georgia also made the comment and the sad news about the photo op that the President did today as he vetoed this piece of legislation.

I wonder, where is the photo op with the soldiers right now fighting in Afghanistan and some of them, sadly, who have died lately? Where is the recognition for them? Where is the photo op with the sorties that are being flown and our pilots that are going into harm's way to take on ISIS right now? Where is the photo op with all the military families that are sacrificing?

It is truly shameful, I think, that this occurred. I stand alongside with those who are fighting for the people of this country to keep them safe.

Mr. Speaker, I yield to the gentleman from New York (Mr. GIBSON), another friend who is a champion of this, who is a decorated Army commander, proudly serves on the Armed Services Committee and does a wonderful job.

Mr. GIBSON. Thank you. I really want to express my gratitude to the gentlewoman. I thank her for leading tonight, putting this together.

I also want to thank my colleagues that came out tonight to share their views and share their experiences.

Mr. Speaker, this is a very critical topic we are talking about here today. The first function of government is to protect its people.

Mr. Speaker, every single one of our service chiefs are on record, under oath in sworn testimony, saying that, if they do not get the additional resources that are provided in parts of this bill, that they will not be able to execute the national security strategy, that it will break our military.

Mr. Speaker, this is at a time that we have Russian tanks in Syria. We have got a significant challenge from the Islamic State. We have got major issues with Iran. We are dealing with a very aggressive Putin in Eastern Europe. We have got a quixotic leader in North Korea and an ambiguous situation in China.

Now is not the time to be taking a knee on our national security strategy. Now is not the time to be breaking our military.

Mr. Speaker, I want to make sure it is clear just how partisan the President's actions are. The American people need to know just how partisan this action is.

This process, our national security policy bill, is collaborative.

In our committee, in the House Armed Services Committee, we hold

hearings. It is fully collaborative. Both sides—Republicans and Democrats—get to come together, work on the issues, bring forward the questions, collaborate in that whole process of the hearing.

Then we have a markup. We have a markup at the committee level. This markup lasts for, in some cases, over 12 hours. Every single person in that committee, regardless of party, is able to bring forward their ideas, to speak for their people, to offer their amendments, to have debate, and to have a vote on those amendments.

As the gentleman from Georgia (Mr. AUSTIN SCOTT) mentioned, at the culmination of that process in the House Armed Services Committee, the vote in our committee was 60-2, a strong vote, a bipartisan vote. The representatives of the people of the United States voted to support our servicemen and -women and their families.

The vote that was taken here on the floor of the House was a strong, bipartisan vote. Our colleagues over in the Senate, as was mentioned—the vote on the conference was 70-27. Three individuals who are running for President of the United States who were not present expressed support for it. Seventy-three votes, almost three-quarters of the United States Senate, represented the will of those respective States that they were here to represent. It was a strong, bipartisan vote.

We have a supermajority supporting this bill for our servicemen and -women and their families.

The President of the United States, despite all that, vetoed this bill when it is so clear that every single one of our service chiefs have said that they need these additional resources or we will not be able to execute the national security strategy.

Mr. Speaker, this is also very personal for me. I enlisted at the age of 17 as a private in the Infantry back in 1981. In my early years in the military, I was part of an effort to try to increase the readiness of our Armed Forces, and I saw those efforts working. I saw us continuing to build capability throughout the eighties and standing on the principle of peace through strength.

We won the cold war without a major conflict. We put ourselves in the position, when we had conflict in 1990 in the Persian Gulf war, that we had a military with overmatch so that we were able to prevail in that conflict with as few casualties as was possible.

Mr. Speaker, over time, in the 29 years that I served in the military, the other important facet of peace through strength is it forged trust with those who were willing to come forward and defend this Nation, trust that their leaders here in Washington, D.C.—regardless of party—would always have their back, would ensure the resources necessary so that they could be fully

equipped and trained, would be there for them, that their pay and benefits would always be there for them, and that, when they deployed forward, that the programs would be there to support their families.

Mr. Speaker, that trust was really called into question today by our President, who, in a very partisan manner, vetoed an overwhelmingly bipartisan piece of legislation. I can't even begin to tell you how disappointed I am.

Mr. Speaker, we will fight this. We are working now with our colleagues. We feel like we are in a strong position in the Senate to override this. We have more work to do here in the United States House. That work is ongoing. We need to enact this bill.

Let me just end where I began and thank the gentlewoman for her leadership. I thank her for coming forward today to organize this, to really inspire us to come together to express so that the American people can know what happened today and how their representatives, in a bipartisan way, will rise to this challenge and make sure that we get this important national security policy bill into law.

Mrs. HARTZLER. I thank the gentleman for his service and for sharing how important it is, how vital it is, that we override this veto and do what is right for our troops and for America.

The last speaker is the newly elected gentleman from California who I have really enjoyed getting to know and is a privilege to serve with on the Armed Services Committee.

I yield to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. I thank Congresswoman HARTZLER for her leadership in this role. This is of vital importance.

I want to start this discussion with just a little bit of reference. When I got elected 9 months ago, everyone said: You have to go to Congress. You have to get some things done. You have to work across the aisle. You have to build some friendships. You have to do these things.

I think in the one committee that I sit on, Armed Services, we do that. We talk about the military. We talk about what is best for it, what is best for America, what is best for the readiness, and what are the programs and the projects and the arms and the things that we are going to do to make sure that our men and women are the best prepared to go into battle, if called upon.

But today I think we saw a little bit of politics, and maybe we have seen that for the last week or more. But political football shouldn't happen around the military. We should be able to hammer these things out.

As you heard from some of the speakers before, this has been vetoed four times, and every time it has been basically an issue that has then been

worked out. We have come back, we have taken care of that issue, and it has gone forward.

So for 53 years, the NDAA has worked like it is supposed to: put the military first, put America first, and move forward through the disagreements.

But as you have heard—and we heard this in the discussion with part of the NDAA—that this was going to be vetoed. The President was forecasting maybe he would veto this.

Well, this wasn't a secret operation we were doing. The NDAA was out in the open. I don't know of a chairman that is better than the chairman of the Committee on Armed Services at working across the aisle, working with the issues, and trying to get everything done before we get to a problem like this, including working with the White House. That is exactly what happened.

But I would disagree with some of the speakers that came before me when they said that the President came out and he brought his pen and he did a photo op. This was forecasted that it was going to be done today, today.

Is there something that is happening today that is going to take up all the news, that is going to be in all of the papers tomorrow, that is going to be on Twitter? That is right. The Benghazi hearing is happening right now, and it has been happening for hours.

During this veto, the Benghazi hearing was happening. I just went on Twitter. There are 200 times more Twitter feeds on Benghazi than the NDAA veto.

In politics, we would call that cover. We would call that: You know what? I have to do something bad; so, I had better do it when they are not looking at me. That is exactly what happened today.

Let's talk about the NDAA a little bit. Yes, we have had some disagreements, and we have figured them out: 60-2 in the House. How do you get something done when you get such a bipartisan vote? Well, you sit there for 20 hours and you work through a chairman and you get the issues worked out.

\$612 billion was asked for. \$612 billion was given. A 1.3 percent pay raise from the President's budget, a 1.3 percent pay raise to our military, that was done.

In July, we lost four Marines to a tragic incident in Tennessee. When I went home, many people said: What are you going to do about this? Can you change something? Shouldn't they be armed? Shouldn't something happen?

That is in the NDAA. Now we give post commanders the appropriate ability to arm our recruiting and our reserve centers.

But let's go a little further. This allows our friends and enemies to know what is happening in America. Now, today they say: Is something happening in America that is weak? Because for 53 years, it has been the military first, America first. We are going

to be strong. And today I have got to believe that our friends and enemies might be scratching their head and saying: What is happening in America?

That is not something we ever want. We want our friends to know that we are going to be shoulder to shoulder with them, and we want our enemies to know that we are as strong as we possibly can be.

I am going to finish thanking the gentlewoman from Missouri. We have a kindredship. In my district, we tested and built every B-2. In her district, she houses the B-2 Spirit that sends them off to do difficult deals, difficult sorties. I am very proud of what the B-2 does, just as I am proud of every man and woman in the military and every mission that they complete.

□ 1815

Mr. Speaker, if we are going to stand with the military, then let's stand with the military. If we are going to turn our back and say that this is not what we believe, then that is not what I want to be part of. I think we should work as hard as we possibly can to override this veto. That is the mission. That is the vision.

Mrs. HARTZLER. Thank you, gentleman. I share that vision and look forward to working alongside you to do the right thing for the American people.

I think you brought up many good points, but certainly the situation now under this Commander in Chief is that we have a situation where our allies don't trust us and our enemies don't fear us. This action today can't help but contribute further to that thinking. We have got to reverse this. America is strong when it is safe, and it is safe because it is strong.

We have heard this evening, Mr. Speaker, from many people who are experts on this issue. Not only do they care about it passionately, but they themselves have put on the uniform and made the sacrifices. They have left families to serve their country, and they know what it is like, what our troops are facing and what potential dangers we can be in by jeopardizing their security by not providing for them and passing a National Defense Authorization Act. We have heard from other colleagues here who are parents and who have children who have answered the call and signed up to serve their country and gone into harm's way, some of them who are there right now.

Mr. Speaker, we have heard how distressing it is for our troops to hear today—no matter where they are, whether they are in Afghanistan, Iraq, whether they are in the Pacific or they are in the jungles of Africa, or whether they are advising as we look and see what is going on with Ukraine and the President, and whether they are monitoring intelligence around the world,

cyber threats and cyber attacks—when they turn on their TV tonight, to find out that their Commander in Chief has vetoed the bill that would provide for the resources that they need to carry out their mission, to find out that it is not done because of some specific provisions in the bill, unlike a few times in the past 53 years where we have passed this, but because the President wants to advance a domestic agenda that has nothing to do with providing for our common defense. It is wrong and it is disheartening.

Just a reminder of the things in this bill, the reasons it is so important. It provides: \$612 billion for our national defense, the exact amount of money that the President requested; a pay raise for our hardworking troops; retirement benefits for those that don't have it now; the authority of commanders, like Representative KNIGHT shared, to be able to make a policy to allow the soldiers on their installation to be able to defend themselves and carry guns so hopefully we won't see the senseless tragedy again; to restrict allowing Guantanamo Bay detainees—terrorists, basically—to be brought here to America and put into our jails in our backyard; and to support our allies, whether it be the Iron Dome for Israel that has been so helpful in saving countless thousands of lives in Israel in the last few years, but also to provide funding for those fighting for freedom in Ukraine, allowing them to protect themselves.

Other speakers talked about space protections, protections against sexual assault in the military, preventing the transfers, supports our allies, some of the things I have said, acquisition reform. We did everything we could in this bill to help make the Pentagon more efficient and more effective to save money, and we will continue to do that.

We also heard about the dangers and how, with the President's veto, it is going to eliminate critical training time, and parents are going to be able to question whether their child is going to be safe when they send them to war.

Mr. Speaker, we can't allow this veto to stand. If the Commander in Chief is going to forsake his most fundamental duties, then the people of the House, the representatives of the people of America, will and are going to do everything possible to override this veto and to make sure that those in harm's way have what they need, that we don't jeopardize our national defense, and that we continue to have our priorities right as a nation.

Mr. Speaker, I am pleased to be able to come on the House floor tonight and to share about this very, very important issue and this very historic day, and to also lay the groundwork for November 5, when we will vote for an override of this veto. I ask all my colleagues to support that, and I look forward to a positive vote.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded not to engage in personalities toward the President.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 22, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 22, 2015 at 3:09 p.m.:

That the Senate passed S. 799.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KELLY of Illinois (at the request of Ms. PELOSI) for October 20 through 23 on account of family medical issues.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2016 BUDGET RESOLUTION RELATED TO LEGISLATION REPORTED BY THE COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, October 22, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER, I hereby submit for printing in the Congressional Record revisions to the budget allocations and aggregates of the Fiscal Year 2016 Concurrent Resolution on the Budget, S. Con. Res. 11. Section 2002(b)(3) of S. Con. Res. 11 permits the Chairman of the Committee on the Budget to make adjustments to the budget resolution levels for a reconciliation measure upon the determination that it complies with its reconciliation instructions. The Restoring Americans' Healthcare Freedom Reconciliation Act of 2015 complies with the instructions set forth in section 2002 of S. Con. Res. 11 as determined under section 310(c) of the Congressional Budget Act of 1974. The adjustments are set forth in the attached tables.

This revision represents an adjustment for purposes of budgetary enforcement. These revised allocations and aggregates are to be considered as the aggregates and allocations included in the budget resolution, pursuant to S. Con. Res. 11, as adjusted. Pursuant to

section 3403 of such concurrent resolution, this revision to the allocations and aggregates

shall apply only while H.R. 3762 is under consideration or upon its enactment.

Sincerely,

TOM PRICE, M.D.,
Chairman,
Committee on the Budget.

TABLE 1.—REVISION TO ON-BUDGET AGGREGATES

(On-budget amounts, in millions of dollars)

	Fiscal Year	
	2016	2016–2025
Current Aggregates:		
Budget Authority	3,040,743	¹
Outlays	3,092,541	¹
Revenues	2,675,967	32,233,099
Adjustment for H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act of 2015:		
Budget Authority	– 9,700	¹
Outlays	– 9,100	¹
Revenues	– 12,700	– 197,900
Revised Aggregates:		
Budget Authority	3,031,043	¹
Outlays	3,083,441	¹
Revenues	2,663,267	32,035,199

¹ Not applicable because annual appropriations acts for fiscal years 2017–2025 will not be considered until future sessions of Congress.

TABLE 2.—REVISION TO COMMITTEE ALLOCATIONS, AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

(On-budget amounts, in millions of dollars)

House Committee on Ways and Means	2016		2016–2025 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	963,250	962,255	13,218,695	13,217,578
Adjustment for H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act of 2015	– 8,700	– 8,700	– 268,000	– 268,000
Revised Allocation	954,550	953,555	12,950,695	12,949,578

TABLE 3.—REVISION TO COMMITTEE ALLOCATIONS, AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

(On-budget amounts, in millions of dollars)

House Committee on Energy and Commerce	2016		2016–2025 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation:	389,635	392,001	4,341,991	4,346,043
Adjustment for H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act of 2015	– 1,000	– 300	– 15,200	– 12,400
Revised Allocation	388,635	391,701	4,326,791	4,333,643

TABLE 4.—REVISION TO COMMITTEE ALLOCATIONS, AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

(On-budget amounts, in millions of dollars)

House Committee on Education & the Workforce	2016		2016–2025 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	– 14,389	– 11,569	– 208,805	– 203,704
Adjustment for H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act of 2015	0	0	4,300	4,300
Revised Allocation	– 14,389	– 11,569	– 204,505	– 199,404

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 322. An act to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the “Sgt. Zachary M. Fisher Post Office”.

H.R. 323. An act to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the “Sgt. Amanda N. Pinson Post Office”.

H.R. 324. An act to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the “Lt. Daniel P. Riordan Post Office”.

H.R. 558. An act to designate the facility of the United States Postal Service located at 55 South Pioneer Boulevard in Springboro,

Ohio, as the “Richard ‘Dick’ Chenault Post Office Building”.

H.R. 1442. An act to designate the facility of the United States Postal Service located at 90 Cornell Street in Kingston, New York, as the “Staff Sergeant Robert H. Dietz Post Office Building”.

H.R. 1884. An act to designate the facility of the United States Postal Service located at 206 West Commercial Street in East Rochester, New York, as the “Officer Daryl R. Pierson Memorial Post Office Building”.

H.R. 3059. An act to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the James Robert Kalsu Post Office Building.

H.R. 3116. An act to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1362. An act to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all inclusive care for the elderly (PACE programs).

S. 2162. An act to establish a 10-year term for the service of the Librarian of Congress.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 21, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 1735. To authorize appropriations for fiscal year 2016 for military activities of the

Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Karen L. Haas, Clerk of the House, further reported that on October 22, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 3116. To extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program.

ADJOURNMENT

Mr. KNIGHT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Friday, October 23, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3229. A letter from the Assistant Secretary for Insular Areas, Department of the Interior, transmitting a draft bill to permit the use of resettlement and relocation funds provided to the people of Bikini to be used within or outside the Republic of the Marshall Islands, and for other purposes; to the Committee on Natural Resources.

3230. A letter from the Assistant Secretary for Insular Areas, Department of the Interior, transmitting a draft bill to improve air service capabilities in American Samoa, and for other purposes; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 1090. A bill to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes (Rept. 114-304, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 2583. A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes; with an amendment (Rept. 114-305). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Education and the Workforce discharged from further consideration. H.R. 1090 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. ROTHFUS (for himself, Mr. BARLETTA, Mr. THOMPSON of Pennsylvania, and Mr. KELLY of Pennsylvania):

H.R. 3797. A bill to establish the bases by which the Administrator of the Environmental Protection Agency shall issue, implement, and enforce certain emission limitations and allocations for existing electric utility steam generating units that convert coal refuse into energy; to the Committee on Energy and Commerce.

By Mr. GARRETT:

H.R. 3798. A bill to amend the Securities Exchange Act of 1934 to permit private persons to compel the Securities and Exchange Commission to seek legal or equitable remedies in a civil action, instead of an administrative proceeding, and for other purposes; to the Committee on Financial Services.

By Mr. SALMON (for himself, Mr. GUINTA, Mr. CARTER of Texas, Mr. KELLY of Pennsylvania, Mr. COLLINS of New York, Mr. THOMPSON of Pennsylvania, Mr. HUELSKAMP, Mr. FRANKS of Arizona, Mrs. LOVE, Mr. LAMALFA, and Mr. STEWART):

H.R. 3799. A bill to provide that silencers be treated the same as long guns; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. CAPUANO, Mr. CARSON of Indiana, Mr. COHEN, Mr. CONYERS, Mr. DELANEY, Mr. ELLISON, Mr. FATTAH, Mr. GRIJALVA, Mr. HASTINGS, Mr. HINOJOSA, Mr. HONDA, Mr. LYNCH, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. PAYNE, Mr. POCAN, Mr. RANGEL, Mr. TAKANO, Mr. VARGAS, Mr. VELA, Mr. YOHIO, Mr. LOWENTHAL, Mr. SWALWELL of California, Ms. CLARKE of New York, Ms. JACKSON LEE, Ms. ESHOO, and Mr. PETERS):

H.R. 3800. A bill to amend section 9A of the Richard B. Russell National School Lunch Act to require that local school wellness policies include a requirement that students receive 50 hours of school nutrition education per school year; to the Committee on Education and the Workforce.

By Mr. COHEN (for himself, Mr. LEWIS, Ms. MAXINE WATERS of California, Mr. RANGEL, Ms. BASS, Mr. POLIS, Mr. CROWLEY, Mr. CONYERS, Mr. CLEAVER, Mr. RUSH, Ms. LEE, and Mr. GUTIERREZ):

H.R. 3801. A bill to redesignate the Federal building located at 935 Pennsylvania Avenue Northwest in the District of Columbia as the "Federal Bureau of Investigation Building"; to the Committee on Transportation and Infrastructure.

By Mr. BABIN (for himself, Mr. COLLINS of New York, Mr. BROOKS of Alabama, Mr. GOSAR, Ms. JENKINS of Kansas, Mr. JOHNSON of Ohio, Mr. JOYCE, Mr. LAMBORN, Mr. LAMALFA, Mr. MILLER of Florida, Mr. ROGERS of Alabama, Mr. SESSIONS, Mr. POE of Texas, Mr. GROTHMAN, Mr. ZINKE, and Mr. KELLY of Pennsylvania):

H.R. 3802. A bill to amend title 18, United States Code, to provide for the disposition, within 60 days, of an application to exempt a

projectile from classification as armor piercing ammunition; to the Committee on the Judiciary.

By Mrs. BLACK (for herself, Mr. DUNCAN of Tennessee, and Mr. RIBBLE):

H.R. 3803. A bill to amend the Congressional Budget Act of 1974 to establish joint resolutions on the budget, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT:

H.R. 3804. A bill to amend the Congressional Budget Act of 1974 to provide that any estimate prepared by the Congressional Budget Office or the Joint Committee on Taxation shall include costs relating to servicing the public debt, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mr. WALDEN, Mr. BILIRAKIS, Mrs. BLACKBURN, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. COLLINS of New York, Mr. CRAMER, Ms. DELBENE, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. ELLMERS of North Carolina, Mr. EMMER of Minnesota, Mr. GARAMENDI, Mr. GUTHRIE, Mr. HUFFMAN, Mr. JOHNSON of Ohio, Mr. KINZINGER of Illinois, Mr. LANCE, Mr. LOEBACK, Ms. LOFGREN, Mr. LONG, Mr. BEN RAY LUJAN of New Mexico, Ms. MATSUI, Mr. MCNERNEY, Mr. OLSON, Mr. RUSH, Mr. SHIMKUS, and Mr. YARMUTH):

H.R. 3805. A bill to amend title 23, United States Code, to provide for the inclusion of broadband conduit installation in certain highway construction projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. HERRERA BEUTLER (for herself and Mr. YOUNG of Alaska):

H.R. 3806. A bill to establish certain requirements with respect to pollock and golden king crab; to the Committee on Energy and Commerce.

By Mr. HONDA (for himself, Mr. HINOJOSA, Ms. LEE, Mr. SWALWELL of California, Mr. HUFFMAN, Ms. NORTON, Mr. BEYER, Mr. VARGAS, Mr. COSTA, Ms. MOORE, Mr. TAKAI, Ms. JACKSON LEE, Mr. PASCRELL, Mr. CARTWRIGHT, Mr. LOWENTHAL, Mr. CICILLINE, Mr. HASTINGS, Ms. LOFGREN, Mr. CONYERS, Ms. PINGREE, and Mr. RANGEL):

H.R. 3807. A bill to provide a process for ensuring the United States does not default on its obligations; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUETKEMEYER (for himself, Mr. MCHENRY, Mr. HECK of Washington, and Mr. CARNEY):

H.R. 3808. A bill to require the withdrawal and study of the Federal Housing Finance Agency's proposed rule on Federal Home Loan Bank membership, and for other purposes; to the Committee on Financial Services.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3809. A bill to establish a pilot program in certain agencies for the use of public-private agreements to enhance the efficiency of Federal real property; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3810. A bill to amend title 23, United States Code, and SAFETEA-LU to direct the Secretary of Transportation to give preference to certain surface transportation projects that achieve cost efficiencies through the use of project development, finance, operations, and delivery methods, such as design-build, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCNERNEY (for himself and Ms. LEE):

H.R. 3811. A bill to amend the Securities Exchange Act of 1934 to require the disclosure of the total number of a company's domestic and foreign employees; to the Committee on Financial Services.

By Mr. MCNERNEY (for himself and Ms. LEE):

H.R. 3812. A bill to amend the Internal Revenue Code of 1986 to provide for the identification of corporate tax haven countries and increased penalties for tax evasion practices in haven countries that ship United States jobs overseas, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MOORE (for herself, Ms. KELLY of Illinois, and Ms. EDWARDS):

H.R. 3813. A bill to establish a grant program to encourage States to adopt certain policies and procedures relating to the transfer and possession of firearms; to the Committee on the Judiciary.

By Ms. PINGREE:

H.R. 3814. A bill to permit aliens seeking asylum to be eligible for employment in the United States and for other purposes; to the Committee on the Judiciary.

By Mrs. WALORSKI (for herself, Mr. MESSER, Mr. BUCSHON, Mr. ROKITA, and Mr. GROTHMAN):

H.J. Res. 70. A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to "National Ambient Air Quality Standards for Ozone"; to the Committee on Energy and Commerce.

By Mr. ELLISON (for himself, Mr. EMMER of Minnesota, Mr. KLINE, Ms. MCCOLLUM, Mr. NOLAN, Mr. PAULSEN, Mr. PETERSON, and Mr. WALZ):

H. Res. 486. A resolution congratulating the Minnesota Lynx women's basketball team on winning the 2015 Women's National Basketball Association Championship; to the Committee on Oversight and Government Reform.

By Ms. JENKINS of Kansas (for herself and Mr. NEAL):

H. Res. 487. A resolution recognizing the importance of cancer program accreditation in ensuring comprehensive, high quality, patient-centered cancer care; to the Committee on Energy and Commerce.

By Mr. POLIS (for himself, Mr. ROE of Tennessee, Ms. WILSON of Florida, and Ms. STEFANIK):

H. Res. 488. A resolution supporting the goals and ideals of National Retirement Security Week, including raising public awareness of the various tax-preferred retirement vehicles, increasing personal financial literacy, and engaging the people of the United States on the keys to success in achieving and maintaining retirement security throughout their lifetimes; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROTHFUS:

H.R. 3797.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution, "[t]o regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes . . ."

By Mr. GARRETT:

H.R. 3798.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (The Congress shall have Power "To regulate Commerce with foreign Nations, and among the several States and within the Indian Tribes") and Article I, Section 8, Clause 18 (The Congress shall have Power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

Additional authority derives from Article III, Section 1 ("The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.) Additional authority also derives from Article III, Section 2, Clause 3 of the Constitution.

By Mr. SALMON:

H.R. 3799.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—"The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States."

By Mr. CARTWRIGHT:

H.R. 3800.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States)

By Mr. COHEN:

H.R. 3801.
At 121 Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 8

By Mr. BABIN:

H.R. 3802.

Congress has the power to enact this legislation pursuant to the following:

Amendment II:

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

By Mrs. BLACK:

H.R. 3803.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 9, clause 7 of the United States Constitution

By Mr. BRAT:

H.R. 3804.

Congress has the power to enact this legislation pursuant to the following:

Congress has explicit and implicit powers to spend, to raise revenue, and to borrow throughout Article I, Section 8 of the Constitution. Coherent management of fiscal powers requires a complete assessment of the effects of proposed legislation, so it is both necessary and proper for the estimating agencies to inform Congress of total fiscal impacts.

By Ms. ESHOO:

H.R. 3805.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 18

By Ms. HERRERA BEUTLER:

H.R. 3806.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. HONDA:

H.R. 3807.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the U.S. Constitution

By Mr. LUETKEMEYER:

H.R. 3808.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

Additionally, Article 1, Section 7, Clause 2 of the Constitution allows for every bill passed by the House of Representatives and the Senate and signed by the President to be codified into law; and therefore implicitly allows Congress to amend any bill that has been passed by both chambers and signed into law by the President.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3809.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3810.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MCNERNEY:

H.R. 3811.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. MCNERNEY:

H.R. 3812.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Ms. MOORE:

H.R. 3813.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Ms. PINGREE:

H.R. 3814.

Congress has the power to enact this legislation pursuant to the following:

Section I, Article 8

The Congress shall have power to lay and collect taxes; duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States

By Mrs. WALORSKI:

H.J. Res. 70.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 167: Ms. CASTOR of Florida.
 H.R. 303: Mr. MICA, Mr. SMITH of Texas, and Mr. NORCROSS.
 H.R. 430: Mr. NORCROSS.
 H.R. 592: Mr. COLLINS of New York and Mr. LUCAS.
 H.R. 662: Mr. PALAZZO.
 H.R. 721: Mr. PITTS and Mr. POE of Texas.
 H.R. 766: Mr. GRAVES of Missouri.
 H.R. 799: Ms. STEFANIK.
 H.R. 829: Ms. BROWN of Florida.
 H.R. 842: Mr. LOBIONDO.
 H.R. 845: Mr. LOUDERMILK.
 H.R. 846: Mrs. WATSON COLEMAN.
 H.R. 863: Mrs. BLACKBURN.
 H.R. 865: Mr. PETERSON.
 H.R. 882: Mr. KEATING.
 H.R. 885: Mr. HECK of Washington.
 H.R. 921: Mr. DOLD.
 H.R. 932: Mr. MURPHY of Florida and Mr. QUIGLEY.
 H.R. 953: Ms. LOFGREN, Mr. PETERSON, and Mr. BRENDAN F. BOYLE of Pennsylvania.
 H.R. 985: Mrs. WATSON COLEMAN.
 H.R. 1090: Mr. FRELINGHUYSEN, Mrs. HARTZLER, Mr. PITTENGER, and Mr. DUFFY.
 H.R. 1145: Mr. ASHFORD and Ms. STEFANIK.
 H.R. 1192: Mr. SHIMKUS, Mr. SCHRADER, Ms. JUDY CHU of California, Mr. GUTIERREZ, Mr. WENSTRUP, Mr. KING of New York, and Mr. MULLIN.
 H.R. 1217: Mrs. DINGELL.
 H.R. 1221: Mr. CALVERT, Mr. MCNERNEY, and Mr. VARGAS.
 H.R. 1233: Mr. GRAVES of Missouri and Mr. SHIMKUS.
 H.R. 1247: Ms. DUCKWORTH.
 H.R. 1248: Mr. DESJARLAIS.
 H.R. 1258: Mr. LANCE.
 H.R. 1284: Mrs. WATSON COLEMAN.
 H.R. 1288: Mr. PAULSEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. KIND.
 H.R. 1309: Mr. MCHENRY, Mr. ADERHOLT, Mr. EMMER of Minnesota, Mr. WENSTRUP, Mr. PAULSEN, Mr. GRAVES of Missouri, and Mr. CHABOT.
 H.R. 1343: Mr. WENSTRUP, Mr. NORCROSS, and Mr. DONOVAN.
 H.R. 1439: Mr. QUIGLEY, Mr. GALLEG0, and Mr. DANNY K. DAVIS of Illinois.
 H.R. 1450: Mr. CARTWRIGHT.

H.R. 1475: Mr. KELLY of Mississippi.
 H.R. 1594: Mr. ROGERS of Alabama and Ms. DUCKWORTH.
 H.R. 1595: Mr. HASTINGS.
 H.R. 1604: Mr. YOUNG of Iowa.
 H.R. 1614: Mr. JOLLY.
 H.R. 1625: Mr. POLIS and Mr. HECK of Washington.
 H.R. 1688: Mr. NORCROSS and Mr. FOSTER.
 H.R. 1728: Mr. HECK of Washington.
 H.R. 1737: Mr. SEAN PATRICK MALONEY of New York and Mr. HOLDING.
 H.R. 1763: Mr. RANGEL, Mr. GARAMENDI, Mr. YARMUTH, Ms. EDWARDS, and Mr. PETERSON.
 H.R. 1901: Mr. RUSSELL.
 H.R. 1902: Mr. CONNOLLY.
 H.R. 1982: Mr. OLSON.
 H.R. 2003: Mr. BERA.
 H.R. 2043: Mr. FRELINGHUYSEN.
 H.R. 2083: Ms. BONAMICI.
 H.R. 2114: Mr. NADLER.
 H.R. 2142: Ms. STEFANIK.
 H.R. 2205: Mr. WILSON of South Carolina and Mr. YOUNG of Alaska.
 H.R. 2254: Mr. HUFFMAN.
 H.R. 2293: Mr. SCOTT of Virginia and Ms. MATSUI.
 H.R. 2342: Mr. FARENTHOLD, Mr. BUTTERFIELD, Mr. DAVID SCOTT of Georgia, Ms. TSONGAS, Ms. NORTON, and Mr. PETERS.
 H.R. 2350: Mr. MACARTHUR.
 H.R. 2355: Mrs. TORRES.
 H.R. 2450: Mr. CARTWRIGHT.
 H.R. 2460: Mr. COLE.
 H.R. 2493: Ms. GABBARD and Mr. MACARTHUR.
 H.R. 2495: Ms. MENG.
 H.R. 2515: Mr. POCAN.
 H.R. 2520: Mr. CRENSHAW.
 H.R. 2546: Mr. ELLISON.
 H.R. 2646: Mr. WALDEN.
 H.R. 2657: Mr. DOLD and Mrs. LOVE.
 H.R. 2660: Ms. NORTON and Mr. GRAYSON.
 H.R. 2726: Ms. GRAHAM.
 H.R. 2733: Mr. HECK of Nevada.
 H.R. 2737: Mr. YOHO.
 H.R. 2789: Mr. HOLDING.
 H.R. 2826: Mr. DELANEY.
 H.R. 2858: Mr. LANCE.
 H.R. 2894: Ms. BROWNLEY of California.
 H.R. 2903: Mr. RODNEY DAVIS of Illinois.
 H.R. 2917: Mr. DESAULNIER.
 H.R. 2948: Ms. CLARKE of New York.
 H.R. 2972: Mr. MCGOVERN.
 H.R. 2980: Mr. YOUNG of Iowa.
 H.R. 3016: Mr. YOUNG of Iowa.
 H.R. 3033: Mr. BABIN.
 H.R. 3071: Mr. COHEN, Mr. CICILLINE, and Mr. SERRANO.
 H.R. 3074: Mr. LIPINSKI, Mr. MURPHY of Pennsylvania, Mr. COHEN, Mr. SMITH of New Jersey, and Mr. MICA.
 H.R. 3090: Mr. DEFazio.
 H.R. 3091: Mr. DEFazio.
 H.R. 3092: Mr. DEFazio.
 H.R. 3119: Mr. YOUNG of Alaska and Mr. DAVID SCOTT of Georgia.
 H.R. 3137: Ms. DELBENE.
 H.R. 3222: Mr. HARRIS.
 H.R. 3225: Mr. PETERSON.
 H.R. 3229: Mr. MULLIN, Mr. PETERSON, Mr. LARSON of Connecticut, and Mr. LUCAS.
 H.R. 3268: Mr. CURBELO of Florida and Mr. SCOTT of Virginia.
 H.R. 3286: Mr. COSTA.
 H.R. 3287: Mr. HOLDING.
 H.R. 3314: Mr. SALMON and Mr. SMITH of Texas.
 H.R. 3326: Mr. KELLY of Mississippi and Mr. NUNES.
 H.R. 3337: Ms. LINDA T. SANCHEZ of California.
 H.R. 3338: Mr. KLINE.
 H.R. 3339: Mrs. WAGNER.
 H.R. 3384: Mr. JEFFRIES.
 H.R. 3390: Mr. ASHFORD.
 H.R. 3406: Mr. SMITH of Washington.
 H.R. 3407: Mr. FRELINGHUYSEN.
 H.R. 3445: Ms. LOFGREN.
 H.R. 3455: Ms. VELAZQUEZ, Mr. MCGOVERN, and Ms. ADAMS.
 H.R. 3466: Mr. TAKANO.
 H.R. 3471: Mr. McDERMOTT.
 H.R. 3473: Mr. HARRIS.
 H.R. 3477: Ms. MCCOLLUM.
 H.R. 3488: Mr. RATCLIFFE and Mr. LOUDERMILK.
 H.R. 3516: Mr. PAULSEN, Mr. ROUZER, and Mr. CULBERSON.
 H.R. 3537: Mr. KING of New York.
 H.R. 3547: Mr. KING of New York.
 H.R. 3579: Ms. WILSON of Florida.
 H.R. 3582: Mr. POCAN.
 H.R. 3588: Ms. CLARKE of New York.
 H.R. 3590: Mr. WITTMAN.
 H.R. 3629: Mr. COHEN, Mr. POCAN, and Ms. NORTON.
 H.R. 3636: Mr. HOLDING.
 H.R. 3637: Ms. CLARKE of New York.
 H.R. 3638: Ms. BROWN of Florida.
 H.R. 3643: Mr. VELA.
 H.R. 3656: Mr. GARAMENDI.
 H.R. 3664: Mr. VARGAS.
 H.R. 3690: Mr. DESAULNIER, Ms. CLARK of Massachusetts, and Mr. TAKAI.
 H.R. 3696: Ms. BROWNLEY of California, Mr. BEYER, Mr. SEAN PATRICK MALONEY of New York, Mr. BEN RAY LUJAN of New Mexico, Mr. DEUTCH, Ms. ESTY, Ms. CASTOR of Florida, Ms. DEGETTE, Ms. PINGREE, Ms. CLARK of Massachusetts, Mr. LANGEVIN, Ms. MCCOLLUM, Mr. NOLAN, Mr. TED LIEU of California, Mrs. BEATTY, Mr. NADLER, and Mrs. KIRKPATRICK.
 H.R. 3700: Mr. CLEAVER.
 H.R. 3706: Mr. HANNA.
 H.R. 3729: Mr. JOHNSON of Ohio.
 H.R. 3741: Mr. PETERS and Mr. POLIS.
 H.R. 3746: Mr. SMITH of Washington and Mr. McDERMOTT.
 H.R. 3764: Mr. GOSAR.
 H.R. 3779: Mr. CUELLAR.
 H.R. 3785: Mrs. NAPOLITANO, Mr. HINOJOSA, Ms. JACKSON LEE, Mr. O'ROURKE, Mr. SERRANO, Mr. SIREs, Ms. LINDA T. SANCHEZ of California, Mr. CARDENAS, Mr. VELA, Mr. GALLEG0, Mr. FARR, Ms. ROYBAL-ALLARD, Mr. VARGAS, Mr. PERLMUTTER, Mr. COURTNEY, Mr. HONDA, Mr. VEASEY, Ms. BONAMICI, Mr. GUTIERREZ, Mr. GENE GREEN of Texas, Mr. PETERS, Mr. RUIZ, Mr. GRIJALVA, Mr. SWALWELL of California, Mr. MOULTON, Mr. BEYER, Mr. DESAULNIER, Mr. BUTTERFIELD, Mr. ELLISON, Ms. LORETTA SANCHEZ of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. WELCH, Mrs. BEATTY, Mr. POCAN, Mr. POLIS, Mr. AGUILAR, Mr. CROWLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RANGEL, Mr. CUELLAR, Mrs. WATSON COLEMAN, and Ms. MCCOLLUM.
 H.R. 3788: Ms. MAXINE WATERS of California and Ms. LEE.
 H.J. Res. 48: Mr. DANNY K. DAVIS of Illinois and Ms. LEE.
 H.J. Res. 51: Mr. BEN RAY LUJAN of New Mexico.
 H. Con. Res. 17: Mr. KELLY of Mississippi and Mr. LAHOOD.
 H. Con. Res. 50: Mr. GUINTA, Mr. KENNEDY, and Mr. BOUSTANY.
 H. Con. Res. 62: Mr. DUNCAN of South Carolina and Mr. AUSTIN SCOTT of Georgia.
 H. Res. 110: Mrs. DAVIS of California.
 H. Res. 145: Ms. WASSERMAN SCHULTZ, Mr. RUSH, Ms. LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEVIN, and Mr. DEUTCH.
 H. Res. 210: Mr. POE of Texas.
 H. Res. 276: Mr. FRELINGHUYSEN.

H. Res. 293: Ms. MCSALLY, Mr. SCHIFF, Ms. BASS, Mr. ENGEL, and Mr. FRELINGHUYSEN.

H. Res. 371: Mr. CARSON of Indiana, Ms. BROWN of Florida, and Mr. SARBANES.

H. Res. 394: Mr. HASTINGS.

H. Res. 416: Mr. SWALWELL of California, Mr. NUNES, Mr. LARSEN of Washington, and Ms. CLARK of Massachusetts.

H. Res. 423: Mr. HUDSON.

H. Res. 428: Mr. AL GREEN of Texas and Ms. MENG.

H. Res. 459: Mr. BISHOP of Michigan.

H. Res. 467: Mr. SERRANO, Ms. CLARK of Massachusetts, Mr. COHEN, Ms. SCHAKOWSKY, and Ms. TSONGAS.

H. Res. 469: Mr. BROOKS of Alabama.

SENATE—Thursday, October 22, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by the Reverend Kathryn Pocalyko, Pastor of the Lutheran Church of Our Saviour in North Chesterfield, VA.

The guest Chaplain offered the following prayer:

Let us pray.

O God most mighty, O God most merciful, O God our strength and our song, You call these leaders to serve the public, promote justice, and establish peace in our land. We lift before You all who govern and serve our Nation through this body, its Senators, its staff, and its pages. Bless Members with collaboration in this Holy experiment. Give to those whom we entrust with authority the spirit of wisdom and understanding. Guide them with the spirit of counsel and insight. Grant them a spirit of knowledge. Grace them with Your presence. For You show us a vision of a tree whose leaves are for the healing of the Nation. May that tree take root here, bearing fruit in the hearts and work of these servants.

We pray this through Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. ROUNDS). The majority leader is recognized.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. Mr. President, President Obama regularly calls on Republicans and Democrats to work together to advance the priorities of our Nation, and we certainly agree.

Our top priority is our national security, and Congress worked together on an overwhelmingly bipartisan basis to pass the National Defense Authorization Act. So while Americans were surprised to learn the President announced he would veto that bipartisan bill, they must be shaking their heads

in disbelief now that they have learned the President will not only veto the bill, he is going to brag about it—not only going to veto the bill, but he is going to brag about it in a photo op today down at the White House.

Remember what it is the President will veto today. This bipartisan bill will attack bureaucratic waste and authorize pay raises and improved quality-of-life programs for our soldiers, sailors, airmen, and marines; it will strengthen sexual assault prevention and response; it will help wounded warriors and heroes who struggle with mental health challenges; and it will equip the men and women who serve with what they need to defend this Nation.

This is the worst possible time for an American President to veto a national defense bill and especially to do so for arbitrary partisan reasons. Republicans and Democrats in Congress worked so hard to pass this important legislation, legislation that authorizes the exact amount—the exact amount—the Commander in Chief requested. So now we will have to work together again, this time hopefully to override the President's veto.

The President should be highlighting his signature on this bipartisan legislation that supports the men and women who defend our Nation. Instead, with our servicemembers facing threats and instability in several theaters, he will be bragging—bragging—about using his veto pen. Our allies are seeking leadership and stability, not indecision. A partisan veto of this bipartisan bill is simply unacceptable.

CYBERSECURITY INFORMATION SHARING BILL

Mr. MCCONNELL. Mr. President, Americans know that cyber attacks are attacks on their privacy and their property. No one wants to think about a stranger riffling through their medical records. No one wants to think about a criminal stealing their credit card information. That is why we have this bipartisan cyber security bill before us in the Senate.

This bipartisan legislation will help protect Americans' most private and personal information by sharing information between the private and public sector on cyber threats. Experts say the tools in this bill can help prevent future attacks in both the public and private sectors. It contains important measures to protect civil liberties and individual privacy, and it has been carefully vetted and scrutinized by Senators of both parties. No wonder

this bill passed through committee with nearly unanimous bipartisan support, 14 to 1.

The House already voted to protect the privacy of Americans by passing cyber legislation. With a little cooperation, the Senate can as well. That is why I urge all Members to vote today to move forward on this bipartisan bill, which will set up votes on amendments from both parties. With continuing cooperation, we can take an important step toward protecting the privacy of our constituents.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THE DEBT AND GOVERNMENT FUNDING

Mr. REID. Mr. President, the day before yesterday I surprised some by saying nice things about Congressman PAUL RYAN, and they said nice things about him. Since then, a handful of people have demanded to know why we would ever say nice things about a man who has attacked Medicare, Medicaid, and Social Security, as he has done in recent history. The answer is very simple. Democrats need, our country needs, responsible Republican negotiating partners if Congress is to avoid twin challenges facing us in the coming weeks: avoiding the first-ever default in the full faith and credit of the United States and preventing another government shutdown. We need someone to deal with. We must avoid the self-inflicted wounds that have typified the rule of House Republicans and certainly Senate Republicans.

In spite of our ideological differences, in my view, Congressman RYAN is the only House Republican, whom I am aware of, with real potential to impose a basic modicum of order in the House of Representatives and work with us to avoid default and another government shutdown. He has helped in the past, and I am confident he could in the future if he chooses to.

To my allies, rest assured that I will continue to oppose Congressman RYAN's plans to privatize Medicare and slash Social Security. I have said the Ryan budget would lead to a "Kochtopia," and I believe that to be truer now than ever before.

Congressman RYAN also coauthored the Murray-Ryan budget compromise. That was good work. House Chairman

RYAN and Senate Chair MURRAY, Budget chairs, did a very good job. He appears to be supportive of comprehensive immigration reform, and he joined Democrats in saying America's auto industry and financial system should be saved.

Maybe the problems are too deep to resolve any time soon. I hope not. I am concerned that we have already seen Congressman RYAN prove incapable of reining in members of the so-called Freedom Caucus. I hope that is not a sign of things to come, but with the stakes as high as they are, we owe it to the American people to pursue the most responsible path, and that will be it. Now is the time to rebuild a system where "compromise" is no longer considered a dirty word and where Republicans and Democrats work side-by-side to address the challenges our government faces. However, one of the conditions Congressman RYAN has given House Republicans is that he doesn't want to work weekends. Well, if he gets the job, I hope he will not take weekends off until we do something to solve the debt crisis and to fund the government.

BLOCKING NOMINATIONS

Mr. REID. Mr. President, Congressional Republicans continue to govern destructively during this 114th Congress. After nearly a year in control of the Senate, what do Republicans have to show for it? Shutdown threats, lapsed laws, vital programs expired, and an abiding sense of uncertainty. Instead of looking for opportunities to govern constructively, Republicans appear to be bent on mayhem. They are doing everything they can to appeal to their extreme rightwing without regard to the consequences.

It seems that every day that is a bad day for government, we have a large segment of the Republican caucus cheering that it is great. Anything that is bad for government is a good day for us, is what they are saying. Instead of looking for opportunities to govern constructively, they are doing everything they can to not do things constructively. They are doing everything they can to appeal to, I guess, the extreme rightwing, to phrase it, without regard to the consequences, but consequences are very significant.

This afternoon we are finally confirming Ambassadors for several African nations, but to view the confirmation of four individuals a success would be a mistake, when we consider that Senate Republicans are doing everything they can to stop these nominees.

Just 2 weeks ago, the junior Senator from Arkansas announced his intention to hold up our Ambassadors to Sweden, Norway, and the Bahamas. At a time when American leadership is needed abroad, these posts sit empty because the junior Senator from Arkansas is

blocking them. Why is Senator COTTON blocking these nominees? He has admitted his hold has nothing to do with the nominees' qualifications—nothing. Indeed, all were reported out of the Foreign Relations Committee with bipartisan support months ago. Instead, the junior Senator from Arkansas is holding these nominees hostage until he gets information from the Department of Homeland Security. That is right. He is holding up State Department nominations to get a response from Homeland Security. Blocking important Ambassadors to get information from a completely different agency makes zero sense. That is akin to having two fighters in a ring and one fighter is going for the referee instead of the other boxer. That is about what we have here. The sad part about this is that the junior Senator from Arkansas is not alone in blocking qualified nominees. The Republican caucus is obviously supporting him. Why?

I have spoken before about the crucial need to confirm Gayle Smith as Ambassador to the U.S. Agency for International Development. She would be a good Administrator. I talked to one of my staff yesterday who has a relative who works for this Agency. It is terrible. There is nobody leading the Agency. It has affected the whole department. That is wrong.

Why is this nomination important? The Agency for International Development, better known as USAID, plays a central role in our Nation's foreign policy. How? By administering humanitarian and development aid to nations of people in need. A person only needs to watch the nightly news to see that help is needed across the globe—the pictures of the huddled masses of men, women, and children now with the weather turning in Europe. There are millions of people trying to get out of Syria, trying to get out of the Middle East because of what is going on there, with blankets—wet blankets—over their bodies. Little kids are being protected by their mothers, as much as they can be, and by their dads. Victims of civil wars, disease outbreaks, and natural disasters depend on the aid and compassion of the American people. To our credit, we try our best to help as much as possible.

Let's take one example: the Syrian refugee crisis. It is the worst humanitarian crisis since World War II. That says a lot. Millions—not thousands, millions—of Syrians have been displaced because of the country's civil war. Thousands are fleeing to Europe to escape the violence. Because of that civil war, it is estimated that there are 4 million displaced people in Syria alone. Millions have been displaced in Iraq. The whole Middle East is in turmoil. The United States has an obligation to assist—a humanitarian obligation to assist. We are the single largest donor of humanitarian aid for the Syr-

ian crisis. But how can we help if Senate Republicans are hamstringing this Agency? They are doing that.

Gayle Smith, an experienced public servant, has been nominated to lead this Agency. This good woman can't even get a vote in the Senate. Senator CRUZ has been blocking her nomination for months. Why? Is there anything that is wrong about her? Of course not. The word is it is because he doesn't like the Iran nuclear agreement. Remember what the Iran nuclear agreement was? It was an effort by the international community, including Russia and China, to stop Iran from getting a nuclear weapon. That is what it was all about. I guess Mr. CRUZ, in his attempt to become President—1 of 15 Republicans running for President—thinks this would be a good issue for him, blocking the person this government has chosen to lead this Agency.

Gayle Smith has extensive experience in African affairs. She worked at this Agency during the Clinton administration. She is exactly the type of leader our country needs to confront this crisis in Europe. Even the chairman of the Foreign Relations Committee, the junior Senator from Tennessee, said he was "glad the executive branch has nominated someone who has the kind of experience [Smith] has." Her nomination has won support from prominent Republicans, including Bill Frist who was one of my predecessors as the majority leader in the Senate, and from Richard Lugar, the distinguished Republican, former chair of the Foreign Relations Committee in the Senate, a man who has expertise in foreign relations. They both see her as the person to do the job. But that does not affect the junior Senator from Texas.

We know how others feel about him. Former President Bush gave his opinion of the junior Senator from Texas 2 days ago. There is widespread support for her nomination—if only the Republican leader would bring it to the floor. Yet Republicans continue to hold Ms. Smith and other important foreign policy nominations as ransom to exact political prices from the White House while our diplomacy suffers.

I am disappointed that the junior Senators from Arkansas and Texas would hold up these proud Americans who only want to serve their country. But I am far more disheartened by the actions of Republicans who should know better. Why do other Republicans support these callous actions? Republicans have blocked nominees to other ambassadorships for years. Now they are even blocking career Foreign Service officers. These are people who simply receive a promotion they have earned and serve our Nation regardless of the President. Foreign Service officers are not Democrats. They are not Republicans. They do our country so much good.

I have had the good fortune to travel the world. When I travel I always meet with the Foreign Service officers, not just the Ambassadors. I get everybody together. I tell them what a wonderful job they do for our country. They go to the most remote outposts in the world, representing the interests of America. They are career people. I also try to visit with the Peace Corps volunteers.

But I am so disappointed—and I have talked to him—in the senior Senator from Iowa for holding up a list of 20 career Foreign Service officers. He has held them up for months until he gets answers from Secretary Hillary Clinton's aide Huma Abedin. What does this have to do with these Foreign Service career officers? Nothing. He sent nine letters to the State Department demanding things regarding this woman and some emails from Hillary Clinton. Haven't we heard enough about emails for Hillary Clinton?

As we talk, she is over there before this great committee of the House that even the majority leader of the House said is nothing more than—I am paraphrasing—a political witch hunt. The Republican Congressman from New York said basically the same thing. A person who works over there in that committee was fired because he thought it was wrong that they were going after Hillary Clinton when the purpose of the whole hearing was supposed to be to find out what happened in Libya.

There has been a concerted effort for more than 2 years to try to embarrass Hillary Clinton. Huge amounts of money have been spent on outside groups, and the House of Representatives, which is supposedly so frugal—the Republican House of Representatives—doesn't want to spend any money that shouldn't be spent—\$5 million on this worthless committee wasting time.

Listen to these people who are being held up, being denied a well-deserved promotion and rank by the senior Senator from Iowa. This is important. These people serve for decades. They work hard, and they get a promotion once in a while—not with the help of the senior Senator from Iowa. He will hold them up because he wants to try to embarrass Hillary Clinton, who is running for President of the United States. Here is who he is holding up: the Deputy Director for East Africa Operations in Kenya, an education officer in Honduras, a deputy controller in El Salvador, a regional Food for Peace officer in Ethiopia, the Director of the Food for Peace Program in South Sudan, the Democracy and Governance Director in El Salvador. There are others.

What could the senior Senator from Iowa possibly have against the Deputy Director for East Africa Operations in Kenya? Or an education officer in Honduras? Or the regional Food for Peace

officer in Ethiopia? They have absolutely nothing to do with Senator GRASSLEY's concerns, and these individuals have no ability to respond to any of his requests. I have spoken with him. I told him I think it is a mistake to target these career people. Career diplomats are some of the finest people who work for our government. They are not partisans. They have committed their lives to public service under Democratic and Republican administrations. The Foreign Relations Committee reported these nominations unanimously. They hail from Texas, Florida, Michigan, Arizona, Virginia, New Mexico, and a few other States. Like other Foreign Service officers across this great world, these fine individuals wake up tomorrow ready to serve on the frontlines of American diplomacy in hotspots throughout the world—places such as Iraq, Afghanistan, and Libya, where we lost four.

Denying them a promotion they have earned will affect their career advancement and retirement, and it has real consequences for the families. This is not anything that is going to hurt President Obama. It affects our country. These are people who have families. They have children. They are being held up, stopped for this little promotion they get once in a while. We shouldn't be singling out these non-partisan officers and putting their careers on hold because the senior Senator from Iowa is not getting the answer to nine of his letters that have nothing to do with these people.

Promotions for military officers and our Foreign Service Officer Corps have traditionally moved through the Senate without political interference. They shouldn't now be subjected to political gamesmanship because people are concerned that Hillary Clinton may be elected President. Senators GRASSLEY and COTTON have also placed holds on a man named Brian Egan to serve as the State Department's Legal Adviser, a lawyer—a position that has been vacant for 2½ years. The senior Senator from Iowa stated that his hold is not intended to question the credentials of Brian Egan in any way, but is instead related to Clinton aide Huma Abedin. That says it all.

He continues to hound the State Department. He sent nine different letters, including requesting Ms. Abedin's sensitive private employment information. Not only does Senator GRASSLEY want emails and timesheets, but he wants access to any and all information related to her maternity leave. She had a baby. I wonder if he thinks she faked that. This is nothing more than a transparent attempt to drag this good woman through the mud. For what? Let's be clear. This isn't about her. This is about Hillary Clinton's Presidential campaign. Congressional Republicans are desperate to find something—anything—to embarrass

this good woman—a woman who served as First Lady of this country, served as a Senator from the State of New York, and served with distinction as our Secretary of State. They will do anything they can to embarrass her.

They are in the process of doing it across the Capitol Complex now. They have told her to be ready: We have 8 hours of questioning. Remember, their questions are dealing with issues that have nothing to do with what happened in Libya.

This is their frantic attempt to damage her politically. I say to my friend from Iowa: Stop this nonsense. Have some dignity. Stop this obstruction for politics' sake. For whatever sake, it is wrong. She is no longer Secretary of State. She hasn't been for a long time. John Kerry is. Secretary Kerry has been there a long time now. Stop trying to undermine the State Department, and instead give it the resources and people it needs to work for the American people.

I suggest to my Republican colleagues, if they seek expedited responses to their inquiries, it would make more sense to confirm the Legal Adviser, who can advise on these issues and respond to their questions—they don't have a lawyer down there—rather than to block these nominations so that he can't assist anyone.

Senate Republicans are holding Ambassadors captive over an issue that has absolutely nothing to do with the State Department. They are holding up career Foreign Service officers. The Senate Republicans are blocking promotions for a group of career people over an issue that has nothing to do with them, that they possibly can't resolve. They can't do anything about it. They are blocking the person who would be running our Agency for International Aid because they don't like the Iran agreement—an issue that the nominee does not handle.

Finally, Senate Republicans are blocking the nomination of the Legal Adviser of the State Department, the person who would be best able to answer their legal questions if he were confirmed. Thanks to the Republicans' failure to govern—now I am not making this up. It has been determined by political scientists in our country that this Congress is the most unproductive Congress in the history of the country. Thanks to the Republicans' failure to govern, we are still far behind recent historic norms in confirming nominees, and innocent public servants are caught in the middle of this do-nothing Congress led by the Republicans. It is not right, and it is not fair. I hope adult voices in the Republican caucus will say enough is enough. Sometimes enough is enough. People have to rise up against these people who are giving Republicans such a name. The brand is not so good. I hope the Presiding Officer understands that. Partisanship

should not extend beyond the borders of our Nation. It is time for Republicans to start acting like a governing party and stop playing these games with our national security based on the fact that they don't like the person who is President of the United States and the one who is going to become President of the United States.

Will the Chair announce what our business is today?

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CYBERSECURITY INFORMATION SHARING ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 754, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 754) to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

Pending:

Burr/Feinstein amendment No. 2716, in the nature of a substitute.

Burr (for Cotton) modified amendment No. 2581 (to amendment No. 2716), to exempt from the capability and process within the Department of Homeland Security communication between a private entity and the Federal Bureau of Investigation or the United States Secret Service regarding cybersecurity threats.

Feinstein (for Coons) modified amendment No. 2552 (to amendment No. 2716), to modify section 5 to require DHS to review all cyber threat indicators and countermeasures in order to remove certain personal information.

Burr (for Flake/Franken) amendment No. 2582 (to amendment No. 2716), to terminate the provisions of the Act after six years.

Feinstein (for Franken) further modified amendment No. 2612 (to amendment No. 2716), to improve the definitions of cybersecurity threat and cyber threat indicator.

Burr (for Heller) modified amendment No. 2548 (to amendment No. 2716), to protect information that is reasonably believed to be personal information or information that identifies a specific person.

Feinstein (for Leahy) modified amendment No. 2587 (to amendment No. 2716), to strike the FOIA exemption.

Burr (for Paul) modified amendment No. 2564 (to amendment No. 2716), to prohibit liability immunity to applying to private entities that break user or privacy agreements with customers.

Feinstein (for Mikulski/Cardin) amendment No. 2557 (to amendment No. 2716), to provide amounts necessary for accelerated cybersecurity in response to data breaches.

Feinstein (for Whitehouse/Graham) modified amendment No. 2626 (to amendment No. 2716), to amend title 18, United States Code, to protect Americans from cybercrime.

Feinstein (for Wyden) modified amendment No. 2621 (to amendment No. 2716), to improve the requirements relating to removal of personal information from cyber threat indicators before sharing.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided between the two leaders or their designees.

The Senator from Nevada.

AMENDMENT NO. 2548, AS MODIFIED

Mr. HELLER. Mr. President, after my years of growing up in Nevada, I appreciate the values that make Nevadans distinct, fiercely independent, and very diverse—in fact, as diverse as the terrain is in Nevada. But what never ceases to amaze me about Nevadans is our passion for protecting America's privacy from the intrusion of the Federal Government. It is a value that is shared across the entire State and one that I have sworn to uphold. But many Americans have lost faith that their government will uphold their civil liberties.

It is Congress's responsibility to ensure that every piece of legislation passed by this body protects the privacy and liberties of all Americans, and I will not accept attempts to diminish these nonnegotiable rights. That is why I am on the floor today to continue protecting Americans' and Nevadans' privacy by pushing for my amendment on the Cybersecurity Information Sharing Act.

To begin with, I wish to commend my colleagues, both Chairman BURR and Ranking Member FEINSTEIN, for recognizing the need to address the serious issue of cyber security. As ranking member of the commerce committee's consumer protection subcommittee in the last Congress, I delved into these issues and understand the impact of data breaches and cyber threats. It is an economic concern as well as a national security concern for our country.

I share the desire to find a path forward on information sharing between the Federal Government and the private sector as another tool in the cyber security toolbox, but these efforts cannot come at the expense of personal privacy. The bill, including the substitute amendment that I see today, does not do enough to ensure that personal, identifiable information is stripped out before being shared, and that is why I have offered this simple fix.

Let's strengthen the standard for stripping out this information. Right now, this legislation says that the Federal Government only has to strip out personal information if they know it is not directly related to cyber threat—that word being “know.” My amendment No. 2548, as modified, will ensure that when personal information is being stripped out, it is because the entity reasonably believes it is not related to cyber threat. That is the change—from knowing to reasonably believing. This distinction creates a wider protection for personal information by ensuring that these entities are making an effort to take out personal information that is not necessary.

Frankly, I am proud of the support I have from Senators LEAHY and WYDEN, both great advocates in the Senate for privacy. However, I am disappointed that my amendment was not included in the substitute amendment that we see today.

The supporters of this bill talk about how this legislation upholds privacy but couldn't accept a reasonable amendment that complements those privacy provisions.

Our friends over in the House of Representatives already agree that the private sector should be held to this standard, which is why they included this language in the cyber security bill they passed. I guess the question is, If this is good enough for the private sector, shouldn't it be good enough for the government sector?

Furthermore, DHS has publicly acknowledged the importance of removing personal, identifiable information because it will allow an information sharing regime to function more efficiently.

What this has come down to is our Nation's commitment to balancing the needs for sharing cyber security information with the needs to protect Americans' personal information. Like many in the tech community have already stated, security should not come at the expense of privacy. In fact, that was said a couple hundred years ago by Benjamin Franklin. Security should not come at the expense of privacy. I believe my amendment No. 2548 to hold the Federal Government accountable strikes that balance, and I hope this simple fix can be incorporated into the legislation.

I encourage my colleagues to support this commonsense effort to strengthen this bill and keep our commitment to upholding the rights of all U.S. citizens.

I appreciate Senators BURR and FEINSTEIN's willingness to work with me on this amendment and look forward to continuing this debate.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank my colleague from Nevada and say to him generally that we tried to put everything in the managers' amendment that we could, and the threshold was that we had to have total agreement. I know my colleague understands that it is difficult, but we have done everything we can to protect the rights of every individual Member to bring an amendment to the floor, to debate the amendment, and to have an up-or-down vote—even for the ones that were not germane. It is unfortunate that one amendment on both sides will be kicked out because they have to happen before the cloture vote, and that was not allowed to take place.

MEASURE PLACED ON THE CALENDAR—S. 2193

Mr. President, I understand that there is a bill at the desk that is due for its second reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2193) to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

Mr. BURR. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

Mr. BURR. Mr. President, in just shy of 25 minutes, the Senate will have a procedural vote on the Cybersecurity Information Sharing Act of 2015. The committee worked diligently for most of this year in a bipartisan way to achieve a balance of great policy and reported that bill out on a 14-to-1 vote.

I say to my colleagues: We have reached a very delicate balance. There have been bending and twisting and giving and taking, and we have done it not only within the Senate of the United States and within the committee, we have done it with stakeholders all around the country.

I will remind my colleagues that this bill we are attempting to get through the Senate is a voluntary information sharing bill, and the mere fact that it is voluntary means we have to have in place certain incentives that provide a reason for companies to participate.

I commend Chairman JOHNSON and Ranking Member CARPER. Their committee and staff have worked with us side by side to try to incorporate their thoughts and the thoughts of all the agencies and also worked with stakeholders around the country.

I am pleased to tell my colleagues today that we received this morning a notice from the U.S. Chamber of Commerce, and it says: "The Chamber urges the United States Senate to pass CISA expeditiously. There is overwhelming support."

When the vice chair and I ventured into this, we also made a commitment to lock arms because we thought we found the right balance. Although it may be enticing for Members to support amendments that might come up, there is a reason we didn't incorporate them in the managers' amendment. It may have been due to the differences the vice chair and I had or maybe it was because it would have killed the support we had with the stakeholders around the country. We will have one of those amendments today, and it is going to be inviting for people to do it, but let me say to my colleagues, if do

you it, information sharing is over with, and the effort is dead. It has been tried for 3 years, yet we continue to see attacks happen, and massive amounts of personal data go out of the system to be used for criminal or espionage reasons.

This is really our last chance. The vice chairman and I have reached what we think is the absolute balance that provides the buy-in of those who will be asked to voluntarily turn over this data and to help minimize the loss of data in our entire economy.

I urge my colleagues to support the cloture motion that will happen at 11 a.m. We will have a short debate, and then we will take up an amendment, and the vice chair and I at that time will ask our colleagues not to support that amendment.

Mr. President, I ask unanimous consent to waive the mandatory quorum calls with respect to the cloture motions on amendment No. 2716 and S. 754.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BURR. I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the following Senators on the Democratic side be permitted to speak for 5 minutes each on our time: FEINSTEIN 5 minutes, WYDEN 5 minutes, and CARPER 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, after many years of effort, the Senate is about to take its first vote to move forward on important cyber security legislation. As I stated in my remarks yesterday, this substitute makes 20 changes to the underlying bill. It includes 14 amendments offered by other Senators to improve privacy protections and ensure better cyber security for emergency services, the health care industry, and the Federal Government. As the chairman just said, we have been listening and we have tried to incorporate a substantial number of amendments in the managers' package.

This is a good bill. It is a first step. It is not going to prevent all cyber attacks or penetrations, but it will allow companies and the government to share information about the cyber threats they see and the defensive measures to implement in order to protect their networks.

Right now—and this is important—the same cyber intrusions are used again and again to penetrate different targets. That shouldn't happen. If someone sees a particular virus or harmful signature, they should be able to tell others so they can protect themselves. That is what this bill does—it clears away the uncertainty and concern that keep companies from sharing

this information. It says that two competitors in a market can share information on cyber threats with each other without facing antitrust lawsuits. It says that companies sharing cyber threat information with the government for cyber security purposes have liability protection.

The bill is completely voluntary. I don't know how to say that over and over more times than I have. If you don't want to participate, don't. If a company wants to take the position that it can defend itself and doesn't want to participate in real-time sharing with the Department of Homeland Security, that is its right.

I thank my colleagues who came to the floor in support of this bill and this managers' amendment yesterday: Senators MCCONNELL, REID, GRASSLEY, NELSON, MCCAIN, KING, THUNE, FLAKE, Senator CARPER in particular, Senator BLUNT, and others. They have all described the need for this bill, and I so appreciate their support.

I urge my colleagues to support cloture on this substitute managers' package so that we can start moving on to other amendments that are pending.

I also thank Senator BURR and his staff. Over the past couple of days, they have been going through comments, proposing technical changes, and perfecting changes to the substitute. It is my understanding that Chairman BURR will ask a unanimous consent agreement on that perfecting amendment shortly.

I also thank Senator COLLINS for agreeing to changes in her provision, section 407, to start to address concerns that were raised by its inclusion.

I also want to thank Senators WHITEHOUSE, LEAHY, and WYDEN for reaching an agreement on text that Senator WHITEHOUSE very much wanted to include, and I am pleased we were able to include it in this unanimous consent package.

So I appreciate the support of my colleagues. I urge a strong "yes" vote on the cloture vote to allow us to proceed to this bill.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I rise to speak against cloture on the substitute. This substitute would not have stopped the Target hack, the Anthem hack, the Home Depot hack, or the OPM hack. When it comes to real privacy protection for millions of Americans with this substitute, there is simply no "there" there.

We see that by looking at page 17 of the substitute. Companies have to remove only personal, unrelated information if they know that it is personal and unrelated. How would they know under this amendment? Under this amendment, they are required to virtually do no looking. It is the most cursory review. That is why the Nation's leading technology companies

have come out overwhelmingly against this legislation. They are not satisfied by this substitute.

The sponsors of the bill have been pretty vociferous about attacking these companies for coming out against the legislation. These companies know a lot about the importance of protecting both cyber security and individual privacy. These tech companies that are being attacked now have to manage that challenge every single day. The challenge gets harder all the time with things such as the EU ruling that I opposed. These companies know that customer confidence is their lifeblood, and the only way to ensure customer confidence is to convince people that if they use their product, their information is going to be protected both from malicious hackers and from unnecessary collection by the government.

The fact is, we have a serious problem with hacking and cyber security threats. The fact is, information sharing can be good, but a cyber security information sharing bill without real and robust privacy protections that this amendment lacks—I would submit millions of Americans are going to look at that, and they are going to say this isn't a cyber security bill, this is yet another surveillance bill.

With this amendment, colleagues, the Senate is again missing another opportunity to do this right and promote both security and liberty. Just because a proposal has the words "cyber security" in its title doesn't make it good. But that is, of course, why the leading technology companies in this country—companies that make a living every single day by being sensitive to cyber threats and privacy—have come out overwhelmingly against this bill.

I know my colleagues have tried to improve this issue, and I appreciate that. But the core privacy protections that America deserves in a bill like this are still lacking, and that is why I oppose cloture.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I wish to respond very briefly to what our colleague from Oregon has said.

Senator FEINSTEIN shared with me a copy of the actual text of the managers' amendment. I would maybe make two points. One, if a private company elects to share information—they don't have to, but if they elect to share information, as Senator FEINSTEIN has said, it is their call. But if they do, there is a requirement under the law that they scrub it. The reporting entity which is submitting the indicator—in this case to DHS, the Federal entity—has to scrub it. They have the responsibility, whoever is initiating this, to scrub and remove that personally identifiable information. If for some reason they don't, the way the legislation comes before us today, in order for a

company that chooses to submit threat indicators to the Federal Government, in order to get help on the liability protection they are looking for, they have to submit it through the Department of Homeland Security, through the portal of the Department of Homeland Security, which is literally set up to do privacy scrubs. It is literally set up to do privacy scrubs, and then to share information it wants with other relevant Federal agencies. Very, very infrequently—very infrequently—will there be some reason to—the threat indicators coming through the portal at DHS, maybe less than 1 percent of the time, there might be a need to take a closer look at that information and make sure there is nothing that is personally identifiable or problematic. I think with the compromise that has been worked out, the issue that our colleague has raised has been addressed.

Let me just go back in time. Why is this important? We know the situation is grim. When the Secretary of Defense has his emails hacked by an entity, and we know not who, when we have 22 million personal records and background checks hacked by maybe the Chinese or maybe somebody else, that is not good. When companies such as DuPont in my own State and universities all over the country are having their R&D information—their intellectual seed corn upon which our economy is going to grow—stolen, and presumably stolen for bad reasons, so that they can beat us to the bunch in terms of economic opportunity, that is not good.

What are we going to do about it? It turns out we did quite a bit about it in the last Congress. Two Congresses ago, Senator FEINSTEIN proposed comprehensive cyber security legislation, the whole kit and caboodle. We tried very hard, as she knows, for a year or two to get that enacted. We couldn't get it done. Finally, we gave up at the end of I think the 112th Congress. We gave it up, and we started again in 2013.

Tom Coburn was the ranking member on Homeland Security. I was privileged to be chairman. He and I partnered with people on our committee and, frankly, with a lot of folks outside of the committee, to do three things: To strengthen the capability of the Department of Homeland Security to do its job, a much better job of protecting not just the Federal Government but the country as a whole against cyber attacks. We passed three pieces of legislation. They are helpful; they are not the whole package, but they are three very helpful bills to make DHS a better, more effective partner.

This year, the Intel Committee, under the leadership of Senator BURR and Senator FEINSTEIN, came forward with their proposal. The administration, the President, came forward with an information sharing proposal as well. We took it up in a hearing in the

Committee on Homeland Security, looking at the President's proposal, trying to figure out what we should retain and what we should change to make it better, and we did. We changed it and we made it better. I introduced it as a standalone bill. The Intel Committee reported out their legislation 14 to 1.

We have been working with Senator BURR and Senator FEINSTEIN and their staffs ever since to try to infuse the elements of the President's proposal, modified by us on homeland security, to make a more perfect—not a more perfect union, but a more perfect bill. Is it perfect? No. Is it better? Sure, it is better. I think it is going to enable us to do a much better job protecting that which needs to be protected.

The last thing I will say is this: On this floor I have said more than a few times I love to ask people that have been married a long time, what is the secret to a long marriage? The best answer I have ever received is the two C's—communicate and compromise. I would add a third C, which is also important for a vibrant democracy. The third C is collaborate.

This legislation is a great example of communicating, talking with own another, with stakeholders on Capitol Hill, off Capitol Hill, across the country and around the world, but at the end of the day to figure out how to compromise and to do so by collaborating.

I think we have come up with a very good piece of legislation. At the end of the day, if an entity or business wants to share information—I hope they would, we need them to do that. If they want to share information with the Federal Government, the idea is to get liability protection and share it through the portal of the Department of Homeland Security; that information is scrubbed—cyber security scrubbed, piracy scrubbed. Share with other Federal agencies as appropriate after it has been dutifully scrubbed, and then we are in a better position to defend against those attacks in the future.

I think when people send us to work on big problems—and this is a big problem for our country—they want us to work together. They want us to get stuff done. We have been talking about this for 3 or 4 years, and now we have an opportunity to get something done. Let's pass this and accept this managers' amendment, and then let's take up some other amendments, and pass this bill and send it to the House. When they have done their work, let's go to conference.

Thank you very much.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise to support the Cybersecurity Information Sharing Act, long overdue and vital legislation designed to reduce our

Nation's vulnerability to cyber attacks.

I want to commend the ranking member of my committee, Senator TOM CARPER, and Senator BURR and Senator FEINSTEIN, for their collaborative effort. This is an example of when we actually seek to find the areas of agreement that unify us versus exploit our divisions, then we can actually accomplish some pretty good things. This bill is one of those examples.

The cyber threat we face today is real and it is growing. Sophisticated nation-state adversaries such as China and North Korea are constantly probing American companies' and Federal agencies' computer networks to steal valuable and sensitive data. International criminal organizations are exploiting our networks to commit financial fraud and health fraud. Cyber crime is so pervasive that the former Director of the National Security Agency described it as the "greatest transfer of wealth in human history." Cyber terrorists are trying to attack cyber-connected critical infrastructure, thereby threatening our very way of life.

We have already experienced the impact of this threat. Within the last year and a half alone, more than 20 top American companies and Federal agencies have experienced major breaches. A breach of the Office of Personnel Management allowed a foreign adversary to steal 19.7 million Federal employees' background checks, over 5 million fingerprint files, and 4 million personnel records. A breach at IRS allowed cyber criminals abroad to access over 330,000 taxpayer financial records. A destructive cyber attack from North Korea on Sony Pictures resulted in the destruction of thousands of computers and theft of the company's most valuable intellectual property. Data breaches at both Anthem and JP Morgan resulted in the theft of 80 million health care subscribers' personal data and 83 million banking customers' personal information. Even the White House is not immune from attack. Six months ago, foreign adversaries breached White House networks, compromising the President's nonpublic schedule.

Federal agencies are neglecting to protect Americans' data and Federal law is preventing companies from defending their networks. Congressional oversight, including hearings held by my committee, the Senate Committee on Homeland Security and Governmental Affairs, has shown agencies are not doing enough to protect their sensitive data. Our committee's oversight hearings of the IRS and OPM data breaches revealed that basic cyber security hygiene and best practices would have stopped attackers in their tracks had they been in place at these agencies. The Department of Homeland

Security has not yet fully implemented the cyber security programs we need to protect Federal agencies' networks.

Meanwhile, current law hinders private companies from sharing indicators that can be used to detect and stop attacks against their networks. To be effective, cyber threat indicators must be shared very quickly. The 2015 Verizon data breach investigation report revealed that 75 percent of attacks spread within 24 hours, and 40 percent spread within just 1 hour. Yet our current network of anti-trust and wiretap loss hampers companies from sharing that information quickly, creating a threat of lawsuit and prosecution for sharing that the information companies can use to identify and stop attacks.

There is no easy solution, but there are things Congress can do to improve cyber security that might make cyber attacks more difficult. That is why I am proud to have worked with Senator BURR and Senator FEINSTEIN to create the Cybersecurity Information Sharing Act, which takes a significant first step in addressing both of these issues.

First, it enables information sharing to improve cyber security within private companies.

Second, it improves cyber security at Federal agencies.

I especially appreciate the collaboration of Senator CARPER in working with me to help craft title II of the bill—the Federal Cybersecurity Enhancement Act—which was unanimously reported out of our committee. This bill will put Federal agencies on track to implement commonsense cyber security solutions already in use in many companies, thereby improving the security of Americans' data at the Federal agencies.

The Federal Cybersecurity Enhancement Act will achieve four key goals.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JOHNSON. I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON. First, it will mandate deployment and implementation of a government-wide intrusion detection and prevention system for Federal networks.

Second, it will require OMB to develop an intrusion assessment plan so government agencies can hunt down and eradicate attackers already in their networks.

Third, it requires agencies to implement specific cyber security practices, such as multifactor authentication and encryption of sensitive data, which would have stopped previous attacks.

Fourth, and finally, it will give the Secretary of Homeland Security and the Director of the Office of Management and Budget the authority they need to oversee cyber security across the Federal Government.

In short, the Cybersecurity Information Sharing Act, with the inclusion of the Federal Cybersecurity Enhancement Act, will significantly improve our cyber security posture. This bill will not solve all of our cyber security woes, but it is an important step in the right direction, and I am glad to support it.

Thank you, Mr. President, and I yield back.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I ask unanimous consent for 2 additional minutes before we move to the cloture vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I believe I have a couple of minutes left after the chairman speaks that I would like to use.

Mr. WYDEN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, reserving the right to object, I am happy to extend the debate for a couple of minutes for each side, but I think it does need, in the interest of fairness for the proponents and opponents, to have equal time for the purposes of wrapping up, if my colleagues want to go further.

Mr. BURR. Mr. President, let me modify my request. I ask unanimous consent for 2 additional minutes on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, just so the record is clear, I was told I did not utilize my entire 5 minutes, and I want to make a very brief closing statement on my 5 minutes.

Mr. BURR. May I modify my request further? My unanimous consent would grant me 2 additional minutes and would grant the vice chair 2 minutes 45 seconds.

Mr. WYDEN. Mr. President, I don't want to prolong this. Reserving the right to object—do I have any additional time? I wasn't sure I had used my full 5 minutes.

The PRESIDING OFFICER. The Senator from Oregon has 45 seconds remaining in his time from before.

Mr. BURR. Mr. President, I ask unanimous consent that each side be given 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. I am about to object. Let's get going here.

Mrs. FEINSTEIN. I withdraw my request for my 5 minutes, Mr. President.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina for 2 additional minutes for each side?

Without objection, it is so ordered.

Mr. BURR. Mr. President, I thank my colleagues for allowing me the time.

Very quickly, it was said that this bill will not prevent and would not have prevented the attacks that took place at American companies. It is, in fact, right. The vice chair and I have never portrayed that this was a prevention bill. We said it is not a prevention bill. It is a bill designed to share information to minimize the loss of data.

As it relates to personal data, my colleague from Oregon forgets that the managers' amendment strengthens by making sure on the government side that they only draw in the fields that the entire government collaborative group agrees need to be used for forensic purposes over and above what Senator CARPER pointed out are the responsibilities of the private sector companies.

It was said that the vice chair and I have been critical of technology companies that oppose this bill. I don't think we have been critical. We have been confused—confused that the companies that hold the most personal data on the American people in the country want to deprive every other business in America from having the ability to share their information when they are hacked. So I am not critical. I am challenged to figure out why they would take that position, but I have come to the conclusion that there are some questions in life that have no answers, and I have now reached one of those.

Given that we are at the end of this debate, let me once again thank Chairman JOHNSON and Ranking Member CARPER for the unbelievable contribution that both of them individually made in their committee, and on behalf of the vice chair and myself, I would urge our colleagues to support cloture and allow this process to move forward so we could conference with the House.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, thank you very much.

I just want to urge people to vote yes on cloture. We have been at this for 6 years. This is the third bill. We have been bipartisan. The bill is considered. This is a complicated and difficult arena. The bill is all voluntary. The moaning and groaning of companies, I say, if you don't want to participate, don't participate, but I can give you hundreds and thousands of companies that are desperate to participate to be able to protect themselves without a lawsuit, and this enables that. It is a first-step bill.

I particularly wish to thank the chair and ranking on the Homeland Security Committee. I very much appreciate this support and know that Senator BURR, I, and others will continue to work as we recognize this most serious threat on our economy and the privacy of individuals. To do nothing now is to admit that we cannot come up

with a bill, and, in fact, we can. Please vote yes.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Oregon.

Mr. WYDEN. Mr. President, I hope colleagues will vote no. I have three quick points. No. 1, the chairman of the committee—and we work together often—acknowledged that this substitute would not have prevented these major hacks that we are all so concerned about. No. 2, once again we have heard an attack on the country's major technology companies. All of them, all of them, colleagues, are opposed to this legislation. We are talking about Apple and Dropbox and Twitter. The list goes on and on. Why? Because these companies have to be concerned about both cyber security and protecting their employees and their customers privacy. Unfortunately, this legislation does very little to protect cyber security, which has now been acknowledged by the lead sponsor of the legislation and has major problems with respect to protecting the liberty of the American people. I urge colleagues to vote no.

Mr. CARPER. Mr. President, are we out of time on the Democrats' side?

The PRESIDING OFFICER. Twenty seconds remain.

Mr. CARPER. Colleagues, keep in mind, EINSTEIN 1 and EINSTEIN 2 are already effective to detect but not block these intrusions. EINSTEIN 3, authorized by our legislation, puts a new player on the field—a defensive player—to be able to block these intrusions. This is new and requires these agencies to implement that. For no other reason than that, it is a good reason to support this proposal.

Thank you.

The PRESIDING OFFICER. The Senator's time has expired.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 2716 to S. 754, a bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

Mitch McConnell, John Cornyn, Johnny Isakson, Richard Burr, John McCain, Shelley Moore Capito, Orrin G. Hatch, John Thune, Chuck Grassley, Pat Roberts, John Barrasso, Jeff Flake, Lamar Alexander, Bill Cassidy, Deb Fischer, Susan M. Collins, Patrick J. Toomey.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 2716, offered by the Senator from North Carolina, Mr. BURR, to S. 754, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 83, nays 14, as follows:

[Rollcall Vote No. 281 Leg.]

YEAS—83

Alexander	Feinstein	Murphy
Ayotte	Fischer	Murray
Barrasso	Flake	Nelson
Bennet	Gardner	Perdue
Blumenthal	Gillibrand	Peters
Blunt	Grassley	Portman
Boozman	Hatch	Reed
Boxer	Heinrich	Reid
Burr	Heitkamp	Risch
Cantwell	Heller	Roberts
Capito	Hirono	Rounds
Cardin	Hoeven	Sasse
Carper	Inhofe	Schatz
Casey	Isakson	Schumer
Cassidy	Johnson	Scott
Coats	Kaine	Sessions
Cochran	King	Shaheen
Collins	Kirk	Shelby
Corker	Klobuchar	Stabenow
Cornyn	Lankford	Sullivan
Cotton	Lee	Tester
Crapo	Manchin	Thune
Cruz	McCain	Tillis
Daines	McCaskill	Toomey
Donnelly	McConnell	Warner
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	

NAYS—14

Baldwin	Leahy	Sanders
Booker	Markey	Udall
Brown	Menendez	Warren
Coons	Merkley	Wyden
Franken	Paul	

NOT VOTING—3

Graham	Rubio	Vitter
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The PRESIDING OFFICER (Mr. FLAKE). On this vote, the yeas are 83, the nays are 14.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

AMENDMENT NO. 2564, AS MODIFIED

There will now be 10 minutes of debate equally divided prior to a vote in relation to amendment No. 2564, offered by the Senator from North Carolina, Mr. BURR, for Mr. PAUL.

The Senator from North Carolina.

Mr. BURR. Mr. President, I wish to say to my colleagues that there is 10 minutes of debate in between these votes, so those Members who have conversations, I wish they would take them off the floor. If they are not going to have conversations, stay and listen to the debate.

Mr. President, from the floor, I have said to my colleagues that the information sharing bill is a very delicately balanced piece of legislation.

What we have attempted to do is to create a voluntary program that companies around this country can choose

to participate in or not. Some have already expressed their opposition to it, and I would say that is very easy—pass the bill, and they just won't participate.

There are going to be amendments, though, that change the balance. I don't want to get into the details of every amendment. Let me just say to my colleagues that if we change the balance we have reached not just on both sides of the aisle but with the comfort level of businesses across this country to where they believe they can no longer participate in it, then we won't have a successful information sharing bill.

I think every Member of this body and every American knows that cyber attacks are not going to go away. They are going to continue, they are going to become more numerous, and we are going to be on the floor debating something that is probably much more specific in the future. I wish we could prevent it, but right now our only tool is legislation that voluntarily asks companies to participate to minimize the loss of data.

I encourage my colleagues, as the vice chair and I have—we are going to oppose all the amendments that come up. We have gone through all the amendments, and those which we could accept and which we felt embraced the balance we had achieved and could still hold together the support across the country—we incorporated those in the managers' amendment, and that managers' amendment will be voted on when we come back on Monday or Tuesday.

With that, I yield the floor to my vice chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I ask the Senate to vote no on this amendment, and I would like to explain why. This amendment would create an exemption to the bill's narrowly tailored liability protections for companies that take responsible actions to look for cyber threats and share information about them if a company "breaks a user or privacy agreement with a customer, regardless of how trivial it may be."

The underlying cyber bill has been carefully drafted to ensure that it is totally voluntary and that activities can only be conducted on a customer's behalf with express authorization.

Let me read the language in the bill. The bill reads:

Nothing in this title shall be construed—

(1) to amend, repeal, or supersede any current or future contractual agreement, terms of service agreement, or other contractual relationship between any entities, or between any entity and a Federal entity.

There is tremendous objection to the Paul amendment that is coming in from the chamber of commerce, various companies, and the health indus-

try. They understand what is in our bill. This amendment would actually fatally disturb what is in the bill, which is clear and concise.

I urge a "no" vote.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, this cyber security bill attempts to enhance security for transactions on the Internet but I think actually weakens privacy in the process. The bill would grant legal immunity to companies that, in sharing information, actually violate your privacy.

Most companies have a privacy agreement. You see it when you get on the Internet. It is supposed to guarantee that your information, individual choices, and consumer choices on the Internet are not revealed to anyone. This bill says that if the company violates it in sharing your information, there will be legal immunity for that company. I think that weakens privacy. It makes the privacy agreement not really worth the paper it is written on.

I think privacy is of great concern to Americans. The government doesn't have a very good record with privacy. In the news today, a teenager is now reading the email of the CIA Director. It doesn't sound as though the government is very good at protecting privacy. I am not really excited about letting them have more information.

The government revealed 20 million individual records of their employees, private records of their employees. This is the same government that now says: Trust us, and let's give everybody involved immunity so the consumer has no recourse if their privacy is breached. This is the same government that allowed the ObamaCare Web site to be hacked and looked at. This is a government that doesn't have a lot of concern or ability to protect privacy. We are now asked to entrust this government with volumes and volumes of personal information sent across the vastness of the Internet. There is good reason that many of our largest technological companies oppose this legislation.

My amendment will give companies and Internet users clarity on what information is shared with the government, and it will protect the privacy agreement.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I would like to respond to that because we have been told that for the industries that support this bill, this amendment is a bill killer, and the opposition to it has come in far and wide. We have 52 industrial associations in business, finance, banking, petroleum, waterworks, railroads, public power, real estate, and retail—52 associations that are on your desk—supporting it. In particular, the health industry has weighed in against this amendment.

We accomplished the purpose in our bill in a way that is acceptable. Please vote no.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, let us be clear that most of the high-tech companies that have anything to do with the Internet and anything to do with information sharing oppose this bill.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I think everybody would like to vote, but I will say one last thing to my colleagues.

Any company in America—any company in America—that chooses not to participate, doesn't have to. If for some reason they find there is something in this piece of legislation they are uncomfortable with or they are concerned about with regard to the transfer of any personal data, it is very simple: They do not have to participate. But to deny everybody who would like to participate is wrong.

I would encourage my colleagues to defeat the amendment and support moving on.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2564, as modified.

Mr. PAUL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 32, nays 65, as follows:

[Rollcall Vote No. 282 Leg.]

YEAS—32

Baldwin	Daines	Merkley
Barrasso	Durbin	Murkowski
Bennet	Enzi	Murray
Booker	Franken	Paul
Boxer	Gillibrand	Sanders
Brown	Heinrich	Schumer
Cantwell	Heller	Sullivan
Cardin	Leahy	Udall
Coons	Lee	Warren
Crapo	Markey	Wyden
Cruz	Menendez	

NAYS—65

Alexander	Cochran	Grassley
Ayotte	Collins	Hatch
Blumenthal	Corker	Heitkamp
Blunt	Cornyn	Hirono
Boozman	Cotton	Hoeven
Burr	Donnelly	Inhofe
Capito	Ernst	Isakson
Carper	Feinstein	Johnson
Casey	Fischer	Kaine
Cassidy	Flake	King
Coats	Gardner	Kirk

Klobuchar	Peters	Shaheen
Lankford	Portman	Shelby
Manchin	Reed	Stabenow
McCain	Reid	Tester
McCaskill	Risch	Thune
McConnell	Roberts	Tillis
Mikulski	Rounds	Toomey
Moran	Sasse	Warner
Murphy	Schatz	Whitehouse
Nelson	Scott	Wicker
Perdue	Sessions	

NOT VOTING—3

Graham	Rubio	Vitter
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The amendment (No. 2564), as modified, was rejected.

Ms. COLLINS. Madam President, I ask unanimous consent to speak as in morning business for not longer than 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 2194 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. COLLINS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEBT CEILING

Mr. MERKLEY. Madam President, I rise to give voice to concerns about the pending battle over what is referred to as the debt ceiling. We have been told that the ability of the United States to pay its bills on time and its interest on bonds will expire on November 3, which is only about a dozen days from now—less than 2 weeks.

This is of grave concern to Americans. In fact, if it hasn't been a concern to someone, it should be because it touches almost every American household. This is all about the question of whether we are going to pay a bill that is due for previous spending on time or not. This is all about whether we are going to pay the interest that will be due on Treasury bills on time or not.

Great Nations don't pay their bills late. They are expected to be organized and competent and have their act together, but there is also a tremendous incentive to pay on time because when you pay late, the interest rate on your debt goes up because you become less creditworthy. Many folks in this Chamber say we should operate like a family and think about family values when it comes to finance. Here is the connection with how families operate: They know if they don't pay their mortgage or insurance or their Target bill on time, then their cost of credit is going to go up and their credit score will go down.

Sometimes families simply don't have any possible way of paying a bill when it comes up, and they struggle to

get the funds together, knowing the more cases that fail, the worse it is for their credit score, which means if they borrow money to buy a car, a house, or for any reason, the interest rate is going to be much higher, and they will have to pay a lot more and will not get anything more than they would have gotten before.

Families understand they have to pay their bills on time. That is fiscal responsibility. But some may have forgotten that this lesson is not just anchored in theory, this is in practice. In 2011, when we dillydallied over paying our bills on time, the United States credit rating was taken down a notch, which meant that we had to pay a higher interest.

How about 2013—just 2 years ago—when we failed to act responsibly and the government shut down and it cost us not only 120,000 jobs, but it also cost us, by our best estimates, about \$70 million more in interest that we wouldn't have otherwise had to pay because interest rates went up. Not paying your bills on time is fiscally irresponsible and, to put it more directly, it is a "Dumb and Dumber" tax on every American family. I am not sure why it is that advocates in the House and Senate are advocating for a "Dumb and Dumber" tax. The worst tax is when it costs money and you buy nothing, but that is what happens when you don't pay your bills on time.

We know the cost of paying more on Treasury bonds doesn't just affect the U.S. Government. We also know that the Treasury bond rate is used as an index for items, such as home mortgages and car loans. So our families have to pay more because of the irresponsibility of the Republican "Dumb and Dumber" tax on America. It is irresponsible, and it is damaging to our country and to our families.

It is not often that I turn to Ronald Reagan for insight, but in this case he had it absolutely right. Ronald Reagan said that fiscal responsibility is paying your bills on time. There were a number of times when he spoke to Congress and said, don't do a "Dumb and Dumber" tax.

To put it in his own words when he was at a radio address in 1987, he said:

This brinksmanship threatens the holders of government bonds and those who rely on Social Security and veterans' benefits. Interest markets would skyrocket. Instability would occur in financial markets, and the federal deficit would soar.

He continued and said, "The United States has a special responsibility to itself and the world to meet its obligations."

At another time he wrote a letter to the majority leader of the Senate and said:

The full consequences of a default—or even the serious prospect of default—by the United States are impossible to predict and awesome to contemplate.

He continued:

Denigration of the full faith and credit of the United States would have substantial effects on the domestic financial markets and the value of the dollar in exchange markets. The Nation can ill afford to allow such a result. The risks, the costs, the disruptions, and the incalculable damage lead me to but one conclusion: the Senate must pass this legislation before Congress adjourns.

Let us listen to the voice of reason on fiscal responsibility to pay our debts on time. Let us not adopt the Republican "Dumb and Dumber" tax of failing to pay our bills that extracts huge costs, as President Reagan recognized, both on our Nation and on our families.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Colorado.

PIONEER SPIRIT OF COLORADO AND 100TH ANNIVERSARY OF FARMERS IMPLEMENT COMPANY

Mr. GARDNER. Madam President, in the 1800s, Colorado found itself at the center of a nation—gold rushes and silver rushes, cattle barons and sheep barons, range wars pitting the rancher against the sod farmer. It is a State that, as it does today, had a little bit of something for everyone—a whole lot of space, breathtaking vistas, and pioneer dreams abound.

The 1860s ushered in the land rush across the country, extending to Colorado a few years later by the 1880s. People from the east looking for that relief valve of western expansion were drawn to the high plains of Colorado with its fertile valleys, peaks and plateaus, places where the rain followed the plow, and the landmen knew no limit to the sale of aridity.

It was in the 1880s that one Raimond von Harrom Schramm, a wealthy baron, was moving his belongings from east to west when the train he was riding on derailed in a small eastern Colorado town. Detecting Divine providence at work—or most likely scared to get back on the train—he decided to stay put, declaring the site of the derailment was where God intended him to be.

He went on to build the first multi-story brick buildings in that town before the town's fathers decided against naming him the mayor. That the town council would subject such a man of possession to the humility of an election was too much for Baron Schramm, promptly causing him to move his brick buildings to a more aptly named town—you guessed it—Schramm, just down the road. It is 100 years later, and there are no brick buildings in his namesake town, just a nice feedlot bearing the name Schramm.

In the town he left behind, hard-scrabble businesses continued, squeezing just enough moisture out of the ground to provide pastures for the cows. Soon enough fortune and luck built up to break the sod on the eastern plains to begin Colorado's long romance with high-plains farming. It surely wasn't easy. Families crammed

into tar paper houses, staking their claim on a patch of ground that knows only shades of brown and green.

It was around 1915 when three men came together to start an implement business—Roy Chilcoat, Jack Tribbett, and another partner—selling farm equipment. Steel-studded wheatland machinery, cream separators, and corn shellers tilled sandhills whose only previous disruptions were antelope, buffalo, and the crossing paths of the plains Indians.

It was no easy feat to be a pioneer in agriculture. There was an old saying at the coffee shop in that small town: How do you make a small fortune in agriculture? You start with a large one. The people there lived in sod houses, getting ice from ponds in the winter to store over the summer—if there was enough moisture for the pond. They endured sandstorms and dust bowls that were described in books and movies for generations to come.

These hardy men and women didn't leave when the hard times continued because they had made this their home. To survive was to succeed and to succeed was something that every American aspired to. Their wealth was measured in friends, family, and in the miles of prairie and the consistency of the windmills turning the lifeblood of the plains, their water. Perhaps nothing else has changed the face of Colorado or Western States more than the application of water to dry land. They are what make Colorado today—boundless spirits of pioneers driven to succeed.

During the Great Depression, it was devastating for everyone. Neighbors saw neighbors' soil drive unrelentingly across the darkened country sky, carried by the wind borne atop the rain-deprived lands. People like Chilcoat and Tribbett knew they had to survive for themselves, their families, and their small, struggling community. They had to survive so that others in the community could survive too.

So they found ways to do it—diversifying the business; trading wheat for tractors; giving a price for the wheat that was at two or three times the money the wheat was actually worth just to keep families on their farms; storing the wheat, hoping that it would someday be worth more than the loss they had incurred. They gave tractors to poor farmers knowing they couldn't pay for them but knowing that without them, those family farms wouldn't make it; knowing that someday—or holding hope above fear—their neighbor would make good on it and pay what they could.

Businesses in these small towns scraped through the Depression, on to World War II when its sons and daughters left to fight for freedom in lands many had never heard of before, rationing, sacrificing, and dedicating new

faces to the workforce, forever changing the landscape of small and big towns alike.

Eventually, businesses like Roy's and Jack's and their partners would pass on to a new generation—Howard Crowley and a new partner—and then again to a new generation still. That business still stands today as Farmers Implement Company. Chilcoat and Tribbett were joined by my great-grandfather, known as Daddy Bill, who would eventually sell their interests to my grandfather, Paul Gardner, and my father, John Gardner.

I spent years working there, trying to learn values, the business, but learning more about relationships—people and a way of life—than selling parts. In fact, based on how many wrong parts I sold, I am pretty sure that was one of the least of things I learned about. But I watched as generations of customers came through the door. I watched my grandfather refuse to sell something they could make money on in the dealership, but he knew the person who wanted it couldn't afford to buy it. Why did he do it? Because he wanted them to survive—a new generation of survivors continuing their fight to make a living on the windswept plains of eastern Colorado.

Tomorrow, Farmers Implement will celebrate its 100th anniversary as a family-owned farm implement business. I am proud of the values that dealership represents and honored to be a part of a great rural family heritage and our little town of Yuma. Congratulations.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. FISCHER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

HIGHWAY BILL

Mrs. FISCHER. Madam President, last Friday the House Transportation and Infrastructure Committee released the bipartisan 6-year highway bill proposal. If everything goes as expected, the House transportation committee will mark up its legislation this week. From what I understand, House leadership is committed to taking up this crucial legislation in the coming weeks.

As many of you know, passing a long-term transportation bill has been one of my goals as a Member of this body. In fact, since my time in the Nebraska unicameral, I have made transportation infrastructure funding a top priority. Two of my signature accomplishments in the unicameral led to increased investment for Nebraska's infrastructure and helped local commu-

nities move forward with starting and completing vital transportation projects.

This August I welcomed our U.S. Transportation Secretary, Anthony Foxx, to Lincoln, NE, where we convened a roundtable at the University of Nebraska-Lincoln's Transportation Research Center. We were joined by local transportation stakeholders representing railroad, highway construction, trucking, passenger automobiles, and the aviation industry. At this important meeting, as well as at my listening sessions this summer throughout the State, the message from Nebraskans was loud and clear: Our businesses, consumers, workers, and families want a long-term highway bill.

Throughout the process of developing this bill, I worked with local stakeholders in Nebraska, including our State department of roads, highway builders and project managers, and transportation and community leaders.

Infrastructure is a wise investment. It keeps our country competitive in today's global marketplace. The safety of our traveling public depends on robust and reliable transportation infrastructure. That is why we passed a bipartisan multiyear highway bill here in the Senate. The DRIVE Act provides States and communities with 6 years of certainty for that highway funding without raising taxes on middle-class families.

As an active member of the Environment and Public Works Committee and the Commerce, Science, and Transportation Committee, I am proud of the work we have accomplished together. Our bill enhances safety, proposes much needed regulatory reforms, and it increases investment in our Nation's infrastructure.

The DRIVE Act also includes significant reforms to accelerate highway project construction. The bill does so by advancing key provisions that ensure that local infrastructure projects in Nebraska and all across this country will move forward with a better and a more defined process from the very onset.

The meaningful changes that I championed will provide better coordination between the Federal Highway Administration and States by streamlining environmental permitting and reviews, as well as programmatic agreement templates when initiating new infrastructure projects.

Specifically, the bill will establish new procedures based on a template developed by the Secretary of the Department of Transportation. This will allow our States, in addition to the Federal Government, to determine which State or Federal agencies must be consulted prior to beginning that infrastructure project.

In addition, the bill provides technical assistance to States that want to assume responsibility for the reviews

of categorical exclusion projects, which are a category of projects that don't have a significant impact on the environment, triggering a less arduous level of environmental review. Rather than wasting time and taxpayer dollars waiting on the Federal Government to provide an assessment, my provisions would help States provide their own categorical certification regarding the appropriate level of environmental review of certain projects.

Given Nebraska's challenges with starting and completing infrastructure projects, these elements of the DRIVE Act offer a major step forward for transportation projects in my State.

The DRIVE Act also includes major components of a bill that I introduced earlier this year called the TRUCK Safety Reform Act. The legislation offers serious regulatory reforms to the Federal Motor Carrier Safety Administration. Additionally, the bill encourages stronger regulatory analysis, more transparency, and wider public participation in the regulatory process.

The bill also provides regulatory relief to agricultural producers in Nebraska, reforms research at the Department of Transportation to reduce duplication across the modal administrations, and addresses the challenges of the Compliance Safety and Accountability truck scoring program.

I am pleased that the DRIVE Act establishes a new freight program that will prioritize, increase efficiency, and lower the costs for moving freight imports and exports throughout our Nation. The DRIVE Act's freight program will designate a national freight system and provide guaranteed dollars to Nebraska to enhance freight movement throughout our State on our railways and highways. The freight program will also help America's transportation system continue to facilitate expanding U.S. trade flows. The freight program is crucial to our Nation's economic competitiveness, especially as international trade continues to increase.

The DRIVE Act further incorporates performance-based regulations into our Nation's transportation system. Performance-based measures will offer States more flexibility in meeting the goals of infrastructure-related regulations, something that I have strongly advocated as chairman of the surface transportation subcommittee.

In totality, I believe the Senate produced a thoughtful, comprehensive, and well-drafted highway bill. I greatly appreciate the House moving forward with a long-term highway bill, and I am eager to seek passage of this vital legislation so we can move to a joint conference committee.

I am also pleased to see that the House bill offers several critical provisions, including regulatory reform of the FMCSA and the CSA Program, hair testing for commercial drivers, a freight program, and streamlined per-

mitting to initiate local highway projects at a faster pace. Ultimately, the House's legislative activity this week surrounding the highway bill is a strong step toward achieving a multiyear highway bill—one that will move our economy forward, create jobs, and strengthen safety on our roads, highways, and bridges all across America.

In the coming weeks I look forward to working with Chairman INHOFE, Chairman THUNE, Senator BOXER, and Chairman SHUSTER to produce a reform-oriented compromise that enhances the efficiency, reliability, and safety of our Nation's transportation system.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRUZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. RES. 224

Mr. CRUZ. Madam President, on October 15, 2015, Senators DIANNE FEINSTEIN and PATRICK LEAHY released the following statement marking the 5-year anniversary of the arrest of Liu Xia, the wife of Chinese democracy activist and Nobel Peace Prize laureate Liu Xiaobo:

This week marks the five-year anniversary that Liu Xia was placed under house arrest in China. She has never been charged with a crime and remains confined to her apartment because her husband, respected democracy activist Liu Xiaobo, won the Nobel Peace Prize in 2010.

Over the past five years, Liu Xia's health has sharply deteriorated. She suffers from anxiety, depression, severe back pain and had a heart attack last year. Her repeated requests to leave the country for medical treatment have been denied.

We urgently request the Chinese government allow Liu Xia to seek medical treatment abroad and release Liu Xiaobo, the world's only jailed Nobel Peace Prize laureate. Such action would be a welcome humanitarian gesture.

I could not agree more with the very wise sentiments expressed by Senator FEINSTEIN and Senator LEAHY. That is exactly right. The United States should speak with one voice in support of human rights and against the disgrace that China has jailed this Nobel Peace Prize laureate.

My resolution, following in the tradition of legislation that renamed the street in front of the Soviet Embassy in honor of the heroic Russian dissident and Nobel laureate Andrei Sakharov in 1984, would do the same, it would rename the street in front of the People's Republic of China Embassy to be "Liu Xiaobo Plaza" after the equally heroic Chinese dissident and Nobel laureate who had been brutally impris-

oned by the PRC since 2009 for peacefully advocating for basic political freedom.

I would note that the original legislation naming the street in front of the Soviet Embassy in honor of Mr. Sakharov was introduced by my colleague the senior Senator from Iowa who is on the floor with me today to support me in this request.

As I noted when I first asked unanimous consent for this legislation on September 24 on the eve of President Xi's visit to Washington, I, for one, think as Americans we should not be troubled by embarrassing Communist oppressors, and this issue is not abstract to me.

My family, like Dr. Liu, has been imprisoned by repressive regimes. My father as a teenager was imprisoned and tortured in Cuba. He had his nose broken. He had his teeth shattered. He lay in the blood and grime of a prison cell.

In Cuba, my aunt—my Tia Sonia—was a few years later imprisoned and tortured by Castro—my father by Batista, my aunt by Castro—imprisoned and tortured by an oppressive Communist regime.

The United States has a long history of standing with dissidents and speaking out for human rights. When this body acted to rename the street in front of the Soviet Embassy "Sakharov Plaza," that was a powerful statement that helped bring condemnation of the world on the Soviet Union's repressive human rights record. We should show the same bipartisan unanimity with regard to Communist China, standing together with a wrongfully imprisoned Nobel Peace Prize laureate. We should say to the wrongfully imprisoned dissidents across the world: America hears you and we stand with you.

Some years ago I visited with Natan Sharansky in Jerusalem. He described how the prisoners in the Soviet gulag would pass notes from cell to cell: Did you hear what President Reagan said? Evil empire, ash heap of history, tear down this wall.

What this body does makes a difference. What this country does makes a difference, and we should not forget our core values.

Madam President, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 224; I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from California.

Mrs. FEINSTEIN. Madam President, reserving the right to object, I wish to make a couple of remarks as to why.

Senator CRUZ, believe it or not, I have actually played a role—particularly in the 1990s—in helping dissidents

be released by the Government of China and had some success. We did that by talking to the government.

I think to do this in this way will set back the cause and actually be deleterious to the release of these people, so I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Madam President, I intend to continue pressing this resolution because I believe we have a moral imperative to speak for freedom. It is one thing to put out press releases, it is another thing to act. I agree with every word in the press release that was issued by Senator FEINSTEIN and Senator LEAHY, and my request is simply to put action to those words.

I tell you, when I visit with Chinese Americans in my State of Texas, I don't want to have to look them in the eyes and tell them I stood with the Chinese Communist Government, the oppressors, instead of standing with Dr. Liu, instead of standing with a Nobel Peace Prize laureate, for fear of embarrassing their oppressors.

There are few things more powerful than embarrassment, than public sunshine. When Ronald Reagan stood before the Brandenburg Gate and said "Tear down this wall," he didn't listen to the voice of timidity say: Now that is going to embarrass the Soviets.

I would note in the White House that the staffers repeatedly crossed out that line of his speech. They said: No, no, no, no, no. That will upset the Soviets. That will set us back diplomatically—the exact same argument, sadly, the senior Senator from California just presented. And each time President Reagan wrote that line back in with his own hand, explaining to those staffers: You don't understand, that is the entire point of giving the speech. That is why I am there because when we speak the truth, the truth has power.

This body—Democratic Senators in this body and Republican Senators in this body—should not be aiding and abetting the oppression of the Chinese Government. We should be standing and speaking for truth and for freedom, and we should be following the pattern that was successfully demonstrated by Senator GRASSLEY in introducing the resolution naming "Sakharov Plaza" in front of the Soviet Embassy.

With that, I yield to my colleague, the senior Senator from Iowa.

Mr. GRASSLEY. Madam President, I appreciate my colleague bringing up the history of Andrei Sakharov Plaza. A lot of people wonder whether this makes much of a difference, what the Senator is attempting to do in the case of the Chinese Embassy. I can tell you it made a big difference. All you have to do is measure the opposition as we were considering the one I introduced several years ago. When the State Department fights hard not to embarrass

the Russians, when the city of Washington, DC, fights very hard not to rename a street, then you know you are on the right track, when you have those sorts of people in opposition to you.

The PRESIDING OFFICER. The Senate has an order to proceed to executive session.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Julie Furuta-Toy, of Wyoming, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea; Dennis B. Hankins, of Minnesota, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea; Harry K. Thomas, Jr., of New York, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zimbabwe; and Robert Porter Jackson, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ghana.

VOTE ON FURUTA-TOY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Furuta-Toy nomination?

Mr. MCCAIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), the Senator from South Dakota (Mr. THUNE), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) is necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 283 Ex.]

YEAS—93

Alexander	Ernst	Murphy
Ayotte	Feinstein	Murray
Baldwin	Fischer	Nelson
Barrasso	Franken	Paul
Bennet	Gardner	Perdue
Blumenthal	Gillibrand	Peters
Blunt	Grassley	Portman
Booker	Hatch	Reed
Boozman	Heinrich	Reid
Boxer	Heitkamp	Risch
Brown	Heller	Roberts
Burr	Hirono	Rounds
Cantwell	Hoeben	Sanders
Capito	Inhofe	Sasse
Cardin	Isakson	Schatz
Carper	Johnson	Schumer
Casey	King	Scott
Cassidy	Kirk	Sessions
Coats	Klobuchar	Shaheen
Cochran	Lankford	Shelby
Collins	Leahy	Stabenow
Coons	Lee	Sullivan
Corker	Manchin	Tester
Cornyn	Markey	Tillis
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Warner
Daines	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wicker
Enzi	Murkowski	Wyden

NOT VOTING—7

Flake	Moran	Vitter
Graham	Rubio	
Kaine	Thune	

The nomination was confirmed.

VOTE ON HANKINS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Hankins nomination?

The nomination was confirmed.

VOTE ON THOMAS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Thomas nomination?

The nomination was confirmed.

VOTE ON JACKSON NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Jackson nomination?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's actions.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

CYBERSECURITY INFORMATION SHARING ACT OF 2015—Continued

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, that at 11 a.m. on Tuesday, October 27, the postcloture time be considered expired on amendment No. 2716 and the Senate vote in relation to the following amendments in the order listed: Wyden, No. 2621, as modified; Heller, No. 2548, as modified; Leahy, No. 2587, as modified; Flake, No. 2582; Franken, No. 2612, as further

modified; that following the disposition of the Franken amendment, the Senate recess until 2:15 p.m. for the weekly conference meetings; that the time from 2:15 p.m. until 4 p.m. be equally divided in the usual form; and that at 4 p.m. on Tuesday, the Senate vote in relation to the following amendments in the order listed: Coons, No. 2552, as modified; Cotton, No. 2581, as modified; Burr-Feinstein, substitute No. 2716, as amended, if amended; further, that if cloture is invoked on S. 754, all postcloture time be yielded back, the bill be read a third time, and the Senate vote on passage of S. 754, as amended, if amended, without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PROTECTING OUR INFANTS ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 246, S. 799.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 799) to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 799

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Our Infants Act of 2015".

SEC. 2. ADDRESSING PROBLEMS RELATED TO PRENATAL OPIOID USE.

(a) **REVIEW OF PROGRAMS.**—The Secretary of Health and Human Services (referred to in this Act as the "Secretary") shall conduct a review of planning and coordination related to prenatal opioid use, including neonatal abstinence syndrome, within the agencies of the Department of Health and Human Services.

(b) **STRATEGY.**—In carrying out subsection (a), the Secretary shall develop a strategy to address gaps in research and gaps, overlap, and duplication among Federal programs, including those identified in findings made by reports of the Government Accountability Office. Such strategy shall address—

(1) gaps in research, including with respect to—

(A) the most appropriate treatment of pregnant women with opioid use disorders;

(B) the most appropriate treatment and management of infants with neonatal abstinence syndrome; and

(C) the long-term effects of prenatal opioid exposure on children;

(2) gaps, overlap, or duplication in—

(A) substance use disorder treatment programs for pregnant and postpartum women; and

(B) treatment program options for newborns with neonatal abstinence syndrome;

(3) gaps, overlap, or duplication in Federal efforts related to education about, and prevention of, neonatal abstinence syndrome; and

(4) coordination of Federal efforts to address neonatal abstinence syndrome.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report concerning the findings of the review conducted under subsection (a) and the strategy developed under subsection (b).

SEC. 3. DEVELOPING RECOMMENDATIONS FOR PREVENTING AND TREATING PRENATAL OPIOID USE DISORDERS.

(a) **IN GENERAL.**—The Secretary shall conduct a study and develop recommendations for preventing and treating prenatal opioid use disorders, including the effects of such disorders on infants. In carrying out this subsection the Secretary shall—

(1) take into consideration—

(A) the review and strategy conducted and developed under section 2; and

(B) the lessons learned from previous opioid epidemics; and

(2) solicit input from States, localities, and Federally recognized Indian tribes or tribal organizations (as defined in the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), and nongovernmental entities, including organizations representing patients, health care providers, hospitals, other treatment facilities, and other entities, as appropriate.

(b) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall make available on the appropriate Internet Website of the Department of Health and Human Services a report on the recommendations under subsection (a). Such report shall address each of the issues described in subsection (c).

(c) **CONTENTS.**—The recommendations described in subsection (a) and the report under subsection (b) shall include—

(1) a comprehensive assessment of existing research with respect to the prevention, identification, treatment, and long-term outcomes of neonatal abstinence syndrome, including the identification and treatment of pregnant women or women who may become pregnant who use opioids or have opioid use disorders;

(2) an evaluation of—

(A) the causes of, and risk factors for, opioid use disorders among women of reproductive age, including pregnant women;

(B) the barriers to identifying and treating opioid use disorders among women of reproductive age, including pregnant and postpartum women and women with young children;

(C) current practices in the health care system to respond to, and treat, pregnant women with opioid use disorders and infants affected by such disorders;

(D) medically indicated uses of opioids during pregnancy;

(E) access to treatment for opioid use disorders in pregnant and postpartum women; and

(F) access to treatment for infants with neonatal abstinence syndrome; and

(G) differences in prenatal opioid use and use disorders in pregnant women between demographic groups; and

(3) recommendations on—

(A) preventing, identifying, and treating the effects of prenatal opioid use on infants;

(B) treating pregnant women who have opioid use disorders;

(C) preventing opioid use disorders among women of reproductive age, including pregnant women, who may be at risk of developing opioid use disorders; and

(D) reducing disparities in opioid use disorders among pregnant women.

SEC. 4. IMPROVING DATA AND THE PUBLIC HEALTH RESPONSE.

The Secretary may continue activities, as appropriate, related to—

(1) providing technical assistance to support States and Federally recognized Indian Tribes in collecting information on neonatal abstinence syndrome through the utilization of existing surveillance systems and collaborating with States and Federally recognized Indian Tribes to improve the quality, consistency, and collection of such data; and

(2) providing technical assistance to support States in implementing effective public health measures, such as disseminating information to educate the public, health care providers, and other stakeholders on prenatal opioid use and neonatal abstinence syndrome.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be read a third time and passed; that the committee-reported title amendment be agreed to; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 799), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The Committee-reported title amendment was agreed to, as follows:

Amend the title so as to read: "To address problems related to prenatal opioid use."

Mr. MCCONNELL. Mr. President, I was pleased to see the Senate pass by unanimous consent just now the bipartisan Protecting Our Infants Act. As prescription drug abuse and heroin use have increased in Kentucky and other States across the Nation, no demographic, socioeconomic status, age, or gender has been left untouched.

As the father of three daughters, particularly concerning to me is the increase in prenatal opiate abuse, which has resulted in a staggering 300-percent increase in the number of infants born suffering from withdrawal symptoms since 2000.

To address this crisis, I introduced the Protecting Our Infants Act, along with my colleague Senator BOB CASEY. The bill would direct the Health and Human Services Secretary to conduct a departmental review to identify gaps in research and any duplication, overlap, or gaps in prevention and treatment programs related to this issue. It would also direct the Secretary to work with stakeholders on recommendations to address the problem. Furthermore, this measure would encourage the Centers for Disease Control and Prevention to work with States in an effort to help improve their public health response to this epidemic.

Also, I want to acknowledge the outstanding work of the Senator from New Hampshire, Ms. KELLY AYOTTE. I know that one of the things New Hampshire and Kentucky actually, unfortunately, share is that this has reached epidemic proportions. Nobody has been more involved in this issue than the Senator

from New Hampshire. She has been on top of it from the very beginning. She shares the concerns of others, obviously, who have States that are suffering from this enormous problem.

I would also like to thank Representatives KATHERINE CLARK and STEVE STIVERS for leading the effort to advance a similar message in the House of Representatives. I look forward to the House taking up this bill and it being sent to the President for his signature.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I want to thank our leader and thank Senator CASEY for introducing and pushing to pass this very important legislation. This legislation, the Protecting Our Infants Act, of which I was proud to be an early sponsor, will help address the increasing number of newborns born with opioid dependency. I thank the additional Members, including the chairman of the HELP Committee and Ranking Member MURRAY, for helping get that through this important committee.

New Hampshire is facing a public health epidemic. In fact, the heroin and prescription drug addiction crisis is the single most urgent issue facing my State right now. So many families who have lost children have come to me. The other day, I was buying something, and the woman behind the counter said to me: Keep working on this issue. I asked her why. She said: I lost my granddaughter.

Too many families are experiencing losing their loved ones, their family members who are struggling with addiction. Our first responders are inundated. They are saving lives with lifesaving drugs such as Narcan. Public health and safety officials in our State—this is truly something on which we all need to work together to address.

One of the tragic results of this growing opioid abuse epidemic—it has often been overlooked—is the increasing number of infants who are born dependent on opioids and suffering from withdrawal.

Researchers estimate that almost every hour in this country, there is an infant being born who is suffering from withdrawal symptoms or born with dependency symptoms from opioid addiction.

This is an issue which I am so glad is being addressed in this bill, the Protecting Our Infants Act. How we treat our children and our infants is so much a reflection of who we are. That is why I was proud to cosponsor this bipartisan legislation which will call for the development of recommendations to prevent and treat prenatal opioid use, including neonatal abstinence syndrome.

This bill would also ask the Centers for Disease Control and Prevention to

assist States in data collection and increased surveillance to better monitor the prevalence and causes of neonatal abstinence syndrome so that we can work on more support for prevention, treatment, and recovery to help mothers get support and get into treatment so that we don't have infants who are born with opioid dependence and withdrawal symptoms.

As the leader said, across the Nation the number of infants diagnosed with newborn withdrawal has increased 300 percent since 2000. In my home State of New Hampshire, in May of this year, I visited the Catholic Medical Center in Manchester and heard directly from medical personnel there and first responders who have been treating and responding to cases of newborn withdrawal. Catholic Medical Center officials reported that 7 percent of newborn babies at that hospital were born with neonatal abstinence syndrome. That is a significant increase from last year. According to officials at Catholic Medical Center's Pregnancy Care Center, close to half of the mothers cared for are struggling with addiction.

I thank the leader. I thank Senator CASEY. Today's passage of the Protecting Our Infants Act is one very important step to address the crisis of opioid abuse seen in New Hampshire and across this country. Now that we have passed this in the Senate, I want to thank those Members in the House who have led this effort. I hope the House quickly passes this and sends it to the President of the United States.

I hope the Senate will continue to focus on this public health epidemic because there are many solutions that are bipartisan. One is called the Comprehensive Addiction and Recovery Act. This is a bill I helped introduce with Senator WHITEHOUSE, Senator PORTMAN, and Senator KLOBUCHAR. This is a bill which will deal with prevention so that we can make sure we get that message out to prevent people from overusing and misusing prescription drugs and also turning to heroin. It is so we can have more support for treatment and recovery where there is a big gap in my State and so we can support our first responders and make sure they have access to the lifesaving drug Narcan.

One experience I had recently was I went on a ride-along with our largest police department, and I had previously gone on a ride-along with our largest fire department. Within half an hour of the fire department ride-along, we went to a heroin overdose. I watched the emergency personnel—police, fire, emergency first responders—bring someone back to life using Narcan. When I did the police ride-along, within an hour and a half, we went to two heroin overdoses. Again, first responders saved those two individuals' lives.

I have to tell you, I was a murder prosecutor. I saw a lot of tough things

when I was attorney general. But I couldn't breathe when I was sitting in that room and watching that second individual, a young man, on the ground, the first responders doing everything they could, another dose of Narcan—I thought he was gone. This is what our first responders are dealing with every single day.

Mr. MCCONNELL. Will the Senator yield for a question?

Ms. AYOTTE. Yes.

Mr. MCCONNELL. I naively thought that my State was uniquely afflicted with this scourge—we had the drug czar come down to Northern Kentucky, which is a part of my State, a suburb of Cincinnati—only to find that it is a problem all over the country. I was curious as to how this rates with the people of New Hampshire as one of the things they are concerned about.

Ms. AYOTTE. Leader, I will tell you, Director Botticelli came to New Hampshire as well, and he testified at a field hearing Senator SHAHEEN and I had in New Hampshire. For the people of New Hampshire right now, this is a crisis. It is a public health epidemic. I did a townhall last night, and the single biggest issue I got asked about was this because I believe this is one of the top issues, if not the top issue on the minds of people in New Hampshire because they see their friends and family being impacted by this. Every socioeconomic group is being impacted by, unfortunately, prescription drugs and then heroin, which is so cheap on our streets right now, also sometimes mixed with a deadly drug called Fentanyl. In fact, we had a 60-percent increase in drug deaths. There were 320 drug deaths last year.

Mr. MCCONNELL. Now we are losing more to drug overdoses and heroin overdoses than we are losing in car accidents. Is that true in New Hampshire as well?

Ms. AYOTTE. It is the exact same thing in New Hampshire. In our State, more people are dying from heroin, Fentanyl, and abuse of prescription drugs than car accidents, which is staggering when you think about it. This is a national epidemic. That is why I appreciate the bill that was passed today. I think there is more that we in this body could do that would benefit the Nation and would benefit our States of Kentucky and New Hampshire to help give tools to the first responders, the public health officials, treatment providers, those supporting recovery and helping prevent this in the first instance. It is something that would obviously help address this crisis but also something that is a public health issue we should all care about.

Mr. MCCONNELL. I thank the Senator from New Hampshire for her outstanding work on this important issue. I have a feeling we will be grappling with this in all of its various forms for many years to come.

Ms. AYOTTE. I thank the leader for this bill today, which I am glad was passed, and I look forward to working on additional legislation.

Mr. President, I yield the floor.

CYBERSECURITY INFORMATION SHARING ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Pennsylvania.

THE BUDGET AND DEBT CEILING

Mr. TOOMEY. Mr. President, I rise this afternoon to address the budget standoff we are in and the looming debt ceiling issue we are facing. I wish to address this briefly. There will be more to say about this in the near future.

The administration tells us that November 3 is the date after which the extraordinary measures they have been taking run out, and they say that on that date, they will need to start borrowing more money. As we know, we have temporary legislation that funds the government through December 11, I think it is, after which we have not yet resolved how we keep the government operating. I would like to address this a little bit.

First of all, the fundamental problem we have on the debt ceiling increase is we are spending too much money. We are running annual deficits, and we have to borrow money to make up the shortfall. That is what is happening. That is why we reached the debt ceiling, and that is why and the administration wants to borrow more. What is particularly problematic is the President's position that we ought to increase the debt ceiling and allow him to borrow a lot more money without even so much as having a discussion on—much less actually addressing—the gross fiscal mismanagement that is requiring us to borrow all of this money in the first place.

Let's go back to a recent occasion in which we had this debate. In 2011, we reached the debt limit and had a big debate about how we should proceed, and what happened was Congress insisted on—and the President resisted but eventually agreed to—some very modest spending cuts. They established caps, or limits, on discretionary spending, which consist of 37 to 38 percent of all Federal spending that Congress controls through the annual appropriations process.

So some caps were put in place, and the idea was that for every dollar that we raised the debt ceiling, or for every new dollar of debt we would impose on the American people, we would at least cut one dollar of spending over the next 10 years, so that even though we were making a bad situation with our debt load worse by increasing the debt, we would at least be improving the underlying dynamic by diminishing the total spending so that in the future our deficits would be smaller. At least that was the idea.

If you take a look, there was actually a lot of progress in the category of Federal spending—the discretionary spending. We have a graph that shows the increase in Federal spending. This red line shows a huge surge that happened when the President insisted on that massive stimulus spending bill. That is the big spike. It dropped off a little bit because that single, individual gargantuan bill wasn't replicated the next year. Then, a short time thereafter, we reached this agreement with the President where Congress said: Mr. President, you get the debt ceiling increase, but in return for that, let's reduce our discretionary spending over time, and then we will allow it to grow at the rate of inflation after a certain number of years. That was the nature of the agreement. The idea was to address the underlying problem of overspending that is requiring all of this debt.

As this chart demonstrates, this black line shows where we are today. We have made some progress. There is a gradual, modest decline. This is the big surge that came from that gigantic stimulus bill, but after that, there is a gradual, steady, modest decline, so that in this category of discretionary spending—as I said, almost 40 percent of the Federal budget—we actually limited that. It is the first time, that I am aware of, in years—maybe even decades—when we have had several consecutive years in which the Federal Government has actually spent less each year than the year before in discretionary spending.

By way of full disclosure, I voted against this overall agreement because I knew then, as I know now, that while this makes some progress, it doesn't solve the underlying problem. One could argue that it moves in the right direction, but it does not fix the huge debt problem that we have, and this chart illustrates that.

This chart shows that in recent years we have had a slight decline in the size of our deficits. If we go back further, we would see that the deficits were even higher earlier. We have made some progress. The annual deficit, which is the red line, is corresponding to each year since 2014. We can see that it has come down a little bit. This year the deficit will be \$426 billion. It is still too big of a number, but it is less than it was in recent years.

Here is the problem: There are people around this town who talk as though we have this problem solved. A few years ago, the deficit was \$1 trillion, and today it is \$426 billion; so everything is OK. Take a look at where this line is going. This isn't OK. This isn't 100 years from now. This is 5 years from now. This is 10 years from now. What is happening is our deficits are going to explode.

This isn't just my projection. This is the Congressional Budget Office, the nonpartisan CBO. By the way, their

numbers are wildly optimistic. I will give three examples of assumptions they make, and you can judge whether you think these are reasonable assumptions or not.

First of all, as to the whole package of tax extenders, the individual tax cuts that we renew every year, they assume that we stopped renewing them and so there will be this surge of revenue that will come into the Federal Government every year thereafter, and that is all baked into these numbers. They also assume that we are going to stick to the spending caps that I illustrated in the previous chart. In this body we all know that negotiations are underway right now to bust those spending caps, and the President is insisting on it.

In fact, the President has gone so far as to say that he is vetoing the National Defense Authorization Act in part because we haven't yet agreed to bust the caps on nondefense spending. Despite that, these numbers assume that the caps are all complied with. Finally, the Congressional Budget Office makes extremely optimistic assumptions, in my view, about economic growth going forward in the next several years, and that means they are making optimistic assumptions about how much revenue the Federal Government is going to be taking in. Despite that, as we can see, deficits are set to explode, and when deficits explode, the corresponding debt total goes right along with it.

This is our debt. This is the gross Federal debt, and the gross Federal debt is exactly a function of how much we borrow every year. The annual deficit is the shortfall between revenue and spending, and we make up the shortfall by going out and borrowing, and that adds to the borrowing from previous years, and the total is our debt.

If we go back to 1980, it was practically zero. The gross Federal debt was a very modest number. Now it is about \$18 trillion, and it is set to just continue rising. This is totally unsustainable. No country has been able to rack up debt on this scale and have it end well. It doesn't end well.

My point this afternoon is really a simple one. We have a choice before us. We are up against the debt limit, and the President says: Just give me more debt, and I don't even want to have a conversation about the underlying cause or what we might do differently to solve this issue. At the same time, they are saying: By the way, let's increase the rate at which we rack up this debt by busting the spending caps and abandoning the one element of spending discipline that we have been able to achieve in this town in I don't know how many years.

I think most Republicans—and I know this Republican Senator—think it would be a very bad idea to just rack

up even more debt and do nothing at all about the underlying cause of it and bust the spending caps without finding some offsetting way to save money in other places.

By the way, when President Obama was Senator Obama, he thought it was a bad idea then too. In 2006, he said:

The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. Increasing America's debt weakens us domestically and internationally.

Two years later, then-Senator Obama said in 2008: "Adding \$4 trillion in debt is irresponsible; it's unpatriotic."

Isn't it a little bit ironic that under President Obama we added \$8 trillion in debt and now he wants more? He wants more, and as I said before, his insistence is that we can't even have a discussion about dealing with the underlying problems. It is not clear to me why this President should be one of the only Presidents, if not the only President, who gets a debt ceiling increase without even having a conversation about underlying reforms.

In 1984, Gramm-Rudman-Hollings was a major, important budget deal that was done in the context of a debt ceiling increase.

In 1990, the Budget Enforcement Act imposed some spending discipline in return for a debt ceiling increase.

In 1997, we had the Balanced Budget Act, which actually achieved a balanced budget within a short period of time. That came up in the context of a debt ceiling debate.

In 2011, as I mentioned at the beginning of my comments, we established spending caps because we wanted to do something about the underlying problem at the same time we increased the debt ceiling. Unfortunately, as I said, the administration seems unwilling to even have the discussion.

There are two charges that I hear from this administration which are completely untrue, and I want to dispel this. One is this notion that I hear all the time, that raising the debt limit merely enables us to pay the bills that have already been incurred. They tell us how irresponsible we are for not raising the debt limit. After all, these bills have already been incurred. That is nonsense. It is completely untrue. However many times they repeat it doesn't make it true.

I can prove it very simply. If we started running balanced budgets tomorrow and kept running balanced budgets, we would never need to borrow any more money. It is as simple as that. If we didn't spend any more than we took in, we wouldn't need to borrow more money, and we wouldn't need to increase the debt limit.

The precise reason you need to raise the debt limit is because you need to borrow more money because you intend to spend more than you are taking in. That is what the President is planning.

That is what he wants to do. That is what his budget calls for. We haven't committed to any spending going forward. We don't even have an appropriations bill. We don't have an omnibus. We don't have a CR. We haven't done that yet. How can it be that this is paying for bills that have already been incurred? It is not.

The second issue is that if we don't raise the debt ceiling by November 3, it is implied—they don't say it this way—that we will have a devastating and disruptive default in the markets and will not be able to pay our Treasury debts. That is ridiculous. It is never going to happen.

Ninety percent of all the money the government is going to spend comes in the door in the form of taxes. It is the other 10 percent that is the shortfall that we have to go out and borrow. Ninety percent of everything that the government is going to spend comes in the form of taxes. You know how much goes out in debt service? About 7 percent. For every \$1 of government spending about 7 cents is service on our debt at the moment, and 90 cents comes in from taxes. And you are going to default on the debt? You would have to willfully choose to do that, and I don't think even this administration would do that.

I will conclude by saying that I hate the idea of raising the debt ceiling because we already have too much debt, but I understand that it would be very difficult and not realistic to get from where we are to a balanced budget overnight. I get that. So I would be willing to raise the debt ceiling, and I think the obvious thing to do here is to tie it to some structural reforms, even if they are just modest reforms. I know the President is not willing to consider the kind of architectural changes to the entitlement programs that it will take to actually solve the problem, but could we at least make progress on the problem? Could we at least go after the low-hanging fruit?

There are dozens of reforms that would at least modestly improve this fiscal imbalance—the size of these annual deficits. We could have more means testing of Medicare. In other words, very wealthy Americans could contribute more to the cost of their Medicare. We could save tens of billions of dollars a year if we did that.

We could reduce some of the subsidies that go to big corporations, including big agricultural corporations. We spend many tens of billions of dollars a year on corporate welfare. Why don't we wipe that out?

We have green energy research, which is another way of forcing Americans to pay for inefficient production of electricity. We spend \$18 billion over the next several years on that.

Medical malpractice liability reform would save the Federal Government \$50 billion a year. These are not my num-

bers. This is according to the Congressional Budget Office.

Maybe we could reduce the size of the Federal workforce. Between the Departments of Energy, Agriculture, and Commerce, we have 163,000 employees. How much energy do they produce? How many crops do they grow? How much commerce do they really generate? I think we could probably do with a few less. There are hundreds of billions of dollars that could be saved.

We could slow down the growth of the entitlement programs for future beneficiaries. These would be reasonable things. Many of these suggestions have had some level of support by the President at one time or another. I am not looking for something radical. I am looking to make some progress. But I think it is completely unreasonable for the President to insist that he simply have the opportunity to saddle us, our kids, and our grandkids with even more debt without even addressing the underlying problem that is causing us to rack up this debt in the first place.

I will have more to say about this next week. I think this will not get resolved between now and then. When it does get resolved, one way or another, I hope we will find offsets to any spending increase that we incur relative to the levels we have agreed upon in the spending caps of the 2011 agreement. If the debt ceiling increase occurs, I hope it will occur in the context of some improvement to the underlying situation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

SOCIAL SECURITY

Ms. HIRONO. Mr. President, I rise today to talk about some disappointing news. For only the third time in 40 years, Social Security beneficiaries will not receive a cost-of-living adjustment, or COLA, this year. This news will impact the nearly 60 million American retirees, dependent survivors, and disabled workers who rely on Social Security to make ends meet.

Social Security is the most effective anti-poverty program in U.S. history. Without Social Security, about 44.1 percent of America's seniors would be living in poverty.

In Hawaii, one in six residents depends on Social Security to help pay their bills and keep a roof over their heads. It is the only source of income for 25 percent of our seniors in Hawaii.

We live in a world where wages just aren't rising fast enough, and real pensions are disappearing. More and more workers are working longer and harder with less to show for it when they retire.

According to a 2014 Federal Reserve study, nearly 1 in 37 respondents reported having no retirement savings or pensions whatsoever, pointing out once again that Social Security benefits are essential to millions of working Americans and retirees.

For many who are already struggling to make ends meet, Social Security is all they can rely on. Absent a COLA, too many beneficiaries will see no increase in their primary source of income, making it harder to afford basic necessities, especially medical care.

One of my constituents from Wahiawa wrote to me recently and said:

I find it incredible that there are people who actually believe that Social Security is too generous. The average Social Security benefit is a whopping \$14,000 a year and we've only seen an average 2 percent COLA over the past five years. I can assure you my health care costs have far exceeded that tiny increase.

Another constituent from Honoka'a was more direct in her concerns. She wrote:

I have worked very hard my entire life and have planned to retire in a few years. My worry is that I will not have enough money to live. I also may have to continue to work due to this deficit. My question is what are you going to do about it and what is your game plan? Year after year no one has done anything about it and has passed it down to the next person entering the Senate office or Congressional office. It is a problem that must be addressed immediately. Please help me and the rest of my baby boomer generation.

Congress needs to listen to these voices and act to responsibly strengthen and expand Social Security before it becomes yet another fiscal crisis.

That is why I introduced the Protecting and Preserving Social Security Act with Representative DEUTCH of Florida. Our bill does two key things that will help seniors now as well as help to ensure the strength of Social Security for decades to come.

First, our bill would help Social Security recipients by having basic COLAs on a more accurate formula of what seniors actually purchase. This formula is called the Consumer Price Index for the Elderly, or CPI-E. The CPI-E more accurately recognizes the rising costs for seniors and gives them a benefit boost.

According to the Bureau of Labor Statistics, if we were using the CPI-E right now, seniors would be getting a 0.6 percent COLA increase in 2016. That is about \$100 more in benefits for the average person on Social Security next year. And while small, seniors tell me that every bit counts. Changing to the CPI-E will mean increases in Social Security benefits to more accurately reflect the rising costs that our seniors experience.

Second, our bill will pay for this benefit increase by requiring millionaires and billionaires to pay the same rate into the Social Security trust fund that everybody else pays. Few know that this year, once workers earned above \$118,500, they stopped paying the payroll tax to support Social Security. In other words, Social Security contributions are capped for these high-wage earners.

But most workers, as we know, earn far less than \$118,500. So with every paycheck, all year, most workers pay into Social Security. This is not fair. It is not fair that millionaires and billionaires get a Social Security tax loophole.

A corporate CEO could earn \$118,500 in just one pay period and not contribute a single additional cent in payroll taxes for the rest of that year.

Our bill would gradually phase out the cap on payments into the Social Security trust fund over 7 years. That way, whether you earn \$50,000 or \$500 million a year, you keep paying at a fair rate to support Social Security in every paycheck all year long.

The Protecting and Preserving Social Security Act is a fair way to strengthen Social Security for decades to come, and it would give current seniors and beneficiaries a much-needed boost right away.

Social Security is one of the cornerstones of the middle class and the lifeline for millions of seniors. We must do all we can to protect and improve it for not just the current recipients but for those who will rely upon it in the future.

This bill is supported by groups such as Social Security Works, the Strengthen Social Security Coalition, and the National Committee to Preserve Social Security and Medicare.

I urge my colleagues to join me in letting seniors in Hawaii and all across the country know that you are on their side by cosponsoring the Protecting and Preserving Social Security Act.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New York.

9/11 HEALTH PROGRAM

Mrs. GILLIBRAND. Mr. President, two days ago another victim of the September 11 attacks died in New York. He is the eleventh first responder to die since this year's anniversary of the attacks.

His name was Sergeant Gerard Beyrodt. He served for decades in the New York Police Department. His entire career was devoted to serving his community and keeping the people around him safe, and when we were attacked on September 11, 2011, Sergeant Beyrodt didn't waver. He banded together with thousands of first responders from around the country—from every single State—and he rushed to Ground Zero to help.

These heroic men and women ran into the burning towers to try to save anyone they could. When the Twin Towers collapsed, our first responders worked day and night to clear the pile, breathing in toxic, poisonous fumes the entire time. These men and women were heroes. They refused to abandon their community in a time of terrifying confusion and intense grief.

But now, because of the poisonous fumes they were exposed to at Ground

Zero, the burning metal and the toxic smoke, these men and women are sick. Many of them have cancer, and many are dying, and far too many have already died.

More than 14 years later, the terror attacks on September 11, 2001, are still claiming American lives. In the 6 weeks since the most recent anniversary of the attacks, we have lost 11 more responders to diseases that can be traced directly back to the work at Ground Zero.

I wish to take a moment to actually speak their names now: John P. McKee, Reginald Umphery, Kevin Kelly, Thomas Zayas, Paul McCabe, Ed Goller, Joseph Fugel, Ronald Richards, John Cedo, Dennis Needles, and Gerard Beyrodt.

The death toll is not going to stop rising. So what is Congress waiting for?

The bill authorizing funding for the 9/11 health program has already expired. It has expired. But these 9/11-related illnesses never expire. Neither should their health care. More than 33,000 first responders and survivors have an illness or injury caused by the 9/11 attacks or their aftermath. More than 1,700 have passed away from 9/11-related illnesses. More police officers have died from 9/11-related diseases than those who died on 9/11 itself.

The participants in the 9/11 health program live in every single State. Every Senator in this Chamber has constituents who are sick and are registered in the 9/11 health program.

The first responders we have lost leave behind families, spouses, and children. They leave behind bills, mortgages, car payments, and college tuition payments. These 9/11 illnesses not only rob families of their loved ones but leave them to face expenses without, in many cases, their family's primary bread winner.

If Congress doesn't act now, how many more first responders and their families are going to suffer because we didn't do our job and reauthorize the program?

On the most recent anniversary of the attacks, many of my colleagues here released statements and made posts online to commemorate the anniversary and remember the victims of 9/11. Well, if you are a Senator and that is all you are doing—if all you are doing is just talking about the heroism, the courage, and what happened on 9/11—then we are not actually doing our jobs. If we are Senators and all we are doing is tweeting about 9/11 and the responders, then we are not fully fulfilling our duty as Senators.

There is a bill right here, right now, waiting for a vote. The majority of this Chamber already supports the bill as cosponsors. It is widely bipartisan, and not one person is opposed to it. So what are we waiting for? We must reauthorize and make permanent the World Trade Center Health Program

and the Victim Compensation Fund. We must finish our job.

Let's truly never forget. Our 9/11 heroes deserve and desperately need this health care. So let's do our job. Let's vote on this bill. Let's pass it. The clock is ticking.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASIDY). Without objection, it is so ordered.

EXPORT-IMPORT BANK

Mr. PETERS. Mr. President, I rise to express my support for the Export-Import Bank and to encourage my colleagues in the Senate to take up and pass bipartisan legislation scheduled for consideration in the House next week that would reauthorize the Ex-Im Bank until September 30, 2019.

The Export-Import Bank helps American companies export their goods and services across the globe, helping businesses grow and creating more demand for American manufactured goods and agricultural products. Over its 80-year history, the Ex-Im Bank has provided loans to help businesses start exporting, open new markets, and access new customers. The Bank provides insurance to help businesses protect their bottom lines if a foreign buyer fails to pay and works with private lenders to fill gaps in financing that helps close deals that simply would never happen without its support. Most importantly, the Ex-Im Bank does all of this at no cost to the taxpayers. In fact, it makes money. Just last year, the Bank generated a \$675 million surplus to help reduce the deficit.

The Ex-Im Bank helps level the playing field for American companies in a tough global market. Last year it supported more than \$27.4 billion in U.S. exports and 164,000 jobs. More than \$10 billion of that total—nearly 40 percent—represented exports by small businesses. The Ex-Im Bank is dedicated to serving small businesses in Michigan and across the country. Ninety percent of its overall transactions directly supported small businesses, including many that served suppliers for large companies.

In 2013, I was proud to attend the opening of Ex-Im Bank's regional export finance center in Detroit with Governor Snyder and my colleague Senator STABENOW and Congressman John Dingell. In Michigan alone, the Bank has supported 229 exporter businesses selling \$11 billion worth of goods to places such as Saudi Arabia, Mexico, and Canada. This support is particularly important for our manufacturing industry, including motor vehicles and parts, machinery and chemicals—all vital sectors to our economy.

Over the summer, I had the opportunity to visit a Michigan business, Mill Steel Company in Grand Rapids, which works with the Ex-Im Bank to export its products. Mill Steel is one of North America's premier flat-rolled steel companies. It is also a family-owned business that wanted to make Michigan products and hire Michigan workers. Mill Steel sells and ships its steel to auto suppliers in Mexico and Canada. The loan guarantees provided by the Ex-Im Bank reduce Mill Steel's risk when exporting to foreign buyers, providing certainty and allowing them to continue hiring new employees and providing good-paying jobs in Michigan.

Unfortunately, over the summer, despite bipartisan support for reauthorizing the Ex-Im Bank, a small, ideologically driven minority in Congress allowed the charter for the Export-Import Bank of the United States to expire, risking billions of dollars in exports, hundreds of thousands of American jobs, and putting our country at an economic disadvantage in a competitive global marketplace while also increasing the Federal deficit. The failure of Congress to act on this common-sense Federal program endangers jobs in Michigan and is simply unacceptable. General Electric has a plant in Michigan that employs 1,400 Michiganians. Over the summer, GE announced that it plans to relocate over 300 jobs from Wisconsin to Canada as a result of the Ex-Im Bank closing its doors. When this happened, my office was flooded with inquiries from a number of constituents concerned about what would happen to their communities and their own job security if a similar decision was made in Michigan. In the months since Ex-Im Bank's authorization has lapsed, GE has signed deals with export credit agencies in competitor foreign nations, creating jobs abroad instead of right here in the United States.

As a Senator from a State with world-class engineering and manufacturing talent, I am frankly appalled by these developments, especially when we have already seen the benefits that the Bank has produced for Michigan's economy and workers in my State as well as across the country.

The work done by the Ex-Im Bank is especially critical to Michigan manufacturers who fight to compete with countries using extreme and unfair measures such as direct subsidies or currency manipulation to boost their own manufacturing sectors. According to Ex-Im Bank's most recent annual report, there are 85 other competing foreign-sponsored export credit agencies helping their own domestic companies better compete on the global stage. Other countries, including China, Japan, South Korea, the United Kingdom, Canada, and Germany, use their own export credit agencies to boost their country's exports.

China, in fact, provided more financing through its export credit agency in the last 2 years—approximately \$670 billion—than our own Ex-Im Bank has offered in its entire 81-year history. These export financings are expected to significantly increase in coming years, which means that American firms and workers could fall further behind if we do not act now.

Without our own Export-Import Bank, American businesses will struggle to compete overseas and our economy will suffer. As global competition intensifies, it simply makes no sense to engage in unilateral disarmament. We must stop the self-inflicted wounds on our economy. We must pledge to our constituents that we will first do no harm, and we must stop letting ideology impair our economic growth.

I am pleased that a bipartisan, bicameral group of Senators and Representatives are saying that enough is enough, and are working to move a reauthorization forward. I am looking forward to working with them to get this done as soon as possible. Too much time has already been wasted, and too many jobs have already been jeopardized. We have to get back to the business of working together to find commonsense solutions to help, not hamper, our economic growth in America. Passing a long-term reauthorization of the Export-Import Bank is a great way to start.

Once the House passes the reauthorization next week, I urge my colleagues in the Senate to schedule a vote as soon as possible. We know we have the votes. The legislation the House will soon consider is identical to an amendment passed by the Senate with a vote of 64 to 29 in July while considering the long-term highway bill. We should do this now because there is not a moment to lose. American jobs hang in the balance.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEBT LIMIT DEADLINE

Mr. HATCH. Mr. President, we are apparently pressing another deadline

with regard to the statutory debt limit. I am reminded of the old paradoxical proverb: "The more things change, the more they stay the same."

We have dealt with the debt limit here in Congress on numerous occasions, and while there are significant differences this time around, there are some things that just don't change, particularly when we are dealing with the Obama administration.

One thing that is different is that our national debt is higher than it has ever been before, more than \$18 trillion—an astronomical number, when you think about it. That is \$57,000 of debt for every U.S. citizen—every man, woman, and child from age 1 to 101. Just for the people in my State of Utah, which has a relatively small population, that means \$167 billion of debt.

As a share of our GDP, the debt is higher now than at almost any time with the exception of a brief period surrounding World War II. Yet, even though our debt has gotten further and further out of hand under this President, the administration's approach has not changed. As we all know, Treasury Secretary Lew recently sent a series of letters urging Congress to raise the debt limit. In his latest communication, he projected that on November 3, the Treasury will begin to run dangerously low on cash, creating an unacceptably high risk of having to delay payments.

Of course, we don't have an ability to verify that projection. Treasury has long been uncooperative in Congress's efforts to get more information as to how they arrive at those specific dates. Don't get me wrong, I take the November 3 date very seriously. I think we all should, but given the lack of hard data shared by the Treasury regarding those projections and the fact that the date has in just the last few weeks moved around a little bit, I do understand why some people appear to believe this latest best guess from the Treasury is fungible.

In addition to providing the November 3 deadline, the latest debt limit letter from Secretary Lew includes what has become a stale set of talking points punctuated by the admonition that "only Congress can extend the nation's borrowing authority." I know no one wants to hear a civics lesson, but given the administration's repeated attempts to assign all responsibility relating to the debt limit to Congress, it means that a short refresher about how a bill becomes law might be helpful.

No one disputes that Congress must act to extend the government's borrowing authority, but the President can also sign or veto any debt limit legislation we pass. The same is true of any legislation authorizing or appropriating spending increases or reductions. Congress writes and passes. The President signs legislation into law, and hopefully he does his best to en-

force it. In other words, both Congress and the executive branch share responsibility with regard to the debt limit and our Nation's overall fiscal health. Unfortunately, rather than trying to work with Congress on these issues, the Obama administration has repeatedly chosen to try to deflect responsibility with misleading statements about the various burdens borne by the separate branches of government.

Sadly, the Treasury Secretary's tired arguments with regard to the debt limit are not the only problem. In fact, when you examine this administration's record, you will find that the problems are much worse than most want to admit. I am talking, of course, about the massive accumulation of debt we have seen under this administration, as well as the lack of leadership and willingness to work with Congress to address what we know are the main drivers of our debt.

As the nonpartisan Congressional Budget Office has repeatedly made clear, the main drivers of our debt are unsustainable promises in the Social Security benefit programs and unsustainable spending on the Federal Government's major health care programs, Medicare, Medicaid, health insurance subsidies under the Affordable Care Act, and others.

True enough, we have seen some deficit reduction in recent years. These days, the President and his allies are always quick to point that out. Of course, we know that these temporary reduced deficits have resulted predominantly from increased tax receipts and only modest spending restraint. Still, even with these reduced deficits, our debt remains well above the historic average and is expected to grow even more in the near future as, according to CBO, our deficits will start to go back up in the next few years.

Our deficit this next year has been brought down but I would have to say mainly because of the work that we have done in the Congress to restrain the growth, the reconciliation act. Had we not done that, this administration would not have done anything. We would be in worse shape than we are.

Simply put, no one in this administration should be bragging about supposed fiscal responsibility. Under this administration, the outstanding public debt has risen by more than an astounding \$7.5 trillion, a 71-percent increase just since this person has become President. Once again, as a share of the economy, our current debt remains at levels that, with a very narrow and understandable exception, are heretofore unseen in modern U.S. history.

According to CBO, by 2025, Federal debt felt by the public will be roughly twice the average of the past 5 decades. As CBO says, "Such high and rising debt would have serious negative consequences both for the economy and for

the Federal budget." Given this risky path of debt accumulation, CBO also warns on increasing risks of a Federal fiscal crisis. Unfortunately, those dire warnings have been ignored by this administration. Instead, the administration seems to believe that a temporary lull in deficits is a good time to accelerate spending, even though spending grew well above growth in the economy last fiscal year, all while they continued to ignore the growing crisis in our entitlement programs.

We still have approximately one-half trillion dollars of debt. They are bragging about that. When he was serving in the Senate and a different party controlled the White House, President Obama famously argued that an increase in the debt limit was a sign of leadership failure. Now his definition of leadership is to assign all responsibility to Congress for the debt limit.

When he was running as then-Presidential candidate Obama, he pledged not to kick the can down the road on reforming entitlements, particularly Social Security. Now, he shirks responsibility and his proposed solution to the most immediate problem with Social Security—the Disability Insurance Trust Fund—is to kick the can much further down the road without any changes or reforms to the program. We are just going to borrow from the already dysfunctional general Social Security fund to pay for Social Security disability insurance. My gosh, when does it stop?

I believe that the debt limit has and can play a role in promoting fiscal discipline. Historically, debates over the debt limit have provided opportunities to reexamine our fiscal outlook and, where necessary, make corrections. Debt limit votes give a voice to Members of Congress who do not serve on committees that make the spending and tax decisions.

Unfortunately, as we contemplate another debt limit increase, President Obama does not see the need to even talk to Congress about our fiscal future. In fact, the administration won't even take a clear position on how much of an increase it believes is appropriate or how long it should last.

Common sense would indicate that the President would like Congress to extend the debt limit past next year's election. That would be a debt limit hike of about \$1 trillion, and \$1 trillion would mean more than \$3,000 per person in the United States just to get us through next year. Utah's share of that would be about \$9 billion. Yet while the President undoubtedly wants at least that much of an increase, he refuses to make any such desire known.

Instead, we have gotten vague demands that borrowing authority be extended by certain dates and threats to veto any such extension that comes with even modest spending reforms. Essentially, President Obama's position

is it's my way or the highway, but oddly enough, he does not want to explicitly define what his way is, and he repeatedly argues that he plays absolutely no role and bears no responsibility in getting us there. It is absurd, absolutely absurd.

Make no mistake, I don't want to see a default. Default on U.S. Treasury securities and failure to pay Federal obligations, which, by the way, are two separate things, is not a desirable or acceptable outcome. Ultimately, I don't believe Congress should shirk its responsibilities, even if President Obama refuses to acknowledge his.

Let's be clear. Neither the administration's uncompromising stance on fiscal reforms nor its selective use of information about our Nation's debt are productive. The President's refusal to work with Congress on a path forward and to share information about our Nation's finances is irresponsible brinksmanship. I want to talk about that information sharing for a few minutes because it is an important part of this continual impasse between Congress and the administration when it comes to the debt limit.

When we talk about our Nation's debt, there are other policy matters in play besides the periodic actions taken to raise the debt limit. The administration is charged with managing the debt in a responsible and effective manner. Toward that end, it has the obligation to preserve the integrity of Treasury securities markets. Congress has the duty to exercise oversight of these activities. As chairman of the Senate committee with jurisdiction over these issues, I have to say that when it comes to accountability and transparency on these matters, a great deal of improvement is necessary. That is putting it kindly.

For example, each time the debt begins to approach the statutory limit, the administration makes a lot of noise about how it is difficult to deal with delayed payments on Treasury securities. Please note that I am talking about payments on securities, not general payment obligations of the Federal Government for spending programs, which is all together a separate matter. A number of scenarios could give rise to delayed payments on Treasury securities.

One of those scenarios is a debt limit impasse between Congress and the administration, but there are others, including weather events, cyber or terrorist attacks, or any number of known risks, that responsible debt managers must take into account. We know for a fact that the Treasury Department and the Federal Reserve have developed contingency plans for these types of risks.

The existence of such plans has been made public in minutes of the Federal Reserve's Federal Open Market Committee and in minutes of meetings in-

volving Fed and Treasury officials and representatives of large financial firms. However, the administration has flat out—flat out—refused to share those contingency plans with Congress or to even openly acknowledge their existence.

I have been the lead Republican on the Senate Finance Committee since January 2011. I have been asking to see those plans since the summer of 2011. Over more than 4 years and through multiple requests for information, I have been told a number of things, usually stories that end with the claim that, even though plans have been discussed, nothing has ever been formalized.

So there are really only two plausible conclusions to be drawn: Either the administration is being dishonest with Congress and they have contingency plans in place, or the administration is being irresponsible by failing to account for the obvious potential risks. Apparently, they are comfortable with Congress, not to mention the American people, reaching either one of those conclusions if it means they don't have to share more information.

Simply stated, there is no reason for Treasury and the Fed, along with large financial firms participating in the Treasury securities markets, to formulate contingency plans for these markets without reporting them to Congress or sharing them with the Senate Finance Committee—no reason whatsoever. Yet here we are. Sadly, this lack of transparency does not end with obviously needed contingency plans. As I alluded to earlier, Treasury also shares very little information with Congress concerning cash forecasts, particularly as we approach the debt limit. I have asked for detailed, contemporaneous updates of cost forecasts in order to, among other things, properly verify Treasury's debt limit projections. In response, Treasury officials have told me that those projections are "highly market sensitive" and, at times, cannot be shared with Congress. Yet I have to assume that a number of officials at Treasury and probably the Fed have access to this sensitive data.

I am not aware of any special security clearance assigned to these individuals. It is evidently the position of the administration that there are times where it is neither Congress's nor the American people's business to know how much cash Treasury expects to have in the Federal till. This needs to change. Given my oversight responsibilities as chairman of the Senate Finance Committee, I am always interested in preserving the integrity and efficiency of markets for Treasury securities.

Unfortunately, under our laws, regulatory and oversight authority with respect to those markets spreads far and wide with responsibilities spanning across the Treasury, the Fed, the Secu-

rities and Exchange Commission, the Commodities Future Trading Commission, and an alphabet soup of other groups. As we saw with the most recent financial crisis, this type of balkanization of authority inevitably leads to ineffective oversight and regulation.

When problems arise, all the various parties point their fingers at each other. Everyone has authority, yet no one ends up being accountable.

Unfortunately, the so-called Dodd-Frank legislation did not fix any of these problems. In fact, I would argue, all it did was give existing regulators yet more authority and of course added a few more acronyms into the mix.

All of this is relevant to current discussion about the debt limit because it speaks to the overall management of our Nation's debt and the lack of transparency among all these agencies. I can cite numerous examples where a lack of communication and accountability has been problematic. For now, I will briefly mention three such instances.

First, in 2013, Treasury began auctioning something called a "floating rate note," the first new Treasury security since inflation protection securities were introduced more than 15 years ago. This was a significant debt management decision. Yet very little information was shared with the Senate Finance Committee, even though Treasury had many discussions about the new note with representatives from large financial firms.

Second, Treasury recently decided again—after several meetings with large banks—that an average cash balance for the Federal Government of around \$50 billion per day was too low and that going forward the balance would need to be \$150 billion or more. Once again, prior to that decision being finalized, there was no communication from Treasury to the Senate Finance Committee.

Third, on one particular day in October of 2014, there were unusual and difficult-to-explain events in markets for Treasury securities. While all the various regulators and interest groups have issued staff reports and have held meetings and seminars relating to the apparent volatility demonstrated by these events, I am not aware of any outreach or information sharing with the members or staff of the Senate Finance Committee.

Again, these are just three examples. There are certainly others, and all of them demonstrate that this administration is far too often unwilling to even provide simple updates about its debt management policies—all while insisting that Congress repeatedly raise the debt limit without asking questions or attaching reforms. This also needs to change. If the administration is going to continue to demand that Congress act to increase the debt limit, then it should, at the very least, be more forthcoming about its policies

and decisionmaking when it comes to managing our debt.

While I agree we cannot and should not risk defaulting on our debt or obligations, it is essential that Congress receives a complete picture from the administration about its debt management policies. Therefore, I want to make clear to Treasury—and other agencies with responsibilities in this area—that there is an imminent need for improved communication and increased transparency on these matters.

As chairman of the Senate Finance Committee, I intend to do all I can to ensure greater accountability. That may include more hearings with officials brought before the committee or legislation to require more information flows between the administration and Congress. Ultimately, what specific actions we take will depend on the administration's ability to cooperate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCAIN. Mr. President, as we speak—as I am speaking on the floor of the Senate—in an act of stunning partisan politics, President Obama, the Commander in Chief of the U.S. Armed Forces, has decided he will veto the National Defense Authorization Act. He is choosing to hold our military hostage for a domestic political agenda, and he is doing so at a time when the crises we face around the world have never been greater, when U.S. leadership has never been weaker, and when our men and women in uniform need vital resources to defend and secure the Nation.

As I said, in an act of stunning partisan politics, President Obama, the Commander in Chief, has decided he will veto the national defense authorization bill, and he is right now in the act of doing so—holding our military hostage for his domestic political agenda.

I have been in the Senate and the House for a long time. I have never seen an act of blatant partisanship with disregard for the men and women who are serving in the military than what the President is doing as we speak. For 53 years, Congress has fulfilled its constitutional duty to provide for the common defense by passing the National Defense Authorization Act. For 53 consecutive years, both bodies have passed, and the President has signed into law, the National Defense Authorization Act. In all my years, I have never witnessed anything so misguided, cynical, and downright dangerous as vetoing the Defense author-

ization for reasons that have nothing to do with defense—nothing to do with defense.

Presidents throughout history—Republicans and Democrats alike—have recognized the importance of this bill to our national defense. In the more than 50 years since Congress has passed an NDAA, a National Defense Authorization Act, the President of the United States has only vetoed the act four times. In each case, the President objected to an actual provision in the bill, and each time the Congress was able to find a compromise that earned the President's signature.

Let's be clear. The President's veto of this year's bill is not over any of its policies, it is over politics. In the President's case, politics has taken precedence over policies, and when we are talking about the lives of the men and women who are serving this Nation in uniform—disgraceful. For the first time in history, the Commander in Chief will sacrifice national security for his larger domestic political agenda.

This veto will not resolve the spending debate; it will not stop sequestration. That is something that can only be done through the appropriations process, not a defense authorization bill.

Our soldiers, sailors, airmen, and Marines have answered the call to protect our Nation. They want and need support. They don't care what budget category that support comes from. I wish to point out we authorized exactly the amount of money the President requested.

This is a Washington game. All the men and women who are serving in the military care about is that their mission is fully resourced. With this veto, their mission will not be fully resourced. We will put their lives in greater danger because of this political game of the President—holding the military men and women hostage for his agenda to fund the IRS and the EPA.

The legislation the President vetoed today authorizes the overall amount for defense that he requested, every single dollar of it.

By making clear that he will “not fix defense without fixing non-defense spending,” the President of the United States puts defense and the men and women in the military on the same level as the IRS. The President is using our military—using our military—as leverage to fight a battle that the Defense authorization bill cannot accomplish.

At a time of mounting threats around the world, it is disgraceful. It is disgraceful the President would refuse to authorize for our troops the resources they need to prepare for and engage in vital missions around the world and that deliver some of the most significant reforms to the Pentagon in more than 30 years.

By vetoing this legislation, the Defense authorization bill, let's be clear what the President is saying no to. He is saying no to pay increases and more than 30 types of bonuses and special pays for servicemembers, saying no to more portability of military health plans and greater access to urgent care facilities for troops and their families, saying no to enhanced protection against military sexual assault, saying no to significant reforms to a 70-year-old military retirement system that would extend retirement benefits to over 80 percent of servicemembers, saying no to the most sweeping reforms to our defense acquisition system in nearly 30 years, saying no to a ban on torture once and for all, saying no to \$300 million in lethal assistance for the Ukrainians to defend themselves against Russian aggression, and saying no to countless other important provisions that are greatly needed to combat the growing threats we see around the world today.

Perhaps, most importantly, the President of the United States is refusing to sign a bill at a time when—as our top military commanders and national security experts have testified before the Senate Armed Services Committee—the world has not seen greater turmoil since the end of World War II.

So, my friends, here is the context. Thanks to the President's failed policies, the results of leading from behind, the results of a policy of “Don't do stupid stuff,” we now see a world in a state of turmoil—the likes of which we have not seen since the end of World War II.

On a bipartisan basis, we passed a defense authorization bill that has monumental consequences to the future security of this Nation, the present security of this Nation, and the welfare and ability of the men and women who are serving this Nation and their ability to defend this Nation, and the President—because he wants an increase in domestic spending, has vetoed it.

Never have I seen such irresponsibility on the part of a Commander in Chief. There have been Presidents I have disagreed with. There have been Presidents I have had spirited debates with—but never ever in history has there been a President of the United States who abrogated his responsibilities, his constitutional responsibilities, as Commander in Chief. I say shame on him today, and this is a shameful day.

The House will vote to override this veto on November 5. I strongly urge my colleagues to reverse this dangerous action and put the interests of our military and national security ahead of politics. Our men and women serving around the world, many still in harm's way, deserve nothing less.

I spend a lot of time with the men and women who are serving in the military, including members of my own

family, and they are not uninformed. They are very intelligent. They watch what we do—we, their elected representatives. Their voters trust us to defend them, care for them, to give them the weapons they need, the benefits they need, and the care they need when the wounded come back. They rely on us. They are going to see, as we watch Vladimir Putin on the march, as we watch the success of ISIS, as we watch Ukraine being dismembered, as we watch China commit more aggression in the South China Sea and fill in islands—and now? Now this Commander in Chief decides that this is a time to veto an authorization bill because he doesn't think there is enough domestic spending. It is a sad day, a very sad day. It is a sad day for America but most of all it is a very sad day for the men and women with whom we entrust our very lives and our security. It is a sad day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

VETERANS' ADMINISTRATION MEDICAL CARE

Mrs. MURRAY. Mr. President, next month our Nation will pause to honor the millions of men and women who have fought for our freedom and worked to advance peace around the world.

Veterans Day is our annual way to say thank you and to honor those who have sacrificed so much on our behalf. While I would like to stand on the floor and say our country is doing everything we can for the people we owe the most to, that we are fulfilling the promise we made to them when we sent them off to fight for us, unfortunately that is not currently the case because our Nation is falling far short of its goal of honoring our veterans when it comes to VA care.

Despite a sweeping bill intended to tackle some of the most pressing problems and give the VA new tools and a change at the top of the VA more than a year ago, I continue to hear from veterans across my home State of Washington about care that is inconsistent, outdated, and often downright dismissive of individual needs. I have heard from a number of veterans in my home State of Washington who are waiting on surgeries, MRIs, oncology appointments, mental health screenings—you name it—and far too often they say they are told it will be months to see a doctor or a specialist.

I bring their stories today, to this "other Washington," to continue to make clear this kind of outdated, inefficient care is unacceptable.

This is a pivotal time for our VA, and the demands on the system will only go up as wars continue to wind down and the Vietnam-era veterans continue to seek more care for the injuries and ill-

nesses they suffer from. As the daughter of a World War II veteran, I refuse to let standard care be the status quo. I won't accept long wait times, redtape, and understaffed hospitals as a reality for our veterans. I am not going to stop fighting to make sure we have a system that works no matter how long it takes, no matter how many obstacles we face, and no matter who is in charge at the VA.

The law we passed to give veterans more options for care has now had an opportunity to go into effect. We can see what is working, what is not, what we can build on, and what we need to tear apart.

Last year I supported the inclusion of an independent assessment of the VA health system in the Choice Act, and recently that assessment validated what we have been telling the VA for years: There is growing bureaucracy, and there are problems with leadership and staffing, and massive capital costs. While the independent assessment identified some bright spots in the VA system, it also found that care and patient experiences differ widely across the system and that best practices and important policies are not instituted across the country. That means we all have more work to do because we have a responsibility to our veterans.

Here is what we are up against. The VA still has multiple non-VA care programs, none of which talk to each other, none of which are coordinated. They all have different eligibility criteria, different procedures for patients and providers, and different reimbursement rates.

I hear frequently from veterans in my home State of Washington about how difficult the Choice Program has been. From VA staff who don't understand the program, to confusion about eligibility, to getting the runaround from contractors, veterans are sick and tired of having to fight just to get an appointment.

I hear how frustrating some of the bizarre rules and restrictions on Choice are. For example, an authorization for care only lasts 60 days. Well, if you are a woman veteran and you are pregnant, you are going to need more than 60 days of care.

At the VA, we are still hearing that the wait times are far too high. But with long wait times in the private sector and the burdensome process to even get into the Choice Program, veterans are finding they actually would have gotten care sooner if they had stuck with the VA. If the solution to the wait time problem takes longer than going to the VA, it is not working.

It is no wonder that veterans and providers alike turn their backs on the VA. The system is so complicated, it is impossible to get good health care.

It is time for the VA to implement one—one—non-VA care program for the future. As we now approach the end of

this trial period for the 2-year Choice Program, the VA has to use this opportunity to finally get it right on non-VA care. It needs to design a new system that truly meets the needs of our veterans.

I believe that system must have five fundamental characteristics:

First of all, it has to be veteran-centered, with clear eligibility rules so veterans know what they can do and what they can expect and where they can go for what care and how that system works. It also means the experience for veterans trying to use the system has to improve. For example, veterans should never be turned away with a dismissive "We are not taking new patients."

Secondly, it has to be easy for our providers, with simple and consistent procedures for them to deliver care, report back to the VA, and get reimbursed quickly. The contracting system needs to be simple and clear so that private providers can step in where the VA cannot.

Third, a new system must provide high-quality care that includes effective care coordination, and that requires that electronic medical records be returned to the VA. That includes oversight of the quality of care being delivered in the private sector. We have to know our veterans are being appropriately cared for.

Fourth, the new system has to be flexible enough to compensate for local needs, types of care where VA is deficient, or locations where the VA does not have a presence. Whether working with community providers to increase certain specialty appointments or seeing where the VA needs to move resources to hire more VA staff, the system has to maintain flexibility to adjust to new trends and new needs.

Finally, it has to be cost-effective for the VA and not shift the cost of care onto our veterans. Earlier this year, the VA nearly ran out of money, and they threatened to shut down the health care system. Well, we should invest whatever we need to to make sure our veterans are getting care. The new non-VA care system must be more efficient, and the VA needs to be clear with Congress about what it needs. Without a change, I would not be surprised if next year we don't find ourselves in the same position where we have underfunded the VA and need to come in and transfer funding to keep the VA operating. I will work with anyone and stand behind no one when it comes to getting veterans the funding they need.

Perhaps most important, when implementation begins, it simply must be better than what we saw with the Choice Program. VA staff have to be trained and proficient, and third-party administrators in charge of the networks of private providers have to be efficient and responsive. Veterans deserve a system that works, not one

that is torn apart and weakened over time.

So the answer isn't just to dismantle the VA and leave veterans to fend for themselves, as some proposals would do; the solution starts, finally, with a real conversation about what is going on at the VA, what the problems are, and then pursues an "all of the above" approach that finally strengthens the VA system, uses community providers to fill in the gaps where the VA cannot get the job done, and continues to make the best use of other Federal help programs, such as DOD and federally qualified health centers—all in an effort to truly build a veteran-centered VA health care system.

I stand ready to work with anyone to do this, and I hope my colleagues on both sides of the aisle will join me and not make this a Democratic or Republican issue. Veterans issues have never been partisan, and, in my mind, there is no place for that when we sit at the table to solve a complicated problem. I hope the administration is ready to fundamentally reshape this program. I hope bureaucrats who spend more time defending the broken system are ready to get to work implementing solutions built around the needs of our veterans. And I hope providers—those who work with the VA and DOD and TRICARE, as well as those who currently do not provide care to veterans—play a role to improve veteran care.

The wars may no longer lead the nightly news, but that doesn't mean the cost of these wars is gone too. Our veterans are still there, they still need health care and services, and we will not forget them.

I expect the VA to do better. Our veterans have already sacrificed so much. They should not have to come back and fight the VA to get the care they have earned. Let's act and let's do something that truly honors our Nation's heroes.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I want to thank the Senator from Washington for her very thorough and passionate explanation of the problems with the VA. It is time we got it straightened out. We have a new director because there was a problem. We gave them more money because there was a problem. We did the Choice Act because there was a problem. I think the VA is kind of fighting the Choice Act because they want to make sure they keep it within their own clutches. But it is time that we got it straightened out and that we got some action.

All of us are getting calls from veterans we should never get. We could go into a variety of them. But I would like to work with the Senator, and I appreciate the comments she just made. I thought they were very bipartisan and very much needed.

Mrs. MURRAY. I thank the Senator very much.

GROWTH IN FEDERAL REGULATIONS

Mr. ENZI. Mr. President, it is often said that there are two constants in life—death and taxes—but I would like to add one more for your consideration: regulations. We often talk about the threat that America's growing debt poses to our economy and to our future, but the growth in Federal regulations also poses a serious threat to our Nation's long-term job creation and economic growth.

According to the Congressional Budget Office, or CBO, the potential growth rate of our economy—or the rate of growth that is possible given the education of our workers, the quality of capital equipment, and the business formation rate—averaged 3.3 percent for the period from 1950 through 2014. However, CBO expects that annual rate to fall 2.1 percent in the period of 2015 through 2025. That is a 36-percent reduction in the potential growth rate of the economy. Why is this so critical? According to the President's own Office of Management and Budget, a 1-percent increase in the economy's growth rate will yield more than \$400 billion in new revenues without raising taxes. Yes, that is according to the President's own Office of Management and Budget. A 1-percent increase in the economy's growth rate—we are talking about the private sector, not the government sector; the private sector is where the revenues come from—would yield more than \$400 billion in revenues without raising taxes.

We are always talking about the need for more revenues, but we are doing the opposite. The administration is doing the opposite of what it takes to get that growth to happen. When the growth rate falls, when we grow more slowly than we could and aren't meeting our full potential, government revenues also fail to keep up with budget projections. If we reduce by 1 percent, we lose another \$400 billion in revenues. So what happens when the government revenue comes up even shorter in the face of growing overspending? That results in more borrowing, and it results in bigger overspending and in expanded debt.

Senators from the Western States know all too well the economic effects of regulations coming out of bureaucracy-bloated agencies such as the Environmental Protection Agency. Today I want to focus not just on the impact of recent regulations on my home State of Wyoming's economy but the drag they are creating on the economy nationwide. And at the same time, they are hiring ad agencies at billions of dollars to improve their image. They can improve their image just by doing their job without putting more burdens

on the American people and eliminating jobs.

The State of Wyoming is the largest coal-producing State in the Nation. Coal represents almost 40 percent of our share of electricity generation across the United States. My county provides 40 percent of all of the coal in the United States. It is abundant, it is affordable, and it is stockpilable. It is the only energy that is stockpilable. This is an energy source which has the potential to power our country for hundreds of years, to support jobs for thousands of people, and doesn't put us at the mercy of unstable regimes overseas, but this administration continues to denigrate and regulate coal out of existence.

Since 2012, two EPA rules—the mercury and air toxic standards rule and the ozone rule—are estimated to have cost in the tens of billions of dollars.

Let me talk just about the mercury and air toxic standards. That is supposed to help save, with benefits—without seeing any scientific evidence where these benefits come from—over a period of years, maybe \$500 million. What is the cost? The cost is \$73 billion a year. Why would anyone go for that small of a benefit at that big of a cost?

We are an inventive country. If we put incentives of just a couple billion dollars out there, people will solve the problem and get those benefits permanently for a very small number, not \$43 billion to \$73 billion a year. Those two rules don't include the billions of dollars lost to thousands more rules imposed by the EPA and other agencies every year.

If all those rules weren't onerous enough, in August the EPA doubled down on its war on coal when it released the final rule on the Clean Power Plan. With an estimated price tag of at least \$366 billion, this rule will not only devastate the coal industry by mandating unrealistic carbon reductions, it will also distress American families by causing double-digit electric rate increases in more than 40 States.

The coal industry in Wyoming is feeling the impact. The coal industry and businesses and the people who work there and rely on it are facing higher regulatory costs at the same time as energy producers are seeing a tougher market than they have in years. This is a bad combination for economic growth and job creation. At the end of July, Wyoming had 15 percent fewer energy industry jobs than it did a year earlier, and these are good-paying jobs. That is according to the U.S. Department of Labor and Bureau of Labor Statistics. Most of those lost jobs are in coal, oil, and gas, and the businesses that rely on them. We forget about that ripple effect. Given that close to half of Wyoming's GDP comes from this sector, and that nearly half of our State is federally owned and much is

removed from development activity, we have always been concerned about any unnecessary government intrusion in our economic livelihood.

Why do we provide 40 percent of the Nation's coal? It is because it is a cleaner coal, lower in sulfur and other chemicals, than any other State in the Nation. We ship coal to other coal States so they can mix it with their coal to meet the clean air standards. But that is not good enough.

The economic impact of the EPA and other Federal regulations is not just hurting Wyoming's economy and costing my State jobs. They are a major reason why the economy nationwide is not operating at its full potential for economic growth, and it has been stuck around 2 percent since the beginning of the so-called economic recovery. We are doing it to ourselves. Remember, a 1-percent reduction in the gross national product is \$400 billion less in taxes.

The onslaught of Federal regulations targeted directly at the coal industry are not just concerns; they are real threats to people's economic livelihood—the ability to support their families, the ability to support education in most of these States, and the ability to support entire communities across the country. With our \$18 trillion in debt, we can't afford to accept the notion that we are in what some are calling a new normal of economic anemic growth. We need to help our economy reach its potential, which will help each and every American. This cannot be done if the number and cost of significant Federal regulations continues to rise.

The Obama administration continues to push Federal regulations, such as the waters of the United States rule, which significantly expands Federal authority under the Clean Water Act. That rule has been taken to three courts already, and in each of those cases, it has been ruled illegal.

They are still pursuing other avenues. The recent National Labor Relations Board rulemaking redefined the meaning of an employer.

These regulations, taken by themselves, have the potential to impose billions of dollars in economic costs—on family farms, ranches, and particularly small businesses—which hinder the growth of America's entrepreneurial spirit, not to mention the Consumer Financial Protection Bureau. It sounds like a great entity, but in banks alone, they have had to hire twice as many people to do paperwork as they used to have to have, just to keep from getting fined by an agency that has no control. I tried to get an inspector general to be over the Consumer Financial Protection Bureau. After we got him, he said: You know, I don't have any authority to look at any of this stuff.

Where are the fines going?

We don't know. We are not allowed to see that.

That is because they get their money from the Federal Reserve before the money from the Federal Reserve comes from the U.S. Government. We shouldn't have anything as out of control as that.

I was meeting with some community bankers. I said: Well, my wife is kind of interested in expanding our kitchen in Gillette, and I was thinking maybe we ought to get a loan and do that. The house is all paid for. I was wondering how long it would take.

They said: Well, about 78 days, and then you get 1 week. In case you don't like the deal you made, you can rescind it. I remember the last time we needed to do something in the house before it was paid for. I had to get a second mortgage, and I got it in a matter of a couple of days. They could just write the check so I could go ahead and do it. Now it is 78 days plus another week. That is what government regulations are doing. That doesn't speed up the economy. There isn't a contractor that can go to work until they get an assurance of being paid.

Over the next few months and weeks, I am going to share with my colleagues new information from leading economists that shows there is a real relationship between the growth of regulations and our struggling economy. This is a relationship that is clear to the people who experience the difficulties of complying with more and more regulations that make it harder to succeed. I hope that what is clear to business owners, to their employees, and to the communities across the country can be understood here in Washington.

I will share new statistics and data showing the lost income and jobs due to Federal regulations, the effects of regulation on key industries, the breakdown of how specific Federal agencies are impacting our economy, and the regulatory burden the Federal Government has placed on hard-working Americans in economic sectors in every State. It is crucial for lawmakers and hard-working Americans to understand the true cost of the regulations that are being issued by this administration. Shining a light on these regulations and the burden they impose on each and every American is the only way to hold government accountable and to begin the process of reining in out-of-control agencies so we can halt the flood of regulations choking our economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

MIDDLE EAST REFUGEE CRISIS AND UKRAINE

Mrs. SHAHEEN. Mr. President, 2 weeks ago, I left for Greece with a Senate delegation that included DICK DURBIN from Illinois, AMY KLOBUCHAR from Minnesota, and ELIZABETH WARREN

from Massachusetts. In my capacity as lead Democrat on the Senate Foreign Relations Subcommittee on Europe and Regional Security Cooperation, I was honored to head our delegation. We were there to witness firsthand the plight of refugees arriving by sea on the island of Lesbos. In Greece and later in Germany, we received in-depth briefings on the refugee crisis and Europe's response to it. In Kiev, we conferred with the Ukrainian Prime Minister and President about their country's struggle to create a stable democracy in the face of ongoing Russian aggression.

Nearly a quarter of a million Syrians have been killed during the current conflict in the Middle East. An estimated 8 million Syrians have been displaced internally. Another 4 million have left the country. They are fleeing hunger, unspeakable violence, and a land that no longer offers any hope for their children. They have endured barrel bombs, chemical attacks, indiscriminate shelling, the barbarity of ISIS, and now a military offensive sponsored by Russia and Iran.

To reach Europe, these refugees have been preyed upon by traffickers and other criminals, some selling refugee children for sex, for slavery, or for organs. The refugees have risked drowning at sea and suffocation in locked vans, and they will soon confront the freezing temperatures and snows of winter.

While we were traveling, we heard accounts from the refugees of paying smugglers thousands of dollars to get on small boats with motors that barely work, boats built for a few but loaded with 40 to 50 refugees. I use the term "boats" loosely. What I am talking about are rubber rafts that were built to hold maybe 10 to 15 people and were loaded with 40 to 50 refugees. The Greek Coast Guard told us that refugees pay exorbitant prices for life preservers that are more like the children's inflatables that you see at swimming pools. When refugees set off from Turkey across the Aegean to Lesbos, they are instructed by the smugglers to puncture their raft with a knife if they encounter the Greek Coast Guard so that the Greeks will be forced to rescue them.

I was profoundly moved by my conversations with refugees from Syria and other conflict zones in the Middle East. It is one thing to hear about millions of Syrian refugees fleeing the war; it is something else entirely to actually meet and talk with individual refugees, including children who have been separated from their parents.

I was struck by the fact that many of these refugees have endured extreme hardship for weeks, if not years. Their future is filled with extreme uncertainty. Yet so many of them were filled with optimism and hope. In Athens, we met a 6-year-old Afghan boy who had

made the trip to Greece with his 13-year-old cousin. This boy proudly gave us all sticks of gum. In Germany, we met young men from Syria—a former English teacher, a Ph.D. student, and an engineer. One young man looked ahead to a brighter future and said one day he wanted to be the President of Syria. These refugees were weary and they were anxious, but they were also deeply grateful and hopeful about their future lives in a safe, secure Europe.

Altogether, we met and talked with a couple dozen refugees. They are men, women, and children who are no different from loved ones in our own families and citizens in our own communities. They aspire to the very same things, including a decent life for their children. They told us about the desperation and despair they left behind in Syria, Iraq, and other conflict areas. Multiply these desperate stories by countless thousands of refugees—up to 10,000 entering Europe daily and more than 1 million so far this year. It adds up to a humanitarian crisis of staggering dimensions.

Now, to be sure, Europe is being challenged, but this crisis also challenges the United States and the world. At critical moments in history, the international community has faced similar challenges: Jews seeking refuge from persecution and later genocide in Nazi Germany; famine killing millions in Biafra in the late 1960s; the genocides in Cambodia, Rwanda, Darfur, and Bosnia. Faced with these crises, the world confronted a stark choice: to turn away or to engage.

The United States cannot turn away from the refugee crisis unfolding in the Middle East and Europe. On Lesbos last week, we talked with Greeks who operate small businesses that depend on tourism, which has dried up because of the crisis. They said that the refugees must be their first priority, that Greeks must help people who are in need.

In Athens, we visited a facility for refugee children run by a group called Praxis. Praxis workers told us about Afghan children being sold in Europe as sex slaves for as much as \$10,000. Praxis and scores of similar organizations are doing everything possible, with very limited means, to meet the refugees' desperate needs.

In Germany, we met with officials at the Finance Ministry and the Chancellery, as well as people in and out of government who are rising to the challenge of the refugee crisis. Chancellor Angela Merkel has demonstrated extraordinary moral leadership in addressing this crisis. Millions of ordinary German citizens—indeed, people all across Europe—have mobilized to meet the needs of the refugees.

However, it was clear to me and to the other Senators in our delegation that these noble efforts are not enough. The refugee crisis is too big; the scale

of human suffering and needs is overwhelming.

President Obama has offered to take in 10,000 refugees over the next year. But Germany is taking in as many as 10,000 refugees in a single day—day after day, week after week, with no end in sight. My State of New Hampshire has been welcoming to refugees fleeing conflict, as have other States. I think people are eager to do more across this country. Turkey needs to secure its borders, and it needs to crack down on smugglers and criminal gangs exploiting and trafficking in refugees. Frontline countries, including Greece and Italy, need more resources to help process and register refugees. In fact, the same is true of Turkey, Jordan, and Lebanon, which have taken in millions of refugees.

As I said, Germany has earned our admiration for its leadership, offering to take in as many as 1 million refugees this year. But for all its resources, Germany can't do this alone. It is already reaching a point where its communities can't keep up with the influx.

We are confronting the greatest humanitarian crisis of our time. Europe is responding. The European Union will use the coming winter months, when the flow of refugees will slow, to come up with a more effective plan to share the burden and address this challenge. However, European nations, Turkey, Jordan, and other frontline states, such as Lebanon, can't meet this challenge alone. The international community must give more generous support to humanitarian efforts by the World Food Program and others. By all means, the United States, as leader of the Atlantic Alliance, must play a more robust role in addressing the refugee crisis.

I am heartened by the bipartisan bill that is sponsored by Senator GRAHAM of South Carolina and Senator LEAHY of Vermont, which would provide \$1 billion in assistance to meeting the needs of refugees. The Obama administration has proposed taking in 10,000 Syrian refugees over the next year. That is a start. It is not enough given the scale of this crisis. We have the resources to safely vet and process more refugees for asylum in the United States, even as we need to do so more efficiently.

As Senator GRAHAM said recently, "I don't see how you can lead the free world and turn your back on people who are seeking it." To turn away families fleeing violence, says Senator GRAHAM, is to "take the Statue of Liberty and tear it down . . . because we don't mean it anymore."

We also need to deal with the root of the problem, the violence in Syria. We must redouble our diplomatic efforts as well as our campaign against the Islamic State in both Syria and Iraq. Unfortunately, there is a new dimension to the chaos and conflict in Syria. In recent weeks, Russia has sent combat

planes, heavy armor, and military personnel to support the regime of Bashar al-Assad. Russia is threatening to send thousands of so-called volunteer troops to Syria to fight on the frontline.

A newly aggressive and reckless Russia is a problem not only in the Middle East but also in Ukraine, where our Senate delegation visited after leaving Greece. The Ukrainians are struggling to fight corruption and build a stable democracy. But those efforts have been severely undermined by Russian subversion and aggression. President Putin was not content to invade and annex Crimea. He has also sponsored the establishment of Russian-controlled provinces in eastern Ukraine. This conflict in the east of Ukraine is designed by Russia to destabilize democratic Ukraine and to drain its resources.

While in Kiev, our delegation met with senior government officials, including Prime Minister Yatsenyuk and President Petro Poroshenko. We were briefed on Russia's efforts on many fronts to destabilize the country. We were also briefed on Ukraine's efforts to boost its economy and to root out corruption in the country's government and institutions.

The European Union and the United States are standing by Ukraine, and this solidarity is making a difference. It appears to have moderated Russia's ambitions, at least for now. The countries of Western Europe and the United States have demanded that Russia fully implement the Minsk II agreement to contain the conflict, and we heard some encouraging signs. Elections in the breakaway provinces—elections that might have led to succession—have been delayed. Russia is redeploying light armor away from the region. But, of course, this is not adequate.

Sanctions on Russia must remain in place until President Putin and the rebels he backs fulfill all of their obligations under the Minsk II agreement. I left Ukraine with a strong sense that despite living under an ever-present threat from Russia, this is a nation that continues to stand strong and move forward. It was an honor to personally reaffirm to Ukraine's leadership and citizens that the United States is an ally and partner and that we strongly support the government's agenda of reform and modernization.

Our European allies are confronting an array of challenges unprecedented since the end of the Second World War: not only the refugee crisis but also rising threats from Russia, economies that continue to be held back by debt and austerity, and a resurgence of nationalistic and nativist political parties. However, our delegation witnessed firsthand a creative and resourceful Europe that is capable of meeting these challenges. Europe needs and deserves

American support and partnership, beginning with a more robust U.S. response to the refugee crisis, which is the greatest humanitarian challenge of our time. I hope we in this Chamber and in Congress will rise in response to that challenge to do our part.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CYBERSECURITY INFORMATION SHARING ACT

Mr. FRANKEN. Mr. President, I rise today to talk about the Intelligence Committee bill we are currently debating, the Cybersecurity Information Sharing Act of 2015, or CISA.

This Chamber sees its fair share of disagreements, so it is worth noting when there is something we can all agree on, and I think we can all agree on the need for congressional action on cyber security. We face ever-increasing cyber attacks from sophisticated individuals, organized crime syndicates, and foreign regimes. These attacks pose a real threat to our economy and to our national security. It is clear that we must respond to these new threats because the cost of complacency is too high, but it is critical, in deciding how we protect our information networks, that we also continue to protect the fundamental privacy rights and civil liberties of Americans. In short, there is a pressing need for meaningful, effective cyber security legislation that balances privacy and security. Unfortunately, as it now stands, the Cybersecurity Information Sharing Act falls short.

Since this legislation was first introduced, I and a number of my colleagues on both sides of the aisle have raised serious concerns about the problems the bill presents for Americans' privacy and for the effective operation of our Nation's cyber defense. My colleagues and I are not alone. Serious concerns have been raised by technologists and security experts, civil society organizations from across the political spectrum, and major tech companies, such as Apple, Dropbox, Twitter, Yelp, salesforce.com, and Mozilla. Neither the Business Software Alliance nor the Computer & Communications Industry Association supports CISA as written.

In a letter I received from the Department of Homeland Security this summer, the agency—which has a leading role in cyber security for the Federal Government—expressed concern about specific aspects of CISA. DHS ex-

plained that under the bill's approach, "the complexity—for both government and businesses—and inefficiency of any information sharing program will markedly increase." The letter explained that CISA would do away with important privacy protections and could make it harder, not easier, to develop "a single, comprehensive picture of the range of cyber threats faced daily."

Senator BURR and Senator FEINSTEIN, the bill managers, have worked very hard over the last months to improve various aspects of the bill, and their substitute amendment offers a significantly improved version of CISA. I really appreciate their efforts, but it is clear to me and others that the improvements did not go far enough. Major concerns raised in the letter from DHS and voiced by security experts, privacy advocates, and tech companies still have not been resolved. Let me briefly describe three of them.

First, the bill gives companies a free pass to engage in network monitoring and information sharing activities, as well as the operation of defensive measures, in response to anything they deem a "cyber security threat," no matter how improbable it is that it constitutes a risk of any kind.

The term "cyber security threat" is really the linchpin of this bill. Companies can monitor systems, share cyber threat indicators with one another or with the government, and deploy defensive measures to protect against any cyber security threats. So the definition of "cyber security threat" is pretty important, and the bill defines "cyber security threat" to include any action that "may result in an unauthorized effort to adversely impact" cyber security. Under this definition, companies can take action even if it is unreasonable to think that security might be compromised.

This raises serious concerns about the scope of all of the authorities granted by the bill and the privacy implications of those authorities. Security experts and advocates have warned that in this context, establishing the broadest possible definition of "cyber security threat" actually threatens to undermine security by increasing the amount of unreliable information shared with the government.

I have written an amendment, which is cosponsored by Senators LEAHY, WYDEN, and DURBIN, which would set the bar a bit higher, requiring that a threat be at least "reasonably likely" to result in an effort to adversely impact security. This standard gives companies plenty of flexibility. They don't need to be certain that an incident or event is an attack before they share information, but they should have at least determined that it is a plausible threat.

The definition of a cyber security threat isn't the only problematic provi-

sion of the bill. This brings me to the second concern that I would like to highlight. The bill provides a blanket authorization that allows companies to share information "notwithstanding any other provision of law." As DHS explained this past summer, that statutory language "sweeps away important privacy protections." Indeed, it means that CISA would override all existing privacy laws, from the Electronic Communications Privacy Act, ECPA, to HIPAA, a law that protects sensitive health information.

Moreover, this blanket authorization applies to sharing done with any Federal agency. Companies are free to directly share with whomever they may choose, including law enforcement and military intelligence agencies. This means that, unbeknownst to their customers, companies may share information that contains customers' personal information with NSA, FBI, and others. From a security perspective, it also means we are setting up a diffuse system. I want to emphasize this. This is setting up a diffuse system that, as DHS's letter acknowledged, is likely to be complex and inefficient, where it is actually harder for our cyber security experts to connect the dots and keep us safe.

These are all reasons why privacy experts, independent security experts, and the Department of Homeland Security have all warned that CISA's blanket authorization is a problem.

Earlier this year, the House avoided this problem when they passed the National Cybersecurity Protection Advancement Act by a vote of 355 to 63. That information sharing bill only authorizes sharing with the government through a single civilian hub at the Department of Homeland Security—a move toward efficient streamlining of information that is also good for privacy. But understand that this is the House of Representatives, 355 to 63, saying: Let's make this easier for the government to have all the information in one place.

Finally, CISA fails to adequately assure the removal of irrelevant personal information. This, of course, is a major concern. The bill allows personal information to be shared even when there is a high likelihood that the information is not related to a cyber security threat. Combined with the bill's overly broad definition of "cyber security threat," this basically ensures that private entities will share extraneous information from Americans' personal communications. If companies are going to receive the broad liability protection this bill provides, they should be expected to do better than this.

Senator WYDEN has offered an amendment, which I am proud to be the cosponsor of, which would require companies to be more diligent and to remove "to the extent feasible" any personal information that isn't necessary to identify a cyber security

threat. The “extent feasible” is a crucial improvement, but it is hardly novel; in fact, it is basically the same standard that is in place today when information is shared between private companies and the Department of Homeland Security. There is no justification for lowering that standard in CISA, especially because the bill also provides companies with significant liability protection.

Mr. President, the amendments I have talked about today, as well as a number of other pending amendments, would make CISA a better deal, one that is significantly more protective of Americans’ privacy and more likely to advance cyber security. I want to encourage my colleagues to support these amendments. Without them, I fear that, however well intentioned, CISA would do a disservice to the American people.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION FUNDING

Mr. CARPER. Mr. President, I would just note that the Presiding Officer and I are on the same schedule, because I come here a couple of times a week, but you are here more often than not when I am speaking. I am sorry. This is cruel and unusual punishment, I suspect, for you. But I welcome the opportunity. Thank you for showing up. Otherwise, I would not have a chance to share these thoughts today with the folks that are in the Chamber and anybody else who might have tuned in.

Earlier this year, the Senate actually took up legislation that was reported out of the Environment and Public Works Committee, which was a 6-year Transportation authorization bill. A lot of people who don’t work here don’t realize that for us to spend money—taxpayer money—in most cases we have to authorize a program at certain funding levels. Then we have to come back and do a second step, and that is to actually appropriate the money to spend that has been authorized.

Usually, if we are authorized to spend \$100 in a program, we cannot come in and just appropriate a lot more money than that. We have to do it within the levels set by the authorization bill.

Well, we took up on the floor of the Senate the Environment and Public Works Committee’s 6-year Transportation bill, coauthored by Senator INHOFE and Senator BOXER, Republican and Democrat, and reported out of the committee unanimously. Most people think we fight about everything. Well,

we don’t. Environment and Public Works Committee Senators BOXER and INHOFE have been very good at working together on these authorization bills.

Now, the authorization bill does not contain the funding, but it says: These are our transportation policies, and this is the level that we think is appropriate. But it does not actually fund a dollar to go to those programs.

Well, over in the House of Representatives today, they got in the act. As I understand it, the House transportation committee has reported out—I think on a voice vote—their own 6-year authorization bill. This is good. It has not passed the House yet, but at least it is out of committee, with apparently a fair amount of broad support, which is good.

This is the Senate-passed bill called the DRIVE Act, reported out by the committee a couple of months ago and passed the Senate here more recently. As you know, we have names for our bills, such as the names for cars. But the DRIVE Act, the Senate-passed bill, the Surface Transportation Reauthorization and Reform Act, has a number—3763. It is a 6-year authorization for transportation programs.

Do these bills have any good ideas in them? Well, they really do. As it turns out, there is a fair amount of common ground that these two pieces of legislation share, the Senate-passed bill and the bill out of the House committee.

One of them is that there is a new focus on making freight transportation more reliable, more affordable, and more efficient. When you look at an outfit called McKinsey & Company, a big international consulting firm, they have an entity, an appendage of McKinsey, that is called the Global Institute. A year or so ago, they opined that a fully funded, robustly funded transportation program in the United States would provide 1.8 million new jobs in this country—1.8 million new jobs in this country—and that it would grow GDP, gross domestic product, by 1.5 percent per year—not just one time, but per year. Those are pretty amazing numbers, actually, for me.

Well, one of the things that actually drives the increase in employment and the growth in GDP is a more efficient freight transportation system and one that actually focuses—as in this legislation—on freight, and not just moving our cars, trucks, and vans but actually figuring out how we move freight from place to place in a more efficient way.

The second area where there seems to be some agreement is that both pieces of legislation prioritize—especially the Senate version—bridge safety and large facilities of national importance. Think big bridges; think big tunnels. We have a bunch of bridges in this country—I forget what the percentage is—that are substandard, not safe—maybe one out of every nine. So take your choice for the bridges you are

going over. Think about that. One in nine is deemed to be essentially unsafe.

Both of those bills say: Well, that ought to be a priority and we would like to authorize higher spending for that. These bills focus on clean air funding and toward some of the most dangerous sources of emissions—diesel emissions. A lot of it comes from road-building—road and highway—and bridgebuilding equipment that is diesel powered and puts out harmful emissions.

Actually, our bill in the Senate does some good things to reduce those emissions while we go about building these transportation projects. One of the things that I especially like about our bill is that it says that eventually we ought to have an approach to funding roads, highways, and bridges.

Maybe it should be something that reflects vehicle miles traveled. We don’t have that kind of magical system now. In Oregon, they have been trying to do it for 10 years. They call it RUC, a road user charge. They have maybe 5,000 families that are actually using this. But it is a long way from 5,000 families in Oregon to having a national system that we can use to come up with money to pay for roads, highways, bridges, and transit.

But our Senate-passed bill establishes research to develop alternative user fees to replace, maybe eventually, the gas and diesel tax somewhere down the line—not next year, probably not this decade, but somewhere down the line. I think that should be a growing part of the source of revenues to pay for transportation.

The Senate bill even increases—bumps up not hugely but bumps up a little bit—the baseline funding and funding for transportation. I wish it had been more, but at least it is an effort to do that. Our next chart is one of my favorite charts. I have a friend from Montana, a former attorney general, former Governor, former chairman of the Republican National Committee, whose name is Marc Racicot. Folks from his State like to talk about cowboys who really are not cowboys.

They have a saying out there. They say: All hat, no cattle. In this case, we can have all the transportation authorization bills until the cows come home, but unless we actually fund them, they are just words on a piece of paper, and we don’t build a road or a highway or a bridge or do anything on the transit side unless we actually fund them. I don’t know who this guy is, but I love this poster. All hat, no cattle. That is where we are right now because we don’t have agreement on how we are really going to pay for robustly funding transportation projects.

There is an idea out there that goes beyond lousy pay-fors. I think the kind of stuff goes like this: We steal money for 10 years out of TSA, instead of making our skies safer, and we put

that money of 10 years of revenues into 3 months of helping to fund transportation projects. That is not too smart, but we do that. Instead of making border crossings in this country safer, where folks are trying to get into our country, we use Customs fees for that purpose. But instead of using it to make our border crossings safer and our ports of entry safer, we put 10 years of Customs fees collected into 3 months or so of transportation projects.

We look at the Strategic Petroleum Reserve, for which we bought the petroleum. We try to buy it low and not use it very much. But we will see what we spent in the last couple of years buying and refilling our Strategic Petroleum Reserve, at \$80, \$90, maybe \$100 a barrel, and now we are selling it at basically half of that price.

You are supposed to buy low and then sell high. That is where you end up making your profits. What we are doing with our Strategic Petroleum Reserve is to buy high, sell low, and use whatever money we realize to help pay for some transportation projects—not a real smart investment strategy.

What Senator DICK DURBIN and I have introduced is something we called the TRAFFIC Relief Act. It is an acronym. Tax Relief and Fix the Trust Fund for Infrastructure Certainty Act of 2015. Here is the real thing we need to know about. It raises \$220 billion over the next 10 years. We raise \$220 billion in the next 10 years to go into the transportation trust fund.

If we just want to go, frankly, not to a level of spending that actually addresses the problem, then, in fact, we have our roads, highways, and bridges get a D-plus. Civil engineers across the country every year evaluate our transportation infrastructure. They give us a D-plus. “D” as in “dog.” “D” as in “dangerous.” “D” as in “degraded.” That is when you spend \$90 billion a year, which is maybe contemplated in the authorization legislation—maybe a little bit more. We don’t really make much of a dent in the work that needs to be done.

What we propose in our legislation is \$220 billion, and we would have \$130 billion for new investments in repairs and upgrades. I should be able to do some new projects and make a bigger dent in the ones that need our attention.

Let’s see what we have in our next chart. I think there is a fair amount of support for doing that from what I hear. Let’s take a look.

We looked at a couple of recent editorials that basically say what day—I think from these newspapers are from coast to coast, from North to South, East to West. Believe it or not, they say we ought to pay for transportation—roads, highways, and bridges. It should be that the user pays to use the roads, highways, and bridges. They ought to pay for them. It is what we have done for years. If we raise the gas

and diesel tax from 1993—22 years ago, about 18 years ago for the gas tax, 23 cents for the diesel tax—in today’s purchasing power, adjust for inflation. So the gas tax is worth less than a dime, not 18 cents, but less than a dime. The diesel tax is not worth 23 cents, but less than 15 cents—probably closer to 12 cents.

Here is what some of the people say. The New York Times says: “Highways Need a Higher Gas Tax.” They are essentially saying restore the purchasing power of the gas and diesel tax. All right? Not add \$1, not add 50 cents or 25 cents, but restore the purchasing power.

USA TODAY says: “Raise the gas tax: Our view.” They also add: “Highway funding hijinks: Our view”—which actually coincides with mine.

Let’s see if we have any others. The Washington Post says, and this is a very recent one: “Highway Transportation Fund needs a permanent and simple fix.” Even more recent, editorial board said: “Congress recklessly refuses to top up the Highway Trust Fund.” Then even more recently: “Congress should fix the gas tax.”

Again, restore the purchasing power of the gas and diesel tax, not to use it for extraneous stuff, not to use it for foreign aid, not to use it for Afghanistan or other places around the world, not to use it for health care, not to use it for education, but to use it to take these roads, highways, and bridges that are deteriorating and actually put the money, any extra money we generate, into those. Bangor, ME: “The nation’s highway fund doesn’t have to continue to lose ground.”

The Register-Guard—I am trying to remember where that is. I am not sure where the Register-Guard is, but it said “Just raise the gas tax” in an editorial in July.

Again, the Washington Post opined the same message earlier in January of this year. Let’s look at that one again. They said: “With oil prices low, now’s the perfect time for Congress to raise the gas tax.” That is what they said in January of this year.

As it turns out, we did some checking. We found out last week, at 29,000 gas stations across the country, they are selling gas for less than \$2 a gallon. Think about that: 29,000 gas stations across America. The gas station in my neighborhood is at \$2.09, and the Washington Post opined 7 months, 8 months, 9 months ago that “With oil prices low, now’s the perfect time for Congress to raise the gas tax.” Actually, gas prices are about half a dollar lower now than they were then.

If the Iran agreement is fully implemented, Iran—which now produces about 200,000 barrels of oil a day—a year from now they are going to be producing about 1 million barrels a day. This suggests to me that a world already awash in oil might actually

continue to be awash in oil for a while, so with the low oil prices, I think there is reason to believe they are not going to spike back up any time soon.

There are more editorials and headlines. The Miami Herald: “Fix our roads.” Akron Beacon Journal, Akron, OH: “Raise the gas tax and make better policy.” The JournalStar, which is in Nebraska: “Follow the logic on gas tax.”

Those are major newspapers across the country. We have also had some polling done, not by us, but by the American Road & Transportation Builders Association and also by Mineta. Some of us remember Norman Mineta, former mayor of San Jose, the Secretary of Transportation who worked in both the Republican Bush administration and the Clinton administration. In these two recent nationwide surveys, clear majorities have indicated support for increasing fuel taxes as a fair way to invest in transportation projects.

This is from the American Road & Transportation Builders Association:

A Strong Majority Supports Payments to Keep Up With Inflation

By more than a 2:1 margin, voters support increased payments directed to upkeep of the nation’s infrastructure, given the need to keep up with inflation. About 68 percent to 70 percent support, strongly support, or somewhat support doing that. We have another recent poll, and these are just representative samples. There are others that are coming out almost weekly now.

The Mineta Transportation Institute Poll—there is one that gives a variety of different options in gas tax, sales tax, and vehicle-miles-traveled fee. The one that actually gets the most support is a 10-cent increase with revenue used just for transportation—not for any other purpose, just for transportation—71 percent. I was surprised it was this high. People want us to fix their roads, highways and bridges. They are tired of paying for repairs to their vehicles.

The next quote is from the Philadelphia Inquirer today. They are talking to people who read their paper. “The next time your axle snaps or a tire rim is bent on a bumpy highway, consider delivering the broken car parts to your congressional representatives”—your representatives in Congress, your House Members, and your Senators.

The average amount of money that we spend on repairs of cars, trucks, and vans every year that is related to bad roads and bad bridges is anywhere from \$350 a year to as much as \$500 per year. That is the range there.

I wish to close with sometimes people say you can’t vote—we can’t vote here to do this stuff. None of us will ever get reelected.

Well, wait a minute. How about the 12 States where in the last 2 years they actually voted to do this stuff. State highway transportation departments get about half of their money from the

Federal Government, and they raise about half of their money locally. Their major sources of revenues locally are taxes and user fees on gas and diesel.

In 12 States in the last 2 years they voted to do this. These are mostly red States because there are more red States, at least with legislatures and Governors, than blue. But 95 percent of the Republican legislatures voted to raise user fees on gas and diesel in their States; 95 percent of them were reelected last fall. They won their primary; they won their general. They were reelected.

Who wasn't elected as much? The people who voted against doing that. So the folks who actually voted to raise the user fees actually were reelected more than the people who voted against it.

On the Democratic side, in the States where they voted to raise the user fees to pay just for transportation—not for anything else—90 percent of the Democrats were reelected. More legislators were reelected than did not get reelected. So just keep that in mind.

I have said enough. The majority leader is waiting, and I thank him for his patience, but here is the long story short: There is a need out there. The American people expect us to do something about it. They want us to work together. We need not just to have a hat. This can't be all hat; there has to be some cattle. Where is the beef? Where is the money to pay for all of this stuff?

I will be back next week to talk about it some more, and I thank the majority leader for his patience.

The PRESIDING OFFICER. The majority leader.

BURMA

Mr. MCCONNELL. Mr. President, on November 8, just a few weeks away, the people of Burma will hold national elections. This promises to be a momentous event for a country many of us have studied and followed for a very long time—in my own case for over 20 years. This is going to be a momentous election for at least two reasons.

First, for Burma's citizens—or for many of them, at least—this election represents a chance to finally choose their own leaders, which is, indeed, a rare occurrence in recent Burmese history. That is significant in itself, but there is another reason these elections are so important, because the manner in which they are conducted will serve as a key indicator of the progress of reform in that country.

There are some encouraging signs that the election will be freer and fairer than what we have seen in the past. Unlike recent Burmese elections, for example, international election observers have been permitted into the country. That is an important departure

from the past, and it is encouraging. At the same time, there have been troubling signs during the election cycle. Allow me to share a few of them with you now.

First, the Constitution was not amended prior to the election. As many of my colleagues will recall, the Burmese Constitution unreasonably restricts who can be a candidate for President, a hardly subtle attempt to bar the country's most popular opposition figure from even standing for office. That is certainly worrying enough, but the Burmese Constitution goes even further, ensuring an effective military veto over constitutional change—over, for instance, amendments about running for the Presidency by requiring more than three-fourths parliamentary support in a legislature where the Constitution also reserves—listen to this—more than one-fourth of the seats for the military. So in order to change the Constitution, you have to get some military votes and obviously, so far, that hasn't happened.

Allowing appropriate constitutional changes to pass through the Parliament would have represented a tangible demonstration of the Burmese Government's commitment to both political reform and to a freer and fairer election this November. But when the measures were put to a vote on June 25, the government's allies exercised the very undemocratic power the Constitution grants them to stymie the effort.

So what kinds of messages do these actions send us? They bring the Burmese Government's continued commitment to democracy into question. If you were truly committed to democracy, why would you continue a provision like that, which to most of the world is simply quite laughable or outrageous?

They also raise fundamental questions about the balloting this fall, increasing the prospect of an election being perceived as something other than the will of the people, even if its actual conduct proves to be free and fair. It is hard to see how that is in anybody's interest.

The second deeply troubling consideration is the apparent widespread, if not universal, disenfranchisement of the Rohingya population. For all the ill treatment the Rohingya have had to endure in their history, at least they had once been able to vote and run for office in Burma. They voted and fielded a candidate for office in both the 2010 election and the 1990 election, but, alas, no more.

Reports indicate that otherwise eligible Rohingya, more than half a million of them, have been systematically deprived of the right to vote and the right to stand for election. That poses another serious challenge to next month's elections being seen as free and fair, and there is another serious challenge I would note as well.

Finally, while media activity in Burma is far more open than it was before 2010, there have been troubling signs that indicate a recent and worrying backslide. In fact, just a few days ago, news circulated of individuals being arrested for Facebook postings.

These are very disturbing reports. Campaigns can be conducted only when a free exchange of ideas is permitted. Arresting citizens for free expression runs directly counter to that idea. It is at odds with notions of free speech and democracy, and it seems designed to send chilling signals to the Burmese people.

It is clear that Burma faces substantial challenges. From the undemocratic elements in Burma's Constitution, to the disenfranchisement of the Rohingya, to troubling incidents regarding the curtailment of citizens' basic rights, these challenges are significant. They need to be addressed.

At the same time, we should not allow these things to completely overshadow what Burma has accomplished. It has actually come a long way in recent years. There are many positive things to be built upon as well. In short, there is still hope for Burma's upcoming election.

Thein Sein's government has an opportunity to make these last few weeks of campaigning as free and as fair as possible. The Burmese Government can still hold an election that, despite the troubling things I mentioned, can be embraced by Burmese citizens and the international community alike.

That will mean ensuring these final weeks of campaigning are as free and as fair as possible. That will mean ensuring freedom of expression is protected.

These are the kinds of minimum goals that Burmese officials must strive toward in the final weeks of the campaign season. If the Burmese Government gets this right, if it ensures as free and fair an election as possible, with results accepted by competing parties, the government, and the military, that would go a long way toward reassuring Burma's friends around the globe that it remains committed to political reform and progress in the bilateral relationship. Indeed, both the government and the military have committed to standing by the election results.

Now, let me be clear. While I have always approached this relationship and the role of sanctions realistically, this election is a test the government must pass. Simply holding an election without mass casualties or violence, while vitally important, isn't good enough. Let me say that again. Just holding an election without mass violence is not enough. It has to do a lot more than just have the absence of violence.

As I stated on the Senate floor earlier this year, if we end up with an election not accepted by the Burmese

people as reflecting their will, it will make further normalization of relations—at least as it concerns the legislative branch of this government—much more difficult. It would likely hinder further enhancement of U.S.-Burma economic ties and military-to-military relations. It would likely erode confidence in Burma's reform efforts. It would also likely make it more difficult for the executive branch to include Burma in the Generalized System of Preferences Program or to enhance political military relations.

Those of us who follow Burma want this country to succeed. We want to see the government carry out an election that is as free and as fair as possible. We are prepared to continue doing what we can to encourage more positive change in that country, and we will be realistic about what is possible.

As I just mentioned, that is the kind of approach I have always tried to take—a hopeful but still realistic one when it comes to this relationship, not just on the role of sanctions but also on the possible steps toward closer relations and on the individual programs and policies that would aid Burma's development and capabilities.

So we are hoping the Burmese Government gets this right. This is a big opportunity to send a signal to the rest of the world that Burma has indeed truly changed. We are hoping the Burmese people continue moving along the path of greater freedom and greater reform, but whatever the result, Burmese Government officials should be assured that Burma's partners in the United States and in the international community will be watching intently to see what happens in the coming weeks with a realistic assessment in what Burma can achieve.

HEAD START AWARENESS MONTH

Mr. WYDEN. Mr. President, I wish to express my appreciation to the students, parents, staff, and alumni of the Head Start Program and to join them in celebrating Head Start Awareness Month. The dedicated individuals at Head Start have served our Nation's most vulnerable children and families for 50 years.

Since its founding in 1965, this program has provided comprehensive social and emotional development services to children from birth to age 5. Because of Head Start, many young parents have been able to get the support they need during the crucial first years of their child's life.

These services go far beyond what any parenting book could ever achieve. Head Start staff provides real-life guidance for young parents who, for example, may need the name of a local dentist or help finding adequate housing to keep their families healthy and safe.

In Oregon, we have 336 program locations that enrolled more than 13,000 in-

dividuals and families last year. You can find a Head Start location anywhere from Clatskanie, OR, all the way to Chiloquin. Earlier this month, Clatsop County celebrated Head Start's anniversary by holding simultaneous block parties at the county's three locations. These Head Start and Early Head Start centers are helping Oregon families who want to see their children reach their full potential.

The Head Start Program fosters literacy and prepares Oregon's children for success in school. Early learning through Head Start can put children on a path toward high school graduation and a better future. In my view, the Head Start Program is a critical investment in the development of our Nation's youngest children.

I speak today to honor those who are working to make a difference for our young people at all the Head Start locations in Oregon and across the country. I look forward to working with my Senate colleagues to continue to support early childhood education programs like Head Start.

NATIONAL FOREST PRODUCTS WEEK

Mr. CRAPO. Mr. President, the U.S. Department of Agriculture has designated this week as National Forest Products Week to recognize the important contribution of forest products to our economy and environment. This week means a great deal to industries and employees in the State of Idaho and citizens nationally.

In Idaho alone, forestry, logging, wood products, and pulp and paper production support more than 10,600 jobs, contribute over \$430 million to the local economy through wages, and produce a value of shipments of over \$2.6 billion. The industry continues to grow and is taking on new and innovative projects like the development of tall wood buildings. Over the past several years, a number of tall wood projects have been completed around the world, demonstrating successful applications of next generation lumber and mass timber technologies. Today, the concept is gaining traction in the U.S.—with more architects opting for a sustainable solution for attaining safe, cost-effective, and high-performing tall buildings in urban dense settings.

Years of research and real-life experience have proven that wood buildings can withstand the effects of major wind and seismic events. These structures, when properly designed and constructed, protect lives and preserve building function. Wood buildings are durable and can be designed to last a lifetime. For example, a mass timber system was used in the 1974 rebuild of the nine-story Butler Square Building in Minneapolis. Heavy timber post and beam construction provided an adaptable solution and has allowed the building to stand strong since 1900.

As we celebrate forest products this week, let us all thank and congratulate those in the industry for their considerable contributions to economies the world over and their development of cutting-edge technologies that create better, stronger, and greener buildings.

Mr. WYDEN. Mr. President, during National Forest Products Week, I am glad to join my colleagues in highlighting the important role that the forest products industry plays in Oregon and nationwide.

Many rural communities throughout Oregon were founded on the success of the forest products industry. With fresh innovations and a focus on sustainability, the industry continues to bolster these communities year after year. In Oregon, the industry supports more than 37,000 jobs, pumping over \$2 billion in wages directly into local economies. Overall, the industry produces a combined product value of over \$7.8 billion. By encouraging a sustainable forest products industry in Oregon and across the country, we can help strengthen markets for wood products, both here and abroad, and continue to ensure the success of rural economies.

When harvested in a sustainable manner, wood can reduce carbon emissions, and new state-of-the-art technologies using wood as a building material have made timber more fire resistant and stronger than ever. Wood has the potential to contribute vastly to a low-carbon economy by locking up the carbon that trees draw out of the atmosphere when they grow. Wood products like cross laminated timber also bring down construction costs for multiple story buildings in large cities.

The U.S. Department of Agriculture has already recognized a project in my hometown of Portland that will demonstrate the unique benefits of timber as a building material for a new age. I'm proud that the Agriculture Department gave one of two Tall Wood Building Prize Competition awards to Portland, OR, and I'm looking forward to seeing the 12-story wood building as a new addition to the Portland skyline.

Mr. MERKLEY. Mr. President, as we come together to celebrate National Forest Products Week, I want to highlight the impacts and contributions of the forest products industry to my home State of Oregon. In my State, the forest products industry produces over 37,000 jobs; contributes over \$2 billion in wages to local economies; and produces a combined product value of nearly \$8 billion.

Oregon has forest land that covers over 29 million acres. We have 72 sawmills, millwork, and treating facilities, 49 engineered wood and panel products facilities, and 11 other types of wood products facilities, combining to make a total of 132 wood products facilities in the State of Oregon. Forest products produce \$262 million annually in tax payments to support the rural and local economies in the State of Oregon.

Forest products provide a clear value both for our economy and for the environment. Currently, America's forests store 2.5 trillion metric tons of carbon and capture nearly 13 percent of total U.S. CO₂ emissions annually. One-half of the dry weight of wood is carbon; and the lumber, wood products, and the wood used in buildings each provide a carbon storage system. With advanced technologies, we are seeing taller and stronger buildings made of wood—buildings that will last for generations and help move us towards a more sustainable future.

In closing, I would like to express my support for the forest products industry and their ongoing efforts to positively contribute to the environment and submit these comments as part of this year's National Forest Product's Week.

Mr. KING. Mr. President, in support of National Forest Products Week, I would like to recognize the nearly 18,000 hard-working men and women employed by the forest products industry in the great State of Maine.

Maine is home to about 40 wood products and paper manufacturing facilities, which contribute over \$900 million to the economy through jobs and wages and over \$4 billion in industry shipments of products, making the forest products industry one of the largest manufacturing sectors in the State.

Our Nation's forests are an essential element of our urban and rural landscape. Covering more than 750 million acres across America, they create opportunities for recreation and habitats for wildlife, and their products play an integral role in our daily lives.

As the only renewable building material, wood requires less energy to transport, construct, and produce in comparison to alternative building materials. By increasing the use of wood products in construction, we have the opportunity to reduce greenhouse emissions and improve the environmental performance of buildings. Design and building professionals are increasingly recognizing wood's environmental attributes and helping to create strong markets for wood products.

The industry continues to grow and is taking on new and innovative projects like the development of tall wood buildings. Over the past several years, a number of tall wood projects have been completed around the world, demonstrating successful applications of next generation lumber and mass timber technologies. Today, the concept is gaining traction in the U.S., with more architects opting for a sustainable solution for attaining safe, cost-effective, high-performing tall buildings.

Even with the advances of digital communications, paper also continues to play a valuable role in our daily lives: from enhancing education through written communications to

capturing and preserving life's most memorable moments. In my State, I continually hear from men and women for whom paper is not only a preference, but for some, a necessity. Forty-one percent of Americans over 65 years of age do not use the internet. Eliminating paper as an option for vital government communications—like the IRS tax instruction manual—impedes access to critical information every citizen has a right to receive.

Thank you for the opportunity to recognize the hard-working men and women employed by the forest products industry in Maine. I ask my colleagues to join me in celebrating National Forest Products Week and reflect on the positive economic, social, and environmental impacts paper and forest products have on our everyday lives.

Mr. DAINES. Mr. President, I wish to recognize the important role of the forest products industry as we celebrate National Forest Products Week.

Montana's forests are a treasured part of our State's heritage which many of us hold so dear—not only are Montana's forests where we hunt, fish, explore, and live, but our forest products industry provides thousands of jobs for Montana families and a boost to our State's economy.

Sadly, many forest products jobs in Montana have been lost this year in large part due to an insufficient supply of logs from Federal lands. I'm fighting for commonsense reforms to restore active management across Montana so we can get more Montanans back to work, improve forest health, increase access to public lands, and provide much-needed sustainable revenues to our forested counties. These reforms must give the Forest Service the tools and resources it needs to increase responsible timber harvests and protect their work from obstructionist tactics that continue to encumber a substantial portion of the timber volume from Montana's national forests. Congress should enact these reforms swiftly.

Further, as we seek to improve the performance of our buildings, we should encourage the use of wood in the construction of Federal and other commercial buildings. Montana is home to approximately 5 engineered and panel products facilities and 12 sawmills, millwork, and treatment facilities that employ several thousand people across the State. These facilities are working to advance innovative new technologies, for example, cross laminated timber. I am proud to have SmartLam, Inc., the very first and only manufacturer of cross laminated timber, CLT, products in the U.S. located in the great State of Montana.

CLT products are creating opportunities in the U.S. to build taller wood buildings. Advancements in new technology utilizing engineered "mass timber" panels are creating new possibili-

ties for wood. This concept is gaining momentum in the U.S. as many successful demonstration projects have been built and proven to be a safe and cost-effective solution in urban dense settings. With more than 17 tall wood buildings of seven stories or more having been built around the world serving as demonstration projects, building officials, designers, contractors, and consumers are increasingly confident in the safety of these buildings.

I want to thank the individuals in the forest products industry for their important contributions to my home State and for their efforts to expand tall wood building projects across the Nation.

Ms. STABENOW. Mr. President, I wish to join my colleagues in support of the 55th National Forest Products Week and to recognize the more than 26,000 hard-working men and women that work in the forest products sector in Michigan.

Forests in Michigan and nationwide help keep our air and water clean, provide wildlife habitats, and places for recreation. These forests aren't just an environmental treasure; they are an economic powerhouse. Michigan is home to nearly 200 businesses that manufacture everything from office paper to wood pellets for home heating. Nationwide, our forests provide more than 900,000 jobs, creating almost \$240 billion in economic output every year.

This economic activity leads to new opportunities in rural communities around the country. That's one reason why, as chairwoman of the Senate Committee on Agriculture, Nutrition, and Forestry, I worked with a bipartisan group of lawmakers to ensure the 2014 farm bill strengthened forestry programs and helped bolster rural economic development.

Forest product companies are also leaders in the effort to increase recycling. Today, 96 percent of all communities across the country have access to curbside or drop-off paper recycling programs. On top of that, the millions of Americans who recycle at home, work, and school have helped recover more than 60 percent of the paper consumed in the U.S. in each of the last 3 years. Picture this: each day our paper companies around the country recycle enough paper to fill a 15-mile-long boxcar train.

That type of leadership is great news for our planet and has some serious economic savings as well. Already more than 110 mills around the country are making paper using only recovered materials. And efforts are on track to recover more than 70 percent of all paper used by 2020. At the same time, paper can only be recycled a limited number of times, so it's important that steps are taken to ensure sustainable production of paper and forest products from our renewable forest resources.

Forest products can also help us become more energy independent. Manufacturers across the industry now use carbon neutral biomass that comes from forest waste—materials like bark, wood scraps, byproducts, and other unusable products—to help power their plants, reduce emissions, and save energy.

For all these reasons, I am proud to serve as co-chair of the Paper and Packaging Caucus with my colleague from Arkansas, Senator BOOZMAN.

Thank you for the opportunity to recognize the hard-working professionals of the forest products industry in the great State of Michigan. I would urge my colleagues to join me in celebrating National Forest Products Week and applaud the thousands of hard-working Americans who are working hard every day to keep America as the leader in forest products.

Mr. BOOZMAN. Mr. President, I would like to recognize National Forest Products Week and the many women and men in Arkansas who rely on forestry and the forest products industry.

As co-chair of the Paper and Packaging Caucus, I am glad to work with my fellow co-chairs—Senator DEBBIE STABENOW and Representatives REID RIBBLE and GWEN GRAHAM—to highlight the role that this vital industry plays in our country.

About 25,000 Arkansans are directly employed in the forestry and forest products sector. Arkansas is home to over 100 wood products, paper, and packaging manufacturing facilities that make nearly \$7 billion in products each year. Large and small employers dot the Arkansas landscape. I regularly hear from and meet with Arkansas families who earn a living and make great products at places like Green Bay Packaging, Domtar, Deltic Timber, and Georgia-Pacific. Every year, I meet with family tree farmers and small business operators who rely on our forestry sector to build a successful future. And I track and support efforts to responsibly manage and utilize our renewable Federal forest resources. According to the University of Arkansas, the forest and forest products industry produces \$2.3 billion in wages that are pumped into the Arkansas economy each year. This economic activity creates and supports countless other jobs.

I also serve as the co-chair of the Senate Recycling Caucus. In this dual capacity, I have seen the forest products industry's success in pairing economic growth with respect for the environment. The industry is making great strides in promoting sustainability and energy conservation, especially by using carbon neutral biomass, which meets about two-thirds of the industry's energy needs. Other successes include boosting exports and encouraging recycling. Paper recycling programs now reach 96 percent of the

American people, and the industry is on target to recover and recycle about 70 percent of its products in the next few years.

At the same time, the industry is facing challenges—from problems with our transportation policies and infrastructure to a regulatory maze that is too difficult and costly to navigate. Here in Congress, we need to solve these challenges together, through common sense, cooperation, negotiation, an open process, and a clear-eyed analysis of the facts.

We also need to support the industry as it transitions. While more information is available digitally, paper and packaging products are still indispensable to our modern economy. For example, many Americans, particularly those in rural settings or with limited resources or computer skills, have difficulty accessing information digitally. That's why in general, and particularly at government agencies, the format of information should be a consumer choice.

In conclusion, paper, packaging, and other wood products are at the heart of modern life and a modern economy. I am glad to join my colleagues in celebrating National Forest Products Week. These recyclable and renewable resources make our lives better, and forestry is truly an Arkansas success story—and an American success story. Thank you.

Ms. CANTWELL. Mr. President, I would like to join Senator CRAPO and my colleagues in recognizing National Forest Products Week and in recognizing the men and women of the forest products industry for their contributions to our Nation and, in particular, my home State of Washington.

The forest products industry employs nearly 30,000 people in Washington, contributing \$1.9 billion dollars in jobs and wages. Employees work both in wood products facilities and in paper manufacturing; and these facilities, and the jobs and wages they create, have been a dynamic part of our economy.

I would like to commend the industry for its recent technological advances and for continually looking toward the future. Forest products have contributed greatly to improvements in energy efficiency in buildings and their overall environmental performance. I am particularly excited about new “mass timber” technologies, such as cross laminated timber, CLT, that are now opening an entirely new suite of opportunities. New technologies create new markets for wood and healthy working forests.

Throughout our State, there is great interest in CLT. We are already seeing this new product bringing innovation to the design and construction of buildings. Tall wood buildings are now being built around the world. The U.S. market is ripe for applying this new tech-

nology to new construction. I appreciate the support that the administration is providing for builders that want to use CLT. I expect to see an increase in the use of CLT and an increase in the number of facilities that create it.

Our forests and forest products play an important role in sequestering and storing carbon. The use of wood in buildings provides a great opportunity to make our buildings more environmentally and energy efficient. This is a great example of the use of forest products creating a healthier economy and environment.

Even though I have talked so much about CLT, I would like to commend the men and women who comprise this industry for their many contributions in Washington and around the U.S.

Mr. TESTER. Mr. President, I appreciate this opportunity to recognize the men and women of the forest products industry as we celebrate National Forest Products Week. These folks represent a critical part of my State's outdoor heritage and economy.

The forestry and forest products industries support nearly 5,000 jobs in Montana and generate approximately \$22 million in State and local taxes. Today, Montana is home to 20 facilities that rely on forest products, from sawmills to engineered wood and panel production sites. In a time of increased global competition, when the U.S. Forest Service has to spend over half its budget on wildfire costs instead of managing our forests, the men and women who work in this industry deserve our support. These are the folks who cut trees, transport them from the forest to mills, process lumber, and make a wide variety of products that we use every day. I remain committed to pursuing sound forestry and trade policies that will ensure this important industry can compete fairly, contribute to sustainable forest management, and continue to provide good jobs in Montana.

The forest products industry is also looking forward to find new ways to put our wood fiber to good use and create additional value for local economies in Montana. In Whitefish, SmartLam, Inc. is the first manufacturer of cross laminated timber, CLT, products in the Nation. This Montana company is on the cutting edge of engineered-wood technology for building construction materials. SmartLam is producing more than a million board feet of CLT products a month and hopes to open a new facility due to increasing demand. These products can aid in the construction of taller, more fire-safe wood buildings and help reduce the carbon footprint of the construction process. Innovative wood construction systems are flexible and can be easily combined with other building materials, offering alternatives for construction in urban areas while supporting sustainable development in rural communities.

In addition to providing good jobs, the forest products industry plays a key role in the sustainable management of the more than 25 million acres of forests in Montana. Most of the forested lands in Montana are managed by the U.S. Forest Service. We have seen industry come together with a wide array of stakeholders in Montana to develop collaborative recommendations for projects aimed at supporting local economies, improving forest health, reducing wildfire risks, and restoring watersheds. On private lands, industry has partnered with conservation organizations to keep forested lands forested as development pressures have grown.

In addition to National Forest Products Week, this week also marks the fifth annual Montana Forest Products Week. There is no better time to say thanks to the folks who work in Montana's forest products industry.

Ms. COLLINS. Mr. President, I am pleased to speak today about the many contributions of the forest products industry, as we recognize their important work during National Forest Products Week.

Wood products play a significant role in our economy. The U.S. wood products industry employs more than 548,000 people in manufacturing and forestry, and U.S. private forest owners support 2.4 million jobs and \$87 billion in payroll. In Maine, there are a number of wood products manufacturing facilities, including sawmills, millwork, and treatment plants, engineered wood and panel product facilities, and paper mills.

The environmental benefits associated with wood products—from renewability to responsible forest practices to a light carbon footprint—are helping to strengthen markets for wood products, in turn stabilizing the wood industry's ability to create jobs and support local economies. Moreover, sustainable forest management practices in the United States maintain important forest values such as biodiversity and wildlife habitat. Strong markets for wood products provide a financial incentive for landowners to invest in their forests and keep them healthy for future generations.

Design and building professionals are increasingly recognizing wood's environmental attributes and helping to create strong markets for wood products. Over the past several years, a number of tall wood projects have been completed around the world, demonstrating successful applications of next generation technologies. Today, the concept is gaining traction in the United States where more architects are opting for a sustainable solution for attaining safe, cost-effective, high-performing tall buildings, particularly in urban dense settings. As the only renewable building material, wood requires less energy to transport, con-

struct, and produce than other building materials.

In closing, I encourage my colleagues to support policies that maintain and grow strong markets for wood products. As we celebrate National Forest Products Week, I thank the employers and employees of the forest products industry for their contributions to Maine and the Nation.

Mr. SCOTT. Mr. President, in support of National Forest Products Week, I would like to recognize the more than 25,000 hard-working men and women employed by the forest products industry in the great State of South Carolina. With an annual payroll of almost \$1.7 billion and an estimated value of products manufactured in the State exceeding \$9 billion, the forest products industry is among the largest manufacturing sectors in my State and the largest valued agricultural crop.

This is the 55th consecutive year that we are recognizing the forest products industry for its contributions to our economy and to sustainable manufacturing. The world has changed a lot since the first National Forest Products Week in 1960 and so has the industry.

Over the last few years, with new advancements in lumber and mass timber technologies, the U.S. has begun innovative projects to build tall wood buildings. Over 17 tall wood buildings with over seven stories or more have been built around the world, which served as demonstration projects. Due to the success of these tall wood buildings, contractors and consumers are more confident than ever in the safety and high performance of these buildings. Additionally, with the right safety measures, tall wood buildings can be designed to meet and exceed fire safety requirements.

Wood buildings are durable and can be designed to last a lifetime. Years of real-life experiences and research have shown that wood buildings can also withstand effects of major wind and seismic events. When designed and constructed properly, these structures are high performing and provide the necessary strength and ductility to preserve building function and provide life safety protection.

Similarly, paper and packaging products have grown with the demands of a 21st century global economy. Made from a recyclable and renewable resource, paper and paper-based packaging transport food, medicine, and manufactured goods faster, further, safer, and more environmentally friendly than ever before.

I ask my colleagues to join me in celebrating National Forest Products Week and reflect on the sustainable uses of America's forests and the important contributions they make to our economy and our national life.

Mr. RISCH. Mr. President, I wish to honor National Forest Products Week.

I would simply like to express my support for newly available and continuously evolving opportunities to build with wood.

In the State of Idaho, the forest products industry makes significant contributions to our local, State, and national economies. In Idaho alone, we have 19 sawmills, millwork, and treating facilities and 4 facilities making engineered wood and panel products. These products are increasingly used in buildings all around the globe.

As we all know, U.S. and global populations are rapidly growing. Over the past several years, a number of tall wood projects have been completed around the world, demonstrating successful applications of next generation lumber and mass timber technologies.

Today, the concept is gaining traction in the United States. More architects are opting for a sustainable solution to attain safe, cost-effective, high-performing tall buildings in urban dense settings—many of these projects already do or will use engineered wood products.

With more than 17 tall wood buildings of seven stories or more having been built around the world serving as demonstration projects, building officials, designers, contractors, and consumers are more confident than ever in the safety of these buildings.

Thank you for this opportunity to recognize the many forest products facilities and employers in my home State that are helping make these tall wood building projects become a reality.

ADDITIONAL STATEMENTS

TRIBUTE TO OTTO MERIDA

• Mr. HELLER. Mr. President, today, I wish to congratulate Otto Merida on his retirement after nearly 40 years of service to the Las Vegas Latin Chamber of Commerce. It gives me great pleasure to recognize his years of hard work and dedication to Las Vegas' Hispanic business community. I am proud to call Otto a friend.

Otto was born in Havana, Cuba, and came to the United States in the early 1960s through a historic U.S. mission in Cuba known as Operation Peter Pan. He attended high school in Wilmington, DE, and received an associate degree from North Florida Junior College and a bachelor's degree in political science from the University of Florida. After graduating, he worked with Volunteers In Service to America, VISTA, in Massachusetts as a community organizer and social worker. He then left VISTA and worked for the Fitchburg Chamber of Commerce.

He later came to Las Vegas in 1974 and began working for Nevada's Department of Education and the Comprehensive Employment and Training

Program. As someone who has traveled to Cuba and spent time with the people, I recognize the importance of normalizing some relations with this country. This is why I support lifting travel restrictions to and from Cuba. I am proud to see Otto represent his country in such a positive manner within our Nevada community. Beginning in 1976, Otto helped organize Las Vegas' Latin Chamber of Commerce, LCC, and in 1978 became the executive director. In 2005, he was named president and chief executive officer of the LCC and the LCC Community Foundation. This successful body now has over 13,000 members and is the premier Latin chamber serving the great State of Nevada. I am grateful that our State has had someone like Otto leading this incredible organization for so many years. He is one of a kind and will be missed.

Without a doubt, Otto's work has had a great impact on Las Vegas' Hispanic businesses both large and small. Through his unwavering commitment, the Hispanic business community continues to grow and prosper. Otto has not only worked to build Las Vegas' Hispanic businesses in times of economic stability, but also helped to keep hard-working southern Nevada businessowners on their feet in times of great downturn. Along with his work to support local businesses, he has also focused on philanthropic work, helping foster young Hispanic leaders through the Latino Youth Leadership Conference since 1993. In addition, he has contributed greatly in helping to grow scholarship funds to go towards higher education for Las Vegas' Hispanic youth. This community is fortunate that Otto has served as an ally and leader for decades. To say he has had a positive impact on Las Vegas' Hispanic business community would be an understatement. The strong foundation he has built will be felt for years to come.

I ask my colleagues and all Nevadans to join me in thanking Otto for his dedication to both Las Vegas' Hispanic business community and the LCC and in congratulating him on his retirement. He exemplifies the highest standards of leadership and service and should be proud of his long and meaningful career. I wish him well in all of his future endeavors.●

TRIBUTE TO WALTER GALVIN

● Ms. MCCASKILL. Mr. President, today I would like to recognize and thank Walter Galvin for his years of service with Emerson, a great employer for 125 years in the State of Missouri. Walt joined Emerson in 1973 and has had an enormous impact on the company and the St. Louis community.

Walt's service with Emerson began as the controller at the Ridge Tool subsidiary. In 1993, he was named chief fi-

nancial officer of Emerson and served in this role for 17 years. During his time as CFO, he served as a management member of Emerson's Board of Directors and as vice chairman. Walt retired from Emerson in February of 2013, but worked for Emerson for another 2 years to lend his expertise and knowledge to the next generation of company leaders.

Walt's experience working at Emerson provided him with the insight necessary to influence positive change in U.S. lawmaking. In 2004, he was directly involved in the passage of the American Jobs Creation Act, which included many provisions intended to incentivize and expand domestic manufacturing. He appeared as a witness many times before committees in the House and Senate, shedding light on the struggle American companies face in such a competitive international environment and lending his expertise to discussions of our Tax Code and comprehensive tax reform.

He served as a member of the Board Of Directors of the U.S. Chamber of Commerce and as vice chairman and later, chairman of the Chamber's tax committee in Washington, DC. He also served on the board of the National Association of Manufacturers, NAM, and, for a time, as the chairman of NAM's tax committee. Other companies such as Ameren Corporation, F.M. Global Insurance, and Aegion Corporation also count Walt as a director.

In addition to his service to Emerson and broader policy discussions, Walt was active in charitable endeavors in the St. Louis community. He served on the board of Interco Charitable Foundation, the United Way of Greater St. Louis, and is the past president of the Saint Louis Zoo Association and Cardinal Glennon Children's Hospital.

St. Louis and the entire State of Missouri are very lucky to have such a dedicated community leader making a difference on a local, State, and national level. I ask all of my colleagues to join me in recognizing Walter Galvin's impact on American businesses and leaders nationwide.●

MESSAGES FROM THE HOUSE

At 10:04 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the bill (H.R. 3116) to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program.

ENROLLED BILL SIGNED

At 10:46 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3116. An act to extend by 15 years the authority of the Secretary of Commerce to

conduct the quarterly financial report program.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 10:54 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1362. An act to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 692. An act to ensure the payment of interest and principal of the debt of the United States.

At 1:42 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 10. An act to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2193. A bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2200. A bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3238. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticides; Agricultural Worker Protection Standard Revisions" ((RIN2070-AJ22) (FRL No. 9931-81)) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3239. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report relative to the Administration's 2015 compensation program adjustments; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3240. A communication from the Acting Director of the Legislative Affairs Division, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "NRCS Procedures for Granting Equitable Relief" (RIN0578-AA57) received during adjournment of the Senate in the Office of the President of the Senate on October 15, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3241. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California; Increased Assessment Rate" (Docket No. AMS-FV-14-0105) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3242. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Clarification of United States Antitrust Laws, Immunity, and Liability Under Marketing Order Programs" (Docket No. AMS-FV-14-0072) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3243. A communication from the Associate Administrator of the Cotton and Tobacco Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cotton Research and Promotion Program: Procedures for Conduct of Sign-up Period" (Docket No. AMS-CN-12-0059) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3244. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (44 CFR Part 64) (Docket No. FEMA-2015-0001) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3245. A communication from the Assistant Director for Legislative Affairs, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Amendments Relating to Small Creditors and Rural or Underserved Areas Under the Truth in Lending Act (Regulation Z)" (RIN3170-AA43) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3246. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-3247. A communication from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Kentucky Regulatory Program" ((SATS No. KY-253-FOR) (Docket No. OSM-2009-0014)) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Energy and Natural Resources.

EC-3248. A communication from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Ohio Regulatory Program" ((SATS No. OH-254-FOR) (Docket No. OSM-2012-0012)) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Energy and Natural Resources.

EC-3249. A communication from the Deputy Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Pennsylvania Regulatory Program" ((SATS No. PA-154-FOR) (Docket No. OSM-2010-0002)) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Energy and Natural Resources.

EC-3250. A communication from the Division of Legislative Affairs and Correspondence, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the final map and corridor boundary description for the Crooked Wild and Scenic River, Segment B, in Oregon; to the Committee on Energy and Natural Resources.

EC-3251. A communication from the Deputy Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the 2012 Annual Report for the Office of Surface Mining Reclamation and Enforcement; to the Committee on Energy and Natural Resources.

EC-3252. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Arizona, Phoenix-Mesa; 2008 Ozone Standard Requirements" (FRL No. 9935-56-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2015; to the Committee on Environment and Public Works.

EC-3253. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Low Emission Vehicle Program" (FRL No. 9935-58-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2015; to the Committee on Environment and Public Works.

EC-3254. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Minnesota; Infrastructure SIP Requirements for the 2008 Ozone, 2010 NO₂, 2010 SO₂, and 2012 PM_{2.5} NAAQS" (FRL No. 9935-17-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2015; to the Committee on Environment and Public Works.

EC-3255. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Diplacus vanderbergensis* (Vandenberg Monkeyflower)" (RIN1018-AZ33) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3256. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; 4(d) Rule for the Georgetown Salamander" (RIN1018-BA32) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3257. A communication from the Acting Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Endangered Species Status for *Trichomanes punctatum* ssp. *floridanum* (Florida Bristle Fern)" (RIN1018-AY97) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3258. A communication from the Acting Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Dakota Skipper and Poweshiek Skipperling" (RIN1018-AZ58) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3259. A communication from the Acting Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Endangered Status for 16 Species and Threatened Status for 7 Species in Micronesia" (RIN1018-BA13) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3260. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "2015-2016 Refuge-Specific Hunting and Sport Fishing Regulations" (RIN1018-BA57) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3261. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Listing the Honduran Emerald Hummingbird (*Amazilia luciae*)" (RIN1018-AY64) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3262. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2015-16 Early Season" (RIN1018-BA67) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3263. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands" (RIN1018-BA67) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3264. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Final Frameworks for Early-Season Migratory Bird Hunting Regulations" (RIN1018-BA67) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3265. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2015-16 Late Season" (RIN1018-BA67) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3266. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Late Seasons and Bag Possession Limits for Certain Migratory Game Birds" (RIN1018-BA67) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Environment and Public Works.

EC-3267. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Documentation of Nonimmigrants under the Immigration and Nationality Act, as Amended" (RIN1400-AD17) received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2015; to the Committee on Foreign Relations.

EC-3268. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (P.L. 107-243) and the Authorization for the Use of Force Against Iraq Resolution of 1991 (P.L. 102-1) for the June 15, 2015–August 14, 2015 reporting period; to the Committee on Foreign Relations.

EC-3269. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-069); to the Committee on Foreign Relations.

EC-3270. A communication from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, the Administration's FAIR Act 2012 and 2013 Commercial Activities Inventories, the FAIR Act 2012 and 2013 Inherently Government Inventories, and the 2012 and 2013 FAIR Act Executive Summary; to the Committee on Homeland Security and Governmental Affairs.

EC-3271. A communication from the General Counsel, Federal Retirement Thrift In-

vestment Board, transmitting, pursuant to law, the report of a rule entitled "Default Investment Fund" (5 CFR Part 1600; 5 CFR Part 1601; 5 CFR Part 1651) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3272. A communication from the Deputy Chief of the Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Ensuring Continuity of 911 Communications" ((FCC 15-98) (PS Docket No. 14-174)) received during adjournment of the Senate in the Office of the President of the Senate on October 13, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3273. A communication from the General Counsel, National Science Foundation, transmitting draft legislation entitled "Antarctic Nongovernmental Activity Preparedness Act of 2015"; to the Committee on Commerce, Science, and Transportation.

EC-3274. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.1216 of the Commission's Rules Related to Broadcast Licensee-Conducted Contests" ((FCC 15-118) (MB Docket No. 14-226)) received in the Office of the President of the Senate on October 1, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-78. A resolution adopted by the Senate of the Commonwealth of Pennsylvania urging the United States Congress to take all necessary action to prohibit any force structure changes, to prohibit any transfer of AH-64 Apache helicopters from the National Guard, and maintain the Army National Guard at 350,200 soldiers until the National Commission on the Future of the Army has reported its findings to Congress in February 2016; to the Committee on Armed Services.

SENATE RESOLUTION NO. 149

Whereas, The United States Army plans to transfer all National Guard AH-64 Apache helicopters to active duty as part of the United States Army's Restructuring Initiative; and

Whereas, The United States Army has marked Pennsylvania's 55th Armored Brigade Combat Team (ABCT) for inactivation; and

Whereas, The 55th ABCT is headquartered in Scranton, extends over the eastern portion of Pennsylvania and approximately 3,500 Pennsylvanians serve with the 55th ABCT; and

Whereas, Congress established the National Commission on the Future of the Army, which is tasked with completing an independent study on the proper size, force mixture and force generation requirements for the army, and this commission is required to report its findings during February 2016; and

Whereas, This comprehensive assessment will provide Congressional members the opportunity to review and legislate in response to the commission's recommendations; and

Whereas, There are 24 AH-64 Apache helicopters authorized for the Pennsylvania

Army National Guard (PAARNG) with a significant portion of the allotment stationed at the John Murtha Johnstown-Cambria County Airport; and

Whereas, Transferring the Apache helicopters would result in the loss of 350 part-time personnel from the 1-104th Attack Battalion and the stationing of PAARNG is an important economic driver in the Johnstown area with an estimated impact of nearly \$45 million; and

Whereas, The economic necessity and the maintenance of critical national defense units in the Johnstown area, including the 1-104th Attack Battalion PAARNG and its complement of Apache helicopters, dictates that the United States Army reverse its decision to redeploy the helicopters; and

Whereas, Units from the 55th ABCT have deployed multiple times since 9/11, including deployments to Kosovo, Kuwait, Egypt, Iraq and Afghanistan and units from the brigade have earned multiple Navy Unit Commendations and Meritorious Unit Commendations; and

Whereas, The army's current force proposals reduce the total Army National Guard end strength from 350,200 to 342,000 during fiscal year 2016, and further, from 342,000 to 335,000 during fiscal year 2017; and

Whereas, Since 2000, the army has cut the Army National Guard by 14 Brigade Combat Teams and increased the active army by 12 Brigade Combat Teams, which have resulted in a shift from the majority of force structure residing with the Army National Guard to the majority of the force structure contained within the active army; and

Whereas, The geographical location of Pennsylvania in relation to the entire northeast corridor places the Pennsylvania National Guard in a strategically accessible position that can effectively respond at the Federal and State level when needed for domestic emergencies or armed conflicts; and

Whereas, The National Guard represents the best economic value for the United States validated by the Department of Defense stating in 2013 that a drilling guardsman is about 15% the cost of an active component soldier; and

Whereas, When Title 10 mobilized duty, a national guard soldier only cost 80 to 95% as much as an active component soldier: Now, therefore, be it

Resolved (the House of Representatives concurring), That the General Assembly urge the United States Army to reverse its decision to deactivate the 55th Armored Brigade Combat Team and to reverse its decision to transfer any National Guard AH-64 Apache helicopters to active duty; and be it further

Resolved, That the General Assembly urge Congress to take all necessary action to prohibit any force structure changes, to prohibit any transfer of AH-64 Apache helicopters from the National Guard, and maintain the Army National Guard at 350,200 soldiers until the National Commission on the Future of the Army has reported its findings to Congress in February 2016; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Secretary of Defense and to each member of Congress from Pennsylvania.

POM-79. A resolution adopted by the Senate of the Commonwealth of Pennsylvania urging the President of the United States and the United States Congress to consider imposing tariffs on imported anthracite coal in order to preserve American jobs; to the Committee on Finance.

SENATE RESOLUTION NO. 54

Whereas, The anthracite coal industry accounts for more than 1,000 Pennsylvania jobs; and

Whereas, The anthracite coal industry contributes \$200 million to the Pennsylvania economy; and

Whereas, Pennsylvania anthracite coal production accounts for 2 million tons annually; and

Whereas, Pennsylvania coal fueled a large part of the Industrial Revolution and the industrial efforts which helped to win two world wars; and

Whereas, Government-sponsored anthracite coal production in China, Russia and Ukraine provides unfair competition with domestically mined anthracite coal by providing government subsidies which reduce their prices far below market rates: Now, therefore, be it

Resolved, That the Senate of the Commonwealth of Pennsylvania urge the President and the Congress of the United States to consider imposing tariffs on imported anthracite coal in order to preserve American jobs; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States and to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-80. A resolution adopted by the House of Representatives of the State of Delaware memorializing a commitment to the strong and deepening relationship between Taiwan and Delaware; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 17

Whereas, Taiwan and the United States are long-standing friends with a shared historical relationship and dearly cherished values of freedom, democracy, and human rights; and

Whereas, 2015 marks the 15th anniversary of the sister-state relationship between Delaware and Taiwan; and

Whereas, for the past 14 years, the sister-state relationship with Taiwan has been strengthened through the efforts of the Taipei Economic and Cultural Representative Office (TECRO) resulting in better mutual understanding; and

Whereas, Taiwan is the United States' tenth largest trading partner, with the two-way trade volume between the United States and Taiwan reaching \$67 billion in 2014, and the United States is Taiwan's second largest trading partner; and

Whereas, Taiwan signed an agreement with Delaware to recognize driver's licenses issued by each side on June 11, 2014, reflecting the friendship, trust, and cooperation between two sides, and benefitting the people of Taiwan and Delaware in terms of travel and business; and

Whereas, Trade and Investment Framework Agreements (TIFA) are an important channel for dialogue on trade and investment issues between the United States and Taiwan, it not only helps to forge a closer relationship but also boosts Taiwan's chances to participate in the Trans-Pacific Partnership: Now, therefore, be it

Resolved by the House of Representatives of the 148th General Assembly of the State of Delaware, That we hereby reaffirm our commitment to the strong and deepening relationship between Taiwan and Delaware; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the President of the United States Senate;

and the Speaker of the United States House of Representatives.

POM-81. A joint resolution adopted by the Legislature of the State of California memorializing the United States Congress to reauthorize the Older Americans Act of 1965 forthwith, with adequate funding to reflect the growing populations of Americans who benefit from the act's programs and services; to the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY JOINT RESOLUTION NO. 8

Whereas, 2015 marks the 50th anniversary of the enactment of the Older Americans Act of 1965; and

Whereas, During the past 50 years, the implementation of the Older Americans Act of 1965 has contributed to the economic well-being of millions of older Americans, and has improved the quality of life for those individuals; and

Whereas, One of the key elements contributing to the successful implementation of the Older Americans Act of 1965 has been the establishment of an aging network composed of local area agencies on aging, providers of congregate and home-delivered nutrition, and many other community service providers; and

Whereas, The federal Administration on Aging in the United States Department of Health and Human Services was created by the Older Americans Act of 1965, and has been empowered to act as an effective advocate for the concerns and needs of older individuals; and

Whereas, The Older Americans Act of 1965 serves as a model for the development of community-based services, including services that provide alternatives to the institutionalization of older individuals; and

Whereas, Some of the programs authorized under the Older Americans Act of 1965 were created to address the specific concerns of those older Americans with the greatest social and economic needs, especially minority older Americans; and

Whereas, Many services under the Older Americans Act of 1965, including long-term care ombudsman and legal services providers, have acted as powerful advocates for older individuals; and

Whereas, The Older Americans Act of 1965 has brought together thousands of dedicated professionals and volunteers and has provided inspiration to those individuals; and

Whereas, Services authorized under the Older Americans Act of 1965 have provided important part-time community service employment opportunities for low-income older individuals; and

Whereas, Many older individuals, and those who serve them, have benefited greatly from the research, training, and education that programs established under the Older Americans Act of 1965 have provided; and

Whereas, Some of the programs under the Older Americans Act of 1965 were designed to address the special needs of older Native Americans; and

Whereas, In recognition of the changing needs of a rapidly aging society, the Older Americans Act of 1965 has been periodically amended; and

Whereas, The Older Americans Act of 1965 served as the foundation for an effective human services policy for millions of Americans as the United States entered the 21st century: Now, therefore, be it

Resolved by the Assembly of the State of California and the Senate of the State of California, jointly, That the Legislature recognizes the 50th anniversary of the enactment of the

Older Americans Act of 1965, and the successful implementation of that act; and be it further

Resolved, That the Legislature applauds the many and varied contributions at all levels of the aging network fostered by the Older Americans Act of 1965; and be it further

Resolved, That the Legislature affirms support for the Older Americans Act of 1965, and the primary goals of that act of providing services to maintain the dignity of older Californians, and promoting the independence of those individuals; and be it further

Resolved, That the Legislature memorializes the United States House of Representatives and the United States Senate to reauthorize the Older Americans Act of 1965 forthwith, with adequate funding to reflect the growing populations of Americans who benefit from the act's programs and services; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, to the Majority Leader of the United States Senate, and to each Senator and Representative from the State of California in the Congress of the United States.

POM-82. A resolution adopted by the House of Representatives of the State of Illinois affirming support for the Older Americans Act of 1965; and urging the United States Congress to reauthorize the act; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 561

Whereas, 2015 marks the 50th anniversary of the enactment of the Older Americans Act of 1965; during the past 50 years, the implementation of the Older Americans Act of 1965 has contributed to the economic well-being of millions of older Americans and has improved the quality of life for those individuals; and

Whereas, One of the key elements contributing to the successful implementation of the Older Americans Act of 1965 has been the establishment of an aging network composed of local area agencies on aging, providers of congregate and home-delivered nutrition, and many other community service providers; and

Whereas, The United States Department of Health and Human Services' Administration on Aging was created by the Older Americans Act of 1965; the agency has been empowered to act as an effective advocate for the concerns and needs of older individuals; and

Whereas, The Older Americans Act of 1965 serves as a model for the development of community-based services, including services that provide alternatives to the institutionalization of older individuals; and

Whereas, Some of the programs authorized under the Older Americans Act of 1965 were created to address the specific concerns of those older Americans with the greatest social and economic needs, especially minority older Americans; and

Whereas, Many services under the Older Americans Act of 1965, including long-term care ombudsman and legal services providers, have acted as powerful advocates for older individuals; and

Whereas, Services authorized under the Older Americans Act of 1965 have also provided important part-time community service employment opportunities for low-income older individuals; and

Whereas, Many older individuals, and those who serve them, have benefited greatly from

the research, training, and education that programs established under the Older Americans Act of 1965 have provided; and

Whereas, During Fiscal Year 2015, Illinois Area Agencies on Aging will serve an estimated 515,700 persons 60 and over, accounting for 22% of the 2.3 million seniors in Illinois; the agencies will also develop and coordinate comprehensive systems of home and community-based services to enable older adults with chronic illnesses and disabilities to live in the least restrictive setting and avoid unnecessary hospital readmissions and placements in long term care facilities; and

Whereas, Thirteen Area Agencies on Aging in Illinois collaborate with 179 provider agencies to provide a myriad of home and community-based services for older adults and their caregivers, including information and assistance for older adults to help them make informed decisions about programs, benefits, and services and live independently for as long as possible, transportation programs, in-home services, home-delivered meals, congregate meals, Multi-Purpose Senior Centers, recreation programs, legal assistance, health promotion and disease prevention, and evidence-based health promotion programs; and

Whereas, In recognition of the changing needs of a rapidly aging society, the Older Americans Act of 1965 has been periodically amended and reauthorized; and

Whereas, The Older Americans Act of 1965 served as the foundation for an effective human services policy for millions of Americans as the United States entered the 21st century: Now, therefore, be it

Resolved by the House of Representatives of the Ninety-Ninth General Assembly of the State of Illinois, That we affirm our support for the Older Americans Act of 1965 and the primary goals of the Act of providing services to maintain the dignity of older Illinoisans and promoting the independence of those individuals; and be it further

Resolved, That we urge Congress to reauthorize the Older Americans Act of 1965 without delay and with adequate funding to reflect the growing populations of Americans who benefit from the Act's programs and services; and be it further

Resolved, That suitable copies of this resolution be delivered to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, and the members of the Illinois congressional delegation.

POM-83. A joint resolution adopted by the Legislature of the State of California relative to the Armenian Genocide of 1915-1923, and calling upon the President of the United States and the United States Congress to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide; to the Committee on the Judiciary.

ASSEMBLY JOINT RESOLUTION NO. 2

Whereas, Armenians have resided in Asia Minor and the Caucasus for approximately four millennia, and have a long and rich history in the region, including the establishment of many kingdoms, and despite Armenians' historic presence, stewardship, and autonomy in the region, Turkish rulers of the Ottoman Empire and the Republic of Turkey subjected Armenians to severe and unjust persecution and brutality, including wholesale massacres beginning in the 1890s; and

Whereas, The Armenian nation was subjected to a systematic and premeditated

genocide officially beginning on April 24, 1915, at the hands of the Young Turk Government of the Ottoman Empire from 1915-1919 and continued at the hands of the Kemalist Movement of Turkey from 1920-1923 whereby over 1.5 million Armenian men, women, and children were slaughtered or marched to their deaths in an effort to annihilate the Armenian nation in the first genocide of modern times, while thousands of surviving Armenian women and children were forcibly converted and Islamized, and hundreds of thousands more were subjected to ethnic cleansing during the period of the modern Republic of Turkey from 1924-1937; and

Whereas, During the genocides of the Christians living in the Ottoman Empire and surrounding regions, which occurred during the first one-half of the 20th century, 1.5 million men, women, and children of Armenian descent, and hundreds of thousands of Assyrians, Greeks, and other Christians, lost their lives at the hands of the Ottoman Turkish Empire and the Republic of Turkey, constituting one of the most atrocious violations of human rights in the history of the world; and

Whereas, These crimes against humanity also had the consequence of permanently removing all traces of the Armenians and other targeted people from their historic homelands of more than four millennia, and enriching the perpetrators with the lands and other property of the victims of these crimes, including the usurpation of several thousand churches; and

Whereas, In response to the genocide and at the behest of President Woodrow Wilson and the United States State Department, the Near East Relief organization was founded, and became the first congressionally sanctioned American philanthropic effort created exclusively to provide humanitarian assistance and rescue to the Armenian nation and other Christian minorities from annihilation, who went on to survive and thrive outside of their ancestral homeland all over the world and specifically in this state; and

Whereas, Near East Relief succeeded, with the active participation of the citizens from this state, in delivering \$117 million in assistance, and saving more than one million refugees, including 132,000 orphans, between 1915 and 1930, by delivering food, clothing, and materials for shelter, setting up refugee camps, clinics, hospitals, and orphanages; and

Whereas, The Armenian nation survived the genocide despite the attempt by the Ottoman Empire to exterminate it; and

Whereas, Adolf Hitler, in persuading his army commanders that the merciless persecution and killing of Jews, Poles, and other people would bring no retribution, declared, "Who, after all, speaks today of the annihilation of the Armenians?"; and

Whereas, On November 4, 1918, immediately after the collapse of the Young Turk regime and before the founding of the Republic of Turkey by Mustafa Kemal Atatürk in 1923, the Ottoman Parliament considered a motion on the crimes committed by the Committee of Union and Progress (CUP): "A population of one million people guilty of nothing except belonging to the Armenian nation were massacred and exterminated, including even women and children." The Minister of Interior at the time, Fethi Bey, responded by telling the Parliament: "It is the intention of the government to cure every single injustice done up until now, as far as the means allow, to make possible the return to their homes of those sent into exile, and to compensate for their material loss as far as possible"; and

Whereas, Mustafa Kemal Atatürk made a historic admission in an interview published in the Los Angeles Examiner on August 1, 1926: "These leftovers from the former Young Turk Party, who should have been made accountable for the lives of millions of our Christian subjects who were ruthlessly driven, en masse, from their homes and massacred"; and

Whereas, The Parliamentary Investigative Committee proceeded to collect relevant documents describing the actions of those responsible for the Armenian mass killings and turned them over to the Turkish Military Tribunal. CUP's leading figures were found guilty of massacring Armenians and hanged or given lengthy prison sentences. The Turkish Military Tribunal requested that Germany extradite to Turkey the masterminds of the massacres who had fled the country. After German refusal, they were tried in absentia and sentenced to death; and

Whereas, Unlike other people and governments that have admitted and denounced the abuses and crimes of predecessor regimes, and despite the Turkish government's earlier admissions and the overwhelming proof of genocidal intent, the Republic of Turkey inexplicably and adamantly has denied the occurrence of the crimes against humanity committed by the Ottoman and Young Turk rulers for many years, and continues to do so a full century since the first crimes constituting genocide occurred; and

Whereas, Those denials compound the grief of the few remaining survivors of the atrocities, desecrate the memory of the victims, cause continuing pain to the descendants of the victims, and deprive the surviving Armenian nation, both on individual and collective levels, of their ancestral land, property, culture, heritage, financial assets, and population growth; and

Whereas, The Republic of Turkey has escalated its international campaign of Armenian Genocide denial, maintained its blockade of Armenia, and increased its pressure on the small but growing movement in Turkey acknowledging the Armenian Genocide and seeking justice for this systematic campaign of destruction of millions of Armenians, Greeks, Assyrians, and other Christians upon their biblical-era homelands; and

Whereas, Those citizens of Turkey, both Armenian and non-Armenian, who continue to speak the truth about the Armenian Genocide, such as human rights activist and journalist Hrant Dink, continue to be silenced by violent means; and

Whereas, There is continued concern about the welfare of Christians in the Republic of Turkey, their right to worship and practice freely, and the legal status and condition of thousands of ancient Armenian churches, monasteries, cemeteries, and other historical and cultural structures, sites, and antiquities in the Republic of Turkey; and

Whereas, The United States is on record as having officially recognized the Armenian Genocide in the United States government's May 28, 1951, written statement to the International Court of Justice regarding the Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide, through President Ronald Reagan's April 22, 1981, Proclamation No. 4838, and by congressional legislation including House Joint Resolution 148 adopted on April 9, 1975, and House Joint Resolution 247 adopted on September 12, 1984; and

Whereas, Even prior to the Convention on the Prevention and Punishment of the Crime of Genocide, the United States has a record of having sought to justly and constructively

address the consequences of the Ottoman Empire's intentional destruction of the Armenian people, including through United States Senate Concurrent Resolution 12 adopted on February 9, 1916, United States Senate Resolution 359 adopted on May 11, 1920, and President Woodrow Wilson's November 22, 1920, decision entitled, "The Frontier between Armenia and Turkey," which was issued as a binding arbitral award, yet has not been enforced to this date despite its legally binding status; and

Whereas, President Barack Obama entered office "calling for Turkey's acknowledgment of the Armenian Genocide" and on April 24, 2013, and similarly on April 24, 2014, he further stated, "A full, frank, and just acknowledgment of the facts is in all of our interests. Peoples and nations grow stronger, and build a more just and tolerant future, by acknowledging and reckoning with painful elements of the past"; and

Whereas, California is home to the largest Armenian-American population in the United States, and Armenians living in California have enriched our state through their leadership and contribution in business, agriculture, academia, government, and the arts, many of whom have family members who experienced firsthand the horror and evil of the Armenian Genocide and its ongoing denial; and

Whereas, Every person should be made aware and educated about the Armenian Genocide and other crimes against humanity, and this state has been at the forefront of encouraging and promoting a curriculum relating to human rights and genocide in order to empower future generations to prevent the recurrence of genocide; and

Whereas, April 24, 1915, is globally observed and recognized as the commencement of the Armenian Genocide and April 24, 2015, will mark the centennial anniversary since the commencement of the Armenian Genocide; and

Whereas, Armenians in this state and throughout the world, have not been provided with justice for the crimes perpetrated against the Armenian nation despite the fact that a century has passed since the crimes were first committed; and

Whereas, The Armenian people, in this state and elsewhere, remain resolved and their spirit continues to thrive a century after their near annihilation: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature hereby designates the year of 2015 as "State of California Year of Commemoration of the Centennial Anniversary of the Armenian Genocide of 1915-1923" and in doing so, intends, through the enactment of legislation, that the Armenian Genocide is properly commemorated and taught to its citizens and visitors through statewide educational and cultural events; and be it further

Resolved, That the Legislature hereby designates April 24, 2015, as "State of California Day of Commemoration of the Centennial Anniversary of the Armenian Genocide of 1915-1923"; and be it further

Resolved, That the Legislature commends its conscientious educators who teach about human rights and genocide, and intends for them, through the enactment of legislation, to continue to enhance their efforts to educate students at all levels about the experience of the Armenians and other crimes against humanity; and be it further

Resolved, That the Legislature hereby commends the extraordinary service which was delivered by Near East Relief to the sur-

vivors of the Armenian Genocide and the Assyrian Genocide, including thousands of direct beneficiaries of American philanthropy who are the parents, grandparents, and great-grandparents of many Californian Armenians and Assyrians, and pledges its intent, through the enactment of legislation, to working with community groups, nonprofit organizations, citizens, state personnel, and the community at large to host statewide educational and cultural events; and be it further

Resolved, That the Legislature deplores the persistent, ongoing efforts by any person, in this country or abroad, to deny the historical fact of the Armenian Genocide; and be it further

Resolved, That the Legislature respectfully calls upon the President of the United States and the United States Congress to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide; and be it further

Resolved, That the Legislature calls on the President of the United States to work toward equitable, constructive, stable, and durable Armenian-Turkish relations; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, to the Governor of California, to every member of the California State Legislature, and to the Superintendent of Public Instruction.

POM-84. A resolution adopted by the City Council of New Orleans, Louisiana, recognizing August 6, 2015, as the 50th anniversary of the signing of the Voting Rights Act of 1965; to the Committee on the Judiciary.

POM-85. A resolution adopted by the Michigan Senate encouraging the United States Forest Service to issue the owners of privately-held hunting camps on leased acres within the Ottawa National Forest special use authorization under the Recreation Residence Program; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE RESOLUTION NO. 79

Whereas, Starting in the late 1950s, Michigan residents were offered an opportunity to lease privately-owned land from the Upper Peninsula Power Company (UPPCO) to build recreational hunting camps. In 1991, the UPPCO announced intentions to sell the land currently under lease to an intermediary who would simultaneously sell the land to the United States Forest Service (USFS). Existing leaseholders were offered an option to sign a 25-year, nonrenewable lease on the land that was to be sold or to immediately vacate the property. The leases were signed in March of 1992, and the United States Forest Service (USFS) took control of the land in June 1992. The land currently under private lease accounts for less than 1,100 acres in the Ottawa National Forest; and

Whereas, Hundreds of people have experienced the wonders of Michigan's great outdoors at these hunting camps. The Ottawa National Forest is almost one million acres of rolling hills, lakes, rivers, waterfalls, and abundant wildlife. Those who lease land in the forest have built outdoor recreational traditions with their families. The hunting camps allow them to experience the seclusion and isolated environment of the Ottawa National Forest while engaging in varied

recreational activities, including hunting, fishing, canoeing, and snowshoeing; and

Whereas, The USFS has informed leaseholders that leases will not be renewed at the end of 2016 because it is national policy not to lease national forest land to individuals. The holders of the active leases will have 90 days after the leases expire to remove the hunting cabins and return the land to its natural state; and

Whereas, The expiration of the leases will hurt local economies in Ontonagon and Gogebic Counties. It will result in over \$35,000 in lost lease fee revenue to the townships and almost \$10,000 in tax revenue to the counties. Even a greater loss will be realized by local businesses, including gas stations, grocery stores, hardware stores, and restaurants that benefit from the patronage of the camp families; and

Whereas, The expiration of the leases will eliminate refuge for people from the occasionally harsh and unexpected shifts in weather conditions. The Ottawa National Forest covers a large area in the western Upper Peninsula. Camp owners often leave their cabins or outbuildings unlocked to the relief of individuals stranded in the woods who have sought shelter. A Boy Scout troop once sheltered at the Twin Pines camp after being caught in a storm, and a group of snowmobilers is known to regularly rest at one of the camps; and

Whereas, The USFS Recreation Residence Program provides private citizens an opportunity to own single-family cabins in designated areas of national forests. Currently, 15,570 recreation residences occupy national forest system lands throughout the country; and

Whereas, Although the National Forest Service placed a moratorium on the establishment of new tracts under the Recreation Residence program in 1968, the authority to issue special use authorization under the Recreation Residence program remains in federal regulations (36 CFR Part 251). Therefore, lifting that moratorium for the limited purpose of establishing a Recreation Residence tract in the Ottawa National Forest and issuing special use authorization permits is possible and would allow the many families currently leasing in the Ottawa National Forest an opportunity that is provided to thousands of people elsewhere in the country; and

Whereas, Converting to the Recreation Residence Program would maintain a tax base for local governments, provide continuing support for the local economy, and ensure that hunting and recreational traditions held so dear by Michigan residents continue to be experienced in the Ottawa National Forest: Now, therefore, be it

Resolved by the Senate, That we encourage the United States Forest Service to issue the owners of privately-held camps on leased acres within the Ottawa National Forest special use authorization under the Recreation Residence Program; and be it further

Resolved, That copies of this resolution be transmitted to the Chief of the United States Forest Service and the members of the Michigan congressional delegation.

POM-86. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to regulate airline baggage fees and processes for consumers as it relates to transportation of passenger luggage and passenger delays resulting from lost, damaged, or delayed luggage; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 207

Whereas, deregulation of the airline industry in the United States began more than three decades ago in 1978; and

Whereas, a consequence of deregulation was the elimination of federal control over many airline business practices, including pricing and domestic route selection; and

Whereas, though deregulation limits federal control of airline business practices generally, the federal government continues to legislate and enforce certain consumer protections for airline passengers; and

Whereas, the United States Congress largely determines the degree to which certain rights of airline passengers are codified in law or developed through regulatory rule-making; and

Whereas, since deregulation, the primary means of competition amongst airlines has progressively centered on price, not service; and

Whereas, certain concerns for passengers of airlines include increasing baggage fees and passenger delays resulting from lost, damaged, or delayed passenger luggage; and

Whereas, the airline industry began to charge passengers a checked baggage fee per bag to curtail rising jet fuel costs and to supplement marginal revenue during times of economic decline; and

Whereas, as a result of increasing airline baggage fees charged by airlines for checked luggage, passengers are encouraged to increase the contents of carry-on luggage to avoid the extra cost of baggage fees; and

Whereas, increased carry-on luggage of boarding airline passengers may be correlated to the claims of lost, damaged, or delayed passenger luggage, because passengers are oftentimes asked to check carry-on luggage at the boarding gate, which may require passengers to wait for such luggage after deboarding an aircraft, or luggage and contents may become damaged during the process of fitting carry-on luggage onto boarded aircrafts; and

Whereas, although checked luggage may be lost, damaged, or delayed for a variety of reasons, baggage handling systems, airline negligence, and the act of luggage offloading to accommodate extra fuel have also been discussed as reasons for lost, damaged, or delayed passenger luggage; and

Whereas, the aforementioned concerns of airline passengers are issues of consumer protection for which the United States Congress has the constitutional power to address and determine fair and reasonable solutions through codified law or regulatory rule-making: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to regulate airline baggage fees and processes for consumers as it relates to transportation of passenger luggage and passenger delays resulting from lost, damaged, or delayed luggage; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-87. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to rectify the revenue sharing inequities between coastal and interior energy producing states; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 167

Whereas, since 1920, interior states have been allowed to keep fifty percent of the oil, gas, and coal production revenues generated in their states from mineral production on federal lands within their borders, including royalties, severance taxes, and bonuses; and

Whereas, coastal states with onshore and offshore oil and gas production face inequities under the federal energy policies because those coastal states have not been party to this same level of revenue sharing partnership with the federal government; and

Whereas, coastal energy producing states have a limited partnership with the federal government that provides for them to retain very little revenue generated from their offshore energy production, energy that is produced for use throughout the nation; and

Whereas, in 2006 congress passed the Gulf of Mexico Energy Security Act (GOMESA) that will fully go into effect in 2017; an act that calls for a sharing of thirty-seven and five tenths percent of coastal production revenues with four gulf states with a cap of \$500 million per year; and

Whereas, the Fixing America's Inequities with Revenues (FAIR) Act would have addressed the inequity suffered by coastal oil and gas producing states by accelerating the implementation of GOMESA as well as by gradually lifting all revenue sharing caps but the legislation died with the close of the previous congress; and

Whereas, with the state and its offshore waters taken alone, Louisiana is the ninth largest producer of oil in the United States in 2014 while including offshore oil from federal waters, it was the second largest oil producer in the country; and when taken alone Louisiana was the fourth largest producer of gas in the United States in 2013 while including the Gulf of Mexico waters, it was the second largest producer in the United States; and

Whereas, with nineteen operating refineries in the state, Louisiana was second only to Texas as of January 2014 in both total and operating refinery capacity, accounting for nearly one-fifth of the nation's total refining capacity; and

Whereas, Louisiana's contributions to the United States Strategic Petroleum Reserve with two facilities located in the state consisting of twenty-nine caverns capable of holding nearly three hundred million barrels of crude oil; and

Whereas, with three onshore liquified natural gas facilities, more than any other state in the country, and the Louisiana Offshore Oil Port, the nation's only deepwater oil port, Louisiana plays an essential role in the movement of natural gas from the United States Gulf Coast region to markets throughout the country; and

Whereas, it is apparent that Louisiana plays an essential role in supplying the nation with energy and it is vital to the security of our nation's energy supply, roles that should be recognized and compensated at an appropriate revenue sharing level; and

Whereas, the majority of the oil and gas production from the Gulf of Mexico enters the United States through coastal Louisiana with all of the infrastructure necessary to receive and transport such production, infrastructure that has for many decades damaged the coastal areas of Louisiana, an impact that should be compensated through appropriate revenue sharing with the federal government; and

Whereas, because Louisiana is losing more coastal wetlands than any other state in the

country, in 2006 the people of Louisiana overwhelmingly approved a constitutional amendment dedicating revenues received from Outer Continental Shelf oil and gas activity to the Coastal Protection and Restoration Fund for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetland losses; and

Whereas, the state of Louisiana has developed a science-based "Comprehensive Master Plan for a Sustainable Coast" which identifies and prioritizes the most efficient and effective projects in order to meet the state's critical coastal protection and restoration needs; and

Whereas, the Coastal Protection and Restoration Authority is making great progress implementing the projects in the "Comprehensive Master Plan for a Sustainable Coast" with all available funding, projects that are essential to the protection of the infrastructure that is critical to the energy needs of the United States; and

Whereas, in order to properly compensate the coastal states for the infrastructure demands that result from production of energy and fuels that heat and cool the nation's homes, offices, and businesses and fuel the nation's transportation needs, revenue sharing for coastal states needs to be at the same rate as interior states that produce oil, gas, and coal: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to treat mineral and gas production in the Gulf Coastal states in a manner that is at least equal to onshore oil, gas, and coal production in interior states for revenue purposes; and to rectify the revenue sharing inequities between coastal and interior energy producing states in order to address the nationally significant crisis of wetland loss in the state of Louisiana; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-88. A concurrent resolution adopted by the Legislature of the State of Missouri calling on the President of the United States to support the increased importation of oil from Canadian oil sands and to approve the newly routed TransCanada Keystone XL pipeline to reduce our oil dependency on unstable governments, and to support and facilitate permitting for oil production off the northern coast of Alaska to decrease our dependence on foreign oil and spur investment in the American economy; to the Committee on Energy and Natural Resources

HOUSE CONCURRENT RESOLUTION NO. 15

Whereas, high oil prices are having a major detrimental impact on families, farms, and businesses in Missouri and are likely to undercut the prospects for an economic recovery; and

Whereas, the United States currently imports almost half of its oil and petroleum products, making it dependent on foreign sources and subject to interruptions and price fluctuations stemming from geopolitical forces; and

Whereas, such instability has damaging consequences both for our economy and our national security; and

Whereas, the United States Geological Survey estimates a resource of up to 27 billion barrels of oil in the Chukchi and Beaufort

seas of Alaska, providing a vast domestic oil reserve, but opposition and regulatory hurdles are keeping energy producers from accessing these resources; and

Whereas, the TransCanada Keystone XL pipeline project seeks to link expanded oil production from the Canadian oil sands to refineries in the United States and to facilitate the flow of oil from the Dakotas to the Gulf Coast, thereby decreasing our dependence on oil from outside of North America; and

Whereas, Canada is a close friend and ally, with whom we share links of infrastructure and energy networks and other ties, so that dollars spent on Canadian oil will likely contribute to the success of the American economy; and

Whereas, the TransCanada pipeline project is projected to create construction and manufacturing jobs in the United States, adding billions of dollars to the United States economy; Now, therefore, be it

Resolved, That the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby call upon President Barack Obama and administration officials to:

(1) Support the increased importation of oil from Canadian oil sands and to approve the newly routed TransCanada Keystone XL pipeline to reduce our oil dependency on unstable governments, strengthen ties with an important ally, and create jobs for American workers;

(2) Support and facilitate permitting for oil production off the northern coast of Alaska to decrease our dependence on foreign oil and spur investment in the American economy; and be it further

Resolved, That the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, Vice President Joe Biden, Secretary of State John Kerry, United States House of Representatives Speaker John Boehner, and each member of the Missouri Congressional delegation.

POM-89. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to reestablish a right-of-way through the Lake Ophelia National Wildlife Refuge in order to provide access to property owned by the Avoyelles Parish School Board; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION No. 228

Whereas, Lake Ophelia National Wildlife Refuge, located in Avoyelles Parish and named for its most prominent water body, the 350-acre Lake Ophelia that was at one time a channel of the nearby Red River, was established in 1988 to protect the Mississippi and Red River floodplain ecosystem; and

Whereas, due to its location in east-central Louisiana, this area is prime waterfowl hunting territory influenced by both the Mississippi and Central Flyways which are the highways in the sky for bringing millions of duck and geese each spring and fall to the area; and

Whereas, another species found in the Avoyelles Parish area is the Louisiana black bear which was listed as threatened within its historic range of southern Mississippi, Louisiana, and east Texas under the Endangered Species Act on January 7, 1992, due to extensive habitat loss and modification, as well as human-related mortality; and

Whereas, Louisiana currently supports three core bear populations; the Tensas

River Basin population in the north, the upper Atchafalaya River Basin population in central Louisiana, and the coastal population in the southern Atchafalaya River Basin; and

Whereas, the Black bear management efforts in Louisiana by both the state and the federal agencies have had a great deal of success with a likely result that the central Louisiana and northern Louisiana populations expanding towards each other through the area set aside for the Lake Ophelia National Wildlife Refuge; and

Whereas, because of the likelihood that the two populations will merge in the area, the Department of the Interior has designated a certain parcel of land in the Lake Ophelia National Wildlife Refuge as a Black bear habitat which in turn has prevented ingress and egress to a six hundred forty acre tract owned by the Avoyelles Parish School Board; and

Whereas, through the years, this sixteenth-section land owned by the Avoyelles Parish School Board has been available for public hunting, camping, and other recreational activities, activities from which there has been great economic benefit to Avoyelles Parish; and

Whereas, without these outdoor activities, businesses in Avoyelles Parish that rely on recreational activities in the area including hunting, fishing, and camping for their income have been and will continue to be negatively impacted by the loss of access to the acreage owned by the Avoyelles Parish School Board; and

Whereas, simply having the Department of the Interior allow a limited right-of-way access to the school board owned land will solve the problem; Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to reestablish a right-of-way through the Lake Ophelia National Wildlife Refuge in order to provide access to property owned by the Avoyelles Parish School Board; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-90. A resolution adopted by the Michigan Senate urging the United States Congress to restore Great Lakes Restoration Initiative funding to 300 million dollars for fiscal year 2016; to the Committee on Environment and Public Works.

SENATE RESOLUTION No. 42

Whereas, the Great Lakes are a critical resource for our nation, supporting the economy and a way of life in Michigan and the other seven states with the Great Lakes region. The Great Lakes hold 20 percent of the world's surface freshwater and 95 percent of the United States' surface freshwater. This globally significant freshwater resource provides drinking water for more than 30 million people and is an economic driver that supports jobs, commerce, agriculture, transportation, and tourism throughout the region; and

Whereas, The Great Lakes Restoration Initiative (GLRI) provides essential funding to restore and protect the Great Lakes. This funding has support long overdue efforts to clean up toxic pollution, reduce runoff from cities and farms, combat invasive species like the Asian carp, and restore fish and wildlife habitat. Since 2010, the federal gov-

ernment has invested nearly \$2 billion in more than 2,000 projects through the GLRI. Over its first five years, the GLRI has provided more than \$280 million for 580 projects in Michigan alone; and

Whereas, GLRI projects are making a significant difference. They have restored more than 115,000 acres of fish and wildlife habitat; opened up fish access to more than 3,400 miles of rivers; helped implement conservation programs on more than 1 million acres of farmland; and accelerated the cleanup of toxic hotspots. In Michigan, GLRI funding has been instrumental in removing contaminated sediments from Muskegon Lake, the River Raisin, and the St. Mary's River, restoring habitat along the St. Clair River, Cass River, Boardman River, and the Keweenaw Peninsula; and developing improved methods for sea lamprey control; and

Whereas, While this is a significant investment, there is still more work to be done with numerous ready-to-go projects that need funding. Toxic algal blooms, beach closings, fish consumption advisories, and the presence of contaminated sediments continue to limit the recreational and commercial use of the Great Lakes. The 2014 shutdown of the city of Toledo's drinking water system due to a toxic algal bloom, forcing more than a half million people to find another source of drinking water, is just one example of how much still needs to be done; and

Whereas, Proposed cuts to GLRI funding would jeopardize the momentum from a decade of unprecedented regional and bipartisan cooperation. The FY 2016 executive budget recommends a \$50 million cut in federal funding to \$250 million. This cut would be a shortsighted, cost-saving measure with long-term implications. Restoration efforts will only become more expensive and more difficult if they are not addressed in the coming years; Now, therefore, be it

Resolved by the Senate, That we urge the Congress of the United States to restore Great Lakes Restoration Initiative funding to \$300 million for fiscal year 2016; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-91. A resolution adopted by the Michigan Senate opposing the United States Environmental Protection Agency's efforts to study or commission a study that could lead to regulations on grills and barbecues; to the Committee on Environment and Public Works.

SENATE RESOLUTION No. 56

Whereas, Barbecues are an American tradition enjoyed by families from all walks of life across the country. Whether tailgating for a football game, hosting a backyard get-together, or just grilling a summer meal, barbecues are a quintessentially American experience and an opportunity to eat and socialize with family and friends; and

Whereas, Cooking outdoors on a grill during the summer saves electricity. Using a grill prevents the release of heat into the kitchen and other living spaces. While cooking indoors heats up a kitchen, forcing cooling systems, such as the refrigerator and air conditioner, to work harder and use more energy; and

Whereas, The United States Environmental Protection Agency (EPA), our nation's environmental regulatory agency, has

funded a University of California-Riverside student project to develop preventative technology to reduce emissions from residential barbecues. By funding this project, the EPA is apparently intent on finding a solution to a problem that does not exist and demonstrating an unnecessary interest and concern over the impact of backyard barbecues on public health; and

Whereas, Based on the EPA's past practices, today's study, no matter how small, is a concern to Michiganders and Americans, as it is inevitably the first step towards tomorrow's regulation of this American pastime. To fulfill its mission to protect human health and the environment, the EPA's primary tool has been, and continues to be, regulatory mandates that I time and again ignore the financial, economic, and social burdens to the state and the country. The regulation of barbecues would be the latest, egregious example of overreach by the EPA; and

Whereas, Funding such a study is a poor use of taxpayer dollars. In the face of record national debts, annual budget deficits, and other profound problems the country is facing, surely the federal government can better use our resources than on a study of grills and backyard barbecues. Now, therefore, be it

Resolved by the Senate, That we oppose the United States Environmental Protection Agency's efforts to study or commission a study that, if consistent with the agency's past practices, many fear will serve as the first step towards the regulation of grills and barbecues; and be it further

Resolved, That copies of this resolution be transmitted to Administrator of the United States Environmental Protection Agency and the members of the Michigan congressional delegation.

POM-92. A resolution adopted by the Senate of the Commonwealth of Massachusetts promoting a multilateral approach to the potential crisis in the Dominican Republic; to the Committee on Foreign Relations.

RESOLUTIONS

Whereas, Massachusetts, the first cradle of liberty, has a long history of diverse activism and advocacy regarding the issue of equality and civil rights; and

Whereas, The connection between Massachusetts and Haiti dates back to the civil war during which time U.S. Senator Charles Sumner, who served Massachusetts from 1852 to 1874, fought for the passage of federal legislation in 1862 which enabled the United States of America to recognize Haiti as a sovereign nation; and

Whereas, In 1871, in recognition of his diplomatic work on this issue, president of Haiti Nissage Saget presented Senator Sumner with a gold medal on behalf of the Haitian people, which currently resides in the Massachusetts state house in Boston; and

Whereas, Despite their shared history and geographical proximity, Haiti and the Dominican Republic have often faced challenging diplomatic relations; and

Whereas, In September 2013, the constitutional court of the Dominican Republic issued a ruling that would denaturalize people born in the Dominican Republic after 1929 whose parents were noncitizens, the majority of whom are Dominicans of Haitian descent; and

Whereas, The constitutional court's ruling effectively stripped these persons of their identity and affiliation with the Dominican Republic, rendering them stateless and subjecting them to the risk of deportation from the country of their birth; and

Whereas, In May 2014, the Dominican Republic passed special law 169-14, which required persons affected by the 2013 constitutional court's decision to be re-recognized as citizens or apply to gain state recognition based on their birth status and year; and

Whereas, The deadlines set forth in the 2014 naturalization law allowed for only a fraction of this population to be re-recognized thereby rendering tens of thousands of Dominicans of Haitian descent vulnerable to deportation, discrimination and loss of livelihood; and

Whereas, Later that same year, in response to a ruling by the inter-American court of human rights deeming the 2013 and 2014 actions of the Dominican Republic to be in violation of the American convention to which the Dominican Republic is party, the Dominican Republic's constitutional court declared the country would no longer recognize the authority of the inter-American court; and

Whereas, Both the rulings of the constitutional court and special law 169-14 have further separated Dominicans of Haitian descent from the larger Dominican community; and

Whereas, The majority of Dominicans of Haitian descent, threatened by deportation, have no family or support networks in Haiti nor are they fluent in French or Haitian creole; and

Whereas, Article 15 of the universal declaration of human rights, of which the Dominican Republic and the United States of America are signatories, states that, "no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality"; and

Whereas, Recognizing the impact that this crisis will have on all nations in the western hemisphere, the Caribbean community and Common Market Secretariat (Caricom) has called for a moratorium on this law; and

Whereas, At the urging of other concerned nations, the organization of American states sent a special mission to the Dominican Republic and Haiti in order to investigate the situation between the two countries to prepare a report for the secretary general of the organization of American states; and

Whereas, A broad coalition of humanitarian, academic, legal, political and civil rights groups from across Massachusetts, including but not limited to: the Irish International Immigrant Center, Haitian Americans United, Inc., Urban League of Eastern Massachusetts, Catholic Charities' Haitian Multi-service Center of Boston, as well as the Institute for Justice and Democracy in Haiti call for immediate action by the Dominican government to reverse the effects of the constitutional court rulings and special law 169-14: Now, therefore, be it

Resolved, That the Massachusetts general court requests the U.S. State department and the U.S. Secretary of State to pursue a multilateral approach to promptly address the potential crisis in the Dominican Republic that could render tens of thousands of dominicans of haitian descent stateless; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the clerk of the Senate to the President of the United States of America, the Senate and the House of Representatives of the United States Congress, Secretary of State John Kerry and United States Ambassador to the Dominican Republic James Brewster.

POM-93. A resolution adopted by the Senate of the Commonwealth of Massachusetts supporting the friendship between Massachu-

setts and Taiwan in the international community; to the Committee on Foreign Relations.

RESOLUTIONS

Whereas, The United States and Taiwan share an important relationship supported by common values of freedom, democracy, rule of law and a free market economy; and Whereas, President Ma Ying-Jeou has worked to uphold democratic principles in Taiwan, ensure the prosperity of Taiwan's more than 23 million people, promote Taiwan's international standing and to strengthen relations between the United States and Taiwan; and

Whereas, The Commonwealth has enjoyed a close friendship with Taiwan, marked by strong bilateral trade, educational and cultural exchange, scientific and technological development and tourism; and

Whereas, New England exported more than \$1 billion in goods to Taiwan of which the Commonwealth exported \$825 million in commodities, mostly in machinery, computer and electronic products and chemicals; and

Whereas, the United States has maintained and developed its robust commercial ties with Taiwan and Taiwan is the tenth largest trading partner of the United States while the United States is Taiwan's largest foreign investor, Taiwan has worked to enter a bilateral investment agreement to further enhance its trade and investment relations with the United States; and

Whereas, Taiwan has been a member of the United States visa waiver program since November 1, 2012, reflecting the cooperation between the United States and Taiwan and making travel for business and tourism more convenient; and

Whereas, Taiwan has made significant contributions toward peace in the region through discussions regarding the use of resources in the surrounding seas and has worked diligently to propose East and South China Sea Peace Initiatives; and

Whereas, Taiwan is a key transport hub in the Asia-Pacific region and has jurisdiction over the 176,000 square nautical miles of the Taipei flight information region and has attended the International Civil Aviation Organization, ICAO, assembly as a special guest since 2013; and

Whereas, Taiwan is committed to ICAO standards and seeks to expand its meaningful participation in the ICAO, including attending technical and regional meetings and related activities; and

Whereas, Taiwan strives to be included in the work of the United Nations framework convention on climate change and has expressed a keen interest in the global effort to address climate change: Now, therefore, be it

Resolved, That the Massachusetts General Court hereby reaffirms the friendship between the Commonwealth and Taiwan; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the clerk of the Senate to the President of the United States, to the presiding officer of each branch of Congress and the members thereof from the Commonwealth, to the Honorable Charles D. Baker, Governor of the Commonwealth, to the Honorable Ma Ying-Jeou, President of Taiwan and Scott Lai, Director-General of the Taipei Economic and Cultural Office in the City of Boston.

POM-94. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to work to adopt policies that will help with the stability and the viability of the domestic

shrimp industry, including support for the Imported Seafood Safety Standards Act; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 225

Whereas, consumption of seafood is one of the fastest growing areas of our nation's food supply with shrimp being one of the most consumed seafood products in the United States; and

Whereas, over three-fourths of the seafood consumed in the United States is imported from other countries around the world with shrimp as the leading fresh or frozen product imported into the United States accounting for about twenty-eight percent of all seafood imports by weight; and

Whereas, most of the shrimp consumed in the United States is grown in man-made ponds along the coasts of Thailand, Vietnam, Ecuador, and other tropical countries rather than being harvested from the waters of the Gulf of Mexico; and

Whereas, the countries that produce most of the shrimp consumed worldwide support their shrimp hatcheries with large state subsidies to keep the price of their shrimp lower than the prices that our domestic Gulf of Mexico shrimpers need to charge in order to just break even; and

Whereas, the Tariff Act of 1930, a law originally introduced to protect farmers from imports, allows United States industries to "petition the government for relief from imports that benefit from subsidies provided through foreign government programs"; and

Whereas, the United States Department of Commerce launched an investigation in 2013 to determine whether there was sufficient evidence to support the claim that the seven largest shrimp-producing countries were subsidizing their shrimp industries, an investigation that will run concurrently with the International Trade Commission's (ITC) examination of whether the subsidies are causing significant injury to United States producers with both investigations needing to call for countervailing duties before any penalties could be applied; and

Whereas, in September 2013, the ITC voted to throw out the shrimp countervailing duty case based on the fact that injury to the domestic industry was not proven, thus removing the possibility of a countervailing duty and terminating the shrimp subsidy investigation against Ecuador, China, India, Malaysia, and Vietnam; and

Whereas, the ITC's decision has had a devastating impact on the domestic shrimp industry, including the shrimpers trawling the Gulf of Mexico and landing their shrimp at Louisiana docks; and

Whereas, without relief from the unfair foreign competition undercutting the domestic shrimp prices, the prices that shrimpers are getting at the dock have dropped over fifty percent from last year making it almost impossible for shrimpers to earn enough money to provide for their families; and

Whereas, the Imported Seafood Safety Standards Act introduced in the United States Senate by Louisiana Senator David Vitter is being supported by the American Shrimp Processors Association and it specifically targets foreign food imported into the United States with hopes of tightening testing standards, increasing inspection standards on foreign imported seafood, requiring placement of United States safety standards for foreign exporters, and increasing severe penalties for exporters who fail food safety inspections, ultimately benefiting the American shrimp industry: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to work to adopt policies that will help with the stability and the viability of the domestic shrimp industry including support for the Imported Seafood Safety Standards Act; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-95. A resolution adopted by the Senate of the State of Michigan urging the United States Congress to enact legislation that requires uniform and science-based food labeling nationwide; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 59

Whereas, In the absence of a federal genetically modified organism (GMO) labeling standard, some states and localities have developed a patchwork of labeling proposals that can be confusing and misleading to consumers. Multiple local regulations increase agriculture and food production costs, requiring food companies operating in Michigan to create separate supply chains to be developed for each state; and

Whereas, GMOs are found in 70 to 80 percent of the foods we eat and play a vital role in maintaining Michigan's agriculture, food processing, and other industries. In 2014, 100 percent of all sugar beets, 93 percent of all corn, and 91 percent of all soybeans grown in Michigan were genetically modified; and

Whereas, A maze of regulations would cripple interstate commerce throughout the food supply and distribution chain and ultimately increase grocery prices for consumers by hundreds of dollars each year. A Cornell University study found that a patchwork of state labeling laws would increase food costs for a family by an average of \$500 per year; and

Whereas, On July 23, 2015, the U.S. House of Representatives passed bipartisan legislation—the Safe and Accurate Food Labeling Act (H.R. 1599)—to avoid this patchwork of regulations and the costly challenges it creates; and

Whereas, Senate passage of the Safe and Accurate Food Labeling Act will allow consumers to have access to accurate and consistent information on products that contain GMOs by ensuring that labeling is national, uniform, and science-based. The bill also establishes a United States Department of Agriculture (USDA)-administered certification and labeling program, modeled after the USDA National Organic Program for non-GMO, organic foods: Now, therefore, be it

Resolved by the Senate, That we urge the United States Congress to enact legislation that requires uniform and science-based food labeling nationwide; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-96. A joint resolution adopted by the Legislature of the State of California commemorating the 43rd anniversary of Title IX, and commending the national movement toward increased equality and fair treatment of all students; to the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY JOINT RESOLUTION NO. 23

Whereas, Title IX of the Education Amendments of 1972 is a federal law that speci-

cally states that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance; and

Whereas, All public and private elementary schools and secondary schools, school districts, colleges, and universities receiving any federal funding must comply with Title IX; and

Whereas, Title IX requires equal access in recruitment, admissions, counseling, financial assistance, discipline, employment, and athletics; protection from sex-based harassment; and equitable treatment of pregnant and parenting students; and

Whereas, Prior to the enactment of Title IX, many women and girls faced discrimination and limited opportunities in athletics, academics, and extracurricular activities; and

Whereas, Discrimination on the basis of sex can include sexual harassment or sexual violence, including rape, sexual assault, sexual battery, and sexual coercion; and

Whereas, Title IX has been used as a basis in a number of complaints alleging sexual violence on college campuses, as sexual violence interferes with a student's right to receive education free from discrimination; and

Whereas, Of the 109 colleges and universities under investigation by the United States Department of Education for their handling of sexual violence cases, 11 are located in California; and

Whereas, Title IX, which governs educational equity generally, is widely known for ensuring equal access to women and girl athletes; and

Whereas, The members of the United States Women's National Soccer Team, which is ranked #2 in the world and continues to make our nation proud, all played collegiate level soccer; and

Whereas, Title IX regulations require that pregnant and parenting students have equal access to schools and activities, and that all separate programs for pregnant or parenting students be completely voluntary; and

Whereas, Title IX has been the basis for California laws that protect graduate students from discrimination on the basis of pregnancy in research projects in California universities, laws requiring affirmative consent, and current legislation requiring lactation accommodations in California schools; and

Whereas, The educational equity guaranteed in Title IX does not solely apply to women. It protects everyone from sex-based discrimination, regardless of real or perceived sex, gender identity, or gender expression; and

Whereas, Although Title IX has increased opportunities for girls and women in academics, sports, and other educational activities, it has not yet achieved the goal of full equality: Now therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges Californians to continue to work together to achieve the goals set by Title IX of increased opportunities for girls and women in academics, sports, and other educational activities; and be it further

Resolved, That the Legislature of the State of California, on June 23, 2015, commemorates the 43rd anniversary of Title IX, and commends the national movement toward increased equality and fair treatment of all students; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to

the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-97. A joint resolution adopted by the Legislature of the State of California urging the President of the United States and the United States Congress to craft a balanced and workable approach to reduce incentives for and minimize unnecessary patent litigation while ensuring that legitimate patent enforcement rights are protected and maintained; to the Committee on the Judiciary.

ASSEMBLY JOINT RESOLUTION NO. 9

Whereas, The principle of intellectual property is enshrined in the United States Constitution, specifically under clause 8 of Section 8 of Article I of the United States Constitution, which empowers Congress to "promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries"; and

Whereas, A robust patent system is critical to promote economic growth and innovation and ensure just compensation for the labor and proliferation of beneficial ideas and innovations; and

Whereas, California accounts for 25 percent of the nation's patents; and

Whereas, The state recognizes and respects the importance of patent protections and patent enforcement rights to driving continued research, investment, technological innovation, and job creation across multiple sectors of our economy; and

Whereas, Small businesses depend on patents to secure investments, and firms with fewer than 25 employees hold nearly one-quarter of United States-held patents in innovative emerging technologies; and

Whereas, Enforcement of legitimate patent rights is essential to promoting an innovation environment that fuels economic growth; and

Whereas, There is increasing concern about litigation by predatory Patent Assertion Entities (PAEs), which are built on a rent-seeking business model that exploits the patent legal system for financial gain without producing or manufacturing anything of value for society; and

Whereas, Many PAEs attain ambiguous patents with the sole intent of filing patent infringement lawsuits. PAEs assert these patents against businesses of all sizes and in all industries, often years after the product has become standard and widely used; and

Whereas, PAEs rarely earn successful judgments in court, underscoring the questionable merits of these particular patent cases. However, given the high cost and risks associated with patent litigation, most defendants choose to settle in order to avoid further financial loss. Indeed, many PAEs will offer royalty settlements below market value in order to encourage settlement and avoid trial; and

Whereas, Predatory PAEs have a detrimental impact on the economy and innovation. PAE activities cost businesses \$29 billion directly, mostly borne by small- and medium-sized businesses; and

Whereas, The growth of patent litigation is directly tied to aggressive PAEs in recent years. In 2010, PAEs were responsible for 29 percent of patent litigation, and by 2012 PAEs represented 62 percent of all patent suits; and

Whereas, The California economy is especially vulnerable to lawsuits directed at information technology patents; and

Whereas, Federal legislation is necessary to prevent and deter abusive patent litigation; Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges the President and the Congress of the United States to craft a balanced and workable approach to reduce incentives for and minimize unnecessary patent litigation while ensuring that legitimate patent enforcement rights are protected and maintained; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker and Minority Leader of the House of Representatives, the Majority Leader and Minority Leader of the Senate, and each member of the California delegation to the United States Congress.

POM-98. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to further amend the GI Bill of Rights to make benefits available to veterans for use as startup capital in the establishment of first businesses; to the Committee on Veterans' Affairs.

ASSEMBLY JOINT RESOLUTION NO. 7

Whereas, Men and women of the State of California volunteer to serve in the Armed Forces of the United States in greater numbers than those from any other state; and

Whereas, California is currently home to more than 1,800,000 veterans of our Armed Forces; and

Whereas, California veterans have been grateful recipients of the financial support of their fellow Americans through the Veterans Administration and the GI Bill; and

Whereas, The Congress of the United States passed, and President Franklin D. Roosevelt signed, the GI Bill of Rights in 1944 to support our veterans of World War II in their transition back to civilian life; and

Whereas, The Congress of the United States in 2008 added significant new benefits for those who enlisted to serve the nation in the wake of the attacks on the United States on September 11, 2001; and

Whereas, Up to 10 percent of veterans choose to start, run, and own their own businesses; and

Whereas, Over 30 percent of veterans of Operation Iraqi Freedom, Operation Enduring Freedom, and other fronts on the war against terrorism are receiving disability ratings from the federal Veterans Administration; and

Whereas, More than five million Americans, including over one-half million Californians, served in those conflicts; and

Whereas, The State of California is the recognized national leader in the establishment and success of veteran business owner procurement support programs, and

Whereas, Veteran businesses make a significant contribution to the state's economy and serve as a source of employment for fellow veterans; and

Whereas, Finding enough capital to successfully launch a new business or buy an existing business is the largest challenge that new business owners face: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature requests that the Congress of the United States of America further amend the GI Bill of Rights to make benefits available, with all appropriate safeguards, to all veterans for use as startup capital in the establishment of first businesses; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to

the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 1868. A bill to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program (Rept. No. 114-157).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS (for herself and Mr. DURBIN):

S. 2194. A bill to promote the use of clean cookstoves and fuels to save lives, improve livelihoods, empower women, and protect the environment by creating a thriving global market for clean and efficient household cooking solutions; to the Committee on Foreign Relations.

By Mr. PAUL:

S. 2195. A bill to prohibit the indefinite detention of persons by the United States and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. PORTMAN, Mr. SCHUMER, and Mr. COCHRAN):

S. 2196. A bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories; to the Committee on Finance.

By Mr. CRAPO (for himself, Mr. BENNET, and Mr. ISAKSON):

S. 2197. A bill to amend title XVIII of the Social Security Act to improve the risk adjustment under the Medicare Advantage program, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Ms. WARREN, Mr. SCHATZ, Mr. DURBIN, Mr. KAINE, and Mr. MURPHY):

S. 2198. A bill to establish a grant program to encourage States to adopt certain policies and procedures relating to the transfer and possession of firearms; to the Committee on the Judiciary.

By Mr. ENZI (for himself, Ms. AYOTTE, Mr. CRAPO, and Mr. DAINES):

S. 2199. A bill to require agencies to conform to concurrent resolutions when promulgating rules; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FISCHER:

S. 2200. A bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements; read the first time.

By Mr. CORKER (for himself and Mr. CARDIN):

S. 2201. A bill to promote international trade, and for other purposes; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself, Mr. ROBERTS, Mr. SCHUMER, and Mr. TESTER):

S. 2202. A bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mrs. GILLIBRAND, Mr. SCHUMER, Mr. BLUMENTHAL, Mr. BOOKER, Mr. HEINRICH, Mr. SANDERS, and Ms. WARREN):

S. 2203. A bill to amend the Internal Revenue Code of 1986 to make residents of Puerto Rico eligible for the earned income tax credit and to provide equitable treatment for residents of Puerto Rico with respect to the refundable portion of the child tax credit; to the Committee on Finance.

By Mrs. BOXER:

S. 2204. A bill to respect the Constitutional entitlement to liberty by recognizing the right of an individual to have personal control over the medical assistance and treatment necessary to alleviate intolerable physical suffering; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. FRANKEN):

S. 2205. A bill to establish a grant program to assist tribal governments in establishing tribal healing to wellness courts, and for other purposes; to the Committee on Indian Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. MURRAY (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mrs. BOXER, Ms. CANTWELL, Mr. CASEY, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. MARKEY, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Ms. STABENOW, Mr. UDALL, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Mrs. FEINSTEIN, and Ms. KLOBUCHAR):

S. Res. 292. A resolution expressing the sense of the Senate that the availability of high-quality childcare for working parents should be increased; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself, Mr. LEAHY, Ms. AYOTTE, and Ms. KLOBUCHAR):

S. Res. 293. A resolution supporting the goals and ideals of National Domestic Violence Awareness Month, commending domestic violence victim advocates, domestic violence victim service providers, crisis hotline staff, and first responders serving victims of domestic violence for their compassionate support of victims of domestic violence, and expressing the sense of the Senate that Congress should continue to support efforts to end domestic violence and hold perpetrators of domestic violence accountable; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself, Mr. TESTER, Mr. ROBERTS, Ms. HEITKAMP, and Mr. PETERS):

S. Res. 294. A resolution designating October 26, 2015, as Day of the Deployed; considered and agreed to.

By Mrs. SHAHEEN (for herself, Mr. VITTER, Mr. COONS, Mr. GARDNER, Mr. MARKEY, Mr. RUBIO, Ms. HIRONO, Ms. AYOTTE, Mr. PETERS, Mr. RISCH, Mrs. FISCHER, and Mr. BLUMENTHAL):

S. Res. 295. A resolution designating the week of November 2 through November 6,

2015 as "National Veterans Small Business Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 441

At the request of Mr. NELSON, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 441, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 553

At the request of Mr. CORKER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 564

At the request of Mr. MORAN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 564, a bill to amend title 38, United States Code, to include licensed hearing aid specialists as eligible for appointment in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 579

At the request of Mr. GRASSLEY, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 579, a bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes.

S. 746

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 804

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 864

At the request of Mrs. BOXER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 864, a bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes.

S. 946

At the request of Mr. KIRK, the name of the Senator from Maryland (Mr.

CARDIN) was added as a cosponsor of S. 946, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another.

S. 1122

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1122, a bill to provide that chapter 1 of title 9 of the United States Code, relating to the enforcement of arbitration agreements, shall not apply to enrollment agreements made between students and certain institutions of higher education, and to prohibit limitations on the ability of students to pursue claims against certain institutions of higher education.

S. 1195

At the request of Mr. WYDEN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1195, a bill to amend the Higher Education Act of 1965 to update reporting requirements for institutions of higher education and provide for more accurate and complete data on student retention, graduation, and earnings outcomes at all levels of post-secondary enrollment.

S. 1539

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1539, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 1562

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1565

At the request of Mr. REED, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1565, a bill to allow the Bureau of Consumer Financial Protection to provide greater protection to service-members.

S. 1617

At the request of Mrs. SHAHEEN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1617, a bill to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

S. 1757

At the request of Mr. PORTMAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1757, a bill to amend title XVIII of the Social Security Act to promote health care technology innovation and access

to medical devices and services for which patients choose to self-pay under the Medicare program, and for other purposes.

S. 1775

At the request of Mr. MURPHY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1775, a bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes.

S. 1961

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1961, a bill to amend titles XVIII and XIX of the Social Security Act to make improvements to the treatment of the United States territories under the Medicare and Medicaid programs, and for other purposes.

S. 2015

At the request of Mr. ALEXANDER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2015, a bill to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act.

S. 2066

At the request of Mr. SASSE, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2066, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 2067

At the request of Mr. WICKER, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2075

At the request of Mr. BROWN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2075, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage and to express the sense of the Senate that the resulting revenue loss should be offset.

S. 2103

At the request of Mr. DONNELLY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2103, a bill to modify a provision

relating to adjustments of certain State apportionments for Federal highway programs, and for other purposes.

S. 2119

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2119, a bill to provide for greater congressional oversight of Iran's nuclear program, and for other purposes.

S. 2123

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2127

At the request of Mr. JOHNSON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2127, a bill to provide appropriate protections to probationary Federal employees, to provide the Special Counsel with adequate access to information, to provide greater awareness of Federal whistleblower protections, and for other purposes.

S. 2152

At the request of Mr. CORKER, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. DURBIN), the Senator from Colorado (Mr. GARDNER), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Maine (Ms. COLLINS) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 2152, a bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

S. 2193

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2193, a bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally re-enter the United States after being removed and for other purposes.

S. RES. 275

At the request of Mr. CASSIDY, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. Res. 275, a resolution calling on Congress, schools, and State and local educational agencies to recognize the significant educational implications of dyslexia that must be addressed and designating October 2015 as "National Dyslexia Awareness Month".

S. RES. 283

At the request of Mr. SCHATZ, his name was added as a cosponsor of S. Res. 283, a resolution designating October 2015 as "Filipino American History Month".

S. RES. 287

At the request of Mr. MCCONNELL, his name and the names of the Senator from Nevada (Mr. REID), the Senator from Tennessee (Mr. ALEXANDER), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Wyoming (Mr. BARRASSO), the Senator from Colorado (Mr. BENNET), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Missouri (Mr. BLUNT), the Senator from New Jersey (Mr. BOOKER), the Senator from Arkansas (Mr. BOOZMAN), the Senator from California (Mrs. BOXER), the Senator from Ohio (Mr. BROWN), the Senator from North Carolina (Mr. BURR), the Senator from Washington (Ms. CANTWELL), the Senator from West Virginia (Mrs. CAPITO), the Senator from Maryland (Mr. CARDIN), the Senator from Delaware (Mr. CARPER), the Senator from Pennsylvania (Mr. CASEY), the Senator from Louisiana (Mr. CASSIDY), the Senator from Indiana (Mr. COATS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Maine (Ms. COLLINS), the Senator from Delaware (Mr. COONS), the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CORNYN), the Senator from Arkansas (Mr. COTTON), the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CRUZ), the Senator from Montana (Mr. DAINES), the Senator from Indiana (Mr. DONNELLY), the Senator from Illinois (Mr. DURBIN), the Senator from Wyoming (Mr. ENZI), the Senator from Iowa (Mrs. ERNST), the Senator from California (Mrs. FEINSTEIN), the Senator from Nebraska (Mrs. FISCHER), the Senator from Arizona (Mr. FLAKE), the Senator from Minnesota (Mr. FRANKEN), the Senator from Colorado (Mr. GARDNER), the Senator from New York (Mrs. GILLIBRAND), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Utah (Mr. HATCH), the Senator from New Mexico (Mr. HEINRICH), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Nevada (Mr. HELLER), the Senator from Hawaii (Ms. HIRONO), the Senator from North Dakota (Mr. HOEVEN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mr. ISAKSON), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Virginia (Mr. KAINE), the Senator from Maine (Mr. KING), the Senator from Illinois (Mr. KIRK), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Vermont (Mr. LEAHY), the Senator from Utah (Mr. LEE), the Senator from West Virginia (Mr. MANCHIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Arizona (Mr.

MCCAIN), the Senator from Missouri (Mrs. McCASKILL), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maryland (Ms. MIKULSKI), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Connecticut (Mr. MURPHY), the Senator from Washington (Mrs. MURRAY), the Senator from Florida (Mr. NELSON), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Michigan (Mr. PETERS), the Senator from Ohio (Mr. PORTMAN), the Senator from Rhode Island (Mr. REED), the Senator from Idaho (Mr. RISCH), the Senator from Kansas (Mr. ROBERTS), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. RUBIO), the Senator from Vermont (Mr. SANDERS), the Senator from Nebraska (Mr. SASSE), the Senator from Hawaii (Mr. SCHATZ), the Senator from New York (Mr. SCHUMER), the Senator from South Carolina (Mr. SCOTT), the Senator from Alabama (Mr. SESSIONS), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Alabama (Mr. SHELBY), the Senator from Michigan (Ms. STABENOW), the Senator from Alaska (Mr. SULLIVAN), the Senator from Montana (Mr. TESTER), the Senator from South Dakota (Mr. THUNE), the Senator from North Carolina (Mr. TILLIS), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from New Mexico (Mr. UDALL), the Senator from Louisiana (Mr. VITTER), the Senator from Virginia (Mr. WARNER), the Senator from Massachusetts (Ms. WARREN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. Res. 287, a resolution condemning the senseless murder and wounding of 18 individuals (sons, daughters, fathers, mothers, uncles, aunts, cousins, students, and teachers) in Roseburg, Oregon, on October 1, 2015.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. DURBIN):

S. 2194. A bill to promote the use of clean cookstoves and fuels to save lives, improve livelihoods, empower women, and protect the environment by creating a thriving global market for clean and efficient household cooking solutions; to the Committee on Foreign Relations.

Ms. COLLINS. Mr. President, I rise today to introduce the Clean Cookstoves and Fuels Support Act. This bill addresses a serious global public health and environmental issue. I am very pleased to be joined in this effort by my friend and colleague Senator DURBIN.

Nearly half of the world's people cook over open fires or inefficient, polluting, and unsafe cookstoves using ag-

ricultural waste, coal, dung, wood or other solid fuels. Smoke from these traditional cookstoves and open fires is associated with chronic and acute diseases that affect women and children disproportionately. The black carbon from these traditional cookstoves is also a significant driver of air pollution and climate change.

Alarmingly, the World Health Organization found that in 2012 this type of air pollution claimed 4.3 million lives. Millions more are sickened from the toxic fumes, and thousands suffer burns annually from open fires or unsafe cookstoves. The Global Burden of Disease Study of 2010 doubled the mortality estimates for exposure to smoke from cookstoves, referred to as "household air pollution," from 2 million to 4 million deaths annually. That is more than the deaths from malaria, tuberculosis, and HIV/AIDS combined. This same study ranks household air pollution as the fourth worst overall health risk factor in the world and is the second worst health risk factor in the world for women and girls.

Traditional cookstoves also create serious environmental problems. Recent studies show that the emissions of black carbon or common soot from these cookstoves significantly contribute to regional air pollution and climate change. In fact, black carbon emissions from residential cookstoves in developing countries are responsible for as much as 25 percent of black carbon emissions. Moreover, each family can require up to two tons of cooking fuel, and where the demand for fuel outstrips the natural regrowth of resources, local environmental degradation and loss of biodiversity can result.

The collection of this fuel is also a burden that is shouldered disproportionately by women and children. In some areas, women and girls risk rape and other violence during the up to 20 hours per week they spend away from their families gathering fuel. This often means these women and girls have far less time to pursue an education, to generate income or to participate in other community activities, and this marginalizes their role in society. A new report by McKinsey Global Institute estimates that the world economy could increase by between \$12 trillion and \$28 trillion over 10 years if the participation of women was to equal that of men.

Replacing these cookstoves with modern alternatives would help reverse these alarming health, environmental, and economic trends, and it would be relatively inexpensive. In fact, there are stoves that are coming on the market that cost as little as \$20 that are 50 percent more efficient than the traditional cooking methods. It could also be done quickly. It is what scientists call the low-hanging fruit of environmental and health fixes.

In 2010, the Global Alliance for Clean Cookstoves was formed to help support

the adoption of clean cookstoves in 100 million households in the developing world by the year 2020. Recognizing the serious health and environmental issues posed by traditional cookstoves, the Alliance aims to save lives, improve livelihoods, empower women, and combat pollution by creating a thriving global market for clean and efficient household cooking stoves. Alliance partners are working together to help overcome the market barriers that currently impede the production, development, and distribution of clean cookstoves in developing countries.

During the first 5 years of the Alliance, the U.S. Government played a key role in supporting this important endeavor, including through financial assistance that surpassed the original funding commitments. Led by the Department of State, 11 Federal agencies have invested more than \$114 million in clean cookstoves and fuel initiatives to date. For the next 5 years of the Alliance, our government has announced anticipated commitments of another \$175 million.

To date, our government has focused its efforts on applied research and development, diplomatic engagement to encourage a market for clean cookstoves and to improve access to them, international development projects to support clean cookstove businesses engaging women entrepreneurs, and supporting the adoption of clean and efficient cooking solutions by providing some financial assistance.

The legislation Senator DURBIN and I are introducing today strengthens these important commitments by requiring the Secretary of State—in consultation with the relevant Federal agencies and in coordination with international NGOs and private and other government entities—to advance the goals and work of the Alliance. In addition, the bill would formally authorize the funding commitments already made by our government for the next 5 years, through the year 2020, to ensure that these important pledges toward preventing unnecessary illness and reducing pollution around the globe are met.

By supporting the work of the Alliance and the commitment of the U.S. Government to replace traditional cookstoves with modern versions that emit far less soot, this bill aims to benefit directly some of the world's poorest people and to reduce the harmful pollution that affects all of us. It offers a way for us to address the second largest contributor to climate change in a way that is inexpensive, not burdensome to the people of our country, and that will benefit poor people living in developing nations.

There is lots of disagreement on many proposals that have been advanced to address climate change, but this is one that should unite all of us. It will help to improve the health of

women and children, in particular, who bear the burden of working over these dirty cookstoves in developing countries, and it will reduce carbon soot in our atmosphere—the second biggest contributor to greenhouse gas emissions. It will do so without requiring those of us in our country to change our ways.

I urge my colleagues to join Senator DURBIN and me in supporting the Clean Cookstoves and Fuels Support Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 292—EXPRESSING THE SENSE OF THE SENATE THAT THE AVAILABILITY OF HIGH-QUALITY CHILDCARE FOR WORKING PARENTS SHOULD BE INCREASED

Mrs. MURRAY (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mrs. BOXER, Ms. CANTWELL, Mr. CASEY, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. MARKEY, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Ms. STABENOW, Mr. UDALL, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Mrs. FEINSTEIN, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 292

Whereas working parents depend on high-quality childcare so they can work and support their families;

Whereas over 60 percent of children under 5, and ½ of grade school-aged children, are in a regular childcare arrangement;

Whereas United States businesses lose \$3,000,000,000 annually due to employee absenteeism resulting from child care challenges, which weakens the stable and reliable childcare system that is essential for the economy;

Whereas childcare is difficult to find for millions of families, particularly the nearly 9,000,000 parents who work non-standard hours, because only 8 percent of childcare centers provide evening or weekend care;

Whereas most middle-class families struggle to afford high-quality childcare;

Whereas the median annual aggregate cost of full-time care for an infant and a 4-year-old in a childcare center is nearly \$16,000;

Whereas the average annual cost of center-based childcare for an infant is over ½ of the income of a family of 3 living at the poverty level in 21 States;

Whereas high-quality childcare and early education, especially for disadvantaged children, helps children thrive in school and beyond by—

(1) decreasing special education placement and reducing grade retention;

(2) decreasing child abuse and neglect and juvenile arrests;

(3) increasing high school graduation and college attendance; and

(4) increasing employment;

Whereas the eligibility requirements to receive assistance under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) (referred to in this pre-

amble as the “CCDBG”), the primary source of Federal funding support for childcare, exclude most United States children from Federal childcare assistance;

Whereas the CCDBG serves only a fraction of families eligible for Federal support, with only 17 percent of eligible children receiving Federal childcare assistance, the lowest percentage since 1997;

Whereas these issues affect all families, but disproportionately affect women because—

(1) over 95 percent of the formal childcare workforce is comprised of women; and

(2) women do most of the unpaid childcare work in families;

Whereas increased pay for workers in the childcare industry improves the quality of childcare for young children;

Whereas to recruit and retain a qualified childcare workforce for young children, childcare staff for young children should be paid as much as K-12 staff with equivalent education and experience;

Whereas a full-time living wage of at least \$15 per hour is needed for childcare workers to meet the essential needs of their families, but the average childcare center worker earns \$10.60 per hour and has experienced no increase in real earnings since 1997;

Whereas high-quality childcare that works for everyone is essential for a strong economy and future;

Whereas each working family needs, in order to support its well-being—

(1) universal preschool;

(2) child nutrition programs that promote health and wellness;

(3) a fair work schedule;

(4) a living wage;

(5) paid family and medical leave;

(6) paid sick days; and

(7) credit in the Social Security system for time spent caregiving; and

Whereas when families are guaranteed high-quality, flexible, available, and affordable childcare—

(1) business productivity improves;

(2) parents have a greater likelihood of finding and keeping employment; and

(3) children do better in school and in life:

Now, therefore, be it

Resolved, That the Senate supports efforts—

(1) to provide childcare assistance to each working family that needs childcare assistance, including—

(A) middle-class families that struggle to afford the costs of high-quality childcare; and

(B) underpaid families that are often left behind;

(2) to make childcare affordable—

(A) such that no working family must pay more than 10 percent of its income for childcare; and

(B) by providing additional help to families most in need;

(3) to ensure that childcare is available so that parents in the 24-hour economy can access high-quality care—

(A) when and where the parents need it (during weekends, nights, and as their job schedules change); and

(B) with options across school, center, and home settings;

(4) to guarantee that each family eligible for childcare receives childcare by creating a system that expands with need;

(5) to improve the quality of childcare by—

(A) guaranteeing childcare workers a living wage and wage parity with K-12 staff with equivalent education and experience;

(B) improving training opportunities; and

(C) giving workers a voice on the job to advocate for higher workplace standards and standards of care for the children the workers serve; and

(6) to provide sufficient Federal, State, and local investment to ensure resources for high-quality jobs and affordable childcare.

SENATE RESOLUTION 293—SUPPORTING THE GOALS AND IDEALS OF NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH, COMMENDING DOMESTIC VIOLENCE VICTIM ADVOCATES, DOMESTIC VIOLENCE VICTIM SERVICE PROVIDERS, CRISIS HOTLINE STAFF, AND FIRST RESPONDERS SERVING VICTIMS OF DOMESTIC VIOLENCE FOR THEIR COMPASSIONATE SUPPORT OF VICTIMS OF DOMESTIC VIOLENCE, AND EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD CONTINUE TO SUPPORT EFFORTS TO END DOMESTIC VIOLENCE AND HOLD PERPETRATORS OF DOMESTIC VIOLENCE ACCOUNTABLE

Mr. GRASSLEY (for himself, Mr. LEAHY, Ms. AYOTTE, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 293

Whereas domestic violence victim advocates, domestic violence service providers, domestic violence first responders, and other individuals in the United States observe the month of October, 2015, as “National Domestic Violence Awareness Month” in order to increase awareness in the United States about the issue of domestic violence;

Whereas it is estimated that each year up to 9,000,000 individuals in the United States are victims of intimate partner violence, including—

(1) physical violence;

(2) rape; or

(3) stalking;

Whereas more than 1 in 5 women in the United States and more than 1 in 7 men in the United States have experienced severe physical violence by an intimate partner;

Whereas domestic violence affects women, men, and children of every age and background, but women—

(1) experience more domestic violence than men; and

(2) are significantly more likely than men to be injured during an assault by an intimate partner;

Whereas women aged 18 to 34 typically experience the highest rates of intimate partner violence, according to the Bureau of Justice Statistics;

Whereas most female victims of intimate partner violence have been victimized by the same offender previously;

Whereas domestic violence is cited as a significant factor in homelessness among families;

Whereas research shows that households in which children are abused or neglected are likely to have a higher rate of intimate partner violence;

Whereas millions of children are exposed to domestic violence each year;

Whereas victims of domestic violence experience immediate and long-term negative

outcomes, including detrimental effects on mental and physical health;

Whereas crisis hotlines serving domestic violence operate 24 hours per day, 365 days per year, and offer important—

- (1) crisis intervention;
- (2) support;
- (3) information; and
- (4) referrals for victims;

Whereas staff and volunteers of domestic violence shelters and programs in the United States, in cooperation with 56 State and territorial coalitions against domestic violence, serve—

- (1) thousands of adults and children each day; and
- (2) at least 1,000,000 adults and children each year;

Whereas law enforcement officers in the United States put their lives at risk each day by responding to incidents of domestic violence, which can be among the most volatile and deadly disturbance calls;

Whereas Congress first demonstrated a significant commitment to supporting victims of domestic violence through the landmark enactment of the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

Whereas Congress has remained committed to protecting survivors of all forms of domestic violence and sexual abuse by making Federal funding available to support the activities that are authorized under—

- (1) the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.); and
- (2) the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.);

Whereas there is a need to continue to support programs and activities aimed at domestic violence intervention and domestic violence prevention in the United States; and

Whereas individuals and organizations that are dedicated to preventing and ending domestic violence should be recognized: Now, therefore, be it

Resolved, That—

- (1) the Senate supports the goals and ideals of “National Domestic Violence Awareness Month”; and

- (2) it is the sense of the Senate that Congress should—

(A) continue to raise awareness of domestic violence in the United States and the corresponding devastating effects of domestic violence on survivors, families, and communities; and

(B) pledge continued support for programs designed—

- (i) to assist survivors;
- (ii) to hold perpetrators accountable; and
- (iii) to bring an end to domestic violence.

SENATE RESOLUTION 294—DESIGNATING OCTOBER 26, 2015, AS DAY OF THE DEPLOYED

Mr. HOEVEN (for himself, Mr. TESTER, Mr. ROBERTS, Ms. HEITKAMP, and Mr. PETERS) submitted the following resolution; which was considered and agreed to:

S. RES. 294

Whereas more than 2,000,000 individuals serve as members of the Armed Forces of the United States;

Whereas several hundred thousand members of the Armed Forces rotate each year through deployments to 150 countries in every region of the world;

Whereas more than 2,700,000 members of the Armed Forces have deployed to the area

of operations of the United States Central Command since the September 11, 2001 terrorist attacks;

Whereas the United States is kept strong and free by the loyal military personnel from the total force (the regular components, the National Guard, and the Reserves), who protect the precious heritage of the United States through their declarations and actions;

Whereas members of the Armed Forces serving at home and abroad have courageously answered the call to duty to defend the ideals of the United States and to preserve peace and freedom around the world;

Whereas members of the Armed Forces personify the virtues of patriotism, service, duty, courage, and sacrifice;

Whereas the families of members of the Armed Forces make important and significant sacrifices for the United States; and

Whereas the Senate designated October 26 as “Day of the Deployed” in 2011, 2012, 2013, and 2014: Now, therefore, be it

Resolved, That the Senate—

- (1) designates October 26, 2015, as “Day of the Deployed”;;

- (2) honors the deployed members of the Armed Forces of the United States and the families of the members;

- (3) calls on the people of the United States to reflect on the service of those members of the Armed Forces, wherever the members serve, past, present, and future; and

- (4) encourages the people of the United States to observe Day of the Deployed with appropriate ceremonies and activities.

SENATE RESOLUTION 295—DESIGNATING THE WEEK OF NOVEMBER 2 THROUGH NOVEMBER 6, 2015 AS “NATIONAL VETERANS SMALL BUSINESS WEEK”

Mrs. SHAHEEN (for herself, Mr. VITTER, Mr. COONS, Mr. GARDNER, Mr. MARKEY, Mr. RUBIO, Ms. HIRONO, Ms. AYOTTE, Mr. PETERS, Mr. RISCH, Mrs. FISCHER, and Mr. BLUMENTHAL) submitted the following resolution; which was considered and agreed to:

S. RES. 295

Whereas the Armed Forces of the United States train individuals with the skills, discipline, and leadership necessary to establish and operate a successful business;

Whereas there are approximately 2,500,000 veteran-owned small businesses in the United States, employing nearly 6,000,000 individuals;

Whereas veteran-owned businesses make up nearly 10 percent of all businesses in the United States;

Whereas veterans account for more than \$1,200,000,000,000 in business receipts every year;

Whereas veterans are 45 percent more likely to be self-employed than non-veterans;

Whereas the number of veteran owned small businesses grew at nearly double the rate for non-veteran owned small businesses from 2007 to 2012;

Whereas women veterans’ business ownership has increased significantly, from 97,114 in 2007 to 384,549 in 2012;

Whereas the Office of Veterans Business Development of the Small Business Administration is dedicated to maximizing the availability and usability of small business programs for veterans, members of a reserve component of the Armed Forces of the United States, members of the Armed Forces

of the United States serving on active-duty, transitioning service members, and the spouses, dependents, or survivors of those members and veterans;

Whereas the Small Business Administration serves more than 200,000 veterans, service-disabled veterans, women veterans, and military spouses annually;

Whereas, in 2014, the Small Business Administration increased loans to veterans by more than 100 percent, guaranteeing more than \$1,000,000,000 in small business loans;

Whereas the entrepreneurship training program of the Small Business Administration, Boots to Business, has trained more than 30,000 service members, veterans, and spouses of service members and veterans since launching in 2013;

Whereas the Small Business Administration will be hosting events honoring National Veterans Small Business Week from November 2 through November 6, 2015;

Whereas the Committee on Small Business and Entrepreneurship of the Senate will be commemorating National Small Business Week during the week of November 2 through November 6, 2015; and

Whereas November 2 through November 6, 2015 would be an appropriate time to designate as “National Veterans Small Business Week”: Now, therefore, be it

Resolved, That the Senate—

- (1) designates the week of November 2 through November 6, 2015 as “National Veterans Small Business Week”; and

- (2) expresses appreciation for the continued service to the United States by the Nation’s veterans through small business ownership and entrepreneurship.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on October 22, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on October 22, 2015, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on October 22, 2015, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. GARDNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 22, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND
FEDERAL MANAGEMENT

Mr. GARDNER. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on October 22, 2015, at 9:30 a.m., to conduct a hearing entitled, "Improving Pay Flexibilities in the Federal Workforce."

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREE-
MENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5 p.m. on Monday, October 26, the Senate proceed to executive session to consider Calendar No. 140; that there be up to 30 minutes of debate on the nomination; that following the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 308 through 320; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE ARMY

The following named officer for appointment in the United States Army Nurse Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be major general

Brig. Gen. Barbara R. Holcomb

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the

grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Jack Weinstein

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Michael E. Flanagan

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. David W. Silva, II

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Philip R. Sheridan

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Timothy J. LaBarge

IN THE ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Kristan L. K. Hericks

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Jody J. Daniels

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Frank C. Pandolfe

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Raquel C. Bono

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. David C. Johnson

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601, and for appointment as a Senior Member of the Military Staff Committee of the United Nations under title 10, U.S.C., section 711:

To be lieutenant general

Lt. Gen. Kenneth F. McKenzie, Jr.

The following named officer for appointment in the United States Marine Corps to the grade of lieutenant general while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. William D. Beydler

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

VETERANS' COMPENSATION COST-
OF-LIVING ADJUSTMENT ACT OF
2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 202, S. 1493.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1493) to provide for an increase, effective December 1, 2015, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1493) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1493

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 2015".

SEC. 2. INCREASE IN RATES OF DISABILITY COM-
PENSATION AND DEPENDENCY AND
INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2015, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2015, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) **DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.**—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) **DETERMINATION OF INCREASE.**—Each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2015, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(d) **SPECIAL RULE.**—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85-857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

(e) **PUBLICATION OF ADJUSTED RATES.**—The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased under subsection (a), not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2016.

COMMEMORATING THE 25TH ANNIVERSARY OF THE PEACEFUL AND DEMOCRATIC REUNIFICATION OF GERMANY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 264, S. Res. 274.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 274) commemorating the 25th anniversary of the peaceful and democratic reunification of Germany.

There being no objection, the Senate proceeded to considering the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 274) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 1, 2015, under "Submitted Resolutions.")

FILIPINO AMERICAN HISTORY MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 283 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 283) designating October 2015 as "Filipino American History Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 283) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 8, 2015, under "Submitted Resolutions.")

CONDEMNING THE SENSELESS MURDER AND WOUNDING OF 18 INDIVIDUALS IN ROSEBURG, OREGON

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 287 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 287) condemning the senseless murder and wounding of 18 individuals (sons, daughters, fathers, mothers, uncles, aunts, cousins, students, and teachers) in Roseburg, Oregon, on October 1, 2015.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 287) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 8, 2015, under "Submitted Resolutions.")

Mr. MCCONNELL. Mr. President, I ask unanimous consent that all Senators be added as cosponsors to the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

50TH ANNIVERSARY OF THE ENACTMENT OF THE HIGHWAY BEAUTIFICATION ACT OF 1965

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 288.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 288) commemorating October 22, 2015, as the 50th anniversary of the enactment of the Highway Beautification Act of 1965.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 288) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 19, 2015, under "Submitted Resolutions.")

DAY OF THE DEPLOYED

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 294, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 294) designating October 26, 2015, as Day of the Deployed.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 294) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

NATIONAL VETERANS SMALL BUSINESS WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 295, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 295) designating the week of November 2 through November 6, 2015 as "National Veterans Small Business Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed

to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 295) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 2200

Mr. McCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 2200) to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

Mr. McCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR MONDAY, OCTOBER 26, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, October 26; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; finally, at 5 p.m., the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, OCTOBER 26, 2015, AT 3 P.M.

Mr. McCONNELL. If there is no further business to come before the Sen-

ate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:55 p.m., adjourned until Monday, October 26, 2015, at 3 p.m.

DISCHARGED NOMINATION

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination under the authority of the order of the Senate of 01/07/2009 and the nomination was placed on the Executive Calendar:

*ANN CALVARESI BARR, OF MARYLAND, TO BE INSPECTOR GENERAL, UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 22, 2015:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY NURSE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. BARBARA R. HOLCOMB

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JACK WEINSTEIN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. MICHAEL E. FLANAGAN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DAVID W. SILVA II

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. PHILIP R. SHERIDAN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. TIMOTHY J. LABARGE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. KRISTAN L. K. HERICKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JODY J. DANIELS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. FRANK C. PANDOLFE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. RAQUEL C. BONO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. DAVID C. JOHNSON

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601, AND FOR APPOINTMENT AS A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

To be lieutenant general

LT. GEN. KENNETH F. MCKENZIE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WILLIAM D. BEYDLER

DEPARTMENT OF STATE

JULIE FURUTA-TOY, OF WYOMING, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EQUATORIAL GUINEA.

DENNIS B. HANKINS, OF MINNESOTA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA.

HARRY K. THOMAS, JR., OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZIMBABWE.

ROBERT PORTER JACKSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GHANA.

EXTENSIONS OF REMARKS

HONORING MATTHEW SHAFER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Matthew Shafer. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1125, and earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Matthew has earned the rank of Warrior in the Tribe of Mic-O-Say. Matthew has also contributed to his community through his Eagle Scout project. Matthew constructed an asphalt handicap access trail at the community baseball fields in Lawson, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Matthew Shafer for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CELEBRATING THE 100TH ANNIVERSARY OF THE ROTARY CLUB OF HONOLULU

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. TAKAI. Mr. Speaker, I would like to take this time to recognize the 100th Anniversary of the founding of the Rotary Club of Honolulu.

First chartered on July 1, 1915 with 29 members, membership has now grown to more than 200 members that strive to embody the "service above self" motto of the Rotary Club. The Honolulu Chapter has truly exemplified this motto at every turn. For the last fifty years, the Rotary Club of Honolulu has worked to advocate on the behalf of children, starting with the committee that grew into the Children's Advocacy Center for sexually abused children. Every year, this Rotary Club hosts a Christmas Party for foster children and their families that celebrates the special relationship that they share. The work that they do shows the passion that each member has for serving others and the city and county of Honolulu.

Not only do they work for the betterment of Honolulu, they also work internationally on major humanitarian projects in the Philippines. The projects they do cannot be understated and I would like to extend a heartfelt thanks (mahalo) for all the great work that they do.

Congratulations on this milestone accomplishment to the Rotary Club of Honolulu and I look forward to continue seeing the great work that the Rotary Club of Honolulu does for the next hundred years.

WAZEE PARTNERS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Wazee Partners for receiving the City of Wheat Ridge's Mayor's Partnership Award. Selected by Wheat Ridge Mayor Joyce Jay, the Mayor's Partnership Award recognizes businesses showing strong community ties and a positive reflection of Wheat Ridge values.

Wazee Partners has been a critical ally in revitalization efforts in Wheat Ridge. In recent years, they have constructed more than 130 affordable senior housing units. The walkable placement of the Wheat Ridge Town Center Apartments makes the community an ideal place for older Coloradans to enjoy and take advantage of a thriving Colorado city. Wazee's dedication to the residents and their responsiveness to the city make Wazee Partners an asset to the Wheat Ridge community.

I applaud Wazee Partners for being the recipient of this well-deserved honor by the City of Wheat Ridge, and I congratulate them on their success.

HONORING DON CARPENTER

HON. JOSEPH P. KENNEDY III

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. KENNEDY. Mr. Speaker, I rise today in honor of a friend, mentor and tremendous public servant, Don Carpenter. After 20 years as a district court judge and 42 years in the practice of law, Judge Carpenter retired from the bench on October 2, 2015.

Mr. Carpenter began his legal career in 1973 as an associate at a Cape Cod law firm. Deeply dedicated to the local community, he became a public prosecutor shortly thereafter. And for the next 21 years, he faithfully served the people of Barnstable, Dukes and Nantucket Counties, working his way through the ranks to become the First Assistant District Attorney.

He was known as a firm but fair prosecutor who embraced our responsibility to apply the law equally to all. He knew that, while the law could not heal all wounds or right every wrong, it is the strongest tool we have to deliver on the promises of a just society.

His commitment to the Cape Cod community led to his nomination to the state bench. I cannot tell you how many cases Judge Carpenter heard over his two decades in that role. How many disputes he resolved. How many lives he impacted. How many addicts he helped get healthy. How many victims he helped find closure. But I can tell you that there is at least one young prosecutor he helped mentor.

I will never forget knocking on his door after a trial, seeking insight into what I could have done differently or advice on which pitfalls to watch out for the next time. His door was always open, to prosecutors and defense attorneys alike. And, for me, his advice was simple and direct—do what you think is right. The law grants you the ability to request the loss of someone's liberty. Use it wisely. Don't take it lightly.

Mr. Speaker, over the span of a 40-year career in our justice system, Judge Carpenter used the practice of law wisely, fairly and honestly. His retirement is a loss for the Commonwealth of Massachusetts and the residents of Cape Cod. We wish him and his family well in this new chapter in their lives.

IN HONOR OF COLONEL EDMUND J. BARRETT

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. NORCROSS. Mr. Speaker, I rise today to honor and congratulate Colonel Edmund J. Barrett of New Jersey on his retirement from the United States Army for his military achievements, contributions, and service to the people of New Jersey and the United States of America.

Originally from Moorestown, New Jersey, Colonel Barrett enlisted into the Army Signal Corps in 1984. After a tour in Germany, he attended Rutgers University and the University of Pennsylvania, where he was a ROTC Distinguished Military Graduate.

Over the course of his 31-year career, Colonel Barrett served in Operations Desert Storm and Iraqi Freedom and in a multitude of countries including Germany, Saudi Arabia, Kuwait, Bosnia, Iraq, Afghanistan and Brussels. He studied and mastered Arabic at the Defense Language Institute. He served the Joint Staff, at the Pentagon, working on Iraq, and later, broader Middle East issues, as a Joint Staff Planner. After deployment to Baghdad, Iraq, in 2006 Colonel Barrett became a staff officer at the National Security Agency.

In June, 2012 the Colonel was deployed to Afghanistan with the NATO training Mission as the Senior Advisor to the Afghan National Army (ANA). His work with the ANA prevented over a dozen "Insider Attacks" from Afghan

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Soldiers or infiltrators on U.S. and Coalition soldiers. After saving countless lives in Afghanistan he came home and returned to NSA as a valuable asset providing firsthand knowledge from his time in the Middle East as he directed the Afghan Mission Management team as a Senior Strategist.

His extraordinary service has earned Colonel Barrett numerous decorations and awards including the Bronze Star Medal, Defense Meritorious Service Medal (with 1 Oak Leaf Cluster), the Meritorious Service Medal (2 OLC), the NATO Medal, the German Armed Forces Proficiency Badge, and the Knowlton Award for Excellence in Military Intelligence, and he was presented with the MacArthur Leadership Award in 2000 by the Chief of Staff of the Army.

Additionally, he has been a loving husband and father of four and even made time to coach youth soccer, lead three Habitats for Humanity Church Youth Ministry Builds, and climb to the peak of Kilimanjaro with his then 16 year old son.

Mr. Speaker, Colonel Edmund J. Barrett is a great American whose self-sacrifice, leadership, and love of country exemplifies the American spirit. I join his family, friends, and all of New Jersey in wishing him a happy retirement and thanking him for his outstanding service to our country.

RIDLEY SCHOOL DISTRICT YOUTH ADVISORY BOARD GRANT

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to recognize the students of Ridley School District for receiving a grant of nearly \$100,000 to support community service and work on behalf of their community.

For almost 15 years, horticulture classes offered at Ridley High School have provided students the opportunity to grow and harvest fresh fruits and vegetables through the use of greenhouses. A growing interest in these classes has led the school district to expand the program into a year-long student effort to donate their fruits and vegetables to a local food bank. The grant, from the State Farm Youth Advisory Board, will allow the school district to build more greenhouses and expand the program into the summer, when students can volunteer their time to continue working on their harvests. This will mean more food is sent to those who need it and fewer members of the Delaware County community will go hungry.

Mr. Speaker, I congratulate the students of Ridley School District and commend them on their hard work and community service.

LA FONDA'S MEXICAN RESTAURANT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud La Fonda's Mexican Restaurant for receiving the City of Wheat Ridge's Council Partnership Award. Selected by the Wheat Ridge City Council, the Council Partnership Award recognizes businesses showing strong community ties and a positive reflection of Wheat Ridge values.

La Fonda's Mexican Restaurant has been a staple of the Wheat Ridge community for decades, and is well known for its delicious Mexican food as well as its rich history. Mexican immigrant Luis Abarca and his partners founded the restaurant in 1971 and were at the forefront of Mexican food becoming a mainstream American tradition. Just as the Abarca family was a critical partner in supporting Colorado culture, La Fonda's Mexican Restaurant is a generous partner and contributor to the Wheat Ridge community today.

I applaud La Fonda's Mexican Restaurant for being the recipient of this well-deserved honor by the City of Wheat Ridge, and I congratulate them on their success.

IN TRIBUTE TO DENNIS G. BABCOCK

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. COURTNEY. Mr. Speaker, I rise to pay tribute to Mr. Dennis G. Babcock, a loyal veteran and resident of Enfield, Connecticut who passed away last month.

Born in Albany, New York in 1940, Dennis served in the U.S. Navy's submarine force from 1958 to 1960. After his service in the Navy, Dennis moved to Connecticut in 1960 where he would launch a 37 year career at Pratt & Whitney Aircraft. A self-identified "post-Korea, pre-Vietnam" veteran, Dennis served as a stalwart advocate for the Connecticut veterans. He served veterans across my district as a driver and advocate for the Disabled American Veterans group.

After joining the Enfield Chapter in 1995, Dennis was appointed commander, remaining in that post until 2015. Dennis was exceptionally devoted to his fellow veterans, pouring his heart out to those who gave their lives for this country. He was a firm believer that "vets help vets," and he would regularly clock in more than 250 miles per day shuttling veterans across the state to their medical appointments.

In addition to serving as the Commander for the State of Connecticut Disabled American Veterans group, Dennis also was a member of the Veterans Council of Enfield, the Amvets Post 18 of Enfield, the American Legion Post 0114 of Ravena, NY, and an honorary member of Veterans Who Care. He received the Patriot Award in Enfield in 2012. In addition to these accomplishments, Dennis served as an

active member of the Enfield Fire Department from 1972 to 1981, and he was elected as a Fire Commissioner for the last 18 years.

Dennis was a beloved member of the Enfield community, and he will be missed greatly by all of those who benefited from his loyalty and service to helping those in need, especially Connecticut veterans. He is survived by his wife of 52 years, Diane, as well as his two daughters and their husbands, and four grandchildren.

I ask my colleagues to join me in expressing our deepest sorrow to Dennis's family for their loss, and to the eastern Connecticut region who lost a loyal community member.

HEALTH INSURANCE TAX

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. DOLD. Mr. Speaker, I recently sat down with several small business owners in my district for a roundtable discussion in Lincolnshire, Illinois. The roundtable discussion focused attention on the Health Insurance Tax on small businesses. These local business owners are extremely concerned about the consequences of a \$500 per employee per year insurance expense they will have to incur.

One business owner at the roundtable, Rick, reiterated that politicians in Washington need to understand that each new tax or expense isn't just some exercise in congressional budget scorekeeping—these are a real-world burdens that harm businesses and make it difficult to keep the doors open and workers employed. This business owner wasn't talking about it as an abstract economic theory; rather, he was worried that his business cannot handle the influx of new expenses. Rick asked me to make sure that leaders in Washington are fighting for Main Streets across the nation. Rick is right. As a small business owner myself, I believe that we need to continue to remind Members of Congress that small businesses are the lifeblood of our economy and that we need to encourage a healthy environment that promotes innovation and entrepreneurship.

According to research by the National Federation of Independent Business Research Foundation, the Health Insurance Tax, also known as the HIT, will jeopardize between 152,000 and 286,000 private-sector jobs across the U.S. by 2023.

The harmful and misguided Health Insurance Tax will add a new strain to small businesses on Main Street. Illinois is home to more than 1.1 million small businesses, which employ more than 2.3 million workers. That is why I am a cosponsor of H.R. 928 and why I encourage my colleagues in the House on both sides of the aisle to do the same.

HONORING SPECIALIST 5TH CLASS
EULA JETT

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor an outstanding citizen, Specialist 5th Class Eula Jett for her dedicated and honorable service. She is an exceptional American in both the military and civilian worlds.

Enlisting in the US Women's Army Corps in 1967, SP5 Jett served as a Medical Records Technician where she achieved her rank of Specialist 5th Class. During her 9 year tenure, she completed two tours in Bad Cannstatt, Germany, before ending her career at Fort Hood. While there, SP5 Jett worked in the Coding Section and served on the Medical Records Committee at the Darnall Army Hospital. Recognizing her dedication, she received numerous Letters of Appreciation from the Darnall Army Hospital as well as a Letter of Commendation. SP5 Jett is a decorated U.S. Army Veteran whose awards include the National Defense Service Medal and the Good Conduct Medal among others.

SP5 Jett was honorably discharged from the Army in 1976 after 9 years, but that did not stop her from continuing to support the Army she loves. Upon leaving the service, she remained an active supporter of the Army and continued to work at Darnall Army Hospital as a civilian employee. A few years later SP5 Jett would return to support our Veterans as a civilian employee at the Olin E. Teague Veterans Center in Temple, TX.

Continuing in her selfless service, SP5 Jett showed her dedication and love to the Temple, Texas community after her retirement. She currently serves as Chair on the Salvation Army advisory board and the Advisory Council of Safe Kids Mid-Texas coalition. As a woman of faith, she involves herself in numerous capacities in the Church Women of the Temple Area, including serving as the President in 2011-2012.

SP5 Jett's devotion to our country is matched only by her commitment to serving others in her community. I commend her for her service to the nation, United States Army, and her community in Temple, Texas. I wish her all the best in the years to come.

CONFLUENT DEVELOPMENT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Confluent Development for receiving the City of Wheat Ridge's Reinvestment Award. The Reinvestment Award recognizes businesses who play an active role in improving the City of Wheat Ridge.

Confluent Development brought its diverse expertise in office, industrial, retail and multi-family/senior housing development to the 38th

and Kipling development, transforming a blighted area into a retail and housing destination for Wheat Ridge residents. The new development is home to Sprouts Farmer's Market, a soon-to-be Morning Star Senior Living and a newly updated Starbucks.

I applaud Confluent Development for being the recipient of this well-deserved honor by the City of Wheat Ridge, and I congratulate them on their success.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. SMITH of Washington. Mr. Speaker, on Thursday, June 25, 2015, I was unable to be present for a recorded vote. I would have voted "Yes" on roll call vote Number 387 (on the motion to suspend the rules and pass H.R. 1615, as amended).

HONORING JOHN MILTON THOMAS

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. MESSER. Mr. Speaker, I rise today to honor the life and accomplishments of John Milton Thomas of Shelbyville, Indiana.

Born in Fairland on Oct. 1, 1926 to Milton and Carris Thomas, John lived a long and full life. Last month, at the age of 88, he passed away surrounded by his loved ones. John is survived by his loving wife of 68 years Mary "Jean" Kerr, his children, grandchildren, great-grandchildren, and one great-great grandchild. I had the pleasure of knowing John through both his work with my wife for the town of Morristown, Indiana, and my friendship with his son J. Mark Thomas. I am honored to speak of his accomplishments today.

Mr. Thomas was a member of the greatest generation. He was a U.S. Army veteran and served as a first sergeant during World War II. Just last month, John came here to Washington, D.C. on an honor flight to see the World War II Memorial and pay tribute to those he fought alongside, who didn't make it home.

John loved to serve his community. He was a former member of the Shelby County Council and at one time was the Shelby County Clerk. His other memberships included the Indiana National Guard and Sugar Creek Masonic Lodge No. 279 F & AM. John attended First United Methodist Church, where he also volunteered and held many leadership positions.

John was also a referee for both high school and college basketball, and he was inducted into the Indiana Basketball Hall of Fame for officiating a ballgame with a record-setting nine overtimes, a record which he still holds.

John was a true friend and a great man with a big heart. My thoughts and prayers go out to the Thomas family during this difficult time.

It is my hope that their fond memories of John will comfort them during this difficult time.

HONORING PLANNED PARENTHOOD
HUDSON PECONIC

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. ENGEL. Mr. Speaker, I rise today to recognize Planned Parenthood Hudson Peconic (PPHP). For years, PPHP has been an instrumental partner in keeping my constituents both healthy and educated about their reproductive health.

Operating 11 health centers in Westchester, Rockland, Putnam and Suffolk Counties, PPHP served over 33,000 men and women in 2014 alone. In addition, last year PPHP provided 13,113 HIV tests, 81,941 individual STI tests, 5,896 breast examinations and education and training programs to over 42,000 participants.

While these figures alone are laudable, it is important to note that PPHP affords these invaluable services to our area's most vulnerable patients. In 2014, 76 percent of PPHP patients had incomes at or below 150 percent of the Federal Poverty Limit. For low-income New Yorkers, care is already too hard to come by. I am so pleased to know that these New Yorkers can rely on PPHP.

In recent months, Planned Parenthood has faced prolonged, politically-motivated attacks. It is during times like this that it is most important for us to remember not only the work that Planned Parenthood does, but the people Planned Parenthood serves. PPHP is keeping thousands of New Yorkers healthy, many of whom might have nowhere else to turn. I am pleased to have this opportunity to thank PPHP and its allies for their work. As a Member of Congress, one of my primary responsibilities is to ensure the well-being of my constituents. I am honored to call PPHP a partner in that goal.

On October 21, 2015, PPHP will honor Jill Scheuer, Keith Pattiz and the St. Faith's House Foundation during its Empower Gala. I commend these partners for championing Planned Parenthood's mission. It is only with the aid of allies like Ms. Scheuer, Mr. Pattiz and the St. Faith's House Foundation that Planned Parenthood can continue to provide those most in need with quality, accessible care.

COLORADO ACTS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Colorado ACTS for receiving the City of Wheat Ridge's Cultural Commission Award. The Cultural Commission Award recognizes local businesses or organizations actively contributing to the enrichment of the culture of Wheat Ridge.

Colorado ACTS is a theater school open to children from four to eighteen. They strive to bring drama and arts education to the local community, and they currently serve about 200 families. The organization teaches confidence, discipline and an appreciation for the arts, while strengthening community ties. Since its inception 15 years ago, Colorado ACTS has produced more than 100 shows.

I applaud Colorado ACTS for being the recipient of this well-deserved honor by the City of Wheat Ridge, and I congratulate them on their success.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. SMITH of Washington. Mr. Speaker, on Wednesday, May 13, 2015, I was unable to be present for a recorded vote. I would have voted "No" on roll call vote Number 221 (on agreeing to the resolution H. Res. 255).

HONORING DR. J. RANDALL O'BRIEN

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. DUNCAN of Tennessee. Mr. Speaker, Dr. J. Randall O'Brien is one of the most respected educators in the Nation.

He took over the reins of Carson-Newman University at a real low point in the school's history.

In fact, just a few years ago, the University had such difficult financial problems that some people thought it could go under.

Under Dr. O'Brien's leadership, the University has undergone a major turnaround, increasing its enrollment, adding new programs, and becoming the most forward-looking smaller university in the Nation.

Dr. O'Brien recently wrote a lead column for the Knoxville News Sentinel concerning the proposed new college scorecard put forth by the White House and Department of Education.

Because this issue has ramifications for colleges and universities all across the Nation, I would like to call it to the attention of my colleagues and other readers.

J. RANDALL O'BRIEN: SCORECARD FOR COLLEGES UNFAIR AND DAMAGING

There are so many fatal flaws in President Barack Obama's recently unveiled New College Scorecard it is difficult to know where to begin our nation's imperative critique. For starters, how shocking it is to see that our educational leaders housed within the U.S. Department of Education could prove so inept in collecting, interpreting and providing our president reliable data.

College educators fully agree with current public opinion that evaluation and reform of higher education is overdue. To be sure, college accessibility, affordability and accountability are critical issues that rightfully be-

long on our nation's agenda. Assessment, however, formulated on the basis of incomplete questioning and misleading data may prove far more damaging than having no published assessment at all.

The New College Scorecard notes the annual cost of attending each college, the graduation rate of the school and the average starting salary of its graduates. However, the scorecard includes only data of federal student-loan borrowers. All other students are excluded from the report.

Moreover, the starting salary numbers fail to take into consideration the geographical region hosting the institution. A New York or California salary, for example, would be expected to be significantly higher than an Appalachian one. Should not per capita wealth and cost of living in the institution's region be noted?

In addition, no consideration is given to the correlation of salary and field of study. Teachers, social workers and ministers, for instance, do not expect to earn salaries commensurate to business graduates in metropolitan areas.

Do we wish to undermine and imperil the vitally important work of our nation's service sector, and its college providers, by placing value on salary alone? Do we really wish to discourage the graduation of relatively low-income teachers? Moreover, should not a premium be placed on a broad-based liberal arts education, and the intellectual (and holistic) transformation of the student, which prepares the student remarkably well for any job, including corporate, legal, political, church, community, scientific and educational leadership? Dare we risk reducing the college experience to little more than participation in an elite job training program?

Lastly, despite the White House's insistence on access to higher education for all, the new scorecard fails to acknowledge accessibility of lower socio-economic students to each college. Research clearly shows the correlation in retention and graduation rates to a student's socioeconomic status, family finances and support, and proper academic preparation and encouragement. Should we not value accessibility and accurately factor in its consequences?

I fear the Department of Education, with encouragement from the White House, will seek to employ the New College Scorecard in determining the amount of financial aid for which a student would be eligible at each college. Students attending one school may qualify for 100 percent of available federal grants, while students attending another school may qualify for only 75 percent. This, I fear, would have the unintended consequence of closing hundreds of colleges, which are vital to regional economic well-being and to the attainment of our nation's educational needs and goals.

I regret to say I find the New College Scorecard, however well-intended, seriously flawed, patently unfair and exceedingly disappointing. Can we please do better?

J. Randall O'Brien is president of Carson-Newman University.

HONORING THE 20TH ANNIVERSARY OF THE WILL COUNTY COMMUNITY HEALTH CENTER

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. FOSTER. Mr. Speaker, I rise today to honor the 20th Anniversary of the Will County Community Health Center in Joliet, Illinois.

Since 1995, the Will County Community Health Center has been serving uninsured and underinsured patients as well as providing a crucial safety net for families and individuals struggling to afford adequate health care. As the oldest Federally Qualified Health Center in Will County, the Community Health Center has maintained its commitment to patient-centered care for the medically underserved in our community.

I would like to congratulate the Will County Community Health Center, the Community Health Center Governing Council, and the Will County Health Department on this important milestone.

QUALITY AUTO CARE AND TIRE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Quality Auto Care and Tire for receiving the City of Wheat Ridge's Business of the Year Award.

The Business of the Year Award recognizes local businesses who demonstrate a commitment to their community, strong management practices and are a positive reflection of Wheat Ridge values.

Quality Auto Care and Tire takes pride in providing reliable auto maintenance and putting the customer's interest before their own. Through high-quality service and transparency, Quality Auto Care has earned the trust of many Wheat Ridge residents. Beyond auto work, the business has shown its dedication to the Wheat Ridge Community by becoming a Premier Sponsor to the city's Carnation Festival.

I applaud Quality Auto Care and Tire for being the recipient of this well-deserved honor by the City of Wheat Ridge, and I congratulate them on their success.

RECOGNIZING SFC DEBRA L. NEWTON, UPON HER RETIREMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. COURTNEY. Mr. Speaker, today I rise to recognize an outstanding member of the Connecticut National Guard, Sergeant First Class Debra Newton. Debbie's service has transcended her title and encompassed a range of National Guard responsibilities and

volunteer positions throughout her more than 35 years of National Guard service. Although she has served in multiple capacities as a Public Affairs Officer, ultimately as the Chief Public Affairs NCO, Debbie has always strived to go beyond her responsibilities and further serve the Guard community in Connecticut and beyond.

Debbie is an accomplished member of the Guard, whose work has been recognized by the Department of the Army and the National Guard Bureau. Debbie has acted as editor of the national award winning newspaper Connecticut Guardian since she created it in 2000. She has served as the Federal Women's Program manager and on the Joint Force Headquarters of Connecticut Common Task Testing Committee, and the 169th Leadership Regiment as the regimental Public Affairs Officer.

Debbie has been a member of the National Guard Association of Connecticut since 1980 and has served on the executive board for 13 of the past 15 years as President and Secretary. She is also an active and lifetime member of the Enlisted Association of the National Guard of the United States (EANGUS). In both capacities, she provided a regular and effective presence in Washington to educate members of the Connecticut Congressional Delegation on the priorities of her members in Connecticut and around the country.

Debbie provided critical support to advance the priorities of Connecticut's National Guard in Washington and back home in Connecticut. Over the years, she was knee-deep with us in the critical fights that would determine the future of the Guard in Connecticut, including working to oppose the BRAC 2005 recommendation that removed A-10s from Connecticut, years of work towards securing a permanent flying mission for the 103rd Flying Yankees, advocating for the recognition of members of the National Guard as veterans, and promoting fairness for dual status military technicians.

Debbie's experience, commitment, and energy are unmatched. The Connecticut National Guard, and all those who serve in the uniform of our state and nation, is stronger thanks to her efforts. I ask my colleagues to join me in thanking Debbie for her decades of service and wish her well in her retirement.

CONGRATULATING THE EFFORTS OF DIA GEO

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. HIMES. Mr. Speaker, today, I am proud to congratulate the efforts of Diageo to make nutritional and alcohol-content information on alcoholic beverages more accessible to consumers.

Diageo is voluntarily taking steps to list this information in a way that is easily understood by most people. For many of us, it is not very useful to know how many calories a drink has per 50 milliliters, or what the alcohol content of one-third of a beer is. That's why Diageo will list this information by typical serving size, so consumers will know how much alcohol and

how many calories are in a single can of beer or one mixed drink, for example.

While the labeling will begin in Europe right away, it is the company's plan to roll it out to all approved markets as soon as possible.

I am supportive of these efforts because I believe that consumers want more access to information about the food and beverages they consume, and want that information presented in a way that is relevant to the consumption decisions they make. I also think that any increase in transparency and labeling in the alcohol industry can help curtail alcohol overconsumption and drunk driving.

Diageo has been a longtime and upstanding member of the business community in the 4th Congressional District of Connecticut, and I am once again pleased to see them setting trends in their industry, especially when those trends could lead to a healthier and safer world.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. SMITH of Washington. Mr. Speaker, on Thursday, January 22, 2015, I was unable to be present for recorded votes. Had I been present, I would have voted: "NO" on roll call vote Number 42 (on ordering the previous question on H. Res. 42), "NO" on roll call vote Number 43 (on agreeing to the resolution H. Res. 42), and "YES" on roll call vote Number 44 (on the motion to recommit H.R. 7, with instructions).

ANTHONY M'S VISIONS IN GOLD

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Anthony M's Visions in Gold for receiving the City of Wheat Ridge's Business of the Year Award.

The Business of the Year Award recognizes local businesses who demonstrate a commitment to their community, strong management practices and are a positive reflection of Wheat Ridge values.

After tremendous growth last year, Anthony M's Visions in Gold expanded their store and are adding a CAD-CAM system to personalize the jewelry-buying experience for their customers. Additionally, the business continuously gives back to the Wheat Ridge community, regularly participating in the Feed the Future back pack program and working with Wheat Ridge High School to display jewelry students' work.

I applaud Anthony M's Visions in Gold for being the recipient of this well-deserved honor by the City of Wheat Ridge, and I congratulate them on their success.

HONORING CHRIS MAPLES FOR EARNING THE BOY SCOUTS OF AMERICA'S WOOD BADGE

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor a special individual, and a member of my staff, Chris Maples, for earning the Boy Scouts Leader Wood Badge on October 15, 2015. Chris has worked extremely hard on his Wood Badge recognition, and is finally being rewarded for his efforts and the impact those efforts have had on the Scouts under his leadership. Chris has spent eight years with Troop 527 of Richmond County, North Carolina, and has spent the last four years as the group's Scout Master.

The Wood Badge, which is the highest level of adult Scout training available through the Boy Scouts of America, is an advanced-learning and team-building training series that gives Scout Leaders the opportunity to better understand the purpose and goals of the Scouting program, as well as strengthen their long-term commitment to Scouting and provide them with valuable leadership skills. In order to earn the Wood Badge, the Scout Leader must go through the Wood Badge course, in which the Scout Leader must complete two separate phases: the practical phase and the application phase. During the practical phase, the Scout Leader will spend two weekends at camp with a group of fellow Scout Leaders, learning how to better lead their troop with a hands-on camp experience. Also during the practical phase, the Scout Leader will develop what is called a "Ticket," which is a set of five tasks or goals developed to strengthen and improve their troop. After completing the practical phase and developing their ticket, the Scout Leader will move in to the application phase, in which the Scout Leader will complete their five tasks within eighteen months of finishing the practical phase.

Chris began his Wood Badge journey in October of 2014, and finished his requirements in June of this year. For his ticket, Chris worked with his troop to allow some of the young men to become patrol leaders, which allowed them to take up leadership positions within the troop and provide these members the opportunity to gain valuable leadership experience. In addition, Chris recruited more members to Troop 527 and created a "Scouter of the Year" award, as well as a special summer camp just for his troop. Chris has worked tirelessly to improve the scouting experience for the members of Troop 527, and his efforts have certainly made a difference.

During Chris' Wood Badge ceremony, he received the Wood Badge beads and regalia, as well as a certificate detailing his accomplishments. This is a very special ceremony that I am sure Chris will remember for the rest of his scouting days, and he should be extremely proud of the hard work it took to accomplish this feat. As a former Boy Scout, I am thankful Chris took the time to better himself so that he could better serve the members of Troop 527. I am confident they will be better off as a result of Chris' hard work.

Mr. Speaker, please join me today in thanking Chris Maples for his service to the young men of Troop 527, and to congratulate him for earning the distinguished Boy Scouts of America's Wood Badge Leader recognition.

HONORING THE SERVICE OF
JOHN NAVARRETTE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. COSTA. Mr. Speaker, I rise today to honor Mr. John Navarrette as he celebrates 31 years of service to the County of Fresno. Mr. Navarrette will be retiring as the Chief Administrative Officer of Fresno County, a position that he has served in for the last six and a half years of his career. John's extraordinary career and service to the County of Fresno deserves to be honored.

John was born and raised in Mendota, California. He attended Mendota Unified schools including Tranquility High School, and graduated from California State University, Fresno in his early twenties. Throughout his career, John has achieved a multitude of goals while working in government. He started his career with the County of Fresno in 1985 as an entry level staff analyst. John subsequently went to work in Sacramento for the California State Legislature in 1997, retaining a position in the Speaker's Office. One of his early achievements was obtaining funds for City and County parks, as well as the now infamous bookmobile.

In 1999, Mr. Navarrette got a job in the Lieutenant Governor's office. During his time there, he managed special projects and economic development trade missions to Mexico and Italy. In 2003, returned to his roots in California's Central Valley and went back to work for the County of Fresno, becoming the Director of General Services in 2004.

As previously mentioned, the last six and a half years, John has served as the County Administrative Officer, and led 5,000 Fresno County employees towards solving many of the community's issues. He was able to form a senior team that showed drive and dedication, and his extensive experience in government has allowed him to implement policies in an effective manner.

John's tenacity and willingness to work hard got him where he is today. His leadership skills allowed him to lead Fresno County during one of the most difficult times his community has ever experienced. Mr. Speaker, it is with great pleasure that I ask my colleagues in the House of Representatives to join me in recognizing Mr. John Navarrette for the contributions he has made to the State of California and County of Fresno. His dedication to our community is inspiring and deserving of recognition.

INTRODUCTION OF A BILL TO RE-
MOVE J. EDGAR HOOVER'S NAME
FROM THE FBI BUILDING IN
WASHINGTON, DC

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. COHEN. Mr. Speaker, I rise today in support of a bill I introduced today to remove J. Edgar Hoover's name from the Federal Bureau of Investigation building in Washington, DC.

J. Edgar Hoover did terrible things when he served as FBI Director.

His infamous "COINTELPRO" program harassed civil rights workers, political activists and homosexuals.

He was downright abusive.

His efforts to silence Martin Luther King, Jr. and out homosexuals working for the federal government were deplorable.

It has been reported that, at one point, he even had a letter sent to Dr. King threatening to expose information about his private life. The letter appeared to suggest that Dr. King should kill himself to save himself from the embarrassment.

The letter said, "King, there is only one thing left for you to do. You know what it is. You have just 34 days in which to do (this exact number has been selected or a specific reason, it has practical significant [sic]. You are done. There is but one way out for you. You better take it before your filthy, abnormal fraudulent self is bared to the nation."

His treatment of homosexuals was no better. He called them "sex deviates."

He ordered the FBI to undertake extraordinary efforts to identify everyone who was even suspected of being homosexual in the federal government.

There is a very good documentary about this by Michael Isikoff on Yahoo News entitled "Uniquely Nasty: J. Edgar Hoover's war on gays". I encourage my colleagues to see it.

In 1951, Hoover issued a memo to top FBI officials saying that "Each supervisor will be held personally responsible to underline in green pencil the names of individuals . . . who are alleged to be sex deviates."

The FBI eventually collected more than 360,000 files on gays and lesbians.

It has been reported that in 1952, Hoover outed a young campaign aide who was in line to be hired by President-elect Eisenhower. The young man, Arthur Vandenburg, Jr., was the son of Republican U.S. Senator Arthur Vandenburg. But that didn't matter.

The young Vandenburg was promptly rejected.

And Hoover didn't even stop there. Years later, the FBI went on to out the young man to Confidential magazine, which then outed him publicly—reporting, "Once upon a time there was a famous senator's son who had a limp wrist."

J. Edgar Hoover was a terrible man. Even the FBI's own web site declares that his infamous COINTELPRO program was "rightly criticized by Congress and the American people for abridging first amendment rights and for other reasons."

Yet, his name continues to adorn the FBI building in Washington, DC—one of the most prominent buildings in our nation's capital. This is just wrong.

I urge my colleagues to pass this bill, and remove his name from the FBI building.

HONORING THE LIFE OF
PHIL RATLIFF

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Phil Ratliff who passed away unexpectedly on August 9, 2015, after suffering a cardiac event. We send our prayers and sincerest condolences to his wife, Jenni, and their two children, Haley and Dylan.

Coach Ratliff dedicated his life to inspiring young student athletes through the game of football. After an impressive collegiate career, twice being named to the nation's All-American team, Coach Ratliff passed along his understanding of the game of football and inspirational outlook on life as an assistant coach at his alma mater, Marshall University, and then at James Madison University.

Coach Ratliff later joined the new football program at the University of North Carolina at Charlotte, my alma mater, as the program's Offensive Line Coach and Recruiting Coordinator. Under his leadership, the Charlotte 49ers' offense averaged more than 484 yards per game last season. A beloved father, husband, friend, and coach, he will be deeply missed by all who had the pleasure of knowing him.

Mr. Speaker, please join me today in commemorating the life of Coach Phil Ratliff for his service to the student athletes of Marshall University, James Madison University, and the University of North Carolina at Charlotte; in addition to the countless lives he impacted in his community.

RECOGNIZING DONALD ELLIS
WILLIAMSON, M.D.

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. ADERHOLT. Mr. Speaker, I would like to recognize the long and devoted public service of Donald Ellis Williamson, M.D. After serving more than two decades as Alabama's State Health Officer and three years as the state Medicaid Commissioner, Dr. Williamson is stepping down from these positions next month.

Dr. Williamson attended the University of Mississippi School of Medicine, graduating Cum Laude in 1979. He pursued his internship and residency at the University of Virginia, and was certified by the American Board of Internal Medicine in 1982.

With his education complete, Dr. Williamson then began his long career in public health. After serving four years as the State Tuberculosis Control Officer in Mississippi (1982–

1986), he held a series of positions in the Alabama Department of Public Health. He began as the Director of the Division of Disease Control (1986–1989) before serving as the Director of the Bureau of Preventive Health Services (1989–1992). On November 18, 1992, he started his service as the head of the Department.

During his tenure, Dr. Williamson became known for addressing key public health issues, such as disaster preparedness and advancing the health of children, in the name of improving health for all Alabamians. For example, in recent years, he led the state health efforts related to Hurricane Katrina in 2005, and also those related to the April 2011 tornadoes. He was responsible for the design & implementation of the state's Children's Health Insurance Program (CHIP), known as ALLKIDS. This was one of the first Children's Health Insurance Programs in the nation and lowered the rate of uninsured children in Alabama from 20 percent to under 7 percent. He was also intent on doing a better job of reducing infant mortality and increasing children's immunization rates.

I wish Dr. Williamson all the very best as he steps down from the Department of Public Health and moves into his new role as president of the Alabama Hospital Association. I know that he will bring fresh insight to the Association and carry the organization to new heights. I look forward to working with him in this new position.

CELEBRATING THE LIFE OF MASON GREGORY

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. KELLY of Mississippi. Mr. Speaker, I rise today to honor the memory of Mason Gregory of Mooreville, Mississippi who joined his Heavenly Father on Monday, October 12, 2015.

Only 12 years old, Mason was a 7th grade student at Mooreville Middle School. He excelled at sports and was a member of the Mooreville Junior High Football team as well as Saltillo Park and Recreation baseball.

Outside of school, Mason was an active member of New Hope Baptist Church where he loved being a part of the youth group.

Mason spent most of his time outdoors, and his favorite activity was hunting with his dad.

Full of happiness and love, Mason was adored by his family, friends, and teammates.

Survivors include his parents, Bert and Angel Gregory of Tupelo; sister, Anna Gregory; grandparents, Mike Seawright (Norma) of Flora and Betty Stenbridge (Mike) of Mooreville; his special cousin, Ally Grace Bounds who was like a sister to him.

He was preceded in death by his grandparents, Anderson and Nudeane Gregory.

My thoughts and prayers are with Mason's family and friends during this difficult time.

HONORING DONNA CARPENTER FOR RECEIVING THE SOUTHEAST TOURISM SOCIETY'S BEACON AWARD

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor Donna Carpenter, who serves as President and CEO of the Cabarrus County Convention and Visitors Bureau, for receiving the Southeast Tourism Society's Beacon Award. The Beacon Award recognizes an individual who best exemplifies outstanding leadership in the pursuit of excellence and who has advanced the tourism industry.

Ms. Carpenter joined the Cabarrus County Convention and Visitors Bureau as President and CEO in 2009, but has been actively involved in the Charlotte area for nearly fifteen years. Ms. Carpenter has been instrumental in the improvement of the Cabarrus County and Charlotte-area tourism industry, working with leaders in the area to improve infrastructure development and create long-lasting relationships between local municipalities. One of Ms. Carpenter's greatest achievements during her time at the Cabarrus County Convention and Visitors Bureau has been her leadership in ensuring the implementation of the "Destination 2020 Plan," a proposal to develop Cabarrus County as a premier travel destination and outline key components for reaching this goal.

Furthermore, Ms. Carpenter has worked tirelessly to grow the image of Cabarrus County's tourism industry and connect with visitors and residents alike. Under her leadership, the Cabarrus County Convention and Visitors Bureau office, as well as the Visitor's Center, were relocated to better serve the area and act as a central hub for visitor activity. As a result of her efforts to improve the tourism industry in our area, the Cabarrus County Convention and Visitors Bureau was accredited by the Destination Marketing Accreditation Program by Destination Marketing Association International in 2013.

In addition to her work within the Cabarrus County and Charlotte-area tourism industry, Ms. Carpenter is actively involved in our community. She is a member of several area organizations and serves on multiple boards, including the Cabarrus County Chamber of Commerce. As a proud alumnus of the university I am extremely grateful for her involvement on the University of North Carolina at Charlotte's Advisory Board. Clearly, Ms. Carpenter is an asset to our area, and I look forward to seeing all that she will accomplish in the future.

Mr. Speaker, please join me today in congratulating Donna Carpenter for receiving the Southeast Tourism Society's Beacon Award, as well as her dedication to making Charlotte and Cabarrus County a world-class tourism destination.

COMMENDING THE WORK OF DR. EARL BROOKS, II

HON. MARLIN A. STUTZMAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. STUTZMAN. Mr. Speaker, I rise today to recognize the fifteen-year tenure of Dr. Earl Brooks, as President of Trine University in Angola, Indiana.

Having once been a student at Trine University, it is an honor to recognize Dr. Brooks for his many years of service to the academic community in Northeast Indiana.

During his fifteen years at Trine, Dr. Brooks has significantly increased enrollment while maintaining a remarkable, above-average career-placement percentage for his students. He transitioned the university from undergraduate to graduate and doctoral degree status and even moved university athletics to the NCAA.

Mr. Speaker, I submit an article from the publication, *Business People*, highlighting Dr. Brooks' fifteen-year tenure and his many notable accomplishments.

In closing, I would like to thank Dr. Brooks for his distinguished service and wish him well as he continues to lead Trine University.

[From *Business People*, August 1, 2015]

GIVING CREDIT WHERE IT'S DUE

(By Jon Detweiler)

While The American College President Study reports a downturn nationally in average leadership tenure—from eight and a half years in 2006 to an average of seven years in 2011—Trine University President Dr. Earl D. Brooks II completes 15 years at the helm, with ongoing plans firmly in place for years to come. When Brooks stepped into leadership 15 years ago, he was the youngest college president in the state. Now, he ranks second on the list of longest tenures at Indiana colleges and universities.

Why is Trine celebrating Dr. Brooks' tenure? What has defined his success over the past 15 years? His list of accomplishments is too long to enumerate here, but some highlights include:

Total enrollment up from 1,350 to 3,800; 78% of that increase experienced over the past five years, with an additional 15% projected for Fall 2015

Transition from undergraduate to graduate and doctorate degree status

Upgrade of athletic programs from NAIA to NCAA

Successful completion of the largest capital campaign in Trine's history (\$90 million) and raised 55% of current \$75 million Invest in Excellence campaign

Update and revitalization of the physical campus through a \$100 million investment in new projects, including eight new apartment-style student housing units

Renovation of the Health Sciences Education Center

Expansion of welcome/admissions center

New university center and library

New athletic and recreation center, complete with a new stadium

Renovation of the administration building and the T. Furth Center for Performing Arts

Renovation of Ford Hall, home of the Ketner School of Business

Construction of the Jim and Joan Bock Center for Innovation & Biomedical Engineering

New College of Engineering and Business
Full-time faculty bolstered by 60%, from 53 to 89

A career-placement average of 99.7% for Trine graduates, compared to the national average of 75.6% as reported by the National Association of Colleges and Employers in 2013-2014

To celebrate what has been accomplished under Dr. Brooks' leadership, however, must lead naturally to a discussion of why he has been so successful. "I started in the classroom teaching, which I still love," says Brooks. "You never grow tired of that exposure to young people." After teaching biology and physiology, Brooks worked his way up from classroom professor to department chair, then to school dean. At universities in Tennessee and Delaware, he served as both vice president for academic affairs and executive vice president/chief operating officer, eventually becoming immersed in the various operations of a college campus.

But three years into his role as chief academic officer at Lincoln Memorial University in Harrogate, Tennessee, Brooks awakened to the crucial function of fundraising and development. Consequently, his academic history and his fundraising experience together produced a love for administration that prompted his desire to pursue the presidency. "I'd learned through that process the two most critical areas for the success of an institution," says Brooks: "The enrollment aspect and the fundraising aspect." He attributes part of Trine's success as a team to understanding and focusing on those two priorities. "Financially, enrollment and fundraising drive the institution."

The fact that higher education has seen drastic changes during Dr. Brooks' tenure emphasizes its focus. "Higher education has become more and more of a business," he says. "We've learned to operate like a business." Schools are becoming consumer-driven now, which makes the student a customer. "Kids arriving today need an education with a career in mind."

Trine's astonishing 99.7 percent career-placement average for graduates is hardwired directly to the school's career focus. "We're fortunate to be a school that is more professional-oriented in our degree offerings, which gives us a clear advantage," says Brooks. Possibly the greater advantage for students, however, is the school's connection to local business and industry. By arranging practicums and internships with local companies, the faculty sets up its students to gain valuable experience outside the classroom and to build relationships with potential employers. "The key to success today—particularly on the education side, but also the job-placement side—is that linkage to business and industry," says Brooks. In fact, all new programming at Trine is seen through the lens of its potential for career outcomes.

If Dr. Brooks had a word of advice for his peers, he might add two elements to the list of reasons why he has succeeded as a leader. "Don't be afraid to take a risk. Be bold," he says. "Be bold in your vision, stick to your beliefs, listen to the market but don't be afraid to take a calculated risk." Second, drop the long-range planning. "I'm not sure that long-range planning fits higher education," he says. "Ten-year plans don't fit, so we've adopted a philosophy we call a rolling three-year plan."

Here again, a look at why Dr. Brooks has succeeded must be cut short, primarily because the president would rather talk about who has made him successful. "People make

the institution. You try to hire great people with talents greater than yours and not be threatened by that," he says with warmth and a wry smile. Indeed, the plaque on his desk reads, "There is no limit to what a man can do or where he can go if he doesn't mind who gets the credit."

Whether luck or talent, Brooks has the knack for attracting good people to an organization at all levels—faculty, staff, board of trustees, donors and, of course, students. "You need good people to lead an amazing transformation," he says.

And while Brooks is no longer in the classroom, he still finds multiple ways to engage the students. He maintains an open-door policy with them, an ideal that one might question until Brooks hands you his business card, which includes his home phone number. "That connection with students is something that just never goes away," he says.

This year, Trine University is celebrating the 15-year tenure of its president, Dr. Earl D. Brooks II, and for good reason. He has done much and he has gone far, and for that, he deserves a fair share of the credit.

HONORING THE LIFE OF FRANK DAVIS

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor Frank Davis of Concord, North Carolina, who passed away on August 24, 2015. We send our prayers and sincerest condolences to his wife, Joan, and the entire Davis family.

Born on November 7, 1944, Mr. Davis dedicated his life to serving our nation's students. After receiving his degree from Berry College, Mr. Davis taught high school English in a nationwide linguistic research and development project in Rome, GA. After completing this project, Mr. Davis transitioned to the field of higher education, where he served three decades as an admissions and chief development officer at several universities, including his alma mater. In 1998, Mr. Davis joined The Cannon Foundation, later becoming the Foundation's Executive Director in 2000.

I had the honor of becoming friends with Mr. Davis during his time at the Cannon Foundation, and I was immediately struck by his humble attitude and sincere dedication to service to others and to improving educational opportunities for all students. Not only that, he inspired each of us to be better people and to give back to our communities through kindness, charity and service.

I recently had the honor to present Mr. Davis posthumously with the Order of the Long Leaf Pine, the highest award the Governor of North Carolina can bestow. The Order was created in 1963, and has been presented to honor persons who have a proven record of service to the State of North Carolina. While Mr. Davis made his mark in other states, like Georgia and Alabama, it seems like he always had North Carolina on his mind.

Mr. Speaker, please join me today in commemorating the life of Frank Davis for his commitment to his community and the numerous lives he impacted throughout his life.

HONORING RICHARD K. DONAHUE

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Ms. TSONGAS. Mr. Speaker, the City of Lowell, Massachusetts is well-known for its historic contributions to this nation, from its roots in the founding of modern industry, to world-renown authors and artists, to public officials who helped shape the national conversation. Lowell recently lost one of those titanic figures with the passing of Richard K. Donahue.

Richard Donahue will be remembered across Massachusetts and the country for his expertise and leadership in the legal world, as well as his acumen and achievements in politics, policy and business.

A valued citizen of Lowell, his professional career existed on the national stage, through his storied involvement in the successful campaign of President John F. Kennedy, his tenure as a confidant and advisor at the Kennedy White House, as a highly-regarded and nationally respected lawyer, and as President of NIKE, a major worldwide company. He was an exemplary role model for young Lowellians coming of age in the 60s and 70s, setting a standard of excellence and accomplishment that he made seem quite easy.

As much as Dick was a national figure, he never lost touch with his home city. He remained deeply committed to Lowell throughout his entire life. Dick represented the fighting spirit and dedication to community that is Lowell's trademark. He always had the community's best interests at heart.

His wife, Nancy, the founder of Merrimack Repertory Theater has been its guiding light from its inception. Dick and Nancy's tremendous philanthropic support to the theater and across the region reflected their unflagging generosity and willingness to share the fruits of a very successful life and devote it to the best interests of the City of Lowell.

Dick also understood that the City and its University rise and fall together, and devoted himself to being a leader at the University of Massachusetts Lowell, helping to position that institution for future success.

Even in recent years, when Dick's health was not good, you'd still see him attend events he thought were important. It reflected his ongoing affection and love for his city and the many good things that happen here.

Dick Donahue was a remarkable Lowellian. I know I'm not alone when I say thank you to him for his endless dedication to his country and his city; and to his wife and family for sharing him with us. He will be greatly missed, but his legacy will be felt across this region for generations to come.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. SMITH of Washington. Mr. Speaker, on Thursday, July 16, 2015, I was unable to be

present for a recorded vote. I would have voted "YES" on roll call vote Number 443 (on agreeing to the Garamendi Amendment to H.R. 2898).

REMEMBERING PEGGY DELOACH NOBLES

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. CARTER of Georgia. Mr. Speaker, I rise today in remembrance of Peggy DeLoach Nobles who entered into eternal rest Wednesday, September 30, 2015.

Born on September 24, 1936, Mrs. Nobles was the daughter of Henry William DeLoach and Navada Todd DeLoach. Mrs. Nobles was raised on a farm in Tattall County and graduated from Glennville High School in 1954. She was also a graduate of Draughon's Business College in Savannah, Georgia.

Mrs. Nobles was active in business, and for decades worked as the administrator of the Long County Sherriff's Office alongside her husband, Cecil Nobles, who was the sheriff of Long County from 1969 until 2012. Mrs. Nobles continued her work with the Sherriff's Office as her son, Craig, was elected sheriff in 2012. Mrs. Nobles was a very active member of her community and the Long County Chamber of Commerce. She was also a longtime member of the Jones Creek Baptist Church in Ludowici, Georgia.

Perhaps most important to Mrs. Nobles was her love for her family and extended family with whom she always enjoyed spending time. She is survived by her three sons and daughters-in-law: James Cecil Jr. and Stephanie, Kenneth Elliot and Bonnie, and Craig William and Elizabeth; 5 grandchildren and 4 great-grandchildren; sisters, Gaynell DeLoach Paulk of Alexandria, Louisiana, and Ava Jean DeLoach Rooker of Glennville; brothers, Charles P. DeLoach of Glennville and Larry L. DeLoach of Lakeland, Florida; brother-in-law, Raymond Gus Nobles of Ludowici; and several nieces and nephews.

HONORING RICHARD P. HOWE

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Ms. TSONGAS. Mr. Speaker, the City of Lowell, Massachusetts has a long and storied tradition of public service, forged by countless dedicated men and women who utilized innovative and open-minded ideas to better the lives of others and further progress in their community. Lowell recently lost one of those titanic figures with the passing of Richard P. Howe.

For all of us who were privileged to know Dick Howe, Sr., this is a moment to celebrate the life and the legacy of a devoted Lowellian.

My family first came to know Dick and his family when my husband Paul Tsongas served alongside him as a member of the Lowell City

Council. They also shared a law office until Paul was elected to Congress. Dick was an important mentor and role model to Paul, exemplifying unwavering integrity, courageous leadership, and an abiding belief in the City.

Dick held office during Lowell's extraordinary transformation and was one of the creative community leaders who helped turn a shared vision to revitalize Lowell into reality.

Two years ago, we celebrated the dedication of The Richard P. Howe Bridge, which is a fitting tribute to a man who helped bridge many divides to bring people together in the name of the city he loved. He will be greatly missed.

RECOGNIZING THE 50TH ANNIVERSARY OF EDUCATIONAL TALENT SEARCH IN DURHAM, NEW HAMPSHIRE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. GUINTA. Mr. Speaker, I rise today to recognize the 50th anniversary of Educational Talent Search (ETS) in Durham, New Hampshire. I am pleased to join with the University of New Hampshire in recognizing this great milestone for ETS and its supporters.

This is a great achievement for both ETS and the University that supports it, and speaks highly to the outstanding services and guidance the program has offered to first-generation college students of the communities they serve. For the past 50 years, Educational Talent Search has been a leader in helping students with academic advising, postsecondary placement, academic preparation and career exploration.

Through the leadership of ETS, thirty-one middle schools and high schools throughout New Hampshire are being provided academic advising, career planning, and financial aid and financial literacy information, to better increase educational opportunities for those youth it supports. ETS has an impressive record of having 100% of the students it works with graduate from high school, and helping 86% of those students go on to attend college.

I am proud to join with my fellow Granite Staters in recognizing the 50th anniversary of the Educational Talent Search, and wish them all the best in their future years.

THE RUSSIAN GOVERNMENT VIOLATES ITS SECURITY, ECONOMIC, HUMAN RIGHTS COMMITMENTS AGREEMENTS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. SMITH of New Jersey. Mr. Speaker, yesterday I chaired a hearing of the Helsinki Commission that examined the Russian government's repeated violations of its international security, economic, and human rights commitments.

In accord with the three dimensions of security promoted by the OSCE and the Helsinki Final Act of 1975, the Commission looked at Russia's respect for the rule of law through the lens of three "case studies" current to U.S.-Russian relations—arms control agreements; the Yukos litigation; and instances of abduction, unjust imprisonment, and abuse of prisoners.

Forty years after the signing of the Helsinki Final Act, we face a set of challenges with Russia, a founding member of the organization, that mirror the concerns that gave rise to the Helsinki Final Act.

At stake is the hard-won trust between members—now eroded to the point that armed conflict rages in the OSCE region. The question is open whether the principles continue to bind the Russian government with other states in a common understanding of what the rule of law entails.

In respect of military security, under the 1994 Budapest Memorandum Russia reaffirmed its commitment to respect Ukraine's independence, sovereignty, and existing borders. Russia also committed to refrain from the threat or use of force or economic coercion against Ukraine. There was a quid pro quo here: Russia did this in return for transferring Soviet-made nuclear weapons on Ukrainian soil to Russia.

Russia's annexation of Crimea and subsequent intervention in the Donbas region not only clearly violate this commitment, but also every guiding principle of the 1975 Helsinki Final Act. It appears these are not isolated instances. In recent years, Russia appears to have violated, undermined, disregarded, or even disavowed fundamental and binding arms control commitments such as the Vienna Document and binding international agreements, including the Conventional Forces in Europe (CFE), Intermediate Nuclear Forces (INF), and Open Skies treaties.

In respect of commercial issues, the ongoing claims regarding the Russian government's expropriation of the Yukos Oil Company are major tests facing the Russian government. In July 2014, GML Limited and other shareholders were part of a \$52 billion arbitration claim awarded by the Hague Permanent Court of Arbitration and the European Court of Human Rights (ECHR).

In response, the Russian government is threatening to withdraw from the ECHR and seize U.S. assets should American courts freeze Russian holdings on behalf of European claimants, while filing technical challenges that will occupy the courts for years to come. All of this fundamentally calls into question Russia's OSCE commitment to develop free, competitive markets that respect international dispute arbitration mechanisms such as that of the Hague.

I note that U.S. Yukos shareholders are not covered by the Hague ruling for their estimated \$6 billion in losses. This is due to the fact that the United States has not ratified the Energy Charter Treaty, under which European claimants won their case, as well as the continued absence of a bilateral investment treaty with Russia. This has handicapped U.S. investors in Russia's energy sector, leaving them solely dependent of a State Department espousal process with the Russian government.

We were all relieved to learn that Mr. Kara-Murza is recovering from the attempt on his life—by poisoning—in Russia earlier this year. His tireless work on behalf of democracy in Russia, and his personal integrity and his love of his native country is an inspiration—it is true patriotism, a virtue sadly lacking among nationalistic demagogues.

Sadly, the attempt on Mr. Kara-Murza's life is not an isolated instance. Others have been murdered—most recently Boris Nemtsov—and both his and Mr. Kara-Murza's cases remain unsolved.

In other cases, such as the abductions, unjust imprisonments, and abuses of Nadiya Savchenko, Oleg Sentsov, and Eston Kohver, we are dealing the plain and public actions of the Russian government. Nadiya Savchenko, a Ukrainian pilot and elected parliamentarian, was abducted by Russian government agents, imprisoned, subjected to a humiliating show trial, and now faces 25 years in prison for allegedly murdering Russian reporters—who in fact were killed after she was in Russian custody.

Meanwhile, a Russian court has sentenced Ukrainian film director Oleg Sentsov on charges of terrorism. Tortured during detention, Sentsov's only transgressions appear to be his refusal to recognize Russia's annexation of the peninsula and his effort to help deliver food to Ukrainian soldiers trapped on their Crimean bases by invading Russian soldiers. And the kidnapping and subsequent espionage trial against Estonian law enforcement officer Eston Kohver demonstrates the Russia's readiness to abuse its laws and judicial system to limit individual freedoms both within and beyond its borders.

The Magnitsky Act that I had the honor to co-sponsor was in part meant to address human rights abuses such as these. It sanctions those involved in the abuse, and works to discourage further human rights violations while protecting those brave enough to call attention to their occurrence. It troubles me greatly to hear that the Administration's listings of sanctioned individuals has thus far only targeted 'minor players,' rather than those who pull the strings.

HONORING KEVIN DORAN

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. REED. Mr. Speaker, I rise today to honor Kevin Doran, who passed away earlier this week.

Mr. Doran was a long-time radio personality from Hornell, New York. He began his broadcasting career by working odd jobs at WLEA, a local radio station, while in high school. After graduating from college, Mr. Doran worked as a reporter for the Hornell Evening Tribune while teaching history at Hornell High School. In 1972, he purchased WLEA and became general manager of the station. His family continues to operate the station to this day.

Mr. Doran was well-known through the Hornell area for his iconic voice, personality, and sense of humor. He was best known for

hosting the popular Newsmaker Show, which won several awards for excellence from the New York State Broadcasters Association. He reported on a variety of topics, ranging from national politics to social issues and local events. Many residents remember his reports on the devastating 1972 flood in Hornell, during which he worked non-stop to provide information to his neighbors in need. On a lighter note, Mr. Doran famously allowed local children to call into his show with questions for Santa Claus, whom he "interviewed" live from the North Pole.

Mr. Doran was a larger-than-life personality who was beloved throughout the Hornell community. He leaves behind a proud legacy of broadcasting excellence, which will be continued by the numerous local reporters and broadcasters that he mentored during his career. I ask all of my colleagues to join me in honoring and remembering the life of Kevin Doran.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,152,658,224,184.62. We've added \$7,525,781,175,271.54 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING FORMER LAKES REGION COMMUNITY COLLEGE ACADEMIC AFFAIRS VICE PRESIDENT TOM GOULETTE ON THE OCCASION OF HIS RETIREMENT AFTER 39 YEARS WITH THE COLLEGE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Mr. Thomas Goulette on his retirement after 39 years with Lakes Region Community College, and thank him for the outstanding work he did during his career.

Mr. Goulette's broad expertise in education has been instrumental to the growth of Lakes Region Community College, and his continuous progression from teacher to vice president exemplifies his commitment to excellence. Over the last 39 years, Mr. Goulette has been an integral part of the education community and his leadership will be greatly missed.

It is with great admiration that I congratulate Mr. Goulette on his retirement, and wish him the best on all future endeavors.

PERSONAL EXPLANATION

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, on roll call no. 546 I regrettably missed roll call vote 546. Had I been present, I would have voted "yes."

HONORING THE REDLANDS CHRISTIAN MIGRANT ASSOCIATION

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. DIAZ-BALART. Mr. Speaker, I rise to congratulate the Redlands Christian Migrant Association on their 50th anniversary, and to commend its exemplary service to the Florida community.

The Redlands Christian Migrant Association (RCMA) was founded by members of the Mennonite Church in 1965. They had noticed that the children of migrant workers faced extraordinarily dangerous conditions when they went into the fields with their parents. Parents had no other option but to bring their children with them into fields as they harvested crops. The RCMA brought in caregivers from the cultures of the workers to establish trust between the parents and their children's caregivers. The level of trust and close contact with the community formed the basis of the RCMA's successful model of provider to many cultures.

The RCMA began its service with seventy-five children in two facilities. It now serves over 8,000 children in over eighty-five centers. These facilities serve a large range of needs in the community. The RCMA's Early Head Start centers accept children as young as six weeks, while its after-school programs cater to ages 6 through 16. On all levels, the association prioritizes safety, health, and education.

Having dealt with the RCMA for a number of years, I know the level of commitment and dedication that the entire organization has for its work. It has served thousands of families and become an integral part of our community. I am proud to say that the RCMA serves so many families in our state. They are truly a model of an organization that cares. I look forward to many more years of working with the RCMA, and wish them nothing but the best.

Mr. Speaker, I am honored to pay tribute to the Redlands Christian Migrant Association for its continued service in Florida and I ask my colleagues to join me in recognizing this remarkable organization.

IN RECOGNITION OF THE CONTRIBUTIONS OF HUMAN FACTORS RESEARCH

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to highlight an often-overlooked field of research, but one that affects all of us in our daily lives—human factors.

For over 50 years, the U.S. federal government has funded scientists and engineers to explore and better understand the relationship between people, technology, and the environment. Originally stemming from urgent needs to improve the performance of people using complex systems such as aircraft during World War II, the field of human factors works to develop safe, effective, and practical human use of technology, and the design of technology for effective human use, particularly in challenging settings. Prior to this, considerations of how people effectively and safely interacted with machines were not a priority, resulting in wasted economic output and efficiency, and more importantly, the avoidable loss of human life.

Today, organizations like the Human Factors and Ergonomics Society, or HFES, which counts over 4,500 psychologists, scientists, engineers among its members, are devoted to creating safe and effective human interaction with technology in diverse fields such as transportation, military equipment, consumer products, energy systems, medical devices, manufacturing, farming, health, sports and recreation, and education.

The group defines “human factors” as the scientific body of knowledge of how people use technology. It is applied at critical points of evaluation and assessment to the design and use of equipment, systems, facilities, procedures, jobs, environments, and training, leading to safe and efficient operation and implementation.

For example, based on human factors expertise and research, the Federal Highway Administration, U.S. Department of Transportation, found that implementing high-intensity activated crosswalks reduced total crashes by 29% and pedestrian-vehicle crashes by 69%. Also showing positive effects for pedestrian and bicycle safety were the implementation of shared-lane markings for bicycles and transverse markings for crosswalks as well as cars designed to reduce distracted driving.

Organizations like HFES and its individual members help ensure that whether it's the latest model of an American-made car or the tools that equip our men and women in uniform, how we interact with technology is a critical component of its development. I support the increased use of human factors research in new technologies and hope our federal agencies like the Department of Transportation will continue to make use of these important results.

RECOGNIZING DR. STEVEN D. CHAN INSTALLATION AS PRESIDENT OF THE AMERICAN COLLEGE OF DENTISTS

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. HONDA. Mr. Speaker, I rise today to recognize Dr. Steven D. Chan, an accomplished pediatric dentist who most recently was installed as the first Asian American President of the American College of Dentists. It is my great pleasure to commend Dr. Chan for his lifelong achievements and expertise in the field of dentistry. He is involved in a number of professional and civic activities that truly make him an exemplar of leadership.

The American College of Dentists is the oldest major honorary organization for dentists. It was founded in 1920 to recognize dentists who have made significant contributions to the advancement of dentistry. The mission of the American College of Dentists is to advance excellence, ethics, professionalism, and leadership in dentistry—all qualities that embody Dr. Chan.

I have had the honor of meeting and speaking with Dr. Chan and am impressed with his distinguished professional background. Dr. Chan is a third generation Californian—born and raised in Los Angeles. A graduate of UCLA, he earned his dental degree at Georgetown University and completed his special training in pediatric dentistry at a Los Angeles County Hospital Trauma Center.

He's received various professional honors and fellowships from different organizations such as the American Academy of Pediatric Dentists, the Asian Business Alliance, and the Asian Pacific Islander American Public Affairs Association. He holds membership to several professional associations like the California Society of Pediatric Dentistry and the American Academy of Pediatrics. Individuals like Congressman ERIC SWALWELL and former California State Senator Majority Leader Ellen Corbett have also recognized his illustrious career.

In addition to his numerous professional accomplishments, Dr. Chan is a civic leader in his community. His community service includes: Service on the Alameda County Grand Jury, Chair of the Ohlone Community College Bond Oversight Committee, and City of Fremont Library Commission.

It has been a great privilege to have shared a friendship and working partnership with Dr. Steven Chan over the years. I commend him for his 35 years of distinguished leadership in the American community of dentistry and the City of Fremont. Dr. Chan has made significant contributions to the advancement of dentistry and I thank him for his years of dedicated service to Silicon Valley.

Dr. Chan's exemplary leadership will be well placed in the American College of Dentists. I rise today to wish him my very deepest congratulations for his exceptional level of advancement of dentistry and his commitment to public service in the Silicon Valley. I extend him my greatest personal wishes for success and happiness throughout his very well earned appointment.

FOREST PRODUCTS WEEK

HON. SUZAN K. DELBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Ms. DELBENE. Mr. Speaker, I rise to recognize Forest Products Week and the forest products industry's contributions to greener manufacturing practices. In Washington State, we have over 58 sawmill, millwork and wood treating facilities; 12 engineered wood and panel facilities; and 16 facilities manufacturing other wood products.

We know that forests play a critical role in filtering and renewing our air. Trees absorb carbon dioxide and water, and release oxygen. Some of the carbon absorbed by trees is stored for a long period of time. In fact, one-half the weight of wood is carbon.

Wood can be manufactured into many useful products. In addition, a large portion of the energy used in forest products manufacturing is produced from biomass like bark and sawdust, meaning the amount of energy used to produce wood products can be vastly lower than other materials.

Finally, wood is also renewable and provides for an increase in “green” buildings that have a positive carbon footprint. Recently, Secretary Vilsack visited my district and described the many benefits to building with wood products such as cross-laminated timber.

During Forest Products Week, let's all recognize the many employees and products that contribute to an increased environmental awareness in sustainable building materials as well as in many other areas.

CONDOLENCES TO THE TURKISH PEOPLE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I wish to express my sincere condolences to the Turkish people regarding the terrorist attack in Ankara on October 10, 2015 that took the lives of more than 90 innocent people. The attack was orchestrated through an apparent double suicide bombing at a rally organized to promote peace.

Turkey has been a longtime NATO ally and friend. For decades, they served on the front lines of the Cold War and contained Soviet expansionism to its north. Today, Turkey finds itself with a new threat to the south, as militant extremists attempt to expand their control over large parts of Syria and Iraq. It is heartbreaking to see evidence of this form of terrorism spreading to Turkish soil.

We stand with the Turkish people as they confront the growing threat of terrorism. Our thoughts and prayers go out to the families affected by this latest tragedy.

HONORING ALBERT M. ELÍAS

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. GRIJALVA. Mr. Speaker, I rise today in recognition of Albert M. Elías, who sadly passed away on October 16, for over 60 years of service to organized labor and to the progressive political community in Tucson and Pima County as a member of the International Typographical Union/Communications Workers of America Local 7026.

Albert M. Elías represented the highest ideals of the labor movement. While others talk about the need for a strong labor movement to protect and enhance the lives of working people, Albert, for more than 60 years, worked to advance these goals. While others have talked about how Pima County and southern Arizona need progressive political success to empower the ordinary and disadvantaged among us, Albert worked long hours helping politicians and movements advocate on behalf of these people.

Using the printing skills he honed for most of his life, the knowledge he gained over more than six decades of how the printed word can help realize worthy goals, and the personal contacts his honesty, integrity and goodwill forged, Albert achieved much and has helped others achieve even more in advancing political movements, and the labor movement in particular.

Albert, a fourth-generation Tucson native, joined the International Typographical Union of his maternal grandfather Francisco S. Moreno in January 1954 and committed himself to a career in the printing trade. Albert believed that union membership would improve the professional quality of his work as a printer, and enable him to develop meaningful, long-term relationships in his community that would benefit himself and his family, as well as his union brothers and sisters. Union membership, he believed, also would provide him with better income and with vacations and holidays off to spend quality time with his family. It was Albert's goal to provide his children with the wherewithal to excel in education through high school and go on to college if they desired. Time proved Albert to be correct. All three of the children of he and his wife, Viola Baine, are college graduates who are serving others in pursuit of their careers.

Albert and his sister Aida Elías, the children of Alberto Spring Elías and Ermelinda Moreno Elías, always lived their lives as Christians and were dedicated to their religious faith. Albert maintained an active lifetime role in his Roman Catholic parish, based at St. Augustine's Cathedral in downtown Tucson. He served for many years as a member of its Parish Council.

Albert's interest in the printing trade went back to his childhood in the 1930s. His grandfather Moreno had begun publishing the Spanish language *El Tucsonense* weekly newspaper as a member of the Typographical Union in 1915, but he died an early death in 1929. *El Tucsonense* continued publication under ownership of his wife, Rosa E. Moreno, and with the help of her five children—

Ermelinda, Gilberto, Federico, Arturo and Elías. Before Albert's 10th birthday he was delivering *El Tucsonense* by bicycle to the Latino barrios that dominated much of downtown Tucson. He worked his way into the print shop during his years at Tucson High School to be a "printer's devil," sweeping the floors, cleaning presses, and remelting the lead used to make ingots for the shop's linotype machines.

After graduating from Tucson High School in January 1946, Albert went to the Frank Wiggins Trade School in Los Angeles to learn more about printing. After completing those studies in 1948, Albert went to work in the print shop that published *El Tucsonense*, now being run by his uncle Arturo Moreno. That ended in late 1951 when Albert was drafted into the U.S. Army. He served in the infantry for two years before being honorably discharged. After his discharge, Albert returned to Tucson. But instead of rejoining *El Tucsonense*, Albert sought membership in the Typographical Union as a journeyman, skipping apprenticeship because of his experience. His skills earned him a position as a linotype operator in early 1954 with the Tucson daily newspapers, *The Arizona Daily Star* and *Tucson Citizen*.

A bitter and ultimately unsuccessful Typographical Union strike at the *Star-Citizen* in 1966, over job-depleting automation and the companies' rejection of the union's demand for a pension plan, ended Albert's 12-year stint with the daily newspapers. Fortuitously for Albert, *El Tucsonense* was in the process of folding and he and a partner, Oscar Araiza, bought his uncle's printing shop. Araiza retired in 1991 and Albert ran *Old Pueblo Printers* alone thereafter.

Upon taking control of the business in 1966, Albert and his partner began doing printing work for Tucson-area labor union locals and Democratic Party candidates for political office. One of the first campaigns for which Albert's shop printed the political literature was one of the late U.S. Representative Morris K. Udall's bids for office. Udall continued to use his services after that, as did Robert Kennedy for his assassination-truncated 1968 presidential campaign. Albert printed campaign materials for Raúl Castro, who was elected as the first Latino governor of Arizona; for Ed Pastor, who was elected as the first Latino Congressman from Arizona; and for longtime Pima County Supervisors Sam Lena and Dan Eckstrom. I, too, came to Albert for my printing needs when I first launched what became a 12-year stint on the Tucson Unified School District Board. I continued to use Albert's services through 13 years on the Pima County Board of Supervisors and, finally, on my 2002 bid for Congress.

During his career, Albert supported labor leader César Chávez of the United Farm Workers, he supported the efforts of local Latino activists to get their fair share of federal funds to improve the homes and neighborhoods of their people, and he supported a landmark lawsuit forcing Tucson Unified School District to desegregate its schools. Albert was always fighting battles against those who seek to use their financial influence to their own advantage—and at the expense of ordinary working people.

Albert M. Elías deserves special recognition, honor and respect for his six decades of union

membership—and for his meritorious achievements during that time on behalf of working people and the less fortunate of Pima County and Southern Arizona. We will miss him dearly.

PERSONAL EXPLANATION

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. ROSKAM. Mr. Speaker, on roll call no. 557, I was unavoidably detained.

Had I been present, I would have voted AYE.

CELEBRATING TAP'S 50TH ANNIVERSARY

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Mr. GOODLATTE. Mr. Speaker, community action agencies in the United States have established a history of giving individuals a much-needed hand-up out of poverty. Whether it's assistance with housing, finding a job, providing early childhood education, or even offering help to those recovering from abuse or addictions, community action agencies are the "Golden Rule" at work. I wish to honor an agency located in the Sixth Congressional District of Virginia that is actively fulfilling this mission.

Originally founded as Total Action Against Poverty by Cabell Brand, Total Action for Progress—known in Roanoke, Virginia simply as TAP—is celebrating its 50th anniversary as the Roanoke Valley's sheltering umbrella. Cabell Brand saw poverty was due to more than just an individual's financial circumstances. He believed that in order to be a full participant in society, an individual needed opportunities to improve one's life. A half-century later, Cabell Brand's vision of an organization that would allow someone to "TAP Into Hope" remains at work.

Cabell Brand met with Sargent Shriver when he was planning to form an organization that could grow from the Economic Opportunity Act of 1964. A partnership in the community formed the non-profit that came to be called TAP, offering assistance to low-income individuals living in the area. Community action, the likes of which Brand and Shriver dreamed of, came to life in the Roanoke Valley and was embraced by the local governments.

Since taking office, I have come to understand the benefits that community action agencies provide to the downtrodden. In turn, I have enjoyed every opportunity I have had to work with this organization as they have displayed the "can-do" spirit that has helped transform TAP into one of our country's most successful community action organizations.

From its roots in Roanoke, TAP now serves men, women, and children in 11 localities in western and southwest Virginia. The focus is on self-reliance and self-determination with

TAP's dedicated staff providing a unique brand of strength. It's that strength that I came to see in Cabell Brand, in his successor Ted Edlich—who marked his retirement last year—and in Annette Lewis, the current President and CEO. I congratulate TAP on its 50th anniversary, and I look forward to continuing to tell its story as a model for the good that can come from a sense of hope.

RESEARCH TIES GUN VIOLENCE TO AMERICA'S ANGER PROBLEM, EASY ACCESS TO GUNS

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2015

Ms. DeLAURO. Mr. Speaker, I submit the following article:

[From National Catholic Reporter,
Oct. 19, 2015]

FEWER GUNS, FEWER GUN-RELATED DEATHS (By Vinnie Rotondaro)

Fewer guns, fewer gun-related deaths.

A simple enough concept, so knock-you-over-the-head obvious that it practically begs for an equally blunt—if totally oblivious—response, one made by plenty of pro-gun rights advocates: more guns make us safer.

But a look at the social science literature surrounding the U.S. gun violence debate shows how painfully real the gun prevalence-gun death correlation is, and suggests that it could prove very difficult to dig the country out of the hole it finds itself in.

In America today, more than 310 million firearms are estimated to be in the hands of private citizens. That is roughly 97 guns for every 100 people.

Studies regularly show that where there are more guns, there is more homicide.

Jeffrey Swanson, a Duke University psychiatrist and behavioral sciences professor, and a leading expert on U.S. gun violence, believes that the more we look into the question of gun access and prevalence in society, the less myths surrounding the gun control debate will hold sway.

Some gun rights activists argue that more armed citizens will make for less crime, but “we don’t have an exceptionally high crime problem in the United States, or an exceptionally high violent crime problem compared to other industrialized countries,” Swanson said. Conversely, “we do have an exceptionally high firearm homicide problem.”

Others react to mass shootings where the gunmen are seriously mentally ill, and say that we need to fix the country’s broken mental healthcare system.

But doing so would not solve our gun violence problem, Swanson said.

“Mass shooters are really atypical,” he explained. “They are atypical of people with serious mental illnesses, the vast majority of whom are never going to be violent. And they are also atypical of the perpetrators of gun violence. Most of them don’t have serious mental illness.”

Swanson’s research points to a far more mundane explanation for the more than 11,000 firearm homicides that occur in the U.S. annually, the majority of which are the result of arguments, often involving alcohol,

often occurring in underprivileged areas, or in troubled domestic settings.

America has an anger problem, and far too many angry Americans have easy access to guns.

According to a study that he and other researchers published in *Journal of Behavioral Sciences* and the *Law* earlier this year, nearly nine percent of the U.S. population has a serious anger problem and access to guns at home. The study culled data from a National Institute of Mental Health funded survey estimating the prevalence of different kinds of mental disorders across the U.S.

“Anger is a normal human emotion,” Swanson said. “Everybody gets angry. But these are people who, when they get angry, break and smash things, and get into physical fights. . . . People who have a really short fuse,” and who can at times be “uncontrollable and destructive.”

They are wound-up, loose cannons, but not seriously mentally ill—the kind of people who should not have access to guns, but too often do.

According to Swanson’s research, about 1.5 percent of the population “have this impulsive, angry behavior and are carrying a gun around with them out in public.”

THE FINGER PULLS THE TRIGGER?

Other social science research sheds additional light on the toxic quality of guns in society.

Studies show that higher exposure to guns leads to more suicide—the leading cause of gun death in the U.S. One nationwide study found that people who committed suicide were 17 times more likely to have lived in homes with guns compared to people who did not.

Exposure to guns also leads to increased aggression. In 1967, researchers from the University of Wisconsin demonstrated the reality of a disturbing psychological phenomenon called the “weapons effect.”

The researchers sat one group of participants at a table with a shotgun and a revolver laying on it. Another group of participants were seated at a table with badminton racquets and shuttlecocks. The participants were then “angered” by an experimenter, told to ignore the objects on the table, and given the opportunity to administer a retaliatory electric shock to the level of their liking. Those seated at the table with guns opted for more aggressive shocks.

“Guns not only permit violence, they can stimulate it as well,” wrote researcher Leonard Berkowitz at the time, explaining the phenomenon. “The finger pulls the trigger, but the trigger may also be pulling the finger.”

Today, the “weapons effect” has been replicated inside and outside of laboratory settings in dozens of studies.

Brad Bushman, a professor of communication and psychology at Ohio State University who studies human aggression and serves on President Barack Obama’s committee on gun violence, performed a 2013 meta-analysis of over 50 “weapons effect” studies involving over 5000 participants.

“The mere presence of a weapon can increase aggressive thoughts, angry feelings, hostile appraisals, aggressive behavior,” he said, “just seeing one, just the object itself.”

“Weapons effect” studies tend to focus on guns. One field study found that people stuck behind a pickup truck at a green light were quicker to honk their horn if a rifle was visibly mounted to the rear window, Bushman said. Another study showed that people with guns in their car were more likely to drive

aggressively than people without guns in their car.

A 2006 study published in *Psychological Science*, the flagship journal of the Association for Psychological Science, found that exposure to guns led to “significantly greater increases in testosterone” in men.

“I think this is really an important component missing in the [gun control] debate,” Bushman said. “Just merely seeing a gun can make people more aggressive.”

“Recent research shows that humans are as fast to notice guns as they are to notice spiders and snakes,” he said, and “what this illustrates is the fact that in the human brain, there is a very strong link between guns and danger, guns and violence, guns and aggression.”

L. Rowell Huesmann, director of the Research Center for Group Dynamics and head of the Aggression Research Program in the Center at the University of Michigan, agrees.

“The research is compelling that just the sight of a gun increases the risk of violent behavior by the people who see it,” he wrote in an email. “If they have a gun available they will be more likely to use it, but, even if they don’t have a gun available, they will be more likely to behave violently in some other way.”

SLIPPERY SOLUTIONS

Vincent DeMarco, national coordinator of Faiths United to Prevent Gun Violence, believes that “the fundamental problem as to why we don’t have more gun violence prevention is that people don’t know that there is something out there that works.”

“The problem is not knowing that gun violence is terrible,” he said, “everybody knows that. And the gun violence prevention movement has spent too much time focusing on and emphasizing that.”

DeMarco advocates for stronger handgun purchaser licensing requirements. A webpage titled “A Tale of Two States” and put out by Faiths United to Prevent Gun Violence illustrates his thinking.

“In 2007, Missouri repealed its purchaser licensing and background check requirement, resulting in a 25% increase in firearm homicides and an overall 14% increase in murders over the subsequent five years,” it reads. “The rise in gun deaths is directly attributable to the repeal of the licensing and background check requirement as the firearm homicide rate during the same period did not increase in adjoining states nor did the national average rise.”

By comparison, “Connecticut . . . continues to benefit from its handgun purchaser licensing law passed in 1994. A new study estimates that the law led to a 40% decline in homicides committed with a firearm during the 10 years following the implementation of the licensing requirement.”

Swanson believes these studies offer a powerful argument for the effectiveness of background check laws in reducing firearm homicides. He would like to see more background checks take into consideration the potential for anger issues in individuals seeking a gun.

But in a country as saturated with guns as America already is, merely stopping more guns from getting out into society may not be enough, he cautioned.

“If you have a bunch of laws that are focused on making sure risky people can’t buy a gun,” he said, “but meanwhile we’ve got 97 guns per 100 people, that doesn’t mean that somebody needs to go buy a gun to commit suicide, or hurt someone else.”

HOUSE OF REPRESENTATIVES—Friday, October 23, 2015

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Compassionate and merciful God, we give You thanks for giving us another day.

Give the Members of this House strength, fortitude, and patience. Fill their hearts with charity, their minds with understanding, their wills with courage to do the right thing for all of America.

In the work to be done in the week to come, may they rise together to accomplish what is best for our great Nation.

Yesterday we honored—and we thank You for—the service rendered to all the world of the Monuments Men of World War II. May we always be grateful for the genius in our midst and the efforts of those who labor to preserve the patrimony of our human civilization.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mrs. WALORSKI. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mrs. WALORSKI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Louisiana (Mr. ABRAHAM) come forward and lead the House in the Pledge of Allegiance.

Mr. ABRAHAM led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

BILL CAREY, A BELOVED CENTRAL NEW YORK JOURNALIST

(Mr. KATKO asked and was given permission to address the House for 1 minute.)

Mr. KATKO. Mr. Speaker, I rise today to pay tribute to the life of Bill Carey, a beloved central New York television and radio journalist.

For over four decades, Bill's familiar voice could be heard in households throughout central New York. His stories were always memorable. He possessed the stunning ability to transform ordinary news into a fascinating story. Bill's love for his work earned him a special place in the hearts of central New Yorkers.

Less than a year ago, I was joined here in Washington by Bill on the very day that I was sworn in to represent central New York in Congress. Today, I am joined here by Bill's beloved wife of more than 40 years, MaryEllen, and his daughter Joelle.

I would like to tell them that Bill was a great reporter and an even better friend and that he touched the lives of so many in our community; but they already know that. They know it from the tributes that ran on every type of media outlet in central New York upon the news of his death.

Bill made stories count. He will forever be remembered as one of the best journalists our town has ever known, and he was a great guy as well.

God bless you, Bill.

GUN VIOLENCE

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, last Sunday, mass shootings inflicted violence on Elkhart, Indiana, and Fort Myers, Florida. There have been more than 300 mass shootings in the United States this year—more than in any other country in the world.

One of the causes for this gun violence epidemic is that the NICS system, which is the background check

system that we rely on to keep our communities safe, is not working.

Over the last few years, shooters in Aurora, Charleston, and at Virginia Tech were all able to buy guns legally despite numerous red flags; and, as of last year, 11 States still were not even providing information to the NICS system. Congress needs to do more to bring them into the system.

Right now, someone who has committed a violent crime could walk into a gun store and put an assault rifle on the counter, and if a background check is not completed within 3 days, there is no prohibition to selling that individual the gun. We need to extend this review period so NICS can thoroughly vet someone before he is able to buy a gun.

These are commonsense solutions, and it is time for Congress to act and put a stop to an epidemic that is taking the lives of thousands of Americans each year.

IN HONOR OF GEORGE STOUT

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Art Conservationist Specialist George Stout in honor of his granddaughter and Mishawaka resident, Lauren Parker.

George Stout was one of the leaders of the Monuments Men, a group established in 1944 of men and women who served in the Monuments, Fine Arts, and Archives section under the Allied Armies during World War II.

We cannot thank him and the Monuments Men enough for their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

Today, in accordance with H.R. 3658, the Monuments Men Recognition Act of 2014, a Congressional Gold Medal was given in commemoration of the Monuments Men.

Stout is an honorary Hoosier, in my eyes, and I am grateful for the opportunity to meet his family as we honor him and the other Monuments Men with the Congressional Gold Medal Award.

Mr. Speaker, please join me in honoring George Stout and the other Monuments Men for their invaluable efforts during World War II.

CALENDAR OF CHAOS

(Mr. ISRAEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISRAEL. Mr. Speaker, yesterday, the American people saw the television spectacle of the Benghazi hearing. In watching my Republican friends on television, it was like watching an "I Love Lucy" episode—the same plot, the same characters, the same script, and nothing new.

Here is what the American people did not see yesterday from the majority in this Congress: They didn't see a hearing to create jobs. They didn't hear an idea to increase incomes. They didn't hear one single solution to reduce the cost of education.

The American people want Republicans to spend their time increasing incomes and less time trying to take down Hillary Clinton. We are tired of this calendar of chaos, Mr. Speaker. It is time for action. It is time for negotiation. It is time for compromise. It is time to stop wasting time and tax dollars.

NATIONAL FOREST PRODUCTS WEEK

(Mr. ABRAHAM asked and was given permission to address the House for 1 minute.)

Mr. ABRAHAM. Mr. Speaker, I rise today in celebration of National Forest Products Week. I would like to recognize the more than 18,000 hardworking men and women who are employed by the forest products industry in Louisiana, including nearly 2,500 working in the pulp and paper sector in my district alone.

Many of America's forests exist to support a strong market for forest products—markets that encourage landowners to replant forests responsibly and manage them sustainably. In Louisiana, this industry provides hardworking Americans with over \$1.1 billion in compensation every year and is a top 10 manufacturing sector in the State.

I ask my colleagues to join me in celebrating National Forest Products Week and reflect on the fact that, today, the U.S. has 20 percent more trees than it did on the first Earth Day in 1970. Together, let's ensure that the sustainable and renewable products that come from these forests endure for generations to come.

GUNS AND GOVERNMENT'S FAILURE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Mr. Speaker, a few weeks ago, I stood in this Chamber and called on Congress to take action to

improve our Nation's background check system for firearm purchases.

Despite an overwhelming amount of support across the country for universal background checks and bipartisan legislation to implement them, this Congress has still done nothing. It is just the latest example of Congress failing to do the work of the American people. The debt ceiling and transportation funding are two others.

Last week, I joined with our former police chief and Republican mayor and a group of moms and other San Diegans who now imagine the possibility of sending their children to school and never seeing them again, and we called on Congress to take action, to do something.

In San Diego, keeping guns out of the hands of those who shouldn't have them is not a partisan issue. In fact, more than 90 percent of Americans support increasing background checks and closing loopholes. I have brought the signatures of those San Diegans with me here to Washington and have personally delivered their requests for action to the Speaker of the House.

It is time to get to work. It is time to do something.

NATIONAL DEFENSE AUTHORIZATION ACT

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, as Commander in Chief, the President of the United States is tasked with upholding the safety and security of our Nation; but, yesterday, President Obama vetoed the annual defense bill that ensures the right policies are in place to protect us.

The National Defense Authorization Act is actually one of the few pieces of legislation up here that regularly gets voted out of the House and Senate, regardless of who controls the Chamber.

This year, the NDAA passed the House of Representatives by a vote of 270–156, and it passed the Senate 70–27. It is one of the few things that gets done like it is supposed to. In fact, the NDAA has been enacted into law every year since its inception in 1961.

President Obama vetoed this bill not because he disagreed with its substance, but because he wanted to use it as a bargaining chip to force Congress to increase its spending for his non-defense programs.

Mr. Speaker, the Taliban is reentering Afghanistan. Islamic extremists are attempting to conquer Iraq. The U.S. is at odds with Russia over Syria's civil war; and China is expanding beyond its territorial claims in the Pacific. Frankly, the world is in chaos.

While he only has one more year in office, there could not be a worse time for President Obama to so selfishly—no—so recklessly—push his agenda at the cost of U.S. national security.

In God we trust.

SAN GABRIEL MOUNTAINS FOOTHILLS AND RIVERS PROTECTION ACT

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute.)

Ms. JUDY CHU of California. Mr. Speaker, I rise today to protect a national treasure.

The San Gabriel Mountains are the crown jewel of Los Angeles County, but, for decades, they have suffered from a dire lack of resources. This has meant that the 3 million yearly visitors who have flocked there for the trees, trails, and streams have been greeted with graffiti, trash, and safety hazards.

For over 10 years, I and others who love these mountains have fought to get the San Gabriels the resources they deserve; and, just 1 year ago, we celebrated as President Obama declared them a national monument—opening the door to new funding.

Today, I am introducing the San Gabriel Mountains, Foothills and River Protection Act to expand that monument and to create a new national recreation area. This bill, with the support of local water, conservation, and recreation groups, will complete the vision of a city seamlessly and sustainably connected to its mountains, mountains that are accessible for all.

DYSLEXIA AWARENESS MONTH

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute.)

Mr. WESTERMAN. Mr. Speaker, I rise today because October is Dyslexia Awareness Month.

According to the National Center for Learning Disabilities, nearly 5.8 million students in the U.S. have been diagnosed with a learning disorder. Up to one in five of these students suffers from dyslexia.

This learning disability causes difficulty with reading comprehension, math, and a variety of other subject areas. More research is needed to understand dyslexia so students receive research-based instruction and have the best opportunities to learn and succeed in the 21st century.

That is why I have cosponsored the READ Act of 2015, a bill that requires the National Science Foundation to fund dyslexia research. This bill is good for students, good for educators, and good for America.

RAISE THE DEBT LIMIT

(Mr. HECK of Washington asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECK of Washington. Mr. Speaker, November 3 is when we reach our statutory budget limit. That is when we must raise our debt limit or we default on our obligations: Social Security payments, Medicare reimbursements, and military paychecks.

Some critics don't want us to raise the limit. They say that spending is too out of control; but, frankly, that is like going into a restaurant, eating a meal, and then skipping out on the check because you wanted to save on calories. If that happens, you are not paying what you owe.

Even if you commit to spending nothing more, you are still on the hook for your financial obligations and commitments. I have a lot of hardworking small-business owners in my district. They don't skip out on their bills, and they don't expect the government to either.

There is no doubt about it. Our economy will suffer. At a time when our budget deficit is at its lowest level in 8 years, we should not take this step backward. Let's pay our bills, not torch our economy.

□ 0915

RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015

Mr. TOM PRICE of Georgia. Mr. Speaker, pursuant to House Resolution 483, I call up the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. CARTER of Georgia). Pursuant to House Resolution 483, the amendment printed in House Report 114-303 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3762

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Restoring Americans' Healthcare Freedom Reconciliation Act of 2015".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—COMMITTEE ON EDUCATION AND THE WORKFORCE

Sec. 101. Repeal of automatic enrollment requirement.

TITLE II—COMMITTEE ON ENERGY AND COMMERCE

Sec. 201. Repeal of the Prevention and Public Health Fund.

Sec. 202. Federal payment to States.

Sec. 203. Funding for community health center program.

TITLE III—COMMITTEE ON WAYS AND MEANS

Subtitle A—Revenue Provisions

Sec. 301. Repeal of individual mandate.

Sec. 302. Repeal of employer mandate.

Sec. 303. Repeal of medical device excise tax.

Sec. 304. Repeal of the tax on employee health insurance premiums and health plan benefits and related reporting requirements.

Subtitle B—Repeal of Independent Payment Advisory Board

Sec. 311. Repeal of Independent Payment Advisory Board.

TITLE I—COMMITTEE ON EDUCATION AND THE WORKFORCE

SEC. 101. REPEAL OF AUTOMATIC ENROLLMENT REQUIREMENT.

The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) is amended by repealing section 18A (as added by section 1511 of the Patient Protection and Affordable Care Act (Public Law 111-148)).

TITLE II—COMMITTEE ON ENERGY AND COMMERCE

SEC. 201. REPEAL OF THE PREVENTION AND PUBLIC HEALTH FUND.

(a) **IN GENERAL.**—Section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11) is repealed.

(b) **RESCISSION OF UNOBLIGATED FUNDS.**—Of the funds made available by such section 4002, the unobligated balance is rescinded.

SEC. 202. FEDERAL PAYMENT TO STATES.

(a) **IN GENERAL.**—Notwithstanding sections 504(a), 1902(a)(23), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396b(a)(23), 1397a, 1397d(a)(4), 1397bb(a)(2), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the one-year period beginning on the date of the enactment of this Act no Federal funds may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) **DEFINITION OF PROHIBITED ENTITY.**—In this section, the term "prohibited entity" means an entity, including its affiliates, subsidiaries, successors, and clinics—

(1) that, as of the date of enactment of this Act—

(A) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(B) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations, that is primarily engaged in family planning services, reproductive health, and related medical care; and

(C) provides for abortions, other than an abortion—

(i) if the pregnancy is the result of an act of rape or incest; or

(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(2) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$350,000,000.

SEC. 203. FUNDING FOR COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114-10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting after "Section 10503(b)(1)(E) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b-2(b)(1)(E)) is amended" the following: "by striking '\$3,600,000,000' and inserting '\$3,835,000,000' and".

TITLE III—COMMITTEE ON WAYS AND MEANS

SEC. 301. REPEAL OF INDIVIDUAL MANDATE.

(a) **IN GENERAL.**—Section 5000A of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"(h) **TERMINATION.**—This section shall not apply with respect to any month beginning after December 31, 2014."

(b) **CONFORMING AMENDMENTS.**—

(1) Section 5000A(c) of such Code is amended—

(A) in paragraph (2)(B) by striking clauses (ii) and (iii),

(B) in paragraph (3)(B) by striking "2014" and all that follows and inserting "2014.", and

(C) in paragraph (3) by striking subparagraph (D).

(2) Section 5000A(e)(1) of such Code is amended by striking subparagraph (D).

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to months beginning after December 31, 2014.

SEC. 302. REPEAL OF EMPLOYER MANDATE.

(a) **IN GENERAL.**—Section 4980H of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"(e) **TERMINATION.**—This section shall not apply with respect to any month beginning after December 31, 2014."

(b) **CONFORMING AMENDMENT.**—Section 4980H(c) of such Code is amended by striking paragraph (5).

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to months beginning after December 31, 2014.

SEC. 303. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) **IN GENERAL.**—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) **CONFORMING AMENDMENTS.**—

(1) Subsection (a) of section 4221 of such Code is amended by striking the last sentence.

(2) Paragraph (2) of section 6416(b) of such Code is amended by striking the last sentence.

(c) **CLERICAL AMENDMENT.**—The table of subchapters for chapter 32 of such Code is amended by striking the item relating to subchapter E.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to sales in calendar quarters beginning after the date of the enactment of this Act.

SEC. 304. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS AND RELATED REPORTING REQUIREMENTS.

(a) **EXCISE TAX.**—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) **REPORTING REQUIREMENT.**—Section 6051(a) of such Code is amended by inserting "and" at the end of paragraph (12), by striking "and" at the end of paragraph (13) and inserting a period, and by striking paragraph (14).

(c) **CLERICAL AMENDMENT.**—The table of sections for chapter 43 of such Code is

amended by striking the item relating to section 4980I.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided by paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2017.

(2) REPORTING REQUIREMENT.—The amendment made by subsection (b) shall apply to calendar years beginning after December 31, 2014.

The SPEAKER pro tempore. The bill shall be debatable for 2 hours equally divided and controlled by the chair and ranking minority member of the Committee on the Budget or their designees.

The gentleman from Georgia (Mr. PRICE) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 60 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. TOM PRICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this year, for the first time in over a decade, Congress adopted a 10-year balanced budget agreement. The House and Senate were able to agree on a plan that would reduce spending by over \$5 trillion, save and strengthen important health and retirement programs, provide for a strong national defense, and support a growing economy with greater opportunity for more Americans to achieve their dreams.

It is a bold plan at a time in our Nation's history when we face tremendous fiscal and economic challenges, challenges that are being fueled by an ineffective, inefficient, and unaccountable government bureaucracy right here in Washington. It is this bureaucracy that is interfering in the daily lives and livelihoods of the American people.

The most prominent example of how intrusive Washington has become is the President's healthcare law. ObamaCare imposes taxes and onerous mandates on individuals, families, and job creators. It undermines the sacred doctor-patient relationship. It is driving up the cost of health care with higher premiums and higher deductibles, while destroying access to quality, innovative healthcare choices. It is discouraging work and making job creation and economic growth more challenging. All this, Mr. Speaker, at a time when we are experiencing the worst economic recovery in the modern era.

Now, when Congress passed our bicameral budget resolution earlier this year, we initiated a powerful process called reconciliation. Under reconciliation, we are able to move legislation through the House and the Senate in an expedited manner and put a bill on the President's desk. So with the legislation before us today, the Restoring Americans' Healthcare Freedom Reconciliation Act, we are using this powerful budgetary tool to help end ObamaCare's attack on Americans' health care and its attack on our economy. We are doing so to pave the way for a more appropriate, responsive, patient-centered healthcare system that puts patients, families, and doctors in charge of health care, not Washington, D.C.

Under the guidelines of our budget and the rules governing reconciliation, three committees in the House—the Education and Workforce Committee, the Ways and Means Committee, and the Energy and Commerce Committee—produced individual pieces of legislation to repeal major components of ObamaCare. The House Budget Committee then took those pieces and combined them into a single bill that we have now brought to the House floor today.

The Restoring Americans' Healthcare Freedom Reconciliation Act repeals the individual and the employer mandates. It repeals the onerous Cadillac tax, it repeals the medical device tax, and it repeals an ObamaCare slush fund, as well as undue demands on employers and employees. Additionally, it prohibits, for 1 year, taxpayer dollars from being used to pay abortion providers that are prohibited under the legislation, while dedicating additional resources—that is, more money, Mr. Speaker—to community healthcare centers across this country for women's health care.

Taken together, the Congressional Budget Office and the Joint Committee on Taxation estimate that this legislation will lower deficits by \$130 billion over the 10-year budget window. Roughly \$51 billion of those savings would come from the positive macroeconomic effect of what we are proposing. CBO and JCT estimate that this bill will lead to an increase in the labor supply, an increase in economic growth, an increase in capital investment, and an increase in total compensation. That is take-home pay, Mr. Speaker. It would also eliminate work disincentives while decreasing Federal borrowing.

The major components of ObamaCare that are repealed under this legislation represent the core of the coercive nature of the President's healthcare law, policies that are forcing people into a healthcare system that Washington is simultaneously making more expensive, less accessible, lower quality, and with fewer choices. Nothing in what we

are proposing would take insurance coverage away from Americans or their families or preclude anyone from purchasing coverage. What we are doing is freeing Americans from government coercion.

The provisions included in this legislation also share another important distinction, and that is that they all fall within the limited scope of the reconciliation process. This is vitally important. Reconciliation is not a silver bullet. There are limitations. And if a piece of legislation breaches those limitations, it runs the risk of derailing the entire process.

Ultimately, however, Mr. Speaker, this discussion is not about process. It is about people. It is about the men and women, the families that we have the privilege of representing who know that the only folks who should be making personal healthcare decisions are individuals, their doctors, and their families.

This debate is about the millions of Americans who have seen their premiums go up and their deductibles go up and their out-of-pocket costs skyrocket after being told that the law, in fact, would bring those costs down, which it has not.

This is about low-wage workers, Mr. Speaker—2.6 million, according to the Hoover Institution—who are at risk of seeing their working hours cut because of ObamaCare.

This is about those Americans, particularly the one in four Americans living in rural parts of our country who found that, in many cases, their healthcare coverage comes with such narrow provider networks that they have to travel long distances to find the treatment that they need and run the risk of even higher costs.

Mr. Speaker, we can do better. We can do better by these Americans and all Americans who long for a healthcare system that is responsive to their needs, that is accessible and affordable and not contributing to the decline of economic opportunity and job security.

There are positive patient-centered solutions that would advance the cause of quality health care in this country, and none of them require handing more authority over to Washington. ObamaCare puts Washington in charge. We want to put the American people in charge of their healthcare decisions, and an important step in that direction is this legislation that we have before us today.

I urge my colleagues to vote in favor of this legislation. I look forward to this debate and moving forward on this effort and putting a bill on the President's desk.

I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill and the vote we are going to have today is, I guess, a

fitting end to an unproductive and shameful week in the United States Congress.

Yesterday, we just witnessed an incredible abuse of power where a so-called special Benghazi committee, funded by taxpayer money, conducted their political witch hunt against Secretary Clinton. The Republican majority leader in this own body told the Nation on television that it was about bringing down Hillary Clinton's polls. That dishonors the memory of the four Americans who were killed in Benghazi.

Then earlier this week, this Congress passed legislation that says, you know what? The United States Government doesn't have to pay all of its bills. We will just pay some of our bills. Forget about the full faith and credit of the United States. We will decide we are going to pay some people and not others.

It is as if, Mr. Speaker, one of us got up in the morning and said we are just going to make our mortgage payments but forget about the car payments, or we are going to pay this person but not that person. When the United States Government tries to do that, the economy goes downhill fast.

To add insult to injury, they said, when we are going to pay certain people, we are going to pay the big bondholders first. The Government of China and Wall Street, they are going to get paid. Our veterans aren't going to get paid. Our soldiers aren't going to get paid.

I hope our colleagues are reading what they are passing here in the United States Congress, because that is what they did earlier this week.

So what are we doing here today? For the 61st time in this House of Representatives, our Republican colleagues are moving forward on legislation to dismantle the Affordable Care Act.

Now, the chairman is entitled to his own opinions. He is not entitled to his own facts. All you have to do is read the report of the nonpartisan Congressional Budget Office that analyzed this bill, and here is what they say: that, as a result of this legislation, insurance coverage would decline by about 16 million people in most years; 3 million of those people would be children.

Why in the world are we here on the floor of the House of Representatives passing legislation that is going to take away affordable health care to 15 million Americans, including 3 million children?

Look at this chart, Mr. Speaker. This shows the decline in the number of uninsured people in the United States. As you can see, you see a rapid drop in the number of uninsured Americans as a result of the Affordable Care Act. Our Republican colleagues' bill wants to get rid of that progress, put all those people back in the position where they don't have affordable health care.

They also want to go after women's health programs, including Planned Parenthood, where the testimony from the chairman of the Oversight and Government Reform Committee, Mr. CHAFFETZ, is very clear. They haven't violated any laws. He said it on national television. Here is what he was asked: "Is there any evidence, in your opinion, that Planned Parenthood has broken any laws?"

"No. I am not suggesting that they broke the law."

It is another political witch hunt, just like the Benghazi hearing. You know what? When the regular committees found there was no wrongdoing by Planned Parenthood, our Republican colleagues created a special committee on Planned Parenthood as well.

Mr. Speaker, when the American people had been asked what they think of Congress these days, this is a chart of the words they come up with first: Ridiculous. Waste of time. Terrible. Frustrating.

You are just making this chart worse by coming here to this floor, for the 61st time, repealing the Affordable Care Act, a bill that you know has no chance of becoming law because, if it gets to the President's desk, he has told this Congress long ago he will veto it because the President doesn't want to get rid of affordable health care for 15 million Americans and 3 million American kids. The President doesn't want to do it.

I am really, really disappointed that our Republican colleagues thought this was a good way to end an unproductive week. It is a sad and shameful statement of the state of affairs in this body.

I reserve the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, so we heard about Benghazi. We heard about the debt limit. It sounds kind of like a political speech, doesn't it, Mr. Speaker?

The gentleman knows that there is nothing in this legislation that would keep families from purchasing coverage for their children—nothing, nothing at all.

The reconciliation package before us only provides tax relief to working families and individuals. It gives them the freedom from government coercion in the area of health care.

I yield 2 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), a wonderful and productive member of the Budget Committee.

Mrs. HARTZLER. Mr. Speaker, I thank the chairman for all the wonderful work you are doing to advance this bill and to advance our budget.

As a member of the Budget Committee, I am proud to support the Restoring Americans' Healthcare Freedom Reconciliation Act, which is a very, very important bill that does dismantle key provisions of ObamaCare that are harming people.

We were sent here to fight for the American people. They do not want their health care dictated to them by Washington, and they don't want their tax dollars going to go abortion providers.

This bill protects life by stopping the flow of taxpayer dollars to abortion providers. The people have, for years, begged Congress to end the flow of taxpayer dollars to Planned Parenthood, especially in the wake of the recent horrendous videos showing Planned Parenthood officials exhibiting a blatant disregard for human life.

This bill places a moratorium on funding for abortion providers and redirects these funds to increase funding for community health centers. These health centers serve eight times more women patients than Planned Parenthood, and they provide more comprehensive care to women.

I am proud to support this bill, and I urge my colleagues to support it as well.

□ 0930

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. TED LIEU), a distinguished member of the Committee on the Budget.

Mr. TED LIEU of California. Mr. Speaker, my parents immigrated to America because they saw that shining city upon the hill. America became exceptional because we invested in education, we invested in infrastructure that connected our States, in Social Security and Medicare that provided economic freedom for so many Americans.

But this budget bill, one of its main points is to defund Planned Parenthood. These are not the priorities of the American people. This is a hyperpartisan document that is just talking points for extremists.

It is time for the majority party to do what we were all elected here to do in Congress. We were elected to lead the greatest country on Earth. It is time we start acting like it.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Hyperpartisan, Mr. Speaker? Hyperpartisan? Let me show you a chart here. These are four items that are included in this piece of legislation, that are packaged in this piece of legislation:

Reducing, repealing the Prevention and Public Health Fund. When that bill itself came to the floor of the House, 147 Democrats voted "yes"—147.

Delay the individual mandate. When that bill came to the floor of the House, 27 Democrats voted "yes."

Delay the employer mandate. When that bill came to the floor of the House, 35 Democrats voted "yes."

Repeal the medical device tax. When that came to the floor of the House, 46 Democrats voted "yes."

Mr. Speaker, these are mostly—mostly—bipartisan issues. The American people are for repeal of these portions of ObamaCare. Democrats even in this House have recognized the wisdom of it.

I now yield 2 minutes to the gentleman from Michigan (Mr. MOOLENAAR), another good member of the Committee on the Budget.

Mr. MOOLENAAR. Mr. Speaker, as the chairman mentioned, today we are voting to repeal some of the burdensome taxes and mandates the Obama administration has placed on hardworking Americans with this healthcare law.

Today we have the opportunity to vote in a bipartisan way to end the individual mandate, the employer mandate, the medical device tax, the Cadillac tax, the slush fund, and the auto enrollment mandate.

The Affordable Care Act has proven to be unaffordable for millions of Americans who lost the coverage they enjoyed and must now pay higher premiums. Already hardworking families in my district have been told about the rate hikes that will make the healthcare premiums that they pay more expensive this next year.

Today we are repealing mandates. But, unfortunately, we are not, in this legislation, able to repeal the Independent Payment Advisory Board that determines which treatments Americans are allowed to have or the health insurance tax that eliminates consumer choice and access.

Today this is a positive step toward a system of patient-centered alternatives, with lower premiums that allow individuals to choose the coverage they want.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE), a distinguished member of the Committee on the Budget.

Ms. MOORE. Mr. Speaker, since we are considering this reconciliation bill, I looked up the word “reconciliation” because I thought maybe I don’t know what the word means. They say that reconciliation is a process of making consistent or compatible.

Mr. Speaker, there is nothing in the bill before us that is either consistent or compatible with a woman’s constitutional right to control her body. This bill is neither consistent nor compatible with a woman’s human right to reproductive freedom.

The only thing this bill reconciles is the majority’s machismo, Mr. Speaker, the stubborn resolve to deny women—especially the poorest women in our country—access to health care. Despite the claims that you have heard here on this floor that “there is nothing to stop women from accessing health care,” just let me point out a few facts.

The SPEAKER pro tempore (Mr. DOLD). The time of the gentlewoman has expired.

Mr. VAN HOLLEN. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman.

Ms. MOORE. Mr. Speaker, 78 percent of Planned Parenthood’s patients are at or below 150 percent of the poverty level, 41 percent of low-income women consider OB/GYN their primary source of health care, which Planned Parenthood provides, and in my own State, 14,000 women each year, many of whom are low income, do not have access to family planning services. I ask that we not pass this bill.

Mr. TOM PRICE of Georgia. Mr. Speaker, I would ask the gentlewoman who just spoke to read the bill. In fact, the bill increases funding for women’s health care through the community health centers by \$235 million in both fiscal year 2016 and fiscal year 2017.

Mr. Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), a distinguished member of the Committee on the Judiciary.

Ms. JACKSON LEE. Mr. Speaker, I don’t know why we are here this morning; I guess out of desperation. After 11 hours of trying to attack the former Secretary of State, now we come this morning to continue our attack on women and again to have Republicans address the Affordable Care Act that has, in my State, put a dent in some 25,000-plus who did not have health care.

Today we stand here with a bill that repeals the individual responsibility requirements that people must have their own health care; repeals the Independent Payment Advisory Board, which focuses on making Medicare solvent for our seniors; and the Prevention and Public Health Fund, which supports evidence-based programs designed to keep Americans healthy, prevent chronic infectious diseases, and reduce future healthcare costs.

Two days ago I was standing out in front of the United States Capitol calling out my State, the State of Texas, that about 3 days ago declared war on Planned Parenthood to close 39 different clinics.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. VAN HOLLEN. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman.

Ms. JACKSON LEE. Closing the clinics would cut into the very essence of service to vulnerable women. It would cut into their mammogram services, their cervical cancer examinations. The Supreme Court just a year or a couple of months ago said this kind of pointed, targeted attack was unconstitutional.

This bill just adds to it. Whether or not you add other clinics, the clinics in Texas, Planned Parenthood, have been there for years for the minorities, for young people, and others.

Mr. Speaker, this is not a reconciliation bill. This is another attack bill. We need to be able to stand for our women and women’s health care. Vote against this bill.

Mr. Speaker, I rise to speak in opposition of H.R. 3762, the Restoring Americans’ Healthcare Freedom Reconciliation Act, because this bill does not restore healthcare Freedom.

This bill is not a serious effort to address this nation’s budgetary needs and its details reveal that it is another opportunity for the majority to hide behind a legislative gimmick in an attempt to kill the Affordable Care Act.

This is a waste of taxpayer money and this body’s legislative calendar, which has too few days left for wasting any of our time voting on bills that the President has communicated in writing that he will veto.

This bill is bad for the Affordable Care Act because it continues the majority’s relentless crusade to put barriers between women and their right to have the healthcare provider and services that they want and need; repeals individual responsibility requirements that people must have their own health insurance; repeals the Independent Payment Advisory Board, which works to keep Medicare solvent; and repeals the Prevention and Public Health Fund, which supports evidence-based programs designed to keep Americans healthy, prevent chronic and infectious diseases and reduce future healthcare cost.

The news from across the nation regarding the healthcare freedom and choice created by the Affordable Care Act for first time health insurance consumers is overwhelmingly positive.

Unfortunately, today the majority has targeted a women’s right to control her own healthcare by attempting to defund Planned Parenthood.

In my state of Texas, a law that would have cut off access to 75 percent of reproductive healthcare clinics in the state was challenged before the U.S. Supreme Court in 2014 and 2015.

On October 2, 2014, the Supreme Court made unconstitutional a Texas law that required that all reproductive healthcare clinics that provided the full range of services would be required to have a hospital-style surgery center building and staffing requirements.

This requirement meant only 7 clinics would be allowed to continue to provide a full spectrum of reproductive healthcare to women.

In 2015, the State of Texas once again threatened women’s access to reproductive health care when it attempted to shutter all but 10 healthcare providers in the state of Texas.

The Supreme Court once again intervened on the behalf of Texas women to block the move to close clinics in my state.

New attacks on women are now being couched with renewed attacks against the Affordable Care Act, which the majority has attempted to overturn with over 50 votes since its enactment.

The attacks against Planned Parenthood is a social and economic statement that if you are a woman with money you have the right to think for yourself regarding your healthcare choices, but if you are poor or lack healthcare options you do not have that same right.

Millions of women now have free coverage for comprehensive women's preventive medical services, and they rely upon Planned Parenthood for healthcare.

The reality is women who face difficult health care decisions do not do so lightly.

Women in this nation have a right to self-determination.

It is a fundamental human right and one that should be cherished.

The most important right is the ability of each person to determine their destiny and this right has to be freely exercised.

Healthcare has become a fundamental right for our nation's citizens with the best possible outcomes for the millions of people who had no healthcare due to pre-existing illnesses or were penalized with higher premiums for pre-existing conditions.

A documentary produced by the Harvard School of Public Health reported that between 2007 and 2010, overall deaths among Massachusetts residents between the age of 20 to 64 declined by 2.9%.

The decline in deaths was 4.5% for persons with illnesses that could be successfully treated though healthcare intervention such as those who have: tuberculosis; cancer; cardiac disease; Leukemia; Diabetes; Epilepsy; High blood pressure; All respiratory illnesses; and Pregnancy and childbirth.

Because of the Affordable Healthcare Act: 100 million Americans no longer have a lifetime limit on healthcare coverage. 17 million children with pre-existing conditions can no longer be denied coverage by insurers. 6.6 million young-adults up to age 26 can stay on their parents' health insurance plans. 6.3 million Seniors in the "donut hole" have saved \$6.1 billion on their prescription drugs. 3.2 million Seniors have access to free annual wellness visits under Medicare, and 360,000 Small Businesses are using the Health Care Tax Credit to help them provide health insurance to their workers.

Statistics on Texas and the Affordable Care Act reveal that: 3.8 million Texas residents receive preventative care services. 7 million Texans no longer have lifetime limits on their healthcare insurance. 300,731 young adults can remain on their parents' health insurance until age 26. 5 million Texas residents can receive a rebate check from their insurance company if it does not spend 80 percent of premium dollars on healthcare. 4,029 people with pre-existing conditions now have health insurance.

This year for the first time insurance companies are banned from: discriminating against anyone with a preexisting condition; charging higher rates based on gender or health status; enforcing lifetime dollar limits; and enforcing annual-dollar limits on health benefits.

Few people knew that health insurers viewed pregnancy as a pre-existing condition. Because of the Affordable Care Act women can no longer be charge higher rate just because they are women.

Attempts to weaken or end the ACA are wrong.

A January 2015, Gallup poll revealed that nationally the uninsured rate in the United States was reduced to 12.9%.

The uninsured rate nationally dropped 4.2% points since the enactment of the Affordable Care Act.

We are becoming a nation of equals when it comes to access to affordable healthcare insurance.

I ask my colleagues to join me in defeating another effort to turn the clock back on women's rights and the healthcare safety-net that is assuring longer and healthier lives for millions of Americans.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. WOODALL), a wonderful, contributing member of the Committee on the Budget and a member of the Committee on Rules as well.

Mr. WOODALL. Mr. Speaker, I am excited to be here today, and I am saddened by some of the shrillness of the conversation. This is the first reconciliation package that I have seen in the 4½ years that I have been elected to this body.

In fact, more than half the Members of this institution have never seen a reconciliation bill come to the floor of this House. Why? Because Congress hasn't functioned in a way where the House and the Senate have been able to come together to do this. That is happening this year for the first time. We ought to be celebrating that.

To hear this described as a partisan exercise—and I understand folks have a lot of grievances, and this may just be the day that folks are going to air all of their grievances. But to describe this as a partisan exercise misses the point that the only bipartisanship in this entire conversation is around trying to reject the damaging provisions of the President's healthcare bill.

After all, when this was jammed through using the reconciliation process, it was jammed through in a partisan fashion. The bipartisan vote was a vote "no."

When we tried to deal with the slush fund that was going for all sorts of programs that America would reject, the bipartisan vote was the vote to abolish it, as this bill does today. The bipartisan vote was to delay the individual mandate, as this bill abolishes today. The bipartisan vote was to delay the employer mandate, as this bill does today.

I understand that there is a lot that divides us in this body and in this Nation, but this is a day for celebration. I applaud the chairman for what he has been able to do. He has been able to do what no other chairman has been able to do in the 4½ years I have been in this institution, and that is bring the House and the Senate together around a budget for the United States of America. I am proud of what we have done, we have done together.

If this has to be a day of airing of the grievances, let it be a day of airing of the grievances, but let it not be said that it is a partisan exercise. The bipartisanship exists in this reconciliation package. I hope we come together on it today.

Mr. VAN HOLLEN. Mr. Speaker, with all respect to Mr. WOODALL, we don't

celebrate legislation that takes away affordable health care to 15 million Americans, including 3 million American children. That is not our definition of bipartisanship.

I urge all my colleagues to read the Congressional Budget Office report. The Congressional Budget Office is headed by someone who was chosen by our Republican colleagues, and their report tells us this legislation will take away affordable health care from 15 million Americans. That is nothing to celebrate.

I now yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO), the very distinguished ranking member of the Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies of the Committee on Appropriations.

Ms. DELAURO. Mr. Speaker, I rise in opposition to this bill. It is *deja vu* all over again. This bill represents the majority's 61st attempt to weaken, undermine, or repeal the Affordable Care Act, legislation that, yes, has brought health care to millions of Americans and significantly reduced prescription drug costs for seniors.

The bill is also the latest installment of the majority's crusade against women's health. It targets Planned Parenthood again, an organization that provides millions of low-income Americans with lifesaving services many families cannot get anywhere else.

Finally, it threatens to cut nearly \$13 billion from efforts to protect people against deadly diseases: measles, listeria, Ebola.

Why are we wasting time on ideological attacks such as this? There are so many real issues to deal with. Wages are stagnant. Families are struggling to make ends meet. Stop playing games. Return to serving the American people. You should start by voting against this disgraceful bill.

Mr. TOM PRICE of Georgia. Mr. Speaker, may I inquire as to the amount of time remaining on each side?

The SPEAKER pro tempore. The gentleman from Georgia has 46½ minutes remaining. The gentleman from Maryland has 48½ minutes remaining.

Mr. TOM PRICE of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I reserve the balance of my time as well.

Mr. TOM PRICE of Georgia. Mr. Speaker, the understanding of the chair here was that we were going to divide the time equally between three committees at the beginning in 15-minute segments. May I inquire of the gentleman from Maryland if that plan has changed?

Mr. VAN HOLLEN. No. That is my understanding of the agreement, too. Would it be possible, Mr. Speaker, to just tell us—I guess we can do the math—how much time in the 15 minutes remains for each side?

The SPEAKER pro tempore. In the original 15-minute agreement, the gentleman from Georgia has 1½ minutes remaining and the gentleman from Maryland has 2½ minutes remaining.

Mr. VAN HOLLEN. Mr. Speaker, may I inquire if the gentleman has any additional speakers?

Mr. TOM PRICE of Georgia. Mr. Speaker, I have one additional speaker from the Committee on the Budget.

Mr. VAN HOLLEN. Mr. Speaker, I am waiting for one additional speaker as well.

I reserve the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. ROKITA), the vice chairman of the Committee on the Budget.

Mr. ROKITA. Mr. Speaker, I thank Chairman PRICE, as well as the entire Committee on the Budget, for getting us to this point, the first time in over a decade that we have been able to use the reconciliation process.

Just like the other gentleman from Georgia (Mr. WOODALL) stated, what a difference the way we are using it now in this bipartisan fashion, in a transparent lie today, a long process, not the day before Christmas Eve and not in a partisan way. That was used the last time regarding a major healthcare change of policy in this country.

I think all of us deserve to not only pat ourselves, quite honestly, a little bit on the back, but also take advantage of this moment to end the lie, the lie being, "If you like your healthcare plan, you can keep it." That lie continues today, and it has become a full-blown nightmare.

Getting this reconciliation package to the President's desk is real and a real positive step in ending government-controlled health care in this country so that patients of whatever condition in a consumer-based, consumer-centered fashion can use their own judgment, their own resources, along with the help of all of us, to get the health care that they need.

□ 0945

I doubt that 15 million people are actually covered better today than they were or could have been before. That should be our goal: to cover every American in the fashion that they deserve, in the fashion that they choose, with the doctor that they choose.

Mr. Chairman, I thank you for your leadership. I urge my colleagues to vote for this reconciliation package.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker, this legislation, plain and simple, takes away affordable health care to 15 million Americans, including 3 million kids.

I keep hearing about how intrusive and awful the Affordable Care Act is. The reality is the majority of Members gathered right here in this Chamber

are on the Affordable Care Act. The government is not dictating to them their health insurance. They are on it.

All they are trying to do here, Mr. Speaker, is take away access to affordable health care for 15 million Americans who would not otherwise get affordable health care and, in the process, take away funding for women's health programs, targeting Planned Parenthood as part of a political witch hunt, the same kind of witch hunt we saw just yesterday in the Benghazi special committee hearing, where, the majority leader of this House told the public, it was simply about bringing down Secretary Clinton's poll numbers.

It is no wonder, Mr. Speaker, that it has been so difficult for our Republican colleagues to find a replacement for the Speaker. You have got a faction of this House that wants no compromise, that thinks it is a celebration to get rid of health care, affordable health care for 15 million Americans. That is nothing to celebrate, and this is a terrible way to end an already unproductive week here in the House of Representatives.

So I urge my colleagues to vote against this legislation. It is not going anywhere because the President of the United States is not going to sign a bill that deprives 15 million Americans of access to affordable health care that they didn't have before.

So let's stop the games. We have got to deal with the debt ceiling. We have got to deal with a way where we actually pay all our bills, not just some of the bills, and when we decide which ones to pay, we don't say we are going to pay China first. We have got to make sure we come together to prevent a government shutdown. Instead, for the 61st time, this House is voting to take away health care from the American public.

So, Mr. Speaker, I urge my colleagues to vote against this legislation. I reserve the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Texas (Mr. BRADY), the chairman of the Health Subcommittee of the Ways and Means Committee, be allowed to control 15 minutes, as my designee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation, led by Budget Chairman Dr. TOM PRICE, dismantles the twin pillars of the controversial and unpopular Affordable Care Act, repeals Democrat tax increases that force American jobs overseas, and punishes American workers who have good healthcare insurance. It empties a multibillion-dollar slush fund and ends taxpayer funding of the

gruesome practices at Planned Parenthood and its affiliates.

As a result, this bill lowers taxes, lowers spending, and lowers the deficit. It grows the economy, encourages work, and increases incentives to invest; and it also invests in community healthcare centers to ensure access to true, high-quality health care, especially for women.

By repealing the two critical Federal mandates that force American families to buy government-approved health care they don't need and that force local businesses to offer health care their workers can't afford, this bill dismantles the foundation of the President's healthcare law. It frees millions of Americans from an unpopular law that harms patients, harms families, and harms businesses, local doctors, and community health providers.

Unlike the repeal of the Affordable Care Act, which the House approved 9 months ago and still lingers in the Senate, this measure uses the traditional budget process to allow the Senate to pass the bill with a simple majority and send it to the President's desk.

The opportunity to put this bill on the President's desk is because Congress is doing its job. We passed a budget that balanced; that put our entitlement programs on a strong, sustainable path; and that afforded three House committees, including the Committee on Ways and Means, on which I serve, the opportunity to craft legislation to reduce the deficit and advance important policy goals.

This process, called budget reconciliation, is a critical tool. It is not a silver bullet. It is not a cure-all, but it is a gridlock-busting practice I hope we can continue.

In accordance with the budget, the provisions crafted by the Committee on Ways and Means targets the foundational pieces of the President's healthcare law, including repealing tax hikes totaling over \$100 billion that slow our economy.

Mr. Speaker, the President may very well veto this bill, locking millions of Americans into a healthcare law they don't want and giving taxpayer dollars to controversial and unethical practices at Planned Parenthood; but if he does, he will have to explain to the American people his support of all this, including tax increases and mandates in the name of a law that has increased healthcare costs, raided Medicare, and forced millions onto an already broken Medicaid system.

Mr. Speaker, I want to hear those answers from the President, and the American public wants to hear those answers.

I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I don't have time to respond to all of the misstatements that were made, but now I am going to turn it over to the ranking member of the Ways and Means Committee.

Mr. Speaker, I ask unanimous consent that the gentleman from Michigan (Mr. LEVIN) be allowed to control the next 15 minutes of debate time as my designee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. LEVIN. Mr. Speaker, I thank Mr. VAN HOLLEN.

Well, where do we start?

Clearly, there is a feeling this is more than an anticlimax. You know, we should have a debt ceiling bill before us. Why don't we have that?

We haven't acted on Medicare part B premiums. They are right before us. Instead, we are doing this.

The highway trust fund faces a deadline. Where is it? Where is our legislation?

Tax extenders actually expired much, much earlier. Where is the legislation?

So, instead, because the Republican Conference is essentially mostly fighting itself, this institution is handcuffed on these issues. So the decision is pass a reconciliation bill and get a bill to the President to veto because, so far, 60 or 61 efforts have never been able to get to the President for a veto.

Well, I think this is a waste of time when there are other issues, because the President has also said he will veto.

So what is this really all about?

I think this is all a prelude, as was the so-called prioritization bill yesterday and, I think, also the Benghazi hearing yesterday, so-called hearing, this is all an effort to try to lay a foundation so that next week we will take up a debt ceiling bill, and it will pass with a majority of Democrats and some Republicans, some of whom maybe are made to feel better because we are going through the motions here today.

I just want to conclude talking about going through the motions. All of the pious talk on the Republican side about healthcare reform, those of us now on the Ways and Means Committee who will be speaking, we go to meeting after meeting, if they are called, where there is talk about healthcare reform, and the Republicans have never brought up a comprehensive healthcare reform that could be voted on in the committee, where they have a majority.

So, essentially, what we are now facing is the dangerous bankruptcy of the majority party in this House of Representatives who now decides, let's do reconciliation so we can get a bill through the Senate and have the President veto it.

By the way, because of the Planned Parenthood provision that would defund care for millions of Americans and for other reasons, it isn't even clear this will get through the Senate.

So where is the action on all these issues? Where is it?

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. PAULSEN), one of our key healthcare leaders on the Ways and Means Committee.

Mr. PAULSEN. Mr. Speaker, I thank the gentleman for yielding.

I just want to speak to a provision in the legislation that repeals the very harmful medical device tax.

Mr. Speaker and Members, this will be the fifth time that the House has expressed its strong support for getting rid of this harmful and illogical tax. The last time was just this past June, when the House voted to repeal this tax by essentially a veto-proof margin, and that is because we had Republicans and Democrats voting together to repeal this very bad tax policy.

That is because, also, everyone knows basic economics. When you tax something, you are going to get less of it.

So why are we adding new taxes to lifesaving medical innovation?

Why are we adding new taxes to an industry that is 98 percent small businesses with less than 500 employees?

Why are we adding new taxes to an industry that has good, high-paying jobs for wage earners?

And why are we adding new taxes to an industry that has a trade surplus? We should be promoting this industry as much as possible.

ObamaCare's medical device tax makes zero sense. That is because it is not a tax on profit; it is a tax on the revenue, on the sales of these innovative companies. So now some small businesses have over a 70 percent effective tax rate. It is a tax that is costing us jobs. It is a tax that is stifling innovation. It is harming patients, and it is hurting our healthcare system.

Mr. Speaker, we need to repeal this destructive tax to help protect our seniors, to help protect American innovation, and to help protect American manufacturing.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Seattle, Washington (Mr. McDERMOTT), the ranking member on our Health Subcommittee.

Mr. McDERMOTT. Mr. Speaker, here we are again. I include in the RECORD an article from the Seattle Times entitled "Why Washington State's Health Reform Faltered After the Loss of Mandates."

[From The Seattle Times, March 28, 2012]

WHY WASHINGTON STATE'S HEALTH REFORM
FALTERED AFTER LOSS OF MANDATES
(By Carol M. Ostrom)

As the U.S. Supreme Court tackles the question of whether individuals can be required to buy health insurance—a key provision in the federal health-care overhaul—some in Washington state are battling a strong sense of déjà vu mixed with dread.

They remember 1993, when state lawmakers passed a comprehensive state law aimed at insuring everyone and spreading

the health-care expenses of the sickest throughout a large pool of policyholders.

But the law, which relied on both mandates and incentives, was soon dismembered, leaving only popular provisions, such as prohibiting insurers from denying coverage to sick people or making them wait many months for coverage.

Without any leverage to bring healthy people onto insurance rolls, insurers, left with the priciest patients, began a financial death spiral.

Ultimately, companies pulled out of the individual market and almost no one in Washington could buy an individual policy for any price.

For those involved, the lessons learned remain sharp as a scalpel.

"It's the same thing we're very likely to face if the Supreme Court blows a hole in the current law," warns Randy Revelle, a former King County executive who was heavily involved in the state effort nearly two decades ago.

Unlike the debate going on in the high court, the lessons here don't involve constitutional questions. They're all about the realities of the health-insurance market and politics.

At the top of the list:

Lesson 1: Good intentions, no matter how popular, can backfire—big time.

Lesson 2: A machine doesn't work so well if you remove parts.

Lesson 3: Buy-in from both political parties and strong public support are needed to maintain enough momentum to sustain complex reforms through potential changes in administration.

THE '94 "DEATH SPIRAL"

In an amicus brief in the Supreme Court case, Gov. Chris Gregoire and other governors referred to the "death spiral" in Washington's individual-insurance market that began in 1994.

The 1993 law, passed when Democrats controlled both houses and the governor's seat, was then the most ambitious overhaul effort in the nation.

The delicate balancing act ended when Republicans, who objected to what they saw as heavy-handed government control of the health industry, swept into power in both houses.

By the time the new Legislature finished, the only parts of the law that survived were the "consumer-friendly" pieces, championed by then-Insurance Commissioner Deborah Senn, a Democrat.

"We kept some of the insurance reforms in law, because they were very popular, but we didn't keep the market reforms," says Pam MacEwan, who was a member of the Health Services Commission charged with implementing the law and is now a Group Health Cooperative executive. "It was a big problem."

That's primarily because there was nothing left in the law to push or entice people to buy insurance when they were healthy, which would have spread costs more broadly.

What happened next is starkly summarized in a 1995 letter sent to Premera Blue Cross by a woman in Eastern Washington.

A few months before she gave birth that year, the woman bought an individual policy from Premera. As soon as the insurer paid her hospital expenses, the woman canceled the policy, telling Premera "we will do business with you again when we are pregnant."

True to her word, in 1996, she bought insurance, Premera said, once again canceling after the insurer paid for the delivery of her next child.

Altogether, she paid in \$1,807 in premiums. Premiera paid out \$7,024.68 in medical bills.

You don't have to be a business genius to recognize the problem with those numbers when multiplied by thousands of customers.

Claims went up. Premiums rose. Pretty soon only sick people thought insurance was worth the cost. Premiums rose even more.

Healthy people, like the Eastern Washington woman, waited until they needed insurance to buy it. At the time, Gov. Gary Locke likened it to buying fire insurance after your house is on fire.

STATE BREAKS THE LOGJAM

Before deciding in 1998 not to sell any more individual policies in the state, Premiera lost \$120 million in today's dollars, says company spokesman Eric Earling. By mid-1999, the state's other two big insurers, Regence BlueShield and Group Health, stopped selling individual policies.

In 1999, with the individual health-insurance market essentially dead, Locke began crafting a compromise. Signed into law in the spring of 2000, it was a bitter pill for some, but it got the market back into action.

In exchange for coming back into the market, insurers could charge whatever they wanted, bypassing the rate review normally done by the insurance commissioner's office. They could also force patients to wait nine months to be covered, and exclude the most expensive patients.

To deal with those patients, the state revived its high-risk pool. Insurers, who would help subsidize the pool, would be allowed to reject 8 percent of applicants, who could then buy coverage through the pool—if they could afford it.

At the time, Sen. Alex Deccio, a Republican from Yakima, summed it up neatly: "We are in a private-enterprise system."

"HAVE" VS. "HAVE-NOT"

Washington's insurance experience, some worry, could be repeated on a much larger scale, should the Supreme Court find the mandate unconstitutional.

Insurers, in an amicus brief to the court, argue that if the mandate is removed they should be allowed to exclude people and set prices based on health—now barred in the federal plan.

Others argue that the mandate, with its relatively weak financial penalty for those who don't buy insurance, isn't necessary for the federal health overhaul to proceed.

They calculate that many young, low-income uninsured would buy policies without a mandate, since the federal overhaul dangles attractively low premiums for the young and subsidizes those with low incomes.

State Sen. Karen Keiser, D-Kent, who chairs the Senate's health-care committee and a group of lawmakers exploring alternatives, says if the federal mandate is overturned, each state would be left to choose options ranging from doing nothing to legislating ways to bring as many people as possible into a health-insurance pool.

"Of course, that would mean that our country would be made of 'have' states and 'have-not' states, making the health disparities even worse, which is pretty awful," Keiser said in an email.

Washington Insurance Commissioner Mike Kreidler says 85 percent of state residents, who now have group coverage, wouldn't be directly affected by the federal mandate.

But, he adds, the typical Washington family's yearly insurance bill includes about \$1,000 to cover costs for the uninsured, which his office calculates have reached about \$1

billion a year in the state. The state hospital association says charges for charity care and bad debt by patients may amount to as much as \$2 billion.

Kreidler's office has estimated that under the federal plan, the vast majority of the approximately 1 million uninsured would qualify for Medicaid or subsidies.

Revelle, now policy leader for the Washington State Hospital Association, says the state's struggle to improve health coverage was illuminating.

"A fundamental lesson we learned in the process—and that unfortunately was not learned in the federal process—is that health care is so big, so complex, so passionate, that it has got to have bipartisan support," Revelle said.

It also needs widespread public support to last through the years it takes to impose changes on an entrenched industry.

And that's difficult, he says, not only because of health care's complexity, but because people do not agree on fundamental values.

"It's very hard to look out five or 10 years," Revelle says. "But we should constantly be thinking: Where do we need to be five to 10 years from now?"

Mr. McDERMOTT. What we are doing out here today has already been done in one of the laboratories of democracy, the State of Washington. The Republicans did exactly the same thing. They repealed the mandates, and the individual insurance market died.

It was impossible to buy a policy in the State of Washington because the insurance companies said: Why should we insure somebody under guaranteed mandate when they could walk in here whenever they are sick and get a policy and when they are healthy cancel it, then walk back in when they are sick again and get a policy? That is what you are setting up.

If you were serious about this, you would wipe out ObamaCare totally. You would wipe out the individual mandate. But you know that would be death to you politically, so you wipe out these mandates which you think are good.

Now, we know you don't care about the people. I mean, that is pretty clear. But what you are saying is you don't even care about the insurance industry.

This bill will die in the Senate because the insurance industry will say: If this passes, we won't be able to sell individual policies.

You are wasting our time on an issue that has already been demonstrated does not work in the real world, and yet the ideologues in the back of the boat over there in the Republican Caucus had the idea that if you hit it with a bigger hammer, reconciliation—I mean, it is not enough to just pass a bill out of here. You are going to use reconciliation, which is a sledgehammer in the House, and that will make it pass.

□ 1000

Folks, this bill is dead on arrival in the Senate and is certainly dead on arrival in the White House.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM), one of our strongest voices for patients and local businesses.

Mr. ROSKAM. I thank Chairman BRADY, and I thank Chairman PRICE for bringing this to the floor.

Mr. Speaker, this is a great opportunity to get some awful things off the back of the American public.

We heard the gentleman from Washington admonishing the House, but I invite the House. I don't look at this as an admonition. This is an invitation.

Look, we can get rid of the individual and the employer mandates; the medical device tax; the Cadillac tax; the prevention and fraud health fund, which is a slush fund for the Obama team; auto enrollment; and we can get Planned Parenthood squared away.

What is not to love about that? It is a great opportunity all the way around. I think we should invite the American public and we should invite clear-thinking Democrats to do the same thing.

There is another opportunity as well. I want to draw my colleagues' attention to a piece of legislation that over 100 Republicans have cosponsored, the Special Inspector General for Monitoring the Affordable Care Act, that is, SIGMA, H.R. 2400.

One of the criticisms that we have heard is that there is no individual inspector general that can look over the whole broad spectrum of ObamaCare. What we need to do is to get one entity that can look at the same thing, that can look at it all in its entirety.

This worked as it relates to Afghanistan reconstruction. It worked on Iraq reconstruction. It worked on the Troubled Asset Relief Program. It is an opportunity for us to have a holistic review of all of these things and save billions of taxpayer dollars.

I commend Chairman PRICE and his work and would appreciate very much an "aye" vote on this reconciliation effort.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from the great State of California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this piece of legislation and strong opposition to the fact that we are back here again rehashing the same old issues that aren't going anywhere. It has been pointed out they are probably not even going to be taken up in the Senate; and, if by some chance they were, they are certainly not going to be signed into law by the President.

We are not going anywhere if we keep wasting the time, as we have been wasting the time trying to repeal

ObamaCare and defund Planned Parenthood. It is a terrible situation because we have some real important things that we need to do.

Next year a third of our Nation's Medicare beneficiaries—that is people in every one of our congressional districts—will face the steepest premium hikes in the history of the program if this Congress doesn't act.

We have got a transportation bill that has been long due to be passed. We keep kicking the can down the road, and it is a very bumpy road because we don't pass a transportation bill.

If we pass that bill, we put people to work. About 14 million jobs hinge on the passage of a long-term transportation bill. This is for improving roads and highways, making our overpasses and our businesses safe.

Fourteen million jobs will help the economy; but, instead, we are dillydallying on the floor today with this piece of go-nowhere legislation.

It is long past time that we put the American people ahead of the political gamesmanship and address the real issues facing our Nation.

Majority party, let's get to work. Let's fix the issues that are hurting the American people and stop doing this partisan nonsense.

Mr. BRADY of Texas. Mr. Speaker, I yield 1 minute to the gentleman from New Hampshire (Mr. GUINTA), the former mayor of Manchester, New Hampshire, who understands how badly this bill has hurt his family and community.

Mr. GUINTA. I thank Chairman BRADY and Chairman PRICE very much for putting this piece of legislation together.

Mr. Speaker, I rise in support today of H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act, which includes the repeal of components of the most harmful provisions of ObamaCare and, at the same time, sharing bipartisan support for each component of this legislation, bipartisan support.

I have worked hard with Members across the aisle on provisions that have been hurting families in Manchester, Portsmouth, Conway, and all parts of New Hampshire to ensure their voices are heard.

One of the important provisions in this bill is the full repeal of ObamaCare's 40 percent tax on healthcare benefits, commonly referred to as the Cadillac tax. While this tax is set to take effect in 2018, employers of all sizes are already restructuring plans and cutting benefits to avoid the costly tax.

This excise tax will impact an estimated 12 million middle-class Americans who will pay an additional \$1,000 annually as a result of this tax. They work for big businesses, small businesses, nonprofits, colleges, small municipalities. They need help. They need our support.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BRADY of Texas. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. GUINTA. As I introduced the repeal of the Cadillac tax in its entirety, I am pleased to see that repeal language included in the bill we are debating today.

On top of all the burdens ObamaCare has already placed on hardworking Americans and all the rules and regulations American businesses are faced with, this tax will just make it that much more difficult for employers to provide affordable healthcare benefits to their employees.

So I urge my colleagues, please join the bipartisan fight to support middle-class families and support the repeal of this tax.

Mr. LEVIN. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL), a very vigorous member of our committee.

Mr. PASCRELL. I thank the ranking member.

Mr. Speaker, I have heard now twice this morning the term "bipartisan."

Many of my brothers and sisters on the other side wouldn't know bipartisan if it hit them in the head. I mean, to just throw this term out there like, you know, if you have one or two on this side of the aisle, it is bipartisan, technically, you are absolutely right.

We should be crafting a long-term funding measure, Mr. Speaker, and replacing the damaging sequester cuts that have hurt our economy. And we are both responsible, both sides of the aisle, for that sequester. I don't point any fingers.

We have also got to raise the debt ceiling. I mean, we talk about our budgets at home. Why don't we do the same thing in the Federal Government? I always thought, when I grew up, pay your bills. Pay your bills. That is as important as balancing the budget at home.

This bill leaves intact automatic budget cuts which have threatened hundreds of thousands of jobs and cut vital services for children, for seniors, for people with mental illness, and our men and women in uniform. These harmful cuts have cut funding for thousands of first responders in our communities.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. They have cut vital services for children. They have cut funding for our first responders. They have eliminated jobs for 30,000 teachers—30,000. They have cut afterschool programs for nearly 1.2 million kids and eliminated more than 40 million meals for sick and homebound seniors. This is bipartisan.

We should be replacing these harmful cuts and supporting vital services in our communities.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. Instead, we are here talking about holding government funding hostage in exchange for decimating the Affordable Care Act.

Enough is enough.

Remember when the guy threw the window up in that movie "Network"?

We are not going to take it anymore.

The Republican budget would result in 16 million fewer Americans having health insurance and a 20 percent increase in insurance premiums. A vote for this bill is a vote against those 16 million Americans. A vote for this bill is a vote for higher premiums.

On top of that, this budget doesn't even balance. After 2025, deficits under this budget would begin to skyrocket. It is not a balanced budget. This is a fake.

Why don't we sit down and come up with a mutual plan instead of "a bipartisan fraud"?

Mr. BRADY of Texas. Mr. Speaker, I yield 1½ minutes to the gentleman from Kentucky (Mr. BARR), who knows the failures of the Affordable Care Act in his State.

Mr. BARR. Mr. Speaker, I rise today in support of H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act.

Too many Americans across the country are victims of ObamaCare's many broken promises. We all remember the chaos that ensued when the law was first rolled out, a billion-dollar Web site that didn't work, millions of Americans losing their insurance and being forced to find a new plan often at a higher cost.

Now hundreds of thousands of Americans, including at least 51,000 Kentuckians, are once again losing their health insurance because of the failure of ObamaCare healthcare cooperatives.

In his State of the Union Address, President Obama cited Kentucky as an example of ObamaCare working in a red State. But as we learned last week, ObamaCare does not work in Kentucky.

In the past 2 weeks, ObamaCare co-ops have failed in my home State of Kentucky, Tennessee, Colorado, Oregon, and South Carolina. Co-ops have failed in Nevada, Iowa, Nebraska, New York, and Louisiana.

These failures were entirely predictable because the model was not sustainable. The Kentucky co-op lost nearly 60 cents for every premium dollar it collected. Now hardworking taxpayers will be stuck with the bill for hundreds of millions of dollars that will never be paid back.

Combined with low enrollment numbers, the result of these failures will ultimately be borne by the American people, more consolidation in the

healthcare market, fewer choices for consumers, and higher healthcare costs for the American people. This is not the reform we were promised.

The bill we are debating today would repeal the most harmful mandates and taxes imposed by the law. It reduces the deficit by \$130 billion, and it gives us an opportunity to put a bill on the President's desk that would make life easier for the American people.

I encourage all my colleagues to join me in supporting this bill.

Mr. LEVIN. Mr. Speaker, how much time of our 15 minutes remains?

The SPEAKER pro tempore. The gentleman from Michigan has 5 minutes remaining.

Mr. LEVIN. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. I thank the gentleman from Michigan for yielding me the time.

Mr. Speaker, I rise in opposition to this latest attempt to repeal the Affordable Care Act and the benefits it has brought to millions of Americans.

While this is the 61st vote this House has taken to undermine health care, my colleagues on the other side of the aisle claim that somehow this time is different. That is because this is dressed up in a process called reconciliation.

But this isn't reconciliation. This is procrastination. This is a desperate attempt to avoid working on the real issues facing America today.

I get it. Governing is hard. It is difficult. But that is not an excuse for giving up on your responsibilities and, instead, pursuing yet another repeal bill. But that is their plan, their only agenda, for America.

The country is days away from defaulting on our debt? Time to repeal the Affordable Care Act.

Roads and bridges are falling apart? Maybe repealing the Affordable Care Act will help us.

Seniors on Medicare are about to see their premiums skyrocket? Forget fixing the problem. Let's repeal the Affordable Care Act.

□ 1015

They must think it is a better strategy than the previous 60 votes if they wrap it up with a bow and slap a fancy name on it. Actually, it is odd they call this reconciliation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. CROWLEY. Republicans aren't reconciling with us to work in a bipartisan way. They are not reconciling themselves to the fact that the Affordable Care Act is the law of the land and that it is helping people access quality, affordable healthcare insurance; and they are certainly not fooling anyone with what their true intentions are.

They are not. Frankly, the only thing they are doing is wasting time. I have had enough, and I know the American people have had enough, too.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACK), a Member of Congress who is a healthcare provider herself, a nurse, and a key leader of the Health Subcommittee.

Mrs. BLACK. I thank the chairman and also Chairman PRICE for bringing this bill to the floor.

Mr. Speaker, I rise today in strong support of today's budget reconciliation to address the heinous abuses of life at Planned Parenthood. To date, we have seen 10 undercover videos implicating the abortion giant in the trafficking of unborn babies' tissue and organs.

Planned Parenthood and their enablers could not defend the conversations on these tapes—which many here in Washington still have not watched—so they tried to discredit the source. The House minority leader even said: "I don't stipulate that these videos are real."

Well, Mr. Speaker, that is my colleague's prerogative, but the facts—and specifically this forensic report—say differently. Since these revelations were uncovered, the House has voted twice now to cut Federal funding to Planned Parenthood and reallocate those dollars to other providers that better serve women and families. But Senate Democrats repeatedly blocked these solutions. In fact, only two Senators from the minority party could muster the compassion to vote for this proposal.

I refuse to let the callousness and obstructionism of a select few stop this worthwhile effort. That is why I am voting today for the reconciliation bill to freeze Medicaid funding to Planned Parenthood. This is our best opportunity, to date, to put a bill on the President's desk and show the American people where his priorities lie.

Mr. Speaker, we face many challenges in Washington today, but nothing—nothing—could be more important than how we treat an innocent human life. This is a fight worth having, and it is a fight I will continue to have until the very end. I urge a "yes" vote on the budget reconciliation bill.

Mr. LEVIN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. LEE), who is a distinguished member of the Budget and Appropriations Committees.

Ms. LEE. Mr. Speaker, let me thank our ranking member for yielding and for his tremendous leadership on so many issues.

Mr. Speaker, I rise in opposition to H.R. 3762, the so-called Restoring Americans' Healthcare Freedom Reconciliation Act. This bill would attack women's health and the Affordable Care Act once again. This bill would

defund Planned Parenthood for 1 year, leaving millions of women across the country without access to critical healthcare services. It would also prevent individuals or organizations that provide comprehensive reproductive healthcare services from treating women enrolled in Medicaid, stripping women of their fundamental right to choose their own healthcare provider, and leaving thousands of women out in the cold.

Now, let's be clear. Family planning services are critical to reducing unintended pregnancies, and they make economic sense also. For every \$1 spent on family planning services, we save more than \$7 in other costs.

Mr. Speaker, denying access to healthcare providers such as Planned Parenthood and other safety net providers will hurt women who need these services the most: low-income women and women of color. It is past time to stop these ideological attacks on women's right to health care. Instead of continuing with these callous attacks and cuts, we should work to replace the damaging sequester and get a responsible, long-term budget deal.

Mr. Speaker, this bill reconciles nothing. It is divisive, it is misguided, and it is dangerous. I urge a "no" vote.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE). He is the majority whip of the U.S. House and a strong leader against the Affordable Care Act and for defunding Planned Parenthood.

Mr. SCALISE. Mr. Speaker, I thank the gentleman from Texas for yielding.

I want to thank my colleague, the gentleman from Georgia, for his leadership on bringing this reconciliation bill to the floor.

Mr. Speaker, as we have fought for years to defeat the President's healthcare law and the many destructive components to that law that are playing out all across the country, we have got one more opportunity, Mr. Speaker, to send a bill to the President—but this time, not just to send a bill to the Senate that actually goes after and guts the President's healthcare law, but also a bill that now, with 51 votes in the Senate, will have the opportunity to get to the President's desk.

The bill not only repeals the employer mandate, but it repeals the individual mandate, laws that are crushing jobs across the country and killing middle class jobs. The biggest reason, when you talk to small-business owners, why they can't hire more people and why they are forced by this law to lower the number of working hours of people across the country down below 30 hours is because of these mandates in the law that are crushing American jobs.

Why not put that bill on the President's desk? Why not also tell these

people who are taking taxpayer money and providing abortion services that you can't do it anymore? If you want to provide women's health care, there is funding for you, but you can't use taxpayer money to provide abortions. That is in this bill to get to the President's desk.

Even more than that, it goes further, and we start cutting taxes that are killing jobs in this bill. The medical device tax is shipping jobs to foreign countries. Let's cut those taxes. If the Senate wants to go further under their arcane rules, they will have that opportunity, and we would support those changes as well.

Ultimately, Mr. Speaker, let's get this bill to the President's desk and let him make a decision. Is he going to finally stand up for American workers and sign this bill, or is he going to continue to support a law that is destroying jobs and destroying health care in this country? That ought to be the President's burden. We ought to send that bill to the President. This is the first step, and it is a critical step to restoring jobs and good health care across this country.

Mr. Speaker, let's pass this bill, send it over to the Senate, and let them do their work.

Mr. LEVIN. Mr. Speaker, how much time of the 15 minutes remains on each side?

The SPEAKER pro tempore. The gentleman from Michigan has 1½ minutes remaining. The gentleman from Texas has 2 minutes remaining.

Mr. LEVIN. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. RANGEL), a gentleman who has served this committee and this country so well.

Mr. RANGEL. Mr. Speaker, I think this bill before us shows what is wrong with the Congress. I don't challenge the corrections that people on the Republican side would want to make in providing health care for our Nation. It is a problem when none of them actually voted for the bill, but that could have been because we didn't give them access and opportunity.

It would seem to me, especially when we are trying to find out someone who will become Speaker of the House, that, if you have objections to a bill that provides health services for Americans, we would try to find out, before we ask for a veto, what we can do to help.

There cannot be any Republican here that truly believes that we should eliminate preventive health care. Preventive health care is not only humane and the right thing to do, but it saves us a lot of money. We have an advisory board that determines the amount of time that should be spent based on statistics. Yes, these are life-or-death questions, but it is also saving money as well as saving lives.

There are so many objections that you may have as to how we use the tax

system to encourage people and to mandate that people pay into the system. Most of you know, if people can have insurance and not pay for it, then everyone would want it.

This is insurance. Yes, healthy people have to participate because younger people don't believe that they ever get sick. So don't just say that you want to make certain that the President vetoes this for political purposes so you can go back home and say, yes, one more shot against the President, one more shot against the Congress, and in some cases one more shot against your own party. Let's, for God's sake, try to work together to try to get something positive done.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY), a physician and one of the distinguished leaders on health care, to close on behalf of the American people.

Mr. BOUSTANY. I thank the Speaker, and I thank my friend from Texas for yielding time.

Mr. Speaker, I rise in support of this reconciliation package because it hits right at the financing of ObamaCare. As a physician, I know what the impact of this health law has done. It is devastating and causing serious disruptions in access to care, quality of care, and, really, eroding the doctor-patient relationship.

Secondly, it puts a halt to the funding of Planned Parenthood. We all know, based on those videos and other information we have had, the practices of Planned Parenthood. It is time to stop it. As a pro-life physician, it is time to stop it.

Finally, this forces the President to explain the support of these horrible, failed policies.

Conservatives across the spectrum are standing strong in support of this package, and that is because it contains important provisions like one that I authored repealing the employer mandate, which is hurting job creation in this country. It is an onerous provision, and it is choking small business growth.

I only wish we could have done more in this package, but we are limited by the Senate rules and the Senate Parliamentarian. I would have liked full repeal of ObamaCare. I would have liked to have seen the inclusion of my bill repealing the health insurance tax, which has been very costly, running up premium costs. We couldn't do that because of constraints.

We will continue to fight these fights, but let's pass this package. It is really important. It will get job creation going, and it will help roll back the onerous effects of ObamaCare.

If signed into law, there is no question in my mind that this reconciliation package will cause an implosion of ObamaCare and force us to get to real healthcare reform based on high

quality and a high-quality doctor-patient relationship built on trust.

At the very least, we will accomplish putting this on the President's desk and have him account for his failed policies. He will have to account for the policies that are killing jobs, adding mountains of debt to this country, and continuing a legacy of failed policy.

Mr. Speaker, support this package. It is a very important step.

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey (Mr. PALLONE) be allowed to control the next 15 minutes of debate time as the designee of the ranking member.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TOM PRICE of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee, may control 15 minutes as my designee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today, I rise in support of this important bill, H.R. 3762, which addresses some of the most pressing and important issues certainly to folks in Michigan and around the country: the deficit and the President's healthcare law.

Rarely a day goes by when I am back home in Michigan that someone somewhere doesn't stop me and say, whether it be in a coffee shop, on a plant floor, or the local service club like a Rotary or a Lion's Club, you name it, asking what we are doing to address the broken promises, the high cost, and the surprises and the lack of choices associated with ObamaCare, and what are we doing to get spending under control.

There is a lot of misunderstanding on what this bill does or does not do, so let's set the record straight. This bill would repeal the most harmful, damaging, and unpopular provisions of the health law.

This bill would repeal the Prevention and Public Health Fund. Don't let the name fool you. The administration views it as a veritable petty cash fund that has been raided for wasteful projects, including building support for ObamaCare.

This bill would, for a period of 1 year, prohibit any Federal funding to States for a 1-year period for prohibited entities like Planned Parenthood. At the same time, the bill would increase funding for community health centers like the Family Health Center in Kalamazoo or InterCare in Benton Harbor, two cities in my district, to help provide access to women's health care.

Stalwarts in the life movement, including the National Right to Life, the Family Research Council, and Susan B. Anthony List support that approach.

Mr. Speaker, the bill would repeal the unpopular individual mandate, which forces Americans to purchase coverage of the government's choosing, the exact opposite approach that we need to create a patient-centered healthcare system.

The bill would also repeal the employer mandate. Repealing this provision helps encourage economic growth and improve the job outlook.

The bill would also, as we know, repeal the medical device tax. This job-killing tax has hurt Americans across the country, including in my district, certainly, Kalamazoo, where folks have lost their jobs because of the harmful tax.

In closing, Mr. Speaker, the CBO has found this bill would reduce the deficit by nearly \$130 billion over the next 10 years, spur economic growth and the creation of jobs, and cut taxes on literally millions of Americans.

□ 1030

Today we say to folks in Michigan and around the country: We hear you. Yes, we do. We are addressing what matters to you most.

I would ask my colleagues to support this important bill.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have the utmost respect for the chairman of our Energy and Commerce Committee, but I have to respectfully disagree with almost everything he said.

I am glad that he is admitting that, basically, what this reconciliation tries to do is repeal the Affordable Care Act. There was some question about that by my colleagues until now. But, clearly, they are admitting that that is what they are trying to do.

Of course, they don't say anything about the positive impact of the Affordable Care Act and how many more people now have health insurance, how many people don't face discrimination, all the terrible things that existed before the Affordable Care Act became law.

What I do not appreciate, though, is my chairman saying that somehow we are trying to expand access to health care by providing more funds to community health centers. The fact of the matter is that the community health centers cannot make up for the work on women's health that Planned Parenthood centers take care of. To suggest that somehow that is going to make up for what Planned Parenthood does is simply not the case.

Mr. Speaker, this reconciliation legislation amounts to the futile 61st attempt at repealing the Affordable Care Act. It also represents the Republican's continued assault on women's right.

The reconciliation instructions defund Planned Parenthood, and the recently enacted legislation forming a new select subcommittee will continue a fraudulent investigation into Planned Parenthood, and I think that is appalling. This investigation and this effort in reconciliation are nothing more than a radical assault on women's health.

Extremist Republicans want to take away a woman's right to choose what is best for her and her family as well as her right to choose the healthcare provider that best meets her healthcare needs. This isn't just an attack on Planned Parenthood. This is an attack on all women across the country.

I am also disappointed that the reconciliation instructions would repeal the Prevention and Public Health Fund, which is part of the Affordable Care Act. There is nothing more important than the Prevention Fund. My colleague, the chairman of our committee, suggested it was a slush fund. Nothing could be further from the truth.

Less than 4 months ago the House voted overwhelmingly to support the 21st Century Cures Act, which was one of my chairman's goals, was to pass that bill. With that vote, we all agreed on the importance of making investments to spur innovation to develop new treatment and cures, investments that could reduce the human toll of disease and reduce the financial strain that disease places on public and private healthcare payers.

Just like we know that investments in developing new cures and treatments matter, we know that investments and prevention pay off. According to the Trust for America's Health, every dollar spent on community-based interventions generates a return of \$5.60.

Not only does investing in prevention have economic benefits, such investments can potentially prevent the human suffering that results from disease. I don't see how anyone can be against that goal.

I would venture to say again out of respect to the chairman of my committee, if we were to get rid of the Prevention Fund, I don't see any point in having the 21st Century Cures Act because the money is similar. One goes for prevention, and the other goes also for prevention.

This legislation is harmful, unnecessary, and will never become law. I urge all Members to reject it.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), the vice chair of the Energy and Commerce Committee.

Mrs. BLACKBURN. Mr. Speaker, I thank the chairman.

Before I begin my remarks, I want to commend Chairman PRICE and Chair-

man UPTON for the work that they have done—Energy and Commerce is an authorizing committee, and Chairman PRICE is the Budget Committee—making certain that we meet the targets for reconciliation.

One of the things we have heard repeatedly from our constituents is the U.S. House of Representatives is responsible for this Nation getting their fiscal house in order. It is an imperative. We know we are not going to have a silver bullet that does it overnight. Those silver bullets don't exist.

We do know this, that we can take the right steps at the right time and put a bill on the President's desk. The President has the choice to say, I agree with you. Let's move this Nation to fiscal health, or he will veto the bill. And, of course, our goal is to get it over to the Senate so they can do their work and we can see that step of the process take place.

There are some items in this bill for reconciliation that I do come to strongly support. I think it is imperative that the Affordable Care Act, which has proven to be so unaffordable, too expensive to use, too expensive to purchase—insurance gets you to the queue, not to the doctor. We all know those stories.

What we have learned is that the administration has recently cut in half their enrollment projections for next year. This should trouble everybody because this is something that we said.

We know from history, from government-run programs, that those expectations many times are not met. So then you see a movement into damage control. We are taking the right steps to begin to rein this in and to break this program apart.

I think it is important to note, as we look at the ObamaCare program and the steps we are taking to eliminate portions of that program, that just this week, with the co-ops that were put in place—and, by the way, about a billion taxpayer dollars spent on those co-ops and nine—nine of those co-ops have now failed. They failed, poof, gone. It is these findings that are raising the questions that Americans have for: Look, the program isn't working.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. UPTON. I yield the gentlewoman an additional 1 minute.

Mrs. BLACKBURN. What you need to do is stop this before it becomes too entrenched to change because people are not getting access to care and money is being wasted on healthcare delivery theories that clearly do not work.

This bill repeals the individual mandate, the employer mandate, the Cadillac tax, the medical device tax, ends auto enrollment, and ends the Public Health Fund, which is a slush fund. When you are paying for pet neutering and other things out of a prevention fund, yes, it is a slush fund, and it needs to be clawed back.

In addition, there is a 1-year moratorium on the funds for Planned Parenthood while Congress completes its investigation into the practices that have taken place around fetal tissues.

H.R. 3762 is a net tax cut, a net spending cut, and reduces the deficit. I urge support.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

As I said, now our vice chair of the committee also is going into all the reasons why we should repeal the Affordable Care Act.

So I think maybe at this time, Mr. Chairman, I would like to just read, if I could, from the Statement of Administration Policy. This is the President's statement about why this bill should not pass. He says:

"The administration strongly opposes House passage of H.R. 3762. The House now has attempted to repeal or undermine the Affordable Care Act more than 50 times. By repealing numerous key elements of current law, H.R. 3762 would take away critical benefits and health care coverage from hard-working middle-class families. The bill also would remove policies that are expected to help slow the growth in health care costs and that have improved the quality of care patients receive. H.R. 3762 would increase the deficit in the long term and detract from the work that Congress could be doing to foster job creation and economic growth."

The Affordable Care Act is working and is fully integrated into an improved American healthcare system. Discrimination based on preexisting conditions is a thing of the past. Under the Affordable Care Act, we have seen the slowest growth in healthcare prices in nearly 50 years benefiting all Americans.

Repealing key elements of the Affordable Care Act would result in millions of individuals remaining uninsured or losing the insurance they have today. An estimated 17.6 million Americans gained coverage as several of the Affordable Care Act's coverage provisions have taken effect, 15.3 million since the beginning of the first open enrollment in October 2013. This legislation would roll back coverage gains and would cost millions of hardworking middle class families the security of affordable health coverage they deserve.

Repealing the healthcare law would have implications far beyond these Americans who have or will gain insurance. More than 150 million Americans with employer-based insurance would be at risk of higher premiums and lower wages or losing their coverage altogether. Reforms that strengthen Medicare's long-term finances also would be repealed, likely making Medicare's Hospital Insurance Trust Fund insolvent earlier.

H.R. 3762 also would defund the Prevention and Public Health Fund, which

was created to help prevent disease, detect it early, and manage conditions before they become severe; limit women's health care choices; and disproportionately impact low-income individuals.

Rather than refighting old political battles by once again voting to repeal basic protections that provide security for the middle class, Members of Congress should be working together to grow the economy, strengthen middle class families, and create new jobs.

If the President were presented with H.R. 3762, he would veto the bill.

This is an exercise in futility, this reconciliation act. To suggest that somehow we should repeal the Affordable Care Act after all the good things that it is doing to help Americans obtain health care, have access to health care, and lower costs, there is absolutely no justification for it. I thought that the Republicans would stop doing this months ago, but here they are at it again. I don't really understand it.

Mr. Speaker, I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. LANCE), a member of the Health Subcommittee.

Mr. LANCE. Mr. Speaker, I rise in strong support of H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act.

This comprehensive package focuses on significant portions of ObamaCare, striking onerous tax and mandate provisions, and laying the groundwork for a new President elected in 2016 to complete a full replacement plan of ObamaCare—not repeal—repeal and replacement.

According to the Congressional Budget Office, the package reduces the deficit by nearly \$130 billion and provides a 1-year moratorium on all Federal mandatory funding for Planned Parenthood, a moratorium to Planned Parenthood, but that funding is redirected elsewhere, to community health organizations that do a fine job across this country.

Under the leadership of Chairman UPTON, provisions finally end the ObamaCare fund, known as the Prevention and Public Health Fund, which gives the Secretary of Health and Human Services billions of dollars to spend each year with little accountability.

All Members of Congress should recognize that that responsibility belongs to us here in this branch of government and not in the executive branch. Funds from this program have financed questionable programs, and there has been waste. Some Democrats have joined in calling for its termination.

The Energy and Commerce Committee sections also direct that the Planned Parenthood funding will go to other organizations' high-quality-access healthcare options both for women and men.

Contributions from both the House Education and Workforce and Ways and Means Committees also include the repeal of a series of significant pieces of ObamaCare, including the repeal of the individual and employer mandates, the repeal of the 40 percent excise Cadillac tax—and there is no one I know who favors that Cadillac tax, certainly those hardworking men and women who are in labor organizations in this country—and that forces people to accept different insurance coverage from the coverage they knew and liked, and it includes the repeal of the medical device tax, which increases the cost of care, discourages medical innovation, and harms job creation, particularly in my home State of New Jersey.

Because the legislation was developed through the reconciliation process, it will be protected from a filibuster in the Senate and could be passed in that body by a simple majority. I call for majority passage in the Senate of the United States. Reconciliation is our best chance to send meaningful legislation to the President's desk.

I urge my colleagues to support this important legislation.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentleman for yielding to me.

As President Reagan used to say, "Here we go again," on the 61st attempt to repeal the Affordable Care Act, I mean, give us a break. It is a waste of everybody's time. I don't know why we are going through this exercise.

I do understand, Mr. Speaker, the need to reconcile our budget. I do not, however, understand the impulse to do so by gutting both the Affordable Care Act and an organization that provides vital preventive services to more than 2 million Americans, and that is Planned Parenthood.

□ 1045

Investing in preventative care saves money in the long term. Yet this short-sighted measure would abolish the Affordable Care Act-created Prevention and Public Health Fund, which is our government's sole investment in prevention.

This isn't merely a talking point. I have seen the ample returns on this investment in my hometown of the Bronx, where the fund sponsors healthier meals, antismoking campaigns, and increased access to vaccinations. This fund should not be gutted. This bill ignores the progress that the fund is making not only towards saving money but, more importantly, towards saving lives.

This bill, again, as I said, bars the funding for Medicaid reimbursement to Planned Parenthood—again, yet another politically motivated attempt to

demonize Planned Parenthood based on discredited allegations of wrongdoing. As I have said repeatedly, more than half of Planned Parenthood centers are in rural or underserved areas where health care is already hard to come by. Yet some of my colleagues on the other side of the aisle want to make it even harder to access HIV and STI tests, breast and cervical cancer screenings, and other lifesaving services.

I urge my colleagues to vote “no” on this bill and to continue to provide preventative care to our country’s most underserved citizens. This is what we should be doing, not making it harder for them to get the help they need.

Mr. UPTON. Mr. Speaker, I inquire of my friend from New Jersey how many speakers he has remaining on his side. We are prepared to close.

Mr. PALLONE. I have no additional speakers.

Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from New Jersey has 6½ minutes remaining, and the gentleman from Michigan has 6½ minutes remaining.

Mr. PALLONE. Mr. Speaker, I yield myself the balance of my time.

I want to just talk, in closing, about the part of this reconciliation that eliminates funding for Planned Parenthood and related agencies.

Basically, the reconciliation instructions would prohibit Federal funding under Medicaid as well as under SCHIP—the children’s health fund—and social services’ block grants to prohibited entities that are defined as those primarily engaged in family planning, reproductive health services, and related medical care, and those that provide abortions beyond limited circumstances.

Now, the thing that is most disturbing to me is the ideological bent. We know that the Supreme Court says that abortion is legal and that women have a right to choose; but this goes way beyond even the abortion issue by talking about family planning and reproductive health services. My colleagues continue to say that there are alternatives to Planned Parenthood, but the reality is that there are not because it is the main provider for family planning, reproductive health services, and related medical care.

That is our point here. You can try to define this as relating to abortion, but the bottom line is that Planned Parenthood and similar entities provide all kinds of services for women’s health and even for some men, and you are denying them access. So I do kind of resent the fact that there is this suggestion that you are going to allow access at community health centers, because I know, from my own experience, that community health centers are limited—there aren’t that many—and they don’t have the ability to provide

these services, particularly this kind of specialty care that women deserve and that women should have.

Once again, we are here to defend longstanding freedom of choice protections that ensure that a woman in the Medicaid program can see the qualified provider she trusts. Remember, when you are talking about Medicaid in particular, you are talking about poor women. You are talking about vulnerable women who will lose access to care because Medicaid is their major source of funding if they want to get care.

I can never support any legislation of any kind that would leave millions of American women without key preventative health services, including birth control, lifesaving cancer screenings, STI testing and treatment, well-woman exams, and advice on family planning. Federal rules protect the right of Medicaid beneficiaries to seek care from trusted and medically qualified providers of their choosing.

Now you are entering an ideological debate into what we call “any willing provider.” The idea was that you could decide as a woman—or as anyone—where to go. If an agency provided the services and if it were qualified, you could choose to go there. Now you are breaking that for ideological reasons. My concern is: Where do we go next? We then say that you can’t go to a hospital because it is Catholic or that you can’t go to a clinic because it is Jewish. How are you supposed to define, ideologically, which provider you can go to if you now put the ideological bent on it as saying you can’t go to a provider that may, at one of its clinics—not even the one you go to—provide abortion services?

This is a protection that has existed for a long time, and you are breaking it. This is the wrong bill—wrong because it repeals the Affordable Care Act, wrong because it denies women access to important care.

Mr. Speaker, I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I really thank Chairman PRICE for the budget process that we have seen this year. One of the toughest votes any Member has, whether the Republicans are in charge or the Democrats—either side—is the passage of a budget. For a lot of years, at least on our side of the aisle, we complained bitterly that the Senate was never able to pass a budget for, probably, 4 or 5 years. I want to say.

It didn’t happen this year. We passed a responsible budget in the House, and the Senate passed a budget.

I don’t think many Americans realize that the budget, itself, does not go to the President for his signature or veto. It is just the roadmap for us, and it sets up the stage where we can use reconciliation. This is a process, I want to

say, President Reagan used for the first time back in the eighties. I worked at the White House then.

This is a way that you don’t need the 60-vote threshold that most bills require in the Senate. You only need 50 votes. So that budget process, by getting a conference agreement, was nurtured through the two bodies—the House and the Senate. Then began the process of reconciliation within the authorizing committees. Our committee—Energy and Commerce—Ways and Means, Education and the Workforce, and others can come up with a real savings to match that budget target that we set last spring.

That is what this is. It is reconciliation. It is a coming together based on the budget, and this, in fact, is a bill that goes to the President. In the Statement of Administration Policy, we are expecting a veto, but at least we are getting the job done. We are delivering on what we said we would do, and we are getting the bill to the President for action either way.

I just want to take this time and again thank Chairman PRICE and others and my fellow committee chairs for their hard work because it is. It is hard work to get a bill to the House floor, particularly one that actually does reduce the deficit, something that many of us on both sides of the aisle actually support.

Mr. Speaker, I yield the balance of my time to the gentleman from Georgia (Mr. TOM PRICE), and I ask unanimous consent that he be allowed to control the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia (Mr. SCOTT) be allowed to control the next 10 minutes of debate time as the designee of the ranking member.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. TOM PRICE of Georgia. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Minnesota (Mr. KLINE), the chair of the Education and the Workforce Committee, and I ask unanimous consent that he be allowed to control the next 10 minutes of debate time as my designee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KLINE. I thank Chairman PRICE for yielding me the time.

Mr. Speaker, I yield myself 2 minutes.

I rise today in strong support of Restoring Americans’ Healthcare Freedom Reconciliation Act.

Mr. Speaker, higher costs, fewer full-time jobs, loss of insurance coverage, less access to trusted healthcare providers, those are just some of the harmful consequences stemming from the President's flawed healthcare law—a law that is wreaking havoc on families and small businesses across the country.

Just this month, officials in Clay County, Tennessee, moved to close local schools due to severe budgetary challenges. According to the county director of schools, ObamaCare is “the straw that broke the camel's back.” This local official said it is very difficult for the school district to “meet the mandates of the law.” Of course, that is what school leaders, college administrators, small-business owners, and others have been saying for years. Employers, working families, teachers, and students are paying the price for the President's government takeover of health care.

We have a responsibility to use every tool we have to dismantle this flawed healthcare scheme, and the bill before us today will do just that. The Education and the Workforce Committee has helped play a role in this effort.

The committee recently passed a proposal that will repeal a costly and unnecessary mandate in the healthcare law, known as auto enrollment. As the name suggests, this mandate requires certain employers to automatically enroll employees in the government-approved health insurance. It may not sound like a big deal, but this one mandate will create costly confusion for employers and employees, will penalize those already enrolled in coverage, and will take wages out of the paychecks of hardworking Americans. The mandate is so complex, Mr. Speaker, that, after 4 years, the Department of Labor still hasn't figured out how to enforce it.

The American people sent us to Washington to focus on their priorities. By supporting H.R. 3762, we can reduce spending and rein in our Nation's deficit and debt, and we can send a bill to the President that will dismantle his flawed healthcare law. These are leading priorities of the American people that this proposal helps to advance.

I urge my colleagues to seize this important opportunity by supporting this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Today, the House will take yet another vote on the Affordable Care Act. More specifically today, we will vote on whether or not we want to support a budget reconciliation process that will seek to take away health insurance from millions of Americans—but this isn't a new exercise.

In the past 5 years, the House has voted about 60 times to repeal or to un-

dermine the law. There have been multiple lawsuits filed, and countless attacks have been mounted—all with the same goal of turning the clock backwards on the progress we have made.

Before Congress passed the Affordable Care Act, healthcare costs were skyrocketing. That was before the Affordable Care Act. In the months before we passed the bill, there were months during which 14,000 people a day were losing their health insurance. Women were routinely charged more for insurance than men. If you had a preexisting condition, you may not have been able to get insurance at all; or if you lost your job or wanted a new business and had a preexisting condition, you were just out of luck.

We made great progress in improving a system that didn't work for American families, and as a result of the ACA, more than 17 million uninsured Americans have gained health insurance. Today, young Americans can stay on their parents' policies until they are 26. If you have a preexisting condition, you can get healthcare insurance at the standard rate; so, if you want to change jobs or start a business or start a family, you have healthcare options even if you have a preexisting condition. Further, the healthcare cost growth has slowed, resulting in the lowest annual increase in healthcare spending in at least 50 years.

It is clear that the Affordable Care Act is working, and it is even clearer that we should not revert back to the way things were before the ACA when those with preexisting conditions couldn't get health insurance, when young people had few or no coverage options, and when, of course, the costs were skyrocketing.

Once again, we are considering a bill that dismantles the law without any credible alternative to ensure that millions of Americans won't, once again, be left out in the cold; so I urge my colleagues to protect healthcare insurance by opposing this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. STEFANIK), a member of the Education and the Workforce Committee.

Ms. STEFANIK. Mr. Speaker, I rise today in support of the reconciliation package.

First, I want to thank Chairman KLINE and Chairman PRICE for their instrumental work in putting this package together.

Mr. Speaker, for the past 5 years, the President's healthcare law has led to higher costs, less access to doctors, and fewer choices. This is why it is so important to make commonsense fixes to this law.

As I travel throughout New York's 21st District, constituents tell me they want Members of Congress to work to-

gether to ease the pain this law has created for so many North Country families and businesses. By moving employer-sponsored healthcare coverage away from a voluntary and flexible model, the President's healthcare law has created countless penalties and mandates, including one that requires certain employers to automatically enroll their full-time employees in healthcare coverage.

This auto enrollment mandate creates confusion for my constituents, and, by triggering tax penalties, it actually creates duplicative costs for employees who might already have health insurance. For example, if veterans in my district who are eligible for TRICARE or if North Country college students stay on their parents' healthcare plans and then get jobs, they will be automatically enrolled in unnecessary and duplicative plans unless they know about this confusing provision and decline coverage within a set amount of time.

□ 1100

It is redundant. It is unnecessary. It is not in line with the patient-centered healthcare system this country deserves.

The reconciliation package, which is under consideration today, would eliminate this misguided mandate, and it does not take away an employee's ability to opt in and enroll in their employer's healthcare coverage.

This provision accomplishes this by getting rid of the onerous and duplicative mandate known as auto enrollment. This commonsense fix will save Americans hard-earned money. It will protect workers from a one-size-fits-all healthcare system. It saves the Federal Government billions of dollars.

I urge my colleagues to stand up for the American taxpayer and support this reconciliation package.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Mr. Speaker, I rise in opposition to H.R. 3762, which would make getting health coverage more difficult and more expensive for millions of hardworking Americans.

Today 17 million Americans who had been uninsured now have high-quality, affordable health coverage. We should not overlook this fact. Across the country, people are now able to live their lives, to pursue careers, to start families without the looming fear that any medical emergency could bankrupt them.

The bill we are debating today would send our country back to a time when hardworking people couldn't access preventive services, when injuries and illnesses were not only physically debilitating, but could also be financially crippling.

Imagine being diagnosed with cancer and fighting for your life to beat it and

then facing the prospect of losing your home because you are torn between paying a mortgage and paying for life-saving treatment. No one should have to face that choice.

What is especially disappointing is the fact that Members of both parties have ideas for improving the Affordable Care Act that are worthy of consideration. We just heard one from Ms. STEFANK of New York.

Instead of coming together around issues of common interest, the House is using its time to debate an unrealistic measure that would simply push health care beyond the reach of hardworking people in communities across this country and, yet again, on top of that, try to defund Planned Parenthood.

So I urge my colleagues to join me in me rejecting this bill. Let's get back to the table and work together.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. ROE), the chairman of the Subcommittee on Health, Employment, Labor, and Pensions.

Mr. ROE of Tennessee. Mr. Speaker, I rise today in support of Restoring Americans' Healthcare Freedom Reconciliation Act. I thank Chairmen KLINE, RYAN, UPTON, and PRICE and their staffs for the work and leadership on this important bill.

As a physician who spent more than 30 years caring for patients, I am keenly aware of the negative impact that the President's healthcare law has had on the American healthcare system. The mandates, tax increases, wasteful spending, failed Web sites, co-ops, including ObamaCare, put a strain on hardworking families, and it has succeeded only in making our already-struggling economy worse.

This bill repeals the individual mandate, the employer mandate, stops the damaging and progressive Cadillac and medical device taxes, which have strong bipartisan support, and is estimated to save about \$79 billion. Further, it will protect workers from having to purchase insurance plans they may not want or need by excusing them from the auto enrollment provision.

This bill does not accomplish everything we need to to right the wrongs of ObamaCare, but it is a strong step in the right direction. By using the reconciliation process to repeal the most damaging parts of ObamaCare, we are keeping our promise to the American people to protect them from this fatally flawed law.

Let me take you down to the ground level, where I live. I was mayor in Johnson City, Tennessee. I just met with the folks there. They have \$185,000 they have to pay into a reinsurance fund. They have 1,000 employees and a large HR department.

They have had to hire a consultant to figure out whether they are complying with all of the regulations, and

the city manager said: Under no circumstances will we hire anybody to work more than 25 hours a week because we cannot afford to do that in our local situation.

Mr. Speaker, I came to Congress to help reform our Nation's healthcare system, and there is no question it was broken before ObamaCare. Unfortunately, this law has only made things harder and more expensive for too many Americans.

I hear over and over again Republicans don't have any alternatives. Well, here is one right here, the Restoring Americans' Healthcare Freedom Reconciliation Act, a 193-page bill which lowers cost, increases access, and gives more freedom to patients. Also, H.R. 2300, Dr. PRICE's bill, does the same thing.

I strongly encourage support for this bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlewoman from Massachusetts (Ms. CLARK).

Ms. CLARK of Massachusetts. Mr. Speaker, here we go again. We are back here using valuable legislative time to make a doomed attempt to repeal the Affordable Care Act.

Next week the highway bill will expire. The week after that we are facing the prospect of defaulting on our Nation's debt. Next month we could shut down government because we don't have a long-term budget.

Yet, here we are again, repealing the Affordable Care Act, defunding Planned Parenthood, because maybe the 65th time it will stick?

I would like to remind my colleagues that the Affordable Care Act has insured over 17 million Americans and that Planned Parenthood provides care to 2.7 million patients a year, often in underserved areas of our country. My colleagues on the other side of the aisle seem determined to replay these issues, despite the fact that we have already voted on them.

Mr. Speaker, we have a lot of very important time-sensitive issues we need to deal with. We need to fund our highway system. We need to pay our bills. We need to keep government open. These are the very basic functions we were elected to perform. These are the minimum of what families need and expect from us.

Instead, we are wasting precious time debating backward, ideological bills that roll back important progress made for women and families who are working hard to get to and stay in the middle class.

I urge my colleagues to vote down this partisan attempt to repeal the Affordable Care Act and defund Planned Parenthood. Let's get back to solving this Nation's problems.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), a member of the committee.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank the chairman for affording me the opportunity to address such a critical issue.

This reform package will protect taxpayer dollars while reforming some of the most egregious portions of the Affordable Care Act. As a member of the House Committee on Education and the Workforce, I am proud to support language included in this bill that would repeal the harmful auto enrollment mandate of the ACA. This provision, which would apply to companies with 200 or more employees, would otherwise move employees into a preapproved government-managed health insurance plan.

Mr. Speaker, creating more red tape and mandates was never the solution to curb rising healthcare costs and to increase access to insurance markets. I was a freshman Member in Congress in 2009 when many of the individuals speaking today took part in a 24-hour-long markup of an earlier version of the ACA.

Mr. Speaker, some of these provisions lacked all common sense and that holds true today. Half a decade later the Department of Labor is still struggling to find a way to enforce auto enrollment.

Say what you want about the Affordable Care Act, this is plain unworkable. Repealing this provision will save \$1 billion and maintain flexibility for employers in structuring health insurance benefits for their employees.

Mr. Speaker, my Democratic colleagues on the other side of the aisle are just in denial. Since its passage, the ACA has been amended more than 50 times, and the bulk of these were changes they supported and were signed into law by the President. We should not stop there.

H.R. 3762 is the next great change to the ACA, and the American people deserve as much.

Mr. SCOTT of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. KLINE. Mr. Speaker, could I inquire of the gentleman from Virginia how many more speakers he has?

Mr. SCOTT of Virginia. Mr. Speaker, I am prepared to close.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank Chairman KLINE, Chairman PRICE, and Chairman UPTON for their work on this Restoring Americans' Healthcare Freedom Reconciliation Act, H.R. 3762.

You know, when I go out in our district, people want choice. I think the top-down elements of the Affordable Care Act are creating tremendous burdens on our people who demand that we give particularly our small business community and our employees the opportunity to have the right choice.

The Restoring Americans' Healthcare Freedom Reconciliation Act is important legislation that repeals many of

the most harmful provisions in ObamaCare. ObamaCare has had a devastating effect since its passage.

H.R. 3762 repeals the individual and employer mandates, the medical device tax, and the outrageous Cadillac tax which, again, does not allow for folks to choose the plan they want. This thereby unburdens our families and our businesses from the harmful effects of these mandates.

I came to Congress to create jobs, grow the economy, and reduce the size and scope of the Federal Government and restore fiscal responsibility in Washington.

Passing a balanced budget amendment that repeals the job-killing ObamaCare provisions is a good start. Republicans in Congress are continuing to fight to rein in Washington's spending problem and get our economy on the right track.

I stand in strong support of Restoring Americans' Healthcare Freedom Reconciliation Act and urge my colleagues to vote "yes" on this important legislation to give our people the opportunity to choose how they would like to have their health care rendered.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Virginia has 4½ minutes remaining, and the gentleman from Minnesota has 30 seconds remaining.

Mr. SCOTT of Virginia. Mr. Speaker, I include in the RECORD three letters, one from the American Federation of State, County, and Municipal Employees of the AFL-CIO, another from the AFL-CIO, and another one from America's Essential Hospitals.

AFSCME,

Washington DC, October 22, 2015.

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees (AFSCME), I urge you to oppose the budget reconciliation bill (H.R. 3762). This bill would gut the Affordable Care Act (ACA), jeopardizing the ability of millions of Americans to see a doctor, get medications or go to the hospital when needed. H.R. 3762 would create extensive upheaval in health care coverage for children, working families, retirees and individuals with disabilities.

This bill eliminates both the employer and individual responsibility requirements which the Congressional Budget Office and the Joint Committee on Taxation estimate would cause as many as 15 million to lose their health coverage, 20% of whom would be children. In the individual market, premiums would increase by an estimated 20% over premiums expected under current law. Rather than helping Americans achieve greater financial security in an unbalanced economy, H.R. 3762 would put millions at risk of financial hardship and even ruin from an unexpected illness.

The bill would repeal the Prevention and Public Health Fund, eliminating the nation's largest single investment in prevention and undermining efforts to bend the cost curve by preventing chronic diseases. Repealing this fund also puts our nation at risk of being unprepared for emerging epidemics and other public health crises.

We are also opposed to the repeal of the modest excise tax on the medical device in-

dustry, which has profited substantially from the expansion of health coverage under the ACA. We also oppose the elimination of federal funding for women's health services provided by Planned Parenthood for one year. This provision will block millions of women from having access to health care services.

The bill also repeals the 40% tax on high cost, employer-sponsored health benefits. We agree that the 40% tax should be repealed in order to keep health care affordable for working families. However, repeal of this tax should not be included in a bill that would eliminate health coverage for millions of workers.

We urge you to oppose H.R. 3762.

Sincerely,

SCOTT FREY,

Director of Federal Government Affairs.

AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL OR-
GANIZATIONS,

Washington, DC, October 22, 2015.

DEAR REPRESENTATIVE: On behalf of the AFL-CIO, I urge you to oppose the Restoring Americans' Healthcare Freedom Reconciliation Act (H.R. 3762). This bill will undermine the coverage expansions of the Affordable Care Act (ACA) and restrict women's access to safety-net medical services.

The ACA has enabled 171.6 million uninsured people to gain health insurance coverage. Many of these individuals—2.3 million—are young adults who are trying to establish financial independence. Many others are people who could not obtain coverage from their employer or who found coverage in the individual market to be unaffordable. We cannot take a giant step backward in exposing these individuals to the risk that their medical care will be unaffordable or that a catastrophic illness will bankrupt their families. H.R. 3762 will repeal elements of the ACA that enable the coverage expansions to work, resulting in a loss of coverage for millions.

The reconciliation package also directly targets Medicaid funding for nonprofit providers of women's health care services, eliminating payments for these services for one year for certain providers. The Congressional Budget Office (CBO) estimates that many women will lose access to medical services. Their report on the bill notes, "The people most likely to experience reduced access to care would probably reside in areas without access to other health care clinics or medical practitioners who serve low-income populations." It is simply unacceptable to cut women off from these services.

It is true that the legislation repeals the 40 percent health benefits tax, which we believe should not be part of a health reform law aimed at keeping care affordable. The tax was intended to increase the out-of-pocket costs of people with employer-based coverage so they would use fewer services, thereby reducing expenditures on health care. We oppose this policy because it will shift costs to workers without directly addressing the major cost drivers in the healthcare system. However, repeal of the tax does not belong in legislation intended to eliminate coverage for millions of workers.

We urge you to vote against this harmful bill.

WILLIAM SAMUEL, Director,
Government Affairs Department.

AMERICA'S ESSENTIAL HOSPITALS,

Washington, DC, October 21, 2015.

Hon. JOHN BOEHNER,

Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,

Democratic Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND REPRESENTATIVE PELOSI: On behalf of America's Essential Hospitals, it's more than 250 member hospitals and health systems, and the millions of people we serve every year, I am writing to express my grave concern regarding H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act of 2015. America's Essential Hospitals is the leading association and champion for hospitals and health systems dedicated to high-quality care for all, including the most vulnerable. Our members are vital to their communities, providing primary care through trauma care, disaster response, health professional training, research, public health programs, and other services.

H.R. 3762 includes a number of provisions that we believe would damage the ability of all people—particularly the low-income and vulnerable—I to access high quality health care. While we appreciate the legislation's inclusion of a repeal of the Independent Payment Advisory Board, which could usurp Congress' authority over health care entitlements, there are five provisions in the legislation that we oppose as written:

While America's Essential Hospitals does not have a formal position on either the individual or employer mandates, we steadfastly support policies that promote health care coverage. We know that health care coverage—whether it be through employer-based insurance, Medicare, Medicaid, through an exchange, or in another venue—ultimately promotes access to care and saves lives. Independent analysts have consistently found that repeal of the individual and employer mandates would significantly erode coverage. Without provisions to retain coverage for affected individuals, we believe Congress should reconsider eliminating the mandates.

America's Essential Hospitals firmly opposes repeal of the Prevention and Public Health Fund. The fund represents a significant and needed investment in prevention and public health, particularly for the Centers for Disease Control (CDC), which receives more than 90 percent of the fund's resources. In 2015 the fund provided (among other items):

- one-third of the funding for the CDC's immunization programs
- all of the funding for state block grants to detect and respond to infectious diseases
- half of the funding for CDC efforts to prevent heart disease, stroke, and diabetes.

We strongly urge Congress to protect this vital source of funding.

Finally, in an effort to prohibit funding to a specific health care provider, the reconciliation bill would amend Medicaid statute in an unprecedented way. In what is known as the "any willing provider" provision, federal Medicaid law allows beneficiaries to receive services from any provider that is qualified to perform the service or services. This provision—which has never been waived for fee-for-service population—promotes access care for beneficiaries in a program that all too often lacks adequate access due, in part, to inadequate reimbursement. By undermining this critical protection, the reconciliation legislation would set a destabilizing precedent that could lead to further restrictions

to access for our nation's most vulnerable people.

America's Essential Hospitals appreciates the opportunity to provide our thoughts on the pending reconciliation legislation. We strongly urge you to reconsider this bill and work with all stakeholders to find consensus-based innovative ways to reduce health care spending without damaging access to care for millions of people.

Sincerely,

BRUCE SIEGEL, MD, MPH,
President and CEO.

Mr. SCOTT of Virginia. Mr. Speaker, I yield any remaining time left to the gentleman from Maryland (Mr. VAN HOLLEN) and ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. KLINE. Mr. Speaker, we have heard a good debate here today. We have talked about doing some commonsense things. This bill does not repeal all of ObamaCare, but it certainly repeals some egregious aspects of it.

The one that our committee worked on ending the auto enrollment feature saves \$7.9 billion and removes something that even the administration can't figure out how to implement.

So I urge my colleagues to support this legislation.

I yield the remainder of my time to the gentleman from Georgia (Mr. TOM PRICE) and ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. The gentleman from Georgia has 9 minutes remaining, and the gentleman from Maryland has 12½ minutes remaining.

Mr. TOM PRICE of Georgia. May I inquire, Mr. Speaker, of my friend from Maryland how many speakers he has remaining?

Mr. VAN HOLLEN. Mr. Speaker, we have more speakers, but they are not with us on the floor at the moment. I am not sure exactly how many there are either.

I reserve the balance of my time.

Does the chairman have additional speakers?

Mr. PRICE of Georgia. Mr. Speaker, I am prepared to close.

Mr. VAN HOLLEN. Mr. Speaker, in that case, in the interest of time, would the gentleman be interested, since we have 9 minutes and 12½ minutes left and no other speakers, in agreeing that we will each take 5 minutes to close?

Mr. TOM PRICE of Georgia. Mr. Speaker, I am happy to do that. Yes.

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Mr. VAN HOLLEN. Mr. Speaker, I thank the gentleman.

I yield myself the balance of my time.

I have been listening to the debate, and I am sorry to report that as I come here to close the debate, not much has changed from when we started this debate this morning. This is still, in my view, an unproductive end to an already unproductive and shameful week.

We saw in this House just yesterday the spectacle of a kangaroo court-style special Benghazi hearing, using taxpayers' dollars, engaged in a political witch hunt, abuse of power, misuse of taxpayer dollars, and in fact the Republican majority leader himself, Mr. MCCARTHY, told the country that that was all about bringing down Secretary Clinton's poll numbers.

Then, just earlier this week, we pretended, in passing a piece of legislation, that the United States doesn't have to pay all the bills that are due and owing. We passed a piece of legislation that says we will only pay some of our bills but not all of our bills. No American citizen can get up in the morning and say: "You know what? I am not going to pay my mortgage bill. I will only pay my car payment." When a country like the United States puts its full faith and credit at risk, it puts the entire economy of our country and the international economic order at risk.

But to add insult to injury, in passing a piece of legislation that said the United States will only pay some of our bills, so forget about that full faith and credit, we passed legislation that says, well, we are going to pay the big bondholders first. So China gets paid first. Wall Street gets paid first. Troops don't get paid. Veterans don't get paid. Doctors providing Medicare services, they don't get paid.

Now here we are, for the 61st time, passing a piece of legislation to dismantle the Affordable Care Act, which, according to the analysis of the Congressional Budget Office, will cost 15 million Americans access to affordable health care, including 3 million children.

Now, I have heard some of our colleagues come to the floor and say, well, we want to improve the Affordable Care Act in certain ways. We understand that the Affordable Care Act is not perfect, but a piece of legislation that takes away affordable health care from 15 million Americans, that is nothing to celebrate. That is nothing to be proud of. We shouldn't be doing that here on the floor of the House, taking away access to health care for women at places like Planned Parenthood, when the chairman of the Oversight Committee, Mr. CHAFFETZ, has also stated on national television that they didn't violate any laws and later said that they hadn't engaged in inappropriate activity.

When our Republican colleagues got that kind of answer with respect to Benghazi, when the Permanent Select Committee on Intelligence in the

House and the Committee on Armed Services in the House concluded that there had been no wrongdoing in the tragedy in Benghazi, our Republican colleagues invented the Select Committee on Benghazi. When they didn't get the answer they wanted on Planned Parenthood, they invented a special committee on Planned Parenthood that is going to waste taxpayer money, just as the Select Committee on Benghazi has.

Mr. Speaker, I showed, earlier, a chart that shows just how fed up the American people are with what is happening here in the House. The problem is everything we have done this week, from the Benghazi hearings to pretending the United States will only pay part of its bills—and when we do, we are going to pay China first—to dismantling the Affordable Care Act or attempting to do it for the 61st time. They want us working on the important issues.

A few weeks from now, our national transportation infrastructure system is going to run out of money. In just a few more weeks, the Federal Government will shut down if we can't come together and work something out. I have introduced the Prevent a Government Shutdown Act. I tried to get a vote on it here on the floor today, but the Committee on Rules said no. Their priority was not to prevent the government from shutting down in a couple weeks. Their priority was, for the 61st time, to dismantle the Affordable Care Act, even at the cost of 15 million Americans' affordable health insurance.

Mr. Speaker, let's get on with the big issues of this country. Let's invest in our infrastructure. Let's shut down some of the tax loopholes that perversely incentivize American corporations to move jobs and capital overseas and invest it here at home. Let's make sure we lift the unproductive caps, sequester caps that are slowing down economic growth right now, according to the Congressional Budget Office. Let's invest in our kids' education. Let's invest in scientific research, and let's do it while we shut down some of these ridiculous tax breaks for hedge fund managers. We should end this inversion that is going on where U.S. corporations just change their address to some tax haven overseas to escape their responsibility to the American taxpayers and their country.

We have got a lot of pressing issues to take care of—instead, Benghazi, pay China first, pass this legislation to take away health care from 15 million Americans, including 3 million American kids.

We can do better. We can do a lot better, Mr. Speaker. Let's defeat this legislation and get on with the real work of the American people.

Mr. Speaker, I yield back the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as I mentioned at the outset of this, we heard a lot of things talked about on the other side, many of which had nothing to do with the piece of legislation before us.

What we are talking about with this legislation are the harmful effects of ObamaCare. What has ObamaCare actually done? 7.5 million Americans paid the individual mandate tax in 2014, an average of about \$200. That is going up in terms of numbers and in terms of dollars.

Sixty-seven percent of the American people have seen increased deductibles since this law went into place, so much so that many individuals aren't able to pay their deductible, which means they are denied care, they don't have care. They may have coverage, but they don't have health care. A premium increase of \$3,775, on average, instead of the \$2,500 premium decrease that was promised by the President.

The co-ops, the cooperative program, will cost \$2.4 billion, yet more than 420,000 Americans will lose coverage from the co-op program because it doesn't work, like the rest of this law.

Mr. Speaker, the majority of the American people continue to oppose this law. Why? Let me suggest to you it is because the principles of health care have been violated by the law.

We all want a system that is affordable for everybody. Does that occur in ObamaCare? No.

We want a system that is accessible for everybody. Is that the case in ObamaCare? Absolutely not.

We want a system of the highest quality of care. As a formerly practicing physician, I can tell you that my former colleagues tell me that the quality is going down.

We want a system that is full of innovation and responsiveness to the patients and choices for patients. Have any of those increased in ObamaCare? No. No. No.

That is the problem, Mr. Speaker. That is the problem that we have, and that is that the principles of health care are violated.

What does this bill before us today do? It reduces the deficit by nearly \$130 billion. It increases gross domestic product by over \$55 billion. It eliminates the work disincentives and increases the labor supply. That means more jobs, Mr. Speaker. It increases capital investment. That means more jobs. It decreases Federal borrowing. That means more jobs and a healthier economy.

Who is supporting the bill? All these groups are supporting the bill. In fact, Mr. Speaker, we have 42 individual groups supporting the bill: Susan B. Anthony List, Family Research Council, Americans for Tax Reform, National Taxpayers Union, Concerned

Women for America, National Right to Life Committee, National Retail Federation, Americans for Prosperity, U.S. Chamber of Commerce, Small Business and Entrepreneurship Council, Americans United for Life, and on and on and on. They support this because they know that this is what the American people want and it is what they deserve.

SUSAN B. ANTHONY LIST,

October 21, 2015.

US House of Representatives, Washington, DC.

DEAR REPRESENTATIVE, On behalf of the Susan B. Anthony List (SBA List) and our 386,000 members nationwide, I urge you to support the "Restoring Americans' Healthcare Freedom Reconciliation Act" (H.R. 3762).

This bill blocks a large portion of federal funding to Planned Parenthood, America's largest seller of abortions, for one year. The funding is instead re-directed to community health centers, which provide comprehensive health care for women but do not perform abortions.

Planned Parenthood does not need or deserve taxpayer funding. Most recently, undercover videos show that Planned Parenthood, America's largest abortion business, has been engaged in unethical and possibly illegal abortion practices connected to the trafficking of unborn children's organs for profit.

These videos offer just a glimpse into the abortion industry's day-to-day horrific practices. Over one million abortions are performed annually in the United States, with nearly 330,000 occurring in Planned Parenthood facilities, all the way up to 24 weeks of pregnancy, past the time when recent studies show that a substantial percentage of these children can be saved if treated with the best techniques of modern perinatal medicine.

Regardless of whether Americans identify as pro-life or pro-choice, we should all be able to agree that taxpayer dollars should not be subsidizing an already cash-flush industry.

Instead, these tax dollars would be put to better use at local community health centers, which provide all the same health services Planned Parenthood does (and usually more), but do not perform brutal abortions and harvest body parts.

Finally, this bill would repeal parts of the Affordable Care Act, which SBA List has long opposed because of its anti-life provisions.

For these reasons, I urge you to support this pro-life, pro-woman bill.

Sincerely,

MARJORIE DANNENFELSER,
President, Susan B. Anthony List.

FAMILY RESEARCH COUNCIL,

October 20, 2015.

House of Representatives, Washington, DC.

DEAR REPRESENTATIVE: On behalf of the Family Research Council (FRC) and the hundreds of thousands of families we represent, I urge you to vote in favor of the Restoring Americans' Healthcare Freedom Reconciliation Act, which eliminates a significant portion of federal funding for Planned Parenthood Federation of American (PPFA) as well as several key provisions of the Patient Protection Affordable Care Act (PPACA) through the budget reconciliation process. Americans are outraged as they are made aware of what happens at abortion clinics, where life is only valued by the sum of body

parts. FRC strongly supports the effort to eliminate a significant portion of PPFA's federal funding through this effort. FRC has also supported repealing the Affordable Care Act and supports several provisions contained in this bill to repeal key provisions. FRC reserves the right to score in favor of votes for the Rule and will score in favor of votes for the bill.

PPFA, despite its nonprofit status, received over \$528 million in federal, state and local government grants and contracts in 2013-2014, and reported a total revenue of over \$1.3 billion. According to a March 2015 GAO report, PPFA received \$401.29 million in reimbursements from federal-state programs such as Medicaid, CHIP and Medicare in 2012. Of that \$400.45 million was provided to PPFA through Medicaid. For 2010-2012 those three programs funded PPFA a whopping \$1.186 billion, of which 99.9% came from Medicaid.

While an effort to defund Planned Parenthood has been blocked in the Senate due to the 60 vote cloture threshold, we believe an effort to defund a significant portion of PPFA's government revenue through the reconciliation process, which is subject to a 51 vote threshold, is entirely appropriate and possible. While past efforts to defund abortion in reconciliation were subject to a Byrd rule point of order, the provision in the House bill is different. It excludes funding for certain entities.

Specifically, the House reconciliation bill will restrict for one year funding under several mandatory programs such as Medicaid to entities that receive over \$350 million and which provide abortion services, other than for cases resulting from rape or incest or cases in which the life of the mother is at risk. CBO estimates this provision would save an estimated \$235 million. The reconciliation instructions would allow funding in the amount of \$235 million to community health centers, which do not provide abortion. In essence, the Committee's reconciliation instructions would defund a significant amount of federal funds PPFA receives and redirect funding to other health centers.

Adding these defunding measures to budget reconciliation provides a way forward to defunding PPFA and passing this in the Senate with 51 votes. To avoid such an approach would diminish much of the effort Members in the House and Senate have engaged in so far to defund PPFA.

This bill would also repeal key provisions of the PPACA which have the effect of threatening life-saving treatment, which encourage subsidies for abortion coverage and which threaten conscience. Specifically, the bill would repeal the Independent Payment Advisory Board which is established to control health care costs but which will result in government rationing of lifesaving care.

The bill also would repeal the employer mandate and its penalties, thereby allowing employers to offer health care plans to their employees that are pro-life and avoid dropping their employees into exchange plans which may cover elective abortion. Moreover, repealing the employer mandate grants employers the option to forgo health care coverage and thereby escape the HHS preventive care services mandate, sometimes called the "contraception mandate", in which all employers offering group coverage must provide drugs and devices that can cause abortion in violation against their conscience. While the Supreme Court protected closely held businesses in the, "Hobby Lobby," case, non-profit employers such as the Little Sisters of the Poor and numerous

other employers are still subject to the HHS mandate. Employers should not be forced by the federal government to cover health insurance that violate their conscience.

Last, the bill would repeal the individual mandate, allowing individuals to refuse to purchase insurance where there are no or few pro-life alternatives. This is especially relevant for individuals who live in 26 states that did not opt out of elective abortion coverage. Currently, of the 24 states that allow abortion coverage (and which the federal government may subsidize), 4 states have no pro-life plans, and in 9 states 90% of the plans cover elective abortion. Under the PPACA, those purchasing plans with elective abortion must pay an abortion surcharge, and the federal government subsidizes such plans in violation of the long-standing Hyde Amendment. Pro-life individuals in these states should have more options. The abortion funding schemes in the PPACA would still need to be addressed. However, repealing the individual mandate removes penalties that force people to purchase health plans they find objectionable as it relates to abortion coverage.

For these reasons, FRC supports the “Restoring Americans’ Healthcare Freedom Reconciliation Act.” Again, FRC reserves the right to score in favor of votes for the Rule and will score in favor of votes for the bill.

Sincerely,

DAVID CHRISTENSEN,
Vice President of Government Affairs.

NATIONAL RIGHT TO LIFE
COMMITTEE, INC.,

Washington, DC, October 19, 2015.

DEAR MEMBER OF CONGRESS: The National Right to Life Committee (NRLC), the federation of state right-to-life organizations, urges you to support the “Restoring Americans’ Healthcare Freedom Reconciliation Act” (H.R. 3762), which the House of Representatives will consider on October 23. NRLC intends to include the roll call on final passage of H.R. 3762 in our scorecard of key right-to-life votes of the 114th Congress, and we reserve the right to also score the vote on the Rule as well.

NRLC strongly supports the language in the bill that would block, for one year, most federal payments to affiliates of the Planned Parenthood Federation of America (PPFA). It would close the largest pipeline for federal funding of Planned Parenthood, Medicaid, and apply as well to the CHIP and the Title V and Title XX block grant programs, thus covering roughly 89 percent of all federal funds to Planned Parenthood. The amounts denied to Planned Parenthood in effect are reallocated to community health centers.

Over one-third of all abortions in the U.S. are performed at PPFA-affiliated facilities. Longstanding objections to the massive federal funding of PPFA have been reinforced by recent widely publicized undercover videos, which illuminate the callous brutality that occurs daily in these abortion mills. For additional up-to-date information on the extent of Planned Parenthood’s involvement in abortion, see: www.nrlc.org/communications/ppfamediaabckground/.

In addition, NRLC has always opposed the ObamaCare law and advocated its repeal. With respect to H.R. 3762, we particularly endorse the components that would repeal the Independent Payment Advisory Board (IPAB) and the “excess benefits tax” (“Cadillac Tax”), both dangerous mechanisms that would ultimately contribute to the rationing of lifesaving care.

We urge that you vote for the Rule, oppose any Motion to Recommit, and vote to pass this vital pro-life bill.

Sincerely,

CAROL TOBIAS,
President.
DAVID N. O’STEEN, PH.D.,
Executive Director.
DOUGLAS D. JOHNSON,
Legislative Director.

NATIONAL RETAIL FEDERATION,
Washington, DC, October 22, 2015.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND DEMOCRATIC LEADER PELOSI: I write to share the strong support of the National Retail Federation (NRF) for H.R. 3762, the Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015. Please note that NRF may consider votes on H.R. 3762 and related procedural motions as Opportunity Index Votes for our annual voting scorecard.

The Affordable Care Act (ACA) remains a great concern for NRF and the greater retail community. The ACA adversely influences staffing patterns, discourages full-time employment and adds to the cost of goods in retail stores. NRF opposed enactment of the ACA in 2010 but has also worked steadfastly to change the law since its enactment. We support reasonable efforts to reduce the ACA’s cost burdens and ease compliance concerns.

Many important retail priorities to change and improve the ACA are included in H.R. 3762. Repealing the employer mandate, the already harmful Cadillac Tax and automatic enrollment provisions are all strong NRF-endorsed goals. We have supported bipartisan repeal efforts on each of these issues. NRF urges bipartisan support for these initiatives and the underlying legislation.

Budget Reconciliation offers an expedited path past the Senate procedural hurdles that have hampered progress on many of these priorities and advance them to the President’s desk. We urge the President to sign this legislation at his first opportunity.

For all of these reasons, NRF strongly supports H.R. 3762. We therefore ask for your vote in favor of H.R. 3762 when it reaches the House floor.

Sincerely,

DAVID FRENCH
Senior Vice President, Government Relations.

CHAMBER OF COMMERCE,
UNITED STATES OF AMERICA,
Washington, DC, October 22, 2015.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world’s largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America’s free enterprise system, supports several key provisions in H.R. 3762, the “Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015.”

Key provisions in H.R. 3762 would repeal many of the most harmful sections of the Affordable Care Act (ACA). Indeed, repealing the employer mandate, the 40% excise tax on so-called “high-cost” employer sponsored health plans, the medical device tax, and auto-enrollment requirements would help

control increasing health care costs and protect the employer-sponsored health care system.

Due to the tremendous harm that these particular ACA provisions are causing employers and employees alike, the Chamber urges you to support H.R. 3762 and repeal the provisions in the ACA that are undermining the employer-sponsored health care system that over 160 million Americans rely on for their health care benefits.

Sincerely,

R. BRUCE JOSTEN.

AMERICANS FOR PROSPERITY,
October 22, 2015.

DEAR REPRESENTATIVES, Since President Obama’s healthcare law went into effect two years ago, the American people have been saddled with cancelled healthcare plans, higher taxes, and premium increases. On behalf of more than 2.8 million Americans for Prosperity activists in all 50 states, I write in support of the “Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015” (H.R. 3762) because it would relieve the American people of many of ObamaCare’s most significant burdens.

Americans for Prosperity has consistently endorsed many of these reforms in the past in standalone legislation—repealing the mandates on individuals and employers, repealing the medical device tax, repealing the tax on high cost employer-sponsored health plans, and repealing the Prevention and Public Health Fund. Overall, the reforms included in this package represent significant steps as we work toward full repeal of the President’s healthcare law.

The reforms included in this package enjoy broad bipartisan support. Earlier this year, 46 House Democrats joined 234 of their Republican colleagues in supporting the standalone legislation to repeal the medical device tax (H.R. 160). Current legislation repealing the so-called “Cadillac tax” (H.R. 2050) has 146 Democrats and 19 Republicans listed as co-sponsors. Past Congresses approved legislation repealing the ObamaCare Slush Fund (H.R. 1217) and delaying the individual mandate (H.R. 4015) with bipartisan votes, as well.

We encourage you to support the reconciliation package when it comes to the floor for a vote. Thank you for your consistent leadership on this important issue.

Sincerely,

BRENT GARDNER,
Vice President of Government Affairs,
Americans for Prosperity.

SMALL BUSINESS & ENTREPRENEURSHIP
COUNCIL,
Vienna, VA, October 21, 2015.

Hon. TOM PRICE,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PRICE: On behalf of the 100,000 members of the Small Business & Entrepreneurship Council (SBE Council), I am pleased to support H.R. 3762, the “Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015.”

The Affordable Care Act (ACA), commonly referred to as ObamaCare, is raising health insurance costs for small businesses and the self-employed, increasing deductibles on policies, increasing patient’s out-of-pocket exposure, and limiting health care choices. Higher costs and more regulatory hurdles mean less investment and fewer jobs being created by small businesses.

H.R. 3762 repeals several important provisions of ObamaCare. Among other provisions, it would repeal the individual mandate

that forces all Americans to buy expensive health insurance; repeals the employer mandate that forces America's job creators to provide health insurance or pay taxes; repeals the Cadillac tax on robust health insurance plans; repeals the medical device tax that is adversely impacting innovative small companies that dominate the medical device sector; and repeals the Independent Physicians Advisory Board (IPAB) that would determine medical services for seniors.

Thank you for your leadership on this issue. SBE Council looks forward to working with you to advance H.R. 3762 into law.

Sincerely,

KAREN KERRIGAN,
President and CEO.

AMERICANS UNITED FOR LIFE ACTION,
Washington, DC, October 21, 2015.

DEAR REPRESENTATIVE: On behalf of Americans United for Life Action (AUL Action), the legislative arm of Americans United for Life, the legal architects of the prolife movement, I urge you to support continued efforts in the House to defund abortion providers, including Planned Parenthood, by voting for H.R. 3762, the "Restoring Americans' Healthcare Freedom Reconciliation Act." AULA is grateful to House leadership for taking concrete actions to investigate Planned Parenthood in three Committees and now in the Select Committee. Including defunding abortion providers in H.R. 3762 is further evidence of House leadership's commitment to Life, which we urge you to support.

AUL Action has long called on Congress to disentangle the American taxpayer from the Abortion Industry. The video footage recently released by the Center for Medical Progress (CMP) capturing Planned Parenthood's top doctors and other personnel discussing its practice of harvesting the body parts of aborted babies in exchange for money has shocked the conscience of the nation. Planned Parenthood's abhorrent and potentially illegal practice uncovered by the CMP is further proof that subsidizing Planned Parenthood is an inappropriate use of taxpayer dollars.

Planned Parenthood's Senior Medical Director, Dr. Deborah Nucatola, discussed in one of the videos how she strategically "crushes" the babies she aborts in order to best harvest their hearts, lungs and livers. These videos shed light for the American people to see Planned Parenthood for what it truly is, the abortion industry that puts profits ahead of anything else.

The recorded conversations also raise serious concern that Planned Parenthood may be violating federal fetal tissue trafficking laws, the Partial Birth Abortion Ban—a law that Planned Parenthood's Dr. Nucatola flipantly describes as "open to interpretation"—and the federal Born Alive Infant Protection Act. As Americans United for Life has documented, Planned Parenthood's harvesting of baby body parts is one of a growing list of scandals that should make Planned Parenthood ineligible for the tremendous amount of taxpayer dollars it takes in annually.

In FY 2014, Planned Parenthood reported that 40 percent of its nearly \$1.3 billion in revenue came at the taxpayers' expense. A report issued by the Government Accountability Office in March 2015 documented that Planned Parenthood receives half a billion dollars annually from federal and joint federal-state programs. The federal government has a responsibility to the American people to ensure the integrity of these programs.

Relying on a heavy stream of funding from the government, Planned Parenthood operates the largest abortion business in the nation. Planned Parenthood clinics perform nearly 900 abortions every single day—327,653 abortions in 2013. According to Planned Parenthood's most recent annual report, abortions were 94 percent of its pregnancy related services.

Taxpayers should not be forced to subsidize Planned Parenthood's abortion business. AULA thanks the House for passing important pieces of legislation including H.R. 3435, the "Women's Public Health and Safety Act," sponsored by Rep. Sean Duffy (R-WI). This bill would explicitly permit a state to exclude abortion providers and facilities where abortions are performed from its Medicaid program. AUL Action scored in favor of this important piece of legislation and urges the Senate to take up the companion piece of legislation, S. 2159, sponsored by Sen. David Vitter (R-LA).

I hope you will support continued efforts in the House to disentangle the taxpayer from the scandal ridden abortion industry by voting for passage of H.R. 3762, the "Restoring Americans' Healthcare Freedom Reconciliation Act."

Sincerely,

CHARMAINE YOEST, PH.D.,
President & CEO,
Americans United for Life Action.

Mr. TOM PRICE of Georgia. Mr. Speaker, what the American people have heard and seen today is a real contrast. There is no doubt about it. On the one hand, those of us on this side of the aisle are fighting to protect the American people from the harm that ObamaCare is doing to our healthcare system and to our economy.

On the other hand, most of our friends on the other side of the aisle are doing everything that they can to protect a broken status quo. They are defending a law that is contributing to higher healthcare costs, to less access to care, to lower quality of care, and an economy that is leaving too many Americans behind.

Interestingly enough, many of the provisions in the bill that we are talking about today have enjoyed bipartisan support in the past. When our Democrat colleagues bemoan the fact that we are actually trying to provide folks relief from the individual mandate or the employer mandate or the punitive taxes on medical innovation and the onerous provisions within ObamaCare, their protestations simply ring hollow.

I don't doubt their sincerity. I am sure that our friends believe that, with enough Washington bureaucratic engineering, they can craft a healthcare system that will effectively serve the American people, despite the evidence that proves otherwise. We fundamentally disagree.

We think a healthcare system that is responsive to the needs of patients and families and physicians will not come by way of Washington decree or mandates or tax penalties. We think that if you want to increase quality, affordable health care, if you want to improve the responsiveness of our system,

then you need to trust the American people, trust them to make decisions for themselves and for their families rather than try to force them into some Washington-created definition of care.

The legislation we have been debating today will provide strong relief from the most coercive components of the President's healthcare law. It will pave the way for the sort of patient-centered healthcare reform that we ought to be implementing. In doing so, it will save the American taxpayer \$130 billion over the next 10 years by lowering the amount of deficit spending we see here in Washington, and it will expand economic growth and opportunity.

Mr. Speaker, I want to thank my colleagues so very, very much. I want to thank the chairs of the Committees on Education and the Workforce, Energy and Commerce, Ways and Means, and their committee members. I want to thank my colleagues here in this Chamber for this spirited and important debate. I look forward to the American people having the opportunity to learn more about who is really fighting to protect and promote the ability of patients and families and doctors to make medical decisions, not Washington, D.C.

I urge support of this measure.

Mr. Speaker, I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in strong opposition to H.R. 3762, the budget reconciliation bill. This bill is little more than a partisan attack on the health coverage for millions of Americans and access to women's health care.

This legislation is the 61st repeal vote on the Affordable Care Act, which has succeeded in expanding health coverage to over 17 million Americans, including nearly 20,000 residents in the 29th District of Texas.

Included in this legislation is a repeal of the Prevention and Public Health Fund, the federal government's only dedicated investment in prevention and the Nation's largest single investment in prevention. The Prevention Fund was enacted as part of ACA in response to the overwhelming bipartisan support for prevention efforts and recognition of the lack of targeted and sustained federal initiatives to address chronic and costly illnesses.

This bill would also strip funding for Planned Parenthood for 2016. Eliminating federal support for Planned Parenthood would limit or prevent women from accessing important health services such as contraception, cancer screenings, and STI tests and treatment. Women in communities with a shortage of other health care providers who serve low-income patients would be the ones most likely to experience barriers to care.

As the current ranking member of the Health Subcommittee that worked endless hours authoring the Affordable Care Act six years ago, I ask my Republican colleagues to offer reasonable proposals to improve ACA. There are areas of the current law that I and many of my Democratic colleagues on this

side of the aisle would be willing to consider changing. Unfortunately, the bill before the House today is another extreme proposal that would gut the heart out of ACA and take away the health coverage for millions of Americans.

Mr. Speaker, we will not let that happen. ACA has been a success beyond the wishes of its supporters and the most important expansion of health coverage since Medicare and Medicaid while slowing the growth of health care prices in nearly half a century.

I urge my colleagues to vote against this extreme proposal. President Obama has already said he will veto this bill if it reaches his desk. I promise that his veto will be sustained by Congress.

Ms. JACKSON LEE. Mr. Speaker, I request that this article from White House Blog entitled, "The Faces of Health Care: Joanne W." regarding the benefits of the Affordable Healthcare Act be submitted.

Joanne was able to sign up for Medicare at 66. Her doctor told her there was an advancement to Medicare through ACA. After being on disability with no other health insurance, Joanne went in for a free annual wellness check once she had Medicare. At that very check they detected early carotid artery stenosis—a condition that has no early symptoms, but if not treated can lead to a stroke or cardiac arrest. Because it was detected early she was immediately given medication and advice on diet and exercise. "Who would have thought after all my support for the ACA, my life would be saved by it," she wrote in a letter to the President.

Mr. BLUMENAUER. Mr. Speaker, today, I will vote against H.R. 3762, the Restoring American's Healthcare Freedom Reconciliation Act. This legislation is not a serious effort at deficit reduction. Rather it is an assault on the American public by gutting the Affordable Care Act (ACA), and badly undercutting women's health services.

The budget reconciliation process is supposed to reduce funding shortfalls, but instead this bill would increase America's long-term deficits. Not only would it take health care away from 16 million Americans, but it would also make our families less safe by eliminating the Prevention and Public Health Fund, a program that, for example, has helped thousands of adults and teenagers quit smoking, deaths from which cost taxpayers over \$100 billion each year.

This latest repeal effort comes after millions of Americans are newly enrolled in health insurance, many using financial assistance or enrolling in expanded Medicaid programs. In Oregon, over 100,000 individuals have enrolled using the health exchange marketplace and 75 percent of those Oregonians receive financial assistance. Over 1 million Oregonians have coverage through the expanded Medicaid or Children's Health Insurance Program (CHIP). This legislation takes away this coverage or dramatically increases premiums—undermining important patients' rights and benefits along the way.

What's worse than the substance of this bill is the fact that this charade used up precious time that ought to have been used to address real problems. In just a few days, America's Highway Trust Fund will expire. If Congress rolled up its sleeves and found a solution to pay for America's crumbling infrastructure, we

could put hundreds of thousands of people to work, reduce the deficit, improve the economy, and strengthen the quality of life in communities across America.

In less than two weeks unless Congress acts, America will default on our debt. When we came within one day of default in 2011, Republicans caused serious damage to the U.S. economy. The stock markets were hit hard, with the Dow Jones Industrial Average plunging 2,000 points in July and August of 2011. Standard & Poor's, the ratings agency, downgraded the U.S. credit rating. As a result, taxpayers spent \$1.3 billion more in interest payments because of the downgrade. In the four years since, due to the GOP's continued brinkmanship, the S&P has not reversed that downgrade.

It's time to act responsibly and deal with difficult issues by offering real and thoughtful solutions. Let's be clear—this vote, the 61st vote to repeal the ACA, is anything but responsible or thoughtful, and it is reckless in the extreme to hold the entire U.S. economy hostage to fringe economic demands. The Republican party needs to sideline reckless actors and the ideas they present, not bring them to the floor.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 483, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. VAN HOLLEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of the bill will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 240, noes 189, not voting 5, as follows:

[Roll No. 568]

AYES—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine

Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer

Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming

Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta

LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher

Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—189

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buck
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Clawson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn

Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Dold
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Kind
Frankel (FL)
Fudge

Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster

Langevin	Neal	Sewell (AL)
Larsen (WA)	Nolan	Sherman
Larson (CT)	Norcross	Sinema
Lawrence	O'Rourke	Sires
Lee	Pallone	Slaughter
Levin	Pascrell	Smith (WA)
Lewis	Pelosi	Speier
Lieu, Ted	Perlmutter	Swalwell (CA)
Lipinski	Peters	Takai
Loeb sack	Pingree	Takano
Lofgren	Pocan	Thompson (CA)
Lowenthal	Polis	Thompson (MS)
Lowey	Price (NC)	Titus
Lujan Grisham	Quigley	Tonko
(NM)	Rangel	Torres
Luján, Ben Ray	Rice (NY)	Tsongas
(NM)	Richmond	Van Hollen
Lynch	Roybal-Allard	Vargas
Maloney,	Ruiz	Veasey
Carolyn	Ruppersberger	Vela
Maloney, Sean	Rush	Velázquez
Matsui	Ryan (OH)	Visclosky
McCollum	Salmon	Walker
McDermott	Sánchez, Linda	Walz
McGovern	T.	Wasserman
Meadows	Sanchez, Loretta	Sarbanes
Meeks	Sarbanes	Schultz
Meng	Schakowsky	Waters, Maxine
Moore	Schiff	Watson Coleman
Moulton	Schrader	Welch
Murphy (FL)	Scott (VA)	Wilson (FL)
Nadler	Scott, David	Yarmuth
Napolitano	Serrano	

NOT VOTING—5

Castor (FL)	Kelly (IL)	Payne
Deutch	McNerney	

□ 1157

Mr. NADLER changed his vote from “aye” to “no.”

Mr. YOUNG of Indiana changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to my friend, Mr. MCCARTHY, the majority leader, for purposes of telling us what the schedule will be for next week.

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

Before I get into next week's schedule, I do want to thank the gentleman for joining me in the Second Congressional Hackathon.

Today's Hackathon is an opportunity to bring people together to envision a modernized Congress. Even as we speak, the congressional community, open government advocates, and code

developers from the technology sector are gathered to explore how we can leverage technology to improve how Congress works for the American people. It is a good reminder that, even as we may disagree on many policy issues, we can work together to improve this institution.

I want to thank the gentleman's staff as well as the Clerk's office for their work on today's Hackathon.

Mr. Speaker, on Monday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Tuesday and Wednesday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Thursday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m. On Friday, no votes are expected in the House.

Mr. Speaker, the House will consider a number of suspensions next week, including a necessary short-term extension of the authorities under the highway trust fund. A complete list of suspensions will be announced by close of business today.

In addition, the House will consider H.R. 1090, the Retail Investor Protection Act, sponsored by Representative ANN WAGNER. This bill provides relief from the Department of Labor's proposed rule to redefine “fiduciary.” Once finalized, the Department's rule will shut out millions of low- and middle-income investors from getting retirement savings advice. Instead, our bill will ensure coordination between the Department and the Securities and Exchange Commission to determine whether it is even necessary to establish a uniform standard.

Finally, Mr. Speaker, the House will also need to consider legislation relating to the Nation's debt limit.

I thank the gentleman for yielding.

Mr. HOYER. I thank the gentleman for that information, and I want to join him. He and I both had the opportunity to speak to participants in the Hackathon that is going on as we speak. Mr. Cantor and I were cooperative in this effort as well, and Mr. MCCARTHY and I have continued this tradition. Like Mr. MCCARTHY, I believe this will be of great assistance in moving us forward with technology to make our institution more transparent, the people's business more available to them, and that we will benefit from this in this institution.

In addition to that, of course, we believe it will have ramifications beyond this institution as they brainstorm and come together on how technology can be used better in our democracy both in terms of our government and politics, but also in terms of our economy and growth of jobs.

So I thank the gentleman and his staff.

I want to mention my own staffer, Steve Dwyer, who is one of the real tal-

ents in my office and, in my opinion, within the House staff, Republican and Democrat, working together on behalf of the better use of technology.

So I thank my friend for his observation.

Mr. Speaker, this week we have had two bills that we have spent significant time on that purported to deal both with debt and with deficit reduction, neither of which I think anybody in this House, Republican or Democrat, would place much of a bet on becoming law. They were message bills. We now dealt with legislation to repeal the Affordable Care Act for the 61st time, and we dealt with a bill to close down Planned Parenthood, which clearly is not going to happen. Indeed, it should not happen. Ninety-seven percent of what they do is providing health care to women who need healthcare services.

So we passed, also, a bill that the gentleman, the majority leader, points out we need to do something to extend the debt limit. He is right on that. We do need to do it. But we spent a period of time on a bill called debt prioritization. I call that a charade, Mr. Speaker. I believed it was a charade. I believe that once you don't pay one of your bills, you have defaulted. Whether or not you prioritize and pay 10 bills that you owe first, get those paid, if you don't pay the other 10, it is default. But we do need to pass a debt limit extension. We need to pass a clean debt limit extension. We will run out of time on November 3.

Mr. Speaker, my friend, the majority leader, was just talking to Mr. RYAN, who possibly will be the next Speaker of this institution. Mr. RYAN said, when asked a question in 2011, shortly after the Republicans took charge of this House—to be specific, on January 6, 2011—will the debt limit be raised? Does it have to be raised? Mr. RYAN answered yes.

Even more compellingly, Mr. HENSARLING, one of the most conservative Members of this body, said that not raising the debt is not an option. He went on to say: What I do think is, yes, it would be catastrophic to have the Nation default upon its debt.

HENSARLING said that to The Hill on April 10, 2011.

Mr. Speaker, I believe if we bring a clean bill to this floor Tuesday or Wednesday of next week, almost every Democrat will vote for it. Why? Because we agree with JEB HENSARLING not to do so would be catastrophic. It would also be irresponsible and malfeasance.

Mr. Speaker, I ask the majority leader, who has said that we need to do it, we must do it, can the majority leader tell us when that bill will be brought to the floor?

I yield to my friend.

□ 1215

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

It is one thing to pass the debt limit; it is another thing not to deal with the problem and not find a solution. That is why, in this House, we are very proud of the fact, when Republicans took the majority, we had always offered a budget that balances. We passed one. The balances were out-raising new taxes within the decade. Unfortunately, the White House has never found a way to do that.

As the gentleman mentioned, the Secretary has moved the date from reaching the debt limit up to November 3. As I mentioned in the schedule, the House is expected to address this issue next week. There are bipartisan discussions that are ongoing, and I will keep Members abreast and advise them as soon as a path forward is determined.

I am hopeful that we stop kicking the can down the road. In our own budgets that balance, we know the debt limit will have to be raised. That is why you quote our Members saying that. We also acknowledge that it has to be solved. That is why we put a balanced budget up to pay for it going forward. That is why I am hopeful, in these bipartisan discussions, that we start the down payment where we don't have to worry about raising the debt limit, that we are actually paying off the debt and not leaving this to our children and grandchildren.

Mr. HOYER. Mr. Speaker, that is a nice theory, nice rhetoric. We don't have an agreement on a number of things the gentleman says. What we do have agreement on, I presume, is that the gentleman, the majority leader from California, wants to see a solvent nation, a nation that pays its bills, a nation that does not create a lack of confidence in our own country and around the world, a nation that does not take hostage either its government by shutting it down or take hostage its creditworthiness by bringing us to the brink, time after time after time, on whether or not we are going to do something that Mr. HENSARLING and Mr. RYAN and Mr. BOEHNER—I didn't quote him, but I have got a quote here from Mr. BOEHNER—said that if we don't do, it will have extraordinarily adverse effects on America and on every American. And the answer that I heard, Mr. Speaker, is an answer that, if you don't do something we want you to do, we may not extend the debt limit.

Now, Mr. Speaker, I would ask the majority leader, is that his position?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

I hear a lot of things on the floor, but I have never heard the things that you just said about me on this floor spoken.

Mr. HOYER. What is that?

Mr. MCCARTHY. That I would hold anything hostage.

Mr. HOYER. No, I didn't refer to you—

Mr. MCCARTHY. So what you heard from me—and let me say my own words once again, and I will be very clear about it. I said we will deal with this next week. I also said we are having bipartisan discussions. I also said, if you want to know the confidence of the world around us with how America deals with it, don't avoid the issue. Don't leave this debt for a future generation.

It is hard for me to believe that the entire other side of this aisle wouldn't want to do something about the debt. It is hard for me to believe that we want to continue just to build it up, that somehow that is a positive experience.

So don't play one against the other. Why don't we come together, find a way to raise it, but find a way that we don't continue to add to it. Because I will tell you, as I go across the country, it is not Republicans or Democrats who say that. It is all Americans who say that because they have to deal with that in their own house.

I am not going to say you said something different than the words you used, and the only thing I would ask is that you do the same for me.

Mr. HOYER. Mr. Speaker, I appreciate the majority leader's admonition, but the government was shut down because we wouldn't repeal the Affordable Care Act. In other words, the government was taken hostage because we wouldn't repeal the Affordable Care Act. We came very close, with 167 Republicans to do so, to shutting down the Department of Homeland Security. Now, Mr. MCCARTHY voted to keep it open, Speaker BOEHNER voted to keep it open, and Mr. SCALISE voted to keep it open. But only 72 colleagues of theirs on the Republican side joined them.

So I do not refer to Mr. MCCARTHY personally, but the strategy seems to be that we won't do something that everybody in this body ought to believe needs to be done, and that is to ensure that America remains a creditworthy nation, unless we do something that, frankly, I don't think, Mr. Speaker, my Republican colleagues have pursued too diligently; because over the last Congresses that they have been in charge, they put bills on this floor that have cut revenues by over half a trillion dollars without paying for it. Presumably my children, my grandchildren, and my great-grandchildren will have to pay that debt.

So this is not about tradeoffs. This is about making sure that our Nation remains solvent, responsible, and creditworthy. And, indeed, because the rest of the world relies on the value and stability of the dollar to value its products, its currency, it will affect the whole world.

So I am pleased to hear that the majority tells me that it needs to be on the floor. But I will tell you, Mr. Speaker, I have been, for 2½ months,

urging us to do what the majority leader now says we need to do: get to an agreement.

They passed a budget; he is correct. It implemented sequester. They didn't follow it. And 102 Republicans have said they won't vote for a CR that follows the sequester because they want to increase defense, because they think sequester will hurt defense if it is followed. And, in fact, when the bill came to the floor, they didn't follow their sequester. They used OCO, which, by the way, does not score, but it is real money and exacerbates the deficit.

So when you are talking about alternatives, the alternative is not just about whether we invest in our national security by investing in defense. We need to do that, and I, for 35 years, have been a strong supporter of that. I also believe that we need to invest in our highways if we are going to do another temporary, because we have not, in 90 days, been able to come to grips. The gentleman talks about coming to grips with alternatives. We are going to do another short-term highway extension bill. Why? Because the majority party hasn't figured out how to pay for it.

And the debt limit may be on the floor, but what I hear, Mr. Speaker, is it may be on the floor if something else happens. Well, I hope something else happens. I hope we get a longer term funding agreement. But very frankly, Mr. Speaker, we have got six appropriation bills that haven't even been brought to this floor, and there is no constraint on the Republicans bringing it to the floor. They are in charge, Mr. Speaker. But half of the appropriation bills that were the responsibility of this House to pass have not been brought to the floor.

And, Mr. Speaker, they say, well, the Senate hasn't been passing them. Well, we are not in charge of the Senate. We are responsible for actions on this floor. And one of our responsibilities, Mr. Speaker, is to pass a debt limit extension.

And I understand, Mr. Speaker, that the majority leader said that there aren't 30 votes or 40 votes on each side of the aisle to pass a clean debt limit extension. Mr. Speaker, I find that incredibly hard to believe because, as Mr. HENSARLING said, if we don't do that, it will have a catastrophic consequence on the country and on the international community.

I hope, Mr. Speaker, that the leader is right, that we bring a bill to the floor unrelated to disagreements. Some legitimate, most legitimate differences we have between us, we will have to work them out. But in that process, we ought not to put the credit of the United States at risk. We ought not to put individual American consumers at risk of having their interest rate raised because we couldn't pass a debt limit extension. We ought to act responsibly, Mr. Speaker.

I hope the leader is right. I hope this bill comes to the floor. I hope it is clean, so that it will not be weighted down by political controversies that are so self-evidently existing in this body for all the American people.

We have got a Speaker who is resigning, couldn't fill the Speakership. You may now fill it maybe next week, maybe as early as next week, but this body has not been functioning effectively. Let us not risk the credit of the United States and international stability. Let's bring a clean debt limit extension to this floor, and, hopefully, all of us will vote for a solvent nation.

There is no deal on that. I presume that every Member of this body wants a solvent nation. Let us hope, Mr. Speaker, that we summon our responsibility and our duty to this country and our constituents to get that done.

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

\$154,161—\$154,161—that is the responsibility of every single American based upon the debt that we have right now of \$18 trillion. My friend on the other side of the aisle thinks it is un-American that we do anything about that, that the only road we should follow is just raise it and keep adding to it, that somehow that will build confidence in this country, somehow that will give more opportunity to future generations, by bringing a debt limit bill to the floor that raises the debt limit but starts changing the trajectory of where it is going is wrong.

That is what is wrong with Congress because, I will tell you, I don't hear that anywhere across America. I don't have my phones lighting up, saying: "Just keep raising the debt and do nothing about it." It is the complete opposite. And I don't think the gentleman gets any different calls than I do.

My words were the House is expected to address this issue next week. Now, we play politics with a lot of stuff in here, but I am tired of that. I could play any amount of games that you want to play. I can sit here and I can quote HARRY REID on the other side of the aisle, and SCHUMER, a good deal, to make sure no appropriation bill went through and then blame the Republicans. They talk to the White House, and it is all in the papers. It is a whole strategy. They have a title for it. It is the "Summer of Destruction."

But do you know what, count me out of that. Put me in the column that I want to start talking about the ways we find solutions. I will be the first one who comes to the table and tells you I know I am not going to get everything I want.

I want to lay one goal out for you. I want a debt limit that gets raised but does something about the debt, and I don't think that is wrong, and I don't think I am causing problems. I think I am giving more opportunity.

I don't want to be in the category that sits and lays blame on everybody else. I haven't been here very long; but the short term I am here, and I want to make a difference. I am not going to blame others for the past, but the one thing I can do is change the future. So put me in that column, and I will be at any table that other people across the aisle want to be with me.

Mr. HOYER. Mr. Speaker, it is hard to answer that presentation because, in my view, it conflates two issues.

I have been on this floor willing to deal with the other side on a regular basis to bring down our debt and to apply discipline. Part of applying discipline is paying for what you buy. And the gentleman is right; we had PAYGO. But when the Republican side of the aisle took over, they negated that; and they negated it specifically for tax cuts because, I suppose, they believe they will pay for themselves.

□ 1230

I have been here for a longer time than Mr. MCCARTHY, Mr. Speaker. In 1981, they did that, and we increased the deficit under Mr. Reagan by 189 percent. We could have dealt with it then. Then we had a commission that was called Simpson-Bowles, which tried to deal with what the gentleman is talking about, and all three Republican Members from the House of Representatives voted "no" on it. Why? Because it asked us to pay for what we bought.

So, Mr. Speaker, talking about A when you need to do B is a way of not dealing with B. Do we need to deal with the debt? We absolutely do, and the bills that are supposed to do that, as I just indicated, have not been brought to the floor. They represented sequester. The gentleman, apparently, is for sequester. I am not for sequester, although the gentleman would say, "Oh. Well, it is your party which instituted sequester," which is not right.

Mr. Speaker, we need to do a debt limit extension, and we need to reduce the debt of this country. It will be hard to do the latter. It ought to be easy to do the former. It will require courage to do the latter; but when Mr. Camp, the former chairman of the Ways and Means Committee, brought a tax reform bill to the table, it was dismissed out of hand by his Republican colleagues in the last Congress. Why? Because he paid for it. Dismissed out of hand. Never brought to this floor.

Mr. Speaker, in conclusion, I am just very hopeful that, in fact, we will do the only responsible thing we can do at this late date. Remember, Mr. Speaker, for 2½ months, I have been asking that we have a way forward. The Republican Party, Mr. Speaker, has been somewhat distracted. I understand that. Hopefully, we will get a way forward and a responsible way forward; but we only have 5 days to do this debt limit,

and let us not take an action which is catastrophic, which is what JEB HENSARLING said it would be if we don't adopt it.

Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT FROM FRIDAY, OCTOBER 23, 2015, TO MONDAY, OCTOBER 26, 2015

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, October 26, 2015, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. HARDY). Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL FOREST PRODUCTS WEEK

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of National Forest Products Week and in support of our Nation's foresters, our timber producers, our researchers, and the forest products industry as a whole.

Pennsylvania, of course, derives its name from "Penn's Woods," and as history shows us, our forests have played a central role in the building of this country. Today, the Commonwealth has 16.7 million acres of forest land, 70 percent of which is privately owned and managed. The forest products industry in Pennsylvania employs 10 percent of our State's workforce; and according to the Pennsylvania Forest Products Association, it generates approximately \$5.5 billion annually.

While Pennsylvania is well known for its high-quality hardwoods, the forest products industry also plays a fundamental role in actively managing our forests. Active management is essential in order to foster healthy lands as well as economically healthy communities.

As chairman of the House Agriculture Subcommittee on Conservation and Forestry, I am proud to join several of my colleagues in the House to recognize National Forest Products Week; and as the Representative of Pennsylvania's Fifth District, I will continue to advocate for policies which maintain our forests so that they can power our economy and create family-sustaining jobs for decades to come.

PLANNED PARENTHOOD, A PREMIER HEALTHCARE ORGANIZATION

(Ms. FRANKEL of Florida asked and was given permission to address the

House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, here we go again.

Today, we saw the Republicans' latest attempt to punish Planned Parenthood, one of the Nation's premier healthcare organizations, only because it provides an array of services, including legal abortions.

Mr. Speaker, at some time in her lifetime, one in five American women is going to turn to Planned Parenthood. In fact, Planned Parenthood provides 400,000 Pap smears, 500,000 breast exams, 4.5 million STD tests, and prevents 500,000 unwanted pregnancies each year.

This Chamber's latest fiasco would leave millions of women with no place to go for basic preventative healthcare services.

Mr. Speaker, I am sad to say that the Republicans are more obsessed with the uterus of American women than of the real issues facing us today.

IN HONOR OF AIRMAN 1ST CLASS KCEY RUIZ

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, I rise today to remember a brave young airman who lost her life in defending our great Nation.

Airman 1st Class Kcey Ruiz of McDonough, Georgia, was killed on October 2 when her C-130J crashed in Afghanistan. Kcey was only 21 years old.

A graduate of Dutchtown High School, Ms. Ruiz had an opportunity to learn about healthcare sciences. Her admiration of health care influenced her decision to become a nurse.

Ms. Ruiz' desire to serve others led her to enlist in the United States Air Force. After graduating basic training, Ms. Ruiz was assigned to the 66th Security Forces Squadron at Hanscom Air Force Base. Upon her deployment to Afghanistan, she often spoke of how privileged and how proud she was to be doing such important work.

Kcey Ruiz was a fierce competitor, a natural leader, a beloved daughter, a courageous airman, and an incredible role model.

Mr. Speaker, I urge my colleagues to join with me in remembering a true American hero, Airman 1st Class Kcey Ruiz.

TIMBER 2.0

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, folks in the rural communities of my region don't want our top export to be our kids. With that in mind, we are working to make sure that the timber in-

dustry can grow in a way that doesn't put conservation at odds with job creation.

Earlier this week, I joined a summit on the Olympic Peninsula to talk about and strategize with regard to cross-laminated timber and other mass timber products. As local businesses and government and community leaders, we discussed how these mass timber products can utilize an abundant and sustainable resource while building on a workforce and infrastructure that set our region apart and can give the Nation greener buildings. Construction sites around the country could soon use sturdy, innovative, renewable wood products that are grown and manufactured on the Olympic Peninsula.

As Agriculture Secretary Tom Vilsack said at a sawmill in Aberdeen recently: "This is how we've got to do business. Working together and finding common ground is the only way forward."

In working together, we can develop timber 2.0, innovate, and build opportunities in rural communities and make sure that Washington State leads the way.

HONOR OUR FALLEN HEROES ACT

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise to announce the introduction of the Honor Our Fallen Heroes Act, which came about thanks to the hard work of one of my constituents, Pam Rogers of Exeter, New Hampshire.

Pam contacted me through my We the People initiative, which is a platform for concerned citizens to offer legislative ideas. Pam sought to bury, with the full recognition he deserves, an ancestor who fought in the Civil War.

Pam discovered that Private Samuel Zortman died at the age of 21 in a Confederate prison camp. Conditions were brutal. He died of starvation. His captors buried him in a mass grave and he has since been moved to a national cemetery in South Carolina. An empty tomb near his hometown in Pennsylvania memorializes Private Zortman; but despite ample evidence of his service and death as a POW, the Veterans Health Administration cannot award him a headstone at a U.S. military cemetery.

My bill clears up this technicality so that Pam and her family can finally lay to rest one of their own with full honors. The bill she helped produce would bring comfort to more like her. Our commitment to those who have bravely served our Nation should never end.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1151

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor of H.R. 1151.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

STEVE, THIS SONG IS FOR YOU

(Mr. SCHIFF asked and was given permission to address the House for 1 minute.)

Mr. SCHIFF. Mr. Speaker, I rise today to congratulate Congressman STEVE ISRAEL and his beloved New York Mets after they defeated the Los Angeles Dodgers last week—and I will have no interest in extending my remarks. I lost a bet with Congressman ISRAEL.

So now, Steve, this song is for you:

Meet the Mets,
Meet the Mets,
Step right up and greet the Mets.
Bring your kiddies,
Bring your wife,
Guaranteed to have the time of your life;
Because the Mets are really sockin' the ball,
Knocking those home runs over the wall.
East side, west side, everybody's coming down,
To meet the M-E-T-S, Mets of New York town.

Mr. Speaker, please tell me my time has expired.

I don't want to give the impression I am not happy for the Mets. I am, really. I say: Thank God the Mets are going to the World Series—and not the Yankees.

IN REMEMBRANCE OF TOTI MENDEZ

(Mr. CURBELO of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CURBELO of Florida. Mr. Speaker, today, I rise in remembrance of Ramiro "Toti" Mendez, who tragically passed away 15 years ago.

Toti was an accomplished baseball player. While at Westminster Christian School in 1998, he was the Miami-Dade County Player of the Year. He was sitting out the season as a medical red-shirt at Florida International University when he suddenly and heartbreakingly passed away from viral cardiomyopathy, which is an inflammatory disease of the heart muscle. It was a tragedy that came so unexpectedly for family and friends, including me. Toti was just 20 years old, with a bright future ahead of him.

New developments in the diagnosis and treatment of patients suspected of having this condition are starting to be utilized, but the early detection of cardiac issues is imperative to saving lives.

Earlier this week, I had the honor of participating in the dedication of the Toti Mendez Cardiopulmonary Diagnostic Suite at Florida International University. This facility will give medical students an opportunity to enhance the art of auscultation, allowing for cardiac abnormalities to be detected sooner. I am proud that FIU is honoring Toti's legacy with the opening of this important facility.

I also want to recognize the work of Toti's mother, Maruchi Mendez, to bring awareness to this very important issue through the establishment of a scholarship fund and a foundation in honor of her son, who was beloved by every single person who knew him.

HEAD START'S 50TH ANNIVERSARY

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I rise in recognition of our Nation's flagship program for young children: Head Start. October is National Head Start Awareness Month, and 2015 marks 50 years since the program's founding.

President Lyndon Johnson said Head Start would open up "a new war front on poverty . . . to make certain that poverty's children would not be forevermore poverty's captives."

I have the honor of counting the father of Head Start, Edward Zigler, among my constituents. When Professor Zigler recently went for surgery at the Yale-New Haven Hospital, he discovered that his anesthetist, Dr. John Paul Kim, was a Head Start alumnus. Dr. Kim credited his success in life directly to Head Start, and he is not alone.

Research proves that Head Start graduates are less likely to be held back a grade or to get into trouble with the law and are more likely to go on to college and professional careers.

But our work is not yet done. Head Start currently only has the resources to reach 4 in 10 eligible students. If we are serious about helping children thrive, we must meet this demand.

□ 1245

PINE KNOB ELEMENTARY SCHOOL

(Mr. BISHOP of Michigan asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to share the achievements of a school in my district, Pine Knob Elementary School, in Clarkston, Michigan.

For generations, Americans have held on to the longstanding belief that their children's future should be better than their own, and the key to a brighter future starts with the best education possible.

Pine Knob Elementary School embraces that vision by setting their students on a path to success early on in the educational experience. Teachers and faculty are focused on emphasizing personal growth in addition to excelling in numerous areas. They encourage students to think outside the box and be kind to one another all along through the process.

Their mentorship goes beyond the classroom where teachers assist with a variety of clubs and activities that their students participate in after school. In addition to student council or the broadcast news, kids can join a computer coding club where they can learn to write programs. It is popular choice among students today and, obviously, a highly sought-after skill in today's workforce.

Above all, these students love learning. The results are in the 96 percent attendance rate their school has held for several years.

Mr. Speaker, I am proud to see Pine Knob Elementary School become one of the 335 schools in the country to earn a Blue Ribbon Award this year, a highly regarded symbol of excellence.

I applaud their effort, and I wish their school many more years of success.

WEEK IN REVIEW

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, some of the good news this week is my introduction, with 16 original cosponsors, of H. Res. 489, congratulating Texas Southern University for 88 years. TSU is celebrating their 88 years at their homecoming this weekend.

TSU is a school that has graduated not only Barbara Jordan and Mickey Leland, but tens upon tens of great NFL football players. Tonight we will honor TSU. I pay tribute to Texas Southern University by introducing H. Res. 489.

Unfortunately, there are some bad things that have happened. Let me cite H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act, that cuts \$278.2 billion in discretionary funding that would help many of our children and education and the environment and health care and, as well, providing, if you will, the cuts in the Affordable Care Act. I like the idea of the Cadillac tax provision, but that is not the basis of the bill. H.R. 3762 is a bad bill.

Then, of course, there were 11 hours of testimony. What did we find in the Benghazi hearing? We found that Secretary Clinton could, in fact, present the facts to the American people and be transparent as we knew; but we found no new facts, no smoking gun. It is time to end the Benghazi hearings and committee.

OBAMACARE AND RECONCILIATION

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, after 2 years, the full impact of ObamaCare on rural areas is clear: higher costs, fewer hospitals, fewer insurance options, and fewer doctors.

Insurance premiums in rural northern California average 25 percent more than in southern California, and the region will be hit with premium increases of an additional 29 percent this year. About 50 rural hospitals across America have closed, and over 280 more are now on the brink of closure.

Finally, in much of my district, costly ObamaCare mandates have left my constituents with just one option for insurance, a plan that many doctors in the region won't even accept.

Mr. Speaker, the debate is over. ObamaCare is destroying the ability of rural Americans to receive and afford health care. Along with the EPA, unmanaged or closed-off Federal lands, it looks like the President has a war on rural America.

It is high time that we end this failed law and focus on meeting the needs of those with preexisting conditions and those without health care, not simply increasing cost to those who already have insurance.

The budget reconciliation that just passed today will need only 51 Senate votes. It will help rural America on the ACA by opening up more options to people for their health care. It will repeal the ACA taxes and individual employer mandates, which, again, will help give more options to rural America, and it will defund Planned Parenthood, which many people are demanding. Indeed, this is a big step for good and responsible healthcare choices.

LET'S GO, NEW YORK METS

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, baseball has often been called the national pastime, and those of us in New York have watched this past week with pride as the New York Mets have advanced to the World Series, representing the National League.

I have watched those players play as a team, and they have worked really, really hard. Perhaps we in the Congress can learn a little bit from them, that teamwork is possible and that we need all of us to pull together to move ahead.

I am going to be at the World Series. I am going to really enjoy watching the New York Mets win. I am going to really enjoy the young players.

I want to congratulate the ownership, Fred and Jeff Wilpon and Saul

Katz. I want to congratulate all of the great players of the Mets, from Daniel Murphy to David Wright, to Yoenis Cespedes, and the great young pitching of deGrom and Harvey and Syndergaard. They really, really make us proud.

I just want to sum up this 1 minute in three little words: Let's go, Mets.

LONG-TERM HIGHWAY BILL

(Mr. HARDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARDY. Mr. Speaker, today I stand to recognize an important step that took place this week. Yesterday the House Transportation and Infrastructure Committee, a committee I have the privilege to serve on, marked up and passed a long-term highway bill.

Included in that multiyear bill that authorizes the transportation needs of our Nation is a vital designation for the State of Nevada. With my assistance, this highway bill contained the designation of Interstate 11, which will run from the city of Las Vegas north along the I-95 corridor up to I-80. This designation is the next step in advancing the Intermountain West corridor, which is crucial for my State, all western States, and this country.

As the vice chairman of the Highways and Transit Subcommittee, I am proud to have worked with my colleagues to help make sure that the people in Nevada gain this instrumental project. The future of I-11 is growing. Jobs are on the horizon.

DEBT CEILING

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute.)

Mr. LOWENTHAL. Mr. Speaker, on November 3, our Treasury Department has informed us that we are going to begin to default on payment obligations that the United States Government has already entered into.

So let's be clear. We are talking about obligations that this House made, the President has signed, and that we have obligated ourselves to pay.

This default would be the first time ever. It is going to damage our credit. It is going to increase our borrowing cost. It is going to damage our economy. It is really going to damage the welfare of millions of our constituents.

These are financial obligations that the Congress has already entered into and agreed to pay. We put the name of the United States behind these commitments. These are our bills. We need to pay them.

We should not be playing political brinksmanship with the future of the United States economy, but this is

where some in the majority have brought us to once again.

MISSOURI'S FOREST PRODUCTS

(Mr. SMITH of Missouri asked and was given permission to address the House for 1 minute.)

Mr. SMITH of Missouri. Mr. Speaker, I rise today to celebrate National Forest Products Week.

Forest products provide more than 60,000 jobs and inject more than \$9 billion in Missouri's economy. In southeast and south central Missouri, we produce everything from charcoal, lumber, wood flooring, whiskey and wine barrels, pallets, telephone poles, railroad ties, gunstocks, and much, much more.

The number one obstacle to expanding in Missouri is the availability of timber. Folks cannot get enough wood to make more products and employ more people.

At the same time, we have trees dying in the Mark Twain National Forest faster than the government will allow industry to cut them down. Each year 50 million board feet of timber, with an estimated value of nearly \$5 million, dies in the Mark Twain National Forest. Instead of being harvested, this timber is wasted and becomes a fire hazard.

We have increased the amount of the timber harvest at Mark Twain National Forest from 38 to 50 million board feet recently, but we can do much better. Better forest management is good for the forest and will put people back to work.

YOUTH JUSTICE AWARENESS MONTH

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, did you know that a child in the United States can go to jail just for skipping school or running away from an abusive home?

Did you know that the United States is the only country in the world that locks up kids for life without the possibility of parole, when nearly three in ten of those kids did not actually commit the crime and may not have been there at the time that someone was hurt?

For years we have been funding a juvenile justice system that is robbing children of their future and wasting billions of taxpayer dollars every year.

Today experts, academics, police departments, police chiefs, and sheriffs agree that we must change that system.

President Obama designated October as Youth Justice Awareness Month because it is time to stop wasting billions of dollars on a system that doesn't

make our communities safer and is destroying a generation of our children.

This week I introduced two bills to make sure kids don't get put in jail for dumb reasons and to fund evidence-based intervention and prevention programs.

We must do better. We must not give up on our children.

PAKISTAN'S ACTIONS

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, we are in the process of deciding the defense authorization legislation that will determine how much we spend for our security. Yet, this bill, what we are talking about, includes tens of millions, if not hundreds of millions, of dollars for Pakistan.

Pakistan is a country that represses its own people, the Baloch people. We give Pakistan military assistance to fight radical Islam, and they use that money to kill the people of Balochistan and their own Sindhis population. They use that money to destabilize Afghanistan.

We all remember, of course, that this is the same country, Pakistan, that provided safe haven for Osama bin Laden for years, and now, when bin Laden was identified by Dr. Afridi, a courageous Pakistani, the Pakistan Government has him in a dungeon and we are doing nothing to help him.

Why are we acting so stupidly? The Pakistanis are even giving their resources off to Communist China, the Port of Gwadar.

Pakistan is not our friend when they act like this. We need to put our foot down and say: If you are going to act in a hostile way, Pakistan, you are not going to receive 1 red cent of American tax dollars.

APPOINTMENT OF MEMBERS TO THE SELECT INVESTIGATIVE PANEL OF THE COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore (Mr. HARDY). The Chair announces the Speaker's appointment, pursuant to section 2(a) of House Resolution 461, 114th Congress, and the order of the House of January 6, 2015, of the following Members to the Select Investigative Panel of the Committee on Energy and Commerce:

Mrs. BLACKBURN, Tennessee, Chair
Mr. PITTS, Pennsylvania
Mrs. BLACK, Tennessee
Mr. BUCSHON, Indiana
Mr. DUFFY, Wisconsin
Mr. HARRIS, Maryland
Mrs. HARTZLER, Missouri
Mrs. LOVE, Utah

CRITICAL ISSUES FACING THE
AMERICAN PEOPLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it has been an interesting day and an interesting week. I was in here listening to the colloquy between Majority Leader MCCARTHY and the minority whip.

I had heard my good friend, a very intelligent, clever, witty friend from Maryland, Mr. HOYER, indicate that Republicans bring us to the brink time and time again, talking about, I guess, the debt ceiling.

Sometimes it is just good to stop from the rhetoric here and the lines like "bringing us to the brink," and it is really good to look at what the history of the situation is.

□ 1300

Until Newt Gingrich led with the Contract With America, Republicans recaptured the majority in the House and Senate, for the first time in 40 years, the Democrats kept bringing us to the brink. It didn't matter who was in the White House. The Democratic Congress kept bringing us to the brink, spending more and more money.

We thought it was a great deal of money. They kept bringing us to the brink. It seemed so irresponsible not to be interested in trying to have a more balanced budget. There would be people like Phil Gramm, with the Gramm-Rudman law, that tried to force a balancing.

In fact, I know the President will probably in weeks to come continue the mistaken rhetoric. He is such a nice guy, but he is so often mistaken or whoever puts those mistakes in his teleprompter.

But the fact is that, repeatedly, this requirement that Congress raise the debt ceiling if more debt is to be incurred has been used as a vehicle to get laws passed that tried to rein in the irresponsible spending that has been going on for many decades.

I believe it was Morgenthau, Franklin Roosevelt's Secretary of Treasury, who wrote in 1940: After 8 years, we have spent more money than anyone ever in history, and we have nothing to show for it but more debt. That was quite an admission, that the New Deal was a total failure, and it actually was.

It wasn't until World War II actually ended the Depression in America that we came out of the Great Depression. It was certainly none of the socialist policies that the United States began engaging in.

I know just since I have been here in January of 2005, in 2006, as I recall, we were having debate. Republicans were in the majority. My friends, Mr. Speaker, on the Democratic side of the room over here were repeatedly making the

point about how irresponsible it was for Republicans to be spending—I think at the time it was around \$160 billion—more than we were bringing in to the Federal Treasury.

I agreed. Actually, we should have balanced the budget back in 2005 and 2006. We were only \$160 billion, at one point, away from doing that.

I think that was part of the reason the Democrats continued beating up on Republicans for overspending what was coming in, \$160 billion or so.

Little would I ever dream that, after being pummeled verbally by my Democratic friends, as a Republican spending \$160 billion more or so than we had coming in, that those same friends would do the unthinkable and increase that debt in one year more than 10 times the \$160 billion.

You would have thought that perhaps they would remember some of those things they used to say with such vitriol right here on the House floor about how spending more than \$160 billion more than we were taking in was so irresponsible.

You would have thought they might have remembered some of those because, when you say one thing one year and then you get the majority and you are 10 times worse than what you accused the other side of—more than 10 times worse—some people feel a little sensitive.

We have to be careful because we certainly don't want to violate the House rules on what we say here. But, you know, some people feel guilty when they accuse somebody else of doing something they are 10 times more guilty of.

But, apparently, that guilt didn't exist. If it did, it was short lived and didn't prevent even my friend from Maryland from coming to the floor today and again launching the inappropriate statement that it is Republicans that keep bringing us to the brink.

I realize that it was our own Speaker that went on the Jay Leno show and said that Republicans shut down the government, but, you know, sometimes he is engaged in activity that keeps him from realizing exactly what is going on.

But if you go back and look at the actual RECORD, September 29, September 30 of 2013, the record is very clear. There was one party in Congress that was trying to be responsible, that was trying to rein in spending, that was trying not to shut the government down, was compromising against ourselves repeatedly, and it was the Republican Party.

We didn't get a lot of help across the aisle. In fact, what we had from the other end of the hall here, from Majority Leader REID, was an all-out effort to shut down the government. And that is a fact as to who shut down the government. If anyone bothers to go look, yes, you will see we had a spending bill

that gave HARRY REID everything he and the President wanted plus some.

It was hard for a guy like me to vote for that. But, yes, in the initial bill, we defunded ObamaCare. Why wouldn't we? We know. We hear from constituents how bad that is, how they have lost their insurance, lost their doctor, they can't get the medicine they did before. Instead of paying \$105 now they are paying \$100 for prescriptions. We are hearing all those things. So why wouldn't we vote to do what we believe is best for our constituents? We did.

We voted to fund everything they wanted plus some, but defund ObamaCare. Yes, that is what we passed first. HARRY REID would not bring it to the floor for a vote. So we compromised against ourselves because there was no negotiating.

I believe—and, Mr. Speaker, this is just my thought—it sure seemed there was plenty of evidence to show that HARRY REID believed the conventional wisdom here in Washington, that if there were a shutdown of the government, no matter who did it, no matter that the Democrats themselves did everything they could to shut the government down, it wouldn't matter because their friends in the mainstream media would blame the Republicans.

Who knew we would have a Republican Speaker that didn't know the fact and would say, yeah, Republicans shut it down, but they knew the mainstream media would blame Republicans. And they needed a shutdown because the conventional wisdom here in Washington at the time—still is—if there is a shutdown, then mainstream media blames Republicans and then the Democrats get the majority back in the House or, if they didn't have it, as they don't have it now, they get it back in the Senate. So they have been wanting a shutdown.

You can go back to, I think, March of 2011. HARRY REID would not yield at all when we got down to a midnight deadline, and our Speaker came in and basically caved just a few months after we took the majority in March of 2011 and said we have got to avoid a shutdown at all costs.

So around 10:30, 11:00, Republicans completely caved and gave HARRY REID what he wanted because he wanted a shutdown. You could say that is bringing us to the brink for political purposes. That is exactly what it is.

So we came back, and we bet against ourselves. We passed a bill that gave HARRY REID everything he and the President wanted plus some, but we put in a provision, not the complete defunding of ObamaCare, but just suspending it for a year.

I frankly thought that, because there were Democrats on the ropes in the Senate, if they wouldn't even vote on that or voted against it, they would lose their seats.

I bet you could find some Senators who lost their seats in that next election that wish they had taken that vote and voted to postpone ObamaCare for a year. They probably would have kept their seats. But they didn't. They didn't even get to vote on that bill on the Senate floor.

I thought it was unwise. Having negotiated big deals back in Texas, I thought it was unwise to bet against ourselves yet again when the Senate would not even engage in any kind of compromise. They wanted a shutdown. But, no, we had another vote.

We said: Okay, HARRY REID. We will give you everything you want, President Obama everything he wants, plus a little bit. But since the President suspended the employer mandate illegally, unconstitutionally, for a year, how about if we suspend the individual mandate for a year? That was not allowed to come to the floor for a vote.

Even though we were doing everything we could to keep the government going, HARRY REID wanted a shutdown, would not allow a vote. I thought, at 1:10 a.m., when our leadership came here to the floor on October 1 and asked us to vote for folks to be conferees that would work all night and avoid a shutdown by 8 a.m., capitulate where they have to, but get a deal done, that it was really capitulation and that HARRY REID would be crazy not to go ahead and appoint Senate conferees so they could have a deal by 8 a.m., the country would never realize there was even an 8-hour shutdown. But HARRY REID would not even allow the Senate to vote to have conferees to work out a deal by 8 a.m. He didn't.

So HARRY REID forced the shutdown, no doubt with encouragement of the President. Sure enough, the mainstream media blamed Republicans. That cost Republicans tremendously in the election the following year. Oh, wait. No, it didn't, actually.

The American people actually, I think, ended up appreciating that Republicans were standing for the idea that we are on the brink because of all the decades of overspending, except for that little interlude in the 1990s when the Republicans took the majority here in Congress.

As part of their Contract With America, they became very responsible, and they pushed through budgets that Bill Clinton didn't want to sign, but eventually took credit for, that actually brought the budget into alignment. Other than that, Democrats have brought us to the brink repeatedly, and HARRY REID and President Obama continue to do that.

So who would have ever dreamed in 2006 that here in 2015 we would have Democrats crowing over the fact that: Gee, we may get our deficit in 1 year down to \$400 billion, \$500 billion. Wow, won't that be great? Because, once again, their memories have not allowed

them to accuse themselves back during those days when they were blaming Republicans for running up a \$160 billion or so deficit in one year.

Now, my friend from Maryland also pointed out that Dave Camp had a tax reform bill, and in his words it was dismissed out of hand because it was not paid for. My friend, Mr. HOYER, is such a smart guy. I admire him. I love talking to him. He has got a great sense of humor. But he is wrong on that. It happens. He is wrong.

It was not dismissed out of hand because it was not paid for. It was dismissed out of hand because it was not a significant enough reform in the right direction of what we need: a complete simplification of the Tax Code that so many of us are asking for.

I like a flat tax. Others like a fair tax. I sure can see their point. It has got some good points. But let's have that debate. Throw out the Internal Revenue Code. Throw out the tens of thousands of pages that have been added in interpretation and regulation. Let's have something that Americans can simply fill out easily where they don't even need an accountant, something like a flat tax: the more you make, the more you pay.

Dave Camp's tax reform bill—and I just love the guy. He is a fine American. We were so thrilled when he was able to beat back the cancer that overtook him. He is a great guy. He worked hard.

But, in my estimation, his problem on his tax reform bill was he tried to placate too many Democrats, which kept it from being as good as I and many others thought it should be.

□ 1315

So I appreciate the points being made here on the floor, but I thought it called out for a little elaboration and correction.

Now, we also had a hearing yesterday that went on for a number of hours. It was an important hearing, and I know there were people that kept talking about, gee, there have been seven hearings or eight hearings or whatever there have been, or seven or eight investigations. None of them had the documentation that is now only starting to be obtained from a recalcitrant State Department and Obama administration.

Yeah, it is easy to get an okay when you don't turn over the documents that show lie after lie, misrepresentation. Yeah, it is easy. All you do is just not let anybody see the documentation for the misrepresentation that came.

Now, my staff says you have got to read this article, and it uses the L word a number of times—the L word being "lie." It uses that a number of times. But I don't want to even come close to getting in trouble for violating any rule here on the House floor because the content is too important. So we

will just say, instead of lies, we will just call them unfortunate wrong statements, so with that substitution.

Then I find out, gee, it is my friend, Ben Shapiro, that wrote this. I hope that doesn't hurt Ben that I mentioned we are friends.

But anyway, "Hillary Clinton's 5 Biggest Unfortunate Mistaken Representations in Her Benghazi Testimony," in the article, it points out:

"Hillary, as always, is the poor, put-upon victim of a vast right-wing conspiracy."

Mr. Speaker, I know you will remember back in the nineties when her husband was accused of doing things that it turned out he really did; instead of making clear her husband had made mistakes—and she had made it clear there would be no more—she went after the women. She had a war on women and went after any women who actually accused her husband of impropriety, and even used and coined that phrase, "this vast rightwing conspiracy" during her war on women who just tried to point out what her husband had done to them.

But the article says:

"She set up a private email server and deleted relevant emails from it for purely political reasons; she pressed for a pointless invasion of Libya for political reasons, chortled at its conquest for political reasons, watched it descend into chaos while doing nothing for political reasons, and then allowed her ambassador to twist in the Libyan tornado without proper security for political reasons; finally, she covered up that disaster by lying about its causes for political reasons. But those who ask questions about such matters are partisan politicians."

The article goes on further down:

"Hillary kept claiming that she cared deeply about her good friend Chris Stevens. At one point, she whipped out her pre-planned righteous indignation to complain, 'I would imagine I've thought more about what happened than all of you put together. I've lost more sleep than all of you put together.' This was salt in the wound, the equivalent of Johnny Cochran lamenting his worries over the fate of Nicole Brown Simpson."

I have got to inject at this point, I was there for a good bit of the hearing because a friend, a real patriot, she served in the Navy, that is where she met a guy named Ty Woods, one of the greatest American patriots this country could ever hope to have as a son. She married Ty. They had even had another child right before—not just months before—he found himself in Benghazi.

And another former Navy SEAL, like Ty, that cared more about his country and serving others than his own self-interests came and joined him, as I understand, when Ty was getting ready to go to the roof to try to protect those

people. He knew David Ubben, with the State Department, was formerly an Army Ranger, and David went with him, grabbed an M4. They went to the roof to protect the Americans that were in the building beneath them.

I will never forget reading the name of the first Navy SEAL that this administration released, and the story—obviously, this language had to come from this administration—it struck me as such a slap in the face to this former Navy SEAL, because I have known so many Navy SEALs and former Navy SEALs. I am proud of every one I have known—well, maybe except for a former Governor, who is creating chaos for Chris Kyle's widow.

But when I read the words, after Glen Doherty, a former Navy SEAL, contractor, and it said, from the information released from this administration, that he died while taking cover.

Now, I didn't know anything about Benghazi at that point, about the specifics, but I knew enough Navy SEALs to know, if he died, it wasn't taking cover. It was probably giving cover or maybe moving to get a better vantage from which to defend other people. Those are the Navy SEALs I know, generally speaking.

Then we find out he didn't die taking cover. Ty Woods didn't die taking cover. I don't know if that was the State Department's release to try to minimize how heroic those people were because they violated orders and said: We are going to help those people that are penned down in Benghazi. Those are heroes.

I know my friend, DUNCAN HUNTER, had moved to try to get a Congressional Medal of Honor. I think it is time we take those back up. Though they weren't in the military, they deserve the highest honor this body could give them posthumously.

And David Ubben, I never brought it up during the months that he had asked me not to after I met him on one of my visits out to Bethesda, or Walter Reed combined with it now. But he was up there on the roof. There were three mortars that came in. The first one missed.

Having been in the Army 4 years, I know they used to teach us, if there are three mortars or three artillery rounds coming in, then you better move before the fourth one hits, because they will use those three to triangulate your position, and the fourth one will be on top of your head.

So when I heard David said there had been three mortars come in, I said: Oh, so they bracketed you. He said: Oh, no, no, no. I don't want you to get the wrong idea. We knew as soon as the first one missed, they knew exactly where our position was. It was short, but there was no question, they knew exactly at what angle to put that mortar so that it would come down on our heads. And that's what the second and third mortar did.

There was no bracketing. They knew their position. Pre-planned attack. They had the coordination perfectly, exactly where that mortar needed to be.

The first one was short, as he said, but the second and third were right on top of their targets. And that is what killed Glen and Ty as they were giving cover—not taking cover, giving cover.

In fact, I heard yesterday—it wasn't in the hearing, wasn't said in the hearing, but I heard from somebody who had talked to a Delta Force individual. When he heard the name Ty Woods, he said: You know, that guy, he and Glen took on a whole city.

They didn't care. They were going to protect the United States civil servants that were in the building that they went to the roof of, and they gave their lives giving them cover.

David Ubben lost much of his right leg, but, after many surgeries, hopefully it is near the point now of being usable. He is a hero. This administration didn't even want to give him the right credit.

And then to have them—and Ben Shapiro points it out here. They used this video, and even to say to any one of the survivors, as Mrs. Clinton did: We will get the guy that did the video.

They didn't care about the video. I have talked to many of the family members of those who were killed. They didn't care about the guy that did the video. They cared about the people that killed their loved one.

Dorothy Woods is a hero. So, for Mrs. Clinton to sit there and arrogantly, condescendingly say to the panel, "I've lost more sleep than all of you put together," with Dorothy Woods sitting right there, was just another dagger to her heart because she still loses sleep.

Let's go back to that night. We still don't know what Hillary Clinton and our President did specifically after they found out. Either the President was preparing for his fundraiser in Las Vegas the next day, or he just went to bed, with his personal Ambassador to Libya missing. Either they went to bed or did something far more embarrassing for them not to be willing to tell us what they did that night.

I mean, I was only in the Army 4 years, but I cannot imagine what kind of mind will allow itself to go to sleep or just blow things off and move on to another project when somebody working directly for you has either been killed, you know people have been killed, and the Ambassador is missing in a hostile area that, turns out, begged for security, additional security 600 times.

This is disgraceful, just disgraceful. They had nothing to do with the video.

My friend JIM JORDAN said: You tell the American people one thing; you tell your family an entirely different story.

And, in fact, she told the Egyptian Prime Minister the day after the at-

tacks: We know the attack in Libya had nothing to do with the film. It was a planned attack, not a protest.

As I recall, not only was that simply not true, she took State Department funds, as I understand it, and spent tens of thousands of dollars on a commercial to facilitate and to perpetuate this lie, and spent that in foreign Muslim countries, running it on their televisions to say we had nothing to do with the video.

Mr. Speaker, I meant to get into the fact that I haven't changed my vote for Speaker. I am still for DAN WEBSTER.

I yield back the balance of my time.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 29 minutes p.m.), under its previous order, the House adjourned until Monday, October 26, 2015, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3231. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Repeal of the Exempt Commercial Market and Exempt Board of Trade Exemptions (RIN: 3038-AE10) received October 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3232. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's notification of its 2015 compensation program adjustments, including the Agency's current salary range structure and the performance-based merit pay matrix, in accordance with Sec. 1206 of the Financial Institutions, Reform, Recovery, and Enforcement Act of 1989; to the Committee on Agriculture.

3233. A letter from the Under Secretary, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's report to Congress entitled "Distribution of Department of Defense Depot Maintenance Workloads for Fiscal Years 2014 through 2016" pursuant to 10 U.S.C. 2466(d)(1) and 2466(d)(2); to the Committee on Armed Services.

3234. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report to Congress entitled, "Health and Human Services Secretary's First Annual Report on Transparency in the Review and Approval of Section 1115 Demonstrations", as required by Sec. 10201 of the Affordable Care Act; to the Committee on Energy and Commerce.

3235. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Nevada; Infrastructure Requirements for Ozone, NO₂ and SO₂ [EPA-

R09-OAR-2014-0812; FRL-9935-82-Region 9] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3236. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Outer Continental Shelf Air Regulations Consistency Update for Maryland [EPA-R03-OAR-2014-0568; FRL-9917-72-Region 3] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3237. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities; New York [EPA-R02-OAR-2015-0509; FRL-9936-09-Region 2] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3238. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Florida; Regional Haze Plan Amendment — Lakeland Electric C.D. McIntosh [EPA-R04-OAR-2015-0337; FRL-9936-05-Region 4] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3239. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Approval and Promulgation of Implementation Plans; Arizona; Phased Discontinuation of Stage II Vapor Recovery Program [EPA-R09-OAR-2014-0256; FRL-9935-66-Region 9] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3240. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; OR; Portland, Medford, Salem; Clackamas, Multnomah, Washington Counties; Gasoline Dispensing Facilities [EPA-R10-OAR-2011-0799; FRL-9936-03-Region 10] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3241. A letter from the Chairman and Co-Chairman, Congressional-Executive Commission on China, transmitting the Commission's 2015 Annual Report as established by the U.S.-China Relations Act, 19 U.S.C. 1307; to the Committee on Foreign Affairs.

3242. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed item to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to Sec. 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Pub. L. 105-261), as amended by Sec. 146 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for Fiscal Year 1999 (Pub. L. 105-277), and the President's September 29, 2009 delegation of authority [74 Fed. Reg. 50, 913 (Oct. 2, 2009)]; to the Committee on Foreign Affairs.

3243. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-166, "Unemployment Profile Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3244. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-170, "4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3245. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-165, "Behavioral Health Coordination of Care Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3246. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-167, "Injured Worker Fair Pay Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3247. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-169, "1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3248. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-168, "Grandparent Caregivers Program Subsidy Transfer Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3249. A letter from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3250. A letter from the Secretary, Department of the Treasury, transmitting a letter following up on previous letters regarding the debt limit and to provide additional information regarding the Department of the Treasury's ability to continue to finance the government; to the Committee on Ways and Means.

3251. A letter from the Inspector General, Department of Health and Human Services, transmitting a data brief on Medicare payments for clinical laboratory tests performed in 2014, pursuant to the Protecting Access to Medicare Act of 2014, Pub. L. 113-93; jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 765. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property; with an amendment (Rept. 114-306). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 961. A bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing income; with an amendment (Rept. 114-307). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 1270. A bill to amend

the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements; with an amendment (Rept. 114-308). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 1430. A bill to amend the Internal Revenue Code of 1986 to make permanent the look-through treatment of payments between related controlled foreign corporations; with an amendment (Rept. 114-309). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 2940. A bill to amend the Internal Revenue Code of 1986 to improve and make permanent the above-the-line deduction for certain expenses of elementary and secondary school teachers; with an amendment (Rept. 114-310). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KING of New York (for himself, Mr. NADLER, Mr. MEEHAN, Mr. ISRAEL, Mr. SWALWELL of California, Mr. SMITH of New Jersey, Mr. COHEN, Mr. FITZPATRICK, and Mr. FRELINGHUYSEN):

H.R. 3815. A bill to deter terrorism, provide justice for victims, and for other purposes; to the Committee on the Judiciary.

By Mr. CALVERT (for himself, Mr. MCCLINTOCK, Mr. LAMALFA, Mr. COOK, and Mr. ROHRBACHER):

H.R. 3816. A bill to deny Federal funding to any State or political subdivision of a State that has in effect any law, policy, or procedure that prevents or impedes a State or local law enforcement official from maintaining custody of an alien pursuant to an immigration detainer issued by the Secretary of Homeland Security, and for other purposes; to the Committee on the Judiciary.

By Mr. POCAN (for himself and Mr. KATKO):

H.R. 3817. A bill to amend the Child Nutrition Act of 1966 to clarify the availability and appropriateness of training for local food service personnel, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GOSAR (for himself, Mr. BRAT, Mr. BROOKS of Alabama, Mr. DESJARLAIS, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. JONES, Mr. KING of Iowa, and Mr. POE of Texas):

H.R. 3818. A bill to repeal the Cuban Adjustment Act, Public Law 89-732, and for other purposes; to the Committee on the Judiciary.

By Mr. SHUSTER (for himself, Mr. RYAN of Wisconsin, and Mr. DEFazio):

H.R. 3819. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, Natural Resources, and Science, Space, and Technology,

for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JUDY CHU of California (for herself, Mrs. NAPOLITANO, Mr. SCHIFF, Ms. LINDA T. SÁNCHEZ of California, and Mr. CÁRDENAS):

H.R. 3820. A bill to establish the San Gabriel National Recreation Area as a unit of the National Park System in the State of California, to modify the boundaries of the San Gabriel Mountains National Monument in the State of California to include additional National Forest System land, and for other purposes; to the Committee on Natural Resources.

By Mr. COLLINS of New York (for himself and Mr. TONKO):

H.R. 3821. A bill to amend title XIX to require the publication of a provider directory in the case of States providing for medical assistance on a fee-for-service basis or through a primary care case-management system, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FLORES:

H.R. 3822. A bill to amend the Internal Revenue Code of 1986 to allow qualified scholarship funding corporations to access tax-exempt financing for alternative private student loans; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas (for himself, Mr. OLSON, Ms. HAHN, and Mr. BABIN):

H.R. 3823. A bill to provide for direct hire authority for positions in the Pipeline and Hazardous Materials Safety Administration, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARDY:

H.R. 3824. A bill to reform oversight of law enforcement activities of the Forest Service and the Department of the Interior and to improve coordination and cooperation with local law enforcement agencies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO:

H.R. 3825. A bill to improve transportation safety, efficiency, and system performance through innovative technology deployment and operations; to the Committee on Transportation and Infrastructure.

By Mr. WALDEN (for himself and Mr. BLUMENAUER):

H.R. 3826. A bill to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon; to the Committee on Natural Resources.

By Ms. MAXINE WATERS of California:

H.R. 3827. A bill to improve the program under section 8 of the United States Housing Act of 1937 for using amounts for rental voucher assistance for project-based rental assistance, and for other purposes; to the Committee on Financial Services.

By Ms. JACKSON LEE (for herself, Mr. CLYBURN, Mr. AL GREEN of Texas, Mr.

BUTTERFIELD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Mr. HURD of Texas, Mr. CUMMINGS, Mr. SCOTT of Virginia, Mrs. DINGELL, Ms. DELAURO, Mr. HOYER, Ms. PELOSI, Mr. ISRAEL, Mr. RICHMOND, Mr. ENGEL, and Mr. DOGGETT):

H. Res. 489. A resolution commemorating the 88th Anniversary of Texas Southern University; to the Committee on Education and the Workforce.

By Ms. NORTON:

H. Res. 490. A resolution honoring the lives, work, and sacrifice of Joseph Curseen, Jr., and Thomas Morris, Jr., the two United States Postal Service employees and Washington, DC, natives who died as a result of their contact with anthrax while working at the United States Postal Facility located at 900 Brentwood Road, NE, Washington, DC, during the anthrax attack in the fall of 2001, United States Postal Service employees, who have continued to work diligently in service to the people of the United States notwithstanding the anthrax attacks, as well as the three other Americans who died and the 17 who became ill in the attacks; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution,

By Mr. KING of New York:

H.R. 3815.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. CALVERT:

H.R. 3816.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is Section 8 of Article I of the Constitution, specifically Clauses 1 (relating to providing for the general welfare of the United States) and 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) of such section.

OR

The constitutional authority of Congress to enact this legislation is Article I, Section 8, Clause 1 and Clause 18.

By Mr. POCAN:

H.R. 3817.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GOSAR:

H.R. 3818.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 (the Naturalization Clause), which gives Congress sov-

ereign control over immigration and the vesting of citizenship in aliens. In March 1790, Congress passed the first uniform rule for naturalization under the new Constitution. In *Chirac v Lessee of Chirac* (1817), the Supreme Court affirmed this power rests exclusively with Congress.

By Mr. SHUSTER:

H.R. 3819.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (related to laying and collecting Taxes, and providing for the common defense and general Welfare of the United States), Clause 3 (related to regulation of Commerce with foreign Nations, and among the several States, and with Indian Tribes), and Clause 7 (related to establishment of Post Offices and Post Roads).

By Ms. JUDY CHU of California:

H.R. 3820.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, Sec. 8 "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States."

By Mr. COLLINS of New York:

H.R. 3821.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. FLORES:

H.R. 3822.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GENE GREEN of Texas:

H.R. 3823.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HARDY:

H.R. 3824.

Congress has the power to enact this legislation pursuant to the following: clause 18 of section 8 of article I of the Constitution.

By Mr. TAKANO:

H.R. 3825.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. WALDEN:

H.R. 3826.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. MAXINE WATERS of California:

H.R. 3827.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution of the United States

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. SESSIONS.
H.R. 169: Mr. HANNA and Mr. MULLIN.
H.R. 213: Mrs. LAWRENCE.
H.R. 242: Ms. ADAMS and Ms. HAHN.
H.R. 304: Mrs. BUSTOS.
H.R. 495: Mr. VAN HOLLEN.
H.R. 674: Ms. JUDY CHU of California.
H.R. 718: Mr. VAN HOLLEN.
H.R. 732: Mr. ZELDIN.
H.R. 745: Mrs. NAPOLITANO, Mr. TONKO, and Mr. MULLIN.
H.R. 842: Mr. DONOVAN.
H.R. 866: Mr. GOSAR.
H.R. 868: Mr. GOODLATTE and Mr. LABRADOR.
H.R. 913: Mrs. WATSON COLEMAN.
H.R. 953: Mr. LEWIS.
H.R. 963: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 980: Mr. MOONEY of West Virginia and Mr. JOHNSON of Ohio.
H.R. 990: Ms. MENG.
H.R. 1061: Mr. GRAYSON, Ms. DELAURO, Mrs. WATSON COLEMAN, Mr. KILMER, and Ms. MCCOLLUM.
H.R. 1174: Mr. ROGERS of Alabama, Mr. RUSH, and Mr. FITZPATRICK.
H.R. 1197: Ms. ADAMS, Mr. COURTNEY, Mr. BRADY of Pennsylvania, and Mr. SMITH of Missouri.
H.R. 1209: Mr. SMITH of Missouri.
H.R. 1284: Mr. GRIJALVA.
H.R. 1288: Ms. DELBENE.
H.R. 1292: Mr. JONES, Ms. NORTON, and Mr. JOLLY.
H.R. 1301: Mr. CLAWSON of Florida.
H.R. 1342: Mr. LARSON of Connecticut.
H.R. 1391: Mr. MCNERNEY.
H.R. 1399: Mr. ABRAHAM, Mr. LEVIN, Mr. FARENTHOLD, and Mr. RYAN of Ohio.
H.R. 1453: Mr. FLORES.
H.R. 1475: Mr. BRAT and Mr. RODNEY DAVIS of Illinois.
H.R. 1479: Mr. BOUSTANY.
H.R. 1549: Mr. COFFMAN and Mrs. WATSON COLEMAN.
H.R. 1550: Mr. PITTINGER, Mr. PERLMUTTER, Mr. COSTELLO of Pennsylvania, Ms. DELBENE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MCHENRY, and Mr. HILL.
H.R. 1608: Ms. WILSON of Florida and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1684: Mr. MICA.
H.R. 1752: Mr. RUSSELL.
H.R. 1769: Mr. CLAWSON of Florida.
H.R. 1786: Mr. RUPPERSBERGER, Mr. BUTTERFIELD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCNERNEY, Mr. DOGGETT, Mr. CURBELO of Florida, Mr. SHERMAN, Mr. POLIS, Mr. RUSH, Ms. MCSALLY, Mr. RICHMOND, Mr. CUELLAR, Ms. DEGETTE, and Mr. BILIRAKIS.
H.R. 1818: Ms. MCSALLY.
H.R. 1853: Ms. JACKSON LEE, Mr. KEATING, Ms. FRANKEL of Florida, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. TAKANO, and Ms. SINEMA.
H.R. 1856: Mr. PRICE of North Carolina.
H.R. 1902: Mr. DANNY K. DAVIS of Illinois.
H.R. 1943: Ms. TSONGAS.
H.R. 1945: Ms. DELBENE.
H.R. 2016: Ms. JUDY CHU of California.
H.R. 2017: Mr. CÁRDENAS.
H.R. 2071: Ms. LOFGREN and Mr. COSTELLO of Pennsylvania.
H.R. 2114: Mr. ELLISON.
H.R. 2125: Mr. NORCROSS.
H.R. 2130: Mr. SAM JOHNSON of Texas.
H.R. 2145: Mr. STUTZMAN.
H.R. 2156: Mr. LOBIONDO.
H.R. 2231: Mrs. BEATTY, Mr. VARGAS, Mr. HECK of Washington, Mr. ELLISON, and Mr. LYNCH.
H.R. 2237: Mrs. BUSTOS.
H.R. 2307: Mr. HECK of Nevada.

H.R. 2411: Ms. WILSON of Florida.
H.R. 2429: Mr. TAKANO.
H.R. 2450: Ms. MATSUI, Ms. WILSON of Florida, and Mrs. CAPPS.
H.R. 2461: Mr. CULBERSON, Mrs. WAGNER, and Mrs. BLACK.
H.R. 2477: Mr. BARR.
H.R. 2500: Mr. ADERHOLT.
H.R. 2515: Ms. BROWNLEY of California and Mr. KENNEDY.
H.R. 2546: Mrs. LOWEY.
H.R. 2597: Mr. PETERS.
H.R. 2626: Mr. MULLIN and Mr. RUSSELL.
H.R. 2646: Mr. HARPER and Mr. MEEKS.
H.R. 2660: Mr. KILMER, Mrs. WATSON COLEMAN, Ms. MCCOLLUM, and Mr. KEATING.
H.R. 2661: Mr. MCNERNEY and Mr. CARTWRIGHT.
H.R. 2715: Mr. BLUMENAUER, Ms. MCCOLLUM, Mrs. WATSON COLEMAN, Mr. GRIJALVA, Mr. GRAYSON, and Ms. DELBENE.
H.R. 2752: Mr. COLLINS of New York.
H.R. 2758: Mr. NEWHOUSE.
H.R. 2799: Mr. GUTHRIE.
H.R. 2853: Mr. WELCH and Mrs. LOVE.
H.R. 2880: Mr. MCGOVERN and Ms. MCCOLLUM.
H.R. 2896: Mr. PERLMUTTER and Mr. PITTINGER.
H.R. 2901: Mr. FORTENBERRY.
H.R. 2903: Mr. JOHNSON of Ohio and Mrs. MILLER of Michigan.
H.R. 2972: Mr. HECK of Washington and Mr. DOGGETT.
H.R. 2980: Mr. MOOLENAAR.
H.R. 2994: Mr. TAKANO.
H.R. 3016: Mr. ISRAEL.
H.R. 3048: Mr. MCKINLEY and Mr. FLORES.
H.R. 3065: Mr. BEYER.
H.R. 3096: Mr. YARMUTH.
H.R. 3187: Mr. FORTENBERRY.
H.R. 3198: Mr. COSTA, Mr. CUELLAR, and Mr. VARGAS.
H.R. 3216: Mr. JONES, Mrs. RADEWAGEN, Mrs. MCMORRIS RODGERS, and Mr. PEARCE.
H.R. 3238: Mr. CRAWFORD.
H.R. 3248: Ms. ESTY.
H.R. 3326: Mr. CALVERT and Mr. VALADAO.
H.R. 3331: Mr. HUFFMAN, Ms. LOFGREN, Ms. PINGREE, Ms. CLARKE of New York, and Mr. FORBES.
H.R. 3445: Mr. DEFazio.
H.R. 3459: Mr. SESSIONS, Mr. LANCE, Mr. AUSTIN SCOTT of Georgia, Ms. STEFANK, Mr. DUNCAN of Tennessee, and Mr. LOUDERMILK.
H.R. 3478: Mrs. LUMMIS.
H.R. 3481: Mr. JOHNSON of Georgia.
H.R. 3497: Mrs. LOWEY.
H.R. 3520: Mr. RANGEL, Mr. WALZ, and Mrs. BEATTY.
H.R. 3542: Ms. LEE.
H.R. 3566: Mr. CULBERSON.
H.R. 3573: Mr. FLORES and Mr. CULBERSON.
H.R. 3591: Mr. JOHNSON of Ohio and Mr. VAN HOLLEN.
H.R. 3602: Mrs. KIRKPATRICK.
H.R. 3625: Mr. COURTNEY.
H.R. 3640: Mr. JOYCE.
H.R. 3646: Mr. KLINE and Mr. JOHNSON of Ohio.
H.R. 3654: Mr. DEUTCH, Mr. SMITH of New Jersey, Mr. SIRES, Mr. RIBBLE, and Mr. ROHRABACHER.
H.R. 3686: Mr. PAULSEN, Mr. JONES, Mrs. WAGNER, and Mr. BISHOP of Utah.
H.R. 3687: Mr. WILLIAMS.
H.R. 3696: Ms. CLARKE of New York, Mr. DESAULNIER, Mr. ELLISON, Ms. KELLY of Illinois, Mr. PERLMUTTER, Mr. MCGOVERN, Mr. CARTWRIGHT, Mr. TONKO, Mr. CROWLEY, Ms. MOORE, Mr. VELA, and Ms. SLAUGHTER.
H.R. 3706: Mr. AMODEI, Mr. DONOVAN, and Mr. LARSEN of Washington.
H.R. 3710: Mr. NEWHOUSE.

H.R. 3713: Mr. ELLISON, Ms. BROWN of Florida, Mr. MCNERNEY, Mr. RUSH, Mr. AL GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLAY, Mr. DANNY K. DAVIS of Illinois, Ms. WILSON of Florida, and Ms. GABBARD.
H.R. 3729: Mr. LUETKEMEYER.
H.R. 3742: Ms. JACKSON LEE.
H.R. 3750: Mr. CHABOT, Mr. DESAULNIER, Mr. JOHNSON of Ohio, Mr. POE of Texas, and Mr. DONOVAN.
H.R. 3756: Mr. HASTINGS and Mr. COLLINS of New York.
H.R. 3757: Mr. CUELLAR.
H.R. 3761: Ms. KAPTUR, Ms. CLARKE of New York, Mr. TAKAI, Mr. BUTTERFIELD, Mr. DAVID SCOTT of Georgia, Mr. FARR, Mr. JEFFRIES, and Mr. CASTRO of Texas.
H.R. 3765: Mr. MARCHANT and Mr. SMITH of Texas.
H.R. 3772: Mr. DESAULNIER.
H.R. 3779: Mr. AMODEI and Mr. RODNEY DAVIS of Illinois.
H.R. 3785: Ms. BASS, Ms. HAHN, Mr. BEN RAY LUJÁN of New Mexico, Mr. CLEAVER, Mr. GRAYSON, Mr. MCGOVERN, Ms. NORTON, Mr. COHEN, Mr. VAN HOLLEN, Mrs. TORRES, Mr. BISHOP of Georgia, and Mr. TAKANO.
H.R. 3797: Mr. MCKINLEY.
H.R. 3799: Mr. DESJARLAIS and Mr. WESTERMAN.
H.R. 3802: Mr. WESTERMAN.
H.J. Res. 59: Mr. BRAT.
H.J. Res. 67: Mr. CULBERSON.
H.J. Res. 68: Mr. CULBERSON.
H. Con. Res. 40: Ms. MCCOLLUM, Mr. ELLISON, and Ms. SEWELL of Alabama.
H. Con. Res. 75: Mr. GENE GREEN of Texas.
H. Res. 28: Mr. PALLONE.
H. Res. 194: Mrs. BEATTY and Mr. LIPINSKI.
H. Res. 220: Mr. WITTMAN.
H. Res. 289: Mr. DESAULNIER.
H. Res. 293: Mr. KNIGHT, Mr. LAMBORN, Mrs. WALORSKI, Mr. BRADY of Pennsylvania, Mr. TED LIEU of California, Mr. MCCAUL, Mr. MEEHAN, and Mr. NORCROSS.
H. Res. 343: Mr. THOMPSON of California, Mr. RIGELL, Mr. ELLISON, Ms. SPEIER, Mr. CLEAVER, and Mr. STUTZMAN.
H. Res. 393: Mr. SWALWELL of California and Mr. PERLMUTTER.
H. Res. 394: Mr. WEBER of Texas, Ms. MOORE, and Mr. YARMUTH.
H. Res. 419: Mr. SEAN PATRICK MALONEY of New York and Mr. KILMER.
H. Res. 440: Mrs. CAROLYN B. MALONEY of New York, Mrs. MILLER of Michigan, Mr. BARR, and Mr. DONOVAN.
H. Res. 445: Ms. STEFANK.
H. Res. 451: Mr. AUSTIN SCOTT of Georgia, Mr. BISHOP of Michigan, and Mr. TIBERI.
H. Res. 456: Ms. WILSON of Florida.
H. Res. 467: Ms. MCCOLLUM, Ms. ADAMS, and Mr. TAKANO.
H. Res. 469: Mr. POE of Texas.
H. Res. 485: Mr. JOHNSON of Ohio, Mr. ROGERS of Alabama, and Mr. ZELDIN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1151: Mr. SCHIFF.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

33. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin,

TX, relative to urging Congress to propose, for ratification by the legislatures of the several states, an amendment to the United States Constitution which would clarify that any person chosen to be Speaker of the U.S. House of Representatives must be an actual currently-serving member of the U.S. House of Representatives; to the Committee on the Judiciary.

34. Also, a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose, for ratification by special conventions held within the indi-

vidual states, an amendment to the United States Constitution which would require that both houses of Congress approve, by a three-fifths vote of all members elected and serving in each body, any declaration of martial law, or suspension of the writ of habeas corpus, by the President of the United States, and further providing that such Congressionally-approved martial law declaration, or suspension of the writ of habeas corpus, not exceed 30 days' duration, and clearly describe the geographic territory covered by

such declaration or suspension; to the Committee on the Judiciary.

DISCHARGE PETITIONS—
ADDITIONS AND WITHDRAWALS

The following Member added his name to the following discharge petition:

Petition 1 by Mr. HECK of Washington on H.R. 1031: Mr. Grayson.

EXTENSIONS OF REMARKS

IN HONOR OF MR. FRED S.
JEALOUS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. FARR. Mr. Speaker, I rise today to honor a great American, Mr. Fred S. Jealous, on the occasion of his retirement after more than 30 years of dedicated public service. Fred is a beacon of compassion, justice, and community service. Over the many years that he and his wife, Ann Todd Jealous, have lived on the Monterey Peninsula, Fred has devoted countless hours of his professional and volunteer time to weaving, reinforcing, and repairing the social fabric of our community.

Fred originally hailed from Connecticut. In 1963, he earned a B.A. in history from Clark University in Worcester, MA. He went on to earn a Masters of Arts in Teaching from Antioch College in Yellow Springs, OH, in 1963. He then answered the call for public service and entered the Peace Corps, teaching math and English in rural Turkey. Upon his return from Turkey, Fred renewed his studies, this time in the field of Psychology, at the U.S. International University in San Diego.

In 1967, love for Ann Todd brought Fred to Baltimore, MD. However, as an interracial couple, they had to travel to Washington, D.C., to marry. In Baltimore, Fred became active in the civil rights movement agitating for the integration of public places. Fred and Ann moved to the Monterey Peninsula where he and Ann settled in Pacific Grove and raised their two children, Ben and Lara.

It was on the Central Coast that Fred hit his stride as a community builder and activist. He worked with the Veterans Administration to develop education programs for disabled veterans, served as executive director of the Salinas Volunteer Center, and founded the Monterey County Men's Alternatives to Violence. In 1987, Fred took this last effort a step further and founded the Breakthrough Men's Community as a non-profit organization to provide men with skills to free themselves from non-productive, painful, or abusive aspects of their lives. Staffed by volunteer graduates of the program, Breakthrough helps men work on communication and listening skills, self-esteem, parenting, alternatives to sexual obsession, reducing homophobia, and building healthy, inclusive communities. Fred has remained at the helm of Breakthrough since its founding and is now preparing to pass on that leadership.

Fred has truly made our community a better place. He is truly an example and inspiration for those who have the great fortune to know him. That is perhaps most true for Fred's son Ben, who followed his father's—and mother's—example to become the President and CEO of the NAACP. I know I speak for the

whole House in extending to Fred Jealous our deep appreciation for his life's work and offer our best wishes to him and his family on this next chapter in his remarkable life.

HONORING DONALD SHUMWAY ON
THE OCCASION OF HIS RETIRE-
MENT FROM THE CROTCHED
MOUNTAIN FOUNDATION

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Donald Shumway on his retirement as the CEO and President of the Crotched Mountain Foundation, and thank him for the outstanding work he did during his career.

Mr. Shumway's continuous progression within various health services agencies such as becoming the Commissioner of the NH Department of Health and Human Services and head of the Division of Mental Health exemplifies his intelligence, positive attitude, and commitment to protecting and serving his community with the utmost professionalism.

Although Mr. Shumway will now shift his focus from serving his community to his family, it's clear he leaves behind an example of strong leadership and compassion for others to emulate in his absence.

It is with great admiration that I congratulate Donald Shumway on his retirement, and wish him the best on all future endeavors.

IN COMMEMORATION OF THE 50TH
ANNIVERSARY OF THE KAWNEER
COMPANY'S BLOOMSBURG PLANT

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. BARLETTA. Mr. Speaker, it is my honor to help commemorate the 50th anniversary of the founding of the Kawneer Company's Bloomsburg plant. The plant is an essential manufacturing center in my district, and provides necessary materials for the construction of a multitude of education facilities, healthcare centers, public buildings, and retail stores across America. With close to 400 employees, the Bloomsburg facility provides work to many of my constituents.

Since 1965, the Kawneer Company has enjoyed tremendous success as a crucial manufacturing facility in the heartland of Pennsylvania. The company has helped fuel the inspiration of architects and building teams for more than 100 years, and has continuously implemented new manufacturing capabilities in

order to improve efficiency and quality. Alcoa purchased the facility in 1998, and today, Kawneer Company's Bloomsburg plant is an integral part of Alcoa's Global Business and Construction Systems business.

Built on the Susquehanna River, the plant has persevered numerous times through devastating floods. Most recently, a flood nearly destroyed the facility, filling the shop floor with over five feet of water. Kawneer employees, in conjunction with Alcoa and the state of Pennsylvania, were able to reinvigorate the plant with new life and used the rebuilding opportunity to learn and grow. The plant's recent incorporation of a flexible robotic line is a symbol of Kawneer's commitment to development, efficiency, and progress.

Mr. Speaker, it is my pleasure to recognize the Kawneer Company's Bloomsburg plant as it celebrates its 50th anniversary. I am incredibly grateful for the presence of this productive manufacturing facility which continues to bring prosperity and employment opportunities to my constituents. I look forward to the plant's continued success and innovation in the years to come.

HUNGARY AND THE HARD WAY

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. SMITH of New Jersey. Mr. Speaker, 59 years ago today, the Hungarian people rose up against the Soviet-installed communist dictatorship—a revolution that remains a model of patriotism, heroism, and resistance against tyranny today. I submit the following remarks delivered last evening at an event commemorating this momentous anniversary by Louis S. Segesvary, Ph.D., of the American Hungarian Federation.

[From American Hungarian Federation]

HUNGARY AND THE HARD WAY

(By Louis S. Segesvary, Ph.D.)

It was in the month of October, on the twenty-third day in 1956, that the small Eastern European nation of Hungary rose up in a revolution against the Soviet Union that represented the first major challenge to its military dominion since World War II.

Nearly six decades have passed since then, yet it would be a mistake to discount the significance of this revolution merely because of the passage of time. This was David facing down Goliath in the modern era, and as such it remains and will remain an inspiration to freedom loving people everywhere.

Historians have explained to us the cause of the Hungarian uprising against the mighty Soviet empire as one of chafing under the weight of totalitarian occupation. But this explanation is hardly enough. Many peoples have suffered similar fates without risking the human costs associated with revolution. Those that have been willing to pay

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the price have been far fewer, and the more formidable the force of the occupier, the even fewer number. Bravery has always been the difference.

In this respect, Hungary and the United States share a similar past. Both risked revolutions against the greatest powers of their times. Only the American patriots were successful while Hungarians were seemingly not.

But it is just at this point that we must be the most careful in assessing the significance of Hungary's revolt against the Soviet Union, which pitted a nation of only ten million against the armed forces of a world superpower. For the sheer courage displayed in this uprising against the most hopeless of odds not only stunned the world but inspired it. As the French writer and Nobel Laureate Albert Camus put it at the time,

"Hungary conquered and in chains has done more for freedom and justice than any people for twenty years. . . Those Hungarian workers and intellectuals, beside whom we stand today with such impotent sorrow, understood this and have made us the better to understand it. That is why their hope is also ours. In spite of their misery, their chains, their exile, they have left us a glorious heritage which we must preserve: freedom, which they not only chose, but which in a single day they gave back to us."

Practical consequences as well were to follow the Hungarian revolution even as it was crushed by columns of Soviet tanks, for the sacrifices of the freedom fighters helped lead eventually to a crescendo of falling dominos and the dissolution of the entire Soviet Union itself. The seven days of freedom Hungarians had achieved in 1956 meant that Goliath had been mortally wounded, his aura of invincibility shattered. It was just a matter of time before he collapsed into the dust once again just as in biblical times.

Today Hungary is a fledgling democracy experiencing the kind of attacks that don't come from the muzzles of AK-47s or the cannons of Soviet era tanks. Caught in the whirlwind of the migrant crisis enveloping Europe, with nearly 400,000 political and economic migrants transiting the country so far this year on their way to Austria and Germany, it has been subject to harsh public criticism for not being accommodating enough to this flood of humanity.

Regrettably, the fact that Hungary has faithfully adhered to the very protocol established by the European Union to deal with asylum seekers in requiring their registration on entry is generally ignored. But even more fundamentally, the civilizational issues associated with nation states are just as often disregarded. Whatever one thinks of Hungary's insistence on protecting its borders, one also has to consider the broader implications of what chaos will do to Europe's cultural distinctiveness.

Albert Camus' stirring words on the Hungarian revolution are well known. Not as well-known are his prophetic words, just as profound, about the dangers associated with the breakdown of civilizational rules. While the pitfalls of anarchy meant the unpleasant task of having to make order, he wrote, there had to be order, because without order, he would die, "scattered to the winds."

He could have been speaking here once again about Hungary as well. Only this time it was about a people seeking to preserve the national identity they had secured for themselves with their own blood six decades earlier. It is a stand that not everyone will agree with, it is a stand that can be debated, but it is a stand that is once again resonating throughout the world.

The stakes in this debate are not to be taken lightly because we should never forget that how this migrant crisis is resolved will affect not only this generation of Europeans but generation after generation to come. In a very real sense, these future generations are fated to live with the consequences of the choices made today with no other recourse to them. That means the decisions by all of us affected by this crisis need to be as wise as we can make them and our consciences as clear as we can keep them.

The choices Hungary has taken so far in upholding the asylum precepts of the European Union and safeguarding its borders represent the hard way, a path of thorns on which Hungary has so often found itself in its brilliant but tragic history. It has risked its reputation on these choices, and only time can tell us how sagacious they have been. In the meanwhile, let us hold our rush to judgement. Especially on a day in which we honor Hungary for its great sacrifices for freedom.

RECOGNIZING THE CONGREGACIÓN MITA CHURCH ON ITS 75TH ANNIVERSARY

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. GRAYSON. Mr. Speaker, I rise today to congratulate the Congregación Mita Church on its 75th anniversary and recognize their contributions to the community.

The Congregación Mita Church was founded in 1940 in the town of Arecibo, Puerto Rico, by Juanita "Mita" García Peraza. At a time when women were not allowed to officiate in church, Juanita became a trailblazer, founding her congregation with a message of love, freedom, and unity.

The church began with a small group of only 11 members. In this founding group was Teófilo "Aarón" Vargas Seín, current President and Spiritual Leader of the church. In 1943, the congregation opened its first church in the humble community of Las Monjas in San Juan, Puerto Rico. In 1947, the church relocated to the Hato Rey sector of San Juan, where it is currently headquartered. A year later, in 1948, the congregation opened its first church outside Puerto Rico in New York City. As membership grew, Juanita saw the need for a new place of worship and in 1960 the congregation built a new church in Hato Rey.

As part of her missionary work, Juanita established several ministries, social institutions, and music groups. Some of these include: the Ministry of Preachers and Deacons (1941), a ministry of volunteer neighborhood watchmen called "Guardas" (1947), the Strings Band (1950), and a bible school for children called "El Consejero" (1956). In 1957, she founded "La Banda Mita," a marching band that is one of the premier music orchestras in Puerto Rico today. In 1963, the first international congregation was founded in the city of Santo Domingo in the Dominican Republic.

Alongside Juanita from the beginning was Aarón. Aarón began his Ministry at the young age of 15. He served as the church's first administrator, as well as the first preacher, the senior guarda, and the lead percussionist of

the marching band. When Juanita passed away in 1970, Aarón assumed leadership of the Congregation.

Under Aarón's leadership, the church grew extensively. It expanded nationally to Illinois (1969), Connecticut (1972), New Jersey (1976), Florida (1988), Massachusetts (1990), Texas (1998), Ohio (2008), and North Carolina (2011). It also expanded internationally to Colombia (1970), Mexico (1980), Venezuela (1982), Costa Rica (1986), Panama (1987), Ecuador (1991), Canada (1992), El Salvador (1993), and Spain (2000). In Florida, congregations were established in Orlando, Ocala, Miami, and Tampa.

Assisting Aarón with the church's great expansion was Rosinín Rodríguez Pérez, current Vice-President and Spiritual Leader of the Congregation. Together they founded institutions dedicated to provide social services to the community at-large. Some of these include: the Colegio Congregación Mita (1981), a K-12 school in Puerto Rico accredited by the Middle State Association; the El Paraíso Nursing Home (1985), a care center for seniors; and the Office for Counseling and Social Work (1985). The latter provides a wide range of professional services by certified social workers, psychologists, and gerontologists free of charge to members and nonmembers everywhere the church is established, including Orlando, FL.

In addition, they created music groups with the goal of developing love for the arts and music in children and adolescents. These include: the Harps Group (1987), the Children's Choir (1989), the Youth Choir (2004), and more recently, a Violin Orchestra (2007). Many of these groups, including the marching band, have smaller representations in most of the countries where the church is established.

In 1990, on the occasion of its 50th anniversary, the church built its main house of worship in San Juan, Puerto Rico with capacity for up to 10,000 parishioners. Today, Mita's work continues its extraordinary expansion with hundreds of thousands of members in more than 300 congregations in 12 countries around the world.

I am happy to recognize the accomplishments of the Congregación Mita Church on this memorable date, the birthday of their leader Aarón, and wish them continuous success in the future.

HONORING THE LIFE OF BILL ARNSPARGER

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. BARR. Mr. Speaker, I rise today to honor the life of an exceptional man, Mr. William Stephen Arnsperger, of Paris, Kentucky. Bill Arnsperger was a part of the Greatest Generation, answered his nation's call to service during World War II. He spent most of his life as a football coach, attaining greatness around the country. It is my honor to recognize him before the House of Representatives.

Mr. Arnsperger was born in Paris, Kentucky in 1926. He attended Paris High School,

where he was All State in football. After graduation, he joined the United States Marine Corps and was stationed in China. Following the war, Arnsparger earned his bachelor's and master's degrees from Miami University (Ohio), where he also played football. His coaching career began immediately after graduation as an assistant coach at Miami under Woody Hayes.

Arnsparger went on to serve as an assistant coach at the college level at Ohio State, the University of Kentucky, and Tulane University. He was head coach at Louisiana State University. Arnsparger coached in the NFL for the Baltimore Colts, the Miami Dolphins, the New York Giants, and the San Diego Chargers. He also served as athletic director at the University of Florida. Arnsparger was famous for being the architect of the "No Name Defense" and the "Killer B's" of the Miami Dolphins. Bill was inducted into the Miami Dolphins Honor Roll as well as Halls of Fame at Paris High School, Miami University, Kentucky Athletic, Florida Athletic, and the Kentucky Pro Football Hall of Fame.

Mr. Arnsparger passed away peacefully on July 17, 2015 in Paris, Kentucky. Like many in his generation, he served his country bravely during his time in the military. He went on to live an exemplary life in his chosen profession of football. He was truly an outstanding American, a patriot, and a role model to us all.

PERSONAL EXPLANATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Ms. GRANGER. Mr. Speaker, on roll call no. 560, due to a previously scheduled event, I was not present for this vote. Had I been present, I would have voted no.

COMMEMORATING THE 1956 HUNGARIAN REVOLUTION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. SMITH of New Jersey. Mr. Speaker, today marks the 59th anniversary of the 1956 Hungarian Revolution against Soviet tyranny. Though the Soviet tanks put down the uprising that time, it lit a torch of resistance that the communists could never put out and ultimately democracy prevailed. I submit the following remarks by Marion Smith, Executive Director of the Victims of Communism Memorial Foundation, at an event last evening commemorating the 1956 Hungarian Revolution.

COMMEMORATING THE 1956 HUNGARIAN
REVOLUTION

(By Marion Smith)

[From Victims of Communism Memorial
Foundation]

For a few days in 1956, Budapest became the capital of freedom. The city, which was gutted and nearly destroyed by the ruthless military showdown between Soviet and Nazi

troops in World War II, became the city of hope and heartbreak in 1956. The Hungarian nation's patriotic glory and enviable spirit broke the yoke of the Soviet Empire, if only for a few days.

Ruszkik haza!—Russians, go home!—a crowd eventually growing to 300,000 demanded as young people, who had everything to lose, gathered in the heart of the city. Hungarians began to tear off red stars from buildings, they toppled the statue of Stalin in front of the Hungarian Radio and tore out the Soviet symbol from the middle of the Hungarian flag, framed pictures of Lenin, Marx and Stalin were gathered on the street and burnt in bonfires. The flames of freedom lit up the nights.

The Soviet military stationed in Hungary was considerably large. It should have been relatively easy to put down what the regime called a fascist "counter-revolution". But it wasn't. Moscow underestimated the resilience of the people and the determination of Hungarians to fight. For their freedom, for their family, for their life.

From the West, Hungarians received sympathy and prayers. But not much more. And yet, these mostly young patriots succeeded in driving out the Soviet tanks all the way to the outskirts of Budapest. A free and democratic Hungary seemed within grasp.

But the Communist Politburo in Moscow was not yet ready for a breakup of the Iron Curtain and on November 4, Soviet tanks rolled through the city. 30,000 troops and more than a thousand tanks eventually put down the lightly armed civilians of Budapest.

The Soviets gave Hungary a new leader, János Kádár. He announced over the radio that the "Hungarian Revolutionary Worker-Peasant Government" was formed to protect Hungary's "socialist achievements". And people who disagreed, people who took a part in the fights had to pay the price. For many, the ultimate price. Some were simply shot on the streets like dogs, some disappeared in the middle of the night, some spent years in the prisons at Andrassy út 60, where the House of Terror today commemorates the brutality of the communist secret police.

Although the system was dubbed "goulash communism" for its more relaxed policies that allowed for some dissent, the one-party system, political censorship, food shortages of a centrally planned economy, and the arbitrary coercion of citizens by state officials remained until the very last days of the regime.

Almost sixty years after the Hungarian revolution, and more than 25 years after the regime change, it is more important than ever for Hungarians and Americans alike to remember that communism was not a beautiful utopia. It was and is an ideology that enables tyranny. Communist regimes everywhere systematically killed a portion of their own people as a matter of policy in peacetime, denied citizens their basic rights, robbed them of their food and of their labor, and tore families apart in maintaining a police state.

The mass exodus, one of the largest the U.S. has seen at the time, of political dissenters from Hungary on the heels of the 1956 revolution revealed the true intolerance of the "socialist dream".

The Victims of Communism Foundation, through our Witness project tells true stories about life communist regimes. To understand the depth and scope of the evil of communism we have to listen to those who knew it all too well, those like:

Béla Krasznay who spent nearly eight years in the notorious Recsk labor camp dur-

ing the 1950's as a political prisoner due to his family background (landed-owners and military officers).

János Horváth who served as the youngest member of the Hungarian parliament in 1948, was imprisoned for four years by the communist regime because of his political beliefs only to return to the Hungarian parliament, becoming its oldest living member until his retirement in 2014.

Livia Gyarmathy who was ordered by the state to become a chemist, despite wanting to go to medical school and eventually became a filmmaker, and produced the first ever film about the Recsk labor camp—the Hungarian Gulag.

Dániel Magay, whose idyllic childhood was wrecked when communist authorities targeted his father, a popular landowner. Though his efforts to escape communism brought Dániel to the 1956 Olympic Games and, eventually, San Francisco, Dániel remains deeply shaped by having grown up under that brutal system.

We must not think that the fall of the Soviet Union meant the "end of history" or even the end of communism. As Charles de Gaulle, the former French president said: "Stalin didn't walk away into the past, he dissolved into the future."

Today, one fifth of the world's population lives in a one-party communist state.

This very summer, new statues of Stalin have been erected in several Russian towns by Russia's Communist Party whose leaders promised new statues in Irkutsk in Siberia and to Eastern Ukraine.

In Donetsk, where the Soviets are responsible for the death of millions of Ukrainians in the period of forced starvation known as Holodomor, a new cult of Stalin is on the rise with new street posters of the bloody murderer on display.

Russia is eager to display the red flag with hammer and sickle as a sign of past glory at sporting events from the Sochi Olympics to the FINA World Championships in Kazan. All this while Russian authorities have shut down the Soviet era archives, revised children's text books and harassed or jailed historians or journalists who dare to tell the truth about life in the Soviet Union.

And in our own country, a country that spent more resources on fighting communism than any other country in the world, we see a shocking lack of understanding from teenagers and young adults who do not know the basics of 20th century history. They don't understand how bankrupt the Marxist ideology actually is and why the struggle we as Americans took against communist imperialism was and is worth it.

The simple lesson of the Cold War is that there is absolutely nothing romantic, cute, or enviable about the socialist system and the communist utopia. Few nations know this better than the Hungarians, whose torn red white and green flag became, in 1956 a symbol for a universal desire for freedom. And so it remains today.

CHIEF GARY W. WARMAN—A
TEXAS LAWMAN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. POE of Texas. Mr. Speaker, Gary Warman, my friend who has served 35 years

with the Humble Police Department, is retiring as a Texas lawman. Gary should be recognized for his fine career and his outstanding public service to the community of Humble and the great State of Texas.

After graduating from Sam Houston High School in Houston, Texas, Gary joined the United States Marines Corps in 1968. He served a tour in South Vietnam at Marble Mountain near Da Nang Air Base. Gary is an honorable defender of liberty and freedom and I thank him for his service to our country.

Following his service in the Marines, Gary moved back to Houston and began working as a millwright.

His father was a millwright, so he naturally learned the trade. He worked in several power plants around the Houston area for the next five years.

It wasn't long before Gary decided to fulfill his childhood dream of being a policeman. In 1975, he made that dream come true by joining Harris County Constable Precinct 1 where he trained at the Texas A&M Police Academy. He worked for Constable Walter Rankin for two years, before joining Harris County Precinct 4 under Constable C.R. Davis.

In 1979, he was offered a job as a patrol officer and thus began his long career fighting crime with the Humble Police Department. He quickly rose through the ranks as patrol sergeant, detective sergeant, lieutenant of detective division, and lieutenant of patrol division.

His personality and professionalism quickly gained him respect from the law enforcement community.

He was promoted to Chief of Police in 2002. His 13 years of faithful service as Chief of Police makes him the longest sitting Chief in the history of the City of Humble.

Gary obtained additional police training along the way. He is a graduate of the FBI National Academy 174th session and Leadership Command College at Sam Houston State University. He also holds a Master Peace Officer Certificate. He is a member of the Texas Police Chief's Association, North Harris County Criminal Justice Association, Arabia Shrine Temple, International Association of Police Chiefs and a life member of the Houston Livestock Show and Rodeo.

On behalf of the Second Congressional District of Texas, this remarkable Texan should be commended for his exemplary service and dedication to the City of Humble. He will be dearly missed by his fellow officers, City of Humble employees, citizens of Humble, Texas and me. We wish him happy hunting, fishing, and golfing. Thank you, Gary, for dedicating your life to public service and making our community a fine place to live and raise a family. Job well done.

And that's just the way it is.

NATIONAL FOREST PRODUCTS WEEK

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. NEWHOUSE. Mr. Speaker, I rise today in support of National Forest Products Week

and in recognition of the 30,000 hardworking individuals employed by this industry in Washington State; including the over 1,000 pulp and paper employees in my district alone. In Washington, the industry provides nearly 2 billion dollars in annual compensation and is among the state's largest manufacturing sectors.

Forest products play a valuable role in our daily lives and are manufactured using recyclable and renewable resources. They are used in our businesses, schools, and homes—whether they are books, paper, shipping boxes, or LCD monitors—these products continue to meet the evolving needs of people around the world. The industry is an integral part of America's manufacturing competitiveness and allows us to communicate, teach, and learn.

I am excited to celebrate National Forest Products Week and my constituents who contribute to this industry. I urge my colleagues to exercise common sense and sound science when it comes to rules and regulations that unnecessarily burden this vital U.S. industry. By doing so, we can guarantee these products remain globally competitive and ensure that 900,000 Americans and 30,000 Washingtonians can continue working for this important industry.

RECOGNIZING PAUL GALLEGOS AS CITIZEN OF THE YEAR

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today to congratulate Paul Gallegos, who was honored as Humboldt County Citizen of the Year on October 23, 2015, a well-deserved award. Paul Gallegos' history as an attorney and as the District Attorney for Humboldt County has been a benefit to the state and the community.

Born in Arlington, Virginia, Paul Gallegos was one of 11 children. He graduated from Woodbridge Senior High School in Woodbridge, Virginia, then attended the University of Southern California, where he earned a Bachelor of Arts degree in economics. Paul Gallegos went on to University of LaVerne School of Law, where he attained a Juris Doctorate degree.

Paul Gallegos was district attorney for Humboldt County from 2003 to 2015. He was a partner with his wife Joan at Gallegos & Gallegos, Attorneys at Law in Eureka, and focused on state and federal civil and criminal litigation at the Law Office of Paul V. Gallegos in Claremont, CA. He is currently a partner at the Gallegos Law Firm.

He has served with numerous legal associations, including: The California Public Defender's Association; the National Public Defender's Association; the California Trial Attorneys Association; the National District Attorneys Association, the California District Attorneys Association, and the National District Attorneys Association. He is part of the Federal Pro Bono Project and a current member of the Betty Kwan Chinn Foundation.

Mr. Speaker, Paul Gallegos' dedication to law and the community of Humboldt County is

commendable and worthy of recognition. I urge my colleagues to join me in extending our congratulations to him.

AFRICA'S GREAT LAKES REGION: A SECURITY, POLITICAL, AND HUMANITARIAN CHALLENGE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. SMITH of New Jersey. Mr. Speaker, to say that the Great Lakes region of Africa is troubled would be an understatement. Burundi is experiencing continued turmoil due to a recent contentious election. The Democratic Republic of the Congo, or DRC, has had some level of conflict since the late 1990s. The Lord's Resistance Army, also known as the LRA, has plagued several of these countries. Alleged plundering of DRC resources by Rwanda and Uganda have never been fully resolved. Nations in the region have been preoccupied in the last two years with resolving the South Sudan civil war.

Definitions vary, but the Great Lakes region, as defined by the U.S. Department of State, comprises Burundi, the DRC, Rwanda, and Uganda. The region is among the most densely populated in Africa, especially around Lake Victoria and Lake Tanganyika, and enjoys rich agricultural potential, water resources, minerals, and wildlife. However, political instability, conflict, humanitarian crises, and a lack of development remain key challenges.

These four countries are the purview of the U.S. Special Envoy to the Great Lakes, Tom Perriello, whom we had before my subcommittee yesterday. We also had Assistant Secretary of State for African Affairs Linda Thomas-Greenfield, who has spent a great deal of her time in office dealing with Great Lakes issues.

Yesterday's hearing offered an opportunity to hear from these administration officials not only about continuing U.S. efforts to extinguish the LRA threat, but also the administration's work with governments in the region on issues such as peace building, governance and adherence to international human rights and democracy standards.

In our subcommittee hearings over the last three years, we have uncovered numerous troubling situations:

Even with the supposed end of operations by the M23 militia in eastern DRC in late 2013, there are several other militias still causing instability in the region.

The Kabila government in the DRC is reportedly using a ban on completing foreign adoptions as leverage to ward off actions to prevent him from prolonging his rule despite a constitutional bar to any reelection bid.

Burundi President Pierre Nkurunziza's decision to run for a third term, which some Burundians and outside observers viewed as a violation of a landmark peace agreement—and, arguably, the Constitution of Burundi—has led to a political crisis and heightened concerns about regional stability.

Human rights abuses in Rwanda were found to be targeted toward real or perceived political opponents prior to 2012, but after 2012,

such abuses were seen as more random, expanding the targets of the regime.

Maj. Robert Higero, a retired Rwandan military officer, told our subcommittee on May 20th about his solicitation by the Rwandan intelligence chief to kill two high-level defectors. He turned against the government and informed the targets who asked him to record the offer. He did, and the recording was validated by the Globe and Mail in Canada and the British Broadcasting Corporation. The State Department has not only found the allegations to be credible but warned Maj. Higero to leave Belgium where his life was in danger.

Although LRA killings have diminished in the past few years, kidnappings by the group have risen as it operates in smaller, scattered cells, using more adults as temporary labor. One witness at our hearing last month said an end to the U.S. support for the counter-LRA effort would be "devastating."

We have heard of the difficulties of addressing issues in this troubled region of Africa by both government and private witnesses over the past few years. However, the fates of these countries are interconnected, and our policies need to take this into account.

There are numerous issues in the Great Lakes countries that require examination, and we discussed yesterday what should be a coordinated U.S. policy in this region and we heard from our witnesses what the prospects are for this policy to be implemented.

IN HONOR OF MR. WILLIAM
OSBORNE'S ACHIEVEMENTS

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise to pay tribute to the accomplishments of Mr. William Osborne, as he retires from a long career spanning both the private and public sectors. Whichever job he held, it was clear that Mr. Osborne always had Georgia and its citizens on his mind.

Originally a journalist, Mr. Osborne graduated from the University of Georgia's journalism school with distinction and went on to work at the Atlanta Journal. After a few years, Mr. Osborne left the Journal to direct and help establish DeKalb County's Research-Information office. The office was one of the first public information offices in the United States of America. When the National Association of Counties established their own public information office, Mr. Osborne was chosen to be vice president by his colleagues.

Almost concurrently, he established the City of Atlanta's public information office and held the position for a few months before setting his sights on helping to improve the education system in Atlanta and Conyers. As Director of Information and Community Relations and later of Evaluation and Dissemination of Pupil Personnel Services, he undertook the effort of desegregating and integrating Atlanta public schools in the 1960s.

He has helped to develop and improve communities and cities throughout metro Atlanta as a consultant and throughout the southern

United States as a part of the Council of State Governments. Mr. Osborne has advocated for citizens and the improvement of Georgia as well as throughout the United States.

Mr. Osborne served as Executive Director for the Southern Governor's Association and maintained their Atlanta office, working with 19 Governors and their key staff members.

As the City Manager for Douglasville, for which he was reappointed 24 times, Mr. Osborne saw the city triple in population size. He worked with three different mayors and 30 different city council members. He oversaw and guided the city as its budget quadrupled in size. Under Mr. Osborne's guidance and leadership Douglasville has continued to grow and prosper. He will certainly be missed by all who have had the honor of working with him.

Mr. Speaker, I rise today to honor the achievements of Mr. Osborne and to commend his passion and dedication for the local government and citizens not only in Douglasville but throughout the State of Georgia. I ask my colleagues to join me in venerating this distinguished colleague and his service to the people of Georgia.

RECOGNIZING THE DEDICATED
SERVICE OF NORTHWEST FLOR-
IDA'S DAISY STEED

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize Ms. Daisy Steed on the occasion of her retirement as Manager of Ellyson Industrial Park in Pensacola, Florida. For more than 30 years, Ms. Steed has dedicated her life to serving the Northwest Florida community, and I am pleased to honor her outstanding achievements.

Ms. Steed first came to Escambia County in 1982 after serving 17 years with the City of Hartselle, Alabama, where she served in various capacities, including as interim City Manager. An assiduous worker, Ms. Steed also held many different positions in Escambia County, one year serving in five different capacities, before she was called on to help develop Ellyson Industrial Park and Marcus Pointe Commerce Park. As a result of her acumen, work ethic, and dedication to serving her community, Ms. Steed was named "Employee of the Month" several times, and, in 1997, she was selected as "Employee of the Year" in recognition of her excellent performance, courtesy, and professionalism.

During her career managing Ellyson Industrial Park, Ms. Steed was instrumental in recruiting more than 20 companies to the park, helping to bring jobs and bolster economic development in the Gulf Coast region. Ms. Steed's success and dedication is also exemplified by her work securing funding to help build a new National Guard Armory. As a strong supporter of our military and National Guard, and in recognition of her efforts to help shepherd the construction of the National Guard Armory, Ms. Steed was one of a select group of civilians to be awarded the "Leadership Award" from Major General Harrison.

Thanks to her immense success in the role of Manager of the Ellyson Industrial Park, Ms. Steed is affectionately called "the Mayor of Ellyson." Her level of professionalism and dedication to the enhancement of Escambia County's economic and industrial development is apparent in the manner in which she represents her Ellyson Industrial Park Association in her day to day life.

Mr. Speaker, on behalf of the Gulf Coast community, I am pleased to congratulate Ms. Daisy Steed on her well-earned retirement after more than 30 years of dedicated service to the Northwest Florida community. My wife Vicki and I wish her all the best for continued success.

COMMEMORATING THE LIFE OF
MACEL FALWELL

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. GOODLATTE. Mr. Speaker, on behalf of myself and Representative ROBERT HURT, I submit these remarks to commemorate and celebrate the life of Macel Falwell. Mrs. Falwell passed away on October 15, 2015, at the age of 82.

The widow of the late Reverend Jerry Falwell, founder of Thomas Road Baptist Church and Liberty University in Lynchburg, Virginia, Mrs. Falwell and her husband could never have imagined where God's plan would take them during their 49 years of marriage. She was self-admittedly timid, but never shied away from life's experiences and opportunities.

Mrs. Falwell was truly a pillar of the Lynchburg community. She touched many lives through her work with Thomas Road Baptist Church and other local organizations. Many remember the musical talents she shared with her congregation, while others reflect on her work with Liberty Christian Academy, including serving as President of the School Board. It is without a doubt that she leaves behind a rich legacy of service.

But her greatest joy and role was as wife and mother. Mrs. Falwell is survived by three children: Jonathan, the pastor of Thomas Road Baptist Church, where his father preached for 51 years; Jeannie Savas, a surgeon; and Jerry Jr., the current president of Liberty University. Our thoughts and prayers remain with her children, grandchildren, and many other beloved family members and friends.

As her obituary described: "Mrs. Falwell was well known in the Thomas Road Baptist Church and Liberty University family as a woman of poise and grace. Never desiring the spotlight, she faithfully and quietly stood by her husband for many years as both institutions were founded and built but she was always most comfortable in her role as a pastor's wife. She was his greatest cheerleader, confidant, advisor and friend during their ministry together."

While her presence will be greatly missed by those here on Earth, we know that she is now at peace in heaven with her husband.

Countless people would echo the sentiment shared by Mrs. Falwell's son, Jonathan, shortly after her passing: "I can't believe I've been so blessed to have her in my life."

CELEBRATING THE 100TH ANNIVERSARY OF THE NAACP TOLEDO BRANCH

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Ms. KAPTUR. Mr. Speaker, I rise today to highlight a significant event in the life and times of a Toledo, Ohio institution: 2015 marks the 100th anniversary of the Toledo branch of the NAACP. The organization celebrates this milestone with a special gala on Saturday, October 24, 2015.

The Toledo Branch of the NAACP was chartered on February 2, 1915. Today, one hundred years later, it is one of the oldest continually operating branches in the country. The branch was formed by some of the leading citizens of the day including Albertus Brown—the first chapter president—Charles A. Cottrill and Della Fields. These three founders were able to grow that initial gathering to about 160 people. Since then, the Toledo NAACP branch has marched through time thanks in large part to what historian Kenneth Goings refers to as the "unsung heroes" of the Toledo chapter—everyday men and women who worked behind the scenes over the years to make sure the chapter would make it to its 100th birthday."

In addition to the legion of "unsung heroes" the Toledo branch of the NAACP was led by several legendary leaders who served at the helm of the organization throughout the years. These leaders' names reverberate through history, still recognized today through the buildings and streets named for them. We remember their legacy and the shoulders on which the generations forward have stood through the century.

During its rich history the Toledo NAACP has been a leader in the fight for empowerment and justice for all. Its focus grew from battles against outright discrimination in the past to prosperity and ensuring the economic, educational, judicial and social equality as well as enfranchisement of all citizens.

The Toledo branch explains, its "purpose is to serve our mission by having a relevant agenda that emphasizes career and economic development, next level entrepreneurship, political empowerment, educational excellence, health and lifestyle awareness, civil rights and youth outreach." Coupled with the mission and vision of the NAACP "to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination and ensure a society in which all individuals have equal rights and there is no racial hatred or racial discrimination" the Toledo branch's 100 year history is a story of highs and lows in that journey. The organization has been at the vanguard of the events which have shaped our nation's 20th century and beyond. Today, it continues on a path toward social justice reminiscent of the Rev. Dr. Martin Luther King's admonition that

"Injustice anywhere is a threat to justice everywhere."

Experiencing a rebirth, the Toledo branch of the NAACP is headquartered in the city's historic Dorr Street corridor, once home to a thriving African American business district and the center of its residential communities. The corridor's own storied history marched alongside that of the NAACP in bringing prosperity to Toledo's African American families.

Former national NAACP chair Julian Bond once explained when discussing the organization, "... the NAACP branches—the grassroots—kept plugging away. They kept doing what they do, and they do it well." For 100 years the Toledo branch of the NAACP has done it well: as a champion of humanity and hope, a beacon of light and a wellspring of truth. As we look back on a century of service, of triumph and trials, we look forward to renewed hope for the future.

NATIONAL FOREST PRODUCTS WEEK

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to recognize the importance of the forest products industry as we celebrate National Forest Products Week. The forest products industry provides critical contributions to the economy of Georgia and the United States.

In my home state of Georgia, forestry and logging activities employ over 8,600 people; wood products manufacturing facilities employ over 16,800; and pulp and paper manufacturing facilities provide over 18,800 jobs—amounting to a minimum of 44,200 jobs provided by the forest products industry in the State of Georgia alone. Furthermore, these industries contribute over \$2 billion to annual payrolls in Georgia, which underscores the vitality of the forestry industry to the state's economy.

In addition to the positive economic impact, the forest products industry has made important technological advances in building design to improve the energy efficiency, speed of construction, and environmental performance of buildings. Industry innovation has created new opportunities to expand the use of wood building materials in construction by providing more cost-savings, quicker construction times, and fewer impacts to the environment than alternative building materials.

In fact, lumber is the only building material that naturally-impounds carbon, significantly reducing the overall carbon footprint of a construction project. Additionally, wood manufacturing requires far less energy and results in fewer greenhouse gas emissions than other common construction materials, as noted in a study by the U.S. Forest Service.

As Americans continue to improve the energy efficiency of our buildings, it is essential that we encourage the use of wood in homes and buildings, particularly federal government buildings, where the efficiency savings gained from using forest products can be passed on to the taxpayers.

Given the positive economic and environmental impact on Georgia and on the country as whole, I am pleased to honor the fine companies and employees of this industry during National Forest Products Week.

RECOGNIZING THE CENTENNIAL ANNIVERSARY OF MILTON HIGH SCHOOL

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize Milton High School in Milton, Florida upon the occasion of its Centennial Anniversary.

Milton High School, home of the Panthers, first opened its doors on November 1, 1915, welcoming 252 students in grades 1 through 12. Today, the school has a student body of over 1,700 students.

As the only high school serving the City of Milton, the school has educated thousands of students over the course of its 100-year history, and its graduates have gone on to achieve great success in many fields. Its strong athletic program continues to give students the opportunity to participate in many organized sports including: soccer, football, baseball, cheerleading, and volleyball, among others. Milton High teams have won numerous awards and championships, including back-to-back state football championships. Additionally, MHS is home to the Mighty Black and Gold Marching Band and has a renowned fine arts department, several honor societies and service clubs, as well as a Navy Junior ROTC and an unparalleled computer technology lab, known as Milton Institute of Technology.

Along with receiving an "A" academic rating, Milton High School was also recently named one of the best high schools in America by U.S. News and World Report. Notable alumni from Milton High School include: Founder and Chairman of Aflac Paul Amos; PGA Tour golfers: Heath Slocum, Bubba Watson, and Boo Weekley; and former Speaker of the Florida House of Representatives Bolley "Bo" Johnson. However, Milton High School has also served as the foundation for doctors, lawyers, engineers, ministers, financial experts, NASA experts, pilots, military heroes, college and professional athletes, educators, and countless other dedicated alumni who have impacted Florida and our Nation.

Mr. Speaker, my wife Vicki and I would like to congratulate the Milton High School Panthers on 100 years of excellence, and we wish them all the best for continued success.

HONORING GEORGE AND AGNES
FRANKLIN ON THE OCCASION OF
THEIR 77TH WEDDING ANNIVER-
SARY AND IN CELEBRATION OF
THEIR 100TH BIRTHDAYS

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to George and Agnes Franklin on celebrating their 77th anniversary and in celebration of their 100th birthdays.

This is a great milestone in a marriage and speaks highly to the love and commitment they have shown to one another and their family over the years.

As they reflect on the great memories and milestones that have highlighted the past fifty years, I know they will think fondly on all they have shared together, and I wish them all the best for the future.

RECOGNIZING MR. WILLIAM T.
STANLEY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I would like to take this time to recognize the life of Mr. William T. Stanley, a scientist from the Field Museum located in Chicago, IL. Born in Lebanon, Bill grew up in Kenya and moved to the United States with intentions on becoming an animal scientist.

Bill was in charge of some 29 million species at the Field Museum in Chicago. Scientists and students would reach out to Bill for his resourcefulness in their respected field of study. He has helped many graduate students reach their potentials with his assistance to their thesis and dissertations. His knowledge and ability to explain specimens in detail motivated his audience to engage and learn.

Reaching his goals to becoming a mammalian researcher, his character touched the lives of everyone he came in contact with. Bill was known for not only his research but also his ability to fill the room with his good spirits and incredible sense of humor. Bill will be missed by his family, friends and the mammalian research in which he devoted his life too.

I would like to thank William T. Stanley for his strong leadership and contributions to the city of Chicago and may he rest in peace.

RECOGNIZING LINDA ATKINS AS
CITIZEN OF THE YEAR

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. HUFFMAN. Mr. Speaker, Linda Atkins attended Berkeley High School, then earned a bachelor's degree in social science from Cali-

fornia State University in Sacramento. From 1976 to 1998 she was a State of California Architectural Associate, heavy equipment mechanic, building maintenance worker and auto technician for the California Highway Patrol. Linda Atkins then spent three years working for Caltrans' material engineering division. During her work with the state, she integrated several employment classifications as a tradeswoman and was a Service Employees International Union Local 1000 representative. Linda Atkins has also been a strong advocate for gay and lesbian state employees.

In 1998, Linda Atkins was elected to the Eureka City Council, where she is a councilwoman to this day. Linda Atkins has been a longtime member of the Humboldt County Democratic Central Committee and has served as its chair; she is also a member of the Eureka Progressive Democratic Club. She has helped bring a diverse viewpoint to the city council and has been a strong participant in local elections. Linda Atkins was recognized as Community Partner of the Year in 2014.

Mr. Speaker, Linda Atkins' dedication to the state and the Humboldt County community is commendable and worthy of recognition. I urge my colleagues to join me in extending our congratulations to her.

HONORING SUE GOODNOW IN
CELEBRATION OF HER 100TH
BIRTHDAY

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Sue Goodnow in celebration of her reaching her 100th birthday.

As she reflects on the great memories and milestones that have highlighted the past hundred years, I know she will think fondly on all that she's accomplished and the positive impact she's had on New Hampshire.

It is with great admiration that I congratulate Ms. Goodnow on achieving this wonderful milestone, and wish her the best on all future endeavors.

RECOGNIZING RAMBAM MESIVTA,
WINNER OF A NATIONAL BLUE
RIBBON AWARD

HON. KATHLEEN M. RICE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Miss RICE of New York. Mr. Speaker, I rise today to congratulate the Rambam Mesivta academy in Lawrence, New York, on receiving the National Blue Ribbon School award. As the only school on Long Island to receive a Blue Ribbon award this year, Rambam Mesivta has truly distinguished itself as an exceptional academic institution deeply committed to the educational and personal development of its student body.

For 24 years, Rambam Mesivta has implemented a rigorous curriculum that challenges

its students to not only strive for academic excellence, but also to become more engaged members of their community and better citizens of the world. In fact, within days of the 2004 earthquake and tsunami in Southeast Asia, which killed more than 250,000 people, students from Rambam Mesivta raised more than \$6,000 to help rebuild schools and buy school supplies in Sri Lanka.

Following the tragic 2014 terrorist attack at the Har Nof synagogue in Jerusalem, in which four Jewish worshippers were killed, a group of 10th graders from Rambam Mesivta responded immediately with a campaign to raise money for the victims' families. Within a day of the attack, the students had raised nearly \$20,000, and within 10 days, they raised over one million. Nearly two months after they launched their campaign, this passionate and caring group of students raised over two million dollars.

Rambam Mesivta has instilled in its students a dedication not just to their studies, but to public service and to helping those in need. I am truly proud to represent this wonderful school and its community in Congress.

Once again, I'd like to congratulate Rambam Mesivta on receiving the National Blue Ribbon Award and I want to thank its students, administrators and faculty for their incredible work and their service to our community.

INCREASED VIOLENCE IN ISRAEL
AND THE WEST BANK

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Ms. LOFGREN. Mr. Speaker, I am concerned and saddened by the recent reports of increased violence in Israel and the West Bank.

I join with Secretary of State John Kerry and United Nations Secretary General Ban Ki Moon in urging both Palestinian President Mahmoud Abbas and Israeli Prime Minister Benjamin Netanyahu to publicly condemn the violence, use rhetoric that will calm tensions in the region, and refrain from making public statements that will incite violence.

It is my hope that Secretary Kerry's visits with President Abbas and Prime Minister Netanyahu this week are helpful in putting an end to the violence that has already taken so many lives and allows for a constructive dialogue that can ultimately lead to a peaceful resolution for the region.

TRIBUTE IN HONOR OF THE LIFE
OF THE HONORABLE DICK
ROSENBAUM

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Ms. ESHOO. Mr. Speaker, I rise today to honor the life and work of a dedicated public servant of California's 18th Congressional District.

Dick Rosenbaum was born and raised in Queens, New York, and died on October 11, 2015, at the age of 81. He leaves his wife of 57 years, Ruth; his son, Dan Rosenbaum; his daughter, Amy Rosenbaum and three grandchildren.

Dick was a science prodigy who went to Brooklyn Tech and attended Cornell University on a full scholarship, and earned his Ph.D. in aeronautical engineering from Massachusetts Institute of Technology. He and his wife moved to Palo Alto in 1963, and he worked as a research scientist for Lockheed for 31 years.

Dick Rosenbaum served three times on the Palo Alto City Council, from 1971 to 1975 and from 1991 to 1999, serving as Mayor in 1998. He was called a "fiscal bloodhound" by the Palo Alto Weekly and was prescient about the dangers of excessive city spending. He was a residentialist who valued the quality of life in Palo Alto, and worked to preserve historic buildings. He supported low income housing but opposed overly dense projects. He wrote frequently for the Palo Alto Weekly, usually about fiscal matters. He was loved and respected by his colleagues for his integrity and sense of humor. I had the privilege to represent Dick and work with him on behalf of our mutual constituents.

Mr. Speaker, I ask the entire House to join me in honoring the life and work of Dick Rosenbaum and in extending our condolences to his family. Our community and our country are stronger because of the life and work of Dick Rosenbaum.

TRIBUTE TO GRAHAM NASH

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. ISSA. Mr. Speaker, I rise today to recognize and pay tribute to the great musical contributions of singer and songwriter, Mr. Graham Nash.

Over the decades, Mr. Nash has been a member of several legendary musical acts and written many powerful songs like "Teach Your Children" and love songs like "Our House" with Crosby, Stills, Nash & Young. I particularly remember the song "He Ain't Heavy, He's My Brother" when he was a member of The Hollies because we both lived in Ohio.

Mr. Nash won a GRAMMY in 1969 for "Best New Artist" with Crosby, Stills, & Nash. Their debut album was nominated for Album of the Year and inducted into the GRAMMY Hall of Fame in 1999. Mr. Nash is also a two-time inductee in both the Songwriter's Hall of Fame as well as the Rock & Roll Hall of Fame.

Additionally, a New York Times best-selling author, an internationally renowned photographer, and a philanthropist and activist, Mr. Nash uses an array of artistic outlets to share his beliefs and talents around the world.

Mr. Nash was born and raised in the United Kingdom. But he mentioned to me one of his

proudest days was August 14, 1978—the day he became an American citizen. He is currently a resident in California and I am proud he calls our great state home.

A new exhibition titled "Graham Nash: Touching the Flame" at the Rock & Roll Hall of Fame Museum in Cleveland, Ohio, documents the extraordinary career of Mr. Nash. We are fortunate he has shared his creative musical talents and thought-provoking songs with the world. For these reasons, I commend Mr. Graham Nash as a remarkable lyricist and performer.

IN MEMORY OF SIMON KONOVER

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 23, 2015

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to remember Simon Konover, who passed away on October 20, 2015 in Delray Beach, Florida at the age of 93. Konover was the founder and patriarch of The Simon Konover Company and Konover South, a diversified, fully integrated real estate empire, based in West Hartford, Connecticut and Deerfield Beach, Florida.

The Konover organization achieved national stature, based upon strong ethics and innovation. This family-owned business now spans three generations. The companies, established in 1957, have developed, constructed, owned and operated properties throughout the Midwest and Eastern U.S., stretching from Maine to Florida. The company's extensive portfolio has included shopping centers, hotels, residential communities, office buildings, industrial buildings, mixed use and specialty properties. Over the course of its history the Konover companies have owned and operated 15 million square feet of retail, 20,000 apartment units, 2 million square feet of office space, 4000 hotel rooms and more.

Konover is also recognized as an exceptional philanthropist, as a pillar of both the national and Hartford Jewish communities, and as one of Connecticut's outstanding civic leaders. His deeds, accomplishments and commitment are legendary. His life was devoted to community, enormous generosity and kind deeds. A complete list of organizations that he was involved in, and honors received, could fill pages and are too numerous to recount here. A sampling: Konover is a Junior Achievement Laureate and member of its Business Hall of Fame. He was recognized as Hotelier of the Year by the Connecticut Lodging and Restaurant Associations. Konover was a trustee of the Doris and Simon Konover Family Foundation. He donated construction management services to Paul Newman's Hole in the Wall Gang Camp for seriously ill children in Ashford, Connecticut and also initiated the creation of an affiliated camp in Israel. Konover built campus housing at the Univer-

sity of Hartford, and along with his wife Doris, was instrumental in creating the Konover Campus Center there. They are founding supporters of the Center for Judaic Studies and Contemporary Jewish Life at the University of Connecticut, which among its numerous activities expanded its study of human rights.

In addition to endowing that Center's first faculty chair, their other major donations to UCONN include the University Libraries, the Thomas J. Dodd Center, the Kosher Dining Center and UCONN Health Center. Konover received three honorary doctoral degrees: from UCONN, University of Hartford and Gratz College. Recognition of Konover's community contributions are countless and include the Prime Minister's New Life Award from the National Committee for Israel Bonds. He received the Distinguished Service Award to the Cause of Good Relations from the National Conference for Community and Justice. He is a founder of the United States Holocaust Memorial Museum in Washington, D.C. and served as President and Campaign Chairman for the Jewish Federation of Greater Hartford, where he was also honored as a Life Director. He received the JFACT Community Builder Award. He is a founding member of Beth El Temple in West Hartford and a major donor to the new Hebrew High School of New England in West Hartford and Hebrew University in Israel.

Konover was born in the small shtetl of Makow Mazowiecki in Poland, one of 8 children. At age 16 at the start of World War II in 1939, he was interned in a Nazi labor farm, where he survived unimaginable indignities. He narrowly escaped to Russia, where he was drafted into its army. He endured many hardships as a truck driver delivering supplies to the front line during the Battle of Stalingrad. He was imprisoned for one year in a Siberian hard labor camp until the war's end in 1945. Konover often stated that he "lived minute to minute, not hour to hour." He survived the war with his brother Harold, but lost his parents, five siblings, brothers-in-law, nieces, nephews, extended family members, friends and his entire way of life in the Holocaust. In 1949 he immigrated to the United States, after first living as a refugee in France and Cuba. In the United States, he met his oldest brother David for the first time. David had left Poland before Simon was born. Konover fulfilled his desire to live a good, full and meaningful life. He chased and ultimately found his version of the American Dream.

Konover leaves his wife Doris of 66 years. He is also survived by daughter and son-in-law Jane and Robert Coppa, his son and daughter-in-law Michael and Vicki Konover, and his son Steven Konover. He also leaves his four grandchildren Karen Coppa (with her husband Eric Kleinman), David Coppa, Kimberle Konover and Gregory Konover (with his wife Elise Konover), as well as three great-grandchildren.

SENATE—Monday, October 26, 2015

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord, You inspire us to joyfully resign to Your will, refusing to demand our own way.

Fill our lawmakers with patience, contentment, and peace. Provide them with interior humility, not just the outward form. Give them a spirit that enables them to be easily reconciled with others, determined to labor for the common good. May they remember to cast their cares on You, leaning on Your sustaining power. Use them to encourage and build up each other, striving always to accomplish the most good for the most people.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 2200

Mr. MCCONNELL. Madam President, I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2200) to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

CYBERSECURITY INFORMATION SHARING BILL AND FISCAL NEGOTIATIONS

Mr. MCCONNELL. Madam President, last week Senators voted overwhelm-

ingly to advance legislation that will help to protect the privacy of their constituents. Experts say the tools in the bipartisan cybersecurity bill the Senate voted to advance can help prevent future attacks through the sharing of information between the public and private sectors. The legislation's voluntary information sharing provisions are key to protecting the personal information of the people we all represent. The bill has also been carefully examined by Senators of both parties and contains important measures to protect civil liberties and individual privacy. I thank Chairman BURR and Vice Chairman FEINSTEIN of the Intelligence Committee for their hard work on the bipartisan bill.

We will consider a variety of amendments from both sides of the aisle tomorrow. After that, we can take a final vote on the underlying bill. That will be the Senate's initial focus this week. I will have more to say about it tomorrow.

In the meantime, we also know that fiscal negotiations are ongoing. As the details come in, and especially if an agreement is reached, I intend to consult and discuss the details with our colleagues.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

BUDGET NEGOTIATIONS

Mr. REID. Madam President, as the Republican leader mentioned, we continue to work toward a budget agreement. Negotiations are ongoing. I hope Democrats and Republicans will come to a resolution that is good for our economy and our country. It is imperative that we avoid yet another manufactured crisis that threatens the American economy and jobs. There is no reason to have a crisis. We must do it in a responsible manner.

As I have been saying for a long time, it is past time that we do away with the harmful, draconian sequester cuts. We must also ensure that there are equal defense and nondefense cuts or increases. They need to be equal.

Madam President, I see no one on the floor wishing to speak. I ask the Chair to announce the business of the rest of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. Kaine. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENTIAL FLAG AND SEAL ANNIVERSARY

Mr. Kaine. Madam President, I rise today to commemorate an important but largely unheralded anniversary. Seventy years ago yesterday, President Harry Truman changed the design of the Presidential flag and seal. That moment, which is a small moment in the grand scope of American history, was nevertheless very symbolic. I would like to discuss it.

First, some context on President Truman. Truman was a great wartime President. He fought bravely in World War I in France, and then he had to make very momentous decisions at the close of World War II. Some would argue, and I think properly, that the decision on whether to use atomic weapons at Hiroshima and Nagasaki might have been the single most momentous decision ever made by a President. He wasn't even aware of the Manhattan Project and the development of the atomic weapons program until FDR died in April of 1945 and within a very few months had to make the decision whether to use those weapons against Japan.

Nobody would question or challenge whether Harry Truman was a softy. In fact, even after World War II, in March of 1947, America was war-weary, but he went to Congress and in an address to Congress said that we need to continue to provide military and economic support to nations that are battling against Soviet influence. In this case, it was the nations of Greece and Turkey. That began the Truman doctrine, the basic strategic principle whereby the United States, for the next 40 years, would sort of check off efforts by the Soviet Union to expand their influence. Harry Truman was a great wartime President.

Harry Truman did something on October 25, 1945, that was most unusual.

He called the press into his office and said: Look what I have done. He unveiled the fact that he had taken the seal and flag of the Presidency of the United States and redesigned them. That design is essentially the same today with the exception that two stars were added for the States of Alaska and Hawaii that came in after the Truman Presidency.

The seal of the President, as everybody knows—if we look around the Chamber, we can see some up on the wall here—was originally an eagle, and the eagle has two claws. In one set of claws the eagle is grasping the arrows of war, and in the other set of claws, the eagle is grasping the olive branches of peace and diplomacy. Prior to the Truman Presidency, the eagle faced toward the arrows of war. Harry Truman, this great wartime President, changed the seal so the olive branches of diplomacy would be in the right claw, the sort of preserved position, and the eagle would be facing toward the olive branches. When he did this he said: “This new flag faces the eagle toward the staff, which is looking to the front all of the time when you are on the march, and also has it looking at the olive branch for peace, instead of the arrows of war.” Truman biographer David McCullough stated that Truman meant the shift in the eagle’s gaze to be seen as symbolic of a nation that was on the march and dedicated to peace and diplomacy.

Significantly, right around the same time President Truman did something else that was notable and symbolical. He renamed the Department we think of as the Pentagon from the Department of War to the Department of Defense, also symbolic of the Nation’s postwar dedication to peace.

While we want to be the strongest—and we are the strongest military nation in the world, as the Presiding Officer knows so very well—we want to always suggest to the world that our interest is not primarily war; no, our interest is peace and prosperity for all.

We always have to preserve and advance America’s military strength because we know the connection. Sometimes the better your military strength, the more successful you can be diplomatically, but it is also the case that the strength of your diplomacy can also add to the credibility of your military might.

I wish to talk quickly about the olive branches of peace and diplomacy and then the arrows of war. America has a great diplomatic tradition. Let’s talk about recent Presidential history. President Truman went to Congress and said: Let’s spend, in today’s dollars, tens of billions of dollars to rebuild the economies of Japan and Germany, the two nations that had been at war against the United States. Germany had been engaged in two wars with the United States in the previous

30 years. Japan had invaded the United States at Pearl Harbor, but President Truman said: Tomorrow is more important than yesterday. Let’s spend dollars to rebuild these economies. It was controversial when he proposed it, but the Marshall Plan ended up being one of the most successful things the United States has done from a foreign policy perspective.

Right after the Cuban Missile Crisis of 1962, President Kennedy engaged in negotiations with the Soviet Union to reduce the nuclear threat, and the result was an agreement in 1963 to ban atmospheric nuclear tests, the Nuclear Test Ban Treaty.

President Reagan was actively engaged in trying to undermine the power of the Soviet Union and communism, but during those very vigorous and aggressive activities, he was also negotiating with the Soviet Union on arms control agreements. Probably the paramount example of that during the Reagan Presidency was the Intermediate-Range Nuclear Forces Treaty in 1987 that he successfully negotiated.

I happen to believe that history is going to judge the recent Iran nuclear deal in the same way. It is an effort to make tomorrow more important than yesterday and to find—even in the midst of significant challenges between the United States and Iran—a way to reduce nuclear tension. Diplomacy is always a judgment where we should try to let go some of the baggage of the past and see if we can find a better way to tomorrow.

I am a little bit worried that the Truman legacy of putting peace and diplomacy first is fraying in this body and maybe nationally. I hope by bringing to mind this anniversary today, it will remind us of our great diplomatic history and the power of our diplomatic principles. A number of times in recent years we have seen bits of evidence of a fraying commitment to diplomacy in this Chamber, in my view.

One of the great Truman institutions was the International Monetary Fund which was designed to help nations work together on economic and monetary policy issues. It is a great global institution. When you set up an institution like that in the 1940s, the challenge is that when new nations emerge and rise, how do you incorporate nations that are newly powerful into the Fund? The most recent and challenging example has been the nation of China. As China has gotten more and more important, there were many who advised us to bring China more closely into the Fund so they could assist nations throughout the world, but Congress refused to change the bylaws of the IMF to give China proportionate responsibility given its population and the strength of its economy. What did China do after we would not change the bylaws to allow them a proportionate place at the table? China established

their own development bank completely separate from the IMF.

There is a debate going on right now in Congress about whether we should reauthorize the Ex-Im Bank—now, this dates back to FDR’s Presidency—a premier institution that helps American companies find export markets abroad. Again, it is part of our broad diplomatic effort in outreach, and suddenly it is controversial after 80 years.

There are a number of U.N. treaties that we could profitably advance our interests on. The U.N. Convention on the Law of the Sea, if the United States had ratified that, we would have an additional diplomatic tool to challenge Chinese island building in the South China Sea.

The U.N. treaty on the rights of women and on the rights of those with disabilities are treaties that would, frankly, reflect American values and American principles because we are the leaders in the world in these areas, and yet we will not ratify these treaties.

The prospect of trade deals is much less popular in Congress than they were 15 years ago. Trade is going to happen, the question is whether the United States will play a leadership role in writing the rules, and if we step back and don’t play a leadership role, some other nations will, but these are getting more and more complicated in this body.

Finally, something I feel very strongly about is that it is hard to face the world with this strong diplomatic might when there are a lot of ambassadorial positions that are vacant. Especially in the last 6 or 7 years we have seen efforts to block or delay ambassadorial appointments that have left key posts in many nations around the world vacant.

It sends a message to other countries. When they look at us, as the United States, not putting an ambassador in place, they basically conclude that the United States may not think we are important, and that is a very bad signal to send to other nations, especially when many nations that are allies have been without ambassadors for a while.

I am hoping we can reembrace on this 70th anniversary the wisdom of Truman, who said: The nation has to be vigorous and forceful and look toward diplomacy first.

With respect to the arrows of war—I am on the Armed Services Committee, and just like President Truman, I prefer diplomacy. I think we should lead with diplomacy, but we have to be willing to use military force. I voted for military force twice during my 3 years in the Senate.

In 2013, in August, the President asked us to vote for military force against Syria to punish Bashar al-Assad for using chemical weapons against civilians. The only vote that was taken in either House was a vote

in the Senate Foreign Relations Committee. I voted for it with a kind of foreboding and heavy heart because I knew there would be Virginians, some of whom I might know, who would be affected, but nevertheless I thought it was an important principle for America to stand for.

Since September of 2014, I have also been pushing to have Congress cast a vote to authorize the war against ISIL that has been going on for 15 months. There is a lot of critique in this body—and I have critique—about the way that war is being waged about strategic decisions that the President is undertaking with respect to the war, but I think at the end of the day it is hard to just be a critic. Under article I of the Constitution, it is supposed to be Congress that authorizes war rather than a President just doing it on his own.

Earlier I mentioned how the Truman olive branches of diplomacy and arrows of war reinforce one another. Obviously, you can be a stronger negotiator at the table in advancing a diplomatic solution if people understand that you have significant military capacity and the willingness to use it in the appropriate instance. The more we can do and the better we can do to empower our military through wise budgeting, for example—as we hope to find an end to sequester and a path forward—the stronger we will make our diplomatic effort. Similarly, the reverse is also true. The more we are vigorous in going after diplomacy, the more moral credibility we have in those instances where we can say, when looking at the world, looking at our citizens, and looking at our own troops, that we now think we need to take military action and we have exhausted the diplomatic alternatives first. That improves the moral credibility behind a military effort. It enables us to make the case better to all about the need for a military effort, and often it even creates a better international justification for a military effort.

I believe the Presiding Officer and I were together last week when former Secretary Gates testified before the Armed Services Committee. It was one of the best bits of testimony I have seen in my time in the Senate. He had a word of caution for us. He said: “While it is tempting to assert that the challenges facing the United States internationally have never been more numerous or complex, the reality is that turbulent, unstable and unpredictable times have recurred to challenge U.S. leaders regularly since World War II.”

We do live in a very complex and challenging world, where we see challenges that are known but also many unpredictable challenges. Other leaders of this country, since our first days, have lived in worlds that looked equally as challenging and confusing to them. We are true to our best tradi-

tions if the United States does what Truman so emblematically suggested we should do and we push in a vigorous and creative way all of the diplomatic tools at our disposal, and that involves diplomacy, but it also involves trade and humanitarian assistance. The United States is one of the most generous nations in the world.

The strength of our moral example is something that stands as so important. If you live in a nation where journalists are being put in jail, the U.S. freedom of the press stands as a moral example. If you live in a nation where people are prosecuted because of their sexual orientation, the United States stands as a great moral example. We are not exemplary in everything. We have room to improve in everything, but we are exemplary in so many things. People around the world still look at us, and that is in fact a diplomatic area of importance. Let's be exemplary and stand for the principles we expose.

Finally, I will say this. So many of the challenges we are facing now are challenges that at the end of the day are about diplomatic solutions. In the Armed Services or the Foreign Relations Committees, we are often talking about the vexing conundrum and humanitarian disaster in Syria, but at the end of the day we hear it has to be about a political solution to the civil war. There has to be a political solution to the conflict in Yemen. There has to be a political solution to the decades-long conflict between the Taliban and the Afghanistan Government. To find a political solution, you have to have strong diplomacy. Military action will not be enough to forge a political consensus moving forward.

Ultimately, this was the message of what Harry Truman did 70 years ago. This strong wartime President, who made some of the toughest decisions that have ever been made by anybody in the Oval Office, recognized that America was a great nation because when push came to shove, we would prefer, push, and advocate for diplomacy first knowing that we would be militarily strong if we needed to be. It is my hope that we in Congress will take a lesson from that anniversary and continue to pursue that same path.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, what is the pending business?

The PRESIDING OFFICER. We are in a period of morning business.

Ms. COLLINS. Madam President, I ask unanimous consent that I be permitted to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CYBERSECURITY INFORMATION SHARING BILL

Ms. COLLINS. Madam President, I rise to speak in favor of the Cybersecu-

rity Information Sharing Act of 2015, and I urge my colleagues to support this much needed legislation. Nearly 3 months ago, the Senate was unable to find a path forward to adopt this important bill. Let's look at what has happened since the time that the Senate refused to proceed.

The fact is that our country has continued to endure a wave of damaging and expensive cyber attacks. These incidents include the first major hack of Apple's popular App Store, the compromise of 15 million T-Mobile users due to a breach at Experian, and the exposure of data of up to 8,000 Army families due to improper procedures followed by the General Services Administration. For the Army families who were affected, this sensitive information included medical histories, Social Security numbers, and child day care details.

Today, I renew my support for this bill in light of the continuing state of cyber insecurity that affects information held in the public and private sectors.

Passing the Cybersecurity Information Sharing Act would make it easier for public and private sector entities to share cyber threat information and vulnerabilities in order to lessen the theft of trade secrets, intellectual property, and national security information, as well as the compromise of sensitive personal information. It would eliminate some of the legal and economic barriers impeding voluntary two-way information sharing between private industry and government. It is a modest but essential first step to protect networks and their information.

This bill would not in any way compromise our personal information. Its purpose is to help safeguard our personal information that breach after breach, cyber attack after cyber attack has proven to be vulnerable.

While this bill promotes appropriate information sharing between the government and the private sector—a good first step, as I have indicated—it unfortunately does little in its original form to harden the protection of Federal networks or to guard the critical infrastructure we rely upon every day. Thus, I have filed two amendments to further strengthen our Nation's cyber security.

The first amendment is directed at improving the security of sensitive personal data that is stored on networks of Federal civilian agencies. The insecurity of Federal databases and networks has been evident for years. Inspectors general reports have warned of it. Yet, by and large, those calls for action have not been heeded by Federal agencies, and certainly the weaknesses in our Federal agencies' security systems are underscored by recent breaches and intrusions.

In June, more than 20 million—20 million—current, former, and retired

Federal employees learned that their personal data was stolen from the poorly secured databases of the Office of Personnel Management. Since that time, we have learned that the personal emails of the Director of the CIA have been hacked. We have learned from the State Department's inspector general that the State Department is "among the worst agencies in the Federal Government at protecting its computer networks." This substandard performance at the Department of State continued even as an adversary nation breached the Department's email system last year. According to the IG, compliance with Federal information security standards remains "substandard" at the State Department.

I know from my many years of service on the committee on homeland security, where we worked on cyber security issues for literally a decade, producing legislation in 2010 and 2011 that unfortunately was not approved by this body, that this problem is long standing and it is only growing worse. We ignore it at our peril.

This appalling performance in so many agencies and departments led to my introducing bipartisan legislation with my colleague from Virginia, Senator WARNER, as well as Senator MIKULSKI, Senator COATS, Senator AYOTTE, and Senator MCCASKILL, to strengthen the security of the networks of Federal civilian agencies.

Our bill has five elements, but the most important provision would grant the Department of Homeland Security the authority to issue binding operational directives to Federal agencies to respond in the face of substantial breaches or to take action in the face of an imminent threat to a Federal network. Although the Secretary of Homeland Security is tasked with a very similar responsibility to protect Federal civilian networks, he has far less authority to accomplish this responsibility than does the Director of the National Security Agency for the dot-mil networks. We can no longer ignore the damaging consequences of failing to address these issues.

Our amendment would fortify Federal computer networks from cyber threats in many ways. The key elements, I am pleased to say, in our bill were incorporated into an amendment that has been filed by Senator CARPER, along with the chairman of the Homeland Security and Governmental Affairs Committee, Senator JOHNSON, and Senator WARNER, my chief cosponsor of the bill we introduced, and, of course, myself.

Our amendment has been included in the managers' substitute amendment, and I wish to thank Chairman BURR and Vice Chairman FEINSTEIN for their willingness to include these much needed provisions to boost the security of the networks at Federal civilian agencies.

Just think of the kind of data that civilian agencies have in the Federal Government. Whether we are talking about the Social Security Administration, the Medicare agency, the IRS, the VA or the Department of Defense, it is evident that millions of Americans—indeed, most Americans—have personal data, sensitive data, such as Social Security numbers, that are stored in these networks of Federal civilian agencies, and we have an obligation to protect as best we can that data.

I have also filed another amendment to the cyber bill, amendment No. 2623, that is aimed at protecting our country's most vital critical infrastructure from cyber attack. This bipartisan amendment was cosponsored by Senator COATS, Senator WARNER, and Senator HIRONO.

The livelihood and well-being of almost every American depend upon critical infrastructure that includes the electricity that powers our communities, the national air transportation system that moves passengers and cargo safely from one location to another, and the elements of the financial sector that ensure the \$14 trillion of payments made every day are securely routed through the banking system. Those are just some examples of critical infrastructure. There are obviously many more.

Our amendment would have created a second tier of mandatory reporting to the government for the fewer than 65 entities identified by the Department of Homeland Security where damage caused by a single cyber attack would likely result in catastrophic harm in the form of more than \$50 billion in economic damage, 2,500 fatalities or a severe degradation of our national security. In other words, only cyber attacks that could cause catastrophic results would fall under this reporting requirement.

For 99 percent of businesses, the voluntary information sharing framework established in the bill before us would be enough, and the decision on whether or not to share cyber threat information should rightfully be left up to them. A second tier of reporting is necessary, however, to protect the critical infrastructure that is vital to the safety, health, and economic well-being of the American people.

Under our amendment, the owners and operators of the country's most critical infrastructure would report significant cyber attacks just as incidents of communicable disease outbreaks must be reported to public health authorities and to the Centers for Disease Control and Prevention.

Think about the situations we have here. Does it make sense that we require one case of measles to be reported to a Federal Government agency but not a cyber attack that could result in the death of more than 2,500 people? How does that make sense?

The threats to our critical infrastructure are not hypothetical. They are already occurring and increasing in frequency and severity. At a recent Armed Services Committee hearing on cyber security, Senator DONNELLY asked the Director of National Intelligence, Jim Clapper, what the No. 1 cyber challenge was that he was most concerned about. Director Clapper testified that, obviously, it was a large-scale cyber attack against the United States infrastructure.

In light of this No. 1 threat, how protected is our country? Well, I have posed that very question to the Director of the NSA, Admiral Mike Rogers. His answer, on a scale of 1 to 10, was that we are at about a 5 or 6. That is a failing grade when it comes to protecting critical infrastructure, no matter what curve we are grading on.

Although I am very disappointed that the Senate will not consider the original amendment I filed, I do want to acknowledge that Chairman BURR and Vice Chairman FEINSTEIN have worked closely with me on a compromise to begin to address the issue of cyber security risks that present such significant security threats to our critical infrastructure, and I am grateful for their acknowledging that this is a problem that deserves our attention.

This new amendment, which is section 407 of the managers' amendment, requires the DHS Secretary to conduct an assessment of the fewer than 65 critical infrastructure entities at greatest risk and develop a strategy to mitigate the risks of a catastrophic cyber attack. Let me stress two things. We are only talking about fewer than 65 entities that have already been designated by the Department of Homeland Security as critical infrastructure where a catastrophic cyber attack would cause terrible consequences.

Second, let me again describe what we mean by a catastrophic attack. It means a single cyber attack that would likely result in \$50 billion in economic damage, 2,500 Americans dying or a severe degradation of our national security. We are talking about significant consequences that would be catastrophic for this country—consequences we cannot and should not ignore.

There are plenty of cyber threats that cannot be discussed in public because they are classified—I know that as a member of the Senate Intelligence Committee—but in light of the cyber threat to critical infrastructure described by Admiral Rogers and Director of National Intelligence Clapper in open testimony before the Congress, the bare minimum we ought to do is to ask to require DHS and the appropriate Federal agencies to describe to us what more could be done to prevent a catastrophic cyber attack on our critical infrastructure.

One or two years from now, I don't want us to be standing here after a

cyber 9/11 chastising ourselves, saying: Why didn't we do more to confront an obvious and serious threat to our critical infrastructure?

By including these two provisions in the managers' substitute amendment, we are strengthening the protections for Federal civilian agencies and beginning—not going nearly as far as I would like but beginning the vital task of protecting our critical infrastructure. We will be strengthening the cyber defenses of our Nation.

I urge my colleagues to support the managers' amendment and the underlying bill. By passing this long-overdue legislation, we will begin the long-overdue work of securing our economic and national security and our personal information for generations to come.

Thank you, Madam President.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAKATA AIRBAG RECALL

Mr. NELSON. Madam President, I rise today to speak about the Takata airbag recall and the continued need for urgency in this area.

Last week the National Highway Traffic Safety Administration announced that they currently had—this figure will blow your mind—19 million vehicles and 23 million airbags under recall. So far, the completion rates for this recall are not very good. There is a national completion rate of some 22 percent, and for States such as Florida where there is high heat and humidity—that is suspected as part of the reason the components break down—the completion rate is just under 30 percent, meaning that people are not taking their cars in to fix the problem that caused the recall in the first place.

Takata started running ads through the print media and social media, and Honda is running ads to get consumers to a dealer to replace their defective airbags. I am also aware that to boost replacement inflators, three other airbag manufacturers are helping to manufacture them.

So this Senator wants to take this opportunity to state that wherever this message can be delivered to consumers, you better take your car if it is under recall and get it in to the dealer in order to get a replacement airbag; otherwise, you are walking around with, in effect, a grenade in the middle of your steering wheel or dashboard.

Madam President, I ask unanimous consent to show a number of items in

the Senate to illustrate what I am talking about with the airbags.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. To Members of the Senate, this is a deflated airbag that has already exploded. If you can see, this part is the center of the steering wheel. In this case, this happens to be a Honda; here is the letter "h." This would be sitting right in front of you in the steering wheel. When you have an accident, if it is of sufficient impact, it is going to cause the airbag to inflate. This is designed as a lifesaver. This explosive device inside the airbag, and the gas compound in there is ammonium nitrate. If it is defective, when the explosion occurs, the hot gases that are released from the compound come out through these little holes around the side, and that inflates the airbag. But what has happened and has caused almost 20 million cars to be recalled is that the hot gases are exploding in this device with such force that it is causing the metal to break and come out in the inflated bag with such force, tearing through the bag, as this particular bag shows—it has a big hole in it. Here is the hole where the metal came out. It is like a grenade exploding in front of you, in your steering wheel, with shrapnel going into the people who are driving or who are in the passenger seat with the dashboard airbag. We are finding out now that a few months ago there was the explosion of side airbags in some of the cars, in the doors. Lo and behold, that is throwing out shrapnel as well.

I want to show the Senate what it is like when these inflators explode. This is an inflator that was inside the device I just showed you. This photograph is a blowup by the Battelle Institute for the National Highway Traffic Safety Administration. This is a blown-up photograph of the inflator starting to inflate. What it is supposed to do is shoot the gases out here, which inflates the bag I showed you, but look what has happened. It is being ruptured in the side, throwing out metal. This is what it looks like under very fast photography. Metal fragments are coming out when it should have been just gas coming out to inflate the bag.

This is what one of those pieces of metal looks like. It is a shard of metal that is part of the inflator. Can you imagine that hitting you in the neck? Well, that is what happened to one of my citizens in Florida, in the Orlando area. She ran into a fender bender in an intersection at a traffic light. Lo and behold, when the police got there, they found her slumped over the wheel, and they thought it was a homicide because her neck was slashed. They found out that what happened was a piece of metal like this had lacerated her neck and cut her jugular vein.

Another one of my constituents, a fireman—a big, hulking guy, the kind

who will pick you up, if you are disabled and in a house that is burning down, and carry you out safely to save you—well, he won't be a fireman anymore because one of those metal fragments hit him in the eye and he is blind in one eye.

Those are just two incidents of scores across the country, of which there have been a handful of deaths.

If a jagged piece of metal can cause severe injury because it is coming at you at high speed, don't you think that if you have one of these vehicles that are under recall, you had better get it to the dealer to have it replaced?

Check to see if your car is under recall because sometimes people don't get it in the mail or they don't open the mail. Go to www.safercar.gov and put in your car's vehicle identification number—the VIN number—and then you will see if your car is on a recall list.

Those that are on the recall list that I mentioned earlier unfortunately may not be the last to be recalled. The New York Times just reported that a study commissioned by Takata with Penn State University shows larger issues with the use of ammonium nitrate in the airbag inflators. In addition, there was another incident just this past June where a Takata side airbag ruptured in a relatively new 2015 Volkswagen. And just a week ago, General Motors recalled vehicles that also had defective Takata side airbags. It raises the question, are any of the Takata inflators safe?

Last week Senator THUNE and I sent a letter to Takata asking for additional documents and information regarding these side airbags. We also asked more questions about the use of ammonium nitrate. Also, the National Highway Traffic Safety Administration announced that it may expand its recall to all the model year vehicles with Takata airbags.

NHTSA must use all of its tools under the law to maximize consumer protection. These potential hand grenades, stored in the steering wheel or dashboard, must get off the road. The American driving public cannot afford any more wasted time.

Don't we think these corporations that are causing this outrageous situation that has killed seven people in the United States and severely injured dozens more—don't we think that they ought to be held accountable? If executives at Takata knew about their defective products, if they knew that and did nothing, or worse, if they covered it up, then they ought to go to jail. Not another fine, not another settlement, somebody ought to be going to jail. Lying about a danger of this magnitude is a criminal act.

We have a crisis of consumer confidence in the vehicle-safety area. Certainly that has been demonstrated with these Takata airbags.

What about General Motors' misinformation, lack of information, and outright deception about the defective ignition switches? And now what about Volkswagen's deliberate efforts to lie about—and to cover up—emissions from its diesel vehicles?

A few weeks ago I sent a letter to Chairwoman Edith Ramirez of the Federal Trade Commission, asking them to crack down on Volkswagen's unfair and deceptive practices in connection with its "clean diesel" vehicle claims, and today I received a response. The Chairwoman of that Commission told me they are investigating the claims against Volkswagen, along with the Department of Justice and the Environmental Protection Agency. In her response she said: "No reasonable consumer would knowingly purchase a vehicle that he or she could not legally drive."

I agree. Don't we all agree? So it is time to get tough and to hold these folks and these corporations accountable.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TESTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CYBERSECURITY INFORMATION SHARING BILL

Mr. TESTER. Madam President, today I rise as a staunch supporter of every American's right to privacy. I rise because, like many Montanans, I have grave concerns about whether my personal information gets handed over to the government.

As the Senate debates the Cybersecurity Information Sharing Act, I start by acknowledging the inherent conflict between the right to privacy and national security. Some folks want to pretend this conflict doesn't exist, but it does. Ask yourself this: How do we stop cyber terrorists from crashing our networks, stealing our personal information, and throwing our entire economy into a tailspin—an economy that is dependent on technology? How do we do this without violating your right to privacy and mine? How do we do this without giving the Federal Government far-reaching authority to share the personal information of law-abiding citizens?

These are tough questions that require thoughtful answers, and I do believe we can answer them. I do believe we can strike a balance that protects our right to privacy and protects our Nation from threats. That is why I want to offer my support for a couple of amendments sponsored by colleagues from both sides of the aisle.

The first amendment, from Senators FLAKE and FRANKEN, provides the necessary 6-year sunset for this legislation. That means that in 6 years Congress would be forced to have another conversation about how we ensure every American's right to privacy while also ensuring our national security. These conversations are incredibly important, and we should revisit them often. We should revisit them often because we know that a government unchecked is dangerous. In a world where technology changes faster than our laws, we cannot and must not give corporations and the Federal Government unbridled authority for generations to come.

We already know that several Federal agencies have engaged in invasive surveillance of law-abiding Americans. They have utilized intrusive monitoring techniques—tracking our phone calls, listening to our conversations, gathering storehouses of personal information. They have done this in the name of the PATRIOT Act, one of the worst pieces of legislation ever to come out of this body. It took a long time for those agencies to own up to the fact that certain operations were far bigger in scope than what they had led Congress or the American public to believe.

The best thing we can do to try to prevent a repeat of those mistakes is to pass the amendment offered by my good friend Senator WYDEN. This amendment would improve cyber security and better protect privacy by reducing the amount of unnecessary personal information that would be shared about a possible cyber security threat. It seems like common sense to me, and I certainly appreciate Senator WYDEN championing this issue.

As Members of Congress we all took an oath to the people of this Nation to protect them from enemies both foreign and domestic, and we should not give up our ability to check and balance this administration or for that matter the next one. That is why the Flake-Franken amendment and the Wyden amendment are so critical, and I urge my colleagues to support them when they come to the floor.

With that, Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, I ask unanimous consent to be recognized for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION REAUTHORIZATION BILL

Mr. INHOFE. Madam President, I came back today and had really good news over the weekend. I think a lot of people have gotten together on both sides, in the House and the Senate, to do what we are supposed to be doing.

I often refer to that old instrument called the Constitution, which says there are two main things we are supposed to be doing here: One is defending America, and the other is building roads and bridges. That is what we are supposed to be doing.

The Presiding Officer has heard me say before that my top priority as chairman of the Environment and Public Works Committee is, and continues to be, passing a long-term highway reauthorization bill. The last one we passed was in 2005. I was proud to be the author of it at that time. It expired in 2009. Since that time, we have not had anything except short-term extensions. I have to remind my conservative friends, because I am a conservative, that the conservative position is to have a long-term reauthorization bill, because the short-term costs about 30 percent off the top. As a result, the industry stakeholders and local government leaders have lost faith in Congress's ability to provide funding certainty to maintain and advance our surface transportation and infrastructure. Ranking Member BARBARA BOXER and I have been fighting for a long period of time to change this and reverse the trend of wasteful short-term patches.

On June 24, our committee—and this is very unusual for this to happen. Our committee unanimously voted to advance to the Senate the DRIVE Act, which is a 6-year reauthorization bill. In July, the Senate gave strong bipartisan support by a vote of 65 to 34, a 2-to-1 majority. Again, this is not something that normally happens with a major piece of legislation. It also included contributions from the Senate Commerce Committee and the Senate Banking Committee, so it is not just the Environment and Public Works Committee. Other committees have parts of this legislation also.

The Senate worked hard across party lines to put forward a solution for our Nation's roads and bridges. We ended the summer by passing yet another short-term patch in order to give more time for the House to join our efforts. Unfortunately, we are now 3 days away from facing another cliff and the two Chambers have not yet been able to conference a long-term transportation solution. I just talked to Chairman SHUSTER of the House Transportation and Infrastructure Committee. They marked up a 6-year reauthorization bill just this last Thursday. I am proud to see that both Chambers are on similar pages.

Both bills recognize the need for a national freight program. We approach

it just a little differently, but there is nothing that can't be reconciled in a matter of minutes. Further, environmental streamlining is absolutely necessary. Both bills are doing that. We place a new focus on innovation which provides States with flexibility, as in my State of Oklahoma. When we give flexibility to the States, we get a lot more done. This idea that no good ideas are put to work unless they originate in Washington is just not true. Also, long-term certainty, which we are very much concerned with, is there, and it is now a reality. We are now one step closer to putting America back on the map as a place to do business.

It is my understanding that the House intends to move Chairman SHUSTER's 6-year reauthorization bill through the full House over the next 2 weeks. I just spoke with him a few minutes ago. Unlike in years past, I expect a very short conference period. Because we still face this important process, Congress will need one more extension to get us to the finish line. The finish line should be the 20th of November, and it can be done. When I say a very short conference period, it is because there is very little difference between the House bill and the Senate bill. I have talked to the likely conferees, and they are in accord with the idea that we can do this in a matter of hours, not days. I realize there are a lot of moving discussions on larger deals on the debt limit and budget caps; however, there is agreement that the surface transportation bill can and will move on its own timeline.

The House will move a short-term extension to November 20 this week. The ones I have talked to assure me that is going to happen. I hope the Senate passes it quickly so the House can move the T&I-reported bill on the floor and we can move to a quickly resolved conference. Due to the similarity in both bills, I am confident we can and should have this on the President's desk by Thanksgiving.

If we fail to get this done by November 20, we are going to be faced with two significant hurdles: First, Congress has other pressing deadlines to address in December—to include December 11, when funding of the Federal Government expires, and December 31, when a host of important tax provisions will expire. Another December 31 deadline would be the provisions of the National Defense Authorization Act.

I can remember in years past when we got dangerously close to December 31. One time the Big Four had to take it, and it was not even a product of the committees. I was one of the Big Four. We were able to pass it, but we came so close to December 31, it was scary. Here we are, in the middle of a bunch of wars, and all of a sudden we would have provisions out there—reenlistment bonuses, hazard pay, and things that would expire. Nothing would be

worse than to have our kids in combat facing that.

We are addressing these deadlines that will require Congress's undivided attention. Some of the solutions for these bills could result, I fear, in Members attempting to siphon off the payoffs of the DRIVE Act. That is why this is important.

The second significant hurdle we face is that later this year the highway trust fund will drop to a dangerously low level, as DOT Secretary Foxx has warned. At that point, agencies at the Federal and State level will begin to implement cash management procedures that significantly affect the States' construction seasons. In the majority of the United States, we would lose a construction season in States such as Iowa and in Northern States. Mark my words: A failure by Congress to enact a long-term bill by Thanksgiving will result in a loss of the 2016 construction season. Congress is going to return to its current pattern of short-term extensions. Again, short-term extensions syphon about 30 percent off the top. It is a terrible outcome that should be avoided at all costs. We have the opportunity to do it now. By making industry and States continue to hold their breath and budgets, we rob taxpayers of cost-efficient project planning and continue to stall on launching major economy-boosting projects.

Look at my State of Oklahoma, which lost \$63 million in construction dollars over the last few years as a direct result of inefficiency and contracting uncertainty that comes from short-term extensions. I have used that figure of 30 percent off the top with some of my conservative friends. I said: If you oppose a long-term extension, a long-term reauthorization bill, then you are saying that you want to have the liberal alternative, which is to lose 30 percent off the top.

With a fully funded long-term reauthorization, Oklahoma would actually see a savings of \$122 million and millions more in efficiency savings from long-term commitments and early completion savings from contracts. This is something a lot of people don't realize. The streamline you get—many of the NEPA requirements and the environmental requirements can be offset if you are able to get to a long-term bill. But you can't do it, you can't start any large projects—not any of these big projects—the bridge projects and others you can't do on short-term extensions. We haven't had an authorization bill since 2005, and I believe it is time for Congress to fulfill its constitutional duty to fund our roads and our bridges.

As I said earlier, I am confident that the Senate and House will work together to get this bill to the President's desk within the next few weeks. That is my wish for my counterpart on

the House side, Chairman SHUSTER—the best of luck in moving forward. He is now committed to doing that. He is going to get this done. He kept his word in getting the job done last Thursday, and now he is going to be able to get this bill up so that we can conference it together. I anticipate we can do a conference in a matter of a few hours. It wouldn't take the normal time.

That is good news. It is good news to come back on a Monday and find that we are going to be doing what the Constitution says we ought to be doing, and that is roads and bridges.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF LAWRENCE VILARDO

Mr. SCHUMER. Madam President, I rise to take a moment to congratulate the soon-to-be confirmed district judge for the Western District of New York, Larry Vilardo. He is from the Western District. It could not come too soon, because the Western District has been working without a single sitting Federal judge. That will finally change once Mr. Vilardo has been confirmed. He will now begin to hear cases and tackle the backlog that has been steadily building in the Western District. There are few more qualified to help take on this task than Larry Vilardo. That is because Mr. Vilardo is a classic Buffalonian—hard working, salt of the earth, honest, and grounded. He went to Canisius College and then took a brief detour out of Western New York to attend Harvard Law School and clerk on the Fifth Circuit Court of Appeals in Texas before returning home and becoming one of Buffalo's leading legal lights, practicing at a firm he co-founded.

Buffalo is where he was born, raised, and educated, and where he chose to raise his family. Buffalo is in his bones. They love him in Buffalo. When this vacancy occurred, I heard the voices in Buffalo chanting: Vilardo, Vilardo, Vilardo—not just the legal community but just about the whole community. Like so many other people from the region, the city has made him tough, level-headed, fair, and decent.

As the first in his family to graduate from college, he adds an important element to the socioeconomic diversity of the court. The people of the Western District are incredibly lucky to have Larry Vilardo on the bench. I congratulate Larry Vilardo on this milestone of his career.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Lawrence Joseph Vilardo, of New York, to be United States District Judge for the Western District of New York.

The PRESIDING OFFICER. Under the previous order, there will be up to 30 minutes of debate.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CYBERSECURITY INFORMATION SHARING BILL

Mr. WYDEN. Mr. President, tomorrow we will be turning to the cyber security bill, which the Presiding Officer is familiar with as a member of the committee, and I wish to speak about my amendment No. 2621 to that legislation. I also intend to address the amendments of our colleagues Senator FRANKEN, Senator HELLER, and Senator COONS because I believe all four of these amendments seek to achieve the same goal, and that goal—the goal of all four of these amendments—is to reduce the unnecessary sharing of Americans' private and personal information.

The Senate has had a robust debate on the cyber security bill over the past week, and I think it is fair to say that Senators agree on a fair number of points. For example, the sponsors of the legislation have now acknowledged that the cyber security bill we will shortly vote on would not have prevented sophisticated cyber attacks, such as the Target and Home Depot hacks, and it would not have prevented the theft of millions of personnel records at the Office of Personnel Management.

As for my part, I agree that sharing information about cyber security

threats is generally a constructive idea. If private companies identify samples of malicious code or information that identifies foreign hackers, I would absolutely encourage them to share that information. However, I think companies should also take reasonable steps—and I underline “reasonable steps”—to remove unrelated personal information about their customers before sharing that data with the government. It is important to understand that this legislation simply does not require companies to do that, and Senators can see that for themselves. As Senators can see for themselves, on page 17 of the bill, companies are allowed to conduct only a cursory review of the information they provide and would only be required to remove data that they know is personal information unrelated to cyber security.

When it comes to customers' personal information, the message behind this bill is, when in doubt, hand it over. Once that data is shared—and this is not widely known—the Department of Homeland Security would be required to send it on to a broad range of government agencies, from the NSA to the FBI.

The amendment I have offered to the legislation we will vote on tomorrow would give companies a real responsibility for safeguarding their customers' information. It would say that in order for a company to receive liability protection before a company shares data with the government, it has to make efforts to the extent feasible to remove any personal information that is not necessary to identify or describe a cyber security threat. In my view, that would give this legislation a straightforward standard that could give consumers real confidence that their privacy is actually being protected.

Let me give an example of how this might work in practice. Imagine that a health insurance company finds out that millions of its customers' records have been stolen. If that company has any evidence about who the hackers were or how they stole this information, of course it makes sense to share that information with the government. But the company shouldn't simply say “Well, here you go” and hand millions of its customers' financial and medical records over for distribution to a broad array of government agencies, such as the FBI and the NSA.

The records of the victims of a hack should not be treated the same way information about the hacker is treated. Companies should be required to make reasonable efforts to remove personal information that is not needed for cyber security before they hand that information over to the government. That, in short, is what my amendment seeks to achieve.

The sponsors of the legislation have argued that my amendment would somehow hold companies to an almost

impossible standard. I say respectfully that the language of this amendment is quite measured. Companies are required to remove unrelated personal information and the legislation specifically states “to the extent feasible.” The language certainly doesn't require perfection; it creates a reasonable and flexible approach for companies to make a real effort to remove unrelated personal information about their customers instead of simply performing the sort of cursory review that would be permitted under the current language of the bill.

A quick reading through the list of the pending amendments to the bill will make it clear that I am not the only Member of this body who is concerned about the unnecessary sharing of personal information.

Our colleague from Nevada, Senator HELLER, has a similar amendment that would seek to create a stronger requirement for companies to remove personal information.

Our colleague from Delaware, Senator COONS, has crafted a very constructive amendment that would strengthen the requirement for review by the Department of Homeland Security. His amendment would create a stronger obligation for the Homeland Security Department to filter out unnecessary personal information before passing cyber security data on to other parts of our government.

Senator FRANKEN has drafted a strong amendment that would clarify the bill's definition of “cyber security threat information” to ensure that it focuses on information about real threats.

It is important to remember that reducing unnecessary sharing of personal information will make any information sharing program more effective and easier to focus on the genuine threats involved.

Finally, our colleague from Arizona, Senator FLAKE, has drafted an amendment that would require the Congress to come back and review this information sharing approach after 6 years to evaluate how it has worked in practice and whether privacy protections ought to be strengthened.

I have cited amendments by Democrats and Republicans. The Presiding Officer knows that I feel strongly about working in a bipartisan way whenever I possibly can, and that is why I thought it was important to mention, as we go through these amendments, that all of these amendments I have described have sought to ensure this body would make it clear that cyber security is a very real problem. Cyber security, in terms of tackling it, which involves information sharing, can be very constructive, and we ought to try to find ways to do it. Each of these amendments is designed to make sure that when Americans hear about cyber security legislation—

my colleague and I have discussed it—we don't have millions of Americans walking away and saying: They are sharing all of this unnecessary personal and unrelated information; I guess it is another one of those surveillance kind of bills.

We don't want that here. We want bills that are bipartisan, that deal with very real threats—and certainly cyber security is one of them—but we also want to make sure the rights of innocent people are protected. With these amendments, we do that by ensuring that we have more than a cursory approach to filtering out unrelated and personal information.

So it is my judgment that each of these amendments would be significant improvements to the bill, and I hope my colleagues will support all of them, as well as an amendment by our colleague from Vermont Senator LEAHY that would remove an unnecessary modification of the Freedom of Information Act.

Let me close by saying it is not just Senators—and I have listed both Democrats and Republicans tonight—it is not just Democrats and Republicans in this body who have raised concerns about this bill's inadequate privacy protection; privacy advocacy groups from the American Library Association to the Oregon Technology Institute have come out against the bill. America's leading technology companies—companies that have to have expertise in both cyber security and protecting the data of their customers—have opposed it as well. Companies such as Apple, Dropbox, Twitter, Salesforce, Reddit, and Yelp have all said that they oppose the legislation because it does not include adequate privacy protections. The trade association that represents Google and Amazon, Facebook, Microsoft, Yahoo!, Netflix, eBay, and PayPal said: "CISA's prescribed mechanism for sharing of cyber threat information does not sufficiently protect users' privacy."

Now, reflect if we might for a minute on what that means. These are America's leading technology companies. They advantage America because they are the envy of the world for their innovation and their way of serving customers and businesses not just in this country but around the world. These companies have millions and millions of customers and have spoken out publicly against the bill, in its current form, before these amendments are considered. They sure know a lot about the importance of protecting both cyber security and individual privacy. The reason I say that is they have to manage that challenge each and every day.

Customer confidence is the lifeblood of these companies, and the only way to ensure customer confidence is to convince customers that if they use a product, their information is going to

be protected from both malicious hackers and from unnecessary collection by our government.

Last Thursday, a coalition of America's leading consumer groups basically joined those major technology companies in announcing their opposition to the bill. They endorsed the pending consumer privacy amendments, including the amendment I will offer, No. 2621.

In conclusion, I hope colleagues will listen to what these technology groups and companies have said, and I hope our colleagues will support the amendments that I and others, both Democrats and Republicans, will be offering tomorrow. Let's work together to produce a bill that does a better job of dealing with both real cyber threats and the liberties of the American people.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, today, we will vote on the nomination of Lawrence Wilardo to be a Federal district judge in the Western District of New York in Buffalo. He was first nominated in February, and his nomination was voted out of the Judiciary Committee by unanimous voice vote over 5 months ago on May 6. There is no reason why this highly qualified nominee should have waited so long for a vote. Despite having one of the busiest caseloads in the country, with more criminal cases than Washington, DC, Boston, or Cleveland, there is not a single active Federal judge in that district. The court has been staying afloat only through the voluntary efforts of two judges on senior status who are hearing cases in their retirement. It is about time that we confirmed Mr. Wilardo to this vacancy.

Next week marks the 11th month that Republicans have been in the majority in the Senate. During that time, only nine judicial nominees have been confirmed. When Senate Democrats were in the majority during the last 2 years of the Bush Presidency, we had already confirmed 34 judges by this same time. The glacial pace at which Republicans are currently confirming judicial nominees is an inexcusable failure to carry out the Senate's constitutional duty of providing advice and consent. It also has real and dire consequences for hard-working Americans who seek justice but instead encounter lengthy delays in the Federal court system due to empty courthouses and overburdened courts. We can and should take action right now to allevi-

ate this problem by holding confirmation votes on the rest of the 13 judicial nominees pending on the floor. A number of these pending nominees have the support of their Republican home State Senators; yet they continue to languish on the calendar without a vote.

If Republican obstruction continues and if home State Senators cannot persuade the majority leader to schedule a vote for their nominees soon, then it is unlikely that even highly qualified nominees with Republican support will be confirmed by the end of the year. These are nominees that members of the majority leader's own party want confirmed, including those from Tennessee and Pennsylvania. And last week, we had a hearing for two Iowa nominees, who I expect to be reported out of the Judiciary Committee soon as well. None of these nominees are likely to be confirmed by the end of the year if Senate Republicans continue at this historically slow pace.

No Senator has raised any objections to the judicial nominees pending on the floor. Every single one was reported out of the Judiciary Committee by unanimous voice vote. Each has the backing of their home State Senators, including Republican Senators. These nominees are outstanding, accomplished legal professionals who are ready to serve in our justice system. They have devoted time away from work and their families to go through the rigorous nominations process. More than half of the pending Federal district and circuit court nominees would fill vacancies deemed to be "judicial emergencies" by the nonpartisan Administrative Office of the U.S. Courts. Instead of working to ensure that all Americans have access to our Federal courts, Senate Republicans continue to obstruct President Obama's judicial nominees in a misguided effort to score political points against the President.

The number of empty judgeships has increased by more than 50 percent since Republicans took over the majority. Their obstruction is reversing the hard-earned progress Senate Democrats made last Congress to drastically reduce the number of judicial vacancies. Making matters worse, the number of "judicial emergency" vacancies since Senate Republicans took the majority has risen by 158 percent. These vacancies impact communities across America, and it is doing the most harm to States with at least one Republican Senator. Of the 66 current vacancies that exist, 49 of them—or more than 70 percent—are in States with at least one Republican Senator.

One of those vacancies is an emergency vacancy on the U.S. Court of Appeals for the Third Circuit in Pennsylvania. Judge Luis Felipe Restrepo is nominated to fill the vacancy, and he has strong bipartisan support from his home State Senators, Senator TOOMEY and Senator CASEY. At Judge

Restrepo's hearing, Senator TOOMEY stated that "there is no question [Judge Restrepo] is a very well qualified candidate to serve on the Third Circuit" and underscored the fact that he recommended that the President nominate Judge Restrepo. Once confirmed, Judge Restrepo will be the first Hispanic judge from Pennsylvania to ever serve on this court and only the second Hispanic judge to serve on the Third Circuit.

There is absolutely no reason to delay a vote on Judge Restrepo's confirmation; yet his nomination has been pending on the floor for over 3 months. Since he was first nominated, Judge Restrepo's nomination has been pending for a staggering 348 days. The national president for the Hispanic National Bar Association, which strongly supports Judge Restrepo's nomination, wrote last week in the *Huffington Post* about the inexcusable delay in his confirmation. I ask unanimous consent that a copy of this article be printed in the *RECORD* at the conclusion of my remarks.

Contrast Senate Republican's treatment of Judge Restrepo with President Bush's nominee to the third circuit, Judge Thomas Hardiman, who was nominated in the last 2 years of the Bush Presidency. Judge Hardiman was confirmed in nearly half the time Judge Restrepo has been waiting, taking only 183 days from nomination to his confirmation. Furthermore, it took only 7 days for Judge Hardiman to receive a confirmation vote once he was reported out of the Senate Judiciary Committee. Judge Restrepo has been pending on the floor for 109 days—15 times longer than Judge Hardiman. I hope the Republican Senator from Pennsylvania will implore his leadership to bring this highly qualified nominee up for a vote without further delay. Let us then turn to votes on the rest of the 12 pending judicial nominees without further delay.

Shortly we will begin voting on Lawrence Vilardo to fill a judicial vacancy in the Federal District Court for the Western District of New York. Since 1986, he has practiced as a named partner at the law firm of Connors & Vilardo, L.L.P., in Buffalo, NY. He previously practiced at Damon & Morey, in Buffalo, NY, from 1981 to 1986. The ABA standing committee on the Federal Judiciary unanimously rated Mr. Vilardo "well qualified" to serve on the U.S. District Court for the Western District of New York, its highest rating. He has the support of his two home State Senators, Senator SCHUMER and Senator GILLIBRAND. He was voted out of the Judiciary Committee by unanimous voice vote on May 6, 2015. I will vote to support his nomination.

There being no objection, the material was ordered to be printed in the *RECORD*, as follows:

[From the *Huffington Post*, Oct. 21, 2015]
THE CURRENT SENATE GRIDLOCK IS HURTING
THE DIVERSITY OF OUR JUSTICE SYSTEM
(By Robert T. Maldonado)

Born in Medellin, Colombia and raised in the United States, Judge L. Felipe Restrepo's life reads like a textbook case of the American Dream. With a bachelor's from the University of Pennsylvania and a law degree from Tulane, he set off on a successful career in criminal defense and civil rights litigation, eventually serving as a magistrate judge for 7 years.

But Judge Restrepo's story of immigrant success seems to be on hold for the moment. That's because he's been waiting since November 2014, when President Barack Obama appointed him to serve on the Third Circuit Court of Appeals, to be confirmed as an appeals court judge.

After a thorough due diligence process, the Hispanic National Bar Association (HNBA) endorsed Judge Restrepo in March 2015, but we didn't stop there. When we saw the lack of progress on his nomination, the HNBA successfully pushed for the Senate Judiciary Committee to hold his nomination hearing, and continues to push for a confirmation vote on the floor of the Senate.

Unfortunately, Judge Restrepo's predicament isn't unique. Two other HNBA-endorsed judicial candidates are stuck in the political gridlock, and a total of 30 judicial nominees (two-thirds of them women or minorities) await Senate confirmation with little idea of when that will happen. According to the judicial watchdog group Alliance for Justice, the Senate has confirmed only 8 judges in 2015, the slowest pace in over 60 years. Almost half of the vacancies on the federal bench have been declared "judicial emergencies," where the remaining judges are overworked trying to make a dent into the backlog of cases, sometimes in excess of 600 filings per judge.

The backlogs are having a real effect on the people and businesses seeking recourse through the court system. As one California district court judge put it:

"Over the years I've received several letters from people indicating, 'Even if I win this case now, my business has failed because of the delay. How is this justice?' And the simple answer, which I cannot give them, is this: It is not justice. We know it."

Our state of justice is suffering and so is our economy. The states where the backlogs and vacancies are the worst (including Texas, New York, and Florida) happen to be where large Latino communities reside. Given that President Obama has nominated more female and minority candidates to the federal bench than any other President, the delay in judicial confirmations is also a delay in increased diversity, and thus the quality of justice, in our nation's court system.

This manufactured crisis is the doing of Senate leaders who prefer to score political points rather than fulfill their constitutional obligations. Those same political leaders need to know that by dragging their feet on these nominations they are not only hurting the nominees but also the integrity and diversity of our federal court system. Nominees like Judge Restrepo have entire communities backing them in their professional journeys, and come election time, they won't hesitate to register their disapproval.

For their sake and the sake of our justice system, let's end this judicial vacancy crisis.

Mr. MCCAIN. Mr. President, I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Vilardo nomination?

Mr. MCCAIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Tennessee (Mr. CORKER), the Senator from Arkansas (Mr. COTTON), the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. MARKEY) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mrs. ERNST). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 0, as follows:

[Rollcall Vote No. 284 Ex.]

YEAS—88

Alexander	Franken	Murray
Ayotte	Gardner	Nelson
Baldwin	Gillibrand	Perdue
Barrasso	Grassley	Peters
Bennet	Hatch	Portman
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Reid
Boozman	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rounds
Burr	Inhofe	Sasse
Cantwell	Isakson	Schatz
Capito	Johnson	Schumer
Cardin	Kaine	Scott
Carper	King	Sessions
Casey	Kirk	Shaheen
Cassidy	Klobuchar	Shelby
Coats	Lankford	Stabenow
Cochran	Leahy	Sullivan
Collins	Lee	Tester
Coons	Manchin	Thune
Cornyn	McCain	Tillis
Daines	McCaskill	Udall
Donnelly	McConnell	Warner
Durbin	Menendez	Warren
Enzi	Merkley	Whitehouse
Ernst	Mikulski	Wicker
Feinstein	Moran	Wyden
Fischer	Murkowski	
Flake	Murphy	

NOT VOTING—12

Blunt	Cruz	Rubio
Corker	Graham	Sanders
Cotton	Markley	Toomey
Crapo	Paul	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

TRIBUTE TO LYNNE MOORE HEALY

• Mr. BLUMENTHAL. Madam President, I would like to pay tribute to one of my constituents, who has recently retired from her position as a board of trustees distinguished professor at the University of Connecticut School of Social Work. Dr. Healy has served as a professor for over 30 exemplary years, preparing new generations of social workers for service in an increasingly diverse and global world.

Professor Lynne Healy has been an outstanding pioneer in the field of international social work, making significant contributions with her publications and work in the classroom. Dr. Healy was instrumental in establishing the University's Center for International Social Work studies over 20 years ago. The center helps social workers develop a global perspective on human rights, human needs, social policy, and social work practice. These efforts have had a role in the overall establishment of this department as a nationally recognized faculty of experts.

We should all aspire to build such a prolific and inspirational legacy as Professor Lynne Healy. My wife, Cynthia, and I are honored to celebrate Dr. Healy's achievements, and we wish her all the best as she begins the next chapter of her life. I know that many across the State of Connecticut will join me in congratulating her on this laudable occasion. •

MESSAGE FROM THE HOUSE
RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on October 22, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

S. 1362. An act to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

S. 2162. An act to establish a 10-year term for the service of the Librarian of Congress.

H.R. 322. An act to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the "Sgt. Zachary M. Fisher Post Office".

H.R. 323. An act to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the "Sgt. Amanda N. Pinson Post Office".

H.R. 324. An act to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the "Lt. Daniel P. Riordan Post Office".

H.R. 558. An act to designate the facility of the United States Postal Service located at 55 South Pioneer Boulevard in Springboro, Ohio, as the "Richard 'Dick' Chenault Post Office Building".

H.R. 1442. An act to designate the facility of the United States Postal Service located at 90 Cornell Street in Kingston, New York, as the "Staff Sergeant Robert H. Dietz Post Office Building".

H.R. 1884. An act to designate the facility of the United States Postal Service located at 206 West Commercial Street in East Rochester, New York, as the "Officer Daryl R. Pierson Memorial Post Office Building".

H.R. 3059. An act to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the "James Robert Kalsu Post Office Building".

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 774. An act to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 3:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1937. An act to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to the United States economic and national security and manufacturing competitiveness.

ENROLLED BILLS SIGNED

The President pro tempore (Mr. HATCH) announced that on today, October 26, 2015, he has signed the following enrolled bills, previously signed by the Speaker of the House:

S. 1362. An act to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

S. 2162. An act to establish a 10-year term for the service of the Librarian of Congress.

H.R. 322. An act to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the "Sgt. Zachary M. Fisher Post Office".

H.R. 323. An act to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the "Sgt. Amanda N. Pinson Post Office".

H.R. 324. An act to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the "Lt. Daniel P. Riordan Post Office".

H.R. 1442. An act to designate the facility of the United States Postal Service located at 90 Cornell Street in Kingston, New York, as the "Staff Sergeant Robert H. Dietz Post Office Building".

H.R. 1884. An act to designate the facility of the United States Postal Service located at 206 West Commercial Street in East Rochester, New York, as the "Officer Daryl R. Pierson Memorial Post Office Building".

H.R. 3059. An act to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the James Robert Kalsu Post Office Building.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1937. An act to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE
CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2200. A bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

EXECUTIVE AND OTHER
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3275. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyrimethanil; Pesticide Tolerances" (FRL No. 9935-11) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3276. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Potassium Salts of Hops Beta acids; Exemption from the Requirement of a Tolerance" (FRL No. 9933-73) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3277. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Poly[oxy(methyl-1,2-ethanediyl)], a-[(9Z)-1-oxo-9-octadecen-1-yl]-w-[(9Z)-1-oxo-9-octadecen-1-yl]oxy-; Exemption from the Requirement of a Tolerance" (FRL No. 9935-34) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3278. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Noncompetitive Non-formula Federal Assistance Programs—Specific Administrative Provisions for the Food Insecurity Nutrition Incentive Grants Program" (RIN0524-AA65) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3279. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Repeal of the Exempt Commercial Market and Exempt Board of Trade Exemptions" (RIN3038-AE10) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3280. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-3281. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled "Report to Congress on Distribution of Department of Defense Depot Maintenance Workloads for Fiscal Years 2014 through 2016"; to the Committee on Armed Services.

EC-3282. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to narcotics traffickers centered in Colombia that was declared in Executive Order 12978; to the Committee on Banking, Housing, and Urban Affairs.

EC-3283. A communication from the Associate General Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Housing Choice Voucher Program: Streamlining the Portability Process" (RIN2577-AC86) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3284. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2015-0001)) received in the Office of the President of the Senate on October 21, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3285. A communication from the Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Alaska; Hunting and Trapping in National Preserves" (RIN1024-AE21) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Energy and Natural Resources.

EC-3286. A communication from the Assistant Secretary for Insular Affairs, Department of the Interior, transmitting proposed legislation; to the Committee on Energy and Natural Resources.

EC-3287. A communication from the Assistant Secretary for Insular Affairs, Depart-

ment of the Interior, transmitting proposed legislation; to the Committee on Energy and Natural Resources.

EC-3288. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Governmentwide Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" ((RIN2030-AA99) (FRL No. 9926-01-OARM)) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC-3289. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ocean Dumping: Expansion of an Ocean Dredged Material Disposal Site Offshore of Jacksonville, Florida" (FRL No. 9934-57-Region 4) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC-3290. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing" ((RIN2060-AP69) (FRL No. 9933-13-OAR)) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC-3291. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Greenhouse Gas Reporting Rule: 2015 Revisions and Confidentiality Determinations for Petroleum and Natural Gas Systems" ((RIN2060-AS37) (FRL No. 9935-50-OAR)) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC-3292. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category" ((RIN2040-AF14) (FRL No. 9930-48-OW)) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC-3293. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Oregon; Lane Regional Air Protection Agency Open Burning Rules and Oregon Department of Environmental Quality Enforcement Procedures" (FRL No. 9935-48-Region 10) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC-3294. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Infrastructure for the 2010 Sulfur Dioxide National Ambient Air Quality Standards" (FRL No. 9935-44-Region 6) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC-3295. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; MI; Infrastructure SIP Requirements for the 2008 Ozone, 2010 NO₂, 2010 SO₂, and 2012 PM_{2.5} NAAQS" (FRL No. 9935-18-Region 5) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC-3296. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Texas: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9936-00-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Environment and Public Works.

EC-3297. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards" ((RIN2060-AQ75) (FRL No. 9935-40-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Environment and Public Works.

EC-3298. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Ambient Air Quality Standards for Ozone" ((RIN2060-AP38) (FRL No. 9933-18-OAR)) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Environment and Public Works.

EC-3299. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Final Frameworks for Late-Season Migratory Bird Hunting Regulations" (RIN1018-BA67) received in the Office of the President of the Senate on October 21, 2015; to the Committee on Environment and Public Works.

EC-3300. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report on the status of the Missouri River Bank Stabilization and Navigation Fish and Wildlife Mitigation Project, Kansas, Missouri, Iowa, and Nebraska; to the Committee on Environment and Public Works.

EC-3301. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "First Report on Section 1115(a) Demonstrations: Transparency in the Review and Approval of Medicaid and Children's Health Insurance Program (CHIP) Section 1115 Demonstrations"; to the Committee on Finance.

EC-3302. A communication from the Lead Regulations Writer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Social Security Number Card Applications" (RIN0960-AG50) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Finance.

EC-3303. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy in the position of Commissioner on Children, Youth, and Families, Department of Health

and Human Services, received in the Office of the President of the Senate on October 19, 2015; to the Committee on Finance.

EC-3304. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-041); to the Committee on Foreign Relations.

EC-3305. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 15-0027); to the Committee on Foreign Relations.

EC-3306. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Infant Formula: Addition of Minimum and Maximum Levels of Selenium to Infant Formula and Related Labeling Requirements; Confirmation of Effective Date" (Docket No. FDA-2013-N-0067) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3307. A communication from the Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled "Apprenticeship Programs; Corrections" (RIN3046-AA72) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3308. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the scientific and clinical status of organ transplantation, 2008-2010; to the Committee on Health, Education, Labor, and Pensions.

EC-3309. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Nurse Corps Loan Repayment and Scholarship Programs Report to Congress for Fiscal Year 2014"; to the Committee on Health, Education, Labor, and Pensions.

EC-3310. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the scientific and clinical status of organ transplantation, 2011-2012; to the Committee on Health, Education, Labor, and Pensions.

EC-3311. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3312. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the Commission's fiscal year 2015 FAIR Act inventory; to the Committee on Homeland Security and Governmental Affairs.

EC-3313. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Criminal Restitution Orders" (5 CFR Part 1653) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3314. A communication from the Assistant Secretary for the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Temporary Agricultural Employment of H-2A Foreign Workers in the Herding or Production of Livestock on the Range in the United States" (RIN1205-AB70) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on the Judiciary.

EC-3315. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "List of Pro Bono Legal Service Providers for Individuals in Immigration Proceedings" (RIN1125-AA62) received in the Office of the President of the Senate on October 19, 2015; to the Committee on the Judiciary.

EC-3316. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Separate Representation for Custody and Bond Proceedings" (RIN1125-AA78) received in the Office of the President of the Senate on October 19, 2015; to the Committee on the Judiciary.

EC-3317. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Southwest Fisheries Science Center Fisheries Research" (RIN0648-BB87) received in the Office of the President of the Senate on October 21, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3318. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Final Rulemaking To Revise Critical Habitat for Hawaiian Monk Seals" (RIN0648-BA81) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-99. A resolution adopted by the Board of Supervisors of the City and County of San Francisco, California, commemorating the 71st anniversary of the Port Chicago disaster and urging the President of the United States and the United States Congress to exonerate the 50 sailors convicted of mutiny in the incident with the designation of Honorable Discharge; to the Committee on Armed Services.

POM-100. A resolution adopted by the Commission of the City of Lauderdale, Florida, condemning the Dominican Republic's impending mass deportation of Haitian immigrants; urging the Dominican Republic to comply with international human rights law, and halt all impending deportations; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2123. A bill to reform sentencing laws and correctional institutions, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SULLIVAN (for himself, Mr. SCHATZ, Mr. THUNE, Mr. NELSON, Ms. CANTWELL, and Mr. GRASSLEY):

S. 2206. A bill to reduce the incidence of sexual harassment and assault at the National Oceanic and Atmospheric Administration, to reauthorize the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MCCONNELL (for himself, Mr. MANCHIN, Mrs. CAPITO, Mr. INHOFE, Mr. BLUNT, Mr. LEE, Mr. CASSIDY, Mr. CRUZ, Mr. BOOZMAN, Mr. HOEVEN, Mr. WICKER, Mr. SCOTT, Mr. CRAPO, Mr. ALEXANDER, Mr. SULLIVAN, Mr. ROUNDS, Mr. ROBERTS, Mr. TILLIS, Mr. THUNE, Mrs. FISCHER, Mr. RUBIO, Mr. COATS, Mr. COTTON, Mr. LANKFORD, Mr. RISCH, Mr. VITTER, Ms. MURKOWSKI, Mr. BARRASSO, Mr. MORAN, Mr. FLAKE, Mr. CORNYN, Mr. JOHNSON, Mr. ISAKSON, Mr. ENZI, Mr. PERDUE, Mr. SESSIONS, Mr. COCHRAN, Mr. PAUL, Mrs. ERNST, Mr. HATCH, Mr. DAINES, Mr. SASSE, Mr. MCCAIN, Mr. SHELBY, Mr. TOOMEY, Mr. GRASSLEY, Mr. GRAHAM, and Mr. CORKER):

S.J. Res. 23. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units"; to the Committee on Environment and Public Works.

By Mrs. CAPITO (for herself, Ms. HEITKAMP, Mr. MCCONNELL, Mr. INHOFE, Mr. BLUNT, Mr. LEE, Mr. CASSIDY, Mr. CRUZ, Mr. BOOZMAN, Mr. HOEVEN, Mr. WICKER, Mr. SCOTT, Mr. CRAPO, Mr. ALEXANDER, Mr. SULLIVAN, Mr. ROUNDS, Mr. ROBERTS, Mr. TILLIS, Mr. THUNE, Mrs. FISCHER, Mr. RUBIO, Mr. COATS, Mr. COTTON, Mr. LANKFORD, Mr. RISCH, Mr. VITTER, Ms. MURKOWSKI, Mr. BARRASSO, Mr. MORAN, Mr. FLAKE, Mr. CORNYN, Mr. MANCHIN, Mr. JOHNSON, Mr. ISAKSON, Mr. ENZI, Mr. PERDUE, Mr. SESSIONS, Mr. COCHRAN, Mr. PAUL, Mrs. ERNST, Mr. HATCH, Mr. DAINES, Mr. SASSE, Mr. MCCAIN, Mr. SHELBY, Mr. TOOMEY, Mr. GRASSLEY, Mr. GRAHAM, and Mr. CORKER):

S.J. Res. 24. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units"; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. JOHNSON (for himself and Ms. BALDWIN):

S. Res. 296. A resolution congratulating Army Reserve Major Lisa Jaster on her graduation from the Army Ranger School; to the Committee on Armed Services.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 297. A resolution congratulating the Minnesota Lynx on their victory in the 2015 Women's National Basketball Association Finals; considered and agreed to.

By Mr. BLUMENTHAL (for himself and Mr. MURPHY):

S. Res. 298. A resolution recognizing Connecticut's Submarine Century, the 100th anniversary of the establishment of Naval Submarine Base New London, and Connecticut's historic role in supporting the undersea capabilities of the United States; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 28

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 28, a bill to limit the use of cluster munitions.

S. 352

At the request of Ms. AYOTTE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 352, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 613

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 885

At the request of Ms. WARREN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 885, a bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 1081

At the request of Mr. BOOKER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1081, a bill to end the use of body-gripping traps in the National Wildlife Refuge System.

S. 1539

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1539, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1597

At the request of Mr. WICKER, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1597, a bill to enhance patient engagement in the medical product development process, and for other purposes.

S. 1715

At the request of Mr. HOEVEN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1715, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the arrival of the Pilgrims.

S. 1808

At the request of Ms. AYOTTE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1808, a bill to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, and for other purposes.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1856

At the request of Mr. BLUMENTHAL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1926

At the request of Ms. MIKULSKI, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1926, a bill to ensure access to screening mammography services.

S. 2032

At the request of Mr. HOEVEN, the name of the Senator from Rhode Island

(Mr. WHITEHOUSE) was added as a cosponsor of S. 2032, a bill to adopt the bison as the national mammal of the United States.

S. 2055

At the request of Mr. BURR, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2055, a bill to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to national health security.

S. 2110

At the request of Mrs. MURRAY, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2110, a bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes.

S. 2123

At the request of Mr. GRASSLEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2145

At the request of Mr. LEAHY, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2145, a bill to make supplemental appropriations for fiscal year 2016.

S. 2148

At the request of Mr. WYDEN, the names of the Senator from Montana (Mr. TESTER) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 2148, a bill to amend title XVIII of the Social Security Act to prevent an increase in the Medicare part B premium and deductible in 2016.

AMENDMENT NO. 2621

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2621 proposed to S. 754, an original bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself, Mr. MANCHIN, Mrs. CAPITO, Mr. INHOFE, Mr. BLUNT, Mr. LEE, Mr. CASSIDY, Mr. CRUZ, Mr. BOOZMAN, Mr. HOEVEN, Mr. WICKER, Mr. SCOTT, Mr. CRAPO, Mr. ALEXANDER, Mr. SULLIVAN, Mr. ROUNDS, Mr. ROBERTS, Mr. TILLIS, Mr. THUNE, Mrs. FISCHER, Mr. RUBIO, Mr. COATS, Mr. COTTON, Mr. LANKFORD, Mr. RISCH, Mr. VITTER, Ms. MURKOWSKI, Mr. BARRASSO, Mr.

MORAN, Mr. FLAKE, Mr. CORNYN, Mr. JOHNSON, Mr. ISAKSON, Mr. ENZI, Mr. PERDUE, Mr. SESSIONS, Mr. COCHRAN, Mr. PAUL, Mrs. ERNST, Mr. HATCH, Mr. DAINES, Mr. SASSE, Mr. MCCAIN, Mr. SHELBY, Mr. TOOMEY, Mr. GRASSLEY, Mr. GRAHAM, and Mr. CORKER):

S.J. Res. 23. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to “Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units”; to the Committee on Environment and Public Works.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 23

Resolved by the Senate and House of Representatives, of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to “Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units” (published at 80 Fed. Reg. 64510 (October 23, 2015)), and such rule shall have no force or effect.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 296—CONGRATULATING ARMY RESERVE MAJOR LISA JASTER ON HER GRADUATION FROM THE ARMY RANGER SCHOOL

Mr. JOHNSON (for himself and Ms. BALDWIN) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 296

Whereas the Army Ranger School (referred to in this preamble as “Ranger School”) was established in 1950 during the Korean War to develop elite leaders to command difficult combat missions;

Whereas Ranger School is one of the most challenging training courses for which members of the Armed Forces may volunteer;

Whereas Ranger School pushes the physical and mental limits of students for more than two months;

Whereas on average—

(1) 36 percent of Ranger School students fail the course during the first four days after the date on which the course begins; and

(2) only approximately 45 percent of Ranger School students ultimately graduate from the course;

Whereas the Army Reserve is—

(1) a highly trained force that comprises approximately 20 percent of the total Army; and

(2) always available to meet the needs of the Army and Joint Force;

Whereas on August 21, 2015, Army Captain Kristen Griest and First Lieutenant Shaye Haver became the first two women to graduate from Ranger School;

Whereas on October 16, 2015, Major Lisa Jaster became the third woman, and the first Army Reserve woman and mother, to graduate from Ranger School and earn the distinctive black and gold Ranger tab;

Whereas Major Lisa Jaster overcame the extreme fatigue, hunger, and stress involved in Ranger training in order to graduate from Ranger School; and

Whereas Major Lisa Jaster has—

(1) dedicated her life to serving and protecting the United States;

(2) deployed to both Iraq and Afghanistan; and

(3) earned the Bronze Star and the Combat Action Badge: Now, therefore, be it

Resolved, That the Senate—

(1) honors Major Lisa Jaster for the accomplishment of becoming the first Army Reserve woman and first mother to graduate from Ranger School;

(2) commends the groundbreaking achievements of the first three women to graduate from Ranger School—

(A) Captain Kristen Griest;

(B) First Lieutenant Shaye Haver; and

(C) Major Lisa Jaster;

(3) recognizes the vital role that the Army Reserve plays in protecting and defending the United States; and

(4) celebrates the determination, patriotism, and willingness to lead of all Ranger School graduates.

SENATE RESOLUTION 297—CONGRATULATING THE MINNESOTA LYNX ON THEIR VICTORY IN THE 2015 WOMEN'S NATIONAL BASKETBALL ASSOCIATION FINALS

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 297

Whereas, on October 14, 2015, the Minnesota Lynx won the 2015 Women's National Basketball Association (commonly known as the “WNBA”) championship by beating the Indiana Fever 69 to 52 in game 5 at home in Minneapolis;

Whereas this is the third WNBA championship for the Minnesota Lynx in 5 years;

Whereas the Minnesota Lynx have competed in 4 out of the last 5 WNBA Finals;

Whereas the Minnesota Lynx finished the 2015 season with an impressive 22 wins;

Whereas the Minnesota Lynx beat the Los Angeles Sparks in the Western Conference Semifinals, swept the Phoenix Mercury in the Western Conference Finals, and decisively beat the Indiana Fever in the fifth game of the WNBA Finals;

Whereas a franchise record 18,933 fans attended the clinching game at the Target Center in Minneapolis to cheer on the Minnesota Lynx;

Whereas the Minnesota Lynx—

(1) benefit from stellar leadership from Head Coach Cheryl Reeve and Assistant Coaches Jim Petersen and Shelley Patterson;

(2) feature 5 gold medal-winning athletes, Lindsey Whalen, Maya Moore, Seimone Augustus, Asjha Jones, and Sylvia Fowles, the Finals MVP; and

(3) have on the roster highly talented professionals, including Rebekkah Brunson,

Renee Montgomery, Anna Cruz, Shae Kelley, Tricia Liston, Kalana Greene, and Devereaux Peters;

Whereas the Minnesota Lynx are 1 of only 4 WNBA teams to win 3 or more WNBA championships; and

Whereas all 3 of the WNBA championships won by the Lynx have come under the coaching of Cheryl Reeve: Now, therefore, be it

Resolved, That the Senate recognizes—

(1) the achievements of the players, coaches, fans, and staff whose dedication helped the Minnesota Lynx win the 2015 WNBA championship; and

(2) the Twin Cities area and the State of Minnesota for enthusiastically supporting women's professional basketball.

SENATE RESOLUTION 298—RECOGNIZING CONNECTICUT'S SUBMARINE CENTURY, THE 100TH ANNIVERSARY OF THE ESTABLISHMENT OF NAVAL SUBMARINE BASE NEW LONDON, AND CONNECTICUT'S HISTORIC ROLE IN SUPPORTING THE UNDERSEA CAPABILITIES OF THE UNITED STATES

Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 298

Whereas, on March 2, 1867, Congress enacted a naval appropriations Act that authorized the Secretary of the Navy to “receive and accept a deed of gift, when offered by the State of Connecticut, of a tract of land with not less than one mile of shore front on the Thames River near New London, Connecticut, to be held by the United States for naval purposes”;

Whereas the people of Connecticut and the towns and cities in the southeastern region of Connecticut subsequently donated land and provided funding to establish a military installation to fulfil the Nation's need for a naval facility on the Atlantic coast;

Whereas, on April 11, 1868, the Navy accepted the deed of gift of land from Connecticut to establish a naval yard and storage depot along the eastern shore of the Thames River in Groton, Connecticut;

Whereas, between 1868 and 1912, the New London Navy Yard supported a diverse range of missions, including berthing inactive Civil War era ironclad warships and serving as a coaling station for refueling naval ships traveling in New England waters;

Whereas Congress rejected the Navy's proposal to close New London Navy Yard in 1912, following an impassioned effort by Congressman Edwin W. Higgins, who stated that this “action proposed is not only unjust but unreasonable and unsound as a military proposition”;

Whereas the outbreak of World War I and the enemy use of submarines to sink allied military and civilian ships in the Atlantic sparked a new focus on developing submarine capabilities in the United States;

Whereas October 18, 1915, marked the arrival at the New London Navy Yard of the submarines G-1, G-2, and G-4 under the care of the tender USS OZARK, soon followed by the arrival of submarines E-1, D-1, and D-3 under the care of the tender USS TONOPAH, and on November 1, 1915, the arrival of the first ship built as a submarine tender, the USS FULTON (AS-1);

Whereas, on June 21, 1916, Commander Yeates Stirling assumed the command of the newly designated Naval Submarine Base New London, the New London Submarine Flo-tilla, and the Submarine School;

Whereas, in the 100 years since the arrival of the first submarines to the base, Naval Submarine Base New London has grown to occupy more than 680 acres along the east side of the Thames River, with more than 160 major facilities, 15 nuclear submarines, and more than 70 tenant commands and activities, including the Submarine Learning Center, Naval Submarine School, the Naval Submarine Medical Research Laboratory, the Naval Undersea Medical Institute, and the newly established Undersea Warfare Development Center;

Whereas, in addition to being the site of the first submarine base in the United States, Connecticut was home to the foremost submarine manufactures of the time, the Lake Torpedo Boat Company in Bridgeport and the Electric Boat Company in Groton, which later became General Dynamics Electric Boat;

Whereas General Dynamics Electric Boat, its talented workforce, and its Connecticut-based and nationwide network of suppliers have delivered more than 200 submarines from its current location in Groton, Connecticut, including the first nuclear-powered submarine, the USS NAUTILUS (SSN 571), and nearly half of the nuclear submarines ever built by the United States;

Whereas the Submarine Force Library and Museum, located adjacent to Naval Submarine Base New London in Groton, Connecticut, is the only submarine museum operated by the United States Navy and today serves as the primary repository for artifacts, documents, and photographs relating to the bold and courageous history of the Submarine Force and highlights as its core exhibit the historic ship Nautilus following her retirement from service;

Whereas, reflecting the close ties between Connecticut and the Navy that began with the gift of land that established the base, the State of Connecticut has set aside \$40,000,000 in funding for critical infrastructure investments to support the mission of the base, including construction of a new dive locker building, expansion of the Submarine Learning Center, and modernization of energy infrastructure;

Whereas, on September 29, 2015, Connecticut Governor Dannel Malloy designated October 2015 through October 2016 as Connecticut's Submarine Century, a year-long observance that celebrates 100 years of submarine activity in Connecticut, including the Town of Groton's distinction as the Submarine Capital of the World, to coincide with the centennial anniversary of the establishment of Naval Submarine Base New London and the Naval Submarine School;

Whereas Naval Submarine Base New London still proudly proclaims its motto of "The First and Finest"; and

Whereas Congressman Higgins' statement before Congress in 1912 that "Connecticut stands ready, as she always has, to bear her part of the burdens of the national defense" remains true today: Now, therefore, be it

Resolved, That the Senate—

(1) commends the long standing dedication and contribution to the Navy and submarine force by the people of Connecticut, both through the initial deed of gift that established what would become Naval Submarine Base New London and through their ongoing commitment to support the mission of the base and the Navy personnel assigned to it;

(2) honors the submariners who have trained and served at Naval Submarine Base New London throughout its history in support of the Nation's security and undersea superiority;

(3) recognizes the contribution of the industry and workforce of Connecticut in designing, building, and sustaining the Navy's submarine fleet; and

(4) encourages the recognition of Connecticut's Submarine Century by Congress, the Navy, and the American people by honoring the contribution of the people of Connecticut to the defense of the United States and the important role of the submarine force in safeguarding the security of the United States for more than a century.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2748. Mr. PORTMAN (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 639, to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

TEXT OF AMENDMENTS

SA 2748. Mr. PORTMAN (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 639, to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving Regulatory Transparency for New Medical Therapies Act".

SEC. 2. SCHEDULING OF SUBSTANCES INCLUDED IN NEW FDA-APPROVED DRUGS.

(a) EFFECTIVE DATE OF APPROVAL.—

(1) EFFECTIVE DATE OF DRUG APPROVAL.—Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended by adding at the end the following:

"(x) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—

"(1) IN GENERAL.—In the case of an application under subsection (b) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.

"(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), the term 'date of approval' shall mean the later of—

"(A) the date an application under subsection (b) is approved under subsection (c); or

"(B) the date of issuance of the interim final rule controlling the drug."

(2) EFFECTIVE DATE OF APPROVAL OF BIOLOGICAL PRODUCTS.—Section 351 of the Public Health Service Act (42 U.S.C. 262) is amended by adding at the end the following:

"(n) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—

"(1) IN GENERAL.—In the case of an application under subsection (a) with respect to a biological product for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the biological product is issued in accordance with section 201(j) of the Controlled Substances Act.

"(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), references to the date of approval of such application, or licensure of the product subject to such application, shall mean the later of—

"(A) the date an application is approved under subsection (a); or

"(B) the date of issuance of the interim final rule controlling the biological product."

(3) EFFECTIVE DATE OF APPROVAL OF ANIMAL DRUGS.—

(A) IN GENERAL.—Section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) is amended by adding at the end the following:

"(q) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—

"(1) IN GENERAL.—In the case of an application under subsection (b) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.

"(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), the term 'date of approval' shall mean the later of—

"(A) the date an application under subsection (b) is approved under subsection (c); or

"(B) the date of issuance of the interim final rule controlling the drug."

(B) CONDITIONAL APPROVAL.—Section 571(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc(d)) is amended by adding at the end the following:

"(4)(A) In the case of an application under subsection (a) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, conditional approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.

"(B) For purposes of this section, with respect to an application described in subparagraph (A), the term 'date of approval' shall mean the later of—

"(i) the date an application under subsection (a) is conditionally approved under subsection (b); or

"(ii) the date of issuance of the interim final rule controlling the drug."

(C) INDEXING OF LEGALLY MARKETED UNAPPROVED NEW ANIMAL DRUGS.—Section 572 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc-1) is amended by adding at the end the following:

"(k) In the case of a request under subsection (d) to add a drug to the index under

subsection (a) with respect to a drug for which the Secretary provides notice to the person filing the request that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, a determination to grant the request to add such drug to the index shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.”.

(4) **DATE OF APPROVAL FOR DESIGNATED NEW ANIMAL DRUGS.**—Section 573(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc-2(c)) is amended by adding at the end the following:

“(3) For purposes of determining the 7-year period of exclusivity under paragraph (1) for a drug for which the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, the drug shall not be considered approved or conditionally approved until the date that the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.”.

(b) **SCHEDULING OF NEWLY APPROVED DRUGS.**—Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by inserting after subsection (i) the following:

“(j)(1) With respect to a drug referred to in subsection (f), if the Secretary of Health and Human Services recommends that the Attorney General control the drug in schedule II, III, IV, or V pursuant to subsections (a) and (b), the Attorney General shall, not later than 90 days after the date described in paragraph (2), issue an interim final rule controlling the drug in accordance with such subsections and section 202(b) using the procedures described in paragraph (3).

“(2) The date described in this paragraph shall be the later of—

“(A) the date on which the Attorney General receives the scientific and medical evaluation and the scheduling recommendation from the Secretary of Health and Human Services in accordance with subsection (b); or

“(B) the date on which the Attorney General receives notification from the Secretary of Health and Human Services that the Secretary has approved an application under section 505(c), 512, or 571 of the Federal Food, Drug, and Cosmetic Act or section 351(a) of the Public Health Service Act, or indexed a drug under section 572 of the Federal Food, Drug, and Cosmetic Act, with respect to the drug described in paragraph (1).

“(3) A rule issued by the Attorney General under paragraph (1) shall become immediately effective as an interim final rule without requiring the Attorney General to demonstrate good cause therefor. The interim final rule shall give interested persons the opportunity to comment and to request a hearing. After the conclusion of such proceedings, the Attorney General shall issue a final rule in accordance with the scheduling criteria of subsections (b), (c), and (d) of this section and section 202(b).”.

(c) **EXTENSION OF PATENT TERM.**—Section 156 of title 35, United States Code, is amended—

(1) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting “, or in the case of a drug product described in subsection (i), within the sixty-day period beginning on the covered date (as defined in subsection (i))” after “marketing or use”; and

(2) by adding at the end the following:

“(i)(1) For purposes of this section, if the Secretary of Health and Human Services pro-

vides notice to the sponsor of an application or request for approval, conditional approval, or indexing of a drug product for which the Secretary intends to recommend controls under the Controlled Substances Act, beginning on the covered date, the drug product shall be considered to—

“(A) have been approved or indexed under the relevant provision of the Public Health Service Act or Federal Food, Drug, and Cosmetic Act; and

“(B) have permission for commercial marketing or use.

“(2) In this subsection, the term ‘covered date’ means the later of—

“(A) the date an application is approved—

“(i) under section 351(a)(2)(C) of the Public Health Service Act; or

“(ii) under section 505(b) or 512(c) of the Federal Food, Drug, and Cosmetic Act;

“(B) the date an application is conditionally approved under section 571(b) of the Federal Food, Drug, and Cosmetic Act;

“(C) the date a request for indexing is granted under section 572(d) of the Federal Food, Drug, and Cosmetic Act; or

“(D) the date of issuance of the interim final rule controlling the drug under section 201(j) of the Controlled Substances Act.”.

SEC. 3. ENHANCING NEW DRUG DEVELOPMENT.

Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following:

“(1)(1) For purposes of registration to manufacture a controlled substance under subsection (d) for use only in a clinical trial, the Attorney General shall register the applicant, or serve an order to show cause upon the applicant in accordance with section 304(c), not later than 180 days after the date on which the application is accepted for filing.

“(2) For purposes of registration to manufacture a controlled substance under subsection (a) for use only in a clinical trial, the Attorney General shall, in accordance with the regulations issued by the Attorney General, issue a notice of application not later than 90 days after the application is accepted for filing. Not later than 90 days after the date on which the period for comment pursuant to such notice ends, the Attorney General shall register the applicant, or serve an order to show cause upon the applicant in accordance with section 304(c), unless the Attorney General has granted a hearing on the application under section 1008(i) of the Controlled Substances Import and Export Act.”.

SEC. 4. RE-EXPORTATION AMONG MEMBERS OF THE EUROPEAN ECONOMIC AREA.

Section 1003 of the Controlled Substances Import and Export Act (21 U.S.C. 953) is amended—

(1) in subsection(f)—

(A) in paragraph (5)—

(i) by striking “(5)” and inserting “(5)(A)”; and

(ii) by inserting “, except that the controlled substance may be exported from a second country that is a member of the European Economic Area to another country that is a member of the European Economic Area, provided that the first country is also a member of the European Economic Area” before the period at the end; and

(iii) by adding at the end the following:

“(B) Subsequent to any re-exportation described in subparagraph (A), a controlled substance may continue to be exported from any country that is a member of the European Economic Area to any other such country, if—

“(i) the conditions applicable with respect to the first country under paragraphs (1), (2), (3), (4), (6), and (7) are met by each subse-

quent country from which the controlled substance is exported pursuant to this paragraph; and

“(ii) the conditions applicable with respect to the second country under paragraphs (1), (2), (3), (4), (6), and (7) are met by each subsequent country to which the controlled substance is exported pursuant to this paragraph.”; and

(B) in paragraph (6)—

(i) by striking “(6)” and inserting “(6)(A)”; and

(ii) by adding at the end the following:

“(B) In the case of re-exportation among members of the European Economic Area, within 30 days after each re-exportation, the person who exported the controlled substance from the United States delivers to the Attorney General—

“(i) documentation certifying that such re-exportation has occurred; and

“(ii) information concerning the consignee, country, and product.”; and

(2) by adding at the end the following:

“(g) **LIMITATION.**—Subject to paragraphs (5) and (6) of subsection (f) in the case of any controlled substance in schedule I or II or any narcotic drug in schedule III or IV, the Attorney General shall not promulgate nor enforce any regulation, subregulatory guidance, or enforcement policy which impedes re-exportation of any controlled substance among European Economic Area countries, including by promulgating or enforcing any requirement that—

“(1) re-exportation from the first country to the second country or re-exportation from the second country to another country occur within a specified period of time; or

“(2) information concerning the consignee, country, and product be provided prior to exportation of the controlled substance from the United States or prior to each re-exportation among members of the European Economic Area.”.

The PRESIDING OFFICER. The Senator from Ohio.

WOUNDED WARRIORS FEDERAL LEAVE ACT OF 2015

Mr. PORTMAN. Madam President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 313 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (H.R. 313) to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. PORTMAN. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 313) was ordered to a third reading, was read the third time, and passed.

IMPROVING REGULATORY TRANSPARENCY FOR NEW MEDICAL THERAPIES ACT

Mr. PORTMAN. Madam President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of H.R. 639 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 639) to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

There being no objection, the Senate proceeded to consider the bill.

Mr. PORTMAN. I ask unanimous consent that the substitute amendment, which is at the desk, be considered and agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2748) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 639), as amended, was passed.

CONGRATULATING THE MINNESOTA LYNX ON THEIR VICTORY IN THE 2015 WOMEN'S NATIONAL BASKETBALL ASSOCIATION FINALS

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 297, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 297) congratulating the Minnesota Lynx on their victory in the 2015 Women's National Basketball Association Finals.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PORTMAN. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 297) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR TUESDAY, OCTOBER 27, 2015

Mr. PORTMAN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, October 27; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of S. 754, with the time until 11 a.m. equally divided between the two leaders or their designees; finally, that notwithstanding the provisions of rule XXII, there be 2 minutes of debate equally divided prior to each vote, and that all votes after the first vote in each series be 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. PORTMAN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator FRANKEN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

Mr. FRANKEN. Madam President, I ask unanimous consent to speak for 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CYBERSECURITY INFORMATION SHARING BILL

Mr. FRANKEN. Madam President, tomorrow we will vote on my amendment to the Cybersecurity Information Sharing Act, or CISA. I am proud to be joined on this amendment by Senators LEAHY, DURBIN, and WYDEN, each of whom has worked to try to ensure that any cyber legislation passed by this body is effective and adequately safeguards the privacy and civil liberties of the American people.

My amendment tightens the definitions of the terms "cyber security threat" and "cyber threat indicator" in the bill. These changes will help ensure that CISA's broad authorities are not triggered in circumstances where no real cyber threats are present. This makes the bill more privacy protected and more likely to work effectively.

The amendment is supported by more than 30 civil society organizations,

from the American Civil Liberties Union to prominent Libertarian groups like R Street. As I will describe, it addresses specific concerns that have been raised by security experts, major tech companies, and even the Department of Homeland Security.

Under CISA, companies are authorized to monitor users online, share information with one another and with the Federal Government, and deploy defensive measures—all to protect against "cyber security threats." Any action that may result in any unauthorized effort to adversely impact cyber security can be deemed a cyber security threat; that is, may result. That sets the lowest possible standard for determining when actions under CISA are justified, and that is a problem. It sets us up for the oversharing of information, or worse it jeopardizes privacy and threatens to hinder our cyber defense efforts by increasing the noise-to-signal ratio.

My amendment would clarify that a threat is any action at least reasonably likely—reasonably likely—to result in an unauthorized effort to adversely impact cyber security. That definition gives companies ample flexibility to act on threats and ensures Americans that CISA isn't a free pass to share people's personal information when there is no threat.

CISA's definition of cyber threat indicator has also been criticized by security experts, by companies such as Mozilla and, again, even by DHS, which has called the definition "expansive" and said that expansive definition heightens concerns raised by the bill.

My amendment addresses the two parts of the definition that experts have suggested are the most likely to open the door to the sharing of extraneous information. First, as drafted, CISA would let companies share people's communications if they believe that the files have been harmed in a cyber attack or could potentially—potentially—be harmed by a perceived threat. The latter is especially problematic. The range of information that could be shared as evidence of potential harm is vast, and, as experts have explained, unnecessary to the technical work of identifying cyber threats. My amendment continues to allow companies to share information that reveals harms caused by a cyber incident but doesn't extend this to conjecture about hypothetical potential harms, which is unnecessarily broad.

Finally, my amendment eliminates a troubling loophole in the cyber threat indicator definition. In addition to letting companies share information that reveals certain specified attributes or features of cyber threats, CISA also lets them share information that reveals "any other attribute of a cybersecurity threat" if the disclosure of that attribute is legal. Bill supporters claim that this final clause adequately limits

the scope of this provision, but looking at whether disclosure of a threat attribute is lawful is an unclear and unhelpful standard. Privacy law is about protecting information, not threat attributes. So my amendment clarifies that companies can share information in this catchall category only if it is legal to share the information being provided. It is a technical change, but it matters.

This amendment represents a real effort to find common ground for moving forward. Quite frankly, it doesn't do all the work that needs to be done to

limit the definitions in this act, but it makes necessary changes—necessary changes—to improve the legislation, both for the sake of privacy and ultimately security.

I urge my colleagues to support amendment No. 2612.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:13 p.m., adjourned until Tuesday, October 27, 2015, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate October 26, 2015:

THE JUDICIARY

LAWRENCE JOSEPH VILARDO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NEW YORK.

HOUSE OF REPRESENTATIVES—Monday, October 26, 2015

The House met at noon and was called to order by the Speaker pro tempore (Mr. DOLD).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 26, 2015.

I hereby appoint the Honorable ROBERT J. DOLD to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

MEMBERS OF THE GREATEST GENERATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mississippi (Mr. PALAZZO) for 5 minutes.

Mr. PALAZZO. Mr. Speaker, I rise today to honor the courage, sacrifice, and service of members of the Greatest Generation from my district; Navy veteran Art Albert from Hattiesburg and Mr. John Rounsaville of Jones County, Mississippi.

ART ALBERT

Mr. PALAZZO. Mr. Albert truly exemplifies dedicated, selfless service in having fought in World War II, the Korean war, and the Vietnam war.

I first met Mr. Albert during the Mississippi Gulf Coast Honor Flight, which brings World War II veterans to Washington to see their memorial.

Last month I had the opportunity to speak with Mr. Albert at the Victory over Japan Day anniversary ceremony in Hawaii. Here I learned that Art was serving as a machinist mate aboard the USS *Missouri* on September 2, 1945, where he witnessed the Japanese formally surrender to the United States, ending World War II.

Although he would disagree, like so many of his contemporaries who focus not on their service, but on the greatness of our Nation as a whole, Art is a true American hero. Through his service and his quiet work of building our great Nation at home, he has brought honor to himself, the State of Mississippi, and the United States of America.

I am honored to have him as a constituent and to have the opportunity to know him both as a person and as an enduring example of the values that have made America great.

JOHN ROUNSAVILLE

Mr. PALAZZO. Last month another of my constituents, John Rounsaville, celebrated his 90th birthday.

Beginning in October of 1943, Mr. Rounsaville served for 28 months in the Pacific Theater of operations. He served aboard an LCI Gunboat that was assigned to the Pacific Theater and participated in numerous campaigns, earning his unit an impressive six battle stars for World War II service, including the Navy Unit Commendation Award. Although it has been over 70 years since his time in the Pacific, Mr. Rounsaville remembers his entire tour and speaks of it often.

Like the American flag that has been proudly planted in his front yard for decades, I take great pride in representing World War II veterans like Mr. Rounsaville, who belong to a generation whose sacrifices preserved our freedom and liberated the world from tyranny and oppression.

I ask my colleagues to join me in thanking John Rounsaville and Art Albert for their courage and bravery and their service to this great Nation; and I wish to extend my heartfelt gratitude to both of these great Americans, their families, and to congratulate them on their dedicated service to the United States of America.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DOLD) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

Lord, You know there are many Americans who look to the people's House as uncertainty about the future of the economy and our Nation's debt hang in a balance. As well, leadership in this assembly is being considered and will be determined in this coming week.

We ask that You bless the Members of the people's House with discernment in these most trying times.

We ask again that You impel those who possess power here to be mindful of those whom they represent who possess little or no power and whose lives might become all the more difficult by a failure to work out serious differences.

May all that is done today be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Maryland (Mr. HOYER) come forward and lead the House in the Pledge of Allegiance.

Mr. HOYER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SUPPORT OUR TROOPS AND MILITARY FAMILIES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the National Defense Authorization Act, NDAA, is bipartisan legislation that our Nation has depended upon for decades to support our servicemembers and military families. In its entire history, the NDAA has been vetoed only four times. By vetoing it last week, the President has made history and, as The Washington Post has identified, "not in a good way."

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

I am grateful for the leadership of the House Armed Services Committee Chairman MAC THORNBERRY and Senate Armed Services Committee Chairman JOHN MCCAIN as Congress works to fulfill its highest constitutional duty to provide for our common defense to protect American families from attacks with worldwide conflicts at record levels.

As a grateful father of four sons currently serving in the military and as a 31-year Army veteran myself, I know firsthand the importance of the NDAA to promote peace through strength.

The NDAA is and always has been bipartisan legislation because the safety of American families is more important than partisan politics. I encourage all Members of Congress to unite on voting to override the President's veto.

In conclusion, God bless our troops, and the President by his actions must never forget September 11th in the global war on terrorism.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 26, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 26, 2015 at 1:17 p.m.:

That the Senate passed S. 1493.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1832

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DOLD) at 6 o'clock and 32 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 597, REFORM EXPORTS AND EXPAND THE AMERICAN ECONOMY ACT

Mr. FINCHER. Mr. Speaker, pursuant to clause 2 of rule XV, I call up motion No. 2, to discharge the Committee on

Rules from the further consideration of House Resolution 450, providing for the consideration of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes.

The SPEAKER pro tempore. Did the gentleman sign the petition?

Mr. FINCHER. Yes.

The SPEAKER pro tempore. The gentleman from Tennessee calls up a motion to discharge the Committee on Rules from further consideration of House Resolution 450, which the Clerk will report by title.

POINT OF ORDER

Mr. MULVANEY. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. MULVANEY. Mr. Speaker, pursuant to rule XV, section 2(d)(1), I make a point of order that this motion is not timely brought.

The rule specifically says that, "On the second and fourth Mondays of a month," which is what we are today, "immediately after the Pledge of Allegiance to the Flag, a motion to discharge that has been brought on the calendar for at least seven legislative days shall be privileged if called up by a Member whose signature appears thereon."

We had the pledge and the prayer earlier today. We also then had intervening activity in the House, and this motion is no longer timely.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. MULVANEY. I would point out, Mr. Speaker, that we took up 1-minute speeches; we received a message from the Senate; and you, yourself, approved the Journal.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. FINCHER. Mr. Speaker, I think my friend from South Carolina, the gentleman, is out of order. This is regular order. We are moving on as procedure.

Mr. MULVANEY. Mr. Speaker, while you are continuing, I would like you to consider one thing.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. MULVANEY. The rule is very explicit. The rule does not say that we may not take—the rule says that we must proceed immediately. I recognize the fact that on occasion 1-minute speeches are not considered business of the House, that receiving messages from the Senate are not considered business of the House, and, on occasion, a Journal is not considered business of the House even though, from time to time, we do vote on it.

The rule does not say that we cannot do other business. The rule says we can't do anything, that we must proceed immediately after the Pledge of

Allegiance, and that if the motion is brought at any other time it is untimely.

The SPEAKER pro tempore. Does any other Member wish to be heard on this point of order? If not, the Chair will rule.

The rule does not say that the motion to discharge must be—it just says that it can be—brought up immediately.

Today's proceedings are consistent with previous occasions where the Chair has entertained 1-minute speeches on discharge days, and those speeches proceeded by unanimous consent.

On those grounds, the point of order is overruled.

PARLIAMENTARY INQUIRIES

Mr. MULVANEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. Does the language of section 2(d)(1) not specifically say "shall be privileged if called up"? It is not "may." It is "shall . . . if . . ."

The SPEAKER pro tempore. The rule is not so limited. The motion would be in order if it were to be brought up then, and it is also in order to be brought up now.

Mr. MULVANEY. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. If 2(d)(1) says that it shall be in order if brought up at this particular time but the Chair is ruling that it may be in order at other times, what rule is the Chair relying on for that determination?

The SPEAKER pro tempore. There is nothing in the rule that requires the motion to discharge to be brought up immediately following the Pledge of Allegiance.

Mr. MULVANEY. Further point, Mr. Speaker. The only way that it is privileged is that if it was brought up immediately after the pledge.

The SPEAKER pro tempore. The Chair is also following prior practice of the House in entertaining the motion.

Mr. MULVANEY. I'm sorry, and Mr. Speaker, when you were giving your decision before, I was reading the rule.

Would you please restate the basis for your decision.

The SPEAKER pro tempore. The Chair has entertained 1-minute speeches on previous discharge days. Those speeches proceeded by unanimous consent. On those grounds, the point of order was overruled.

Mr. MULVANEY. Mr. Speaker, you did not address, then, my issue on receiving a message from the Senate or approving the Journal.

The SPEAKER pro tempore. The Chair has entertained numerous parliamentary inquiries on a matter on which the Chair has already ruled.

Mr. MULVANEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. Would the decision have been different if we had not made 1-minute speeches?

The SPEAKER pro tempore. The Chair cannot respond to a hypothetical question.

The Clerk will report the title of the resolution.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Under the rule, the gentleman from Tennessee (Mr. FINCHER) will be recognized for 10 minutes and the gentleman from Texas (Mr. HENSARLING) will be recognized for 10 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. FINCHER. Mr. Speaker, I yield myself such time as I may consume.

Even though discharge petitions have rarely been invoked in modern history, they nevertheless embody democracy and its fundamental principle of majority rules, a principle that the gentleman has already talked about earlier. This discharge process offers the only means by which a majority of House Members can secure a vote on a measure that is opposed by the chairman of the committee of jurisdiction and House leadership.

What makes the gentleman's remarks a few minutes ago particularly ironic is the fact that the discharge rule evolved from a precursor rule adopted in 1910 as part of the Cannon revolt. The Cannon revolt was a revolt against Speaker Joseph Cannon. It was a remarkable event in the history of this House and is relevant today in more ways than one.

Speaker Cannon was, at the time, the longest-serving Republican Speaker in the history of the House, serving as Speaker from 1903 to 1911. Referred to as "Uncle Joe," Speaker Cannon ruled with an iron fist. Historians have not painted him as a great legislator. No.

Historians have painted him as a great obstructionist. He blocked legislation, including child labor laws and the right for women to vote. What was his reasoning for blocking this progressive legislation? "I am tired of listening to all this babble for reform," he said.

Several times, Republicans tried unsuccessfully to curb Speaker Cannon's broad powers, which included his chairmanship of the Rules Committee and his power to dole out committee assignments, among other powers. But that changed in March of 1910 when 42 Republicans joined with the Democrats introducing a resolution containing a rules package that would strip Speaker Cannon of his many powers.

Speaker Cannon tried to filibuster this revolt, speaking from the chair for

26 straight hours while allies tried to round up additional allies who were out celebrating St. Patrick's Day, but it didn't work. Speaker Cannon finally ruled the resolution out of order, but the House overruled the Chair, thereby adopting far-reaching reforms, including the precursor of today's discharge rule.

I ask my colleagues to join me in returning power to rank-and-file Members by voting on the motion to discharge and supporting American jobs.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield myself as much time as I may consume.

First, Mr. Speaker, I want to recognize the gentleman from Tennessee and the passion that he brings to this debate. He has long been a champion of the Export-Import Bank. We have had a respectful disagreement over the substance of the issue, but at this moment I don't care to spend much time on the substance of the issue because we are debating a discharge petition.

Mr. Speaker, it was an interesting history lesson that my colleague and friend introduced the House to, and I have no reason to doubt that it is an accurate history lesson. I will note for the RECORD that apparently somehow Mr. Cannon managed to get a building named after him.

But the point I would make is this: whether the gentleman from Tennessee and others have disagreed with process at the Financial Services Committee—I know that they do—but the question before us, Mr. Speaker, is why punish the entirety of the House?

Those who are bringing forth this discharge petition had the opportunity to allow Members on both sides of the aisle to offer amendments. People who were not on the Financial Services Committee could have had the opportunity to offer amendments, but not under this particular discharge petition.

So, Mr. Speaker, the real complaint I have here is, regardless of what complaints or beefs they may have against me personally or against the process of the Financial Services Committee, why punish the entirety of the House?

We hear so much about regular order and about empowering rank-and-file Members. Well, then, why aren't rank-and-file Members, then, empowered to offer amendments? We were told that it was simply to discharge a single piece of legislation. Then why not, at this point, let the House work its will?

Unfortunately, Mr. Speaker, that doesn't appear to happen. I perfectly understand that one man's economic development is another man's corporate welfare, and I think that debate will happen tomorrow. But here, right now, simply because there is a rule to have a discharge petition that would disqualify any Member from offering

an amendment doesn't mean we should necessarily avail ourselves of it.

The Constitution allows us to create debt. It doesn't mean it is a good thing for us to do that as we face yet another debt ceiling vote in front of us.

So, Mr. Speaker, I would simply hope that Members would vote down this discharge petition, and if they believe strongly in it, then bring back another one, but at least allow Members on the floor to offer amendments. Republicans, Democrats, and people from all committees should be able to offer the amendments if that was the purpose of the discharge petition.

Mr. Speaker, I reserve the balance of my time.

Mr. FINCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, I will say to my friend from Texas, there were 3 years to do exactly that. It wasn't done.

I thank the gentleman from Tennessee for yielding, and I thank him for his courage and Mr. LUCAS' courage for working within the rules to bring this matter to the floor. It is an important matter.

□ 1845

Since July, businesses and workers across the country have been asking Congress to reopen the Export-Import Bank so that they could compete on a level playing field in overseas markets. This is about jobs and a competitive America. Opening the Export-Import Bank, Mr. Speaker, is about creating and keeping jobs here in America.

A motion on the floor tonight will demonstrate that a majority of this House supports taking action to pass a multiyear extension of the Bank's charter authority. We will have a chance to show the American people that Congress can work together, Democrats and Republicans, to get something done that helps businesses and workers compete and create jobs.

Mr. HECK of Washington. Will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Washington.

Mr. HECK of Washington. Mr. Speaker, I rise to ask my friends and colleagues to support Mr. FINCHER of Tennessee on his motion in his effort to subject this issue to regular order. This is regular order. This is the only regular order that we are going to be given to have a chance to take up this job-creating legislation. I know this for a fact. It is not speculation.

On February 12, they offered an amendment to the views and estimates on the budget that said, in part, the committee will work to consider reauthorization of the Bank through regular order that lets all sides be heard, and the leadership of the committee said, "Vote 'no.'" There was never an

intention to subject this issue to regular order. Now is our chance to do that.

Support the gentlemen from Tennessee and Oklahoma and vote "yes" on this.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank Mr. FINCHER, I thank Mr. LUCAS, I thank Ms. WATERS, I thank Ms. MOORE, and I thank DENNY HECK.

Vote for this motion to put a bill on the floor that the majority supports. That is democracy.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), chairman of the Monetary Policy and Trade Subcommittee.

Mr. HUIZENGA of Michigan. Mr. Speaker, I appreciate that, and I appreciate the leadership of my chair on this issue.

It seems to me, Mr. Speaker, we have two issues that we are dealing with today:

First is the issue, itself, of the Export-Import Bank and the entitlement mentality that has grown up here in the United States. It is sad to me that some believe that this is the only, or the best, way for the U.S. to compete on the world stage when, in fact, we know it is not.

We are at a competitive disadvantage, not because we may or may not have an Export-Import Bank, but because of our regulatory environment, because of our tax environment, and because of all of the other barriers that have been thrown up by this Congress, including health care and a number of other things that have made our companies less competitive.

The other issue is the way that we are dealing with this issue as it is coming to the floor and how it has reached the House floor today.

Mr. Speaker, I would like to know which committee chair of another committee would approve of having the process be short-circuited out of their committee. Would it be the Energy and Commerce Committee? the Ways and Means Committee? Because I can tell you I have not been real happy, as a small business owner on some of the lack of progress that we have made on that. Maybe it would be the Ag Committee. Why did it take so long for things to reach the floor? How about any other committee that we are all dealing with?

The simple fact is that my subcommittee, Monetary Policy and Trade, where this jurisdiction lies, had three joint hearings with the Oversight Committee on this particular issue. There was a sunset that was put in. It was intentionally put in so that there would be a review. The review happened, and the determination of my subcommittee and this committee was that it did not warrant further action.

So, again, as we are looking at this tool that has been infrequently used, it

doesn't restore regular order, as has been claimed. No. In fact, it upends the balance of power in the House. It skirts the committee process and gives the minority the control over the House floor.

A discharge petition was brought to the House floor under the guise of job creation. In reality, it serves to revive and retrench a dependency mentality.

Mr. FINCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. KINZINGER), who has done great work on this supportive piece of legislation.

Mr. KINZINGER of Illinois. Mr. Speaker, I thank the gentleman from Tennessee for his hard work.

I would remind the previous speaker that this is actually a Republican-led discharge petition for Ex-Im Bank.

We could have avoided this. None of us celebrate being here right now as Republicans. But the time to deal with the issue of Ex-Im Bank was on the committee. Unfortunately, this could have gone through the committee, this could have been voted on in committee, and it could have come to the floor in what people would consider a more regular order way than this. However, that didn't have the opportunity.

Mr. Speaker, my district is the 16th District of Illinois, and I will tell you what, they are not worried about discharge petitions and things when people talk about regular order and internal politics and what is going on here. What they care about is the fact that it is a heavy manufacturing district, and they want to be able to go to work tomorrow. They are worried because people live with the threat of pink slips, and many people actually get pink slips.

Unfortunately, in July, the charter for Ex-Im Bank expired, which put a lot of the manufacturing suppliers of the aerospace industry at a disadvantage in my district compared with those that supply to Airbus and other companies around the world. Pride in our exports and pride in our manufacturing is something that we should have pride in, and we should fight beyond what it means for a party label or beyond what it means for floor politics.

Mr. Speaker, the opponents of reauthorization live in a world where the politics of purity trumps the realism of today and of the economics. Here is the reality: in my district, thousands of jobs, millions of dollars of exports, and many, many people rely on this to be reauthorized.

Mr. Speaker, I know this is not easy, as Republicans, to do this, but it is the right thing to do. So I stand and I ask my colleagues on the Republican and the Democrat side of the aisle to put partisanship aside, to do the right thing, and to discharge this resolution.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT), a valued

member of the Financial Services Committee.

Mr. SCHWEIKERT. Mr. Speaker, I thank the chairman.

I hope you are all listening to some of the use of the language. I appreciated the history lesson. But has it been lost on you, the irony part of this discussion that, hey, we are going to do a discharge petition, which is part of the rules, because we don't feel we are having a voice. Oh, by the way, we are going to draft a rule—draft a rule—that you can't offer amendments, that you can't have a discussion.

For those of us who have worked on this issue for years, who have sat through dozens of hearings in multiple years, who actually have things we believe that make it better, the brilliance here is lock it down. So you are going to complain that you are not being treated fairly, and then the answer to not being treated fairly is, let's write a rule that no one gets a voice, that it is purely up or down. Is that lost on anyone here?

The reality of it is the vast majority of the trade from this country has access to surety bonds and trade credit. It is a fraction of a fraction of a fraction that actually asks for a taxpayer subsidy, a taxpayer guarantee. If you wanted to solve this problem tomorrow, you could recharter the Ex-Im Bank so that it continues to exist but get the taxpayers off the hook and let them do just as now Fannie and Freddie are trying to do where they buy their reinsurance in the market.

There are solutions here, if I was allowed to offer an amendment. But you have all chosen to write a rule that keeps those of us who have worked on this issue for years from being able to have that discussion. Is that irony lost on anyone here?

You know there is a better way to do this than extending this type of crony capitalism and leaving our taxpayers on the hook for hours and hours of hearings we have had where you have heard the bad acts that are going on in this agency—the fraud, the mis-accounting.

Why are we going to let that move forward? Because if you have read the reforms that are in here, you would understand they already should be doing these. It is an outrage they are not.

Mr. FINCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MAXINE WATERS).

Ms. MAXINE WATERS of California. Mr. Speaker, Members, I would like to thank the gentleman from Tennessee (Mr. FINCHER) for yielding and for his leadership in initiating this very successful discharge petition in order to finally make possible the opportunity to vote to renew the charter of the Export-Import Bank.

For almost 2 years now, as ranking member of the Financial Services Committee, I have been working very hard

with Leader PELOSI, Whip HOYER, and my colleagues GWEN MOORE and DENNY HECK. We have all been working hard to secure long-term reauthorization of the Bank. And today, after many months of obstruction by a vocal minority of this body, which led to a shutdown of the Ex-Im Bank, this House will finally get the opportunity to vote to do just that.

Let me be clear, Mr. Speaker, this discharge petition is not a rejection of regular order. Although rarely used, the discharge petition exists under House rules for the very purpose of ensuring that the will of a determined majority may ultimately prevail over an obstructionist minority, and that is exactly what is happening today.

Republicans and Democrats have come together to support the reauthorization of a proven job creator. We have come together to end the unilateral disarmament that has harmed our exporters, their domestic suppliers, and the many American workers across this country whose jobs are supported by the Bank. We have come together to show that compromise is possible if you are willing to work it.

So, again, I thank the gentleman from Tennessee for his work. I urge the Members to vote in favor of the motion. We have come together as Members of Congress to do the work of the people. Let's get on with the business of doing it.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY), another valuable member of the House Financial Services Committee.

Mr. MULVANEY. Mr. Speaker, I thank the gentleman from Texas.

I want to pick up on where my friend from Arizona left off regarding the comments about my good friend and colleague from Washington regarding regular order. It is not regular order. If we have regular order, we have amendments. I have an amendment that would protect small business. I don't get a chance to do that. We would under regular order.

But let's not forget, there is not just one committee that is getting rolled here. Rules Committee is getting rolled. And if this was to follow regular order and go to rules, every single one of you would be able to offer amendments in that committee. They would probably get shot down, as mine have since I have been here, but at least you could offer them.

Furthermore, if it went to Rules Committee, you could have debate; you could participate and debate on the issues.

What is getting ready to happen here in a few minutes is Mr. FINCHER will control 1 hour of debate, he will speak for 5, and then yield back, denying every single one of you in this Chamber the opportunity to speak for at least half an hour each side on this particular issue.

This is not regular order, Mr. Speaker. This is shoving something down the American people's throats.

Let's have regular order. Let's have the amendments. I have got some ones you might actually enjoy. Let's have the debate. But let's not kid ourselves into thinking this is regular order because it is not.

Mr. FINCHER. Mr. Speaker, I have one remaining speaker. How much time do I have remaining? I want to reserve the right to close.

The SPEAKER pro tempore. The gentleman from Tennessee has 2 minutes remaining. The gentleman from Texas has 2 minutes remaining.

Mr. FINCHER. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

A lot of discussion, passionate discussion about jobs tonight.

But I would point out to my Democratic colleagues on the other side of the aisle, where was this passion when ObamaCare was passed? The Congressional Budget Office says that it is going to cost this economy 2.5 million fewer jobs.

Where was this passion when H.R. 30 came to the floor that would repeal this 30-hour definition of full-time employee? According to one study, 2.6 million Americans making under \$30,000 are at risk of having their hours cut due to the ObamaCare 30-hour rule.

Where was the passion on the other side of the aisle when H.R. 351, the LNG Permitting Certainty and Transparency Act, came? That is estimated to put up to 45,000 unemployed Americans back to work on liquid natural gas export projects.

Where was the passion when S. 1 came, the Keystone XL pipeline? The State Department's environmental impact statement said: "During construction, proposed project spending would support approximately 42,100 jobs."

But we didn't hear much from our friends on the other side of the aisle when this was going on.

□ 1900

But, again, I think, too often, my friends on the other side of the aisle are always happy to subsidize what they can regulate and control.

I would say to my friends on my side of the aisle that I respect your opinion, and I hope you respect mine; but I think there is a better way to promote exports. I think there is a better way to promote jobs. It has everything to do with regulatory reform. It has to do with the REINS Act. It has everything to do with fundamental tax reform, which, according to the National Association of Manufacturers, is half of our competitive disadvantage. It has everything to do with litigation reform. We have greater remedial costs than do our green energy European competitors.

There is a better way, and there is a more fair way to come to this floor. As for whatever you think of the process of the Financial Services Committee, if this is going to come to the floor, every Member ought to be allowed to have an amendment, and we should reject this discharge petition.

Mr. Speaker, I yield back the balance of my time.

Mr. FINCHER. Mr. Speaker, I yield my remaining 2 minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Speaker and colleagues, why are we here tonight? Why are we compelled to engage in this process?

The circumstances, perhaps, might be a little bit like 1910. Do you remember 1910? A dictatorial Speaker who was so totally in control and who so totally refused to accept input from the membership made himself chairman of the Rules Committee, too. He stymied the legislative process. He brought it to a stop.

What did our predecessors do 100-plus years ago?

They finally rose up together and threw him out, and they created a process by which no dictatorial chairman, no dictatorial Speaker would ever be able to fully thwart the will of this body.

It is amazing. That is what we are here for. It is to continue one century later the responsible actions that they put into place.

Now, some of my friends have asked, "Why don't we have thousands of amendments?" Think about 1910—a dictatorial Speaker, a dictatorial committee chairman. Under no circumstances was Uncle Joe going to allow any input. So, when they created this process, they had to make sure that the bill could come to the floor for consideration in a way that would not allow it to be manipulated by that same dictatorial attitude. We are operating under the present version of that rule.

If we had wanted unlimited amendments, we should have spent an unlimited amount of time in the committee of jurisdiction, working on those amendments, but that opportunity never availed itself. Had that opportunity availed itself, we wouldn't be here; but we are here. We have a bill that reflects, I believe—and that a majority of us in this House believes—what is in the best interest of America's workers and America's businesspeople in our competitive spirit.

I simply say to you that to talk about the things we should be doing tonight that should have been done a month ago or a year ago seems most inappropriate. So, my friends, in a moment, let's honor the people who were on this floor in 1910. Let's say, "Joe, you can't have your way then or now." Let's pass the discharge; let's pass the rule; and let's get on with the bill debate.

The SPEAKER pro tempore. All time has expired.

The question is on the motion offered by the gentleman from Tennessee (Mr. FINCHER) to discharge the Committee on Rules from the further consideration of House Resolution 450.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 246, nays 177, not voting 11, as follows:

[Roll No. 569]

YEAS—246

Adams	Edwards	Lowenthal
Aderholt	Ellison	Lowey
Aguilar	Ellmers (NC)	Lucas
Amodei	Engel	Luetkemeyer
Ashford	Eshoo	Lujan Grisham
Barletta	Esty	(NM)
Bass	Farr	Lujan, Ben Ray
Beatty	Fattah	(NM)
Becerra	Fincher	Lynch
Bera	Foster	MacArthur
Beyer	Frankel (FL)	Maloney
Bishop (GA)	Fudge	Carolyn
Blumenauer	Gabbard	Maloney, Sean
Bonamici	Galleo	Marino
Bost	Garamendi	Matsui
Boustany	Gibson	McCormack
Boyle, Brendan	Graham	McDermott
F.	Graves (MO)	McGovern
Brady (PA)	Grayson	McNerney
Brown (FL)	Green, Al	Meehan
Brownley (CA)	Green, Gene	Meeks
Buchanan	Grijalva	Meng
Bucshon	Gutiérrez	Mica
Bustos	Hahn	Moolenaar
Butterfield	Hanna	Moore
Capps	Hardy	Moulton
Capuano	Harper	Mullin
Cárdenas	Hartzer	Murphy (FL)
Carney	Hastings	Nadler
Carter (GA)	Heck (WA)	Napolitano
Cartwright	Herrera Beutler	Neal
Castor (FL)	Higgins	Newhouse
Castro (TX)	Himes	Nolan
Chu, Judy	Hinojosa	Norcross
Cicilline	Honda	O'Rourke
Clark (MA)	Hoyer	Pallone
Clarke (NY)	Huffman	Pascarella
Clay	Hunter	Pelosi
Cleaver	Israel	Perlmutter
Clyburn	Jackson Lee	Peters
Cohen	Jeffries	Peterson
Cole	Johnson (GA)	Pingree
Collins (NY)	Johnson (OH)	Pocan
Connolly	Johnson, E. B.	Poe (TX)
Conyers	Jolly	Polis
Cooper	Kaptur	Price (NC)
Costa	Katko	Quigley
Costello (PA)	Keating	Rangel
Courtney	Kelly (IL)	Reed
Cramer	Kelly (PA)	Reichert
Crenshaw	Kennedy	Renacci
Crowley	Kildee	Rice (NY)
Cuellar	Kilmer	Richmond
Cummings	Kind	Rigell
Curbelo (FL)	King (NY)	Rogers (AL)
Davis (CA)	Kinzinger (IL)	Roybal-Allard
Davis, Danny	Kirkpatrick	Ruiz
Davis, Rodney	Knight	Ruppersberger
DeFazio	Kuster	Rush
DeGette	Langevin	Russell
Delaney	Larsen (WA)	Ryan (OH)
DeLauro	Larson (CT)	Sánchez, Linda
DelBene	Lawrence	T.
Dent	Lee	Sanchez, Loretta
DeSaulnier	Levin	Sarbanes
Deutch	Lewis	Schakowsky
Dingell	Lieu, Ted	Schiff
Doggett	Lipinski	Schrader
Dold	LoBiondo	Scott (VA)
Doyle, Michael	Loebach	Scott, David
F.	Lofgren	Serrano
Duckworth	Long	Sewell (AL)

Sherman
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)

Thompson (PA)
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Walz

Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Yarmuth
Young (AK)

NAYS—177

Abraham	Guthrie	Poliquin
Allen	Harris	Pompeo
Amash	Heck (NV)	Posey
Babin	Hensarling	Price, Tom
Barr	Hice, Jody B.	Ratcliffe
Barton	Hill	Ribble
Benish	Holding	Rice (SC)
Bilirakis	Hudson	Roby
Bishop (MI)	Huelskamp	Roe (TN)
Bishop (UT)	Huizenga (MI)	Rogers (KY)
Black	Hultgren	Rohrabacher
Blackburn	Hurd (TX)	Rokita
Blum	Hurt (VA)	Ros-Lehtinen
Brady (TX)	Issa	Ross
Brat	Jenkins (KS)	Rothfus
Bridenstine	Jenkins (WV)	Rouzer
Brooks (AL)	Johnson, Sam	Royce
Brooks (IN)	Jones	Ryan (WI)
Buck	Jordan	Salmon
Burgess	Joyce	Sanford
Byrne	Kelly (MS)	Scalise
Calvert	King (IA)	Schweikert
Carter (TX)	Kline	Scott, Austin
Chabot	Labrador	Sensenbrenner
Chaffetz	LaHood	Sessions
Clawson (FL)	LaMalfa	Shimkus
Coffman	Lamborn	Shuster
Collins (GA)	Lance	Smith (MO)
Comstock	Latta	Smith (NE)
Conaway	Loudermilk	Smith (NJ)
Cook	Love	Smith (TX)
Culberson	Lummis	Stewart
Denham	Marchant	Stutzman
DeSantis	Massie	Thornberry
Diaz-Balart	McCarthy	Tipton
Donovan	McCauley	Trott
Duffy	McClintock	Upton
Duncan (SC)	McHenry	Valadao
Duncan (TN)	McKinley	Wagner
Emmer (MN)	McMorris	Walberg
Farenthold	Rodgers	Walden
Fitzpatrick	McSally	Walker
Fleming	Meadows	Walorski
Flores	Messer	Walters, Mimi
Fortenberry	Miller (FL)	Webster (FL)
Fox	Miller (MI)	Wenstrup
Franks (AZ)	Mooney (WV)	Westerman
Frelinghuysen	Mulvaney	Westmoreland
Garrett	Murphy (PA)	Williams
Gibbs	Neugebauer	Wittman
Gohmert	Noem	Womack
Goodlatte	Nugent	Woodall
Gosar	Nunes	Yoder
Gowdy	Olson	Yoho
Granger	Palazzo	Young (IA)
Graves (GA)	Palmer	Young (IN)
Graves (LA)	Paulsen	Zeldin
Griffith	Perry	Zinke
Grothman	Pittenger	
Guinta	Pitts	

NOT VOTING—11

Carson (IN)
Crawford
DesJarlais
Fleischmann

Forbes
Payne
Pearce
Rooney (FL)

Roskam
Takai
Visclosky

□ 1924

Messrs. SHUSTER and JOYCE changed their vote from "yea" to "nay."

Mrs. NAPOLITANO changed her vote from "nay" to "yea."

So the motion to discharge was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. CARSON of Indiana. Mr. Speaker, on rollcall No. 569, had I been present, I would have voted "yes."

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 450

Resolved, That immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of H.R. 3611, as introduced, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees; and (2) one motion to recommit with or without instructions.

SEC. 2. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 597.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for 1 hour.

Mr. FINCHER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, there has been a lot of conversation here tonight about what we are doing and how this happened and what we are going to do next.

Mr. Speaker, the reason why we are here tonight, I didn't sign up to come to Washington from Frog Jump, the place I live, to do discharge petitions. The reason I did come to Washington was to work for my district and try to make sure that hardworking men and women all over this country and my district have jobs.

Mr. Speaker, that is what the Export-Import Bank does. It helps create thousands of jobs, specifically, 200,000 jobs each year.

Now, let me be clear because there has been a lot of misconception or misperception, whatever you want to say, about what this costs the taxpayer. Mr. Speaker, this is at no cost to the U.S. taxpayer. In fact, the Export-Import Bank returned \$675 million to the U.S. Treasury in fiscal year 2014. In 2013, it returned more than \$1 billion, Mr. Speaker.

This is not a minority procedure, this is not a Democrat procedure that is happening tonight. This is a Republican-led position. This is a Republican reform bill that we are doing.

□ 1930

More reforms than have been done in probably 50 years. I haven't looked specifically, but I think President Reagan did a lot, and other Presidents have done them.

But this is about jobs, Mr. Speaker. Think about this. We go home to our districts every weekend, and we talk to constituents every weekend. Think about constituents that come up to us and say: Congressman, have you balanced the budget? We say: No, we are working on it, but we haven't done it yet.

I don't want to offend any of my colleagues on the other side of the aisle. I am probably going to, but I don't mean it. Our constituents say: Well, Congressman, have you repealed ObamaCare? I say: Well, no, not yet, but we are working on it.

Then they look at us and they say: Tell me, Congressman, you have done away with the only thing that we know of that helps create thousands of jobs all over this country and possibly would help create the job that they had because of some ideology or some conservative group that is scoring a Member of Congress, and now I don't have a job, and I am on unemployment.

Mr. Speaker, our constituents and hardworking Americans deserve better. They deserve better than Members of Congress playing political games because of scorecards.

I serve under one of the most principled chairmen, probably the most principled chairman in Congress, and I agree with him on 99.9 percent of everything that we do in our committee. We just happen to disagree on this one issue. My chairman is passionate and principled, and I never would doubt that.

Mr. Speaker, I won't take much more time. If America is going to get out of the hole we are in as a country, then Congress must start working together. Mr. Speaker, we should applaud. We should be happy on the day—and I don't want to offend the gentlewoman from California who spoke earlier, but we should be happy on the day when Democrats want to join Republicans on legislation that helps move the country forward. They are clapping, that is awesome.

We are trying to do what we think is best, and the Export-Import Bank doesn't cost the taxpayers a dime. It helps create thousands of jobs all over this country and makes sure we don't lose thousands of jobs to 60 other countries that have these credit agencies.

Mr. Speaker, I don't know what else to say. This is regular order, this closed rule. I am going to close in 10 seconds, but this is all about regular order. We could have had amendments. We could have had a thousand amendments in our committee, but we chose to go this route. We didn't choose it. Some of us chose to go this route. We are dealing with this today. Our constituents deserve better, and we have to do better.

With that, Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

I yield back the balance of my time, and I move the previous question on the resolution.

PARLIAMENTARY INQUIRIES

Mr. HENSARLING. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas will state his parliamentary inquiry.

Mr. HENSARLING. Mr. Speaker, the resolution before the House is H. Res. 450 which, as I understand it, would establish the rule for debate on this Ex-Im reauthorization bill, that it does not make in order any amendments.

The closed rule means that in addition to not having any debate on the rule—since all time has now been yielded back, with no other Member having a chance to speak—Members have been denied their chance to participate in that part of the process.

My parliamentary inquiry is whether there is any way, at this juncture, for Members to amend the resolution, H. Res. 450, to give Members an opportunity to offer amendments to the underlying Ex-Im reauthorization bill?

The SPEAKER pro tempore. The Chair was about to put the question on ordering the previous question.

If the motion for the previous question was rejected, there would be a potential for further debate on, or amendment to, House Resolution 450.

Mr. HENSARLING. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HENSARLING. So, if the previous question is defeated, then a Member who is opposed to the previous question would be afforded the opportunity to offer an amendment to H. Res. 450 that would strike the text of the closed, no amendments rule and replace it with the text of a rule that provided for consideration of the underlying Ex-Im reauthorization bill through an open process, with time for debate, where any Member—either Republican or Democrat—could offer germane amendments to the bill. Is that correct, Mr. Speaker?

The SPEAKER pro tempore. The Chair cannot respond to specific hypotheticals, but if the motion for the previous question were rejected, there would be potential for further debate on, or amendment to, House Resolution 450.

Mr. HENSARLING. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HENSARLING. If the previous question is defeated, may I or any Member who votes against the previous question claim time to offer such an amendment to create an open rules process for consideration of the underlying Ex-Im reauthorization bill where Members on both sides of the aisle can offer amendments to the bill?

The SPEAKER pro tempore. The Chair cannot judge that at this time.

Mr. HENSARLING. I thank the Speaker.

Mr. MULVANEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. A few minutes ago, in reference to a question raised by the gentleman from Texas, you indicated that the amendments would be in order if the motion for the previous question failed.

My question is: Are motions to amend in order before the motion for the previous question comes to the floor?

The SPEAKER pro tempore. The previous question has preferential standing.

Mr. MULVANEY. Mr. Speaker, I have an amendment at the desk. I would like to have it heard now.

The SPEAKER pro tempore. The previous question has already been moved.

Mr. MULVANEY. No, it hasn't.

The SPEAKER pro tempore. The Chair is about to put the question on ordering the previous question on the resolution.

Mr. MULVANEY. Mr. Speaker, parliamentary inquiry. Who moved the previous question?

The SPEAKER pro tempore. The gentleman from Tennessee.

Mr. MULVANEY. Was that seconded?

The SPEAKER pro tempore. The previous question does not require a second.

Mr. MULVANEY. Mr. Speaker, I have an amendment at the desk. I would simply like to ask what rule the Chair is relying on in denying me the ability to bring that amendment now.

The SPEAKER pro tempore. Clause 4 of rule XVI.

The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1090, RETAIL INVESTOR PROTECTION ACT

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 114-313) on the resolution (H. Res. 491) providing for consideration of the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

□ 1945

RESEARCH EXCELLENCE AND ADVANCEMENTS FOR DYSLLEXIA ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3033) to require the President's annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation and to require the National Science Foundation to conduct research on dyslexia, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Research Excellence and Advancements for Dyslexia Act" or the "READ Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) As many as one out of six, or 8,500,000, American school children may have dyslexia.

(2) Since 1975, dyslexia has been included in the list of qualifying learning disabilities under the Education for All Handicapped Children Act of 1975 and the Individuals with Disabilities Education Act.

SEC. 3. RESEARCH IN DISABILITIES EDUCATION.

(a) PROGRAM.—Nothing in this Act alters the National Science Foundation's Research in Disabilities Education program for fundamental and implementation research about learners (of all ages) with disabilities, including dyslexia, in science, technology, engineering, and mathematics (STEM). The National Science Foundation shall continue to encourage efforts to understand and address disability-based differences in STEM education and workforce participation, including differences for dyslexic learners.

(b) LINE ITEM.—The Director of the National Science Foundation shall include the amount requested for the Research in Disabilities Education program in the Foundation's annual congressional budget justification.

SEC. 4. DYSLLEXIA.

(a) IN GENERAL.—The National Science Foundation shall support multi-directorate, merit-reviewed, and competitively awarded research on the science of dyslexia, including research on the early identification of children and students with dyslexia, professional development for teachers and administrators of students with dyslexia, curricula and educational tools needed for children with dyslexia, and implementation and scaling of successful models of dyslexia intervention.

Research supported under this subsection shall be conducted with the goal of practical application.

(b) FUNDING.—The National Science Foundation shall devote at least \$5,000,000 annually to research described in subsection (a), subject to the availability of appropriations, to come from amounts made available for the Research and Related Activities account or the Education and Human Resources Directorate. No additional funds are authorized to be appropriated under this section. This Act shall be carried out using funds otherwise appropriated by law after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3033, the Research Excellence and Advancements for Dyslexia Act, or READ Act, will help millions of Americans who struggle with dyslexia. It is fitting that the House considers this bill today, as October is Dyslexia Awareness Month.

Dyslexia affects an estimated 8.5 million school children and 1 in 6 Americans in some form. It causes these individuals to have difficulties with reading, though they often have normal or above-average intelligence.

Despite the prevalence of dyslexia, many Americans remain undiagnosed, untreated, and silently struggle at school or work. Too many children undiagnosed with dyslexia have difficulties in the classroom and sometimes drop out of school and face uncertain futures.

The READ Act requires the National Science Foundation's budget to include a specific line item for the Research in Disabilities Education program. The bill requires the NSF to invest at least \$5 million annually for merit-reviewed, competitively-awarded dyslexia research projects.

The bill uses funds already appropriated for the NSF and does not authorize any additional spending for these priority projects.

NSF research supported by the READ Act is focused on practical applications, which include the following: Early identification of children and students with dyslexia, professional development for teachers and administrators of students with dyslexia, cur-

ricula and educational tools needed for children with dyslexia, and implementation and scaling of successful models of dyslexia intervention.

The House Science, Space and Technology Committee held a hearing last year on the science of dyslexia. Experts testified how research in the area of neuroscience has led to practical ways to better diagnose and deal with dyslexia but that more research is necessary.

At a second committee hearing held just a few weeks ago, we heard from experts who work directly with dyslexic students and their teachers. They know firsthand about the obstacles these children, parents, and educators face, and they stress the importance of research in developing practical tools.

If you can't read, it is hard to achieve. If we change the way we approach dyslexia, we can turn this disability into an opportunity for a brighter and more productive future for millions of Americans.

I am a co-chair of the bipartisan Dyslexia Caucus, along with Congresswoman JULIA BROWNLEY, which is comprised of more than 100 Members of Congress.

I have met hundreds of children and their parents in my congressional district in Texas and others across the U.S. who are affected by dyslexia, and they have shared their personal stories with me.

One child I met recently was Eddie, a middle school student from Baltimore. He, along with his family, has been on a long journey to receive a proper diagnosis and find a supportive learning environment.

After our meeting, his mother wrote me a letter explaining: "In only 1 year, Eddie has gone from repeatedly missing recess because he would not 'try harder,' a boy who would stare at his homework in defeat before he has even tried an assignment, to a boy now daring to dream of a career in the sciences."

Eddie is very fortunate to have a mother who advocated for his proper education. He is now not only able to learn, but also to excel. His mother comments: "He is a voracious reader and wants to join the Jet Propulsion Lab or work with NASA."

I also have had the pleasure of meeting an Austin, Texas, resident Robbi Cooper and her son, Ben. They shared many stories with me about the hardships they have faced in their attempts to ensure Ben receives the best education possible.

Ben has even taken his abilities one step further by becoming an advocate and has traveled to D.C. numerous times to lobby Congress so others can learn from his experiences.

The bipartisan READ Act, which unanimously passed the Science Committee 2 weeks ago, will help ensure that all children like Eddie and Ben

have the means to succeed. Nothing could be more important to them.

I also want to acknowledge two young friends who are on the floor with me today, Leighton and Gipson, who have an interest in this bill too.

The READ Act is a significant step in the right direction to help those with dyslexia.

Thanks go to my Dyslexia Caucus co-chair, Representative JULIA BROWNLEY, and the other cosponsors of the READ Act, such as Congressman DON BEYER, who is handling the other side of this debate tonight, for their interest and support. And I urge my other colleagues to better the lives of millions of children and adults with dyslexia.

I reserve the balance of my time.

Mr. BEYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3033, the Research Excellence and Advancements for Dyslexia Act, or the READ Act. Passing this bill is the perfect way to honor October, National Dyslexia Awareness Month.

As my friend, the chairman, has said, dyslexia is a learning disorder characterized by difficulty reading due to problems identifying speech sounds and learning how they relate to letters and words.

Unfortunately, many children are not diagnosed or are diagnosed later in life, leaving them with little access to helpful interventions and technologies. Too often our educators do not have the proper training to identify students with learning disabilities, including dyslexia.

This bill would fund research on the early identification of individuals with dyslexia and professional development for teachers and school administrators.

There is a lack of research on curricula development and educational tools for students with dyslexia, and I am happy to report that this bill would fund that research into that as well.

Finally, as we heard from our expert witnesses during the committee hearings on this topic, there is a significant gap in getting the research from the laboratories into the hands of teachers and administrators. To address this gap, we need more research on understanding which experimental innovations will be successful in the classrooms and research on how best to scale those successful interventions.

Having an intervention work in the laboratory is not enough. The intervention needs to work in classroom settings, which are very heterogeneous environments.

Mr. Speaker, I have a first cousin who was raised just across the river in Fairfax County. He was a most clever child because he managed to make it all the way to eighth grade before they realized that he didn't know how to read. He has had a good career, but I wonder what kind of professor or Supreme Court Justice or even rocket sci-

entist he would have made with early intervention.

Mr. Speaker, my oldest child had a passel of learning disabilities but also had and has a very high IQ. At the school he attended to address these disabilities, the walls were adorned with photos of Albert Einstein, Winston Churchill, and Thomas Edison.

These remarkable men remind us of the promise of every child, that a learning disability like dyslexia need not hold a child back from an extraordinary life and an extraordinary education. This is why we need the READ Act: to help realize the promise of every child with dyslexia.

On this remarkable bipartisan night, I want to thank my Texas friends, Chairman SMITH and Ranking Member JOHNSON, for working across the aisle together to make improvements to this bill during the committee process.

I am proud to be an original cosponsor of this bill, and I urge my colleagues on both sides of the aisle to support it.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, first of all, I would like to thank Mr. BEYER for his generous comments. It has been nice working together with him on this particular bill.

I yield 2 minutes to the gentlewoman from Virginia (Mrs. COMSTOCK), who happens to be the chair of the Research and Technology Subcommittee of the full Science Committee.

Mrs. COMSTOCK. I thank the chairman for yielding.

Mr. Speaker, I rise today in support of H.R. 3033, the Research Excellence and Advancements for Dyslexia Act, also known as the READ Act.

Coming from a family of educators and as the daughter of a librarian, I truly understand the effects a reading disability can have on children. Reading opens up such a wide world for children and for all of us, and no one should be cut off from that beautiful world that reading opens up to us.

When dyslexia goes undiagnosed, it can result in struggles in the classroom and continue through into their careers as adults.

Despite knowledge of the condition since the 19th century, many Americans remain undiagnosed and untreated. Given what we know today and we know the advancements we can make with research and technology, we need to make sure we are not letting that stand.

In July, I joined a bipartisan group of my colleagues to cosponsor the READ Act. The bill requires the President's annual budget request to Congress to include a line item for the Research in Disabilities Education program of the National Science Foundation.

It also requires the National Science Foundation to devote at least \$5 million annually to dyslexia research, which would focus on best practices for

early identification of children and students with dyslexia, professional development about dyslexia for teachers and administrators, and then programs development and evidence-based educational tools for children and all of those who are dealing with this.

I would like to thank Chairman SMITH, the committee staff, the ranking members, and everyone who supported this important bipartisan legislation.

Mr. BEYER. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. BROWNLEY).

Ms. BROWNLEY of California. Mr. Speaker, as co-chair of the Congressional Dyslexia Caucus, I rise in strong support of this bipartisan bill, the READ Act, which will ensure, finally, that science drives informed public policy.

I want to thank Chairman SMITH for his passionate leadership on this issue. Today is a day, I think, that we can all celebrate, and I want to thank him very, very much for all of his efforts.

The READ Act will increase National Science Foundation research on dyslexia, including best practices on early identification and professional development for teachers and school administrators.

It will also support research on the most effective teaching practices and curriculum models for students with dyslexia.

The research this bill supports can make a difference, a big, big difference, in the lives of millions of American children. Learning disabilities like dyslexia and attention-related disorders affect as many as one in five children in our country.

It was my daughter Hannah's struggle with dyslexia, that led me, quite frankly, to public service. Out of real frustration, I ran for my local school board because, as a parent, it was clear to me that our schools were unprepared to meet my daughter's needs and to meet the needs of students with dyslexia, and teachers had never been properly trained to identify this learning disability.

After 12 years on the school board, I was elected to my State legislature. And as chair of the California Assembly on Education, I also worked to improve education for students with learning disabilities.

Now, as a Member of Congress, I want to do my part at the Federal level.

Across the country, many States are stepping up to this challenge. They have passed new laws to update their education codes, get assistive technology into more classrooms, and to boost teacher training.

Advancements in cognitive science can teach us much more about how the brain develops and, therefore, how children learn.

In closing, I want to share with everyone that my daughter is now 30

years old. She speaks three languages, and she is saving the world one life at a time in Africa. So she finally got the services she needs and is being very successful in life and following her own dreams.

I also want to thank, again, the gentleman from Texas, who is my co-chair on the Dyslexia Caucus, as well as all the members of the Science Committee for their bipartisan support for the READ Act.

I urge my colleagues to vote "yes" on this very important piece of legislation.

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Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON), who is a distinguished member of the Science Committee.

Mr. JOHNSON of Ohio. I thank the chairman. I am grateful for all the work that the Dyslexia Caucus has done to advance this very, very important piece of legislation.

Mr. Speaker, I rise in support of H.R. 3033, the Research Excellence and Advancements for Dyslexia, or the READ Act. This important legislation would require that the President's annual budget to Congress specifically fund the Research in Disabilities Education program at the National Science Foundation. It would also require NSF to devote at least \$5 million annually to dyslexia research.

You are probably going to hear multiple Members come up tonight and talk about personal stories, about how this hits so very close to home for some of us. I have a 13-year-old granddaughter in Texas, Marin Mangiaracina. I have watched over the years as she and her mother and her dad have struggled to help try to identify the problems that she has with learning, teachers that were unprepared to diagnose, to identify the symptoms of dyslexia.

Even then, once she was diagnosed and identified, having those tools and support applied consistently from one school to another or from one teacher to another is still problematic.

Today Marin is a member of the National Honor Society because of the help that has been provided to her. But she still struggles. She has created a Web site on her own to draw attention to this important problem, and she is working hard to improve herself personally.

I can't say enough about how proud I am of her and the many others that are afflicted with this condition.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support H.R. 3033.

Mr. BEYER. I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. WESTERMAN), who is a member of the Science Committee.

Mr. WESTERMAN. I thank the chairman for his leadership on this issue.

Mr. Speaker, I rise tonight in support of the READ Act. I rise as the husband of a special education teacher and not just any special education teacher, one that has a real passion for helping children with reading disabilities and one that has seen firsthand the successes that happen when research-based interventions are used with children with dyslexia.

Dyslexia is the most common learning disability. It affects more than 90 percent of all individuals identified as learning disabled. It is estimated to affect one out of six U.S. schoolchildren.

This learning disability causes difficulty with reading comprehension, math, and a variety of other subject areas. Students with dyslexia should receive research-based instruction so they have the best opportunity to learn and succeed in the 21st century. That is why I cosponsored the READ Act of 2015, a bill that requires the National Science Foundation to fund dyslexia research.

NSF-supported research will strengthen practical interventions, including early identification of dyslexia, development of curricula, and other tools to help dyslexics. It will help identify scalable models for implementing dyslexia programs in schools.

The READ Act does not increase Federal spending. It authorizes multidirectorate, merit-reviewed, and competitively awarded dyslexia projects using funds appropriated for the NSF Research and Related Activities Account and the education and human resources directorate. This bill is good for students, it is good for educators, and it is good for America.

Mr. BEYER. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. PALAZZO), who is a member of the Appropriations Committee but, more importantly, is a former member of the Science Committee.

Mr. PALAZZO. I thank the gentleman from Texas, the entire Dyslexia Caucus, and also the comments from many of my colleagues tonight.

Mr. Speaker, I rise in support of the READ Act. Dyslexia is one of the most common learning disabilities in the United States, affecting an estimated 8.5 million schoolchildren and one in six Americans in some form. Despite these statistics, millions of children go undiagnosed and millions more do not receive proper educational assistance.

The READ Act addresses this problem by requiring the National Science Foundation to fund research that promotes greater awareness of how to identify students with dyslexia and how to tailor a curriculum to better fit their needs. The READ Act also aims to put more resources in the hands of parents, teachers, and students.

As an original cosponsor of this bill, a member of the bipartisan Congressional Dyslexia Caucus, and as a parent who has seen firsthand the challenges facing today's dyslexic students, I firmly believe that research focused on practical applications is needed to not only help understand dyslexia, but also to afford students an education that enables them to succeed in the classroom and reach their full potential.

The READ Act provides an opportunity for a brighter and more productive future for millions of Americans. For these reasons, I fully support the READ Act and encourage my colleagues to do the same.

Mr. BEYER. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BUCSHON), who is a member of the Energy and Commerce Committee and a former member of the Science Committee.

Mr. BUCSHON. Mr. Speaker, I rise today in support of H.R. 3033, the Research Excellence and Advancements for Dyslexia Act, the READ Act.

Dyslexia is a personal issue for my family. My daughter struggled to learn to read. She dreaded reading aloud in class and worrying about what her classmates thought affected her self-esteem.

My wife and I had her tutored, and we had some testing. With hard work, our daughter was able to catch up and surpass her classmates. But it wasn't until high school that she was diagnosed with dyslexia.

This is an important piece of legislation that dedicates specific funds to dyslexia research, including early detection. This bill will help more children get a proper diagnosis.

I sometimes wonder, had my wife and I not been engaged in this process, what might have become of my daughter's academic career and what about all the other students out there who may be misdiagnosed. So I encourage my colleagues to support the READ Act.

Mr. BEYER. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I am prepared to close if the gentleman from Virginia has no more speakers.

Mr. BEYER. Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, I thank the Members on both sides of the aisle who have cosponsored the READ Act and spoken in favor of the bill.

Today we can shine a light on dyslexia and help millions of Americans have a brighter and more prosperous future.

I can think of no better way to honor Dyslexia Awareness Month than to pass the READ Act, a bill that will

help students and individuals with dyslexia and the parents and teachers who support them in very practical ways.

Jay Leno, Walt Disney, Steve Jobs, and Carol Greider, the 2009 Nobel Prize winner in medicine, among others, are some of the most recognized and brilliant creators and innovators who have struggled with dyslexia but have not let it limit them.

We need to enable those with dyslexia to achieve their maximum potential. The READ Act will help accomplish this.

I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 3033, the Research Excellence and Advancements for Dyslexia Act.

H.R. 3033 would require the National Science Foundation to have a line item for the Research in Disabilities Education program and to fund at least \$5 million dollars a year on dyslexia research. This would include research on the early identification of individuals with dyslexia, professional development for teachers and school administrators, curricula development and educational tools, and implementation and scaling of successful models of dyslexia intervention.

I have known several people who have dyslexia. Although dyslexia is a lifelong condition, if someone gets proper diagnosis and instruction, they can succeed in school and go on to have successful careers.

The National Science Foundation currently supports fundamental research across a number of scientific fields that provide a foundation for dyslexia research. Also, the National Science Foundation is a leader in educational research and funds learning science directly and indirectly related to dyslexia.

A significant amount of the National Science Foundation research relevant to dyslexia is funded out of the Social, Behavioral, and Economic Sciences Directorate and the Education and Human Resources Directorate—two important National Science Foundation Directorates that fund high-priority research. Research funded by the Biological Sciences Directorate also contributes to foundational knowledge about the neuroscience behind dyslexia.

I was pleased that when this bill was considered by the House Science, Space, and Technology Committee, we worked in a bipartisan manner and made several improvements to the bill, including incorporating some of the suggestions that expert witnesses had given us during Committee hearings.

I want to thank my fellow Texan, Chairman SMITH for working across the aisle on this bill. I support the bill and urge my colleagues to support it.

Mrs. LAWRENCE. Mr. Speaker, I rise today to urge my support for H.R. 3033, the Research Excellence and Advancements for Dyslexia (READ) Act. I would like to emphasize the importance of supporting the academic development of the 8.5 million American school children struggling with dyslexia.

Before they are diagnosed, children with dyslexia often struggle in school. Early detection of dyslexia can save students and parents the frustration that occurs as a result of the

student's unexpected decline in academic performance. I am fighting for increased funding of the National Science Foundation's Research in Disabilities Education to support these children and their families. Research is crucial to ensure that dyslexic children have the opportunity to reach their full potential. That is why it is vitally important to expand funding for research in all of our schools and communities.

In my District, I have spoken with many parents concerned about the lack of programs designed to assist with the diagnosis and development of dyslexic children. By passing this legislation, we will continue our legacy of supporting children and families. The READ Act would require that the President's annual budget request to Congress includes a line item for the Research in Disabilities Education program of the National Science Foundation and requires the National Science Foundation to conduct research on dyslexia. In addition, the National Science Foundation would encourage efforts to understand and address disability-based differences in STEM education and workforce participation, including dyslexic learners.

I am grateful that our chamber has taken this important step to ensure that dyslexic children and their families receive the support they need. I want to thank my colleagues on both sides of the aisle for supporting children's education and further dedicating ourselves to serving our hard-working American families and their children.

Ms. EDWARDS. Mr. Speaker, I wish to join my colleagues in support of H.R. 3033, the Research Excellence and Advancements for Dyslexia—or READ—Act.

The READ Act directs the NSF to devote funding to support dyslexia research, and to look at that research with an eye to its practical application. This will include early identification and intervention for children with dyslexia, guidance and professional development for teachers on working with students with dyslexia, and the development of educational tools and curricula which aid those with dyslexia.

Mr. Speaker, dyslexia is the most common learning disability in America, with an estimated 1 in 6 individuals potentially suffering from some form of dyslexia. Unfortunately, many people go undiagnosed, or are diagnosed but do not have access to the resources or alternative learning methods that could help them. I remember how much effort it took just to get the school system to recognize that my son should get tested for dyslexia, not to mention getting him the interventions and tools that he needed in order to be a successful student.

We need to encourage the scientific research around dyslexia, especially as it relates to early identification and early intervention.

I encourage all of my fellow Members of Congress to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3033, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DAY OF THE DEPLOYED

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of the 10th anniversary of the National Day of the Deployed, which honors all the men and women who have been deployed and who have dedicated their lives to the defense and the continued freedom of our Nation.

On Sunday, October 25, I attended a welcome home celebration for 25 members of the 112th Air Operations Squadron based in State College, Pennsylvania. These men and women were involved in all aspects of air operations in the Middle East and have been instrumental in the fight against ISIS. The 112th Air Operations Squadron was the first in the Nation to be deployed in this manner many years ago, setting precedent for similar units that have been deployed since.

Mr. Speaker, the deployed men and women of the United States Armed Forces leave behind their families to travel overseas in order to serve our country in places such as Iraq and Afghanistan, along with other missions throughout Asia and Europe. Their sacrifices embody bravery and the love for our country.

I welcome those brave individuals home and pray for those who are still serving our country overseas. May we recognize them on this 10th National Day of the Deployed.

CLIMATE CHANGE

(Mr. HONDA asked and was given permission to address the House for 1 minute.)

Mr. HONDA. Mr. Speaker, last week's historic storm, Hurricane Patricia, was the strongest hurricane on record. My thoughts are with those who lost their loved ones, their homes, and their livelihoods.

We must ensure that the thousands affected have access to food, shelter, clean water, services, and the resources to rebuild their lives to limit the impact of Patricia's devastation. But we should not limit the storm's impact on our consciousness. Hurricane Patricia should be a wake-up call that our planet's climate is changing.

September was the warmest month ever recorded. As our planet warms, we expect more extreme weather: lengthier droughts, higher floods, and stronger storms.

Our Nation must invest in understanding and better preparing for the effects of climate change. Deprioritizing earth science and capping spending for research programs is irresponsible and shortsighted.

Hurricane Patricia showed how being informed and prepared about coming storms can save lives. Investment in earth science research is vital to improving our understanding of our planet and building resiliency to a shifting climate.

REMEMBERING COACH FLIP SAUNDERS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, we lost a good man, mentor, and coach this past weekend with the passing of Flip Saunders.

While the veteran NBA coach grew up in the Cleveland, Ohio, area, he will forever be a true Minnesotan to many of us. It started with his career as a player at the University of Minnesota, where he started over 100 games for the Golden Gophers.

After his playing career was over, he began his coaching career at Golden Valley Lutheran College before working his way up to the NBA. Flip coached the Minnesota Timberwolves to their first winning season, their first playoff appearance, and to an appearance in the Western Conference finals.

More than accolades, though, Flip was a mentor to many. The outpouring of grief from players, coaches, sportswriters, and fans shows just what he meant to those who knew him. Mr. Speaker, Flip Saunders was a basketball icon in Minnesota, and he will be greatly missed.

Our thoughts and prayers are with his wife Debbie and their four children.

□ 2015

WHY DOES THE IRS NEED SURVEILLANCE EQUIPMENT? TO SPY ON AMERICANS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the Department of Justice has closed its investigation into Lois Lerner and her band of bungling bureaucrats at the IRS. Choosing political expediency, it won't prosecute the actors.

But according to news reports today, not only did officials at the IRS abuse their power by targeting the administration's political enemies, now they possess spy equipment to do it.

Now the IRS will have "sophisticated cellphone dragnet equipment known as Stingray." These devices "work by pretending to be cellphone towers in order to strip metadata and in some cases even content from phones which connect to them."

Mr. Speaker, why does the IRS want to spy on Americans? It sounds like the old Soviet Union to me. The Fourth

Amendment protects Americans from this type of widespread, abusive government spying.

It is time for Congress to make sure that the constitutional right of privacy applies to the IRS and to this new technology. Technology may change, but the Constitution does not.

And that is just the way it is.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of a medical procedure.

EXPENDITURES BY THE OFFICE OF GENERAL COUNSEL UNDER HOUSE RESOLUTION 676, 113TH CONGRESS

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOUSE ADMINISTRATION,

Washington, DC, October 26, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER, Pursuant to section 3(b) of H. Res. 676 of the 113th Congress, as continued by section 3(f)(2) of H. Res. 5 of the 114th Congress, I write with the following enclosure which is a statement of the aggregate amount expended on outside counsel and other experts on any civil action authorized by H. Res. 676.

Sincerely,

CANDICE S. MILLER,
Chairman,
Committee on House Administration.

AGGREGATE AMOUNT EXPENDED ON OUTSIDE COUNSEL OR OTHER EXPERTS—H. RES. 676

July 1–September 30, 2014	0.00
October 1–December 31, 2014	\$42,875.00
January 1–March 31, 2015	50,000.00
April 1, 2015–June 30, 2015	29,915.00
July 1–September 30, 2015	21,000.00
Total	143,790.00

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 774. An act to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

ADJOURNMENT

Mr. POE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, October 27, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3252. A letter from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Revisions to the Unverified List (UVL) [Docket No.: 150817734-5734-01] (RIN: 0694-AG72) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

3253. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-041; to the Committee on Foreign Affairs.

3254. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-064; to the Committee on Foreign Affairs.

3255. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(d) of the Arms Export Control Act, Transmittal No.: DDTC 15-027; to the Committee on Foreign Affairs.

3256. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter and relevant documentation concerning the implementation of commitments in the Joint Comprehensive Plan of Action, pursuant to the Iran Freedom and Counter-Proliferation Act of 2012, the Iran Sanctions Act of 1996, the Iran Threat Reduction and Syria Human Rights Act of 2012, and the National Defense Authorization Act for Fiscal Year 2012; jointly to the Committees on Foreign Affairs, Financial Services, Oversight and Government Reform, the Judiciary, and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONAWAY: Committee on Agriculture. H.R. 1317. A bill to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes; with an amendment (Rept. 114-311 Pt. 1). Ordered to be printed.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1338. A bill to require the Secretary of Veterans Affairs to conduct a study on matters relating to the burial of unclaimed remains of veterans in national cemeteries, and for other purposes; with an amendment (Rept. 114-312). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 491. Resolution providing for consideration of the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes (Rept. 114-313). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. BROWN of Florida (for herself, Mr. THOMPSON of Mississippi, Ms. NORTON, Ms. ADAMS, Mr. SCOTT of Virginia, Mr. BUTTERFIELD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SEWELL of Alabama, Mrs. BEATTY, Mrs. WATSON COLEMAN, Mr. JEFFRIES, Ms. EDWARDS, Mr. FATTAH, Ms. FUDGE, Mr. BISHOP of Georgia, Ms. PLASKETT, Mr. MEEKS, Mr. JOHNSON of Georgia, Mr. CLEAVER, Mr. DANNY K. DAVIS of Illinois, Ms. JACKSON LEE, Mr. RICHMOND, Ms. WILSON of Florida, Mr. HASTINGS, Mr. CLYBURN, Ms. CLARKE of New York, Ms. BASS, Mr. AL GREEN of Texas, Mr. VEASEY, Ms. MAXINE WATERS of California, Mr. RANGEL, Ms. LEE, Mr. RUSH, Mr. CLAY, Mr. LEWIS, and Mr. CUMMINGS):

H.R. 3828. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to provide for an equitable distribution of formula funds between land-grant colleges and universities, and for other purposes; to the Committee on Agriculture.

By Ms. ROS-LEHTINEN:

H.R. 3829. A bill to promote transparency, accountability, and reform within the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and for other purposes; to the Committee on Foreign Affairs.

By Ms. VELÁZQUEZ (for herself and Mr. JEFFRIES):

H.R. 3830. A bill to reduce gun violence, increase mental health counseling, and enhance the tracking of lost and stolen firearms; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas (for himself, Mr. MURPHY of Florida, Mr. PITTS, Mr. THOMPSON of California, and Mr. CÁRDENAS):

H.R. 3831. A bill to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENACCI (for himself, Mr. LEWIS, Mr. ROSKAM, Mr. BUCHANAN, and Mr. REICHERT):

H.R. 3832. A bill to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILSON of Florida:

H.R. 3833. A bill to require a regional strategy to address the threat posed by Boko Haram; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to

be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD:

H.J. Res. 71. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units"; to the Committee on Energy and Commerce.

By Mr. WHITFIELD:

H.J. Res. 72. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units"; to the Committee on Energy and Commerce.

By Mr. MEADOWS:

H. Con. Res. 87. Concurrent resolution expressing support for designation of October 28 as "Honoring the Nation's First Responders Day"; to the Committee on Transportation and Infrastructure.

By Mr. POE of Texas (for himself and Mr. AL GREEN of Texas):

H. Res. 492. A resolution supporting the goals and ideals of October as "National Domestic Violence Awareness Month" and expressing the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence and its devastating effects on individuals, families, and communities, and support programs designed to end domestic violence in the United States; to the Committee on Education and the Workforce.

By Mr. COURTNEY (for himself, Ms. DELAURO, Mr. LARSON of Connecticut, Mr. HIMES, and Ms. ESTY):

H. Res. 493. A resolution recognizing Connecticut's Submarine Century, the 100th anniversary of the establishment of Naval Submarine Base New London, and Connecticut's historic role in supporting the undersea capabilities of the United States; to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. BROWN of Florida:

H.R. 3828.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause, XVIII:

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Ms. ROS-LEHTINEN:

H.R. 3829.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Ms. VELÁZQUEZ:

H.R. 3830.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BRADY of Texas:

H.R. 3831.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. RENACCI:

H.R. 3832.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. WILSON of Florida:

H.R. 3833.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 and Article 1, Section 8, Clause 18

By Mr. WHITFIELD:

H.J. Res. 71.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article I Section 8 Clause 3 of the Constitution of the United States, grants Congress the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes".

By Mr. WHITFIELD:

H.J. Res. 72.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article I Section 8 Clause 3 of the Constitution of the United States, grants Congress the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes".

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 282: Mr. LEWIS.

H.R. 452: Mr. DEUTCH and Mr. GRAYSON.

H.R. 563: Mr. CRENSHAW.

H.R. 592: Mr. FITZPATRICK, Mr. GUINTA, Mr. CONNOLLY, and Mr. KELLY of Pennsylvania.

H.R. 662: Mr. PERRY and Mr. BUCK.

H.R. 721: Mr. CLAWSON of Florida.

H.R. 766: Mr. RODNEY DAVIS of Illinois.

H.R. 802: Mr. BRIDENSTINE, Mr. CONNOLLY, and Ms. LOFGREN.

H.R. 815: Mr. BOUSTANY.

H.R. 816: Mr. CHAFFETZ.

H.R. 845: Mr. GOODLATTE.

H.R. 870: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CÁRDENAS, and Mr. LARSON of Connecticut.

H.R. 921: Mr. KIND.

H.R. 973: Mr. POLIQUIN and Mr. MEEHAN.
 H.R. 985: Mr. CICILLINE.
 H.R. 1061: Mr. VAN HOLLEN.
 H.R. 1086: Mr. ROHRBACHER.
 H.R. 1142: Mr. GUINTA.
 H.R. 1148: Mr. POSEY.
 H.R. 1188: Mr. CONNOLLY.
 H.R. 1197: Mr. RIBBLE.
 H.R. 1221: Ms. TITUS.
 H.R. 1309: Mr. AUSTIN SCOTT of Georgia,
 Mr. COLLINS of Georgia, and Mr. THORNBERRY.
 H.R. 1453: Mr. HUDSON.
 H.R. 1475: Mr. COLLINS of New York.
 H.R. 1550: Mr. KILMER.
 H.R. 1568: Mr. SMITH of Washington and Ms. JUDY CHU of California.
 H.R. 1571: Mr. GARAMENDI, Mr. CONNOLLY,
 Mr. DESAULNIER, and Mr. NADLER.
 H.R. 1603: Mr. CLAWSON of Florida and Mr. LOWENTHAL.
 H.R. 1608: Mr. DOGGETT, Mr. CÁRDENAS, Ms. MCCOLLUM, and Mrs. BUSTOS.
 H.R. 1625: Mr. KILMER.
 H.R. 1671: Mr. JOLLY.
 H.R. 1728: Mrs. WATSON COLEMAN, Ms. MCCOLLUM, Mr. BLUMENAUER, Mr. VARGAS, and Mr. QUIGLEY.
 H.R. 1733: Mr. SHERMAN.
 H.R. 1737: Mr. HUELSKAMP, Mr. MCKINLEY,
 Mr. LOUDERMILK, and Mr. KELLY of Pennsylvania.
 H.R. 1739: Mr. SMITH of Missouri.
 H.R. 1751: Mr. DEUTCH, Mr. VARGAS, Ms. LEE, and Mr. GRAYSON.
 H.R. 1781: Ms. KELLY of Illinois.
 H.R. 1786: Mr. AL GREEN of Texas, Mr. RODNEY DAVIS of Illinois, and Ms. BROWN of Florida.
 H.R. 1788: Mr. KLINE.
 H.R. 1814: Ms. PLASKETT and Mr. BISHOP of Georgia.
 H.R. 1848: Ms. TSONGAS, Ms. ROYBAL-ALLARD, and Mr. KEATING.
 H.R. 1942: Mr. MCNERNEY and Mr. ROSS.
 H.R. 1966: Ms. LEE.
 H.R. 2009: Mr. SALMON.
 H.R. 2010: Mr. NEWHOUSE and Mr. POSEY.
 H.R. 2017: Mr. DUNCAN of South Carolina and Mr. POE of Texas.
 H.R. 2050: Mr. MEEHAN.
 H.R. 2209: Mr. BARR and Mr. ROSS.
 H.R. 2355: Mr. JEFFRIES.
 H.R. 2403: Mr. KILDEE.
 H.R. 2410: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 2412: Ms. PINGREE and Mr. ASHFORD.
 H.R. 2494: Ms. DELBENE, Ms. BORDALLO, Mr. WOMACK, and Ms. SCHAKOWSKY.
 H.R. 2510: Mr. CRAWFORD.
 H.R. 2513: Mr. RIBBLE.
 H.R. 2603: Mr. ROONEY of Florida.
 H.R. 2631: Mr. MACARTHUR and Mr. POSEY.
 H.R. 2643: Mr. ADERHOLT.
 H.R. 2646: Mr. GRAVES of Missouri.
 H.R. 2654: Mrs. KIRKPATRICK.
 H.R. 2710: Mrs. HARTZLER, Ms. MCSALLY, and Mr. ROKITA.
 H.R. 2713: Mr. SCHRADER.
 H.R. 2726: Ms. JUDY CHU of California.
 H.R. 2753: Mr. SMITH of Missouri.
 H.R. 2775: Mr. DELANEY.
 H.R. 2811: Ms. TSONGAS.
 H.R. 2844: Mr. KILDEE.
 H.R. 2847: Mrs. BUSTOS, Mr. KLINE, and Mr. LONG.
 H.R. 2849: Mr. MCGOVERN.
 H.R. 2867: Mr. BECERRA, Mr. HECK of Washington, Ms. TITUS, Mr. SARBANES, and Mr. AL GREEN of Texas.
 H.R. 2896: Mr. LAMBORN and Mr. AMODEI.
 H.R. 2903: Mr. CÁRDENAS, Mr. CRAWFORD, and Mr. SCHWEIKERT.
 H.R. 2994: Mr. RUPPERSBERGER.
 H.R. 3035: Mr. BLUMENAUER.
 H.R. 3046: Mr. DEUTCH, Ms. LEE, and Mr. GRAYSON.
 H.R. 3048: Mr. GOHMERT.
 H.R. 3051: Mr. BLUMENAUER and Mr. PETERS.
 H.R. 3071: Miss RICE of New York.
 H.R. 3113: Mr. HENSARLING and Mr. RATCLIFFE.
 H.R. 3164: Mr. HUFFMAN.
 H.R. 3180: Mr. COLLINS of New York.
 H.R. 3183: Mr. RODNEY DAVIS of Illinois, Mr. BYRNE, and Mr. COLE.
 H.R. 3196: Ms. MCCOLLUM.
 H.R. 3227: Mr. MILLER of Florida.
 H.R. 3235: Ms. HERRERA BEUTLER.
 H.R. 3339: Mrs. NAPOLITANO.
 H.R. 3412: Mr. DENHAM.
 H.R. 3516: Mr. GUTHRIE and Mr. SESSIONS.
 H.R. 3519: Mrs. TORRES.
 H.R. 3559: Ms. MCCOLLUM.
 H.R. 3573: Mr. TURNER.
 H.R. 3637: Mr. TAKANO.
 H.R. 3643: Mr. CUELLAR.
 H.R. 3655: Mr. DUNCAN of South Carolina.
 H.R. 3690: Mr. MCGOVERN.
 H.R. 3696: Ms. MAXINE WATERS of California, Mr. CONYERS, Ms. KAPTUR, Ms. TSON-

GAS, Mr. CUMMINGS, Ms. BROWN of Florida, Ms. ESHOO, Mr. ISRAEL, Mr. GRIJALVA, Mr. HINOJOSA, Mr. TAKANO, Mr. CARSON of Indiana, Mr. LOWENTHAL, Mr. HECK of Washington, Ms. BORDALLO, and Mr. CICILLINE.
 H.R. 3700: Mr. SHERMAN and Mr. PITTENGER.
 H.R. 3706: Mr. ROSS.
 H.R. 3741: Ms. GABBARD.
 H.R. 3761: Ms. SLAUGHTER.
 H.R. 3779: Mr. HANNA and Mr. OLSON.
 H.R. 3786: Mr. TAKANO, Mr. FARR, and Mr. HASTINGS.
 H.R. 3801: Mr. MCGOVERN.
 H.R. 3806: Ms. DELBENE.
 H.R. 3811: Mr. TAKANO and Mr. DEFazio.
 H.R. 3812: Mr. TAKANO and Mr. DEFazio.
 H.J. Res. 50: Mr. STUTZMAN.
 H. Con. Res. 17: Mr. MOULTON.
 H. Con. Res. 51: Miss RICE of New York.
 H. Con. Res. 75: Ms. BROWNLEY of California and Mr. ROONEY of Florida.
 H. Res. 54: Mr. CASTRO of Texas.
 H. Res. 137: Mr. LEVIN.
 H. Res. 210: Mr. DUNCAN of South Carolina.
 H. Res. 265: Mr. COHEN.
 H. Res. 294: Mr. KILDEE.
 H. Res. 428: Mr. POCAN, Mr. VAN HOLLEN, Mr. TAKANO, Mr. GUTIÉRREZ, and Mr. NADLER.
 H. Res. 467: Ms. FUDGE, Mr. GRIJALVA, Ms. MENG, Mr. MURPHY of Florida, and Mr. YARMUTH.
 H. Res. 479: Mr. DOLD.
 H. Res. 485: Mr. MILLER of Florida and Mr. MCCLINTOCK.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative STEPHEN LYNCH (MA) or a designee to H.R. 1090, the Retail Investor Protection Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

IN RECOGNITION OF DR.
PELLEGRINI'S RECEIPT OF
ENRICO FERMI AWARD

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. TED LIEU of California. Mr. Speaker, I rise today to recognize Dr. Claudio Pellegrini for his remarkable and groundbreaking work in the scientific community. On October 20, 2015, Dr. Pellegrini received the Enrico Fermi Award for his research on relativistic electron beams and free-electron lasers. This honor is among the most respected and prestigious awards for scientific achievement.

Throughout his lifetime, Dr. Pellegrini has held many prominent positions and earned numerous impressive awards. After studying at the University of Rome, he became Director of the laser division at the Frascati National Laboratories in the 1970s. He later served at the Brookhaven National Laboratory and at the Nordic Institute of Theoretical Physics. In recent years he has worked at the SLAC National Accelerator Laboratory. He is the distinguished recipient of a Fulbright fellowship and the FEL Prize. Still, these include only a fraction of Dr. Pellegrini's accomplishments.

I am especially pleased to recognize Dr. Pellegrini's position as a Distinguished Professor Emeritus of Physics at the University of California Los Angeles. Widely considered an expert in electron and photon beams physics, his research contributed to the development of the first hard x-ray free-electron laser and helped advance high-energy physics more generally. The university and surrounding community has undoubtedly benefited from Dr. Pellegrini's presence.

I am confident that Dr. Pellegrini's work will continue to benefit the scientific community in the United States and throughout the world. Today, California's 33rd Congressional District is proud to congratulate Dr. Pellegrini as a Fermi Award recipient and as a tremendous scientist and individual.

LIFELONG ATHLETE: MARK
SERTICH

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. NOLAN. Mr. Speaker, I rise today to recognize Mark Sertich of Duluth, Minnesota, who continues to celebrate victories on the ice at ninety-four years old.

Mark, who during World War II fought in General George Patton's Third Army liberating concentration camps, still puts on his ice skates several times a week to play a pick-up

game of hockey. At fifty-nine years old he ran his first marathon and did not stop there. As of today, he has finished five marathons and eleven inline skating marathons.

Ice hockey remains his favorite sport, which is why Mark plays every week—no excuses. Forty-two years ago Mark began competing in the annual Snoopy's Senior World Tournament with the late cartoonist Charles Schulz. The two played on the same line together for many years and became good friends.

After taking a hard hit on the ice, resulting in two fractured ribs and a punctured lung, doctors said would keep him out of the game for at least six weeks. Mark was back on the ice in just three. His commitment makes him a role model for us all. When asked in a recent interview how he stays motivated to play every week, he responded, "I say the most important step is the first one out the door."

I congratulate Mark for not only continuing to play his favorite sport, but also for his victories on the ice, including winning paid skating fees for life in a bet with his teammates when he was eighty years old. Hopefully when I am ninety-four years old I can still lace up my skates and hold my own with players my grandchildren's age—and win a few games too.

HONORING MALCOLM "MAL"
BURNSTEIN

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Ms. LEE. Mr. Speaker, I rise today to honor an exceptional leader and activist, who fought for equality and civil rights for many decades, Malcolm "Mal" Burnstein.

Mal Burnstein was born in 1933 in Detroit, and faced heavy oppression and intolerance growing up as a Jewish man in the 1930's and 1940's. The difficulties Mal faced inspired him to be an advocate for civil rights. In the 1940's, Mal was very active in politics in his youth, and volunteered on quite a few campaigns. Some of the campaigns he volunteered for include Henry Wallace's campaign for president; Mennen Williams's campaign for governor; and Martha Griffith's campaign for Congress.

Mal graduated with his law degree from Boalt Law School at UC Berkeley in 1958, and after law school, he pursued a fellowship in Europe and studied international law at the Sorbonne in Paris. He then clerked for a year under California Supreme Court Justice Thomas White.

Mal's strong conviction to fight for civil rights and equality led him back to Europe for another fellowship, where he worked in Geneva, advocating for the cause of international

human rights. In 1961, Mal began working for Robert Trehauff at the Trehauff firm, practicing labor law. The Trehauff firm soon disbanded, and Robert Trehauff joined Doris Walker's firm, hiring Mal as the only associate.

In 1962, Mal formed the Boatrackers Democratic Club, a group dedicated to representing civil rights demonstrators. The club is notable for defeating a recall proposed by conservative Berkeley citizens to recall the Berkeley School Board for racially integrating their Berkeley schools.

Mal worked with the Free Speech Movement, the student protest that took place at UC Berkeley in 1964, when the Movement organizers sought legal representation from the Walker firm. Mal provided legal counsel for the Movement, and advised the Movement student organizers during negotiations with the school. Mal's admiration for student leadership and commitment to the Free Speech Movement proved vital during the trials of the 800 arrested students.

Mal was also a member of the Congress of Racial Equality (CORE), and was one of its volunteer lawyers. He participated in CORE organized eat-ins, sit-ins, shops-ins, and picket protests. Such actions were instrumental in paving the way for diversification in workplaces around the East Bay.

On a personal note, Mal has been a confidant, my lawyer, a mentor, and most importantly, a wonderful friend. I value his wise counsel and am always energized by his soaring spirit.

On behalf of the residents of California's 13th Congressional District, I extend my sincerest congratulations to Malcolm "Mal" Burnstein.

HONORING ANDERSON'S GROCERY,
RECIPIENT OF THE 2015 EXCELLENCE
IN OPERATIONS AWARD
FROM THE WASHINGTON FOOD
INDUSTRY ASSOCIATION

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise to congratulate Anderson's Grocery in Republic, Washington for receiving the 2015 Excellence in Operations Award from the Washington Food Industry Association. I want to recognize the owners Ms. Kari Beedle, Ms. Julie Padilla, and Ms. Judee Young for their tireless effort, serving people in Republic and across Eastern Washington.

The Excellence in Operations Award recognizes those who excel in daily store operations, product merchandising, and employee relations of community-focused grocers in Washington State. As a family-owned grocery store, Anderson's Grocery has continuously

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

served Republic, Washington for one hundred and fifteen years. It is this type of devotion and commitment that makes Anderson's Grocery truly deserving of this distinguished award.

Anderson's Grocery and its owners care deeply about their customers and employees and operate with the philosophy that their employees are the key to their success. Under this philosophy, the owners have implemented many worker-friendly programs. Additionally, to better meet the needs of Ferry County and the surrounding areas, through the years, Anderson's Grocery added capacity in their frozen food, deli, produce and meat departments, and added a bakery department, further exemplifying their commitment to providing enhanced goods and services in order to better the lives of all within our community.

Outside of the store, Kari Beedle, Julie Padilla, and Judee Young established the Mary French Foundation. This foundation, named after an Anderson's Grocery employee who passed away of breast cancer, works to raise funds to support scholarship efforts for Republic High School seniors. This commitment illustrates what involved and devoted community members look like and Anderson's Grocery continually goes above and beyond to provide exemplary service and to give back to all of those in Republic, Washington and in Ferry County.

So today I recognize these accomplishments and congratulate Anderson's Grocery and its owners on being leaders in our community, on their dedicated service to Republic and Ferry County, and on receiving the distinct 2015 Excellence in Operations Award from the Washington Food Industry Association. Thank you for all of your efforts to serve and better Eastern Washington.

TRIBUTE TO VAN G. MILLER

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. BLUM. Mr. Speaker, I rise today to honor the memory of a dear friend and a true innovator, Mr. Van G. Miller. I was saddened to learn of his death earlier this week. Van was a pillar of the community of Waterloo—founding VGM and Associates in 1986 as a provider of home medical equipment, believing that community-based providers produced the best results. Under his direction, the company quickly expanded to include more than 20 business units and employing 850 people. He was recognized as a Champion of Home Care by the American Association for Home Care and was named one of the HME Industry's Top Ten most Influential Individuals by HME News.

Despite his success, he remained humble and quick to credit his success to his employees. He called each of his employees on their birthdays and work anniversaries and supported numerous local charities throughout the First District. In addition, he shared the success of VGM with them as he sold 100 percent of the company to its employees through an Employee Stock Option Plan.

His family and friends, the state of Iowa and the City of Waterloo will greatly miss Van—a true visionary in his field.

I express my condolences to his immediate family, as well as his extended family at VGM, and for all of those who had the privilege of knowing him.

2015 WOMEN'S INTERNATIONAL AUCTIONEER CHAMPION: TAMMY TISLAND

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. NOLAN. Mr. Speaker, I rise today to recognize Tammy Tisland, from Hines, Minnesota for being named the 2015 Women's International Auctioneer Champion. Tammy won the title at the National Auctioneers Association Conference and Show in July.

In addition to her work as an auctioneer, Tammy dedicates much of her spare time to helping veterans and their families in her community. As a member of the American Legion Auxiliary, American Legion Riders, and Patriot Guard Riders she has found helping veterans and their families greatly rewarding.

Tammy has been in the auction industry fourteen years and enjoys "helping folks move from one chapter in life to another." During the competition she was judged on everything from her professional presentation to effective selling skills, to her bid call. Tammy attributes her success to a culmination of evolving as a competitor, following the advice of her mentors, and growing not only her involvement with the National Auctioneers Association but also learning to be a giver within the NAA. As 2015 IAC champion she hopes to motivate young auctioneers to give back to the industry and the people it serves as they pursue their goals.

Thank you, Tammy Tisland, for your dedication and service to our community.

APPLAUDING MATT WEINSTEIN FOR HIS SERVICE TO ALABAMA'S FIRST CONGRESSIONAL DISTRICT

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. BYRNE. Mr. Speaker, I rise today to share my appreciation to Matt Weinstein for his nine years of service to Alabama's First Congressional District. Matt's last day serving the people of Southwest Alabama will be Friday, October 30.

Matt started his service to Alabama's First Congressional District in 2010 as a legislative assistant to Congressman Jo Bonner (R-AL). Prior to working for the First District, Matt worked in the office of Alabama Congressman MIKE ROGERS (R-AL) starting in January 2007.

Upon my election to Congress in December 2013, I was proud to name Matt Weinstein my legislative director. In my office, Matt has been

a dedicated advisor on all policy matters and served as a liaison with small businesses and elected officials in Southwest Alabama.

Matt has been instrumental in my office's efforts to push forward with construction of a new I-10 bridge over the Mobile River. Matt has done an impressive job of working with the Alabama Department of Transportation and the federal Department of Transportation to remove bureaucratic hurdles. With Matt's help, we have been able to make real, tangible process over the last two years.

When the BP/Deepwater Horizon oil spill hit Alabama's Gulf Coast, Matt helped Congressman Bonner advocate for our coastal communities. Matt played an important role in crafting the RESTORE Act, which was intended to keep oil spill settlement money under control of the coastal counties.

I am especially grateful for Matt's service to our nation's service members and veterans. Matt did tremendous work supporting our nation's Navy and the thousands of Alabamians who work at the Austal USA shipyard in Mobile, Alabama. Matt has also assisted countless veterans with various issues related to the Department of Veterans Affairs and has supported my efforts to give veterans greater access to private care.

Mr. Speaker, I asked former Congressman Jo Bonner to share his gratitude with Matt as well. Congressman Bonner said, "Matt is one of the most talented and dedicated young men I know. He thinks strategically, always looking for ways to build consensus and get the job done. He was invaluable to the people of South Alabama during the aerial refueling tanker war, but he was equally helpful in getting those early contracts for Austal and during those difficult months following the BP/Deepwater Horizon explosion. I can't say enough good things about Matt Weinstein; he is truly one in a million."

A native of Mobile, Alabama, Matt has served his hometown with dedication, passion, and steady leadership. I wish him and his wife, Paige, all the best in their future endeavors. Alabama's First Congressional District will be forever grateful for his service.

HONORING HO FENG-SHAN

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. ISRAEL. Mr. Speaker, I rise today to honor the bravery and heroism of Ho Feng-Shan, the Chinese Consul-General stationed in Vienna during World War II.

At great risk to his personal safety, Mr. Ho issued Chinese visas to thousands of Austrian Jews, allowing them to flee the country and escape the atrocities of Nazi concentration camps. Despite strict orders from his superiors to stop issuing visas on such a large scale, he refused to abide by these instructions and undoubtedly saved thousands of lives.

On August 7, 2000, Mr. Ho was recognized by Yad Vashem with the title, "Righteous among the Nations" for his selfless and courageous actions.

Please join me in honoring Ho Feng-Shan for his sacrifice and brave display of noble humanitarianism.

IN HONOR OF THE ACHIEVEMENTS
OF MEDICAL RESEARCH IN
GEORGIA

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise today to discuss a disease that is important to my family, breast cancer. This devastating disease strikes 1 in 8 women, affecting our mothers, wives, daughters, sisters, and loved ones. In Georgia, breast cancer is a particularly serious problem as it is the most common type of cancer and the second most deadly type of cancer among women in the state. According to the nonprofit Sisters by Choice, 6000 women will be diagnosed with breast cancer, and 1000 will die from breast cancer in Georgia each year. This epidemic is made worse by the fact that 19 percent of Georgians do not have health insurance, 33 percent of Georgia counties do not have mammography machines, and 75 percent of Georgia counties are medically underserved. Due to slow detection caused by these facts, 30 percent of breast cancers will have metastasized and be present in other places throughout the body by the time they are found.

Despite the disheartening statistics about cancer, I know that there is still hope. Detection and treatment advances found in the past few years will help to both lessen the risk of cancer and win the fight to eradicate cancer. I am pleased that Georgia is a hub for medical innovation in the fight against cancer, utilizing public and private partnerships to research the disease. Moreover, the CDC and the internationally regarded cancer centers at Emory University, Georgia Regents University, the University of Georgia, Northside Hospital, and other centers throughout the state have pioneered effective, yet minimally invasive ways to treat this disease.

Additionally, the CDC has contributed to this effort through public outreach programs aimed at improving surveillance so that cancers can be caught early. In addition, the internationally-renowned Winship Cancer Institute at Emory University has tested 75 percent of FDA-approved new cancer treatments in the past seven years. At another renowned institution, researchers at the University of Georgia have discovered a vaccine that attacks a previously unassailable protein. This vaccine is vitally important because this protein is found in the majority of killing cancers and in the "triple-negative" tumors common in a particularly dangerous variant of breast cancer.

In addition to the work done by the professional research institutions in Georgia, I am proud that the Georgia community has come together to support those who are suffering from not just breast cancer, but cancers of all types. For instance, Sisters by Choice, a nonprofit organization centered around helping underinsured and underserved women to find and treat breast cancer, is working on creating a mobile clinic that will provide screenings, diagnostic services, access to clinical trials, and other resources to these disadvantaged populations. In addition, wonderful nonprofit organizations working with cancer centers, such as

the Cancer Support Community Atlanta and the Treehouse Gang, an organization based around supporting children with a parent suffering from cancer, provide vital assistance and hope to cancer sufferers and their families. Finally, the Atlanta 2-Day Walk has raised \$11 million in just 13 years to help find new ways to treat and prevent breast cancer. Through these initiatives, and the hard work of the cancer centers in Georgia, I know that definite progress has been and will continue to be made to treat and eradicate this deadly disease.

IN RECOGNITION OF PATRICIA
MILJANICH

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Patricia Miljanich, a departing member of the Board of Trustees of the San Mateo County Community College District. Ms. Miljanich has served the public in her position since 1995, and she has been part of a board of trustees that has created over 20 years an outstanding college system for residents.

When Trustee Miljanich began her service, the district had decades-old buildings, stagnant enrollment, and curriculum that needed upgrading. She and her fellow trustees went to work hiring new staff, passing several bonds, and overseeing the resurrection of a community gem. In addition to her role as a trustee, Patricia Miljanich has served on the board of the nonprofit corporation overseeing an innovative housing project on the campuses of the community colleges. She has also served as a board member of the foundation supporting the community colleges.

As a result of her leadership and that of her board colleagues, the San Mateo County Community Colleges now have stunning state-of-the-art campuses, classes that offer a broad path to a four year institution, and several shorter programs that prepare students to be job ready through two year degrees and certificates. As a pathway to lifelong learning and prosperity, the college district reflects the vision of Trustee Miljanich that every young person, and many who are in mid-career or retirement, should view the community colleges as their ongoing ticket to a rigorous education.

Ms. Miljanich has another side to her public service beyond her years as a trustee. At one point she served as a field representative for a member of the state assembly, and as a legal advocate for low income children while Director of Legal Services for Children in San Francisco.

Most of all, Ms. Miljanich has distinguished herself as a remarkable leader of the nonprofit Court Appointed Special Advocates (CASA), an organization that pairs caring adults with children who are in the protection of the courts when their parents cannot care for them. There is no question that Patricia Miljanich, in this role, has saved the lives of many children. CASA is an extraordinary organization which brings out the best of caring volunteers and matches it with the most basic need of a child:

to have a friend and advocate during times of tremendous insecurity and trauma.

Patricia is a graduate of the University of Virginia and the University of San Francisco School of Law. Her greatest achievements, no doubt, are her four children, Nicolene Mefford, Martine Miljanich, Peter Miljanich, and Sophia Miljanich, and her four grandchildren.

Mr. Speaker and members, Patricia Miljanich is retiring from the Board of Trustees of the San Mateo County Community College District, but she will remain very active in our community. She put in countless hours during her 20 years of service to the district, and offered decades of additional help to children and our most vulnerable residents. As she leaves, the wind at her back is the force of those praying for her to succeed in her next adventure. As she will experience shortly, this wind will likely be a gale force event, so beloved is Patricia Miljanich in San Mateo County.

20TH ANNIVERSARY OF THE COM-
PLETION OF THE GATEWAY GEY-
SER

HON. MIKE BOST

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. BOST. Mr. Speaker, I rise today to recognize the 20th Anniversary of the completion of the Gateway Geyser. It is a proud and distinct achievement that the tallest fountain in the United States, and the second tallest in the world, is located in the Metro East region of Southern Illinois.

The vision and drive of Malcom Martin made it possible to undertake this incredible project. In addition to its famous geyser, the park's facilities offer visitors impressive and memorable views of the Arch and City of St. Louis. It is very much a part of the overall Jefferson National Expansion Memorial.

As I toured the park recently, I developed an understanding for the desires that the Metro East Park and Recreation District and the Gateway Center have to make this amazing park a part of the Jefferson National Expansion Memorial. Doing so would be a fitting tribute to Malcom Martin and all of the City of East St. Louis officials who have helped make this anniversary possible.

HONORING DEPUTY CHIEF
DAVID E. DOWNING

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Ms. LEE. Mr. Speaker, I rise today to honor the exemplary career of Deputy Chief David Downing of the Oakland Police Department.

Deputy Chief Downing began his career in law enforcement with the Oakland Police Department (OPD) in 1988. During his career, he has served in a wide variety of assignments, including Police Academy Director, Internal Affairs Commander, and Special Operations

Commander. In 2012, he was promoted to Deputy Chief of Police and is currently the commander of the Bureau of Field Operations for West Oakland. Deputy Chief Downing also served concurrently with OPD's Special Weapons and Tactics team from 1992 to 2011 as an operator, team leader, and tactical commander.

In addition to serving the citizens of Oakland, Deputy Chief Downing served the United States of America as an Air Force Reservist from 1984 to 2014. He retired as a Chief Master Sergeant with the Air Force Office of Special Investigations as the Senior Enlisted Leader for the 4th Field Investigative Region, at Randolph Air Force Base in Texas. In 2001, he was mobilized into active duty and served in Operation Noble Eagle, Enduring Freedom, and Iraqi Freedom until his return to civilian law enforcement in 2003.

Deputy Chief Downing received his Bachelor's Degree in Administration of Justice from San Jose State University in 1989, and went on to graduate from Indiana State University in 2008 with a Master's Degree in Criminology. He is also the graduate of several senior management programs, including the Federal Bureau of Investigation's National Academy, the Police Executive Research Forum's Senior Management Institute for Police, and the California Peace Officer Standards and Training Executive Development Course.

Throughout his career, Deputy Chief Downing has maintained a special interest in and relationship with Oakland's Chinatown. He serves the Oakland and Chinatown communities as a member of the Board of Directors of the Oakland Chinatown Chamber of Commerce, the President of the Oakland Police Foundation, President of the Oakland Police Managers Association, Chairman of the Asian Advisory Committee on Crime, Chairman of the Asian Youth Services Committee (AYSC), Chairperson of the AYSC Scholarship Dinner, and has raised funds and manpower to send low-income youth to various camps and seminars across the nation.

On behalf of the residents of California's 13th Congressional District, Deputy Chief David E. Downing, I salute him. I thank him for a lifetime of service and congratulate him on his achievements. I wish him and his loved ones the very best as he enjoys his well-deserved retirement.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF THE WHITE HOUSE INITIATIVE ON EDUCATIONAL EXCELLENCE FOR HISPANICS

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. VARGAS. Mr. Speaker, I rise today to recognize and commend the 25th anniversary of the White House Initiative on Educational Excellence for Hispanics. The initiative, established in 1990, has sought to address the educational disparities faced by the Hispanic community. This year, the White House launched the Bright Spots catalog to commemorate the

initiative's success. This newly created resource honors organizations around the country significantly furthering the educational attainment of the Hispanic community.

While there are 230 programs included in the catalog, I would like to honor three organizations in California's 51 District: Barrio Logan College Institute, Reality Changers, and the San Ysidro Vanguard Education Foundation.

Barrio Logan College Institute, established in 2007, is a nonprofit working to provide disadvantaged students with the opportunity to attend college. The organization begins working with students in third grade and continues providing support and guidance throughout high school. Since its creation, 100 percent of its graduates have gone on to college.

Reality Changers was founded in 2001 in an attempt to better prepare disadvantaged Hispanic youth for college. By establishing various support systems and college readiness programs, the organization has seen 97 percent of its students become first generation college students.

San Ysidro Vanguard Education Foundation was created in 2012 to address the racial and ethnic disparities within the San Ysidro School District. The organization focuses on early learning, college access, Latino teacher recruitment, and STEM education.

Again, I would like to extend my admiration and sincere appreciation for all the work that these groups continue to do for our community.

IN RECOGNITION OF RONN OWENS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor a broadcast legend who is celebrating his 40th anniversary at KGO Newstalk 810 today and who will be inducted into the National Radio Hall of Fame in November. Ronn Owens is a household name in the Bay Area and beyond, a master in his field, and a remarkably talented, opinionated and intellectually curious man whom I am proud to call a good friend. I have spent many hours on the air with Ronn and he is always tough, thoughtful, informed and unpredictable.

He has honed his skills in thousands of interviews with guests in the hot seat, including President Barack Obama, Democratic Leader NANCY PELOSI, actor Steve Martin, Israeli Prime Minister Benjamin Netanyahu, 49er quarterback Joe Montana, singer Tony Bennett and a long list of Secretaries of State, CIA Directors, mayors and community leaders.

His longevity and style on the air have earned him many prestigious awards: The Bay Area Radio Hall of Fame, the National Association of Broadcaster's Marconi Award twice, Talkers Magazine's Top 25 Greatest Radio Talk Show Host of All Time, and now the National Radio Hall of Fame where he will be joining the likes of Edward R. Murrow, Bob Hope and Terry Gross.

Ronn was born Ronald Lowenstein on October 17, 1945 in New York City. He graduated from Temple University in Philadelphia in 1968

and launched his broadcast career hosting radio programs in Atlanta, Miami, Cleveland and Philadelphia. In 1975 he moved to San Francisco and began his four decade run at KGO radio. Today, he remains the only weekday talk radio host on the station and has a regular audience of half a million listeners.

While Ronn is very vocal about his opinions—he also wrote a book titled *Voice of Reason: Why the Left and Right Are Wrong*—he is the first to admit when he is wrong. Facts matter and he is dedicated to seeking the truth. Last year, Ronn revealed a challenging personal truth to his listeners. He was diagnosed with Parkinson's disease over a decade ago. He decided to go public after the tragic death of Robin Williams who was diagnosed with Parkinson's. Ronn hasn't let his symptoms get in the way of doing his job.

Recently he joked before surgery, "If I come out and say, 'you know, that Sarah Palin would make a heckuva president,' we'll know something went wrong." He meets the challenges of his disease with great courage and humor.

Ronn started his radio career when analog reel-to-reel tape recorders, cartridges and turntables were modern, but he has stayed with the times, in fact he is an early adopter and loves technology. I remember when at a visit to his studio I pulled out my Blackberry to take a photo, and he burst out laughing making fun of my "antique" phone, I promptly bought an iPhone.

The love for radio and story-telling has shaped Ronn's professional and personal life. He is married to former KGO and KCBS anchor Jan Black and they have two truly accomplished daughters, Sarah and Laura.

Mr. Speaker, I ask the House of Representatives to rise with me to honor Ronn Owens, an icon in radio news and commentary, for his extraordinary career. He has kept me and countless public officials on our political toes and will continue to do so for a long time.

IN TRIBUTE TO DR. IRVING J. SELIKOFF, A PIONEER IN ENVIRONMENTAL AND OCCUPATIONAL MEDICINE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to pay tribute to Dr. Irving J. Selikoff (1915–1992), whose ground breaking work created the field of environmental and occupational medicine. Dr. Selikoff established the first hospital division of occupational and environmental medicine in the nation at Mount Sinai Hospital in New York City, developing clinical programs that have cared for thousands of workers impacted by occupational diseases. This month, Mount Sinai cut the ribbon on the Selikoff Centers for Occupational Health, named in his honor.

Revered as the father of occupational health, Dr. Selikoff's research and tireless advocacy has saved millions of lives. In 1952, working with Dr. Edward H. Robitzek, he demonstrated that isoniazid was an effective treatment for tuberculosis. He subsequently

opened a clinic for lung patients in Paterson, N.J., where he saw 17 workers from an asbestos plant with similar symptoms. Within a few years, 15 were dead, 14 of them from lung cancer, asbestosis or mesothelioma. This led him to begin investigating the cause of their illnesses. His research expanded and he began studying the health of other insulation workers, often collaborating with labor unions. Despite heavy resistance from the industry, he ultimately recruited 17,800 workers for a survey that documented widespread illness among those who had worked with asbestos. Even people who had been exposed for less than a week had lung scarring 30 years later.

Dr. Selikoff's research on asbestos disease and his expert testimony shaped public policy and improved working conditions for America's working men and women. Thanks to his careful research, the Occupational Safety and Health Administration imposed safeguards for workers starting in the 1970s. His work also prompted the Environmental Protection Administration to implement regulations regarding asbestos products; however, the United States remains one of the few developed nations that do not ban asbestos.

Dr. Selikoff's tireless advocacy led to a fundamental understanding in this country that workers have the right to safe working conditions. Over the span of his 50-year career until his death in 1992, he taught two generations of physicians, published over 380 scientific works, and publicized the health risks associated with toxins found in everyday work environments. He wrote more than 350 scientific articles and two books, edited 11 books and founded two journals. In 1982 Dr. Selikoff, Cesare Maltoni and other eminent scientists founded the Collegium Ramazzini. Comprised of 180 internationally renowned experts in occupational and environmental health, the Collegium Ramazzini helps social and political leaders understand how scientific discoveries impact public health.

Researchers at Mount Sinai and around the world continue his work and are leaders in the prevention, diagnosis and treatment of workplace injuries and illnesses. After 9/11, when people who had worked at Ground Zero began to experience disproportionate levels of illness, Mount Sinai began to do research on the cause. Their work helped document the need for a program to provide care for people who had been made sick by the toxins released on 9/11. Mount Sinai was naturally selected as one of the Centers of Excellence to treat their illnesses under the direction of Dr. Philip J. Landrigan.

Mr. Speaker, I ask my colleagues to join me in applauding the extraordinary work and legacy of Dr. Irving J. Selikoff. His focus on the health impacts of workplace conditions has benefitted millions of American workers.

HONORING DAN JENSEN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. DENHAM. Mr. Speaker, I rise today, on behalf of myself and Congressman McClintock

to acknowledge and honor Dan Jensen who announced his retirement as President of Delaware North at Yosemite. In that position, he is responsible for overseeing lodging, food service, retail, transportation and guest recreation in Yosemite National Park provided under contract to the National Park Service.

Born and raised in Visalia, a central California community, located in a rich agricultural region, Dan attended college at UC Riverside and graduated in 1971 with a Bachelors of Arts in Economics. In addition he holds an MBA from University of California, Los Angeles. Immediately after graduating, he joined the Los Angeles office of Price Waterhouse, the world's largest professional services firm, where he worked in the audit services division.

In 1993, Dan began his career in the theme park industry as the executive vice president and general manager of Universal Studios in Florida. He was instrumental in the expansion of the major resort destination which included a second theme park, three themed hotels and a nighttime entertainment complex known as City Walk. In 2001, Dan's theme park career went overseas, where he became the executive vice president and chief operating officer of the newly opened park Universal Studios in Japan. During Dan's time with Universal Studios Japan, it had the most successful first year of operations in the history of theme parks.

Participating in a cultural exchange program in Russia in 1998, gave Dan the opportunity to visit various national parks throughout Russia. The purpose was to gain valuable insight into business and social issues that would contribute to improved funding for Russia's national park system. This made him an ideal candidate for his extensive role as President of Delaware North located near one of California's most established National Parks.

Having worked for the previous concessioner from 1979 to 1992 in various financial and operational roles, Dan returned to Yosemite in 2006 as President of Delaware North at Yosemite. The global leading company's operations in Yosemite includes 1,350 hotel rooms, 21 food service operations and 16 retail locations as well as a variety of recreational activities.

Despite Dan's extensive work load, he finds the time to be an active participant in the community of Yosemite. He was on the board of trustees and the council of the Yosemite Conservancy, chairman of the Yosemite/Mariposa Tourism Bureau and a member of the University of California at Merced Board of trustees. Dan is an active supporter of NatureBridge, an educational nonprofit organization that provides outdoor environmental education in Yosemite as well as other national parks.

Dan and his wife Susan, parents of two now adult children, reside in the Yosemite Valley.

Mr. Speaker, please join Congressman McClintock and I in honoring and commending the outstanding contributions made to Yosemite by the President of Delaware North, Dan Jensen. We wish him continued success in his retirement.

HONORING MS. FRANCES CHOW

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Ms. LEE. Mr. Speaker, I rise today to honor an extraordinary member of the East Bay community, Ms. Frances Chow upon her retirement.

Ms. Chow was born and raised in Stockton, California. She spent countless hours of her personal time volunteering in soup kitchens and senior centers, as a summer camp counselor for physically challenged youths, and in local community organizations including the United Way.

Later, Ms. Chow went on to graduate from the University of San Diego with a Bachelor of Arts Degree in Business Administration and minor in Mathematics. She is also trained and certified in Clinical Psychology, Project Management, and Bank Compliance.

Upon graduating, Ms. Chow was recruited to work with the Federal Deposit Insurance Corporation (FDIC), which is an independent federal agency created by Congress to maintain stability and confidence in the nation's financial system. During her 20-year career at the FDIC, Ms. Chow received numerous performance awards, including "Employee of the Year."

Currently, Ms. Chow is Senior Vice President and Regional Operations Manager of Gateway Bank, FSB, located in Oakland Chinatown.

Throughout the years, Ms. Chow has made innumerable contributions to the Chinatown and East Bay community, through her service as a Sunday school teacher, youth and science camp counselor, and her work with various local organizations. Ms. Chow has served as the Asian Advisory Committee on Crime's Annual Banquet Chairperson, former President of the Oakland Chinatown Chamber of Commerce, and the former President of the Oakland Chinatown Lions Club.

Ms. Chow currently serves as the Vice President of the Oakland Chinatown Chamber of Commerce, Vice President of the Asian Advisory Committee on Crime, Treasurer of the Oakland Police Foundation, the Health Fair Chairperson for the Chinatown Lions Club, and volunteers at the Oakland Children's Hospital Children's Network.

Ms. Chow has also received numerous awards for her community work. She was recognized as the Oakland Chinatown Chamber of Commerce's "Volunteer of the Year" in 1998, received the Lions Club's Melvin Jones Award in 2011, and in 2012, was recognized as the Asian Advisory Committee on Crime's "Citizen of the Year" Award and recognized as "Citizen/Member of the Year" by Gateway Bank.

On behalf of the residents of California's 13th Congressional District, Ms. Frances Chow, I salute her. I thank her for a lifetime of service and congratulate her on her many achievements. I wish her and her loved ones the very best as she enjoys her well-deserved retirement.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,152,650,688,229.10. We've added \$7,525,773,639,316.02 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING JOAN MILLMAN

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Ms. VELÁZQUEZ. Mr. Speaker, today I extend a heartfelt appreciation of Joan Millman for her tireless work for the residents of the 52nd Assembly District over the last two decades.

"Brownstone Joan" has represented us in Albany as a reformer to challenge the establishment. She has lent her voice to those who too often are neglected or ignored in the political process.

Joan has been a trailblazer like our beloved Eileen Dugan before her, and today our new Assemblywoman Jo Anne Simon continues that tradition.

Joan Millman has been a steadfast and dedicated champion of seniors, children and the most vulnerable among us.

Among her many achievements, she has been critical to making the dream of Brooklyn Bridge Park a reality.

She has advocated for affordable housing, street safety and access to quality education and parental engagement.

My friends, Joan has a long public service record that speaks for itself. She is a leader with great integrity who has led our assembly district with distinction and honor.

Not only is Joan a fine public servant, she is also a very good friend.

Joan Millman's tireless efforts over the last 17 years on behalf of all Brooklyn residents are an inspiration to all of us in public service and I salute her.

IN RECOGNITION OF 100TH ANNI-
VERSARY OF THE METROPOLI-
TAN CLUB

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor the 100th anniversary of a landmark in San Francisco that is beloved as an important gathering place for women and as a historic

building. The Metropolitan Club at 640 Sutter Street today serves over 1,000 members and countless non-profits that use the beautiful building for meetings and events.

The Metropolitan Club started in 1912–1914 as a vision of a group of Bay Area women who were determined to build an athletic club for women similar in size, grandeur and services to those available to men. These ladies were active in civic and charitable organizations and the preparations for the 1915 Panama Pacific International Exposition.

On October 25, 1915 their vision became a reality and the Women's Athletic Club of San Francisco was incorporated as the first women's athletic club west of Chicago. For a century now, the club has been a special place for women of all ages to pursue physical and intellectual fitness.

The historic building was designed by Bliss & Faville, a prominent architectural firm that is responsible for landmarks such as the Bank of California, the Geary Theater, the Masonic Temple, Southern Pacific headquarters, China Basin, the Marines' Memorial Club and the University Club. After a major addition to the clubhouse was finished in 1923, the San Francisco Chronicle lauded the club as "unlike anything in the United States maintained for and by women."

The unique character of the Metropolitan Club has made it a desirable place for historic events. It became the unofficial headquarters for visiting women journalists who covered the signing of the United Nations Charter in San Francisco in 1945. In 1948, it was the only local club represented at the first Western meeting of UNESCO.

In 2004, the Metropolitan Club received one of the most prestigious honors from the U.S. Department of the Interior; it was nominated to be listed in the National Register of Historic Places which is the official list of the Nation's historic places worthy of preservation. The Metropolitan Club was described as a "place where the women who formed a club and generations of San Francisco women after them have met their friends, exercised, dined, played cards, celebrated holidays, attended lectures, entertained others and engaged in all the activities of the club." The same year, the 640 Heritage Preservation Foundation was created as a 502(c)3 with the mission to preserve the club's historic building and important heritage.

Major seismic and life-saving renovations were completed in 2009 to prepare the club for its second century as the "House that Women Built."

Mr. Speaker, I ask that the House of Representatives join me in saying happy 100th birthday to the Metropolitan Club which has touched the lives of countless San Francisco families and helped shape the history of our beautiful city by the bay.

CONGRATULATING OAK TRACE EL-
EMENTARY SCHOOL, A BLUE
RIBBON SCHOOL

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to congratulate an outstanding school in my district that is being honored as a 2015 National Blue Ribbon School. It is a pleasure to congratulate Oak Trace Elementary School in Westfield, Indiana in celebration of this special occasion.

The National Blue Ribbon designation, given by the United States Department of Education, is awarded to both public and private schools across our great nation. Started by President Reagan and given annually since 1982, the award celebrates great American schools that achieve very high learning standards or are making significant improvements in the academic achievements of their students. In my district and across the country, the award recognizes the great educators, students, and parents who have worked so hard to ensure Indiana's children reach their full potential and achieve academic success.

For all of these reasons and many more, I am so proud that Oak Trace Elementary School is receiving this prestigious designation. It is a wonderful acknowledgement of the school's commitment to providing young Hoosiers an exceptional education. While hundreds of schools nationwide were nominated, only 335 schools were designated as 2015 National Blue Ribbon Schools, making this recognition all the more impressive.

Serving developmental preschool children through fourth grade, Oak Trace Elementary School provides its students with a safe and exciting learning environment. Oak Trace is a C.L.A.S.S. (Connecting Learning Assures Successful Students) school that implements a non-cognitive curriculum focused on doing the right thing and treating people right. They offer a unique learning atmosphere that focuses on building life skills, measures performance by individual student growth, and offers plenty of opportunities to give back to the community. Through differentiated instruction, students achieve well above the national average and consistently place in the top 5 percent of all students in Indiana. I applaud its administrators and teachers for their focus on individual growth and commitment to ensuring its students engage with the Hoosier community.

As an advocate for education and youth, I also want to acknowledge how important it is to our nation's future to encourage and raise a new generation of Americans who have the skills and knowledge to succeed both in and out of the classroom. Students like those at Oak Trace Elementary School give me hope that we will accomplish this vital mission. Their outstanding work is an inspiration to students, educators, and parents across the nation. Once again, congratulations to Oak Trace Elementary School. I am very proud of you.

HONORING LINDA B. SWADEL,
CHIEF ASSESSOR FROM WEST-
BOROUGH, MASSACHUSETTS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. McGOVERN. Mr. Speaker, I rise today to honor Linda B. Swadel, Chief Assessor from Westborough, Massachusetts.

Linda is retiring this November after having served as an Assessor in several communities—including Leicester, Northbridge and Westborough—over the last 30 years as well as serving on various committees for the Massachusetts Association of Assessing Officers. She is currently serving as the MAAO Legislative Committee Co-Chair.

Like assessors throughout Massachusetts, Linda has helped to provide our cities and towns with the critical financial services essential to supporting strong budgets for our communities' schools, public safety, recreation, and so many other services our families count on every day.

She is currently the Chairman of the Board of Assessors and Chief Assessor in Westborough and she serves on the Massachusetts Farmland Valuation Advisory Subcommittee as well as the Legislative Task Force for the Council on Aging.

She has served on various other MAAO Committees in her tenure, such as the Education Committee and the Telecom Committee. She is a recipient of the MAAO's Wilson Award as well as the MAAO's Past President's Award. Both of which are given to members for their service and dedication to the profession and the Association.

Linda is also a two-time Past President of the Worcester County Assessors Association and I am so grateful for the difference she has made in our community.

Throughout her career, she has shared her passion for her profession by speaking at conferences, inspiring and helping her peers to grow in their own careers.

For all of Linda's hard work and dedication, I am proud to recognize her as she retires from a career dedicated to helping others and keeping our communities strong.

TRIBUTE TO DR. MARTHA
BRUCKNER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Dr. Martha Bruckner of Council Bluffs, Iowa, for her selection as Iowa's 2015–16 School Superintendent of the Year. Under Dr. Bruckner's leadership the Council Bluffs Community School District has seen great successes, including improved graduation rates and increased academic achievement.

This award is presented by the School Administrators of Iowa, based on standards that include a shared vision of learning, a presence

of school culture, a safe and effective learning environment, engagement with the community, integrity and fairness, and a dedication to addressing the issues facing public education. Dr. Bruckner embodies these criteria with her passion for education and her leadership within the Council Bluffs School District. She has shown that a commitment to improving the learning environment within a school district can and will yield positive results for students.

Mr. Speaker, I commend Dr. Bruckner for her dedicated service to the Council Bluffs Community School District, and more importantly, to each and every student she oversees. I ask that my colleagues in the United States House of Representatives join me in congratulating Dr. Bruckner for receiving this outstanding award and in wishing her and her students nothing but continued success.

CONGRATULATING THE 2016 VIR-
GINIA TEACHER OF THE YEAR,
MRS. NATALIE DiFUSCO-FUNK

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. GRIFFITH. Mr. Speaker, I submit these remarks to congratulate the 2016 Virginia Teacher of the Year, Mrs. Natalie DiFusco-Funk. She is a fifth-grade teacher at West Salem Elementary School in Salem, Virginia, where my two sons attend school.

According to press reports, DiFusco-Funk earned her Bachelor of Arts in Education and her Master of Education at Boston College, and in 2013, earned her National Board Certification in Literacy. She is a 12-year veteran of the classroom who has been teaching in Salem City Schools for five years. Previously, she taught in Botetourt County as a reading specialist and also taught in schools in Massachusetts.

"Natalie is an exceptional teacher and a consummate professional who positively changes the lives of young people and facilitates the growth and development of her colleagues," said Salem Superintendent H. Alan Seibert.

DiFusco-Funk, who has said she felt called to teach since she was in fifth grade, is the first Salem City Schools teacher to have earned this recognition. She will now compete to be the National Teacher of the Year.

She said, "I told my students—like Spider-Man says, 'With great power comes great responsibility,' and so it is my responsibility to represent the field of education well and to speak on behalf of all the teachers of Virginia, and take it to the White House."

On behalf of many in the district, I thank Mrs. Natalie DiFusco-Funk for all she has done for our area, and congratulate her for this hard-earned recognition and praise. Best wishes for many more years of success.

CONGRATULATING OUR LADY OF
MOUNT CARMEL CATHOLIC
SCHOOL, A BLUE RIBBON
SCHOOL

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to congratulate an outstanding school in my district that is being honored as a 2015 National Blue Ribbon School. It is a pleasure to congratulate Our Lady of Mount Carmel Catholic School in Carmel, Indiana in celebration of this special occasion.

The National Blue Ribbon designation, given by the United States Department of Education, is awarded to both public and private schools across our great nation. Started by President Reagan and given annually since 1982, the award celebrates great American schools that achieve very high learning standards or are making significant improvements in the academic achievements of their students. In my district and across the country, the award recognizes the great educators, students, and parents who have worked so hard to ensure Indiana's children reach their full potential and achieve academic success.

For all of these reasons and many more, I am so proud that Our Lady of Mount Carmel Catholic School is receiving this prestigious designation. It is a wonderful acknowledgment of the school's commitment to providing young Hoosiers an exceptional education. While hundreds of schools nationwide were nominated, only 335 schools were designated as 2015 National Blue Ribbon Schools. Of the 335 schools, Our Lady of Mount Carmel was 1 of 50 private schools to receive recognition, making this recognition all the more impressive.

Serving children from kindergarten through eighth grade, Our Lady of Mount Carmel Catholic School provides its students with an outstanding education in both academics and the Catholic faith. It is a Four Star School, awarded by the state of Indiana. The school achieved this designation by placing in the top 25th percentile of schools in three ISTEP-based categories. Our Lady consistently provides excellence in education by facilitating a Christ-centered educational community that creates a vibrant learning community, provides opportunities to serve others, and prepares students for lifelong learning. As a mother whose children attended Catholic school, I applaud Our Lady of Mount Carmel Catholic School for its work to ensure its students engage in significant acts of community service and remain dedicated to carrying out the mission of Jesus Christ.

As an advocate for education and youth, I also want to acknowledge how important it is to our nation's future to encourage and raise a new generation of Americans who have the skills and knowledge to succeed both in and out of the classroom. Students like those at Our Lady of Mount Carmel Catholic School give me hope that we will accomplish this vital mission. Their outstanding work is an inspiration to students, educators, and parents across the nation. Once again, congratulations

to Our Lady of Mount Carmel Catholic School. I am very proud of you.

CQUENCE HEALTH GROUP: BEST PLACE TO WORK IN HEALTH CARE

HON. BRAD ASHFORD

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 26, 2015

Mr. ASHFORD. Mr. Speaker, today I'd like to recognize CQuence Health Group, named number one on the list of "Best Places to Work in Healthcare" by Modern Healthcare. Ranked on their commitment to wellness, balance, and workplace fitness, Modern Healthcare definitively found CQuence was on top this year.

This type of recognition is not unusual for CQuence, who were also named "Employee Voice Award" this year as well. In 2014 they were ranked Top 10 "Best Places to Work" and given the "Golden Well Workplace Award". The list of awards and accomplishments spans back all the way to 2009, demonstrating CQuence's real commitment to a better work place. Not only am I proud that CQuence's 31 employees work in my district, I'm also proud to represent this innovative leadership. CEO Mike Cassling clearly understands that the way we work has dramatically changed, so must we change the way we deal with stress and quality of life.

Studies have shown workplace stress is costing our economy money: from health care costs, low productivity, to job turnover, stress negatively impacts businesses everywhere. CQuence's approach to work life balance and employee wellness will certainly change their employees' lives, which in turn will change the lives of their families and friends. Soon, this employee wellness first approach will permeate into the Omaha community, the greater state of Nebraska, and our country.

I hope to see more businesses follow this example. If anyone is seeking a new job, I encourage them to see what Nebraska has to offer. Our low unemployment to our high employee satisfaction, Nebraska leads the way. I applaud Mike and CQuence for their award winning wellness programs and I am excited to see how they continue to enrich their lives next year.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily

Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, October 27, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 28

9:30 a.m.

Committee on Foreign Relations

To hold hearings to examine the United States role and strategy in the Middle East.

SD-419

10 a.m.

Committee on Appropriations

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies

To hold hearings to examine unmanned aircraft systems and the steps being taken to successfully integrate this technology into our National Airspace System.

SD-192

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Financial Institutions and Consumer Protection

To hold hearings to examine the state of rural banking, focusing on challenges and consequences.

SD-538

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nomination of Jessica Rosenworcel, of the District of Columbia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2015.

SR-253

2:30 p.m.

Committee on Appropriations

Subcommittee on Energy and Water Development

To hold hearings to examine realizing the potential of the Department of Energy national laboratories.

SD-138

Committee on Health, Education, Labor, and Pensions

Subcommittee on Primary Health and Retirement Security

To hold hearings to examine retirement plan options for small businesses.

SH-216

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the state of our nation's biodefense.

SD-342

Committee on Veterans' Affairs

To hold hearings to examine Department of Veterans Affairs mental health, focusing on ensuring access to care.

SR-418

3:30 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Peter William Bodde, of Maryland, to be Ambassador to Libya, Marc Jonathan Sievers, of Maryland, to be Ambassador to the Sultanate of Oman, Elisabeth I. Millard, of Virginia, to be Ambassador to the Republic of Tajikistan, and Kenneth Damian Ward, of Virginia, for the rank of Ambassador during his tenure of service as United

States Representative to the Organization for the Prohibition of Chemical Weapons, all of the Department of State, and John Morton, of Massachusetts, to be Executive Vice President of the Overseas Private Investment Corporation.

SD-419

OCTOBER 29

9:30 a.m.

Committee on Armed Services

To hold hearings to examine alternative approaches to defense strategy and force structure.

SD-G50

10 a.m.

Committee on Finance

To hold hearings to examine welfare and poverty in America.

SD-215

Committee on Foreign Relations

To hold hearings to examine the nomination of Thomas A. Shannon, Jr., of Virginia, to be an Under Secretary of State (Political Affairs).

SD-419

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine mental health and substance use disorders in America, focusing on priorities, challenges, and opportunities.

SD-430

Committee on the Judiciary

Business meeting to consider pending calendar business.

SD-226

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected by an exchange of notes effected November 16, 2010 and a related agreement effected by an exchange of notes on September 23, 2009 (Treaty Doc. 112-01), protocol Amending the Convention between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed on May 20, 2009, at Luxembourg (the "proposed Protocol") and a related agreement effected by the exchange of notes also signed on May 20, 2009 (Treaty Doc. 111-08), convention between the Government of the United States of America and the Government of the Republic of Hungary for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on February 4, 2010, at Budapest (the "proposed Convention") and a related agreement effected by an exchange of notes on February 4, 2010 (Treaty Doc. 111-07), the Convention between the Government of the United States of America and the Government of the Republic of Chile for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed in Washington on February 4, 2010, with a Protocol signed the same day, as corrected

by exchanges of notes effected February 25, 2011, and February 10 and 21, 2012, and a related agreement effected by exchange of notes (the "related Agreement") on February 4, 2010 (Treaty Doc. 112-08), the Protocol Amending the Convention on Mutual Administrative Assistance in Tax Matters, done at Paris on May 27, 2010 (the "proposed Protocol"), which was signed by the United States on May 27, 2010 (Treaty Doc. 112-05), the Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990 (Treaty Doc. 113-04),

the Convention between the United States of America and the Republic of Poland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on February 13, 2013, at Warsaw (Treaty Doc. 113-05), and the Protocol Amending the Convention between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and a related agreement entered into by an exchange of notes (together the "proposed Protocol"), both signed on January 24, 2013, at Washington, together with correcting notes exchanged

March 9 and March 29, 2013 (Treaty Doc. 114-01).

SD-419

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

NOVEMBER 4

10 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the value of education choices for low-income families, focusing on reauthorizing the D.C. Opportunity Scholarship Program.

SD-342

HOUSE OF REPRESENTATIVES—Tuesday, October 27, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. VALADAO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

October 27, 2015.

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

THE SPEAKER'S RACE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, between 2000 and 2014, in the 16 to 65 age bracket, although the American economy created 5.6 million net new jobs, American-born citizens lost 127,000 jobs. All job gains in America—and more—went to people born in foreign countries.

In 2012, 51 percent of households headed by immigrants relied on welfare compared to 30 percent of households headed by someone born in America, thus driving up America's deficits and driving down America's ability to pay for safety nets for Americans.

This week I vote on PAUL RYAN's bid for House Speaker. While PAUL RYAN has excellent communication skills, is charismatic, understands the economic risk of out-of-control deficits, and the like, PAUL RYAN and I have a major disagreement on border security.

Last week, on October 22, PAUL RYAN, I, and others met about his candidacy. Border security was discussed. Thereafter, I hand-delivered to PAUL RYAN, on the House floor, at, roughly, 4 p.m., a letter that states:

"Paul: Struggling American families have lost more than 8 million job opportunities to illegal aliens. All lower and middle income American workers have suffered from suppressed wages caused by the surge in both illegal alien and lawful immigrant labor supply.

"Your past record and current stance on immigration conflicts with the values of the Americans I represent and causes great concern to me and the Americans I represent.

"Yesterday during discussions about the Speaker race, you made two representations about immigration that stood out. They are:

"1. It is unwise or unproductive to bring up any immigration legislation so long as Barack Obama is President.

"2. As Speaker, you will not allow any immigration bill to reach the House Floor for a vote unless the immigration bill is 'supported by a majority of the majority' of Republican House Members.

"Although you talk faster than I can write your words down, I believe the above statements properly reflect what you said. I send this letter to confirm that I accurately portray your remarks and that I may rely on them when the House Floor Vote for Speaker occurs next week.

"If my portrayal of your words errs in any respect, please deliver to me (before the GOP Conference meeting next week in which we are to conduct Speaker elections) a written communication correcting my errors.

"If I do not receive such a communication from you, then I will infer that you concur that my portrayal of your remarks is accurate and that I, and the rest of the GOP Conference, and the American people, may rely on your words as I have written them.

"I need your assurance that you will not use the Speaker's position to advance your immigration policies, except when in accord with the two above statements, because there is a huge gap between your immigration position and the wishes of the American citizens I represent. Your words yesterday constitute the needed assurance.

"If your assurances as I have portrayed them are accurate, then I am much more comfortable voting for you for Speaker on the House Floor (and will do so, absent something startling coming to my attention between now and the election, which I don't anticipate).

"If, however, you would use the Speaker's chair to advance an immi-

gration belief system that is unacceptable to the Americans I represent, it will be very difficult for me to vote for you for Speaker on the House Floor.

"To be clear, I intend to publicly share this letter and your responding letter, if any, to help explain to my constituents why I voted as I did on the House Floor in the Speaker's election.

"Thank you for considering the contents of this letter."

At roughly 5:20 p.m., PAUL RYAN called me and stated that my letter accurately portrayed his immigration representations. PAUL RYAN confirmed that he meant what he said and would keep his word.

Based on PAUL RYAN's representations and my trust that PAUL RYAN is a man of his word, I will vote for PAUL RYAN for House Speaker on the House floor if he is the Republican nominee.

Mr. Speaker, I submit this letter for the RECORD.

CONGRESS OF THE UNITED STATES,

HOUSE OF REPRESENTATIVES,

Washington, DC, October 22, 2015.

Hand-delivered on House Floor to Paul Ryan at approx. 4 p.m., 10/22/15

Paul Ryan called Mo and confirmed accuracy of letter via phone at 5:20 p.m. (during staff meeting)

Re: Immigration Positions & Speaker Race.

Hon. PAUL RYAN,

Chairman, Ways and Means Committee.

PAUL: Struggling American families have lost more than 8 million job opportunities to illegal aliens. All lower and middle income American workers have suffered from suppressed wages caused by the surge in both illegal alien and lawful immigrant labor supply.

Your past record and current stance on immigration conflicts with the values of the Americans I represent and causes great concern to me and the Americans I represent.

Yesterday during discussions about the Speaker race, you made two representations about immigration that stood out. They are:

1. It is unwise or unproductive to bring up any immigration legislation so long as Barack Obama is President.

2. As Speaker, you will not allow any immigration bill to reach the House Floor for a vote unless the immigration bill is "supported by a majority of the majority" of Republican House Members.

Although you talk faster than I can write your words down, I believe the above statements properly reflect what you said. I send this letter to confirm that I accurately portray your remarks and that I may rely on them when the House Floor Vote for Speaker occurs next week.

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If I do not receive such a communication from you, then I will infer that you concur

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

that my portrayal of your remarks is accurate and that I, and the rest of the GOP Conference, and the American people, may rely on your words as I have written them.

I need your assurance that you will not use the Speaker's position to advance your immigration policies, except when in accord with the two above statements, because there is a huge gap between your immigration position and the wishes of the American citizens I represent. Your words yesterday constitute the needed assurance.

If your assurances as I have portrayed them are accurate, then I am much more comfortable voting for you for Speaker on the House Floor (and will do so, absent something startling coming to my attention between now and the election, which I don't anticipate).

If, however, you would use the Speaker's chair to advance an immigration belief system that is unacceptable to the Americans I represent, it will be very difficult for me to vote for you for Speaker on the House Floor.

To be clear, I intend to publicly share this letter and your responding letter, if any, to help explain to my constituents why I voted as I did on the House Floor in the Speaker's election.

Thank you for considering the contents of this letter.

Sincerely,

MORRIS J. "Mo" BROOKS, Jr.,
M.C., AL-5.

A BIPARTISAN MAJORITY—A NEW PRECEDENT FOR SOLVING PROBLEMS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, for the first time in over a dozen years, an unusual legislative procedure—a discharge petition—has been successfully mounted in the House. This is an extraordinary effort to allow the House to work its will—a mechanism that was part of a package of reform, dating back over a century, to deal with the iron rule of Speaker Joe Cannon. The subject of the petition, the Ex-Im Bank, was almost as obscure as the procedure that brought it to the House.

This is an agency that for over 70 years has provided financing for transactions similar to which all of our competitor nations provide their exporting companies. In this case, American companies will have the credit tools that will enable them to cost-effectively engage in international transactions that other private institutions won't finance because of political or commercial risks.

Even if providing this service meant a modest exposure to the taxpayer, which might occasionally cost money, it was probably worth it to have the businesses support good-paying American jobs and to be able to compete with foreign companies.

Yes, it would be worth it. It is not just a low-risk proposition. The Ex-Im Bank is a service that has made billions of dollars for the United States Treasury. It turns a profit—about \$2 million in the last 2 fiscal years.

This is interesting—a service that all of our competitor nations provide their companies. It hasn't cost the taxpayers any money. In fact, it makes money for the Treasury. Why was it allowed to expire?

This is another example of where a minority of the House, for ideological reasons, decided they were going to take over the process. In this case, they were going to kill the Ex-Im Bank. They did so over the objections of the administration, of the business community, of many Members of Congress, of people in organized labor.

It was hard to maintain decorum during last night's debate when the chair of the committee complained that, somehow, by approving the discharge petition and the procedural motions that followed, we were stifling the will of the House. I smiled as people lamented that they would not be able to offer amendments. Members came to the floor, saying they had amendments they wished they could offer and now they were being shut out.

How ironic.

His committee had no intention of allowing the House to participate in the give-and-take of legislation he was lamenting was slipping away. His committee didn't allow this proposal to come to the floor. The committee did not amend and refine the Ex-Im Bank. The committee killed it by having the authorization expire without giving the whole House a chance to be part of that decision.

Now the people who were caught on the wrong side of the majority of the House, with a losing argument and a minority position, were suddenly concerned that the House was being shut out. They had been shutting out the House for the last 2 years. They had denied efforts at reform. Only when their hand was forced did they somehow resort to the most specious of arguments. This is like, as they say, the person who kills his parents and then pleads for mercy from the court because he is an orphan.

There is no reform because they didn't want reform. They were the ones who shut the House out. Now, because of the courageous action by a bipartisan group, led by our Republican colleagues—eloquently and bravely—the House will no longer be shut out. American business will be stronger; and the House has demonstrated that there sometimes will be opportunities for a bipartisan majority to have its interests represented.

We can only hope that this sets a precedent for how we solve other problems, from raising the debt ceiling, to dealing with budgets, to rebuilding and renewing America. Involve the entire House—solutions are possible—and America will be better served.

THE TRIUMPH OF EVIL

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, last Thursday, President Obama used his veto power for the fifth time since taking office. This time, it was to reject the \$612 billion defense authorization bill: H.R. 1735, the National Defense Authorization Act.

President Obama vetoed the defense bill on the same day that an American was killed in Iraq. With so much uncertainty and conflict around the world, I would have expected our President to have understood the importance of supporting this bipartisan defense bill. This veto is inexcusable. Not only is this a blatant show of disrespect for our troops, but it is disrespect for our Nation.

The National Defense Authorization Act also contains key provisions that will greatly benefit my State of West Virginia. The provisions include the drug interdiction and counterdrug program, the National Guard State Partnership Program, and \$3.9 million in funding for the Charleston, West Virginia, Air National Guard Base.

It is shortsighted and wrong that the President refused to sign this critical defense bill. The bill gives our troops essential resources, but President Obama vetoed it because he wants concessions in other areas of government spending.

It is time to stop playing politics with our military. I urge my colleagues in the House and Senate to join together to override this veto.

Mr. Speaker, earlier this year, I stood on the floor of this Chamber and shared the stories of my constituents who have family members in Syria who are experiencing the political turmoil that is seen on the news daily. These stories paint a disturbing picture of what life is like in Syria right now.

Syrian dictator Bashar al-Assad is inflicting a reign of terror on his own people that include the worst kinds of torture, the repeated uses of chemical weapons bombardments, and the siege and starvation of innocent people. Assad has killed more than 130,000 of his own people and has forced an additional 3 to 4 million to flee the country.

These problems have been exacerbated by the failure of leadership from the United States of America. It is not just that Obama has a bad plan for how to handle the crisis in Syria. It is that he has no plan at all.

Edmund Burke once said: "All that is necessary for the triumph of evil is that good men do nothing."

That is exactly what the Obama administration has done: nothing. Evil is triumphing because of it. Innocent people will continue to die if we do not act now. We must take the first step and

establish a no-fly zone so that Assad cannot continue to bomb his own people from the sky. It is so photos like these won't be commonplace in our news.

This critical action will help, but we have to do more. I call upon this administration to wake up to that fact.

□ 1015

A POWERFUL COALITION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, over the last several weeks, I visited six high schools in my district to meet with juniors and seniors, about 2,000 students in total.

Almost all of the students I meet are U.S. citizens. The majority are Latinos. Some have immigrant parents, and most will soon be eligible to vote.

All of them have one question for me. It starts every Q and A at every high school I visit. The questions are about Donald Trump. Is he going to be our next President? Is it true that he wants to revoke our citizenship and deport us to the countries our parents came from? Is it true he wants to round us up, Mr. GUTIÉRREZ, and deport us all?

It is very sad when the questions a Congressman gets from American high school students are about how much they should fear their own government, whether their own government is going to break up their families, whether their own government is going to treat them not as citizens and as equal partners, but as outsiders and pariahs in their own country.

When they hear that Trump is "leading in the polls," they think that means there is a pretty good chance that he will be the next President. When they see him on TV shows like Jimmy Fallon, not to mention CNN and Fox News, they get the feeling that he is a celebrity that all of us in America admire.

When they hear that Trump is hosting "Saturday Night Live"—not just being a guest but actually hosting, even after saying Mexican are mostly rapists, criminals, and drug dealers—they get the impression that calling whole groups of people rapists, criminals, and drug dealers based on their ethnicity or national origin is basically okay with us in America.

The real question these Chicago-area high school students have is: Hey, GUTIÉRREZ, what are you going to do to defend us from Donald Trump? What are you going to do to stand up for us?

This leads to an intense discussion about American politics. And I ask the students right back: What are you going to do to stand up for yourselves, for your community?

Look, motivating 17- and 18-year-olds to do something is not always easy, in-

cluding motivating them to register to vote when they are old enough and to actually go out and vote. But when I ask these young Americans whether they plan to get registered and vote, every hand goes up in the classroom.

Donald Trump is spurring youth voter mobilization like I have never seen before. Nationally, we know that 93 percent of Latinos under the age of 18 are citizens of the United States and that every 30 seconds a Latino citizen turns 18. That is about a million a year for the next decade or so. If they are half as motivated as the young people I am talking to in Chicago, Donald Trump could have a tremendous impact on the youth vote in the coming election.

But let's be honest, do we really want to motivate civic participation through fear of deportation, racial profiling, and families being broken up? These are American teenagers growing up to distrust their government.

Trump wants to take us back to the good old days of race relations, which apparently means the 1950s, when President Eisenhower evicted millions of immigrants and U.S. citizens from the United States. Dr. Carson, who believes that human history is only about 5,000 years old—that is what he says, we have only been around 5,000 years—says of mass deportation schemes: "I think it's worth discussing."

Here in the House, we have considered measures to deport children more quickly, to make groups more distrustful of the police, and to delay Homeland Security funding.

Testifying on one of these bills before the Rules Committee last year, I made the unfortunate but real suggestion that Republicans were gravitating toward mass deportation policies, which provoked a response from the chairman, Mr. SESSIONS. He said: GUTIÉRREZ, "there is no one in responsible Republican leadership that has said we should deport 13 or 11 million people. And I find it extremely distasteful that people would come here and suggest things that we have not suggested."

Well, now that people are suggesting mass deportation openly and are gaining in the public opinion polls in the Republican Party, I wonder why there is so much silence from the Republican Members of this body.

But it is not just young Latino voters in Chicago that are being motivated by Republican attacks. When Republicans attack Planned Parenthood and block laws to guarantee equal pay for women, that motivates women to register and vote. When Republicans celebrate people who will not issue marriage licenses to two men or two women, a lot of people in the LGBT community get motivated to register and vote.

When Republicans rail against unions and block increases in the minimum wage, while, of course, they earn \$174,000 a year, and block environmental standards and block sensible gun laws, a lot of working class and middle class Americans get motivated to register and vote.

Together with those young people I talked about at those high schools, we are forming a very, very powerful coalition, a coalition so powerful that some day, even Republicans themselves will want to be part of it.

HOLDING THE EPA ACCOUNTABLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WESTMORELAND) for 5 minutes.

Mr. WESTMORELAND. Mr. Speaker, I rise today to bring awareness to the reckless acts of the Environmental Protection Agency.

On August 5, 2015, the EPA triggered the release of millions of gallons of toxic waste into the Animas River near Durango, Colorado, containing lead, arsenic, and other pollutants.

Originally, contaminated water was seeping into the Gold King Mine from another nearby mine. When the Gold King Mine owner refused to allow the EPA on his property, the EPA threatened to fine him up to \$35,000 a day—let me repeat—\$35,000 a day for a leak that wasn't coming from the owner's mine. It was only after these thuggish threats that he was forced to let the EPA on his property.

In fact, as recently as last week, investigators from the Interior Department concluded their independent investigation into the August spill and determined that the spill was preventable and occurred due to the actions of the EPA. The best that EPA administrator Gina McCarthy could do is say that she was "deeply sorry" and that the spill was a "tragic and unfortunate accident." That is not all: there was no accountability, no reparation, nothing.

How can the American people trust a government agency charged with protecting our environment when the same Agency is responsible for causing even more damage? Actions speak louder than words. This is more of the same from the EPA. They are another arm of the Federal Government looking to bully private citizens, but this is nothing new from the EPA.

Almost a decade ago, a gentleman from my district faced a costly, almost devastating battle with the EPA. Mr. Paul McKnight owned an old cotton warehouse in Senoia, Georgia. After a former deadbeat tenant of Mr. McKnight, who had already been responsible for the EPA spending \$1.6 million in a brownfield cleanup, could not afford to remove 2,000 barrels of toxic waste from this warehouse that Mr. McKnight knew did not exist, the

EPA was called in to inspect the building by some anonymous caller who said that they could smell a leak. Once the EPA got there, their inspector said they couldn't smell a leak. There was no leak, but they did find 2,000 barrels containing toxic material.

Without Mr. McKnight's knowledge, the EPA declared this warehouse an "imminent fire hazard" and cleaned up the chemicals at a cost of \$800,000, even though the previous tenant had a bid of 170. Later, at a public forum, an EPA representative stated that the EPA had the funds to clean up the warehouse, only to bill Mr. McKnight later for that overpriced cleanup. Not only did they bill him for the overpriced cleanup, but they sought over \$1 million in cleanup fees and placed a lien on his real estate holdings, including his farm and his home.

I helped Mr. McKnight to get the case reconsidered. After 8 years in court, he was able to get it reduced down to \$600,000.

The EPA shouldn't use legal loopholes and cower behind exemptions at the cost of taxpayers and, not only that, to charge somebody that had no knowledge of the barrels even being there, rather than the man who put the barrels there. This gentleman served 1 year and 4 months in Federal prison for this. It was his second offense, and yet Mr. McKnight was fined over \$1 million.

That is why I have introduced three bills over the last 2 months targeting the EPA. My bills: H.R. 3531, No Exemptions for EPA Act; H.R. 3655, EPA Pays Act; and H.R. 3699, Judgment Fund Taxpayer Accountability Act are all aimed at holding the EPA to the same standards and requirements as private citizens.

My bills remove these legal loopholes for the EPA and force them to repay the Federal Government for any damages the EPA causes. If I were to accidentally cause the same disaster, do you think that I would get off by just saying "I'm sorry and I promise not to do it again"? That is why we have introduced these three bills.

So I ask my colleagues to, please, join me in holding the EPA accountable in any future accidents by supporting H.R. 3531, H.R. 3655, and H.R. 3699.

DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, in 1983, President Ronald Reagan wrote to then-Senate Majority Leader Howard Baker, urging him to raise the debt ceiling. In his letter, he said: "The risks, the costs, the disruptions, and the incalculable damage lead me to but one conclusion: The Senate must pass this legislation before the Congress adjourns."

Twenty-three years later, we now find ourselves 1 week away from defaulting on our debt for the first time in our Nation's history. Instead of making sure we preserve the full faith and credit of the United States, as President Reagan had done 18 times during his tenure, some want to hold our economy hostage to extract ideological wins.

This is not the time for partisan bickering and political gamesmanship, not when it means delaying Social Security benefits for seniors and those with disabilities, withholding paychecks from our brave Active Duty servicemembers, and postponing interest payments on government-issued bonds.

We have a responsibility to live up to our obligations no matter what. That is not politics; it is basic governing.

The longer we wait to meet our obligations and raise the debt ceiling, the closer we get to another credit rating downgrade, a spike in interest rates, and a severe slowdown in economic growth. This is not an overstatement.

Let's look back at what happened in 2013 during the last debt ceiling standoff. Just the possibility of default caused rates on Treasuries to rise by almost half a percentage point. That cost taxpayers as much as \$70 million.

This time around, if we actually default, market forecasters estimate that interest payments on Treasuries would increase Federal deficits by \$10 billion over the short term and by \$70 billion a year after that. That is money that wouldn't be going to critical investments in research and development, education, and infrastructure.

On top of that, higher interest rates on Treasuries could lead to a 1 percent reduction in GDP. That would mean the loss of almost 700,000 jobs, and that is just a conservative estimate.

Make no mistake, every American would be impacted. Middle class families looking to buy a home would face higher mortgage rates. A half a percentage point increase in mortgage rates would increase the lifetime cost of an average home loan by almost \$19,000. Small-business owners would face difficulties trying to secure new loans as lending tightens up. And students will have an even harder time trying to pay for college as student loan rates skyrocket.

We owe it to our constituents to move toward responsible governing and away from governing by crisis, which has become all too common around here.

The bipartisan budget package unveiled last night affirms the full faith and credit of the United States and represents real progress for hard-working American families who are tired of threats of default and partisan gridlock.

Now is not the time for politics. Now is the time for thoughtful consider-

ation, bipartisan compromise, and, most importantly, finding a path forward for the American people.

BREAST CANCER AWARENESS MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, this is the last week of National Breast Cancer Awareness Month. Before it ends, I would tell the American people about two amazing women from Sugar Land, Texas, two good friends of my family, two women who are here for a reason, two people who are touching others in need, two people who are making a difference.

□ 1030

Meet Irma and Sasha. Stunning, aren't they? They are related. They look like sisters, but they are not. They are mother and daughter. The mom, Irma, is on the left. Her baby girl, Sasha, is on the right. Irma and Sasha are sisters in a cause. Both have fought breast cancer, and both have won.

Each year over 200,000 American women hear four crushing words: You have breast cancer. Irma feared those words because she knew they may be coming. Both of her sisters heard those four words. One died.

Irma beat her cancer, but lived in fear. With her family's history of breast cancer, her daughter had a good chance of hearing those four terrible words. Five years after Irma beat breast cancer, Sasha banged on her door, crying without end. She was 31, and she had aggressive breast cancer.

Irma was by Sasha's side every second of her fight against cancer. Mom watched her daughter lose each breast. Mom watched her daughter go through 16 rounds of harsh chemotherapy. Mom watched her daughter lose all of her hair, her eyebrows, her eyelashes. Mom watched her daughter lose that smile. Sasha thought that she was no longer beautiful. Her will to fight was decreasing.

Irma took charge. She told Sasha that "no matter how sick you feel, get up, shower, and put some lipstick on. You are beautiful."

Then it hit both of them. They were women of style and grace. Cancer took that away. The only wigs they could find looked good on circus clowns. There was not a beauty shop for women with breast cancer, a place where they are pampered, a place where they are beautiful. They were going to end that.

Dad had no choice. He gave Sasha his life savings, and in 2013 my wife and I walked into our friends' dream store, Cure & Co., on its opening day. Cure & Co. gives women with cancer real wigs, real facials, and real beauty products. Sasha and Irma give their clients hope

and love in the worst of times, the greatest gifts of all.

Look one last time at Irma and Sasha. They are gorgeous, stunning, and beautiful. They have had breast cancer. Both of them have beaten breast cancer, and both of them will never leave the fight until breast cancer is cured forever.

REFUGEE CRISIS IN EUROPE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, last week I came to the floor and recommended that the Obama administration appoint a special envoy with a very broad portfolio: dispatched to work on a diplomatic solution to the tragedy that is destroying Syria and unfolding in the Middle East, now having broad impact in greater Europe.

I want to point out to those who are listening that the displacement crisis in the Middle East, centered in Syria, has consumed seven nations and propelled the largest refugee crisis Europe has faced since World War II. Already in Syria, over a quarter of a million people have been killed—civilians—and that is probably a low number.

With over 12 million people displaced, Europe is being besieged by hundreds of thousands, legions, of the dispossessed. Meanwhile, it almost seems surreal that no effective diplomatic negotiation is underway that holds the prospect of leading to peace.

I again ask the Obama administration to dispatch a special envoy with a broad portfolio to work full time on a diplomatic solution to the tragedy that is destroying Syria.

Then yesterday in The New York Times appeared an editorial by the legendary 39th President of the United States, Jimmy Carter, entitled “A Plan to End the Syrian Crisis.” I served President Carter during his years in the Presidency.

I well remember the incredible moment in 1979 when President Carter stood with Anwar Sadat, the President of Egypt, and the Prime Minister of Israel, Menachem Begin, and they signed that treaty in March of 1979. Who would have ever thought that that moment in history would have been possible? Yet, until today, that treaty holds between Egypt and Israel, and it has made a gigantic difference in the saving of lives in that extremely troubled region.

In his editorial to The New York Times, President Carter references that the Carter Center—which he founded and to which he has dedicated his life with his wife Rosalyn ever since his service as President—has been deeply involved in Syria since the early 1980s. Who would know more than he?

He recommends the only real chance of ending the conflict is to engage the

United States, Russia, Iran, Turkey, and Saudi Arabia in preparing a comprehensive peace protocol with Syria. He knows what that requires. He recommends a cease-fire, formation of a unity government, constitutional reforms, and elections.

Mr. Speaker, I include for today’s RECORD the editorial entitled “A Plan to End the Syrian Crisis.”

I say to my colleagues and to those who are listening: As we watch this tragedy unfold, our Nation is the most powerful nation in the world. Surely, we should have the wisdom and the will to take this latest tragedy, which we had no small part in precipitating, and find a way to bring the parties to the table.

What is happening in Syria due to the lack of a diplomatic solution is now impacting Europe in ways that we have not seen since World War II. It is very destabilizing.

With what is happening inside Ukraine today due to Russia’s invasion, with over 1.7 million displaced persons internally, if Russia would happen to turn the tourniquet tighter in eastern Ukraine and cause additional displacement across Europe, imagine what the winter months would bring.

I can’t urge in strong enough terms that the Obama administration pay heed to President Carter’s very lucid editorial in yesterday’s New York Times. I commend all Members and citizens to read it, and I include it for the RECORD.

[From the New York Times, Oct. 26, 2015]

A PLAN TO END THE SYRIAN CRISIS

(By Jimmy Carter)

I have known Bashar al-Assad, the president of Syria, since he was a college student in London, and have spent many hours negotiating with him since he has been in office. This has often been at the request of the United States government during those many times when our ambassadors have been withdrawn from Damascus because of diplomatic disputes.

Bashar and his father, Hafez, had a policy of not speaking to anyone at the American Embassy during those periods of estrangement, but they would talk to me. I noticed that Bashar never referred to a subordinate for advice or information. His most persistent characteristic was stubbornness; it was almost psychologically impossible for him to change his mind—and certainly not when under pressure.

Before the revolution began in March 2011, Syria set a good example of harmonious relations among its many different ethnic and religious groups, including Arabs, Kurds, Greeks, Armenians and Assyrians who were Christians, Jews, Sunnis, Alawites and Shiites. The Assad family had ruled the country since 1970, and was very proud of this relative harmony among these diverse groups.

When protesters in Syria demanded long overdue reforms in the political system, President Assad saw this as an illegal revolutionary effort to overthrow his “legitimate” regime and erroneously decided to stamp it out by using unnecessary force. Because of many complex reasons, he was supported by

his military forces, most Christians, Jews, Shiite Muslims, Alawites and others who feared a takeover by radical Sunni Muslims. The prospect for his overthrow was remote.

The Carter Center had been deeply involved in Syria since the early 1980s, and we shared our insights with top officials in Washington, seeking to preserve an opportunity for a political solution to the rapidly growing conflict. Despite our persistent but confidential protests, the early American position was that the first step in resolving the dispute had to be the removal of Mr. Assad from office. Those who knew him saw this as a fruitless demand, but it has been maintained for more than four years. In effect, our prerequisite for peace efforts has been an impossibility.

Kofi Annan, the former United Nations secretary general, and Lakhdar Brahimi, a former Algerian foreign minister, tried to end the conflict as special representatives of the United Nations, but abandoned the effort as fruitless because of incompatibilities among America, Russia and other nations regarding the status of Mr. Assad during a peace process.

In May 2015, a group of global leaders known as the Elders visited Moscow, where we had detailed discussions with the American ambassador, former President Mikhail S. Gorbachev, former Prime Minister Yevgeny M. Primakov, Foreign Minister Sergey V. Lavrov and representatives of international think tanks, including the Moscow branch of the Carnegie Center.

They pointed out the longstanding partnership between Russia and the Assad regime and the great threat of the Islamic State to Russia, where an estimated 14 percent of its population are Sunni Muslims. Later, I questioned President Putin about his support for Mr. Assad, and about his two sessions that year with representatives of factions from Syria. He replied that little progress had been made, and he thought that the only real chance of ending the conflict was for the United States and Russia to be joined by Iran, Turkey and Saudi Arabia in preparing a comprehensive peace proposal. He believed that all factions in Syria, except the Islamic State, would accept almost any plan endorsed strongly by these five, with Iran and Russia supporting Mr. Assad and the other three backing the opposition. With his approval, I relayed this suggestion to Washington.

For the past three years, the Carter Center has been working with Syrians across political divides, armed opposition group leaders and diplomats from the United Nations and Europe to find a political path for ending the conflict. This effort has been based on data-driven research about the Syrian catastrophe that the center has conducted, which reveals the location of different factions and clearly shows that neither side in Syria can prevail militarily.

The recent decision by Russia to support the Assad regime with airstrikes and other military forces has intensified the fighting, raised the level of armaments and may increase the flow of refugees to neighboring countries and Europe. At the same time, it has helped to clarify the choice between a political process in which the Assad regime assumes a role and more war in which the Islamic State becomes an even greater threat to world peace. With these clear alternatives, the five nations mentioned above could formulate a unanimous proposal. Unfortunately, differences among them persist.

Iran outlined a general four-point sequence several months ago, consisting of a cease-

fire, formation of a unity government, constitutional reforms and elections. Working through the United Nations Security Council and utilizing a five-nation proposal, some mechanism could be found to implement these goals.

The involvement of Russia and Iran is essential. Mr. Assad's only concession in four years of war was giving up chemical weapons, and he did so only under pressure from Russia and Iran. Similarly, he will not end the war by accepting concessions imposed by the West, but is likely to do so if urged by his allies.

Mr. Assad's governing authority could then be ended in an orderly process, an acceptable government established in Syria, and a concerted effort could then be made to stamp out the threat of the Islamic State.

The needed concessions are not from the combatants in Syria, but from the proud nations that claim to want peace but refuse to cooperate with one another.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 39 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:
God of wisdom, we give You thanks for giving us another day.

Prior to the Great Compromise, Benjamin Franklin addressed the Constitutional Convention: "We indeed seem to feel our own want of political wisdom, since we have been running about in search of it. In this situation of this assembly, groping as it were in the dark to find political truth and scarce able to distinguish it when presented to us, have we now forgotten (our) powerful friend?"

Lord, You are the powerful friend referred to by Franklin, and we turn again to You to ask that Your wisdom might break through the political discussions of these days.

Bless the Members of the people's House and all of Congress with the insight and foresight to construct a future of security in our Nation's politics, economy, and society. May they, as You, be especially mindful of those who are poor and without power.

May all that is done today be for Your greater honor and glory. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's pro-

ceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. DOLD) come forward and lead the House in the Pledge of Allegiance.

Mr. DOLD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

BREAST CANCER AWARENESS MONTH

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, October marks Breast Cancer Awareness Month, a month to especially recognize and celebrate breast cancer patients, survivors, and advocates. While breast cancer affects individuals and families throughout the year, I especially appreciate the awareness and advocacy efforts that occur this week, especially the Walk for Life and Women's Night Out.

The Walk for Life/Race for Life at Palmetto Health, though rescheduled due to tragic flooding, is celebrating 25 years of raising funds and awareness for survivors and treatment in the Midlands. In the past 25 years, the Walk for Life, led by Chair Janet Snider, has gone from 200 participants in the first year to over 11,000 participants last year, raising over \$800,000.

Women's Night Out at Lexington Medical Center, led by President Mike Biediger, is an inspiring evening at Burkett, Burkett & Burkett CPAs where the hospital honors breast cancer patients, survivors, and their families.

I know firsthand of the success at Lexington Medical Center where my son, Addison, in high school, was successfully treated for thyroid cancer and now himself is an orthopedic surgeon.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

EXPORT-IMPORT BANK

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this summer, when a small group of Republicans successfully blocked the renewal of the Export-Import Bank, they were very dismissive of the negative effects their efforts would have on job creation here in our country. Now it is autumn, and without the Ex-Im Bank, we are losing American jobs.

Last month, General Electric announced it will move production of large, gas-powered engines to Canada, along with 350 jobs, because the company cannot access financing from the Export-Import Bank.

Boeing was recently told by a Singapore-based satellite company not even to bother bidding on a satellite contract because they lacked the financing from Ex-Im.

These are just a few real-life examples of the real-world consequences of letting Ex-Im expire. There is never a good time to commit economic suicide.

I urge my colleagues to join together in renewing the Export-Import Bank and saving and growing American jobs.

BREAST CANCER AWARENESS MONTH

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to recognize October as Breast Cancer Awareness Month. This disease has touched everyone in some way, and we must do all we can to fight it.

An astonishing one in eight women will be diagnosed with breast cancer over the course of her lifetime. This is one of the many reasons that I supported increased funding for the National Institutes of Health. American scientists and researchers are the best in the world, but they do need our support to put an end to this disease once and for all.

I am also proud to be the lead Republican sponsor of H.R. 1925, a bill to award a Congressional Gold Medal to Dr. Ernie Bodai, the creator of the breast cancer research stamp. Since its introduction in 1998, the stamp has been an effective tool for increasing awareness and has raised over \$80 million to support the cause.

This month, please take a moment to join me in remembering those who lost the battle to breast cancer, while celebrating survivors, those currently fighting the disease, and all of those helping women live longer, healthier lives.

SOLAR ENERGY

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, solar energy serves the national interest in a

number of ways. It is reducing our reliance on fossil fuels that are causing climate change. It is helping America to become energy independent. It is creating jobs, 3,000 of them, at or near the solar plant under construction in Buffalo, New York.

Solar panels empower consumers to generate clean and affordable energy at home and to sell the extra energy that they do not use to the grid. A policy called "net metering," which requires utilities to pay a fair price for this energy to the consumer, is currently in place in all but six States. It has been vital to the growth of the solar industry by providing consumers with certainty on the savings that solar will produce in their energy bill.

That is why I have introduced legislation to direct the Department of Energy to conduct a study on all of the impacts of net metering. Through a comprehensive analysis, we can ensure that regulators and policymakers have the accurate information they need to make a sound decision on whether to support consumer-generated solar energy.

NATIONAL DEFENSE

AUTHORIZATION ACT VETOED

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, my heart breaks for our military men and women who last week watched their Commander in Chief as he vetoed the NDAA, the National Defense Authorization Act. This was a bill that would give them more pay and better benefits for the job that they are doing. He vetoed it, great flourish, called a ceremony.

He vetoed the bill because he wanted more money for his domestic agenda that includes more money for broken agencies like the EPA and the IRS. Imagine that.

In Congress, our first responsibility is to provide for the common defense, and the NDAA just does that.

This year's defense bill passed both the House and the Senate with an overwhelming bipartisan majority. It is the most reform-centered defense bill in decades.

It includes pay and benefits for our troops. Did you know 83 percent of our military personnel have retired with no retirement benefits? It changes that.

The President vetoed it. It would have given them 401(k)-style benefits. The President vetoed it. He should be ashamed of those actions. The men and women in uniform deserve better.

NATION'S CRUMBLING INFRASTRUCTURE

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, well, it is long past time for Congress to do its job and get serious about funding a long-term solution to fix our crumbling roads and bridges, all of our infrastructure in this country.

In Michigan, of all States, we know that we need to invest in order to grow our economy. To build a 21st century economy, we need state-of-the-art infrastructure.

No more short-term fixes, no more month-to-month funding. I have voted against these short-term bills in the past, and I am going to continue to do so.

We are in urgent need of dramatic investment in infrastructure. Nearly a third of our roads are in poor or mediocre condition. One out of four of our bridges require significant repair. In my own hometown, our water infrastructure is wholly inadequate to provide even clean water to our residents.

We just cannot continue to threaten our economy by failing to do our job. Congress needs to do its job. The American people go to work every single day, and the least that they can expect is that we do the same thing and do our job.

If we really believe in our future in this Congress, we ought to be willing to invest in it.

FAIRNESS AND OPPORTUNITIES FOR MARRIED HOUSEHOLDS WITH STUDENT LOANS ACT

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, student loan debt is now the fastest growing and second-largest type of household debt in America. It is no surprise that many Americans are putting off marriage and family life for financial reasons.

The decline in marriage is a problem that could impact our economy and society for decades to come. Yet, our Tax Code punishes married households who have student debt. That is why I have introduced the Fairness and Opportunities for Married Households With Student Loans Act.

Currently, an individual with student loans can deduct up to \$2,500 in interest paid on their loans, but that amount does not increase for married couples filing jointly. So spouses who both have student loan debt are limited to just one \$2,500 deduction. This is not fair.

My bill increases the deduction to \$5,000 for married couples. It only makes sense. It also strengthens incentives toward marriage and financial independence.

With student debt putting pressure on our economy, let's stop penalizing marriage and start helping families build a stronger future.

2015 JOBS FAIR AND ECONOMY

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, I recently hosted my third annual hiring event where 500 applicants connected with more than 70 employers looking to fill positions.

I was delighted to see Ramona Young and Sommatra Jackson at the event, two women hired at my first event in 2013. They were back this year representing the company that hired them.

Their success continues to motivate me. For every Ramona and Sommatra, there are hundreds of Americans looking for good-paying jobs that allow them to build toward a future.

So today I rise on behalf of those American workers still looking for good-paying jobs.

We all know the statistics. Our economy is growing. After 67 months of consecutive job growth, our unemployment rate stands at 5.1 percent for the first time since 2008, but the fact is there are nearly 8 million Americans still searching.

The people I met at my hiring event were talented, skilled, and driven. They are hungry for an opportunity to work, to put their skills to good use, and to provide for their families.

I urge my colleagues to join me in creating an economy that works for everyone.

DOMESTIC VIOLENCE AWARENESS

(Mr. COSTELLO of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to recognize October as Domestic Violence Awareness Month. Far too many families fall victim to domestic violence. In fact, one in four women will experience domestic violence at some point in their lives.

I want to recognize and thank the organizations, their staff, and their volunteers across my district for what they do to help victims of domestic violence.

To cite just one example, Mr. Speaker, last week the Berks Women in Crisis held their annual Silent Witness Project march and ceremony to honor and remember victims lost. A group of about 75 people marched from the Berks Women in Crisis center to the Reading Area Community College, carrying 25 red silhouettes of women, men, and children killed due to domestic violence. Each cutout held a brass shield with the summary of that victim's story.

By spreading awareness of these horrors of domestic violence and encouraging victims to speak up, we can and must help reduce the number of women victimized.

I applaud the efforts of this annual ceremony and march and want to let them know that their work is recognized by the community. Indeed, the work of all the organizations, their staff, and volunteers is critical.

□ 1215

STAND WITH SHERIFF LUPE VALDEZ

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to stand with Lupe. That is Dallas County Sheriff Lupe Valdez. Sheriff Lupe Valdez has a great history in Dallas County, but recently she has come under attack from our Governor for trying to build relationships between the law enforcement community and the immigrant community.

Governor Abbott sent a threatening letter to Sheriff Valdez, questioning her decision to decline certain Federal ICE detainers when the immigrant in question is not a public safety risk—not a public safety risk.

Sheriff Valdez understands that, in order to serve and protect the immigrant community, she must have the trust of that community.

I call on Governor Abbott, instead of trying to erode that trust between law enforcement and the immigrant community, to work with the Republican Texas delegation to push for comprehensive immigration reform, to push for the things that the business community wants, that the church community wants, in order to do something about our broken immigration system instead of trying to push for things like sanctuary city bills.

If we work together with the immigrant community and do the right thing, together we can work on solving a lot of these issues.

I ask my colleagues and the Governor to stand with Lupe and to do the right thing when it comes to Texas immigrants.

HONORING VESTA MANGUN

(Mr. ABRAHAM asked and was given permission to address the House for 1 minute.)

Mr. ABRAHAM. Mr. Speaker, I rise today to honor a faithful and God-fearing woman, Ms. Vesta Mangun of Alexandria, Louisiana, who will soon be celebrating her 90th birthday.

Ms. Mangun is a dedicated member of The Pentecostals of Alexandria Church. She has been instrumental in the life and spirit of the Pentecostal community for a long, long time.

Ms. Mangun and her husband, G.A. Mangun, started The Pentecostals of Alexandria when it was known as the First United Pentecostal Church with just 38 members. Today The Pentecos-

tals of Alexandria is made up of thousands of members, largely thanks to the dedication of the Mangun family.

The work of Ms. Mangun extends far beyond community. A daughter of an east Texas pioneer, Vesta Mangun has dedicated her life to sharing the Lord's word as a speaker at camp meetings across the country and across the world.

I commend the Mangun family for their tireless dedication to Louisiana, and I congratulate The Pentecostals of Alexandria in their celebration this week commemorating 65 years of ministry.

GOOD THINGS AND BAD THINGS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, today we will have an opportunity to support the Export-Import Bank opening so that constituents across America, including Houston, Texas, will have the opportunity to grow jobs and to compete internationally. That is a good thing, Mr. Speaker.

Soon I hope we will be able to reopen Riverside Hospital in my congressional district with the collaboration and work with Health and Human Services and State authorities to open the doors for those who need health care. That is a good thing.

Mr. Speaker, the showing of a video of a student being dragged out of a classroom violently while educators stand by and watch is a bad thing. It calls upon the Justice Department of that State, the Attorney General, and the local district attorney to stand up and be counted. It also calls upon the U.S. Department of Justice to determine whether the civil rights of that student were violated.

Not one American should be able to tolerate the heinous, horrific, violent actions of throwing a young girl student on the floor, up against the door, dragged as if she were a bag of potatoes. No one should tolerate that.

Mr. Speaker, I call upon everyone to address the conditions in schools and violence along with those who are perpetrating these acts against students.

NDAA VETO

(Mr. PALAZZO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALAZZO. Mr. Speaker, last week the President once again disappointed the American people while only seeking to advance his own political agenda. Despite only vetoing four bills in 7 years, the President took the extraordinary measure of vetoing a bill vital to keeping Americans safe.

The annual National Defense Author-

ization ensures our troops have the tools and training they need to destroy our enemies and to return to their loved ones back at home. This bill has been passed for 53 consecutive years, yet this President saw fit to veto it, putting campaign promises above our military and the American people.

Mr. Speaker, the world is not becoming a safer place. In fact, it is becoming much more dangerous. China is building military islands in the South China Sea. The Russians are destabilizing Europe. Foreign fighters are flooding to ISIS by the thousands. Iran is on the path to having a nuclear weapon. Yet this President is more concerned about liberal politics than he is about the safety of our Nation. As a veteran, I find it disgraceful.

WEAR RED WEDNESDAY

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, tomorrow is Wear Red Wednesday to Bring Back Our Girls.

This month President Obama announced he will deploy 300 troops to Cameroon to help with the fight against the ISIS-linked terrorist organization, Boko Haram. These American troops will provide vital intelligence, surveillance, and reconnaissance support to the multinational regional coalition fighting Boko Haram.

I applaud the President's commitment to rooting out and destroying radical terrorism in the region. This newly announced aid could be a turning point in the fight against Boko Haram.

Mr. Speaker, until the precious Chibok girls are returned, we will continue to wear red and continue to tweet, tweet, tweet. Continue to tweet, tweet, tweet #bringbackourgirls. Tweet, tweet, tweet #joinrepwilson.

OCTOBER IS NATIONAL FARM TO SCHOOL MONTH

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute.)

Mr. WESTERMAN. Mr. Speaker, I rise today to recognize a very innovative program in my home State of Arkansas. Governor Asa Hutchinson proclaimed October to be Farm to School Month. The Farm to School program provides healthy, locally grown food to our State's schools while creating new revenue streams for our Arkansas farmers.

According to the USDA, 169 schools, serving over 86,000 young Arkansans, participate in the program. This directed over \$600,000 into local economies by purchasing products from local farmers.

The Farm to School program helps to combat childhood obesity by encouraging healthy eating habits among our

youngest, most impressionable citizens. Also, at a time when families are moving away from the rural, agricultural parts of our Nation, I believe it is vital that our children know how and where their food is produced. The Farm to School program helps to educate them.

Mr. Speaker, I believe the Farm to School program is important to the economy, health, and education of Arkansas' Fourth District. I look forward to working with the many stakeholders in Arkansas to see the continued success of the Farm to School program.

CLEAN THE BARN

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, Speaker BOEHNER has pledged to clean the barn before handing the Speakership over later this week.

So far, we are off to a good start. First, a bipartisan majority is finally able to reauthorize the Export-Import Bank. Ex-Im supports countless American jobs and historically has enjoyed broad bipartisan support.

Today we learned of a bipartisan deal. I am still reviewing the details of this compromise, but I am encouraged that the leaders of both parties came together to protect the full faith and credit of the United States and to reduce the burden of sequestration.

Now, I represent the heart of San Diego. We don't have many farms in my district, but even I know that when you put off cleaning the barn, the you-know-what tends to pile up.

There is so much more that Congress should be doing that we are not doing this week. We still need a highway bill that will improve our Nation's infrastructure and create jobs. We need meaningful immigration reform and a deal to get rid of sequestration once and for all.

Let's hope this week marks the beginning of an effort to not just clean the barn, but to keep the barn clean.

FIRST ANNUAL CRISTINA GOMEZ 5K RUN/WALK

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to urge south Floridians to run or walk this Sunday, November 1, to support the Cristina M. Gomez Traumatic Brain Injury Foundation—TBI Foundation—at its first annual Cristina Gomez 5K Run/Walk at Miami Executive Airport.

Cristina was a senior majoring in education at my alma mater, Florida International University, when she suffered a traumatic brain injury after falling while out on a run.

While her family is encouraged by Cristina's slow, but steady, recovery, she still requires 24/7 care, and her continuing treatment is not fully covered by insurance, concerns that they share with many other families.

As a result, proceeds from Sunday's event will help ensure that other traumatic brain injury victims and their families in our community receive the emotional and the financial support they need to keep hope alive.

Registration is online now at cristinagomezfoundation.org.

WHITE HOUSE INITIATIVE FOR EDUCATIONAL EXCELLENCE FOR HISPANICS

(Mr. CASTRO of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CASTRO of Texas. Mr. Speaker, this year marks the 25th anniversary of the White House Initiative on Educational Excellence for Hispanics, a bipartisan effort to increase educational opportunities and improve educational outcomes for Latinos in America.

Over the past 2½ decades, the initiative has made great progress. The percentage of Hispanics with a high school degree has jumped by nearly 20 percent. The percentage of Hispanics dropping out of high school is nearly 20 percent lower. The percentage of Hispanics with a bachelor's degree or higher has nearly doubled.

Progress like this is possible because of so many committed organizations across our Nation. The initiative has identified certain "Bright Spots" in this effort, and I would like to recognize those programs that received the "Bright Spot" designation in my own congressional district.

They are: The Academy for Teacher Excellence, the Graduate Support Center at UIW, IDRA's Coca-Cola Valued Youth Program, Northwest Vista College's College Connection Program, and San Antonio College's College and Grants Development Department.

Congratulations to these "Bright Spots," and thank you to all the organizations out there helping to make this program a success.

HOME HEALTH CARE PLANNING IMPROVEMENT ACT

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise to bring attention to the dire need for nurses in the Granite State. The New Hampshire Union Leader—my newspaper of Manchester, New Hampshire—reports the need will only increase as our population ages and more nurses reach retirement.

Also, healthcare facilities are concentrated outside the State, increasing

the need for healthcare practitioners in New Hampshire. I recently hosted a Manchester Job Fair to help meet the need, and I am a proud cosponsor of the Home Health Care Planning Improvement Act of 2015.

Right now, according to Medicare rules, a nurse practitioner may not prescribe home healthcare services for beneficiaries. They must seek a doctor's permission, a process that would take weeks in rural areas like northern New Hampshire.

The New Hampshire Nurse Practitioner Association visited me in Washington last month to tell me about this critical problem. Current rules add extra time and cost to home health care. Qualified nurses should be able to make the best decisions for their patients, especially in the isolated or homebound arena.

The Home Health Care Planning Improvement Act would allow nurses to do their jobs and help patients recover. It is time to remove a needless layer of bureaucracy and give them the tools they need to succeed.

□ 1230

FARM TO SCHOOL ACT OF 2015

(Mr. GARAMENDI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARAMENDI. Mr. Speaker, I urge the House to pay attention to the Farm to School Act of 2015. Like my colleague from Arkansas, California is a big agricultural State, and we know that kids go hungry.

We have the 2010 Healthy, Hunger-Free Children Act, providing some \$5 million annually in competitive programs for schools to establish the Farm to School Act programs. These programs are vitally important to farmers, increasing their income, but even more important to kids who can get good, healthy food, locally grown and available in their schools.

So let's pay attention here. Let's get this new bill underway. Let's move this program forward. Let's put some money so our kids can have good food and our local farmers can have a good market.

FREE AND FAIR ELECTIONS IN TURKEY

(Mr. TROTT asked and was given permission to address the House for 1 minute.)

Mr. TROTT. Mr. Speaker, I rise today to highlight the upcoming Parliamentary elections being held in Turkey. With so much on the line for Turkey, both domestically and internationally, it is my sincere hope that the elections are held in an environment that is consistent with international standards on November 1.

Free and fair elections are a fundamental part of any democratic society, and Turkish citizens of all backgrounds deserve to know that not only does their vote count, but it will be cast in a welcoming, safe and open atmosphere.

Freedom of the press is also a crucial part of democracy and, with the future of Turkey at the forefront of the November elections, Turkish citizens deserve to hear every narrative, and journalists and reporters should not have to worry about intimidation or legal action, simply for doing their jobs.

As Turkey enters a pivotal moment in its history, I wish them a safe and successful election day. And just like any democratic society, the real winners at the end of the day will be the citizens of Turkey.

CONGRESS' LAST SHORT-TERM EXTENSION OF THE HIGHWAY BILL

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, today we will vote on what, hopefully, will be this Congress' last short-term extension of the highway bill. We have made progress on a long-term bill, and the House should consider that legislation next week. This is good news.

But the short-term bill also includes an inevitable but disappointing extension of the deadline for railroads to install positive train control technology. This technology can prevent train accidents and is designed to save lives.

Originally, Congress gave railroads 7 years to install positive train control, but as that deadline approaches, the railroads are woefully behind schedule. With the railroad industry's threat to shut down over our heads, we have no choice but to go through with this extension.

I worry what the consequences will be for this. This has to be the last delay that we give to the railroads.

Congress did not mandate positive train control to be a thorn in the railroads' side. It was done to save lives.

SETTING THE RECORD STRAIGHT ON MEAT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to set the record straight regarding a claim this week by the International Agency for Research on Cancer classifying processed meats as carcinogenic and red meat as a probable carcinogen.

According to the American Cancer Society, there is a lifetime risk of developing colorectal cancer of 5 percent. By this organization's own findings, eating a cold-cut sandwich or a hot dog

every day would only raise that risk to around 6 percent.

Doctors with the International Agency for the Research on Cancer admit that the risk for someone to develop cancer due to red meat consumption is dwarfed by the risk caused by cigarette and alcohol consumption.

With that in mind, Mr. Speaker, this study should not be used for scare-mongering in causing people across the Nation to believe that red meats or processed foods are dangerous.

The fact remains that variety is the key to a healthy, well-balanced diet, and that cancer is not caused by a single food.

FIX OUR BROKEN IMMIGRATION SYSTEM

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, today I call upon the House of Representatives to finally fix our broken immigration system.

The American people have had enough. They have had enough of the lack of security around our borders. They have had enough of the economic damage of not being able to hire and retain the people we need to grow our economy and make us strong.

We have had enough of the chaos within our borders, of the difficult decisions that police and law enforcement officials have had to make with regard to enforcing a set of unenforceable laws, under which more than 10 million people here don't have documentation.

This needs to end. We should not have 12 million illegal immigrants. We should not have 8 million illegal immigrants. We shouldn't even have 1 million illegal immigrants.

If we simply acted upon the bipartisan proposal that passed the Senate with more than two-thirds support last session and, I believe, would pass the House today if we brought it to the floor, we would finally unite families, secure our borders, boost our economy, and end the enormous number of people who are here without their papers.

I call upon this body to act.

CONGRATULATING PAUL MODRICH AND AZIZ SANCAR

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today I rise to congratulate scientists Paul Modrich of Duke University and Aziz Sancar of the University of North Carolina at Chapel Hill on winning the 2015 Nobel Prize in Chemistry. They share this prestigious award with Swedish scientist Tomas Lindahl for their work in understanding how cells repair damaged DNA.

Dr. Modrich is the James B. Duke Professor of Biochemistry at Duke's medical school and a member of the Duke Cancer Institute. He is also an investigator with the Howard Hughes Medical Institute. Dr. Modrich's research has demonstrated how the cell corrects errors that occur when DNA is replicated during cell division.

Dr. Sancar is the Sarah Graham Kenan Professor of Biochemistry at UNC's medical School. Only the second Turk to win a Nobel Prize, he is the co-founder of the Aziz and Gwen Sancar Foundation, a nonprofit organization that promotes Turkish culture and supports Turkish students in the United States. Dr. Sancar has mapped the mechanism that cells use to repair UV damage to DNA.

Congratulations to Dr. Modrich and Dr. Sancar on their extraordinary achievements. We are fortunate they call North Carolina home.

EX-IM BANK DISCHARGE REAUTHORIZATION

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of reauthorizing the Export-Import Bank.

In the First District of Georgia, the Ex-Im Bank facilitates exports for over 17 companies, more than half of which are small businesses, over \$500 million in exports, and supports over 3,200 jobs.

Around Georgia, those numbers jump to more than \$4 billion in exports from 205 companies supporting almost 30,000 jobs.

With the recent expiration of the Ex-Im Bank, many of these companies have suffered the loss of millions of dollars in new business growth, market access, and risked thousands of jobs.

While we stand here debating the future of the Ex-Im Bank, our competitors are leveraging their own versions of their export-import agencies to increase their market shares abroad.

While I advocated for reforms that go further than this legislation, it does provide critical reforms necessary to ensure taxpayers are protected while allowing the bank to do its important work.

Passing this legislation is essential to protecting thousands of jobs, and I urge my colleagues to join us in reauthorizing the Ex-Im Bank and to let the world know America is open for business.

CONGENITAL HEART FUTURES ACT

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today on behalf of the nearly 1 in 100

newborns born with congenital heart disease. Congenital heart disease is the most common birth defect and is the number one cause of birth defect related deaths.

This disease demands our attention. That is why I founded the Congenital Heart Caucus, and that is why, this week, I am introducing legislation to reauthorize the Congenital Heart Futures Act.

This legislation focuses on studying, educating, and raising awareness of the continuing impact congenital heart disease has throughout the life span. It promotes more research at NIH and encourages the need to seek and maintain lifelong, specialized care.

This bill helps give hope to the 40,000 babies born with congenital heart disease each year and their families across the U.S. I urge my colleagues to support this very important bill. We must continue our efforts to help our future generations live longer, healthier lives.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 27, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 27, 2015 at 9:39 a.m.:

That the Senate passed without amendment H.R. 313.

That the Senate passed with an amendment H.R. 639.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO RECOMMIT ON H.R. 597, REFORM EXPORTS AND EXPAND THE AMERICAN ECONOMY ACT

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to recommit on H.R. 597 may be subject to postponement as though under clause 8 of rule XX.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 1090, RETAIL INVESTOR PROTECTION ACT

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on

Rules, I call up House Resolution 491 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 491

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-31 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Lynch of Massachusetts or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous materials on House Resolution 491 currently under consideration.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased today to bring forward this rule on behalf of the Rules Committee and the hundreds of thousands of young men and women who one day hope to retire.

The rule provides for consideration of H.R. 1090, the Retail Investor Protection Act. The Rules Committee met on this measure yesterday evening and heard testimony from both the chairman and ranking member of the Financial Services Committee.

The rule brought forward by the committee is a structured rule. There was only one amendment submitted to the Rules Committee on this bill, and the House will have the opportunity to de-

bate and vote on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH) later today.

□ 1245

This legislation went through regular order in the Financial Services Committee and was also passed by the House in the 113th Congress by a vote of 254-166 with a number of my friends from the other side of the aisle voting for the legislation. I hope we can put aside our political differences and vote in a similar bipartisan fashion here today.

This rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking member of the Financial Services Committee.

Mr. Speaker, I look forward to hearing the stories that Members will share highlighting the desperate need for H.R. 1090 to become law.

I also have heard firsthand from men and women in my district who are scared about their financial future. Navigating retirement planning can be a difficult task, especially for young men and women just entering the workforce. They often rely on financial planners to offer advice on the steps they need to take today so one day they can retire.

I had the opportunity to meet with one of those financial planners in my office just a few months ago. Beth Baldwin is a financial planner who works for Edward Jones in my hometown of Gainesville, Georgia. She took the time to come to Washington to meet with me and other elected officials because she was scared about the impact that the fiduciary rule would have on her ability to do her job. She told me that the administration's fiduciary rule prevents her from helping people.

Beth told me that financial advisers should always provide advice that is in their client's best interest, but the rule places unnecessary and burdensome requirements on both advisers and clients.

That is not what we are about as a country, Mr. Speaker. We are the world's greatest economic engine, the land of hope and opportunity, because we believe in the ingenuity and hard work of people. Our founders believed in people. They were on their team, and they created a governmental structure that is for the people and by the people. Frankly, Mr. Speaker, that is what this Republican majority stands for: the people who get up every day looking to how they can make it better.

The Republican majority is for people. We believe in their hopes, we believe in their dreams, and we want them to succeed. When my son gets a little older and starts thinking about retirement, I want him to be able to go to a professional and get some advice and seek good information.

If H.R. 1090 isn't signed into law, then financial advisers like Beth Baldwin won't be able to help him. In fact, they won't be able to help others who have helped my family, like Wayne Parrish, who is a dear friend of our family, but is also someone who advises us in our financial decisions. This is something that is threatening not only his livelihood, but many teachers that work with my wife. This is about people, Mr. Speaker.

Across the Nation today, there are 9 million households that rely on small business retirement plans. And there are 3 million small-saver households. These are the people who need Congress now, more than ever, to be on their team.

To them, this debate isn't over definitions and enhanced coordination and studies. It is over their future. It is over their ability to make informed decisions, to find somebody like Beth or Wayne or a number of others all across this country who can help them plan for the future.

Financial advisers should be free to offer advice to their clients based on what is best for them as individuals and small businesses, not based on what advice most limits their liability.

Saving for retirement is already difficult. It requires tough decisions. But the one thing that can keep a devastating financial decision from being made is advice from a qualified professional.

I in no way believe we should model our policies after other countries. We have talked about that before here. However, when we can learn from their mistakes, we should.

The United Kingdom implemented a similar rule in 2013. Two years later we can see the negative effects. The rule has created an advice gap in which 60,000 investors are unable to receive financial advice because their accounts are too small.

Mr. Speaker, I know some stories that have been told on the floor and from many Members here. I remember when I and my wife were just starting out. To tell me what little bit that I had saved was too small is an affront to the very free enterprise system that helps people climb to where they want to go and fulfill their dreams. We should never be satisfied with when we tell people they can't get advice because their pot, so to speak, is too small.

Several of my constituents from northeast Georgia recently wrote to me about the administration's fiduciary rule. Here is what they said: "The rule as proposed is not workable and would have numerous unintended consequences for American workers and retirement savers, particularly those who are middle class. The requirements in the rule would drive the market to fee-based arrangements that are used only for wealthier clients and

are not the best fit for many investors. As a result, middle-class savers would be forced into low-service, do-it-yourself accounts, depriving them of meaningful, personalized planning advice."

Let me repeat that: "depriving them of meaningful, personalized planning advice."

We are here today as the Republican majority, advancing H.R. 1090, because we are for the middle class. Because we refuse to accept any rule from this administration that would deprive the middle class of the tools they need to make good financial decisions.

One of my constituents also wrote: "The time to act is now before Americans are deprived of consumer choice on how to plan for retirement and invest their savings."

Another said: "Recently, I became aware of a proposed rule that would undermine my ability to plan for my retirement in ways I believe best for me."

It is the very heart of why we are here, Mr. Speaker. It is taking up for those who need someone to say: Government, it is time to let the free enterprise, time to let the middle class, the hardworking folks of our country, have advice and be able to access that.

I cannot understand why some of my friends on the other side of the aisle support a rule that would undermine anyone's ability to plan for their retirement in ways that are best for them. This isn't a political issue. It is about people and their future. It is as simple as that.

Financial planning isn't one size fits all. It is customized, individualized, based on the need of a particular family or small business. ObamaCare is a perfect example of what happens when the administration takes over an industry without regard to the needs of the middle and lower class.

Another constituent wrote to me and said: "With this rule, it seems the government has determined that I am not smart enough to make my own informed investment decisions. I do not agree. Saving for retirement is difficult enough. Why add more obstacles and complexity? I urge you to please preserve the freedoms investors currently enjoy to choose how we invest in our retirement accounts and plan for a better financial tomorrow."

This administration, Mr. Speaker, is already costing families jobs, constitutional liberties, affordable quality health care, and a strong national defense. Let's not also take away from them the ability to plan for retirement.

I remember when, just a little over 27 years ago, my wife and I walked down the aisle and we said, "I do," for better, for worse, for richer, for poorer. And, Mr. Speaker, we have been through all of that.

But, at times, we had people who came into our lives, investment advice

that would help us with her teacher retirement, help us with advice that I didn't have the time or really the understanding to work on.

If we take that away from folks like myself and families in my district and families in your district and families all over the country, then what are we saying to the American people? We are saying: the government knows better than you.

I am a firm believer that this government was started and will stand both for the people and of the people, and that is what this Republican majority is doing today. That is why this rule is important, and that is why this bill is important.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman for yielding me the 30 minutes, and I yield myself such time as I may consume.

I want to thank you, Mr. Speaker. Rather than having a mere Speaker pro tempore, as I had the opportunity to do as a freshman in the majority, it is always exciting to be presided over by the actual Speaker of the body, the second in line to be President of the United States, and particularly somebody who has dedicated so much of his life to public service, Mr. Speaker, as you have, and left his mark on this institution.

I am sure that there will be additional opportunities for showing our great regard and esteem with which this body holds you, Mr. Speaker. But I think it is somewhat apt that perhaps, if not the final time you act as presiding officer of this body, at least the final rule is related to retirement, which you, Mr. Speaker, will presumably soon be experiencing, and is an important topic of discussion for this body.

Now, we may have our disagreements about whether curtailing this rule is in the interest of the American people or not, but I know that we both have a deep and abiding interest in making sure that Americans are safe in their retirement. I think it is wonderful that you are highlighting the importance of retirement security by presiding over this particular debate yourself, Mr. Speaker.

I rise in opposition to the rule, which is a structured rule for H.R. 1090. Frankly, it is premature to be considering this bill when we don't know what the final rules will look like out of the Department of Labor, rather than allow the Department of Labor to continue doing its job, which has included many stakeholders.

I know firsthand the Secretary of Labor has not only reached out to me and met with me on numerous occasions as well as my colleagues on both sides of the aisle and has appeared before one of the committees of jurisdiction that I serve on, the Committee on Education and the Workforce, of which

you, Mr. Speaker, are a prior chair as well, and engaged with the financial services community, consumer protection organizations, and many others in his very earnest and serious attempt at making sure that the many shortcomings of the initial draft rule, which you and I might agree on, Mr. Speaker, are addressed in the final rulemaking. I think the Secretary deserves that opportunity. The hardworking men and women of the Department of Labor deserve that opportunity.

And then, if, in fact, the mark is missed, it might be appropriate for this body to consider amending or changing any rule to address the fears that both of us share on both sides of the aisle with regard to ensuring that people of low and moderate income do have access to high-quality advice and that the legitimate educational activities of financial services organizations are allowed to continue to provide that type of advice.

Now, this legislation is somewhat wrapped in a seemingly arcane matter. It has to do with whether it is under the jurisdiction of the Department of Labor or the Securities and Exchange Commission regarding new fiduciary standards of care.

We had the chair of the Financial Services Committee, Mr. HENSARLING, before us in the Rules Committee yesterday. He simply said that, under Dodd-Frank, the SEC has the ability to pass rules regarding fiduciary standards of care. I don't think anybody disputes that the SEC has the legal authority to do so.

I question here—and I think this was well established—that they are unlikely, because of their ongoing implementation work in many other areas, to get to this any time soon, whereas the Department of Labor is nearing the end of a 2-year-long-plus process around trying to make sensible rules to ensure that conflicts of interest within retirement advice are offered, consumer protections are provided, and the market is allowed to operate in a more efficient way with regard to offering quality retirement products and appropriate retirement products to consumers.

After the Department of Labor retracted the flawed first version of this rule several years ago, they released a new version of the rule in 2015. They have been getting input from a broad spectrum of stakeholders through a long and extended comment period.

I have provided feedback. Stakeholders in the retirement community have. Members of Congress on both sides of the aisle have. We all know what some of the fundamental issues that we are trying to address are, Mr. Speaker.

Today most Americans are not saving enough for retirement and are not securing their retirement. The retirement savings gap is estimated at \$14

trillion, and one in five Americans who are approaching retirement have zero private retirement savings.

As the ranking member on the Health, Employment, Labor, and Pensions Subcommittee of the Education and the Workforce Committee, I am very interested in working in a bipartisan fashion to address this savings gap. Helping to make sure that Americans save for retirement is not a partisan issue. Whether one is a Democrat or a Republican, eventually, you are going to need to retire, some of us, Mr. Speaker, before others.

This bill did not have to be partisan either. I think, if we had waited and targeted any particular flaws in the final rule, there might have been an ability to build a bipartisan consensus. I am optimistic that the Secretary of Labor and the Department of Labor will get their rules right.

Investors need to be able to trust the person advising them about the money they need to live after retirement. On the other hand, we need to protect individuals' and small businesses' access to advice.

Mistakes in investments cost billions of dollars to individuals and the economy. Of course, a mistake can occur with wrongful advice from somebody who has a conflict of interest, but mistakes can also occur if there is a lack of access to quality advice. We need to be cognizant of both of those potentials as we look at improving the ability of the American people to save for their retirement.

I know that everybody involved with this rule and many of the stakeholders who will be impacted actually agree on a lot of the big concepts. They agree generally that financial advisers should use the best interest or fiduciary standard because the client's best interest should be paramount.

The main disagreement is about how to make this happen and how to implement the rule in a way that makes sense. Most advisers today do what is in the best interest of their client. They are good actors, and they help their clients save for retirement.

It is critical that our final rule, as the Secretary himself has said, does not upend an entire business model that works for good actors and works for many American families. However, making sure that we have a standard in place that the few bad actors need to abide by and are not able to wreak havoc in allowing American families to plan for their retirement is also essential.

□ 1300

Now, just because there is disagreement on some of the specifics of the rule doesn't mean that we should use a bill that wholesale removes this authority and transfers it entirely to an SEC entity, which is unlikely to proceed with rulemaking and can't even

proceed with rulemaking while this President is in office under a timeline even if they were to begin expeditiously. So, effectively, this underlying legislation is an effort to thwart the ability of this President, this Secretary of Labor, and even the SEC under this President, from acting in a way to protect the American people from conflicts of interest in retirement products that are not suitable for their needs.

Mr. Speaker, H.R. 1090 would actually prevent the Department of Labor from issuing any sort of fiduciary rule until after the Securities and Exchange Commission issued a rule. Now, the Department of Labor clearly has the authority to write and implement this rule. That is not even being called into question; it is simply the timeline of which agency goes first. But due to the realities of the SEC, the Commission is not moving forward a rule any time in the near future, and that is simple reality.

So what this bill actually does is it effectively kills the Department of Labor's ability under President Obama to update the fiduciary standard under ERISA. Would it make sense for Congress to mandate that the IRS couldn't take action to collect taxes until the Treasury acted first? This is a similar situation.

I believe the Department of Labor must take into account the high number of outstanding questions and requests for comments that they proposed in the rule, the incredible volume of feedback the rule has received, including from myself and Members on both sides of the aisle and outside stakeholders. To date, there has been a number of letters from both parties requesting changes to the proposed rule. I signed onto a letter with 96 Democrats, and there are over 3,500 public comments, hundreds of thousands of people signing their names to petitions. The Department of Labor hopefully will listen to this feedback as they issue their final draft rule to make the effort streamlined while protecting investors and workers.

My staff and I have had dozens of meetings and phone calls to the Department of Labor with Secretary Perez. I have submitted over two dozen questions for the record to the Department of Labor on the subject, and I am satisfied and optimistic that these concerns will be addressed in the final rule.

I am just now leading a letter with several of my colleagues requesting an additional comment period to look at the changes the Department of Labor is planning to make to the rule. So the answer, I think, Mr. Speaker, is to take the time to get these rules right, make sure they don't have unintended consequences, and not prejudge them by invalidating them before they are out of the gate. That is what I consider a constructive way forward.

Mr. Speaker, I have learned from these conversations that we need to move forward with a productive process, and I believe the Labor Secretary is committed to doing that. We may have disagreements about the final outcome, but we should see what that final outcome is before we pass legislation that requires us to pretend that the problem doesn't exist.

While the specifics of the fiduciary rule are important, and DOL needs to make changes and communicate them to stakeholders, this legislation is very counterproductive to those ongoing discussions that have occurred over the last several years. This bill would effectively prevent protections from being implemented after years of work, meetings, and due diligence involving financial services companies and involving retirement advocacy organizations, not to mention the fact that this bill will not become law. The President has already put out a promise to veto the legislation should it reach his desk. So, instead, we should be spending our time on more important work for the American people. With just over a month to take action until a government shutdown and with the transportation bill expiring, we have six congressional working days to raise a clean debt ceiling. I am hopeful, Mr. Speaker, that you will be able to bear witness to that as a Member and leader of this body in the short future, in the next couple of days. Just as astonishing, we have the highway funding shutdown.

So here we are again. I think that we need to work on bills that have a chance of becoming law. We shouldn't prejudice rules that I think the Secretary has really worked hard to ensure involve multiple stakeholders, and hopefully, we will be satisfied with the final rules that address many of the potential unintended consequences and concerns that my colleagues on both sides of the aisle have raised, including myself.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I do appreciate the comments just made, but I think there is a general disagreement, and we will have a disagreement in just a few moments about article I and what we are supposed to be doing here and taking care of the American people.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I thank my colleague from Georgia for yielding. In the spirit of bipartisanship, let me associate myself with the opening remarks and kind words of Mr. POLIS about the Speaker.

Mr. Speaker, if adopted, the proposed fiduciary rule would reduce access to reasonably priced investment options for lower and middle class families and

small-business owners across the country. It will also increase costs for Americans trying their best to save for retirement.

Our country faces difficult retirement challenges, and the last thing the Federal Government should do is create new barriers blocking the retirement security the American people deserve. The fact is we have seen this scheme before. This proposal contains many of the same flaws as the administration's failed 2010 proposal, which was ultimately withdrawn because of harsh bipartisan opposition.

The Department of Labor's rushed and uncoordinated process has again resulted in an unworkable proposal, and I urge the administration to use the same logic that it did the first time and withdraw its damaged proposal.

Mr. POLIS. Mr. Speaker, many American workers don't have access to paid sick days, which means they can't miss work without losing a day's pay or risking their job security. If we defeat the previous question, I will offer an amendment to the rule to bring up legislation that would allow workers to earn paid sick leave.

Mr. Speaker, everyone should be able to take care of themselves or their loved ones when they are sick and not have to worry about losing their jobs or falling behind on their bills because of illness.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. To discuss our proposal, I yield such time as she may consume to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to the previous question. Defeating the previous question will allow us to amend the rule to provide for consideration of the Healthy Families Act. What is the Healthy Families Act? It is an act that would allow workers to earn up to 7 days of job-protected sick leave each year.

Mr. Speaker, being a working parent should not mean choosing between your job and taking care of yourself and your family. But at least 43 million private sector workers—39 percent of our workforce—must make this decision every time illness strikes. Millions more cannot earn paid sick time to care for a sick child or for a family member.

Employers ultimately suffer when workers have to make this choice. Increased turnover rates amount to greater costs, and employers can jeopardize the health of other employees when their policies force employees to come to work sick.

With regard to families, I listen to people—as we all do in our communities—all of the time. I can talk to you about Eva, the bus driver who picks up kids in the morning on their way to school. They are there with their parents, and she says that I see parents with tears in their eyes as they are putting their child on the bus, knowing that their child is sick, but they can't afford to stay home with that child because they could lose their job. They could get pay docked. They are making a choice, and that is not how they view themselves as a parent.

Paid sick day policies have been enacted successfully at the State and at the local levels. Nearly 20 jurisdictions across the country have adopted paid sick days, and there is strong public support for universal access to paid sick days. Eighty-eight percent of Americans support paid sick day legislation.

The Healthy Families Act allows working families to meet their health and their financial needs while boosting businesses' productivity and retention rates—strengthening our Nation's economy. It is common sense. It is business savvy. This is the right thing to do.

Today there isn't a parent staying home with their children. Mothers, fathers, grandmothers, aunts, and uncles, everyone is in the workplace. Let our public policy reflect the way that families are trying to make it today. We need to work to protect public health, to boost the economy, and to help hardworking families have access to paid sick days.

Let's pass the Healthy Families Act, and I urge my colleagues to oppose the previous question.

Mr. COLLINS of Georgia. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. CRENSHAW).

Mr. CRENSHAW. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of this rule and the underlying legislation. I am the chairman of the Appropriations Subcommittee on Financial Services and General Government. My subcommittee is charged with overseeing the budget of the Securities and Exchange Commission.

That is the agency of the Federal Government that is charged with protecting investors and making sure that the capital markets are fair and orderly, and that is what they do every day. In fact, Dodd-Frank gives them more authority in this area than any other agency in the Federal Government, so I find it a little bit surprising that the Department of Labor, whose day-to-day job is not to oversee investment advisers, whose day-to-day job is not to oversee broker-dealers, and yet they will decide that they are going to write a rule dealing with fiduciary standards for those that are involved in

retirement accounts. Well, it just seems to me that is backwards. That is upside down.

The SEC ought to be acting in this area. That is their primary role. If we are going to let other agencies write rules that might be in conflict, might create confusion, and might be duplicative, then it seems to me we are going to give those individuals who are struggling to make a living and to make ends meet, we are going to have a difficult time understanding what their retirement accounts are all about and who is in charge and what are the rules and the standards.

So the SEC should act first, and that is all this bill does. It says the SEC should act first in dealing with investor security to make sure that capital markets are fair and orderly and that the Department of Labor is prohibited from finalizing any rule in this regard.

So I think it is a commonsense piece of legislation. I thank the sponsors for bringing it, and the committee for bringing it up, and so I urge adoption of this rule and adoption of the underlying legislation as well.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, even if my friends on the other side of the aisle think they might not like this final rule, let's at least give the Department of Labor, after several years of hard work, the chance to produce it. If at that point the majority feels that there are parts of the rule that they don't want or don't like or want to invalidate or are counterproductive, that would be the appropriate time for this kind of bill to intervene in those efforts before those rules are finalized.

Mr. Speaker, I have been very satisfied with the work of the Department of Labor and the Secretary of Labor to engage Members of this body on both sides of the aisle and the financial services community to ensure that many of the acknowledged flaws that are in the draft bill are addressed in any final rule that is brought forward.

This bill is effectively an effort to thwart the entire process around addressing a real problem, and that real problem is the conflict of interest and poor quality retirement advice that is being given to too many American families.

The Secretary is not seeking to upend a business structure that allows access to quality financial advice for millions of middle class American families, and I believe that any concerns with regard to that will be addressed in the final rulemaking.

With little time left before so many deadlines and cliffs that this body has—transportation funding expiring, the Federal budget expiring without a potential government shutdown, the debt ceiling, and so many others—why are we discussing a bill that is not going to become law? Again, you are

seeking to overturn a ruling before it is made. The President himself would veto this bill. There will not be two-thirds of this body to overturn this veto.

When we are discussing taking actions that affect actions that the President is taking, keep in mind that under our constitutional republic, if we were to override the President, it would take both Democrats and Republicans, and Democrats in large numbers. Now, I understand there may be a few handful of my Democratic colleagues supporting this final bill, not very many, certainly not enough to bring it close to the two-thirds threshold. So, again, that would qualify as a waste of time for this body, and a premature waste of time at that.

Let's give the Department of Labor the ability and the benefit of the doubt to bring forward these rules, and then perhaps if they overstep and have a lot of flaws, then, Mr. Speaker, the Republicans might have more Democrats willing to join them in counteracting these rules. But at this point, it is entirely premature to interdict the entire rulemaking process to protect American retirement without even knowing what those rules are that we are seeking to circumvent.

Mr. Speaker, I reserve the balance of my time.

□ 1315

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I think it is a fundamental difference, again, in the way we choose to look at how we do our business up here. There is a constitutional flow to this. It is called Article I. It is our responsibility as elected Representatives, both from Georgia, from Colorado, from all over this country, it is our responsibility to look at this.

I think one of the things that frustrates me, and I know it frustrates many of my constituents back home, is that it seems like every time—as my friend has said—that we are preempting or putting down all this hard work done by the agencies, well, everything that is pointed to so far, it is not our job as Congress to worry about the work product of an agency. Our job is to take care of the American people and make sure that their interests are best concerned. My first interest is the folks of the Ninth District of Georgia. My first interest is not, did the office or agency of an administration of any, Republican or Democrat, did they work real hard on it? I appreciate their work.

But the problem we are coming back to here is we are facing a real issue. We are simply saying the SEC needs to go first. We are simply saying let's put these priorities in line, and let's simply say that we look at this. It is not the executive body's determination to

make the law, so to speak. It is our body. So if we choose to intervene here, then it is our prerogative to do so, taking care of what we are doing.

I think also to simply say—and I love this argument—that if the President is not going to sign and we don't have enough to override, then fine, let's make that argument to the American people. And if the administration chooses to do this and chooses not to, then let them tell the American people and the teachers in my district and the law enforcement officers in my district and people who need this advice and looking at the history and say: We don't care about you, let our bureaucracy work, let bureaucracy ring instead of freedom ring.

If that is what the President and the administration wants to do, then so be it. I will stand on the side of the American people. I will stand on the side of the middle class. I will stand on them being able to take what they have and get advice so they can make it better. If that is the argument they want to be had, let's have it.

Mr. Speaker, with that, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I think that the remarks by my colleague on the Rules Committee are part of the problem here. The way that laws are passed require the House and the Senate to pass a bill in the same form and the President to sign that bill, or if the President vetoes that bill, two-thirds of the body to overrule it.

And, of course, no one doubts that if this body of the House wants, they can continue to pass bills that the Senate won't bring up, as they have dozens, I would have to get a count, perhaps, hundreds of times, or bills that the Senate will pass but the President will veto, and the President vetoed, I believe, his fifth bill with the defense reauthorization last week.

Certainly, if the majority chooses, if the Republicans choose, this body can continue to do that, or this body can work together with the Senate and the President to pass laws that address issues that the American people have brought to us to solve, and that takes compromise. That doesn't mean this body should say, "It is our way or the highway," and the Senate says, "Sorry, it is the highway," and the President says, "Sorry, it is the highway." It means, roll up your sleeves and work together.

If we are going to solve a problem like immigration in this country, our broken immigration system, and replace our broken immigration system with one that works, that restores border security, the rule of law, benefits our economy, and unites families, it will take all sides working together. Guess what? Last session, the Senate passed a bill. It was this House that didn't spend even a minute of time on

the floor debating that bill or bringing forward something that the American people demand to replace our broken immigration system with one that works and protects our country.

So, again, I don't doubt the ability of this body to keep passing bills that don't go anywhere. Perhaps, it makes some of my Republican colleagues feel good. They go home, and they say: Gee, we passed this out of the House. We passed that out of the House. The problem is the Senate. The problem is the President.

But that is just an excuse for blame and more and more problems. I think what the American people want is not this finger pointing. They don't want the Senate to say: We solved immigration; it was the House's fault. They don't want the House to say: We defunded ObamaCare; it is the Senate and President's fault they didn't do it.

They want us to work together, work together to implement the Affordable Care Act and address some of the problems in it, work together to replace our broken immigration system with one that works, one to work together to cut our budget deficit, one to work together to fund an infrastructure and transportation bill, and—this is an example—if there are deficiencies in the final rule, work together to make sure that those deficiencies are addressed so that our common goal the Democrats and Republicans share of making sure that Americans have quality, nonconflicted advice in their retirement savings is able to occur across the country.

I call on Speaker BOEHNER and, of course, whoever succeeds him as Speaker, as well as the rest of the House leadership, to present truly bipartisan efforts to move forward on the various issues that we face and not yield to the easy temptation to pass single-Chamber bills in the House that aren't even brought up by the Senate and, if they were, it would be vetoed by the President. That is not how laws are made. That is how rhetoric is made. The American people want their problems addressed by this body, not just more hot wind and rhetoric that this bill is an example of.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I appreciate that because there are many people in America right now who remember just a few years ago when there was plenty of hot rhetoric coming from this Chamber, and it is really punishing the American people now. It is called ObamaCare. It is called Dodd-Frank. I guess the warm winds are still blowing.

It is amazing to me that when you look at this—and I can go back in history—and I think the one thing that we maybe can come to an agreement on is when you govern and when you are in

the majority, you pass bills that reflect your majority values. You do not reflect, in this case, an administration that happens to have different values. We are continuing to work for the American people, just as my friend when he was in the majority—as he said, he sat in the chair as a freshman—they would have passed bills that, oh, by the way, probably wouldn't have made it through that Republican administration. Some got vetoed. And if it did get vetoed, you would come back and work the process of an override, and that can happen.

The problem here is I believe—and this is just fundamental—I believe that we can work on different ideas. There are things that the gentleman from Colorado and I can agree on or disagree on. I think it goes back just basically to the problem that many of us are frustrated with, is that there are three branches of government that the Congress, the House and the Senate, whether we agree on everything or not, is not the point. The point is, are we making the voices heard from our districts and doing so in a meaningful way?

If that means that Republicans feel one way and Democrats feel another way, that so be it. But I, as long as I am part of the majority, we are going to put our values forward, and we are going to say: This is what we believe in. We would like for you to come on. And we will find areas where we can agree.

But I will never stand by just because the administration, as they did just this past week with the NDAA, put politics over our troops. As someone who served in Iraq, it is time to quit playing politics with our troops.

If we want to get specific about what we are playing politics with here, then we can understand that. That is a disgrace. And what we have got to understand is—we are going to put stuff here—we are simply saying: Here is a fix that we believe; let the SEC work first.

That is our policy statement. If they don't agree, fine. But when it is fighting for the people of the Ninth District of Georgia and also people for America and middle class and lower income folks who are just trying to make their retirement and get good advice, I will never back up or apologize for taking the time to fight for the American people. If that is a waste of time, I will be up here every day taking that time for the American people.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

This is a very interesting discussion with my colleague from Georgia. When you look at the work product of this body in the House of Representatives, this body has voted to repeal ObamaCare, the Affordable Care Act, over 54 times. So it is clear to the

American people—my colleague from Georgia can tell his constituents—we voted to repeal ObamaCare. We did. I didn't vote for that, but the majority of this body did that—not once, not twice, not three times, not four times, not five times. I can count all the way up to over 54 times. In fact, many of us are losing track about how many times this body is on the RECORD opposing ObamaCare, but that is not how laws are made. That is part of the process. One would say once should suffice for it to pass this body.

The bill also would need to pass the Senate. And as the President has indicated, it is unlikely that something called by many people ObamaCare would be repealed by a President named Barack Obama. He, of course, would veto any legislation that ended the Affordable Care Act, his signature health care policy that he passed in his first term in office.

So, again, it looks at what we do with this body. When one wonders why the approval ratings of the House of Representatives are as low and continuing to plummet as they are, I think it is because rather than address the concerns of the American people around making health care work and more affordable and passing constructive laws through the system that address some of the shortcomings in ObamaCare, whether it is addressing some of the shortcomings in Dodd-Frank, rather than taking that path, this body instead is passing single-Chamber bills, like we are here today, with regard to undermining a rule that we haven't even seen yet because some people think it might be counterproductive or bad. If it is, let's have that discussion.

But, again, as a Member of this body, I have been happy so far with the efforts of the Secretary of Labor to engage with the stakeholder groups and Members of this body to get this rule right. I honestly believe that the only reason this legislation was brought to the floor is it is hard for the Republican caucus to agree on much else. It is hard for them to agree on something that might be a governing effort to pass. So, instead, we are dealing with single-Chamber bills. On weeks that we could be dealing with funding transportation or infrastructure or cutting our deficit or going after government waste and fraud, we are instead repealing ObamaCare again and again and again or repealing a rule that we haven't even seen because people think they might not like it if they do.

Look, we have a choice in this body. The Republicans in the majority can either sit back and bring partisan legislation to the floor each week and watch costs of the American people go up and watch problems go unsolved, or we can come to the table and start a serious discussion with the House and the Senate, with the President, with

Members of this body on both sides of the aisle, about important things that actually move our country forward, grow our economy, promote our national security, reduce our deficit, including the basics of keeping our government open and paying our bills on time.

Mr. Speaker, I urge my colleagues to vote “no” and defeat the previous question. I urge a “no” vote on the rule, and I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I want to just finalize some time here and just really look at this because what is really interesting in the last few minutes is many times in this—and I appreciate my colleague from Colorado—this is, frankly, why I believe most of us came into public service, is to have honest debate, go back and forth. But I will have to say as I close here, I do want to make it back to what this bill does and what this rule is that you are going to be voting on. It just says: Let the SEC go first.

Now, I know that is hard to understand. And if you are watching this, you might have a hard time understanding because my friend just said that we won't wait on a rule and then that we are repealing a rule. So I am not sure how you can repeal a rule that you have not waited on, and if the rule is not there, you are repealing. No, we are simply saying: Let the SEC go first. So you can't repeal something that your own statement said you are waiting on.

And, also, by the way, a Dear Colleague letter that says that we know from many, many of my Democrat friends across the aisle are sending around saying: DOL, we have got a lot of concerns about this; we want to make sure you do it right. I think this is a good way to do it, and it is called being part of a bipartisan solution here on the floor, and let's put it back right and let it go that way instead of sending a letter to DOL and letting them make sure they get it right because they acknowledge that there are real concerns about the workability of this rule in progress, and this is right now being circulated.

I think I just want to say I support this bill, H.R. 1090, because I believe that men and women should have the ability to choose their type of financial professional who best meets their investment needs. This isn't about protecting investors. It is about the administration once again telling families that they know what is best for them. They have told families that they know better when it comes to health care. They have told families they know better when it comes to education. They have told families they know better when it comes how and where to spend their money, and the results have been devastating.

H.R. 1090 isn't going to undo all the devastating impacts of this one-size-fits-all regulatory approach, but it will prevent from taking away the ability of families to plan their financial future. This bill passed with bipartisan support last Congress, and on behalf of my constituents, I deeply hope it does so again.

Again, it is about who you fight for. It is a consistency. I will consistently stand here and say what is best for those hard-working, middle class, lower income class, and anybody else who earns as much as they want to to have the access to get the financial planning they need in the way that is best for them without the interference of a bureaucratic organization that has taken so long and already shows results from other places that are devastating. We are not going to do that. We are going to put this forward and let's see who we are really standing with and who we are really standing for.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 491 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 932) to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Education and the Workforce, the chair and ranking minority member of the Committee on House Administration, and the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 932.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against or-

dering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

□ 1330

The SPEAKER pro tempore (Mr. CARTER of Georgia). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

SURFACE TRANSPORTATION EXTENSION ACT OF 2015

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3819) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3819

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; RECONCILIATION OF FUNDS; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Surface Transportation Extension Act of 2015”.

(b) RECONCILIATION OF FUNDS.—The Secretary of Transportation shall reduce the amount apportioned or allocated for a program, project, or activity under this Act in fiscal year 2016 by amounts apportioned or allocated pursuant to the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015, including the amendments made by that Act, for the period beginning on October 1, 2015, and ending on October 29, 2015.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; reconciliation of funds; table of contents.

TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

Subtitle A—Federal-Aid Highways

Sec. 1001. Extension of Federal-aid highway programs.

Sec. 1002. Administrative expenses.

Subtitle B—Extension of Highway Safety Programs

Sec. 1101. Extension of National Highway Traffic Safety Administration highway safety programs.

Sec. 1102. Extension of Federal Motor Carrier Safety Administration programs.

Sec. 1103. Dingell-Johnson Sport Fish Restoration Act.

Subtitle C—Public Transportation Programs

Sec. 1201. Formula grants for rural areas.

Sec. 1202. Apportionment of appropriations for formula grants.

Sec. 1203. Authorizations for public transportation.

Sec. 1204. Bus and bus facilities formula grants.

Subtitle D—Hazardous Materials

Sec. 1301. Authorization of appropriations.

Sec. 1302. Ensuring safe implementation of positive train control systems.

TITLE II—REVENUE PROVISIONS

Sec. 2001. Extension of Highway Trust Fund expenditure authority.

TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

Subtitle A—Federal-Aid Highways

SEC. 1001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 1001(a) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended by striking “October 29, 2015” and inserting “November 20, 2015”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) HIGHWAY TRUST FUND.—Section 1001(b)(1)(B) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended by striking “for the period beginning on October 1, 2015, and ending on October 29, 2015, ²⁹/₃₆₆ of the total amount” and inserting “for the period beginning on October 1, 2015, and ending on November 20, 2015, ⁵¹/₃₆₆ of the total amount”.

(2) GENERAL FUND.—Section 1123(h)(1) of MAP-21 (23 U.S.C. 202 note) is amended by striking “and \$2,377,049 out of the general fund of the Treasury to carry out the program for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$4,180,328 out of the general fund of the Treasury to carry out the program for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Section 1001(c)(1)(B) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended—

(A) by striking “October 29, 2015,” and inserting “November 20, 2015,”; and

(B) by striking “²⁹/₃₆₆” and inserting “⁵¹/₃₆₆”.

(2) OBLIGATION CEILING.—Section 1102 of MAP-21 (23 U.S.C. 104 note) is amended—

(A) by striking subsection (a)(4) and inserting the following:

“(4) \$5,595,839,851 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(B) in subsection (b)(12) by striking “, and for the period beginning on October 1, 2015, and ending on October 29, 2015, only in an amount equal to \$639,000,000, less any reductions that would have otherwise been required for that year by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), then multiplied by ²⁹/₃₆₆ for that period” and inserting “, and for the period beginning on October 1, 2015, and ending on November 20, 2015, only in an amount equal to \$639,000,000, less any reductions that would have otherwise been required for that year by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), then multiplied by ⁵¹/₃₆₆ for that period”;

(C) in subsection (c)—

(i) in the matter preceding paragraph (1) by striking “October 29, 2015” and inserting “November 20, 2015”; and

(ii) in paragraph (2) in the matter preceding subparagraph (A) by striking “for the period beginning on October 1, 2015, and ending on October 29, 2015, that is equal to ²⁹/₃₆₆ of such unobligated balance” and inserting “for the period beginning on October 1, 2015, and ending on November 20, 2015, that is equal to ⁵¹/₃₆₆ of such unobligated balance”; and

(D) in subsection (f)(1) in the matter preceding subparagraph (A) by striking “October 29, 2015” and inserting “November 20, 2015”.

SEC. 1002. ADMINISTRATIVE EXPENSES.

Section 1002 of the Highway and Transportation Funding Act of 2014 (128 Stat. 1842) is amended—

(1) by striking subsection (a)(2) and inserting the following:

“(2) \$61,311,475 for the period beginning on October 1, 2015, and ending on November 20, 2015.”; and

(2) in subsection (b)(2) by striking “and for the period beginning on October 1, 2015, and ending on October 29, 2015, subject to the limitations on administrative expenses under the heading ‘Federal Highway Administration’” and inserting “and for the period beginning on October 1, 2015, and ending on November 20, 2015, subject to the limitations on administrative expenses for the Federal Highway Administration and Appalachian Regional Commission”.

Subtitle B—Extension of Highway Safety Programs

SEC. 1101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$32,745,902 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$15,815,574 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$37,901,639 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$4,040,984 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA-LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence by striking “October 29, 2015” and inserting “November 20, 2015”; and

(ii) in the second sentence by striking “October 29, 2015,” and inserting “November 20, 2015.”.

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$3,553,279 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by striking “and \$198,087 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$348,361 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP-21 (126 Stat. 733) is amended by striking “October 29, 2015,” and inserting “November 20, 2015.”.

SEC. 1102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(11) of title 49, United States Code, is amended to read as follows:

“(1) \$30,377,049 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(K) of title 49, United States Code, is amended to read as follows:

“(K) \$36,090,164 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA-LU (119 Stat. 1715) is amended by striking “and \$2,377,049 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$4,180,328 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA-LU (119 Stat. 1715) is amended by striking “and \$2,535,519 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$4,459,016 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA-LU (119 Stat. 1715) is amended by striking “and \$396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA-LU (119 Stat. 1715) is amended by striking “and \$1,980,874 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$3,483,607 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA-LU (119 Stat. 1715) is amended by striking “and \$237,705 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$418,033 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking “and up to \$1,188,525 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and up to \$2,090,164 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking “and up to \$2,535,519 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and up to \$4,459,016 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA-LU (119 Stat. 1741) is amended by striking “and \$316,940 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$557,377 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (49 U.S.C. 31301 note) is amended by striking “and \$79,235 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$139,344 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

SEC. 1103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) in the matter preceding paragraph (1) by striking “October 29, 2015” and inserting “November 20, 2015”; and

(2) in subsection (b)(1)(A) by striking “October 29, 2015,” and inserting “November 20, 2015.”.

Subtitle C—Public Transportation Programs

SEC. 1201. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A) by striking “and \$396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015.”; and

(2) in subparagraph (B) by striking “and \$1,980,874 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$3,483,607 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

SEC. 1202. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by striking “and \$2,377,049 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$4,180,328 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

SEC. 1203. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA GRANTS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “and \$681,024,590 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$1,197,663,934 for the period beginning on October 1, 2015, and ending on November 20, 2015”; and

(2) in paragraph (2)—

(A) in subparagraph (A) by striking “and \$10,205,464 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$17,947,541 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(B) in subparagraph (B) by striking “and \$792,350 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$1,393,443 for the period begin-

ning on October 1, 2015, and ending on November 20, 2015.”;

(C) in subparagraph (C) by striking “and \$353,281,011 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$621,287,295 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(D) in subparagraph (D) by striking “and \$20,466,393 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$35,992,623 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(E) in subparagraph (E)—

(i) by striking “and \$48,159,016 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$84,693,443 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(ii) by striking “and \$2,377,049 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$4,180,328 for the period beginning on October 1, 2015, and ending on November 20, 2015.”; and

(iii) by striking “and \$1,584,699 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$2,786,885 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(F) in subparagraph (F) by striking “and \$237,705 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$418,033 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(G) in subparagraph (G) by striking “and \$396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(H) in subparagraph (H) by striking “and \$305,055 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$536,475 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(I) in subparagraph (I) by striking “and \$171,615,027 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$301,805,738 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(J) in subparagraph (J) by striking “and \$33,896,721 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$59,611,475 for the period beginning on October 1, 2015, and ending on November 20, 2015.”; and

(K) in subparagraph (K) by striking “and \$41,669,672 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$73,281,148 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—Section 5338(b) of title 49, United States Code, is amended by striking “and \$5,546,448 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$9,754,098 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Section 5338(c) of title 49, United States Code, is amended by striking “and \$554,645 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$975,410 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(d) **TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.**—Section 5338(d) of title 49, United States Code, is amended by striking “and \$554,645 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$975,410 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(e) **HUMAN RESOURCES AND TRAINING.**—Section 5338(e) of title 49, United States Code, is amended by striking “and \$396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(f) **CAPITAL INVESTMENT GRANTS.**—Section 5338(g) of title 49, United States Code, is amended by striking “and \$151,101,093 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$265,729,508 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(g) **ADMINISTRATION.**—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “and \$8,240,437 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$14,491,803 for the period beginning on October 1, 2015, and ending on November 20, 2015”;

(2) in paragraph (2) by striking “and not less than \$396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and not less than \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015.”; and

(3) in paragraph (3) by striking “and not less than \$79,235 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and not less than \$139,344 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

SEC. 1204. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking “and \$5,189,891 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$9,127,049 for the period beginning on October 1, 2015, and ending on November 20, 2015.”;

(2) by striking “\$99,044 for such period” and inserting “\$174,180 for such period”; and

(3) by striking “\$39,617 for such period” and inserting “\$69,672 for such period”.

Subtitle D—Hazardous Materials

SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—Section 5128(a)(4) of title 49, United States Code, is amended to read as follows:

“(4) \$5,958,639 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

(b) **HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.**—Section 5128(b)(2) of title 49, United States Code, is amended to read as follows:

“(2) **FISCAL YEAR 2016.**—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend for the period beginning on October 1, 2015, and ending on November 20, 2015—

“(A) \$26,197 to carry out section 5115;

“(B) \$3,037,705 to carry out subsections (a) and (b) of section 5116, of which not less than \$1,902,049 shall be available to carry out section 5116(b);

“(C) \$20,902 to carry out section 5116(f);

“(D) \$87,090 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

“(E) \$139,344 to carry out section 5116(j).”.

(c) **HAZARDOUS MATERIALS TRAINING GRANTS.**—Section 5128(c) of title 49, United States Code, is amended by striking “and \$316,940 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and \$557,377 for the period beginning on October 1, 2015, and ending on November 20, 2015.”.

SEC. 1302. ENSURING SAFE IMPLEMENTATION OF POSITIVE TRAIN CONTROL SYSTEMS.

(a) **SHORT TITLE.**—This section may be cited as the “Positive Train Control Enforcement and Implementation Act of 2015”.

(b) **IN GENERAL.**—Section 20157 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking “18 months after the date of enactment of the Rail Safety Improvement Act of 2008” and inserting “90 days after the date of enactment of the Positive Train Control Enforcement and Implementation Act of 2015”;

(B) by striking “develop and”;

(C) by striking “a plan for implementing” and inserting “a revised plan for implementing”;

(D) by striking “December 31, 2015” and inserting “December 31, 2018”; and

(E) in subparagraph (B) by striking “parts” and inserting “sections”;

(2) by striking subsection (a)(2) and inserting the following:

“(2) **IMPLEMENTATION.**—

“(A) **CONTENTS OF REVISED PLAN.**—A revised plan required under paragraph (1) shall—

“(i) describe—

“(I) how the positive train control system will provide for interoperability of the system with the movements of trains of other railroad carriers over its lines; and

“(II) how, to the extent practical, the positive train control system will be implemented in a manner that addresses areas of greater risk before areas of lesser risk;

“(ii) comply with the positive train control system implementation plan content requirements under section 236.1011 of title 49, Code of Federal Regulations; and

“(iii) provide—

“(I) the calendar year or years in which spectrum will be acquired and will be available for use in each area as needed for positive train control system implementation, if such spectrum is not already acquired and available for use;

“(II) the total amount of positive train control system hardware that will be installed for implementation, with totals separated by each major hardware category;

“(III) the total amount of positive train control system hardware that will be installed by the end of each calendar year until the positive train control system is implemented, with totals separated by each hardware category;

“(IV) the total number of employees required to receive training under the applicable positive train control system regulations;

“(V) the total number of employees that will receive the training, as required under the applicable positive train control system regulations, by the end of each calendar year until the positive train control system is implemented;

“(VI) a summary of any remaining technical, programmatic, operational, or other challenges to the implementation of a positive train control system, including challenges with—

“(aa) availability of public funding;

“(bb) interoperability;

“(cc) spectrum;

“(dd) software;

“(ee) permitting; and

“(ff) testing, demonstration, and certification; and

“(VII) a schedule and sequence for implementing a positive train control system by the deadline established under paragraph (1).

“(B) **ALTERNATIVE SCHEDULE AND SEQUENCE.**—Notwithstanding the implementation deadline under paragraph (1) and in lieu of a schedule and sequence under paragraph (2)(A)(iii)(VII), a railroad carrier or other entity subject to paragraph (1) may include in its revised plan an alternative schedule and sequence for implementing a positive train control system, subject to review under paragraph (3). Such schedule and sequence shall provide for implementation of a positive train control system as soon as practicable, but not later than the date that is 24 months after the implementation deadline under paragraph (1).

“(C) **AMENDMENTS.**—A railroad carrier or other entity subject to paragraph (1) may file a request to amend a revised plan, including any alternative schedule and sequence, as applicable, in accordance with section 236.1021 of title 49, Code of Federal Regulations.

“(D) **COMPLIANCE.**—A railroad carrier or other entity subject to paragraph (1) shall implement a positive train control system in accordance with its revised plan, including any amendments or any alternative schedule and sequence approved by the Secretary under paragraph (3).

“(3) **SECRETARIAL REVIEW.**—

“(A) **NOTIFICATION.**—A railroad carrier or other entity that submits a revised plan under paragraph (1) and proposes an alternative schedule and sequence under paragraph (2)(B) shall submit to the Secretary a written notification when such railroad carrier or other entity is prepared for review under subparagraph (B).

“(B) **CRITERIA.**—Not later than 90 days after a railroad carrier or other entity submits a notification under subparagraph (A), the Secretary shall review the alternative schedule and sequence submitted pursuant to paragraph (2)(B) and determine whether the railroad carrier or other entity has demonstrated, to the satisfaction of the Secretary, that such carrier or entity has—

“(i) installed all positive train control system hardware consistent with the plan contents provided pursuant to paragraph (2)(A)(iii)(II) on or before the implementation deadline under paragraph (1);

“(ii) acquired all spectrum necessary for implementation of a positive train control system, consistent with the plan contents provided pursuant to paragraph (2)(A)(iii)(I) on or before the implementation deadline under paragraph (1);

“(iii) completed employee training required under the applicable positive train control system regulations;

“(iv) included in its revised plan an alternative schedule and sequence for implementing a positive train control system as soon as practicable, pursuant to paragraph (2)(B);

“(v) certified to the Secretary in writing that it will be in full compliance with the requirements of this section on or before the date provided in an alternative schedule and sequence, subject to approval by the Secretary;

“(vi) in the case of a Class I railroad carrier and Amtrak, implemented a positive train control system or initiated revenue service demonstration on the majority of territories, such as subdivisions or districts,

or route miles that are owned or controlled by such carrier and required to have operations governed by a positive train control system; and

“(vi) in the case of any other railroad carrier or other entity not subject to clause (vi)—

“(I) initiated revenue service demonstration on at least 1 territory that is required to have operations governed by a positive train control system; or

“(II) met any other criteria established by the Secretary.

“(C) DECISION.—

“(i) IN GENERAL.—Not later than 90 days after the receipt of the notification from a railroad carrier or other entity under subparagraph (A), the Secretary shall—

“(I) approve an alternative schedule and sequence submitted pursuant to paragraph (2)(B) if the railroad carrier or other entity meets the criteria in subparagraph (B); and

“(II) notify in writing the railroad carrier or other entity of the decision.

“(ii) DEFICIENCIES.—Not later than 45 days after the receipt of the notification under subparagraph (A), the Secretary shall provide to the railroad carrier or other entity a written notification of any deficiencies that would prevent approval under clause (i) and provide the railroad carrier or other entity an opportunity to correct deficiencies before the date specified in such clause.

“(D) REVISED DEADLINES.—

“(i) PENDING REVIEWS.—For a railroad carrier or other entity that submits a notification under subparagraph (A), the deadline for implementation of a positive train control system required under paragraph (1) shall be extended until the date on which the Secretary approves or disapproves the alternative schedule and sequence, if such date is later than the implementation date under paragraph (1).

“(ii) ALTERNATIVE SCHEDULE AND SEQUENCE DEADLINE.—If the Secretary approves a railroad carrier or other entity's alternative schedule and sequence under subparagraph (C)(i), the railroad carrier or other entity's deadline for implementation of a positive train control system required under paragraph (1) shall be the date specified in that railroad carrier or other entity's alternative schedule and sequence. The Secretary may not approve a date for implementation that is later than 24 months from the deadline in paragraph (1).”;

(3) by striking subsections (c), (d), and (e) and inserting the following:

“(c) PROGRESS REPORTS AND REVIEW.—

“(1) PROGRESS REPORTS.—Each railroad carrier or other entity subject to subsection (a) shall, not later than March 31, 2016, and annually thereafter until such carrier or entity has completed implementation of a positive train control system, submit to the Secretary a report on the progress toward implementing such systems, including—

“(A) the information on spectrum acquisition provided pursuant to subsection (a)(2)(A)(iii)(I);

“(B) the totals provided pursuant to subclauses (III) and (V) of subsection (a)(2)(A)(iii), by territory, if applicable;

“(C) the extent to which the railroad carrier or other entity is complying with the implementation schedule under subsection (a)(2)(A)(iii)(VII) or subsection (a)(2)(B);

“(D) any update to the information provided under subsection (a)(2)(A)(iii)(VI);

“(E) for each entity providing regularly scheduled intercity or commuter rail passenger transportation, a description of the resources identified and allocated to implement a positive train control system;

“(F) for each railroad carrier or other entity subject to subsection (a), the total number of route miles on which a positive train control system has been initiated for revenue service demonstration or implemented, as compared to the total number of route miles required to have a positive train control system under subsection (a); and

“(G) any other information requested by the Secretary.

“(2) PLAN REVIEW.—The Secretary shall at least annually conduct reviews to ensure that railroad carriers or other entities are complying with the revised plan submitted under subsection (a), including any amendments or any alternative schedule and sequence approved by the Secretary. Such railroad carriers or other entities shall provide such information as the Secretary determines necessary to adequately conduct such reviews.

“(3) PUBLIC AVAILABILITY.—Not later than 60 days after receipt, the Secretary shall make available to the public on the Internet Web site of the Department of Transportation any report submitted pursuant to paragraph (1) or subsection (d), but may exclude, as the Secretary determines appropriate—

“(A) proprietary information; and

“(B) security-sensitive information, including information described in section 1520.5(a) of title 49, Code of Federal Regulations.

“(d) REPORT TO CONGRESS.—Not later than July 1, 2018, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the progress of each railroad carrier or other entity subject to subsection (a) in implementing a positive train control system.

“(e) ENFORCEMENT.—The Secretary is authorized to assess civil penalties pursuant to chapter 213 for—

“(1) a violation of this section;

“(2) the failure to submit or comply with the revised plan required under subsection (a), including the failure to comply with the totals provided pursuant to subclauses (III) and (V) of subsection (a)(2)(A)(iii) and the spectrum acquisition dates provided pursuant to subsection (a)(2)(A)(iii)(I);

“(3) failure to comply with any amendments to such revised plan pursuant to subsection (a)(2)(C); and

“(4) the failure to comply with an alternative schedule and sequence submitted under subsection (a)(2)(B) and approved by the Secretary under subsection (a)(3)(C).”;

(4) in subsection (h)—

(A) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(B) by adding at the end the following:

“(2) PROVISIONAL OPERATION.—Notwithstanding the requirements of paragraph (1), the Secretary may authorize a railroad carrier or other entity to commence operation in revenue service of a positive train control system or component to the extent necessary to enable the safe implementation and operation of a positive train control system in phases.”;

(5) in subsection (i)—

(A) by redesignating paragraphs (1) through (3) as paragraphs (3) through (5), respectively; and

(B) by inserting before paragraph (3) (as so redesignated) the following:

“(1) EQUIVALENT OR GREATER LEVEL OF SAFETY.—The term ‘equivalent or greater level of safety’ means the compliance of a railroad carrier with—

“(A) appropriate operating rules in place immediately prior to the use or implementation of such carrier's positive train control system, except that such rules may be changed by such carrier to improve safe operations; and

“(B) all applicable safety regulations, except as specified in subsection (j).

“(2) HARDWARE.—The term ‘hardware’ means a locomotive apparatus, a wayside interface unit (including any associated legacy signal system replacements), switch position monitors needed for a positive train control system, physical back office system equipment, a base station radio, a wayside radio, a locomotive radio, or a communication tower or pole.”; and

(6) by adding at the end the following:

“(j) EARLY ADOPTION.—

“(1) OPERATIONS.—From the date of enactment of the Positive Train Control Enforcement and Implementation Act of 2015 through the 1-year period beginning on the date on which the last Class I railroad carrier's positive train control system subject to subsection (a) is certified by the Secretary under subsection (h)(1) of this section and is implemented on all of that railroad carrier's lines required to have operations governed by a positive train control system, any railroad carrier, including any railroad carrier that has its positive train control system certified by the Secretary, shall not be subject to the operational restrictions set forth in sections 236.567 and 236.1029 of title 49, Code of Federal Regulations, that would apply where a controlling locomotive that is operating in, or is to be operated in, a positive train control-equipped track segment experiences a positive train control system failure, a positive train control operated consist is not provided by another railroad carrier when provided in interchange, or a positive train control system otherwise fails to initialize, cuts out, or malfunctions, provided that such carrier operates at an equivalent or greater level of safety than the level achieved immediately prior to the use or implementation of its positive train control system.

“(2) SAFETY ASSURANCE.—During the period described in paragraph (1), if a positive train control system that has been certified and implemented fails to initialize, cuts out, or malfunctions, the affected railroad carrier or other entity shall make reasonable efforts to determine the cause of the failure and adjust, repair, or replace any faulty component causing the system failure in a timely manner.

“(3) PLANS.—The positive train control safety plan for each railroad carrier or other entity shall describe the safety measures, such as operating rules and actions to comply with applicable safety regulations, that will be put in place during any system failure.

“(4) NOTIFICATION.—During the period described in paragraph (1), if a positive train control system that has been certified and implemented fails to initialize, cuts out, or malfunctions, the affected railroad carrier or other entity shall submit a notification to the appropriate regional office of the Federal Railroad Administration within 7 days of the system failure, or under alternative location and deadline requirements set by the Secretary, and include in the notification a description of the safety measures the affected railroad carrier or other entity has in place.

“(k) SMALL RAILROADS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall amend section

236.1006(b)(4)(iii)(B) of title 49, Code of Federal Regulations (relating to equipping locomotives for applicable Class II and Class III railroads operating in positive train control territory) to extend each deadline under such section by 3 years.

“(1) REVENUE SERVICE DEMONSTRATION.—When a railroad carrier or other entity subject to (a)(1) notifies the Secretary it is prepared to initiate revenue service demonstration, it shall also notify any applicable tenant railroad carrier or other entity subject to subsection (a)(1).”.

(c) CONFORMING AMENDMENT.—Section 20157(g), is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(2) CONFORMING REGULATORY AMENDMENTS.—Immediately after the date of the enactment of the Positive Train Control Enforcement and Implementation Act of 2015, the Secretary—

“(A) shall remove or revise the date-specific deadlines in the regulations or orders implementing this section to the extent necessary to conform with the amendments made by such Act; and

“(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the amendments made by such Act.

“(3) REVIEW.—Nothing in the Positive Train Control Enforcement and Implementation Act of 2015, or the amendments made by such Act, shall be construed to require the Secretary to issue regulations to implement such Act or amendments other than the regulatory amendments required by paragraph (2) and subsection (k).”.

TITLE II—REVENUE PROVISIONS

SEC. 2001. EXTENSION OF HIGHWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking “October 30, 2015” in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting “November 21, 2015”; and

(2) by striking “Surface Transportation and Veterans Health Care Choice Improvement Act of 2015” in subsections (c)(1) and (e)(3) and inserting “Surface Transportation Extension Act of 2015”.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking “Surface Transportation and Veterans Health Care Choice Improvement Act of 2015” each place it appears in subsection (b)(2) and inserting “Surface Transportation Extension Act of 2015”; and

(2) by striking “October 30, 2015” in subsection (d)(2) and inserting “November 21, 2015”.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Section 9508(e)(2) of such Code is amended by striking “October 30, 2015” and inserting “November 21, 2015”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to

include extraneous materials on H.R. 3819.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3819, which extends Federal surface transportation programs through November 20, 2015.

This bill allows States to continue to fund transportation projects, and it prevents 4,100 U.S. Department of Transportation employees from being furloughed. H.R. 3819 funds these programs at the authorized levels for fiscal year 2014. No offsets or transfers of funding to the highway trust fund are necessary for this extension since the trust fund will remain solvent during this period.

Last week, the Committee on Transportation and Infrastructure unanimously approved a bipartisan, multi-year surface transportation reauthorization bill. This extension will enable the House to continue its work on this important legislation. H.R. 3819 also includes critical language extending the deadline for railroads to implement positive train control technology to 2018.

We have known for some time that railroads simply cannot meet the congressionally mandated positive train control, or PTC, deadline of December 31, 2015. What has become more apparent is how catastrophic it would be for the Nation's economy if we don't extend the deadline now.

Without an extension, railroads will stop shipping important chemicals critical to manufacturing, agriculture, clean drinking water, and other industrial activities. In fact, some railroads are already notifying shippers they will stop accepting chemical shipments by December 1. This is creating extreme uncertainty across a variety of groups that rely on rail shipments, from farmers who need ammonia for fertilizer, to water utilities that need chlorine to purify drinking water.

Some industrial companies have already begun the planning process for shutting down plants because they cannot operate without chemicals delivered by rail. We have heard from one chemical company in New Hampshire that said its railroad will stop picking up chlorine on November 13.

This company is the only supplier of chlorine to the entire six-State New England region for drinking water and wastewater treatment. Therefore, after November 13, New England could very well be without chlorine to clean its water.

On a broader scale, a PTC-related rail shutdown would pull \$30 billion out of the economy in one quarter alone and lead to 700,000 jobs lost in just one month. It is our responsibility to extend this deadline now and avoid such harm to the Nation's economy.

This language is based on bipartisan, bicameral work over the last several weeks, and it would ensure that railroads implement positive train control as quickly as possible.

I urge all of my colleagues to support H.R. 3819.

Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

On July 1, when we last visited the issue of a short-term extension for surface transportation, I bemoaned the fact that little progress had been made on a long-term, 6-year bill. I am pleased today that I don't have to use the same talking points.

We did, through the actual legislative process—with lengthy negotiations leading up to it—pass out of committee a 6-year bill, which relates to policies that would underlie a 6-year investment in our crumbling infrastructure. That is the good news.

It was ultimately a bipartisan effort in the tradition of the committee. There is not too much to make partisan about moving goods and people from here to there efficiently except for those who are opposed to the Federal Government being involved and, who, luckily, don't represent a majority on our committee. So that is the good news.

The bad news is we still do not have the funding mechanism before us, so we have to do another short-term extension. Also, the currently stated objective for funding is totally inadequate. I mean, America is falling apart. It is embarrassing, actually.

These States, including many all-red Republican States—14 States—have voted to raise gas taxes since 2013 to invest in maintaining or in rebuilding their infrastructure or in building out new transportation options to get their citizens and goods out of congestion—14 States. Since 2008, nearly half of the States have taken action to raise more funds.

The Federal Government last raised the gas tax in 1993, and we are told any increase in user fees—gas tax, barrel tax, indexation of the gas tax, vehicle miles traveled—is all off the table. We cannot ask those who use the system to pay user fees to improve the system that they use on a daily basis. I think the American people are more realistic than that.

Luckily, this bill contains a provision that, should this Congress or a future, more enlightened Congress decide to allocate additional funds, those funds will flow through under the policies set out in this bill and the formulas set out in this bill without any further action by Congress, as it is really a good idea to avoid coming to Congress for anything whenever you can. So that is, I think, a very important provision of the bill.

There is an AP story today that kind of goes to the heart of this, and it talks

about the fact that, in many States, they are abandoning roads and bridges. We are not just talking about the rural heartland anymore. This has been somewhat commonplace in the rural heartland, where they have been saying, "We can't afford to pave these roads anymore. We are going back to gravel." We are talking about King County in Washington State. We are talking about the counties and State areas surrounding Des Moines, Iowa.

We are talking about major urban areas and the fact that, since the Federal Government has failed to invest and to live up to its partnership for major, critical urban area projects or major projects for our ports or other choke points on the system, States have had to concentrate resources there.

They have tried to raise more money, again, with no help from the Federal Government. Now they are having to abandon the 20th-century transportation system. I mean, that is pretty darned pathetic, that we are not holding up our end of that bargain and making any effort to do that. So that is the bad news part.

As the chairman mentioned, this bill also includes critical provisions to extend positive train control deadlines. With the exception of some portion of Amtrak, nobody will be able to meet the deadline of January 1, which does mean an extraordinary disruption of the movement of freight and commuter and passenger rail across the United States.

We have worked very hard with the Senate in negotiations, and we have a bicameral agreement on the extension. It is tough. It says we are not going to get to this point again. It is not going to be kick the can, kick the can, kick the can.

It says that all of the entities that are required to put in place positive train control will put forward a plan for approval with measurable benchmarks over this 3-year period, and they will be tracked as to meeting those benchmarks during that 3-year period.

So it won't be that, suddenly, we get to the end of 3 years and we hear from a majority of freight and/or passenger-commuter railroads, saying, "Gee, we just can't make it."

We will know where we are headed and will be able to target our efforts on those who are lagging behind. At the end of that, yes, it will be possible to get another extension, but they all will have had to have installed the equipment.

The reality is that this is an expensive and complicated process, and putting in the equipment is, obviously, the first critical part and turning it on, but then it can take up to 2 years to get it certified as operational. So we are acceding to that reality in this legislation by saying: 3 years and measurable goals to get to the 3 years. Everybody

is up with installation, and, hopefully, most will be operational at that point.

Some may not be due to circumstances beyond their control, even though they have made the necessary investments, and under negotiations with the Secretary of Transportation, they could get further extensions. So that is a very time-sensitive portion of this bill.

I have had many colleagues on my side saying, "I am really tired of these short-term extensions. I really don't want to vote for another one."

I have said that this is different. We have the policy in place—we don't have the funding yet—and we have got this very critical element of positive train control.

I am urging Members on my side of the aisle to support this proposal.

Mr. Speaker, I reserve the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DENHAM), the subcommittee chairman on Railroads, Pipelines, and Hazardous Materials.

Mr. DENHAM. I thank Chairman SHUSTER, Ranking Member DEFAZIO, and Ranking Member CAPUANO for working with us to develop this important piece of legislation.

Mr. Speaker, this legislation would ensure that railroads actually implement positive train control. We need to do it as quickly as possible and as safely as possible for the safety of our country.

As chairman of the Railroads, Pipelines, and Hazardous Materials Subcommittee, we have been monitoring the railroads' progress in implementing PTC, positive train control, including holding a hearing in June that brought stakeholders in from across the country so as to understand exactly what the impacts are.

We have known for some time that most railroads simply won't be done with positive train control implementation by the end of this year. Now, several different things went into the delays of this, one of which is the FCC, where you have two government agencies not working together to get the tens of thousands of poles permitted so that they could actually have the communication interface.

PTC is a huge undertaking, requiring 38,000 wayside interfaces be installed along 60,000 miles of track. In addition, 18,000 locomotives need to be upgraded and 12,000 signals need to be replaced. All of these elements need to be seamlessly communicated across different railroads.

But what is important here is that we actually have benchmarks in place on implementation, that we have reporting on the progress and enforcement of the metrics throughout the entire extension. We need to make sure that this gets done right and that it gets done quickly.

Given this obvious need for an extension, a few weeks ago, Chairman SHUSTER and I, with Ranking Members DEFAZIO and CAPUANO, introduced a 3-year PTC extension. This bipartisan piece of legislation has garnered over 130 coauthors. Additionally, more than 200 stakeholders have signed letters to the Transportation Committee who support a PTC extension.

Just to give you a few examples from California:

If we don't extend the PTC deadline, the Altamont Corridor Express commuter rail service will shut down, putting more commuters on California's congested highways.

In the Central Valley, farmers will be negatively impacted, as farmers rely on rail for their fertilizers and our dairies and our cattle yards depend on feed that only comes in on rail. That is why the California Farm Bureau Federation and the California League of Wheat Growers are supporting a PTC extension deadline.

Those are just a few examples of broad and wide agreement among railroads, shippers, and consumers that Congress should pass this legislation.

In conclusion, we have worked in a bipartisan manner with our Senate counterparts to develop this legislation, and I believe this bill will ensure that PTC gets done as soon as possible and as safely as possible.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), the ranking Democrat.

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Ms. NORTON. Mr. Speaker, I thank Chairman SHUSTER and Chairman GRAVES as well as Ranking Member DEFAZIO for working with me and for all of us being able to work together on what will be, when it gets to the floor in November, I believe, the first 6-year or long-term transportation bill in 10 years. That is why it is possible not to fret that we are now going through another extension.

As a matter of fact, the States have the funds until January. These short-term extensions have compelled the States to stash their money without spending all of it because what they need to get to are long-term projects or at least projects that take more than a few months or a year or two, so we are making progress. When we authorize a 6-year bill, there will be a real burden on us to make sure that, in fact, it is 6 years.

I would advise my colleagues to support this last short-term extension. It is bipartisan. It is both Chambers. It avoids furloughs.

There is a bill waiting off stage. However, there is a funding mystery. I don't like mysteries, particularly with long-term bills. But I have to believe that the appropriate committee is meeting every day—it must be in secret—in order to fund this bill.

At least we have done our work, and we have done it in a bipartisan way. I won't trouble with the entire bill. There will be time to get to that.

I will say, on positive train control, that I regret there had to be a 3-year extension. I do think that puts at jeopardy those that have to be in these trains—employees and passengers. As I looked at what it took to do positive train control, I don't think we had any alternative. So that gives people 3 years.

With the benchmarks, I hope that we will get most of this done way before 2018. I don't like permitting individual waivers because, after all, there have been at least 2 years spent trying to do something about positive train control, and the jeopardy is clear when we see what has happened already with respect to terrible crashes that have taken human life.

Finally, I just want to say that perhaps the greatest challenge we have is a challenge that we must meet.

The SPEAKER *pro tempore* (Mr. SIMPSON). The time of the gentlewoman has expired.

Mr. DEFAZIO. Mr. Speaker, I yield an additional 1 minute to the gentlewoman.

Ms. NORTON. Mr. Speaker, and that is a new way to fund the highway trust fund. There is in the final bill some experimentation that I regard as urgent.

I thank my good friends on both sides of the aisle for this short-term extension, which I hope will be the last in a very long time.

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Speaker, I rise today to support this legislation.

I first want to thank Chairman SHUSTER as well as Ranking Member DEFAZIO for their hard work in marking up a meaningful, long-term transportation bill. It truly is something our country has eagerly anticipated, and we appreciate both you and your staff's hard work for giving our country the certainty that is needed on road and rail projects.

I also want to say I appreciate you including a deadline extension for the full implementation of positive train control safety technology. While this technology is vitally important for safety and many reasons, it has become increasingly clear that our Nation's passenger and freight railroads are unable to meet the current deadline.

As a farmer, I can tell you the resulting shutdown our country's freight network could experience if this deadline is not extended would have devastating consequences for both our farms and our entire Nation's economy. I appreciate your swift attention to this issue.

I urge all of my colleagues' support. Mr. DEFAZIO. Mr. Speaker, I yield back the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield myself the balance of my time.

I just want to say my heartfelt thanks to the leaders of the Democrats on the Committee on Transportation and Infrastructure, Mr. DEFAZIO and Ms. NORTON, for getting this extension until November 20. It doesn't give us much time, but we need to get down to work, get this passed next week, get it into conference, and work to get this on the floor as soon as possible.

I also thank them for a sound extension to PTC, which is absolutely vital to the Nation's economy to get this thing extended so we continue rail shipments and to make sure that we have got something in place that gets this important technology deployed in a reasonable way, a responsible way to make sure that our rail system continues to be even safer than it is today. It is a very, very safe system today.

So I urge all my colleagues to support this.

I yield back the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I rise to express my support for this extension and I truly hope this is the last one we need to pass for a very long time. This extension also addresses an emergency involving Positive Train Control (PTC).

Positive Train Control (PTC) is a critical system and it's very important that we address this issue in a rational manner. We need to implement positive train control as soon as humanly possible, but we need to get it done right. I don't want to see a situation where the federal government is fining railroads on a daily basis or picking winners and losers, because I don't think that is good for anyone. Our railroads are a critical part of our nation's economy and I'd much rather have them spending their money on implementing PTC and improving and expanding their infrastructure.

I believe wholeheartedly that reauthorizing a surface transportation bill will give the economy just the type of boost it needs. A long term transportation bill will strengthen our infrastructure, provides quality jobs, and serves as a tool to put America back on a path toward long-term economic growth.

Last week the Transportation and Infrastructure Committee passed a fair bill that moves us closer to sending a long term bill for President Obama to sign in to law.

This important legislation included a critical freight grant program, additional programs and funding for transit systems and their operators, continues the Transportation Alternatives Program (TAP) and creates a new non-motorized safety grant program, includes a much needed extension of Positive Train Control (PTC) implementation, increased funding for Grade Crossings, Requires more information on Hazardous Trains to State Emergency Response Commissions, incentivizes states to combat racial profiling, and extends the Disadvantaged Business Enterprise (DBE) Program.

Unfortunately, without critically needed additional funds, we're robbing Peter to pay Paul and forcing our states and local transportation agencies to pay more for New Starts and other programs while limiting their flexibility to use these funds. And we're missing out on an opportunity to ensure our infrastructure is

meeting the needs of the disadvantaged and working class to ensure they have fair access to employment and economic centers.

We absolutely need to do more to protect pedestrians and bike riders from harm. According to the May 2014 Pedestrian Danger Index (PDI), Orlando is ranked as the most dangerous place for pedestrians, with Jacksonville and Tampa also included in the top five most dangerous cities. This bill spends more time protecting corporations from liability than it does protecting the traveling public. Moreover, we need to ensure that all sizes and modes of transportation are treated equally in the freight grant program and should remove any caps on funding for these entities.

Again, I encourage my colleagues to support this extension and support bringing a long term transportation bill to the House floor as soon as possible.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise to speak on H.R. 3819, "Surface Transportation Extension Act of 2015," which reauthorizes federal-aid highway and transit programs for three weeks through November 20, 2015.

The bill also extends by three years the December 31, 2015 deadline for railroads to install positive train control systems but, within 90 days of enactment, all affected railroads must submit to the U.S. Department of Transportation a revised PTC compliance plan.

Mr. Speaker, instead of this 22-day temporary extension, I would have strongly preferred that we were debating a comprehensive, fair, equitable, and long-term transportation reauthorization bill the nation desperately needs.

We have had two years to do so.

Democrats want such a bill as does the President, but apparently our friends across the aisle do not since they have spent the last two years wasting time on advocating policies wanted by no one except for the right-wing extremists of the Tea Party.

But I reluctantly support this emergency but temporary measure because as the Department of Transportation has reported, if we do not act now highway trust fund balances will reach dangerously low levels by November 20 and result in a reduction of payments to states by an average of 28 percent.

Many states have already begun to cancel or delay planned construction projects, threatening 700,000 jobs, including 106,100 jobs in my home state of Texas.

Mr. Speaker, the Highway Trust Fund was created in 1956 during the Eisenhower Administration to help finance construction of the Interstate Highway System, which modernized the nation's transportation infrastructure and was instrumental in making the United States the world's dominant economic power for two generations.

Our national leaders then understood that investing in our roads and bridges strengthened our economy, created millions of good-paying jobs, and improved the quality of life for all Americans.

It is currently composed of two accounts that fund federal-aid highway and transit projects built by states. Federal funding from the trust fund accounts for a major portion of state transportation spending.

The Highway Trust Fund is financed by gasoline and diesel taxes, which until the last decade produced a steady increase in revenues sufficient to accommodate increased levels of spending on highway and transit projects.

However, those tax rates—18.4 cents/gallon federal tax on gasoline and a 24.4 cents/gallon tax on diesel fuel—have remained unchanged since 1993 and were not indexed to inflation so the value of those revenues has eroded over the years, and, combined with the fact that vehicles have been getting increasingly better mileage, the revenues deposited into the Highway Trust Fund beginning last decade have not kept pace with highway and transit spending from the trust fund.

Consequently, since 2008, Congress has periodically had to transfer at the 11th hour general Treasury revenues into the trust fund to pay for authorized highway and transit spending levels and avoid a funding shortfall. The total amount to date is more than \$62 billion.

Obviously, this practice is economically inefficient and injects uncertainty in the highway construction plans, projects, and schedules of state and local transportation agencies, not to mention the anxiety it causes to workers and businesses whose economic livelihood is dependent on those projects.

Mr. Speaker, the last transportation authorized by Congress for 4 years or more, SAFETEA-LU, expired on September 30, 2009, at the end of FY 2009.

Because Congress and the Administration could not agree to a new reauthorization, it was necessary to resort to stop-gap temporary extensions on no less than eight occasions spanning a period of 910 days before Congress finally enacted the “Moving Ahead for Progress in the 21st Century Act” (MAP-21 Act) on July 6, 2012, which reauthorized highway and transportation programs through Fiscal Year 2014, a little more than two years, or until September 30, 2014.

MAP-21 was intended as a short-term measure to give Congress and the Administration breathing room to reach agreement on a long-term reauthorization bill.

Yet, as Mr. LEVIN, the Ranking Member of the Ways and Means Committee, has often pointed out, since gaining the majority in 2010, our Republican colleagues have failed to take any action to sustain the Highway Trust Fund over the long-term and shore up vital infrastructure projects and has not held even a single hearing on financing options for the Highway Trust Fund.

Instead, House Republicans have wasted the nation's time voting to repeal the Affordable Care Act more than 60 times, waging a War on Women, pursuing partisan investigations into the Benghazi tragedy, the IRS, defunding Planned Parenthood, and trying to overturn President Obama's executive actions that make our immigration enforcement laws less inhumane.

Instead of doing their job, House Republicans big new idea is to attack the President for doing his job.

Mr. Speaker, it is long past time for this Congress, and especially the House majority, to focus on the real problems and challenges facing the American people.

And one of the biggest of those challenges is ensuring that America has a transportation

policy and the infrastructure needed to compete and win in the global economy of the 21st Century.

To do that we have to extend the reauthorization of current transportation programs and to authorize the transfer of the funds to the Highway Trust Fund needed to fund authorized construction projects and keep 700,000 workers, including 106,100 in Texas on the job.

But that is only a start and just a part of our job.

The real work that needs to be done in the remaining days of this Congress is to reach an agreement on a long-term highway and transportation bill that is fair, equitable, fiscally responsible, creates jobs and leads to sustained economic growth.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, H.R. 3819.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Ordering the previous question on House Resolution 491;

Adopting House Resolution 491, if ordered;

Ordering the previous question on House Resolution 450; and

Adopting House Resolution 450, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 1090, RETAIL INVESTOR PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 491) providing for consideration of the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 242, nays 185, not voting 7, as follows:

[Roll No. 570]

YEAS—242

Abraham	Griffith	Palmer
Aderholt	Grothman	Paulsen
Allen	Guinta	Perry
Amash	Guthrie	Pittenger
Amodei	Hanna	Pitts
Babin	Hardy	Poe (TX)
Barletta	Harper	Poliquin
Barr	Harris	Pompeo
Barton	Hartzler	Posey
Benishek	Heck (NV)	Price, Tom
Bilirakis	Hensarling	Ratcliffe
Bishop (MI)	Herrera Beutler	Reed
Bishop (UT)	Hice, Jody B.	Reichert
Black	Hill	Renacci
Blackburn	Holding	Ribble
Blum	Hudson	Rice (SC)
Bost	Huelskamp	Rigell
Boustany	Huizenga (MI)	Roby
Brady (TX)	Hultgren	Roe (TN)
Brat	Hunter	Rogers (AL)
Bridenstine	Hurd (TX)	Rogers (KY)
Brooks (AL)	Issa	Rohrabacher
Brooks (IN)	Jenkins (KS)	Rokita
Buchanan	Jenkins (WV)	Rooney (FL)
Buck	Johnson (OH)	Ros-Lehtinen
Bucshon	Johnson, Sam	Ross
Burgess	Jolly	Rothfus
Byrne	Jones	Rouzer
Calvert	Jordan	Royce
Carter (GA)	Joyce	Russell
Carter (TX)	Katko	Ryan (WI)
Chabot	Kelly (MS)	Salmon
Chaffetz	Kelly (PA)	Sanford
Clawson (FL)	King (IA)	Scalise
Coffman	King (NY)	Schweikert
Cole	Kinzinger (IL)	Scott, Austin
Collins (GA)	Kline	Sensenbrenner
Collins (NY)	Knight	Sessions
Comstock	Labrador	Shimkus
Conaway	LaHood	Shuster
Cook	LaMalfa	Simpson
Costello (PA)	Lamborn	Smith (MO)
Cramer	Lance	Smith (NE)
Crawford	Latta	Smith (NJ)
Crenshaw	LoBiondo	Smith (TX)
Culberson	Long	Stefanik
Curbelo (FL)	Loudermilk	Stewart
Davis, Rodney	Love	Stivers
Denham	Lucas	Stutzman
Dent	Luetkemeyer	Thompson (PA)
DeSantis	Lummis	Thornberry
DesJarlais	MacArthur	Tiberi
Diaz-Balart	Marchant	Tipton
Dold	Marino	Trott
Donovan	Massie	Turner
Duffy	McCarthy	Upton
Duncan (SC)	McCaul	Valadao
Duncan (TN)	McClintock	Wagner
Ellmers (NC)	McHenry	Walberg
Emmer (MN)	McKinley	Walden
Farenthold	McMorris	Walker
Fincher	Rodgers	Walorski
Fitzpatrick	McSally	Walters, Mimi
Fleischmann	Meadows	Weber (TX)
Fleming	Meehan	Webster (FL)
Flores	Messer	Wenstrup
Forbes	Mica	Westerman
Fortenberry	Miller (FL)	Westmoreland
Fox	Miller (MI)	Whitfield
Frelinghuysen	Moolenaar	Williams
Garrett	Mooney (WV)	Wilson (SC)
Gibbs	Mullin	Wittman
Gibson	Mulvaney	Womack
Gohmert	Murphy (PA)	Woodall
Goodlatte	Neugebauer	Yoder
Gosar	Newhouse	Yoho
Gowdy	Noem	Young (AK)
Granger	Nugent	Young (IA)
Graves (GA)	Nunes	Young (IN)
Graves (LA)	Olson	Zeldin
Graves (MO)	Palazzo	Zinke

NAYS—185

Adams	Blumenauer	Capps
Aguilar	Bonamici	Capuano
Ashford	Boyle, Brendan	Cárdenas
Bass	F.	Carney
Beatty	Brady (PA)	Carson (IN)
Becerra	Brown (FL)	Cartwright
Bera	Brownley (CA)	Castor (FL)
Beyer	Bustos	Castro (TX)
Bishop (GA)	Butterfield	Chu, Judy

Ciilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer

Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarell
Payne
Pelosi

Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrad er
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Costa
Franks (AZ)
Hurt (VA)

Meeks
Pearce
Roskam

□ 1417

Mr. FATTAH changed his vote from “yea” to “nay.”

Messrs. SALMON and GOODLATTE changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall vote No. 570, a recorded vote on the previous question on H. Res. 491. Had I been present, I would have voted “yes.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 186, not voting 4, as follows:

[Roll No. 571]

AYES—244

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benish ek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)

Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo

Palmer
Paulsen
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—186

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer

Bishop (GA)
Blumenauer
Bonamici

Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Ciilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al

Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross

O'Rourke
Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrad er
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—4

Meeks
Pearce

Roskam
Takai

□ 1425

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 597, REFORM EXPORTS AND EXPAND THE AMERICAN ECONOMY ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 450) providing for consideration of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 271, nays 158, not voting 5, as follows:

[Roll No. 572]

YEAS—271

Adams	Ellmers (NC)	Maloney,
Aderholt	Engel	Carolyn
Aguilar	Eshoo	Maloney, Sean
Amodei	Esty	Marino
Ashford	Farr	Matsui
Barletta	Fattah	McCollum
Barton	Fincher	McDermott
Bass	Fitzpatrick	McGovern
Beatty	Foster	McMorris
Becerra	Frankel (FL)	Rodgers
Bera	Frelinghuysen	McNerney
Beyer	Fudge	Meehan
Bishop (GA)	Gabbard	Meng
Blumenauer	Gallego	Moolenaar
Bonamici	Garamendi	Moore
Bost	Gibson	Moulton
Boustany	Graham	Mullin
Boyle, Brendan	Graves (MO)	Murphy (FL)
F.	Green, Al	Nadler
Brady (PA)	Green, Gene	Napolitano
Brooks (IN)	Grijalva	Neal
Brown (FL)	Gutiérrez	Newhouse
Brownley (CA)	Hahn	Nolan
Buchanan	Hanna	Norcross
Bucshon	Hardy	O'Rourke
Bustos	Harper	Palazzo
Butterfield	Hartzler	Pallone
Calvert	Hastings	Pascarell
Capps	Heck (WA)	Payne
Capuano	Herrera Beutler	Pelosi
Cárdenas	Higgins	Perlmutter
Carney	Himes	Peters
Carson (IN)	Hinojosa	Peterson
Carter (GA)	Honda	Pingree
Cartwright	Hoyer	Pitts
Castor (FL)	Huffman	Pocan
Castro (TX)	Hultgren	Poe (TX)
Chu, Judy	Hunter	Polis
Cicilline	Israel	Price (NC)
Clark (MA)	Jackson Lee	Quigley
Clarke (NY)	Jeffries	Rangel
Clay	Johnson (GA)	Reed
Cleaver	Johnson (OH)	Reichert
Clyburn	Johnson, E. B.	Renacci
Cohen	Jolly	Ribble
Cole	Joyce	Rice (NY)
Collins (NY)	Kaptur	Richmond
Comstock	Katko	Rigell
Connolly	Keating	Rogers (AL)
Conyers	Kelly (IL)	Rogers (KY)
Cook	Kelly (PA)	Rokita
Cooper	Kennedy	Rooney (FL)
Costa	Kildee	Ros-Lehtinen
Costello (PA)	Kilmer	Roybal-Allard
Courtney	Kind	Ruiz
Cramer	King (NY)	Ruppersberger
Crawford	Kinzinger (IL)	Rush
Crenshaw	Kirkpatrick	Ryan (OH)
Crowley	Knight	Sánchez, Linda
Cuellar	Kuster	T.
Cummings	Langevin	Sánchez, Loretta
Curbelo (FL)	Larsen (WA)	Sarbanes
Davis (CA)	Larson (CT)	Schakowsky
Davis, Danny	Lawrence	Schiff
Davis, Rodney	Lee	Schrader
DeFazio	Levin	Scott (VA)
DeGette	Lewis	Scott, David
Delaney	Lieu, Ted	Serrano
DeLauro	Lipinski	Sewell (AL)
DelBene	LoBiondo	Sherman
Dent	Loeb sack	Simpson
DeSaulnier	Lofgren	Sinema
Deutch	Long	Sires
Diaz-Balart	Lowenthal	Slaughter
Dingell	Lowey	Smith (NJ)
Doggett	Lucas	Smith (WA)
Dold	Luetkemeyer	Speier
Donovan	Lujan Grisham	Stefanik
Doyle, Michael	(NM)	Stivers
F.	Luján, Ben Ray	Swalwell (CA)
Duckworth	(NM)	Takano
Edwards	Lynch	Thompson (CA)
Ellison	MacArthur	Thompson (MS)
		Thompson (PA)

NAYS—158

Abraham	Grothman	Paulsen
Allen	Guinta	Perry
Amash	Pittenger	Bera
Babin	Harris	Beyer
Barr	Heck (NV)	Bishop (GA)
Benishek	Hensarling	Blumenauer
Bilirakis	Hice, Jody B.	Bonamici
Bishop (MI)	Hill	Bost
Bishop (UT)	Holding	Boustany
Black	Hudson	Boyle, Brendan
Blackburn	Huelskamp	F.
Blum	Huizenga (MI)	Brady (PA)
Brady (TX)	Hurd (TX)	Brady (TX)
Brat	Hurt (VA)	Brooks (IN)
Bridenstine	Issa	Brown (FL)
Brooks (AL)	Jenkins (KS)	Brownley (CA)
Buck	Jenkins (WV)	Buchanan
Burgess	Johnson, Sam	Bucshon
Byrne	Jones	Bustos
Carter (TX)	Jordan	Butterfield
Chabot	Kelly (MS)	Calvert
Chaffetz	King (IA)	Capps
Clawson (FL)	Kline	Capuano
Coffman	Labrador	Cárdenas
Collins (GA)	LaHood	Carney
Conaway	LaMalfa	Carson (IN)
Culberson	Lamborn	Carter (GA)
Denham	Lance	Cartwright
DeSantis	Latta	Castor (FL)
DesJarlais	Loudermilk	Castro (TX)
Duffy	Love	Chu, Judy
Duncan (SC)	Lummis	Cicilline
Duncan (TN)	Marchant	Cleaver
Emmer (MN)	Massie	Clyburn
Farenthold	McCarthy	Cohen
Fleischmann	McCaul	Cole
Fleming	McClintock	Collins (NY)
Flores	McHenry	Comstock
Forbes	McKinley	Connolly
Fortenberry	McSally	Conyers
Foxo	Meadows	Cook
Franks (AZ)	Messer	Cooper
Garrett	Miller (FL)	Costa
Gibbs	Miller (MI)	Costello (PA)
Gohmert	Mooney (WV)	Courtney
Goodlatte	Mulvaney	Cramer
Gosar	Murphy (PA)	Crenshaw
Gowdy	Neugebauer	Crowley
Granger	Noem	Cuellar
Graves (GA)	Nugent	Cummings
Graves (LA)	Nunes	Curbelo (FL)
Grayson	Olson	Davis (CA)
Griffith	Palmer	Davis, Danny

NOT VOTING—5

Rice (SC)	Takai
Roskam	

□ 1432

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 275, nays 154, not voting 5, as follows:

[Roll No. 573]

YEAS—275

Abraham	Frankel (FL)	Murphy (FL)
Adams	Frelinghuysen	Nadler
Aderholt	Fudge	Napolitano
Aguiar	Gabbard	Neal
Amodei	Gallego	Newhouse
Ashford	Garamendi	Nolan
Barletta	Gibson	Norcross
Barton	Graham	O'Rourke
Bass	Graves (MO)	Palazzo
Beatty	Green, Al	Pallone
Becerra	Green, Gene	Pascarell
Benishek	Grijalva	Payne
Bera	Gutiérrez	Pelosi
Beyer	Hahn	Perlmutter
Bishop (GA)	Hanna	Peters
Blumenauer	Hardy	Peterson
Bonamici	Harper	Pingree
Bost	Hartzler	Pitts
Boustany	Hastings	Pocan
Boyle, Brendan	Heck (WA)	Poe (TX)
F.	Herrera Beutler	Polis
Brady (PA)	Higgins	Price (NC)
Brady (TX)	Himes	Quigley
Brooks (IN)	Hinojosa	Rangel
Brown (FL)	Honda	Reed
Brownley (CA)	Hoyer	Reichert
Buchanan	Huffman	Renacci
Bucshon	Bustos	Ribble
Bustos	Butterfield	Rice (NY)
Butterfield	Calvert	Rice (SC)
Calvert	Capps	Richmond
Capps	Capuano	Rigell
Capuano	Cárdenas	Rogers (AL)
Cárdenas	Carney	Rogers (KY)
Carney	Carson (IN)	Rooney (FL)
Carson (IN)	Carter (GA)	Ros-Lehtinen
Carter (GA)	Cartwright	Roybal-Allard
Cartwright	Castor (FL)	Ruiz
Castor (FL)	Castro (TX)	Ruppersberger
Castro (TX)	Chu, Judy	Rush
Chu, Judy	Cicilline	Russell
Cicilline	Clark (MA)	Sánchez, Linda
Clark (MA)	Clarke (NY)	T.
Clarke (NY)	Clay	Sánchez, Loretta
Clay	Cleaver	Sarbanes
Cleaver	Clyburn	Schakowsky
Clyburn	Cohen	Schiff
Cohen	Cole	Schrader
Cole	Collins (NY)	Scott (VA)
Collins (NY)	Comstock	Scott, David
Comstock	Connolly	Serrano
Connolly	Conyers	Sewell (AL)
Conyers	Cook	Sherman
Cook	Cooper	Simpson
Cooper	Costa	Sinema
Costa	Costello (PA)	Sires
Costello (PA)	Courtney	Slaughter
Courtney	Cramer	Smith (NJ)
Cramer	Crenshaw	Smith (WA)
Crawford	Crowley	Speier
Crenshaw	Cuellar	Stefanik
Crowley	Cummings	Stivers
Cuellar	Curbelo (FL)	Swalwell (CA)
Cummings	Davis (CA)	Takano
Curbelo (FL)	Davis, Danny	Thompson (CA)
Dent	Davis, Rodney	Thompson (MS)
Dent	DeFazio	Thompson (PA)
DeSaulnier	DeGette	Tiberi
Deutch	Delaney	Titus
Diaz-Balart	DeLauro	Tonko
Dingell	DelBene	Torres
Doggett	Dent	Tsongas
Dold	DeSaulnier	Turner
Donovan	Deutch	Upton
Doyle, Michael	Diaz-Balart	Valadao
F.	Dingell	Van Hollen
Duckworth	Doggett	Vargas
Edwards	Dold	Veasey
Ellison	Donovan	Vela
Ellmers (NC)	Doyle, Michael	Velázquez
Engel	F.	Wagner
Eshoo	Duckworth	Walorski
Esty	Edwards	Walters, Mimi
Farr	Ellison	Walz
Fattah	Ellmers (NC)	Wasserman
Fincher	Engel	Schultz
Fitzpatrick	Eshoo	Waters, Maxine
Foster	Esty	Watson Coleman
	Farr	Weber (TX)
	Fattah	Welch
	Fincher	
	Fitzpatrick	
	Foster	

Whitfield
Wilson (FL)

Wilson (SC)
Womack

Yarmuth
Young (AK)

NAYS—154

Allen
Amash
Babin
Barr
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Byrne
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Crawford
Culberson
Denham
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Grayson
Griffith
Grothman

Guinta
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jones
Jordan
King (IA)
Kline
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Loudermilk
Love
Lummis
Marchant
Massie
McCarthy
McCauley
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Miller (MI)
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palmer
Paulsen

Perry
Pittenger
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Robby
Roe (TN)
Rohrabacher
Rokita
Ross
Rothfus
Rouzer
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thornberry
Tipton
Trott
Visclosky
Walberg
Walden
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Amodei
Meeks

Pearce
Roskam

Takai

□ 1440

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. GRANGER. Mr. Speaker, on rollcall 573, I would like to be recorded as voting "yea."

Stated against:

Mr. BRADY of Texas. Mr. Speaker, I hurriedly returned to the House chamber from a meeting. I voted "yes" on rollcall 573. I intended to vote "no."

EXPORT-IMPORT BANK REFORM AND REAUTHORIZATION ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 450, the House will proceed to the immediate consideration of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 450, the amendment in the nature of a substitute consisting of the text of H.R. 3611 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 597

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Export-Import Bank Reform and Reauthorization Act of 2015".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY

Sec. 101. Reduction in authorized amount of outstanding loans, guarantees, and insurance.

Sec. 102. Increase in loss reserves.

Sec. 103. Review of fraud controls.

Sec. 104. Office of Ethics.

Sec. 105. Chief Risk Officer.

Sec. 106. Risk Management Committee.

Sec. 107. Independent audit of bank portfolio.

Sec. 108. Pilot program for reinsurance.

TITLE II—PROMOTION OF SMALL BUSINESS EXPORTS

Sec. 201. Increase in small business lending requirements.

Sec. 202. Report on programs for small and medium-sized businesses.

TITLE III—MODERNIZATION OF OPERATIONS

Sec. 301. Electronic payments and documents.

Sec. 302. Reauthorization of information technology updating.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Extension of authority.

Sec. 402. Certain updated loan terms and amounts.

TITLE V—OTHER MATTERS

Sec. 501. Prohibition on discrimination based on industry.

Sec. 502. Negotiations to end export credit financing.

Sec. 503. Study of financing for information and communications technology systems.

TITLE I—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY

SEC. 101. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by striking paragraph (2) and inserting the following:

"(2) APPLICABLE AMOUNT DEFINED.—In this subsection, the term 'applicable amount', for each of fiscal years 2015 through 2019, means \$135,000,000,000.

"(3) FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the amount of loans, guarantees, and insur-

ance outstanding on the last day of that quarter until the rate calculated under section 8(g)(1) is less than 2 percent."

SEC. 102. INCREASE IN LOSS RESERVES.

(a) IN GENERAL.—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

"(b) RESERVE REQUIREMENT.—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 103. REVIEW OF FRAUD CONTROLS.

Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a-6(b)) is amended to read as follows:

"(b) REVIEW OF FRAUD CONTROLS.—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—

"(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and

"(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—

"(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

"(B) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives."

SEC. 104. OFFICE OF ETHICS.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

"(k) OFFICE OF ETHICS.—

"(1) ESTABLISHMENT.—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.

"(2) HEAD OF OFFICE.—

"(A) IN GENERAL.—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.

"(B) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—

"(i) appointed by the President of the Bank from among persons—

"(I) with a background in law who have experience in the fields of law and ethics; and

"(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and

"(ii) approved by the Board.

"(C) DESIGNATED AGENCY ETHICS OFFICIAL.—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

"(3) DUTIES.—The Office of Ethics has jurisdiction over all employees of, and ethics

matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—

“(A) recommend administrative actions to establish or enforce standards of official conduct;

“(B) refer to the Office of the Inspector General of the Bank alleged violations of—

“(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;

“(ii) the standards of ethical conduct established by the Chief Ethics Officer; and

“(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;

“(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and

“(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.”

SEC. 105. CHIEF RISK OFFICER.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section 104, is further amended by adding at the end the following:

“(1) CHIEF RISK OFFICER.—

“(1) IN GENERAL.—There shall be a Chief Risk Officer of the Bank, who shall—

“(A) oversee all issues relating to risk within the Bank; and

“(B) report to the President of the Bank.

“(2) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—

“(A) appointed by the President of the Bank from among persons—

“(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and

“(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and

“(B) approved by the Board.

“(3) DUTIES.—The duties of the Chief Risk Officer are—

“(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;

“(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;

“(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;

“(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;

“(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and

“(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.”

SEC. 106. RISK MANAGEMENT COMMITTEE.

(a) IN GENERAL.—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by sections 104 and 105, is further amended by adding at the end the following:

“(m) RISK MANAGEMENT COMMITTEE.—

“(1) ESTABLISHMENT.—There is established a management committee to be known as the ‘Risk Management Committee’.

“(2) MEMBERSHIP.—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.

“(3) DUTIES.—The duties of the Risk Management Committee shall be—

“(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—

“(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and

“(ii) the monitoring of industry, geographic, and obligor exposure levels; and

“(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).”

(b) TERMINATION OF AUDIT COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.

SEC. 107. INDEPENDENT AUDIT OF BANK PORTFOLIO.

(a) AUDIT.—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(1) of the Export-Import Bank Act of 1945, as amended by section 105.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).

SEC. 108. PILOT PROGRAM FOR REINSURANCE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the “Bank”) may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.

(b) LIMITATIONS ON AMOUNT OF RISK-SHARING.—

(1) PER CONTRACT OR OTHER ARRANGEMENT.—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed \$1,000,000,000.

(2) PER YEAR.—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to con-

tracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed \$10,000,000,000.

(c) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.

(e) TERMINATION.—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.

TITLE II—PROMOTION OF SMALL BUSINESS EXPORTS

SEC. 201. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking “20 percent” and inserting “25 percent”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

SEC. 202. REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.

(a) IN GENERAL.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

“(k) REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than \$250,000,000 in annual sales.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

TITLE III—MODERNIZATION OF OPERATIONS

SEC. 301. ELECTRONIC PAYMENTS AND DOCUMENTS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

“(M) Not later than 2 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Bank shall implement policies—

“(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

“(ii) to accept electronic payments in all of its programs.”

SEC. 302. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “2012, 2013, and 2014” and inserting “2015 through 2019”;

(2) in paragraph (2)(B), by striking “(I) the funds” and inserting “(i) the funds”; and

(3) in paragraph (3), by striking “2012, 2013, and 2014” and inserting “2015 through 2019”.

TITLE IV—GENERAL PROVISIONS

SEC. 401. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is

amended by striking “2014” and inserting “2019”.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103-428 (12 U.S.C. 635 note) is amended by striking “September 30, 2014” and inserting “the date on which the authority of the Export-Import Bank of the United States expires under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)”.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking “September 30, 2014” and inserting “the date on which the authority of the Bank expires under section 7”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

SEC. 402. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.

(a) LOAN TERMS FOR MEDIUM-TERM FINANCING.—Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking “; and” and inserting a semicolon; and

(2) by adding at the end the following:

“(iii) with principal amounts of not more than \$25,000,000; and”.

(b) COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking “\$10,000,000” and inserting “\$25,000,000”.

(c) EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking “\$10,000,000” and inserting “\$25,000,000”.

(d) CONSIDERATION OF ENVIRONMENTAL EFFECTS.—Section 11(a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i-5(a)(1)(A)) is amended by striking “\$10,000,000 or more” and inserting the following: “\$25,000,000 (or, if less than \$25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the ‘Equator Principles’) or more”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

TITLE V—OTHER MATTERS

SEC. 501. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

“(k) PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.—

“(1) IN GENERAL.—Except as provided in this Act, the Bank may not—

“(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

“(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

“(2) APPLICABILITY.—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development,

production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.”.

SEC. 502. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a-5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Treasury (in this section referred to as the ‘Secretary’)” and inserting “President”; and

(B) in paragraph (1)—

(i) by striking “(OECD)” and inserting “(in this section referred to as the ‘OECD’)”; and

(ii) by striking “ultimate goal of eliminating” and inserting “possible goal of eliminating, before the date that is 10 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015,”.

(2) in subsection (b), by striking “Secretary” each place it appears and inserting “President”; and

(3) by adding at the end the following:

“(c) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

“(d) NEGOTIATIONS WITH NON-OECD MEMBERS.—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules and limitations on officially supported export credits.

“(e) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).”.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a-5(b)) after the date of the enactment of this Act.

SEC. 503. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.

(a) ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the “Bank”) shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of informa-

tion and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Bank shall submit to Congress a report that contains the results of the study required by subsection (a).

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their designees.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, this is going to be an important debate that we have today because it is a debate about what type of economy we are going to have: an economy based upon fairness, where your prosperity is dependent upon how hard you work on Main Street; or is it dependent upon who you know in Washington?

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I respect the views of all Members, but if we are ever—ever—to deal with

the threat of a social welfare state, we must first take care of the corporate welfare state, and the face of the corporate welfare state is the Export-Import Bank.

I yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), the chairman of the Monetary Policy and Trade Subcommittee of the Financial Services Committee.

Mr. HUIZENGA of Michigan. Mr. Speaker, I appreciate the work that my chairman has done. I chair the Monetary Policy and Trade Subcommittee, the subcommittee that has jurisdiction directly over this.

In the last conference when I was vice chair of that committee, we started a work group looking at various reforms that could happen, and that continued on into this term. We had a number of us on all sides of the issue that were working together.

The real problem arose, though, when those of us who felt that we needed to move in a direction where we were transferring that liability from the taxpayer back to businesses—when we felt that we were proposing some of those reforms, those who were most benefiting from the program said: Absolutely not. Not a direction we can go. Cannot be a phaseout. Cannot be a sunset. Cannot be a change to make these recourse loans. Cannot make them only loans as opposed to grants. In other words, it was business as usual.

It might be a good business decision to transfer business liability and risk to somebody else, but it is a bad idea to transfer that additional liability to the U.S. taxpayer.

I think that we have a couple of issues in front of us, Mr. Speaker, as was talked about yesterday. First is the issue of the Ex-Im Bank and the entitlement mentality that has grown up, and that is just a symptom of it.

As the chairman has said, if we cannot take care of and tackle this entitlement mentality within the business community, how in the world are we going to have the moral standing to tackle that same entitlement mentality on the social side of our spending?

So it is sad to believe, in my mind, that some people think that this is the only or the best program that we can put forward for the U.S. to remain competitive on the world stage.

We know that we have put ourselves at a disadvantage through the regulatory environment that has been created not only under this administration, but under previous administrations as well. We know that the tax regime that we have is also a huge problem.

I just ask that my colleagues oppose this effort to make sure that it is status quo in Washington, D.C.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, yesterday this House took a historic and bipartisan vote in

support of reauthorizing the Export-Import Bank. We showed that Democrats and Republicans can work together to overcome the obstruction caused by an ideologically driven minority that put its own uncompromising principles over the needs of the American people.

The 4-month shutdown of the Export-Import Bank engineered by the chairman of the Financial Services Committee has led to hopelessness, uncertainty, and fear for the many workers across this country whose livelihoods rely on the support of the Ex-Im Bank.

As reports continued to pile in on the loss of jobs caused by the Bank's shutdown, the chairman has remained deliberately indifferent to the harm inflicted on the lives of these Americans. The cost of this indifference is more than 100 transactions worth more than \$9 billion that have been indefinitely put on hold pending the Bank's reauthorization. Unfortunately, many of these contracts have now been lost for good.

Today we are showing the small-business owners and their employees that this indifference does not extend to the whole House of Representatives. Supporters of the Bank care about them, about their jobs and their communities.

It is high time we reopened the Ex-Im Bank for business. Instead of shipping jobs abroad, let's start shipping American exports again. Let's put America back to work and pass this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. RYAN), the distinguished chairman of the House Ways and Means Committee.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to express my strong disapproval for this bill for the Export-Import Bank. This is a profound debate we are having. It is about what kind of economy we are going to have. Are we going to reward good work or good connections? I think there are plenty of other ways to expand opportunity in this country, and corporate welfare is not one of them.

The biggest beneficiaries of this bank, two-thirds of their money goes to ten companies and 40 percent goes to one company. And this bank does cost money. Just ask the Congressional Budget Office when they use real scorekeeping.

Do you remember Fannie Mae? Do you remember their accounting? Do you remember when they told us they weren't going to cost any money? Until they did. And it cost us billions.

The other excuse, Mr. Speaker, that I just don't buy is that other countries do this and so should we. We shouldn't acquire other countries' bad habits. We

should be leading by example. We should be exporting democratic capitalism, not crony capitalism.

There is this criticism of those of the free enterprise system who compare it to competition like a sport where the critics of free enterprise say there is a winner and there is a loser, just like a boxing match or a football game.

Well, that is true when it comes to crony capitalism. That is the case when it comes to corporate welfare because, in that case, the winner is the person with the connections, it is the company with power, and it is the company with clout.

The loser is the person who is out there working hard, playing by the rules, not knowing anybody, not going to Washington, and hoping and thinking that the merit of their idea and the quality of their work is what will win the day. That is what is rewarded under a free enterprise system.

Free enterprise is more about collaboration. It is more about transactions of mutual benefit where everybody benefits, the rising tide lifts all boats, equality for all, and equal opportunity. That is free enterprise. That is small d, democratic capitalism. This thing is crony capitalism. I urge it be rejected.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE), a member of the Financial Services Committee and the ranking member of the Monetary Policy and Trade Subcommittee, which has jurisdiction over the reauthorization of the Ex-Im Bank. I just want to take a moment to recognize her tireless work on behalf of the reauthorization of the Ex-Im Bank.

Ms. MOORE. I thank you so much, Madam Ranking Member.

Mr. Speaker, it is with great pleasure that I rise to support this bipartisan initiative to reauthorize the Export-Import Bank. The Export-Import Bank is about three things in this country that we need to be debating here more often, and that is jobs, jobs, and jobs. Getting the bill to the floor for this historic vote is about something the country also needs more of, and that is bipartisanship.

I am very distressed, Mr. Speaker, to continue to hear the debate that somehow the financing of the Export-Import Bank is contributing to the welfare state and that, if we are to tackle the social welfare programs under Social Security, we have got to get rid of this corporate welfare.

I am distressed to continue to hear that defeating the Export-Import Bank is a backdoor approach to ending Social Security. If you listen very carefully, colleagues, you are going to hear this over and over again.

I do want to thank Representatives HOYER, LUCAS, WATERS, HECK, FINCHER, and the House Members on both sides

so that we can now go back to our districts, look U.S. workers in the eyes and say that we are not giving them welfare, that we are giving the thousands upon thousands upon thousands of people in the chain an opportunity to work for a living. This is not a Democrat or a Republican victory, but a victory for all our workers.

I would ask that the body vote for the reauthorization of the Export-Import Bank. I hope the Senate takes our example and we send this to the President for his signature. Our work and our businesses should not have to wait one more day to reignite this powerful engine of job creation.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. PRICE), the distinguished chairman of the House Budget Committee.

Mr. PRICE of Georgia. Mr. Speaker, I thank the chairman.

Mr. Speaker, this is a difficult and an important issue. With all due respect, I urge my colleagues to proceed with caution regarding a reauthorization of the Export-Import Bank, particularly under the procedural motion that has been used to get this bill to the floor today.

Many Members, including myself, have real concerns that we are sidestepping the important work of our committees, in this case, both the Financial Services Committee and the Rules Committee.

This leaves no room for amending or altering the legislation to better reflect the overall will of the House. This bill is, in fact, not even a product of the House. It is the exact same text that was taken from the Senate, and, just like this one, it bypassed the committee procedure over there as well.

By shortchanging the process, this effort is shortchanging the debate that we should be having about legitimate disagreements over the Export-Import Bank, and, thereby, we are shortchanging the American people.

For example, we know that, by statute, 20 percent of the Export-Import Bank's authorizations are supposed to go to small businesses. Yet, today only 1 percent of 1 percent of small businesses are actually aided by the Bank.

We also know that, when the Ex-Im subsidizes foreign corporations, it runs the risk of undermining American business. It is estimated that the Export-Import Bank has led to the loss of 7,500 jobs in the American airline industry alone and a loss of over \$684 million in revenue.

These are serious concerns at a time when we should be fostering a climate of healthy economic opportunity and growth right here at home rather than a system that effectively chooses winners and losers.

It may not necessarily be the intention of my colleagues who supported this discharge petition effort to under-

mine the legislative process or to diminish the importance of our committees or, above all, to limit what we can and should be having here, a healthy debate over legitimate policy disagreements.

But, unfortunately, Mr. Speaker, that is precisely what is occurring. Therefore, I urge my colleagues to join me in opposing this process and to stop this dangerous precedent from taking root.

Ms. MAXINE WATERS of California. I yield 2 minutes to the gentleman from Washington (Mr. HECK), a tireless advocate for our exporters who has never missed an opportunity to fight for the Export-Import Bank and the American workers it supports.

Mr. HECK of Washington. Mr. Speaker, I thank the ranking member.

Mr. Speaker, watching the nonstop ideological warfare waged on the Export-Import Bank over the last nearly 3 years reminds me of my very favorite Will Rogers adage: People feel about Congress the same way they do when baby gets hold of the hammer. And that is, in fact, what we have been treated to.

But the fact of the matter is today we have an opportunity to turn that adage on its ear and do something that the American public will feel good about Congress for, for today we have an opportunity to vote for jobs, 164,000 in just last calendar year supported by the Ex-Im, good-paying jobs, send-your-kid-to-college jobs, buy-a-home jobs, take-a-vacation jobs, and have-a-secure-retirement jobs.

Mr. Speaker, tonight we have an opportunity to strengthen and protect the manufacturing base of America, because the truth of the matter is it is not unrelated to our national defense infrastructure. The same entities that make up our manufacturing base keep us safe, and we should not forget that.

Tonight we have an opportunity, indeed, to vote for reform of the Export-Import Bank despite the fact that it has a default rate that is the envy of commercial banks and a collection rate as well.

Mr. Speaker, the truth of the matter is we can vote to increase loss reserves, improve risk management, modernize and update their IT, and notwithstanding what was said by the gentleman from Michigan, it also has a pilot recourse program in it on the re-insurance for payment side.

Tonight we have an opportunity to vote for a reduction of the deficit. Yes. The Ex-Im for a generation has transferred cash—the heck with your theoretical accounting model—transferred cash into the U.S. Treasury, \$675 million just last fall.

Let me say it again. Tonight we have an opportunity to vote for jobs. No more Waukesha, Wisconsin, Ms. MOORE, no more Waukesha, Wisconsin, where an entire factory is being

shuttered because we have failed to do our job in reauthorizing the Export-Import Bank.

Mr. Speaker, I want to thank the ranking member, the leader, the whip, and especially I want to thank my friends, Mr. LUCAS of Oklahoma and Mr. FINCHER of Tennessee, for their profile in courage. It was, indeed, a profile in courage to do the right thing. Tonight we have an opportunity to put American jobs first. Tonight we have an opportunity to put America first.

I don't know about you, but I came here from the private sector. I don't reside in some kind of fantasy plot within an Ayn Rand novel. I live in the real world, and in the real world we solve problems. This will solve problems. Vote "yes".

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from Utah (Mr. CHAFFETZ), chairman of the Oversight and Government Reform Committee that held a number of key hearings on the Export-Import Bank.

Mr. CHAFFETZ. Mr. Speaker, I stand to express opposition to the reauthorization of the Export-Import Bank.

As we look at these weighty issues, I think it is important that we look at both the liability and the accountability in this factor.

When you look at the reliability, whenever we make decisions about spending money, we are talking about pulling money out of somebody's wallet and giving it to somebody else.

□ 1500

And, in this case, as we look at liability, we are taking every American's wallet and putting it on the line and saying: Should we or should we not create liability for more individuals across the heartland? And for mom and dad, I just don't think that is the right equation. I fundamentally disagree with it.

If these are such good loans and they are so profitable, then do them in the private sector. You don't need the Federal Government to do them.

And when it comes to accountability. Let's remember, this is a bank that just this year had a bank employee who plead guilty to bribery—bribery of all things. The inspector general of the bank testified before our committee that they expect even more actions. And the inspector general on one project could not even validate more than \$500 million in spending. And I can tell you, as the chairman of the Oversight and Government Reform Committee, they have not been transparent in giving us the information.

I urge my colleagues to vote "no."

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), a member of the Financial Services Committee.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentlewoman for yielding and for her leadership.

I rise in strong support of reauthorizing the Export-Import Bank.

There is never really a good time to commit economic suicide, and now would be especially a bad time. The Export-Import Bank creates jobs by supporting exports, and it costs taxpayers nothing—zero. In fact, since 1992, the Ex-Im has returned nearly \$7 billion to the U.S. Treasury.

Killing the Ex-Im Bank would be especially bad right now. Export demand is falling because of our strong dollar and economic headwinds in China and Greece and Europe. We have to remember that there are 85 different export-import banks around the world from China to Canada, all of which are supporting exports more than we are. We are in a competitive world. They say when you lose a job, it goes somewhere else. But what the opposition isn't saying is that it is going overseas.

I support the Export-Import Bank, and we should vote for reauthorization.

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. GARRETT), chairman of the Capital Markets Subcommittee of the Financial Services Committee.

Mr. GARRETT. Mr. Speaker, I thank the chairman.

In June of this year, after 81 years of doling out taxpayer-funded welfare for megacorporations, the American people said enough, and Congress let the Export-Import Bank expire.

Yet, today, through a little known and little used legislative maneuver being used to circumvent the will of the American people, they are resurrecting this fund for corporate welfare.

The Export-Import Bank transformed the role of government from a disinterested referee in the economy into a biased actor that uses your taxpayer dollars to tilt the scales in favor of its friends, and it mocks the American Dream by making victims of the startups that dare to compete.

If we promoted responsible government policies, responsible budget policies, expanded free markets, lowered and simplified the income taxes, and repealed onerous regulations, American businesses would thrive in the global markets. But none of that is on the table today on what we are about to consider.

Instead, the proposal before us is the resurrection of a bank that embodies the corruption of the free enterprise system. Yes, we have the opportunity today to save capitalism from cronyism. Yes, we have the opportunity to protect the American taxpayer and the American Dream and to preserve free enterprise. We have the opportunity today to keep the Export-Import Bank out of business. We should take each of those opportunities.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHER-

MAN), a member of the Financial Services Committee.

Mr. SHERMAN. Mr. Speaker, in the ideologically perfect world of Ayn Rand novels, there is no Ex-Im Bank for the United States or any other country. In the real world, Germany has an export credit agency. China has one. Canada has one. They are all much bigger than ours.

When I gave 100 speeches for George McGovern, they accused us of favoring unilateral military disarmament. Now, we see some who are in favor of unilateral economic disarmament. Our products face tough competition, and sometimes the order goes to whomever has the best financing. Ninety percent of Ex-Im Bank's loans go to small business and the other 10 percent help Big Business buy from American suppliers. Two hundred and fifty Members of this Congress support Ex-Im Bank, with particular courage among the 40-something Republicans who signed the discharge petition.

As co-chair of the CPA Caucus, let me tell you, the Ex-Im Bank makes a substantial profit under generally accepted accounting principles. That is why they have been able to transfer \$7 billion to the Treasury.

Ronald Reagan said: The Export-Import Bank contributes in a significant way to our Nation's export sales.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND), a valuable Member of the House Financial Services Committee.

Mr. WESTMORELAND. Mr. Speaker, I thank the chairman for yielding.

I rise in opposition to H.R. 597, to the Export-Import Bank, and to the process Members have used to circumvent regular order and the amendment process of the House.

I have more Delta employees in my district than any other district in the United States. Their jobs are at risk because the Export-Import Bank picks winners and losers in the American economy.

When the Ex-Im Bank finances a Boeing airplane for Emirates Airlines—as if Emirates Airlines would need any financing—the Bank is telling pilots and flight attendants and mechanics and others in my district that their jobs don't matter to the government. That is wrong.

My colleagues from Washington State and other areas want you to believe that they are fighting for the jobs in their district, and I am sure they are. I am here fighting for the jobs of my constituents. My colleagues want their constituents to have jobs, but not my constituents.

Well, I have news for my colleagues. I care about everyone's job. I care about Boeing jobs, I care about Caterpillar jobs, and, yes, I care about Delta jobs. I want the free market and the quality of U.S. products to dictate who

gets contracts. This is how America was built—quality products made by quality employees stamped “Made in America.”

Three years ago, Congress directed the Export-Import Bank to focus on an economic impact analysis to ensure the Bank knew the consequences of their lending decisions. Unfortunately, the Export-Import Bank acts as if they are above the requirements of Congress. Instead of following the law, the leadership at the Export-Import Bank colluded with Boeing to design an economic impact analysis to keep the status quo in place.

Mr. Speaker, if you don't believe me, the House Financial Services Committee has the emails to prove it. These are the bureaucrats that my colleagues are up here protecting. It is shameful, truly shameful.

To add insult to injury, my colleagues refuse to allow to offer amendments to defend my constituents. These are the very same people who cry “regular order” yet won't deny the Members to have an ability to fight for their constituents.

I ask everybody for a “no” vote.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA), also a member of the Financial Services Committee.

Mr. HINOJOSA. Mr. Speaker, I rise in strong support of allowing the majority of the Congress to work its will and reauthorize the Export-Import Bank.

The Bank has supported more than 1.3 million private sector American jobs since 2009, with nearly 90 percent of its transactions directly supporting small businesses. The Bank is an unbridled, market-driven success story that I am proud to support.

Three months have passed since a small group of Tea Party Caucus members threw common sense out the window and surrendered to an ideological drive to shut down the Bank despite warnings from across the private sector of the devastating consequences for our economy, American small-business exporters, and their employees.

Today, I stand side by side with my colleagues from across the aisle to fight for them, including Ventech Engineers International, based in my area of south Texas. Ventech manufactures small, pre-built oil refineries for export supplying fuel to remote and impoverished areas. Ventech cannot create more jobs or assist in our national security objectives without financing provided by the Bank.

We cannot allow a small minority of the minority Chamber to block job creation and weaken our international priorities.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished Republican majority leader.

Mr. MCCARTHY. Mr. Speaker, I want to thank the chairman for yielding.

We are having a debate, a healthy debate, but I don't think this is the structure or the forum in which we should have a debate about this because we don't have the option for amendments. I think there is a better way to do this.

People have two views about the argument today. But the real question of the debate we are having comes down to this: Do we let government pick and choose who it gives special taxpayer loans to or not? I believe our constituents know very well what the right choice is. They don't want their tax dollars backing up loans for any businesses. That is not the government's job. The private sector can and should do that. Our economy does best when the government is left out.

When government gets involved trying to centralize power and money in itself, corruption is inevitable. The Ex-Im Bank is a perfect example of this, and this is my concern. An inspector general is investigating at least 31 cases of fraud of the Ex-Im Bank, and this fraud has wasted millions of taxpayer dollars.

But it doesn't stop there. A former Ex-Im Bank employee, Johnny Gutierrez, pleaded guilty this year to taking bribes on 19 different occasions to help applicants get loans from the Ex-Im.

Another Ex-Im Bank employee was indicted for taking \$100,000 in bribes to help a Nigerian businessman get loans from the Ex-Im.

And we all remember a Congressman, William Jefferson, who was sentenced to 13 years in prison for taking bribes to help a company get loans from the Ex-Im.

You see, there is a pattern, a pattern that won't be solved today, regardless of what side you are on.

Since 2009, in fewer than 6 years, there have been 49 criminal judgments against Ex-Im Bank employees or people who benefited from the Ex-Im. Many of these people have gone to prison for it. In fact, if you add them all up, that is 75 years they are serving.

Now, I wish I could tell you that was my only complaint and problem and it ended there, but it does get worse. A large number of loans of Ex-Im guarantees aren't even for American companies. The Bank actually uses taxpayer money to back up loans for companies owned by governments of China, Russia, Saudi Arabia, and others.

These loans to corporations outside of America don't always go well. Do you remember NewSat? That is an Australia company that lost \$139 million in taxpayer-backed loans. NewSat's CEO allegedly diverted company funds to his yacht company.

So the question, Mr. Speaker, is when does the corruption become too bad? When is it that too many people take bribes? How many taxpayer loans must be issued by fraud?

So the question I have before this House is, if we are serious, if we want to really make a difference, let's have a process that can change things, let's have a process that can offer amendments, let's have a process that offers an honest debate, and let's not be shy about what the problems are because I think the American people expect more.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. AL GREEN), the ranking member of the Subcommittee on Oversight and Investigations of the Financial Services Committee.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the gentlewoman.

There is a better way to do this. It is called regular order through the committee process, bring it to the floor, and make amendments. However, when that doesn't prevail, the rules allow for what we are doing today, which is exceedingly important.

I would say this: the Ex-Im Bank does not take deposits; it makes deposits, and it makes deposits that help us with our deficit. The numbers have been called to our attention: in 2013, about \$1 billion; in 2014, \$675 million. But the Ex-Im Bank has done something more important than all of these things that have been called to our attention for the most part.

I think one of the most significant things that it has done is it has caused us to do something that we couldn't do for ourselves, and that is create the bipartisanship necessary to span the chasm of partisanship that has manifested itself in this House for too long.

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Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), another valuable member of the committee.

Mr. ROTHFUS. I thank the chairman.

Mr. Speaker, I suggest that someone has been missing from this debate. It is the forgotten man or woman—the everyday taxpayer—who is being asked to carry a risk that those in the private sector will not.

In 2008, we learned a tough lesson about privatizing profits and socializing losses. During the good times, many in Congress cheered on Fannie Mae and Freddie Mac, and their shareholders prospered while executives made millions; but when the good times ended, the taxpayers were forced to bail out Fannie and Freddie to the tune of \$187 billion.

The Federal Government is today the guarantor of more than \$3 trillion in loans backed by numerous agencies. This level of taxpayer leverage is not sustainable, and we must begin to identify parts of the portfolio that can be transitioned away from taxpayers.

Given that 98 percent of our exports are made without the Export-Import

Bank, the Bank is one agency that is suitable for transition over time to the private sector.

However, in the immediate future, Congress must act to protect taxpayers. For example, in this reauthorization, Congress could insist that these loans be fully collateralized, just as is the practice in the private sector.

Congress could also require exporters, which profit from the Bank's lending to foreign purchasers of their products, to guarantee the repayment of all or of even a fraction of these loans.

If phased in smartly, reforms like these would mitigate the potential for the type of \$3 billion bailout that the Ex-Im Bank sought in 1987, and they would also incentivize our trade representatives to actually initiate negotiations with our trading partners to eliminate all government-supported export subsidies and protect the taxpayer from potential losses, which is just as they were supposed to do in the last reauthorization.

Without these commonsense reforms, it is the taxpayer—the forgotten man or woman—and not the entity that made the profit who is on the hook for the loss. For that reason, I urge my colleagues to vote “no” so that real reform proposals for this institution may be pursued.

Ms. MAXINE WATERS of California. I yield 1 minute to the gentleman from Colorado (Mr. PERLMUTTER), a member of the Financial Services Committee.

Mr. PERLMUTTER. I thank the ranking member for allowing me to speak.

Mr. Speaker, in my district, which are the suburbs of Denver, 18 small companies benefit from the Export-Import Bank and the guarantees and the support that it provides—hundreds and hundreds of jobs. These are jobs in plastics, scientific equipment, food manufacturing, wood products, and electrical equipment. Those are the forgotten people in this argument. Those are real jobs, real people.

Mr. MCCARTHY said there were two questions. I think the two questions are:

Should the United States unilaterally disarm at the expense of American businesses and U.S. jobs? I think the answer is a resounding “no.”

The second question is: Should ideology trump reality? The reality is that we are just going to give these jobs to countries all across the globe instead of having them here in America. That is wrong.

I urge the passage of H.R. 597.

I thank Mr. HECK; I thank Mr. FINCHER; and I thank Mr. LUCAS for bringing this forward. Let's pass this bill today.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT), another valuable member of the committee.

Mr. SCHWEIKERT. I thank the chairman.

Mr. Speaker, have you ever had one of those instances in which you are listening and you are trying to find a way to say, "I believe much of the argument we are hearing here is intellectually disingenuous"?

The fact of the matter is every year there are trillions and trillions of dollars of surety and import-export credit that moves through the markets, and it doesn't have a government guarantee. It does not have a guarantee from our taxpayers.

Look, this institution still has a \$32 million loan from pre-Castro Cuba on their books. When they tell you "Oh, we have this tiny number of charge-offs," what they are telling you is a lie.

Do you remember the hearings we had when we had the discussions as to what their impairments were? They just stared back at you because they didn't want to have that discussion, because every other financial institution has to honestly say, "Here are our impairments. On this one, it was oil. We only had this level of charge-off." What they are not telling you is that they are still carrying loans that have sat on their books, without a payment, for 50 years.

To every citizen of this country, understand that, when this piece of legislation passes, you have just been put on the hook. Your credit has just been put on the hook for these types of loans.

That is what you intend to do to your taxpayers? That is what you are going to do to your constituencies?

This piece of legislation also purports to have reforms in it. As for the reforms, if they are not already doing these things, they should be locked up already because much of this is the most basic level that you would expect from any financial institution.

Then I come to another tab from the GAO and see repeat, after repeat, after repeat where it has already been the law and they have been ignoring it. Yet we are going to re-charter them again—an organization to which we are going to claim we are providing reforms when they are the very reforms from the last time we did this that they did not follow.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE), a member of the Financial Services Committee.

Mr. KILDEE. I thank the ranking member for yielding and for her leadership on this issue, along with thanking Mr. HECK, Ms. MOORE, Mr. FINCHER, and Mr. LUCAS.

Mr. Speaker, the Ex-Im Bank used to be bipartisan legislation. It is so interesting to hear the outrage expressed by Members on the other side for a program that was supported repeatedly by President Ronald Reagan. Where was your outrage then? I don't recall the outrage back then because then it was fine.

I also have heard that this is not the appropriate venue for this debate. This is the Congress of the United States of America, and I suspect that the American people think this is a perfectly appropriate venue.

The rule that we have utilized to bring this issue to the floor of the House is a rule that you wrote that allows Members of this body, by discharge petition, to bring legislation to the floor, supported by Republicans and Democrats.

We are using the rules of the House that you wrote. This is not an inappropriate venue. This is an argument about jobs for the American people, and I will use every venue available to me to fight for jobs for the American people.

The SPEAKER pro tempore. The Chair would remind Members to direct their remarks to the Chair and not to other Members.

Mr. HENSARLING. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Texas has 13½ minutes remaining. The gentlewoman from California has 18½ minutes remaining.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), the chairman of the Monetary Policy and Trade Subcommittee.

Mr. HUIZENGA of Michigan. I thank the chairman. I appreciate the opportunity to come back up here to talk again a little bit about this process.

We were starting to talk about what had happened through the committee. There is a work group that was put together both in the last Congress and in this Congress that came up with some, I think, very interesting things: reforms. Included in the reforms was: How do we extract ourselves out of this?

You see, here is what happened the last time.

The last time the Bank was reauthorized, it was through a short-circuited system much like we are experiencing today. It did not go through regular order. It did not have all of the backing that it needed. It was kind of jammed down on everybody on the House floor.

To let that smooth over a little bit, there was a requirement that the U.S. Treasury start a negotiation with the Europeans about one specific product: the wide-body aircraft. That is what maintains a vast majority of the business of the Export-Import Bank.

But here is the thing: The U.S. Treasury ignored that directive. They ignored the law as they were compelled to go in and start talking about: How do we unwind ourselves internationally from this mess that has been created?

Then, I think, there is a logical question to ask, Mr. Speaker: If they are willing to ignore that part of the law, what part of the law that we are trying to reform now are they willing to ignore?

My guess is all of it because, as I was talking about and as we were floating these ideas of various reforms of making these recourse loans, of making sure that—oh, I don't know—a bank examiner could come in and actually allow this "Bank" to pass any banking standards as their portfolio weighting is way off, they could never pass any kind of exam that any traditional bank would have to go through.

Every time any of those kinds of commonsense reforms were proposed, the word came back from down on high—from those big companies that utilize this bank—and they said, "No way. No way are we going to allow this to happen." So, truly, the characterization of this being regular order is way out of line, in my opinion.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. BEATTY), who is also a member of the Financial Services Committee.

Mrs. BEATTY. I thank Ranking Member WATERS.

Mr. Speaker, here is what I know.

The American people are clamoring for us to do our job and work together to help hard-working American families get ahead. We can do that today by reviving the Export-Import Bank, a job-creating organization that reduces the Federal debt—with no subsidies, with no taxpayers' money.

Last night my caucus and some Republicans joined together to force today's vote on reviving the Export-Import Bank. Why? Because it creates jobs. It helps small businesses, female-owned businesses.

It is so important today for us to do this. I know it firsthand, Mr. Speaker, because, in my district alone, there are 14 businesses, including eight small businesses, one minority owned and one female owned. The Export-Import Bank supports some \$71 million in exports—and here is the key—at no cost to American taxpayers.

We have heard a lot today, some misinformed, some misleading. So here is what I think, as the evidence is clear, Mr. Speaker: Let us renew the Bank's charter without delay.

Mr. HENSARLING. Mr. Speaker, in order to help equalize the time, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I have to speak fast.

The Export-Import Bank is good for America, and the arguments against it, in my opinion, are un-American.

This is the perfect Republican dream. It reduces the deficit. It adds to the Treasury. It creates jobs. It costs taxpayers nothing. It is unilateral disarmament to not recharge and reauthorize the Export-Import Bank. I support the legislation.

Mr. Speaker, I rise today in support of reauthorizing the Export-Import Bank of the United States.

In the darkest corner of the anti-empiricist wing of this Congress lies the plan to kill the Export-Import Bank.

Opponents of the Bank do not care that it supports small businesses and creates jobs.

Last year, nearly 90% of the Bank's loans benefited small businesses, and those loans supported more than 164,000 jobs.

Opponents are loath to admit that it reduces the federal budget deficit.

Ex-Im returned \$675 million to the Treasury last year and more than \$1 billion in each of the previous two years.

Opponents disregard the Bank's support for American exports.

Every other industrialized nation has an export-import bank, and this unilateral disarmament would cede American competitiveness.

I ask that my colleagues reject this blind pursuit of ideological purity, and reauthorize the Export-Import Bank.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I stand in support of the Ex-Im Bank.

Hundreds of families in New York's Capital Region face uncertainty after one of the largest employers had to move jobs to France because its contracts needed a government-backed loan guarantee that the Ex-Im Bank would have provided.

I thank my colleagues on the other side of the aisle for their leadership. It is too bad that it took procedural gymnastics to finally receive a vote on a bill with such broad, bipartisan support. Look what we can accomplish when we work together to do what is best for the thousands of people we each represent in this body.

The Export-Import Bank equals jobs. Let's get it done. Let's put people before politics.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 30 seconds to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. I thank the gentlewoman.

Mr. Speaker, I rise in support of reauthorizing the Ex-Im Bank.

You have two types of people. You have practical people who care about real solutions for American workers and American businesses, and you have slaves to ideology. Practical people want the Ex-Im Bank reauthorized.

This is supporting good-paying, family-sustaining manufacturing export jobs, and the people in opposition are slavishly adhering to this ideology that hurts America. In this case, the Ex-Im Bank returns a profit to the American people and it reduces the deficit and the debt. We ought to reauthorize it.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

□ 1530

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 30 seconds to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of this bipartisan Export-Import Bank reauthorization.

The Ex-Im Bank was founded by FDR to increase the competitiveness of American exports. It provides significant capital for U.S. companies and provides opportunities for U.S. jobs, allowing our companies to be competitive with companies overseas.

It provides confidence to businesses and investors, allowing them to compete in the global marketplace. In Rhode Island alone, The Bank has helped 26 businesses with a combined export value of \$134 million.

The Ex-Im Bank is a vital part of our Nation's economic infrastructure, and I urge my colleagues to support its reauthorization.

Mr. HENSARLING. I reserve the balance of my time.

Ms. MAXINE WATERS of California. I yield 1 minute to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in support of H.R. 597, the renewal of the United States Export-Import, or Ex-Im, Bank.

In Pennsylvania, the Ex-Im Bank is essential to the economic health throughout Pennsylvania's Fifth District, supporting 11,000 jobs. The Bank supports 40,000 jobs across the commonwealth in nearly 300 companies, adding \$7 billion to Pennsylvania's economy since 2007.

Exporters in my district range from powdered metal companies to technology firms and to those involved in the manufacture of rubber and plastic products. All of these businesses provide jobs which sustain our local communities. Since 2007, exports from the Fifth Congressional District in Pennsylvania have amounted to more than \$1.3 billion, supporting thousands of jobs in rural Pennsylvania.

Mr. Speaker, the Ex-Im Bank is not a burden on the taxpayers. In fact, in 2013, The Bank covered its own expenses before directing more than a billion dollars into the U.S. Treasury.

Now, I was proud to join a bipartisan group of my colleagues to bring renewal of The Bank to the floor today and to cast a vote in favor of the bill's passage.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DESANTIS).

Mr. DESANTIS. Mr. Speaker, Ronald Reagan once said the closest thing to eternal life on Earth is a government bureau.

How rare is it that we actually reduce government around here? Yet

here we are debating resurrecting a defunct agency that has already gone out to pasture.

Now, my friends on the other side of the aisle are central planners. They believe in the type of politicized economy for which the Ex-Im Bank has become a poster child. So they are actually being consistent in their position.

What I can't understand is how Members who preach limited government are willing to turn over the floor of the House to the minority party for the purpose of rechartering a bank whose authority has lapsed.

If we simply did nothing, we would have less government. Taxpayers would face less exposure. There would be less corruption. And the economy would be less politicized.

So, by all means, vote how you want. Please, if you support resurrecting this agency, just spare us all the notion that you are actually here to reduce the size and scope of government.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 30 seconds to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Speaker and Members of the House, with all the gridlock and all the partisanship and inability of this Congress to fix things and get things done, we are looking at a great opportunity here where Democrats and Republicans have come together to fix things.

The simple truth is that this Ex-Im Bank doesn't cost the taxpayers a penny. It creates tens of thousands of jobs all across the country, and it yields a \$7 billion profit for deficit reduction in this country. Life should be so good if we had a few more agencies like that. We are doing such great work for the American people.

Let's reauthorize the Ex-Im Bank.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY), the chairman of the Oversight and Investigations Subcommittee of the Committee on Financial Services.

Mr. DUFFY. Mr. Speaker, I want to quickly address my good friend from Minnesota's comments that this Ex-Im Bank doesn't cost any money. The truth is it does. We bailed it out to the tune of \$3 billion in the 1980s.

That same argument was made that Fannie and Freddie don't cost the taxpayers any money. Well, it doesn't cost taxpayers money until it does. It is a government backstop. It is a government guarantee.

You see how hard it is: when you are going to take away a government subsidy, man, do businesses fight like you know what to make sure you can't take it away. They love their subsidies, and they will lobby and they will work to make sure to get what they think is theirs.

I tell you, I am tired when I hear some of those Presidential candidates

talk about cronyism and those who look out for corporate welfare and they try to point their finger to this side of the aisle.

If you open your ears and listen to this debate, ask yourself: Who is fighting for corporate welfare? Who is fighting to make sure that you have a guarantee in the Ex-Im Bank that supports 80 percent of the dollars to big, massive American businesses? It is Democrats. Democrats partner Big Government with Big Business, and that is what is happening right here.

Picking winners and losers, the story of Delta: Delta has to compete with airplanes that are subsidized in foreign markets by the American taxpayer. They can't compete. So we picked Boeing jobs over Delta jobs? Who are we in this institution to say what job is better?

Let's let the market work. Let's not be the ones that come in and dictate what works and what doesn't.

To think that we are going to set up a system that the Democrats—my friends will say this is about all American jobs. But it is only about American jobs if it meets our political criteria in that if you are dealing with carbon and I don't like carbon and if you are a carbon job, the Bank won't support those who are involved in a carbon export. That is wrong.

Let's stand together. Let's work together. Let's fight for the American taxpayer and take away this government subsidy.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished leader who has been a steadfast advocate on behalf of the interests of American workers and who has made reauthorization of the Ex-Im Bank a top priority.

Ms. PELOSI. Mr. Speaker, I rise in strong support of the reauthorization of the Ex-Im Bank.

As a former ranking member on the State, Foreign Operations, and Related Programs Subcommittee of the Committee on Appropriations, I saw on a regular basis how important this was to our economy and to small businesses in America.

So here today we are coming to the floor in a bipartisan way to create good-paying jobs. How many good-paying jobs? 1.5 million since the year 2007.

We are here to reduce the deficit. How much are we reducing the deficit? In the past two decades, \$7 billion in money has come in to reduce the deficit.

So we are creating good-paying jobs, reducing the deficit, fueling our economy, and we are respecting the entrepreneurship and the optimism of small- and moderate-sized businesses across the country.

Yes, there are some big businesses that benefit, but most of them have subcontractors that need the work of the Ex-Im Bank.

So when we talk about making it in America, I want to recognize the great leadership of our whip, Mr. HOYER. Make it in America, this is what this is about. Make it in America so that people can make it in America but that, also, we can find markets abroad for our products made in America.

Thank you, Mr. HOYER, for your leadership on that and on the reauthorization of the Ex-Im Bank. Because of all of that work, the term "Made in America," that label continues to have the great prestige and quality that we have always known it to have.

I want to salute Mr. DENNY HECK. He is just remarkable. In 24 hours, he had 187 cosponsors of his bill earlier this year. That is so remarkable. Then in a short time after that, he had even more. Thank you for all the work that you have done to bring us to today.

To the Republicans who are supporting this, to Mr. FINCHER, thank you for your leadership and your courage to give us this opportunity today.

I want to thank MAXINE WATERS. This has been a long haul, as many of you know. Over that period of time, for one reason or another, there were not hearings in the committee of jurisdiction that could focus on the advantages of the Ex-Im Bank. So she had roundtable after roundtable, bringing in experts on what this meant to our economy, listening to the public, hearing from small businesses about what this meant to them.

Who would have ever thought that MAXINE WATERS, the ranking member on the Financial Services Committee, would be the champion for big-, moderate-, and small-sized businesses in our company? We would have thought it, and now the world knows.

So, MAXINE, thank you for your perseverance. You really did such a wonderful job keeping this issue alive. I recognize the great leadership we have at the Ex-Im Bank with Mr. Hochberg and the others who were there, the other hardworking people who are there who know about markets.

This is important because many banks that small businesses might go to for a loan or loan guarantees, they are not used to dealing with markets abroad and that is why this is such an important link between entrepreneurship, creativity, innovation in our country, and how to expand markets for all of that throughout the world.

So I am really happy. Congratulations to the House of Representatives. Today, we are creating good-paying jobs. We are reducing the deficit. We are honoring entrepreneurship, and we are doing it in a bipartisan way.

Mr. HENSARLING. Mr. Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The gentleman from Texas has 8½ minutes remaining, and the gentlewoman from California has 13 minutes remaining.

Mr. HENSARLING. I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), our distinguished whip.

Whip HOYER has a long record of advocating on behalf of our Nation's exporters and their workers. With his leadership, we are here today on the verge of finally passing legislation to reopen the Ex-Im Bank.

Mr. HOYER. Mr. Speaker, I listen to this welfare-state rhetoric. The American public ought to know that 147 Republicans voted to reauthorize the Export-Import Bank just a few years ago under the leadership of Mr. Cantor and myself.

It was not until the ideological—how do I say what has happened in the House of Representatives—when we retreated from bipartisanship and working together, we retreated from pragmatism and we repaired to ideological hideboundness. Those are pretty tough words, I understand that.

You have 147 Republicans and every Democrat, 330 Members of the House of Representatives, voting to reauthorize this bill just a few years ago. This rhetoric that I hear now that somehow this is selling out to the welfare state is a little difficult for me to believe.

I know it has become an issue for some hardline groups, and this is not just for big business or medium business or small business. This is for American jobs, the little people.

Do big people provide jobs for little people? Yes, they do. Do we want that done? Yes, we do. Should we, therefore, be competitive with the rest of the world who offers subsidies so their corporations, so their medium-sized businesses, so their small businesses can create jobs for people?

Mr. Speaker, 330 of us voted to reauthorize this just 3 years ago, but we have had some immaculate awareness that this is somehow preening to the welfare state.

Let us come together as practical people with common sense who want to be competitive with the rest of the world. Let's pass this bill. The House is for it. The majority is for it. It has been bottled up, which has not allowed the majority to work its will.

Today, through the courage of Mr. LUCAS, Mr. FINCHER, and others, the majority will work its will. Isn't that wonderful.

I urge my colleagues to support this bill.

Mr. HENSARLING. I reserve the balance of my time.

Ms. MAXINE WATERS of California. I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, the U.S. Export-Import Bank means jobs in the United States of America. From 2007 to 2015, in Ohio, it supported 363 exporters, 263 small businesses, and more

than \$3 billion in value of Ohio exports. Superior Holdings, First Solar, Port Clinton Manufacturing, A.J. Rose Manufacturing, and so many other Ohio companies want to export. They require Ex-Im to do so.

Frankly, in today's world markets, no serious nation can compete without the Export-Import Bank. More than 50 countries have an Export-Import Bank: China, Japan, Germany, India, Korea, France, Brazil, and other competitors.

I support reauthorizing the Ex-Im Bank. It means jobs, and it means business for the USA.

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Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. REICHERT).

Mr. REICHERT. Mr. Speaker, one of America's greatest promises is the promise that, if you work hard and play fair, your opportunities are endless. Thousands of business owners throughout this country have lived by this mantra and sought new opportunities abroad.

When Congress allowed the charter of the Export-Import Bank to expire over the summer, we took away an important tool for American business owners and their employees. They depend upon it. This is about jobs.

Many small companies throughout my region and in my district have relied on Ex-Im Bank. I will name one: Number 9 Hay in a small town called Ellensburg in eastern Washington. A hay company in Ellensburg, Washington, with the support of Ex-Im Bank, was able to expand its business, hire employees, and sell in foreign markets. Otherwise not.

This story is a story of success, of jobs for the small hardworking businesses of America that create 85 percent of our jobs. If we don't act, businesses of all sizes and the people they employ will be threatened.

I support this measure.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman from California has 9½ minutes remaining. The gentleman from Texas has 8½ minutes remaining.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. MACARTHUR).

Mr. MACARTHUR. Mr. Speaker, before I came here, I spent 30 years in the private sector and built a business from about 100-odd people to today about 6,000. I learned that you need capital to grow a business. The Ex-Im Bank provides just that.

Now, if the private sector could provide that, well, this would be a dif-

ferent discussion, but the private sector doesn't. The Ex-Im Bank provides a necessary resource for companies doing business overseas. In fact, I have had lenders tell me they will not loan if the Ex-Im Bank is not already involved.

The Ex-Im Bank supported \$27.5 billion worth of U.S. exports last year and 164,000 jobs. To not reauthorize it is to be shortsighted. I urge my colleagues to remember this is a Republican bill. It deserves our support.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 30 seconds to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I rise today in support of the reauthorization of the Ex-Im Bank. The Ex-Im Bank is a critical resource for Rhode Island manufacturers looking to expand into new markets.

Over the last 8 years, the Ex-Im Bank has provided more than \$20 million to Rhode Island companies for insured shipments, guaranteed credit, and disbursed loans.

I am pleased that, after 4 months of inaction, the House is finally voting to reauthorize this critical institution. I thank my colleagues for their support.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, I certainly rise in support of this legislation that would reauthorize the Export-Import Bank. In my district alone, the Bank's activities have supported thousands of jobs and over \$600 million in export sales.

The financing provided by the Ex-Im has provided critical support to a wide array of industries in Pennsylvania, ensuring that products ranging from major energy components to help LNG exports, to locomotives, to cement equipment, to computers, to electronics, to aircraft are able to continue to be manufactured by Pennsylvania workers.

Developing countries, as we know, don't have very well formed capital markets, and they need this financing to help them buy American products. As our sole credit agency, the Bank provides the security U.S. firms need to access burgeoning markets. It strengthens our trade balance, and it helps to sustain our global market share. It does all this while still returning money back to the U.S. Treasury.

Importantly, this bill incorporates essential reforms that will significantly improve the Bank's risk management and transparency and provide our small businesses with an even greater share of lending support.

For those who talk about Ex-Im Bank creating winners and losers, I

would argue that, by letting the Bank's authority lapse, we have indeed created winners and losers. The losers are now American job creators. The winners are countries like China, Germany, France, Brazil, and the U.K. that continue to support their exporters and welcome the opportunity to increase their market share and domestic manufacturing base in the absence of U.S. competition.

Let's not unilaterally disarm our ability to assist our exporters. Let's show the American people that we continue to govern in a bipartisan and rational manner. Let's pass this bill.

Mr. Speaker, I urge we support this legislation.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY), another important member of the House Committee on Financial Services.

Mr. MULVANEY. Mr. Speaker, we have heard a lot of talk so far today about the Bank, about what the Bank does. We have heard a lot of talk about small business, a lot of talk about the Bank leveling the playing field, a lot of talk about the Bank being that lender of last resort when no one else will step into the breach to help American businesses. Supposedly, that is what this is all about.

That is not what this is about. We had a discussion in the committee earlier this year where I actually suggested amendments that would focus the Export-Import Bank on small business, that would allow the Export-Import Bank to expand its use as a lender of last resort, but that would limit the Bank to true uses to level the playing field, when we really were competing with export credit facilities overseas.

A representative of the United States Chamber of Commerce sat in our committee and said he would oppose every single one of those amendments. Small business is not what this is about. Leveling the playing field is not what this is about. Being a lender of last resort is not what this is about. This is about doing the bidding of the very, very large corporations that have a very, very large lobbying presence in Washington, D.C. That is what this is about. I am just surprised to see who is for it.

We had a chance to actually fix the Bank. No amendments were allowed today. We had a chance to actually focus on small business, a chance to focus on the Bank's role as a lender of last resort, a focus on what the Bank should be doing.

But we will miss that, Mr. Speaker, because we are doing the bidding of other folks. Vote as you will, but let's be honest about what this is and what this is not.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. Mr. Speaker, I want to thank the gentleman from Tennessee

(Mr. FINCHER), my good friend, for his leadership on this bill.

Coming from Illinois' 10th Congressional District, we are the fourth largest manufacturing district in the Nation. The Export-Import Bank is a bank that does finance many small businesses. In fact, 86 percent of the loans that happen in Illinois' 10th Congressional District in the Export-Import Bank go to small businesses.

Yes, Boeing does utilize the Export-Import Bank, and they say, whenever a Boeing plane lands, 19,000 small businesses land with them. There is no question that we talk about jobs and the economy. I hear it constantly. I know my colleagues do all across this body because I have had the opportunity to talk to them. They are talking to their constituents. It is still about jobs and the economy and the uncertainty that is out there.

I had a conversation with a small-business owner who said, "You know what? I can't go to my local community bank and get financing for a tractor that I want to send over to France or Germany."

Consequently, if we don't reauthorize the Export-Import Bank, they are going to take those jobs and they are going to move them overseas. That is the last thing in the world we want, Mr. Speaker.

We want to talk about good, high-paying jobs right here at home. We want to talk about manufacturers that have the ability to be able to create products right here at home, create more jobs right here at home, and send those products all over the world. The Export-Import Bank allows us to do that.

We need to level the playing field and not unilaterally disarm. I urge my colleagues to vote "yes" on the Export-Import Bank and "yes" to American jobs.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, I am proud to give my support to this valiant effort to reauthorize the Ex-Im Bank in an effort that I believe puts first the best interests of American manufacturers, innovators, and entrepreneurs.

We had a vote this year on the TPA, the trade promotion authority. Many of my colleagues that are arguing against the Ex-Im Bank unapologetically stated their intent to give the President new, expansive authority to export U.S. jobs overseas, this amounting to millions of jobs sent overseas, all in the name of trade and globalization.

If you want to talk big business, I ask my friends that are against the Ex-Im Bank to look at that vote. Many of

those in that contingent who voted for the trade promotion authority—and are going to vote for the big trade deal we have coming up—are now trying to say there is something inherently wrong with trying to underwrite U.S. exports through the Ex-Im Bank, although the vast majority of Bank loans support small business.

In my district alone, in eastern San Diego, you have nine companies—no Boeings, no GE's. Over 400 jobs, \$60 million in exports, all underwritten by the Ex-Im Bank.

I have heard a lot of people quoting Ronald Reagan. Here is what he said about the Ex-Im Bank:

"Exports create and sustain jobs for millions of American workers and contribute to the growth and strength of the United States economy. The Export-Import Bank contributes in a significant way to our Nation's export sales."

I urge my colleagues to support this effort.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Speaker, I thank everybody on both sides of the aisle for their hard work in getting this very important thing done.

I flew to Ethiopia about 6 months ago, and I flew on a Boeing airliner—there is a lot of talk about Boeing here—but I didn't fly on an Airbus. What that represented to me was a lot of jobs that Boeing provides to people, but a lot of jobs in my district of small suppliers that supply to Boeing. I think that is something that has been lost in this whole debate.

There has been a lot of negativity, a lot of negative talk. I want to tell you about something positive, and that is the thousands of people who work in my district who don't have to worry about getting a pink slip tomorrow or the next day because they know that their manufacturing job is secure because of our future and our powerful ability to export around the globe.

While I know this has been a controversial process and I have respect for everybody on all sides of this issue, I would beg my colleagues, let's move forward in a bipartisan way. Let's reauthorize Ex-Im Bank, and let's go ahead and move ahead with the business of the American people.

Mr. HENSARLING. Mr. Speaker, I yield myself 10 seconds to quote President Ronald Reagan on March 23, 1985:

"Why won't the Congress stop its export subsidies to a handful of corporations which account for less than 2 percent of US exports?"

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. COLLINS).

Mr. COLLINS of New York. Mr. Speaker, I rise today in strong support of the Export-Import Bank, which supports hundreds of thousands of American jobs, returns a profit to the United States Treasury, and ensures U.S. exporters can compete on a level playing field in the global market.

I came to Washington as a small-business owner, dedicated to expanding job opportunities for western New Yorkers. Unfortunately, due to misinformation and misguided outside interests, Bank opponents have shut down a government program that directly aids American jobs.

The Export-Import Bank supports thousands of jobs in western New York and numerous small businesses in the 27th Congressional District. These companies provide real jobs in western New York, good-paying jobs that will be lost if the Ex-Im Bank is not reauthorized soon.

The fact is exports drive job growth in the United States. When a company sells abroad, their employees, suppliers, and communities grow at home. Reauthorizing the Ex-Im Bank is vital for manufacturers of all sizes to grow and prosper in a competitive world economy. That is why I fully support reauthorizing the Ex-Im Bank and urge my colleagues to do the same.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore. The gentlewoman from California has 2½ minutes remaining. The gentleman from Texas has 6¼ minutes remaining.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield the balance of my time to the gentleman from Tennessee (Mr. FINCHER), a member of the Committee on Financial Services.

I want to just take time to thank him and Representative LUCAS for their courage and their leadership in making this vote possible today.

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Mr. FINCHER. Mr. Speaker, I thank the gentlewoman from California for yielding. A lot of times we don't see eye to eye, but we have a fair and spirited debate. This time we do, and I appreciate her willingness to support me in this effort.

We have talked a lot today about many different things, but I am going to end on the note of facts. And so many times in Washington, the facts get lost.

A few minutes ago, my colleague from Wisconsin, a friend of mine, one of my colleagues from Wisconsin, who probably will be the next Speaker of the House, stood up and, really, spoke against our efforts in trying to save the Export-Import Bank.

I was reminded of just a few years ago, of a couple of very serious votes

that happened in the House: one was the automotive bailout, and one was TARP.

I have a quote from the gentleman from Wisconsin:

The TARP vote was necessary in order to preserve this free enterprise system. If we fail to do the right thing, heaven help us.

Now, Mr. Speaker, let me say, none of us are perfect. I am a long way from perfect. You ask my wife and she will tell you.

But we are here to make the government work better, make it more accountable, make it smaller, and make sure the environment in the country is better for job creation and the job creators to create jobs. That is what the Export-Import Bank does.

The facts are, it doesn't cost the taxpayer a dime. The facts are, it returns money to the Treasury every year. The facts are, this is a Republican reform bill. We are fixing almost everything that has been—almost every problem that has been raised we are addressing in this reform bill.

Those are the facts, Mr. Speaker. Eighty years old; 60 other countries have them. This is about us being competitive all around the world and making sure that we keep American jobs here at home.

I urge my colleagues today, on both sides of the aisle, let's put American workers first. Let's make sure that we are working for the folks back home in our districts. Let's put these politics aside for today and put the country forward.

Ms. MAXINE WATERS of California. I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

We had a rather spirited debate here between those who believe the Ex-Im Bank is about economic development and trade, and those who believe it is about corporate welfare, cronyism, and an unfair economy.

For those who claim that the Ex-Im Bank creates jobs, the Congressional Research Service would tend to beg to disagree and citing economists who say they largely rearrange jobs. We know for a fact they have rearranged jobs away from Delta because they have said they have lost jobs when the Ex-Im Bank subsidizes Air India.

Valero Refining, in my native Texas, has said they lose jobs in America when the Ex-Im Bank will subsidize a Turkish competitor.

Cliffs Natural Resources of Cleveland, Ohio, will say they lose jobs when the Ex-Im Bank subsidizes an Australian competitor, which has caused economist Donald Boudreaux to say, at best, the Ex-Im Bank creates jobs in export industries by destroying jobs in non-export industries.

How is that fair? How is that fair, Mr. Speaker?

We are told that the Ex-Im Bank makes money for the taxpayers. Well,

yes, if you use special insider Washington accounting rules. But if you use fair value accounting, something that the rest of America has to use, the Congressional Budget Office says that it actually loses money, and in fact, it has received an actual bailout from the Federal taxpayers before.

We are told they help small business. And you know what? That is true in a number of cases. But yet two-thirds of the benefits go to Fortune 500 companies like Boeing, like GE. They are great companies with great people doing great things.

I just wonder why they have to receive taxpayer subsidies?

And 40 percent goes to benefit one company, Boeing; that is why it is affectionately called the "Bank of Boeing."

So I know it helps some small businesses, but other small businesses aren't too fond of the Ex-Im Bank.

We hear from the chairman of Michael Lewis Company in McCook, Illinois: "Over the long run, Ex-Im subsidies for foreign carriers creates a tilted playing field that means fewer U.S. airlines jobs—which translates into economic pain for thousands of businesses like ours and our employees."

That is the voice of small business.

Chris Rufer, founder of the Morning Star Company: "When a company profits from the Bank's support, it pockets the money. If it defaults, taxpayers' pockets gets picked . . . it is private gain at the expense of public pain."

That too, is the voice of small business.

We are told that as long as global competitors do this, well, we have to do it. I mean, that is an argument I hear from my children: everybody else is doing it, so we have to do it.

But the truth is, almost two-thirds of the Ex-Im Bank book has nothing to do with a countervailing duty. And almost 99 percent of all U.S. exports, Mr. Speaker, are financed without the Ex-Im Bank.

So we need to help our exporters. We need to help our small businesses. But the way we do that is through expanded trade. It is through fundamental tax reform that the National Association of Manufacturers has said is 50 percent of our competitive disadvantage.

Let's make a fairer, flatter, simpler Tax Code. Let's have regulatory reform with the REINS Act. Let's pass the Keystone pipeline and drive energy prices down and become more competitive that way.

So the arguments of those who propose to support the Ex-Im Bank—and these are good people, and I know they believe in their hearts and heads in what they are doing. But I don't think their arguments bear scrutiny. They don't stand up to the light of day because the true face of the Ex-Im Bank is about cronyism. It is about mis-

placed priorities. It is about foreign aid. It is about corruption.

Again, this is a bank that benefits a handful of Fortune 500 companies that lobby and lobby well. Now, I would defend their First Amendment right to do it. I just wish they would lobby for more competition and more freedom and not subsidy and special privilege.

We know that so much of this support, Mr. Speaker, ends up in countries like China and Russia. We asked the chairman of the Export-Import Bank: So we are supposed to compete with China by subsidizing China?

And, Mr. Speaker, you know what his answer was? Well, it is complicated.

No, Mr. Speaker, it is not complicated; it is stupid. It is stupid for us to subsidize China in the thought that somehow we are going to compete with China.

Almost \$1 billion to the Democratic Republic of the Congo, which Freedom House says is the third worst human rights offender in the world.

The cronyism, money to Solyndra, money to Enron, \$33 million to a Spanish green energy company that Bill Richardson, former Energy Secretary, sat on the advisory board of the Ex-Im Bank and then sat on the advisory board of the Spanish green energy company.

How cozy. The Fannie and Freddie business model.

Corruption, the last 6 years, 75 years total prison time, 90 criminal indictments, 49 criminal judgments. One employee just recently pleaded guilty to 19 counts of bribery.

Mr. Speaker, the genius of our system, the fairness of our system is about the free enterprise system. It is not about crony capitalism. Your success in America should depend upon how smart you work and how hard you work on Main Street, not who you know in Washington.

Crony capitalism is a threat to our free enterprise system. This is America. If you dream big dreams, if you play by the rules, you can make it on Main Street. But not in this Washington insider economy. And there is no better poster child of the Washington crony economy and corporate welfare than the Export-Import Bank.

So I have no doubt that an overwhelming number of Democrats are going to support the reauthorization of the Export-Import Bank. They are always happy to allocate credit and our economy as part of a political process. They are always happy to subsidize corporate America, as long as they can also regulate and control it. But that is not fair to the people on Main Street.

It is the free enterprise system which is fair. It is the free enterprise system which is moral. It is the free enterprise system which is based on merit. It is the free enterprise system which is empowering to people. It is the only economic system that frees ordinary people to achieve extraordinary results.

So, Mr. Speaker, that is what this debate is all about. It is about a fair economy for everybody in America: those who can't afford the high-priced lobbyist in Washington, D.C., and those who want to work hard and play by the rules.

It is time for us to say "no" to crony capitalism, say "yes" to free enterprise, say "yes" to a fair economy, and reject the Export-Import Bank.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 450, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. NORTON. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. NORTON. I am.

Mr. HENSARLING. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Norton moves to recommit the bill H.R. 597 to the Committee on Financial Services.

The SPEAKER pro tempore. The gentlewoman from the District of Columbia is recognized for 5 minutes.

Ms. NORTON. I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. LUCAS. Mr. Speaker, I wish to claim time in opposition to the motion to recommit.

The SPEAKER pro tempore. Does the gentleman from Texas seek recognition?

Mr. HENSARLING. Yes, I wish to seek time in opposition.

POINT OF ORDER

Mr. LUCAS. Mr. Speaker, I make a point of order.

The SPEAKER pro tempore. The gentleman from Oklahoma will state his point of order.

Mr. LUCAS. Mr. Speaker, in order to seek time in opposition, wouldn't the gentleman or gentlewoman have to be opposed to the motion to recommit?

The SPEAKER pro tempore. Time in opposition is reserved for an opponent.

Mr. LUCAS. So, Mr. Speaker, would it be in order to reaffirm that whoever ultimately claims the time is, indeed, in opposition to the motion to recommit?

The SPEAKER pro tempore. The Chair would ascertain that before granting recognition.

Does the gentleman from Texas seek recognition in opposition to the motion to recommit?

Mr. HENSARLING. Yes, I have sought time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, if the gentleman from Oklahoma, another valuable member of the House Financial Services Committee, who I know we are on opposite sides of this issue, if the gentleman would like time to speak, I would be happy to yield to the gentleman.

Mr. LUCAS. Will the gentleman yield for a brief response?

Mr. HENSARLING. I yield to the gentleman from Oklahoma.

Mr. LUCAS. Mr. Chairman, I very much appreciate the opportunity to respond. I think that probably it is better that you finish the discussion.

Mr. HENSARLING. Okay. The gentleman declines.

The SPEAKER pro tempore. Does the gentleman wish to yield back?

PARLIAMENTARY INQUIRIES

Mr. MULVANEY. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Texas yield to the gentleman from South Carolina?

Mr. HENSARLING. Yes, I yield to the gentleman from South Carolina for his parliamentary inquiry.

Mr. MULVANEY. If this is not dilatory, what is the effect of passing this motion to recommit?

I so often hear the preface, "This doesn't send it back to committee; it doesn't kill the bill."

The SPEAKER pro tempore. If adopted, the motion would recommit the bill back to committee.

Mr. MULVANEY. So passing this motion to recommit would send this bill back to committee?

The SPEAKER pro tempore. That is correct.

Mr. MULVANEY. For how long?

The SPEAKER pro tempore. The motion does not put a time limit on the committee to consider the bill.

□ 1615

Mr. MULVANEY. Fair enough.

Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. Does the person offering this motion represent to this body that they are in favor of this motion in order to qualify?

The SPEAKER pro tempore. The gentlewoman qualified by stating her opposition to the bill.

Mr. MULVANEY. Fair enough.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas may continue.

Mr. HENSARLING. Again, Mr. Speaker, I would say we are having a debate on the underlying bill that has been vigorously debated on both sides.

The motion to recommit, if people are genuinely interested in looking for an opportunity for an amendment process that was denied as the discharge petition came to the floor.

I have served under many committee chairmen on the Financial Services Committee. I have never known one to bring a bill through committee that was not supported by a majority of their members, and I did not bring this bill because it was not supported by a majority of Republican members.

I understand the ability to use this discharge petition; and if people are looking for opportunities to amend, I wish it would have been done in the discharge petition.

But if it is the will of the House to send this to committee, the committee has had three different hearings on the Ex-Im Bank already—a couple of them in conjunction with the Oversight and Government Reform Committee—and I would be happy to have even more hearings on the subject and listen to the new points that have been brought about by this debate.

I yield to the gentleman from South Carolina (Mr. MULVANEY).

PARLIAMENTARY INQUIRY

Mr. MULVANEY. Mr. Speaker, I rise for the purpose of making another parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. The reason I am confused is, I do so often hear that introduction, the MTRs won't kill; it won't send it to committee; it will proceed immediately forthwith to the House for a vote.

So here is my question on a parliamentary inquiry basis. If the MTR is passed, I understand from your previous ruling that the bill goes back to committee. Is it amendable in committee? Or does it immediately return forthwith to the House for a vote?

The SPEAKER pro tempore. The bill would return to the committee for its consideration.

Mr. MULVANEY. And the committee has full control over that piece of legislation?

The SPEAKER pro tempore. The committee would have the bill before it again.

Mr. HENSARLING. Mr. Speaker, again, I appreciate the gentleman from South Carolina making his parliamentary inquiries. I think it has helped clarify the matter.

At this point, if it is the will of the House to send this back to committee, I look forward to the vote and would be very happy to reconsider this in committee.

I yield back the balance of my time.

PARLIAMENTARY INQUIRY

Ms. MAXINE WATERS of California. Mr. Speaker, parliamentary inquiry.

I wish the Chair would clarify that there will be a vote taken on the motion to recommit and that, should that fail, this will not go back to the committee under any circumstances. Is that correct?

The SPEAKER pro tempore. If the motion is not adopted, the bill will not return to committee.

Ms. MAXINE WATERS of California. Well, if I may, you just said what I said in reverse. And I just wanted it to be clear.

As the chairman of the committee tried to state that he would be willing to hold hearings and do what he has not done as we have tried to consider this, that if, in fact, this body does not support it going back to committee, he has no opportunity to try to do what he has not done in the process. Is that correct?

The SPEAKER pro tempore. If the motion is not adopted, the Chair plans to proceed. The next step would be the question of passage of the bill.

Ms. MAXINE WATERS of California. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Without objection, the previous question is on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, further proceedings on this question will be postponed.

VACATING DEMAND FOR YEAS AND NAYS ON MOTION TO RECOMMIT

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent to withdraw my request for the yeas and nays on the motion to recommit to the end that the motion stand disposed of by the voice vote thereon.

The SPEAKER pro tempore. Without objection, the ordering of the yeas and nays is vacated, and pursuant to the earlier vote by voice, the motion is not adopted.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. MAXINE WATERS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PARLIAMENTARY INQUIRY

Mr. HENSARLING. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HENSARLING. Since I withdrew the request for the yeas and nays on the motion to recommit, then would it be possible for the ranking member, the gentlewoman from California, to withdraw her request for the yeas and nays on the underlying bill, should she so choose?

Ms. MAXINE WATERS of California. Mr. Speaker, that is wishful thinking on the part of the chairman. I will not.

RETAIL INVESTOR PROTECTION ACT

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 491, I call up the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 491, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-31 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1090

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Retail Investor Protection Act".

SEC. 2. STAY ON RULES DEFINING CERTAIN FIDUCIARIES.

After the date of enactment of this Act, the Secretary of Labor shall not prescribe any regulation under the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) defining the circumstances under which an individual is considered a fiduciary until the date that is 60 days after the Securities and Exchange Commission issues a final rule relating to standards of conduct for brokers and dealers pursuant to the second subsection (k) of section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o(k)).

SEC. 3. AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934.

The second subsection (k) of section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o(k)), as added by section 913(g)(1) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.), is amended by adding at the end the following:

"(3) REQUIREMENTS PRIOR TO RULEMAKING.—The Commission shall not promulgate a rule pursuant to paragraph (1) before—

"(A) providing a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate describing whether—

"(i) retail investors (and such other customers as the Commission may provide) are being harmed due to brokers or dealers operating under different standards of conduct than those that apply to investment advisors under section

211 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-11);

"(ii) alternative remedies will reduce any confusion or harm to retail investors due to brokers or dealers operating under different standards of conduct than those standards that apply to investment advisors under section 211 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-11), including—

"(I) simplifying the titles used by brokers, dealers, and investment advisers; and

"(II) enhancing disclosure surrounding the different standards of conduct currently applicable to brokers, dealers, and investment advisers;

"(iii) the adoption of a uniform fiduciary standard of conduct for brokers, dealers, and investment advisors would adversely impact the commissions of brokers and dealers, the availability of proprietary products offered by brokers and dealers, and the ability of brokers and dealers to engage in principal transactions with customers; and

"(iv) the adoption of a uniform fiduciary standard of conduct for brokers or dealers and investment advisors would adversely impact retail investor access to personalized and cost-effective investment advice, recommendations about securities, or the availability of such advice and recommendations.

"(4) ECONOMIC ANALYSIS.—The Commission's conclusions contained in the report described in paragraph (3) shall be supported by economic analysis.

"(5) REQUIREMENTS FOR PROMULGATING A RULE.—The Commission shall publish in the Federal Register alongside the rule promulgated pursuant to paragraph (1) formal findings that such rule would reduce confusion or harm to retail customers (and such other customers as the Commission may by rule provide) due to different standards of conduct applicable to brokers, dealers, and investment advisors.

"(6) REQUIREMENTS UNDER INVESTMENT ADVISERS ACT OF 1940.—In proposing rules under paragraph (1) for brokers or dealers, the Commission shall consider the differences in the registration, supervision, and examination requirements applicable to brokers, dealers, and investment advisors."

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 114-313, if offered by the gentleman from Massachusetts (Mr. LYNCH), or his designee, which shall be considered read, and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and submit extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume simply to say, Mr. Speaker, at

one time this administration told us, if you liked your doctor, you could keep them. Now this same administration is telling us, if you like your financial adviser, you can keep them. The first promise was broken, and now they are in the process of breaking the second promise due to something called the Department of Labor fiduciary rule.

It will take away investment advice from hundreds of thousands, if not millions of low- and moderate-income people all around the Nation who rely upon this advice to save for retirement. This is something that should be considered by the Securities and Exchange Commission, and there has been outstanding work by the gentlewoman from Missouri (Mrs. WAGNER) who has been at the forefront of protecting retail investors, the small moms and pops planning for their retirement.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Missouri (Mrs. WAGNER).

□ 1630

Mrs. WAGNER. I would like to thank Chairman HENSARLING and Subcommittee Chair GARRETT for their support on this tremendous issue.

Mr. Speaker, today I am pleased to stand before the House as the sponsor of H.R. 1090, the Retail Investor Protection Act. This important legislation that I have sponsored and worked on for 3 long years now came about after my colleagues on the Financial Services Committee and I, along with Member of Congress on both sides of the aisle saw the potential negative effects that this rulemaking from the Department of Labor could have on millions of Americans seeking advice on how to invest their retirement savings.

For that reason, we felt it was important to put the Securities and Exchange Commission—the primary and expert regulator for these financial professionals—in charge of studying and writing the rules on this issue. This isn't such a radical idea. In fact, this is what Congress intended when they included section 913 in the Dodd-Frank financial reform bill.

Mr. Speaker, the same legislation received the support of 30 House Democrats last Congress, and, once again, I hope that they heed the concerns and the warnings that their constituents have provided them about the dire consequences this rule will have on Americans' retirement savings.

Make no mistake. There is a savings crisis in this country. About half of all households age 55 and over have no retirement savings at all. How does this happen?

Unfortunately, for many people, like that single mother of two who gets paid on the 15th and 30th of each month, there is just too much month at the end of the money after paying for mortgages, groceries, medical bills, and other expenses, and saving for re-

tirement ultimately gets pushed off until the next month and the next month and so on.

For many American households, a trusted financial adviser is the key link to helping them see the benefits in saving early and helping them realize how to save and grow their investment. The vast majority of those financial professionals already provide advice and recommendations that are in the best interest—the best interest—of their clients.

Unfortunately, this rulemaking from the Department of Labor could potentially cut access, limit choice, and raise costs for that kind of financial advice, putting the goal of retirement even further out of reach.

The Department of Labor states that this rule simply would require financial advisers to act in the best interests of their customers. Well, who would argue with that? Unfortunately, when you start to get into the over 1,000 pages of regulatory text with the exemptions and addendums, it becomes clear that it isn't quite that simple.

The increased compliance burdens and further legal liability that will be required under this regulation will make it very difficult for many brokers to continue servicing small accounts, which predominantly belong to low- and middle-income Americans who are just starting to save and haven't built up their retirement nest egg.

Mr. Speaker, 98 percent of all IRAs with less than \$25,000 are in a brokerage relationship today. For that reason, this rule will actually hurt the very people that it aims to protect. We must not play politics with their retirement savings, and that is what this administration is doing.

We have already seen this happen in the United Kingdom. They enacted a similar regulation in 2013, and we have seen since then over 300,000 clients dropped by their financial advisers because their account balances were too small.

Now the U.K. Government is launching an investigation into the "advice gap" that exists for those people who do not have significant wealth. With this regulation from the Department of Labor, the same thing will happen here in the United States of America where there will be two different classes of investors, those who can afford financial advice and those who cannot.

Mr. Speaker, this is not a Wall Street issue. This is as Main Street as it gets. Washington should not be making it more difficult for Americans to save for retirement. Instead, we need to empower people to earn more and save more and have choices for where to get their help in making their financial decisions. Unfortunately, the Department of Labor is following along with everything else we have seen under the Obama administration, a top-down, Washington-knows-best-for-you gov-

ernment, whether it is what you see in your health care that you need, the food that you can eat, and now whom you can talk to for the financial advice for your retirement savings.

According to President Obama, Senator ELIZABETH WARREN, and now even Secretary Hillary Clinton—who are all big supporters of this DOL fiduciary rule—the only person whom you actually need to be protected from ultimately is yourself. I strongly disagree. I give the American people a lot more credit than that, and I refuse to stand by and let this administration advance another onerous regulation that ultimately takes your freedoms, makes decisions for you, and brings us closer to a government-planned life.

Mr. Speaker, I strongly support H.R. 1090, the Retail Investor Protection Act, and I urge its passage.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1090 would halt the Department of Labor's ongoing efforts to protect American retirement savers from investment advice that conflicts with their best interests.

The bill would prohibit the Department from promulgating any rule on the issue until 60 days after the Securities and Exchange Commission finalizes its own fiduciary rule for investment advisers and broker dealers.

The bill would then delay the SEC's long overdue rulemaking by requiring the Commission to first report to Congress a separate economic analysis that, among other things, considers how a new standard would affect a broker's profit.

These delays are unacceptable and ignore the real issue that the Department is trying to address: conflicted retirement investment advice that costs our Nation's workers and retirees an estimated \$17 billion a year.

The Department's rulemaking would do so by requiring persons providing retirement advice to put the interests of their clients ahead of their own and abide by a fiduciary duty, the same duty that we expect from our doctors, lawyers, and trustees.

Simply put, a financial adviser should not be paid more for recommending one product over another, but should abide by a fiduciary standard of care. Would you be comfortable if your doctor was paid more for an office visit for recommending one drug over another or for a lawyer to be paid more for interpreting the law one way or the other? No, of course not. Yet, we allow these same conflicts to exist with those that are providing millions of hard-working Americans with advice on their retirement savings.

These conflicts encourage investors to, for example, push a 70-year-old retiree to invest more of her savings in a stock fund rather than a less risky short-term bond fund simply because

the adviser receives 150 percent more for making the riskier recommendation.

Such a commonsense update in the law to address these conflicts is long overdue and, indeed, at the Department, is over 5 years in the making. During that time, the Department has published an initial 2010 proposal, solicited feedback, held public hearings on that proposal, and issued even a reproposal this past spring.

Since that reproposal was published, the public and interested stakeholders have had 164 days of public comment, 4 full days of multi-panel public hearings, and ample opportunity to meet with the Department, which held over 100 meetings with interested stakeholders, not including meetings with Members of Congress.

Thanks to the Department's diligence and willingness to listen to stakeholder concerns, the proposal now enjoys broad support, including support from 95 financial services groups, public interest, civil rights, and consumer organizations, labor unions, and many investment advisers who are already providing advice to savers under a fiduciary standard. These groups range from the AARP, Public Citizen, the Consumer Federation of America, to the Financial Planning Coalition, among many others.

All this points to the Department's tangible efforts to take a balanced, measured approach to developing a rule that works. I fully support their efforts to continue to work towards its completion not only because it is necessary, but because it just makes common sense.

What is more, the need to update the law quickly is urgent. Hardworking Americans lose an estimated \$17 billion per year—or \$47 million per day—to conflicted retirement investment advice.

While we should clearly encourage the Securities and Exchange Commission to also update its own rules on investment advice over securities, we should not make retirement savers wait any longer for protection by hinging the DOL's rulemaking to the SEC's, as H.R. 1090 would do.

Mr. Speaker, I support the Labor Department's efforts to finalize a rule and urge my colleagues to vote "no" on H.R. 1090.

Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. GARRETT), the distinguished chairman of our Capital Markets and Government Sponsored Enterprises Subcommittee.

Mr. GARRETT. Mr. Speaker, I thank the chairman.

I thank Mrs. WAGNER as well.

As you know, Mr. Speaker, the Department of Labor's fiduciary rule is built upon faulty assumptions, faulty

analysis, and faulty understanding basically of how the retirement system actually works in this country. It is really consistent with other policies of this administration.

This rule will have a disparate impact and a negative impact upon middle class Americans and minorities in this country, many of whom will find it difficult, if not impossible, to receive guidance from a financial professional for their retirement.

This is not me saying this. The Department of Labor's own analysis shows that investors who do not work with a professional will risk making mistakes that cost them up to \$100 billion.

So today, Mr. Speaker, Congress has an opportunity to stand up on behalf of struggling American families and support this legislation.

We have proof to show that this legislation really is necessary because we had folks coming to Washington to testify about it who supported the DOL rule. They said do not worry. They said that, if the traditional brokerage firms can't live with a simple fiduciary standard and refuse to serve modest savers, so be it. Other financial professionals such as them on and off the Web who embrace the client-first approach stand ready to help Americans prepare for a secure retirement. Well, that was Rebalance IRA.

Someone went to that company, a modest American, and said, "Will you service us?" This was their response: "If you have scheduled a call with us, I want you to be aware that, as much as we would enjoy discussing your retirement goals, until you have at least \$100,000 in a retirement account, our service at this time is not really the best solution for you. Our fees will absorb too much of your investment return, which runs counter to our mandate to help you to retire."

So, Mr. Speaker, the very same people who say the system will work under the DOL guidelines prove that, when people of modest means—Americans who are simply trying to scrape by each week and each month and put a little bit away—will not have that investment advice which their very own Department of Labor says is necessary to get by and to fulfill the American Dream.

The Retail Investor Protection Act will restore regulation to the market to where it belongs: with the SEC. It will prevent the Department of Labor from worsening the retirement savings crisis that our country is facing. I say support the American Dream. Support this legislation.

Ms. MAXINE WATERS of California. I yield 3 minutes to the gentlewoman from Wisconsin (Ms. MOORE), the ranking member of the Monetary Policy and Trade Subcommittee on the Financial Services Committee.

Ms. MOORE. I thank you so much, Madam Ranking Member.

Mr. Speaker, I rise in opposition to H.R. 1090. I must say to Representative WAGNER she is correct when she says that there were 30 Democrats—I am one of them—who supported similar legislation, but that was before the Department of Labor repropoed the conflict of interest rules, gave us sort of an unprecedented 164-day comment period during the reproposal, and they withdrew the original 2010 proposal and put forward the repropoed rule in 2015, 5 years. As we discussed it, they have committed to making considerable improvements.

Now, the SEC has yet to begin the process of a related rulemaking 5 years after the Department of Labor began the process, and they have made it really clear that they don't think they will get to it.

I do want to point out—since I have 3 whole minutes here—that it has been very difficult to get the majority party to agree to providing the SEC with the needed resources that would, in fact, enable them to undertake the work that the Department of Labor has already put forward on this. So I don't think we should wait until after the SEC acts to issue a rule. And this legislation before us would only delay these important consumer protections.

The Department of Labor has received a lot of feedback, especially from me. Mr. Speaker, I have been extremely vocal in highlighting areas, some of them which you have heard on the other side mentioned here today—very vocal on the repropoed rule where I think it needs to be improved and, in fact, led a letter to the Department of Labor with 96 Democratic colleagues signing on to that letter.

□ 1645

However, I do think that the time is now for Congress to partner with the DOL, with industry, and with retirement savers toward the best possible final rule to encourage and protect retirement savings.

Now, I want to mention that the overwhelming majority of advisers are good people with their clients' best interest at heart. In fact, no one in this debate is suggesting that we don't support policy which puts the best interest of the client first and foremost. But when financial advisers are unscrupulous, they have a devastating impact on retirement savers.

Further, when advisers are responding to skewed incentives that encourage conflicts and put clients in products, that may be okay for the client, but placement in these products are driven primarily by the adviser's bonus.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. I yield the gentlewoman an additional 30 seconds.

Ms. MOORE. The DOL rule that is being repropoed seeks to mitigate

these conflicts of interest so that the best advisers in companies get clients and compensation based on the best interest and the outcomes for their clients.

I think that this is a backdoor approach to kill the rule, any rule, and it will leave gaping loopholes in Federal laws.

My advice to my colleagues is that we defeat this bill.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY), chairman of the Oversight and Investigations Subcommittee of the Financial Services Committee.

Mr. DUFFY. Mr. Speaker, we, before this debate, were having a debate on the Ex-Im Bank, and I made a point about my friends across the aisle standing up for big businesses, the cynicism between big government and Big Business. In this debate, they have a chance now to stand with small investors, the men and women around this country who put a little bit away every paycheck to hopefully have a little nest egg for their retirement, to stand with those people to make sure that when they get to their retirement, they have a nest egg that is worth something, and to make sure that those folks have advice along the way.

The way the Department of Labor rule is structured is that most Americans aren't going to be able to get advice from a financial adviser; they are going to be driven to a robo-adviser. What that means is they are going to have to go to a Web site, answer about 6 to 10 questions, and the Web site will pump out a generic investment suggestion for them. No personally tailored advice from a financial adviser.

That also has another effect. Think last month or 2 months ago in August when we had market movement. A lot of people get freaked out and they sell. But if you have an adviser, they say: Hold on. No, no, no, we have a long-term plan here. Don't sell, don't sell. Hold on. We are going to weather this storm together.

But is a robo-adviser, the text from the computer, going to calm your nerves so that you don't sell your portfolio? This doesn't work for the American people.

What the Department of Labor is doing is saying: If you are wealthy, if you have a lot of money, if you have a big nest egg, then you can get advice. But if you are poor or middle class, a middle-income American, you are not entitled to the same advice of the wealthy and the powerful.

I am mostly concerned about one other point here, is that if this rule goes into effect and less Americans save and have less return on their investment, when they get to their retirement years, they are going to be more reliant on the government. We want people less reliant. We want peo-

ple to take more responsibility so they have a nest egg to fund their retirement years, pay for themselves. The way this is structured, you will have less people doing that and more people looking to the government for care. I guess that is a greater debate that we have in this institution: Do we want more people relying on the government?

I think the only conclusion I can draw with your support for this rule is, absolutely, yes. That is a wrong approach. We come from a long line of people who believe in self-reliance, in taking care of ourselves and our family. This rule from the Department of Labor is bad. Let's fix it with this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the ranking member of the Subcommittee on Capital Markets of the Financial Services Committee.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the ranking member for yielding and for her leadership on this issue.

Mr. Speaker, I include in the RECORD over 95 investor protection and consumer protection groups who adamantly support the position of the Department of Labor rule that protects investors and consumers.

SAVE OUR RETIREMENT,
October 26, 2015.

OPPOSE H.R. 1090, THE MISNAMED "RETAIL INVESTOR PROTECTION ACT"

DEAR REPRESENTATIVE We are writing as organizations that strongly support the Department of Labor's (DOL) efforts to strengthen protections for working families and retirees by requiring the financial professionals they turn to for retirement investment advice to act in their best interests. As such, we oppose H.R. 1090, the misnamed "Retail Investor Protection Act," and urge you to vote NO when the bill is considered on the House floor.

H.R. 1090 is a clear attempt to thwart DOL action by making the Department wait for years and possibly indefinitely until after the Securities and Exchange Commission (SEC) finalizes a rule under securities laws—a process that the SEC has not yet initiated. And, to further delay action, the bill imposes on the SEC new requirements to engage in further economic analysis, beyond the extensive analysis it has already conducted, and make formal findings before promulgating a rule. By impeding DOL's efforts, this bill would in no way protect retail investors; instead, it would protect those financial professionals who take advantage of loopholes in the law to profit at their clients' expense.

This approach would effectively cripple DOL's ability to fulfill its unique and critical regulatory role under ERISA. When Congress enacted ERISA, it intentionally set a higher standard for protecting retirement assets than applies to other investments. There are good reasons to do so. Retirement assets are special, as evidenced by the fact that they are heavily subsidized by the government through the tax code. These tax subsidies should flow to individuals, not financial firms, and should not be depleted by conflicts of interest.

Retirement savers who are struggling to fund an independent and secure retirement need financial advice they can trust is in their best interest. Today, neither our securities regulations nor the rules under ERISA provide that assurance. Instead, both sets of regulations expose retirement savers to recommendations from conflicted advisers who are free to recommend products based on their own financial interests rather than those of their customers. The DOL proposal—which combines a best interest standard with meaningful restrictions on the practices that undermine that standard—offers significant progress toward addressing this problem. There is no reason to force the DOL to wait for the SEC, since only the DOL has the authority and expertise to close the loopholes in the ERISA rules.

DOL has succeeded in crafting a balanced rule that provides much needed new protections for retirement savers while providing the flexibility necessary to enable firms operating under a variety of business models to comply. While adjustments can and doubtless will be made to clarify and streamline certain of the rule's operational requirements, the rule's overall framework is sound. Contrary to the misinformation that has swirled around the DOL proposal, it actually will help, not hurt, small savers. They need the protections of the best interest standard more than any other workers and retirees, since they can least afford high fees and poor returns on their savings. And if some advisers really do pull back, there are plenty of advisers happy to provide affordable, best interest advice to clients at all income levels.

We can only hope that the SEC eventually will follow DOL's lead and craft a similarly strong and effective rule for non-retirement accounts. But in a nation that faces a retirement crisis, and with DOL ready to act, we cannot afford to wait. We therefore urge you to reject H.R. 1090—or any legislation that would stall, derail or interfere with the DOL rulemaking, which is proceeding under an appropriate deliberative process—and instead support DOL's efforts to finalize a rule based on the sound regulatory approach it has proposed.

Sincerely,

AARP, American Federation of State, County and Municipal Employees (AFSCME), Alliance for a Just Society, Alliance for Retired Americans, American Association for Justice, American Association of University Women, Americans for Financial Reform, Association of University Centers on Disabilities, Better Markets, Center for Community Change Action, Center for Global Policy Solutions, Center for Responsible Lending.

The Committee for the Fiduciary Standard, Consumer Action, Consumer Federation of America, Consumers Union, Fund Democracy, International Association of Machinists and Aerospace Workers, International Brotherhood of Boilermakers, International Brotherhood of Electrical Workers Union, Leadership Conference on Civil and Human Rights, Lynn Turner, former chief accountant, SEC, Main Street Alliance.

Metal Trades Department, AFL-CIO, National Active and Retired Federal Employees Association (NARFE), National Council of LaRaza, National LGBTQ Task Force Action Fund, National Organization for Women, Pension Rights Center, Public Citizen, Public Investors Arbitration Bar Association, Service Employees International Union (SEIU), United Auto Workers, United Steelworkers, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and

Service Workers International Union (USW), U.S. PIRG, Wider Opportunities for Women.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, the Department of Labor's fiduciary duty rule advances a very simple principle: If you are giving advice to retirement savers and you are being compensated for your advice, then you have to put your customers' interests first.

It is worth noting that most investors already think that this is the law, even though it isn't.

So the Department of Labor's rule is a much-needed update of the rules governing investment advice to retirement savers. I would say we have a particular responsibility as legislators to protect retirement savers, which is what the DOL rule does.

While the proposed rule is not perfect, no rule ever is. The Department has been incredibly responsive, very responsive to legitimate concerns that have been raised. They have been more than willing to engage with Congress and with industry and with investors to come up with better solutions.

But this bill before us would effectively stop the Department of Labor's rule in its tracks, which is the completely wrong thing to do if you want to protect investors.

This bill is also redundant, unnecessary, and really reflects a misunderstanding of the law.

One of the core principles of the Employee Retirement Income Security Act, or ERISA, was that investments made for the purpose of retirement security should enjoy special protections under the law. That is what this DOL rule does. This, by definition, means that the protections under ERISA are supposed to be different than the protections under ordinary securities laws. They should be more protective of the retirement investor.

As a result, the SEC and the Department of Labor have different responsibilities. When two agencies have different responsibilities, it is completely appropriate for them to move separately and even to write different rules.

This bill would also require the SEC to conduct yet another study—or I would call it a delay—on a uniform fiduciary standard for broker-dealers. We already required the SEC to conduct a study on this issue in Dodd-Frank, and the SEC staff's recommendation in that study was that the SEC should, in fact, adopt a uniform fiduciary standard for broker-dealers.

Requiring the SEC to conduct largely the same study that they already conducted in 2011—I believe they can move ahead with their own fiduciary rule—is pointless and shows that the true intent of the bill, the underlying bill, is to delay both the Department of Labor's rule and any future SEC rule which ultimately is there to protect the retirement saver and investor.

I urge my colleagues to oppose this bill, and I urge them to vote for investor protections and to protect consumers. I urge a very strong "no" vote.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROYCE), chairman of the House Foreign Affairs Committee.

Mr. ROYCE. Mr. Speaker, I rise today in support of the Retail Investor Protection Act.

The Department of Labor's proposal here is going to harm the very working class Americans that the administration claims that it is supporting.

This is not hyperbole, this is not a hypothetical. I want to give you the real results of what happened in the United Kingdom when it enacted similar regulation in 2013. Here are the disastrous results: 310,000 clients were dropped; 60,000 new investors were rejected; an estimated 11 million potential savers were priced out of advice.

In the face of these facts, the Department of Labor continues to insist on applying the failed philosophy of "government knows best" to retirement savings.

Mr. Speaker, I thank the gentleman from Missouri for her leadership on this, and I urge my colleagues to support this legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. SCOTT), the ranking member of the Education and the Workforce Committee.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to H.R. 1090, the so-called Retail Investor Protection Act.

This bill puts an effective end to the Department of Labor's responsible effort to modernize a fiduciary standard under the Employee Retirement Income Security Act, or ERISA, that was implemented 40 years ago.

As we all know, our country's retirement savings landscape has changed significantly since that time. Forty years ago, the majority of retirement assets were held in defined benefit plans and managed by professionals. Forty years ago, employer-based 401(k) plans did not exist and IRAs had just been established.

Today, Americans have more than \$12 trillion invested in 401(k) plans and IRAs, and they have to make their own financial decisions. Many workers and their families don't have the expertise in managing investment portfolios and so they often have to rely on financial advisers to help them save for retirement.

While many of those advisers do right by their clients, others do not. There is a lot of different financial products that Americans can purchase. Some have extremely high fees, while comparable products—and perhaps even better ones—have lower fees. This current standard allows for unscrupulous advisers to give conflicted advice and push a financial product from

which they will reap a bigger profit even if the product is not in the best interest of their client.

It is individuals with modest retirement savings—many of our constituents—who stand to lose the most from receiving conflicted advice. National Public Radio recently conducted a series that in part highlighted how Americans are losing billions of dollars every year out of their retirement accounts because they are paying excessive fees.

As a hypothetical example, NPR cited a person who invests \$10,000 and that investment makes a 7 percent return every year. Over 40 years, that investment would be worth almost \$150,000. But if you have invested in a fund that charges a 2-percent annual fee, now you have cut the return down from 7 percent down to 5 percent. Over 40 years, your investment would be worth about \$70,000, not almost \$150,000. That is, obviously, a big difference, and that is the kind of insidious erosion of retirement savings that the Department is working to end with their rule.

Since April, the Department of Labor has been engaged in this necessary rulemaking process. The Department has informed us that over that time, it provided the American public a total of 164 days to submit comments; they conducted 4 full days of public hearings; and convened over 100 meetings. That total doesn't account for meetings they have held with Members of Congress.

Now the Department is completing its work on the rule and is taking into account the thousands of comments it received. Here in Congress, we should just let them finish their job.

Millions of Americans rely on financial advisers for advice on how to protect their hard-earned retirement savings, and it is about time that we ensure that those Americans are provided advice consistent with their best interest, not with what would ultimately be in the best interest and profit for the adviser.

I, therefore, urge my colleagues to defeat this legislation.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HULTGREN), a very important member of the House Financial Services Committee.

Mr. HULTGREN. Mr. Speaker, I thank the chairman.

Today, I rise in support of legislation that will protect hard-working Americans' access to retirement advice.

The Labor Department is aggressively pushing a flawed rule which might be a political win for the Obama administration but would come at the expense of Americans trying to save for retirement. This is why I cosponsored the Retail Investor Protection Act.

The administration claims the plan that they have put forward will help

people trying to save for retirement. Instead, it would hurt many of them.

The Labor Department has proposed restricting retirement advice and reducing options for what financial instruments can be used to save for the future.

Most concerning, the regulatory costs would hit those who have had difficulty saving the hardest. One firm in my district with dozens of offices that serve more than 30,000 customers told me that they fear the Labor Department proposal will make it impossible to offer quality services to low- and middle-income customers.

□ 1700

Clearly, the administration has no concept of what these rules will mean for Main Street investors, and they have chosen to ignore the benefits provided by retirement advisers. My constituents tell me they save more because of the advice they get. Relatively simple advice, such as not making irrational decisions in volatile markets, is incredibly valuable, especially for less sophisticated investors. Furthermore, the Department's proposal mentions annuities 172 times, but the Regulatory Impact Analysis does not examine the impact on these financial products.

The Department of Labor is choosing to ignore Congress and the people it claims to protect. On July 29, I sent two separate letters to Secretary Perez. It has now been almost 3 months, and he has done nothing to address the concerns of my constituents.

There are now at least 51 of my colleagues, both Republicans and Democrats, who share my concerns that listed options would no longer be permissible in retirement accounts. The Labor Department claims that they are working closely with the SEC, but during a hearing last Friday, a key witness from the SEC could not provide me with one example of when the Labor Department had included any SEC input.

It is time for the administration to stop restricting where and how Americans choose to pursue financial stability and security. Vote "yes."

Ms. MAXINE WATERS of California. I yield 3 minutes to the gentleman from Texas (Mr. AL GREEN), the ranking member of the Subcommittee on Oversight and Investigations on the Financial Services Committee.

Mr. AL GREEN of Texas. I thank the ranking member for her outstanding work and efforts in this area. The gentlewoman has truly been a champion for people—the very little people who some people have styled we are talking about today.

Mr. Speaker, the best way, without question, to get the SEC to act would be to allow the DOL to act. If the DOL is allowed to promulgate its rules, I guarantee you the SEC will move with an additional amount of deliberate speed.

Currently, the DOL is simply attempting to cause people who act as financial advisers to have fidelity to their clients above their own personal interests. What is so unusual about the concept is the person who is working for you having fidelity that benefits you as opposed to the person who is working for you.

Right now, as the laws exist, a person acting as a financial adviser can become a financial predatory adviser. Not all are. I am not accusing the industry of anything. I am just making a point about what can happen. When this happens, the person who is to give you advice—for a fee, I might add—can sell you a product for a higher fee and that has a higher risk as opposed to a similar product with a lower fee and that carries a lower risk. The higher fee is the temptation that will cause predatory financial advisers to manifest themselves and take actions against the best interests of the clients, who are paying them to represent them and benefit them.

We ought not allow this kind of action to be sanctioned by the Congress of the United States of America. What the President is attempting to do by and through the DOL is to simply say: If you are going to represent your client, you are going to put your interest beneath the client's interest. You will subordinate your interest to your client's interest. You will not allow yourself to yield to the temptation to take a higher amount of money for yourself and put your client at a greater amount of risk.

That is all this rule is about.

Let's allow the rule to come into existence. If we want to debate it thereafter and amend it, we can. But let's not prevent it from ever manifesting itself by causing some to believe that the SEC will do what the DOL will not, because the evidence is not there to support the notion that we are going to get faster results from the SEC.

Finally, this: in a righteous world, we would be calling some of this activity fraud.

Mr. HENSARLING. Mr. Speaker, I yield 2½ minutes to the gentleman from Kentucky (Mr. BARR), another valued member of the Financial Services Committee.

Mr. BARR. Mr. Speaker, I rise today in support of the Retail Investor Protection Act, legislation that will ensure investor access to personalized and cost-effective investment advice.

The Department of Labor's proposed fiduciary rule will make it more difficult for hard-working Americans to access financial advice and to save for retirement.

Time and again, I have heard from constituents throughout my central Kentucky district of how this massive, 1,000-page rule will negatively affect them: Private employers and not-for-profit organizations will no longer be

able to bring in financial advisers to provide educational information about retirement plans to their employees. Investors with small accounts will no longer be able to receive advice for their 401(k) plans. Middle class investors will lose access to professional advice, and financial products like annuities will no longer be available. More and more Americans will be forced to seek information on the Internet or from robo-advisers.

Let's get this straight, Mr. Speaker. This rule will replace flesh and blood professional advisers with a computer. As one of my constituents said to me, if you think professional advice is expensive, wait until you see the cost of amateur advice. In short, the Department of Labor's rule will hurt the very people it is supposed to protect.

On July 29, Representatives WAGNER, SCOTT, CLAY, and I sent a bipartisan letter, signed by 21 Members, to Secretary Perez, asking for the DOL to stop these disruptive changes and repropose the rule in light of the many negative comments. Secretary Perez replied that the DOL would not entertain the request. That is why it is necessary for Congress to take action and pass this legislation.

Look, we all agree that financial advisers should act in the best interests of their clients, but heightened consumer protections in the investment space should apply broadly and should not create two classes of investors. It should not bifurcate the industry to those who can afford advisers and those who cannot. The result will be less choice for consumers and a lack of access for retail investors to sound financial advice. The best consumer protection is not central planning from Washington. It is choice and competition.

I thank Representative WAGNER for her leadership on this issue, and I encourage my colleagues to vote for competition and choice, to vote for access to professional financial advice, and to defeat this rule.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the Committee on Oversight and Government Reform.

Mr. CUMMINGS. I thank Ranking Member WATERS for yielding, and I thank her for her excellent and compassionate leadership not only on this issue but on so many others.

I rise today to oppose H.R. 1090, the so-called Retail Investor Protection Act, which is anything but a protection for investors.

Rather than protecting our constituents' investments, this Act would prevent the Department of Labor from finalizing a rule to establish a fiduciary standard for investment advisers until the Securities and Exchange Commission finalizes a rule first.

In essence, the bill before us would prevent the Labor Department from finalizing any rule at all. The administration has already indicated it would veto this measure if it is passed by Congress.

This past March, Senator ELIZABETH WARREN and I held a forum as part of our Middle Class Prosperity Project to consider the need for a strong fiduciary standard to protect Americans who are saving for retirement. We heard directly from Americans who had lost tens of thousands of dollars because they did not receive advice that was in their best interests.

In some cases, people may not even realize they have placed their trust in advisers who are not fiduciaries and who have no obligation to act in their best interests. One study found that Americans who are saving for retirement lose more than \$43 billion, on average, each year because advisers don't act in their clients' best interests.

The real solution, as we learned in our forum, is to have a strong conflict of interest rule to ensure the advice Americans receive—advice they receive as paying customers—directs their hard-earned retirement savings to investments that will work in their best interests.

This House should not put roadblocks in the way of this commonsense reform, which would protect our constituents' money. I urge all of the Members of the House to oppose H.R. 1090.

Mr. HENSARLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. MESSER), another valued member of the committee.

Mr. MESSER. I thank the chairman. I thank Mrs. WAGNER for her leadership on this important issue.

Mr. Speaker, I rise today in support of the Retail Investor Protection Act.

Let me be clear. We all agree that investment advisers should act in the best interests of their clients, and we all want to ensure that low- and middle-income investors get good financial advice. But in life and in the world of public debate, we are not just responsible for our intentions; we are also responsible for our results.

That is the problem with the Department of Labor's fiduciary rule. Whatever their intentions, the results of this administration's policy will hurt the very people they are saying they are trying to help. Here is why: The rule will increase the cost of financial advice and force working class investors to pay higher fees. The fact is that most investors can't afford these fees. As a result, millions of investors will get no advice at all. That is not good for anybody.

The bill today will delay the implementation of the new so-called "fiduciary rule" and ensure that investors continue to have access to sound financial advice.

I urge my colleagues to protect lower and middle class investors and stop this administration's so-called "fiduciary rule."

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. I thank the gentlewoman for yielding.

Mr. Speaker, the name of this bill is the Retail Investor Protection Act. If you didn't know better, you would think it was a bill designed to protect the retail investor. But, in fact, it does the opposite of that because it blocks the Department of Labor from putting in place commonsense rules that would make sure that retirement investment advisers handle their clients with care and with a fiduciary duty.

The Department of Labor wants to update rules that are now 40 years old, and that, again, makes common sense. Here is what happens: A retiree wants to take his 401(k) plan and make a decision about where to invest it. The retirement adviser comes along and offers up that advice. Meanwhile, the retiree does not realize that that person may be getting a commission from the very funds to which that retiree is being directed.

That is a conflict of interest, pure and simple.

If you asked the average retiree, "Do you think we need a rule that would protect retirees and other investors from this kind of conflict of interest, that would put some kind of fiduciary duty in place so the retirement investor is acting in the interest of the client," if you said, "Do you think we need a rule," the average retiree would ask, "Do you mean we don't already have that rule in place?" He wouldn't believe it. He wouldn't believe this conflict of interest is structurally built into the system and is resulting in billions of dollars being taken from workers' retirement savings every single year.

So why is the Congress taking this up? Why are we trying to block the DOL?

I fear that what is happening is Congress is getting pushed around again by Wall Street and by wealthy special interests. We heard a lot about crony capitalism when talking about the last bill. That is what is going on here. There is a letter in the RECORD from the Koch Brothers and their gang, Americans for Prosperity and FreedomWorks. They are in here trying to block the Department of Labor's bill.

So Big Money is cascading into Washington. It is affecting the way we make policy. It is going to keep coming. The fix is in. I hope my colleagues will come to the floor today and vote against this, but I am not optimistic.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from

New Hampshire (Mr. GUINTA), another great member of the House Financial Services Committee.

Mr. GUINTA. I thank Chairman HENSARLING.

Mr. Speaker, I stand today in strong support of H.R. 1090, the Retail Investor Protection Act.

This isn't about the Koch Brothers. This is about low- and middle-income families, seniors, people who try to take a little bit of their life savings and put it away over time. You heard speakers earlier talking about 98 percent of the people who have IRAs have under \$25,000 in them. They are who we are aiming to protect. They are the people who are coming to us, asking—begging—for assistance, and they are who we stand with because this is America.

□ 1715

This is not a place where Washington, D.C., is supposed to stand firm and dictate policy for everyone. We are supposed to be about limited government. We are supposed to be in this Nation about putting our trust and our faith in individuals.

This proposed legislation by the DOL does the exact opposite. It takes power away from the individual. It takes power away from the individual to talk to their financial adviser and gain educational opportunities to make informed decisions about their long-term investments.

My wife and I have two kids, 10 and 12. We are thinking about their financial stability. We want to encourage them to have long-term investments, like my folks suggested to me, so they can make informed decisions. But, no, Washington is going to decide that they can't, that I can't, that my folks can't, that the people I represent can't, all in the name of ensuring that Washington knows better.

Well, Mr. Speaker, I put my faith in the people. I do not put my faith in bureaucrats who think they know better.

I think that Representative WAGNER's leadership is tremendous on this particular issue because she feels just as passionately as the rest of us. We are not only talking about the lack of ability, but the compliance cost, which is going to get pushed onto that same individual.

So I encourage my colleagues, I implore my colleagues, to vote for this bill and support H.R. 1090.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Mr. Speaker, I rise in opposition to H.R. 1090, the misnamed Retail Investor Protection Act, which essentially ends the progress made by the Department of Labor on releasing an updated conflict-of-interest rule that seeks to protect our constituents' hard-earned savings and strengthen the

ability for those in the middle class to save for retirement.

In June, I had the opportunity to speak with Secretary Perez in a hearing held by the Education and the Workforce Committee on the Department's work to draft a comprehensive rule and, importantly, a rule that is developed by working with diverse stakeholders and based on feedback from senior advocacy groups, civil rights groups, and the industry that provides these services.

This is the process that is currently underway. H.R. 1090 would stop this process. Secretary Perez is on record saying he is listening to feedback and incorporating changes. Let's allow the process to go forward, not stop it.

I have met with families and individuals across Oregon who are struggling to get ahead, and I know the sacrifice that is involved in each and every dollar they set aside to contribute to their future retirement. I am disappointed by the efforts today to stop this rule.

We need a level playing field to allow our constituents to take advantage of the many opportunities that exist to grow and protect their investment.

Finally, as a former consumer protection attorney, I learned and know that strong rules can empower consumers and bring transparency to the marketplace. This is what the Department of Labor is working toward, and I am disappointed in this bill's attempt to stop their important work to finish this rule.

I urge my colleagues to join me in opposition to H.R. 1090.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. WILLIAMS), another outstanding member of the House Financial Services Committee.

Mr. WILLIAMS. Mr. Speaker, President Obama would have us believe that the American people are incapable of making our own choices, that we are just not smart enough. From health care to education, to now personal retirement accounts, the Obama administration thinks government knows best.

Remember when Obamacare architect Jonathan Gruber claimed "the stupidity of the American voter"? A recent administration ruling by the Department of Labor demonstrated this arrogance again when it said Americans "seldom have the training or specialized expertise necessary to prudently manage retirement assets on their own." This is unbelievable because the government can't even manage the taxpayers' dollars.

So their solution to our apparent stupidity is an \$80 billion ruling that will increase costs for low- to middle-income investors and limit access to quality investment advice. Some solution this is.

Mr. Speaker, there are already measures in place to provide incentives for advisers to act in their client's best in-

terest, measures that are far less costly and far less restrictive.

To Jonathan Gruber, President Obama, and members of this administration who think they know better than the average American, let this bipartisan opposition illustrate how wrong they are.

Mr. Speaker, I urge passage of the Retail Investor Protection Act. In God we trust.

Ms. MAXINE WATERS of California. I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, there are comments on this floor that said we had to listen to those who came. I want to stand and listen to the hardworking Americans who ultimately will retire.

I am tired of blocking good measures that protect them, such as the Labor Department's efforts to strengthen protections for working families and retirees by requiring their financial professionals who provide retirement investment advice be treated as fiduciaries under ERISA laws.

It is important to note that this is a simple requirement. It does not undermine the responsibilities or the profits of broker-dealers and others. It just simply says that they must be held to a standard to protect those retirees who have worked so very hard.

I oppose the underlying bill, H.R. 1090.

I am also glad to stand on the floor and support, however, H.R. 597, the Export-Import Bank Reform Reauthorization Act, finally to open the Bank and create jobs and opportunities for so many.

Again, let me say that I am standing with those workers who are not here, retirees who have worked, hardworking Americans who will have their investments protected, by making sure that those who give them advice are regulated and held to very high standards.

Mr. Speaker, I rise in opposition to H.R. 1090, the Retail Investor Protection Act.

I oppose this bill, because it would undermine efforts to curb conflicts of interest in the marketing and development of retirement investments, particularly for retail investors.

I support the efforts of individuals and businesses to succeed in the American economy.

Unfortunately for too long the success of some is coming at the total disregard for the rights of workers and their families.

Investments in a home, savings placed in retirement accounts or into 401ks are ways for working people to ensure that they will not live in poverty when they retire.

This bill would prevent the Department of Labor from addressing disparities in how the rights of investors are protected.

Broker-dealers trade securities for themselves or on behalf of their customers, and they typically charge a commission fee for each transaction and may also be compensated with a commission from the company whose securities they trade.

In making recommendations to clients and conducting transactions, they must adhere to

"suitability" standards that ensure that their recommendations are suitable to the client's financial situation and objectives.

Investment advisers, meanwhile, who manage the employee retirement and benefit plans for private companies, must under the Employee Retirement Income Security Act (ERISA; PL 93-406) adhere to higher "fiduciary" standards and take actions that are in the best interests of the participants.

Among other things, such investment advisers must act solely for the interests of participants and beneficiaries and for the exclusive purpose of providing benefits and paying plan expenses.

They also must act prudently and avoid conflicts of interest. Investment advisers are paid through an annual flat fee for managing the investments, which is based on the size of the plan.

Broker-dealers are regulated by the Securities and Exchange Commission (SEC) and the Financial Industry Regulatory Authority (FINRA) under the suitability standard, while investment advisers are regulated more directly by the SEC under the higher fiduciary standard.

While employee retirement benefit plans are managed by investment advisers, individuals also invest on their own for retirement and other purposes and often use either investment advisers or broker-dealers to help them decide on investments and to perform the trades in stock or investment instruments.

The 2010 Dodd-Frank Act required the SEC in Section 913 of the act to report on the standards of care applicable to broker-dealers and investment advisers, and it authorized the SEC to issue rules to extend the fiduciary standard now applicable to investment advisers to broker-dealers when providing any advice about securities to retail customers.

According to the Financial Services Committee, in 2011 the SEC released a staff study recommending that both broker-dealers and investment advisers be held to a fiduciary standard "no less stringent than currently applied to investment advisers."

This past April, the Labor Department, acting under ERISA, proposed new rules regarding who is covered by ERISA's fiduciary standard and how that standard would be applied, saying that more needed to be done to protect individuals who are trying to invest and save for retirement.

The proposed rule would treat all financial advisers who provide retirement investment recommendations and make trades on behalf of clients—including broker-dealers dealing with individual IRAs, 401(k) plan and other retirement investments—as fiduciaries under ERISA.

Under the proposal, financial advisers would be required to provide investment advice that is in the best interest of the retirement investor "without regard to the financial or other interests" of the financial institution, adviser or other party.

The SEC Rule allows retirement advisers to be paid in various ways as long as they are willing to put the interests of their customers first, in certain cases allowing advisers to receive common types of fees that fiduciaries otherwise can't receive under the law, such as commissions and revenue sharing.

The Labor Department is currently reviewing public comments received on its proposed rule and has not indicated when the final rule will be issued.

Supporters of the bill argue that it is needed to prevent a potentially harmful rule from going into effect.

The proposed Labor Department rule would be very costly to broker-dealers, requiring them to meet two separate standards when advising clients: the fiduciary standard when advising on retirement issues and the suitability standard for other investment matters.

The resulting high compliance and potential liability costs, they say, could drive many smaller broker-dealers out of the market for providing retirement advice or lead them to service only larger dollar accounts, thereby limiting access to professional retirement planning and guidance for those retail investors who need it most and likely resulting in a reduction in the overall level of retirement savings for American workers.

They note that the United Kingdom in 2013 implemented a similar rule, which has created an "advice gap" for 60,000 investors with smaller accounts.

The Dodd-Frank law, they say, gave the SEC the lead role in setting the fiduciary standards, and they argue that the SEC, not the Labor Department, is the better choice for developing those rules because it is much more familiar with investment markets.

In fact, they contend that the proposed Labor rule is confusing and actually conflicts with existing rules and securities market trading practices, and that it could disrupt the carefully considered regulatory regime applicable to broker-dealers and investment advisers that is administered by the SEC and FINRA.

Broker-dealers and others operating under the lower "suitability" standard often have a direct conflict of interest, directing their customers to higher-cost investments that have hidden fees or from which the advisers get backdoor payments.

We say this behavior in the predatory lending activity that led to the economic collapse in 2008.

Home purchasers who could qualify for lower fixed rates for new home purchases were only shown loans that had high interest triggers that would double or triple mortgages a few years after they were purchased.

The conflicts of interests in investment programs, the White House Council of Economic Advisers estimates, result in annual losses for affected U.S. investors of about 1 percentage point, or about \$17 billion per year in total.

The Labor Department's proposed fiduciary rule would require all retirement investors to instead put their clients' best interests before their own profits.

Blocking the Labor Department from issuing its rule until the SEC acts on a standard-of-conduct rule for broker-dealers could effectively kill the critical consumer protections that would be provided by the Labor rule, since the bill does not require the SEC to ever issue its rule.

While the SEC should similarly update its rules governing investment advice related to securities, they argue that Congress should not hinge the Labor Department's efforts on the SEC's ability to do so.

Labor's rule was thoughtfully developed and would not cause disruptions in the market, they say, noting that the department worked with the SEC in developing the rule and that it has taken into account the concerns of stakeholders.

This bill prohibits the Labor Department from implementing a final rule on fiduciary standards for retirement investment advisers until after the Securities and Exchange Commission (SEC) conducts a study and issues a final rule setting standards of conduct for broker-dealers.

Specifically, the Labor Department could not exercise its authority under ERISA to define the circumstances under which an individual is considered a fiduciary until 60 days after the SEC issues a final rule regarding standards of conduct for broker-dealers pursuant to Section 913 of the Dodd-Frank Act.

The bill would not, however, require the SEC to issue a rule.

Prior to issuing a rule, the SEC must complete a study and report to Congress on whether retail investors are being harmed by the lower standard of care under which brokers and dealers operate, and offer alternate remedies to reduce confusion or harm to retail investors due to that different standard.

It also must investigate whether the adoption of a uniform fiduciary standard would adversely affect the commissions of brokers and dealers, the availability of proprietary products and the ability of brokers and dealers to engage with customers, as well as whether a uniform fiduciary standard would adversely affect access by retail investors to investment advice.

The conclusions in the report must be supported by economic analysis.

In developing a rule, the SEC would be required to consider differences in the registration, supervision and examination requirements applicable to brokers, dealers and investment advisers and publish formal findings that the rule would reduce confusion or harm to retail customers caused by the different standards of conduct.

I urge my colleagues to join me in opposition to this bill and protect the little that workers have from their shrinking wages to protect against falling into poverty once their work years have been spent in increasing the profits of employers.

Mr. HENSARLING. Mr. Speaker, may I inquire how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Texas has 10 minutes remaining. The gentlewoman from California has 5 minutes remaining.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL), one of the hardest working members on the House Financial Services Committee.

Mr. HILL. Mr. Speaker, in a chamber where we have no shortage of hyperbole and sanctimony, certainly this bill is no exception as I listen to the opposition.

Today I rise in strong support of H.R. 1090, the Retail Investor Protection Act. I want to thank Representative WAGNER for her leadership and the chairman for this time.

We are down to the bottom of the barrel if we are quoting NPR as a source of economic research. There is no credible research that justifies what the Department of Labor is doing.

Having worked in this industry for three decades, I can speak to this on a very personal basis.

Instead of working in harmony and complying with Dodd-Frank, the DOL is preempting the SEC and the FINRA and moving ahead with its own agenda.

As we have said today, there is broad consensus that financial advisers should act in the best interest of their customers, and they do. Any bad actors should be punished. There are existing rules and requirements for broker-dealers and investment managers to deal fairly and provide recommendations that are suitable for their customers and disclose conflicts of interest.

We have left the appearance in this room hanging that prices are skewed. In fact, most retail investment products are sold by a prospectus with fixed prices that are fully disclosed to retail investors.

We have heard today that this reproposal is an improvement over previous efforts by the Department of Labor. In fact, that is not true, Mr. Speaker. This pending rule is not an improvement.

It turns its back on best practices of new account openings and includes a dispute resolution that turns its back on dispute resolution practices in the industry that will increase litigation and hurt retail investors and brokers alike.

Representative SCOTT of Georgia calls this proposal a straightjacket for modest investors. I could not summarize it better.

I urge my colleagues to join me in supporting H.R. 1090 and protecting sound retirement advice for retail investors.

Ms. MAXINE WATERS of California. Mr. Speaker, I would like to inquire whether Mr. HENSARLING has any more speakers.

Mr. HENSARLING. Mr. Speaker, I have at least three more speakers.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. I yield 2 minutes to the gentleman from Minnesota (Mr. EMMER), who is last, but not least, on the House Financial Services Committee.

Mr. EMMER of Minnesota. Mr. Speaker, since this Congress was sworn in last January, I have received more calls and emails and I have had more meetings with constituents and consumers of financial services about the Department of Labor's proposed fiduciary rule than perhaps any other issue that has faced us in Congress.

Why? Because the Department of Labor's proposed fiduciary rule, if it is ever fully implemented, will actually

harm the very people that it is purported to protect, middle- and low-income investors.

Mr. Speaker, I came to Washington to fight against out-of-control, top-down government bureaucracies, and this DOL rule is their latest mad creation. We should look for ways to increase access to affordable, transparent, and high-growth financial products that meet the needs of all Americans, not limit them.

According to a recent study by Oliver Wyman, an international management consulting firm, the proposed rule will increase costs for investors by an average of 73 percent. This increase will harm the ability of millions of Americans to get professional financial advice.

This is particularly disturbing, considering research shows that assistance from a financial professional consistently leads to better retirement planning. For example, according to the same report: Advised individuals aged 35 to 54 years making less than \$100,000 per year had 51 percent more assets than similar nonadvised investors.

Nearly 60,000 of my constituents make a living supporting the financial services industry. How does this rule help them or the people they assist? I recently heard from a financial adviser in my district, Ken, from Blaine, Minnesota, who told me that this DOL rule is a solution in search of a problem and that it will adversely affect his clients.

Hardworking Minnesotans are gravely concerned that this rule will cause many financial advisers to severely limit the types of products that customers want, need, and desire or, even worse, it will force advisers out of the business.

I thank our friend, Mrs. WAGNER, for her leadership on this issue.

I urge my colleagues on both sides of the aisle to protect middle- and low-income investors by supporting the Retail Investor Protection Act.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, it was mentioned earlier about a hearing that we sat through in the Committee on Education and the Workforce on this rule, which frankly I couldn't believe.

The American people want choice, not another top-down government rule where you take away their choice. That is why I rise today in support of H.R. 1090, the Retail Investor Protection Act, to block the Department of Labor's misguided fiduciary rule.

All across Georgia's 12th District people depend on their trusted financial advisers to help manage their hard-earned savings and plan for future retirement.

As drafted, the Department of Labor's 1,000-page rule is simply unwork-

able. Unaltered, this burdensome regulation would harm the very people it is designed to protect the most by substantially limiting access and increasing costs of retirement planning.

The Federal Government has no right to prevent low- and middle-income families and small businesses from accessing affordable financial planning advice.

I urge my colleagues to stand up to the Department of Labor by supporting H.R. 1090.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Speaker, I rise in strong support of H.R. 1090. I think that we don't have to go back too far to look at what is happening here right now.

It is almost a message to the American people: You poor, poor people. You can't possibly understand how to handle your physical health decisions. The government is going to have to step in and tell you how to handle your financial decisions because you just can't do it on your own.

So we attack those people who make a living of giving good advice to people who don't have the ability to navigate a very difficult terrain when it comes to their retirement.

□ 1730

So who is always there to step in? That knight in shining armor, that parasitic leviathan that just can't wait to gobble up every single asset that the American people have.

We talk about fiduciary responsibility. I would say that also falls in the House. Really, if you are acting in the best interests of those folks who you represent or those people whose problems you handle, you will probably get a chance to come back here. If you handle their retirement accounts the right way, they will probably keep you as their retirement adviser, and they will also refer you to other people who are having the same problem.

Isn't it amazing that it always comes down to the government because they know so much better than everyday Americans about the way things should be done. When we have to go after some group, what we do is we raise the bar so high, we put so much responsibility on them that at the end of the day, they say: You know what? I can't pony up in this game anymore. I can't ante up. I am going to get out of here. Then who is left? Oh, my goodness, thank God for this safety net of a Federal Government that has done such a marvelous job with Social Security, that does such a marvelous job of protecting everyday Americans.

This is not a Republican initiative, and thank God for the gentlewoman

from Missouri, the Show Me State, to show us what is happening here right now. The Department of Labor does not have to get involved in this. As has already been said, this is a solution hunting for a problem.

Why don't we just use good common sense? When it comes to lower income people and lower middle-income people, they look to those folks who do financial advising to help them get through that night, that dark night and get ready for retirement. Why in the world would we turn our back on the people who generate all this revenue?

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I have no further speakers, and I am prepared to close.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

I think it is important for me to correct the RECORD about the U.K. investment advice experience. In predicting the worst outcome from the Department of Labor's rulemaking, my Republican colleagues frequently cite the United Kingdom. They argue small investors will lose access to their investment advice.

Let me set the record straight. According to outside consultants for the U.K. Financial Conduct Authority: Eliminating commissions has reduced investment bias and has contributed to an improvement in the quality of advice.

There is now more competitive pressure and lower product costs, and far from having an advice gap, there is excess capacity of about 5,000 advisers in the U.K. market today according to an analysis by Towers Watson. There is no evidence that consumers have been forced to go without advice as a result of the regulation.

I fear that we are comparing apples to oranges. That is because—unlike the U.K. regulation—the DOL proposal is a modest update that does not ban commissions. Rather, the proposal seeks to simply ensure that persons providing retirement investment advice put the interests of their clients ahead of their own.

This debate touches on a fundamental disagreement we continue to have in our respective parties. On the one hand, Democrats are acting on the belief that government should be the guardian of the interests of the people. It is a belief grounded in a fundamental truth: that our economy thrives with a rapidly growing and diverse middle class. For the middle class to grow, the American public must have confidence in our markets and be protected from bad actors.

On the other hand, Republicans continue to act to protect the interests of a free market, driven by profit, even if it comes at the expense of the retirement savings of hardworking Americans. But we have seen the impact of

the Republican free market on our economy, most recently in 2008, when the big banks on Wall Street, left to their own devices, caused the worst economic collapse in a generation, one that destroyed nearly \$16 trillion in household wealth and 9 million jobs, displaced 11 million Americans from their homes, and doubled the unemployment rate.

And yet my colleagues insist on advancing measures like H.R. 1090, which would encourage the continued exploitation of American workers and retirees on behalf of some financial advisers who put their own interests in profits first.

The current rules governing the provision of retirement investment advice allow conflicts that harm everyday Americans working hard to ensure that they can retire with dignity. Every moment we delay in updating those rules, unscrupulous advisers benefit \$1.4 billion a month at the expense of those everyday Americans.

With such large industry profits at stake, this issue will continue to be a prime target for the Republican majority. But I encourage my colleagues to resist those who are more interested in lining their pockets than protecting the interests of American retirees and workers.

I urge my colleagues to join me in voting “no” on H.R. 1090.

Mr. Speaker, I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

Again, let me remind all that the administration that told the American people, “If you like your doctor, you can keep them” is now telling us, “If you like your financial adviser, you can keep them.” Not—not—in the face of the Department of Labor fiduciary rule.

The ranking member just brought up the U.K. experience. Well, it is funny, we heard something completely different from what she described in our hearing. What we heard was, “In the wake of the U.K. commission ban”—which, Mr. Speaker, is similar to what the DOL fiduciary rule is—“the largest banks have significantly raised the minimum account balances required before they will offer financial advice to investors.”

The number of advisers serving retail accounts plunged by 23 percent. Tens of thousands are going without financial advice because their accounts aren’t large enough. What my friends on the other side of the aisle would do by backing this DOL rule is take it away. You don’t count. You are not rich enough to get any financial advice. You can’t grow your savings.

How ironic, Mr. Speaker, that the very same Department of Labor has come out with a study saying that investors who do not use investment ad-

vice are losing \$114 billion a year. And yet what do my friends on the other side of the aisle do in cahoots with the Department of Labor? They take away—they take away—their professional advice.

Here is a radical idea—and I admit it is radical—it is called freedom. Why don’t we let the customer have the freedom of choice? My friends on the other side of the aisle use a red herring about disclosure and conflict of interest.

There already are rules on the books. FINRA has disclosure rules, conflict of interest rules. We believe them. They ought to be enforced. If they are not obeyed, broker-dealers can have fines, they can lose their license. If they are fraudulent, the Department of Justice can criminally prosecute. That is a complete red herring.

The issue here today is whether or not low- and moderate-income people can get access to financial advice under a commission-based model in order to grow their retirement accounts, so they can have the safety and security that so many Members of Congress already enjoy. Mr. Speaker, isn’t that what is fair? Isn’t that what is right? Why don’t we have disclosure, and then why don’t we let people choose?

I just want to come here urging all Members to support H.R. 1090. I want to thank the gentlewoman from Missouri (Mrs. WAGNER). She has been at the forefront of this battle all over the Nation. She should be recognized as the hero she is in fighting for working Americans’ retirement security.

I would urge that we all support this bill. It is so critical to the future retirement security of all those who struggle every day.

We have got a case study right now in the U.K. We do not want to repeat this. Let’s protect them. Let’s enact H.R. 1090, the Retail Investor Protection Act.

Mr. Speaker, I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, today’s legislation is very similar to a bill introduced by Rep. WAGNER in the last Congress. I opposed that bill then, and for essentially the same reasons will oppose this bill now.

As I indicated last year, I support consumer choice and believe there is room for a variety of different business models in the financial services marketplace. I also believe consumers have a right to full transparency regarding compensation arrangements and to recommendations from financial services professionals that are based on the consumers’ best interests.

In my judgment, the Department of Labor shares these convictions and has proposed a workable Fiduciary Rule that embodies both of these principles. Moreover, whenever our office has raised specific issues that we believed warranted further clarification or adjustment—from so-called level-to-level funding, to the appropriate distinction between education

and advice, to the role of annuities and other insurance products in Americans’ retirement security—we have found the Department both knowledgeable about, and responsive to, the concerns being raised.

While I support the Securities and Exchange Commission promulgating its own Fiduciary Rule, I do not believe the Department of Labor—or the retirement security of millions of Americans—can or should wait on action by the SEC. Accordingly, I oppose this legislation.

Ms. SINEMA. Mr. Speaker, on October 27, 2015 the House of Representatives considered H.R. 1090, the Retail Investor Protection Act. This legislation prohibits the Department of Labor (the Department) from issuing updated retirement investment advice rules until the Securities and Exchange Commission completes its rule governing standards of conduct for brokers and dealers.

In light of the ongoing rulemaking at the Department and the fact that this legislation does not address any of my concerns regarding the Department’s proposed rule, I oppose this bill.

While I oppose this bill, I remain concerned by the multiple unanswered questions related to the proposed rule and the potential impact the rule will have on the affordability and accessibility of financial information for investors.

For example, I am concerned that there may be practical problems for providers to implement the Best Interest Contract Exemption as proposed. The Department should implement the exemption using a less prescriptive and more principles-based approach.

I am also concerned by the potential impact the proposed rule would have on consumers’ access to important retirement education information. The Department should maintain flexibility for advisors to provide investment education, and take steps to clarify that the proposed rule does not disadvantage lifetime income options.

Given the complexity of the proposed rule and the many outstanding questions regarding a final rule, the Department should consider options for convening a small working group of industry professionals and consumer advocates to aid with implementation, and provide a safe harbor for “good faith implementation.”

In order to have a successfully implemented rule, it is vital that the proposal does not limit consumer choice and access to advice, disproportionately impact lower- or middle-income communities, or raise the costs of saving for retirement.

I recently joined a number of my colleagues in sending a letter to the Department expressing concerns with specific provisions of the proposed rule that may cause market disruptions and limit the ability of segments of the market to reasonably access advice.

Unfortunately, H.R. 1090 is neither constructive nor relevant at this time, which is why I will vote against this bill. I will continue to work in a bipartisan way with my colleagues on the House Financial Services Committee and House Education and the Workforce Committee to address the many concerns that remain with this proposed rule.

Mr. BLUMENAUER. Mr. Speaker, I will vote against H.R. 1090, which would gravely slow development of new rules designed to better protect individual investors.

While I have been sympathetic to some industry concerns—in particular expressing an

interest in further refinements with regard to exemptions relating to Best Interest Contracts, education, and lifetime income options—I have also made clear my strong support for rules barring the provision of advice subject to real or potential conflicts of interest. The Department of Labor has demonstrated an attempt to put forth a balanced rule that accommodates concerns from industry with protections for individual investors. The bill I will vote against, however, would bury this effort behind years of tertiary regulatory and congressional action.

It is clear that Americans badly need to save more for their retirement. As savings policies have evolved to place the decision-making burden on the individual, our rules must be updated to ensure that information is adequately shared and presented. Under the present system, estimates of value lost to these investors as a result of conflicted advice are unconscionably high. While the proposed federal rule is not perfect, it marks an important step forward and I look forward to working with the administration to continue to improve their effort.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT NO. 1 OFFERED BY MR. LYNCH

Mr. LYNCH. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amend section 2 to read as follows:

SEC. 2. RULES DEFINING CERTAIN FIDUCIARIES.

(a) RULEMAKING.—The Securities and Exchange Commission shall issue a new or revised rule relating to standards of conduct for brokers and dealers pursuant to the second subsection (k) of section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o) not later than the end of the 60-day period beginning on the date that the Secretary of Labor issued a final rule based on the ERISA fiduciary rule.

(b) COORDINATION REQUIRED.—In issuing a rule described under subsection (a), the Securities and Exchange Commission shall coordinate with the Secretary of Labor.

(c) ERISA FIDUCIARY RULE DEFINED.—For purposes of this section, the term “ERISA fiduciary rule” means the proposed rule of the Department of Labor titled “Definition of the Term ‘Fiduciary’; Conflict of Interest Rule—Retirement Investment Advice; Proposed Rule”, published April 20, 2015.

The SPEAKER pro tempore. Pursuant to House Resolution 491, the gentleman from Massachusetts (Mr. LYNCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. LYNCH. Mr. Speaker, I rise in support of my amendment to H.R. 1090, the so-called Retail Investor Protection Act.

Mr. Speaker, if adopted, my amendment would allow the Department of Labor to complete and adopt a rule to require that investment advisers act solely in the best interest of the workers and retirees who rely upon them in making financial decisions regarding their retirement.

I bet most Americans think that financial advisers are already required

to act in the retirees’ best interest. Unfortunately, the bad news is that that is not the state of the law today. The good news, however, is that, hopefully, if we can defeat H.R. 1090—and the President has promised to veto this bill—that situation may be about to change.

At the outset, it is important to remember that this issue concerns the retirement security of all Americans. It is important that we get this right.

Congress, in its wisdom—obviously, this was a previous Congress—gave the DOL exclusive jurisdiction regarding retirement plans under the Employee Retirement Income Security Act of 1974. In doing so, Congress recognized that retirement is different.

Previous Congresses realized the importance of protecting workers and retirees by imposing a higher standard of care and loyalty upon financial advisers who offer services and sell stocks or bonds or other assets to be included in retirement plans. Again, that is because retirement is different.

The basic idea of retirement plans works like this: if the average worker sets aside a small amount of wages regularly over 30 or 35 years that they are in the workforce and that amount is invested prudently and allowed to grow, then through proper investment and the miracle of compound interest, that worker will likely have a sizable nest egg upon which they can rely in retirement.

Investing for retirement is also different in another context. It has grave consequences if it is done improperly or neglected. There is no second chance if you are at the end of your working life. You can’t go back. This is your nest egg. It is tough to go out and get another job when you are at the age of retirement. You are out of time. So workers have a lot at stake.

There are huge risks for workers if their retirement contributions over 30 years are not invested in a way that is in their best interest. They should be able to rely on the fact that their sacrifice, that their savings have been invested in a way that is in their best interest, not in the best interest of the financial adviser or the investment company. Again, however, that is not the case of the law today.

Right now, most—but not all—financial advisers are often paid extra money, extra fees, a higher commission to offer a retiree or a worker particular advice or a particular product that are in the financial adviser’s best interests because they carry higher fees or larger commissions, but those products and services may not be in the worker’s or retiree’s best interest.

It is a basic law of economics. If financial advisers are paid more for recommending a particular fund over another, they will recommend that fund that they get paid more to recommend, even though it may not be in the cli-

ent’s best interest. That presents a classic example of conflict of interest.

Now, I support rulemaking for a fiduciary standard by the DOL, and I agree that the SEC should thereafter harmonize its rules. Investment advisers should be held to a standard of care and loyalty to workers and retirees which requires that the adviser must act solely in the best interest of the worker who is investing for their retirement. However, H.R. 1090, in its current form, would harm people saving for retirement by blocking the DOL’s rule and allowing financial advisers to act in their own financial interest instead of their client’s best interests.

In closing, I urge my colleagues to support this amendment. All investment advisers must be held to an essential standard of care and loyalty when providing advice to their clients, particularly clients who are saving for retirement.

Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, this amendment essentially guts the Retail Investor Protection Act and puts the Department of Labor, once again, in the driver’s seat to deny potentially millions of our fellow countrymen, low- and moderate-income people, the right to have their own financial adviser, the right to have financial advice on a commission basis.

In many respects, the gentleman’s amendment just gives us an opportunity to vote on the same matter twice, so I am not sure exactly what is being attempted to be achieved with this.

□ 1745

Again, Mr. Speaker, it is competition, it is innovation that has brought us something called the \$7 trade. And my guess is, Warren Buffett doesn’t necessarily need a \$7 trade, but there are a lot of good folks, small business people, factory workers in Mesquite, farmers out near Mineola, Texas, good folks in the Fifth Congressional District, when they are planning for their retirement security, when they are trying to preserve their 401(k), their IRAs, they need that.

Again, if we adopt the amendment of the gentleman from Massachusetts, we are right back to where we are—denying the ability for low and moderate-income people to have a choice in how they receive their financial advice, even if they will receive it. That is unacceptable, and I would urge a rejection of this amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, may I inquire how much time I have left?

The SPEAKER pro tempore (Mr. JOLLY). The gentleman from Massachusetts has 30 seconds remaining.

Mr. LYNCH. Mr. Speaker, the heart of this matter is that my amendment just changes the standard upon which that advice needs to be made. The advice that we have in financial advisers giving to retirees and workers who desperately need the opportunity to invest, you know, these IRAs and retirement vehicles are a blessing to us. All it does is require that that advice be given without any conflict, that it be given in the best interest of the retiree or the worker who is making that investment. That is the only change here that is required.

I think it is a good change. It is a necessary change. It is one for the American worker.

I yield back the balance of my time. Mr. HENSARLING. Mr. Speaker, how much time do I have remaining, please.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The gentleman from Texas has 3½ minutes remaining.

Mr. HENSARLING. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Missouri (Mrs. WAGNER), the author of H.R. 1090, the Retail Investor Protection Act.

Mrs. WAGNER. Mr. Speaker, I thank the chairman again for his support and all my colleagues who have come down here to the floor to speak on behalf of those low- and middle-income investors that need good, sound advice when it comes to their financial security and their retirement.

We all agree that every American who is saving for the future deserves to have the very, very best advice based on the needs for their retirement investments and savings for the future.

With all due respect to the gentleman from Massachusetts, what his amendment does is completely flip-flop the Retail Investor Protection Act. It says that the DOL should go ahead of the SEC.

The Department of Labor is completely out of its lane when it comes to this particular matter. It is the Security and Exchange Commission that is absolutely the expert when it comes to promulgating any kind of rule, regulation, or oversight in this area.

We have laws and rules already on the books, through FINRA, through the SEC, to make sure that savers are getting the best advice they possibly can for the future.

It is clear in Dodd-Frank—and I find it almost impossible to believe that the minority thinks that somehow that Section 913 of Dodd-Frank, which says specifically that the SEC should take care of this space, should be promulgating rules and regulations and deciding how to go forward in this space, that somehow they now think that the Department of Labor should be allowed

to promulgate, including addendums and exemptions, another thousand-page rule on the American people.

Mr. Speaker, the American people are tired of this “Washington knows best, top-down government.” It is wrong. We have heard it from the chairman and others, whether it had to do with food, energy, or health care.

I believe in freedom. I believe in the American people that they can choose their investment advice, their savings advice themselves, and they are entitled to that freedom and to their right.

We do not need another government-promulgated, “Washington knows best” rule from the Department of Labor that is going to put access people, choice people, and cost those low- and middle-income investors out of this entire savings retirement future.

So I implore my colleagues to reject the amendment from my colleague, Congressman LYNCH, and to support the Retail Investor Protection Act, H.R. 1090.

I thank the chairman for his time and effort and the entire committee and, again, all the colleagues, those who even wanted to come to the floor to speak on this issue because their constituents are so very concerned about their personal retirement savings and freedom.

Mr. HENSARLING. Mr. Speaker, I would just urge all Members to vote for freedom, to vote for opportunity, to vote for empowerment of the farmers, the factory workers, the low- and moderate-income people, the single moms, all building a retirement security.

Reject the amendment of the gentleman from Massachusetts, and vote for H.R. 1090, the Retail Investor Protection Act from the gentlewoman from Missouri (Mrs. WAGNER).

I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill, as amended, and on the amendment by the gentleman from Massachusetts (Mr. LYNCH).

The question is on the amendment by the gentleman from Massachusetts.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. LYNCH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on adoption of the amendment will be followed by 5-minute votes on a motion to recommit, if ordered; passage of the bill, if ordered; and passage of H.R. 597.

The vote was taken by electronic device, and there were—yeas 184, nays 246, not voting 4, as follows:

[Roll No. 574]

YEAS—184

Adams
Aguilar

Bass
Beatty

Becerra
Bera

Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi

Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsock
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler

Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—246

Abraham
Aderholt
Allen
Amash
Amodel
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)

Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Eiltermers (NC)
Emmer (MN)
Farenthold
Fincher

Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling

Herrera Beutler	Meadows	Scalise	[Roll No. 575]	Castro (TX)	Huffman	Pelosi
Hice, Jody B.	Meehan	Schweikert		Chu, Judy	Israel	Perlmutter
Hill	Messer	Scott, Austin	YEAS—245	Cicilline	Jackson Lee	Peters
Holding	Mica	Scott, David		Clark (MA)	Jeffries	Peterson
Hudson	Miller (FL)	Sensenbrenner		Clarke (NY)	Johnson (GA)	Pingree
Huelskamp	Miller (MI)	Sessions		Clay	Johnson, E. B.	Pocan
Huizenga (MI)	Moolenaar	Shimkus		Cleaver	Jones	Polis
Hultgren	Mooney (WV)	Shuster		Clyburn	Kaptur	Price (NC)
Hunter	Mullin	Simpson		Cohen	Keating	Quigley
Hurd (TX)	Mulvaney	Sinema		Connolly	Kelly (IL)	Rangel
Hurt (VA)	Murphy (PA)	Smith (MO)		Conyers	Kennedy	Rice (NY)
Issa	Neugebauer	Smith (NE)		Cooper	Kildee	Richmond
Jenkins (KS)	Newhouse	Smith (NJ)		Costa	Kilmer	Roybal-Allard
Jenkins (WV)	Noem	Smith (TX)		Courtney	Kind	Ruiz
Johnson (OH)	Nugent	Stefanik		Crowley	Kirkpatrick	Ruppersberger
Johnson, Sam	Nunes	Stewart		Cummings	Kuster	Rush
Jolly	Olson	Stivers		Davis (CA)	Langevin	Ryan (OH)
Jordan	Palazzo	Stutzman		Davis, Danny	Larsen (WA)	Sánchez, Linda
Joyce	Palmer	Thompson (PA)		DeFazio	Larson (CT)	T.
Katko	Paulsen	Thornberry		DeGette	Lawrence	Sanchez, Loretta
Kelly (MS)	Pearce	Tiberi		Delaney	Lee	Sarbanes
Kelly (PA)	Perry	Tipton		DeLauro	Levin	Schakowsky
King (IA)	Pittenger	Trott		DeBene	Lewis	Schiff
King (NY)	Pitts	Turner		DeSaulnier	Lieu, Ted	Schrader
Kinzinger (IL)	Poe (TX)	Upton		Deutch	Lipinski	Scott (VA)
Kline	Poliquin	Valadao		Dingell	Loeb	Serrano
Knight	Pompeo	Wagner		Doggett	Lofgren	Sewell (AL)
Labrador	Posey	Walberg		Doyle, Michael	Lowenthal	Sherman
LaHood	Price, Tom	Walden		F.	Lowe	Sinema
LaMalfa	Ratcliffe	Walker		Duckworth	Lujan Grisham	Sires
Lamborn	Reed	Walorski		Edwards	(NM)	Slaughter
Lance	Reichert	Walters, Mimi		Ellison	Luján, Ben Ray	Smith (WA)
Latta	Renacci	Weber (TX)		Engel	(NM)	Speier
LoBiondo	Ribble	Webster (FL)		Eshoo	Lynch	Swalwell (CA)
Long	Rice (SC)	Wenstrup		Esty	Maloney,	Takano
Loudermilk	Rigell	Westerman		Farr	Carolyn	Thompson (CA)
Love	Roby	Westmoreland		Fattah	Maloney, Sean	Thompson (MS)
Lucas	Roe (TN)	Whitfield		Foster	Marchant	Titus
Luetkemeyer	Rogers (AL)	Williams		Frankel (FL)	Matsui	Tonko
Lummis	Rogers (KY)	Wilson (SC)		Fudge	McCollum	Torres
MacArthur	Rohrabacher	Wittman		Gabbard	McDermott	Tsongas
Marchant	Rokita	Womack		Gallego	McGovern	Van Hollen
Marino	Rooney (FL)	Woodall		Garamendi	McNerney	Vargas
Massie	Ros-Lehtinen	Yoder		Graham	Meeks	Veasey
McCarthy	Ross	Yoho		Grayson	Meng	Vela
McCaul	Rothfus	Young (AK)		Green, Al	Moore	Velázquez
McClintock	Rouzer	Young (IA)		Green, Gene	Moulton	Visclosky
McHenry	Royce	Young (IN)		Grijalva	Murphy (FL)	Walz
McKinley	Russell	Zeldin		Gutiérrez	Nadler	Wasserman
McMorris	Ryan (WI)	Zinke		Hahn	Napolitano	Schultz
Rodgers	Salmon			Hastings	Neal	Waters, Maxine
McSally	Sanford			Heck (WA)	Nolan	Watson Coleman
				Higgins	Norcross	Welch
				Himes	O'Rourke	Wilson (FL)
				Hinojosa	Pallone	Yarmuth
				Honda	Pascarella	
				Hoyer	Payne	

NOT VOTING—4

Comstock
Roskam

Sarbanes
Takai

□ 1817

Messrs. MEEHAN, GOHMERT, ROHRABACHER, and SAM JOHNSON of Texas changed their vote from “yea” to “nay.”

Mr. MURPHY of Florida and Ms. BASS changed their vote from “nay” to “yea.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. WAGNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 245, nays 186, not voting 3, as follows:

Abraham	Graves (LA)	Palmer
Adersholt	Graves (MO)	Paulsen
Allen	Griffith	Pearce
Amash	Grothman	Perry
Amodei	Guinta	Pittenger
Ashford	Guthrie	Pitts
Babin	Hanna	Poe (TX)
Barletta	Hardy	Poliquin
Barr	Harper	Pompeo
Barton	Harris	Posey
Benishak	Hartzler	Price, Tom
Bilirakis	Heck (NV)	Ratcliffe
Bishop (MI)	Hensarling	Reed
Bishop (UT)	Herrera Beutler	Reichert
Black	Hice, Jody B.	Renacci
Blackburn	Hill	Ribble
Blum	Holding	Rice (SC)
Bost	Hudson	Rigell
Boustany	Huelskamp	Roby
Brady (TX)	Huizenga (MI)	Roe (TN)
Brat	Hultgren	Rogers (AL)
Bridenstine	Hunter	Rogers (KY)
Brooks (AL)	Hurd (TX)	Rohrabacher
Brooks (IN)	Hurt (VA)	Rokita
Buchanan	Issa	Rooney (FL)
Buck	Jenkins (KS)	Ros-Lehtinen
Buchon	Jenkins (WV)	Ross
Burgess	Johnson (OH)	Rothfus
Byrne	Johnson, Sam	Rouzer
Calvert	Jolly	Royce
Carter (GA)	Jordan	Russell
Carter (TX)	Joyce	Ryan (WI)
Chabot	Katko	Salmon
Chaffetz	Kelly (MS)	Sanford
Clawson (FL)	Kelly (PA)	Scalise
Coffman	King (IA)	Schweikert
Cole	King (NY)	Scott, Austin
Collins (GA)	Kinzinger (IL)	Scott, David
Collins (NY)	Kline	Sensenbrenner
Comstock	Knight	Sessions
Conaway	Labrador	Shimkus
Cook	LaHood	Shuster
Costello (PA)	LaMalfa	Simpson
Cramer	Lamborn	Smith (MO)
Crawford	Lance	Smith (NE)
Crenshaw	Latta	Smith (NJ)
Cuellar	LoBiondo	Smith (TX)
Culberson	Long	Stefanik
Curbelo (FL)	Loudermilk	Stewart
Davis, Rodney	Love	Stivers
Denham	Lucas	Stutzman
Dent	Luetkemeyer	Thompson (PA)
DeSantis	Lummis	Thornberry
DesJarlais	MacArthur	Tiberi
Diaz-Balart	Marino	Tipton
Dold	Massie	Trott
Donovan	McCarthy	Turner
Duffy	McCaul	Upton
Duncan (SC)	McClintock	Valadao
Duncan (TN)	McHenry	Wagner
Ellmers (NC)	McKinley	Walberg
Emmer (MN)	McMorris	Walden
Farenthold	Rodgers	Walker
Fincher	McSally	Walorski
Fitzpatrick	Meadows	Walters, Mimi
Fleischmann	Meehan	Weber (TX)
Fleming	Messer	Webster (FL)
Flores	Mica	Wenstrup
Forbes	Miller (FL)	Westerman
Fortenberry	Miller (MI)	Westmoreland
Fox	Moolenaar	Williams
Franks (AZ)	Mooney (WV)	Wilson (SC)
Frelinghuysen	Mullin	Wittman
Garrett	Mulvaney	Womack
Gibbs	Murphy (PA)	Woodall
Gibson	Neugebauer	Yoder
Gohmert	Newhouse	Yoho
Goodlatte	Noem	Young (AK)
Gosar	Nugent	Young (IA)
Gowdy	Nunes	Young (IN)
Granger	Olson	Zeldin
Graves (GA)	Palazzo	Zinke

NAYS—186

Adams	Blumenauer	Butterfield
Aguilar	Bonamici	Capps
Bass	Boyle, Brendan	Capuano
Beatty	F.	Cárdenas
Becerra	Brady (PA)	Carney
Bera	Brown (FL)	Carson (IN)
Beyer	Brownley (CA)	Cartwright
Bishop (GA)	Bustos	Castor (FL)

NOT VOTING—3

Roskam
Takai
Whitfield

□ 1825

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPORT-IMPORT BANK REFORM AND REAUTHORIZATION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 313, nays 118, not voting 3, as follows:

[Roll No. 576]

YEAS—313

Adams	Fattah	Maloney, Sean
Aderholt	Fincher	Marino
Aguilar	Fitzpatrick	Matsui
Amodei	Fortenberry	McCollum
Ashford	Foster	McDermott
Barletta	Frankel (FL)	McGovern
Barton	Frelinghuysen	McMorris
Bass	Fudge	Rodgers
Beatty	Gabbard	McNerney
Becerra	Gallego	McSally
Benishek	Garamendi	Meehan
Bera	Gibbs	Meeks
Beyer	Gibson	Meng
Bishop (GA)	Graham	Mica
Blumenauer	Granger	Miller (MI)
Bonamici	Graves (LA)	Moolenaar
Bost	Graves (MO)	Moore
Boustany	Green, Al	Moulton
Boyle, Brendan	Green, Gene	Mullin
F.	Griffith	Murphy (FL)
Brady (PA)	Grijalva	Murphy (PA)
Brady (TX)	Grothman	Nadler
Bridenstine	Guinta	Napolitano
Brooks (AL)	Gutiérrez	Neal
Brooks (IN)	Hahn	Newhouse
Brown (FL)	Hanna	Nolan
Brownley (CA)	Hardy	Norcross
Buchanan	Harper	Nunes
Bucshon	Hartzler	O'Rourke
Bustos	Hastings	Palazzo
Butterfield	Heck (WA)	Pallone
Byrne	Herrera Beutler	Pascarell
Calvert	Higgins	Paulsen
Capps	Himes	Payne
Capuano	Hinojosa	Pearce
Cárdenas	Honda	Pelosi
Carney	Hoyer	Perlmutter
Carson (IN)	Huffman	Peters
Carter (GA)	Hultgren	Peterson
Cartwright	Hunter	Pingree
Castor (FL)	Hurd (TX)	Pitts
Castro (TX)	Israel	Pocan
Chu, Judy	Issa	Poe (TX)
Cicilline	Jackson Lee	Poliquin
Clark (MA)	Jeffries	Polis
Clarke (NY)	Jenkins (WV)	Price (NC)
Clay	Johnson (GA)	Quigley
Cleaver	Johnson (OH)	Rangel
Clyburn	Johnson, E. B.	Reed
Cohen	Jolly	Reichert
Cole	Joyce	Renacci
Collins (NY)	Kaptur	Ribble
Comstock	Katko	Rice (NY)
Connolly	Keating	Rice (SC)
Conyers	Kelly (IL)	Richmond
Cook	Kelly (MS)	Rigell
Cooper	Kelly (PA)	Roby
Costa	Kennedy	Rogers (AL)
Costello (PA)	Kildee	Rogers (KY)
Courtney	Kilmer	Rooney (FL)
Cramer	Kind	Ros-Lehtinen
Crenshaw	King (NY)	Roybal-Allard
Crowley	Kinzinger (IL)	Ruiz
Cuellar	Kirkpatrick	Ruppersberger
Cummings	Kline	Rush
Curbelo (FL)	Knight	Russell
Davis (CA)	Kuster	Ryan (OH)
Davis, Danny	LaHood	Salmon
Davis, Rodney	Langevin	Sánchez, Linda
DeFazio	Larsen (WA)	T.
DeGette	Larson (CT)	Sanchez, Loretta
Delaney	Lawrence	Sanford
DeLauro	Lee	Sarbanes
DelBene	Levin	Schakowsky
Denham	Lewis	Schiff
Dent	Lieu, Ted	Schrader
DeSaulnier	Lipinski	Scott (VA)
Deutch	LoBiondo	Scott, David
Diaz-Balart	Loeb	Serrano
Dingell	Long	Sessions
Doggett	Long	Sewell (AL)
Dold	Lowenthal	Sherman
Donovan	Lowey	Shimkus
Doyle, Michael	Lucas	Shuster
F.	Luetkemeyer	Simpson
Duckworth	Lujan Grisham	Sinema
Edwards	(NM)	Sires
Ellison	Lujan, Ben Ray	Slaughter
Ellmers (NC)	(NM)	Smith (MO)
Engel	Lynch	Smith (NJ)
Eshoo	MacArthur	Smith (WA)
Esty	Maloney	Speier
Farr	Carolyn	Stefanik

Stivers	Valadao
Swalwell (CA)	Van Hollen
Takano	Vargas
Thompson (CA)	Veasey
Thompson (MS)	Vela
Thompson (PA)	Velázquez
Thornberry	Visclosky
Tiberi	Wagner
Titus	Walden
Tonko	Walorski
Torres	Walters, Mimi
Trott	Walz
Tsongas	Wasserman
Turner	Schultz
Upton	Waters, Maxine

NAYS—118

Abraham	Gowdy	Noem
Allen	Graves (GA)	Nugent
Amash	Grayson	Olson
Babin	Guthrie	Palmer
Barr	Harris	Perry
Bilirakis	Heck (NV)	Pittenger
Bishop (MI)	Hensarling	Pompeo
Bishop (UT)	Hice, Jody B.	Posey
Black	Hill	Price, Tom
Blackburn	Holding	Ratcliffe
Blum	Hudson	Roe (TN)
Brat	Huelskamp	Rohrabacher
Buck	Huizenga (MI)	Rokita
Burgess	Hurt (VA)	Ross
Carter (TX)	Jenkins (KS)	Rothfus
Chabot	Johnson, Sam	Rouzer
Chaffetz	Jones	Royce
Clawson (FL)	Jordan	Ryan (WI)
Coffman	King (IA)	Scalise
Collins (GA)	Labrador	Schweikert
Conaway	LaMalfa	Scott, Austin
Crawford	Lamborn	Sensenbrenner
Culberson	Lance	Smith (NE)
DeSantis	Latta	Smith (TX)
DesJarlais	Loudermilk	Stewart
Duffy	Love	Stutzman
Duncan (SC)	Lummis	Tipton
Duncan (TN)	Marchant	Walberg
Emmer (MN)	Massie	Walker
Farenthold	McCarthy	Webster (FL)
Fleischmann	McCaul	Wenstrup
Fleming	McClintock	Westerman
Flores	McHenry	Westmoreland
Forbes	McKinley	Williams
Fox	Meadows	Wittman
Franks (AZ)	Messer	Yoho
Garrett	Miller (FL)	Young (IA)
Gohmert	Mooney (WV)	Young (IN)
Goodlatte	Mulvaney	
Gosar	Neugebauer	

NOT VOTING—3

Roskam	Takai	Whitfield
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□ 1832

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL DEFENSE
AUTHORIZATION ACT

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, last week, President Obama vetoed the National Defense Authorization Act, which sets funding levels for our military operations.

The bipartisan NDAA contains a number of positive components. The bill funds our troops' pay increases, health care and retirement benefits. It funds the ongoing effort to defeat ISIS and our effort to Afghanistan. This measure blocks the President's plan to close Guantanamo Bay, which would

move the terrorists here to U.S. prisons if it was shut down. And it continues funding for the A-10, a very important close air support aircraft so effective that it is leading the fight against ISIS.

This isn't one of the controversial issues we debate here. It is about the basic responsibility of funding our military while our Armed Forces are engaged overseas.

With ISIS, Syria, Iran, South China Sea, Ukraine, Afghanistan, and also our allies like Israel watching and wondering what we are doing here, we need to do a lot better than that. We need to override the President's veto.

REAUTHORIZATION OF THE
HIGHWAY TRUST FUND

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Mr. Speaker, today, Congress was faced with a 22-day extension for the reauthorization of the highway trust fund. We have been in this situation before, and every time Republican leadership has chosen to kick the can down the road.

Mr. Speaker, it has to end here. This needs to be the last time. If Congress is going to take 22 days, then we need to use the time to come together and focus on a long-term solution, one that is measured in years, not months.

Our roads, rails, and bridges are the foundation of our economy. They transport our goods, get working moms and dads to and from work, and they connect our towns and cities to States and to the global economy.

We cannot afford to gamble with our transportation and infrastructure, which Inland Empire families in my area and millions throughout the country rely on every day.

If we are able to do this extension, then let's stop governing by crisis. Short-term Band-Aid solutions prevent cities and towns from being able to plan and accommodate for future projects.

Today, I ask my colleagues to come together and take these 22 days to put through a responsible, long-term solution so Inland Empire families and throughout this Nation have safe and sustainable infrastructure to support their growing homes and businesses.

DOMESTIC VIOLENCE AWARENESS
MONTH

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, as a former judge and prosecutor, I saw the impact of domestic violence firsthand.

As co-founders of the Victims' Rights Caucus, with my friend JIM COSTA from California, we believe that it is important to recognize October as Domestic Violence Awareness Month.

My grandmother used to always say, "You never hurt someone you claim you love." Yet, in 2014 alone, 132 women were killed in domestic violence-related incidents in Texas.

After a history of spousal abuse, 27-year-old Candace Williams Deckard of Houston, Texas, was murdered by her husband on July 17, 2014. She had three children. Her toddler was in the room when she was murdered. Another one of her children, a 7-year-old, ran down the street for help. All of these children will grow up without their mother.

Domestic violence, Mr. Speaker, is not a family issue; it is a national health issue, and it is a criminal justice issue. Domestic violence is a scourge on our national culture. We must not tolerate those who would destroy a family by abuse and murder. We must protect victims.

After all, Mr. Speaker, you never hurt someone you claim you love.

And that is just the way it is.

RETAIL INVESTOR PROTECTION ACT

(Mr. CURBELO of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CURBELO of Florida. Mr. Speaker, I rise today in support of H.R. 1090, the Retail Investor Protection Act, which just passed the House.

This bill would delay the Labor Department's regulation defining when an individual would be considered a fiduciary under the Employee Retirement Income Security Act, or ERISA.

As a member of the House Education and the Workforce Committee, I have expressed serious concerns that the proposal to expand the definition of "fiduciary" will limit investor choice, prohibit access to investor guidance, and raise the costs of savings for retirement.

In July, I signed a comment letter, led by Chairman KLINE and Chairman ROE, stressing that this proposal would cut off vital financial advice for many low- and middle-income families and small business owners. We also shared concerns that this regulation would conflict with Securities and Exchange Commission rulemakings authorized in Dodd-Frank.

I want to thank my colleague, Mrs. WAGNER, for introducing this important legislation that will provide certainty in ensuring that adequate financial planning products are available for all my constituents in south Florida, and I stand ready to work with Chairman KLINE to further address this issue at the Education and the Workforce Committee.

NATIONAL FARM TO SCHOOL MONTH

(Mr. RODNEY DAVIS of Illinois asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize National Farm to School Month.

During the month of October, thousands of local food producers in schools across the country have been working together to promote food and agriculture education.

Since Farm to School Month was established in 2010, the National Farm to School Network has worked to highlight the importance of teaching kids the benefits of healthy food choices and the advantages for our local economies when we buy them from local producers.

The Farm to School Network provides kids with hands-on nutrition education through projects like community gardens and farm field trips.

Earlier this year, members of my staff worked at a community garden in Springfield, Illinois, sponsored by genHkids, a nonprofit organization that strives to educate children about the importance of healthy eating.

I am a cosponsor of H.R. 1061, the Farm to School Act, which expands USDA grant funding to schools, agricultural producers, and nonprofits to improve access to local foods for programs that serve our communities, such as the School Breakfast Program, the Summer Food Service Program, and the Child and Adult Care Food Program.

Our local food producers play an integral role in feeding central and southern Illinois families. In celebration of National Farm to School Month, thank you to all our farmers and schools that bring healthy, local foods to the table for our kids.

□ 1845

SPEAKER JOHN BOEHNER AND HIS SERVICE TO AMERICA

The SPEAKER pro tempore (Mr. HILL). Under the Speaker's announced policy of January 6, 2015, the gentleman from Ohio (Mr. CHABOT) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I will be sharing the time this evening with the gentlewoman from Ohio (Ms. KAPTUR), who will handle the Democratic Members who are interested in speaking, and I think there may be some language up there that the Chair may

want to read into the RECORD at the appropriate time.

The SPEAKER pro tempore. The Chair understands that all time yielded to the gentlewoman from Ohio (Ms. KAPTUR) will be yielded through the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, in having represented a neighboring district to JOHN BOEHNER's for 19 of the last 21 years, I have come to know JOHN pretty well. I consider him not just a colleague and the leader of the House, but a friend.

It is not just our time in Congress in representing neighboring districts that we share. We have had a lot in common throughout our lives, and we have often talked about those similarities.

We have both lived in the Cincinnati area our entire lives. We were born and grew up in Reading, a small, blue-collar neighborhood just to the north of the city of Cincinnati, although my family moved to Cincinnati's west side when I was 6 years old.

We were both second-born children, although I am the second of 4 and JOHN is the second of 12 children. We were both raised—and still are—Catholic. So I know just how important having Pope Francis speak to a joint session of Congress was for Speaker JOHN BOEHNER.

We both played football in rival Catholic high schools in the GCL, the Greater Cincinnati League, which is an incredibly competitive league in a football-crazy State: Ohio. We both played defense.

In fact, we both had ties to former head coaches at Notre Dame. JOHN played for Gerry Faust at Moeller High School, and I was recruited to William & Mary by Lou Holtz, both of whom, of course, became head coaches at Notre Dame.

We both worked to put ourselves through school as janitors. Later we both ran small businesses, JOHN with a packaging and plastics business and I with a very small law practice.

We both served in local politics in the Cincinnati area in the 1980s before being elected to Congress. So in many ways I understand the challenges that JOHN has overcome, probably, more than most.

Make no mistake. JOHN BOEHNER's story is incredible. It is the American Dream personified.

A couple of my colleagues, I know, would like to speak here this evening. So, first, I yield to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. I thank the gentleman from southern Ohio.

Mr. Speaker, it is a privilege to speak today to recognize outgoing Speaker BOEHNER, whom I got to know a little bit better in 2010, when I ran for Congress. So many of us are here today serving and had difficult races that year, and the Speaker's commitment to us was a big morale boost in that long campaign.

I remember the last days of the 2010 election when we had two standing room only rallies in Zanesville and Chillicothe, Ohio. On the eve of those historic victories, I was proud to stand with Speaker BOEHNER and lay out the vision for the Republican House.

Mr. Speaker, I have a picture of the Zanesville rally hanging on the wall in my home. As you begin your retirement, I hope that you will continue to look back on those chilly October rallies in 2010 as fondly as I do.

Thank you, Mr. Speaker, for the years of service to the people of western Ohio and the country and your confidence in me and in so many other candidates in 2010. I congratulate you on your retirement, and I wish you and your family nothing but the best.

Godspeed.

Mr. CHABOT. I thank the gentleman for his very kind remarks.

Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR). I might note that she is the most senior now of the 16 Members from Ohio and is the longest serving woman in the entire House of Representatives.

Ms. KAPTUR. I thank the gentleman from Cincinnati, Congressman CHABOT, for organizing this important hour of recognition, and I thank all of my colleagues on both sides of the aisle who have taken the time to be here to thank Speaker JOHN BOEHNER for his service to America.

Mr. Speaker, JOHN has served the people of Ohio ably for well more than two decades, having begun his career in the Ohio legislature, but he has served here in the Congress now for more than two decades.

If we think about that period of time, we think about the various situations that he has faced as a Member and then later as Speaker, certainly, in the late 1990s, being part of a broad coalition to balance the budget when President Clinton was President. Literally, we were able to balance the budget by the end of the 1990s and begin paying back America's long-term debt.

That all changed with the dawn of war in the 21st century, with the 9/11 attack on our country, subsequent military conflicts, and then the 2008–2009 economic crash, which we are still digging our way out of. We look at the more recent, sad invasion by Russia of Ukraine and at the ensuing conflict in the Middle East that has now spilled over into Syria.

I would say that this period of Speaker BOEHNER's service, both as Speaker and then prior, as a Member, has been a very difficult time for America.

If I think about some of my favorite memories of the Speaker, certainly it would be one of our most recent experiences as a Congress, with Pope Francis coming here and the Speaker's handkerchief being very wet during that period, but I know of his utter joy at having worked so hard to invite the Pope

here to address us. For the first time in American history, a Pope addressed the Congress as the head of state.

Another memory I have of the Speaker—and, I think, Congressman CHABOT shared—was with Ohio State and the victors over here in the Speaker's Lobby. Over in the Rayburn Room, all of us were posing, Republican and Democrat alike. We were very proud of our Ohio Buckeyes. Some of our colleagues, like Congressman JOYCE, was handing out Buckeyes to every Member, which his wife made. There were moments of joy as well.

There were the Speaker's many accomplishments, such as the Speaker requiring bills to be posted 3 days online before we voted on them. He had many accomplishments and built a legacy in his own right, as a reasonable voice for his party, despite presiding over a fractious membership that has become more fractious with the ensuing years. He consistently worked to find a way forward during a period as contentious as any, that I recall, in the history of this Congress, even when compromise seemed out of reach.

I would have to say, without question, Speaker BOEHNER's departure is a huge loss to our Buckeye State. The House is a place where seniority and the ability to balance competing and sometimes intractable demands matter, and we as Ohioans are very, very grateful for his service.

As the most senior member of Ohio's Buckeye delegation, I thank the Speaker for his dutiful and patriotic service to the people of the United States and to this House for 25 years. His respectful and moderating presence—often with a smile—in this House will be missed.

May he and his family enjoy the years ahead as he returns home to Ohio and, I think, to some other locations to get some deserved R&R after the very difficult period during which he has served.

We have several speakers on this side, Congressman CHABOT, and we await your yielding us time in order to recognize them in due order. I thank you so much.

Mr. CHABOT. I thank the gentlewoman for her kind words.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. RENACCI), whom I happened to defeat in the Ohio delegation fantasy football league this past weekend.

Mr. RENACCI. I thank the gentleman. I did not know we were going to talk about that tonight.

Mr. Speaker, tonight I join my colleagues in voicing my appreciation for the years of dedicated service of our Speaker, JOHN BOEHNER.

Speaker BOEHNER has been a strong leader through some very difficult and unique times. He has faced many challenging situations and decisions, but he has also celebrated many great accomplishments.

He arranged for Congress to hear from great foreign leaders during pivotal times in our Nation, such as Israel's Prime Minister and the Ukrainian President. Most recently, he orchestrated the historic visit of the head of the Roman Catholic Church, Pope Francis, to address a joint session of Congress.

He has been a leader on improving our education system and the lives of all children. It has been an honor and a privilege to serve alongside him in this Chamber and with the Ohio delegation.

Mr. Speaker, one fun fact about Speaker BOEHNER and I: We both love to play golf, and I have played a lot of courses with him, but never in the same foursome.

So, Speaker BOEHNER, I look forward to one day joining you for a friendly round of 18.

Again, I want to thank Speaker BOEHNER and his family for their years of service and dedication to our country.

Mr. CHABOT. Mr. Speaker, I yield to the gentleman from Chicago, Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank the gentleman for yielding.

Mr. Speaker, I rise to commend the public service commitment and dedication of Speaker JOHN BOEHNER.

The Speaker has much to be proud of, and we all should be thankful for his service to his constituents, to the House, and to our Nation.

While we all can find issues on which we didn't agree with him, I appreciate that Speaker BOEHNER did his utmost best to keep the House functioning in a vital branch of government—yes, in some very, very difficult times—but I think history will really show that JOHN BOEHNER did a fantastic job in getting us through these times.

Speaker BOEHNER, we all know, has a big heart. I guess it is not demonstrated in his profane way that he likes to address his friends, but it is demonstrated well by all of the time and effort he has put into a scholarship program for disadvantaged children in Washington, D.C., to go to Catholic schools. He knew the advantages that he had in going to Catholic school, and he wanted to give those advantages to others. I think that really says much more about JOHN BOEHNER than anything else, probably, that he has done.

So thank you, Speaker BOEHNER, for your service and the sacrifices you, your wife Debbie, and your entire family have made.

I would also like to acknowledge the Speaker's staff, who are a great reflection of the Speaker. I especially want to acknowledge his Chief of Staff, Mike Sommers; his floor leader, Jo-Marie St. Martin; his former Chief of Staff, Barry Jackson; Katherine Haley; Maria Lohmeyer; Tommy Andrews; and so many others who really helped this place to run.

Thank you for all of your service, and I wish all of you the very best.

Mr. CHABOT. Mr. Speaker, I yield to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Thank you very much. I appreciate Chairman CHABOT for yielding and for the Special Order tonight to honor Speaker BOEHNER.

Mr. Speaker, this is a time of reflection when you kind of remember some of the first times you actually meet people and have met people, and this is one of the things I remember about JOHN BOEHNER.

I was in the Ohio General Assembly. What a couple of our colleagues and some of my fellow Members here tonight will remember very well are Senators White and Nein.

We were walking across the street in front of the State House in Columbus, and I said, "Hey, why don't you come over with us. We are going to have a meeting with JOHN BOEHNER, who is in the U.S. House, and talk about some of the things that he is doing on education."

That is the first time I met the Speaker, and I can still remember how impassioned he was at that time when you were talking about education and about the youth of America.

The next time I really got to know the Speaker was during my special election back in 2007. After it was all over, I can still remember that my wife and I got a call from the Clerk's Office here. It was around 11 p.m. on election night.

They said, "We need to know when you are going to come down and get sworn in."

I said, "I need to talk to my wife about that." I said, "Don't we need to worry about the Secretary of State?"

"Oh, no. We see that as no problem at all."

So we started talking about it because we wanted to make sure our daughters were here to see me get sworn in. We had this all planned out that we would come down the following Monday.

I was pulling into the State House's parking garage the very next morning, at about 9 a.m., because I was still a member of the State General Assembly and had to vote that day. Just as I am pulling in, my phone rings.

I say, "Hello," and it is JOHN BOEHNER.

He asked, "LATTA, when are you coming down here?"

I said, "You know, it is funny. I just got off the phone. I was talking with my wife about that." I said, "I think we can get there on Monday."

He said, "You will be here tomorrow."

And I said, "Leader, we will see you tomorrow."

But he has always been very, very accessible. The Members here in the House have always been very appreciative of that. There has never been a

time that I have been denied an opportunity to sit down with him in his office to go over the issues that are important to me and to the people of my district.

□ 1900

It is also important that, as the chairman said a little earlier about being from the same area, well, the Speaker and I share a county in north-west Ohio, which is Mercer County. The people there speak so highly of him.

So with all these years that have gone by, I just want to wish the Speaker, Debbie, and his whole family all the best and a great retirement.

Mr. CHABOT. I thank the gentleman for his kind words for the Speaker.

I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the gentleman very much.

I would just like to say that one of the features I like best about JOHN BOEHNER is that he wanted to be Speaker of the House. He didn't want to be President. He didn't want to head over to the other body. He didn't want a Supreme Court nomination.

He really loved this House, and that matters. That matters to all of us who continue to serve, and that matters to the historical record.

We appreciate all of the substance that he has given. Whether you agreed with him on issues or not, he definitely was a man of the House.

Mr. CHABOT. I yield to the gentlewoman from northeastern Ohio (MARCIA FUDGE), representing Cleveland down to Akron.

Ms. FUDGE. Mr. Speaker, I am proud to stand with the Ohio delegation this evening to thank you, Mr. Speaker, for your 24 years in the U.S. House of Representatives and for your lifetime of public service. You have served this Nation and the people of Ohio with distinction.

For 24 years, you have honored and respected this institution. You have worked arduously to get things done. As Speaker, you have been a leader willing to listen to all sides and address the complex issues of our time. We applaud your commitment and dedication to the House and will be forever grateful for your statesmanship and courtesy.

While we may not have always agreed, your door was always open. I could always come to you and discuss problems and issues. I respect your opinion and consider you a friend.

I speak for everyone when I say you will be missed in this House. You are a gentleman and a scholar, and it has been a pleasure and a privilege to have served with you. I wish you well in your retirement.

Mr. CHABOT. I thank the gentlewoman for her kind words.

I mentioned before in my opening statement that there are a number of

rival GCL, Greater Cincinnati League, high schools. They are rivals in all sports, in academics and everything really, but especially in football.

As I mentioned, Speaker BOEHNER went to Moeller, one of those GCL schools. I went to LaSalle. Elder is another school. The fourth school, not necessarily in order because they beat LaSalle this year and for the last 5 years, is St. Xavier High School.

The next gentleman who will be sharing in this tribute to our Speaker is a graduate of St. Xavier High School, and that is BRAD WENSTRUP.

I yield to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Well, I thank you, Mr. Chairman, for yielding.

Mr. Speaker, I am here to recognize the gentleman from Reading, Ohio. It is a town in my district full of hard-working people and committed families.

Now, this man from Reading grew up in a big and very faithful family. He learned the value of hard work sweeping the floors of his father's bar and worked his way through Xavier University in Cincinnati.

When he came to Washington, he was a reformer from day one. The last man standing from the Gang of Seven, he worked to clean up corruption from the House bank in the 1990s to banning earmarks today.

For the first time in half a century, the House of Representatives decreased discretionary spending for 2 years in a row.

Mr. Speaker, with all of your service in mind, I am reminded of a Teddy Roosevelt quote. It says: "It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done better. The credit belongs to the man who is actually in the arena." And that is you.

JOHN BOEHNER attended Moeller High School, as Representative CHABOT mentioned, a school in Cincinnati that I am proud to say is a rival to my high school, St. Xavier. We beat Moeller this year, and, Mr. CHABOT, we beat LaSalle this year.

You know, through that Catholic schooling, JOHN BOEHNER committed himself to thousands of children that seek a real education and values in their lives. His support for educational choice has opened pathways of opportunity for thousands of children locked in poverty, fighting to give all students a chance to choose their own future.

For over a decade, JOHN BOEHNER has held fundraisers for scholarships for D.C. children seeking a chance in life through education at D.C. Catholic schools that otherwise they could not get.

I hope that these acts of kindness will be permanently engraved in the legacy of Speaker JOHN BOEHNER.

So thank you, Mr. Speaker, not only on behalf of the largest Republican majority since 1928, but on behalf of my

family and for your and Debbie's personal kindness and guidance to us.

Good luck, Mr. Speaker. Thank you.

Mr. CHABOT. I thank the gentleman for his very kind words.

I yield to the esteemed gentleman from New York City (Mr. RANGEL).

Mr. RANGEL. Well, I am not only going to miss Speaker JOHN BOEHNER, but I am going to miss when I leave next year the Congress that JOHN BOEHNER and I have loved so much.

If Republicans think that they had a problem with JOHN BOEHNER, they should have known Jack Kemp because it was Jack Kemp who introduced me to JOHN BOEHNER. And at that time, we acknowledged that there were Democrats and Republicans, but the whole idea that you could be vindictive enough to attempt to destroy someone politically or not work together as JOHN did with George Miller in bringing Leave No Child Behind—the work that I have done on Ways and Means with trade and was so open in dealing with JOHN, who represented, not an ideology, but represented what he thought was best for the country.

To me, JOHN BOEHNER was, as so many people have said, just a regular guy, the first one in his family, like so many of us, that went to college. He entered public service and through a variety of things became the Speaker of the House, which has to be just one of the greatest sense of pride that any American could ever have.

The whole idea that there were people in this partisan time that would believe that they would want him to leave even more than Democrats would want him to leave is something that would have to be explained by history.

Of course, things are strange today. There is a Black doctor brain surgeon who is now leading for President for the Republican Party. And Donald Trump, a favorite with Saturday Night Live, is right behind him for President. There is a big battle as to who will replace JOHN.

These are things that are just so unusual so that, while I miss JOHN, I am just missing the days when we used to come to this floor in this Congress to decide how many votes do we need to get something passed. We hoped that we would be in the majority, but the most exciting thing would be being able to work with the other side and being able to sit with the President or stand with the President and to truly feel that you were not a Democrat or Republican, but you got legislation passed.

We never called it compromise. I guess we called it just working together and enjoying working together, and that is gone. I don't know whether it will come back.

It would seem to me that JOHN is always going to be remembered as somebody that cared more about his country, his family, and this Congress than

he did about being Speaker. And that is the way I want to remember him.

Thank you, Congressman CHABOT and Congresswoman KAPTUR, for giving me this opportunity.

Mr. CHABOT. I appreciate the gentleman's words. He has been around here a long time. He is a very distinguished gentleman, a Korean war veteran, and we respect you greatly.

I yield to the gentleman from Ohio (Mr. TIBERI).

Mr. TIBERI. Mr. Speaker, what a journey. What a journey. It is a journey that I got to join after I was elected to the House in November of 2000.

My first real interaction with you, Mr. Speaker, you might remember, you were the incoming chairman of the Committee on Education and the Workforce.

As freshmen, we were putting together our requests to decide what our top committee assignments would be. Education and the Workforce wasn't one of mine, but apparently it is one of yours, not just for you as chairman but for me as freshman because you came by and you saw my list and said, "I don't know why you are doing that. You are going to be on the Education and the Workforce Committee." I said, "No, I am not." Yes, I was and, yes, I did. And it was an unbelievable experience. It was one which I did not expect. And as Chairman RANGEL said, it was one that made history with George Miller and the late Senator Ted Kennedy and President George W. Bush. It wouldn't have happened without the leadership of then-Chairman BOEHNER.

Boy, could he run a committee. It was really his forte, and most Americans don't even know what a great committee chairman he was. He was a committee chairman's chairman, quite frankly.

He, as leader, as Speaker, will go down in history as one who cherished that process. That process was not always what he liked or what he wanted, but he sure understood it, he sure respected it, and he sure loved it. As Mr. RANGEL knows, he was sure good at it in a bipartisan way.

In early 2006, we had an opening for majority leader. I harken back to a dinner that I was able to attend back in 2002 when I heard then-Chairman BOEHNER say, "You know, some day I would like to be back in leadership."

I looked at him like he was crazy. You are kidding me? How could he do that?

Do you know what he did? He just worked hard. He did the right things. He played the long game. He helped people. When the opening that nobody saw came in 2006, he won an upset race on the second ballot to become our majority leader.

The die was already cast, and we lost that election in November of 2006. The Democrats took the majority, and JOHN was our minority leader. He

worked hard. Many thought that we would never see that majority again.

On November, the day before the election in 2010, I had lunch with then-Leader BOEHNER, and he said: "We are going to take the majority back, and it is going to happen tomorrow."

Ladies and gentlemen, history all changed when Pope Francis came. It changed because Pope Francis was here, but it changed the history of JOHN BOEHNER's speakership. I am confident history will show that JOHN BOEHNER was one of the best Speakers in the history of our country.

Mr. Speaker, Godspeed. We will miss you.

Mr. CHABOT. I thank the gentleman very much. Very inspiring.

I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, next will be Congresswoman JOYCE BEATTY, who had served as the minority leader of the Ohio Senate prior to arriving here has just arrived with such capacity, and I know she has served with JOHN BOEHNER and knows him very well.

Thank you for being here this evening, Congresswoman BEATTY.

Mr. CHABOT. I yield to the gentlewoman from Ohio (Mrs. BEATTY).

Mrs. BEATTY. Thank you to my friend, Congresswoman MARCY KAPTUR, and Congressman CHABOT for managing tonight's Special Order.

I am proud to join my colleagues as we salute Speaker JOHN ANDREW BOEHNER for his almost 25 years of service and being elected this January to his third term as Speaker of the House.

Tonight my remarks are personal. I have had the pleasure of knowing JOHN BOEHNER for more than three decades. Although at different times we both served in the Ohio House of Representatives, he and my spouse, Otto, served and worked on many things together.

□ 1915

When I came to Congress, he invited me into his office for a cup of coffee. It is not bad to have the Speaker, the third most powerful person in the country, call you by your first name and, when we are back home, to say to others in my district that I am his friend.

As a freshman, I learned, as most of you know, that seniority is very important in this House. Well, I said, I was a freshman, so that equals no seniority. Nelson Mandela died, and I learned that there was going to be an opportunity for Members to go to South Africa to Nelson Mandela's funeral. Wow. Yes, I wanted to go.

All my colleagues said: There is one problem, Congresswoman BEATTY, and that word again appeared—seniority. I will always be so grateful for Speaker BOEHNER approving the recommendation from Leader PELOSI. Yes, I went to Nelson Mandela's funeral.

Tonight I am proud to join my colleagues in saying that Speaker BOEHNER served as a great statesman for

Ohio and the Nation. The great State of Ohio has benefited greatly through his leadership.

While there are things, certainly, that we have not agreed on, we have always managed to not be disagreeable in a way that was negative for Ohio or the Nation. But there were some things that we did agree on.

There is one quote that was a very proud moment for me, as a Member of this United States Congress, when Speaker BOEHNER said: "It was beginning to become a political football, and I just thought it was time to stop. Let's have a discussion with responsible Members of Congress to try to bring some resolution to this."

But in his own view, Mr. Speaker, there should be no debate because, he said: "In my view, the issue is settled. The flag should be gone." And, Mr. Speaker, that flag was the Confederate flag. So I say thank you, Mr. BOEHNER, for that.

Thank you, Congresswoman KAPTUR, for a recent article that I read that you wrote about Speaker BOEHNER. I think you said it all when you talked about his life here in Congress, and you said we all have benefited in our State from the great work that he has done. I agree with you.

Thank you, Mr. Speaker, for always taking my calls. Thank you for always having an open door. I leave you with these words, the words of Nelson Mandela: "It always seems impossible until it is done."

Thank you, Mr. Speaker. Job well done.

Mr. CHABOT. Reclaiming my time, the gentlewoman referred to having been given the opportunity to attend the funeral of the great Nelson Mandela. The Speaker actually made it possible for me to also go on a bipartisan delegation to the funeral of Pope John Paul II, and it was one of those experiences that is kind of a once-in-a-lifetime thing. It was a sad occasion, but nonetheless one that was very inspirational for me and a lot of other Members who went as well.

I now yield to the gentleman from Ohio (Mr. STIVERS).

Mr. STIVERS. Mr. Speaker, I thank Chairman CHABOT for yielding to me.

Mr. Speaker, today I rise to honor a fellow Ohioan who has done so much for our country. I didn't really know JOHN BOEHNER when Congresswoman Deborah Pryce, my predecessor once removed, decided to retire. He started calling me, and I got to know him a little better. He convinced me to run for Congress to make America better and make America stronger.

The other thing I will always remember is he was very honest during that recruiting process. I remember talking to him about, "Gee, I would like to get on the Committee on Energy and Commerce." He took a big drag of his cigarette, and he said, "Not gonna happen."

He never misled me. He never said anything that he didn't back up. I will always respect that about him and the way he has acted his entire time for 25 years in this House. I know he will be happy to spend more time with the things and people that are important to him. He is going to spend more time with his wife, Debbie, his children, his brandnew grandson, and of course he will spend more time with his golf clubs and probably a bottle of wine.

I think it goes without saying that we will miss JOHN BOEHNER more than he will miss us. He has always been the responsible adult in the room. He has always done what is right for America, regardless of the personal cost. He has a lasting legacy in this institution, from simple traditions like the Boehner birthday song that we will sing in this institution for a very long time to policy matters, like looking after at-risk kids, both here in Washington and all around this country, enacting meaningful entitlement reform, and banning earmarks.

He also had political accomplishments: winning back a Republican majority in the House and growing that majority. His legacy will be lasting indeed. I am a better Representative for having worked with JOHN BOEHNER.

They say Washington changes you, but after 25 years in Washington, D.C., JOHN BOEHNER has never forgotten where he came from. His roots are that big, Catholic family, running a local bar in a blue collar part of Cincinnati. That background grounded him and gave him the right perspective on both life and public service. Losing JOHN BOEHNER is bad for Ohio, and I believe it is bad for America, but it is probably good for JOHN BOEHNER.

Speaker BOEHNER, on behalf of my constituents, let me say thank you for your selfless service to this country, and good luck in the future. Please don't be a stranger.

Mr. CHABOT. I thank the gentleman. Does the gentlewoman from Ohio have any further speakers?

Ms. KAPTUR. Congressman CHABOT, I have no further speakers, but I would just like to add this if I might.

Mr. CHABOT. Absolutely.

Ms. KAPTUR. That is, the circumstances that have led to Speaker BOEHNER's decision to depart this Chamber trouble me a great deal. History will report on everything that happened that has led to this point, but how sad is it that someone with that experience from our part of the country—the Great Lakes region doesn't have all that much here in terms of leadership positions—would do this for what he views as the good of the country because certain individuals seem not to be able to work as a team. If we can't work as a team, team America, then I think that really harms our entire Republic.

Speaking as the dean of our delegation, Ohio will lose a great deal by the

Speaker's departure. Many times I have said in my career: How is it that the State that produced John Glenn and Neil Armstrong to both orbit the globe and land on the Moon, why do we have the smallest NASA center in the country?

There are real regional pulls inside this institution, and JOHN BOEHNER put his sword in the ground for our Great Lakes region. I worry a lot about what this means for us as other parts of the country weigh in more heavily.

As an Ohioan, understanding that there are so many things we don't have from this Federal Government, we don't have a major research center from the national energy labs; other than Wright-Patterson Air Force Base, we really don't have bases, as other parts of the country do, to the same extent, when you look at the Federal establishment in Ohio; if you look at the National Park Service and what it does west of the Mississippi versus what it does east of the Mississippi. We actually had a voice for our part of the country, so I take his leaving very personally in terms of what it means to us as a State.

I want to thank him for allowing the Ukraine Freedom Support Act to move to the floor late last year. It was one of the last agenda items of that session of Congress. I know, without his intervention, we wouldn't be where we are today in terms of trying to be relevant at liberty's edge.

I thank him for his service. As third in line to the Presidency of this country, most Americans will never know some of the burden that he bore, with knowledge that most of the rest of this Chamber does not have, but for certain he did, and he held that close to himself.

I thank him for all those quiet moments when perhaps the burden seemed almost overwhelming. I thank him for his service. I assume he will continue to be involved in some ways in the days and years ahead. He loves politics too much to just walk away from it.

I thank him on behalf of the people of Ohio for representing our State, our region, in his dutiful service to the United States of America.

Thank you, Speaker JOHN BOEHNER, from Ohio, from the heartland.

I thank Congressman CHABOT, the dean on his side of the aisle, for yielding to me.

Mr. CHABOT. Mr. Speaker, I want to thank the gentlewoman for participating this evening. We really do appreciate making this a bipartisan event.

Although our next speaker is not from Ohio, she is the next best thing, the gentlewoman from Indiana (Mrs. BROOKS), and that is no offense to our next door neighbors in Kentucky or Pennsylvania.

Mrs. BROOKS of Indiana. Mr. Speaker, I want to thank the gentleman from

Ohio for spearheading this Special Order tonight and giving us the opportunity to honor Speaker BOEHNER.

Part of his legacy and what I was told about Speaker BOEHNER before I arrived here was his incredible honesty—honesty to all of us with whom he worked and honesty to the American people—his humility, his sense of humor, and his incredible patience.

I remember first coming into Congress in the 113th Congress and, in fact, it was the Speaker's wife, Debbie Boehner, who became the mentor to my husband, as a new congressional spouse. I was, quite frankly, a bit terrified of the thought of my husband being assigned to the Speaker's wife. However, they were perfect. They both enjoy an incredible sense of humor, but they also ground us, and they remind us what is important in life. I would like to thank Debbie Boehner for sharing her husband and for sharing the father of their children with the country all of these many years.

What the Speaker shared with all of us is he shared and taught all of us about the importance of this institution, its rich history, and how to serve the people of our districts with distinction and honor. Although I am a Miami of Ohio grad, I have to admit, I enjoyed a common bond with the Speaker in that my daughter played soccer for Xavier University, and so it was fun to share that love of Xavier University with him as well.

I would like to mention probably his last codol, or his last congressional trip, and I was very honored to be asked to be a part of it. It was this summer, and it was a codol to Eastern Europe, to Lithuania, Finland, and Poland, most notably, and we ended in Ireland. However, while we were in Eastern Europe, it was because of Speaker BOEHNER that he showed the Eastern European countries how vitally important it was that we stand with our allies against Russian aggression.

It was an honor to be a part of that trip because he demonstrated America's leadership and commitment to freedom and ensuring that we would stand with our friends and allies. It was an incredible learning experience for me and the others on the trip.

When I think about the Speaker, he probably has worked harder than anyone I will ever know to protect this institution. Although it is not for much longer that we will call him Mr. Speaker, I will always admire his steadfast commitment to protecting the American public and serving our country.

I must share that one of the unique aspects of his leadership and that of his terrific team which has surrounded him is they have done an incredible job sharing his experience as leader with the American public. Whether we have watched on YouTube or other ways a morning trip to the diner for breakfast,

fixing his lawnmower at home, carving the turkey or, most importantly to him, the historic visit from Pope Francis, he and his staff have done an excellent job of giving the American public and the American people an inside look at the life of JOHN BOEHNER, the Speaker of the House.

He embodies the qualities of an American patriot. It has truly been an honor to serve with him in the United States Congress. I am now so pleased he will have the opportunity to enjoy being a new grandfather and enjoy his children, Lindsay and Tricia, and of course his wife, Debbie. He will very much be missed.

Thank you, Mr. Speaker, for your commitment to our country.

Mr. CHABOT. I thank the gentlewoman for her kind words. She mentioned she is a Miami of Ohio graduate. I would just note for the RECORD that our son Randy is a graduate, and my younger brother Dave is also a graduate of that great college. I almost went there myself.

I now yield to the gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. I thank the gentleman for yielding, and I thank the Ohio delegation for giving us this very special opportunity to honor a man whom we all admire and appreciate.

I am not from Ohio. I am from the State of Florida. I haven't known JOHN BOEHNER nearly as long as many of my friends who have spoken here tonight. However, I can say this, Mr. Speaker: For many of us who are still relatively new here in Congress, for many of us who represent a younger generation of leaders who have come here to serve, JOHN BOEHNER is a great example—an example of decency, of sincerity, of integrity, and of profound caring for every single American and for all of us.

□ 1930

I am moved by JOHN BOEHNER's work in education, which is clearly one of his great passions. As a school board member in Miami-Dade County, I saw firsthand the difference that JOHN BOEHNER's work in education made in the lives of children, oftentimes poor children, low-income children, who would not be counted had JOHN BOEHNER not done such wonderful work in the Committee on Education and the Workforce when he was chairman.

The legislation that JOHN BOEHNER and those who served with him advanced made sure that every child counted and that no child would be counted out, no matter where they lived, the color of their skin, or where their parents came from.

So today I just say thank you to JOHN BOEHNER. I say thank you to his family.

Like the Speaker, I am the father of two girls. I know exactly how much they have sacrificed for him, for his colleagues, and for our country.

Mr. Speaker, I am a better man for having served with JOHN BOEHNER. This institution is a better institution for his service. Tonight we and the American people thank him.

Mr. CHABOT. I thank the gentleman very much.

Mr. Speaker, I yield to the gentlewoman from American Samoa (Mrs. RADEWAGEN).

Mrs. RADEWAGEN. I thank the gentleman from Ohio.

Mr. Speaker, I rise today to recognize the unwavering dedication and years of exemplary service of House Speaker JOHN BOEHNER to our great Nation.

As the Delegate to the United States of House of Representatives from American Samoa, I am always honored to address the Chamber, even more so today, so that I can acknowledge the sincerity, kindness, and years of hard work of a man that I have known for over 20 years.

As a man who has gone from the humble beginnings of a night janitor to the Speaker of the United States House of Representatives, Mr. BOEHNER is the perfect example of the American Dream fulfilled. It demonstrates that, with hard work, dedication, and a strong moral compass, one can achieve great things in our great Nation.

From the humble beginnings of a child of 12 who used to sweep floors to second in line to the Presidency, not too shabby.

I believe that the fact that he rose from very humble beginnings to the Speakership has made him the man and leader he is today, one who always made even the lowest ranking freshman feel at ease and included, and I thank him for that.

While we all know of the many achievements that this man of the people has accomplished during his illustrious career and recognize his unquestionable dedication to our Nation, many do not realize just how kind, modest, and caring he truly is as a person.

During a recent GOP retreat, I was able to spend a few minutes with the Speaker—or should I say my granddaughter Ella did. I had brought Ella, who is 2 years old, with me to the retreat so that I could spend some time with her during the breaks in between the activities.

Well, let me tell you, Ella was mesmerized by the Speaker, and I am pretty sure he felt the same. They had a conversation that only the two of them seemed to understand, and Ella was just fascinated with this very funny man who was so kindly entertaining her. This short, but memorable, interaction is one that I know Ella will be proud to recount when she is older.

Mr. Speaker, I ask that the House rise and join me in saluting the 53rd Speaker of the United States House of Representatives, JOHN BOEHNER, and also thank him for his unwavering

dedication and outstanding service to our grateful Nation.

Mr. CHABOT. I thank the gentlewoman for her kind and inspiring remarks.

Mr. Speaker, I now yield to the gentlewoman from Virginia (Mrs. COMSTOCK).

Mrs. COMSTOCK. Mr. Speaker, I rise today to honor Speaker JOHN BOEHNER, a hardworking, dedicated gentleman who has served this institution with dignity and diligence.

His perseverance in this role has been a true service to the Nation. He is a class act whose respect for the institution and his love of country are extraordinary.

I have been privileged to work with Speaker BOEHNER, first when I was a congressional staffer on Capitol Hill back in the nineties, when I worked for my predecessor. At that time, Republicans took a historic majority in 1994 and Speaker BOEHNER then was in the leadership.

Then this year I was able to join, as a Member of Congress myself, with the largest Republican majority since the 1920s and serve with Speaker BOEHNER once again.

I know from that experience, both as a staffer as well as a Member, the incredible, great treatment he always gave his staff, how we all know the legendary "Boehnerland," and how he has always been so wonderful to work with. All of them continue to keep in touch with him.

Speaker BOEHNER has taken on each of these tasks, when he was a Member, when he was a Gang of Seven member, when he was a chairman, when he was a leader, and now a Speaker, with an energy and willingness, regardless of the headwinds.

He is an honorable man of faith and conviction who has always served his constituents and the American people, particularly children and the most vulnerable, in a faithful and consistent way.

I particularly appreciate the Speaker bringing this year the Prime Minister of Israel, Mr. Netanyahu, and Pope Francis to this body to make historic addresses to Congress, addresses that we will always remember and that were just inspiring this year. I so appreciate his leadership in insisting on having us hear from those wonderful leaders of the world.

He has always served as a patriot committed to our founding principles. He will be missed by many on both sides of the aisle, although I know he welcomes this new chapter in his life. I am very happy that he will be able to spend more time with his beloved new grandson and his family.

I thank Speaker BOEHNER for his service to this country, and I wish him well again as he begins this new chapter in his life.

Mr. CHABOT. I thank the gentlewoman very much for her remarks this

evening, and I thank all the Members who came here, on both sides of the aisle, to speak.

I want to particularly thank Ms. KAPTUR for participating in this tribute to Speaker BOEHNER so that it was truly bipartisan this evening.

I have some concluding remarks. I don't think there are any more speakers following that. I think we have just about enough time.

I already said a few things about JOHN, but let me continue. JOHN BOEHNER was born in 1949. He was the second of 12 children, 9 boys and 3 girls. His parents, Mary Anne and Earl Henry Boehner, ran the family business, Andy's Bar, in Carthage, which is a neighborhood in my district. JOHN's grandfather opened that bar back in 1938.

JOHN grew up in a two-bedroom house in Reading, with JOHN sharing one bedroom with three brothers, while his sister had the other. His parents slept on the pull-out couch.

Although his father would later build a three-bedroom addition to the house, JOHN still had to share a single bathroom with his 11 brothers and sisters. So he learned how to manage conflict early in his life.

Also, as the second oldest, he had to help his parents out not only around the house with his younger brothers and sisters, but also with the family business.

At age 8, JOHN began to work at Andy's Bar, starting by mopping floors. Later he would wait on tables. In doing so, JOHN learned the value of a dollar and the importance of hard work.

JOHN attended Moeller High School, as we have mentioned a few times this evening, and he played linebacker for future Notre Dame Head Coach Gerry Faust at Moeller. Playing in the GCL for Coach Faust, JOHN learned that you can achieve any goal in life if you are willing to work hard and to make the necessary sacrifices.

As hard as it is for a LaSalle Lancer like myself to praise a Moeller Crusader, it is clear to me that JOHN learned that lesson well, and his life and career are a testament to that message.

After graduating from high school in 1968, JOHN enlisted in the Navy while America was heavily involved in Vietnam. He was later honorably discharged due to a bad back, an injury he had suffered as a teenager working at the family bar.

After holding several entry-level jobs, JOHN then set his sights on a college degree. With the encouragement of William Smith, a professor at Xavier University and high school football referee who was mentoring him about refereeing local sports, JOHN decided to attend Xavier.

Throughout his time at Xavier University, JOHN juggled numerous jobs, although his primary job was as a jan-

itor for a Reading company. His hard work paid off, and he graduated from Xavier in 1977, becoming the first person in his family to graduate from college.

But his work as a janitor had another more important reward. He met his wife of 42 years, Debbie, who worked in the accounting department at the same company. They would marry in 1973, the same year my wife and I were married, and raised two daughters, Lindsay and Tricia, and now a grandson, Alistair. My wife and I also have two children, a daughter and a son, and one grandson so far.

After graduating from Xavier, JOHN was hired as a salesman for a small packaging and plastics company. Through hard work and determination, he steadily worked his way up the company ladder, ultimately serving as president of the company. He resigned from that position when he was elected to Congress in 1990.

In that job, JOHN learned what it takes to survive in a small business and he learned all too well how difficult it is for small businesses to deal with the regulatory and tax burdens imposed by the government. He brought that understanding to Washington, where he has fought for smaller, less-intrusive government.

JOHN got his start in politics by getting involved in his local homeowners association. That experience led him to run for Township Trustee in Butler County's Union Township, now called West Chester Township, in part, to distinguish it from 27 other Union Townships in Ohio, including one in my district, where he served from 1981 to 1984.

In 1984, he was elected to the Ohio House of Representatives, where Republicans were heavily outnumbered by Democrats at the time. In 1990, he won a four-person Republican primary for Ohio's Eighth Congressional District.

Although his victory was somewhat surprising in local political circles at the time, looking back now, it is more surprising that he wasn't the favorite.

Upon his election to Congress, JOHN became a member of the so-called Gang of Seven, a group of Republicans who regularly battled with congressional leadership. Sounds like something around here in modern times.

The Gang of Seven played a pivotal role in exposing the House Bank and post office scandals.

Early on in his congressional career, JOHN also worked closely with Newt Gingrich and helped to draft the Contract with America, a set of principles to which Republican candidates from all over the country agreed, including myself.

It was those principles that propelled the Republican wave in 1994 and led to the first Republican majority in the House of Representatives in 40 years.

Throughout his time in Congress, JOHN has advocated commonsense reforms in the House and in the broader

government. In addition to fighting to close the House Bank as part of the Contract with America, he also pushed for the requirement that Congress live by the same rules it imposes on the rest of the American people.

Later, to help promote transparency in the appropriations process, JOHN enacted the first ban on earmarks in the House.

Although he will be remembered for many things, these reforms may have the most enduring impact on the credibility and integrity of this institution, the House of Representatives, the people's House.

However, knowing JOHN like I know him, I would guess that his fondest memory will be Pope Francis' visit to Washington and his address to Congress right here in this very room. It was truly a historic and monumental event, as Pope Francis became the first sitting pontiff to address a joint session of Congress ever.

Millions of Americans, myself included, were moved by the Pope's message about a spiritual path to a better future, particularly his call on all of us to strengthen our families, protect the sanctity of life, and help the less fortunate among us.

It was an amazing moment for this House and this country, and it wouldn't have been possible without Speaker JOHN BOEHNER. I know it has been one of his top goals since he was in the Republican leadership back in the nineties, and I think it is a fitting finale to a very distinguished career.

Ultimately, I hope that JOHN BOEHNER is remembered like he would say, as a regular guy who rose from humble beginnings to become the leader of the people's House, as a leader who never stopped believing that the American people can overcome any obstacles, and as a crusader who fought for a smaller, less-intrusive, and more accountable government.

Of course, I will always remember him as a friend.

Thank you, JOHN, for your service to our Nation.

Mr. Speaker, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 7 o'clock and 44 minutes p.m.), the House stood in recess.

□ 0013

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STIVERS) at 12 o'clock and 13 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 1314, ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-315) on the resolution (H. Res. 495) providing for consideration of the Senate amendment to the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROSKAM (at the request of Mr. MCCARTHY) for October 26 and today on account of a matter requiring his personal attention in the 6th Congressional District of Illinois.

Mr. TAKAI (at the request of Ms. PELOSI) for October 26 and today.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 313. An act to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 26, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 774. To strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

H.R. 323. To designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the "Sgt. Amanda N. Pinson Post Office."

H.R. 324. To designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the "Lt. Daniel P. Riordan Post Office."

H.R. 558. To designate the facility of the United States Postal Service located at 55 South Pioneer Boulevard in Springboro, Ohio, as the "Richard 'Dick' Chenault Post Office Building."

H.R. 1442. To designate the facility of the United States Postal Service located at 90 Cornell Street in Kingston, New York, as the "Staff Sergeant Robert H. Dietz Post Office Building."

H.R. 1884. To designate the facility of the United States Postal Service located at 206 West Commercial Street in East Rochester, New York, as the "Officer Daryl R. Pierson Memorial Post Office Building."

H.R. 3059. To designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the "James Robert Kalsu Post Office Building."

H.R. 322. To designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the "Sgt. Zachary M. Fisher Post Office."

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 14 minutes a.m.), under its previous order, the House adjourned until today, Wednesday, October 28, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3257. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing three officers to wear the insignia of the grade of brigadier general, in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

3258. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report covering the period from June 15, 2015 to August 14, 2015, pursuant to the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243) and the Authorization for Use of Military Force Against Iraq Resolution of 1991 (Pub. L. 102-1); to the Committee on Foreign Affairs.

3259. A letter from the Clerk, United States Court of Appeals for the Third Circuit, transmitting an opinion of the United States Court of Appeals for the Third Circuit, C.A. No. 14-1387, G.L.; et al. v. Ligonier Valley School District Authority, Appellant (September 22, 2015); to the Committee on the Judiciary.

3260. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Airbus Airplanes [Docket No.: FAA-2015-4203; Directorate Identifier 2015-NM-142-AD; Amendment 39-18299; AD 2015-21-07] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3261. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Pratt & Whitney Canada Corp. Turbo-shaft Engines [Docket No.: FAA-2015-0486; Directorate Identifier 2015-NE-07-AD; Amendment 39-18282; AD 2015-20-04] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3262. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International S.A. Turboprop Engines [Docket No.: FAA-2015-0277; Directorate Identifier 2015-NE-05-AD; Amendment 39-18262; AD 2015-18-04] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3263. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes [Docket No.: FAA-2015-0684; Directorate Identifier 2014-NM-215-AD; Amendment 39-18285; AD 2015-20-06] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3264. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Sailplanes [Docket No.: FAA-2015-3224; Directorate Identifier 2015-CE-026-AD; Amendment 39-18290; AD 2015-20-11] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3265. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-1046; Directorate Identifier 2014-NM-021-AD; Amendment 39-18286; AD 2015-20-07] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3266. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2015-3877; Directorate Identifier 2015-SW-039-AD; Amendment 39-18284; AD 2015-18-51] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3267. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Corp. Turboprop Engines [Docket No.: FAA-2013-1059; Directorate Identifier 2013-NE-36-AD; Amendment 39-17896; AD 2014-14-02] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3268. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0128; Directorate Identifier 2013-NM-133-AD; Amendment 39-18278; AD 2015-19-16] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3269. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2015-0493; Directorate Identifier 2014-NM-184-AD; Amendment 39-18283; AD 2015-20-05] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3270. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Airplanes [Docket No.: FAA-2015-4085; Directorate Identifier 2015-CE-033-AD; Amendment 39-18292; AD 2015-20-13] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3271. A letter from the Management and Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-3981; Directorate Identifier 2015-NM-126-AD; Amendment 39-18280; AD 2015-20-02] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3272. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Sheridan, AR [Docket No.: FAA-2015-1388; Airspace Docket No.: 15-ASW-3] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3273. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turboprop Engines [Docket No.: FAA-2008-0808; Directorate Identifier 2008-NE-18-AD; Amendment 39-18288; AD 2015-20-09] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3274. A letter from the Management and Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Springfield, MO [Docket No.: FAA-2014-0559; Airspace Docket No.: 14-ACE-6] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3275. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airspace Designations; Incorporation by Reference Amendments [Docket No.: 2015-3375; Amendment No.: 71-47] (RIN: 2120-AA66) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3276. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0108; Directorate Identifier 2011-NM-049-AD; Amendment 39-18215; AD

2015-15-06] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3277. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for the following Iowa towns: Audubon, IA; Corning, IA; Cresco, IA; Eagle Grove, IA; Guthrie Center, IA; Hampton, IA; Harlan, IA; Iowa Falls, IA; Knoxville, IA; Oelwein, IA; and Red Oak, IA [Docket No.: FAA-2015-0368; Airspace Docket No.: 14-ACE-9] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3278. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Ponce, PR [Docket No.: FAA-2014-0967; Airspace Docket No.: 14-ASO-19] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3279. A letter from the Management and Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Stockton, CA [Docket No.: FAA-2015-1622; Airspace Docket No.: 15-AWP-9] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3280. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification to Restricted Areas R-3602A & R-3602B; Manhattan, KS [Docket No.: FAA-2015-3758; Airspace Docket No.: 15-ACE-1] (RIN: 2120-AA66) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3281. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification to Restricted Areas R-3601A & R-3601B; Brookville, KS [Docket No.: FAA-2015-3780; Airspace Docket No.: 15-ACE-5] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3282. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Newport, NH [Docket No.: FAA-2014-0037; Airspace Docket No.: 14-ANE-3] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3283. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Marshall, AR [Docket No.: FAA-2015-1833; Airspace Docket No.: 15-ASW-7] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3284. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E

Airspace; Cottonwood, AZ [Docket No.: FAA-2015-2270; Airspace Docket No.: 12-AWP-11] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3285. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Ashland, VA [Docket No.: FAA-2015-0252; Airspace Docket No.: 15-AEA-1] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3286. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class D Airspace; Springfield, OH [Docket No.: FAA-2014-1071; Airspace Docket No.: 14-AGL-15] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3287. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace, Revocation of Class E Airspace; Mountain Home, ID [Docket No.: FAA-2015-1136; Airspace Docket No.: 15-ANM-12] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2212. A bill to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes; with an amendment (Rept. 114-314). Referred to the Committee of the Whole House on the state of the Union.

[October 28 (legislative day, October 27), 2015]

Mr. COLE: Committee on Rules. House Resolution 495. Resolution providing for consideration of the Senate amendment to the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations. (Rept. 114-315). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. LAWRENCE (for herself and Ms. LEE):

H.R. 3834. A bill to amend GEAR UP to require that schools receiving funding under the program provide students with access to academic and mental health counseling services, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BROOKS of Alabama:

H.R. 3835. A bill to increase the statutory limit on the public debt by \$1 trillion upon

the adoption by Congress of a balanced budget Constitutional amendment and by an additional \$1 trillion upon ratification by the States of that amendment; to the Committee on Ways and Means.

By Mr. CASTRO of Texas (for himself, Ms. BASS, and Mr. RANGEL):

H.R. 3836. A bill to require a report on diversity recruitment, employment, retention, and promotion at the Department of State, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ELLISON (for himself and Mr. LEWIS):

H.R. 3837. A bill to strengthen the current protections available under the National Labor Relations Act by providing a private right of action for certain violations of such Act, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JEFFRIES (for himself, Ms.

NORTON, Mr. RANGEL, Mr. CLAY, Ms. LEE, Ms. KELLY of Illinois, Mrs. BEATTY, Ms. CLARKE of New York, Ms. BASS, Ms. JACKSON LEE, Mrs. WATSON COLEMAN, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. BISHOP of Georgia, Mr. RICHMOND, Mr. PAYNE, Ms. ADAMS, Mr. VEASEY, Mr. JOHNSON of Georgia, Mr. HASTINGS, Mr. CLEAVER, Ms. EDWARDS, Ms. PLASKETT, and Mr. RUSH):

H.R. 3838. A bill to amend title 13, United States Code, to provide that individuals in prison shall, for the purposes of a decennial census, be attributed to the last place of residence before incarceration; to the Committee on Oversight and Government Reform.

By Mrs. NOEM:

H.R. 3839. A bill to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 3840. A bill to amend title 49, United States Code, with respect to prohibiting the use of electronic cigarettes on passenger flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. ROYBAL-ALLARD (for herself, Ms. MATSUI, Mr. TAKANO, Ms. CLARK of Massachusetts, Ms. EDWARDS, Mr. RICHMOND, and Ms. BORDALLO):

H.R. 3841. A bill to promote the economic security and safety of survivors of domestic violence, dating violence, sexual assault, or stalking, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself, Mr. DESANTIS, Mr. GOSAR, Mr. DESJARLAIS, Mr. FARENTHOLD, Mr. WALBERG, Mr. JODY B. HICE of Georgia, Mr. PALMER, Mr. WALKER, Mr.

MULVANEY, Mr. JORDAN, Mr. RUSSELL, Mr. CARTER of Georgia, Mr. GROTHMAN, Mrs. LUMMIS, Mr. HURD of Texas, Mr. AMASH, Mr. TURNER, and Mr. MASSIE):

H. Res. 494. A resolution impeaching John Andrew Koskinen, Commissioner of the Internal Revenue Service, for high crimes and misdemeanors; to the Committee on the Judiciary.

By Mr. MICHAEL F. DOYLE of Pennsylvania:

H. Res. 496. A resolution recognizing the 50th anniversary of the Department of Computer Science at Carnegie Mellon University; to the Committee on Education and the Workforce.

By Mr. GROTHMAN:

H. Res. 497. A resolution congratulating Army Reserve Major Lisa Jaster on her graduation from the Army Ranger School; to the Committee on Armed Services.

By Mr. MURPHY of Pennsylvania (for himself and Mrs. DINGELL):

H. Res. 498. A resolution expressing support for designation of October 2015 as "National Breast Cancer Awareness Month"; to the Committee on Energy and Commerce.

By Mr. PIERLUISI (for himself, Ms. NORTON, and Ms. BORDALLO):

H. Res. 499. A resolution amending the Rules of the House of Representatives to allow Delegates and the Resident Commissioner to file, sign, and call up discharge petitions; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. LAWRENCE:

H.R. 3834.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. BROOKS of Alabama:

H.R. 3835.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. The Congress shall have Power . . . to pay debts. . .

Article V. The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution. . .

By Mr. CASTRO of Texas:

H.R. 3836.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Authority—Necessary and Proper Clause (Art. I, Sec. 8, Clause 18)

THE U.S. CONSTITUTION ARTICLE I, SECTION 8: POWERS OF CONGRESS CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. ELLISON:
H.R. 3837.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 18 of the U.S. Constitution.

By Mr. JEFFRIES:
H.R. 3838.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18 of the United States Constitution

By Mrs. NOEM:
H.R. 3839.
Congress has the power to enact this legislation pursuant to the following:
Article 4, Section 3, Clause 2, relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Ms. NORTON:
H.R. 3840.
Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Ms. ROYBAL-ALLARD:
H.R. 3841.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Mr. KILDEE.
H.R. 67: Mr. TED LIEU of California.
H.R. 415: Mr. BLUMENAUER and Ms. MENG.
H.R. 452: Ms. MOORE.
H.R. 540: Mr. TAKANO.
H.R. 563: Mrs. BUSTOS.
H.R. 592: Mr. CICILLINE, Mrs. DINGELL, and Mrs. WATSON COLEMAN.
H.R. 602: Mr. CURBELO of Florida.
H.R. 663: Ms. PINGREE.
H.R. 740: Mr. ASHFORD.
H.R. 769: Mr. DUNCAN of Tennessee.
H.R. 836: Mr. NUNES and Mr. WOODALL.
H.R. 845: Mr. CÁRDENAS.
H.R. 870: Ms. BASS.
H.R. 952: Mr. SMITH of Texas, Mr. JEFFRIES, and Mr. O'ROURKE.
H.R. 1027: Ms. DELAURO.
H.R. 1145: Mr. GUINTA and Mr. TONKO.
H.R. 1197: Mr. MARCHANT, Mr. DUNCAN of Tennessee, and Mr. POMPEO.
H.R. 1209: Mr. MACARTHUR.
H.R. 1220: Mr. NORCROSS, Mr. SALMON, Mr. LUCAS, and Mr. MULLIN.
H.R. 1221: Mr. RUPPERSBERGER.
H.R. 1247: Mr. KIND.
H.R. 1258: Mrs. KIRKPATRICK and Mr. HANNA.
H.R. 1288: Mr. GOODLATTE.
H.R. 1301: Mr. KELLY of Pennsylvania.
H.R. 1309: Mr. ROKITA.
H.R. 1312: Ms. TITUS.
H.R. 1343: Ms. ROYBAL-ALLARD and Mr. CULBERSON.
H.R. 1427: Mr. KELLY of Pennsylvania.
H.R. 1439: Mr. JEFFRIES and Mrs. BEATTY.
H.R. 1441: Mr. SWALWELL of California.
H.R. 1453: Mr. TOM PRICE of Georgia.
H.R. 1550: Mr. FINCHER.
H.R. 1567: Mr. MCCAUL, Mr. SERRANO, Mr. HONDA, Ms. KAPTUR, and Ms. ROYBAL-ALLARD.
H.R. 1604: Mr. HUELSKAMP.
H.R. 1625: Mr. BEYER and Mr. SWALWELL of California.

H.R. 1671: Mrs. WAGNER.
H.R. 1728: Ms. KUSTER and Ms. CLARK of Massachusetts.
H.R. 1745: Mr. BLUMENAUER.
H.R. 1751: Ms. MOORE.
H.R. 1763: Mr. NOLAN, Mr. PETERS, Mr. DANNY K. DAVIS of Illinois, Ms. FUDGE, and Mr. FRANKS of Arizona.
H.R. 1769: Mr. HANNA.
H.R. 1779: Ms. BASS.
H.R. 1786: Mr. ROTHFUS, Ms. KELLY of Illinois, Mr. CUMMINGS, Ms. ROYBAL-ALLARD, Mrs. BEATTY, Ms. MAXINE WATERS of California, Mr. RYAN of Ohio, Mrs. DAVIS of California, Mr. CASTRO of Texas, Ms. LINDA T. SÁNCHEZ of California, and Mr. CLYBURN.
H.R. 1853: Mr. DONOVAN, Mr. BISHOP of Georgia, Ms. KAPTUR, Ms. TITUS, Mr. FLEISCHMANN, Mr. JOHNSON of Georgia, Mr. MEEKS, Mr. CRENSHAW, Mr. AL GREEN of Texas, Ms. MENG, Mr. ISRAEL, Mr. DAVID SCOTT of Georgia, Mr. KELLY of Pennsylvania, Mr. WALKER, Mr. BRADY of Pennsylvania, Mr. JONES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CRAWFORD, Mr. CLAY, Mr. CURBELO of Florida, Mr. LAMALFA, and Mrs. WAGNER.
H.R. 1984: Mr. PERLMUTTER and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2065: Miss RICE of New York, Ms. KAPTUR, Mr. KILDEE, Mr. STIVERS, Ms. STEFANIK, and Mr. RYAN of Ohio.
H.R. 2224: Mr. NOLAN, Ms. SLAUGHTER, and Mr. HONDA.
H.R. 2355: Ms. SCHAKOWSKY.
H.R. 2400: Mr. DENT and Ms. ROS-LEHTINEN.
H.R. 2643: Mr. KILDEE.
H.R. 2646: Ms. ROS-LEHTINEN, Mr. YOUNG of Iowa, and Mr. MEEHAN.
H.R. 2692: Mr. NOLAN.
H.R. 2710: Mr. MESSER and Mr. BARLETTA.
H.R. 2759: Mr. KATKO.
H.R. 2764: Mr. CICILLINE and Mr. HASTINGS.
H.R. 2798: Mr. DESAULNIER.
H.R. 2813: Mr. CONYERS and Mr. DEUTCH.
H.R. 2880: Mr. POLLS.
H.R. 2894: Ms. TITUS.
H.R. 2902: Mr. DEFazio, Mr. LARSEN of Washington, Ms. WILSON of Florida, Ms. ESTY, Mr. COURTNEY, Mr. GALLEGO, Mr. HECK of Washington, Mr. KEATING, Ms. LEE, Mr. SEAN PATRICK MALONEY of New York, Mr. DELANEY, Mr. CROWLEY, Ms. BROWN of Florida, Mr. DAVID SCOTT of Georgia, Mr. RYAN of Ohio, Mr. HASTINGS, Ms. MOORE, Mr. ENGEL, Ms. CASTOR of Florida, Mr. GARAMENDI, Mr. MCGOVERN, Ms. VELÁZQUEZ, Mr. HUFFMAN, Mr. RANGEL, Ms. SPIER, Mr. SERRANO, Mr. SARBANES, Ms. FRANKEL of Florida, Mr. RUPPERSBERGER, Mr. WELCH, Ms. SLAUGHTER, Mrs. BUSTOS, Mr. FARR, Mr. QUIGLEY, Ms. KUSTER, and Ms. ROYBAL-ALLARD.
H.R. 2903: Mr. KINZINGER of Illinois.
H.R. 2939: Mr. BLUMENAUER and Mr. DEUTCH.
H.R. 3032: Mr. KILDEE.
H.R. 3046: Mr. VARGAS.
H.R. 3055: Mr. CRAWFORD.
H.R. 3067: Mr. HASTINGS.
H.R. 3071: Ms. MENG.
H.R. 3110: Mr. JOLLY.
H.R. 3119: Mr. ROSS and Ms. JACKSON LEE.
H.R. 3126: Mr. DUNCAN of South Carolina.
H.R. 3159: Mr. YOUNG of Iowa.
H.R. 3238: Mr. CRAMER.
H.R. 3250: Mr. BURGESS and Mr. GUTHRIE.
H.R. 3257: Mr. HUFFMAN.
H.R. 3279: Mr. POE of Texas and Mr. TROTT.
H.R. 3309: Mr. RUSSELL.
H.R. 3312: Mr. MACARTHUR.
H.R. 3314: Mrs. LUMMIS, Mr. YOHIO, Mr. LABRADOR, and Mr. ABRAHAM.
H.R. 3323: Mr. OLSON.
H.R. 3339: Mr. POLIQUIN.

H.R. 3351: Mr. WELCH, Mr. COHEN, and Mrs. WATSON COLEMAN.
H.R. 3355: Mr. BURGESS.
H.R. 3364: Mr. PETERS and Mr. LOWENTHAL.
H.R. 3381: Mr. CONNOLLY, Mr. DESAULNIER, Ms. ROYBAL-ALLARD, and Mr. CARSON of Indiana.
H.R. 3406: Mr. THOMPSON of Mississippi.
H.R. 3411: Mrs. WATSON COLEMAN.
H.R. 3427: Mr. SERRANO, Mr. GUTIÉRREZ, Mr. JEFFRIES, Mr. MCGOVERN, Mr. TAKANO, and Mr. VAN HOLLEN.
H.R. 3459: Mr. HANNA, Mrs. BLACK, and Mrs. ROBY.
H.R. 3471: Mr. LUETKEMEYER.
H.R. 3488: Mr. TIPTON.
H.R. 3520: Mr. OLSON.
H.R. 3532: Mr. GARAMENDI.
H.R. 3546: Mr. SMITH of New Jersey, Ms. CASTOR of Florida, Mr. PETERS, Ms. PINGREE, and Ms. MCSALLY.
H.R. 3582: Mr. LOEBSACK.
H.R. 3680: Mr. BUCSHON.
H.R. 3686: Mr. LATTI.
H.R. 3687: Mr. AUSTIN SCOTT of Georgia, Mr. PETERSON, Mr. RODNEY DAVIS of Illinois, Mr. WOODALL, and Mrs. BUSTOS.
H.R. 3696: Mr. PETERSON, Mr. SABLAN, Mr. O'ROURKE, Mr. GARAMENDI, Ms. LINDA T. SÁNCHEZ of California, Mr. GUTIÉRREZ, Ms. KUSTER, and Mr. AGUILAR.
H.R. 3700: Mr. PEARCE.
H.R. 3706: Mr. JOLLY.
H.R. 3727: Mr. POCAN.
H.R. 3743: Mr. OLSON.
H.R. 3745: Mr. BRIDENSTINE.
H.R. 3776: Mr. RIBBLE and Mr. DUNCAN of South Carolina.
H.R. 3780: Mr. BENISHEK.
H.R. 3785: Ms. LOFGREN, Mr. HOYER, Ms. DELBENE, Mr. MURPHY of Florida, Mr. TONKO, Mr. BECERRA, Mr. LEWIS, Mr. KENNEDY, Mr. DOGGETT, Ms. WILSON of Florida, Mr. TED LIEU of California, and Ms. ESTY.
H.R. 3793: Mr. PETERS and Mr. SWALWELL of California.
H.R. 3799: Mr. DUNCAN of South Carolina, Mr. ABRAHAM, Mr. SCHWEIKERT, and Mr. BUCK.
H.R. 3801: Mr. BEYER and Mr. HONDA.
H.R. 3802: Mr. BARR.
H.R. 3807: Mr. ELLISON, Mr. LARSEN of Washington, Mr. BRADY of Pennsylvania, and Mr. CONNOLLY.
H.R. 3818: Mr. BENISHEK.
H.R. 3830: Mr. SERRANO, Mr. MEEKS, Mr. RANGEL, Mr. ELLISON, Mr. FARR, Mr. HINOJOSA, Mrs. NAPOLITANO, Mr. NADLER, Mr. CROWLEY, Mr. HONDA, and Ms. CLARKE of New York.
H.R. 3831: Ms. SINEMA.
H. J. Res. 14: Mr. POMPEO and Mr. MASSIE.
H. Con. Res. 40: Mr. BECERRA and Mr. VAN HOLLEN.
H. Con. Res. 65: Ms. DUCKWORTH.
H. Res. 14: Mr. ROHRBACHER.
H. Res. 112: Mr. DESJARLAIS.
H. Res. 354: Mr. MACARTHUR, Mrs. WATSON COLEMAN, and Mr. DUNCAN of South Carolina.
H. Res. 396: Mr. DEFazio.
H. Res. 416: Ms. DELBENE, Mrs. BLACKBURN, and Mr. BISHOP of Georgia.
H. Res. 428: Mr. CARTWRIGHT.
H. Res. 432: Mr. COFFMAN.
H. Res. 451: Mr. JOYCE, Mrs. BLACKBURN, and Mr. OLSON.
H. Res. 485: Mr. KLINE and Mr. HUDSON.
H. Res. 492: Mr. COSTA.

SENATE—Tuesday, October 27, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Sovereign Lord, we have heard of Your greatness from generation to generation. You sit enthroned in majesty, for Your glory covers all the Earth.

Today, bless and sustain our lawmakers and their staffs. May their words and deeds honor You, Lord, guide them in righteous paths that will keep America strong. Equip them to conduct the work of freedom with justice and humility. Give them contentment that comes from knowing and serving You.

Guide America, making it a lighthouse for a dark and turbulent world. Lord, thank You for being our strength and shield.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

FISCAL AGREEMENT AND CYBER-SECURITY INFORMATION SHARING BILL

Mr. MCCONNELL. Mr. President, as colleagues have no doubt already noted, a fiscal agreement has been filed that addresses a number of important issues. Members currently have the opportunity to review it. I hope they will take that opportunity. I will certainly have more to say on the matter later. But for now, I encourage all our colleagues to examine the agreement.

On the legislation before the Senate today, the challenges posed by cyber attacks are real and they are growing. They don't just threaten governments and businesses; they threaten individuals as well. Everyone understands that a cyber attack can be a deeply invasive attack on personal privacy. Everyone understands that a cyber attack can be financially crippling. That is why everyone should want to see the

bipartisan cyber security bill before us pass today.

Its voluntary information sharing provisions are key to defeating cyber attacks and protecting the personal information of the people we represent. We also know the bill contains measures to protect civil liberties and individual privacy.

It is no wonder the Senate voted to advance it by a large bipartisan vote of 83 to 14 last week. I want to thank Chairman BURR and Vice Chairman FEINSTEIN of the Intelligence Committee for their continued hard work on this legislation. We will consider a number of amendments from both sides of the aisle today. Then we will proceed to a final vote on the underlying bill. I urge every colleague to join me in voting to protect the personal data, privacy, and property of the American people.

ENERGY REGULATIONS

Mr. MCCONNELL. Mr. President, on one final matter, the Obama administration recently published massive energy regulations that will not do a thing to meaningfully affect global carbon levels. It will not make a noticeable difference to the global environment. But it will ship more middle-class jobs overseas. It will punish the poor. It will make it even harder for coal families in States such as Kentucky to put food on the table. In other words, it is facts-optional extremism wrapped in callous indifference. Senators from both parties are saying: Enough is enough.

We filed bipartisan measures that would allow Congress to overturn these two-pronged regressive regulations. I joined Senator HEITKAMP and Senator CAPITO on a measure that would address the prong that pertains to the existing energy sources. Senator MANCHIN joined me as I introduced a measure that would address the prong that pertains to new energy sources. Together these measures represent a comprehensive solution. Colleagues will join me to speak about these resolutions later today. I am sure they will say more about the measures we filed and the process associated with them.

But what everyone should know is this: The publication of these regulations does not represent an end but a beginning. It is the beginning of a new front to defend hard-working middle-class Americans from massive, massive regulations that target them. That front is opening here in Congress, and it is opening across the country as States file lawsuits and Governors

stand up for their own middle-class constituents. The battle may not be short, and the battle may not be easy, but Kentuckians and hard-working Americans should know that I am going to keep standing up for them throughout this effort.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

BUDGET AGREEMENT

Mr. REID. Mr. President, Democrats have long called for bipartisan action to stop these devastating sequester cuts because they hurt our middle class and our military. With this agreement the Republican leader just mentioned, we have done just that. Democrats and Republicans have come to a responsible agreement that puts the needs of our Nation above the Republicans' partisan agenda. While this agreement is not perfect, it does address both investment in domestic priorities that benefit the middle class and defense spending. It helps us avoid a major threat to jobs and the general economy. The time to do away with the devastating sequester cuts that are harming our middle class and military is not in the future. It is right now. Democrats hope to end sequestration for the good of our great country.

Our work is not done. I hope that we can continue to work together—Democrats and Republicans—to pass this legislation and place the priorities of the American people ahead of partisan politics.

CYBER SECURITY LEGISLATION AND CLIMATE CHANGE

Mr. REID. Mr. President, it was 3 years ago this month that then-Secretary of Defense Leon Panetta warned the United States of a potential "cyber Pearl Harbor." A cyber Pearl Harbor would be crippling, and it would be a cyber attack on our Nation's banks, power grid, government, and communications network.

If it sounds scary, that is because it is scary. Cyber terrorists could potentially bring the United States to its knees. This potentiality is upon us. A catastrophic cyber attack is not far-fetched. Ted Koppel, the renowned journalist, has written another book, and the author reveals that our Nation's power grid is extremely vulnerable to cyber terrorism. Imagine the toll of these attacks: massive power

blackouts, no telephone, no Internet capability—that is on your cell phones or whatever phones exist—overwhelmed first responders and an infrastructure system reduced to chaos.

How vulnerable is our Nation to a cyber attack of this magnitude?

Former Secretary of Homeland Security Janet Napolitano, in the book that was written, as I indicated, by Ted Koppel, stated that the likelihood of an attack on our Nation's power grid is 80 to 90 percent—80 percent to 90 percent.

Craig Fugate, the Administrator of the Federal Emergency Management Agency, has had to think about a potential cyber attack. It is his job. Listen to his assessment:

We're not a country that can go without power for a long period of time without loss of life. Our systems, from water treatment to hospitals to traffic control to all these things that we expect every day, our ability to operate without electricity is minimal.

A number of years ago we had, at the direction of Senator MIKULSKI—a longtime member of the Intelligence Committee—a meeting where such an attack was discussed and the implications of it. That was years ago. It was frightening then, and it is even more frightening now. But as Mr. Fugate indicated, that is the scale of threat the United States faces with cyber terrorism.

We as a country must do more to protect ourselves against this cyber terrorism. It can be done if Republicans will work with us. Democrats tried to pass comprehensive cyber security legislation years ago. What happened? It was filibustered by the Republicans. They wouldn't even let us on this legislation. They wouldn't even allow us to debate the bill. Whatever their reasoning, I am glad the Republicans have finally changed course in this decision and allowed this simple bill to move forward. We support this legislative effort, but we recognize that it is far, far too weak.

Cyber terrorism and cyber attacks are part of today's world. But Republicans are denying the seriousness of this, as they are denying something clear to everyone in the world except my Republican Senate and House Members. We have climate change taking place that is really hurting everybody, with rare, rare exception. Cyber terrorism and cyber attacks are part of today's world, just like climate change. To not move forward with more comprehensive cyber security legislation and to ignore what is happening in our world dealing with climate change will in the years to come be considered legislative malpractice. I am sorry to say that legislative malpractice is not on our shoulders. We wanted for years to do something with climate change. We can't. It is not even something that the Republicans will allow us to discuss. We wanted for years to do something with cyber security. They refused to do

so. We have a bill before us that is better than nothing, and we support it. But it is far, far too weak.

Mr. President, I see the assistant Democratic leader on the floor. Would the Chair announce before he talks to us what we are going to do here today.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CYBERSECURITY INFORMATION SHARING ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 754, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 754) to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

Pending:

Burr/Feinstein amendment No. 2716, in the nature of a substitute.

Burr (for Cotton) modified amendment No. 2581 (to amendment No. 2716), to exempt from the capability and process within the Department of Homeland Security communication between a private entity and the Federal Bureau of Investigation or the United States Secret Service regarding cybersecurity threats.

Feinstein (for Coons) modified amendment No. 2552 (to amendment No. 2716), to modify section 5 to require DHS to review all cyber threat indicators and countermeasures in order to remove certain personal information.

Burr (for Flake/Franken) amendment No. 2582 (to amendment No. 2716), to terminate the provisions of the Act after ten years.

Feinstein (for Franken) further modified amendment No. 2612 (to amendment No. 2716), to improve the definitions of cybersecurity threat and cyber threat indicator.

Burr (for Heller) modified amendment No. 2548 (to amendment No. 2716), to protect information that is reasonably believed to be personal information or information that identifies a specific person.

Feinstein (for Leahy) modified amendment No. 2587 (to amendment No. 2716), to strike the FOIA exemption.

Feinstein (for Mikulski/Cardin) amendment No. 2557 (to amendment No. 2716), to provide amounts necessary for accelerated cybersecurity in response to data breaches.

Feinstein (for Whitehouse/Graham) modified amendment No. 2626 (to amendment No. 2716), to amend title 18, United States Code, to protect Americans from cybercrime.

Feinstein (for Wyden) modified amendment No. 2621 (to amendment No. 2716), to improve the requirements relating to removal of personal information from cyber threat indicators before sharing.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided between the two leaders or their designees.

The assistant Democratic leader.

Mr. DURBIN. Mr. President, the debate which we will engage in today on

the floor of the Senate is really one that parallels the historic debates that have occurred in the course of our Nation's history. When a great democracy sets out to defend its citizens and to engage in security, it really is with a challenge: Can we keep our Nation safe and still protect our rights and liberties? That question has been raised, and that challenge has been raised time and again.

It was President Abraham Lincoln during the Civil War who suspended the right of habeas corpus. It was challenged by some as an overextension by the executive branch, but President Lincoln thought it was necessary to resolve the Civil War in favor of the Union. In World War I, the passage of the Alien and Sedition Acts raised questions about the loyalty of Americans who question many of the great issues that were being raised during that war. We certainly all remember what happened during World War II when, even under President Franklin Roosevelt, thousands of Japanese Americans were interned because of our concerns about safety and security in the United States. It continued in the Cold War with the McCarthy hearings and accusations that certain members of the State Department and other officials were, in fact, Communist sympathizers. That history goes on and on.

So whenever we engage in a question of the security and safety for our Nation, we are always going to be faced with that challenge. Are we going too far? Are we giving too much authority to the government? Are we sacrificing our individual rights and liberty and privacy far more than we should to keep this Nation safe? That, in fact, is the debate we have today on the most sophisticated new form of warfare—cyber war.

Cyber security is an enormous concern not just for private companies but for every American. Data breaches happen almost every day. We read not that long ago that 21 million current and former Federal employees had their records breached and stolen from the Office of Personnel Management. Just this month more than 700,000 T-Mobile users in my home State may have had their information compromised by hackers. It seems there isn't a month that goes by where we don't hear of another security breach. That is why we need to take steps to improve data security and share cyber threat information.

Chairman BURR and Ranking Member FEINSTEIN worked long and hard to put together a bill to encourage private and governmental entities to share potential threat information. This bill has evolved over 5 years. No one has worked harder during that period of time than my colleague, Senator FEINSTEIN of California. Senator BURR is now joining her in this effort.

Many are skeptical about the bill before us. Some have raised those concerns on the floor. But we look at the major companies that are opposing this bill as currently written—Apple, IBM, Microsoft, Google, Facebook, and Amazon—just a few of the major companies that have said they can't support the bill that is on the floor today. They note that the bill does not require companies or the Federal Government to protect private information, including personal emails, email addresses, and more. In fact, this bill preempts all laws that would prevent a company or agency from sharing personal information.

I am encouraged that the managers of this bill have moved in the direction of addressing this concern. They have limited the authorization to share cyber threat information to "cyber security purposes"—a valuable step toward making sure the bill is not used as surveillance. They have included a provision requiring government procedures to notify Americans if their information is shared mistakenly by the government. They have clarified that the authorization to employ defensive measures—or defensive "hacking"—does not allow an entity to gain unauthorized access to another's computer network.

There will be some amendments before us today that I will support which I think strengthen the privacy protections that should be included in this bill.

I am a cosponsor of the Franken amendment to improve the definitions of "cyber security threat" and other cyber threat indicators. Narrowing this definition from information that "may" be a threat to information that is "reasonably likely" to pose a threat would reduce the amount of potentially personal information shared under the bill.

I also urge my colleagues to support the Wyden amendment to strengthen the requirement that private companies remove sensitive personal information before sharing cyber threat indicators. Again, this amendment would limit the amount of potentially personal information shared under the bill.

I support the Coons amendment to give the Department of Homeland Security time to remove or scrub personal information from the information it shares with other Federal agencies. There is simply no need for personal information unrelated to a threat to be shared with law enforcement agencies such as the Department of Justice and NSA.

These amendments would strengthen privacy protections in the bill much more than the original managers' package. I look forward to working with Senators BURR and FEINSTEIN and others to ensure that the final bill addresses our cyber security concerns

while still protecting privacy—something I know we all want to do.

Mr. President, I yield the floor.

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the time be charged equally on both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. FEINSTEIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BURR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. Mr. President, shortly we will once again begin the process on the cyber security bill. We will start votes hopefully right at 11 o'clock. We will try to work through five amendments this morning and return this afternoon with a short period of debate, and once again, at 4 o'clock, we will take up five additional votes—or possibly four—and be at the point where we could conclude this legislation.

Let me say to my colleagues that the Senate has tried for several years now to bring cyber security legislation to the Senate floor and find the will to pass it. With the work of the vice chairman, I think we have been able to succeed in that. We enjoyed a 14-to-1 vote out of the committee, showing tremendous bipartisan support. Thousands of businesses and almost 100 organizations around the country are supportive of the bill. But, more importantly, in the last several days the bill has gained the support of the Wall Street Journal and the Washington Post—not necessarily publications that chime in on the need for certain pieces of legislation from the Senate floor, but in this particular case, two publications understand the importance of cyber security legislation getting signed into law.

This is the first step, and conferring with the House will come shortly after. I am proud to say that we already have legislation the White House says they support. So I think we are in the final stretches of actually getting legislation into law that would voluntarily allow companies to partner with the Federal Government when their systems have been breached, when personal data is at risk.

I still say today to those folks both in this institution and outside of this institution who are concerned with privacy that I think the vice chairman and I have bent over backward to accommodate concerns. Some concerns still exist. We don't believe they are necessarily accurate and that only by utilizing this system will, in fact, we understand whether we have been deficient anywhere.

There are also several companies that are not supportive of this bill, as is their right. I will say this: From the beginning, we committed to make this bill voluntary, meaning that any company in America, if its systems are breached, could choose voluntarily to create the partnership with the Federal Government. Nobody is mandated to do it. So I speak specifically to those companies right now: You might not like the legislation, but for goodness' sakes, do not deprive every other business in America from having the opportunity to have this partnership. Do not deprive the other companies in this country from trying to minimize the amount of personal data that is lost because there has been a cyber attack. Do not try to stop this legislation and put us in a situation where we ignore the fact that cyber attacks are going to happen with greater frequency from more individuals and that the sooner we learn how to defend our systems, the better off personal data will be in the United States of America.

This is a huge deal. The vice chairman and I from day one have said to our Members that we will entertain any good ideas that we think strengthen the bill. On both sides of the aisle, we have said to Members that if this breaks the agreement that we have for the support we need, because they don't believe the policy is right, then we will lock arms and we will vote against amendments.

We have about eight amendments today. On a majority of those, we will do that. I am proud to tell my colleagues that during the overnight and this morning—we will announce today that we have taken care of the Flake amendment with a modification. We are changing the sunset on the legislation to 10 years, and we will accept the Flake amendment on a voice vote later this morning. We continue even over these last hours to try to modify legislation that can be agreed to on both sides of the aisle but, more importantly, without changing the delicate balance we have tried to legislate into this legislation.

I am sure Members will come down over the next 35 minutes, but at this time I will yield the floor so the vice chairman can seek time.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Thank you, Mr. President.

I wish to begin by thanking the chairman for his work on the bill.

For me, this has been a 6-year effort. It hasn't been easy. It hasn't been easy because we have tried to strike a balance and make the bill understandable so that there would be a cooperative effort to share between companies and the government.

Last Thursday the Senate showed its support for moving forward with two strong votes. We had a vote of 83 to 14 to invoke cloture on the substitute amendment, showing that there is, in fact, deep bipartisan support for moving significant legislation to the President's desk.

To that end, I ask unanimous consent that editorials from the two major U.S. newspapers be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 22, 2015]

THE SENATE SHOULD TAKE A CRUCIAL FIRST STEP ON CYBERSECURITY
(By Editorial Board)

After years of failure to find a consensus on cybersecurity, the Senate is expected to vote early next week on a bill that would enable the government and the private sector to share information about malicious threats and respond to them more quickly. The legislation is not going to completely end the tidal wave of cyberattacks against the government and corporations, but passing it is better than doing nothing—and that is where Congress has left the matter in recent years.

The legislation, approved by the Senate Select Committee on Intelligence on a bipartisan 14-to-1 vote in March, is intended to iron out legal and procedural hurdles to sharing information on cyberthreats between companies and the government. Private-sector networks have been extremely vulnerable, while the government possesses sophisticated tools that might be valuable in defending those networks. If threats are shared in real time, they could be blunted. The legislation is not a magic wand. Hackers innovate destructive and intrusive attacks even faster than they can be detected. The information sharing would be voluntary. But the bill is at least a first step for Congress after several years of inconclusive debate over how to respond to attacks that have infiltrated networks ranging from those of Home Depot to the Joint Chiefs of Staff.

The biggest complaint about the bill is from privacy advocates, including Sen. Ron Wyden (D-Ore.), who cast the sole dissenting vote on the intelligence committee. His concerns have been amplified recently by several tech giants. Apple told The Post this week that it opposes the legislation because of privacy concerns. In a statement, the company said, "The trust of our customers means everything to us and we don't believe security should come at the expense of their privacy." Some other large technology firms are also opposing the bill through a trade association. Separately, alarmist claims have been made by privacy advocates who describe it as a "surveillance" bill.

The notion that there is a binary choice between privacy and security is false. We need both privacy protection and cybersecurity, and the Senate legislation is one step toward breaking the logjam on security. Sponsors have added privacy protections that would scrub out personal information before it is shared. They have made the legislation voluntary, so if companies are really

concerned, they can stay away. Abroad coalition of business groups, including the U.S. Chamber of Commerce, has backed the legislation, saying that cybertheft and disruption are "advancing in scope and complexity."

The status quo is intolerable: Adversaries of the United States are invading computer networks and hauling away sensitive information and intellectual property by the gigabyte. A much stronger response is called for in all directions, both to defend U.S. networks and to punish those, such as China, doing the stealing and spying. This legislation is a needed defensive step from a Congress that has so far not acted on a vital national concern.

[From the Wall Street Journal, Oct. 26, 2015]

A CYBER DEFENSE BILL, AT LAST
DATA SHARING CAN IMPROVE SECURITY AND CONSUMER PRIVACY

By now everyone knows the threat from cyber attacks on American individuals and business, and Congress finally seems poised to do something about it. As early as Tuesday the Senate may vote on a bill that would let businesses and the government cooperate to shore up U.S. cyber defenses.

This should have been done long ago, but Democrats blocked a bipartisan bill while they controlled the Senate and President Obama insisted on imposing costly new cyber-security mandates on business. The GOP Senate takeover in 2014 has broken the logjam, helped by high-profile attacks against the likes of Sony, Home Depot, Ashley Madison and the federal Office of Personnel Management.

Special thanks to WikiLeaks, the anti-American operation that last week announced that its latest public offering would be information hacked from the private email account of CIA chief John Brennan. We assume Mr. Brennan's government email is better protected, but then this is the same government that let Hillary Clinton send top-secret communications on her private email server.

Democrats have decided it's now bad politics to keep resisting a compromise, and last week the Cybersecurity Information Sharing Act co-sponsored by North Carolina Republican Richard Burr and California Democrat Dianne Feinstein passed the filibuster hurdle. A similar bill passed the House in April 307-106.

The idea behind the legislation is simple: Let private businesses share information with each other, and with the government, to better fight an escalating and constantly evolving cyber threat. This shared data might be the footprint of hackers that the government has seen but private companies haven't. Or it might include more advanced technology that private companies have developed as a defense.

Since hackers can strike fast, real-time cooperation is essential. A crucial provision would shield companies from private lawsuits and antitrust laws if they seek help or cooperate with one another. Democrats had long resisted this legal safe harbor at the behest of plaintiffs lawyers who view corporate victims of cyber attack as another source of plunder.

The plaintiffs bar aside, the bill's main opponents now are big tech companies that are still traumatized by the fallout from the Edward Snowden data theft. Apple, Dropbox and Twitter, among others, say the bill doesn't do enough to protect individual privacy and might even allow government snooping.

Everyone knows government makes mistakes, but the far larger threat to privacy is

from criminal or foreign-government hackers who aren't burdened by U.S. due-process protections. Cooperation is voluntary, and the bill includes penalties if government misuses the information. Before either side can share data, personal information that might jeopardize customer privacy must be scrubbed.

The tech giants are the outliers in this debate, while nearly all of the rest of American business supports the bill. The White House has said Mr. Obama will sign the legislation, which would make it a rare example of bipartisan cooperation. The security-privacy debate is often portrayed as a zero-sum trade-off, but this bill looks like a win for both: Helping companies better protect their data from cyber thieves will enhance American privacy.

Mrs. FEINSTEIN. The first is from the Washington Post dated October 22, entitled "The Senate should take a crucial first step on cybersecurity." The second is in today's Wall Street Journal, and it is entitled "A Cyber Defense Bill, At Last: Data sharing can improve security and consumer privacy."

I also note the endorsement from Secretary Jeh Johnson on October 22.

I have been privileged to work with our chairman. We have really tried to produce a balanced bill. We have tried to make it understandable to private industry so that companies understand it and are willing to cooperate. This bill will allow companies and the government to voluntarily share information about cyber threats and the defensive measures they might be able to implement to protect their networks.

Right now, the same cyber intrusions are used again and again to penetrate different targets. That shouldn't happen. If someone sees a particular virus or harmful cyber signature, they should tell others so they can protect themselves.

That is what this bill does. It clears away the uncertainty and the concerns that keep companies from sharing this information. It provides that two competitors in a market can share information on cyber threats with each other without facing anti-trust suits. It provides that companies sharing cyber threat information with the government for cyber security purposes will have liability protection.

As I have said many times, the bill is completely voluntary. If a company doesn't want to share information, it does not have to.

Today, we will vote on up to seven amendments. As late as this morning, Senator BURR and I have been working to see if we can reach agreement to accept or voice vote some of them, and I hope these discussions will be successful. However, I remain in agreement with Chairman BURR that we will oppose any amendments that undo the careful compromises we have made on this bill. Over the past 10 months, we have tried to thread a needle in fact to draft a bill that as I said gives the private sector the insurances it needs to

share more information while including privacy protections to make sure Americans' information is not compromised.

I see on the floor the ranking member of the Homeland Security and Governmental Affairs Committee, the distinguished Senator from Delaware, and I thank Senator CARPER for all he has done to help us and also to make what I consider a major amendment on this bill, which as you know has been accepted.

Several of today's amendments would undo this balance. Senators WYDEN, HELLER, and FRANKEN have amendments that would lead to less information sharing. Each of them would replace clear requirements that are now in the bill on what a company or a government must do prior to sharing information with a new subjective standard that would insert the concern of legal liability.

I would offer to work with these Senators and others as the bill moves forward and hopefully goes into conference to see if there is a way to achieve their goals without interfering with the bill's goal of increasing information sharing.

Senator LEAHY's amendment would similarly decrease the amount of sharing by opening up the chances of public disclosure through the Freedom of Information Act of cyber threats shared under this bill. While the bill seeks to share information about the nature of cyber threats and suggestions on how to defend networks, this information should not be made widely available to hackers and cyber criminals who could use it for their own purposes.

Senator BURR and I worked closely with Senators LEAHY and CORNYN in putting together the managers' package to remove a FOIA exemption that they viewed as unnecessary and harmful. I am pleased we were able to reach that agreement. However, the FOIA exemption that remains in the bill is needed to encourage companies to share this information, and I would oppose this amendment.

The President has an amendment on the other side of the spectrum which I will also strongly oppose. This amendment would basically undo one of the core concepts of this bill. Instead of requiring cyber information to go through a single portal at the Department of Homeland Security, it would allow companies to share cyber information directly with the FBI or the Secret Service and still provide full liability protection.

This change runs afoul of one of the most important privacy protections in the bill, which was to limit direct sharing of this cyber information with the intelligence community or with law enforcement. In other words, everything will go through the portal first, where it will receive an additional scrub to remove any residual personal

information and then go to the respective departments. In this way the privacy is kept by not being able to misuse the authority to provide unrelated information directly to departments.

If there is a crime, companies should be able to share information with law enforcement—I agree with that—but that is not what this bill is about. This bill is about sharing cyber information on threats so there can be greater awareness and better defenses.

When there is a cyber crime and law enforcement is called in, we are talking about very different information. When the FBI investigates, it takes entire databases and servers. It looks at everything—far beyond the cyber information that could be lawfully shared in this act. So sharing with the FBI outside of the DHS portal may be appropriate in certain cases but not as a parallel option for cyber threat information.

In fact, our bill already makes clear in section 105(c)(E) that it “does not limit or prohibit otherwise lawful disclosures of communications, records, or other information, including reporting of known or suspected criminal activity.” I would just refer to this chart which quotes section 105(c). It says exactly that.

This amendment would undo the key structure of this bill—the central portal for sharing information located at the Department of Homeland Security—and decrease the ability of the government to effectively manage all the cyber information it receives. So I will oppose this amendment and urge my colleagues to do the same.

I very much appreciate that the Senate will complete its consideration of this bill today. We still have a long way to go. We have to conference the House bill with our bill. I want to make this offer, and I know I think I speak for the chairman as well, that we are happy to work with any Member as we go into conference, but I hope we can complete these last few votes without upsetting the careful negotiations and compromise we have been able to reach.

Again, I thank the Chair.

I yield back the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Let me start off by saying to Senator FEINSTEIN, 6 years ago, you, along with Senators SUSAN COLLINS, Joe Lieberman, Jay Rockefeller, and others started leading the effort to put in place comprehensive cyber security legislation and offered the first comprehensive bill dealing with information sharing. We had a vote in late 2012. It came up short, and we started all over again in the last Congress. You have shown great leadership right from the start. I thank you and I thank Senator BURR, the chair of the committee. I thank you for cooper-

ating with us and with others to make sure that we have not just a good bill but a very good bill that addresses effectively the greatest challenges we face in our country.

I have heard Senator FEINSTEIN say this time and again, and I will say it again today: If companies don't want to share information with the Federal Government, they don't have to. It is elective. In some cases they can form their own groups called ISOCs that will share information with one another. They don't have to share information on attacks with the Federal Government. They can share it with other peers if they wish to, but if they do share it with the Federal Government, with a couple of narrow exceptions, we ask that it be shared with the Department of Homeland Security because the Department of Homeland Security is set up in large part to provide a privacy scrub.

Next month the DHS will have the ability, when these threat indicators come through that are reported by other businesses across the country, in real time to be able to scrub that information through the portal and remove from it personally identifiable information that should not be shared with other Federal agencies, and just like that, bingo, we are off to the races. It is a smart compromise that I am pleased and grateful to have worked out with Senators BURR and FEINSTEIN and their staff. I thank both their staff and ours as well.

The other piece is the legislation we literally took out of the Committee on Homeland Security and Governmental Affairs that has been pending. I think the entire title 2 of the managers' amendment is the legislation that Senator JOHNSON and I have worked on. We are grateful for that.

One piece of it is something called EINSTEIN 1, 2, and 3—not to be confused with the renowned scientist, Albert Einstein. But we have something called EINSTEIN 1, EINSTEIN 2, and EINSTEIN 3. What do they mean? What this legislation does is it means we are going to use these tools—we are going to continue to update and modernize these tools—to, No. 1, record intrusions; No. 2, to be able to detect the bad stuff coming through into the Federal Government; and No. 3, block it.

We are going to make sure it is not just something that is positive work on a piece of paper but that 100 percent of the Federal agencies are able to use these new tools. Senator JOHNSON and I worked on legislation included in this package that uses encryption tools and doubles the number of processes we have available to better protect our information.

Finally, I would mention that Senator COLLINS, the former chair of the Homeland Security Committee—she

and a number of our colleagues, including Senator MIKULSKI, Senator McCASKILL, and others, have worked on legislation that we added to and all of that was reported out of the committee. All of this together is a very robust defender of our dot-gov domain and could be used to help those outside the Federal Government as well.

Going back to the last Congress, Tom Coburn and I worked together to do three things to strengthen the Department of Homeland Security to let it do its job. Growing up, I remember seeing cartoon ads in a magazine about some guy at the beach kicking sand on a smaller guy. The smaller guy in this case would have been the Department of Homeland Security, with respect to their ability to provide robust defense against cyber attacks. If I can use that cartoon as an analogy, in the past, the Department of Homeland Security was the 98-pound weakling, and it is no weakling anymore. Legislation that Dr. Coburn and I offered, passed in the Congress, to, No. 1, say the cyber ops center in the Department of Homeland Security is real. We are standing it up. We are making it real and robust.

The Federal Information Security Management Act for years was a paperwork exercise and was a once-a-year check to make sure our cyber defenses were secure. We are transforming that into a 24/7, robust, around-the-clock operation by modifying legislation and improving legislation called FISMA. We also in that legislation make clear what OMB's job is and we make clear what the job of the Department of Homeland Security is.

Finally, for years the Department of Homeland Security hired and trained cyber warriors, and just as they were getting really good, they were hired away because we couldn't retain them. We couldn't pay them or provide retention bonuses or hiring bonuses. We need to make sure we have some of the best cyber warriors in the world working at the Department of Homeland Security. Now DHS has that authority, and we will be able to hire these people.

Putting all this together, folks, what we have done is move the needle. With passage of this legislation we will move the needle and we need to do that.

There will be discussion later on of amendments. There are a couple of them that for this Senator are especially troubling. Senator FEINSTEIN has mentioned a couple of them, and I suspect Senator BURR has mentioned them as well. We will look at them as we go through, but a couple of them set this legislation back and I will very strongly oppose them.

Having said that, regarding the old saying—I am tired of hearing it and I am tired of saying it, but “don't let the perfect be the enemy of the good.” This isn't just good legislation, this is very good legislation, and it has gotten bet-

ter every step of the way because of the willingness of the ranking member and the chairman of the Intel Committee to collaborate. The three C's at work are communicating, compromising, and collaborating. We should work out these amendments today and pass this bill.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 2548, AS MODIFIED

Mr. HELLER. Mr. President, this Senator, like everyone else in this Chamber, realizes the need to address the threat of cyber attacks. The impact of these attacks is a matter of individual financial security as well as America's national security, and I contend that these efforts must not interfere with Americans' privacy. In doing so, the cure, which is this piece of legislation, is worse than the problem.

I have said it before and I will continue saying it, privacy for Nevadans is nonnegotiable. Nevadans elected me in part to uphold their civil rights and their liberties, and that is what I am on the floor doing today. That is why I fought for passage of the USA FREEDOM Act. That is why I offered my amendment being considered on this floor this given day. Hundreds of Nevadans have reached out to my office expressing concerns about the Cybersecurity Information Sharing Act, saying it did not do enough to safeguard their personal information.

Also tech companies, including Google, Apple, Microsoft, Oracle, and BSA Software Alliance, all expressed the same concerns about privacy under this piece of legislation. It is our responsibility in Congress to listen to these concerns and address them before allowing this piece of legislation to become law. I recognize the chairman of the intelligence committee does not support my amendment and has been encouraging our colleagues to oppose it.

With respect, however, I believe my amendment is a commonsense, middle-ground amendment. It ensures that we strike an appropriate balance that guarantees privacy, but also allows for real-time sharing of cyber threat indicators. My amendment would simply require the Federal Government, before sharing any cyber threat indicators, to strip out any personally identifiable information that they reasonably believe is not directly related to a cyber security threat.

This standard creates a wide protection for American's personal information. Furthermore, it also improves the operational capabilities of this cyber sharing program. DHS has stated that removing more personally identifiable information before sharing will help the private sector meaningfully digest that information as they work to combat cyber threats.

Again, I respect what Chairman BURR and Ranking Member FEINSTEIN are

trying to do here, which is why I have carefully crafted this amendment to meet the needs of both sides—those fighting for privacy and those fighting for our national security. I would like to take a moment to address the concerns expressed by the chairman, who has argued that this amendment is a poison pill for this piece of legislation. I want to be clear: This amendment is not creating legal uncertainty that would delay the sharing of cyber threat indicators. In fact, the term “reasonably believes” is used as the standard for the private sector in the House-passed cyber bill. Let me repeat that. This phrase, “reasonably believes,” is the standard applied to the private sector in the House-passed bill. Our counterparts on the House Intelligence Committee felt that this standard was high enough to protect privacy while also meeting the goal of the bill which is real-time sharing.

If this standard is good enough for the private sector, it should be good enough for the Federal Government. Just 6 months ago, the chamber of commerce released a strong statement of support and praise for the House-passed cyber legislation. Not once did they release statements of concern over using the term “reasonably believes” as it applies to the private sector, the industry which they represent. I ask again: If it is good enough for the private sector, should it not be good enough for the Federal Government?

Finally, I am proud to have the support of two of the Senate's leading privacy advocates, Senators LEAHY and WYDEN, who have been fighting with me to make key changes to this bill to maintain Americans' rights. I strongly urge my colleagues today to vote in support of my simple fix. Let's keep our oath to the American people and make this bill stronger for privacy rights and civil liberties.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent that after Chairman BURR has spoken, I be recognized for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I want to say to my colleague Senator HELLER, I wish we could accommodate all of the amendments. The fact is that even a word here and there changes the balance of what Senator FEINSTEIN and I have tried to put together. Although on the surface it may not look like a big deal—I understand we have two competing bills that were passed in the House, and one has the language. The fact is, our language for the entirety of the bill does not match the House bill.

When you change something, we have to look at the cause and effect of it.

Here are the realities. This is a voluntary bill. I will start backward with some of the things Senator HELLER said. Technology companies are opposed to it. They are. I cannot do anything about that, but I can plead with them: Why would you deprive thousands of businesses that want to have a partnership with the Federal Government from having it because you have determined for your business, even though you are a large holder of personal data, that you don't want a partnership with the Federal Government.

I would suggest that the first day they get penetrated, they may find that partnership is worthy. I cannot change where they are on the legislation. The reality is that for a voluntary bill, it means there has to be a reason for people to want to participate. Uncertainty is the No. 1 thing that drives that away. We believe the change the Senator proposes provides that degree of uncertainty, and therefore we would not have information shared either at all or in a timely fashion. If it is not shared in a timely fashion, then we won't reach the real-time transfer of data which gives us the basis of minimizing data loss in this bill.

I think it is easy to look at certain pieces of the bill and say: Well, this does not change it that much. But it changes it in a way that would cause either companies to choose not to participate, or it may change it in a way that delays the notification to the Federal Government. Therefore, we are not able to accomplish what we set out to do in the mission of this bill, which is to minimize the amount of data that is lost not just at that company but across the U.S. economy.

Again, I urge our colleagues—we will move to amendments shortly. We will have an opportunity to debate for 1 minute on each side on those amendments. I would urge my colleagues to keep this bill intact. If we change the balance of what we have been able to do, then it changes the effects of how this will be implemented, and, in fact, we may or may not at the end of the day—

Mr. HELLER. Will the chairman yield time so I can respond to his comment?

Mr. BURR. I will be happy to yield.

Mr. HELLER. I appreciate everything the Senator is doing. I understand the importance of fighting against cyber attacks. I want to make two points—clarify two points that I think are very important. The language in this bill is the same standard the private sector is held to in the House-passed bill. The chamber had no problem 6 months ago when that bill was passed out of the House of Representatives.

So I continue to ask the question: If it is good enough—if this language is good enough for the private sector,

why is it not good enough for the public sector, for the Federal Government? The second thing is that I believe my amendment does strike a balance, increasing privacy but still providing that real-time information sharing. I just wanted to make those two points.

Mr. BURR. Mr. President, I appreciate the Senator's input. I can only say to my colleagues that it is the recommendation of the vice chair and myself that this not be supported. It does change the balance, it puts uncertainty in the level of participation, and any delay from real time would, in fact, mean that we would not have lived up to the mission of this bill, which is to minimize data loss.

I think, though, that there are similarities between the House and Senate bills. Ours is significantly different, and therefore it has a different implication when you change certain words.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Before he leaves the floor, I want to commend my colleague from Nevada. I strongly support his amendment.

AMENDMENT NO. 2621, AS MODIFIED

Colleagues, the first vote we will have at 11 o'clock is on my amendment No. 2621. This amendment is supported by a wide variety of leaders across the political spectrum, progressive voices that have focused on cyber security and privacy as well as conservative organizations. FreedomWorks, for example, an important conservative organization, announced last night that they will consider the privacy amendment that I will be offering. It will be the first vote, a key vote on their congressional scorecard.

It was the view of FreedomWorks that this amendment, the first vote, would add crucial privacy protections to this legislation. The point of the first amendment we will vote on is to strengthen privacy protections by requiring that companies make reasonable efforts to remove unrelated personal information about their customers before providing data to the government. It says that companies should take these efforts to the extent feasible. Let me say that this truly offers a great deal of flexibility and discretion to companies. It certainly does not demand perfection, but it does say to these companies that they should actually have to take some real responsibility, some affirmative step.

We will have a chance, I guess for a minute or so, when we get to the amendments, but for purposes of colleagues reflecting before we start voting, the first amendment I will be offering is backed by important progressive organizations, such as the Center for Democracy and Technology, and conservative groups, such as FreedomWorks, which last night said this is a particularly important vote

with respect to liberty and privacy. It says that with respect to the standard for American companies, you just cannot hand it over, you have to take some affirmative steps—reasonable, affirmative steps—before you share personal information.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, we are going to go to these amendments, and we will have five amendments this morning and possibly up to five this afternoon starting at 4 o'clock.

AMENDMENT NOS. 2626, AS MODIFIED, AND 2557

I want to take this opportunity—there are two pending amendments that are not germane. I ask unanimous consent that it be in order to raise those points of order en bloc at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. I make a point of order that the Whitehouse amendment No. 2626 and the Mikulski amendment No. 2557 are not germane to amendment No. 2716.

The PRESIDING OFFICER. The points of order are well taken and the amendments fall.

Mr. BURR. Mr. President, I want to take this opportunity before we start the final process to thank the vice chairman. She has been incredibly willing to participate, even when we started in a different place than where we ended. She brought to the table a tremendous amount of experience on this issue because of the number of years she had worked on it. She was very accommodating on areas that I felt were important for us to either incorporate or at least debate.

What I really want to share with my colleagues is that we had a wholesome debate in the committee. The debate the vice chair and I and our staffs had was wholesome before it even came to the Presiding Officer or to Senator WYDEN. That is good. It is why some of the Members might have said in committee: Gee, this looks like a good amendment. Yet it did not fit within the framework of what the vice chair and I sat down and agreed to.

So this has been a process over a lot of months of building support, not just within this institution but across the country. It is not a process where I expected to get to the end and for there to be nothing but endorsements of the legislation. I have never seen a piece of legislation achieve that coming out of the Senate. But I think the vice chair and I believed when we actually put legislation together that we were on the same page. The fact is, it is important that today we are again still on the same page, that we have stuck there. I thank the vice chairman.

I also thank Senator JOHNSON and Senator CARPER, the chairman and the

ranking member of the homeland security committee. They have been incredibly helpful and incredibly accommodating. We have tried to incorporate everything we thought contributed positively to this legislation, and they were huge contributors.

Lastly, let me say to all of my colleagues that it is tough to be put in a situation—the vice chair and myself—where we have Members on both sides who are going to offer amendments—I understand that to them those amendments are very reasonable, and I would only ask my colleagues to understand the situation the vice chair and I are in. We have negotiated a very delicately written piece of legislation, and any change in that that is substantive we feel might, in fact, change the outcome of what this bill accomplishes.

We will have votes on amendments this morning. One of those amendments, Senator FLAKE's amendment—overnight we were able to negotiate a change in the sunset provision to 10 years. We will modify that on the floor and accept it by voice vote. The others will be recorded votes.

With that, I yield the floor.

AMENDMENT NO. 2621, AS MODIFIED

The PRESIDING OFFICER (Mrs. FISCHER). Under the previous order, the question occurs on amendment No. 2621, as modified, offered by the Senator from Oregon, Mr. WYDEN.

There is 2 minutes of debate equally divided.

The Senator from Oregon.

Mr. WYDEN. Madam President, virtually all agree that cyber security is a serious problem. Virtually all agree that it is useful to share information, but sharing information without robust privacy standards creates as many problems as it may solve.

The first amendment I am offering is supported by a wide variety of organizations across the political spectrum because they want what this amendment would do; that is, reasonable efforts have to be made to strike unrelated personal information before it is handed over to the government. Without that, you have a flimsy standard that says: When in doubt, hand it over.

I urge colleagues to support this amendment. It is backed by progressive groups and conservative groups.

Madam President, I ask unanimous consent to add Senator WARREN as a cosponsor to my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Madam President, I ask unanimous consent to have printed in the RECORD a letter of support from FreedomWorks, a leading conservative voice on these issues.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FREEDOMWORKS,
Washington, DC, October 26, 2015.

KEY VOTE YES ON THE WYDEN AMENDMENT #2621 TO CISA

As one of our over 6.9 million FreedomWorks activists nationwide, I urge you to contact your senators and ask them to vote YES on the Wyden amendment to add crucial privacy protections to the Cyber Information Sharing Act (CISA), S. 754.

CISA purports to facilitate stronger network security across the nation by facilitating the interchange of information on cyber threats between private companies and government agencies. But one of CISA's several gaping flaws is the incentive it creates for some companies to share this data recklessly.

The personally identifiable information (PII) of a company's users can be attached to cyber threat indicators after a hack—potentially sensitive information that is generally unnecessary to diagnose the threat. But since companies which share cyber threat data are completely immune to consequence if that shared data should be misused, their incentive is to share the data as quickly as possible—even if that means some would be sharing PII.

And if that personal data is irresponsibly shared with the government, it gets spread far and wide between government agencies (including the NSA) in real time, thanks to CISA's mandatory interagency sharing provision.

The Wyden amendment goes a long way toward addressing the potential misuse of this personal information by requiring companies which share cyber threat data to review said data to ensure that all PII that is not directly necessary to counter the cyber threat is deleted before it is shared.

Passing the Wyden amendment wouldn't fully fix the problems with CISA, but it is an important protection against potential distribution and misuse of innocent consumers' private information.

Please contact your senators and ask that they vote YES on the Wyden amendment to CISA. FreedomWorks will count the vote on this amendment as a Key Vote when calculating our Congressional Scorecard for 2015. The scorecard is used to determine eligibility for the FreedomFighter Award, which recognizes Members of Congress who consistently vote to support economic freedom and individual liberty.

Sincerely,

ADAM BRANDON,
CEO, FreedomWorks.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from California.

Mrs. FEINSTEIN. Madam President, I rise to oppose the amendment. This amendment would replace a key feature of the underlying bill. Right now, under section 104(d) of the managers' amendment, a company is required to conduct a review of any information before it is shared and remove any personal information that is not "directly related to a cybersecurity threat."

Senator WYDEN's amendment, while well-intentioned, would replace that review with a requirement that a company must remove personal information "to the extent feasible"—and there is the rub. This is a very unclear requirement. In this bill, we are trying to provide clarity on what a company

has to do so that it is understandable. Companies understand what it means to conduct a review to see whether there is personal information and then strip it out. They don't know what may or may not be feasible, and they worry that this lack of clarity could create the risk of a lawsuit where the current language does not.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. FEINSTEIN. Therefore, I ask my colleagues to join with me in voting no on the Wyden amendment.

The PRESIDING OFFICER. The question is on agreeing to the Wyden amendment, as modified.

Mr. BURR. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 41, nays 55, as follows:

[Rollcall Vote No. 285 Leg.]

YEAS—41

Baldwin	Gardner	Peters
Bennet	Gillibrand	Reed
Blumenthal	Heinrich	Reid
Booker	Heller	Sanders
Boxer	Hirono	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Lee	Stabenow
Casey	Markey	Sullivan
Coons	Menendez	Tester
Crapo	Merkley	Udall
Daines	Murkowski	Warren
Durbin	Murphy	Wyden
Franken	Murray	

NAYS—55

Alexander	Fischer	Moran
Ayotte	Flake	Nelson
Barrasso	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Capito	Hoehn	Rounds
Carper	Inhofe	Sasse
Cassidy	Isakson	Scott
Coats	Johnson	Sessions
Cochran	Kaine	Shelby
Collins	King	Thune
Corker	Kirk	Tillis
Cornyn	Lankford	Toomey
Cotton	Manchin	Warner
Donnelly	McCain	Whitehouse
Enzi	McCaskill	Wicker
Ernst	McConnell	
Feinstein	Mikulski	

NOT VOTING—4

Cruz	Rubio
Paul	Vitter

The amendment (No. 2621), as modified, was rejected.

AMENDMENT NO. 2548, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question occurs

on amendment No. 2548, as modified, offered by the Senator from Nevada, Mr. HELLER.

There is 2 minutes of debate equally divided.

The Senator from Nevada.

Mr. HELLER. Madam President, the chairman has stated that this piece of legislation has privacy protections. But I don't believe it goes far enough or we wouldn't be in this Chamber, vote after vote after vote, trying to move this so there is some personal privacy and so there are some liberties that are protected.

This amendment in front of us right now is a commonsense, middle-ground approach that strengthens the standards for the Federal Government removing personal information prior to sharing it with the private sector.

I want to leave my colleagues with two points. This is the same standard that the private sector is held to in the House-passed bill, supported by the Chamber. If this amendment is good enough for the private sector, the question is, Why isn't it good enough for the Federal sector or the government? No. 2, my amendment strikes a balance between increasing privacy but still providing for real-time information sharing.

I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, Senator FEINSTEIN and I have tried to reach a very delicate balance. We think we have done that. Senator HELLER raised one specific issue. He said the chamber is supportive of the language. Let me just read: The chamber opposes Senator HELLER's amendment for much of the same reason that we oppose comparable amendments being offered. It says: The difficulty with seemingly simple tweaks and wording is that interpreting the language, such as "reasonably believes" and "reasonable efforts" in legislation, is far from simple. It would create legal uncertainty and is contrary to the goal of real-time information sharing. The chamber will press to maintain NOS as the standard.

Hopefully, this shares some texture with my colleagues about how difficult this has been. As I said earlier, I would love to accept all of the amendments. But when it changes the balance of what we have been able to put—when we take a voluntary bill and provide uncertainty, we have now given a reason for either companies not to participate or for the government to delay the transmission to the appropriate agencies.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BURR. We believe we have the right protections in place. I urge my colleagues to defeat the Heller amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

Mr. THUNE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 49, as follows:

[Rollcall Vote No. 286 Leg.]

YEAS—47

Baldwin	Ernst	Menendez
Barrasso	Flake	Merkley
Bennet	Franken	Moran
Blumenthal	Gardner	Murkowski
Booker	Gillibrand	Murray
Boxer	Heinrich	Peters
Cantwell	Heitkamp	Portman
Cardin	Heller	Reed
Casey	Hirono	Sanders
Cassidy	Hoeven	Sullivan
Coons	Kaine	Tester
Crapo	Lankford	Toomey
Daines	Leahy	Udall
Donnelly	Lee	Warren
Durbin	Markley	Wyden
Enzi	McCaskill	

NAYS—49

Alexander	Grassley	Roberts
Ayotte	Hatch	Rounds
Blunt	Inhofe	Sasse
Boozman	Isakson	Schatz
Brown	Johnson	Schumer
Burr	King	Scott
Capito	Kirk	Sessions
Carper	Klobuchar	Shaheen
Coats	Manchin	Shelby
Cochran	McCain	Stabenow
Collins	McConnell	Thune
Corker	Mikulski	Tillis
Cornyn	Murphy	Warner
Cotton	Nelson	Whitehouse
Feinstein	Perdue	Wicker
Fischer	Reid	
Graham	Risch	

NOT VOTING—4

Cruz	Rubio
Paul	Vitter

The amendment (No. 2548), as modified, was rejected.

AMENDMENT NO. 2587, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question occurs on amendment No. 2587, as modified, offered by the Senator from Vermont, Mr. LEAHY.

The Democratic leader.

Mr. REID. Madam President, I would ask that my remarks be under leader time.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING SENATOR LEAHY ON CASTING HIS 15,000TH VOTE

Mr. REID. Mr. President, today my friend and colleague PAT LEAHY has reached another milestone in an ex-

traordinary career. He just cast his 15,000th vote. That is remarkable. He is only the sixth Senator in the history of this great body to have done that. In 226 years, he is one of 6.

Today's momentous occasion should come as no surprise because his entire career in public service has been history in the making. He graduated from St. Michael's College, which is a Vermont institution. He graduated from Georgetown University Law Center.

He was first appointed as the State's attorney when he was 26 years old. He was then reelected on two separate occasions. During that time, PAT LEAHY was a nationally renowned prosecutor. In 1974—his last as a State's attorney—he was selected as one of the three most outstanding prosecutors in America.

At age 34, PAT became the first Democrat in U.S. history to be elected to the Senate from Vermont. After he was elected, the Republican Senator he was to succeed, George Aiken, was asked by some to resign his seat a day early—which you could do in those days—to give Senator LEAHY a head start in seniority among his fellow freshmen. Here is what Senator Aiken said: "If Vermont is foolish enough to elect a Democrat, let him be number 100."

Senator LEAHY's career has proven that the people of Vermont were wise in selecting him. From No. 100, Senator LEAHY over time ascended to the rank of President pro tempore of the Senate. Senator LEAHY has spent four decades in the Senate fighting for justice and equality. As the chairman of the Judiciary Committee, he became a national leader for an independent judiciary, the promotion of equal rights, and the protection of our Constitution.

His main focus, though, has always been Vermont. He carries with him a picture of what he calls his farmhouse, which is on lots of acres. It looks like a picture you would use if you were trying to get somebody to come and stay at your place—it is just beautiful. It doesn't remind me of the desert, but it is beautiful.

Over the years, he has done everything he can to protect the State's natural beauty, the resources, land and water, through conservation efforts. When people visit Vermont, they see these beautiful green vistas, pristine lakes and rivers, and picturesque farms. Senator LEAHY has worked hard to keep Vermont that way.

Senator LEAHY has done everything in his power to promote agriculture in his home State. As former chair of the agriculture committee, I can remember what he has done to protect the dairy industry. It is legend what he has done to protect the dairy industry. We all remember holding up the Senate for periods of time until he got what he wanted for dairy. He wrote the Organic Foods Production Act of 1990, which

helped foster Vermont and America's growing organic food industry. Today, organic foods are a \$40 billion industry. Many of those organic farms and businesses are based in Vermont.

After Tropical Storm Irene, I remember, graphically, his fighting for the State of Vermont. That storm devastated parts of Vermont. Roads were underwater for weeks. He helped secure \$500 million in assistance for the people of Vermont to overcome a brutal natural disaster.

I am fortunate to be able to serve with PAT LEAHY here in the Senate. He is more than a colleague; he really is a dear friend, as is his wife of 52 years, Marcelle, whom Landra and I know well. We have helped each other through our times of joy and our times of travail. Senator LEAHY and his wife Marcelle have three wonderful children and five grandchildren. Give PAT a minute alone and he will start telling you about them.

Senator LEAHY, congratulations on your 15,000th vote in the U.S. Senate.

Mr. LEAHY. I thank my colleague.

(Applause, Senators rising.)

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, as the Democratic leader has pointed out, this is indeed the 15,000th vote of the Senator from Vermont. That means he has taken the largest number of votes among all of us currently serving here in the Senate. It means he has taken the sixth largest number of votes in Senate history. It certainly means he has taken more votes than any other Senator from his State, and Vermont has been sending Senators here since the late 1700s.

That is not the only thing that sets him apart from every other Vermonter to serve here in the Senate. He was the first Democrat elected to serve from Vermont. Unfortunately, that is a habit that has not continued. I think we can safely assume he is Vermont's first Batman fanboy to serve as well; the first Bat fan and probably the first Dead Head as well.

There is no doubt that our colleague is the longest serving current Member of the Senate from any State. We are happy to recognize today his 15,000th vote.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. May I have 1 minute to speak to that point?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I wish to commemorate my friend and colleague for casting his 15,000th vote today in the Senate.

Senator LEAHY has been a stalwart Member of this body since joining the Senate at the age of 34 in 1975. Four decades later, Senator LEAHY continues to serve his State and our Nation with great passion and conviction.

Senator LEAHY has been a good friend as we work together in leading the Senate Judiciary Committee.

So, Senator LEAHY, congratulations on this tremendous milestone. I hope we can cast many more votes together as we continue to work in a bipartisan way on the committee.

I applaud the Senator from Vermont for his great commitment to service, and I wish him many more votes in the future.

(Applause, Senators rising.)

The PRESIDING OFFICER. The junior Senator from Vermont.

Mr. SANDERS. Madam President, I rise to say a few words in congratulating Senator LEAHY, not just for his 15,000th vote but on his many years of service serving the people of the State of Vermont. Vermont is very proud of all of the work PAT LEAHY has done.

As we all know, Senator LEAHY has been a champion on agriculture issues, on protecting family farmers, especially in dairy and organics. He has been a champion in fighting for civil liberties in this country. He has been a champion on environmental issues, making sure the planet we leave our kids is a clean and healthy planet. He has been a champion on women's issues, and on so many other issues.

Senator LEAHY, on behalf of the people of Vermont, I want to thank you so much for your years of service.

(Applause, Senators rising.)

Mr. LEAHY. Madam President, I want to thank my dear friends, Senator REID, Senator MCCONNELL, Senator SANDERS, and Senator GRASSLEY for their comments, and I appreciate the opportunity to be able to serve with them. I thank the members of the Senate for this opportunity to make a very few observations about this personal milestone.

You know, the Senate offers both great opportunities and responsibility for both Senators from Vermont and all who serve here. We have a chance, day after day, to make things better for Vermonters and for all Americans. We can strengthen our country and ensure its vitality into the future. We can forge solutions in the unending quest throughout this Nation's history to form a more perfect Union.

I cast my first vote in this Chamber in 1975 on a resolution to establish the Church Committee. The critical issues of the post-Watergate era parallel issues we face today—proof of the enduring fact that, while the votes we cast today address the issues we face now, problems will persist, threats will continue, and improvements to the democracy we all revere can always be made.

I think back on the 15,000 votes I have cast on behalf of Vermonters. A lot of them come quickly to mind today—some specific to Vermont and some national and some global—writing and enacting the organic farm bill,

the charter for what has become a thriving \$30 billion industry; stronger regulations on mercury pollution and combating the effects of global warming; emergency relief for the devastation caused by Tropical Storm Irene; adopting price support programs for small dairy farmers; fighting for the privacy and civil liberties of all Americans; supporting the Reagan-O'Neill deal to save Social Security; nutrition bills to help Americans below the poverty line; bipartisan—strongly bipartisan—campaign reform in McCain-Feingold; the bipartisan Leahy-Smith Act, on patent reform; reauthorizing and greatly expanding and strengthening the Violence Against Women Act; opposing the war in Iraq, a venture that cost so many lives and trillions of taxpayer dollars.

The Senate at its best can be the conscience of the Nation. I have seen that when it happens, and I marvel in the fundamental soundness and wisdom of our system every time the Senate stands up and is the conscience of our Nation. But we cannot afford to put any part of the mechanism on automatic pilot. It takes constant work and vigilance to keep our system working as it should for the betterment of our society and the American people. And we can only do it if we work together.

I am so grateful to my fellow Vermonters for the confidence they have shown in me. It is a measure of trust that urges me on. I will never betray it, and I will never take it for granted. Reflecting on the past 15,000 votes reminds me about the significance every time we vote, why I feel energized about what votes lie ahead, and how we can keep making a difference.

I thank my friends, the two leaders, for their remarks, my respected Senate colleague, Senator SANDERS, my friend, Senator GRASSLEY, with whom I've served a long time. I appreciate my friendship with them and have appreciated my friendship with other leaders, including Senators Mansfield, Byrd, Baker, Dole, Lott, and Daschle, and lifelong gratitude to my former colleague, Senator Stafford, a Republican, who took me under his wing and guided me. And I am privileged to serve now—I mean, our whole Vermont delegation is here: Senator SANDERS, Congressman WELCH, and myself. Not many other States could do that and fit all of them in this body. And lastly I remember what a thrill it was to tell my wife, Marcelle, when I cast my first vote. And now 40 years later, I can still tell her about the 15,000th vote, and she knows, she and our children and grandchildren are the most important people in my life.

I do not want to further delay the Senate's work today, and I will reflect more on this milestone later. I thank you for your friendships that have meant more to me and my family than

I can possibly say, and I look forward to continuing serving here. Thank you very, very much.

(Applause, Senators rising.)

Mr. DURBIN. Madam President, I want to add my voice to the well-deserved chorus of congratulations for our colleague and friend from Vermont.

Of the 1,963 men and women who have ever served in the U.S. Senate, only six have the distinction of casting 15,000 votes. And of those august six, only PATRICK LEAHY continues to serve in this body today. The only other members of the 15,000-vote league are Senators Robert C. Byrd, Strom Thurmond, Daniel Inouye, Ted Kennedy, and Ted Stevens.

More important than the number of votes Senator LEAHY has cast, however, is the wisdom and courage reflected in his votes.

He was elected to the U.S. Senate in 1974—part of an historic group of new Senators known as the “Watergate Babies.”

He has voted time and again to uphold the values of our Constitution—even when it contained some political risk.

His very first vote in this Senate was to authorize the Church Committee—the precursor to today’s Senate Select Committee on Intelligence. The Church Committee was created to investigate possible illegalities by the CIA, the FBI, and the National Security Agency—and it resulted in major reforms.

As you may know, Senator LEAHY is a major Batman fan. In fact, he has made several cameo appearances in Batman movies.

His affinity for the Caped Crusader makes sense. You see, Batman is one of the few superheroes with no superhuman powers. He is simply a man with unusual courage and determination to fight wrongdoing. That is PATRICK LEAHY, too.

I have served on the Senate Judiciary Committee for more than 18 years. During that time, Senator LEAHY has been either our committee chairman or its ranking member.

I have the greatest respect for his fidelity to the rule of law and his determined efforts to safeguard the independence and integrity of America’s Federal courts.

He is a champion of human rights at home and abroad.

According to the nonpartisan website GovTrack, Senator LEAHY has sponsored more bipartisan bills than any other current member of this Senate. Sixty-one percent of his bills have had both Democratic and Republican cosponsors. In this time of increasingly sharp partisanship, that is a record that we would all do well to emulate.

I am particularly grateful to Senator LEAHY for his strong support of a bipartisan bill that I am cosponsoring, along with a broad array of Senators, from Chairman CHUCK GRASSLEY to Senator

CORY BOOKER. The Sentencing Reform and Corrections Act would make Federal sentencing laws smarter, fairer, more effective, and more fiscally responsible. It passed the Judiciary Committee last week by a vote of 15-5. Senator LEAHY’s leadership has been critical in building this broad support, and I look forward to the day—in the near future, I hope—when we can celebrate passage of this important measure.

I learned recently that Senator LEAHY dedicates all of his fees and royalties from his acting roles to charities. A favorite charity is the Kellogg-Hubbard library in Montpelier, VT, where he read comic books as a child. I hope that there are young boys and girls discovering in that library the same uncommon courage and love of justice that PATRICK LEAHY found there.

America needs more heroes like PAT LEAHY.

AMENDMENT NO. 2587, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question occurs on amendment No. 2587, as modified, offered by the Senator from Vermont, Mr. LEAHY.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered. There will now be 2 minutes equally divided.

The Senator from California.

Mrs. FEINSTEIN. Madam President, I rise regretfully to speak against the amendment directly following the important monument of 15,000 votes by one of the idols of my life, but so be it.

As it might become very clear, Senator BURR and I, on a bill that came out of committee 14 to 1, have tried to keep a balance and have tried to prevent this kind of information sharing from being a threat to business so they won’t participate. Therefore, the words that are used are all important as to whether they have a legal derivation. Senator LEAHY’s amendment would essentially decrease the amount of sharing by opening up the chance of public disclosure through the Freedom of Information Act of cyber threats shared under this bill.

Now, we seek to share information about the nature of cyber effects and suggestions on how to defend networks. This information clearly should not be made available to hackers and cyber criminals who could use it for their own purposes. So Senator BURR and I worked closely with Senator LEAHY and Senator CORNYN in putting together the managers’ package to remove a FOIA exemption that they viewed as unnecessary and harmful. That has been removed in the managers’ package.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. FEINSTEIN. I thank the Chair. The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, as much as I hate to disagree with my dear friend from California, I will on this amendment.

I don’t like to see unnecessary exemptions to the Freedom of Information Act.

Today I offer an amendment to the Cybersecurity Information Sharing Act that would remove from the bill an overly broad and wholly unnecessary new FOIA exemption. That new exemption to our Nation’s premier transparency law was added without public debate and in a closed session by the Senate Intelligence Committee. Any amendments to the Freedom of Information Act should be considered openly and publicly by the Senate Judiciary Committee, which has exclusive jurisdiction over FOIA—not in secret by the Senate Intelligence Committee.

I expect that much of the information to be shared with the government under CISA would be protected from disclosure to the general public. A thorough committee process, including consideration by the Senate Judiciary Committee, would have made clear that the vast majority of sensitive information to be shared under this bill is already protected from disclosure under existing FOIA exemptions. This includes exemption (b)(4), which protects confidential business and financial information; exemption (b)(6) which protects personal privacy; and exemption (b)(7), which protects information related to law enforcement investigations.

In case there is any doubt that this information would be exempt from disclosure, the underlying bill already makes clear that information provided to the Federal Government “shall be considered the commercial, financial, and proprietary information” of the entity submitting the information. Commercial and financial information is exempt from disclosure under FOIA pursuant to exemption (b)(4), and additional protections are unnecessary. The comprehensive exemptions already in law have been carefully crafted to protect the most sensitive information from disclosure while prohibiting the Federal Government from withholding information the public is entitled to. Creating unnecessary exemptions will call into question the existing FOIA framework and threaten its twin goals of promoting government transparency and accountability.

The new FOIA exemption in the cyber bill also includes a preemption clause that is overly broad and sets a terrible precedent. As drafted, it applies not only to FOIA, but to all State, local, or tribal disclosure laws. By its very terms, this provision applies not just to transparency and sunshine laws, but to any law “requiring

disclosure of information or records.” Because this broad preemption of State and local law has not received careful, open consideration, there has not been adequate consultation with State and local governments to consider the potential impacts. Such a sweeping approach could impact hundreds of State and local laws and lead to unintended consequences.

Amending our Nation’s premier transparency law and preempting State and local law deserves more public debate and consideration. If we do not oppose this new FOIA exemption, then I expect more antitransparency language will be slipped into other bills without the consideration of the Judiciary Committee. Just a few months ago, I was here on the Senate floor fighting against new FOIA exemptions that had been tucked into the surface transportation bill, and I have no doubt I will be down here again in the future fighting similar fights. But an open and transparent government is worth fighting for. I believe in transparency in our Federal Government, and I believe that FOIA is the backbone to ensuring an open and accountable government. I urge all Members to join me in this effort and vote for the Leahy amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LEAHY. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2587, as modified.

The yeas and nays have been ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 37, nays 59, as follows:

[Rollcall Vote No. 287 Leg.]

YEAS—37

Baldwin	Gillibrand	Reid
Bennet	Heinrich	Sanders
Blumenthal	Heller	Schatz
Booker	Hirono	Schumer
Boxer	Klobuchar	Shaheen
Brown	Leahy	Stabenow
Cantwell	Lee	Sullivan
Cardin	Markey	Tester
Casey	Menendez	Udall
Coons	Merkley	Warren
Daines	Murray	Wyden
Durbin	Peters	
Franken	Reed	

NAYS—59

Alexander	Cassidy	Donnelly
Ayotte	Coats	Enzi
Barrasso	Cochran	Ernst
Blunt	Collins	Feinstein
Boozman	Corker	Fischer
Burr	Cornyn	Flake
Capito	Cotton	Gardner
Carper	Crapo	Graham

Grassley	McCain	Rounds
Hatch	McCaskill	Sasse
Heitkamp	McConnell	Scott
Hoeven	Mikulski	Sessions
Inhofe	Moran	Shelby
Isakson	Murkowski	Thune
Johnson	Murphy	Tillis
Kaine	Nelson	Toomey
King	Perdue	Warner
Kirk	Portman	Whitehouse
Lankford	Risch	Wicker
Manchin	Roberts	

NOT VOTING—4

Cruz	Rubio
Paul	Vitter

The amendment (No. 2587), as modified, was rejected.

AMENDMENT NO. 2582

The PRESIDING OFFICER. Under the previous order, the question occurs on amendment No. 2582, offered by the Senator from Arizona, Mr. FLAKE.

The Senator from North Carolina.

AMENDMENT NOS. 2582, AS MODIFIED, AND 2552, AS FURTHER MODIFIED

Mr. BURR. Madam President, I ask unanimous consent that the Flake amendment No. 2582 and the Coons amendment No. 2552 be modified with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (No. 2582), as modified, and (No. 2552), as further modified, are as follows:

AMENDMENT NO. 2582, AS MODIFIED

At the end, add the following:

SEC. 11. EFFECTIVE PERIOD.

(a) IN GENERAL.—Except as provided in subsection (b), this Act and the amendments made by this Act shall be in effect during the 10-year period beginning on the date of the enactment of this Act.

(b) EXCEPTION.—With respect to any action authorized by this Act or information obtained pursuant to an action authorized by this Act, which occurred before the date on which the provisions referred to in subsection (a) cease to have effect, the provisions of this Act shall continue in effect.

AMENDMENT NO. 2552, AS FURTHER MODIFIED

Beginning on page 23, strike line 3 and all that follows through page 33, line 10 and insert the following:

(3) REQUIREMENTS CONCERNING POLICIES AND PROCEDURES.—Consistent with the guidelines required by subsection (b), the policies and procedures developed and promulgated under this subsection shall—

(A) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 104(c) through the real-time process described in subsection (c) of this section—

(i) are shared in an automated manner with all of the appropriate Federal entities;

(ii) are not subject to any unnecessary delay, interference, or any other action that could impede receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(B) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 104 in a manner other than the real time process described in subsection (c) of this section—

(i) are shared as quickly as operationally practicable with all of the appropriate Federal entities;

(ii) are not subject to any unnecessary delay, interference, or any other action that

could impede receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(C) consistent with this title, any other applicable provisions of law, and the fair information practice principles set forth in appendix A of the document entitled “National Strategy for Trusted Identities in Cyberspace” and published by the President in April 2011, govern the retention, use, and dissemination by the Federal Government of cyber threat indicators shared with the Federal Government under this title, including the extent, if any, to which such cyber threat indicators may be used by the Federal Government; and

(D) ensure there are—

(i) audit capabilities; and

(ii) appropriate sanctions in place for officers, employees, or agents of a Federal entity who knowingly and willfully conduct activities under this title in an unauthorized manner.

(4) GUIDELINES FOR ENTITIES SHARING CYBER THREAT INDICATORS WITH FEDERAL GOVERNMENT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall develop and make publicly available guidance to assist entities and promote sharing of cyber threat indicators with Federal entities under this title.

(B) CONTENTS.—The guidelines developed and made publicly available under subparagraph (A) shall include guidance on the following:

(i) Identification of types of information that would qualify as a cyber threat indicator under this title that would be unlikely to include personal information or information that identifies a specific person not directly related to a cyber security threat.

(ii) Identification of types of information protected under otherwise applicable privacy laws that are unlikely to be directly related to a cybersecurity threat.

(iii) Such other matters as the Attorney General and the Secretary of Homeland Security consider appropriate for entities sharing cyber threat indicators with Federal entities under this title.

(b) PRIVACY AND CIVIL LIBERTIES.—

(1) GUIDELINES OF ATTORNEY GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee-1), develop, submit to Congress, and make available to the public interim guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(2) FINAL GUIDELINES.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee-1) and such private entities with industry expertise as the Attorney General considers relevant, promulgate final guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in

connection with activities authorized in this title.

(B) PERIODIC REVIEW.—The Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers and private entities described in subparagraph (A), periodically, but not less frequently than once every two years, review the guidelines promulgated under subparagraph (A).

(3) CONTENT.—The guidelines required by paragraphs (1) and (2) shall, consistent with the need to protect information systems from cybersecurity threats and mitigate cybersecurity threats—

(A) limit the effect on privacy and civil liberties of activities by the Federal Government under this title;

(B) limit the receipt, retention, use, and dissemination of cyber threat indicators containing personal information or information that identifies specific persons, including by establishing—

(i) a process for the timely destruction of such information that is known not to be directly related to uses authorized under this title; and

(ii) specific limitations on the length of any period in which a cyber threat indicator may be retained;

(C) include requirements to safeguard cyber threat indicators containing personal information or information that identifies specific persons from unauthorized access or acquisition, including appropriate sanctions for activities by officers, employees, or agents of the Federal Government in contravention of such guidelines;

(D) include procedures for notifying entities and Federal entities if information received pursuant to this section is known or determined by a Federal entity receiving such information not to constitute a cyber threat indicator;

(E) protect the confidentiality of cyber threat indicators containing personal information or information that identifies specific persons to the greatest extent practicable and require recipients to be informed that such indicators may only be used for purposes authorized under this title; and

(F) include steps that may be needed so that dissemination of cyber threat indicators is consistent with the protection of classified and other sensitive national security information.

(C) CAPABILITY AND PROCESS WITHIN THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, in coordination with the heads of the appropriate Federal entities, shall develop and implement a capability and process within the Department of Homeland Security that—

(A) shall accept from any entity in real time cyber threat indicators and defensive measures, pursuant to this section;

(B) shall, upon submittal of the certification under paragraph (2) that such capability and process fully and effectively operates as described in such paragraph, be the process by which the Federal Government receives cyber threat indicators and defensive measures under this title that are shared by a private entity with the Federal Government through electronic mail or media, an interactive form on an Internet website, or a real time, automated process between information systems except—

(i) consistent with section 104, communications between a Federal entity and a private entity regarding a previously shared cyber threat indicator to describe the relevant cy-

bersecurity threat or develop a defensive measure based on such cyber threat indicator; and

(ii) communications by a regulated entity with such entity's Federal regulatory authority regarding a cybersecurity threat;

(C) shall require the Department of Homeland Security to develop and implement measures to remove, through the most efficient means practicable, any personal information of or identifying a specific person not necessary to identify or describe the cybersecurity threat before sharing a cyber threat indicator or defensive measure with appropriate Federal entities;

(D) ensures that all of the appropriate Federal entities receive in an automated manner such cyber threat indicators as quickly as operationally possible from the Department of Homeland Security;

(E) is in compliance with the policies, procedures, and guidelines required by this section; and

(F) does not limit or prohibit otherwise lawful disclosures of communications, records, or other information, including—

(i) reporting of known or suspected criminal activity, by an entity to any other entity or a Federal entity;

(ii) voluntary or legally compelled participation in a Federal investigation; and

(iii) providing cyber threat indicators or defensive measures as part of a statutory or authorized contractual requirement.

(2) CERTIFICATION.—Not later than 10 days prior to the implementation of the capability and process required by paragraph (1), the Secretary of Homeland Security shall, in consultation with the heads of the appropriate Federal entities, certify to Congress whether such capability and process fully and effectively operates—

(A) as the process by which the Federal Government receives from any entity a cyber threat indicator or defensive measure under this title; and

(B) in accordance with the policies, procedures, and guidelines developed under this section.

(3) PUBLIC NOTICE AND ACCESS.—The Secretary of Homeland Security shall ensure there is public notice of, and access to, the capability and process developed and implemented under paragraph (1) so that—

(A) any entity may share cyber threat indicators and defensive measures through such process with the Federal Government; and

(B) all of the appropriate Federal entities receive such cyber threat indicators and defensive measures as quickly as operationally practicable with receipt through the process within the Department of Homeland Security.

(4) EFFECTIVE DATE OF CERTAIN PROVISION.—The requirement described in paragraph (1)(C) shall take effect upon the earlier of—

(A) the date on which the Secretary of Homeland Security determines that the Department of Homeland Security has developed the measures described in paragraph (1)(C); or

(B) the date that is 12 months after the date of enactment of this Act.

AMENDMENT NO. 2582, AS MODIFIED

Mr. FLAKE. Madam President, I thank the chair of the subcommittee and the vice chair, ranking member, for working on this. This was initially a 6-year sunset. This has been moved under the amendment to a 10-year sunset. I believe it is important, when we deal with information that is sensitive,

to have a look back after a number of years to see if we have struck the right balance.

We have done that on other sensitive programs like this. I think it ought to be done here. I appreciate the work that Senators BURR and FEINSTEIN and my colleagues have put into this.

I urge support.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I thank my colleagues. We have agreed on this. We can hopefully do this by voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment, as modified.

The amendment (No. 2582), as modified, was agreed to.

AMENDMENT NO. 2612, AS FURTHER MODIFIED

The PRESIDING OFFICER. Under the previous order, the question occurs on amendment No. 2612, as further modified, offered by the Senator from Minnesota, Mr. FRANKEN.

The Senator from Minnesota.

Mr. FRANKEN. Madam President, the Franken, Leahy, Durbin, and Wyden amendment addresses concerns raised by privacy advocates, tech companies, and security experts, including the Department of Homeland Security.

The amendment tightens definitions of the terms "cyber security threat" and "cyber threat indicator," which are currently too broad and too vague, and would encourage the sharing of extraneous information—unhelpful information.

Overbreadth is not just a privacy problem; as DHS has noted, it is bad for cyber security if too much of the wrong kind of information floods into agencies.

My amendment redefines "cyber security threat" as an action that is at least reasonably likely to try to adversely impact an information system. It is a standard that tells companies what is expected of them and assures consumers that CISA imposes appropriate limits.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FRANKEN. Madam President, I ask unanimous consent for 20 more seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. The amendment also tightens the definition of "cyber threat indicator" to avoid the sharing of unnecessary information. The amendment is intentionally modest. It makes only changes that are most needed for the sake of both privacy and security.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, let me say to my colleagues, again, we are trying to change the words that have

been very delicately chosen to provide the certainty that companies understand and need for them to make a decision to share.

Like some other amendments, if you don't want them to share, then provide uncertainty. That is in language changing from "may" to "reasonably likely," changing from "actual" or "potential" to "harm caused by an incident." The Department of Homeland Security is for this bill. The White House is for this bill. Fifty-two organizations representing thousands of companies in America are for this bill. We have reached the right balance. Let's defeat this amendment and let's move to this afternoon's amendments.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as further modified.

Mr. TILLIS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 60, as follows:

[Rollcall Vote No. 288 Leg.]

YEAS—35

Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reid
Blumenthal	Heller	Sanders
Booker	Hirono	Schatz
Boxer	Klobuchar	Schumer
Brown	Lankford	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Lee	Tester
Coons	Markey	Udall
Daines	Menendez	Warren
Durbin	Merkley	Wyden
Franken	Murray	

NAYS—60

Alexander	Feinstein	Murkowski
Ayotte	Fischer	Murphy
Barrasso	Flake	Nelson
Blunt	Gardner	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Reed
Capito	Heitkamp	Risch
Carper	Hoeven	Roberts
Casey	Inhofe	Rounds
Cassidy	Isakson	Sasse
Coats	Johnson	Scott
Cochran	Kaine	Sessions
Collins	King	Shelby
Corker	Kirk	Sullivan
Cornyn	Manchin	Thune
Cotton	McCain	Tillis
Crapo	McCaskill	Toomey
Donnelly	McConnell	Warner
Enzi	Mikulski	Whitehouse
Ernst	Moran	Wicker

NOT VOTING—5

Cruz	Paul	Vitter
Graham	Rubio	

The amendment (No. 2612), as further modified, was rejected.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I ask unanimous consent to address the floor for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Madam President, last week I came to the floor to express my support for the Cybersecurity Information Sharing Act, which we are dealing with today. The bipartisan vote of 83 to 14 that happened later that day was an important step in the right direction to deal with this issue. The debate has been encouraging. We need to deal with this threat to our economy. It is a threat to our security, it is a threat to our privacy, and we need to deal with it now.

As I and others have said before, if we wait until there is an event that gets people's attention in such a dramatic way that everybody suddenly realizes what is at stake, there is no telling what kind of overreaction Congress will make. This has been a good debate at the time we should have it. Now, of course, we need to move on.

There have been a lot of amendments offered. Many amendments have been accepted by the managers of the bill. With almost all certainty, today we will finish the remaining amendments pending on the bill and hopefully finish the bill itself. A lot of these amendments have been very well-intentioned—in fact, I suspect they all have been well-intentioned—but in many cases they fundamentally undermine the core purpose of the bill, which is to have voluntary real-time sharing of cyber threats, to allow that sharing to be between private entities and the Federal Government, and even for private entities to be able to share with each other.

This is a bill that creates the liability protections and the anti-trust protections which that particular kind of sharing would allow. Of course, throughout this whole debate, there has been much discussion about how we protect our liberty in an information age. How do we have both security and liberty?

Having served for a number of years on both the House Intelligence Committee and the Senate Intelligence Committee, having served on the Armed Services Committee in the last Congress and in this Congress on the Defense Appropriations Committee, there is no argument in any of those committees that one of our great vulnerabilities is cyber security and how we protect ourselves.

We saw in the last few days that the head of the CIA had his own personal account hacked into apparently by a

teenager who is in the process of sharing that information. If the head of the CIA and the head of Homeland Security do not know how to protect their own personal information, obviously information much more valuable than they might personally share is also in jeopardy.

We do need to ensure that we protect people's personal liberties. We need to do that in a way that defends the country. Both of those are primarily responsibilities that we accept when we take these jobs, and it is certainly our responsibility to the Constitution itself.

I think Chairman BURR and Vice Chairman FEINSTEIN have done a good job of bringing that balance together. This bill is carefully crafted in a way that creates a number of different layers of efforts to try to do both of those things.

First, the bill only encourages sharing; it doesn't require it. It doesn't require anybody to share anything they don't want to share, but it encourages the sharing of cyber threats. It works on the techniques and the malware used by hackers. It specifically does not authorize the sharing of personal information, and in fact the bill explicitly directs the Federal Government to develop and make available to the public guidelines to protect privacy and civil liberties in the course of sharing the information.

The Attorney General is required to review these guidelines on a regular basis. The bill mandates reports on the implementation and any privacy impacts by inspectors general and by the Privacy and Civil Liberties Oversight Board, to ensure that these threats to privacy are constantly looked at.

Senator FLAKE's amendment, which we accepted as part of the bill just a few minutes ago, guarantees that this issue has to be revisited.

I gave a speech at Westminster College in Fulton, MO, about a month ago at the beginning of the 70th year of the anniversary of Winston Churchill giving the "Iron Curtain" speech on that campus and talking about liberty versus security there. I said I thought one of the things we should always do is have a time that forced us as a Congress to revisit any of the laws we have looked at in recent years to be sure we protect ourselves and protect our liberty at the same time. This is a voluntary bill. Maybe that wouldn't have been quite as absolutely necessary here, but I was pleased to see that requirement again added to this bill, as it has been to other bills like this.

This is a responsible bill. The people the Presiding Officer and I work for can feel good about the responsible balance it has. It defends our security, but it also protects our liberty. I look forward to its final passage today. The debate would lead me to believe, and the votes would lead me to believe, that is

going to happen, but of course we need to continue to work now to put a bill on the President's desk that does that.

There still remain things to be done. One of the things I have worked on for the last 3 years—Senator CARPER and I have worked together, Senator WARNER has been very engaged in this discussion, as has Chairman THUNE—is the protection of sensitive personal information as well as how do we protect the systems themselves.

Clearly this information sharing will help in that fight. There is no doubt about that. In addition to supporting this bill, I want to continue to work with my colleagues to see that we have a way to notify people in a consistent way when their information has been stolen.

There are at least a dozen different State laws that address how you secure personal information, and there are 47 different State laws that address how you tell people if their information has been stolen. That is too much to comply with. We need to find one standard. This patchwork of laws is a nightmare for everybody trying to comply and frankly a nightmare for citizens who get all kinds of different notices in all kinds of different ways.

Without a consistent national standard pertaining to securing information, without a consistent national standard pertaining to what happens when you have a data breach and your information is wrongly taken by someone else, we have only done part of this job. So I want us to continue to work to find the solutions there. We need to find a way to establish that standard for both data security and data breach. I am going to continue to work with the Presiding Officer and my other colleagues. Our other committee, the commerce committee, is a critical place to have that happen. I wish we could have done this on this bill. We didn't get it done on this bill, but I would say that now the first step to do what we need to do is dealing with the problem of cyber security in the way this bill does and then finish the job at some later time.

So I look forward to seeing this bill passed today. I am certainly urging my colleagues to vote for it. I think it has the protections the people we work for would want to see, and I am grateful to my colleagues for giving me a few moments here to speak.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:01 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

CYBERSECURITY INFORMATION SHARING ACT OF 2015—Continued

The PRESIDING OFFICER. Under the previous order, the time until 4 p.m. is equally divided in the usual form.

The Senator from Rhode Island.

Mr. REED. Mr. President, I wish to comment briefly on the Cybersecurity Information Sharing Act that the Senate is considering. Let me first commend the sponsors, Senator BURR and Senator FEINSTEIN, for their extraordinary work.

This bill will help ensure greater sharing of cyber threat information, more rapidly and broadly, across industry and government. As we have seen with large-scale attacks against the Federal Government and companies such as Sony, there is an urgent need to start addressing these breaches. While such legislation is not going to eliminate our cyber security challenges, it should materially help to defeat and deter cyber attacks and assist law enforcement in tracking down and prosecuting cyber criminals. Information sharing will also assist the intelligence agencies and law enforcement to detect and trace the attacks originating from foreign actors, which is a crucial step in holding other countries accountable.

Many of our citizens and corporations are understandably concerned about the impact of information sharing on privacy. But we also must recognize that rampant cyber crime is a monumental threat to the privacy of the American people, and that sharing information about these criminal acts cannot only protect privacy but also protect our public safety and national security.

With respect to the specific privacy protections in the legislation before us, the managers of this bill have come a long way toward improving the balance between security and privacy protection, especially the changes made to the base bill by the managers' substitute.

A major area of concern was whether the government should be authorized to use information shared under this bill to investigate or prosecute a host of crimes unrelated to cyber security. Now the bill is more narrowly tailored and focused on using information gathered under this bill to go after crimes that are specifically related to cyber security.

The managers' substitute also adds a requirement that the information sharing procedures, required to be issued under this bill, include a duty to notify individuals when the Federal Government shares their personally identifiable information, or PII, erroneously.

The managers' substitute also includes an improved reporting requirement that will show the number of notices sent because the government improperly shared an individual's PII and

the number of cyber threat indicators shared automatically and, in addition, the number of times these indicators were used to prosecute crimes.

So the managers' substitute has come a long way toward being more protective of individual privacy, and I would like, once again, to recognize Senators FEINSTEIN and BURR's hard work here and their willingness to listen to their colleagues. While I might personally have set the balance slightly different in some places, which is why I have supported some of the amendments before us, I think they have done a significant job in improving the bill and providing privacy protection.

I do want to draw my colleagues' attention to one important additional fact here, which in some cases has been largely overlooked. The cyber information sharing system established by this bill will require Federal dollars to implement. Many of the agencies involved—the Department of Homeland Security being the primary portal for shared threat indicators—are funded on the nondefense discretionary side of the ledger. This is an example of why I and many of my colleagues have been urging for sequester relief for both defense and nondefense spending—because we cannot defend our homeland without funding nondefense agencies such as the Department of Homeland Security and a host of other key Federal agencies. Indeed, I am encouraged that we are close to voting on a budget solution that will provide 2 years of sequester relief on a proportionally equal basis for defense and nondefense spending, and that protects the full faith and credit of the United States by taking the threat of default off the table until March of 2017.

For this reason, I look forward to final passage of this legislation. I once again commend the principal authors, Senator BURR and Senator FEINSTEIN, for their extraordinary effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

AMENDMENT NO. 2581, AS MODIFIED

Mr. CARPER. Mr. President, I want to go back in time a little more than 12, 13 or 14 years ago, to 9/11. One of the lessons learned by the committee on which the Presiding Officer and I serve, now the Homeland Security and Governmental Affairs Committee, was learned from former Governor Tom Kean of New Jersey, cochair, along with former Congressman Lee Hamilton from Indiana, former chair of the House Foreign Affairs Committee. They were the cochairs of the 9/11 Commission. One of the things they brought to our committee and to the Congress, after a lot of work by a number of good men and women who served on that commission, was the root causes for how that disaster occurred: How could those four aircraft take

down the Twin Towers, crash into the Pentagon, and crash into a field in Shanksville, PA, instead of this building right here? How could that have happened?

There are a number of reasons why it happened. But one of the reasons why it happened is that we had stovepiped our intelligence services. What the folks over at the FBI knew wasn't necessarily known or shared with the Department of Homeland Security. What the folks at the National Security Agency knew was not shared with either of the other two agencies. What the Defense Information Agency knew or what other agencies knew simply didn't get shared—stovepiped—because we did a lousy job of sharing the real story, the full truth on what was being plotted, what was going to come down and literally take thousands of lives in one day and change in many ways our country—in profound ways that still exist today. “Stovepiping”—I have heard that word a hundred times in hearings and before our committee and in talking to folks in the 9/11 Commission. The legislation that we passed on the heels of that disaster was designed to make sure we didn't end up stovepiping again with intelligence information that might lead us to avert that kind of disaster. So far, it seems to be working and is much needed, and I think it has been helpful.

Today, I want to talk about a different kind of stovepiping that I am afraid we may end up with—not to avert or block an aviation takeover of an aircraft and disasters involving the aviation sector but a disaster in cyber space in the face of cyber threats to our country.

We are working here today and will be voting later today on an amendment or two and then on final passage of the Cybersecurity Information Sharing Act. Again, just to remind everybody, the reason why we are considering this is there needs to be a better sharing of information when businesses come under cyber attack from those within our country, outside of our country, cyber nations, and criminal organizations. We need to do a better job of sharing that information—business to business and business to government—and for the government to share that information within the government to agencies that need to know so we can respond to those attacks.

Shortly after the 9/11 Commission recommendations were enacted, one of the things that we did was we stood up a new department called the Department of Homeland Security. It is a civilian agency, as we know. It is not the Department of Defense. It is not the Department of Justice. It is not the FBI, and it is not the National Security Agency. It is a civilian organization.

When the Department of Homeland Security was created, one of the ideas

behind it was that it would not be just a civilian operation, but it would be a civilian operation that could receive, from businesses and from other governmental entities, information relating to cyber attacks. That information could come through a portal—think about it; almost like a window—through which those threat indicators would be reported. Those threat indicators would come through that portal at the Department of Homeland Security. The Department of Homeland Security would do, almost in real time, a privacy scrub to strip off from the information—the threat indicators submitted from other businesses or other government entities—Social Security numbers or other personally identifiable information or information that just shouldn't go to other Federal agencies or other businesses. They would strip it out—not in a week, not in a day, not in an hour, not even, in many cases, in a minute, but just like that—immediately—real-time privacy scrub.

As the Presiding Officer knows, we tried for years to be able to enact legislation that incentivizes businesses that have been victims of cyber attacks to share that information with one another, with other businesses, and with the Federal Government. A bunch of them have been reluctant to do it. Some of them have been reluctant to do it because they don't want to get sued. If they disclose that they had a breach and maybe their competitors didn't, how would that be used against them? How could they be named in lawsuits if attacks occurred?

So in order to get them to be willing to share information, we had to incentivize them. And the way we decided to incentivize them is to say: Share the information. You don't have to worry if you share it with the Department of Homeland Security through the portal established in this civilian agency. Share it with the Department of Homeland Security, and you have liability protection or, as it turns out, if you already shared it previously, if it has been shared previously with the Federal Government, you can share it again and still enjoy liability protection. You can share it with companies that are victims of cyber attacks, share it with their regulator, and still enjoy liability protection.

What we want to do is to make sure companies and businesses that are hacked don't just sit on the information, that they do something with it. This is a saying we have on Amtrak: If you see something, say something. If something happens to a business—a cyber attack intrusion—we want them to share it so other businesses and other Federal agencies can be prepared for it, look out for it, and stop it.

Where does this take me? This takes me to an amendment that we are going to be voting on later this afternoon of-

fered by one of our colleagues, Senator COTTON. It would, I fear, risk revisiting stovepiping—not the kind of stovepiping that led to the disaster of 9/11 but stovepiping that could lead to cyber threats—threat indicators shared with the Federal Government but not with the Department of Homeland Security, which receives these threats and immediately disburses them to other agencies that have a need to know. But what the Cotton amendment would do is that it would say that a business that is a victim of a cyber attack could share with the FBI, could share with Secret Service, but wouldn't have to share with the Department of Homeland Security.

The reason why in our legislation, which Senator BURR, Senator FEINSTEIN, I, and others have worked on, we have it going through the Department of Homeland Security is because, more than any Federal agency, they are set up to do privacy scrubs. That is one of the things they do, and, frankly, they do it really well. Their job is to then spread that information and share that information back to the private sector, in some cases, and in other cases, just with relevant agencies—NSA, FBI, Department of Justice, Treasury, whoever else needs to know that information.

As part of the authors of the legislation, I join them in this. Our fear is if the information isn't shared with the Department of Homeland Security, which will then broadly share it in real-time and share that information with those who need to know it, and if it ends up that the FBI or, frankly, any other agency that doesn't have that ability to do a great privacy scrub maybe, that doesn't have maybe the mission to immediately share that information in real time to other relevant players, then the news—the word about that cyber attack—could literally stay at that agency—the FBI or the Secret Service, for that matter. We don't want that to happen. We don't want to see that information stovepiped in one agency. We want to make sure that it goes to one agency that does the privacy scrub. We want to make sure the agency that does the privacy scrub shares that information in real time with relevant Federal agencies and the private sector.

I probably shouldn't pretend to speak for Senator FEINSTEIN and Senator BURR. They will be here to speak for themselves. But I know they share my concerns about this legislation. I ask, on behalf of them, and, frankly, for others of us who believe that this is a dangerous amendment—and I don't say that lightly. We have worked really hard. We have worked really well across the aisle—literally for months now—to get to this point. To use a football analogy, we are not just in the red zone passing this legislation; we are on the 10-yard line, and it is first down and goal to go. Let's not muff the

play. Let's get the ball to the end zone. Let's pass this legislation. Let's vote down the Cotton amendment, and let's go to conference. Let's go to conference and provide the kind of protection against cyber attacks that this country desperately needs and deserves.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

CARBON REGULATIONS

Mrs. CAPITO. Mr. President, today I rise on behalf of West Virginian workers, families, communities, and all hardworking Americans who will bear the burden of these onerous carbon mandates. The bipartisan resolution of disapproval, which I have introduced with my colleague Senator HEIDI HEITKAMP from North Dakota and 47 other cosponsors, will block EPA's greenhouse gas regulation targeting existing power sources. I also strongly support Leader McConnell's companion resolution to block the regulations targeting new power limits.

As I was thinking about the speech today and as I rise to give this speech, I realize I have said many of these same words so many times before. I have expressed the same frustrations and spouted off similar statistics. What is the difference this time? The difference is we have already seen the devastating effects and the callous nature of regulatory overreach. We know what the new reality would be. The new reality would be what we are facing with these new carbon regulations: the reality of the families, the faces, and the hardships that we have already endured; the thousands of layoffs in my State of West Virginia that have already been issued; the jobs that have been lost and will never come back.

Just this morning, nearly 200 West Virginia coal miners in Randolph County were informed that their jobs will be gone by Christmas. Think about how those families will spend their Christmas holiday. Then consider how those realities will be magnified and felt throughout many households across the country if these carbon mandates move forward—the higher electricity bills that will result, the squeeze that already is squeezing struggling middle-class families who are living on fixed incomes, and the squeeze that those who live on fixed incomes will feel. Our most vulnerable will bear the burden. Consider the far-reaching effects these regulations will have on schools that are now seeing their budgets shrink, home values that are now on the decline, and fewer dollars that are available for public safety and law enforcement.

It is reality that the policies emanating from this government—from our government—are causing this destruction. This is not a natural disaster. This is not a fiscal crisis. This is not an uncontrollable event but a carefully crafted, precise, and very meditated as-

sault on certain areas of the country. These are policies that help some States and truly hurt others, policies that target States like West Virginia and North Dakota where we produce some of the most reliable and affordable energy, and policies that are ripping the American dream away from families in my State and communities. Our families want and deserve healthy, clean air and water, and they want to live in a great environment. But policies from Washington that pit one State against another and prioritize certain communities and certain jobs over others are bringing the livelihoods of many to a halt. On behalf of Americans across the country, Members of Congress now have the opportunity to express our concerns with these carbon mandates. We have an opportunity to weigh in about whether these burdensome regulations should go into effect.

I believe that a majority of my colleagues understand the need for affordable and reliable energy, and that is why I am confident that Congress will pass these resolutions and place this critical issue of America's economic future squarely on President Obama's desk. With the international climate negotiations in Paris scheduled for December, the world is watching whether the United States will foolishly move forward with regulations that will do virtually nothing to protect our environment and will tie one hand behind our back economically. Even if the President vetoes these resolutions—and we recognize the likelihood that he will—passing them will send a clear message to the world that the American people do not stand behind the President's efforts to address climate change with economically catastrophic regulations.

I am pleased to be joined by several colleagues on the floor who understand the need for affordable and reliable energy. I would like to recognize Senator HEITKAMP.

I ask unanimous consent to engage in a colloquy with my colleagues for up to 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HEITKAMP. Thank you, Mr. President, and thank you to my great colleague from the great State of West Virginia, a State that has been powering America for many years—in fact, from the very beginning. My thanks go to all of the great workers and coal miners in her State who have added to our economic opportunity, not just for the people in West Virginia but for the people of an entire region.

That is one thing we forget—that in America a great miracle happens every day. We turn on a light switch and the lights come on. If that doesn't happen or if it is too expensive to turn on that light switch, we will not be the country that we are. With this regulation, I think what we have done is cede the

all-important role of electrical security and energy security to an environmental agency that does not have the experience or expertise to understand what it takes to get an electron in the wire.

I am proud to stand today with my colleague Senator CAPITO and introduce a bill to roll back the EPA rule on carbon emissions—that rule which threatens the supply of abundant, affordable, and reliable electricity in North Dakota. I pledge to register my displeasure through multiple channels. This legislation today is the most public way of expressing not just my frustration but the frustration and concern of my State regulators and my State utilities.

Although this rule will have dramatic consequences across the country, it unfairly targets North Dakota utilities. During the original draft rule, North Dakota's allocation was 11 percent. This is not something we were happy with given the extent of the jurisdictional reach but something that people started rolling up their sleeves saying if we have to reduce by 11 percent, how are we going to do it and how are we going to meet this challenge? That is the North Dakota way, to not only fight for our rights but also look at what the alternatives are. Unfortunately, when the draft rule went from an 11-percent to a 45-percent reduction in the final rule, that was the straw that broke the camel's back.

I am trying to do everything I can to push back against EPA's burdensome powerplant rules to find workable solutions so North Dakotans can continue to have low-cost, reliable electricity. This CRA is one of the many different avenues I am taking to make sure that North Dakota is treated fairly.

I want to talk about what is unique about North Dakota. In fact, a lot of the generation that happens in North Dakota is generation that is generated by rural electric co-ops. These co-ops own and operate about 90 percent of the State's coal-based generation facilities, and they provide electricity to rural areas that in the past other utilities would not serve, not just rural areas in North Dakota but rural areas all through the region. These are people at the end of the line, as we call them, the very people that this rule will most impact and that EPA and this administration failed to consider when they made this final rule.

North Dakota's utilities are heavily invested in coal-based generation for a good and historic reason. I think this is an important point to make because a lot of people may say: Well, what is the difference? You can fuel switch. But at the time our electric co-ops built these generation facilities, they used coal because it was against Federal law to use natural gas. The fuel use act made it illegal to use natural gas for power generation, virtually forcing these power

companies to make the investment that they made in this fuel source of coal. Now, after making billions of dollars of investments to meet the mandates under the fuel use act and to meet the numerous emissions standards that have been put forth by EPA, the administration once again is straining these assets, causing them in many cases to be stranded. If the administration were willing to pay fair market value to strand these assets, then maybe we could have a discussion, but I don't see that deal on the table. These utilities built, modified, and retrofitted all at great cost and according to Federal law at the time, and now they are threatening the very existence of this generation.

These assets are not just critical to North Dakota. Our coal-based generation provides dependable, affordable, reliable baseload electricity to millions of people in the Great Plains with roughly 55 percent of electric power generated in North Dakota being shipped outside our border.

When this final rule came out, I simply said that it was a slap in the face to our utilities and our regulators. This final rule was so vastly different from the rule that was proposed, it was almost laughable that EPA said it wasn't in any way informed by any real input or any real comment. How can you take a utility and a State from 11 percent to 45 percent and not reissue that rule? How can that be the movement in the final rule?

I think this final rule is a rule that jeopardizes close to 17,000 good-paying jobs in my State. It provides power for rural communities that otherwise would struggle for affordable, reliable baseload power. We have some of the lowest power costs in the country because we have some of the best utilities in the country, which are always looking out for the consumer at the end of the line.

North Dakota has never stepped down from a tough challenge, especially when the challenge is fair, the goal is attainable, and the timeline is achievable, but that is not this rule. The goal is not fair, the challenge is not fair, the goal is not attainable, and the timeline is unachievable in my State—unachievable. That is not anything the Clean Air Act ever anticipated—that we would set a goal with no feasible or possible way of meeting that goal, given current technology. Yet that is the position we are in.

At the end of the day, what matters most is making sure that our utilities can do their jobs, making sure that when a North Dakotan or a South Dakotan or someone from Wyoming or Colorado, where we deliver power—and certainly those in Minnesota—reaches over to turn on that light switch, regardless of the time of the day, that light comes on. That is called baseload power. People who think this is easy,

people who think this is just switch fuels or switch technology, have never sat in a boardroom as I have and listened to the challenges of putting that electron on that wire.

I stand with my colleague from West Virginia and my colleague JOE MANCHIN here on our side of the aisle saying enough is enough. This is a problem we need to address. Maybe that is the difference in how we look at this. This is an issue that we can tackle and achieve results over time, but this rule is wrong. It is wrongheaded. It will, in fact, cause huge disruption to the economy of my State and the economy of the middle of this country. We have to do everything we can to prevent this rule from becoming a reality.

Thank you for letting me join you, the great Senator from West Virginia. We have two great Senators from West Virginia here.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, there is a war on coal in America—a war on coal in America. The leader is the President of the United States. A number of us were in the Senate in 2009 and 2010, and the administration couldn't pass their cap-and-trade proposal through the Senate. They had 60 votes in the Senate. The President and his party had 60 votes in the Senate, but they couldn't pass the cap-and-trade proposal through this body, so they decided they were going to do it anyway. They decided they were going to do it anyway.

As the two Senators from West Virginia can attest, we have a depression in central Appalachia, created not because of anything we did here in Congress but because of the President's zeal to have an impact worldwide on the issue of climate. I suspect that even if we follow this path all the way to the end, this effort by the United States would have about as much impact as dropping a pebble in the ocean. Yet we are paying a real price for it here at home. Eastern Kentucky looks like the Dust Bowl during the thirties—no jobs, no opportunity, no future, not as a result of anything we passed through the people's elected representatives but by this sort of arrogant, singlehanded messianic goal to deal with worldwide climate.

Our options to stop it are quite limited. We do have the possibility of the Congressional Review Act, but the weakness of that obviously is that even though we can pass it with a simple majority, he is likely to veto it.

We are here today to stand up for our people, the ratepayers of America, and not only the ratepayers—90 percent of the electricity in Kentucky comes from coal—but the communities that have been devastated by this. I have never seen anything like it. I heard my parents talk about what the Depression

was like. It sounds and looks a lot like the stories they told me about America in the 1930s.

This is a venture that will have no impact on the issue for which it is being pursued but is having a devastating and current adverse impact on the people we represent.

We have representatives from both parties here on the floor today working toward overturning the administration's deeply regressive energy regulations. These regulations are going to ship more middle-class jobs overseas. I told my constituents last year: Coal has a future; the question is, Does coal have a future in this country? The Indians and the Chinese are not going to give up their future by not using this cheap and abundant source of power. The Germans—one of the greenest countries in Europe—are now importing coal. So coal has a future. The question is, Does it have a future here after this administration?

My folks can't even put food on the table. The ones who can find a job somewhere are leaving. The population continues to decline.

As I said earlier, it is not going to have much of an impact on the environment of our planet. This isn't going to do anything meaningful to affect global carbon levels. It just seems that someone wants to be able to pat themselves on the back for doing something even if they accomplish hardly anything at all, except hurt a whole lot of Americans. Higher energy bills and lost jobs may be trivial to some folks out on the political left—not their jobs; they don't care—but it is a different story for the middle-class Kentuckians whom I represent.

So here we have on the floor Senators from both parties who are saying it is time to take off the ideological blinders and instead think about those who have already suffered enough over the past few years. We have worked together to file bipartisan measures that would overturn the administration's two-pronged regulations. I have joined with Senator HERTKAMP and Senator CAPITO on a measure that would address one of those prongs, the one that pertains to existing energy sources. Senator MANCHIN is here on the floor and joined me as I introduced a measure that would address the other prong, the one that pertains to new sources. These bipartisan measures together represent a comprehensive solution. As I said, I am pleased to be joined here on the floor by Senators from West Virginia and North Dakota. Senator DAINES from Montana is here—another important coal State. The chairman of our Environment and Public Works Committee, Senator INHOFE, is here, and some have already spoken and some will speak after me. I am proud and pleased to be here on the floor with all of my colleagues standing up for our aggrieved constituents who have

been mightily abused by this administration.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all, I want to thank my colleagues, Senator MCCONNELL, Senator CAPITO, who is my colleague from the State of West Virginia, Senator DAINES, Senator INHOFE, and my good friend Senator HEITKAMP.

This is a bipartisan approach. Not often do we see a bipartisan effort, a bipartisan colloquy on the floor of the Senate anymore, and there should be because we all have the same interests. Basically, how do we provide affordable, dependable, and reliable energy? That is what this country was built on. We have defended this country by having resources that we could use to basically defend ourselves, and that resource has come from what the Good Lord gave us. Coal has been in abundance in the United States of America. We have fought every war, we have defended, we have energized, and we have built a middle class unlike at any time in the history of this world.

So now it comes to the point where there is a group—basically the ones on an ideological pathway—who says we can do it differently. If someone came to me and said: We have this new great energy, and I am sorry, West Virginia and North Dakota and Oklahoma and Montana, we have this new energy—and maybe it is commercial hydrogen, which will be water vapor—that is wonderful. We will figure a way. We will embrace that. We will figure a way to make it. We will do something. We will diversify. That is not the case. The case is simply this: This country has depended and will depend—even by this administration's admission, this country will depend on fossil fuel for at least the next three decades. It is in the EIA report. They are going to have to have it. Baseload, as the Senator from North Dakota said, is simply this: something that will give us power 24/7, day and night, rain or shine. There are only two things in the world that can do it: coal and nuclear. Gas is coming on and gas will be a baseload when the distribution lines and the pipelines are there to provide it. Right now it is not, but it is coming on strong.

Just look no further than Japan. Japan was mostly moving toward nuclear. Fukushima happens. When that happened, Japan had to change. What did they do? They changed to coal. But they decided the new plants they would build would be ultra super critical. That means 40 percent efficiency, burning at the highest levels to reduce the emissions. They are moving in technology ways.

Now, what does the plan that we are talking about and we have our colleagues talking about—existing source,

which means they can't continue with what we have today, and new source, which means any new plant has to be built to certain standards. Carbon capture sequestration has not been proven commercially, not at one plant in America. Yet these rules are based on using carbon capture sequestration.

All we have said—some of us have said this: Why don't you at least demonstrate that you can have that type of commercial operation and that it can withstand 1 year under commercial load and show us those are the new limits you want us to meet? That, to me, is reasonable.

Let me tell my colleagues this: If you were in the business of producing power and you desired not to do that even though we had technology, then you would have to close your plant. I understand that. That is not the case. They can't show us technology and show us that it has a commercial feasible pathway to be able to perform and provide the energy we need. There is no way they can do it.

So I have said this: If it is unobtainable, it is unreasonable. That is all. Don't expect me to do something that has never been done. If the Federal Government says: Fine, we have \$8 billion lying down at the Department of Energy—\$8 billion that hasn't been tapped—does that not tell us something?

The private sector has not stepped up to take those types of loans and to use those types of loans to find the new technology for the future because they don't believe the administration wants us to find any new technology that might be able to adhere to the standards they have set.

So we sat back and we have done nothing. Then, on top of that, they expect these plants, 30 years from now—if they are expecting to get commercial power, electricity, fill the grid with power coming from coal for the next 30 years—most of our plants average 50 years of age. They can't produce the power they are going to produce—that we will need for this country to have for 30 more years. An 80-year-old plant just won't do it. So that means they come off the line, off the grid. When that comes off the grid, what we call dependable, reliable, and affordable energy goes away. It goes away.

I have said this: Someone needs to respectfully ask our President, this administration, the EPA, the DOE: If for the next 90 days not another ton of coal was delivered to a coal plant in America—not another ton of coal because—and I have said this to the administration. They have been very eloquent in basically telling the American people: We don't like coal, we don't want coal, and we don't need coal. If those were the facts, then make sure you tell the American people, if they didn't have coal for 90 days, what the United States of America would look like.

Just tell me what it would look like. Ask anybody what it would look like. The lives of 130 million people would be in jeopardy tomorrow—130 million people. This system could collapse. The east coast could be dark. Now, you tell me how you are going to fill that in. And if you are not willing to be honest with the American people and tell them that, don't make them believe there is something that is not there, that you can run this off of wind and solar.

We have a lot of wind in West Virginia, and we are proud of that. I will give an example. My colleagues will remember the hottest days this past summer, that very hot spell we had, 90 to 100 degrees. We have 17 acres of a wind farm on top of a beautiful mountain in West Virginia, 560 megawatts. We have a coal-fired plant sitting there, the cleanest super-critical coal-fired plant on Mount Storm, 1,600 megawatts. Guess how many megawatts of power the wind produced during the hottest times of the summer when we needed the power. Two megawatts. Two. The wind didn't blow. It was so hot and stagnant, it didn't blow. That poor little coal-fired plant was giving it everything it had to try to produce the power the Nation needed.

I am just saying the facts are the facts whether we like them or not. So when this plan comes out and says that any new coal-fired plant being built has to be—you can basically be assured they are not going to build any. When they are saying existing plants have to meet certain standards, they won't invest and try to hit a moving target.

So now what happens? For the 35 to 40 percent of the power you are telling the United States of America, the people in this great country, that we have—don't worry, we are going to take care of you, it is not going to happen. We are not going to stand by and say we are not going to fight for that. We are not only fighting for a way of life for West Virginia, we are fighting for a way of life for this country.

This country depends on energy we have been able to produce. We have always depended on our little State. North Dakota, now one of the best energy-producing States we have in the country—Montana, Wyoming, Oklahoma—we have been the heavy lifters. We will continue to work for this great country. We just need a little help. That is all we are asking for.

So I would say, ask the question: What would the country look like tomorrow? The standards they are setting are basically unreasonable, totally unreasonable, because they are unobtainable.

The impact is going to be devastating, basically. The system is going to be to the point to where we can't depend on it, it is not reliable,

and we don't have the power of the future yet. Maybe our children or grandchildren might see that. I hope so. But until the time comes where we are going to transition from one to the other, make sure it is a smooth transition. Make sure it is a dependable transition. Make sure it is one that keeps this country the superpower of the world. If we don't, I guarantee we will be the last generation standing as a superpower saying that we are energy independent; we are not fighting wars around the world basically for the energy this country needs. We have the ability to basically take care of ourselves. We can be totally independent with energy if we have an energy policy that works, but it has to be realistic. This is not.

That is why I totally oppose this new power plan which is coming out. It is a shame that we have to rely on the courts to protect something we should be doing in the Halls of this Senate. It is a shame that the courts have to step in to protect us.

With that being said, I yield the floor, and I thank my colleagues for being here on this important issue.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, I appreciate the fact that my colleagues from West Virginia, North Dakota, Kentucky, and Montana—all of us are getting together on this in a bipartisan way. I think it is worth repeating, to make sure everyone understands where we are on this, what a CRA is. The CRA is the Congressional Review Act. It is an act that allows an elected person who is answerable to the public to weigh in on these decisions that are made by the President—who can't run again for office—and by the unelected bureaucrats who are destroying this country.

As was pointed out by the Senator from Kentucky, I do chair the committee called the Environment and Public Works Committee. On this committee, we deal with these regulations. We have jurisdiction over the EPA. It is interesting I would say that because we tried to get the EPA to come in and testify as witnesses as to how the President plans to move to the percentage of power that is going to be generated by the year 2030 by renewables, and they won't testify because they don't have a plan. They don't know how they are going to do it.

The CRA is significant because there are a lot of people in this case who would be the liberals in this body who like the idea of being overregulated, who like the idea of having the regulators run our lives, and they are the ones who would love to go home when people are complaining about the cost of all of these things and they can say: Well, wait a minute. Don't blame us. That was a bureaucrat who did that; that wasn't me.

Well, this forces accountability, and these guys don't like it. I can assure you right now that we are going to give everyone an opportunity to weigh in on what these issues are. They would much prefer to go home and say: I know we are overregulating and I know it is destroying the States—whatever the States happen to be—but it wasn't me, don't look at me.

Now we are going to see who is responsible because what is going to happen is we are going to have a vote. The vote is going to take place, and I think our leader is correct when he says the President will probably veto this. If the President vetoes it, it comes back for a veto override, and then people will know who is for it and who is against it. So I think a CRA has another great value. It forces accountability by people who are answerable to the public.

On the issue we are discussing today, the interesting and the consistent pattern we have is that what this President does is he gets the things they tried to do through over—through legislation, and those things that fail through legislation he tries then to do by regulation.

Let me give you an example. Another issue—not the issue we are talking about today—is the WOTUS issue, the waters of the United States. Historically, it has been the States that have regulations over the waters except for navigable waters. Well, of course, liberals want everything in Washington. So 5 years ago a bill was introduced, and the bill would have essentially taken the word “navigable” out so that the Federal Government would have control over all the waters in my State of Oklahoma and throughout America. Two of them introduced a bill, one was Senator Feingold of Wisconsin and the House Member was Congressman Oberstar from one of the Northern States. I don't know which one it was. They introduced a bill to take the word “navigable” out. Not only did we overwhelmingly defeat the legislation, but the public defeated the two of them in the next election.

Now the President is trying to do what he was not able to do through legislation through regulation. The same thing is true—the Senator from West Virginia is right when he talked about what they are trying to do. It is very interesting when you look at this bill. We are talking about the emissions of CO₂. The first bill that was introduced was in 2002. It was the McCain-Lieberman bill. We defeated that. The next one was the McCain-Lieberman bill in 2005, and the third one was the Warren-Lieberman bill in 2008. Then we had the Waxman-Markey bill that we never even got to vote on because nobody was going to vote for it.

So what they fail to be able to do legislatively, they are now trying to do through regulations, and that is why a CRA is significant because it does force accountability.

Let me make one other statement. This thing about Paris that is going to take place in December. This is the big party that the United Nations puts on every year. It is the 21st year they have done this. I can remember when they did it in 2009. That was going to be Copenhagen. Several people went over there at that time. President Obama was in the Senate, Hillary was in the Senate, PELOSI was there, and John Kerry went. They went over there to tell the 192 countries that were meeting in Copenhagen—the same 192 countries that will be meeting in 2 months—went over to tell them we were going to pass cap-and-trade legislation that year. That was 2009.

I went over after they had given their testimony there. I went all the way over to Copenhagen, spent 3 hours, and came all the way back on the next flight. I probably had the most enjoyable 3 hours I ever had because I was able to talk to 192 countries and tell them they had been lied to; that we are not going to be passing it. The same thing is going on in December of this year.

By the way, let me just mention one thing that hasn't been said. There are people out there listening to this who actually believe this stuff, that the world is going to come to an end because of CO₂ manmade gases. This is something we have been listening to for a long period of time. I remember right before going to Copenhagen in 2009—at that time the Administrator of the Environmental Protection Agency was Lisa Jackson, an appointee by President Obama, and I asked her this question on the record, live on TV. I asked: If we had passed any of the legislation or the regulations that we are talking about passing, would this have an effect of lowering the CO₂ worldwide? She said—now keep in mind this was an Obama appointee—by the way, Obama was President at that time when he went to Copenhagen. She said: Well, no, it wouldn't reduce emissions worldwide because it just pertains to the United States.

This isn't where the problem is. The problem is in India, it is in China, it is in Mexico. The problem we would have there is, yes, we might lower our CO₂ emissions in the United States. However, those other countries will not, and it could have the effect of increasing, not decreasing, CO₂ emissions because as we chase our manufacturing base overseas to places they don't have any restrictions, we would have the effect of increasing it.

So I am just saying I appreciate the fact we are all together on this and making the necessary efforts to make people accountable. I think it might surprise a lot of people as to who changes their mind on this once they know they have to cast a vote and be accountable.

I applaud, certainly, my friends from West Virginia and the other States

that are involved in this. I think this is the right thing to do. Let's keep in mind the Utility MACT—that is the maximum achievable control technology—was the first shock to put coal under. At that time we did a CRA, and we actually came within four votes of getting the bill passed, and that was when Republicans were not a majority. I look for some good things to happen, and I think we are doing what is right and responsible.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I ask unanimous consent for additional time so the Senator from Montana can join the colloquy. As he reminds me, the Senator has the largest recoverable tonnage of coal in the Nation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAINES. Thank you, Mr. President.

This administration is shutting down coal-fired powerplants in the United States. I thank the Senator from West Virginia, Mrs. CAPITO, the other Senator from West Virginia, Mr. MANCHIN, and we have Senator HEITKAMP here. We had Democrats and Republicans in colloquy talking about what is going on with coal-fired plants and the Clean Power Plan of this administration.

This is what is happening. It is killing good-paying jobs for union workers, for pipefitters, for boilermakers, and tribal members in my State with these so-called Clean Power Plan regulations. At the same time, it is stifling investment that could lead to innovation to make coal cleaner in the United States.

As I travel across Montana, I have heard Montanans describe the EPA as—a rancher once told me it stands for “Eliminate Production Agriculture.” A union member recently told me it stands for the “Employment Prevention Agency.” President Obama and his “Employment Prevention Agency” continues to wage war on American energy, American families, and on American jobs. This so-called Clean Power Plan is an all-out frontal assault on affordable energy and good-paying union jobs as well as tribal jobs. This will leave President Obama directly responsible for skyrocketing energy bills, a loss of tax revenue for our schools, teachers and our roads and the unemployment of thousands of hard-working Americans. The President ignores the fact that more than half of Montana's electricity comes from coal, as do thousands of jobs and \$120 million in tax revenue every year.

In fact, 40 percent of our Nation's energy comes from coal. When a young person plugs their iPhone or their smartphone into the wall and charges it, most likely it is being charged by coal.

In my hometown of Bozeman, we have a Tesla charging station at one of

our hotels. Elon Musk at Tesla did an amazing, innovative job creating electric vehicles, but when they plug those Tesla vehicles into those chargers, those Tesla vehicles in Montana are likely powered by coal.

The facts are that coal production in the United States is much safer and less carbon intensive than coal from other nations. As had been mentioned, this is a global challenge we must think about and address. The Powder River Basin in Southeast Montana has coal that is among the cleanest in the world. It has lower sulfur content and cleaner than Indonesian coal. Shutting down U.S. coal will have a negligible impact on global coal demand and global emissions. However, it will ultimately make it more likely that less technologically advanced coal production techniques will be used around the world.

This is the way to think about it. The United States consumes about 10 percent of the world's coal. Said another way, 90 percent of the coal consumption in the world occurs outside the United States, and the global demand for coal-fired energy will not disappear even if the United States were to shut down every last coal mine and every last coal-fired plant.

Again, individuals are entitled to their own opinions but not to their own facts. Here are the facts. Coal use around the world has grown about four times faster than renewables. There are 1,200 coal plants planned across 59 countries. About three-quarters of them will be in China and India. China consumes 4 billion tons of coal per year versus the United States at 1 billion tons. China is building a new coal-fired plant every 10 days, and that is projected to last for the next 10 years.

In Japan—I used to have an office in Tokyo. My degree was in chemical engineering, and I was part of a software company with offices around the world. I remember the big earthquake that struck Japan—the 9.0 quake. The Fukushima nuclear reactors were disabled. How is Japan dealing with that? They are building 43 coal-fired powerplants. By 2020, India may outbuild 2½ times more coal capacity as the United States is about to use. So it is short-sighted and misguided to move forward on an agenda that is going to devastate significant parts of the economy. It is going to raise energy prices and destroy union jobs and tribal jobs.

We are seeing that already in Montana. Earlier this month, in the month of October, a customer of the Crow Tribe, the Sherco Coal plant in Minnesota announced it needs to shut down two units. This cuts off a significant portion of the customer base for Crow coal. Because the Crow Tribe relies on coal-fired Midwest utilities for most of its non-Federal revenue and for good-paying private jobs at the Absaloka Mine, the unemployment

rate on the Crow reservation today is in the high 40 percent. Without these coal mining jobs, that unemployment rate will go to 80 to 85 percent.

Ironically, some of the first impacted by the Obama administration's new regulations are those who can least afford it. You have heard it from Senators on both sides of the aisle today. Under the final rule, the Colstrip powerplant in Montana will likely be shuttered, putting thousands of jobs at risk. We must take action. We need to stop these senseless rules.

This past weekend I joined the Montana attorney general, Tim Fox, in Helena to announce that Montana, along with 23 other States, has filed a lawsuit against the Federal Government because of Obama's recent decision. There are currently 26 States—the majority of the States in this United States—through three different lawsuits that have requested an initial stay on the rule.

As Leader MCCONNELL mentioned in 2010, a Democratic-controlled Congress could not pass these regulations. The people's House stopped it, but now President Obama and the EPA are moving forward without the people's consent.

I am thankful to partner with a bipartisan group of my colleagues, Leader MCCONNELL, Senator CAPITO, Senator INHOFE, Senator MANCHIN, and Senator HEITKAMP, who are speaking out and working to stop this harmful rule. I am proud to stand and join them as a cosponsor of two bipartisan resolutions of disapproval under the Congressional Review Act that would stop the EPA from imposing the anti-coal regulation.

Coal keeps the lights on, it charges our iPhones, and it will continue to power the world for decades to come. Rather than dismissing this reality, the United States should be on the cutting edge of technological advancements in energy development. We should be leading the way in using clean, affordable American energy.

America can and should power the world. We can only do it if the Obama administration steps back from the out-of-touch regulations and allows American innovation to thrive once again. In summary, we need more innovation, not more regulations.

Thank you, and I yield back my time.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I would like to thank my colleagues for joining me in a colloquy, particularly the Senator from North Dakota, who is cosponsoring the Congressional Review Act legislation with me on existing coal-fired powerplants, and certainly my colleague from West Virginia Senator MANCHIN. We have worked very well together in a bipartisan way on these issues—Leader MCCONNELL,

Chairman INHOFE, and Senator DAINES from Montana.

I think we have presented a clear picture of the impact of these rules. So I ask unanimous consent that any time spent in a quorum call before the 4 p.m. vote series be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. CAPITO. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

PUERTO RICO

Mr. NELSON. Mr. President, I want to talk about the financial crisis that is going on in Puerto Rico. We have all heard about the current situation that Puerto Rico finds itself in. They are suffering. They are having trouble paying their bills and their economy is in shambles. Some people have the attitude "Well, that is not our problem," but they are forgetting the fact that Puerto Rico is part of the United States. It is a territory. It is not a foreign country. Puerto Ricans are American citizens.

If a problem exists in Puerto Rico, it exists in the United States. It is not something we can just ignore. It impacts the entire country. If the economy continues to suffer in Puerto Rico, the people there will just move to another part of the country. I want to repeat that. If things are bad in Puerto Rico economically, they—Puerto Ricans—can move to another part of the country. This is not immigration; this is a move to the mainland. Many Puerto Ricans are leaving Puerto Rico because of its troubles.

Happily, many of the people who live on the island are moving to Florida. They are adding to the diversity and immense fabric of Florida that reflects the entire country, but our gain in Florida is Puerto Rico's loss. There are more than 1 million people in Florida alone who may have preferred to stay at home on the island with their friends and their families. People who otherwise would be opening small businesses or new doctors' offices in San Juan are opening them in Orlando. This only hurts Puerto Rico's economic future.

We need to give Puerto Rico the tools it needs to get its economy back on track. Puerto Rico cannot do that alone. Congress needs to pitch in. I have joined a number of our colleagues—BLUMENTHAL, SCHUMER, and MENENDEZ—in being a sponsor of the Puerto Rico Chapter 9 Uniformity Act. It fixes a glitch in the Federal bankruptcy law that stops Puerto Rico's municipalities and public corporations from restructuring their debt through the Federal bankruptcy court, something that is law in all of the States. That is why we have a bankruptcy law, but there is a glitch that you cannot do that in Puerto Rico. That is simply unfair. The people of Puerto Rico should get equal protection under the law.

Both the Finance Committee and the Energy and Natural Resources Committee have held hearings in the past few weeks about the economic crisis in Puerto Rico. Two of Puerto Rico's elected officials, Governor Garcia Padilla and Congressman PIERLUISI, have testified at these hearings. Both said that Puerto Rican public corporations need access to Chapter 9 debt restructuring.

It is this Senator's strong desire that we see them treated equally under the law and that this legislation to fix this glitch comes to the floor soon. We also need to help Puerto Rico's health care system. The Medicaid Program in Puerto Rico serves nearly 1.7 million residents. It is in terrible shape. In 2010, Congress passed the Affordable Care Act, which provided Puerto Rico with a \$5.4 billion one-time payment to cover health care costs. That money is set to expire in 2019, but it could even run out sooner.

Under Medicare Part D, Puerto Rican residents are being treated like second-class citizens. They don't get the same financial support that State residents get for prescription drug coverage. This has an effect on their economy, stifling their ability to emerge from the crisis, not to speak of the fact that they are not getting the health care other American citizens have.

I remind you, Puerto Ricans are American citizens. So this kind of treatment under Medicare flies in the face of the most basic American value—equality. That is why several of us have joined Senator SCHUMER on a bill to improve the way Puerto Rico is treated under Medicare and Medicaid.

Last week, thankfully, the White House released a set of legislative proposals to help Puerto Rico. Included in that list were some of the bills I have mentioned here that I support. I urge our colleagues to give this problem the attention it demands. We should move the proposals that we can move in this legislative body. We should do it with haste. There are more than 3½ million people in Puerto Rico. They are U.S. citizens who, unlike most U.S. citizens, have no one to represent them in this Chamber and only have a nonvoting delegate in the House of Representatives. They have no voice here, but even with no voice, there are some of us in this Chamber who will make sure that their voice is heard. We cannot turn our backs on fellow Americans. By the way, when it comes time to defend this country and our national security, look at the percentage of Puerto Ricans who sign up for the military. They are fellow Americans. I ask my colleagues to look deep in their hearts and find a way to come together to help the island of Puerto Rico, a territory, our fellow American citizens, to get through this troubled time.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET AGREEMENT

Mr. NELSON. Mr. President, since I see no one is waiting to speak, I might offer a couple of comments about the proposed budget agreement. We are still evaluating this, looking at the details, but first things first. This seems to me to be something we should agree to. It certainly gets us past this artificial debt crisis that would cause the United States to go into economic cataclysmic fits.

If we do not raise the debt ceiling, America cannot pay its obligations it has already incurred. It would be the first time the U.S. Government went into default. That time has already run out, but through extraordinary measures the Secretary of the Treasury has been able to keep the cashflow going, but he is running out of all of his tricks of the trade next week, November 3. That is the first thing it would do most immediately.

The second thing it would do is it would get us over this budgetary impasse of a budget that lays out the blueprint—for the flushing out of that blueprint, which are the appropriations bills. So in the case of the budget, what had been brought forth was a budgetary gimmick of saying we were going to raise the amount of money we needed for defense, but it was not going to meet this arbitrary budget cap that had been set 3 years ago by the cuts across the board called the sequester. But oh, by the way, we were going to increase that defense spending a little more by creating an additional account over and above what we spend overseas called the overseas contingency fund, OCO, and therefore money was going to be supplied—the increases we need in defense—with in fact not increasing the budgetary caps on spending.

Well, that was budgetary fakery. That was budgetary sleight of hand. That was not budgetary truth. This agreement stops that for the next 2 years. Two years from now we will have to face the same thing and get rid of this artificial cut across the board. That is no way of dealing with trying to cut the budget. You ought to be cutting the budget with a scalpel, not with a meat cleaver, where you come across the board on every program.

Indeed, what this agreement does is it raises the caps on defense in this first year \$25 billion. It allows an OCO increase of \$23 billion—and that is considerably less than what had been proposed earlier. Indeed, as you get into fiscal year 2017, it raises the budgetary caps on defense by \$15 billion, also a \$23

billion OCO, or overseas contingency fund, for the war effort over in Central Asia.

This is a good program, but the other thing this agreement corrects—in the Republican budget, they had only raised money for defense spending, and all the other needs of government that need to be appropriated—nondefense discretionary spending—were kept artificially low. If you are talking about grants from NIH, that was all being limited. If you are talking about money for NASA as we get into the program of going to Mars, all of that had been cut. If you are talking about agricultural programs, all of that had been cut. No matter what program—education, the environment, you go on down the list—all of that had been cut.

This budget agreement that we will vote on hopefully in the next 2 or 3 days does, in fact, raise those budgetary caps for nondefense spending as well as for defense spending. So where the caps were raised in this first year of fiscal year 2016 by \$25 billion for defense spending, so too \$25 billion for nondefense discretionary spending. Likewise, in the next fiscal year, 2017, where the caps had been raised \$15 billion for defense spending, likewise, nondefense discretionary and all those other needs of government, the same amount—\$15 billion.

I will have more to say about this later, but while I have the opportunity, I wish to commend to the Senate that I think it is certainly in the interests off of our country to move forward and approve this new budgetary agreement.

By the way, I might add as I close that an agreement has been hammered out between the Republican and the Democratic leadership in both Houses, along with the White House.

I yield the floor.

Mr. LEAHY. Mr. President, in today's digital age, many Americans live their lives online. We communicate via email, use photo sharing and social networking Web sites, store documents in the cloud, and access our private financial and medical information through the Internet. The amount of sensitive electronic data that we create and store on the Internet is staggering and will only continue to grow. We know that cyber security is an important component of protecting our critical infrastructure. A cyber attack targeting the electric grid in the Northeast, for example, could have dire effects during a cold Vermont winter. I know that Vermonters care about cyber security, and Congress must act responsibly to strengthen our ability to defend against cyber attacks and breaches. But I also know that Vermonters care deeply about their privacy and civil liberties, and I believe just as strongly that whatever Congress does in the name of cyber security must not inadvertently undermine the privacy and security of Vermonters and all Americans.

For years, Congress has seemed singularly focused on the private sector's desire for voluntary information sharing legislation. While improving the flow of cyber threat information between the government and private sector is a laudable goal that I support, it is not a panacea for our cyber security problems. Information sharing alone would not have prevented the major breaches of the past year, such as the breach at the Office of Personnel Management, OPM, or the breaches at Sony, Home Depot, or Anthem.

Narrowly tailored legislation to facilitate the sharing of technical, cyber threat data could be beneficial, but the Senate Intelligence Committee's bill lacks certain basic safeguards and threatens to significantly harm Americans' privacy. That is why I have heard from a number of Vermonters who oppose the bill and that is why consumer advocacy organizations, privacy and civil liberties groups, and major technology companies like Apple, Dropbox, and Twitter all vocally oppose the bill. The technology companies know firsthand the importance of ensuring our cyber security, and they oppose this bill because they believe it does little to improve our cyber security and would ultimately undermine their users' privacy.

For months, I have worked with Senator FEINSTEIN to improve this bill. She has been receptive to my concerns, and I appreciate that many of the revisions that I suggested are now incorporated into the managers' amendment. The managers' amendment now makes clear that companies can only share information for cyber security purposes, which is an improvement from the original legislation. It also prohibits the government from using information shared by private companies to investigate routine crimes that have nothing to do with cyber security. And it removes a completely unnecessary and destructive new exemption to the Freedom of Information Act, FOIA, which had the potential to greatly restrict government transparency. These are significant improvements, and I am thankful to Senator FEINSTEIN for working with me to incorporate them into the bill.

Unfortunately, the Senate Intelligence Committee's bill still has major flaws. This bill overrides all existing legal restrictions to allow an unprecedented amount of data—including Americans' personal information—to flow to the government without adequate controls and restrictions. It needlessly requires all information shared with the government to be immediately disseminated to a host of Federal agencies, including to the NSA. It fails to adequately require companies to remove irrelevant personal information before sharing with the government. The bill contains broad authorizations that allow compa-

nies to monitor traffic on their networks with liability protection and employ "defensive measures" that may cause collateral harm to innocent Internet users. The bill also continues to include another unnecessary FOIA exemption that will weaken the existing FOIA framework.

Proponents of the bill have attempted to assuage many of these concerns by arguing that sharing under this bill is voluntary, and if companies do not want to share information with the government or use the authorities in the bill, they do not have to. This bill may be voluntary for companies, but it is not voluntary for consumers. American consumers have no say on whether their information is shared with the government and ends up in an NSA or IRS database. They may have no recourse if a company needlessly monitors their Internet activity or inappropriately shares their personal information with the government.

Rather than limiting the dissemination of information in order to protect the private and proprietary information of Americans and American businesses, this bill goes in the wrong direction by giving companies more liability protection and more leeway on how to share our information. The most effective action Congress can take to improve our cyber security is to pass legislation that requires companies to take greater care of how they use and protect our data, not less. And we should pass my Consumer Privacy Protection Act to require companies to protect our personal information and help prevent breaches in the first place. The cyber security legislation before us today does nothing to address this very real concern, so I cannot support it. I fear that this bill will significantly undermine our privacy, and I urge Senators to vote against passage.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2581, AS MODIFIED

Mr. COTTON. Mr. President, today I speak in support of the Cotton amendment to the Cybersecurity Information Sharing Act. My amendment is straightforward. It simply would provide liability protection to any business or other private organization that shares cyber threat indicators to the FBI or the Secret Service.

In its current form, the Cybersecurity Information Sharing Act would require entities to submit these cyber threat indicators through a portal created and run by the Department of Homeland Security in order to receive liability protection. But there are also

two exceptions that would allow entities to receive liability protection outside the DHS portal: first, if a submission was related to a previously shared cyber threat indicator, and second, if the submitting entity is sharing information with its Federal regulatory authority. But not every private entity has a Federal regulatory authority, thank goodness, so where a cable company can share with the FCC or an energy company can go to the Department of Energy or FERC, other businesses are forced to go to the DHS portal. Good examples are retailers such as JCPenney, Walmart, Target, and Home Depot.

When the trade associations for two victims of the biggest cyber attacks in recent memory—Target and Home Depot—are pleading for this language, we should take notice and incorporate it. Anything else would be unfair, inequitable, and unwise.

We ought to give these companies an alternative to the DHS portal. One simple reason is that nobody knows what the portal will look like, how it will function, or how much it will cost companies to interact with it. The Federal Government, after all, doesn't have the best track record for designing and deploying IT systems. Healthcare.gov was not exactly a resounding success. One could easily imagine a company trying to share a cyber threat indicator and getting an error message from the portal, just as millions of Americans received when they tried to sign up for ObamaCare.

In this case, regulated businesses can just go to their regulator. Private and small businesses will be out of luck, though. This is the primary reason my amendment has such strong private support. Organizations such as the National Retail Federation, the chamber of commerce, the National Cable & Telecommunications Association, and many others support this commonsense amendment.

The second main reason that entities should be able to share directly with the FBI and the Secret Service is that the bill is about promoting collaboration between the government and the private sector, as the National Security Council says that we should in this tweet: "More than any other national security topic, effective cybersecurity requires the US gov't & private sector to work together." I agree.

As Director Comey recently told the Senate Intelligence Committee, the FBI has redoubled its efforts to reach out to private businesses in this area. This has paid dividends. And there is no entity in the Federal Government that the private sector trusts more on cyber security than the FBI. That is why Sony Pictures called the FBI when it was hacked by North Koreans last year.

I also have to imagine that is the main reason the White House endorsed

my amendment over the weekend when they sent out this very helpful tweet: "If you are a victim of a major cyber incident, a call to @FBI, @SecretService, or @DHSgov is a call to all." My goodness, Susan Rice and I stand together in agreement that if you are a victim of a cyber incident, you should be able to call the FBI, the Secret Service, or the DHS. I thank the National Security Advisor and the White House for their support for the concept behind my amendment.

I would also like to take a few moments to dispel a few myths about this amendment. The first myth is that the Cybersecurity Information Sharing Act creates a single portal at DHS for liability-protected information sharing with the Federal Government and that the Cotton amendment would create an unprecedented second channel.

This is false. The bill authorizes multiple liability-protected sharing channels with the Federal Government, not just one, through a broad exception to the DHS portal that permits certain regulated businesses to engage in liability-protected sharing of cyber threat information directly with any Federal regulators without requiring that it first pass through DHS. The Cotton amendment simply provides the same flexibility for businesses that already have established threat-sharing relationships with the FBI or the Secret Service to maintain their existing channels for sharing and not incur significant costs and delays to establish new ones with DHS. My amendment is consistent with this multichannel sharing approach.

The second myth is that my amendment would harm privacy as it would allow the sharing of cyber threat indicators with the FBI and the Secret Service and that the sharing with these agencies wouldn't happen under the bill in its current form.

This is also false. Under the current version of the bill, if an entity shares information through the DHS portal, the FBI and Secret Service will receive it. My amendment doesn't change that or the privacy protections in the bill. Both with and without my amendment, the FBI and Secret Service will get cyber threat indicators.

The third myth is that the scrub DHS would have to conduct for personally identifiable information is not as rigorous under my amendment.

Again, this is not true. The Cybersecurity Information Sharing Act requires all Federal entities receiving threat indicators to protect privacy by removing personal information that may still be contained in them before sharing with other entities. My amendment does not eliminate or weaken any of the bill's privacy requirements, as the FBI and Secret Service are required to protect privacy in the same way all other Federal entities receiving threat indicators.

Finally, I simply want to note that the House-passed version of the bill contains a nearly identical provision, and that bill passed with overwhelming bipartisan support on a 307-to-116 vote.

To sum up, the Cotton amendment has overwhelming support in the private sector, including companies that have been victims of cyber crimes. It would lead to greater information sharing between the private sector and the Federal Government. It preserves the privacy protections in the bill. When it was included in the House bill, both Republicans and Democrats voted yes. I therefore ask my colleagues on both sides of the aisle to support this amendment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BURR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

Mr. BURR. Mr. President, what is the order of business?

AMENDMENT NO. 2552, AS FURTHER MODIFIED

The PRESIDING OFFICER. Under the previous order, the question occurs on amendment No. 2552, as further modified, offered by the Senator from Delaware, Mr. COONS.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, I wish to speak and urge a "no" vote on amendment No. 2552, known as the Coons amendment.

This amendment essentially adds another layer of review to the bill's current requirements. We worked this out in an earlier amendment with Senator CARPER. This amendment goes further, and it could prevent parts of the government from quickly learning about cyber threats at machine speed because it would require an additional privacy review for any information going through the DHS portal.

The Carper amendment that I spoke about was adopted as part of the managers' package, which made clear that the government should take automated steps to ensure that the real-time information sharing system can both protect privacy and allow for sharing at the speed necessary to stop cyber threats. Because the Coons amendment will slow down sharing via the DHS portal, I ask my colleagues to join me in voting no.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I rise today to urge my colleagues to support my amendment to make sure that this bill strikes the right balance between privacy and security.

I respect the very hard work of Senators BURR and FEINSTEIN and the constructive amendment that my senior

Senator TOM CARPER added to the managers' amendment. I do believe this bill has made significant movement in the right direction. But I remain concerned, and my amendment's purpose is to require that DHS review all cyber threat indicators it receives and to remove personally identifying information by the most efficient means practicable. It would not necessarily—according to the amendment in the managers' package—be required that DHS scrub, unless multiple agency heads unanimously agree on the scrubbing process. My amendment's purpose is to simply ensure that these privacy scrubs—done at machine speed, done in a responsible way—protect citizen privacy and our security. I don't think we should be forced to choose between those two.

I urge my colleagues to support my amendment.

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 2552, as further modified.

Mr. BURR. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Ms. AYOTTE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 41, nays 54, as follows:

[Rollcall Vote No. 289 Leg.]

YEAS—41

Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Heller	Reid
Booker	Hirono	Sanders
Boxer	Klobuchar	Schatz
Brown	Leahy	Schumer
Cantwell	Lee	Shaheen
Cardin	Markey	Stabenow
Coons	Menendez	Sullivan
Daines	Merkley	Tester
Durbin	Moran	Udall
Flake	Murkowski	Warren
Franken	Murphy	Wyden
Gardner	Murray	

NAYS—54

Alexander	Crapo	Lankford
Ayotte	Donnelly	Manchin
Barrasso	Enzi	McCain
Blunt	Ernst	McCaskill
Boozman	Feinstein	McConnell
Burr	Fischer	Mikulski
Capito	Grassley	Nelson
Carper	Hatch	Perdue
Casey	Heitkamp	Portman
Cassidy	Hoeven	Risch
Coats	Inhofe	Roberts
Cochran	Isakson	Rounds
Collins	Johnson	Sasse
Corker	Kaine	Scott
Cornyn	King	Sessions
Cotton	Kirk	Shelby

Thune	Toomey	Whitehouse
Tillis	Warner	Wicker

NOT VOTING—5

Cruz	Paul	Vitter
Graham	Rubio	

The amendment (No. 2552), as further modified, was rejected.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I ask unanimous consent that the cloture motion on S. 754 be withdrawn; that prior to the vote on adoption of the Burr-Feinstein substitute amendment, the managers' amendment at the desk be agreed to; and that following adoption of the substitute, the bill be read a third time and the Senate vote on passage of the bill, as under the previous order. I further ask that notwithstanding adoption, the Flake amendment No. 2582 be modified with the technical change at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 2582), as further modified, is as follows:

At the end, add the following:

SEC. 408. EFFECTIVE PERIOD.

(a) IN GENERAL.—Except as provided in subsection (b), this Act and the amendments made by this Act shall be in effect during the 10-year period beginning on the date of the enactment of this Act.

(b) EXCEPTION.—With respect to any action authorized by this Act or information obtained pursuant to an action authorized by this Act, which occurred before the date on which the provisions referred to in subsection (a) cease to have effect, the provisions of this Act shall continue in effect.

AMENDMENT NO. 2581, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question occurs on amendment No. 2581, as modified, offered by the Senator from Arkansas, Mr. COTTON.

The Senator from Arkansas.

Mr. COTTON. Madam President, I support this important bill, but I want to strengthen it.

Under the bill, a business receives liability protection by reporting threats to DHS or its regulatory agency, but many businesses, especially retailers like Target or Home Depot, don't have a regulator; thus, they must report to DHS. They have no choice. They must report to DHS even if they have long-standing ties to the FBI, as did Sony Pictures.

I contend that we should allow these businesses to choose between the DHS, FBI, and Secret Service. Fortunately, the White House appears to agree with my position. The National Security Council tweeted over the weekend: "If you are a victim of a major cyber incident, a call to @FBI, @SecretService, or @DHSgov is a call to all."

This amendment wouldn't undermine the single-point-of-reporting concept behind this bill because there is already an exception for the regulators, nor would it impair privacy rights because those rules apply to the FBI.

Finally, I would note that the House-passed version of this bill includes a nearly identical provision, and that got 307 votes.

Let's join together in a bipartisan fashion, adopt this amendment, and strengthen the bill.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, we are almost at the end. This is the last amendment.

Unfortunately, I rise to ask my colleagues to vote against the amendment of not only my colleague but a member of the Intelligence Committee. This is a deal-killer. I will be very honest. This kills the deal. One of the thresholds that we had to reach was the balance to have one portal that the information goes through. This creates a new portal. The White House is not in favor of it. Downtown is not in favor of it because they understand what it does.

We are this close right now to a voluntary information sharing bill. I can assure you that this is the first step. We have a ways to go. But if you want to stop it dead in its tracks, support this amendment. If, in fact, you want to get this across the goal line, then I would ask you to defeat the Cotton amendment and let us move to passage of this bill. Let us go to conference with the House.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

Mr. BURR. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 22, nays 73, as follows:

[Rollcall Vote No. 290 Leg.]

YEAS—22

Boozman	Kirk	Scott
Capito	Lankford	Sessions
Cornyn	McCain	Shelby
Cotton	McConnell	Thune
Fischer	Perdue	Toomey
Grassley	Portman	Whitehouse
Inhofe	Rounds	
Isakson	Sasse	

NAYS—73

Alexander	Bennet	Boxer
Ayotte	Blumenthal	Brown
Baldwin	Blunt	Burr
Barrasso	Booker	Cantwell

Cardin	Heinrich	Nelson
Carper	Heitkamp	Peters
Casey	Heller	Reed
Cassidy	Hirono	Reid
Coats	Hoeben	Risch
Cochran	Johnson	Roberts
Collins	Kaine	Sanders
Coons	King	Schatz
Corker	Klobuchar	Schumer
Crapo	Leahy	Shaheen
Daines	Lee	Stabenow
Donnelly	Manchin	Sullivan
Durbin	Markey	Tester
Enzi	McCaskill	Tillis
Ernst	Menendez	Udall
Feinstein	Merkley	Warner
Flake	Mikulski	Warren
Franken	Moran	Wicker
Gardner	Murkowski	Wyden
Gillibrand	Murphy	
Hatch	Murray	

NOT VOTING—5

Cruz	Paul	Vitter
Graham	Rubio	

The amendment (No. 2581), as modified, was rejected.

Mr. COTTON. I yield back all time.

AMENDMENT NO. 2749 TO AMENDMENT NO. 2716

(Purpose: To improve the substitute amendment)

The PRESIDING OFFICER. Under the previous order, the managers' amendment, No. 2749, is agreed to.

The amendment is printed in today's RECORD under "Text of Amendments."

VOTE ON AMENDMENT NO. 2716, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment No. 2716, as amended.

The amendment (No. 2716), as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I ask my colleagues for just the next 2 minutes to allow Senator FEINSTEIN and me to thank our colleagues for their help over the last several days as we have worked through the cyber bill.

I thank my vice chairman, who has been beside me all the way, and I thank Chairman JOHNSON and Ranking Member CARPER for the input they provided.

I want to say to committee staff who has worked night and day to get us to this point and to members of the committee who worked diligently for months to get this legislation enacted that I could not have done it without you.

Now the work begins as we go to conference.

I turn to the vice chairman.

Mrs. FEINSTEIN. I thank you very much.

Madam President, I just want to say a personal word to Chairman BURR, and maybe it is to everyone in this body. One of the things I have learned from two prior cyber bills is that if you really want to get a bill done, it has to be bipartisan, particularly a bill that is technical, difficult, and hard to put together, and a bill where often there are two sides. I thank you for recognizing

this. We stood shoulder to shoulder and the right things happened, and now we can go to conference.

I also want to say that we did everything in this bill we possibly could to satisfy what were legitimate privacy concerns. The managers' package had 14 such amendments, and before that our staffs sat down with a number of proposals from Senators and went over literally dozens of additional amendments. So we took what we could.

When the chairman talks about the balance, what he means is that this is the first time the chamber of commerce has supported a bipartisan bill. This is the first time we had virtually all the big employers—banks and retailers and other companies—supporting a bipartisan bill because today everybody understands what the problem of cybersecurity is much greater. So we stood shoulder to shoulder, and you all responded, and I am very grateful.

There is still a lot of work to be done, but, Mr. Chairman, you and your staff have been terrific. I would like to single a couple of them out, if I might, in particular, Chris Joyner, Michael Geffroy, Jack Livingston, Janet Fisher, John Matchison, and Walter Weiss.

I also want to thank TOM CARPER, who has been working to get this bill passed as much as anyone. He wrote one of the key changes in the managers' package to improve privacy as information moves through the DHS portal. He was supported by his chairman, Senator JOHNSON. He has been a close partner throughout the process, and I thank him.

I also thank Gabbie Batkin, Matt Grote, and the other members of Senator CARPER's staff.

We had incredible support from our committee. It is a committee of 15—8 Republicans and 7 Democrats. I thank Senator COLLINS, who was particularly concerned about the critical infrastructure of this country, as well as Senators MIKULSKI, WHITEHOUSE, KING, WARNER, HEINRICH, BLUNT, NELSON, and COATS. I know they will help us push this bill forward as we go to conference with the House.

I greatly appreciate the supporters of this bill outside the Senate, to include the U.S. chamber of commerce and the associations that have endorsed this bill, tech companies like IBM and Oracle, Secretary Jeh Johnson at the Department of Homeland Security, and NSA Directors Keith Alexander and MIKE ROGERS, and Lisa Monaco and Michael Daniel at the White House.

On my staff, I would like to thank David Grannis, our staff director on the minority side. David has been there for these previous cyber bills, and it has proven to be a very difficult issue. David, you are a 10.

I also thank Josh Alexander. Josh has been our lead drafter and negotiator and knows these cyber issues

better than anyone. He has been tireless on reaching agreement after agreement on this bill, and is, as much as anybody, responsible for today's vote.

I would also like to thank my former cyber staffer Andy Grotto, as well as Mike Buchwald, Brett Freedman, Nate Adler, and Nick Basciano. Thank you all so very much.

Finally, I very much appreciate the work done by Ayesha Khanna in the Democratic leader's office and Jeffrey Ratner at the White House.

We have the administration behind the bill, we have the Department of Homeland Security behind the bill, and we have the editorial pages of the Washington Post and the Wall Street Journal, as well as the chamber of commerce, and most of the businesses of America.

So, Mr. Chairman, you did a great job, and thank you from the bottom of my heart.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, I just want to add my words of congratulation to Chairman BURR and Ranking Member FEINSTEIN. This is a very complicated issue, as we all know. It has been around multiple Congresses, and it took their leadership and coordination and cooperation first to produce a 14-to-1 vote in the committee and then this extraordinary success we have had out here on the floor. I know all of us are extremely proud of the great work you have done. Congratulations. We deeply appreciate the contribution you have made to our country.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. TILLIS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 74, nays 21, as follows:

[Rollcall Vote No. 291 Leg.]

YEAS—74

Alexander	Cantwell	Cornyn
Ayotte	Capito	Cotton
Barrasso	Carper	Donnelly
Bennet	Casey	Durbin
Blumenthal	Cassidy	Enzi
Blunt	Coats	Ernst
Boozman	Cochran	Feinstein
Boxer	Collins	Fischer
Burr	Corker	Flake

Gardner	Manchin	Rounds
Gillibrand	McCain	Sasse
Grassley	McCaskill	Schatz
Hatch	McConnell	Schumer
Heinrich	Mikulski	Scott
Heitkamp	Moran	Sessions
Hirono	Murkowski	Shaheen
Hoeven	Murphy	Shelby
Inhofe	Murray	Stabenow
Isakson	Nelson	Thune
Johnson	Perdue	Tillis
Kaine	Peters	Toomey
King	Portman	Warner
Kirk	Reed	Whitehouse
Klobuchar	Reid	Wicker
Lankford	Roberts	

NAYS—21

Baldwin	Franken	Risch
Booker	Heller	Sanders
Brown	Leahy	Sullivan
Cardin	Lee	Tester
Coons	Markey	Udall
Crapo	Menendez	Warren
Daines	Merkley	Wyden

NOT VOTING—5

Cruz	Paul	Vitter
Graham	Rubio	

The bill (S. 754), as amended, was passed, as follows:

S. 754

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Table of contents.

TITLE I—CYBERSECURITY INFORMATION SHARING

- Sec. 101. Short title.
- Sec. 102. Definitions.
- Sec. 103. Sharing of information by the Federal Government.
- Sec. 104. Authorizations for preventing, detecting, analyzing, and mitigating cybersecurity threats.
- Sec. 105. Sharing of cyber threat indicators and defensive measures with the Federal Government.
- Sec. 106. Protection from liability.
- Sec. 107. Oversight of Government activities.
- Sec. 108. Construction and preemption.
- Sec. 109. Report on cybersecurity threats.
- Sec. 110. Conforming amendment.

TITLE II—FEDERAL CYBERSECURITY ENHANCEMENT

- Sec. 201. Short title.
- Sec. 202. Definitions.
- Sec. 203. Improved Federal network security.
- Sec. 204. Advanced internal defenses.
- Sec. 205. Federal cybersecurity requirements.
- Sec. 206. Assessment; reports.
- Sec. 207. Termination.
- Sec. 208. Identification of information systems relating to national security.
- Sec. 209. Direction to agencies.

TITLE III—FEDERAL CYBERSECURITY WORKFORCE ASSESSMENT

- Sec. 301. Short title.
- Sec. 302. Definitions.
- Sec. 303. National cybersecurity workforce measurement initiative.
- Sec. 304. Identification of cyber-related roles of critical need.
- Sec. 305. Government Accountability Office status reports.

TITLE IV—OTHER CYBER MATTERS

- Sec. 401. Study on mobile device security.

Sec. 402. Department of State international cyberspace policy strategy.

Sec. 403. Apprehension and prosecution of international cyber criminals.

Sec. 404. Enhancement of emergency services.

Sec. 405. Improving cybersecurity in the health care industry.

Sec. 406. Federal computer security.

Sec. 407. Strategy to protect critical infrastructure at greatest risk.

Sec. 408. Stopping the fraudulent sale of financial information of people of the United States.

Sec. 409. Effective period.

TITLE I—CYBERSECURITY INFORMATION SHARING**SEC. 101. SHORT TITLE.**

This title may be cited as the “Cybersecurity Information Sharing Act of 2015”.

SEC. 102. DEFINITIONS.

In this title:

(1) **AGENCY.**—The term “agency” has the meaning given the term in section 3502 of title 44, United States Code.

(2) **ANTITRUST LAWS.**—The term “antitrust laws” —

(A) has the meaning given the term in section 1 of the Clayton Act (15 U.S.C. 12);

(B) includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that section 5 of that Act applies to unfair methods of competition; and

(C) includes any State law that has the same intent and effect as the laws under subparagraphs (A) and (B).

(3) **APPROPRIATE FEDERAL ENTITIES.**—The term “appropriate Federal entities” means the following:

(A) The Department of Commerce.

(B) The Department of Defense.

(C) The Department of Energy.

(D) The Department of Homeland Security.

(E) The Department of Justice.

(F) The Department of the Treasury.

(G) The Office of the Director of National Intelligence.

(4) **CYBERSECURITY PURPOSE.**—The term “cybersecurity purpose” means the purpose of protecting an information system or information that is stored on, processed by, or transiting an information system from a cybersecurity threat or security vulnerability.

(5) **CYBERSECURITY THREAT.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term “cybersecurity threat” means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

(B) **EXCLUSION.**—The term “cybersecurity threat” does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

(6) **CYBER THREAT INDICATOR.**—The term “cyber threat indicator” means information that is necessary to describe or identify—

(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

(B) a method of defeating a security control or exploitation of a security vulnerability;

(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

(E) malicious cyber command and control;

(F) the actual or potential harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

(G) any other attribute of a cybersecurity threat, if disclosure of such attribute is not otherwise prohibited by law; or

(H) any combination thereof.

(7) **DEFENSIVE MEASURE.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term “defensive measure” means an action, device, procedure, signature, technique, or other measure applied to an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(B) **EXCLUSION.**—The term “defensive measure” does not include a measure that destroys, renders unusable, provides unauthorized access to, or substantially harms an information system or data on an information system not belonging to—

(i) the private entity operating the measure; or

(ii) another entity or Federal entity that is authorized to provide consent and has provided consent to that private entity for operation of such measure.

(8) **ENTITY.**—

(A) **IN GENERAL.**—Except as otherwise provided in this paragraph, the term “entity” means any private entity, non-Federal government agency or department, or State, tribal, or local government (including a political subdivision, department, or component thereof).

(B) **INCLUSIONS.**—The term “entity” includes a government agency or department of the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.

(C) **EXCLUSION.**—The term “entity” does not include a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(9) **FEDERAL ENTITY.**—The term “Federal entity” means a department or agency of the United States or any component of such department or agency.

(10) **INFORMATION SYSTEM.**—The term “information system” —

(A) has the meaning given the term in section 3502 of title 44, United States Code; and

(B) includes industrial control systems, such as supervisory control and data acquisition systems, distributed control systems, and programmable logic controllers.

(11) **LOCAL GOVERNMENT.**—The term “local government” means any borough, city, county, parish, town, township, village, or other political subdivision of a State.

(12) **MALICIOUS CYBER COMMAND AND CONTROL.**—The term “malicious cyber command and control” means a method for unauthorized remote identification of, access to, or use of, an information system or information that is stored on, processed by, or transiting an information system.

(13) **MALICIOUS RECONNAISSANCE.**—The term “malicious reconnaissance” means a method for actively probing or passively monitoring an information system for the purpose of discerning security vulnerabilities of the information system, if such method is associated

with a known or suspected cybersecurity threat.

(14) **MONITOR.**—The term “monitor” means to acquire, identify, or scan, or to possess, information that is stored on, processed by, or transiting an information system.

(15) **PRIVATE ENTITY.**—

(A) **IN GENERAL.**—Except as otherwise provided in this paragraph, the term “private entity” means any person or private group, organization, proprietorship, partnership, trust, cooperative, corporation, or other commercial or nonprofit entity, including an officer, employee, or agent thereof.

(B) **INCLUSION.**—The term “private entity” includes a State, tribal, or local government performing electric or other utility services.

(C) **EXCLUSION.**—The term “private entity” does not include a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(16) **SECURITY CONTROL.**—The term “security control” means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality, integrity, and availability of an information system or its information.

(17) **SECURITY VULNERABILITY.**—The term “security vulnerability” means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

(18) **TRIBAL.**—The term “tribal” has the meaning given the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 103. SHARING OF INFORMATION BY THE FEDERAL GOVERNMENT.

(a) **IN GENERAL.**—Consistent with the protection of classified information, intelligence sources and methods, and privacy and civil liberties, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General, in consultation with the heads of the appropriate Federal entities, shall develop and promulgate procedures to facilitate and promote—

(1) the timely sharing of classified cyber threat indicators in the possession of the Federal Government with cleared representatives of relevant entities;

(2) the timely sharing with relevant entities of cyber threat indicators or information in the possession of the Federal Government that may be declassified and shared at an unclassified level;

(3) the sharing with relevant entities, or the public if appropriate, of unclassified, including controlled unclassified, cyber threat indicators in the possession of the Federal Government;

(4) the sharing with entities, if appropriate, of information in the possession of the Federal Government about cybersecurity threats to such entities to prevent or mitigate adverse effects from such cybersecurity threats; and

(5) the periodic sharing, through publication and targeted outreach, of cybersecurity best practices that are developed based on ongoing analysis of cyber threat indicators and information in possession of the Federal Government, with attention to accessibility and implementation challenges faced by small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)).

(b) **DEVELOPMENT OF PROCEDURES.**—

(1) **IN GENERAL.**—The procedures developed and promulgated under subsection (a) shall—

(A) ensure the Federal Government has and maintains the capability to share cyber

threat indicators in real time consistent with the protection of classified information;

(B) incorporate, to the greatest extent practicable, existing processes and existing roles and responsibilities of Federal and non-Federal entities for information sharing by the Federal Government, including sector specific information sharing and analysis centers;

(C) include procedures for notifying, in a timely manner, entities that have received a cyber threat indicator from a Federal entity under this title that is known or determined to be in error or in contravention of the requirements of this title or another provision of Federal law or policy of such error or contravention;

(D) include requirements for Federal entities sharing cyber threat indicators or defensive measures to implement and utilize security controls to protect against unauthorized access to or acquisition of such cyber threat indicators or defensive measures;

(E) include procedures that require a Federal entity, prior to the sharing of a cyber threat indicator—

(i) to review such cyber threat indicator to assess whether such cyber threat indicator contains any information that such Federal entity knows at the time of sharing to be personal information or information that identifies a specific person not directly related to a cybersecurity threat and remove such information; or

(ii) to implement and utilize a technical capability configured to remove any personal information or information that identifies a specific person not directly related to a cybersecurity threat; and

(F) include procedures for notifying, in a timely manner, any United States person whose personal information is known or determined to have been shared by a Federal entity in violation of this Act.

(2) **COORDINATION.**—In developing the procedures required under this section, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General shall coordinate with appropriate Federal entities, including the Small Business Administration and the National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), to ensure that effective protocols are implemented that will facilitate and promote the sharing of cyber threat indicators by the Federal Government in a timely manner.

(c) **SUBMITTAL TO CONGRESS.**—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the appropriate Federal entities, shall submit to Congress the procedures required by subsection (a).

SEC. 104. AUTHORIZATIONS FOR PREVENTING, DETECTING, ANALYZING, AND MITIGATING CYBERSECURITY THREATS.

(a) **AUTHORIZATION FOR MONITORING.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, monitor—

(A) an information system of such private entity;

(B) an information system of another entity, upon the authorization and written consent of such other entity;

(C) an information system of a Federal entity, upon the authorization and written consent of an authorized representative of the Federal entity; and

(D) information that is stored on, processed by, or transiting an information system monitored by the private entity under this paragraph.

(2) **CONSTRUCTION.**—Nothing in this subsection shall be construed—

(A) to authorize the monitoring of an information system, or the use of any information obtained through such monitoring, other than as provided in this title; or

(B) to limit otherwise lawful activity.

(b) **AUTHORIZATION FOR OPERATION OF DEFENSIVE MEASURES.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, operate a defensive measure that is applied to—

(A) an information system of such private entity in order to protect the rights or property of the private entity;

(B) an information system of another entity upon written consent of such entity for operation of such defensive measure to protect the rights or property of such entity; and

(C) an information system of a Federal entity upon written consent of an authorized representative of such Federal entity for operation of such defensive measure to protect the rights or property of the Federal Government.

(2) **CONSTRUCTION.**—Nothing in this subsection shall be construed—

(A) to authorize the use of a defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(c) **AUTHORIZATION FOR SHARING OR RECEIVING CYBER THREAT INDICATORS OR DEFENSIVE MEASURES.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2) and notwithstanding any other provision of law, an entity may, for a cybersecurity purpose and consistent with the protection of classified information, share with, or receive from, any other entity or the Federal Government a cyber threat indicator or defensive measure.

(2) **LAWFUL RESTRICTION.**—An entity receiving a cyber threat indicator or defensive measure from another entity or Federal entity shall comply with otherwise lawful restrictions placed on the sharing or use of such cyber threat indicator or defensive measure by the sharing entity or Federal entity.

(3) **CONSTRUCTION.**—Nothing in this subsection shall be construed—

(A) to authorize the sharing or receiving of a cyber threat indicator or defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(d) **PROTECTION AND USE OF INFORMATION.**—

(1) **SECURITY OF INFORMATION.**—An entity monitoring an information system, operating a defensive measure, or providing or receiving a cyber threat indicator or defensive measure under this section shall implement and utilize a security control to protect against unauthorized access to or acquisition of such cyber threat indicator or defensive measure.

(2) **REMOVAL OF CERTAIN PERSONAL INFORMATION.**—An entity sharing a cyber threat indicator pursuant to this title shall, prior to such sharing—

(A) review such cyber threat indicator to assess whether such cyber threat indicator contains any information that the entity knows at the time of sharing to be personal information or information that identifies a specific person not directly related to a cybersecurity threat and remove such information; or

(B) implement and utilize a technical capability configured to remove any information

contained within such indicator that the entity knows at the time of sharing to be personal information or information that identifies a specific person not directly related to a cybersecurity threat.

(3) USE OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES BY ENTITIES.—

(A) **IN GENERAL.**—Consistent with this title, a cyber threat indicator or defensive measure shared or received under this section may, for cybersecurity purposes—

(i) be used by an entity to monitor or operate a defensive measure that is applied to—

(I) an information system of the entity; or

(II) an information system of another entity or a Federal entity upon the written consent of that other entity or that Federal entity; and

(ii) be otherwise used, retained, and further shared by an entity subject to—

(I) an otherwise lawful restriction placed by the sharing entity or Federal entity on such cyber threat indicator or defensive measure; or

(II) an otherwise applicable provision of law.

(B) **CONSTRUCTION.**—Nothing in this paragraph shall be construed to authorize the use of a cyber threat indicator or defensive measure other than as provided in this section.

(4) **USE OF CYBER THREAT INDICATORS BY STATE, TRIBAL, OR LOCAL GOVERNMENT.—**

(A) **LAW ENFORCEMENT USE.—**

(i) **PRIOR WRITTEN CONSENT.**—Except as provided in clause (ii), a cyber threat indicator shared with a State, tribal, or local government under this section may, with the prior written consent of the entity sharing such indicator, be used by a State, tribal, or local government for the purpose of preventing, investigating, or prosecuting any of the offenses described in section 105(d)(5)(A)(vi).

(ii) **ORAL CONSENT.**—If exigent circumstances prevent obtaining written consent under clause (i), such consent may be provided orally with subsequent documentation of the consent.

(B) **EXEMPTION FROM DISCLOSURE.**—A cyber threat indicator shared with a State, tribal, or local government under this section shall be—

(i) deemed voluntarily shared information; and

(ii) exempt from disclosure under any State, tribal, or local law requiring disclosure of information or records.

(C) **STATE, TRIBAL, AND LOCAL REGULATORY AUTHORITY.—**

(i) **IN GENERAL.**—Except as provided in clause (ii), a cyber threat indicator or defensive measure shared with a State, tribal, or local government under this title shall not be directly used by any State, tribal, or local government to regulate, including an enforcement action, the lawful activity of any entity, including an activity relating to monitoring, operating a defensive measure, or sharing of a cyber threat indicator.

(ii) **REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF CYBERSECURITY THREATS.**—A cyber threat indicator or defensive measure shared as described in clause (i) may, consistent with a State, tribal, or local government regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of a regulation relating to such information systems.

(e) **ANTITRUST EXEMPTION.—**

(1) **IN GENERAL.**—Except as provided in section 108(e), it shall not be considered a violation of any provision of antitrust laws for 2

or more private entities to exchange or provide a cyber threat indicator, or assistance relating to the prevention, investigation, or mitigation of a cybersecurity threat, for cybersecurity purposes under this title.

(2) **APPLICABILITY.**—Paragraph (1) shall apply only to information that is exchanged or assistance provided in order to assist with—

(A) facilitating the prevention, investigation, or mitigation of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system; or

(B) communicating or disclosing a cyber threat indicator to help prevent, investigate, or mitigate the effect of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system.

(f) **NO RIGHT OR BENEFIT.**—The sharing of a cyber threat indicator with an entity under this title shall not create a right or benefit to similar information by such entity or any other entity.

SEC. 105. SHARING OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES WITH THE FEDERAL GOVERNMENT.

(a) **REQUIREMENT FOR POLICIES AND PROCEDURES.—**

(1) **INTERIM POLICIES AND PROCEDURES.**—Not later than 60 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall, in coordination with the heads of the appropriate Federal entities, develop and submit to Congress interim policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(2) **FINAL POLICIES AND PROCEDURES.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall, in coordination with the heads of the appropriate Federal entities, promulgate final policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(3) **REQUIREMENTS CONCERNING POLICIES AND PROCEDURES.**—Consistent with the guidelines required by subsection (b), the policies and procedures developed and promulgated under this subsection shall—

(A) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 104(c) through the real-time process described in subsection (c) of this section—

(i) are shared in an automated manner with all of the appropriate Federal entities;

(ii) are only subject to a delay, modification, or other action due to controls established for such real-time process that could impede real-time receipt by all of the appropriate Federal entities when the delay, modification, or other action is due to controls—

(I) agreed upon unanimously by all of the heads of the appropriate Federal entities;

(II) carried out before any of the appropriate Federal entities retains or uses the cyber threat indicators or defensive measures; and

(III) uniformly applied such that each of the appropriate Federal entities is subject to the same delay, modification, or other action; and

(iii) may be provided to other Federal entities;

(B) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 104 in a manner other than the real time process described in subsection (c) of this section—

(i) are shared as quickly as operationally practicable with all of the appropriate Federal entities;

(ii) are not subject to any unnecessary delay, interference, or any other action that could impede receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(C) consistent with this title, any other applicable provisions of law, and the fair information practice principles set forth in appendix A of the document entitled “National Strategy for Trusted Identities in Cyberspace” and published by the President in April, 2011, govern the retention, use, and dissemination by the Federal Government of cyber threat indicators shared with the Federal Government under this title, including the extent, if any, to which such cyber threat indicators may be used by the Federal Government; and

(D) ensure there are—

(i) audit capabilities; and

(ii) appropriate sanctions in place for officers, employees, or agents of a Federal entity who knowingly and willfully conduct activities under this title in an unauthorized manner.

(4) **GUIDELINES FOR ENTITIES SHARING CYBER THREAT INDICATORS WITH FEDERAL GOVERNMENT.—**

(A) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall develop and make publicly available guidance to assist entities and promote sharing of cyber threat indicators with Federal entities under this title.

(B) **CONTENTS.**—The guidelines developed and made publicly available under subparagraph (A) shall include guidance on the following:

(i) Identification of types of information that would qualify as a cyber threat indicator under this title that would be unlikely to include personal information or information that identifies a specific person not directly related to a cybersecurity threat.

(ii) Identification of types of information protected under otherwise applicable privacy laws that are unlikely to be directly related to a cybersecurity threat.

(iii) Such other matters as the Attorney General and the Secretary of Homeland Security consider appropriate for entities sharing cyber threat indicators with Federal entities under this title.

(b) **PRIVACY AND CIVIL LIBERTIES.—**

(1) **GUIDELINES OF ATTORNEY GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee-1), develop, submit to Congress, and make available to the public interim guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(2) **FINAL GUIDELINES.—**

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee-1) and such private entities with industry expertise as the Attorney General considers relevant, promulgate final

guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(B) PERIODIC REVIEW.—The Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers and private entities described in subparagraph (A), periodically, but not less frequently than once every two years, review the guidelines promulgated under subparagraph (A).

(3) CONTENT.—The guidelines required by paragraphs (1) and (2) shall, consistent with the need to protect information systems from cybersecurity threats and mitigate cybersecurity threats—

(A) limit the effect on privacy and civil liberties of activities by the Federal Government under this title;

(B) limit the receipt, retention, use, and dissemination of cyber threat indicators containing personal information or information that identifies specific persons, including by establishing—

(i) a process for the timely destruction of such information that is known not to be directly related to uses authorized under this title; and

(ii) specific limitations on the length of any period in which a cyber threat indicator may be retained;

(C) include requirements to safeguard cyber threat indicators containing personal information or information that identifies specific persons from unauthorized access or acquisition, including appropriate sanctions for activities by officers, employees, or agents of the Federal Government in contravention of such guidelines;

(D) include procedures for notifying entities and Federal entities if information received pursuant to this section is known or determined by a Federal entity receiving such information not to constitute a cyber threat indicator;

(E) protect the confidentiality of cyber threat indicators containing personal information or information that identifies specific persons to the greatest extent practicable and require recipients to be informed that such indicators may only be used for purposes authorized under this title; and

(F) include steps that may be needed so that dissemination of cyber threat indicators is consistent with the protection of classified and other sensitive national security information.

(C) CAPABILITY AND PROCESS WITHIN THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, in coordination with the heads of the appropriate Federal entities, shall develop and implement a capability and process within the Department of Homeland Security that—

(A) shall accept from any entity in real time cyber threat indicators and defensive measures, pursuant to this section;

(B) shall, upon submittal of the certification under paragraph (2) that such capability and process fully and effectively operates as described in such paragraph, be the process by which the Federal Government receives cyber threat indicators and defensive measures under this title that are shared by a private entity with the Federal Government through electronic mail or media, an interactive form on an Internet website, or a real time, automated process between information systems except—

(i) consistent with section 104, communications between a Federal entity and a private entity regarding a previously shared cyber threat indicator to describe the relevant cybersecurity threat or develop a defensive measure based on such cyber threat indicator; and

(ii) communications by a regulated entity with such entity's Federal regulatory authority regarding a cybersecurity threat;

(C) ensures that all of the appropriate Federal entities receive in an automated manner such cyber threat indicators shared through the real-time process within the Department of Homeland Security;

(D) is in compliance with the policies, procedures, and guidelines required by this section; and

(E) does not limit or prohibit otherwise lawful disclosures of communications, records, or other information, including—

(i) reporting of known or suspected criminal activity, by an entity to any other entity or a Federal entity;

(ii) voluntary or legally compelled participation in a Federal investigation; and

(iii) providing cyber threat indicators or defensive measures as part of a statutory or authorized contractual requirement.

(2) CERTIFICATION.—Not later than 10 days prior to the implementation of the capability and process required by paragraph (1), the Secretary of Homeland Security shall, in consultation with the heads of the appropriate Federal entities, certify to Congress whether such capability and process fully and effectively operates—

(A) as the process by which the Federal Government receives from any entity a cyber threat indicator or defensive measure under this title; and

(B) in accordance with the policies, procedures, and guidelines developed under this section.

(3) PUBLIC NOTICE AND ACCESS.—The Secretary of Homeland Security shall ensure there is public notice of, and access to, the capability and process developed and implemented under paragraph (1) so that—

(A) any entity may share cyber threat indicators and defensive measures through such process with the Federal Government; and

(B) all of the appropriate Federal entities receive such cyber threat indicators and defensive measures in real time with receipt through the process within the Department of Homeland Security.

(4) OTHER FEDERAL ENTITIES.—The process developed and implemented under paragraph (1) shall ensure that other Federal entities receive in a timely manner any cyber threat indicators and defensive measures shared with the Federal Government through such process.

(5) REPORT ON DEVELOPMENT AND IMPLEMENTATION.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to Congress a report on the development and implementation of the capability and process required by paragraph (1), including a description of such capability and process and the public notice of, and access to, such process.

(B) CLASSIFIED ANNEX.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(d) INFORMATION SHARED WITH OR PROVIDED TO THE FEDERAL GOVERNMENT.—

(1) NO WAIVER OF PRIVILEGE OR PROTECTION.—The provision of cyber threat indica-

tors and defensive measures to the Federal Government under this title shall not constitute a waiver of any applicable privilege or protection provided by law, including trade secret protection.

(2) PROPRIETARY INFORMATION.—Consistent with section 104(c)(2), a cyber threat indicator or defensive measure provided by an entity to the Federal Government under this title shall be considered the commercial, financial, and proprietary information of such entity when so designated by the originating entity or a third party acting in accordance with the written authorization of the originating entity.

(3) EXEMPTION FROM DISCLOSURE.—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall be—

(A) deemed voluntarily shared information and exempt from disclosure under section 552 of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records; and

(B) withheld, without discretion, from the public under section 552(b)(3)(B) of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records.

(4) EX PARTE COMMUNICATIONS.—The provision of a cyber threat indicator or defensive measure to the Federal Government under this title shall not be subject to a rule of any Federal agency or department or any judicial doctrine regarding ex parte communications with a decision-making official.

(5) DISCLOSURE, RETENTION, AND USE.—

(A) AUTHORIZED ACTIVITIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title may be disclosed to, retained by, and used by, consistent with otherwise applicable provisions of Federal law, any Federal agency or department, component, officer, employee, or agent of the Federal Government solely for—

(i) a cybersecurity purpose;

(ii) the purpose of identifying a cybersecurity threat, including the source of such cybersecurity threat, or a security vulnerability;

(iii) the purpose of identifying a cybersecurity threat involving the use of an information system by a foreign adversary or terrorist;

(iv) the purpose of responding to, or otherwise preventing or mitigating, an imminent threat of death, serious bodily harm, or serious economic harm, including a terrorist act or a use of a weapon of mass destruction;

(v) the purpose of responding to, or otherwise preventing or mitigating, a serious threat to a minor, including sexual exploitation and threats to physical safety; or

(vi) the purpose of preventing, investigating, disrupting, or prosecuting an offense arising out of a threat described in clause (iv) or any of the offenses listed in—

(I) sections 1028 through 1030 of title 18, United States Code (relating to fraud and identity theft);

(II) chapter 37 of such title (relating to espionage and censorship); and

(III) chapter 90 of such title (relating to protection of trade secrets).

(B) PROHIBITED ACTIVITIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be disclosed to, retained by, or used by any Federal agency or department for any use not permitted under subparagraph (A).

(C) PRIVACY AND CIVIL LIBERTIES.—Cyber threat indicators and defensive measures provided to the Federal Government under

this title shall be retained, used, and disseminated by the Federal Government—

(i) in accordance with the policies, procedures, and guidelines required by subsections (a) and (b);

(ii) in a manner that protects from unauthorized use or disclosure any cyber threat indicators that may contain personal information or information that identifies specific persons; and

(iii) in a manner that protects the confidentiality of cyber threat indicators containing personal information or information that identifies a specific person.

(D) **FEDERAL REGULATORY AUTHORITY.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be directly used by any Federal, State, tribal, or local government to regulate, including an enforcement action, the lawful activities of any entity, including activities relating to monitoring, operating defensive measures, or sharing cyber threat indicators.

(ii) **EXCEPTIONS.**—

(I) **REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF CYBERSECURITY THREATS.**—Cyber threat indicators and defensive measures provided to the Federal Government under this title may, consistent with Federal or State regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of regulations relating to such information systems.

(II) **PROCEDURES DEVELOPED AND IMPLEMENTED UNDER THIS TITLE.**—Clause (i) shall not apply to procedures developed and implemented under this title.

SEC. 106. PROTECTION FROM LIABILITY.

(a) **MONITORING OF INFORMATION SYSTEMS.**—No cause of action shall lie or be maintained in any court against any private entity, and such action shall be promptly dismissed, for the monitoring of information systems and information under section 104(a) that is conducted in accordance with this title.

(b) **SHARING OR RECEIPT OF CYBER THREAT INDICATORS.**—No cause of action shall lie or be maintained in any court against any entity, and such action shall be promptly dismissed, for the sharing or receipt of cyber threat indicators or defensive measures under section 104(c) if—

(1) such sharing or receipt is conducted in accordance with this title; and

(2) in a case in which a cyber threat indicator or defensive measure is shared with the Federal Government, the cyber threat indicator or defensive measure is shared in a manner that is consistent with section 105(c)(1)(B) and the sharing or receipt, as the case may be, occurs after the earlier of—

(A) the date on which the interim policies and procedures are submitted to Congress under section 105(a)(1) and guidelines are submitted to Congress under section 105(b)(1); or

(B) the date that is 60 days after the date of the enactment of this Act.

(c) **CONSTRUCTION.**—Nothing in this section shall be construed—

(1) to require dismissal of a cause of action against an entity that has engaged in gross negligence or willful misconduct in the course of conducting activities authorized by this title; or

(2) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

SEC. 107. OVERSIGHT OF GOVERNMENT ACTIVITIES.

(a) **BIENNIAL REPORT ON IMPLEMENTATION.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, and not less frequently than once every 2 years thereafter, the heads of the appropriate Federal entities shall jointly submit and the Inspector General of the Department of Homeland Security, the Inspector General of the Intelligence Community, the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Inspector General of the Department of Energy, in consultation with the Council of Inspectors General on Financial Oversight, shall jointly submit to Congress a detailed report concerning the implementation of this title during—

(A) in the case of the first report submitted under this paragraph, the most recent 1-year period; and

(B) in the case of any subsequent report submitted under this paragraph, the most recent 2-year period.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

(A) An assessment of the sufficiency of the policies, procedures, and guidelines required by section 105 in ensuring that cyber threat indicators are shared effectively and responsibly within the Federal Government.

(B) An evaluation of the effectiveness of real-time information sharing through the capability and process developed under section 105(c), including any impediments to such real-time sharing.

(C) An assessment of the sufficiency of the procedures developed under section 103 in ensuring that cyber threat indicators in the possession of the Federal Government are shared in a timely and adequate manner with appropriate entities, or, if appropriate, are made publicly available.

(D) An assessment of whether cyber threat indicators have been properly classified and an accounting of the number of security clearances authorized by the Federal Government for the purposes of this title.

(E) A review of the type of cyber threat indicators shared with the appropriate Federal entities under this title, including the following:

(i) The number of cyber threat indicators received through the capability and process developed under section 105(c).

(ii) The number of times that information shared under this title was used by a Federal entity to prosecute an offense consistent with section 105(d)(5)(A).

(iii) The degree to which such information may affect the privacy and civil liberties of specific persons.

(iv) A quantitative and qualitative assessment of the effect of the sharing of such cyber threat indicators with the Federal Government on privacy and civil liberties of specific persons, including the number of notices that were issued with respect to a failure to remove personal information or information that identified a specific person not directly related to a cybersecurity threat in accordance with the procedures required by section 105(b)(3)(D).

(v) The adequacy of any steps taken by the Federal Government to reduce such effect.

(F) A review of actions taken by the Federal Government based on cyber threat indicators shared with the Federal Government under this title, including the appropriateness of any subsequent use or dissemination of such cyber threat indicators by a Federal entity under section 105.

(G) A description of any significant violations of the requirements of this title by the Federal Government.

(H) A summary of the number and type of entities that received classified cyber threat indicators from the Federal Government under this title and an evaluation of the risks and benefits of sharing such cyber threat indicators.

(3) **RECOMMENDATIONS.**—Each report submitted under paragraph (1) may include recommendations for improvements or modifications to the authorities and processes under this title.

(4) **FORM OF REPORT.**—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) **REPORTS ON PRIVACY AND CIVIL LIBERTIES.**—

(1) **BIENNIAL REPORT FROM PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.**—Not later than 2 years after the date of the enactment of this Act and not less frequently than once every 2 years thereafter, the Privacy and Civil Liberties Oversight Board shall submit to Congress and the President a report providing—

(A) an assessment of the effect on privacy and civil liberties by the type of activities carried out under this title; and

(B) an assessment of the sufficiency of the policies, procedures, and guidelines established pursuant to section 105 in addressing concerns relating to privacy and civil liberties.

(2) **BIENNIAL REPORT OF INSPECTORS GENERAL.**—

(A) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act and not less frequently than once every 2 years thereafter, the Inspector General of the Department of Homeland Security, the Inspector General of the Intelligence Community, the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Inspector General of the Department of Energy shall, in consultation with the Council of Inspectors General on Financial Oversight, jointly submit to Congress a report on the receipt, use, and dissemination of cyber threat indicators and defensive measures that have been shared with Federal entities under this title.

(B) **CONTENTS.**—Each report submitted under subparagraph (A) shall include the following:

(i) A review of the types of cyber threat indicators shared with Federal entities.

(ii) A review of the actions taken by Federal entities as a result of the receipt of such cyber threat indicators.

(iii) A list of Federal entities receiving such cyber threat indicators.

(iv) A review of the sharing of such cyber threat indicators among Federal entities to identify inappropriate barriers to sharing information.

(3) **RECOMMENDATIONS.**—Each report submitted under this subsection may include such recommendations as the Privacy and Civil Liberties Oversight Board, with respect to a report submitted under paragraph (1), or the Inspectors General referred to in paragraph (2)(A), with respect to a report submitted under paragraph (2), may have for improvements or modifications to the authorities under this title.

(4) **FORM.**—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

SEC. 108. CONSTRUCTION AND PREEMPTION.

(a) **OTHERWISE LAWFUL DISCLOSURES.**—Nothing in this title shall be construed—

(1) to limit or prohibit otherwise lawful disclosures of communications, records, or

other information, including reporting of known or suspected criminal activity, by an entity to any other entity or the Federal Government under this title; or

(2) to limit or prohibit otherwise lawful use of such disclosures by any Federal entity, even when such otherwise lawful disclosures duplicate or replicate disclosures made under this title.

(b) **WHISTLE BLOWER PROTECTIONS.**—Nothing in this title shall be construed to prohibit or limit the disclosure of information protected under section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats), section 7211 of title 5, United States Code (governing disclosures to Congress), section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military), section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) (governing disclosure by employees of elements of the intelligence community), or any similar provision of Federal or State law.

(c) **PROTECTION OF SOURCES AND METHODS.**—Nothing in this title shall be construed—

(1) as creating any immunity against, or otherwise affecting, any action brought by the Federal Government, or any agency or department thereof, to enforce any law, executive order, or procedure governing the appropriate handling, disclosure, or use of classified information;

(2) to affect the conduct of authorized law enforcement or intelligence activities; or

(3) to modify the authority of a department or agency of the Federal Government to protect classified information and sources and methods and the national security of the United States.

(d) **RELATIONSHIP TO OTHER LAWS.**—Nothing in this title shall be construed to affect any requirement under any other provision of law for an entity to provide information to the Federal Government.

(e) **PROHIBITED CONDUCT.**—Nothing in this title shall be construed to permit price-fixing, allocating a market between competitors, monopolizing or attempting to monopolize a market, boycotting, or exchanges of price or cost information, customer lists, or information regarding future competitive planning.

(f) **INFORMATION SHARING RELATIONSHIPS.**—Nothing in this title shall be construed—

(1) to limit or modify an existing information sharing relationship;

(2) to prohibit a new information sharing relationship;

(3) to require a new information sharing relationship between any entity and another entity or a Federal entity; or

(4) to require the use of the capability and process within the Department of Homeland Security developed under section 105(c).

(g) **PRESERVATION OF CONTRACTUAL OBLIGATIONS AND RIGHTS.**—Nothing in this title shall be construed—

(1) to amend, repeal, or supersede any current or future contractual agreement, terms of service agreement, or other contractual relationship between any entities, or between any entity and a Federal entity; or

(2) to abrogate trade secret or intellectual property rights of any entity or Federal entity.

(h) **ANTI-TASKING RESTRICTION.**—Nothing in this title shall be construed to permit a Federal entity—

(1) to require an entity to provide information to a Federal entity or another entity;

(2) to condition the sharing of cyber threat indicators with an entity on such entity's

provision of cyber threat indicators to a Federal entity or another entity; or

(3) to condition the award of any Federal grant, contract, or purchase on the provision of a cyber threat indicator to a Federal entity or another entity.

(i) **NO LIABILITY FOR NON-PARTICIPATION.**—Nothing in this title shall be construed to subject any entity to liability for choosing not to engage in the voluntary activities authorized in this title.

(j) **USE AND RETENTION OF INFORMATION.**—Nothing in this title shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use any information shared under this title for any use other than permitted in this title.

(k) **FEDERAL PREEMPTION.**—

(1) **IN GENERAL.**—This title supersedes any statute or other provision of law of a State or political subdivision of a State that restricts or otherwise expressly regulates an activity authorized under this title.

(2) **STATE LAW ENFORCEMENT.**—Nothing in this title shall be construed to supersede any statute or other provision of law of a State or political subdivision of a State concerning the use of authorized law enforcement practices and procedures.

(l) **REGULATORY AUTHORITY.**—Nothing in this title shall be construed—

(1) to authorize the promulgation of any regulations not specifically authorized by this title;

(2) to establish or limit any regulatory authority not specifically established or limited under this title; or

(3) to authorize regulatory actions that would duplicate or conflict with regulatory requirements, mandatory standards, or related processes under another provision of Federal law.

(m) **AUTHORITY OF SECRETARY OF DEFENSE TO RESPOND TO CYBER ATTACKS.**—Nothing in this title shall be construed to limit the authority of the Secretary of Defense to develop, prepare, coordinate, or, when authorized by the President to do so, conduct a military cyber operation in response to a malicious cyber activity carried out against the United States or a United States person by a foreign government or an organization sponsored by a foreign government or a terrorist organization.

SEC. 109. REPORT ON CYBERSECURITY THREATS.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of other appropriate elements of the intelligence community, shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on cybersecurity threats, including cyber attacks, theft, and data breaches.

(b) **CONTENTS.**—The report required by subsection (a) shall include the following:

(1) An assessment of the current intelligence sharing and cooperation relationships of the United States with other countries regarding cybersecurity threats, including cyber attacks, theft, and data breaches, directed against the United States and which threaten the United States national security interests and economy and intellectual property, specifically identifying the relative utility of such relationships, which elements of the intelligence community participate in such relationships, and whether and how such relationships could be improved.

(2) A list and an assessment of the countries and nonstate actors that are the pri-

mary threats of carrying out a cybersecurity threat, including a cyber attack, theft, or data breach, against the United States and which threaten the United States national security, economy, and intellectual property.

(3) A description of the extent to which the capabilities of the United States Government to respond to or prevent cybersecurity threats, including cyber attacks, theft, or data breaches, directed against the United States private sector are degraded by a delay in the prompt notification by private entities of such threats or cyber attacks, theft, and breaches.

(4) An assessment of additional technologies or capabilities that would enhance the ability of the United States to prevent and to respond to cybersecurity threats, including cyber attacks, theft, and data breaches.

(5) An assessment of any technologies or practices utilized by the private sector that could be rapidly fielded to assist the intelligence community in preventing and responding to cybersecurity threats.

(c) **ADDITIONAL REPORT.**—At the time the report required by subsection (a) is submitted, the Director of National Intelligence shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report containing the information required by subsection (b)(2).

(d) **FORM OF REPORT.**—The report required by subsection (a) shall be made available in classified and unclassified forms.

(e) **INTELLIGENCE COMMUNITY DEFINED.**—In this section, the term “intelligence community” has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 110. CONFORMING AMENDMENT.

Section 941(c)(3) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 2224 note) is amended by inserting at the end the following: “The Secretary may share such information with other Federal entities if such information consists of cyber threat indicators and defensive measures and such information is shared consistent with the policies and procedures promulgated by the Attorney General and the Secretary of Homeland Security under section 105 of the Cybersecurity Information Sharing Act of 2015.”

TITLE II—FEDERAL CYBERSECURITY ENHANCEMENT

SEC. 201. SHORT TITLE.

This title may be cited as the “Federal Cybersecurity Enhancement Act of 2015”.

SEC. 202. DEFINITIONS.

In this title—

(1) the term “agency” has the meaning given the term in section 3502 of title 44, United States Code;

(2) the term “agency information system” has the meaning given the term in section 228 of the Homeland Security Act of 2002, as added by section 203(a);

(3) the term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives;

(4) the terms “cybersecurity risk” and “information system” have the meanings given those terms in section 227 of the Homeland Security Act of 2002, as so redesignated by section 203(a);

(5) the term “Director” means the Director of the Office of Management and Budget;

(6) the term “intelligence community” has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4));

(7) the term “national security system” has the meaning given the term in section 11103 of title 40, United States Code; and

(8) the term “Secretary” means the Secretary of Homeland Security.

SEC. 203. IMPROVED FEDERAL NETWORK SECURITY.

(a) IN GENERAL.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended—

(1) by redesignating section 228 as section 229;

(2) by redesignating section 227 as subsection (c) of section 228, as added by paragraph (4), and adjusting the margins accordingly;

(3) by redesignating the second section designated as section 226 (relating to the national cybersecurity and communications integration center) as section 227;

(4) by inserting after section 227, as so redesignated, the following:

“SEC. 228. CYBERSECURITY PLANS.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency information system’ means an information system used or operated by an agency or by another entity on behalf of an agency;

“(2) the terms ‘cybersecurity risk’ and ‘information system’ have the meanings given those terms in section 227;

“(3) the term ‘intelligence community’ has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)); and

“(4) the term ‘national security system’ has the meaning given the term in section 11103 of title 40, United States Code.

“(b) INTRUSION ASSESSMENT PLAN.—

“(1) REQUIREMENT.—The Secretary, in coordination with the Director of the Office of Management and Budget, shall develop and implement an intrusion assessment plan to identify and remove intruders in agency information systems.

“(2) EXCEPTION.—The intrusion assessment plan required under paragraph (1) shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.”;

(5) in section 228(c), as so redesignated, by striking “section 226” and inserting “section 227”; and

(6) by inserting after section 229, as so redesignated, the following:

“SEC. 230. FEDERAL INTRUSION DETECTION AND PREVENTION SYSTEM.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency’ has the meaning given that term in section 3502 of title 44, United States Code;

“(2) the term ‘agency information’ means information collected or maintained by or on behalf of an agency;

“(3) the term ‘agency information system’ has the meaning given the term in section 228; and

“(4) the terms ‘cybersecurity risk’ and ‘information system’ have the meanings given those terms in section 227.

“(b) REQUIREMENT.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall deploy, operate, and maintain, to make available for use by any agency, with or without reimbursement—

“(A) a capability to detect cybersecurity risks in network traffic transiting or traveling to or from an agency information system; and

“(B) a capability to prevent network traffic associated with such cybersecurity risks from transiting or traveling to or from an agency information system or modify such network traffic to remove the cybersecurity risk.

“(2) REGULAR IMPROVEMENT.—The Secretary shall regularly deploy new technologies and modify existing technologies to the intrusion detection and prevention capabilities described in paragraph (1) as appropriate to improve the intrusion detection and prevention capabilities.

“(c) ACTIVITIES.—In carrying out subsection (b), the Secretary—

“(1) may access, and the head of an agency may disclose to the Secretary or a private entity providing assistance to the Secretary under paragraph (2), information transiting or traveling to or from an agency information system, regardless of the location from which the Secretary or a private entity providing assistance to the Secretary under paragraph (2) accesses such information, notwithstanding any other provision of law that would otherwise restrict or prevent the head of an agency from disclosing such information to the Secretary or a private entity providing assistance to the Secretary under paragraph (2);

“(2) may enter into contracts or other agreements with, or otherwise request and obtain the assistance of, private entities to deploy and operate technologies in accordance with subsection (b);

“(3) may retain, use, and disclose information obtained through the conduct of activities authorized under this section only to protect information and information systems from cybersecurity risks;

“(4) shall regularly assess through operational test and evaluation in real world or simulated environments available advanced protective technologies to improve detection and prevention capabilities, including commercial and non-commercial technologies and detection technologies beyond signature-based detection, and utilize such technologies when appropriate;

“(5) shall establish a pilot to acquire, test, and deploy, as rapidly as possible, technologies described in paragraph (4);

“(6) shall periodically update the privacy impact assessment required under section 208(b) of the E-Government Act of 2002 (44 U.S.C. 3501 note); and

“(7) shall ensure that—

“(A) activities carried out under this section are reasonably necessary for the purpose of protecting agency information and agency information systems from a cybersecurity risk;

“(B) information accessed by the Secretary will be retained no longer than reasonably necessary for the purpose of protecting agency information and agency information systems from a cybersecurity risk;

“(C) notice has been provided to users of an agency information system concerning access to communications of users of the agency information system for the purpose of protecting agency information and the agency information system; and

“(D) the activities are implemented pursuant to policies and procedures governing the operation of the intrusion detection and prevention capabilities.

“(d) PRIVATE ENTITIES.—

“(1) CONDITIONS.—A private entity described in subsection (c)(2) may not—

“(A) disclose any network traffic transiting or traveling to or from an agency information system to any entity without the consent of the Department or the agency

that disclosed the information under subsection (c)(1); or

“(B) use any network traffic transiting or traveling to or from an agency information system to which the private entity gains access in accordance with this section for any purpose other than to protect agency information and agency information systems against cybersecurity risks or to administer a contract or other agreement entered into pursuant to subsection (c)(2) or as part of another contract with the Secretary.

“(2) LIMITATION ON LIABILITY.—No cause of action shall lie in any court against a private entity for assistance provided to the Secretary in accordance with this section and any contract or agreement entered into pursuant to subsection (c)(2).

“(3) RULE OF CONSTRUCTION.—Nothing in paragraph (2) shall be construed to authorize an Internet service provider to break a user agreement with a customer without the consent of the customer.

“(e) ATTORNEY GENERAL REVIEW.—Not later than 1 year after the date of enactment of this section, the Attorney General shall review the policies and guidelines for the program carried out under this section to ensure that the policies and guidelines are consistent with applicable law governing the acquisition, interception, retention, use, and disclosure of communications.”.

(b) PRIORITIZING ADVANCED SECURITY TOOLS.—The Director and the Secretary, in consultation with appropriate agencies, shall—

(1) review and update governmentwide policies and programs to ensure appropriate prioritization and use of network security monitoring tools within agency networks; and

(2) brief appropriate congressional committees on such prioritization and use.

(c) AGENCY RESPONSIBILITIES.—

(1) IN GENERAL.—Except as provided in paragraph (2)—

(A) not later than 1 year after the date of enactment of this Act or 2 months after the date on which the Secretary makes available the intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of 2002, as added by subsection (a), whichever is later, the head of each agency shall apply and continue to utilize the capabilities to all information traveling between an agency information system and any information system other than an agency information system; and

(B) not later than 6 months after the date on which the Secretary makes available improvements to the intrusion detection and prevention capabilities pursuant to section 230(b)(2) of the Homeland Security Act of 2002, as added by subsection (a), the head of each agency shall apply and continue to utilize the improved intrusion detection and prevention capabilities.

(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

(3) DEFINITION.—In this subsection only, the term “agency information system” means an information system owned or operated by an agency.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit an agency from applying the intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of 2002, as added by subsection (a), at the discretion of the head of the agency or as provided in relevant policies, directives, and guidelines.

(d) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by striking the items relating to the first section designated as section 226, the second section designated as section 226 (relating to the national cybersecurity and communications integration center), section 227, and section 228 and inserting the following:

“Sec. 226. Cybersecurity recruitment and retention.
 “Sec. 227. National cybersecurity and communications integration center.
 “Sec. 228. Cybersecurity plans.
 “Sec. 229. Clearances.
 “Sec. 230. Federal intrusion detection and prevention system.”.

SEC. 204. ADVANCED INTERNAL DEFENSES.

(a) ADVANCED NETWORK SECURITY TOOLS.—
 (1) IN GENERAL.—The Secretary shall include in the Continuous Diagnostics and Mitigation Program advanced network security tools to improve visibility of network activity, including through the use of commercial and free or open source tools, to detect and mitigate intrusions and anomalous activity.

(2) DEVELOPMENT OF PLAN.—The Director shall develop and implement a plan to ensure that each agency utilizes advanced network security tools, including those described in paragraph (1), to detect and mitigate intrusions and anomalous activity.

(b) IMPROVED METRICS.—The Secretary, in collaboration with the Director, shall review and update the metrics used to measure security under section 3554 of title 44, United States Code, to include measures of intrusion and incident detection and response times.

(c) TRANSPARENCY AND ACCOUNTABILITY.—The Director, in consultation with the Secretary, shall increase transparency to the public on agency cybersecurity posture, including by increasing the number of metrics available on Federal Government performance websites and, to the greatest extent practicable, displaying metrics for department components, small agencies, and micro agencies.

(d) MAINTENANCE OF TECHNOLOGIES.—Section 3553(b)(6)(B) of title 44, United States Code, is amended by inserting “, operating, and maintaining” after “deploying”.

(e) EXCEPTION.—The requirements under this section shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

SEC. 205. FEDERAL CYBERSECURITY REQUIREMENTS.

(a) IMPLEMENTATION OF FEDERAL CYBERSECURITY STANDARDS.—Consistent with section 3553 of title 44, United States Code, the Secretary, in consultation with the Director, shall exercise the authority to issue binding operational directives to assist the Director in ensuring timely agency adoption of and compliance with policies and standards promulgated under section 11331 of title 40, United States Code, for securing agency information systems.

(b) CYBERSECURITY REQUIREMENTS AT AGENCIES.—

(1) IN GENERAL.—Consistent with policies, standards, guidelines, and directives on information security under subchapter II of chapter 35 of title 44, United States Code, and the standards and guidelines promulgated under section 11331 of title 40, United States Code, and except as provided in paragraph (2), not later than 1 year after the date of the enactment of this Act, the head of each agency shall—

(A) identify sensitive and mission critical data stored by the agency consistent with the inventory required under the first subsection (c) (relating to the inventory of major information systems) and the second subsection (c) (relating to the inventory of information systems) of section 3505 of title 44, United States Code;

(B) assess access controls to the data described in subparagraph (A), the need for readily accessible storage of the data, and individuals’ need to access the data;

(C) encrypt or otherwise render indecipherable to unauthorized users the data described in subparagraph (A) that is stored on or transiting agency information systems;

(D) implement a single sign-on trusted identity platform for individuals accessing each public website of the agency that requires user authentication, as developed by the Administrator of General Services in collaboration with the Secretary; and

(E) implement identity management consistent with section 504 of the Cybersecurity Enhancement Act of 2014 (Public Law 113–274; 15 U.S.C. 7464), including multi-factor authentication, for—

(i) remote access to an agency information system; and

(ii) each user account with elevated privileges on an agency information system.

(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to an agency information system for which—

(A) the head of the agency has personally certified to the Director with particularity that—

(i) operational requirements articulated in the certification and related to the agency information system would make it excessively burdensome to implement the cybersecurity requirement;

(ii) the cybersecurity requirement is not necessary to secure the agency information system or agency information stored on or transiting it; and

(iii) the agency has taken all necessary steps to secure the agency information system and agency information stored on or transiting it; and

(B) the head of the agency or the designee of the head of the agency has submitted the certification described in subparagraph (A) to the appropriate congressional committees and the agency’s authorizing committees.

(3) CONSTRUCTION.—Nothing in this section shall be construed to alter the authority of the Secretary, the Director, or the Director of the National Institute of Standards and Technology in implementing subchapter II of chapter 35 of title 44, United States Code. Nothing in this section shall be construed to affect the National Institute of Standards and Technology standards process or the requirement under section 3553(a)(4) of such title or to discourage continued improvements and advancements in the technology, standards, policies, and guidelines used to promote Federal information security.

(c) EXCEPTION.—The requirements under this section shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

SEC. 206. ASSESSMENT; REPORTS.

(a) DEFINITIONS.—In this section—

(1) the term “intrusion assessments” means actions taken under the intrusion assessment plan to identify and remove intruders in agency information systems;

(2) the term “intrusion assessment plan” means the plan required under section 228(b)(1) of the Homeland Security Act of 2002, as added by section 203(a) of this Act; and

(3) the term “intrusion detection and prevention capabilities” means the capabilities required under section 230(b) of the Homeland Security Act of 2002, as added by section 203(a) of this Act.

(b) THIRD PARTY ASSESSMENT.—Not later than 3 years after the date of enactment of this Act, the Government Accountability Office shall conduct a study and publish a report on the effectiveness of the approach and strategy of the Federal Government to securing agency information systems, including the intrusion detection and prevention capabilities and the intrusion assessment plan.

(c) REPORTS TO CONGRESS.—

(1) INTRUSION DETECTION AND PREVENTION CAPABILITIES.—

(A) SECRETARY OF HOMELAND SECURITY REPORT.—Not later than 6 months after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the status of implementation of the intrusion detection and prevention capabilities, including—

(i) a description of privacy controls;

(ii) a description of the technologies and capabilities utilized to detect cybersecurity risks in network traffic, including the extent to which those technologies and capabilities include existing commercial and non-commercial technologies;

(iii) a description of the technologies and capabilities utilized to prevent network traffic associated with cybersecurity risks from transiting or traveling to or from agency information systems, including the extent to which those technologies and capabilities include existing commercial and non-commercial technologies;

(iv) a list of the types of indicators or other identifiers or techniques used to detect cybersecurity risks in network traffic transiting or traveling to or from agency information systems on each iteration of the intrusion detection and prevention capabilities and the number of each such type of indicator, identifier, and technique;

(v) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from agency information systems and the number of times the intrusion detection and prevention capabilities blocked network traffic associated with cybersecurity risk; and

(vi) a description of the pilot established under section 230(c)(5) of the Homeland Security Act of 2002, as added by section 203(a) of this Act, including the number of new technologies tested and the number of participating agencies.

(B) OMB REPORT.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Director shall submit to Congress, as part of the report required under section 3553(c) of title 44, United States Code, an analysis of agency application of the intrusion detection and prevention capabilities, including—

(i) a list of each agency and the degree to which each agency has applied the intrusion detection and prevention capabilities to an agency information system; and

(ii) a list by agency of—

(I) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such cybersecurity risks; and

(II) the number of instances in which the intrusion detection and prevention capabilities prevented network traffic associated with a cybersecurity risk from transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such agency information systems.

(2) OMB REPORT ON DEVELOPMENT AND IMPLEMENTATION OF INTRUSION ASSESSMENT PLAN, ADVANCED INTERNAL DEFENSES, AND FEDERAL CYBERSECURITY BEST PRACTICES.—The Director shall—

(A) not later than 6 months after the date of enactment of this Act, and 30 days after any update thereto, submit the intrusion assessment plan to the appropriate congressional committees;

(B) not later than 1 year after the date of enactment of this Act, and annually thereafter, submit to Congress, as part of the report required under section 3553(c) of title 44, United States Code—

(i) a description of the implementation of the intrusion assessment plan;

(ii) the findings of the intrusion assessments conducted pursuant to the intrusion assessment plan;

(iii) advanced network security tools included in the Continuous Diagnostics and Mitigation Program pursuant to section 204(a)(1);

(iv) the results of the assessment of the Secretary of best practices for Federal cybersecurity pursuant to section 205(a); and

(v) a list by agency of compliance with the requirements of section 205(b); and

(C) not later than 1 year after the date of enactment of this Act, submit to the appropriate congressional committees—

(i) a copy of the plan developed pursuant to section 204(a)(2); and

(ii) the improved metrics developed pursuant to section 204(b).

SEC. 207. TERMINATION.

(a) IN GENERAL.—The authority provided under section 230 of the Homeland Security Act of 2002, as added by section 203(a) of this Act, and the reporting requirements under section 206(c) shall terminate on the date that is 7 years after the date of enactment of this Act.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to affect the limitation of liability of a private entity for assistance provided to the Secretary under section 230(d)(2) of the Homeland Security Act of 2002, as added by section 203(a) of this Act, if such assistance was rendered before the termination date under subsection (a) or otherwise during a period in which the assistance was authorized.

SEC. 208. IDENTIFICATION OF INFORMATION SYSTEMS RELATING TO NATIONAL SECURITY.

(a) IN GENERAL.—Except as provided in subsection (c), not later than 180 days after the date of enactment of this Act—

(1) the Director of National Intelligence and the Director of the Office of Management and Budget, in coordination with the heads of other agencies, shall—

(A) identify all unclassified information systems that provide access to information that may provide an adversary with the ability to derive information that would otherwise be considered classified;

(B) assess the risks that would result from the breach of each unclassified information system identified in subparagraph (A); and

(C) assess the cost and impact on the mission carried out by each agency that owns an unclassified information system identified in subparagraph (A) if the system were to be

subsequently designated as a national security system; and

(2) the Director of National Intelligence and the Director of the Office of Management and Budget shall submit to the appropriate congressional committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report that includes the findings under paragraph (1).

(b) FORM.—The report submitted under subsection (a)(2) shall be in unclassified form, and shall include a classified annex.

(c) EXCEPTION.—The requirements under subsection (a)(1) shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to designate an information system as a national security system.

SEC. 209. DIRECTION TO AGENCIES.

(a) IN GENERAL.—Section 3553 of title 44, United States Code, is amended by adding at the end the following:

“(h) DIRECTION TO AGENCIES.—

“(1) AUTHORITY.—

“(A) IN GENERAL.—Subject to subparagraph (B), in response to a known or reasonably suspected information security threat, vulnerability, or incident that represents a substantial threat to the information security of an agency, the Secretary may issue an emergency directive to the head of an agency to take any lawful action with respect to the operation of the information system, including such systems used or operated by another entity on behalf of an agency, that collects, processes, stores, transmits, disseminates, or otherwise maintains agency information, for the purpose of protecting the information system from, or mitigating, an information security threat.

“(B) EXCEPTION.—The authorities of the Secretary under this subsection shall not apply to a system described subsection (d) or to a system described in paragraph (2) or (3) of subsection (e).

“(2) PROCEDURES FOR USE OF AUTHORITY.—The Secretary shall—

“(A) in coordination with the Director, establish procedures governing the circumstances under which a directive may be issued under this subsection, which shall include—

“(i) thresholds and other criteria;

“(ii) privacy and civil liberties protections; and

“(iii) providing notice to potentially affected third parties;

“(B) specify the reasons for the required action and the duration of the directive;

“(C) minimize the impact of a directive under this subsection by—

“(i) adopting the least intrusive means possible under the circumstances to secure the agency information systems; and

“(ii) limiting directives to the shortest period practicable;

“(D) notify the Director and the head of any affected agency immediately upon the issuance of a directive under this subsection;

“(E) consult with the Director of the National Institute of Standards and Technology regarding any directive under this subsection that implements standards and guidelines developed by the National Institute of Standards and Technology;

“(F) ensure that directives issued under this subsection do not conflict with the standards and guidelines issued under section 11331 of title 40;

“(G) consider any applicable standards or guidelines developed by the National Institute of Standards and issued by the Secretary of Commerce under section 11331 of title 40; and

“(H) not later than February 1 of each year, submit to the appropriate congressional committees a report regarding the specific actions the Secretary has taken pursuant to paragraph (1)(A).

“(3) IMMINENT THREATS.—

“(A) IN GENERAL.—Notwithstanding section 3554, the Secretary may authorize the intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of 2002 for the purpose of ensuring the security of agency information systems, if—

“(i) the Secretary determines there is an imminent threat to agency information systems;

“(ii) the Secretary determines a directive under subsection (b)(2)(C) or paragraph (1)(A) is not reasonably likely to result in a timely response to the threat;

“(iii) the Secretary determines the risk posed by the imminent threat outweighs any adverse consequences reasonably expected to result from the use of protective capabilities under the control of the Secretary;

“(iv) the Secretary provides prior notice to the Director, and the head and chief information officer (or equivalent official) of each agency to which specific actions will be taken pursuant to subparagraph (A), and notifies the appropriate congressional committees and authorizing committees of each such agencies within seven days of taking an action under this subsection of—

“(I) any action taken under this subsection; and

“(II) the reasons for and duration and nature of the action;

“(v) the action of the Secretary is consistent with applicable law; and

“(vi) the Secretary authorizes the use of protective capabilities in accordance with the advance procedures established under subparagraph (C).

“(B) LIMITATION ON DELEGATION.—The authority under this subsection may not be delegated by the Secretary.

“(C) ADVANCE PROCEDURES.—The Secretary shall, in coordination with the Director, and in consultation with the heads of Federal agencies, establish procedures governing the circumstances under which the Secretary may authorize the use of protective capabilities subparagraph (A). The Secretary shall submit the procedures to Congress.

“(4) LIMITATION.—The Secretary may direct or authorize lawful action or protective capability under this subsection only to—

“(A) protect agency information from unauthorized access, use, disclosure, disruption, modification, or destruction; or

“(B) require the remediation of or protect against identified information security risks with respect to—

“(i) information collected or maintained by or on behalf of an agency; or

“(ii) that portion of an information system used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency.

“(i) ANNUAL REPORT TO CONGRESS.—Not later than February 1 of each year, the Director shall submit to the appropriate congressional committees a report regarding the specific actions the Director has taken pursuant to subsection (a)(5), including any actions taken pursuant to section 11303(b)(5) of title 40.

“(j) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term

‘appropriate congressional committees’ means—

“(1) the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Appropriations, the Committee on Homeland Security, the Committee on Oversight and Government Reform, and the Committee on Science, Space, and Technology of the House of Representatives.”

(b) CONFORMING AMENDMENT.—Section 3554(a)(1)(B) of title 44, United States Code, is amended—

(1) in clause (iii), by striking “and” at the end; and

(2) by adding at the end the following:

“(v) emergency directives issued by the Secretary under section 3553(h); and”.

TITLE III—FEDERAL CYBERSECURITY WORKFORCE ASSESSMENT

SEC. 301. SHORT TITLE.

This title may be cited as the “Federal Cybersecurity Workforce Assessment Act of 2015”.

SEC. 302. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Commerce, Science, and Transportation of the Senate;

(E) the Committee on Armed Services in the House of Representatives;

(F) the Committee on Homeland Security of the House of Representatives;

(G) the Committee on Oversight and Government Reform of the House of Representatives; and

(H) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) DIRECTOR.—The term “Director” means the Director of the Office of Personnel Management.

(3) ROLES.—The term “roles” has the meaning given the term in the National Initiative for Cybersecurity Education’s Cybersecurity Workforce Framework.

SEC. 303. NATIONAL CYBERSECURITY WORKFORCE MEASUREMENT INITIATIVE.

(a) IN GENERAL.—The head of each Federal agency shall—

(1) identify all positions within the agency that require the performance of cybersecurity or other cyber-related functions; and

(2) assign the corresponding employment code, which shall be added to the National Initiative for Cybersecurity Education’s National Cybersecurity Workforce Framework, in accordance with subsection (b).

(b) EMPLOYMENT CODES.—

(1) PROCEDURES.—

(A) CODING STRUCTURE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, acting through the National Institute of Standards and Technology, shall update the National Initiative for Cybersecurity Education’s Cybersecurity Workforce Framework to include a corresponding coding structure.

(B) IDENTIFICATION OF CIVILIAN CYBER PERSONNEL.—Not later than 9 months after the date of enactment of this Act, the Director, in coordination with the Director of the National Institute of Standards and Technology and the Director of National Intelligence, shall establish procedures to implement the

National Initiative for Cybersecurity Education’s coding structure to identify all Federal civilian positions that require the performance of information technology, cybersecurity, or other cyber-related functions.

(C) IDENTIFICATION OF NONCIVILIAN CYBER PERSONNEL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Defense shall establish procedures to implement the National Initiative for Cybersecurity Education’s coding structure to identify all Federal noncivilian positions that require the performance of information technology, cybersecurity, or other cyber-related functions.

(D) BASELINE ASSESSMENT OF EXISTING CYBERSECURITY WORKFORCE.—Not later than 3 months after the date on which the procedures are developed under subparagraphs (B) and (C), respectively, the head of each Federal agency shall submit to the appropriate congressional committees of jurisdiction a report that identifies—

(i) the percentage of personnel with information technology, cybersecurity, or other cyber-related job functions who currently hold the appropriate industry-recognized certifications as identified in the National Initiative for Cybersecurity Education’s Cybersecurity Workforce Framework;

(ii) the level of preparedness of other civilian and noncivilian cyber personnel without existing credentials to take certification exams; and

(iii) a strategy for mitigating any gaps identified in clause (i) or (ii) with the appropriate training and certification for existing personnel.

(E) PROCEDURES FOR ASSIGNING CODES.—Not later than 3 months after the date on which the procedures are developed under subparagraphs (B) and (C), respectively, the head of each Federal agency shall establish procedures—

(i) to identify all encumbered and vacant positions with information technology, cybersecurity, or other cyber-related functions (as defined in the National Initiative for Cybersecurity Education’s coding structure); and

(ii) to assign the appropriate employment code to each such position, using agreed standards and definitions.

(2) CODE ASSIGNMENTS.—Not later than 1 year after the date after the procedures are established under paragraph (1)(E), the head of each Federal agency shall complete assignment of the appropriate employment code to each position within the agency with information technology, cybersecurity, or other cyber-related functions.

(c) PROGRESS REPORT.—Not later than 180 days after the date of enactment of this Act, the Director shall submit a progress report on the implementation of this section to the appropriate congressional committees.

SEC. 304. IDENTIFICATION OF CYBER-RELATED ROLES OF CRITICAL NEED.

(a) IN GENERAL.—Beginning not later than 1 year after the date on which the employment codes are assigned to employees pursuant to section 203(b)(2), and annually through 2022, the head of each Federal agency, in consultation with the Director, the Director of the National Institute of Standards and Technology, and the Secretary of Homeland Security, shall—

(1) identify information technology, cybersecurity, or other cyber-related roles of critical need in the agency’s workforce; and

(2) submit a report to the Director that—

(A) describes the information technology, cybersecurity, or other cyber-related roles identified under paragraph (1); and

(B) substantiates the critical need designations.

(b) GUIDANCE.—The Director shall provide Federal agencies with timely guidance for identifying information technology, cybersecurity, or other cyber-related roles of critical need, including—

(1) current information technology, cybersecurity, and other cyber-related roles with acute skill shortages; and

(2) information technology, cybersecurity, or other cyber-related roles with emerging skill shortages.

(c) CYBERSECURITY NEEDS REPORT.—Not later than 2 years after the date of the enactment of this Act, the Director, in consultation with the Secretary of Homeland Security, shall—

(1) identify critical needs for information technology, cybersecurity, or other cyber-related workforce across all Federal agencies; and

(2) submit a progress report on the implementation of this section to the appropriate congressional committees.

SEC. 305. GOVERNMENT ACCOUNTABILITY OFFICE STATUS REPORTS.

The Comptroller General of the United States shall—

(1) analyze and monitor the implementation of sections 303 and 304; and

(2) not later than 3 years after the date of the enactment of this Act, submit a report to the appropriate congressional committees that describes the status of such implementation.

TITLE IV—OTHER CYBER MATTERS

SEC. 401. STUDY ON MOBILE DEVICE SECURITY.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Director of the National Institute of Standards and Technology, shall—

(1) complete a study on threats relating to the security of the mobile devices of the Federal Government; and

(2) submit an unclassified report to Congress, with a classified annex if necessary, that contains the findings of such study, the recommendations developed under paragraph (3) of subsection (b), the deficiencies, if any, identified under (4) of such subsection, and the plan developed under paragraph (5) of such subsection.

(b) MATTERS STUDIED.—In carrying out the study under subsection (a)(1), the Secretary, in consultation with the Director of the National Institute of Standards and Technology, shall—

(1) assess the evolution of mobile security techniques from a desktop-centric approach, and whether such techniques are adequate to meet current mobile security challenges;

(2) assess the effect such threats may have on the cybersecurity of the information systems and networks of the Federal Government (except for national security systems or the information systems and networks of the Department of Defense and the intelligence community);

(3) develop recommendations for addressing such threats based on industry standards and best practices;

(4) identify any deficiencies in the current authorities of the Secretary that may inhibit the ability of the Secretary to address mobile device security throughout the Federal Government (except for national security systems and the information systems and networks of the Department of Defense and intelligence community); and

(5) develop a plan for accelerated adoption of secure mobile device technology by the Department of Homeland Security.

(c) **INTELLIGENCE COMMUNITY DEFINED.**—In this section, the term “intelligence community” has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 402. DEPARTMENT OF STATE INTERNATIONAL CYBERSPACE POLICY STRATEGY.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall produce a comprehensive strategy relating to United States international policy with regard to cyberspace.

(b) **ELEMENTS.**—The strategy required by subsection (a) shall include the following:

(1) A review of actions and activities undertaken by the Secretary of State to date to support the goal of the President's International Strategy for Cyberspace, released in May 2011, to “work internationally to promote an open, interoperable, secure, and reliable information and communications infrastructure that supports international trade and commerce, strengthens international security, and fosters free expression and innovation.”.

(2) A plan of action to guide the diplomacy of the Secretary of State, with regard to foreign countries, including conducting bilateral and multilateral activities to develop the norms of responsible international behavior in cyberspace, and status review of existing discussions in multilateral fora to obtain agreements on international norms in cyberspace.

(3) A review of the alternative concepts with regard to international norms in cyberspace offered by foreign countries that are prominent actors, including China, Russia, Brazil, and India.

(4) A detailed description of threats to United States national security in cyberspace from foreign countries, state-sponsored actors, and private actors to Federal and private sector infrastructure of the United States, intellectual property in the United States, and the privacy of citizens of the United States.

(5) A review of policy tools available to the President to deter foreign countries, state-sponsored actors, and private actors, including those outlined in Executive Order 13694, released on April 1, 2015.

(6) A review of resources required by the Secretary, including the Office of the Coordinator for Cyber Issues, to conduct activities to build responsible norms of international cyber behavior.

(c) **CONSULTATION.**—In preparing the strategy required by subsection (a), the Secretary of State shall consult, as appropriate, with other agencies and departments of the United States and the private sector and nongovernmental organizations in the United States with recognized credentials and expertise in foreign policy, national security, and cybersecurity.

(d) **FORM OF STRATEGY.**—The strategy required by subsection (a) shall be in unclassified form, but may include a classified annex.

(e) **AVAILABILITY OF INFORMATION.**—The Secretary of State shall—

(1) make the strategy required in subsection (a) available the public; and

(2) brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the strategy, including any material contained in a classified annex.

SEC. 403. APPREHENSION AND PROSECUTION OF INTERNATIONAL CYBER CRIMINALS.

(a) **INTERNATIONAL CYBER CRIMINAL DEFINED.**—In this section, the term “inter-

national cyber criminal” means an individual—

(1) who is believed to have committed a cybercrime or intellectual property crime against the interests of the United States or the citizens of the United States; and

(2) for whom—

(A) an arrest warrant has been issued by a judge in the United States; or

(B) an international wanted notice (commonly referred to as a “Red Notice”) has been circulated by Interpol.

(b) **CONSULTATIONS FOR NONCOOPERATION.**—The Secretary of State, or designee, shall consult with the appropriate government official of each country from which extradition is not likely due to the lack of an extradition treaty with the United States or other reasons, in which one or more international cyber criminals are physically present, to determine what actions the government of such country has taken—

(1) to apprehend and prosecute such criminals; and

(2) to prevent such criminals from carrying out cybercrimes or intellectual property crimes against the interests of the United States or its citizens.

(c) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—The Secretary of State shall submit to the appropriate congressional committees an annual report that includes—

(A) the number of international cyber criminals located in other countries, disaggregated by country, and indicating from which countries extradition is not likely due to the lack of an extradition treaty with the United States or other reasons;

(B) the nature and number of significant discussions by an official of the Department of State on ways to thwart or prosecute international cyber criminals with an official of another country, including the name of each such country; and

(C) for each international cyber criminal who was extradited to the United States during the most recently completed calendar year—

(i) his or her name;

(ii) the crimes for which he or she was charged;

(iii) his or her previous country of residence; and

(iv) the country from which he or she was extradited into the United States.

(2) **FORM.**—The report required by this subsection shall be in unclassified form to the maximum extent possible, but may include a classified annex.

(3) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—For purposes of this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Homeland Security, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives.

SEC. 404. ENHANCEMENT OF EMERGENCY SERVICES.

(a) **COLLECTION OF DATA.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security, acting through the National Cybersecurity and

Communications Integration Center, in coordination with appropriate Federal entities and the Director for Emergency Communications, shall establish a process by which a Statewide Interoperability Coordinator may report data on any cybersecurity risk or incident involving any information system or network used by emergency response providers (as defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101)) within the State.

(b) **ANALYSIS OF DATA.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security, acting through the Director of the National Cybersecurity and Communications Integration Center, in coordination with appropriate entities and the Director for Emergency Communications, and in consultation with the Director of the National Institute of Standards and Technology, shall conduct integration and analysis of the data reported under subsection (a) to develop information and recommendations on security and resilience measures for any information system or network used by State emergency response providers.

(c) **BEST PRACTICES.**—

(1) **IN GENERAL.**—Using the results of the integration and analysis conducted under subsection (b), and any other relevant information, the Director of the National Institute of Standards and Technology shall, on an ongoing basis, facilitate and support the development of methods for reducing cybersecurity risks to emergency response providers using the process described in section 2(e) of the National Institute of Standards and Technology Act (15 U.S.C. 272(e)).

(2) **REPORT.**—The Director of the National Institute of Standards and Technology shall submit a report to Congress on the methods developed under paragraph (1) and shall make such report publicly available on the website of the National Institute of Standards and Technology.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to—

(1) require a State to report data under subsection (a); or

(2) require an entity to—

(A) adopt a recommended measure developed under subsection (b); or

(B) follow the best practices developed under subsection (c).

SEC. 405. IMPROVING CYBERSECURITY IN THE HEALTH CARE INDUSTRY.

(a) **DEFINITIONS.**—In this section:

(1) **BUSINESS ASSOCIATE.**—The term “business associate” has the meaning given such term in section 160.103 of title 45, Code of Federal Regulations.

(2) **COVERED ENTITY.**—The term “covered entity” has the meaning given such term in section 160.103 of title 45, Code of Federal Regulations.

(3) **HEALTH CARE CLEARINGHOUSE; HEALTH CARE PROVIDER; HEALTH PLAN.**—The terms “health care clearinghouse”, “health care provider”, and “health plan” have the meanings given the terms in section 160.103 of title 45, Code of Federal Regulations.

(4) **HEALTH CARE INDUSTRY STAKEHOLDER.**—The term “health care industry stakeholder” means any—

(A) health plan, health care clearinghouse, or health care provider;

(B) patient advocate;

(C) pharmacist;

(D) developer of health information technology;

(E) laboratory;

(F) pharmaceutical or medical device manufacturer; or

(G) additional stakeholder the Secretary determines necessary for purposes of subsection (d)(1), (d)(3), or (e).

(5) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit, to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report on the preparedness of the health care industry in responding to cybersecurity threats.

(c) CONTENTS OF REPORT.—With respect to the internal response of the Department of Health and Human Services to emerging cybersecurity threats, the report shall include—

(1) a clear statement of the official within the Department of Health and Human Services to be responsible for leading and coordinating efforts of the Department regarding cybersecurity threats in the health care industry; and

(2) a plan from each relevant operating division and subdivision of the Department of Health and Human Services on how such division or subdivision will address cybersecurity threats in the health care industry, including a clear delineation of how each such division or subdivision will divide responsibility among the personnel of such division or subdivision and communicate with other such divisions and subdivisions regarding efforts to address such threats.

(d) HEALTH CARE INDUSTRY CYBERSECURITY TASK FORCE.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary, in consultation with the Director of the National Institute of Standards and Technology and the Secretary of Homeland Security, shall convene health care industry stakeholders, cybersecurity experts, and any Federal agencies or entities the Secretary determines appropriate to establish a task force to—

(A) analyze how industries, other than the health care industry, have implemented strategies and safeguards for addressing cybersecurity threats within their respective industries;

(B) analyze challenges and barriers private entities (notwithstanding section 102(15)(B), excluding any State, tribal, or local government) in the health care industry face securing themselves against cyber attacks;

(C) review challenges that covered entities and business associates face in securing networked medical devices and other software or systems that connect to an electronic health record;

(D) provide the Secretary with information to disseminate to health care industry stakeholders for purposes of improving their preparedness for, and response to, cybersecurity threats affecting the health care industry;

(E) establish a plan for creating a single system for the Federal Government to share information on actionable intelligence regarding cybersecurity threats to the health care industry in near real time, requiring no fee to the recipients of such information, including which Federal agency or other entity may be best suited to be the central conduit to facilitate the sharing of such information; and

(F) report to Congress on the findings and recommendations of the task force regarding carrying out subparagraphs (A) through (E).

(2) TERMINATION.—The task force established under this subsection shall terminate

on the date that is 1 year after the date of enactment of this Act.

(3) DISSEMINATION.—Not later than 60 days after the termination of the task force established under this subsection, the Secretary shall disseminate the information described in paragraph (1)(D) to health care industry stakeholders in accordance with such paragraph.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the antitrust exemption under section 104(e) or the protection from liability under section 106.

(e) CYBERSECURITY FRAMEWORK.—

(1) IN GENERAL.—The Secretary shall establish, through a collaborative process with the Secretary of Homeland Security, health care industry stakeholders, the National Institute of Standards and Technology, and any Federal agency or entity the Secretary determines appropriate, a single, voluntary, national health-specific cybersecurity framework that—

(A) establishes a common set of voluntary, consensus-based, and industry-led standards, security practices, guidelines, methodologies, procedures, and processes that serve as a resource for cost-effectively reducing cybersecurity risks for a range of health care organizations;

(B) supports voluntary adoption and implementation efforts to improve safeguards to address cybersecurity threats;

(C) is consistent with the security and privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note) and with the Health Information Technology for Economic and Clinical Health Act (title XIII of division A, and title IV of division B, of Public Law 111-5), and the amendments made by such Act; and

(D) is updated on a regular basis and applicable to the range of health care organizations described in subparagraph (A).

(2) LIMITATION.—Nothing in this subsection shall be interpreted as granting the Secretary authority to—

(A) provide for audits to ensure that health care organizations are in compliance with the voluntary framework under this subsection; or

(B) mandate, direct, or condition the award of any Federal grant, contract, or purchase on compliance with such voluntary framework.

(3) NO LIABILITY FOR NONPARTICIPATION.—Nothing in this title shall be construed to subject a health care organization to liability for choosing not to engage in the voluntary activities authorized under this subsection.

SEC. 406. FEDERAL COMPUTER SECURITY.

(a) DEFINITIONS.—In this section:

(1) COVERED SYSTEM.—The term “covered system” shall mean a national security system as defined in section 11103 of title 40, United States Code, or a Federal computer system that provides access to personally identifiable information.

(2) COVERED AGENCY.—The term “covered agency” means an agency that operates a covered system.

(3) LOGICAL ACCESS CONTROL.—The term “logical access control” means a process of granting or denying specific requests to obtain and use information and related information processing services.

(4) MULTI-FACTOR LOGICAL ACCESS CONTROLS.—The term “multi-factor logical access controls” means a set of not less than 2 of the following logical access controls:

(A) Information that is known to the user, such as a password or personal identification number.

(B) An access device that is provided to the user, such as a cryptographic identification device or token.

(C) A unique biometric characteristic of the user.

(5) PRIVILEGED USER.—The term “privileged user” means a user who, by virtue of function or seniority, has been allocated powers within a covered system, which are significantly greater than those available to the majority of users.

(b) INSPECTOR GENERAL REPORTS ON COVERED SYSTEMS.—

(1) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Inspector General of each covered agency shall submit to the appropriate committees of jurisdiction in the Senate and the House of Representatives a report, which shall include information collected from the covered agency for the contents described in paragraph (2) regarding the Federal computer systems of the covered agency.

(2) CONTENTS.—The report submitted by each Inspector General of a covered agency under paragraph (1) shall include, with respect to the covered agency, the following:

(A) A description of the logical access standards used by the covered agency to access a covered system, including—

(i) in aggregate, a list and description of logical access controls used to access such a covered system; and

(ii) whether the covered agency is using multi-factor logical access controls to access such a covered system.

(B) A description of the logical access controls used by the covered agency to govern access to covered systems by privileged users.

(C) If the covered agency does not use logical access controls or multi-factor logical access controls to access a covered system, a description of the reasons for not using such logical access controls or multi-factor logical access controls.

(D) A description of the following data security management practices used by the covered agency:

(i) The policies and procedures followed to conduct inventories of the software present on the covered systems of the covered agency and the licenses associated with such software.

(ii) What capabilities the covered agency utilizes to monitor and detect exfiltration and other threats, including—

(I) data loss prevention capabilities; or

(II) digital rights management capabilities.

(iii) A description of how the covered agency is using the capabilities described in clause (ii).

(iv) If the covered agency is not utilizing capabilities described in clause (ii), a description of the reasons for not utilizing such capabilities.

(E) A description of the policies and procedures of the covered agency with respect to ensuring that entities, including contractors, that provide services to the covered agency are implementing the data security management practices described in subparagraph (D).

(3) EXISTING REVIEW.—The reports required under this subsection may be based in whole or in part on an audit, evaluation, or report relating to programs or practices of the covered agency, and may be submitted as part of another report, including the report required under section 3555 of title 44, United States Code.

(4) **CLASSIFIED INFORMATION.**—Reports submitted under this subsection shall be in unclassified form, but may include a classified annex.

SEC. 407. STRATEGY TO PROTECT CRITICAL INFRASTRUCTURE AT GREATEST RISK.

(a) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE AGENCY.**—The term “appropriate agency” means, with respect to a covered entity—

(A) except as provided in subparagraph (B), the applicable sector-specific agency; or

(B) in the case of a covered entity that is regulated by a Federal entity, such Federal entity.

(2) **APPROPRIATE AGENCY HEAD.**—The term “appropriate agency head” means, with respect to a covered entity, the head of the appropriate agency.

(3) **COVERED ENTITY.**—The term “covered entity” means an entity identified pursuant to section 9(a) of Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11742), relating to identification of critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(4) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Select Committee on Intelligence of the Senate;

(B) the Permanent Select Committee on Intelligence of the House of Representatives;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on Energy and Natural Resources of the Senate;

(F) the Committee on Energy and Commerce of the House of Representatives; and

(G) the Committee on Commerce, Science, and Transportation of the Senate.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Department of Homeland Security.

(b) **STATUS OF EXISTING CYBER INCIDENT REPORTING.**—

(1) **IN GENERAL.**—No later than 120 days after the date of the enactment of this Act, the Secretary, in conjunction with the appropriate agency head (as the case may be), shall submit to the appropriate congressional committees describing the extent to which each covered entity reports significant intrusions of information systems essential to the operation of critical infrastructure to the Department of Homeland Security or the appropriate agency head in a timely manner.

(2) **FORM.**—The report submitted under paragraph (1) may include a classified annex.

(c) **MITIGATION STRATEGY REQUIRED FOR CRITICAL INFRASTRUCTURE AT GREATEST RISK.**—

(1) **IN GENERAL.**—No later than 180 days after the date of the enactment of this Act, the Secretary, in conjunction with the appropriate agency head (as the case may be), shall conduct an assessment and develop a strategy that addresses each of the covered entities, to ensure that, to the greatest extent feasible, a cyber security incident affecting such entity would no longer reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(2) **ELEMENTS.**—The strategy submitted by the Secretary with respect to a covered entity shall include the following:

(A) An assessment of whether each entity should be required to report cyber security incidents.

(B) A description of any identified security gaps that must be addressed.

(C) Additional statutory authority necessary to reduce the likelihood that a cyber incident could cause catastrophic regional or national effects on public health or safety, economic security, or national security.

(3) **SUBMITTAL.**—The Secretary shall submit to the appropriate congressional committees the assessment and strategy required by paragraph (1).

(4) **FORM.**—The assessment and strategy submitted under paragraph (3) may each include a classified annex.

SEC. 408. STOPPING THE FRAUDULENT SALE OF FINANCIAL INFORMATION OF PEOPLE OF THE UNITED STATES.

Section 1029(h) of title 18, United States Code, is amended by striking “title if—” and all that follows through “therefrom.” and inserting “title if the offense involves an access device issued, owned, managed, or controlled by a financial institution, account issuer, credit card system member, or other entity organized under the laws of the United States, or any State, the District of Columbia, or other Territory of the United States.”.

SEC. 409. EFFECTIVE PERIOD.

(a) **IN GENERAL.**—Except as provided in subsection (b), this Act and the amendments made by this Act shall be in effect during the 10-year period beginning on the date of the enactment of this Act.

(b) **EXCEPTION.**—With respect to any action authorized by this Act or information obtained pursuant to an action authorized by this Act, which occurred before the date on which the provisions referred to in subsection (a) cease to have effect, the provisions of this Act shall continue in effect.

The **PRESIDING OFFICER.** The majority leader.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The Senator from Iowa.

NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

Mr. GRASSLEY. Madam President, I think we have clearance on a non-controversial resolution that is going to pass yet this evening, and I rise for about 5 minutes to speak on this issue.

Last week I submitted a resolution to commemorate the goals and ideals of National Domestic Violence Awareness Month, which takes place each October. I thank Senators LEAHY, AYOTTE, and KLOBUCHAR for joining me as original cosponsors of this measure.

I have met with many domestic violence victims over the years. We have come a long way since the enactment in 1984, with my support, of the landmark Family Violence Prevention and Services Act.

In the decades since then, Congress has committed billions of dollars to implement that statute, as well as the

Violence Against Women Act, and we have seen a decline in the rate of serious partner violence over the last two decades, according to the Congressional Research Service.

But researchers and advocates who work with domestic violence survivors remind us that there is still much work to be done to stop this terrible crime and support survivors in their efforts to heal. It is estimated that as many as 9 million Americans are physically abused by a partner every year.

According to a 2011 survey by the Centers for Disease Control and Prevention, about 22 percent of women and about 14 percent of men have experienced severe physical abuse by a partner in their lifetime.

Experts tell us that domestic violence affects women, men, and children of every age and socioeconomic class, but we also know that women still experience more domestic violence than do men, and women are significantly more likely to be injured in an assault by a partner or a spouse.

According to the Justice Department’s Bureau of Justice Statistics, women between the ages of 18 and 31 experience the highest rates of domestic violence. Most have been victimized by the same offender on at least one prior occasion. And, of course, it is heartbreaking to realize that millions of American children have been exposed to domestic violence, either by experiencing some form of abuse or witnessing a family member’s abuse.

The good news is that each and every day, in communities across the Nation, there are victim advocates, service providers, crisis hotline staff and volunteers, as well as first responders who are working tirelessly to extend compassionate service to the survivors of domestic violence. I wish to take this opportunity to single out some of these folks and extend a special thank-you on behalf of the Senate.

First, I highlight the hard work of trained volunteers and staff who operate crisis hotlines across the country. They are a varied and talented group of individuals who, often at low or no pay, make confidential support, information, and referrals available to victims, as well as their friends and families, each and every day. We appreciate their efforts to help countless men, women, and children escape abusive situations.

Next, I recognize the contributions of the talented staff at the 56 State and territorial domestic violence coalitions around the country and the globe. These individuals also help respond to the needs of battered men, women, and children, typically by offering their expertise and technical support to local domestic violence programs in each and every State and territory. In my home State, for example, the Iowa

State Coalition Against Domestic Violence has, since way back in 1985, connected local service providers to vitally important training and other resources that exist to support Iowa survivors.

We cannot commemorate Domestic Violence Awareness Month without also mentioning the police officers who are on the front lines in the effort to protect crime victims and to prevent abuse in the first place. Domestic violence calls can present lethal risks for officers, and we mourn those who have lost their lives while responding to such domestic violence incidents. We know, too, that in recent decades the law enforcement approach to these instances has changed to reflect the latest research, and we applaud those police agencies that continue to update and improve their domestic violence policies.

I also recognize those who operate the Nation's domestic violence shelters that meet the emergency housing needs of thousands of adults and children each day or millions of Americans each year. Last but not least, I want to highlight the hard work of the staff at charities and agencies across the Nation that are devoted to helping domestic violence survivors achieve financial independence, obtain legal assistance, and most importantly overcome the detrimental emotional and physical effects of abuse.

As I close, I urge my colleagues to support the adoption of this important resolution. With its adoption, we demonstrate the Senate supports the goals and ideals of National Domestic Violence Awareness Month.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 20 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, there has been some activity on the Senate floor today regarding the President's Clean Power Plan, with fossil fuel State representatives coming to decry that plan. I would simply note that on October 22, in the Wall Street Journal, many of the leaders of America's national security took out an advertisement to say: "Republicans & Democrats Agree: U.S. Security Demands Global Climate Action."

We have had generals and admirals, former National Security Advisers and Directors of National Intelligence, Secretaries of the Treasury, Secretaries of Defense, Directors of the Central Intelligence Agency, Chairman of the National Intelligence Council, Governors, Senators, Under Secretaries of State,

many Republicans all saying this is important; that it is time for America to lead. And what do we get? We get complaints about America leading.

If my friends have a better idea than the Clean Power Plan, I would be glad to listen. I am sure we would all be glad to listen. What is it? What is the other plan? Because if you have nothing, then you really don't have a seat at the table and you certainly don't have occasion to criticize what the President is trying to do. Show us something—anything. What have you got? Where is the Republican bill that even talks about climate change—let alone does anything serious about it.

It is truly time for this body to wake up and not just wake up to climate change but also to the decades-long purposeful corporate smokescreens of misleading statements from the fossil fuel industry and its allies on the dangers of carbon pollution. So I am here for the 116th time seeking an open, honest, and factual debate in Congress about global climate change.

The energy industry's top dog, ExxonMobil—No. 2 for both revenue and profits among the Fortune 500 of companies—has been getting some bad press lately. Two independent investigative reports from InsideClimate News and the Los Angeles Times revealed that Exxon's own scientists understood as far back as the late 1970s the effects of carbon pollution on the climate and warned company executives of the potential outcomes for the planet and humankind, but Exxon's own internal report also recognized heading off global warming "would require major reductions in fossil fuel combustion."

So what did this fossil fuel company do? Rather than behave responsibly, rather than face up to that truth, rather than lead an effort to stave off catastrophic emerging changes to the climate and the oceans, what Exxon chose to do was to fund and participate in a massive misinformation campaign to protect their business model and their bottom line.

This started right at the top. Exxon's former chairman and CEO Lee Raymond repeatedly and publicly questioned the science behind climate change, notwithstanding what his own scientists had said. "Currently," Raymond claimed in a 1996 speech before the Economic Club of Detroit—20 years after this work by his own scientists—"the scientific evidence is inclusive as to whether human activities are having a significant effect on the global climate."

There was already an emerging international consensus that unchecked carbon emissions were warming the planet. There was already Exxon's own internal research that showed carbon emissions were warming the planet, and it has gone forward to now with the latest report from the Intergovern-

mental Panel on Climate Change stating that "warming of the climate system is unequivocal." Unequivocal.

The current ExxonMobil CEO, Rex Tillerson, still emphasizes uncertainty and goes out of his way to overestimate the costs of taking action. In 2013, he asked: "What good is it to save the planet if humanity suffers?" All right, someone needs to explain to me how if we fail to save the planet, humanity does not suffer. I guess it is Exxon's position that we only suffer if we try to save the planet.

At this year's annual shareholders meeting, Mr. Tillerson argued that the world needs to wait—that is always their argument, the world needs to wait—for the science to improve—unequivocal is evidently not enough—and to look for solutions to the effects of climate change as they become more clear—more clear.

Our oceans are clearly warming and acidifying, and this has been clearly measured. Atmospheric carbon is clearly higher than ever in our species' history on this planet, and this has been clearly measured. In Rhode Island, we have measured nearly 10 inches of sea level rise since the 1930s, right on our shores. What is not clear?

While Exxon was peddling climate denial here in Washington, the L.A. Times reports, they were using climate models to plan operations in the warming Arctic. Between 1986 and 1992, Exxon's senior ice researcher, Ken Croasdale, and others studied the effects global warming would have on Arctic oil operations and reported back to Exxon brass. They knew melting ice would lower exploration and development costs. They also knew higher seas and thawing permafrost would threaten the company's ships, drilling platforms, processing plants, and pipelines.

So Exxon was challenging the climate models publicly while it was using them privately to guide its own investment decisions. Exxon understood the dangers, but instead of sounding the alarm or trying to help, they chose to sow doubt.

Then there are the Exxon front groups. A study out just last month in the peer-reviewed journal Climatic Change says that ExxonMobil paid over \$16 million between 1988 and 2005 to a network of phony-baloney think tanks and pseudoscience groups that spread misleading claims about climate science. The company's network includes organizations that name themselves after John Locke, James Madison, Benjamin Franklin, and even George C. Marshall. It also includes the American Legislative Exchange Council, or ALEC, which pedals anti-climate legislation in State legislatures. ALEC denies the human contribution to climate change by calling it a "historical phenomenon," asserting "the debate will continue on the significance of natural and anthropogenic contributions." The climate denial coming out

of ALEC is so egregious even Shell Oil left the group this summer.

Don't forget the paid-for scientists. The Exxon network includes Willie Soon, whose work consistently downplayed the role of carbon pollution in climate change. Well, investigative reporting revealed Dr. Soon received more than \$1.2 million from oil and coal interests, including ExxonMobil, over the last decade.

So the cat is out of the bag now, and all the bad press has got Exxon a little jumpy. Exxon's VP of Public Affairs, Ken Cohen, took to Exxon's blog to proclaim that his company has a legitimate history when it comes to climate. "Our scientists have been involved in climate research and related policy analysis for more than 30 years, yielding more than 50 papers in peer-reviewed publications," he said. He goes on to say that Exxon has been involved with the U.N. IPCC, the National Academy of Science's National Climate Assessment, and that Exxon funds legitimate scientists at major universities as they research energy and climate.

Right. The problem is that is only half the story. That is the half of the story that shows Exxon knew better. What is the rest of the story? Decades of funding to a network of front groups that led a PR campaign designed to undercut climate science and prevent legitimate action on climate change. For decades, Exxon invested in legitimate climate research, you say? That is the proof of actual knowledge. That makes the route they chose of denial and delay all the more culpable, and that denial and delay, as Paul Harvey would say, is the rest of the story.

What are Tillerson and ExxonMobil waiting for? Why this campaign of deceit, denial, and delay? Sadly, it is our American system of big business and paid-for politics—just follow the money.

Exxon foists the costs of its carbon pollution on the rest of us—on our children, on our grandchildren—and all the while they make staggering amounts of money. And Congress, funded by their lobbyists, sleeps placidly at the switch.

Exxon even fights to protect their status quo with their own shareholders. The Institute for Policy Studies reports that shareholders of ExxonMobil have introduced 62 climate-related resolutions over the past 25 years, and all of them have been opposed by management. Rex Tillerson, who made \$21.4 million in stock-based pay in 2014, has openly mocked a shareholder who asked about investing in renewables. This is rich. Tillerson responded that renewable energy "only survives on the backs of enormous government mandates that are not sustainable. We on purpose choose not to lose money."

Well, ExxonMobil spends huge amounts of money on the complex PR machine to churn out doubt about the real science in order to protect the

market subsidy that ignores the costs of Exxon's carbon pollution and makes clean energy face an uphill battle. So it is really kind of nery to say that clean energy survives on the backs of enormous government subsidies when oil gets the biggest subsidies ever.

Things could have been different. Exxon could have heeded the warnings of its own scientists and helped us make a transition to clean energy. It is happening now without them. The International Energy Agency found that the cost of generating electricity from renewable sources dropped from \$500 a megawatt hour in 2010 to \$200 in 2015. Imagine if we had rolled up our sleeves and gotten to work way back when Exxon first learned of the dangers of carbon pollution. Imagine the leadership that company could have shown. Imagine how much of the coming climate and ocean changes we could have avoided. But they didn't, and the time of reckoning may now be upon the likes of Exxon and others in the fossil fuel industry. That PR machine may end up costing the company a lot. Look at what happened to big tobacco.

Two weeks ago, Congressmen TED LIEU and MARK DESAULNIER sent a letter to Attorney General Loretta Lynch regarding these newly reported allegations that ExxonMobil intentionally hid the truth about the role of fossil fuels in influencing climate change. "The apparent tactics employed by Exxon are reminiscent of the actions employed by big tobacco companies to deceive the American people about the known risks of tobacco."

Last week, my friend, the junior Senator from Vermont, joined in the call for the Attorney General to bring a civil RICO investigation into big fossil fuel. "These reports, if true," reads Senator SANDERS' letter to Attorney General Lynch, "raise serious allegations of a misinformation campaign that may have caused public harm similar to the tobacco industry's actions—conduct that led to federal racketeering convictions"—actually, a judgment. It was civil. But it is otherwise accurate.

Also last week, Sharon Eubanks, the former U.S. Department of Justice attorney who actually brought the civil action and won the civil RICO case against the tobacco industry, said that, considering recent revelations regarding ExxonMobil, the Department of Justice should consider launching an investigation into big fossil fuel companies—that it "is plausible and should be considered." That was her quote.

Let me show why it is plausible and should be considered. Let me read from U.S. District Judge Gladys Kessler's description of the culpable conduct in her decision in the government's racketeering case against Big Tobacco:

Each and every one of these Defendants repeatedly, consistently, vigorously—and

falsely—denied the existence of any adverse health effects from smoking. Moreover, they mounted a coordinated, well-financed, sophisticated public relations campaign to attack and distort the scientific evidence demonstrating the relationship between smoking and disease, claiming that the link between the two was still an "open question."

Defendants knew there was a consensus in the scientific community that smoking caused lung cancer and other diseases. Despite that fact, they publicly insisted that there was a scientific controversy and disputed scientific findings linking smoking and disease knowing their assertions were false.

Now, let's read that exact same language back but apply it to climate.

Each and every one of these Defendants repeatedly, consistently, vigorously—and falsely—denied the existence of any adverse [climate] effects from [carbon pollution]. Moreover, they mounted a coordinated, well-financed, sophisticated public relations campaign to attack and distort the scientific evidence demonstrating the relationship between [carbon pollution] and [climate], claiming that the link between the two was still an "open question."

Defendants knew there was a consensus in the scientific community that [carbon pollution] caused [climate change] and other [harms]. Despite that fact, they publicly insisted that there was a scientific controversy and disputed scientific findings linking [carbon pollution] and [climate] knowing their assertions were false.

Just change the words, and there is her judgment against the tobacco industry, and it plainly applies to climate denial.

The investigative journalism from InsideClimate News and the Los Angeles Times is damning. The calls for greater scrutiny of ExxonMobil and the fossil fuel industry are mounting, and the phony-baloney denial network is up in arms, trying to shovel this campaign under the protection of the First Amendment. Sorry, guys, the First Amendment doesn't protect fraud.

Describing Caesar at the Battle of Monda, Napoleon said: "There is a moment in combat when the slightest maneuver is decisive and gives superiority; it is the drop of water that starts the overflow."

Is the tide turning? Is this the decisive moment? Despite documented warnings from their own scientists dating from the 1970s, ExxonMobil and others pursued a campaign of deceit, denial, and delay. They may soon have to face the consequences. In any event, history will not look kindly on their choice.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

NO CHILD LEFT BEHIND REFORM

Mr. ALEXANDER. Mr. President, over the weekend President Obama announced that all 100,000 public schools across the Nation should limit testing to 2 percent of a student's time in the classroom. It is a recommendation, not

a requirement, and it comes in response to a nationwide backlash from teachers, students, and parents who are sick of overtesting.

I was glad to see the President's comments. He is right about students taking too many tests. But I hope the President will stop and think before trying to cure overtesting by telling teachers exactly how much time to spend on testing or what the tests should be. Classroom teachers know better than Washington how to assess their students' progress. They also know that the real reason we have too many tests is that there are too many Federal mandates that put high stakes on student test results and that one more Washington decree—even if it is only a recommendation for now—is not the way to solve the problem of too many Federal mandates.

Instead, the best way to fix overtesting is to get rid of the Federal mandates that are causing the problem. That is precisely what the Senate did when it passed by an overwhelming bipartisan majority, 81 to 17, legislation to fix No Child Left Behind and give more flexibility to States and to classroom teachers to decide which tests will decide what progress students are making in the classroom.

No Child Left Behind, a Federal law enacted in 2001, requires students to take 17 standardized tests over the course of their education, kindergarten through the 12th grade. It then uses those tests to decide whether schools and teachers are succeeding or failing.

In the Senate's work to fix No Child Left Behind, no issue stirred as much controversy as these high-stakes tests. At first, I was among those who thought the best way to fix overtesting might be to get rid of the 17 Federal tests. But the more we studied the problem, the more the issues seemed not to be the 17 Federal tests but the federally designed system of rewarding and punishing schools and teachers that was attached to the tests.

A third grader, for example, is required to take only one test in math and one in reading. Each of those tests probably takes 1 or 2 hours, according to testimony before our committee. But here is the problem: The results of these tests count so much in the federally mandated accountability system that States and school districts are giving students dozens of additional tests to prepare for the Federal tests.

A new survey says students in big-city schools will take, on average, 112 mandatory standardized tests between prekindergarten and high school graduation. That is eight tests a year. One Florida study showed that a Fort Myers school district gave more than 160 tests to its students. Only 17 of those are federally required.

So after hearing this, the Senate decided to keep the federally required 17 tests. That is two annual tests in read-

ing and math in grades 3 through 8 and once in high school, as well as science tests given three times between grades 3 and 12. We also kept the practice of reporting results publicly so parents and teachers know how their children are performing. These results are disaggregated, so we know how students are doing based upon their gender, their ethnicity or their disability. Then, to discourage overtesting, we restored to States and classroom teachers the responsibility for deciding how to use these Federal test scores to measure achievement.

The Senate bill ends the high-stakes, Washington-designed, test-based accountability system that has caused the explosion of tests in our local schools. The Senate bill reverses the trend toward a national school board.

I am glad to see President Obama's focus on overtesting, but let's not make the same mistake twice by decreeing from Washington exactly how much time to spend on tests or what the tests should be. States and 3 million teachers in 100,000 public schools are in the best position to know what to do about overtesting our children.

Both the Senate and the House of Representatives have now passed similar bills to fix No Child Left Behind and to reduce the Federal mandates that are the real cause of overtesting. The best way to have fewer and better tests in America's classrooms is for Congress to finish its work and the President to sign our legislation before the end of the year.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JAPANESE POW FRIENDSHIP PROGRAM

Mr. DURBIN. Mr. President, I would like to take a moment to call attention to a group of our Nation's veterans who participated in a reconciliation program with the Japanese Government.

From October 11 to October 19, nine veterans of the U.S. Army, U.S. Army Air Corps, and the U.S. Marines who fought bravely in the Pacific theater of World War II and were taken prisoner by Japanese forces traveled to Japan. They were guests of the Japanese Government on a trip of reconciliation and remembrance.

Established in 2010, this was the sixth Japanese POW Friendship Program delegation. This program is sponsored by the Japanese Ministry of Foreign Affairs for World War II POWs from the United States, with Japan running

similar friendship programs with Australia and Britain.

More than 30,000 Allied troops were taken prisoner in Japan, many of them Americans who faced horrific ordeals. Today, 70 years following the end of World War II, this program reflects the journey of forgiveness and resolution between the United States and Japan, as our relationship has developed into one of the most critical in the region.

I would like to take a moment to acknowledge the veterans who were members of this year's delegation: Joseph DeMott, a U.S. Army Air Corps veteran from Lititz, PA; Arthur Gruenberg, a U.S. Marine Corps veteran from Camano Island, WA; George Hirschkamp, a U.S. Marine Corps veteran from Sandpoint, ID; George Rodgers, a U.S. Army veteran from Lynchburg, VA; Jack Warner, a U.S. Marine Corps veteran from Elk City, OK; and Clifford Warren, a U.S. Army veteran from Shepherd, TX.

I would also like to recognize three members of the delegation who are my constituents: Leland Chandler, a U.S. Army veteran from Galesburg, IL; William Chittenden, a U.S. Marine Corps veteran from Wheaton, IL; and Carl Dyer, a U.S. Army veteran from Oglesby, IL.

I am so grateful to all of these participants for their years of service to our Nation.

The delegation was accompanied by Jan Thompson, another Illinois constituent and a documentary filmmaker and daughter of a World War II veteran who was himself a POW in Japan. Thompson also heads the nonprofit veterans organization American Defenders of Bataan & Corregidor Memorial Society.

The Japanese POW Friendship Program and the American veterans who participate in it represent the transformation and strength of the U.S.-Japan relationship. I hope this program continues to bring together our two nations in remembrance and reconciliation.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 4380 of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates, and levels in the budget resolution for legislation that increases sharing of cyber security threat information while protecting individual privacy and civil liberties interests. The authority to adjust is contingent on the legislation not increasing the deficit over either the period of the total of fiscal years 2016–2020 or the period of the total of fiscal years 2016–2025.

I find that S. 754, as amended, fulfills the conditions of deficit neutrality found in section 4380 of S. Con. Res. 11.

Accordingly, I am revising the allocation to the Select Committee on Intelligence and the budgetary aggregates to account for the budget effects of the amendment. As the budgetary effects of S. 754, as amended, are insignificant under our accounting methods, budgetary figures remain numerically unchanged.

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for October 2015. The report compares current law levels of spending and revenues with the amounts provided in the conference report to accompany S. Con. Res. 11, the budget resolution for fiscal year 2016. This information is necessary to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act.

This is the third report I have made since adoption of the fiscal year 2016 budget resolution on May 5, 2015. My last filing can be found in the CONGRESSIONAL RECORD on September 10, 2015. The information contained in this report is current through October 26, 2015.

Table 1 gives the amount by which each Senate authorizing committee is below or exceeds its allocation under the budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the Congressional Budget Act of 1974, CBA. For fiscal year 2015, which ended on September 30, 2015, Senate authorizing committees have increased direct spending outlays by \$7.8 billion more than the agreed upon spending levels. Over the fiscal year 2016–2025 period, which is the entire period covered by S. Con. Res. 11, Senate authorizing committees have spent \$2.2 billion less than the budget resolution calls for.

Table 2 gives the amount by which the Senate Committee on Appropria-

tions is below or exceeds the statutory spending limits. This information is used to determine points of order related to the spending caps found in section 312 and section 314 of the CBA. While no full-year appropriations bills have been enacted for fiscal year 2016, subcommittees are charged with permanent and advanced appropriations that first become available in that year.

Table 3 gives the amount by which the Senate Committee on Appropriations is below or exceeds its allocation for overseas contingency operations/global war on terrorism, OCO/GWOT, spending. This separate allocation for OCO/GWOT was established in section 3102 of S. Con. Res. 11 and is enforced using section 302 of the CBA. No bills providing funds with the OCO/GWOT designation on a full-year basis have been enacted thus far for fiscal year 2016.

The budget resolution established two new points of order limiting the use of changes in mandatory programs in appropriations bills, CHIMPS. Tables 4 and 5 show compliance with fiscal year 2016 limits for overall CHIMPS and the Crime Victims Fund CHIMP, respectively. This information is used for determining points of order under section 3103 and section 3104, respectively. No full-year bills have been enacted thus far for fiscal year 2016 that include CHIMPS.

In addition to the tables provided by the Senate Budget Committee Republican staff, I am submitting additional tables from CBO that I will use for enforcement of budget levels agreed to by the Congress.

CBO provided a report for both fiscal year 2015 and fiscal year 2016. This information is used to enforce aggregate spending levels in budget resolutions under section 311 of the CBA. CBO's estimates show that current law levels of spending for fiscal year 2015 exceed the amounts in the deemed budget resolution enacted in the BBA by \$8.0 billion in budget authority and \$1.0 billion in outlays. Revenues are \$79.8 billion below the revenue floor for fiscal year

2015 set by the deemed budget resolution. As well, Social Security outlays are at the levels assumed for fiscal year 2015, while Social Security revenues are \$170 million above levels in the deemed budget. This will be CBO's final report to the Senate Budget Committee for fiscal year 2015, as the fiscal year is now closed.

For fiscal year 2016, CBO annualizes the effects of the Continuing Appropriations Act, P.L. 114–53, which provides funding through December 11, 2015. For the enforcement of budgetary aggregates, the Senate Budget Committee excludes this temporary funding. As such, the committee views current law levels as being \$885.9 billion and \$526.4 billion below budget resolution levels for budget authority and outlays, respectively. Revenues are \$144 million above the level assumed in the budget resolution. Finally, Social Security outlays are at the levels assumed in the budget resolution for fiscal year 2016, while Social Security revenues are \$18 million above assumed levels for the budget year.

CBO's report also provides information needed to enforce the Senate's pay-as-you-go rule. The Senate's pay-as-you-go scorecard currently shows deficit reduction of \$1.4 billion over the fiscal year 2015–2020 period and \$6.1 billion over the fiscal year 2015–2025 period. Over the initial 6-year period, Congress has enacted legislation that would increase revenues by \$4.1 billion and increase outlays by \$2.7 billion. Over the 11-year period, Congress has enacted legislation that would reduce revenues by \$1.3 billion and decrease outlays by \$7.4 billion. The Senate's pay-as-you-go rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS
(In millions of dollars)

	2015	2016	2016–2020	2016–2025
Agriculture, Nutrition, and Forestry				
Budget Authority	254	0	0	0
Outlays	229	0	0	0
Armed Services				
Budget Authority	–15	0	0	0
Outlays	0	0	0	0
Banking, Housing, and Urban Affairs				
Budget Authority	121	0	0	0
Outlays	121	0	0	0
Commerce, Science, and Transportation				
Budget Authority	0	130	650	1,300
Outlays	0	0	0	0
Energy and Natural Resources				
Budget Authority	0	0	0	0
Outlays	–2	0	0	0
Environment and Public Works				
Budget Authority	0	0	0	–3,160
Outlays	0	0	0	–3,160
Finance				
Budget Authority	7,322	5	13	28
Outlays	7,288	5	13	28
Foreign Relations				
Budget Authority	–20	0	0	0

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS—Continued
(In millions of dollars)

	2015	2016	2016–2020	2016–2025
Outlays	–20	0	0	0
Homeland Security and Governmental Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Judiciary				
Budget Authority	0	0	1	2
Outlays	0	0	1	2
Health, Education, Labor, and Pensions				
Budget Authority	3	0	208	278
Outlays	1	0	208	278
Rules and Administration				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Intelligence				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Veterans' Affairs				
Budget Authority	0	–2	–1	–1
Outlays	150	388	644	644
Indian Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Small Business				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Total				
Budget Authority	7,665	133	871	–1,553
Outlays	7,767	393	866	–2,208

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS ¹
(Budget authority, in millions of dollars)

	2016	
	Security ²	Nonsecurity ²
Statutory Discretionary Limits	523,091	493,491
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	9
Commerce, Justice, Science, and Related Agencies	0	0
Defense	41	0
Energy and Water Development	0	0
Financial Services and General Government	0	41
Homeland Security	0	9
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	24,678
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	56,217
State, Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	4,400
Current Level Total	41	85,354
Total Enacted Above (+) or Below (–) Statutory Limits	–523,050	–408,137

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS
(In millions of dollars)

	2016	
	BA	OT
OCO/GWOT Allocation ¹	96,287	48,798
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	0
Commerce, Justice, Science, and Related Agencies	0	0
Defense	0	0
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	0	0
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	0
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	0
State, Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	0
Current Level Total	0	0
Total OCO/GWOT Spending vs. Budget Resolution	–96,287	–48,798

BA = Budget Authority; OT = Outlays

¹ This allocation may be adjusted by the Chairman of the Budget Committee to account for new information, pursuant to section 3102 of S. Con. Res. 11, the Concurrent Resolution of the Budget for Fiscal Year 2016.

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)
(Budget authority, millions of dollars)

	2016
CHIMPS Limit for Fiscal Year 2016	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)—Continued
(Budget authority, millions of dollars)

	2016
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State, Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CHIMPS Above (+) or Below (–) Budget Resolution	– 19,100

TABLE 5.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND
(Budget authority, millions of dollars)

	2016
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2016	10,800
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CVF CHIMP Above (+) or Below (–) Budget Resolution	– 10,800

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 27, 2015.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2015 budget and is current

through September 30, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on May 5, 2014, pursuant to section 116 of the Bipartisan Budget Act (Public Law 113-67).

Since our last letter dated September 10, 2015, there has been no Congressional action affecting budget authority, outlays, or revenues for fiscal year 2015.

Sincerely,

KEITH HALL,
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2015, AS OF SEPTEMBER 30, 2015
(In billions of dollars)

	Budget Resolution	Current Level ^a	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority	3,026.4	3,034.4	8.0
Outlays	3,039.6	3,040.7	1.0
Revenues	2,533.4	2,453.6	– 79.8
Off-Budget			
Social Security Outlays ^b	736.6	736.6	0.0
Social Security Revenues	771.7	771.9	0.2

Source: Congressional Budget Office.

^a Excludes amounts designated as emergency requirements.

^b Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2015, AS OF SEPTEMBER 30, 2015
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted ^a			
Revenues	n.a.	n.a.	2,533,388
Permanents and other spending legislation	1,877,558	1,802,360	n.a.
Appropriation legislation	0	508,261	n.a.
Offsetting receipts	– 735,195	– 734,481	n.a.
Total, Previously Enacted	1,142,363	1,576,140	2,533,388
Enacted Legislation: ^b			
Lake Hill Administrative Site Affordable Housing Act (P.L. 113–141)	0	– 2	0
Emergency Supplemental Appropriations Resolution, 2014 (P.L. 113–145)	0	75	0
Highway and Transportation Funding Act of 2014 (P.L. 113–159)	0	– 15	2,590
Emergency Afghan Allies Extension Act of 2014 (P.L. 113–160)	5	5	6
Continuing Appropriations Resolution, 2015 (P.L. 113–164) ^c	– 4,705	– 180	0
Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183)	0	10	0
IMPACT Act of 2014 (P.L. 113–185)	22	22	0
Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113–235)	1,884,271	1,426,085	– 178
An act to amend certain provisions of the FAA Modernization and Reform Act of 2012 (P.L. 113–243)	0	0	– 28
Naval Vessel Transfer Act of 2013 (P.L. 113–276)	– 20	– 20	0
Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113–291)	– 15	0	0
An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes (P.L. 113–295)	160	160	– 81,177
Terrorism Risk Insurance Program Reauthorization Act of 2015 (P.L. 114–1)	121	121	1
Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4)	47,763	27,534	0
Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10)	7,354	7,329	0

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2015, AS OF SEPTEMBER 30, 2015—
Continued
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Construction Authorization and Choice Improvement Act (P.L. 114–19)	0	20	0
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	130	0
Trade Preferences Extension Act of 2015 (P.L. 114–27)	38	7	–1,051
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41) ^b	0	0	19
Total, Enacted Legislation	1,934,994	1,461,281	–79,818
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	–42,921	3,239	0
Total Current Level^d	3,034,436	3,040,660	2,453,570
Total Senate Resolution^e	3,026,439	3,039,624	2,533,388
Current Level Over Senate Resolution	7,997	1,036	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	79,818

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

^a Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during the 2nd session of the 113th Congress but before publication in the Congressional Record of the statement of the allocations and aggregates pursuant to section 116 of the Bipartisan Budget Act of 2013 (P.L. 113–67): the Agricultural Act of 2014 (P.L. 113–79), the Homeowner Flood Insurance Affordability Act of 2014 (P.L. 113–89), the Gabriella Miller Kids First Research Act (P.L. 113–94), and the Cooperative and Small Employer Charity Pension Flexibility Act (P.L. 113–97).

^b Pursuant to section 403(b) of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, amounts designated as an emergency requirement pursuant to section 403 of S. Con. Res. 13, shall not count for certain budgetary enforcement purposes. The amounts so designated for 2015, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014 (P.L. 113–146)	–1,331	6,619	–42
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	0	1,147	0
Total, amounts designated pursuant to Sec. 403 of S. Con. Res. 13	–1,331	7,766	–42

^c Sections 136 and 137 of the Continuing Appropriations Resolution, 2015 (P.L. 113–164) provide \$88 million to respond to the Ebola virus, which is available until September 30, 2015. Section 139 rescinds funds from the Children's Health Insurance Program. Section 147 extended the authorization for the Export-Import Bank of the United States through June 30, 2015.

^d For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

^e Periodically, the Senate Committee on the Budget revises the budgetary levels printed in the Congressional Record on May 5, 2014, pursuant to section 116 of the Bipartisan Budget Act of 2013 (Public Law 113–67):

	Budget Authority	Outlays	Revenues
Original Senate Resolution:	2,939,993	3,004,163	2,533,388
Revisions:			
Adjustment for Disaster Designated Spending	100	43	0
Adjustment for Overseas Contingency Operations and Disaster Designated Spending	74,995	31,360	0
Adjustment for Emergency Designated Spending	0	75	0
Adjustment for the Consolidated and Further Continuing Appropriations Act, 2015	11,351	3,983	0
Revised Senate Resolution	3,026,439	3,039,624	2,533,388

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 27, 2015.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through October 26, 2015. This report is submitted under section 308(b) and in aid of sec-

tion 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

Since our last letter dated September 10, 2015, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for

fiscal year 2016: Continuing Appropriations Act, 2016 (Public Law 114–53); Airport and Airway Extension Act of 2015 (Public Law 114–55); Department of Veterans Affairs Expanding Authorities Act of 2015 (Public Law 114–58); and Protecting Affordable Coverage for Employees Act (Public Law 114–60).

Sincerely,

KEITH HALL,
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF OCTOBER 26, 2015
(In billions of dollars)

	Budget Resolution ^a	Current Level ^b	Current Level Over/Under (–) Resolution
On-budget			
Budget Authority	3,033.5	3,155.6	122.1
Outlays	3,092.0	3,167.9	76.0
Revenues	2,676.0	2,676.1	0.1
Off-budget			
Social Security Outlays ^c	777.1	777.1	0.0
Social Security Revenues	794.0	794.0	0.0

Source: Congressional Budget Office.

^a Excludes \$6,872 million in budget authority and \$344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending that is not yet allocated to the Senate Committee on Appropriations.

^b Excludes amounts designated as emergency requirements.

^c Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF OCTOBER 26, 2015
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted^a			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,968,496	1,902,345	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	–784,820	–784,879	n.a.
Total, Previously Enacted	1,183,676	1,618,291	2,676,733

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF OCTOBER 26, 2015—

Continued

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Enacted Legislation:			
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	20	0
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	445	175	–766
Steve Gleason Act of 2015 (P.L. 114–40)	5	5	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41) ^b	0	0	99
Continuing Appropriations Act, 2016 (P.L. 114–53)	700	775	0
Airport and Airway Extension Act of 2015 (P.L. 114–55)	130	0	0
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	–2	368	0
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	0	0	40
Total, Enacted Legislation	1,278	1,343	–622
Continuing Resolution:			
Continuing Appropriations Act, 2016 (P.L. 114–53)	1,008,053	602,405	0
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	962,619	945,910	0
Total Current Level ^c	3,155,626	3,167,949	2,676,111
Total Senate Resolution ^d	3,033,488	3,091,973	2,675,967
Current Level Over Senate Resolution	122,138	75,976	144
Current Level Under Senate Resolution	n.a.	n.a.	n.a.
Memorandum: Revenues, 2016–2025:			
Senate Current Level	n.a.	n.a.	32,237,119
Senate Resolution	n.a.	n.a.	32,233,099
Current Level Over Senate Resolution	n.a.	n.a.	4,020
Current Level Under Senate Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

^a Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. II, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–41); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4), and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

^b Pursuant to section 403(b) of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, amounts designated as an emergency requirement pursuant to section 403 of S. Con. Res. 13, shall not count for certain budgetary enforcement purposes. The amounts so designated for 2016, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	0	917	0
^c For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.			
^d Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con. Res. 11, pursuant to various provisions of the resolution. The Senate Resolution total below excludes \$6,872 million in budget authority and \$344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending that is not yet allocated to the Senate Committee on Appropriations:			
	Budget Authority	Outlays	Revenues
Senate Resolution:	3,032,343	3,091,098	2,676,733
Revisions:			
Pursuant to section 4311 of S. Con. Res. 11	445	175	–766
Pursuant to section 311 of S. Con. Res. 11	700	700	0
Revised Senate Resolution	3,033,488	3,091,973	2,675,967

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS—1ST SESSION, AS OF OCTOBER 26, 2015

(In millions of dollars)

	2015–2020	2015–2025
Beginning Balance ^a	0	0
Enacted Legislation: ^{b c d}		
Iran Nuclear Agreement Review Act of 2015 (P.L. 114–17) ^e	n.e.	n.e.
Construction Authorization and Choice Improvement Act (P.L. 114–19)	20	20
Justice for Victims of Trafficking Act of 2015 (P.L. 114–22)	1	2
Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015 (P.L. 114–23)	*	*
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado (P.L. 114–25)	150	150
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	–1	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	–640	–52
Boys Town Centennial Commemorative Coin Act (P.L. 114–30) ^f	0	0
Steve Gleason Act of 2015 (P.L. 114–40)	13	28
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	–1,552	–6,924
Agriculture Reauthorizations Act of 2015 (P.L. 114–54)	*	*
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	624	624
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	–32	–2
Gold Star Fathers Act of 2015 (P.L. 114–62)	*	*
Ensuring Access to Clinical Trials Act of 2015 (P.L. 114–63)	*	*
Adoptive Family Relief Act (P.L. 114–70)	*	*
Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015 (H.R. 774)	*	*
A bill to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs) (S. 1362)	*	*
Current Balance	–1,417	–6,149
Memorandum:		
Changes to Revenues	2015–2020	2015–2025
Changes to Outlays	4,140	–1,284
	2,723	–7,433

Source: Congressional Budget Office.

Notes: n.e. = not able to estimate; P.L. = Public Law. * = between –\$500,000 and \$500,000.

^a Pursuant to S. Con. Res. 11, the Senate Pay-As-You-Go Scorecard was reset to zero.^b The amounts shown represent the estimated impact of the public laws on the deficit. Negative numbers indicate an increase in the deficit; positive numbers indicate a decrease in the deficit.^c Excludes off-budget amounts.^d Excludes amounts designated as emergency requirements.^e P.L. 114–17 could affect direct spending and revenues, but such impacts would depend on future actions of the President that CBO cannot predict. (<http://www.cbo.gov/sites/default/files/bofiles/attachments/s615.pdf>)^f P.L. 114–30 will cause a decrease in spending of \$5 million in 2017 and an increase in spending of \$5 million in 2019 for a net impact of zero over the six-year and eleven-year periods.

EPA GOLD KING MINE SPILL

Mr. MCCAIN. Mr. President, last month the Senate Indian Affairs Committee held an oversight hearing on the Environmental Protection Agency's Gold King Mine disaster. I am very grateful that Chairman JOHN BARRASSO and Vice Chairman JON TESTER quickly made this matter a priority for their committee following the August break. The hearing focused on the harmful impacts that spill is having on Indian Country, namely the Navajo Nation, the Southern Ute Tribe, and the Ute Mountain Ute Tribe.

On the Navajo Nation, an estimated 1,500 farms have been damaged by the EPA and its contractors when they released a deluge of tailings-pond wastewater from the abandoned Gold King Mine. On August 5, 2015, an acidic plume of mercury, arsenic, and other metals worked its way down the Animas River in Colorado and into the San Juan River near Farmington, NM. Nobody yet knows for certain the total damage to crops, soil, livestock, wildlife, and water supplies that are critical sources of food for the Navajo people and also serve as economic and cultural centers. Those farmers who were able to shut down their irrigation systems watched in horror as their crops wilted.

The EPA now says water quality in the San Juan River has returned to "pre-event levels," but the Gold King Mine is still releasing water roughly at 600 gallons per minute. The concentrations of toxic metals may not be as high today as it was during the initial 3 million gallon flush, but the Navajo are still waiting for EPA to demonstrate it can prevent another large release. The nation is rightfully demanding assurances that heavy rainfall won't disturb toxic substances that may have settled in the sediment of the Animas River, the San Juan River, or even Lake Powell.

In August, I—along with Arizona Governor Doug Ducey—met with Navajo Nation president Russell Begaye and Navajo council speaker Lorenzo Bates in Window Rock, AZ, to discuss this matter. I can assure my colleagues that the Navajo are suffering deeply and dearly because of this spill. I have also received calls and letters from a number of concerned constituents, mayors, county supervisors, and businesses in northern Arizona who also have a stake in the health and safety of Lake Powell. They are just as alarmed as the Navajo people that the plume could endanger their livelihoods and their enjoyment of natural resources in their communities. The Arizona Department of Environmental Quality and the Arizona Geological Survey have been expending scarce resources to conduct water samples independent of EPA. And that has been helpful. But the Federal Government has to step up and take action that would allow all

affected stakeholders, but especially tribal communities, find confidence in what the Federal Government is doing to fix the mess that it created.

At last month's hearing, we received testimony from EPA Administrator Gina McCarthy and others dealing with the spill, including the Navajo Nation president, Russell Begaye. We also received testimony from Doug Holtz-Eakin, a noted economist and former Director of the Congressional Budget Office. Mr. Holtz-Eakin estimated that the spill will cost the Navajo's agriculture sector roughly \$41,000 a day in lost economic activity.

While I am grateful that Administrator McCarthy agreed to appear before the committee, I am concerned that, under her watch, not a single Agency employee or contractor had been fired for the disaster. In her testimony, Administrator McCarthy portrayed the EPA's response to the tribes as timely, but her portrayal was directly contradicted by the testimony of the Navajo president, who noted that it took EPA 2 days to notify the tribe about the plume's threat to the tribe. It was also revealed that Administrator McCarthy did not directly contact President Begaye for about 5 days after the spill. The committee also received testimony that EPA had not quickly and routinely shared water monitoring data with the tribes. All of this shatters any notion that EPA has honored its government-to-government responsibility to the nation.

The Gold King Mine spill was a series of failures by EPA that compounded, and the Navajo are paying the price. I will continue to push for increased congressional oversight into this matter.

HEAD START AWARENESS MONTH

Mr. CARPER. Mr. President, it is with great pleasure that I speak on behalf of the Delaware delegation to honor Head Start's 50 years of service to our Nation's most vulnerable children and families in Delaware and nationwide. On May 18, 1965, President Lyndon B. Johnson launched Project Head Start as an 8-week summer demonstration project to teach low-income students needed skills before they started kindergarten. Over the past 50 years, Head Start has served 32 million children and families across the country with comprehensive services.

The Head Start Program has given children and families the tools to succeed by ensuring a high quality education and access to health care and social services. The Head Start Program represents a critical investment in the education of our nation's youngest children. In the State of Delaware, 2,714 children and pregnant women benefitted from Head Start, Early Head Start, and the Early Childhood Assistance Program in 2014. Head Start is instrumental in uplifting families in

Delaware by providing resources to families who, like many of us, want to see their children reach their full potential.

The teachers, home visitors, and family service workers that make up the Head Start Program are the backbone of this mission. Without them on the front lines each and every day, these early education goals would not be met. I commend the teachers and staff who are deeply committed to seeing all children succeed. On behalf of Senator CHRIS COONS and Congressman JOHN CARNEY, I recognize Head Start Awareness Month and the 50th Anniversary of Head Start. It is our sincere hope that future generations of children and families can continue to greatly benefit from Head Start's programs and we can put children on the right path from the very beginning.

OBSERVING INTERNATIONAL DAY OF THE GIRL

Mr. KIRK. Mr. President, October 11 marked the second annual International Day of the Girl. This day brings together people and advocacy groups to raise awareness about the challenges facing girls around the world. Tragically, today's regional crises are having a disproportionately destructive impact on girls. 2015 marks the year with the highest number of displaced persons since World War II. According to the United Nations High Commissioner for Refugees, women and girls comprise half of any refugee or internally displaced population. Crises such as the ongoing conflict in Syria, over 1.5 million displaced in South Sudan, and the expanding migrant crisis in Europe, among others, risk leaving an entire generation of girls shaped by a lack of opportunity, gender-based violence, forced marriage, and disrupted education.

Access to education is often a top priority for refugee families upon resettling in a foreign country. We know that, if empowered with the appropriate tools, girls can be facilitators of change who can transform their own lives, as well as the lives of their families, communities, and societies and serve as a bulwark against the conditions that contribute to extremism that so many terrorist groups have exploited, often at the expense of women and girls. The lack of access to education for refugee girls stifles empowerment and stands in the way of achieving a durable solution to conflict.

As the United States and the international community work to cope with the current refugee crisis, it is critical that we focus not only on security but on the basic needs of refugees, such as access to education and increasing the role of women and girls in humanitarian response and civil society programs.

TRIBUTE TO THOMAS ROCKROADS, JR.

Mr. TESTER. Mr. President, I wish to honor Thomas Rockroads, Jr., a veteran of the Vietnam war. On behalf of all Montanans and all Americans, I would like to thank Mr. Rockroads for his service to our State and to our Nation. It is my privilege to share Thomas's story for the official Senate Record.

Thomas Rockroads, Jr., was born on December 21, 1948, in Crow Agency, MT. His father worked in sawmills in both Kirby and Lame Deer and was a ranch hand and coal miner in Lame Deer. His mother worked for many years at the Northern Hotel before coming home to the Northern Cheyenne Reservation. He spent his childhood in Busby and attended Busby High School until joining the Army his junior year.

In September of 1968, he volunteered for the Army Airborne Infantry, and by September of 1969, he found himself jumping out of helicopters and into the highlands of Vietnam. Thomas was a member of the 173rd Airborne Brigade, which was stationed in the hot, humid Tiger Mountains of Vietnam's Central Highlands. Their responsibilities included rescuing and evacuating ground forces, as well as setting up perimeters for operations. They were right in the thick of things, and, as Thomas once put it, "If there was a hot spot where reinforcements were needed . . . we were there." On more than one occasion, this proved to be an important but harrowing position to be in. One night, when the brigade was charged with setting up a perimeter on a hillside, Thomas and his comrades felt particularly concerned. They knew the area was likely heavily booby-trapped, so they proceeded with extra caution. Their mission was to intercept the North Vietnamese forces headed in their direction, and after establishing a perimeter, they were allowed a few hours of rest before being put on high alert. A few hours later, while he was trying to get some sleep, Thomas suddenly heard a blast, and he was thrown nearly a dozen feet from his makeshift tent. Thomas quickly realized that someone had set off a booby trap, but before he could process much else, a medic began calling his name and he rushed over to help. Thomas worked with the medic to care for his fellow soldier, but shortly thereafter the man died in Thomas's arms.

A few days later, Thomas and his brigade found themselves under siege again—this time, without cover, they came face to face with enemy soldiers. The North Vietnamese troops, equipped with an anti-aircraft gun and hiding inside an irrigation trench, began rapid firing on Thomas and his platoon. Knowing they needed air support, Thomas headed right toward the anti-aircraft gun—as long as it was operable, American helicopters couldn't ac-

cess the area. However, his M16 was jammed, so under heavy fire, he had to dislodge the trapped bullets and replace them with a new magazine. He and a fellow soldier finally located the enemy's weapon at the far end of a hedgerow and headed back into the firestorm with one aim—to disarm it. Before they could reach their target, an enemy soldier intercepted them, lobbing a grenade directly at Thomas and his comrade. They both ran for cover, and thankfully the grenade failed to detonate, but mere seconds after that, another soldier charged them, firing wildly at Thomas and his platoon. The soldier was not more than 10 feet away from Thomas when he finally went down.

Thomas returned to Busby, MT, a full 365 days after his deployment. He remarkably didn't sustain a single scratch. But like many of his fellow veterans, despite his lack of visible wounds, Thomas has struggled with the unseen wounds of war. Thirty-five years after coming back from Vietnam, he was formally diagnosed with post-traumatic stress disorder.

Despite this often debilitating struggle, Thomas has spent the last 30 years working for Western Energy's Rosebud Mine at Colstrip and raising two daughters and a son with his wife, Charlotte, of 38 years. He also has grandchildren. He credits his family with helping him heal. "It's all the support of my family that's got me where I'm at today," Thomas said. "My wife is always supporting me. My daughters, my son and my grandchildren—I'm very, very fortunate."

However, Thomas is still haunted by his memories daily, and he doesn't want other soldiers to have to suffer the way he has had to. He believes, like I do, that our commitment to our veterans is a cost of war, and we must make it a priority to help, protect, and serve those who served. Too many of our Vietnam veterans never got the homecoming or the recognition they deserved. So today I am honored to have the opportunity to thank Thomas for his bravery both in battle and beyond. He is a Montanan born and bred, and his life has been a testament to the kind of commitment, courage, and compassion that our State can be proud of.

It was my honor to recognize Thomas Rockroads, Jr. by presenting him with the Bronze Star Medal, National Defense Service Medal, Vietnam Service Medal, Combat Infantryman Badge 1st Award, Republic of Vietnam Campaign Ribbon with 1960 Device, Sharpshooter Badge with auto rifle bar with rifle bar, Marksman Badge with machine gun bar, and the Parachutist Badge Basic.

Our State and our Nation thank you, Thomas, for your service and for a soldier's sacrifice.

RECOGNIZING MENTOR: THE NATIONAL MENTORING PARTNERSHIP

Mr. BOOKER. Mr. President, today I would like to recognize MENTOR: The National Mentoring Partnership, the leadership of its founders, Geoffrey T. Boisi and Raymond G. Chambers, and the expansion of the mentoring field in the past quarter century.

This year, MENTOR celebrates its 25th anniversary. Its founders, Geoffrey T. Boisi and Raymond G. Chambers, were leading businessmen and philanthropists who understood the value of mentoring in their own lives. They believed passionately that the intervention of a caring adult is a critical element in the life of a young person, and they believed that every young person needs and deserves a powerful relationship that supports their growth and gives them the opportunity for success.

In 1990, Boisi and Chambers recognized the powerful impact that mentoring could have on our Nation's at-risk youth, and they started a movement to increase opportunity for all young people by establishing MENTOR. The success of Boisi's and Chambers' efforts has been remarkable. That first year, approximately 300,000 youth at risk of falling off track were paired with a caring adult through a structured mentoring program. Today, 4.5 million at-risk young people will find the support that they need in a mentoring relationship while growing up.

We know that research has found that young people with a mentor are 55 percent more likely to attend college and more than twice as likely to say that they held a leadership position in a club or sports team than young people without mentors. We also know that people who are mentored in their youth are 78 percent more likely to volunteer in their communities than those who are not mentored.

Unfortunately, despite the tremendous growth of the mentoring movement in America over the past 25 years, 1 in 3 young people, including 9 million at-risk youth, will still reach adulthood without having a mentor of any kind. This mentoring gap isolates these young people from the meaningful connections to adults that would help them to grow and succeed. Furthermore, young people are not the only ones who gain from a mentoring relationship. While mentoring empowers our children and sets them on the path to success, it also deeply enriches the lives of the adults who are partnered with them. As a mentor myself, I can attest to this profound benefit.

MENTOR has been a leader in the development of best practices to assist mentoring organizations across the country in improving their program quality. MENTOR and its network of affiliate Mentoring Partnerships has set the bar for quality in practice and

has strengthened the mentoring field's capacity to deliver on the promise of mentoring.

It is clear that, in the last quarter century, MENTOR, under the leadership of its volunteer board and founders, has done tremendous work championing the advancement of mentoring practice and fostering the growth of the mentoring movement. Therefore, I ask that my colleagues join me in recognizing the accomplishments of this remarkable organization in expanding the quality and availability of mentoring for all young people in the United States, in honoring the service and leadership of MENTOR cofounders Geoffrey T. Boisi and Raymond G. Chambers and their dedication to America's youth, and in encouraging Americans to discover just how rewarding mentoring can be through volunteering with their local mentoring organization.

ADDITIONAL STATEMENTS

TRIBUTE TO REVEREND DOCTOR M. WILLIAM HOWARD, JR.

• Mr. BOOKER. Mr. President, today I would like to recognize Rev. Dr. M. William Howard, Jr., pastor of Newark's Bethany Baptist Church. Dr. Howard has spent many decades leading the charge for change, fueled by his personal mission to utilize his faith to transform the human condition.

From his Georgia roots to his work at Bethany Baptist, Dr. Howard has shown an extraordinary commitment to serving others. His work outside of the church has spanned the realms of human rights, international affairs, domestic policy, and education. In his role over the last 15 years as pastor of Bethany Baptist Church, he has worked tirelessly to expand outreach to the community as a whole.

Since his first position as a youth leader conducting some of the earliest voter outreach efforts in southwest Georgia, Dr. Howard has been a beacon of light across the globe, bridging the worlds of faith and political activism. He has consistently taken on leadership roles, serving as moderator of the Programme to Combat Racism of the World Council of Churches, president of the National Council of Churches, and president of the American Committee on Africa. Through these posts, Dr. Howard has provided a powerful example of our Nation's commitment to human rights and equality. In ministering to U.S. personnel held hostage in Iran in 1979 and working for the release of U.S. Navy pilot Robert O. Goodman, Dr. Howard was a quiet but powerful force for faith and peace.

Dr. Howard's record of service and leadership domestically is equally impressive. Serving as president of New York Theological Seminary, he dem-

onstrated the importance of interdisciplinary approaches to community development by implementing joint programs in social work and urban education. He has been a board member for such organizations as the National Urban League, the Children's Defense Fund, and the Rutgers University Board of Governors. Under his leadership, the New Jersey Death Penalty Study Commission was instrumental in New Jersey becoming the first State to abolish the death penalty since 1976.

Finally, Dr. Howard's impact on the city of Newark has been remarkable. As pastor of Bethany, Dr. Howard quickly established Bethany Cares, Inc., and through this outreach corporation, the church has actively transcended its congregation walls to serve the community at large. Such transformative work has played an integral part in strengthening the development of New Jersey's largest city.

After 15 years of devoted service as pastor of Bethany Baptist Church, Dr. Howard will be retiring. It is an honor to formally recognize Dr. Howard for his unwavering commitment to creating a better world.●

RECOGNIZING VFW POST 1674 ON ITS 75TH ANNIVERSARY

• Mr. BOOZMAN. Mr. President, I wish to honor Veterans of Foreign Wars Post 1674 in Siloam Springs, AR, on its 75th anniversary.

Chartered November 10, 1940, the post was named in honor of Levi Douthit, a WWI veteran.

As a member of the Committee on Veterans' Affairs, I understand the importance of acknowledging the bravery and valor of the men and women who fought in defense of our country, as well as those who continue to serve. Men like Levi Douthit and members of VFW Post 1674 set their personal lives aside to fight for our country. This post recognizes the service, sacrifice, and courage of fellow veterans and continues to offer aid and assistance to those who served our Nation in uniform.

As participants in the Buddy Poppy Program, members support the veterans relief fund. They serve veterans in and around Siloam Springs who need help with daily basic needs and transportation to VA health centers for medical treatments.

Members continue their dedication to the community, offering scholarships to students, teaching flag etiquette, and, as partners with Kind at Heart Ministries of Siloam Springs, helping build wheelchair ramps for veterans.

The importance of Post 1674 to the community was apparent when more than a decade ago a lack of membership and financial troubles nearly forced its closure. Businessmen helped raise support in the community and kept its doors open.

I congratulate VFW Post 1674 on its 75th anniversary. I wish Commander Frank Lee and the 163 members who served in U.S. engagements since WWII the best of luck and many more years of camaraderie, service, and investment in the community.●

50-YEAR CLASS REUNION OF THE 1965 CLASS OF WESTERN HIGH SCHOOL

• Mr. CARDIN. Mr. President, this week in my hometown of Baltimore, MD, the Western High School class of 1965 will gather to celebrate their 50th class reunion. In honor of this special occasion, I wish to take a moment to pay tribute to the experiences of the WHS class of 1965 and commemorate the lasting legacy of Western High School, which continues to produce leaders for the Baltimore community.

To this day, Western High School remains a source of pride for the city of Baltimore. Founded as Western Female High School in 1844, it remains the oldest operating public all-girls high school in the Nation nearly 171 years after its doors opened on North Paca Street. Prior to the opening of Western Female High School and its now defunct companion Eastern Female High School, Baltimore City females were without an opportunity to advance their education beyond the basic grammar school level. Female students from across the city were drawn to the academic rigor of Western High School, creating a true magnet school, as we know today. As the city of Baltimore grew, so did Western High School. In 1896, Western High School moved to a larger location on Lafayette and McCulloh Streets, which allowed for the expansion of courses to include clerical courses. Today Western High School resides on a joint campus opened in 1967 with the all-male Baltimore Polytechnic Institute on Falls Road.

The WHS class of 1965 graduated from Western in a transitional period for Western. Two years away from the opening of the current campus, Western High School students attended classes in the heart of downtown Baltimore. With an overpopulated school building that forced administrators to move to a split shift schedule to accommodate all of Western's students, alumnae often participated in work or volunteer opportunities located within walking distance of the school. This proximity to downtown also allowed Western students to participate in the burgeoning civil rights movement in Baltimore City, including the picketing of businesses which refused to serve African Americans. While Western High School students can fondly remember their efforts to fight for social justice in the civil rights movement, the class of 1965 was also struck by the tragic news of President John F. Kennedy's assassination. Even as WHS

mourned this news, former Western High School alumna Sarah T. Hughes, then judge of the U.S. District Court for the Northern District of Texas and just the third woman to ever serve as a Federal jurist, administered the oath of office to then-Vice President Lyndon B. Johnson aboard Air Force One.

The storied history of Western High School and school motto, "Lucem accepimus, lucem demus"—"We have received light, let us give light"—has continued to inspire generations of students and countless alumnae of WHS. Among its alumnae include Henrietta Szold, the founder of Hadassah; Trazana Beverley, a 1977 Tony Award Winner; former Maryland State superintendent of schools Dr. Nancy S. Grasmick; current Baltimore City mayor Stephanie Rawlings-Blake; and current Western High School principal Michelle White. As the WHS class of 1965 comes together this week to celebrate their class reunion and years of friendship, I encourage each alumnae to remember the words they were taught at Western High School many years ago and continue to strengthen their own communities.●

TRIBUTE TO JAMIE TURNER

● Mr. CARPER. Mr. President, it is with great pleasure that, on behalf of the Delaware congressional delegation, I wish to honor the exemplary service of Jamie Turner, director of the Delaware Emergency Management Agency, upon his retirement. Jamie has served as director for 13 years and during that time has provided first responders and Delaware citizens with emergency preparedness training and education to keep Delawareans safe when hazards such as hurricanes, tornadoes, and fires hit Delaware. His efforts will be a guide and inspiration for the hard-working employees at DEMA and the many first responders in Delaware for years to come.

Jamie has a lifetime of experience when it comes to responding to emergency situations. In 1970, he began his education in fire protection technology at Delaware Technical Community College. He studied the causes and proper responses to various hazards and preventive measures that can be taken to avoid them entirely. Jamie took the knowledge he gained from his education and in 1976 began working with the Delaware State Fire School as the emergency service training administrator. It was his responsibility to supervise instructors, research technical information, and work with fire, rescue, and emergency medical services to develop necessary guidelines and effective procedures.

Then, in 2000, he took on the role of executive secretary of the Delaware Volunteer Firemen's Association, where he was tasked with following legislation at every level of govern-

ment that affected DVFA's membership. In this role, he researched different laws and ordinances to ensure that the DVFA was following the proper guidelines. Thanks to Jamie, Delaware's firefighters stayed informed on the regulations that were put in place to keep themselves and those in emergency situations safe.

Jamie has been a dedicated public servant for years. Before his appointment to director of DEMA, he was serving and protecting Delaware through his consistent endeavors to remain on the cutting edge of best practices in emergency protocol and then use that experience to educate others in the field. He is active in the Smyrna Little League and continues to volunteer with the Delaware Fire Service.

On behalf of Senator CHRIS COONS and Congressman JOHN CARNEY, I wholeheartedly thank Jamie Turner for his service to the State of Delaware. His model leadership and dedication has improved the quality of our State's emergency response systems and has kept countless residents safe. We offer our sincere congratulations on a job well done and wish him and his wife Debbie, their daughters Kim and Katie, husbands Mike and Sean respectively, and their grandchildren Madelyn, Harper, Keegan, and Kolton many happy years to come.●

TRIBUTE TO VAUGHN THOMAS HAWKES

● Mr. CRAPO. Mr. President, I wish to honor Vaughn Thomas Hawkes on his 80th birthday. Vaughn is a native Idahoan whose family roots in the State go back generations. He is one of nine children born to a farm family outside of Preston, where he learned hard work and ingenuity are the keys to a good life. The work ethic he learned early on has served him well through his 80 years, but he had a spirit of adventure that was unusual for an Idaho farm boy. After he finished college at Utah State University and married his sweetheart of close to 56 years, Frances Arlene Anderson, they embarked on a journey that took them to the tiny island territory of American Samoa, where he first taught high school chemistry, math, and physics, and then served as principal at Mapusaga High School. But perhaps some may think his greatest achievement during that time was that he was instrumental in introducing American football to the Samoan people—something many college and NFL teams have appreciated for many years now. An educator by training and inclination, Vaughn spent many years in administrative positions at the Blackfoot School District before finishing his career in the Provo School District where he retired.

His devotion to his faith has been manifest in many ways, including missionary service throughout the world—

first as a young missionary in western Canada; then in American Samoa; then in Milan, Italy; and most recently in Santa Monica, CA. His teaching nature has been evident far beyond his professional career, as he has been given the opportunity to educate through that missionary service. Upon his retirement from education several years ago, he had served in teaching positions at the LDS Missionary Training Center and the BYU-Idaho Pathways Program—ever searching to help those who are seeking improvement in their educational pursuits.

His friends and neighbors know him as a tinkerer, a man who can fix anything. He maintains a world-class collection of tools and parts you never knew you were missing. He is the proud father of eight children—Susan, Richard, Diane, Pamela, Cynthia, Daniel, John, and Scott. His eldest daughter, Susan, has worked for me for many years, and I have had the opportunity to get to know Vaughn on a personal level. While he may count them as his greatest achievements, each one of them is grateful for his influence and support in their lives. He taught them how to work, how to fight for what is right and fair, to value education and learning, to take the adventurous path, and to be faithful to the Lord. He has built a life of service and devotion to his family, friends, and faith and serves as a tremendous example of kindness and strength to all who know him.

As a young farm boy, Vaughn had an opportunity to receive the CONGRESSIONAL RECORD every day through the mail. He was fascinated by all that transpired in Congress and read the documents studiously. It was only the beginning of a lifetime of curiosity about the world around him. So it seemed a fitting tribute to honor his 80th birthday to provide him with his own mention in that illustrious RECORD. We wish him a very happy 80th birthday.●

TRIBUTE TO WAR CHIEF JOSEPH MEDICINE CROW

● Mr. DAINES. Mr. President, I would like to wish happy birthday to the last Crow war chief, Joseph Medicine Crow, who is celebrating his 102nd birthday today. He has served proudly as the Crow Tribe's historian and storyteller, is a decorated World War II veteran, and was the first in his tribe to attain a master's degree.

Medicine Crow has lived a life filled with numerous accomplishments. He is a recipient of the Presidential Medal of Freedom. The White House identified him as both "a warrior and living legend" when he received the Medal of Freedom in 2009. In 2006, his personal memoir, "Counting Coup," was published by National Geographic. He is considered one of the most celebrated Native American soldiers due to his selfless service in World War II.

With his great-grandmother, grandmother, mother, and uncle all living past 100 years of age, Medicine Crow credits his long life to his strong family roots. Medicine Crow's secret advice to living such a long and full life? He advises going to sleep early, sleeping 8 hours, eating breakfast, keeping busy at work, and eating healthy and generously. He also touched on the positive influences of his wife, who urged him to maintain good habits. His positive, endearing spirit and sense of humor truly keeps him young.

Medicine Crow's spirit, humility, kind disposition, and many incredible life achievements are a model for all Montanans. Happy Birthday, Chief Medicine Crow. I look forward to celebrating many more.●

TRIBUTE TO RUSTY STAFNE

● Mr. DAINES. Mr. President, I wish to recognize the loyal service of A.T. "Rusty" Stafne, chairman of the Fort Peck Assiniboine and Sioux Tribes. Stafne ended his term yesterday and will not be running for reelection as chairman. I am proud to honor and to congratulate him on his service and successes.

As chairman, Stafne has worked diligently for the Assiniboine and Sioux people on the Fort Peck Reservation and has held firm in his priorities. He has worked to honor veterans, specifically those who served in World War II, and has worked tirelessly to protect wildlife in Montana and on the Fort Peck Reservation.

We thank Chairman Stafne for his involvement in the Senate Indian Affairs Committee. He has been a tireless advocate for rural water projects and other challenges facing the tribes. He has traveled to Washington, DC, to testify in front of Congress and has broadened the eyes of many—giving new and better insight into the life of tribal men and women, so that we can work together to better serve and protect our tribal nations.

I am thankful for Chairman Stafne's work on behalf of the tribe. His loyalty, priorities, and hard work set an amazing example to the rest of Montana and our great Nation as a whole.●

MESSAGES FROM THE HOUSE

At 11:27 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3033. An act to require the President's annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation and to require the National Science Foundation to conduct research on dyslexia.

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) announced that on October 26,

2015, he had signed the following enrolled bill, previously signed by the Speaker of the House:

H.R. 558. An act to designate the facility of the United States Postal Service located at 55 South Pioneer Boulevard in Springboro, Ohio, as the "Richard 'Dick' Chenault Post Office Building".

ENROLLED BILL SIGNED

At 12:48 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 313. An act to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 2:38 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3819. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3033. An act to require the President's annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation and to require the National Science Foundation to conduct research on dyslexia; to the Committee on Health, Education, Labor, and Pensions.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 26, 2015, she had presented to the President of the United States the following enrolled bills:

S. 1362. An act to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

S. 2162. An act to establish a 10-year term for the service of the Librarian of Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1326. A bill to amend certain maritime programs of the Department of Transportation, and for other purposes (Rept. No. 114-158).

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. 1789. A bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. McCain for the Committee on Armed Services.

Air Force nomination of Col. Thomas K. Wark, to be Brigadier General.

Air Force nomination of Col. Howard P. Purcell, to be Brigadier General.

Air Force nomination of Col. Allan L. Swartzmiller, to be Brigadier General.

Army nomination of Lt. Gen. David D. Halverson, to be Lieutenant General.

Army nomination of Maj. Gen. Kenneth R. Dahl, to be Lieutenant General.

Army nomination of Col. Erik H. Topping III, to be Brigadier General.

Army nomination of Maj. Gen. Thomas S. Vandal, to be Lieutenant General.

Army nomination of Col. Valeria Gonzalez-Kerr, to be Brigadier General.

Army nomination of Col. John J. Morris, to be Brigadier General.

Air Force nomination of Brig. Gen. Stephen E. Markovich, to be Major General.

Army nomination of Col. Marta Carcana, to be brigadier General.

Mr. McCain. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Brandon R. Abel and ending with Brandon A. Zuercher, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with Michelle T. Aaron and ending with Kirk P. Winger, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2015.

Air Force nominations beginning with Quentin D. Bagby and ending with Mary A. Workman, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2015.

Air Force nominations beginning with Robert H. Alexander and ending with Justin David Wright, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2015.

Army nomination of Matthew P. Tarjick, to be Lieutenant Colonel.

Army nomination of Judith S. Meyers, to be Major.

Army nominations beginning with Thomas W. Wisenbaugh and ending with Harold P. Xenitelis, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2015.

Army nomination of Michael A. Blaine, to be Colonel.

Navy nomination of Terry A. Petropoulos, to be Lieutenant Commander.

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Sarah Elizabeth Feinberg, of West Virginia, to be Administrator of the Federal Railroad Administration.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ (for himself, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. BOOKER):

S. 2207. A bill to require the Secretary of State to offer rewards of not less than \$10,000,000 for information that leads to the arrest or conviction of suspects in connection with the bombing of Pan Am Flight 103; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Ms. CANTWELL, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. LEAHY, Ms. MIKULSKI, Mr. SANDERS, Ms. HIRONO, and Mr. CASEY):

S. 2208. A bill to promote the economic security and safety of survivors of domestic violence, dating violence, sexual assault, or stalking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO:

S. 2209. A bill to revise various laws that interfere with the right of the people to obtain and use firearms for all lawful purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Ms. BALDWIN, and Mr. MARKEY):

S. 2210. A bill to require the Secretary of Veterans Affairs to carry out a program to establish peer specialists in patient aligned care teams at medical centers of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MORAN (for himself and Mr. UDALL):

S. 2211. A bill to authorize additional uses of the Spectrum Relocation Fund; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 12

At the request of Mr. BLUNT, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 12, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

S. 281

At the request of Mr. BLUNT, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 281, a bill to require a Federal

agency to include language in certain educational and advertising materials indicating that such materials are produced and disseminated at taxpayer expense.

S. 520

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 520, a bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act.

S. 619

At the request of Mr. CARDIN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 619, a bill to include among the principal trade negotiating objectives of the United States regarding commercial partnerships trade negotiating objectives with respect to discouraging activity that discourages, penalizes, or otherwise limits commercial relations with Israel, and for other purposes.

S. 637

At the request of Mr. CRAPO, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 682

At the request of Mr. TOOMEY, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 682, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 746

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 773

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 773, a bill to prevent harassment at institutions of higher education, and for other purposes.

S. 776

At the request of Mr. ROBERTS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 776, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 1042

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1042, a bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic, South Atlantic, and North Atlantic planning areas.

S. 1249

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1249, a bill to amend the Fair Credit Reporting Act to provide protections for active duty military consumers, and for other purposes.

S. 1334

At the request of Ms. MURKOWSKI, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 1334, a bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

S. 1375

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1375, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1565

At the request of Mr. REED, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1565, a bill to allow the Bureau of Consumer Financial Protection to provide greater protection to servicemembers.

S. 1719

At the request of Ms. COLLINS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1719, a bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

S. 1937

At the request of Mr. UDALL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1937, a bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to improve nutrition in tribal areas, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Montana (Mr. DAINES), the Senator from Arizona (Mr. FLAKE) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2009

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2009, a bill to prohibit the sale of arms to Bahrain.

S. 2042

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2042, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2089

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2089, a bill to provide for investment in clean energy, to empower and protect consumers, to modernize energy infrastructure, to cut pollution and waste, to invest in research and development, and for other purposes.

S. 2145

At the request of Mr. GRAHAM, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2145, a bill to make supplemental appropriations for fiscal year 2016.

S. 2148

At the request of Mr. WYDEN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2148, a bill to amend title XVIII of the Social Security Act to prevent an increase in the Medicare part B premium and deductible in 2016.

S. 2152

At the request of Mr. CORKER, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 2152, a bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

S. 2166

At the request of Mr. BLUNT, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2166, a bill to amend part B of title IV of the Social Security Act to ensure that mental health screenings and assessments are provided to children and youth upon entry into foster care.

S. 2184

At the request of Mr. ISAKSON, his name was added as a cosponsor of S. 2184, a bill to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes.

AMENDMENT NO. 2621

At the request of Mr. WYDEN, the name of the Senator from Massachu-

setts (Ms. WARREN) was added as a cosponsor of amendment No. 2621 proposed to S. 754, an original bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

AMENDMENT NO. 2716

At the request of Mr. BURR, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from Arizona (Mr. MCCAIN), the Senator from Delaware (Mr. CARPER), the Senator from Iowa (Mr. GRASSLEY) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of amendment No. 2716 proposed to S. 754, an original bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BLUMENTHAL (for himself, Ms. BALDWIN, and Mr. MARKEY):

S. 2210. A bill to require the Secretary of Veterans Affairs to carry out a program to establish peer specialists in patient aligned care teams at medical centers of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

Mr. BLUMENTHAL. Mr. President, in 2013, the VA estimated that about 1.5 million veterans required mental health services, which VA provides in a variety of settings. In addition to the traditional VA medical centers, veterans may access mental health services and support through Vet Centers—which often appeal to veterans because of their welcoming, home-like environment; Community Based Outpatient Clinics, which play an important role in telehealth delivery by connecting rural veterans to psychiatry services from the medical center home-base, a Veterans Crisis Line, VA staff on college and university campuses, and other outreach efforts. Another important means of delivering mental health services has been the inclusion of mental health professionals within primary care delivery through VA's Patient Aligned Care Teams, which improves the screening process and allows providers to recognize and treat mental health issues occurring among those veterans who present in their primary care locations.

In addition to providing ongoing care to veterans with mental health needs, VA plays a role in suicide risk assessment and prevention among veterans. According to VA, about one-quarter of the 18 to 22 veterans who die by suicide each day were receiving care through VA. Suicide rates are even higher among those veterans who do not use VA for the health care services. Given the stigma and reluctance of some veterans to seek mental health treatment,

veterans using VA for primary care may be missing a key entry point to the peer support model of care. Expanding this effective model into the primary care setting could provide another opportunity for veterans to access mental health services through VA. That is why, today, I am introducing—with my cosponsors Senators BALDWIN and MARKEY—the Veteran Partners' Efforts to Enhance Reintegration, Veteran PEER Act, a bill that would expand the peer support model of care for mental health services within the VA system to help ensure that veterans receive the effective and timely care they deserve.

VA has begun a program to co-locate mental health care providers within primary care settings in an effort to promote effective treatment of common mental health conditions in the primary care environment. This is a positive step; however, the peer support model of care for mental health services has not been similarly integrated. Research on the use of the peer support model of care for mental health services within the VA has shown that Peer Specialists helped patients become more active in treatment, which can promote recovery. Peer support was recognized by the Centers for Medicare and Medicaid Services as an evidence-based practice in 2007; and over 20 states have Medicaid reimbursement for peer support services. In response to the President's August 2014 Executive Orders to improve mental health services for veterans, VA committed to integrating and expanding the peer support model of care beyond traditional mental health settings into primary care clinics in order to better connect with veterans wherever they seek care. However, progress toward placing Peer Specialists in primary care teams has been slow.

The Veteran PEER bill would require VA to expand its use of Peer Specialists—VA employees who promote veterans' recovery by sharing their own recovery stories, providing encouragement, and teaching skills needed for successful recovery. These professionals may also provide case management assistance, help with accessing the right mental health care, and teach coping and self-advocacy skills. In general, peer support programs aim to develop veterans' self-management skills and restore participation in work and other social roles. Recognizing this effective model of care, this bill would require VA to establish Peer Specialists in Patient Aligned Care Teams within VA medical centers to promote the use and integration of mental health services into the primary care setting. Over a two year period, the program would be carried out in 25 locations.

The bill directs VA to take into consideration the needs of female veterans

when establishing peer support programs, ensure that female Peer Specialists are made available to veterans through the program, and consider rural and underserved areas when selecting program locations. VA would be required to regularly report to Congress on the progress of the program including on its benefits to veterans and their family members and data on the gender of clients served by the program. Given that VA is one of the largest employers of Peer Specialists, VA's regular reporting on the program would not only allow Congress to conduct appropriate oversight of the activities, but could also provide important insights for the wider peer support community.

Given the pressing need for mental health services, it is imperative that we equip VA with the resources and organizational structure it needs to care for veterans who access these services and to find ways to reach more veterans with effective mental health services when they need them. Expanding the peer support model into the primary care setting could provide another opportunity for veterans to access mental health services through VA. As a nation we have asked more of these individuals than most of us can comprehend. We must now honor the promise we made as a nation—to take care of those who have taken care of us.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2210

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veteran Partners' Efforts to Enhance Reintegration Act" or the "Veteran PEER Act".

SEC. 2. PROGRAM ON ESTABLISHMENT OF PEER SPECIALISTS IN PATIENT ALIGNED CARE TEAM SETTINGS WITHIN MEDICAL CENTERS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) PROGRAM REQUIRED.—The Secretary of Veterans Affairs shall carry out a program to establish peer specialists in patient aligned care teams at medical centers of the Department of Veterans Affairs to promote the use and integration of mental health services in a primary care setting.

(b) TIMEFRAME FOR ESTABLISHMENT OF PROGRAM.—The Secretary shall carry out the program at medical centers of the Department as follows:

(1) Not later than 180 days after the date of the enactment of this Act, at not fewer than ten medical centers of the Department.

(2) Not later than two years after the date of the enactment of this Act, at not fewer than 25 medical centers of the Department.

(c) SELECTION OF LOCATIONS.—

(1) IN GENERAL.—The Secretary shall select medical centers for the program as follows:

(A) Not fewer than five shall be medical centers of the Department that are des-

ignated by the Secretary as polytrauma centers.

(B) Not fewer than ten shall be medical centers of the Department that are not designated by the Secretary as polytrauma centers.

(2) CONSIDERATIONS.—In selecting medical centers for the program under paragraph (1), the Secretary shall consider the feasibility and advisability of selecting medical centers in the following areas:

(A) Rural areas and other areas that are underserved by the Department.

(B) Areas that are not in close proximity to an active duty military installation.

(C) Areas representing different geographic locations, such as census tracts established by the Bureau of the Census.

(d) GENDER-SPECIFIC SERVICES.—In carrying out the program at each location selected under subsection (c), the Secretary shall ensure that—

(1) the needs of female veterans are specifically considered and addressed; and

(2) female peer specialists are included in the program.

(e) REPORTS.—

(1) PERIODIC REPORTS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter until the Secretary determines that the program is being carried out at the last location to be selected under subsection (c), the Secretary shall submit to Congress a report on the program.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) The findings and conclusions of the Secretary with respect to the program during the 180-day period preceding the submittal of the report.

(ii) An assessment of the benefits of the program to veterans and family members of veterans during the 180-day period preceding the submittal of the report.

(2) FINAL REPORT.—Not later than 180 days after the Secretary determines that the program is being carried out at the last location to be selected under subsection (c), the Secretary shall submit to Congress a report detailing the recommendations of the Secretary as to the feasibility and advisability of expanding the program to additional locations.

Chicago, IL, October 14, 2015.

Hon. RICHARD BLUMENTHAL,
U.S. Senate,
Washington, DC.

DEAR SENATOR BLUMENTHAL: On behalf of the Depression and Bipolar Support Alliance (DBSA), it is with great pleasure that I endorse the Veteran Partners' Efforts to Enhance Reintegration (PEER) Act. This bill addresses a critically important gap within the U.S. Department of Veterans Affairs (VA) that inhibits access to behavioral health services. We look forward to working with you to improve veterans' access to care.

Since 2013, the VA has effectively used peer support specialists to enhance behavioral health care delivered to veterans in behavioral health settings. Yet, a majority of veterans in need of behavioral health care will enter the VA system through a primary care center. To help create the necessary connection from primary care to behavioral health services, the PEER Act will utilize behavioral health peer support specialists to assist veterans in various primary care settings.

Specifically, the bill will require the VA to establish a pilot program to assess the feasibility and advisability of establishing peer

support specialists in Patient Aligned Care Teams within VA medical centers to promote the use and integration of mental health services into the primary care setting. DBSA strongly supports the requirement that VA medical centers give special consideration to the needs of female veterans when designing the pilot programs and ensure that female peer support specialists are available in each of the pilot locations. We also welcome the collection and reporting of data that will be provided to Congress every six months from the pilot. The VA utilizes the largest number of peer support specialists in the nation. As such, this data will help improve the role of the peer support specialists within the VA and throughout America's entire health care system.

As the leading peer-led organization supporting individuals with mood disorders and their families, DBSA understands the importance of peer support for individuals with a behavioral health condition. We feel strongly that expanded use of peer specialists within the VA will increase veteran engagement in their care, and lead to better outcomes and sustained wellness. We applaud you for leading this new effort and stand ready to support the VA as it implements this pilot program.

Sincerely,
ALLEN DOEDERLEIN,
President,
Depression and Bipolar Support Alliance.

NATIONAL ALLIANCE ON
MENTAL ILLNESS,
Arlington, VA, October 26, 2015.

Hon. RICHARD BLUMENTHAL,
U.S. Senate,
Washington, DC.

DEAR SENATOR BLUMENTHAL: On behalf of the National Alliance on Mental Illness (NAMI), I am writing to offer our strong support for your proposed legislation, the Veteran Partners' Efforts to Enhance Reintegration (PEER) Act. As the nation's largest organization representing people living with serious mental illness and their families, NAMI is pleased to support this important legislation.

As you know, the Department of Veterans Affairs (VA) currently uses Peer Specialists to assist veterans living with mental illness. These Peer Specialists do a tremendous job in helping veterans' access mental health services and navigate the complicated VA health care system. Every day they promote recovery through development of self-management skills and assistance in moving toward employment and community integration.

Your PEER bill would direct the VA to establish a pilot program to assess the feasibility of "going to scale" in the VA with a peer support program built on Patient Aligned Care Teams within VA medical centers across the nation. This would be a major step forward in promoting integration of mental health services into primary care settings. Your bill would also direct the VA to specifically take into consideration the needs of female veterans when designing pilot programs and to ensure that female peer support specialists are available in each of the pilot locations.

NAMI strongly supports this effort to expand access to peer specialists in the VA. Thank you for bringing this important legislation forward. NAMI looks forward to working with you to ensure its swift passage.

Sincerely,
MARY GILBERTI.

MILITARY OFFICERS ASSOCIATION
OF AMERICA,
Alexandria, VA, October 26, 2015.

Hon. RICHARD BLUMENTHAL,
Ranking Member, Committee on Veterans Affairs,
U.S. Senate, Washington, DC.

DEAR SENATOR BLUMENTHAL: On behalf of the more than 390,000 members of the Military Officers Association of America (MOAA), I'm writing to thank you for sponsoring the "Veteran Partners Efforts to Enhance Reintegration (PEER) Act," a bill that would establish a two-year pilot program that requires the Department of Veterans Affairs to establish peer specialists in patient aligned care teams at 25 medical center locations.

MOAA has long supported peer support programs as a means to enhance delivery of health care services. By extending VA's existing mental health peer support model into the primary care setting helps to further reduce barriers in accessing mental health services while also supporting the Department's current efforts at integrating mental-physical health care concurrently to increase system capacity.

All veterans deserve access to mental health care when they need it and wherever they may live. As such, we are particularly grateful for special consideration in this legislation for female veterans and those living in rural or underserved areas.

I greatly appreciate your leadership and look forward to the passage of this timely legislation.

Sincerely,

NORBERT RYAN, Jr.,
President.

AMERICAN PUBLIC HEALTH ASSOCIATION,
October 23, 2015.

Hon. RICHARD BLUMENTHAL,
Ranking Member, Senate Committee on Veterans Affairs, Washington, DC.

DEAR RANKING MEMBER BLUMENTHAL: On behalf of the American Public Health Association, a diverse community of public health professionals who champion the health of all people and communities, I write in support of the Veteran Partners' Efforts to Enhance Reintegration Act, which would require the inclusion of peer support specialists in Patient Aligned Care Teams within medical centers at the Department of Veterans Affairs.

Rates of mental illness are disproportionately high among U.S. veterans, particularly posttraumatic stress disorder, substance abuse disorders, depression, anxiety and military sexual trauma. Nearly 50 percent of combat veterans from Iraq report that they have suffered from PTSD, and close to 40 percent of these same veterans report problem alcohol use. In 2010, about 22 veterans died each day as a result of suicide. Military culture promotes inner strength, self-reliance and the ability to shake off injury, which may contribute to stigma surrounding mental health issues. Stigma may create a reluctance to seek help and a fear of negative social consequences, and is the most often cited reason for why people do not seek counseling or other mental health services.

Through a peer support model of care, Peer Specialists—veterans who have recovered or are recovering from a mental health condition—provide veterans with assistance in accessing mental health services, navigating the health care system and skills needed for a successful recovery. Expanding the peer support model to the primary care setting may offer a key entry point for those reluctant to access mental health services. The

bill would also direct the VA to take into consideration the needs of female veterans and locations that are underserved.

Thank you for your commitment to the health and wellbeing of U.S. veterans and to improving access to mental health services within the VA.

Sincerely,

GEORGES C. BENJAMIN, MD,
Executive Director.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2749. Mr. BURR (for himself and Mrs. FEINSTEIN) proposed an amendment to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

TEXT OF AMENDMENTS

SA 2749. Mr. BURR (for himself and Mrs. FEINSTEIN) proposed an amendment to amendment SA 2716 proposed by Mr. BURR (for himself and Mrs. FEINSTEIN) to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; as follows:

On page 11, line 3, strike "period" and insert "periodic".

On page 11, line 10, strike "532" and insert "632".

On page 20, line 21, strike "measures" and insert "measure".

On page 56, line 8, strike "and" and all that follows through "(7)" on line 9 and insert the following:

(7) the term "national security system" has the meaning given the term in section 11103 of title 40, United States Code; and

(8)

On page 57, line 8, strike "and".

On page 57, line 11, strike the period at the end and insert "; and".

On page 57, between lines 11 and 12, insert the following:

"(4) the term 'national security system' has the meaning given the term in section 11103 of title 40, United States Code.

On page 64, lines 14 and 15, strike "Notwithstanding section 202, in this subsection" and insert "In this subsection only".

On page 69, line 13, strike "all taken" and insert "taken all".

On page 76, line 22, insert "and the Director of the Office of Management and Budget" after "Intelligence".

On page 77, lines 12 and 13, strike ", as defined in section 11103 of title 40, United States Code".

On page 77, line 14, insert "and the Director of the Office of Management and Budget" after "Intelligence".

On page 78, between lines 2 and 3, insert the following:

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to designate an information system as a national security system.

On page 78, line 18, strike "owned" and insert "used".

Beginning on page 80, line 25, strike "use" and all that follows through "other" on page 81, line 6, and insert "intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of

2002 for the purpose of ensuring the security of".

On page 84, line 25, strike "Act" and insert "Act of 2015".

On page 85, between lines 11 and 12, insert the following:

(D) the Committee on Commerce, Science, and Transportation of the Senate;

On page 86, line 26, insert "the Director of the National Institute of Standards and Technology and" after "coordination with".

On page 88, line 8, strike "non-civilian" and insert "noncivilian".

On page 89, line 23, insert ", the Director of the National Institute of Standards and Technology," after "Director".

On page 91, line 11, strike "203 and 204" and insert "303 and 304".

On page 91, line 21, insert ", in consultation with the Director of the National Institute of Standards and Technology," after "Security".

On page 92, line 9, insert ", in consultation with the Director of the National Institute of Standards and Technology," after "Secretary".

On page 96, line 19, strike "likely," and insert "likely".

On page 96, line 22, strike "present" and insert "present,".

Beginning on page 103, strike line 10 and all that follows through page 105, line 24, and insert the following:

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary, in consultation with the Director of the National Institute of Standards and Technology and the Secretary of Homeland Security, shall convene health care industry stakeholders, cybersecurity experts, and any Federal agencies or entities the Secretary determines appropriate to establish a task force to—

(A) analyze how industries, other than the health care industry, have implemented strategies and safeguards for addressing cybersecurity threats within their respective industries;

(B) analyze challenges and barriers private entities (notwithstanding section 102(15)(B), excluding any State, tribal, or local government) in the health care industry face securing themselves against cyber attacks;

(C) review challenges that covered entities and business associates face in securing networked medical devices and other software or systems that connect to an electronic health record;

(D) provide the Secretary with information to disseminate to health care industry stakeholders for purposes of improving their preparedness for, and response to, cybersecurity threats affecting the health care industry;

(E) establish a plan for creating a single system for the Federal Government to share information on actionable intelligence regarding cybersecurity threats to the health care industry in near real time, requiring no fee to the recipients of such information, including which Federal agency or other entity may be best suited to be the central conduit to facilitate the sharing of such information; and

(F) report to Congress on the findings and recommendations of the task force regarding carrying out subparagraphs (A) through (E).

(2) TERMINATION.—The task force established under this subsection shall terminate on the date that is 1 year after the date of enactment of this Act.

(3) DISSEMINATION.—Not later than 60 days after the termination of the task force established under this subsection, the Secretary shall disseminate the information described

in paragraph (1)(D) to health care industry stakeholders in accordance with such paragraph.

(4) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to limit the antitrust exemption under section 104(e) or the protection from liability under section 106.

(e) **CYBERSECURITY FRAMEWORK.**—

(1) **IN GENERAL.**—The Secretary shall establish, through a collaborative process with the Secretary of Homeland Security, health care industry stakeholders, the National Institute of Standards and Technology, and any Federal agency or entity the Secretary determines appropriate, a single, voluntary, national health-specific cybersecurity framework that—

(A) establishes a common set of voluntary, consensus-based, and industry-led standards, security practices, guidelines, methodologies, procedures, and processes that serve as a resource for cost-effectively reducing cybersecurity risks for a range of health care organizations;

(B) supports voluntary adoption and implementation efforts to improve safeguards to address cybersecurity threats;

(C) is consistent with the security and privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note) and with the Health Information Technology for Economic and Clinical Health Act (title XIII of division A, and title IV of division B, of Public Law 111–5), and the amendments made by such Act; and

(D) is updated on a regular basis and applicable to the range of health care organizations described in subparagraph (A).

(2) **LIMITATION.**—Nothing in this subsection shall be interpreted as granting the Secretary authority to—

(A) provide for audits to ensure that health care organizations are in compliance with the voluntary framework under this subsection; or

(B) mandate, direct, or condition the award of any Federal grant, contract, or purchase on compliance with such voluntary framework.

(3) **NO LIABILITY FOR NONPARTICIPATION.**—Nothing in this title shall be construed to subject a health care organization to liability for choosing not to engage in the voluntary activities authorized under this subsection.

On page 107, line 10, strike “shall each” and insert “shall”.

On page 107, lines 11 and 12, strike “each Comptroller General of the United States and”.

On page 110, strikes lines 6 through 16.

On page 111, lines 8 and 9, strike “under subsection (b)” and insert “pursuant to section 9(a) of Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11742), relating to identification of critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security”.

On page 111, strike lines 22 through 24 and insert the following:

Resources of the Senate;

(F) the Committee on Energy and Commerce of the House of Representatives; and

(G) the Committee on Commerce, Science, and Transportation of the Senate.

On page 112, line 3, add a period at the end.

On page 112, strike lines 4 through 10.

On page 113, line 14, strike “intrusion”.

Beginning on page 114, strike line 7 and all that follows through page 115, line 9.

On page 115, after line 9, add the following:

SEC. 408. STOPPING THE FRAUDULENT SALE OF FINANCIAL INFORMATION OF PEOPLE OF THE UNITED STATES.

Section 1029(h) of title 18, United States Code, is amended by striking “title if—” and all that follows through “therefrom.” and inserting “title if the offense involves an access device issued, owned, managed, or controlled by a financial institution, account issuer, credit card system member, or other entity organized under the laws of the United States, or any State, the District of Columbia, or other Territory of the United States.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on October 27, 2015, 9 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 27, 2015, at 4 p.m., in room S–207 of the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on October 27, 2015, at 9 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on October 27, 2015, at 9 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Internal Revenue Service’s Re-

sponse to Committee Recommendations Contained in its August 5, 2015 Report.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 27, 2015, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BLUNT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 27, 2015, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Jeremy Kuester, a fellow in my office, be granted privileges of the floor for the remainder of the session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, OCTOBER 28, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, October 28; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 12 noon, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:23 p.m., adjourned until Wednesday, October 28, 2015, at 10 a.m.

EXTENSIONS OF REMARKS

IN HONOR OF MICHAEL GUARDINO

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. FARR. Mr. Speaker, I rise today to honor Mr. Michael Guardino, head of Carmel High School's science department, Carmel-by-the-Sea, CA. One would be hard-pressed to find a teacher more devoted to the art of education than Mr. Guardino.

A lifetime lover of knowledge, Mr. Guardino believes that every student deserves an uncompromised understanding of the fundamental sciences, creating a classroom atmosphere known both for its incredible rigor and rewards. Each morning, he arrives before the crack of dawn, preparing fascinating demos and labs to truly engage his students. Nobody can escape his notoriously difficult AP Chemistry course without a firm comprehension and appreciation for the chemical world, even if he has to blow stuff up—in the name of science—to get his students' attention. Every day, his students are challenged in new ways to approach unfamiliar problems and create solutions based on scientific processes. Whether it is titration, qualitative analysis, spectrophotometry, or chromatography, he finds a way to make each laboratory experiment challenging and captivating.

Away from the classroom, Mr. Guardino demonstrates his passion for SCUBA by acting as a volunteer diver at the Monterey Bay Aquarium for over 30 years, teaching the ecology and chemistry of kelp forests from inside the aquarium's massive tanks. Granting his students an incredible opportunity, he arranged a tour of Ed Ricketts' lab, part of the inspiration for "Cannery Row". This allowed them to hear rich first-hand experiences of Steinbeck and "Doc" recounted by the 96-year-old Frank Wright.

Mr. Guardino cares deeply for each of his students, giving his best efforts to teach and expecting their best efforts to learn. Giving untold hours of his personal time, Mr. Guardino personally helped Ethan Miller—a student bedridden for months due to a severe illness—learn the massive amounts of chemistry covered during his absence from school. Coming to school over the weekends and even on Thanksgiving, he ensured that Ethan understood the material. His tireless work paid off: Ethan completed AP Chemistry with an A both semesters and scored highly on the AP exam, earning college credit.

Mr. Speaker, I'm sure the House joins me in thanking Mr. Guardino for his dedication to his profession and to his students.

40TH ANNUAL LABOR AND
COMMUNITY AWARDS RECEPTION**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to congratulate several of Northwest Indiana's finest citizens. The Northwest Indiana Federation of Labor American Federation of Labor—Congress of Industrial Organizations (AFL—CIO) will be recognizing several individuals and organizations for their dedication and service during the 40th Annual Labor and Community Awards Reception, which will be held at Wicker Park in Highland, Indiana, on Wednesday, October 28, 2015. These individuals, in addition to all Northwest Indiana Federation of Labor members who have served Northwest Indiana so diligently for such a long period of time, are the epitome of the ideal American worker: loyal, dedicated, and hard-working.

At this year's event, several individuals and organizations will receive special recognition. John T. Coli, International Brotherhood of Teamsters Joint Council 25, and Harvey Jackson, International Brotherhood of Teamsters Local 142, are the recipients of the Service to Labor Award for their many years of service to the labor movement and their outstanding dedication to their fellow union members. The Union Label Award will be presented to Jeff Manes, a freelance reporter and member of National Writers Union 1981 and United Auto Workers, for his unselfish devotion to the labor movement through its promotion in all areas: social, civic, educational, and political.

The National Association of Letter Carriers will be honored with the Community Services Award for its exemplary service to the community and to the enhancement of the quality of life for the people of Northwest Indiana. Elizabeth "Betty" Quinn, American Federation of Teachers Indiana, will be honored with the Lifetime Achievement Award for her many years of labor activism and her commitment to her community. For the exceptional service she has provided to the people of Northwest Indiana, she is worthy of our admiration and respect. Dave Danko, President, United Steel Workers 7-1 (BP Refinery), is this year's recipient of the President's Award. Mr. Danko is being honored for enhancing the well-being of workers throughout Northwest Indiana through countless contributions to further the philosophy of the labor movement.

Harold Sitz, Ironworkers Local 1, Randy Palmateer, Business Manager, Northwest Indiana Building and Construction Trades Council, and Dan Murchek, President, Northwest Indiana Federation of Labor AFL—CIO, and President, Lake County Police Association Local 72, Lake County Federation of Police Local 12, will be presented with the George Meany

Award for their significant contributions to the youth of their communities through their involvement with the Boy Scouts of America.

Northwest Indiana has a rich history of excellence in its craftsmanship and loyalty by its tradesmen. These honorees are all outstanding examples of these qualities. They have demonstrated their loyalty to their unions and the Northwest Indiana community through their hard work and tireless service.

Mr. Speaker, I ask that you and my distinguished colleagues join me in congratulating these dedicated, honorable, and exemplary citizens, as well as all of the hardworking union men and women throughout America. They have shown commitment and courage toward their pursuits, and I am proud to represent them in Washington, D.C.

HONORING THE MEMORY OF
LT. GEORGE WHITMORE**HON. SCOTT DesJARLAIS**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. DESJARLAIS. Mr. Speaker, I rise today to honor the memory of a courageous American and a proud son of Tennessee, Lt. George Whitmore.

George Whitmore, of Shelbyville, Tennessee, enlisted in the Army on September 10, 1935 when he was sixteen years old, two years before he was eligible under Army enlistment rules. On May 6, 1937, Whitmore was promoted to Corporal and later to Sergeant. For the next few years he served in the National Guard and until February 24, 1941, when he was called up to Active Federal Service.

After completing Officer Candidacy School in Ft. Benning, GA, Whitmore was commissioned as a 2nd Lieutenant and entered the Army Ranger Combat Training program. After completing Ranger Training, Lt. Whitmore took part in the invasion of Normandy, where he bravely fought on Utah Beach.

He served on the front lines of Europe bravely defending his country, leading platoons of soldiers throughout the Normandy and Rhineland campaigns. On July 15, 1944, Lt. Whitmore was wounded in combat by an enemy artillery shell in northern France while pressing an attack against the German front.

During his 18 years of service to our country Lt. Whitmore received several service honors, including the Purple Heart Medal, the Combat Infantryman Badge and two Bronze Service Stars, among many others.

In August of 2008, Lt. Whitmore returned to Tennessee to make his home in Normandy, TN, where he resided with his wife of 74 years, and his youngest daughter and son-in-law until his passing on October 9, 2015, at the age of 96.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

To the family of Lt. Whitmore, we are sincerely grateful for his service. George truly exemplified the spirit of "the Greatest Generation."

H.R. 3762, GOP RECONCILIATION
ACT

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Ms. CASTOR of Florida. Mr. Speaker, on October 23, 2015, I was unable to be here to vote on H.R. 3762 (Roll Call 568), the GOP Reconciliation Act. Had I been present, I would have voted no on H.R. 3762. I have voted against this bill twice, once in the Energy & Commerce Committee and again in the Budget Committee. I was unable to make the vote because I was back in my district to attend a meeting with Secretary of Education Arne Duncan, parents, students and teachers to work directly on a huge challenge of improving schools in that community that are failing our children.

Below are the statements I made during the Energy & Commerce Committee and Budget Committee markups of H.R. 3762.

BUDGET COMMITTEE

"This is creating great economic uncertainty. Back home, I represent a district with an Air Force base that is home to U.S. Central Command and Special Operations Command. They are beside themselves about the inability of the Congress to move forward with a reasonable budget plan. It is now complicating the military missions of our country. They don't want another CR. That is a dead end. They don't want an OCO gimmick that doesn't serve our country well. They want those monies in the base defense budget, and have spoken out loudly.

And then on the domestic side our medical researchers, transportation, infrastructure, all of those important jobs that help lift America are also being undercut by the uncertainty created here in the Congress.

Now, I am very happy this is being done in an open setting today, because it really lays bare the priorities of the two parties here in Congress. The Democratic priority is to address the budget uncertainty, come together, work out a plan to move forward and avoid the government shutdown. The Republican priority, however, is to continue to attack women's health care and intimidate Planned Parenthood nonprofit clinics and the women that go there for their health services. This witch hunt continues, and it is not serving the interests of our great country. It is beneath the dignity of this Congress, because what is going to happen when we come back after next week? There is a new Benghazi-like select committee to continue this witch hunt.

I mean, this is really an all-time low. There has been an attack on women's health now for decades, but now the all-time low is what happened this summer with these manufactured YouTube videos now becoming the basis of public policy in America while all the investigations done here in the Congress and in States across the country have demonstrated no wrongdoing whatsoever. So we are going to waste taxpayer funds and important time on this witch hunt? I think it is very unfortunate.

You know, the approval ratings of Congress are at an all-time low, and I have to say, this demonstrates why that is, because it is Congress and the governing—so called governing party, is not focused on the priorities for our great country, instead, focused on intimidating women and trusted clinics across the country. I urge a no vote on this and the reconciliation package. Thank you."

ENERGY & COMMERCE COMMITTEE

"Well, thank you, Mr. Chairman, and I have to say, the Republican majority has really taken us back in a time warp today. It feels like we are probably back in the 1950s. The first half of the hearing was on energy policy, was very anti-science. It was practically the world is flat. They refused to address the changing climate, and the challenges that poses for our country and our communities, refused to modernize America's energy policy by unleashing innovation to benefit consumers and businesses all across America. But now the GOP majority wants to restrict contraceptives, and family planning services. This is decades old in—and it is another unconscionable attack on women's health and Planned Parenthood.

And I wanted to pose a question, which is doing more today in America to reduce the number of unplanned pregnancies. Certainly not the Republicans in Congress, who continue to vote to block access to contraceptives, and family planning, as they are . . .

. . . No, it is Planned Parenthood that is doing more to reduce the number of unplanned pregnancies in America.

Now, although the GOP attacks on women's health have gone on for years here in the Congress, we recently hit a new low this summer, when a shady group, that is actually under criminal investigation, helped launch a broad-based smear campaign against Planned Parenthood. To date, all of the investigations that have been launched have turned up there is no evidence to substantiate the allegations that Planned Parenthood, or any of its affiliates, violated the law, including an investigation by this very Committee.

Actually, what the evidence has turned up so far is that Mr. Dunliden, and his organization that doctored the YouTube videos, misrepresented itself to gain access to medical conferences and Planned Parenthood facilities. They should be the ones that are under investigation and brought to account. The investigations out there so far have showed that the videos are selectively edited, they repeatedly omit exculpatory statements about compliance with the law. We simply cannot allow Republicans in Congress to use these falsified videos to continue their extremist agenda against women and deny women access to comprehensive healthcare.

You know, this is the House of Representatives, and the population of the United States of America is a little more female, about 50—a little over 50 percent. But here in the Congress, you all know what the percentage is. It is under 20 percent female. Well, it certainly shows. I will urge my colleagues to defeat this attempt, again, to paint another chapter in the radical agenda against women's health. . . . I hope you have read the legislation that will be considered today, because what it will do is eliminate access to contraceptives and family planning. If my Republican colleagues truly believe that there should be family planning services, and contraceptives allowed to women and families across America, they should vote no on this radical idea, and this idea of reconciliation today. I will yield back the balance of my time."

Again, if I was present for the vote today on H.R. 3762, I would have voted no.

THE GLOBAL CRISIS OF
RELIGIOUS FREEDOM

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. SMITH of New Jersey. Mr. Speaker, the world is experiencing a crisis of international religious freedom that poses a direct challenge to U.S. interests in the Middle East, Central and East Asia, Russia, China, and sub-Saharan Africa. In large parts of the world, this fundamental freedom is constantly and brutally under siege. The worldwide erosion of respect for this fundamental freedom is the cause of widespread human suffering, grave injustices, refugee flows, and significant threats to peace and stability.

This Congress has heard the cries of Iraqi and Syrian Christians who face the threat of extinction, slavery, and death. We have heard about the plight of Rohingya Muslims, who face attacks and such unimaginable discrimination from hard-line Buddhist groups that many chose slavery elsewhere than life in Burma. We have heard about the persecution faced by Chinese Christians, Tibetan Buddhists, Uyghur Muslims, and Falun Gong at the hands of a Communist Party suspicious of organized religion. And, many of us on this subcommittee have seen firsthand the religious dividing lines in sub-Saharan Africa that are the cause of so much death and destruction.

In a world where some people are willing to kill those whose beliefs differ from theirs, where anti-Semitism persists even in the most tolerant of places, and where authoritarian governments view strong religious faith as a potential threat to their legitimacy, it is more important than ever that the U.S. engage in robust religious freedom diplomacy. One that uses all the tools available is the landmark International Religious Freedom Act of 1998.

The stakes are too high and the suffering too great to downplay religious freedom as a priority of U.S. foreign policy. But unfortunately, we often hear from religious groups globally and from NGOs working on the issue that this Administration has sidelined the promotion of religious freedom.

This criticism does not discount the work done by our men and women at the State Department and the efforts of Ambassador Saperstein himself. They do important and substantive work, but it seems too often that the issue is marginalized and isolated from issues of national security or economic development—even though we know from academic research that countries with the highest levels of religious freedom experience more prosperity and less terrorism.

Religious persecution has catastrophic consequences for religious communities and for individual victims. But it also undermines the national security of the United States. Without religious freedom, aspiring democracies will continue to face instability. Sustained economic growth will be more difficult to achieve.

Obstructions will remain to the advancement of the rights of women and girls. And, perhaps most urgent of all, religious terrorism will continue to be nourished and exported.

The global religious freedom crisis will not disappear anytime soon. According to the non-partisan Pew Research Center, 75% of the world's populations live in countries where severe religious persecution occurs regularly.

It has been almost 17 years since the passage of the International Religious Freedom Act of 1998. Religious freedom diplomacy has developed under three administrations of both parties. Unfortunately, the grim global realities demonstrate that our nation has had little effect on the rise of persecution and the decline of religious freedom.

It is worth asking why.

It is worth asking not only what the State Department is doing, but what can be done better? Are new tools or new ideas needed to help U.S. religious freedom diplomacy address one of the great crises of the 21st century? Does the International Religious Freedom Act of 1998 need to be upgraded to reflect 21st century realities?

That is why I introduced the Frank Wolf International Religious Freedom Act of 2015 (H.R. 1150). This legislation, named after the author of the original IRFA Act, my good friend former Congressman Frank Wolf, would, among other things, strengthen the role of the Ambassador-at-Large for Religious Freedom and the IRF office at State and give more tools to the Administration to address the crisis we face. The bill is roundly endorsed and supported by a broad, diverse array of religious freedom, civil society and diaspora organizations. They acknowledge what too many policymakers and administrations, Republican and Democrat alike, have been unable to appreciate—America's first freedom ought to be infused, at every possible level, into our foreign policy.

Upgrading and strengthening U.S. international religious freedom policy—and further integrating it into U.S. foreign policy and national security strategy—will send the clear message that the U.S. will fight for the inherent dignity of every human being and against the global problem of persecution, religious extremism, and terrorism. In so doing, we can advance the best of our values while protecting vital national interests.

HONORING THE LIFE OF JOHN M. FAMULARO

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. BARR. Mr. Speaker, I rise to honor the life of a very special man, John M. Famularo of Lexington, Kentucky. Famularo spent most of his life in the legal profession and over the years earned a stellar reputation among his fellow attorneys and all that knew him.

Famularo was raised in Mt. Olivet, Kentucky. He came from a family of legal minds, with his father serving as county attorney, district judge, and circuit judge and his brother serving as U.S. Attorney. Famularo graduated

from Loyola University and the University of Kentucky College of Law. Two years after graduation from law school, he successfully argued a boundary dispute case before the U.S. Supreme Court. He began serving as an assistant commonwealth attorney for Fayette County in the 1970s. Much of his career was spent as a partner with the Stites and Harbison law firm in Lexington, where his practice focused on product liability, class-action defense, and medical malpractice defense. He also served as Chief Judge of the 22nd Judicial District in Fayette County. Famularo was well respected for his great legal mind.

Mr. Famularo was special to me personally. As a young lawyer, he was my first mentor. Many attorneys, including me, owe our success to the selfless interest he took in our professional development. He was a great lawyer, a fierce advocate for his clients, a dedicated officer of the court, and the best litigator I have ever seen.

Mr. Famularo became a regent and state chairman of the American College of Trial Lawyers, served on the board of governors of the Kentucky Bar Association, and was inducted into the University of Kentucky College of Law Hall of Fame. He passed away on October 23, 2015. He is survived by his wife Karen, three children, and three grandchildren. The legal community and all those associated with John M. Famularo mourn his passing and honor his legacy.

25TH ANNIVERSARY OF THE WHITE HOUSE INITIATIVE ON EDUCATIONAL EXCELLENCE FOR HISPANICS

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, this year marks the 25th Anniversary of the White House Initiative on Educational Excellence for Hispanics. Since 1990, the initiative has played a critical role in advocating for and advancing policies that have helped our community grow.

While our work is not done, as we conclude Hispanic Heritage Month, it is important for us to celebrate our progress. Our nation's high school graduation rate is the highest in history, and the Latino dropout rate is half of what it was in 2000.

More importantly, however, we must recognize the work that remains and those committed to doing it. Earlier this year, the Department of Education issued a national call for commitments to action for Hispanics in education. The initiative aimed to encourage private, public and nonprofit investments to create and/or expand high quality educational services. The results were astounding; 150 Commitments to Action with a collective investment of over \$335 million.

Mr. Speaker, I rise today to highlight the commitment of an organization in my district, the Mariachi Music Education Initiative, who has committed nearly \$900,000 over three years for music education.

It's commitments like this, and those of the other 149 organizations that will help our community prosper. Together, through the work and contributions of public, private and nonprofit organizations, we will continue working to close the achievement gap, and ensure every child in America has the tools and opportunity they need to succeed.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. TAKAI. Mr. Speaker, on Monday, October 26, 2015, I was absent from the House to attend to a personal health matter. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "yea" on Roll Call 569, providing for the consideration of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes.

BOKO HARAM AND THE CHIBOK SCHOOLGIRLS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. SMITH of New Jersey. Mr. Speaker, the world was shocked as 276 schoolgirls from the northeastern Nigerian town of Chibok were kidnapped by the Islamic militant group Boko Haram. In the days following this event, we learned that the military had four hours' warning of the attack, but failed to mobilize sufficient forces to fight off the attackers, who arrived at this predominantly Christian town in a convoy of vehicles. A military redeployment to find the girls two weeks later resulted in the massacre of at least 300 residents of the town of Gamboru Ngala.

Since that time, the previous Nigerian Government made many announcements about freeing the kidnapped girls, none of which proved to be accurate. Hope had been raised last October by a government announcement of a cease-fire and release of the girls only to be dashed by increasing Boko Haram attacks and the continued captivity of the Chibok girls. In fact, Boko Haram kidnapped more girls in northeastern Nigeria, especially Christian girls.

President Muhammadu Buhari has said he won't make promises about freeing these captives that he can't guarantee, but I expect he will make every effort to free the Chibok girls, as well as the many others taken by Boko Haram.

I have met previously with young women who have escaped from Boko Haram, in Jos and Abuja, Nigeria, and here in the United States. They confirm the abuse of their sisters and mourn their loss as we do. I want to thank

Emmanuel Ogebe for all his help in arranging these meetings and the programs allowing some of these young women to come to the United States for an education. An estimated 10,000 other Nigerian youth are prevented from being educated because of disruptions caused by Boko Haram.

My subcommittee has held several hearings on Boko Haram and convinced the administration to declare Boko Haram a Foreign Terrorist Organization, which they announced at our November 13, 2013, hearing.

I have since pressed the administration to use authorities under the FTO designation to investigate and identify for the Nigerian Government those who support Boko Haram. I also have worked to end the current roadblocks preventing U.S. counterterrorism training for Nigerian troops.

During the past year, social media worldwide has exploded with the "Bring Back Our Girls" campaign. I must compliment my colleague, Congresswoman FREDERICA WILSON, who has maintained her efforts to free the Chibok girls and all the others kidnapped by Boko Haram, while others have moved on to different issues.

I have worked with Congresswoman WILSON to update her House Resolution 147, which focuses on bringing to an end the violence unleashed by Boko Haram and bringing material aid to those harmed by their attacks. We also have joined in this legislation to press initiatives I mentioned earlier. I hope my subcommittee and our committee can move this legislation to the floor soon to give a boost to U.S. efforts to help Nigeria end the reign of terror by Boko Haram.

RECOGNIZING BROWNSTOWN ELECTRIC SUPPLY COMPANY

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. YOUNG of Indiana. Mr. Speaker, many Hoosier small businesses across my district power the economic engine of the state, while also playing a critical role in the civic life of their communities. Today it is my honor to highlight one such small business. Brownstown Electric Supply Company, based in Brownstown Indiana, is a privately owned electrical supply company that has provided utility companies with technical expertise and electrical supplies for over four decades.

Carl Shake founded Brownstown Electric Supply Company in 1970 after a long career in the electrical supply and utility service industry. Brownstown Electric has grown from a small business in Jackson County, Indiana to a regional company that has expanded its reach as far as Illinois, Kentucky, and Ohio. Brownstown Electric is now run by Carl's son in law, Greg Deck, who stewards the company with the same principles that have made Brownstown Electric a staple of Southern Indiana.

In addition to supplying electrical equipment and providing expertise in the field, Brownstown Electric is an active member of

the local community. They sponsor local high school sports teams, participate in the Brownstown High School school-to-work program, and contribute to the Jackson County History Center of Indiana. Brownstown Electric also encourages their employees to get involved and volunteer in the community. This heart for service is exemplified in their organization of the Zach Pickard Pelican Run. The community-wide event is a 5K run/walk event dedicated to raising money to find a cure for Hutchinson-Gilford progeria syndrome. Employees of Brownstown Electric organized the fundraiser in honor of an employee's son who lives with the genetic condition.

Brownstown Electric Supply Company is emblematic of the Hoosier ethic. They are family-owned and operated, deliver quality products and service, and possess a strong commitment to improving the lives in the community.

It is an honor to represent a business like Brownstown Electric. I hope their exemplary business ethic serves to inspire other would-be entrepreneurs, and I am pleased to highlight their good work today in this installment of Indiana's 9th District Small Business Spotlight.

CONGRATULATING SHARON CONATSER

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Sharon Conatser on being elected national president of the American Legion Auxiliary earlier this year. The American Legion Auxiliary is the nation's largest women's patriotic service organization, led by the national president who promotes the organization's mission advocating for veterans, educating citizens, mentoring youth, and promoting patriotism, good citizenship, peace, and security.

Mrs. Conatser grew up in Central Illinois and has been a lifetime member of the American Legion family. She first became involved through her father, a WWII and Korean war veteran. Her husband also served as the national commander of the American Legion, making her the first national president who was also a First Lady of the American Legion.

Mrs. Conatser is retired from the University of Illinois at Urbana-Champaign, where she worked for 25 years. She has held numerous leadership positions with the American Legion Auxiliary, and remains active in her church and her community, serving as an inspiring example of a dedicated public servant. I am proud of Mrs. Conatser's accomplishments and it is an honor to represent her in the 13th District of Illinois.

Mrs. Conatser will be a strong national leader for the American Legion Auxiliary and I wish her the best in serving our country's veterans, active duty military, their families, and their communities.

HONORING THE SERVICE OF DAVID DOWNEY

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. BARR. Mr. Speaker, I rise to honor a special man, David Downey, of Bourbon County, Kentucky. Mr. Downey, a part of the Greatest Generation, answered the call to serve during World War II and had a long military career. Today it is my honor to recognize him before the United States House of Representatives.

Mr. Downey was born in Bourbon County and graduated from Western High School. He was drafted into the United States Navy in 1944 and began his career in boot camp at Great Lakes, Illinois. He left the Navy after a year and a half of service, and quickly decided to return in 1946. He remained in the Navy until 1968. Mr. Downey served on a transport ship during World War II, Korea, and Vietnam. He also served on destroyers and served as a cook. During his service in Vietnam, he was honored to meet Roger Staubach, a Naval Academy graduate and Heisman trophy winner.

Following his retirement from the Navy in 1968, he returned home to Kentucky. He worked various jobs before taking a position as a bus driver for the Paris Independent School system. He spent the next twenty two years driving schoolchildren in Bourbon County.

Mr. Downey is an active member of the Seventh Street Christian Church where he serves as a deacon and sings in the Chariots of Fire choir. He loves to bowl and is an active member of a league. Downey and his late wife Nannette, were married for fifty-three years. He has two girls and a boy.

The bravery of Mr. Downey and his fellow men and women of the United States Navy is heroic. Because of his courage and the courage of individuals from all across Kentucky and our great nation, our freedoms have been preserved for our generation and for future generations. He is truly an outstanding American, a patriot, and a hero to us all.

RECOGNIZING JEFF HUNT

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Jeff Hunt on being selected to serve as the new leader of Colorado Christian University's Centennial Institute. I commend his hard work and dedication to the community. Mr. Hunt's impressive career in public service has enriched the lives of so many.

Mr. Hunt's work in the public and private sector, coupled with his principled values, has proven to be invaluable. I am confident that his great spiritual and intellectual strength will make him an exceptional Director at the Centennial Institute.

On behalf of the 4th Congressional District of Colorado, I extend my best wishes as he

takes on this well-deserved position. It is truly an honor to celebrate his many accomplishments. Mr. Hunt's dedication to public service and the religious community represents the essence of the Centennial Institute's mission.

Mr. Speaker, it is an honor to recognize Mr. Jeff Hunt for his service.

RECOGNIZING MANN PLUMBING/
MPI SOLAR

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. YOUNG of Indiana. Mr. Speaker, my home state of Indiana is a place where hard work and innovation are rewarded. The spirit of entrepreneurship and innovation is a long held tradition of Indiana, and the work of Mann Plumbing is evidence that such tradition is alive and well. Today I am honored to highlight their small business and recognize their good work.

Mann Plumbing/MPI Solar is a full service plumbing and solar energy equipment company located in Bloomington, Indiana. The business was started by David Mann and originally began as a full service plumbing company in 1992. During the 2008 economic downturn the company embraced the situation as an opportunity to expand their business and product offerings into a new market. To do so they began offering solar products to customers. Mann Plumbing/MPI Solar is now a regional leader in this industry. Their big risk turned into a success story.

Mann Plumbing/MPI Solar provides their services to countless Indiana businesses, including: apartment houses, businesses, schools, and the Monroe County Government Building.

Mann Plumbing/MPI Solar's transition from a traditional plumbing shop to a full service plumbing and solar company during difficult economic times serves as a model for other businesses. David Mann and his team revitalized their business with new services and products that helped shepherd Mann Plumbing through a difficult economic period, and allowed them to expand and thrive.

Today, Mann Plumbing/MPI Solar offers a wide variety of products and services to their customers. Mann Plumbing/MPI Solar's success is possible in part, because of highly-trained and dedicated staff. Skilled, motivated workers form the backbone of the Hoosier workforce and remain the key to widespread, economic prosperity.

I am proud to represent Mann Plumbing/MPI Solar and hope their willingness to take risk and ability to adapt serves to inspire others. I am pleased to highlight their good work today in this installment of Indiana's 9th Congressional District Small Business Spotlight.

HONORING RUTH FRIENDLY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. ENGEL. Mr. Speaker, I rise today to honor a true leader in the Riverdale community, Ruth Friendly, who has been actively involved in several different neighborhood organizations for many years.

A former school teacher, Ruth was extensively involved in the curriculum development for the Scarsdale public school system before leaving the classroom in 1981 to join her husband, Fred Friendly, to work in media. Ruth served as a researcher, editor, producer, and executive producer for many landmark PBS series, and was an integral part of a team that received countless awards, including several for the series *The Constitution: That Delicate Balance*.

Ruth also produced over 200 non-televised programs for civic, legal, business, and educational organizations, often moderated by Fred. For 16 years, she served as Vice President and Senior Editorial Director at Fred Friendly Seminars.

Yet, in spite of her busy schedule, Ruth always found time to help the community. For the past eight years, she has been an active Board Member of Riverdale Neighborhood House. Ruth has also served on the Riverdale Senior Services Board, the Riverdale Mental Health Board, and the Fieldston Property Owners Association. She has also been active in the New York State court system, where she currently serves as Commissioner of the New York State Commission on Judicial Nomination, Court of Appeals, and as a panel member for the Disciplinary Committee of the Appellate Division, New York Supreme Court.

This year, Riverdale Neighborhood House is honoring Ruth at their 2015 Annual Benefit. I want to congratulate Ruth on this honor and thank her for her years of dedicated service to the community.

HONORING ROBERT T. GRAND

HON. LARRY BUCSHON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. BUCSHON. Mr. Speaker, I rise today to honor my good friend Robert T. Grand, who turns 60 this year.

A graduate of Wabash College and IU McKinney School of law, Bob has committed his adult life to public service.

Bob has been a tremendous advocate for Hoosiers through his work with former Indiana Gov. Bob Orr, Senator Dick Lugar, President Bush, Governor Mike Pence, and Senator DAN COATS and his efforts working for common-sense public policy, especially in areas of government regulation.

In fact, the 2016 edition of Best Lawyers in America, named Bob as "Lawyer of the Year" for his work in government relations practice and municipal law.

Bob, congrats on six decades of success and here's to many more years of health and happiness.

HONORING CHANCELLOR LARRY
NEIL VANDERHOEF

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Larry Neil Vanderhoef, a long-serving Chancellor at the University of California, Davis. On October 15, Larry passed away at age 74. I was fortunate to call him my friend, and he will truly be missed.

Chancellor Vanderhoef grew up from adversity and humble beginnings to be an incredible leader. He was raised in a small factory town in Wisconsin, and became the first in his family to finish high school and one of the few in his small town to go to college. He received his BA and MS in Biology from the University of Wisconsin-Milwaukee, and he later pursued and received his Ph.D in Plant Biochemistry from Purdue University.

The Chancellor was a true visionary and academic diplomat, not just for the University of Davis but also for the wider Davis community. His extraordinary dedication is best described by the legacy he leaves behind. He devoted more than a quarter-century of his life to UC Davis, first as Provost and Executive Vice Chancellor from 1984 to 1994, and then as Chancellor for fifteen years after that—finally retiring in 2009. He was an academic servant who had a vision for UC Davis, and today the campus is one of the top leading research universities in the nation.

Throughout his life, Chancellor Vanderhoef was a tireless advocate for higher education whose passion and dedication transformed UC Davis. Almost every aspect of the university was impacted by his efforts to improve the education system, including the university's national rankings, student population, faculty, and research initiatives and facilities. Under Chancellor Vanderhoef's leadership, student enrollment grew from 22,000 to more than 30,000, the faculty increased by 44%, classroom, lab, and office space expanded by 6 million square feet, and the National Science Foundation ranked UC Davis in the top 10 in the nation for research funding among other public universities.

He was a visionary leader who made great strides toward bettering not only the university, but also the community of Davis. He held a strong passion for music and the arts, and advocated for the construction of what is now the Shrem Museum of Art. His promise to build a world-class performing arts center was realized in 2002 when doors opened to the Robert and Margrit Mondavi Center for the Performing Arts, placing the university on the world stage. The performing arts center also serves as a beautiful new south entrance to the campus, making it more accessible to the public.

During his tenure as Chancellor, UC Davis was admitted into the Association of American Universities, a prestigious organization with only 62 members in the United States and Canada. Chancellor Vanderhoef's support of the sciences and medical research was reflected in his many initiatives on campus such as the creation of the Robert Mondavi Institute for Wine and Food Science. He also transformed the Sacramento County Hospital into

what is known today as the highly renowned UC Davis Health System, providing patients with the highest of quality care. The health system includes the UC Davis Medical Center, UC Davis School of Medicine, The Betty Irene Moore School of Nursing, and the UC Davis Medical Group. Not only does the UC Davis Health System conduct innovative research, but it stimulates Sacramento's economy by creating more than 20,000 jobs and generating \$3.4 billion annually in economic output.

In addition to the arts and sciences, Chancellor Vanderhoef was a firm believer in the power of academic diplomacy. While at UC Davis, he promoted study abroad programs and the importance of international engagement in the Middle East. He believed that being exposed to new cultures and new ways of thinking can foster dialogue and greater understanding. Currently, students are able to participate in numerous study abroad programs such as the UC Davis Quarter Abroad or Summer Program, a Seminar Abroad Program, or even hold an internship abroad. Today, the Larry N. Vanderhoef Scholarship for Study Abroad, named for his legacy, continues to make these unforgettable opportunities open to Davis students.

Due to his many accomplishments in the Davis community, Chancellor Vanderhoef was granted numerous awards for his dedication and commitment to higher education. The Chancellor was named Sacramentan of the Year in 2004 by the Sacramento Metropolitan Chamber of Commerce, and in 2006, he was presented with the Northern California International Leadership Award and was elected as an honorary member of the World Innovation Foundation.

I am deeply honored to have known Chancellor Larry Neil Vanderhoef and to pay tribute to a great visionary who dedicated his life to public service and to the people of Davis. There is little doubt that Chancellor Vanderhoef's presence was felt throughout the entire community. He left a remarkable legacy, which will not soon be forgotten. It is my sincere hope that the students and faculty at UC Davis will embody the Chancellor's spirit and continue to carry his legacy with them throughout their lives. It is leaders like Chancellor Vanderhoef who inspire change and make the most impact on those around them.

PERSONAL EXPLANATION

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. McNERNEY. Mr. Speaker, I was necessarily absent from the House on October 23, 2015. Had I been present, I would have voted NO on H.R. 3762 (Roll Call 568). I would like the record to accurately reflect my stance on this issue.

HONORING PORTUGUESE-AMERICAN COMMUNITY CENTER 85TH ANNIVERSARY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. ENGEL. Mr. Speaker, the city of Yonkers has been privileged for 85 years to be graced with strong community commitment from the Portuguese-American Community Center. With gratitude, it is an honor to congratulate them on their anniversary.

The Center was inaugurated on October 5, 1930 under the name "Clube Social Portugues." Originally, the "Centro Social Portuguese-American Citizens & Yonkers Portuguese American Club", the PACC dignified the lives of Portuguese immigrant families throughout Yonkers, weaving families into a strong community. On the 30th Anniversary of its founding, the Center settled on "Portuguese American Community Center, Inc."

Early in the club's existence, under the presidency of the Ambassador of Portugal, Dr. Joao Bianchi, a language school called "Escola Joao de Deus" was opened to help the local children.

After decades of success, in 2012 "Escola Joao de Deus" joined the "Instituto de Cames," an entity of the Portuguese Government, which oversees the teaching of Portuguese abroad. To this day, the school plays a huge role in the Portuguese-American Community Center's role in the neighborhood.

Faithful to its founding principles, the Center continues its independent streak of focus towards the community rather than towards political organizations or religious sects. It also keeps the youth physically active by having a soccer team department, "Portuguese Stars," with over 65 children enrolled.

On October 3rd, the Portuguese-American Community Center will be hosting its 85th Anniversary Gala-Diamond Jubilee. I congratulate them on the occasion and wish them another 85 years of great success in Yonkers.

INTRODUCTION OF BANNING THE USE OF ELECTRONIC CIGARETTES ON AIRPLANES ACT OF 2015

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Ms. NORTON. Mr. Speaker, I rise to introduce the Banning the Use of Electronic Cigarettes on Airplanes Act of 2015. The bill prohibits the use of electronic cigarettes and vaping devices on commercial airplanes by including use of these devices within the definition of smoking. Smoking tobacco products on commercial airplanes has been banned for years, but with the increase in use of electronic cigarettes and vaping devices in their place, it is necessary to update our laws to reflect this new nuisance and health risk on airplanes. The Federal Aviation Administration (FAA) issued a Notice of Proposed Rule-

making (NPRM) in 2011 ban the use of these devices, but four years later, no progress has been made. Therefore, Congress should step in to legislatively resolve the issue.

Electronic cigarette use has increased over the last decade with the increased education of the general public about the dangers and public health threats caused by traditional cigarettes to smokers and nonsmokers alike. For example, between 2010 and 2011, e-cigarette use among adults doubled. Researchers and public health experts have voiced concerns over the use of electronic cigarettes because there are still so many unknowns about the chemicals these devices can produce. The American Lung Association (ALA) has cited many concerns about the lack of regulation of e-cigarettes because they are on the market while the potential harm from secondhand e-cigarette emissions is unknown. ALA has identified two studies that show formaldehyde, acetaldehyde, benzene, tobacco-specific nitrosamines, and other harmful irritants coming from e-cigarette emissions. In addition, the temperature of an e-cigarette can affect how many harmful the chemicals are, but with no configuration standards, it is too difficult to uniformly assess the health effects of smoking e-cigarettes. The Food and Drug Administration (FDA) issued a proposed rule in 2014 that would extend new regulatory authority to e-cigarettes by subjecting e-cigarettes to registration and product listing requirements, restrictions on marketing products prior to FDA review, and a prohibition on providing free samples like with traditional tobacco products.

This year we celebrate 25 years since legislation was passed banning smoking on domestic flights in the United States. In the 1960s, the U.S. Surgeon General identified smoking as a cause of increased mortality and by 1986, the U.S. Surgeon General had named secondhand smoke a serious health risk. The National Academy of Sciences, in its report "The Airliner Cabin Environment: Air Quality and Safety," recommended a ban on smoking on all domestic commercial flights. The Association of Flight Attendants can be credited with urging the smoking ban due to the negative health impacts flight attendants suffered working in cramped, closed-off spaces when a third or more passengers smoked in-flight. Congress used this information to include an amendment authored by then-Representative DICK DURBIN (D-IL) in the Federal Aviation Act that made domestic flights of two hours or less smoke free. By 1990, this smoking ban was extended to all domestic flights of six hours or less, and, in 2000, the Wendell H. Ford Aviation Investment and Reform Act made all flights to and from the United States smoke-free. All of this was done even in the face of the strong tobacco industry's opposition because of the undeniable health impacts of cigarettes and cigarette smoke. Many flyers do not remember a time without "No Smoking" signs located throughout a commercial airplane.

In 2011, the U.S. Department of Transportation issued its NPRM to prohibit the use of e-cigarettes on U.S. airplanes. Under current FAA policy, battery-powered electronic cigarettes, vaporizers, vape pens, atomizers, and electronic nicotine systems are prohibited in checked baggage, and the FAA recommends

that such devices only be carried in the aircraft cabins because of safety issues. It is up to individual airlines to ban their use. Some airlines have already taken the initiative to institute a ban on the use of electronic cigarettes, but legislation is necessary to make this update applicable to all airlines, and permanent.

The current smoking ban applies to the smoking of tobacco products on all scheduled passenger flights and on scheduled passenger flight segments on foreign air carriers in the U.S. and between the U.S. and foreign countries, unless a waiver is granted based on bilateral negotiations. The Banning the Use of Electronic Cigarettes on Airplanes Act of 2015 will amend the statutory definition of smoking located in 49 U.S.C. 41706 to include the use of electronic cigarettes, defined as "a device that delivers nicotine or other substances to a user of the device in the form of a vapor that is inhaled to simulate the experience of smoking."

I urge my colleagues to join me in supporting this bill.

PERSONAL EXPLANATION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Ms. SINEMA. Mr. Speaker, I would like to reflect that if I had been present I would have voted aye on roll call number 534, aye on roll call number 535, nay on roll call number 536, aye on roll call number 537, nay on roll call number 538, aye on roll call number 539, aye on roll call number 540, nay on roll call number 541, aye on roll call number 542, aye on roll call number 543, aye on roll call number 544, nay on roll call number 545, aye on roll call number 546, aye on roll call number 547, aye on roll call number 548, and aye on roll call number 549.

URGING CONGRESS TO SUPPORT FARM TO SCHOOL

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. GARAMENDI. Mr. Speaker, I rise today to bring attention to a vital childhood nutrition program in desperate need of funding. In the Healthy, Hunger-Free Kids Act of 2010, Congress established mandatory funding of \$5 million annually for a farm to school competitive grant and technical assistance program. This program allows communities to provide local foods in schools. Programs like this boost farm income while also fostering experiential food education for our children. Farm to school empowers children and their families to make informed food choices while strengthening the local economy and contributing to vibrant communities. The proven benefits such as food security, sustainable farming education, as well as long-term healthy lifestyle choices have been invaluable to communities

all over the United States. Unfortunately, demand for the program is more than five times higher than available funding, which is why I urge Congress to support the Farm to School Act of 2015.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,152,638,934,294.38. We've added \$7,525,761,885,381.30 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN RECOGNITION OF OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of October as Domestic Violence Awareness Month and to reaffirm our commitment to ending domestic violence in this country.

Established 24 years ago, Domestic Violence Awareness Month exists to raise awareness across the country regarding the prevalence of domestic violence and opportunities for victims. Americans of any gender, age, religious group, neighborhood, income level, and racial or ethnic background are at risk.

The statistics are simply staggering. Every minute, nearly 20 people in the United States are physically abused by an intimate partner—amounting to more than 10 million women and men in the United States a year. Horrifically, one in three women will experience an incident of domestic violence, while one in four men have been victims of some form of physical violence by an intimate partner within their lifetime. Daily, more than 20,000 calls are placed to domestic violence hotlines nationwide. This epidemic has far-reaching consequences in our communities; domestic violence is the third-leading cause of homelessness among families, and over 10 million children are exposed every year.

A key step in working toward ending domestic violence in this country is to increase awareness, engagement, and education surrounding this issue. To this end, we are fortunate to have the efforts of exemplary organizations, including South Shore Women's Resource Center, The Women's Fund of Southeastern Massachusetts, We Can, and Cape Cod Center for Women, working to provide stability, shelter, and safety for victims of domestic violence throughout my district and the

Commonwealth. Similarly, Jane Doe Inc. promotes a simple yet critical message: men are essential partners in the fight to end domestic violence and sexual assault against women. Jane Doe Inc.'s White Ribbon Campaign has proven to be a positive way to send the message that violence against women is unacceptable.

Mr. Speaker, I urge everyone to join me in continuing our efforts by recognizing October as Domestic Violence Awareness Month. There is much work yet to be done, but, as these tireless Massachusetts organizations have demonstrated, together, we can make a difference.

HONORING NATIONAL COLLEGIATE HONORS COUNCIL 50TH ANNIVERSARY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. ENGEL. Mr. Speaker, I rise today to congratulate the National Collegiate Honors Council as they celebrate their 50th anniversary this year. The National Collegiate Honors Council represents 800 colleges and universities and is composed of 325,000 students dedicated to achieving educational excellence in diverse subject curriculum areas, in order to achieve professional career goals.

In my district, the Iona College Honors Program attracts the most talented and motivated students from all majors and disciplines. The honors program challenges students to develop their talents, stretch their capabilities, and prepare themselves for postgraduate study and professional careers. In order to mentor and challenge Iona's exceptional students, the honors program provides them individual academic and career counseling, small class sizes, and advanced courses. Iona College honors students go on to achieve prominence in a diverse range of professional fields including law, advertising, banking, education, and law enforcement. Grounded in an interdisciplinary rigorous curriculum marked by an accelerated course of study, students in the Honors Program embody the mission of Iona College, the Christian Brothers, and Catholic higher education.

The National Collegiate Honors Program, after decades of growth and experience, continually prepares our students for successful professional careers. I invite my colleagues to join me in recognizing the program's contributions to our nation's educational and professional communities for the last 50 years.

CELEBRATING THE 40TH ANNUAL MEETING OF THE AGING & IN-HOME SERVICES OF NORTHEAST INDIANA, INC.

HON. MARLIN A. STUTZMAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. STUTZMAN. Mr. Speaker, I want to acknowledge the 40th anniversary and celebrate

the accomplishments of Aging & In-Home Services of Northeast Indiana, Inc. AIHS is a private, non-for-profit social service organization serving seniors and persons with disabilities of all ages since 1975. It is the Area III Agency on Aging as designated by the U.S. Administration on Community Living and the State of Indiana. As such, it is the primary resource for older adults, persons with disabilities, and their caregivers, and a funding source of services including support for the Councils on Aging in their nine-county service area: Allen, Adams, DeKalb, Huntington, LaGrange, Noble, Steuben, Wells, and Whitley.

The organization works tirelessly to strengthen local and statewide systems for advocacy and protection of older adults, and other at-risk vulnerable populations. In 2014 AIHS touched the lives of more than 57,000 individuals through its continuum of programs to support safe and independent living at home. All services are provided regardless of race, age, color, religion, sex, disability, national origin or ancestry.

In the past year, the agency has received national recognition for strategic leadership and initiatives in bridging the gap between traditional Older Americans Act programs and the new healthcare model of service provision and payment sources, including:

Administration on Community Living (ACL), U.S. Department of Health & Human Services, invitation to prestigious "thought leaders" roundtable.

Hartford Foundation invitation to multidisciplinary "Change AGent" conference of geriatric specialists from across the United States.

Co-presenters with National Institute on Health and ACL at National Association of Area Agencies on Aging conference on Recruiting Older Adults into Research.

Community-based Care Transitions Program, funded by Centers for Medicare & Medicaid Services, achieved milestone of assisting 10,000 patients in reducing hospital readmission in 11 hospitals across 32 counties.

National Committee for Quality Assurance (NCQA) "Standards for Long-Term Services and Support and Medical Care" Learning Collaborative, selected as 1 of only 10 organizations nationwide.

Rosalynn Carter Institute on Caregiving National Summit, invited to present showcasing achievements of evidence-based chronic disease telephonic support featuring staff, local caregiver and their care recipient.

The organization's 40th Annual Meeting and Awards Ceremony will be held on Wednesday, October 28, 2015, at the Parkview Mirro Center in Fort Wayne, Indiana. Joan Lunden, a cancer survivor, journalist, television host, and renowned caregiver will be the featured speaker. I ask that my colleagues join me today in celebrating this organization's service to the most vulnerable of our citizens in northeast Indiana, and extend our best wishes for their future.

IN RECOGNITION OF STEVEN D. CHAN, D.D.S.

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. SWALWELL of California. Mr. Speaker, I rise today to congratulate Dr. Steven D. Chan on his upcoming installation as President of the American College of Dentists. I am honored to recognize Dr. Chan's distinguished career and contributions to the City of Fremont.

Dr. Chan is a third-generation Californian, born and raised in Los Angeles. After receiving his undergraduate degree from UCLA, he earned his dental degree from Georgetown University and completed his residency at Martin Luther King/Los Angeles County Hospital. Dr. Chan has had a practice in pediatric dentistry in Fremont for over 30 years. Dr. Chan's professional honors include Fellowships in the Academy of Dentistry International, American Academy of Pediatric Dentists, and the International College of Dentists.

In addition to his professional accomplishments, Dr. Chan is also a dedicated leader in the City of Fremont. His leadership in the community includes serving as Chair of Ohlone Community College's Oversight Committee and as Commissioner of the City of Fremont Library Commission. He has been honored as the Citizens for a Better Community's Citizen of the Year, the Asian Business Alliance Business Owner of the Year, and the Asian Pacific Islander American Public Affairs Business Leader of the Year.

Dr. Chan's exceptional leadership will be well-matched for his new role as the President of the American College of Dentists. He will be the first Asian American to lead this highly respected organization. I know his wife, Sue, and their two sons are very proud of Dr. Chan's achievement. On behalf of his wonderful family, I want to congratulate Dr. Chan on this tremendous honor.

CELEBRATING THE 150TH ANNIVERSARY OF THE AMERICAN SOKOL ORGANIZATION

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the 150th Anniversary of the American Sokol Organization. As one of the first organized gymnastics and fitness organizations in the United States, I would like to congratulate the American Sokol Organization on this important milestone and applaud them for its continued efforts to provide fitness, educational, and cultural programs to their communities. The American Sokol Organization will celebrate this anniversary on November 14, 2015 at the Women's Athletic Club of Chicago, and as a Co-Chair of the Czech Caucus, I am pleased to see them mark such an important date.

The anniversary celebration taking place in Chicago will feature two important guests. I want to take this opportunity to congratulate Petr Gandalovic, Ambassador of the Czech Republic to the United States, and Kristyna Pellouchoud Driehaus, KMD Foundation, American Friends of the Czech Republic and Chicago Czech Center for taking part in this magnificent celebration as Honorary Co-Chairs.

On March 19, 2015, I attended a wreath laying ceremony marking the 25th Anniversary of Vaclav Havel's speech to a joint session of Congress and dedicating his bust's new and permanent location in Freedom Foyer. This event was attended by leaders of Congress, and Czech Ambassador to the United States, Petr Gandalovic.

The first American Sokol unit was founded by Czech and Slovak immigrants, Karel Prochazka, Jaroslav Vostrovsky, and E.B. Erben, in Saint Louis, Missouri in 1865. At that time, large numbers of immigrants were flocking to the United States and these founders created community centers for their children to learn and engage in fitness activities—these centers were the first American Sokols.

During the first 50 years of the organization, many American Sokols were formed throughout the United States, and all of these units were incorporated into the American Sokol Organization on January 1, 1917. Today, well into its second century in service, American Sokol remains an organization dedicated to the physical, mental, and cultural enrichment of its members. American Sokol has been shaping the lives of Olympians, diplomats, artists, athletes, and most importantly, the families in the communities in which we serve.

Sokol is the Czechoslovak word for falcon, and it is an appropriate symbol since the falcon is a bird that has great love for freedom, as well as strength, courage and agility. The Sokol philosophy strives for physical fitness for their members, believing that to maintain a free nation, its people must be physically and morally strong.

American Sokol members represent a wide age range. Members range from preschool children to retired adults. This diversity allows older members to pass on the benefit of their wisdom and experience to the young people in a personal way. In combining Czechoslovak culture, the American heritage, and American Sokol ideals, this organization has contributed greatly to the welfare of the United States. Many American Sokol members have served their country with distinction, in World War I, World War II, the Korean war, and the Vietnam conflict, and beyond.

I am proud to join with American Sokol members in the 9th Congressional District of Illinois, which I am honored to represent, and members of American Sokol Organization in the City of Chicago and all over the United States, as they celebrate their 150 years of excellence, achievement, and contributions to the greatness of the United States.

H.R. 597 "REAUTHORIZING OF EXPORT-IMPORT BANK OF THE UNITED STATES"

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise to speak on H.R. 597, which reauthorizes the Export-Import Bank for four years.

It is unfortunate that it has taken this body so long to get to this point and it was inexcusable that the House Republican leadership allowed the Ex-Im Bank authorization to expire on June 30, 2015 before.

That intransigence made it necessary for a bipartisan majority of this House to resort to a discharge petition as the vehicle to bring this legislation to the floor.

Mr. Speaker, the Ex-Im Bank enables U.S. companies, large and small, to turn export opportunities into real sales that help to maintain and create U.S. jobs and contribute to a stronger national economy.

For more than 80 years the Ex-Im Bank has helped Texas businesses generate over \$29 billion in exports, \$4.3 billion of which originated from businesses in the 18th Congressional District of Texas.

In May of this year I hosted Export-Import Bank President Fred. P. Hochberg for a historic tour of vital and thriving small businesses in the 18th Congressional District.

We toured Frenchy's Sausage Manufacturing which is a company that currently serves over 200 businesses.

Frenchy's Sausage recently completed an expansion of plant facilities to accommodate the tremendous growth the company has experienced.

We also toured Tejas Tubular, a company that built and opened their casing facility in 2005 to process larger diameter API casings and, which in 2011 opened the ERW tubing plant in Stephenville, Texas, and has processed more than 14 million joints of tubing and casing.

Mr. Speaker, when operating on a level playing field, American exporters can compete against anyone.

The Ex-Im Bank partners with American exporters, such as Tejas Tubular and Frenchy's Sausage Manufacturing in Houston, so they can close more deals abroad and support more middle class jobs here at home.

The Ex-Im Bank is an independent federal agency that supports and maintains U.S. jobs by filling gaps in private export financing at no cost to American taxpayers.

The Ex-Im Bank provides a variety of financing mechanisms, including working capital guarantees and export credit insurance, to promote the sale of U.S. goods and services abroad, 90 percent of which directly serve American small businesses.

In fiscal year 2014, the Ex-Im Bank approved \$20.5 billion in total authorizations. These authorizations supported an estimated \$27.5 billion in U.S. export sales, as well as approximately 164,000 American jobs in communities across the country.

Recently Diversitybusiness.com announced the selection of Ex-Im Bank as one of the top agencies providing opportunities for small and minority businesses to expand export business operations.

Since 2009, the Ex-Im Bank has authorized more financing to support the growth of minority- and women-owned businesses than it did over the previous sixteen years combined.

In FY 2014, the Ex-Im Bank financed U.S. exports from minority- and women-owned businesses valued at more than \$2 billion.

Mr. Speaker, the Ex-Im is dedicated to pursuing equality of opportunity and supporting economic growth and jobs here in Houston and across America.

I strongly support H.R. 597, which reauthorizes the vital agency that does so much to help American business create and maintain high-paying jobs for American families.

**HONORING DR. ALLEN PAUL
WEAVER**

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. ENGEL. Mr. Speaker, I rise today to recognize a spiritual leader in the New Rochelle community, Reverend Dr. Paul Allen Weaver, who for 35 years has led the Bethesda Baptist Church of New Rochelle congregation with great distinction and remarkable integrity.

Originally from Orlando, Florida, Reverend Weaver answered the call to join the ministry at age 17. He graduated from Florida Memorial University in 1969 with a B.S. in Religious Education, and graduated with his Masters of Divinity Degree in 1972.

In July 1980, Reverend Weaver came to New Rochelle as Pastor of Bethesda Baptist, and began what has been an incredible multi-decade partnership with the community. During his formative years at Bethesda Baptist, Reverend Weaver helped institute many social programs to address the needs of the neighborhood. He created the Lad's Lunch Ministry, which fed over 100 people for over 25 years. Through the Helping Hand Ministry, the church was able to address the lack of adequate clothing for those less fortunate in the community. And the development of the Family Life Center as part of the church's 120th anniversary has created a beautiful community facility for thousands to enjoy.

Reverend Weaver's list of accomplishments also extend beyond Bethesda Baptist. He has taught as an adjunct professor at New York Theological Seminary in New York, served as President of the prestigious Baptist Ministers Conference of Greater New York, and was President of the New Rochelle branch of the NAACP.

But Reverend Weaver's greatest joy has always been derived from his family. He married the love of his life, Deacon Nettie J. Weaver, and together they have two sons, Allen and Cyrus-Charles, a daughter-in-law, Ijnanya, and one grandson, Noble Xavier Weaver.

This year, Bethesda Baptist is holding a commemorative luncheon in Reverend Weaver's honor celebrating his 35 years as pastor. Congratulations to Reverend Weaver on this great honor.

IN SUPPORT OF H.R. 597, THE REFORM EXPORTS AND EXPAND THE AMERICAN ECONOMY ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in strong support of H.R. 597, legislation to reauthorize the Export-Import Bank of the United States, our nation's official export credit agency.

The Export-Import Bank, created 80 years ago during the depths of the Great Depression, has been authorized 16 times by Congress with overwhelming bipartisan majorities and has broad support from industry and labor for the very simple fact that it works.

Since 2009, the Ex-Im Bank has supported more than 1.3 million jobs and has returned over \$2 billion in deficit-reducing profits to the U.S. Treasury while providing over \$27 billion in export credit last year alone.

My home state of Texas is the number one beneficiary of Ex-Im's support for American business and jobs. Nearly one-in-five companies receiving financing from the Ex-Im Bank call Texas home. Ex-Im supports more than 135,000 jobs in Texas and provides financing to over 1,600 companies, over half of which are small businesses and nearly 10 percent are minority-owned.

The Ex-Im Bank has supported over \$11 billion in export sales for Houston-area companies for the past five years, more than any other region in the country, with \$3.5 billion going to local small businesses. In fact, Harris County is home to the largest number of small businesses that use Ex-Im.

America has already felt the negative impact of Congress's failure to reauthorize Ex-Im and freeze its ability to issue loans for the past four months. In September, General Electric, one of America's most important domestic manufacturers, announced it would move 500 jobs from Texas and other states to France, Hungary, and China because it would receive export credit financing overseas that's no longer available here.

Boeing, one of our nation's largest companies, announced in recent months that it has lost two satellite manufacturing bids to overseas competitors because it no longer had access to Ex-Im financing.

Mr. Speaker, at a time when foreign competition is becoming more fierce than ever before, with nations like China using any means necessary to win contracts in overseas markets, Congress must act immediately on this pressing matter. I call on all my colleagues to stand with working families and American businesses and join me by voting to reauthorize the Export-Import Bank.

LT. COL. THOMAS PARR—SOLDIER,
SURGEON, AND SCHOLAR

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. POE of Texas. Mr. Speaker, Dr. Thomas J. Parr's story should be taught and known. This man reflects what is good and right about our country.

In 1967, Thomas Parr graduated from the United States Military Academy. While studying and training at West Point, he completed Ranger School. This earned him the coveted Ranger Tab. After graduation, he served in two tours to Germany and Vietnam. In Germany, he commanded an Armored Cavalry Troop during the Soviet Union's invasion of Czechoslovakia. In Vietnam, he served as Commander of a Mechanized Infantry Company. The training he endured in Ranger School provided him with the tools to soldier as a combat leader.

He commanded his troop to root out the Viet Cong underground organization. He did this by moving his troop quickly through the search areas in order to barricade villages harboring Viet Cong. This provided the village with protection and ultimately drove out the enemy. For his service and leadership in Vietnam, he earned the Combat Infantryman Badge and three Bronze Stars for Valor and Merit.

After serving time in combat, he soon realized his calling was medicine. Parr stayed enlisted and got his degree from the University of Texas Southwestern Medical School in Dallas in 1975. He traded his officer's uniform for scrubs and became an Orthopedic Surgeon. He interned and did his residency at Brooke Army Medical Center in San Antonio. By the late 80s, he relocated to Madigan Army Medical Center in Tacoma, Washington to become the Assistant Chief of Orthopedics. There, he set up the surgery department and trained physicians. He was among the first Army surgeons to start performing arthroscopic surgery.

He served our country over 20 years and retired as United States Army Medical Corps Colonel. Following his military retirement in 1987, Dr. Parr and his wife, Joannie, came back to Texas—of course. Once back in the Lone Star State, Dr. Parr started a private practice in Sugar Land. And the rest they say is history. His achievements as an orthopedic surgeon have made him well known and well respected. He is recognized nationally as a leader in Orthopedic and Sports Injury Medicine and today, he continues to make remarkable strides in the medical field. He's the first in the nation to perform MAKOpasty—a robotic arm procedure used in knee replacement surgery.

As a staunch defender of America and her values, Dr. Parr has translated his service from the battlefield to the operating room and now into our community. Today, he serves on the Board of Directors for the West Point Society of Greater Houston, helping deserving youth to apply and obtain acceptance into any of our nation's military academies.

With his twenty years of military service and medical expertise, Dr. Parr helps future mili-

tary cadets work their way through the medical requirements of eligibility.

Despite his busy schedule, Dr. Parr always has time to help those with ties to the military service. Once a Marine, always a Marine.

Dr. Parr's life journey is one of honor, duty, God, country and helping his fellow man. From the United States Military Academy at West Point to the jungles of Vietnam, to the operating rooms of Washington and now in the surgical rooms in Houston, Texas, Dr. Parr has made, and is still making, a difference to our nation.

And that's just the way it is.

H.R. 597—TO REAUTHORIZE THE EXPORT-IMPORT BANK

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mrs. LOWEY. Mr. Speaker, it's been almost four months since Congress failed to renew the Export-Import Bank's charter—marking the first lapse in the Bank's 81 years of operation. This disservice to American businesses must end.

The Export-Import Bank helps U.S.-made products remain competitive and reach overseas markets, while supporting thousands of middle-class jobs. In my own district during the last eight years, the Ex-Im Bank has supported \$2.2 billion worth of exports and over 14,000 jobs at 22 exporters—including nine small businesses.

The Bank has been reauthorized 16 times by Republican and Democratic Presidents. There is no reason to keeping politicizing the Bank's Reauthorization.

I urge immediate passage.

IN SUPPORT OF H.R. 597, THE EX- PORT-IMPORT BANK REFORM AND REAUTHORIZATION ACT OF 2015

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. ENGEL. Mr. Speaker, I rise in support of H.R. 597, as amended. It is mystifying to me why there is such vociferous opposition to the Export-Import Bank among a majority of our Republican colleagues. For decades, a solid majority of Republicans have joined with Democrats to support the Bank and its vital role in creating and sustaining jobs for American workers.

But not now. Why? The Export-Import Bank should appeal to all Republicans, as it does to us Democrats.

The Bank supports the American private sector, both exporters and lenders. It steps in only when needed to level the playing field in international competition. Virtually all of its financing is issued as guarantees and insurance of loans by commercial lenders. It finances only American-made goods and American-provided services. Some 90 percent of its

financing is for exports by American small businesses, last year some 3,300 firms. The result last year was 164,000 jobs for American workers, 6,500 in New York. What could be more business-friendly?

The Bank should appeal to fiscal conservatives as well. It is operated on a business-like basis. It charges fees, premiums and interest, at full market rates. Those receipts fully cover all the Bank's expenses. It even generates a surplus that goes to the U.S. Treasury to reduce the federal deficit. Last year, that deficit reduction was \$675 million. What could be more fiscally prudent?

The Bank is a careful lender. Its loss rate is below 2 percent, far lower than any commercial bank. The Bank maintains cash reserves against the risk of loss, currently amounting to \$5 billion. All of those reserves are generated from its user fees, not the taxpayer. Why doesn't that record appeal to Republicans, as it does to Democrats?

The Bank is a fiscally-prudent solution to a real-world problem: foreign competition that has its own financial support. Some 60 foreign governments operate export finance programs. Some, like China's, Japan's, Germany's and even Canada's, are much larger than Ex-Im. Financing is a crucial element of trade competition: a company that can bring customer financing to the table often wins the transaction. When foreign governments back their exporters, American exporters and their workers lose. Ex-Im Bank is our answer.

So I simply cannot understand why a majority of Republicans in this House forced the Bank to close its financing window in July. It can't be due to subsidy, because there isn't any. It can't be due to government competition with the private sector, because the Bank doesn't do that. It can't be for any budgetary reason, because the Bank is self-financing.

For those of us who support Ex-Im Bank and the American firms and workers that the Bank sustains, the only conclusion we can draw is that the excessive campaign against Ex-Im Bank is another example of hard-bitten, intransigent ideology eclipsing the need to embrace a business-friendly, budget-conscious, prudent program for America.

BREAST CANCER AWARENESS MONTH

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. WILSON of South Carolina. Mr. Speaker, October marks Breast Cancer Awareness Month—a month to especially recognize and celebrate breast cancer patients, survivors, and advocates. While breast cancer affects individuals and families throughout the year, I especially appreciate the awareness and advocacy efforts that occur this week, especially the Walk for Life and Women's Night Out.

The Walk for Life/Race for Life at Palmetto Health, though rescheduled due to the tragic flooding, is celebrating twenty-five years of raising funds and awareness for survivors and treatments in the Midlands. In the past twenty-five years, the Walk for Life, led by Chair

Janet Snider, has gone from 200 participants in the first year to over 11,000 participants last year, raising over \$800,000.

Women's Night Out at Lexington Medical Center, led by President Mike Biediger, is an inspiring evening at Burkett, Burkett, and Burkett CPAs, where the hospital honors breast cancer patients, survivors, and their families. I know firsthand of the success at Lexington Medical Center, where my son Addison in high school was successfully treated for thyroid cancer determined by Dr. H.W. Bledsoe, Jr., and now himself is an orthopedic surgeon.

In conclusion, God Bless Our Troops and may the President by his actions never forget September 11th in the Global War on Terrorism.

THE "URGENCY OF NOW"

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 27, 2015

Mr. CONYERS. Mr. Speaker, I rise today in support of action—the preference for progress of a status quo that is robbing millions of

Americans of opportunity. Every person in this chamber was elected to improve this country and make the lives of our constituents a little bit easier.

Nowhere is it easier to improve the quality of life for Americans than in investing for the long-term in our transportation infrastructure. The American economy depends upon the rapid delivery of goods and services.

But as the White House pointed out in 2014's "Economic Analysis of Transportation Infrastructure Investment," we are failing to support this vital network of roads, bridges, railways and other means of transportation.

Last year, the World Economic Forum ranked the United States' roads 18th in the world; 65% of our major roads are in less than "good" condition; one in four requires significant repair. These inadequacies directly impact us all. Each year, we spend 5.5 billion unnecessary hours stuck in traffic—that's a \$120 billion in extra fuel and unproductive time.

Those figures cost business and industry an extra \$27 billion in freight costs and delays. Money that could have gone to employees, or shareholders, or to investments in the future.

But it isn't just corporations paying the price. It is the quarter of the 33,000 traffic fatalities where road conditions were a factor. It is the

45 percent of Americans who cannot access adequate transit.

Today, the House voted to fund yet another short-term bill—as it should—to keep our surface transportation system moving. At the same time, this House voted to delay implementation of a 6-year-old law that requires "positive train control"—a technology that saves lives and which I want to see rolled out as soon as possible—because they thought it important to provide the rail industry with certainty.

But the simple fact is those two principles are at odds—because we aren't providing any certainty to American industry and American passengers and American drivers with a three-week transportation funding bill. A trip of a thousand miles may begin with a single step—but you have to begin with a destination and path in mind.

It is time this body recognizes the urgency of our problem. Transportation investments aren't based on a three-week schedule—and federal support shouldn't be either.

Let's finally get something done on transportation, and pass a bill that will fund infrastructure priorities further out than people are booking flights for Thanksgiving.

SENATE—Wednesday, October 28, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who remembers the weary, lift Your hand and we shall live. You are King forever, hearing the desires of the discouraged and encouraging them.

Today, lead our Senators, and may their labors honor You. Use their talents to bring concord to Capitol Hill. Lord, make our lawmakers instruments of Your prevailing providence. Give them a spirit of peace, even in the midst of life's storms. May they follow Your example of sacrificial service, striving to commit themselves to justice and truth. Place Your truth in their minds, Your love in their hearts, and Your compassion on their lips.

Lord, make us all instruments of Your will on Earth, upholding us with Your righteous right hand.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

CYBERSECURITY INFORMATION SHARING BILL AND FISCAL AGREEMENT

Mr. MCCONNELL. Mr. President, yesterday the Senate voted overwhelming to pass another piece of important legislation for our country. By a vote of 74 to 21, the Senate said yes to protecting the private information of every American. The significant bill we passed would do so through the sharing of threat information from cyber attacks.

It couldn't have passed without the hard work of Senators from both sides of the aisle. I particularly thank Senator MCCAIN, Senator RON JOHNSON, and Senator TOM CARPER, who worked hard to move this bill forward. I appreciate in particular the outstanding work of our chairman, Senator BURR

from North Carolina, and our vice chair, Senator FEINSTEIN from California. They worked together seamlessly to move this challenging bill forward.

It is worth noting something the vice chair recently said. She said: "One of the things I've learned from two prior bills of this type is that if you really want to get a bill done, it's got to be bipartisan—particularly a bill that's technical and difficult and hard to put together."

After watching the Senate fail to act on cyber threat information sharing for years, the new Senate majority resolved to move forward instead. As our Democratic colleague from California put it, "We stood shoulder to shoulder and the right things happened."

Yesterday's bipartisan vote was an important step forward for our country. It represents the new Senate's latest notable accomplishment on behalf of the American people. We remain determined to keep pushing ahead as Congress continues its work to send a strong cyber security bill to the President's desk.

On another matter, the House will soon consider the fiscal agreement. After the House acts, the Senate will take up the measure. Republicans approached the recent fiscal negotiations with several goals: No. 1, reject the tax increases proposed by Democrats; No. 2, secure long-term savings via structural entitlement reforms; and No. 3, protect our troops and strengthen national security. The agreement pending before the House meets those goals. It is not perfect—far from it—but here is what we know: It is offset with other cuts and savings. It would enact the most significant reform to Social Security since 1983, resulting in \$168 billion in long-term savings. It would repeal more of ObamaCare. It would provide greater certainty to our military planners to help ensure readiness and preparedness for our troops.

At a time of diverse and challenging global threats, when we see ISIL consolidating gains in Iraq and Syria and Russian aircraft flying over Syria as the forces of Assad march alongside Iranian soldiers and Hezbollah militias, the importance of this cannot be overstated.

Our All-Volunteer Force loyally goes into harm's way, and our commanders tell us that additional resources are required to ensure their safety and preparedness.

I urge my colleagues to consider these important issues as they continue to examine the agreement. We plan to consider it after the House acts.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

BUDGET AGREEMENT

Mr. REID. Mr. President, our goals regarding the budget agreement were to make sure that we got rid of sequestration—we did that for 2 years—and that we had a treatment in this legislation where defense, which is so important to our country, is treated no better or no worse than nondefense. We accomplished that.

We are months behind in the appropriations process because the Republican leader decided he was going to push forward and not take care of the middle class. I was stunned—I shouldn't say that. That is not appropriate. I was not surprised when the Republican leader laid out his goals for his budget agreement—not a single word about the middle class.

I compliment the negotiators for coming up with something that is really good. It is a 2-year deal that allows more money to be spent for defense and nondefense, and it doesn't affect the deficit in any way. It is a good agreement.

Before we start the backslapping and congratulations, let's make sure that we, first of all, pass the budget agreement. I think we will. I was happy to see the new Speaker-to-be came out for the budget agreement today. He complained about it yesterday, and when he was reminded that it was the same pattern he and Senator MURRAY came up with 2 years ago, I guess he changed his mind. He said now he is in favor of this. I think that is good, that Congressman RYAN said that.

After we pass the budget framework by December 11, we have to make sure the appropriators are able to move forward on legislation that takes into consideration the budget agreement we have. I am certain that can be done, but it is not a given based on all of the finger-pointing by the Republicans.

This is a significant agreement. I repeat: We have relief from the vexatious sequestration. We have dollar-for-dollar help for the middle class as well as defense. There are no destructive riders in this.

When we work together, as we are supposed to do—as the Republican leader just mentioned—on legislation, it works out well.

I would suggest this. We had the House of Representatives yesterday, after years of refusing to move forward on an important piece of legislation—

that is, to reestablish the Import-Export Bank. It only came about as a result of courageous Republicans saying: We have had enough of this.

This is one of the most important business-directed initiatives we have here, and it has been held up for years in the House of Representatives. It was because of these courageous Republicans who said: We have had enough of this. And they joined with Democrats to do what is rarely done in the House of Representatives. They signed a discharge petition—getting more than 218 votes—to say: We have had enough of this stalling; we want to move forward. And they did. Yesterday, that passed by a vote of 313 votes. That is a tremendous push.

I hope that over here the Republican leader will move forward on this now. There are stories coming out every day about American companies that are moving their businesses overseas because the Export-Import Bank is gone. It creates 160,000 jobs for people to work in this industry. It is important to our country. Right now, businesses are moving out of the United States because this legislation never came forward. The Bank had to close. It is basically closed right now.

I hope that we are not going to wait for some package deal with the highway bill. The highway bill should stand or fall on its own merits.

We are pleading with the Republicans to allow us to have a vote on this. We have Republicans who will vote with us. Virtually every Democrat will vote for it. We should get it done this week. Every day it is held up is a bad day for the American business community.

I ask the Chair to announce the business for today.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12 noon, with Senators permitted to speak therein for up to 10 minutes each.

The assistant Democratic leader.

THE BUDGET

Mr. DURBIN. Mr. President, it is possible this week that we will pass a budget agreement for the fiscal year we are currently in. That year started October 1 and runs, of course, until the end of December in the next calendar year. If we do reach that agreement—and I hope we do—it is going to give us some opportunities. One opportunity it will give us is to spare ourselves the

possibility of this Congress failing to enact a new budget ceiling to basically guarantee the full faith and credit of the United States of America. We won't face that showdown. Also, the possibility of a government shutdown will be relieved by the passage of this budget agreement.

Those are good, positive things for this institution and for the economy of America, but there are specifics that also need to be noted because this budget agreement gives us a chance to invest in areas of our budget that sadly would have been overlooked if we hadn't reached this agreement.

This morning we had an extraordinary presentation by the National Institutes of Health. Twenty Senators came to hear the presentation about research at the National Institutes of Health and what it means to us. Dr. Francis Collins is the Director and is an extraordinary man. He is a medical doctor who was given the task of mapping the human genome and did it. He did it in an extraordinary way, creating new information and new opportunities.

A doctor from the Mayo Clinic explained what that meant. It meant that we have now reached a point where we can map the genome of individuals, their DNA, and we can then make decisions on the appropriate prescriptions for illnesses and diseases they face and in doing that, be more effective, save lives. That is what medical research can mean. Each of us will not only have a basic biography in our medical record—when we were born and some of the basic illnesses we have faced—but also our individual map of our DNA, which will instruct doctors when it comes to treatment of cancer, if it should strike us, or some other disease.

It is an amazing leap forward. It is a leap forward that would not be possible without medical research. Yet, in the past 12 years, we have seen a downturn in investment in medical research of more than 20 percent—more than 20 percent. It has meant that a lot of researchers have been discouraged and walked away and said there is no future in medical research. What a loss. They don't make a lot of money—many of them don't. If they don't think we are going to support them with our investment in NIH and medical research, they look in other places.

This morning we considered where we are. At this moment in time, the Senate, under the leadership of Senator BLUNT of Missouri and the Appropriations subcommittee on health and human services, has provided basically a 7-percent increase in the funding for the National Institutes of Health next year. That is a good thing.

I will say quickly that Senator BLUNT cut a lot of other areas in his bill that I think need to have help, but I hope that he will stand tall and tough

when it comes to that 7-percent increase as we approach this budget negotiation. The House, conversely, did not give such an increase to NIH, but they increased the Centers for Disease Control and Prevention, which is a companion sister agency that is important for medical research.

We have a chance to come together on a bipartisan basis and come up with a number that gives 5-percent real growth in spending at both the National Institutes of Health and Centers for Disease Control and Prevention. It will pay us back many times over.

Most Americans say: What are we going to do about the cost of Medicare? Medicare is an important program to over 40 million Americans, and the costs keep going up. There are two facts that we learned about this morning and people should be aware of them: \$1 out of every \$5 spent under our Medicare system is spent on Alzheimer's and dementia. If we could have a means of early detection, prevention, treatment or cure for these horrible diseases, that would dramatically change the lives of millions of Americans and millions of families, and it would dramatically reduce the cost to Medicare and Medicaid.

Medicare spends \$1 out of \$3 for the treatment of people with diabetes. If we put the research into finding a cure for diabetes and can alleviate the suffering associated with that disease, it not only will help lives across America, but it will save us money in our important health care programs. Investment in medical research by the United States of America has been the pillar for the world when it comes to looking to a better day for the people who live in each country.

This brain initiative, which was described to us this morning by the National Institutes of Health, needs to be funded. It is not adequately funded now. We dedicated some \$350 million to Alzheimer's and brain research. It sounds like a lot of money. It is about one-third of what the researchers need. They have that many opportunities waiting to be funded. Will they all succeed? No, but that is the nature of research, and each one of them will be a good investment which will lead us to the day of prevention, treatment, and a cure when it comes to Alzheimer's.

I hope that we come together on a bipartisan basis when it comes to this budget. In this area of medical research, there is plenty of room for us to work together, and there has already been leadership shown on the other side of the aisle. We are going to help to try to move that forward, both in the Senate and in the House, on a bipartisan basis.

When I meet with people across my State—and I guess many other States—and talk about political issues, there are a lot of folks with some very strongly held opinions on one side or

the other, but when it comes to funding medical research, I have found that this is the kind of issue that opens the doors. People of all political stripes agree this is a good investment for the future of America.

UNIVERSITY OF PHOENIX

Mr. DURBIN. Mr. President, it hasn't been a very good week or two for the University of Phoenix. The University of Phoenix is the largest for-profit university in the United States. University of Phoenix students cumulatively owe more in student debt than any other institution of higher education in America. The students enroll at this university, which is largely online but has some classroom experience, they sign up for a higher tuition than they would at community colleges or most universities, and when they can't finish and drop out, they still have debt, or when they finish, they may have a diploma that can't find a job.

The University of Phoenix—this private, for-profit company—receives nearly \$3 billion a year in Federal Student Aid funding, but the quality of education from this for-profit school is suspect. The for-profit college and university industry is the most heavily subsidized for-profit business in America. We have seen a lot of warning signs about the University of Phoenix. We've seen how they target the military and veterans.

Paul Rieckhoff of the Iraq and Afghanistan Veterans of America said that the University of Phoenix "is constantly reported as the single worst by far" when it comes to for-profit colleges taking advantage of veterans.

Well, it has caught up with them. A few weeks ago the University of Phoenix was placed on probation by the Department of Defense, restricting the company from enrolling new servicemembers who used the Department's tuition assistance or spousal MyCAA programs. The Department found violations by the company, the University of Phoenix, after completing a review prompted by an investigative report from the Center for Investigative Reporting.

The article that started this investigation exposed the University of Phoenix's strategy to flout Department of Defense rules, including an Executive order meant to protect our servicemembers—men and women in uniform and their spouses—from aggressive and unfair recruiting by for-profit colleges. You see, if these for-profit colleges can sign up a member of the military or their spouse, they can bring in the money that is set aside in the Tuition Assistance program for education and training, and so they want to sign up as many members of the military and their families as they can.

The University of Phoenix avoided the rules set down by the Department

of Defense by sponsoring events at military bases—not just a few but a lot. In one instance they paid \$25,000 to sponsor a concert for military members and their families. They spent \$25,000 for a concert? The company gave away computers and wrapped the stage in a giant University of Phoenix banner. They used official Department of Defense seals and logos on challenge coins and gave them out to servicemembers in order to show that they had some kind of close relationship with the military.

In other instances found by the Center for Investigative Reporting, the University of Phoenix sponsored resume workshops, which essentially amounted to recruiting members of the military and their family to sign up for this for-profit college. According to the article, the company sponsored hundreds of events, such as rock concerts, Super Bowl parties, father-daughter dances, Easter egg hunts, chocolate festivals, fashion shows, and even brunch with Santa, on military bases.

The University of Phoenix spent \$250,000 to sponsor events over the last 3 years at one place—Fort Campbell, KY. Let's face it, these were recruitment events for the University of Phoenix, and they were paid for, by and large, with taxpayers' dollars. In the name of corporate sponsorship, the University of Phoenix could gain direct access to military bases with a nod and a wink from servicemembers. They told them they cared about the military. They also cared about the fact that they had potential students who would sign up and spend their TA benefits at the University of Phoenix. It paid off for them. The University of Phoenix is the fourth largest recipient of Department of Defense tuition assistance funds. In fiscal year 2014 the University of Phoenix received more than \$20 million from these benefits. It is not surprising then that the company would be so concerned about the decision by the Department of Defense to put them on probation. It means they will lose access to millions of dollars from these military families, and it was reflected when their stock went down in value.

Since the Department of Defense took action against the company, the University of Phoenix stock value has plummeted nearly 50 percent. In its decision, the Department of Defense also cited concerns related to ongoing investigations of this same University of Phoenix by the Federal Trade Commission and the attorney general of the State of California. In fact, there are two ongoing investigations of the University of Phoenix by the Federal Trade Commission, one is related to deceptive marketing and advertising, and a second is related to safeguarding student and staff personal information.

In addition to the attorney general in California, at least two other States

are also investigating the company. The U.S. Securities and Exchange Commission and the Department of Education inspector general also have ongoing investigations at the University of Phoenix.

The Department of Defense is not alone. Many agencies, Federal and State, are investigating this major for-profit university. They do have some friends though, and one of them is the Wall Street Journal.

Last week, on the same day an editorial of a similar tone appeared in the Wall Street Journal, a few of my colleagues in the Senate sent a letter to the Secretary of Defense, Ash Carter, telling him to lay off the University of Phoenix despite the fact that the Department noted the violations were of such frequency and such scope that they were "disconcerting." My colleagues in the Senate think the Department of Defense's decision to protect servicemembers and to put this university under probation was "unfair."

There is no question that the Department of Defense has a duty and a responsibility to protect members of the military and their families from exploitation. They have established rules under the Voluntary Military Education Program, and now my colleagues in the Senate are writing letters to the Department of Defense saying: Look the other way. The letter they sent criticized the Department for its concern over the University of Phoenix's continued participation in Voluntary Military Education Program in light of the multiple ongoing investigations. I think it would be grossly irresponsible for the Department of Defense to back off of this protection of our military because of a letter from Members of the Senate.

The broad and ongoing regulatory scrutiny of the University of Phoenix gives the Department of Defense legitimate cause for concern when it comes to the company's future participation in the Voluntary Military Education Program.

My colleagues in their letter said: "The TA program is critical to our nation's servicemembers' educational and career opportunities." I couldn't agree more. That is exactly why the Department of Defense should ignore the demand of my Senate colleagues and exactly why they should not turn a blind eye to the University of Phoenix's violations.

In order to provide quality educational options for servicemembers and to ensure that taxpayer dollars are not being wasted, we must promote integrity in the program, and the highest priority should not be the profitability of a for-profit university, such as the University of Phoenix. The highest priority is quality education and training for the members of the military. I thank the Department of Defense for

taking this bold action and encourage them to remain steadfast in protecting students, military members, their families, and taxpayers when it comes to future decisions related to the University of Phoenix's participation in the Voluntary Military Education Program.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPORT-IMPORT BANK

Ms. HEITKAMP. Mr. President, we are on the floor in celebration of the American democracy, that occasionally things can work, and that we can overcome extremes in our country and actually pull together to do something for American manufacturers, to do something for American businesses, and to do what is right.

I know my colleague, the senior Senator from the great State of Washington, is on a short timeframe, so before I proceed with my remarks I would like to yield the floor to Senator MURRAY.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am delighted to be here with my colleague, and I thank the Senator from North Dakota for her exhilaration we all share because of the vote last night in the House overwhelmingly in support of Ex-Im.

I am here to reiterate my strong support for reauthorization of the Export-Import Bank, and I applaud the Members of the House who easily passed the reauthorization bill last night. It is actually easy to see why the bill got so much support. It is good for American jobs, it is good for small businesses, and it reduces our national debt. The fact that Republican leadership has let this program go dark for so long, held hostage by political pandering, is outrageous.

The longer Ex-Im is shuttered, the more it hurts American competitiveness. In my home State of Washington, nearly 100 businesses—the majority of them medium or small businesses—used the Bank services last year to help sell their products overseas. We are talking about everything from Apple and airplane parts to beer and wine, to software and medical training supplies. In fact, I actually recently visited one of these small businesses—a brewery in Seattle.

In 2011, Hilliard's Brewery started with three employees dedicated to making good beer. Thanks to a loan

from the Ex-Im Bank, Hilliard's tapped into foreign markets and developed a following. Fast forward to 2015. They have dramatically increased their production, they continue to grow, and they built a business that thrives today.

The reality is that people in other countries want American-made products. That is great because these businesses support tens of thousands of jobs around the country and they keep our economy moving. The Export-Import Bank is the right investment because it expands American businesses' access to emerging foreign markets, creating jobs right here at home. Do you know what it costs taxpayers? Not a single penny. In fact, the Export-Import Bank puts money back into our country.

Here is the bottom line: Republican leaders allowed partisan pandering to put the brakes on a program that creates jobs, strengthens our small businesses, and helps our economy grow. I believe—and I am joining my colleagues today—it is time to put this ideology aside. Let's restart this proven program. It is critical the Ex-Im Bank continues to receive the strong bipartisan support we have seen in the past as we work to reauthorize this bill that is a success. I am proud to join my colleagues to say let's get this done.

Thank you, Mr. President, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, yesterday was a great day, and it was a great day not just because something we have worked so long and hard on actually was advanced, and that we care about, reopening the Ex-Im Bank, but it was when a majority of people in the U.S. Congress stood up, led by a Republican from Tennessee, Representative FINCHER, and actually said: We are not going to let hard rightwing politics get in the way of American jobs, American manufacturing opportunities, and get in the way of moving our country forward. I think that speaks volumes, and I hope it becomes an opportunity to move other broad bipartisan pieces of legislation forward.

The frustration the American people have with the U.S. Congress is that things that seem to be no-brainers—legislation that seems to be so obvious in terms of the right kind of policy—do not get done in the U.S. Congress. So I am elated with what happened over in the House.

Now the ball is back in our court. We have been waiting for a number of months to see House movement on this. Because of the discharge petition, because of this big vote, we now see House movement. The House has done their job. It is now time for us to do our job.

I want to point out a couple of things about that vote. It ended up being over

70 percent of the House of Representatives. Think about that. In this time of hard partisan fighting, we have 70 percent of a body agreeing to an important public policy. What also is significant about that vote is 127 Republicans—in fact, a majority of Republicans in the House—voted to support the Ex-Im Bank, reauthorize it, open it up, and open up this opportunity for American manufacturers.

There can be no debate. Along with my colleague from Washington, we have been saying all along that we believed there was broad support in the House of Representatives to do this. I think they hadn't had a test vote in the past. Now we know, and we can say it with great certainty, not only is there majority support, there is supermajority support for the Ex-Im Bank.

Now it is our turn. Now it is our job once again. A few short months ago I stood in this body, working with my two great colleagues who have joined me on the floor, to push back and say: Look, if we believe in a trade agenda, we believe as the three of us have voted, to support TPA. We are now evaluating and analyzing TPP. What sense does it make to take one of the most significant and important trade tools such as the Ex-Im Bank—something that levels the playing field and creates huge opportunities for us to be competitive against a world where these kind of private agencies are supported by every major economy and every major government, including some of the developing nations right now—what sense does it make to shut down or restrict that tool? In what world does that make sense? We have been making this commonsense argument and fighting against things that make absolutely no sense and, quite honestly, in many ways seems almost idiotic.

Unfortunately, there are casualties to this failure in America today. American jobs have been lost, American economic opportunity has been lost, and America's position as a leading manufacturer and exporter of quality goods has been challenged because we have sent a message that we are not open for business. We have sent the message that we no longer are going to engage with the rest of the world in terms of developing and supporting exports. That is the wrong message.

I think the House yesterday sent a huge message to those foreign nationals in those countries who think we were willing to basically abrogate the ground—give the ground away to other companies from other countries. We sent a loud-and-clear message that is not going to happen on our watch.

I rise to make one final point before I ask my colleagues to join me. I will make one final point, which is this bill is going to come over from the House of Representatives. We have been having this discussion about what can we

attach it to. We need to attach it to something because the House will not take it independently. Isn't that what we have been hearing; that the House couldn't possibly move this without being on a so called must-have piece of legislation. That argument is way gone. It has been blown up by the vote yesterday in the House of Representatives.

Now that we no longer have that argument and we know we have a supermajority here—at least 64 votes and probably likely 67 votes for the Kirk-Heitkamp bill—we need to move this bill now. Let's open the Ex-Im Bank. Let's tell American small businesses that we are on their side. Let's tell American manufacturers that we hear you. We hear that we can't put you in a challenging and competitive global economy and then weigh you down with 100 pounds of inactivity on the Ex-Im Bank.

We are going to be talking a lot about this in the next 2 or 3 weeks because it is not enough to wait for the next must-pass vehicle to pass through. I jokingly tell my staff I am going to introduce a bill called the vehicle and say: Here it is. The bill is ready to go right now. We are ready to make this happen. I am very excited for the Ex-Im Bank but more excited for so many of our workers, so many of our small businesses that have struggled and that have wondered why Washington cannot listen to their concerns. I think that question was answered yesterday, so I am very excited to call on my colleague from the great State of New Hampshire to also talk about the importance of the Ex-Im Bank at this point.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am delighted to join my colleagues on the floor, Senator HEITKAMP, Senator MURRAY, and Senator CANTWELL. I thank them for their leadership in keeping the issue of reauthorizing the Export-Import Bank front and center in this Congress. We are here to celebrate what the House did yesterday in voting overwhelmingly with a bipartisan majority to reauthorize the Ex-Im Bank. The House did what many people have been predicting for months they would do if they could actually get this bill to the floor; that is, pass it with an overwhelmingly bipartisan majority, including a majority of House Republicans.

Why are we so concerned about reauthorizing the Ex-Im Bank? It is because—as Senator HEITKAMP said so well—exporting has become increasingly important throughout the country, especially in my home State of New Hampshire and for so many of our small businesses that are looking to stay competitive in this global economy. Ex-Im levels the playing field, and when American companies have a

level playing field they can compete and win.

Unfortunately, it has been a small ideological minority of Members of Congress in both the Senate and the House who have kept this legislation from coming to the floor and have kept the Ex-Im Bank shut down. The vote yesterday shows it is time to change that.

Ex-Im provides billions of dollars of money to help American manufacturers reach foreign markets. It has been 4 months now since the Bank's charter expired and we are already starting to see the consequences. Some companies have discussed moving manufacturing from the United States, which means we will lose manufacturing jobs. We are going to start seeing consequences for small businesses as they start losing out on new sales because they are operating at a disadvantage.

Businesses such as Boyle Energy in New Hampshire have gotten support from the Ex-Im Bank. The Bank has supported \$314 million in export sales from New Hampshire businesses since 2009. It is time for the Senate to take up this legislation, to pass it, to come together and get this done for our small businesses, for our economy, and for our jobs.

I thank my colleagues, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I thank my great colleague from New Hampshire, who has done so much in her State to raise awareness about the importance of the Ex-Im Bank and who has also stood firm with the two great Senators from Washington, the Senator from Missouri, and the Senator from Delaware to basically say: You cannot just look at trade agreements and think you got every piece of important trade legislation passed.

So she has been a champion. But we all have to admit that none of us have been as diligent, none of us have been as eloquent, and none of us have been as tenacious as the great Senator from the great State of Washington, who understands this issue so well and has been fighting for this issue for a number of years. So I yield the floor to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I would like to thank my colleagues for coming to the Senate floor this morning to give an important message to our colleagues—that it is now time to take up the Export-Import Bank issue and pass that legislation today.

I thank my colleague from North Dakota, who has had this legislation in the Senate and has worked hard on the banking committee to make sure this legislation is moving forward and has been there at every step in the process. Being from a State that knows exports

matter, she knows that having a finance regime that allows banks to take advantage of the fact that they need credit insurance has been a good thing for the American economy. It has helped us grow jobs in the United States, as we are selling exports to overseas markets. So she has been a stalwart.

My colleague from New Hampshire who just left the floor, Senator SHAHEEN—I have visited her State and facilities and manufacturers involved in aerospace and other types of manufacturing that are trying to win in the international marketplace with their products by selling them overseas.

When we cancel a program that actually helps us pay down the deficit—those individuals who get financing through a bank and a credit agency like the Export-Import Bank actually have to pay a fee. That has actually helped us reduce the deficit. It is money paid every year, and it helps us reduce the deficit. My colleague Senator SHAHEEN has been a great advocate for reauthorization of the Export-Import Bank.

As my colleagues have talked about, the dirty little secret is out in Washington; that is, you cannot pass the Ex-Im Bank reauthorization because there is not enough support in the Congress to do so. Well, the answer is, that was a bunch of hokey promulgated by some very conservative think tanks that wanted to hold conservative Republicans hostage, and then they tried to hold all of us hostage. That is right—they tried to hold all of us hostage, saying that we cannot pass this.

We know the House of Representatives, with 313 votes—a majority of the Republicans in the House—voted for the reauthorization of the Export-Import Bank. They now join 67 people here who want to go to and move that legislation in the Senate. So the majority of people in both the House and Senate have supported the reauthorization of the Export-Import Bank and have done so for more than a year, but we let it expire. What happened? We let down the American economy because the end result has been a loss of jobs.

I will give one example of 850 jobs that went from U.S. companies over to these countries instead because without the Export-Import Bank, they lost deals that went to other places because other countries also have credit agencies that help small and regional banks finance the sale of U.S.-made products. As they are being sold to say South Africa or an Asian country or someplace else, the companies cannot find the financing—a lot of agricultural products—and so they come to a bank in their community and say: Help finance my sales overseas.

In fact, Senator MURRAY and I met with a great—my colleague from North Dakota will like this—microbrew manufacturer in Ballard, WA, and they

said: You know, we are trying to sell into the Scandinavian market. They like our products, but we are not big enough as a distributor to finance the sale of our products into those markets. So we either have to take that on our books ourselves or find a way to take our company and leverage it with some capital to increase our market exports.

So what did they do? They tried to minimize that. Otherwise, do you know what that company would have to do? They would have to take all their capital and put it aside to leverage that money to expand the market. Instead, they said: Well, let's go to a bank and get them to loan us the money so we can expand our products into Scandinavia, where people love drinking this Ballard beer.

The bank says: Well, we like that idea. We like you. You are doing well. But we are a little afraid of your selling into that distribution market in Scandinavia. We want you to have some credit insurance.

That is what the Export-Import Bank does. It says to that banker in Ballard: We will provide you a little credit insurance.

Do you have to pay a fee for that? Yes, you have to pay a fee for that. What does that fee do? It helps the Federal Government pay down the deficit. Who wins? We all win because that Ballard company now gets to grow. I would say that over in Scandinavia, they get to drink great beer that is made in Washington State. As one of the largest hops producers in the United States, my colleague from an agricultural State understands this. So everybody wins. Then the Ballard company gets to expand jobs. So that is what this is all about.

In this instance, we lost 850 jobs.

Ms. HEITKAMP. Will the Senator from Washington yield?

Ms. CANTWELL. Yes.

Ms. HEITKAMP. One of the issues we heard so often during this debate has been that the private sector will step in, that the private sector will take on this responsibility, that we don't need to have the Export-Import Bank, that the private sector will fill the gap. Were there any cases where the private sector stepped up and filled the gap of the Ex-Im Bank?

Ms. CANTWELL. I thank the Senator from North Dakota for that question because that is the issue. What people don't understand is that there are so many of these deals that—basically there was a U.S. company that wanted to sell its ability to build bridges to an African country. Yet, because the Export-Import Bank expired, that African country ended up basically going with a competitor, an Asian competitor. Same thing here. When we don't finance these deals—I know of a deal that GE lost to Rolls-Royce. Why? Because the credit agency in Europe

could finance the deal, so they just bought a different product.

The issue is not that somehow the private sector is going to step in here and basically help in a capital market. It is the same way the Small Business Administration works. The Small Business Administration has 7(a) loans to help finance the sales that basically go through Main Street banking, but the Small Business Administration provides a little certainty and predictability to the process so that we are not seeing huge losses. Basically, the Small Business Administration has not seen large defaults, and neither has the Export-Import Bank.

So these are tools that basically people try to say to us will be picked up somehow, that the private sector will respond to this. Well, in developing markets around the world, when U.S. manufacturers are trying to compete and build a great product, all you are doing by killing the Export-Import Bank is enabling some other manufacturer in Europe or Asia or South America to compete with our manufacturers on an uneven playing field. You are giving them an advantage our manufacturers don't have.

So, literally, people on the other side of the aisle have shipped jobs overseas by saying they don't want to support the Export-Import Bank, and they have held it up for so many months now that we have lost jobs. This is only one example.

There have been tens of thousands of jobs lost since the Export-Import Bank failed to get reauthorized. Now the question is, Why are we going to wait 1 more day? Now that the House has passed the bill, with a majority of Republicans supporting it, why would we wait 1 more day to pass a key tool that is instrumental in supporting jobs in the United States of America?

I hope my colleagues—I appreciate so much my colleague from North Dakota talking about this because, you know, being—I don't if it is that we are agricultural States, that we see how much the global economy means to our States, but we know this: that 95 percent of consumers are outside of our borders and that if we want to increase our economic activity in the United States and grow jobs, we better be selling to those 95 percent of consumers outside of the United States.

If you want to sell to those 95 percent of consumers outside of the United States, first you have to build a great product or develop a great agricultural product, but then you have to be able to have the competitive tools to reach them from a financing and banking system.

So the funny thing is that all of those people on the other side who basically act as though they are against the Export-Import Bank because they think it is some sort of mysterious organization, those are the people who

basically wanted to bail out Wall Street. They are the ones who are behind the big banks. They are the ones who are trying to basically disassemble all of the banking reforms we passed to protect the American consumers. So they are not for some sort of great, good government; they basically are just looking for a trophy to put on their mantle to say that, oh, we killed this government program, which, as I have said, is wrong because it actually helps us create jobs in the United States of America, it helps U.S. manufacturers win in the United States of America, it helps us get our products to places they would not already go, and it helps pay down the Federal deficit. So it is a win-win situation for all of us.

What we have to do now is to get this reauthorized. We should not wait another minute. The notion that all of my colleagues should take away from this is that a minority of people holding up voting on this has also been wrongheaded. To allow a minority to thwart what is such an essential tool has been a mistake. What we need to do is right that mistake immediately by passing this legislation here in the Senate, get the Bank back operating, let our U.S. manufacturers and agricultural producers win again in the international marketplace, and help our economy grow with these important jobs that are related to exports.

I again thank my colleague for being down here on the Senate floor. We are not going to give up. We are going to be down here. That is because, as you know, we are having all of these budget discussions, and people should remember that over the last 20 years, the Export-Import Bank has generated \$7 billion to the Treasury—\$7 billion over 20 years. So not only does it help us grow jobs, it actually has helped us pay down the deficit.

I hear a lot of discussion about budget deals and transportation packages and things of that nature. So, to me, if you want to put more revenue back into our coffers, then support the Export-Import Bank immediately and you will be recognizing immediate revenue for any of these budget discussions that we are having and that we need to move forward on.

I am not under the impression that somehow all of the people in the Senate are now going to support this legislation and that it is going to move quickly, because there will still be some on the other side of the aisle who don't support moving forward. But I would say that number—\$7 billion over 20 years—I think it is worth a few procedural 60-vote thresholds to get that money and to give Americans the certainty that this particular program will be reinstated and that we will be back to letting hard-working Americans who build a great product get the credit assurances they need to sell

their products on a global basis and to win in the international marketplace. That is what America is all about. Don't hold these people down. They are the people who created, with great ingenuity and great sweat, the great products that have made our country great. So let them export their products. Don't make it harder for them just because you want to win a trophy from the Heritage Foundation.

Let's get back to making sure we are making this place operate. We know the majority both in the House and Senate supports the Export-Import Bank and the jobs it creates. Let's get this bill reauthorized today.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, we have been promised repeatedly since the end of June that we would be given an opportunity to reopen the Ex-Im Bank, that we would be given the tools to get the Ex-Im Bank operating and providing credit to American manufacturers.

If you had told me that the end of July would come and go without putting the Bank back in business, I would have said: That won't happen.

If you had told me that we would go through all of August and all of September without putting the Bank back in business, I would not have thought that could happen.

We are now at the end of October and, quite frankly, we are at the end of our patience—and so are American manufacturers and so are American workers. The time to deal with reopening the Bank, the time to move this legislation is right now.

The patience has run thin. The promises have never materialized in terms of moving this forward.

We were told in the very early stages, back when we began to move this issue, that the only way we could possibly get it through the House of Representatives was if it were put on a must-pass piece of legislation, something such as the reauthorization of the surface transportation bill—whether we are going to have highway bills or whether we are going to put it on the debt limit or whatever it is—because the House couldn't possibly move this legislation forward without any opportunity to put it on something else.

That myth has disappeared. That theory is no longer available. That argument is no longer available to anyone in this Chamber. So the question becomes this: Now that we know the will of the Congress, reflecting the needs of the American people, the needs of the manufacturers in this country, and now that we know what the vote count is, why can't we get this done? Why would we tell the American public that in the face of an overwhelming majority in support of a critical piece of trade infrastructure and

legislation that we can't get it done, that we have to wait even more months to see the Ex-Im Bank back in business?

We will be back. We will continue to talk about this issue. We will continue to raise the concerns that we have about further delay and what that further delay is costing. But we also are extremely grateful for the work that was done in the House of Representatives against great odds to move this forward, to send a message to American manufacturers: Yes, this place can function, and we will listen to you, and we are moving forward on getting you this critical tool to keep people once again employed in your shops, to keep people once again working to export the great American products to the global economy.

I yield the floor.

The PRESIDING OFFICER. The majority whip is recognized.

LEGISLATION IN CONGRESS

Mr. CORNYN. Mr. President, after years of hard work the Senate yesterday passed legislation that will help keep the personal information of people safer, whether that personal information is in the hands of your bank or your credit card holder or whomever.

As we know, the threat of cyber attacks is all too real. Twenty-one million Americans lost their personal information and sensitive background information at the Office of Personnel Management just this last summer—21 million. As a matter of fact, the suggestion has been made that many of those people were individuals who filed extensive questionnaires—or responses to extensive questionnaires—in order to obtain a security clearance. So you can imagine the sensitivity of that information. That followed on a breach at the Internal Revenue Service in which the data of more than 100,000 taxpayers was stolen.

It is a felony to divulge Federal income tax information of a taxpayer. It is a felony. Yet somehow, some way, this cyber attack at the IRS was able to get data on more than 100,000 taxpayers.

The Cybersecurity Information Sharing Act is legislation that has been long overdue, and we are, frankly, behind the curve here. But this bill garnered wide bipartisan support in the Senate. Now we have the opportunity to work with our House colleagues, who have, I believe, a couple of cybersecurity bills, and to try to reconcile those differences in a conference committee, which is typically the way we reconcile those differences and competing ideas.

But suffice it to say that this legislation, once enacted into law and signed by the President, will help deter future cyber attacks and equip the public and private sector with the tools they need

to be more nimble. Specifically, what it will do is allow companies and individuals to share information with the government without concern about losing a competitive advantage. Right now, when you are attacked in your company, obviously it is not something you particularly want to brag about, but you do need to let the people whose information has been stolen know so they can protect themselves. But what there will be is more information sharing, along with some legal protections for people who cooperate on a voluntary basis.

As Senator BURR, the chairman of the Intelligence Committee said time and again, there is nothing compulsory about this system. Nobody is forced to participate. But I think, over the long run, businesses and individuals will find it in their best interest to share this information and to receive information in a way that will help protect our personal data.

The passage of the Cybersecurity Information Sharing Act was, rightly, a major priority for the Senate. As I said, I am hopeful—along with our House colleagues—that we can get a bill to the President's desk for signature soon.

But this is just one more example—the latest example, really—of the productivity of this new majority in Congress that was elected just last November. We have worked hard. Without sacrificing our principles, we have worked hard to find common ground, working on a bipartisan basis to move legislation across the floor and to get it enacted into law that serves the best interests of the American people, such as the passage of the bill to help victims of human trafficking, which passed 99 to 0 in the Senate and now is the law of the land. It was the first major effort to help the victims of human trafficking we have undertaken here in 25 years.

We have also passed out of the Senate—and we are working on differences with the House—the Every Child Achieves Act. As Chairman ALEXANDER of the Health, Education, Labor, and Pensions Committee points out, this is a fix to No Child Left Behind. This legislation will devolve power from Washington, DC, back to parents and local communities so they can have a greater say in their children's education.

Once again we have learned the lesson, perhaps painfully, that a one-size-fits-all solution does not work for everyone. We are a big, diverse country. A lot of communities are better equipped—certainly they are more nimble, more flexible, and more adaptive—to change circumstances than the Federal Government. Even though we had the best of intentions with No Child Left Behind, we needed to make this necessary fix and again devolve power back from the Federal Government down to parents and local communities for their children's education

while maintaining high standards at the same time.

We have also passed a multiyear highway bill. I think there were more than 30 different temporary patches of our highway bill because of the inadequacy of the highway trust fund. When you buy a gallon of gasoline, I think about 18 cents goes into the highway trust fund out of that gallon of gasoline. Unfortunately, though, our demands have exceeded the amount of money in that fund.

For States such as mine, we are a donor State. So we send a buck to Washington, DC, and we get 92 cents back. A friend of mine in the Texas Legislature called that Federal money laundering, and I think he is right.

But we have stepped up—the voters in Texas last year, actually—by passing a supplemental appropriations for highway and infrastructure out of our rainy-day fund. Actually, on November 7, we will have another referendum in Texas to try to fill that gap between what the Federal Government is doing and what the State government can and must do in order to meet our transportation needs.

By passing a multiyear highway bill, the Senate has now prompted our House colleagues to, in turn, pass their own multiyear highway bill, and now, perhaps later today, we will pass another short extension to November 20 and then work to reconcile those two differences and then get that to the President's desk.

That is not particularly sexy work, but it is very important. It is sort of what we are supposed to do in the Congress, which is to perform the task of governing and helping to address the issues that confront everyday working American families.

Then just last week the Senate Judiciary Committee voted 15 to 5 to pass, on a broad bipartisan basis, the first criminal justice reform that we have done since the 1990s. I have cosponsored that legislation and was proud to do so. A lot of what this bill contains—particularly something called the CORRECTIONS Act—was based on a successful experiment in Texas and other States where they realized that you could lock people up for committing crimes but someday they are going to get out. When they do, we have an interest in making sure, for those who are willing, that they are prepared for life on the outside or otherwise they end up becoming what a young man in Houston just last week or so told me. He called himself a “frequent flier” in the criminal justice system. We know what that means. That means the turnstile just kept turning. He would get out and go right back in because he was woefully unprepared for life outside. So whether it is education, whether it is mental illness issues, drug and alcohol issues or just employable skills, it is in our interest to provide

incentives to people in prison so they are better prepared when they get out.

I am not suggesting that this is some sort of panacea and that all of a sudden our prisons will be emptied and people won't commit crimes anymore. That is not true. But for those who can be saved, for people who want a helping hand and are willing to take responsibility for their own rehabilitation, I think this legislation is very important.

So while we still have a lot to do, I think we can take some satisfaction in the productivity that we have had—withstanding the very challenging political environment and the polarization of our politics in America today.

This week Members from both parties, as well as the White House, have been talking about legislation to deal with our budget and ensure our country meets its financial responsibilities. Indeed, there has been an announced deal, negotiated by the leadership in the House, the Senate, and the White House, which the House of Representatives will be voting on at about 5 p.m. today.

I think it is worth reminding everybody how we got to this point. Starting in June, our colleagues from across the aisle started what they advertised as a filibuster summer—in other words, a strategy to block any and all of the appropriations bills that come across the Senate floor. There are 12 of those appropriations bills. If we were doing things the way we should be, we would take them up individually. The American people could read them, understand them, and we could debate them, hopefully improve them, and then pass them into law to fund some of the basic functions of our government, such as the Defense Department, for example. It is ironic that many of these appropriations bills sailed through the Appropriations Committee on a bipartisan basis.

Well, for the first time in 6 years, the Committee on Appropriations had voted out all 12 of those bills. The reason they were able to do so is because under this new majority, we were able to actually pass a new budget, which gave the top capped spending lines to the Appropriations Committee so they could do their job to consider those spending bills, to rearrange priorities, and hopefully gain greater efficiency and economize on the spending.

So even though many of our Democratic friends voted for those bills in the Appropriations Committee, they came to the floor and voted against them to create this huge cliff that we knew was coming on November 3 and, indeed, on December 11.

Senate Democrats carried this strategy of filibuster summer into the fall and continued to block appropriations bills, turning noncontroversial funding priorities, such as our Nation's military and support for our veterans, into

partisan games. That is what created this so-called shutdown narrative and drama.

It wasn't an accident; it was a premeditated plan by our Democratic friends in the minority. So, as a result, Congress was once again staring down several major deadlines with little time to waste.

I have to say that if your attitude in Congress is “I want 100 percent of what I want or I am not going to settle for anything,” you are not going to get anything. It is just that simple. It is just a simple fact of life that the only kind of negotiated outcomes we have here are imperfect; they are flawed.

While this budget agreement isn't perfect—it is flawed—it does contain several important priorities. First of all, the Budget Act of 2015 doesn't raise taxes. That is important to me and certainly important to my constituents. They think this administration has raised their taxes more than enough already. This agreement lays the foundation to fund the government through 2017 without a tax increase.

Importantly, the legislation repeals a section of ObamaCare. We will have more to say about that in this coming weeks, but it repeals a major section of ObamaCare that required large employers to automatically enroll their employees in the ObamaCare health plans. That is a pretty big deal for a law that has been on the books since 2010. Rolling back ObamaCare, I believe, is essential to helping the American people meet their basic needs—to get the health care they want at a price they can afford, and not based on some sort of mandate from the Federal Government. It is also necessary for the health of our Nation's economy.

Perhaps from my standpoint, and I suspect the Presiding Officer's standpoint, the single most important part of this legislation is it will fund our military and make sure our military has the resources it needs to protect us here at home and our allies around the world.

As part of the artificial drama that was created over this deal, the President of the United States vetoed the National Defense Authorization Act. This is the fundamental law by which Congress says to our men and women in uniform: We are going to make sure you have the resources you need in order to do the job you volunteered to do. And oh, by the way, we are also going to take care of our families because in the military today, with an all-volunteer military, our military families are vitally important too. But in an incredibly cynical move, the President vetoed the Defense authorization bill in order to gain leverage in this negotiated budget deal. It truly is shameful. It is inexcusable for the Commander in Chief to hold our men and women in uniform hostage by doing something like that.

We all know we are living in a world marked by insecurity at every corner, from rampant instability in the Middle East to a newly aggressive Russia in Eastern Europe and in the Arctic, and a rising China that continues to—Mr. President, I ask unanimous consent for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. In addition to instability in the Middle East and an aggressive Russia in Eastern Europe and in the Arctic, a rising China is trying to expand its own territory at the expense of our allies and friends in the Pacific.

I am glad to see the U.S. Navy challenge the phony claims of China in the South China Sea that jeopardize those important sea lanes that are so critical to our security and to our commerce.

So this deal, as flawed as it is, finally provides the military and our military families with the resources they need in order to do the incredibly important job we ask them to do. If you think about all the areas that the Federal Government is involved in, this is the No. 1 priority. There is no “Yellow Pages” where you can look to outsource national security. It is the Federal Government’s responsibility, and it is about time we provided our men and women in uniform with the resources they need in order to get the job done.

In conclusion, this bill actually takes significant steps in reforming, in a fiscally responsible manner, our Social Security disability system. It will provide long-term savings from changes to Social Security. In fact, this will represent the first bipartisan reform we have had since the early 1980s.

I look forward to continuing to discuss this legislation with our colleagues and finding a way to move forward as we face the big challenges still ahead of us in the Senate. The only alternative to this negotiated deal would be a clean debt ceiling increase and a continuing resolution at current spending levels, which would have a devastating impact on our military and our national security.

EXTENSION OF MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that morning business be extended until 8 p.m., with Senators permitted to speak therein and with the time equally divided in the usual form; further, that all time during quorum calls be charged equally between both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

EXPORT-IMPORT BANK

Ms. KLOBUCHAR. Mr. President, I rise to speak in support of reauthorizing the Ex-Im Bank. I know some of my colleagues were here earlier, and I wanted to join them, but I was at a hearing over in commerce. I do want to thank Senators CANTWELL and KIRK for their leadership on this issue. I also want to thank my colleagues, Senators HEITKAMP, SHAHEEN, MIKULSKI, and BOXER, who were on the floor today voicing their strong and continued support for the Ex-Im Bank.

Yesterday, the House voted 313 to 118 to reauthorize the Export-Import Bank. That is a strong bipartisan vote that included a majority of Republicans. It included seven of the eight Members of the congressional delegation from the State of Minnesota, including several Republicans.

The Ex-Im Bank also has bipartisan support here in the Senate, which has voted twice this year to reauthorize the Ex-Im Bank, both times with more than 60 votes. Now it is time for the Senate to take up this bill and vote to reauthorize the Ex-Im Bank with no further delay. This year, the Senate has been in the lead on this. We have shown the kind of bipartisan support that helped the House to get the numbers they needed, and now we must simply pass the bill.

The Ex-Im Bank has been reauthorized 16 times in its 81-year history, every time with a broad bipartisan majority. As yesterday’s House vote and previous votes in the Senate show, the Ex-Im Bank still has the support of a broad bipartisan majority.

Since coming to the Senate, I have been working to boost America’s ability to compete in the global economy. I serve on the President’s Export Council. I believe America needs to be a country that once again thinks, invents things, and exports to the world. We like our financial industry—we have the sixth biggest bank in the country out of Minnesota—but we all know we can’t simply rely on the financial industry to keep the economy going. The economy has to be a bread-and-butter economy, and that means making things, and that means exports.

When 95 percent of the world’s customers live outside of our borders, there is literally a world of opportunity out there for U.S. businesses. U.S. exports have helped expand our economy over the past 4 years, reaching an alltime high of \$2.3 trillion, an increase of 34 percent since 2009 after inflation.

We know there are about 85 credit export agencies in 60 other countries, including every exporting country in the world. Our businesses are competing against these foreign businesses, which are backed by their own countries’ credit export programs and often receive other government subsidies. Why

would we want to make it harder for our own companies to compete in a world where all the other exporting nations have an export-type bank financing authority? When our companies are competing against overseas companies for contracts, they need the Ex-Im Bank.

In 2014, the Ex-Im Bank provided support for \$27 billion worth of U.S. exports. This sounds like a lot, but in the same year China financed more than double that amount—\$58 billion compared to \$27 billion—and South Korea and Germany also provided more support for their exports. If we don’t get this done, Mr. President, China will eat our lunch.

If we want a level playing field for our businesses, we need to have the U.S. Ex-Im Bank open and running. Do you know what our companies find out right now? Well, the charter has lapsed. When these U.S. companies or our foreign competitors go to the Ex-Im Bank Web site, do you know what they see on the Web site? I will tell you. I went to the Web site and saw it myself. It says this: “Due to a lapse in EXIM Bank’s authority, as of July 1, 2015, the Bank is unable to process applications or engage in new business or other prohibited activities.” Every one of our foreign competitors knows this is up on our own U.S. Web site.

To me, this is about jobs. As the ranking member of the Joint Economic Committee, I know that in 2014 the Ex-Im Bank provided \$20.5 billion in financing. That supported 164,000 jobs. I know there are hundreds of companies in Minnesota—I think the exact number is 170—that use financing authority. The vast majority of them are small companies. These small business owners, like many small business owners all across the country, know it is essential for their ability to export. They can’t have a full-time bank person in their small companies. They can’t have a full-time expert on trade with various countries—Kazakhstan, you name it—all around the world. They need the help of the Ex-Im Bank to know how to get this financing.

I visit all 87 counties in my State every year, and a lot of that time is spent visiting these small businesses. Even when I don’t mean to find an Ex-Im-type business, I find one. I heard from Fastenal and Miller Ingenuity, both from Winona. I have heard from EJ Ajax Metalforming, a leader in workforce policies. So everywhere from Fastenal to PERMAC, an award-winning women-run manufacturer in Burnsville, I have found that Minnesota businesses get help from Ex-Im Bank.

The time is here. We can’t put it off any longer. Our colleagues in the House, despite the fact that they didn’t even know if they had a Speaker for a number of weeks, were able to pass this bill. Now it is our turn. Let’s get this done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

PUBLIC EXPRESSIONS OF FAITH

Mr. LANKFORD. Mr. President, it is just past the middle of football season in America—a sad thing for a lot of us who are football fans. This is the time when some fans are thinking seriously about the playoffs and other fans start thinking seriously about trying to get their coach fired.

In Bremerton, WA, coach Joe Kennedy is in trouble not because the team has a losing record but because he has the audacity to kneel down and pray on the 50-yard line after the football games are over and thank God for the chance to coach there and for the safety of his players.

Gratitude to God is certainly not a crime in America. In fact, that is encouraged every year in the national prayer proclamation given by every President for decades, including this one. Coach Joe Kennedy is the varsity assistant coach and the JV head coach in Bremerton, WA. He enjoys working with the guys and coaching football. He has an excellent employment record at the school and has been a great motivator of the guys on his team.

Since 2008, Coach Kennedy has had the habit of walking out to the 50-yard line after the game is over and kneeling down to pray. After a few weeks of his starting to do this in 2008, a couple of the Christian students on the team also asked if they could come and kneel down next to him, which they have done and he has allowed them to do. They are not required to pray. They are not required to be there at all. But those students have the freedom they have exercised to express their faith, and so does Coach Kennedy.

For some reason, this season has been different. Now the district has asked the coach not to pray after the games. Instead, they want to provide him with a private room where he can go and pray separately so no one will see him. I have a letter from the district where they say they will give him this accommodation: “[A] private location within the school building, athletic facility or press box could be made available to you for brief religious exercise before and after games.” They literally want him to go into another spot so no one will see him pray. That seems to be the accommodation here. They are saying to him that he has the freedom to pray in a location we choose.

The district has the fear that if anyone sees the coach praying, they may think the coach endorses or that the district endorses a particular faith. They wrote in a separate letter to the coach these criteria to say: As we go forward, these are the standards to apply. Quoting from the district:

Students are free to initiate and engage in religious activity, including prayer, so long as it does not interfere with the school or team activities. Student religious activity must be entirely and genuinely student-initiated, and may not be suggested, encouraged (or discouraged), or supervised by District staff.

Second, and continuing to quote:

If students engage in religious activity, school staff may not take any action likely to be perceived by a reasonable observer, who is aware of the history and context of such activity at BHS, as endorsement of that activity. Examples identified in the Borden case include kneeling or bowing of the head during the students’ religious activities.

You and all District staff are free to engage in religious activity, including prayer, so long as it does not interfere with job responsibilities. Such activity must be physically separate from any student activity, and students may not be allowed to join such activity. In order to avoid the perception of endorsement discussed above, such activity should either be non-demonstrative—

In other words, you can’t see it outwardly—

(i.e. not outwardly discernible as religious activity) if students are also engaged in religious conduct, or it should occur while students are not engaging in such conduct.

In other words, don’t get near a Christian student when they are praying and bowing their head and also bow your head.

It is an odd thing that the district would worry that their actions would be perceived that they may have an official policy for Christianity, but they don’t seem to have the same worry that their actions to try to eliminate anyone expressing their faith would be an official policy of atheism at the campus, since if they purged all displays of faith from any person, it would appear that no faith is the endorsed faith of the district.

Under this policy, if a teacher who is a Christian sees another Christian student praying, they have to get away from them or at least walk past them as if they are disinterested. I don’t think people understand how offensive that is to our faith. If I see a student praying, I would want to stand by them to hear their prayer, to be encouraged by their prayer.

Under this policy, if a Christian student had been bullied at school and they wanted to sit by a Christian teacher at lunch, when that student at lunch bowed their head to pray over their low-calorie lunch meal, at their school lunch, the Christian teacher would either have to walk away or they would have to ignore their prayer, further ostracizing the student.

Citizens don’t lose their freedom of faith just because they also work for a State or Federal agency. People can display their faith—as this coach did for 7 years, and it had not been a problem for this coach to kneel down and pray at the end of the game. I am confused why suddenly now the district is concerned about this display of faith.

Individuals can display their faith personally. It is their personal faith. It is not some endorsement by the district. A Wiccan teacher can wear a pentagram necklace. A Muslim teacher can wear a head scarf. A Christian can bow their head to pray at lunch, even a faculty member. A Sikh teacher can wear a turban. All of those are outward displays of a certain faith. How can a school district say that if you display your faith in a way that someone else can see it and figure out that you have faith, suddenly that is a violation of the establishment clause of the Constitution?

Courts have ruled that in a school setting, prayer cannot be mandatory in the school, compelled by the school, led by the school. While some have a problem with this interpretation, frankly, I don’t. I, quite frankly, think teachers have multiple different faiths and multiple backgrounds, and I have the responsibility as a parent to train my child how to pray consistent with our faith. That is not the responsibility of that teacher at school to be able to teach them their faith. That is my job.

I do have a problem when an individual teacher is restrained from practicing their own faith or an individual student is restricted from that. It is entirely different when a district states that a coach may not quietly pray or allow students to voluntarily participate with a coach in prayer when they share the same faith. After a game is over and all the players are free to leave, that is their own free time. They can go to the locker room, they can talk to their parents, and they can flirt with the cheerleaders on the sidelines. That is their own time. They can choose to do what they want to do, but they shouldn’t be restricted from praying if they also choose to do that.

The Bremerton School District attorneys have chosen to apply the Borden v. School District of the Township of East Brunswick to this particular case. In that case, the coaches couldn’t lead a prayer or participate if all the players were required to be present before the game. This is a required team meeting in the Borden School District of the Township of East Brunswick. This is completely different. This is after the game, when no player is required, no one is expected to be there, and those students and those coaches are on a brief period of respite after the game.

For some reason, in this day and age, some citizens have become terrified of faith in America and prayer in America. They are frightened when people exercise their faith and live according to their sincerely held religious beliefs. So they try to quash it quietly. That is astounding to me—as a nation that was based on this basic principle of people being able to live their faith, not just to have it but to be able to live it.

If a coach went to the 50-yard line after the game, sat down on a lawn

chair and drank a Coke, no one would have a problem. If a coach went to the 50-yard line and sang Michael Jackson's "Thriller" and did the dance moves, he would be a YouTube sensation, but the district would have no problem with it. But if a coach goes to the 50-yard line, kneels down and prays, somehow that is a different type of speech or action. It is not. It is speech. It is the freedom of faith. It is who we are as Americans and our diversity in America. There is nothing different about that speech.

The establishment clause in the Constitution is clear: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . . ."

This is not the freedom to have a religion. This is the freedom to exercise it. It is very clear in the Constitution.

For some in this generation, they want to talk about freedom of worship. You can worship and you can go to a place of worship, you can worship with anybody, any way you want to, if you go over there and do it, but they don't want people to actually come out and live their faith publicly.

We don't have freedom of worship in America. China has freedom of worship. We have the free exercise of religion, where we can live our faith outside of our church buildings, in our private lives, even if you are a public individual.

It is reasonable for this Congress to speak out on this issue because it is a First Amendment freedom. Protecting one coach's right to pray protects every person's right to pray in the Nation.

So let me ask a question. Is the district going to engage in stopping coaches from kneeling down on the sideline during the fourth quarter in a last-second field goal attempt and prevent them from praying on the sidelines? That is a rich tradition in football.

How about this moment. Last Saturday at Oklahoma State University, we had an incredible tragedy where a car careened through the homecoming parade, killing many and injuring many more. It was a horrible tragedy. It happened just hours before the game. Players and coaches at Oklahoma State University walked out of the tunnel, and before the game started—when typically they would all gather and cheer together—they instead chose, players and coaches, to kneel down on the sideline and to pray for the families who were affected by this incredible tragedy just hours before. This apparently offends some people, that people in a State setting would express their private faith. Nothing was mandated about this. This was a group of players and coaches, that their heart was grieved for what was happening in their city and among the Oklahoma State family. This shouldn't be prohibited in America. This is who we are.

I don't challenge the people in Bremerton. These are all honorable people who want what is best for Bremerton, WA, families. They all care about their kids there. The superintendent, the principal, the coaches, they all care about the kids there. This is a genuine misunderstanding of what our Nation protects and what our Nation stands for.

Article 6, clause 3 of the Constitution says this: "No religious test shall ever be required as a qualification to any office or public trust under the United States."

In our Constitution, any individual who serves in any public trust in the United States doesn't have to set their faith aside nor have to take on any faith. In America, you can have a faith and live it or you can have no faith at all. That is the United States of America.

Every day in this Chamber, including today, the Chaplain for the U.S. Senate begins our session in prayer. In this Chamber, the words "In God We Trust" are written right above the main doors as we walk in, the same as it is in the House Chamber above the Speaker's chair. We are not a nation that is trying to purge all faith. We are a nation that allows people to live their faith.

I ask individuals in this Chamber right now who choose to, to even pray with me as I close out this statement.

Father, I pray for Coach Kennedy and the leadership of Bremerton, the superintendents, and the principals. They have a difficult job, and I pray that You would bless them today. And I pray that You encourage those students, as they struggle with this basic religious freedom that we have in this Nation, that there would be a unity there and a decision that would be made that would clearly stand on the side of freedom. For the coaches and teachers of all faiths who serve there and serve across our Nation, I pray that You would bless those coaches and teachers today. They do a difficult task. As they walk with students through difficult decisions, I pray that You would encourage them in Your faith.

Thank You, Jesus, for the way that You sustain our Nation and for the freedom that we have. We ask Your help in protecting us.

In Your Name I pray. Amen.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUESTS— S. 2165 AND S. 697

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 270, S. 2165, a bill to permanently authorize the Land and Water Conservation Fund; that the bill be read a third time and passed and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, reserving the right to object, I would like to ask that the consent be modified to pass a short-term extension, S. 2169, with my amendment, which is at the desk.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. MERKLEY. Mr. President, reserving the right to object, I will note that we secured this language an hour ago. We have no complete insight on the impact of the language, and this is language more appropriately debated in the committee process. I wish to ask my colleague to consider introducing it for action on the floor at some future point and not use it to obstruct funding or authorization of the Land and Water Conservation Fund. If my colleague is not comfortable with such a suggestion, then I would object.

The PRESIDING OFFICER. The Senator declines to modify his request.

Is there objection to the original request?

Mr. LANKFORD. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, this first request was to get this bill done right now and reauthorized. I am going to turn to a different possibility, which is to secure a debate here on the floor which would afford my colleague from Oklahoma the opportunity to present his thoughts.

I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Democratic leader, but no later than Thursday, November 12, the Senate proceed to the consideration of Calendar No. 270, S. 2165; that there be 1 hour of debate equally divided between the proponents and opponents; that upon the use or yielding back of time, the bill be read a third time and the Senate proceed to vote on passage of the bill; that the vote on passage be subject to a 60-affirmative-vote threshold; and, finally, that there be no amendments, motions or points of order in order to the bill.

The PRESIDING OFFICER. Is there objection?

Mr. LANKFORD. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Mexico.

Mr. UDALL. Mr. President, we have now seen a demonstration. I want to talk to Senator MERKLEY about this. I ask unanimous consent to engage in a colloquy with him.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. UDALL. The Land and Water Conservation Fund is a piece of legislation that has been in place and in law for 50 years, as Senator MERKLEY knows. It has been in place for 50 years, and it has expired. There is overwhelming support for this. A number of us have signed letters. Senator BURR, who is here, I know has been a leader in terms of working on the Republican side. We have a huge amount of support, but a small little group is objecting to this moving forward.

I say to Senator MERKLEY, this is showing the dysfunction that here we have a bill and the leadership cannot get the bill on to the floor. I wanted to ask the Senator in terms of his State. I know in my State people love their parks. They love the Land and Water Conservation Fund. I think the same is true in Oregon; isn't it? This is something that we shouldn't have let lapse, and we have to put it in place.

Mr. MERKLEY. My colleague from New Mexico is absolutely correct. For these 50 years that he noted, the Land and Water Conservation Fund has protected millions of acres of our land, including playgrounds and parks, our most treasured national landscapes—all without costing our taxpayers a single dime. It is, without question, our Nation's most important and successful conservation and outdoor recreation program.

Oregon, specifically, has received about \$300 million over the past five decades, safeguarding areas that are now complete treasures for our State, such as the Oregon Dunes and the Hells Canyon Recreation Area. These special places are part of our heritage, and protecting them has been made possible through this fund. It is a commitment to preserving these special places for future generations in Oregon and throughout the Nation, and it also serves to really strengthen the outdoor recreation economy in our State.

What is a win for our heritage is also a win for our rural economy. This effort to torpedo something of great value in terms of protection of special places and our rural economy is a step or a stride in absolutely the wrong direction.

Mr. UDALL. I say to Senator MERKLEY, one of the things we face here is that because the Land and Water Conservation Fund has not been reauthorized, there are Senators who are trying to attach this to other pieces of legislation. You and I have worked very well on the Toxic Substances Control Act, which now has

over 60 votes. This has really held down both pieces of legislation. The Land and Water Conservation Fund can't be reauthorized, and we can't pass the Toxic Substances Control Act, which has overwhelming support.

We are in a situation where the leadership needs to step in and say: Both of these have huge support in the Senate—bipartisan support. Let's get a vote on them. Let's not continue to have this gridlock and dysfunction.

Does the Senator see it that way in terms of how this is playing out on the floor right now?

Mr. MERKLEY. I absolutely share the Senator's perspective on this. In terms of the Toxic Substances Control Act, TSCA, or the Lautenberg Act, as we now call it, this is an effort to remove—and you have championed this in a bipartisan way. You have brought this forward. It has been approved through an extensive committee process, and we have a shot, finally, to have a process in which we can take and remove toxic items from everyday products.

A good example is that we are standing here on a carpet, and the carpet is full of flame retardants that don't really retard flames but definitely cause cancer. Having those scientifically analyzed and considered as to whether they should be in our carpets or not makes a lot of sense. You think of little babies crawling during their first months of life on these carpets, and their noses are right down there in the dust. The dust is attached to these toxic chemicals. I believe your bill—this bill—not only is bipartisan, but it has more than 60 or at least 60 cosponsors.

Mr. UDALL. Yes.

Mr. MERKLEY. Here we are with this paralyzed process where a few individuals say: You know, I guess it is not important to get toxic cancer-causing items out of our household products. Also, it is not important that our States get flexible funds to preserve special places.

I suggest that rather than blocking such legislation, folks who have that mind come to the floor and make their case. If they want more cancer for our children, come to make your case. If you don't want to preserve special places in America, come and make your case. But do not obstruct this body from being able to have the conversation.

Mr. LANKFORD. Would the Senator consider consent to join the colloquy?

Mr. UDALL. Please, Senator LANKFORD.

Mr. LANKFORD. Thank you for letting me join the conversation.

The argument here is not against whether I would want or other Members would want cancer-causing items or would want to have the degradation. The problem is the degradation in our public parks and lands.

We have an \$11.5 billion backlog in our national parks right now. Inexplicably, the Land and Water Conservation Fund does not allow for the maintenance of what we have. The U.S. Government currently manages 29 percent of the land mass in the United States. We have a multibillion dollar backlog, including in our national treasure, which is the national parks that are out there.

This amendment that I have, and which others are proposing, is to simply say: Before we keep adding land—at least at the same rate we are adding more land—we should be maintaining that land. It is equivalent to if you are going to buy car, you need to at least set aside some money to pay for gas.

All that we are asking for is something that has been asked for now for a long time through multiple committees and multiple hearings, and that is, that as we engage in purchasing new property, we also make sure we are setting aside dollars from the Land and Water Conservation Fund to actually maintain what we are purchasing.

The dollars that are there already are a \$20 billion amount that is set aside for the Land and Water Conservation Fund. The fund continues to function under the current CR. Appropriations have already been planned and put in place by the committees to be able to put it out there. This doesn't affect the current ongoing functioning. It only affects new dollars coming to the Land and Water Conservation Fund. It is already functioning as it is. In fact, it has a 65-year account set aside for it.

The challenge now is this: Are we going to maintain what we have or are we going to keep purchasing new lands and not maintain what we have? I would say we can protect us from cancer-causing agents and we can maintain what we have as well.

Mr. UDALL. Thank you, Senator LANKFORD, for that intervention.

I think the important point here—and I know Senator BURR is here on the floor so I am going to make a unanimous consent request with regard to TSCA. But let me just say that I can't agree with the amendment that Senator LANKFORD has talked about. I know it is very controversial—the idea of taking money out of the Land and Water Conservation Fund, which is going to the States for parks and to the Federal side for parks, and dedicating that to maintenance. That is something we should have done in budgets long ago, and the problem is we haven't had adequate budgets for our parks. So we have a backlog.

Senator MERKLEY mentioned, in terms of TSCA, the health and safety of children. There is one person I want to talk about, a woman by the name of Dominique Browning. She works with an organization called Moms Clean Air Force. She worries about her kids and

the toys and the products they use. She herself survived kidney cancer. When she asked her doctor what caused the kidney cancer, he said:

It's one of those environmental ones. Who knows? We're full of chemicals.

This is about people such as Dominique Browning, who want to see a cop on the beat who is going to do something about chemicals. I think this dysfunction, this inability to deal with two very popular bills, is something on which we need the leadership to step in. The leadership has the control of the floor and is able to move forward.

So I rise today in support of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

Last week, the Senate missed an opportunity to move forward on this bill and to send it to conference with the House. I was disappointed, but, I know that we can still get this done. And for the protection of American families we must get this done.

The Toxic Substances Control Act of 1976 is supposed to protect us. It doesn't.

There are over 84,000 known chemicals and hundreds of new ones every year. Only five have been banned by the EPA. Only five out of 84,000.

TSCA is broken. We all know this. It fails to protect families. It fails to provide confidence in consumer products. We have a chance to change that. And that is what our bill will do. That is why 60 Senators from both sides of the aisle support this critical reform.

For decades now, the risks are there, the dangers are there, but, there is no cop on the beat. American families are waiting for real protection.

Unfortunately, last week, because of Senate dysfunction, we asked them to wait a little longer.

They have waited too long already, because this is about our health and safety. This is about our children and grandchildren. This is about people like Dominique Browning, who works with Moms Clean Air Force, who worries about her kids, and the toys and products they use every day. She herself survived kidney cancer. When she asked her doctor what caused her kidney cancer, he said: "It's one of those environmental ones. Who knows? We're full of chemicals."

This is about people like Lisa Huguenin. Lisa is a Ph.D. scientist who has done work on chemical exposure at Princeton and Rutgers and at the State and Federal level. But she is a mother first. Her 13-year-old son, Harrison, was born with autism and autoimmune deficiencies. Five years ago, Lisa testified before Senator Lautenberg's subcommittee on the need for reform. She is eager to see TSCA reform pass the Senate and be signed into law.

The time for TSCA reform is now, and it may not come again for many years. It has passed the House. It is ready to move through the Senate.

I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to the consideration of Calendar No. 121, S. 697, a bill to reauthorize and modernize the Toxic Substances Control Act; that the only amendment in order be a substitute amendment to be offered by Senator INHOFE; that there be up to 2 hours of debate equally divided between the two leaders or their designees; that following the use or yielding back of time, the Senate vote on adoption of the Inhofe amendment; that upon disposition of the substitute amendment, the bill be read a third time and the Senate proceed to vote on passage of the bill, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. BURR. Mr. President, reserving the right to object, I ask the author of this unanimous consent request to modify the unanimous consent request to allow an amendment to be considered in the TSCA debate, where we would take up the Cantwell-Murkowski bipartisan language on the reauthorization of the Land and Water Conservation Fund.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. LANKFORD. I object to the modification.

The PRESIDING OFFICER. The Senator from Oklahoma objects.

Is there objection to the original request?

Mr. BURR. I object to the underlying unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

Mr. UDALL. Mr. President, we have hit a roadblock, not because of the substance, but because of a disagreement over a completely unrelated bill, the reauthorization of the Land and Water Conservation Fund. A bill that I, along with a majority of Senators, strongly support.

I respect my colleague, Senator BURR. He is a true leader on LWCF. It never should have expired.

The reauthorization has strong, bipartisan support. Fifty-three Senators signed a letter led by Senator BURR recently, and I am confident there are over 60 supporters.

I believe that we will reauthorize and continue to fund LWCF. As the ranking Democrat on the Interior Appropriations Subcommittee, that is an extremely high priority for me and it is extremely important to the people of my State.

I want to work with Senator BURR. But, LWCF is being blocked by a small minority from Senator BURR's own party.

We have to fight that, and we will. But, TSCA reform should not be held

up by demands for a vote on unrelated LWCF legislation.

Groups like the National Wildlife Federation and others who support LWCF reauthorization have called to decouple the two. Other members of the LWCF coalition have told me this as well.

The safety of American families should not be held hostage to the LWCF because the result is all too obvious. The safety of our children and grandchildren is put at risk each and every day that we delay TSCA reform. Is it any wonder the American people look at the Senate with dismay and confusion? At times like this I share their frustration.

Again, I respect Senator BURR. He is a cosponsor of our bill. And I know he does not want a dysfunctional Senate. He fought hard to get the Senate to work out its differences on his cyber security legislation. The Senate passed that bill this week.

The Lautenberg Act deserves the same push. We need cooperation, not ultimatums. I will keep doing what I can to continue the conversation and move forward.

We cannot sacrifice the health of infants and pregnant women, of the elderly and our most vulnerable, to Washington gridlock and obstruction.

It has been a long road. This is a balanced bill and a bipartisan bill. One that Republicans, Democrats, industry, and public health groups can all support. This is historic and urgently needed reform.

So, we won't give up. We will keep going. We aren't just Senators. Many of us are also parents and grandparents. We know how important this is.

This is about the health and safety of our families too, and I believe we can do this.

Our former colleague, Senator Lautenberg, who began this effort years ago, believed we could as well. TSCA reform was his last legislative effort, and he believed it would save more lives than anything he had done. We are proud to have the support of his widow, Bonnie. I want to repeat what Bonnie said so eloquently at the EPW hearing earlier this year.

She said: This cause is urgent, because we are living in a toxic world. Chemicals are rampant in the fabrics we and our children sleep in and wear, the rugs and products in our homes and in the larger environment we live in. How many family members and friends have we lost to cancer? We deserve a system that requires screening of all chemicals to see if they cause cancer or other health problems. How many more people must we lose before we realize that having protections in just a few states isn't good enough? We need a federal program that protects every person in this country.

Bonnie Lautenberg is right. How long must American families wait?

They have waited long enough. They should not keep waiting because of a dysfunctional Senate.

Moms like Dominique and Lisa are watching and waiting and asking. What are we doing to protect their children, and the children of New Mexico, New Jersey, New Hampshire, North Carolina, and every other State.

Reform is 40 years overdue. So, one way or another, we will pass this bill in the Senate. We will resolve our differences with the House, and this critical reform will go to the President's desk.

Senator MERKLEY, we are here at this point where we saw—and we have now been joined by Senator MARKEY also, and if Senator MARKEY wishes to participate in this colloquy, I would ask consent to do that.

We are at a point where we have two very popular pieces of legislation that have enough votes to get them on the floor and to deal with a filibuster, and we don't have the ability to do that. So that is where we are. It is time for this place to abandon dysfunction and abandon the kind of gridlock we see and get these bills on the floor.

As Senator MERKLEY said, if people have an objection or an amendment like the Senator from Oklahoma, they can come down and offer it. I don't know what my friend's thoughts are, but Senator MARKEY is here and I am sure is willing to speak on this issue also.

Mr. MERKLEY. I think what is extraordinary about this situation is that both of these bills have at least 60 cosponsors, which as Senator UDALL pointed out is enough to close debate and get to a final vote. There was a time not very long ago when even controversial bills were voted on by a single majority. Unfortunately, we are now at the point where virtually every bill has to get cloture because some individual objects to having a debate, even if they are not willing to stand on the floor and debate it, and that is another topic. The Senator from New Mexico and I have suggested that we need to change that, so if someone objects to certain legislation, that Member should be on the floor speaking about their objection so it is transparent to the American public.

Nonetheless, in this situation, we already have 60 supporters for both of these bills. We have 60 supporters and cosponsors for the Land and Water Conservation Fund and 60 supporters for TSCA—the Lautenberg act, which is now my colleague's act—and they are both very important to our country. So for us to fail to get these bills on the floor and act is a dramatic example of the failure of this institution to be able to operate as a legislature.

This can be cured. The majority leader could arrange to bring these bills to the floor. With his support and the support of the cosponsors, we could get

cloture to bring those bills to the floor, and that would not only be a tribute to how the U.S. Senate functions, it would also do important work for the people of America by reauthorizing the funds to protect our special places and creating a system that will operate effectively to get toxic chemicals out of our everyday products.

I think it comes as a shock to people across America that we have not regulated a single chemical that goes into toxic products since 1991, and it is absolutely unacceptable. They believe and expect that the items they handle every day have gone through the process of being safe and that we are not poisoning ourselves, and it is very shocking to discover that is not the case.

These are two very important bills to our country. Both of these bills have 60 supporters. Let's get them to the floor and show that the Senate can actually be a deliberative body and that we can do good work for the future of America.

Mr. UDALL. I thank my friend.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank the Senators from New Mexico and Oregon for their leadership on this issue.

It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity. . . .

There is a certain Dickensian quality to the Senate floor today. We rarely have debate on environmental bills that enjoy not only token bipartisan support but overwhelming bipartisan support. Today is the best of times, the age of wisdom, and the epoch of belief because we can debate not just one environmental bill that has overwhelming bipartisan support but two bills that have overwhelming bipartisan support. Yet today is also the worst of times, the age of foolishness and the epoch of incredulity because a handful of Senate Republicans have just prevented both of these bills from even getting a vote.

First, we had a request to reauthorize the Land and Water Conservation Fund, a program conceived of by John F. Kennedy, who presented Congress with draft legislation for it in 1963. I am proud to be counted among the more than 60 Senate supporters of the Land and Water Conservation Fund.

Next, we had a request to consider reform of the Toxic Substances Control Act that helps to protect the American people against these dangerous toxic chemicals. I am proud to be a supporter of the language the Senate is expected to vote on, and some have predicted upward of 85 Senate votes in favor of that environmental bill.

First, a handful of Senate Republicans will not allow a vote on the Land and Water Conservation Fund be-

cause they don't like the program, and then other Senate Republicans who do like the Land and Water Conservation Fund will not allow a vote on TSCA because we couldn't act on the Land and Water Conservation Fund.

This is nothing short of absurd. It is hard enough to reach a consensus in the U.S. Senate on any issues, much less environmental issues, but some of our colleagues seem determined to snatch defeat from the jaws of victory.

Shouldn't we be able to make this the best of times on both of these bills while we have the chance to do so instead of perpetuating the worst of times view that Americans increasingly have of the ability of Congress to get its job done?

I hope all of my colleagues can come together so we can agree that here, where there are far more than 60 votes on the Senate floor for two historic environmental bills—that we do not allow for a small handful of Members to be able to stop both bills from being able to even be considered on the Senate floor.

Yesterday's agreement on the debt ceiling and on having the budget go forward is how Congress should be operating. We should take the big issues, try to work together, and understand that there are going to be differences of opinion, but when there is overwhelming support for legislation, we should be able to move forward.

I thank the Senator from New Mexico. I thank all who have worked on this issue on a bipartisan basis. This bill has vastly improved the TSCA bill from where it was months ago, and I highly recommend it to my colleagues on the Senate floor. The Land and Water Conservation Fund is something that goes back so many decades, and it is central to a continuation of the commitment that each and every State in our country is able to make on two environmental programs.

I hope we can find a way of resolving this issue because it is time for us to take action on the Senate floor on these two critical environmental issues.

I yield back to the Senator from New Mexico.

Mr. UDALL. I thank the Senator from Massachusetts.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BURR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. I thank the Presiding Officer.

Let me stand and take all the blame. I am the guy holding up the chemical bill, TSCA.

This is the greatest deliberative body in the world. This is an institution that

has never shied away from any debate or any vote, and we proved it last night as we passed a very technical, difficult cyber security vote. We can take on tough issues and we can weed through them, but what we are doing today is a charade. We said that at 12 we would come down here and that there would be competitive unanimous consent requests. It is a joke. It is an absolute joke. We forced the Presiding Officer to be here to object, knowing he strongly objects to the legislation.

There is one guy who has been trying to facilitate this, and that is Senator INHOFE. Throughout the whole process he has tried to work it out, but the fact is maybe we are at a stalemate. To suggest that I shouldn't have the opportunity to amend any piece of legislation is to take every right I have as a U.S. Senator. To come to the floor and chastise any Member because they would like to amend legislation—that is why we were sent here by our constituents from our States.

If we look back at over 200 years of history, we know this body doesn't allow the biggest State to win. It allows every State to have their voice heard and every Member has the right to provide input on behalf of their constituents.

Let me say to the authors on both sides that I am going to hold up the chemical bill until there is an opportunity for me to either amend it or to offer the Land and Water Conservation Fund and permanently extend it on another piece of legislation. It is plain and simple.

We can come and do these unanimous consent requests, we can feel good and go home and look and say: Here is what I did. I am on both sides of an issue. If that works, then do it.

I will be brave enough to tell everyone I am the guy holding it up. I am holding it up because I am an equal Member of the U.S. Senate. I am not scared to debate TSCA, and I am not scared to debate the Land and Water Conservation Fund because that is what this institution was created to do.

I sort of get the impression that we set this up to determine who is more committed to something. That is what the vote is for. It is not about the talk or the debate, it is the vote. If we can't get to the vote, it is difficult to determine who is for something and who is against it.

Let me say to my colleagues that the Land and Water Conservation Fund was set up over 50 years and receives its funding off the royalties of the exploration on offshore oil and gas; 87.5 percent of it goes to the general revenue fund of the Federal Government and 12.5 percent goes to the Land and Water Conservation Fund.

The Land and Water Conservation Fund was never set up to handle maintenance at any State or Federal facili-

ties. It was set up to allow individual treasures to be preserved by leveraging Federal dollars against private and State dollars to take in parcels, such as the Appalachian Trail, to take buffer pieces against things like the Blue Ridge Parkway, to protect a certain treasure in a State where the Land and Water Conservation Fund went in and matched with private dollars and then turned around and turned it over to the State for a State park. The benefit is if it is private land, there is no access, but when it is public land held by the State, fishermen and hunters can access it for recreational use and can now use that State park.

I am exactly where the Presiding Officer is. I don't want to increase the Federal footprint of what we own, whether it is land or buildings. I want to get out of the business of ownership. I only want to preserve those things that up to this point we have determined are valuable to future generations, and that is not by increasing the size of those Federal holdings, it is just about protecting those Federal holdings. And when we talk about protecting and providing for maintenance, let me suggest that it is a conversation we need to have with appropriators because they are getting 87.5 percent of the royalty split.

The Land and Water Conservation Fund, when we originally conceived it—I admit I was not here 50 years ago; I think JOHN MCCAIN was the only person who might have been around—it was envisioned when that fund was created that when we take something from the land, we put something back. So when we take resources, we are going to protect something over here. It was also the direction of the legislation that \$900 million a year go into this Land and Water Conservation Fund. We have averaged over those 50 years somewhere in the neighborhood of about \$385 million a year.

The Presiding Officer stopped me one day and he said: What about the \$20 billion in the fund? There isn't any \$20 billion in the fund. Appropriators spent that every year. They get the royalty split 100 percent, 20 percent goes over into this fund, they appropriate X, and what is left over they spend, along with the other 87.5 percent.

Do we want to do maintenance in national parks? Appropriate it. The money is there, and it is not taxpayer money. We are collecting it off of royalties on expirations. And it is very important that we do that maintenance. It is also important that the National Park Service prioritize maintenance over every other thing that is funded when maintenance is eliminated. But I think we have to understand it is not an either/or. We can be good stewards and invest in how we leverage Federal dollars with private dollars and also invest in the maintenance of existing facilities. If that wasn't the case, States

would be up here crying for more money, more money, more money to maintain their parks. But they understand that is their responsibility and they budget for it.

As I sat here a little while ago, I thought this was more reminiscent of an episode of "Star Trek." I was waiting for somebody to say, "Beam me up, Scotty." This is crazy. I will agree with my good friend from New Mexico—maybe it does take leadership making a decision that we are going to do both of these, but the leader doesn't control things when we get the debt ceiling from the House. He doesn't control what legislation we have to do. Let's face it—we don't have to do either one of these. If we did, the Land and Water Conservation Fund after 50 years would not have expired.

I might say I came to the floor and I begged at the time that I would be satisfied if we just extended for 60 days the Land and Water Conservation Fund in TSCA. We could have debated it and voted on it with just one amendment. But some said: No, not a 60-day extension; we want it to expire. Well, it has expired, and the price to bring it back is permanent reauthorization. It is no longer 60 days or 90 days, it is permanent reauthorization. Why? Because this may be the best Federal program we have ever run. It is not funded with taxpayer money. It takes those royalty moneys and it leverages against State and private dollars to maximize the preservation for the next generation. Name another program that does that. Name another program that doesn't stick their hand in the taxpayers' pocket, that leverages it with private dollars to maximize the impact of it. This program does it day in and day out in all of the States in the United States.

I could argue today that I would love to see as part of the amendment that North Carolina gets a bigger share of that. But, as the Presiding Officer knows, with me, that is sort of left up to appropriators because they are the ones who decide where the money goes. I am not here to prosecute them, but I am here to say to my colleagues: Let's quit being foolish. Let's have an honest debate on two different bills or put them together. I have heard that we can't amend TSCA and put permanent reauthorization in because then it stands a chance of not passing in the House. Bull. I just say bull to that. Give the House a chance. There are just as many people over there who support the permanent reauthorization of the Land and Water Conservation Fund. They are not all captured in the U.S. Senate. Why? Because a majority of America is for permanent reauthorization of the Land and Water Conservation Fund. Why wouldn't they be? It is their future. It is about their children and their grandchildren.

I will end with this. To all of my colleagues, this is not about us. No piece

of legislation that we bring on this floor, we debate, and we vote on is about us. If it is, we are nothing better than a crisis management institution. This is about generations to come. This is about our children and our grandchildren. And when we look through that window at the issue, we understand the stewardship we assume. We assume stewardship in the way we spend taxpayers' money, we assume stewardship in the direction of this country, we assume stewardship in the impact we have globally around the world, and we assume stewardship when we talk about taking care of this footprint God gave us.

I remember the debate as we got ready to build a visitors' center outside. I remember the history lessons that the more senior Members gave me at the time when I said: It will cost a lot of money. We can build it on top of the ground for about half the cost as we can build it underneath the ground.

I was given the history of this building being the byproduct of a bill through Congress called the Residence Act in 1790. Congress appropriated 500,000 taxpayer dollars to build it. When the British came, the building wasn't finished, but they were nice enough to burn what we had built. Most of the exterior was saved. The interior needed to be totally redone. Congress ended up appropriating another chunk of change, and the original Capitol design was not completed until 1823. And by 1823, the footprint needed to increase because the size of the Senate and the House had grown; therefore, we needed more space.

I remind my colleagues that at the original time, we had housed in this building the House, the Senate, the Library of Congress, and the Supreme Court. And we started this wing—what we are in—in the Senate and the wing in the House. Outside they look identical; inside they are very different. But when they did that, they doubled the length of the Capitol, and they actually had to then take off the Bulfinch dome of wood and copper sitting on a sandstone base, and they built the dome we know today—cast iron, 9 million pounds, still suspended on that original sandstone and limestone base.

Since 1863, when the Statue of Freedom was lowered on top of this Capitol, it has looked exactly the same. I have said for 21 years that my responsibility is to make sure that 100 years from now and 200 years from now, it looks exactly like this on the outside. That was the compelling reason for spending twice as much money to put the Capitol Visitor Center underground where it didn't obstruct what is a historical footprint of America's history.

This building—walk around it. It is a museum of American history—to think that an Italian artist could depict scenes in American history probably

better than Americans, but he understood why this country was created, and that influenced his artwork throughout the Capitol.

Let me just suggest to my colleagues that maybe it is time for us to go back on a tour of the Capitol, to realize that our Founders came here not to accomplish anything for themselves but to make sure their children and their grandchildren had something better. And when we start looking at our jobs the same way they looked at creating this country and the same way they looked at preserving this building, then I will assure my colleagues we will settle issues like this in the way that the Senate functions and functions well, and that is in debate and in votes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. UDALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL. Mr. President, what just happened here, just so we can allow the American people to understand, was the really honest, sincere effort on two bills that have overwhelming support—the Land and Water Conservation Fund and the Frank Lautenberg 21st Century Chemical Safety Act—we wanted to get these on the floor so that we can have debate and have amendments. It is exactly what just happened in the last week and part of this week on the cyber security bill. We got a bill on the floor, there were amendments, we invoked cloture, and then we passed the bill at the end of the day. That is what we are trying to do.

Individual Senators don't have control of the floor. They do have the ability to come to the floor and ask to put bills on the floor, and that is what happened here. Senator MERKLEY showed up and asked to put the Land and Water Conservation Fund bill on the floor, with specific outlines, and it was objected to. I asked to put the Frank Lautenberg 21st Century Chemical Safety Act on the floor, and it was objected to. That is the only power we have. The leadership has the ability to control the floor, and that is why we are on the floor speaking about this.

So this was in no way a charade; this was an honest, sincere effort to try to do everything we can to make sure that everything is transparent here in terms of who is objecting, who doesn't want things to move forward, and who is for moving forward on two very popular bills.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in a period of morning business.

Mr. LEAHY. Mr. President, I know there is a 10-minute limit; however, I do not see anyone else seeking the floor, so I ask unanimous consent to continue for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CAREER

Mr. LEAHY. Mr. President, this is really a personal speech. I was very grateful for the indulgences of my fellow Senators who allowed me yesterday to make a few observations after I cast my 15,000th vote. I would like to elaborate a bit more.

I have never lost sight of what a great opportunity and responsibility the Senate affords this Senator from Vermont, day after day, to make things better for Vermonters and for all Americans, to strengthen our country and ensure its vitality on into the future, to forge solutions in the unending quest begun by the founders of this country to form a more perfect union.

Over the last 40 years, I have been blessed to be able to serve with some of the giants of the Senate: Mike Mansfield, Howard Baker, Robert Byrd, Walter Mondale, Hubert Humphrey, Bob Dole, George Mitchell, and my mentor when I came here, then-senior Senator from Vermont, Senator Bob Stafford. I would note that I became the only Democrat ever elected from my State. Senator Stafford was really "Mr. Republican" in Vermont. And I wondered what the relationship would be. He immediately took me under his arm and guided me and worked with me, and there wasn't a day that went by that we didn't consult and I didn't gain from his wisdom and experience.

There are so many others. Marcelle and I have made close friendships on both sides of the aisle, like Senator John Glenn and his wife Annie, who were Democrats, and Senator COCHRAN and Senator Lugar, Republicans. I had the privilege and have had the privilege to serve with more than 370 Senators in all from different walks of life and every corner of this Nation, these different backgrounds, different stories, and different life experiences, both parties. And this has made this institution the greatest deliberative body in the world.

I cast my first vote in this Chamber in 1975. It was a resolution to establish the Church Committee. The critical issues of the post-Watergate era parallel issues we face today.

I also had a front-row seat, a bit part in an historic effort, initiated by a Democrat—Senator Mondale of Minnesota—and a Republican—Senator Pearson of Kansas—to change the Senate's earlier cloture rule, which had been abused for decades in thwarting the will of clear majorities of the American people on such crucial issues as civil rights reforms.

That project might not sound difficult, but changing the way the Senate operates is something akin to trying to change the weather.

Late—actually very late one night—in a lengthy, difficult debate—and we sometimes went around the clock—Senator Mondale and Majority Leader Mansfield enlisted me, the most junior Senator, to play a role. They asked me to stay on the floor one night around 2 in the morning to take the gavel as the Presiding Officer. They expected that a lot of tight rulings were coming up. I felt so honored, but I did feel the honor drain away as Senator Mansfield explained, no, no, they just needed somebody big, 6-foot-3, 200 pounds, and who was still awake, to be the Chair for those rulings, in case tempers flared. Sometimes a Senator is no more than a conscious body in the right place at the right time.

But among those 15,000 votes I have been proud to cast on behalf of Vermonters, some were Vermont-oriented, some national, some global: the organic farm bill, the charter for what has become a thriving \$30 billion industry—I fought for years for that and got it through with bipartisan support; stronger regulations on mercury pollution and combating the effects of global warming; emergency relief for the devastation caused by Tropical Storm Irene. In that case, Senator GRASSLEY, who spoke on the floor yesterday—I recall the morning after that storm, flying around the devastated State of Vermont. The first call I got was from Senator GRASSLEY saying, “You Vermonters stood with us. We will stand with you.” How much that meant, based on relationships that were built over the years.

We adopted price support programs for small dairy farmers. We fought for the privacy and civil liberties of all Americans. I remember supporting the Reagan-O'Neill deal to save Social Security—President Ronald Reagan and Democratic Speaker Tip O'Neill. We fought for nutrition bills to help Americans below the poverty line, joined by people like Bob Dole and George McGovern. Bipartisan—strongly bipartisan—campaign reform in McCain-Feingold. The bipartisan Leahy-Smith Act on patent reform was the first reform in 50 years. I worked with MIKE CRAPO from Idaho to reauthorize and greatly expand and strengthen the Violence Against Women Act.

I was proud to oppose the war in Iraq, a venture that cost so many lives and

trillions of taxpayer dollars. Serving on the Armed Services Committee in April of 1975, I became the first and only Vermonter to cast a vote to end the war in Vietnam, and by a one-vote margin, we cut off authorization for the war.

Every significant legislative success I have had has been achieved through the often slow process of methodically building bipartisan coalitions. A breakthrough in the Senate Judiciary Committee last week in beginning to come to grips with criminal justice reform is a fresh example of this and so was enactment this summer of the electronic surveillance reforms in our USA FREEDOM Act.

I would remind everybody, we are not alone in this body. Legislative work in a democracy in large part is the art of compromise. Compromise is essential in assimilating and digesting competing points of view and competing interests, which are all the more diverse in a large and heterogeneous nation like ours. We are not just some small nation made up of just one particular class of people. The remarkable strength of the United States is that we have people who came here from all over the world and made us a strong nation. And I think we Senators keep faith with our core values as we listen to the perspectives of others. Insisting on our way or no way at all is a sure-fire recipe for stalemate, to the great detriment of the entire Nation and the people we represent. As Winston Churchill once said: “The maxim, ‘nothing avails but perfection,’ may be spelled shorter: PARALYSIS.”

Some measure of self-restraint is essential for a legislative body in a democratic republic like ours to function. Louis Brandeis once said, “Democracy substitutes self-restraint for external restraint. It is more difficult to maintain than to achieve.” He was right. Self-restraint in a democracy is not an easy virtue.

In the previous Congress, as President pro tempore, I had the pleasure of accompanying Chaplain Barry Black to the podium as he offered the morning invocation. I like to think—maybe it is more that I like to hope—that some of his inspiration rubs off on us, at least a little, each day. One morning years ago, for instance, he said: “Give them (the Senators) the stature to see above the wall of prideful opinion.” We can each point to each other, the other 99, and say: See, that is for you. We have to remember it is for us, too, each one of us.

I was talking, my wife Marcelle and I, last night about 15,000 votes. It didn't seem possible when I came here as a junior Member of the Senate. I also know there is a lot more work to do. I hope we can restore the bipartisan campaign finance reform that so many in this body—Republicans and Democrats—supported. I hope we can restore

the historic and foundational Voting Rights Act. I hope we continue to fight to support our farmers, who give us food security and are the very fabric of this country. We are a nation that can feed ourselves. I think we should fight against government overreach in the wake of national security threats. Sometimes going into all our private matters is itself a national security threat. We should do more to support our veterans and their families. When they come back from war, we should continue that support. We should expand education opportunity for all. My family came to Vermont in the 1850s. I became the first Leahy to get a college degree and my sister, the second one. We hope our children and grandchildren will have the same educational opportunities. We should rebuild the American middle class and offer helping hands to lift all Americans out of poverty. We should fund our roads and bridges. We build roads and bridges in other countries in wars where they sometimes get blown up. Let's build some in our own country where we need them. We should pass appropriations bills, not continuing resolutions. Pass them every year, each year. It is a lot of work, but not an insurmountable goal. It will take good will and bipartisan cooperation to achieve them.

We 100 Senators should never forget that we are but the public face of an institution that is supported by thousands of hard-working staff, our office aides and policy experts—my own, of course, among the best in the Senate—the Capitol Police, the folks who keep order and help to showcase this great building to millions of tourists, and those bright and dutiful Senate pages in the well of this Chamber, all of them are part of the Senate family.

The Senate at its best can be the conscience of the Nation. And I have seen that happen over the years when we've risen up together and expressed the conscience of the Nation. And I marvel in the fundamental soundness and wisdom of our system every time it does. We can't afford to put any part of the mechanism on automatic pilot. It takes constant work and vigilance to keep our society working.

It is easy for politicians to appeal to our worst instincts and to our selfishness. Political leaders serve best when they appeal to the best in us, to lift our sights, summon our will, and raise us to a higher level. I still get a thrill every time I walk in this building and walk out on this floor, knowing the history of this place, just knowing I am going to be a part of that history. Senators have come and gone, but I have had one partner through these 15,000 votes: my wife, Marcelle. We came here in 1975 with three wonderful children: Kevin, Alicia, and Mark. Alicia was here in the Chamber yesterday representing her husband, Lawrence, and

their children. And I remember my parents and Marcelle's parents visiting often. I remember how much they enjoyed visiting here, seeing what we are doing. But I think they especially wanted to visit their three grandchildren. Well, now I look at our grandchildren—Roan, Francesca, Sophia, Patrick, and Fiona—and I understand how my parents felt.

I am so grateful to my fellow Vermonters for the confidence they have shown in me. It is a measure of trust that urges me on and which I will never betray or take for granted.

As I have reflected on these 15,000 votes, it reminds me of the significance every time we vote, why I feel energized about what votes lie ahead, and how we can keep making a difference.

I thank the distinguished Presiding Officer for his forbearance.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Florida.

COMMENDING SENATOR LEAHY

Mr. NELSON. Mr. President, I want to reflect on the comments the senior Senator from Vermont has shared. I want to say to Senator LEAHY that what he has reflected in the course of his career of casting 15,000 votes, spanned over four decades in the Senate—some would say the courtliness, the gentlemanliness, the bipartisanship, the deference, the respect, the honor—some would say these are old-fashioned ideas.

This Senator happens to feel they are American values, and how often have we seen those characteristics not on display? Tonight the House of Representatives is going to pass not only raising the debt ceiling so we can pay our bills but also a budget template—a blueprint—under which we can then appropriate the specifics.

Mr. LEAHY. Mr. President, will the Senator yield for one moment?

Mr. NELSON. Absolutely.

Mr. LEAHY. Mr. President, the Senator from Florida and I have been friends for decades. To get this praise from a man who served with distinction as a Congressman, a Senator, and an astronaut means a great deal to me. I thank him.

Mr. NELSON. The Senator is very gracious, but I stood to comment upon the characteristics he has exemplified in his public life that is a role model for all of us. I was about to say, here we are seeing tonight that the U.S. Congress is going to be able to move ahead without falling off the fiscal cliff because there is going to be a bipartisan vote in the House of Representatives. My goodness gracious, isn't this what it is supposed to be all about?

The Senator from Vermont can remember well over 30 years ago when this Senator was a young Congressman, and the role models in the House

of Representatives at the time were Tip O'Neill and Bob Michel—the Democratic speaker and the leader of the Republicans. They had their fights, and at the end of the day they were personal friends. They had a personal relationship. They then could work out all the thorny problems and build consensus in order to govern.

I thank the Senator from Vermont.

TRANSPORTATION BILL

Mr. NELSON. Mr. President, I came to talk about the Transportation bill. We have it in front of us. Transportation has laid the foundation of our country's success, whether it was Henry Ford, who showed us how to do mass automotive manufacturing, revolutionized the manufacturing of cars, whether it was Henry Flagler, who built a railroad on an unsettled land along the East Coast of Florida, brought in the development of my State, whether it was the Wright brothers—these guys were much more than bicycle shop owners. These guys were geniuses who studied the movement of birds. They were the first ones to be able to figure out how—what they called it in the day—a heavier-than-air flying machine could do that. These ideas, and over the years the investments, helped make this country become a global leader in almost everything.

With regard to transportation, we have gotten off course. Rather than making big investments, we keep kicking the can down the road. Today's extension—short-term extension, I might say—of the highway trust fund is one more example of this because it is just putting off what we have to do, which is improve our roads, our rails, and our port infrastructure. That means we have to increase the investments in our infrastructure and focus on the area that will not only create jobs and support our economy but will rehabilitate this infrastructure. Our roads are crumbling. Our bridges are crumbling. Remember a few years ago when the bridge collapsed on the main interstate highway in Minnesota—killing a number of people, injuring others. Our infrastructure is crumbling. We need to do these investments in our transportation infrastructure to make sure it is safe.

In July the Senate stood tall. We had a Republican chairman and a Democratic ranking member, Senator INHOFE and Senator BOXER, and they came together just like that—like it is supposed to be around here—and they passed the highway bill. We call it the highway bill, but it includes a lot more: ports, rail, highway safety, all the things that go on with building a new road, such as sidewalks. We passed that. It passed overwhelmingly. It passed overwhelmingly bipartisan—but then you get to the point of how in the world are we going to pay for it.

That bill included many important provisions that will keep workers on the job. For the first time, the bill included a freight rail program that aims to improve freight across all types of transportation—not just freight but trucks, ports. Of course, what this is going to do is it is going to help us move goods more efficiently, whether they are traveling through a port or on rail or on the highways.

For the first time, this highway reauthorization was a bipartisan reauthorization of Amtrak. Amtrak was last reauthorized 2 years ago—way back in 2013. With a strong commitment from the commerce committee chairman, Senator THUNE, all of us on the committee were able to include provisions that will improve our passenger rail systems. In the commerce committee, we fought to improve safety and increase investments in our infrastructure. There were many provisions—especially on trucking and vehicle safety issues—that needed to be improved. What we put in the bill was to prevent rolling back safety improvements in transportation.

Here we are. Today we need to pass this bill so we can quickly get to work on the final bill. This is a stopgap temporary message. I urge the House to work toward a bipartisan compromise like the Senate bill rather than weigh the bill down with a whole bunch of ideological things, safety rollbacks and giveaways to industries. This highway bill is too important to get mired in partisan politics. For us to maintain the safety, efficiency, and growth of our transportation system, Congress must put an end to the instability caused by what we are going to have to do today, which is a short-term extension. We can only do this by working together to find commonsense and bipartisan solutions.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER (Mr. SCOTT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE

Mr. HATCH. Mr. President, it has been a while since I have come to the Senate floor to talk about the shortcomings of the so-called Affordable Care Act—a few months at least. The last time I spoke about ObamaCare on the floor, I spoke at some length about the ever-increasing insurance premiums that had resulted from the law's draconian mandates and regulations.

Sadly, as I rise to revisit this subject, things haven't gotten better for

ObamaCare. In fact, if the Obama administration's own estimates are to be believed, things are actually getting much worse. As we all know, this Sunday, November 1, marks the beginning of the 2016 open enrollment period for the ObamaCare health insurance exchanges. This is an important milestone for the health care law in large part because President Obama and his supporters have, since the day the law was passed, repeatedly promised that as Americans become more familiar with how the law works, the more they will grow to love it.

ObamaCare proponents wrote off problems in the first year of enrollment as glitches that were to be expected as the country transitioned to a new health care system. Problems in the second year were similarly dismissed as necessary growing pains as everyone learned from the mistakes that were made the previous year. Now, as we approach the third year of enrollment, supporters of the President's health care law are running out of excuses. At this point, most reasonable Americans—including many who may have initially been huge supporters of this endeavor—expect the system created under the law to work the way it was designed to work.

You know what? The law is working the way it was designed to work. The problem is, it is not working the way the designer said it would work. At the time the law was drafted, the architects of ObamaCare said they can impose all new mandates and regulations on the insurance market, requiring massively expanded coverage above and beyond consumer demand, claiming that any increased costs that resulted from these requirements would be offset when more young and relatively healthy consumers were forced to buy insurance or pay a fine. Of course, they only called it a fine when they were drafting the law and initially selling it to the American people. Now a few years and a Supreme Court decision later, we were all supposed to call that fine a tax, but I digress.

My point is that those who drafted the President's health law and then subsequently forced it through Congress on a strictly partisan basis said their new system would expand health coverage for everyone without increasing costs. In fact, they went further. They claimed that it would actually bring costs down. However, due to the way the law was actually designed, it was never going to work that way.

No matter how many ad campaigns the government charged to the taxpayers and no matter how many talk shows the President went on to encourage hip, young audiences to enroll in the exchanges, the numbers were never going to add up. This is true for one simple reason: For all the attention the drafters of ObamaCare paid to ex-

panding coverage and remaking the health insurance industry, they did not do anything to reduce the actual costs of health care in America.

The problems with ObamaCare are not due to bad marketing, they are the result of fundamental design flaws. Health care costs are the biggest barrier keeping participants out of the insurance market. Health care costs are among the main factors contributing to wage stagnation for American workers. And health care costs continue to be the single largest problem plaguing our Nation's health care system. Yet despite the obvious problems, health care costs were all but ignored when the so-called Affordable Care Act was being drafted, and the few provisions in the law that were aimed at bringing down costs were either poorly conceived, terribly implemented or both.

For example, we had the Consumer Operated and Oriented Plan Program, or CO-OP Program, which was created to encourage the development of a non-profit health insurance sector. Specifically, under the CO-OP Program, HHS dealt out \$2.4 billion in loans to 23 non-profit startup plans. Many of which were headed not by insurance or health care experts but by political activists with no actual business experience.

Almost immediately we began to hear reports of mismanagement in the program and poor decisionmaking at the CO-OPs themselves. Earlier this year, the HHS Office of Inspector General reported that 21 of the 23 CO-OPs that received loans under the program—loans that were supposed to last for 15 years, by the way—had suffered staggering losses. This, of course, was not surprising given the inexperience of many of the founders of the CO-OPs and the lack of oversight and accountability at HHS with regard to the program.

While a nonprofit insurer may not be focused on avoiding losses, one would assume that, at the very least, staying in business would be a priority. Yet, over the last several months, 10 of the 23 CO-OPs have had to close their doors, with more failures expected in the near future. The latest CO-OP failure was announced just yesterday and took place in my own home State of Utah, hitting pretty close to home for a number of people in my State who are just trying to find affordable health insurance.

Every time one of these CO-OPs fails, they leave patients and customers in the lurch. A failed CO-OP in New York that was called Health Republic and was considered by many to be a flagship for the loan program will leave more than 150,000 customers looking for new insurance when its doors close at the end of the year. And, of course, \$2.4 billion is hardly chump change. Yet that is how much the American taxpayers have shelled out to these CO-OPs, and as of right now, it is unlikely

that any of that money is ever coming back.

Despite these obvious problems with ObamaCare, we hear a constant drumbeat from my friends on the other side of the aisle that the law is a smashing success. My friends and colleagues have gotten very good at cherry picking favorable data points to make these types of claims. They will cite an enrollment number out of context or a premium projection that is slightly smaller than one that came before it as evidence that ObamaCare is working and that the only problems with the health care system they so graciously gifted to the American people are the terrible Republicans who have dared to raise objections.

I expect that as time wears on and the number of isolated-yet-favorable data points continues to get smaller and smaller, more people will see this ruse for what it is. Case in point, earlier this month the Department of Health and Human Services released its latest projections for enrollment in the ObamaCare exchanges. For anyone who has an interest—political, financial or otherwise—in defending the Affordable Care Act, the numbers are not good, and I am being kind when I say that.

The Obama administration projects that in 2016, roughly 1.3 million people will newly enroll in the exchanges. Now, 1.3 million may sound like a big number, however, as always, context is important here. When the law was originally passed in 2010, the Congressional Budget Office projected that we would see an increase of about 8 million enrollees on the exchanges in 2016 compared to 2015. Now HHS is predicting that enrollment will be less than a quarter of that projection.

It gets worse.

In 2010 CBO also projected that by the end of 2016, roughly 21 million patients would be enrolled in plans purchased on the exchanges. Now, HHS projects that the number will likely be less than half of that, probably a little more than 10 million people. In other words, all the rosy claims and predictions we heard at the time the law was passed about the impact these new exchanges would have on insurance markets and premiums were based in large part on the assumption that twice as many people would enroll. Now, by its own terms, ObamaCare is becoming a bigger failure by the day.

Unfortunately, I am not done.

HHS also estimates that there are 19 million Americans who earn too much income to qualify for Medicaid but still qualify for ObamaCare exchange subsidies who still have not enrolled. According to their numbers, a little less than half of these people buy insurance off the exchange without getting subsidies, leaving more than 10 million people eligible for subsidies on the exchanges but still uninsured. The administration also says about half of

that eligible-but-uninsured population is between the ages of 18 and 34 and that nearly two-thirds of them are in excellent or very good health.

In other words, a huge portion of those refusing to purchase health insurance on the exchanges, even though they are eligible for ObamaCare subsidies, are the same young and healthy consumers that the Affordable Care Act was designed to coerce into the health insurance market in order to subsidize all of the new mandates and regulations imposed under this law.

The exchanges are failing to attract the very customers they need in order to stay afloat. If they cannot attract more of this prized Democratic base, the ObamaCare exchanges—and with them the entire ObamaCare system itself—will collapse under their own weight.

The question now becomes this: What is keeping these young and healthy consumers from enrolling on the exchanges? Why are millions of people opting to pay a fine and forego coverage rather than purchasing health insurance with the aid of a government subsidy? The answer, for anyone who wasn't listening earlier, is costs. According to a recent survey by the non-partisan Robert Wood Johnson Foundation, the vast majority—nearly 80 percent—of uninsured Americans who have looked for insurance said that after weighing everything, they could not afford the purchase.

Sadly, the cost problem is only getting worse. As we learned earlier this year, insurance plans in markets across the country have been requesting dramatic increases in their premiums, and those increases have been confirmed as the enrollment date has drawn closer.

Just yesterday I had a number of representatives from hospitals in New York and around New York City say they cannot continue to handle all of the nonpaying emergency room customers. They don't know what to do, and they are in danger of losing the health care systems they have established.

In Minnesota, for example, there are five insurance carriers on the exchange. In 2016, all five will be offering insurance policies with rate hikes in the double digits between 14 and 49 percent.

In Oregon, premiums for the second lowest cost silver plan on the exchange, the benchmark plan, will go up by about 23 percent. In Alaska, that hike will be more than 31 percent. In Oklahoma, consumers on this benchmark plan will see an increase of more than 35 percent in their monthly premiums.

My own State of Utah will not be immune to this trend, unfortunately. Last week, the Deseret News reported that on average insurance rates for plans on Utah's federally run exchange will be 22 percent higher next year.

Keep in mind that these numbers only reflect premiums and do not take into account potential increases in total out-of-pocket costs, which can include things such as copayments or deductibles.

In a sense, all of this creates a vicious, self-perpetuating cycle. The plans on the exchanges, even with the ObamaCare tax subsidies, are too expensive for millions of the young, healthy consumers whom the exchanges need in order to keep the costs down. As a result, not enough members of this valuable demographic segment purchase insurance, causing plans to become more expensive and leading more insurers to drop out of the marketplace.

None of this should be surprising. From the outset, opponents of ObamaCare, including myself and many of my Republican colleagues, predicted this exact outcome. The cycle moves in only one direction: higher costs, fewer choices, and a health care system that offers poorer and poorer care to the American people. Absent some sort of independent and intervening action to bring costs down, there is no scenario in which this gets better. It will only get worse.

I know that some of my colleagues have some specific intervening actions in mind. For example, they would like to see the Federal Government not only regulate the products offered on the insurance market, but the prices as well. And when the inevitable happens—when no private insurance provider can remain profitable in an environment where both product and price are set by the government—these same colleagues will, of course, want the government to step in and provide a plan of its own. In fact, that was what was in many of their minds at the beginning—socialized medicine. They figured this would push us towards it, and it certainly will if we don't change course. Soon enough, because only the government will be able to provide health insurance without the pesky need to turn a profit, the government's health insurance will be the only available option.

I don't want to imply base or bad motives on the part of those who supported health care—by the way, it was a totally partisan vote—but let's be honest about what is going to happen here. A vast group of people on the left are really hoping that the government can do it all, and the government will pay for everything. Somebody has to feed the government too.

Well, in the eyes of many—including, I believe, a number of my colleagues here in Congress—the only way to end the downward spiral we are currently facing under ObamaCare is, as I have said, to create a single-payer health care system. In other words, socialized medicine—where the government provides health care for everybody. We can

imagine how the costs are going to go up when that happens.

I made this very claim back in 2010 when the Affordable Care Act was passed, and left-leaning politicians and pundits said it was a paranoid scare tactic. But now, as ObamaCare's downward spiral is becoming more obvious, I suspect that my argument is seeming less farfetched by the day.

Fortunately, the march toward a single-payer system is not our only option. We can take action right now to right this ship. We can control costs. We can take government out of the equation and give patients and consumers more choices.

There are a number of ideas out there that would accomplish these goals. One of them, of course, is the plan Senator BURR and I have offered, along with Representative FRED UPTON in the House. Our plan is called the Patient CARE Act. I have spoken about it at length a number of times here on the floor and elsewhere. While ours is not the only good plan out there, a number of respected health care experts have analyzed the Patient CARE Act and concluded that it would, in fact, bend the cost curve and make health care more affordable for everybody.

Once again, the failure to bring down costs is easily the biggest of ObamaCare's many failures. Our plan would ensure that Congress does not repeat that failure.

I am well aware that health care policy is a contentious topic around here. I know there are a myriad of views and no shortage of fierce disagreements on virtually all aspects of our failing health care system, but right now, it should be clear to everyone that the so-called Affordable Care Act was grossly misnamed. The law has failed to make health care more affordable, and it has failed to correct far too many of the problems that have long plagued our Nation's health care system. The sooner more of our colleagues—particularly those on the other side of the aisle—recognize and admit this failure, the sooner we can begin to work together on a plan that will deliver real results for the American people and not continue on this spiraling downward path of moving toward socialized medicine where we have one-size-fits-all medicine for the people in this country and, frankly, government running it. That has never worked, and it is not going to work in this country.

We need to revamp this program, and we have needed from the beginning to do so. I hope people will listen. I hope the citizens out there will start to pour it on and let everybody know that this is a disaster and that there are ways we might be able not only to stop the disaster, but also to increase good health care, excellent health care for the benefit of our people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

TRANSPORTATION BILL AND POSITIVE TRAIN CONTROL

Mr. MORAN. Mr. President, I wish to speak about a piece of legislation that is pending before the Senate and is expected, as I understand it, to be considered tomorrow, and that would be a short-term extension of the Transportation bill.

While I am tired of short-term extensions of transportation bills, it is my understanding that in this particular case a short-term extension will lead us to a long-term transportation bill. I certainly welcome the opportunity to consider something that would meet the needs of our country—its infrastructure needs, our highways, roads, bridges—for a number of years to come. We have to get to the point at which we are dealing with issues over a longer period of time than we do when we do a short-term extension.

It is also important for us to make certain there is certainty so that the Kansas Department of Transportation and other departments across the country, as well as highway contractors and those who use our highways, can have certainty in what the transportation system—the roads, bridges and highways—is going to be.

There is another issue of uncertainty that is out there, and it has to do with positive train control. Included in the legislation, extending the time for us to consider a transportation bill, is a provision that extends the deadline for the final implementation of positive train control, a safety issue that has long had consideration here in Congress, and we are well on our way to having positive train control in our rail transportation system, both passenger and freight. But we need to have an opportunity for that implementation to occur over a slightly longer period of time than what was originally planned when positive train control became a mandate, a requirement upon our railroads.

I am pleased that we are going to consider an extension of the Transportation bill that puts us in a position to deal with a long-term transportation bill. I am also pleased—and I wish to spend just a minute or two speaking—about a provision that is included in that extension, and that deals with extending the positive train control implementation.

I wish to thank my colleague from South Dakota, Senator THUNE. He is the chairman of the committee that I am on, the commerce committee. I thank him for his leadership in advancing this effort and allowing us the opportunity to deliver the certainty that we need on this important issue.

There is no allegation that those who are implementing positive train control are inattentive or that they lack desire; there is no suggestion that it is an undue delay, that they are not doing what needs to be done. Every indica-

tion we have from all experts is it has nothing to do with a lack of commitment of the railroads; it has to do with the fact that we can't get there in the time that we had hoped for originally when we set forth this requirement.

We know there is a pending implementation date, a deadline of December 31. We know it is unattainable. It is unattainable despite the fact that billions of dollars have already been spent to get PTC installed as quickly and as safely as possible. However, the reality is that without an extension of that deadline beyond December 31, railroads and shippers—that deadline to take the necessary precautions to alter their service standards is imminent. In other words, if they have to comply, they are going to change their schedules, and that has tremendous economic consequences to businesses that depend upon rail transportation. It creates a significant problem in contingency planning required by a shutdown of the supply chain that uses rail transportation. Congress needs to act now.

There are suggestions that I understand from a number of my colleagues that the extension we are going to presumably be voting on in the next day—that the vote be delayed or that the extension be shortened. I want to express my conviction that it is necessary for Congress to act now, not later. Our Nation's economy cannot afford—those who work in Kansas in agriculture, including our farmers and ranchers, and those who work in manufacturing, as well as our laborers in the aircraft industry—cannot afford a rail disruption that would occur if we don't do this extension immediately. We need to extend the deadline. As I say, it could have a devastating impact upon thousands of manufacturers, farmers, ranchers, and certainly the passengers who utilize rail transportation—who use Amtrak and other passenger services across the country.

I would indicate to my colleagues that just a few weeks ago my colleague from Montana, Senator TESTER, and I joined in a bipartisan effort to ask our colleagues to express the need for this extension, and we were successful in getting 43 Senators, 12 of whom were Democratic Senators, to sign a letter encouraging our leadership to bring forth this issue. So in a very bipartisan way, with broad agreement, this extension needs to occur.

Incidentally, the House passed this extension by unanimous agreement. Again, apparently there was little controversy or no controversy; it passed by voice vote. So we have significant bipartisan support, bicameral support. The House has already acted, and it is time for us to do so.

I wanted my colleagues to know that many in this Chamber have encouraged this to occur. We are on the precipice of it happening, and we ought not allow it to be delayed or shortened. The ex-

tension needs to occur this week. The vote needs to occur this week. The extension needs to be for a sufficient period of time to send that message of certainty and give the rail industry the opportunity to come into compliance in a timeframe that is reasonable and manageable.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TOOMEY). Without objection, it is so ordered.

UNIVERSITY OF PHOENIX

Mr. MCCAIN. Mr. President, I come to the floor for a very unusual reason this afternoon. It has to do with an attack on for-profit colleges by a long-standing campaign by certain groups and individuals who have been opposed to for-profit colleges. They were able to destroy one out in California, and they are continuing to attempt to make those attacks work on other for-profit colleges.

This is a very unusual situation because what we are seeing take place are conclusions being drawn and action being taken—in this case by the Department of Defense—without due process, as a result of pressure exerted by a Member and Members of the Senate, which then has resulted in action without due process.

Last week there was a very interesting editorial in the Wall Street Journal entitled "Obama's For-Profit Stealth Attack. The Pentagon punishes Phoenix on orders from Senate headquarters."

Earlier this month the Defense Department cut off military tuition assistance to new students at the for-profit University of Phoenix, which enrolls about 9,300 service-members at its 105 campuses nationwide.

Defense's reasons for discharging Phoenix are vague: A review "in response to allegations published by the Center for Investigative Reporting" in a June drive-by on the college found minor breaches in decorum.

Let me emphasize that. I say to my colleagues, there was a story written by an outfit called the Center for Investigative Reporting—I don't know anything about them, and I am sure the Department of Defense does not. But as a result of an investigation by an outfit that none have ever heard of, then action was taken by the Department of Defense. It was not a Department investigation. There was no scrutiny. This is a remarkable case of the Senate exerting influence in a way which is, I think, almost unprecedented.

To wit, Phoenix had distributed unauthorized “challenge coins,” which commonly denote tokens of recognition, with military insignia. Yet many non-military outfits including the University of Miami, Boeing and Intel—

And I would point out Southern Illinois University—hand out such coins.

It is not an uncommon practice to hand out coins.

Phoenix’s real offense, according to the Center for Investigative Reporting—

Remember, this has nothing to do with the Government of the United States—

is using the coin to “imply military support” for the college.

My friends, at least 100 institutions in America give out challenge coins. I wonder if those institutions have committed grievous crime in the view of the CIR.

Defense also censured Phoenix for failing to obtain approvals from the “responsible education advisor” to sponsor events on military bases.

First, it is good to sponsor military events on military bases. Lots of organizations, lots of companies, lots of corporations sponsor events on military bases. In this case, although the responsible education advisor was not consulted, the commanding officer of the base was consulted and gave his approval.

Yet as the CIR article showed, military officials have welcomed the university onto their bases.

They welcomed them because they were honoring those who serve—remarkable.

Phoenix didn’t navigate all the correct bureaucratic channels.

In any case, as Defense acknowledges, “the University of Phoenix has responded to these infractions with appropriate corrective action at this time.”

So as minor as these offenses may have been and technical in nature, they have taken the corrective action, but still a Senator wants them punished.

But political general Dick Durbin, the Illinois Democrat who is leading the charge against for-profits in the Senate, nonetheless commanded the Pentagon to “bar the company from further access to servicemembers.”

So the department is putting Phoenix on “probation” because it finds the “scope of these previous violations” to be “disconcerting.” What’s really disconcerting—

According to the Wall Street Journal.

—is the Obama Administration’s politicization of military policy. Defense also cites “inquiries” by the Federal Trade Commission and California Attorney General Kamala Harris.

To be clear, Phoenix hasn’t been charged with wrongdoing. According to the Defense Department, 96% of the university’s servicemembers successfully completed courses, a higher rate than the public Central Texas College . . . and nonprofit Liberty University. . . . In essence, the Obama Administration’s military tribunal is punishing Phoenix for being a target of the political left.

Yet this is the White House standard of due process, so Phoenix should be nervous.

I say to my friends and colleagues, they are nervous.

Last year the Education Department, Consumer Financial Protection Bureau and Ms. Harris mounted a coordinated campaign that drove for-profit Corinthian College out of business without ever proving misconduct.

This is why I say to my colleagues that I am on the floor because clearly, without any proof of misconduct, with the power of the U.S. Senate, the Department of Education, the Consumer Financial Protection Bureau, and Ms. Harris, they were able to drive a college out of business. And it is obvious what this is really all about. This is all about the constant attacks on for-profit colleges, which is an anathema to some.

Continuing:

Over the last five years, Phoenix enrollment has dropped by half to 220,000 students due largely to the left’s assault on for-profit education, which has knee-capped recruiting. . . . Military tuition assistance makes up less than 1% of Phoenix’s revenues. However, many servicemembers who are seeking vocational skills later pursue bachelor’s and masters degrees at the university under the GI Bill. Veterans make up 20% of the university’s enrollment, and many need the flexibility of Phoenix’s online courses as they earn a living while going to school.

Most of our veterans, because of their age, have to earn a living while going to school.

The article continues:

The Administration’s ostensible goal is to discredit Phoenix and choke off veteran recruitment. But the casualties of its attack will be servicemembers who will now have fewer educational options and opportunities.

Meantime, General Durbin has commanded the Education Department and Department of Veterans Affairs to “take appropriate action” against the company. Bombs away.

I wish to point out that recently Senator ALEXANDER, the chairman of the HELP Committee, Senator FLAKE, and I wrote a letter to Secretary Carter. I will quote from it:

We strongly believe that these earned benefits and educational opportunities for our servicemembers should not be jeopardized because of political or ideological opinions of some Members of Congress regarding the types of institutions that provide postsecondary education to our troops. . . . However, it is our understanding that Ms. Bilodeau’s decision—

She is the person who is the DOD’s voluntary education partnership head—

and threats of termination of participation in the TA program rely on overly technical violations of the MOU.

What we are saying is we want due process, and these questions that have been asked—we hope we can get an answer sooner rather than later.

Because Senator DURBIN wrote also to other agencies of government, we are also writing to them.

Mr. President, I ask unanimous consent to have printed in the RECORD the

letter to the Secretary of Defense from Senator ALEXANDER, Senator FLAKE, and me.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, October 22, 2015.

Hon. ASHTON CARTER,
Secretary, Department of Defense,
Defense Pentagon, Washington, DC.

DEAR SECRETARY CARTER: We write to ask that you review an October 7, 2015, decision by Ms. Dawn Bilodeau, Chief of Voluntary Education for the Department of Defense (“DoD”), to place the University of Phoenix (“the University”) on probationary and potential termination status with respect to its participation in the DoD Tuition Assistance (TA) Program for active duty military personnel. We strongly support efforts to monitor the integrity of colleges and universities serving our nation’s servicemembers. However, based on our review of the relevant documents associated with this decision, we are concerned that the DoD’s decision is unfair, requires additional review, and may warrant reconsideration.

The TA program is an important benefit that enables active duty military personnel to choose a postsecondary education program that best fits their needs to enhance both career and personal goals. The program also serves as an important tool for the DoD to further the recruitment and retention efforts of our nation’s volunteer armed forces. We strongly believe that these earned benefits and educational opportunities for our servicemembers should not be jeopardized because of political or ideological opinions of some Members of Congress regarding the types of institutions that provide postsecondary education to our troops.

As you know, the University of Phoenix participates in the TA program through the DoD’s Voluntary Education Partnership Memorandum of Understanding (MOU), which conveys the commitments and agreements between colleges and universities and DoD and ensures that the TA funds are spent wisely to support servicemembers attending quality educational programs. However, it is our understanding that Ms. Bilodeau’s decision and threats of termination of participation in the TA program rely on overly technical violations of the MOU, fail to acknowledge any of the University’s corrective action or pledged cooperation and are based, in part, on unsubstantiated allegations associated with inquiries not initiated by the DoD.

With respect to the University’s violation of DoD policies on the use of official seals or other trademark insignia with “challenge coins,” Ms. Bilodeau’s letter concedes that “the University of Phoenix has responded to infractions with appropriate corrective action at this time.” While the University has remedied this infraction, we are concerned that traditional public or private, non-profit universities, including Southern Illinois University, utilize similar challenge coins with impunity. (See attached photographs.) We remain skeptical that the DoD is evenly and uniformly enforcing its policies on all institutions of higher education and appears to be unfairly singling out certain institutions of higher education based on a letter from the Vice Chairman of the Defense Subcommittee of the Senate Appropriations Subcommittee. (See Letter to Secretary of Defense, June 30, 2015, attached.) It has also come to our attention that on the evening of October 20th, DoD issued additional new guidance on the

use of these coins clearly indicating that the regulatory field remained vague and was not settled.

With respect to the University's apparent failure to obtain specific approval for conducting partnership activities at several military installations, it is our understanding that the University obtained approval from the respective base leadership to sponsor, sometimes at their request, partnership events. While the University may have technically violated the MOU's requirement that the University coordinate with the Education Services Officer, those who have served in the military readily understand and respect the chain of command. Approval from the base leadership should be sufficient to meet the requirements of the MOU regardless of the Education Services Officer's involvement and, should not be cited as a basis for probation and possible termination.

More concerning, however, is Ms. Bilodeau's rationale to suspend participation in the TA program based on requests for University documents by two government agencies that are not in fact the DoD. It is worth noting that a request of documents does not indicate a violation or admittance of guilt. In fact, Ms. Bilodeau appears to agree, indicating that the allegations by other entities have not yet been substantiated. However, without fair warning or a sufficient opportunity to be heard, the DoD informed the University of Phoenix that, among other things, "no new or transfer students at your institution will be permitted to receive DoD [tuition assistance]" and it is actively considering terminating its MOU with the University. Ms. Bilodeau's decision to give the University fourteen (14) days to respond to the probation decision effectively puts the University in the position of having to respond to reviews undertaken by agencies other than the DoD. These actions seemingly assume the guilt of the University before they are proven and ignore the remedied infractions identified by and directly within the jurisdiction of the DoD.

The University of Phoenix has a long history of serving working adults and others for whom traditional university schooling is unavailable, including more than 200,000 enrolled civilian and military students spread out across more than 100 locations in 17 states. With almost 20,000 faculty and 8,800 staff in every state and the territories as well as just over 1,400 faculty and 6,300 staff in Arizona alone, the University of Phoenix is a significant member of the Arizona and broader higher education community. Like any organization that chooses to partner with the DoD to serve our servicemembers, the University has a legitimate expectation to be dealt with fairly and reasonably. Given our aforementioned concerns, we believe that the DoD's decision should be evaluated for considerations of fairness and cooperation and ask that you independently and carefully review this bold decision.

To help us obtain a better understanding of the DoD's actions in this matter, and to help ensure that all institutions of higher education—for-profit, public and private, non-profit colleges and universities—are held to the same standard of conduct relative to DoD rules and regulations, we ask that you provide us with the following information by October 30th before you take any additional action on this matter:

1) What are the specific, factual, and evidentiary bases for the DoD's recent decision to place the University of Phoenix on probationary status?

2) Did anyone besides Ms. Bilodeau review this decision? Please provide any internal

decision memorandum that reflects that decision when it was originally made.

3) Please describe why the DoD official who reviewed the decision believes he/she can place the University on probation when, as Ms. Bilodeau stipulates in her October 7th letter, the University has already remedied identified infractions of the MOU?

4) Please provide all documents, including communications from Members of Congress, or their staff, and any outside party regarding the University of Phoenix and this matter. Also, provide the guidelines relating to the establishment of a probation sanction or imposition of probationary status against the University of Phoenix.

5) Please provide a list of all institutions of higher education participating in the DoD's Voluntary Education Partnership and/or Tuition Assistance programs that have been placed on probationary status in connection with a violation of their MOU; the reasons each of those schools were placed on probationary status; and whether each such school was given opportunity to make corrective actions before being placed on probationary status.

6) Please provide a list of those schools where the DoD MOU was terminated and the reasons for such termination.

7) Is it the DoD's practice to place both for-profit and not-for-profit universities on probation when another federal or state agency makes a civil investigative demand for documents? If so, please identify other instances where this has taken place and the reasons for taking such action.

8) Please list those schools that currently use or previously used challenge coins with DoD official seals or other trademark insignia; indicate whether such schools obtained prior DoD authorization for such use; describe any sanctions imposed for such use; and provide any documents or correspondence relating to such use or sanction determination.

9) Please describe the military chain of command as it relates to the MOU and a decision by the base leadership to permit an institution to sponsor an event on base.

10) If this probationary period is extended or the MOU with the University of Phoenix is terminated, how many active duty military personnel do you estimate will be impacted by this decision?

The TA program is critical to our nation's servicemembers' educational and career opportunities, primarily to prepare them to serve in positions of increased responsibility within the military, but also to prepare them to transition to productive civilian careers. While we support efforts to root out waste, fraud, and abuse, we hope that you will review this situation with great caution and care. The Senate Committee on Health, Education, Labor and Pensions is additionally in the process of reauthorizing the Higher Education Act and exploring ways to ensure quality at all of our colleges and universities is of utmost importance and concern.

We look forward to your timely response and should you have additional questions, please feel free to ask your staff to contact our Chiefs of Staff Pablo E. Carrillo (Senator McCain), at (202) 224-7123; Chandler Morse (Senator Flake), at (202) 224-4521; and David Cleary (Senator Alexander) at (202) 224-8798.

Sincerely,

JOHN MCCAIN,
U.S. Senator.

JEFF FLAKE,
U.S. Senator.

LAMAR ALEXANDER,
U.S. Senator.

Mr. McCain. We sent these letters to the Veterans' Administration and to the Department of Education requesting that they notify us if further action is taken against the university. We sent these letters because we feel that the Department of Defense's decision and threats of termination of participation by the University of Phoenix in this program were done simply because the Senator from Illinois sent a letter to the Department of Defense highlighting an outside investigative report—an outside investigative report—suggesting wrongdoing on the part of the University of Phoenix.

Let's be clear again. There was no due process here. That is what I want—due process. If the University of Phoenix is guilty of some wrongdoing, I want to be one of the first to make sure the proper penalties are enacted. I do not—I repeat—I do not believe that on the basis of a single investigative report, that action should be taken.

With this in mind, I was stunned to hear once again that the Senator from Illinois is insisting that the DOD not reverse its decision. Given his own involvement in the matter, his suggestion that the DOD not reverse its decision just because Members of this body conveyed concern about the merits of its probationary decision and the fundamentally unfair way that the DOD made it is, in fact, ridiculous.

The whole matter arose from the Senator from Illinois pressuring the DOD to take adverse action against the university. His case was based not on an affirmative finding by the Department that the university engaged in any newly identified acts of substantial misconduct but a report by an outside investigative group. He then sent letters to the Department of Education and Department of Veterans Affairs asking for similar action.

After further review of the DOD's decision, it is my opinion that, No. 1, it relies on overly technical violations of a memorandum of understanding that the university signed with the Department of Defense regarding its participation in the Tuition Assistance Program; No. 2, it fails to reflect the actions the university has taken to correct and identify violations; and No. 3, it is based in part on unsubstantiated allegations associated with inquiries for information by other agencies, not findings of new violations.

In other words, with our letter, we asked Secretary Carter to review a lower level decision to put the university on probation where even the DOD conceded, in its very letter to the university announcing its decision, that "the University of Phoenix has responded to infractions with appropriate corrective action at this time."

With respect to the university's proposed violations of DOD policies on the use of official seals or other trademark insignia with "challenge coins," we understand the university has remedied

this infraction. But it is worth noting that traditional public or nonprofit universities, including Southern Illinois University, utilize similar challenge coins with impunity. I remain skeptical that the DOD is evenly and uniformly enforcing its policies on all institutions of higher education and appears to be unfairly singling out certain institutions of higher education based on a letter from the Senator from Illinois.

With respect to the university's apparent failure to obtain specific approval for conducting partnership activities at several military installations, it is our understanding that the university obtained approval from the respective base leadership to sponsor, sometimes at their request, partnership events. While the university may have technically violated the MOU's requirement that the university coordinate with the education services officer, those who have served in the military readily understand and respect the chain of command. Approval from the base leadership should be sufficient to meet the requirements of the MOU regardless of the education service officer's involvement.

By the way, the education service officer did not turn this down; they just were not consulted.

In the absence of significant, substantiated findings regarding new, uncorrected violations, the Department of Defense decided to suspend the university from participating in the Tuition Assistance Program based on document requests by two government agencies that are not, in fact, the Department of Defense and does not indicate a violation or admittance of guilt.

We call on our service men and women to serve and protect our interests, often at great cost to themselves and their families. Yet the Senator from Illinois suggests that they are not capable of choosing their own path when determining their postsecondary educational needs.

By the way, on a technical violation of the budget agreement, the Senator from Illinois was one of the leaders in voting against the Defense authorization bill, which was the result of many years of work.

In all cases, opinions should absolutely not be used to essentially target a valued member of Arizona's education community. The University of Phoenix has a long history of serving nontraditional students, such as Active-Duty military and others who tend to delay enrollment after high school, work full time, have dependents, or are single parents for whom traditional university schooling is unavailable. The University of Phoenix has graduated more than 80,000 military and veteran students with postsecondary degrees.

A recent Wall Street Journal article I quoted—and contrary to the pref-

erence of this administration, and for the sake of our servicemembers who earned and rely on this educational benefit, I promise I will not let this issue go.

The State of Arizona is proud to have the University of Phoenix as a member of its higher education community.

As the questions that I posted in this letter show, I will continue to look into this action based on the merits of DOD's decision, not ideological grandstanding.

Recently, as a result of this, I received letters from three students who recently graduated from the University of Phoenix.

Andrew Workman of North Carolina said:

University of Phoenix allowed me to work 50 hours a week and pursue my degree at the same time.

Ryan Zulkoski of Nebraska received his master's in nursing informatics in 2013. He said:

I loved my experience and UOPX has opened so many doors for me.

Jim Wallace of Florida said:

I am a UOPX graduate, MBA 2006 and veteran of the US Navy Reserve. In my opinion UOPX led the way in educating working professionals. At the time I started my program, no other institutions offered the ability for me to successfully complete my studies, care for my family and work a demanding job. The bottom line is that it was challenging and I worked hard to complete my degree.

Mr. President, I ask unanimous consent to have these comments by graduates printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Andrew Workman (North Carolina) joined the United States Navy in 2006. After serving 4 years on active duty he is transitioned into the United States Navy Reserve in which he continues to serve not only his country but his fellow Sailors through the Hire Heroes USA organization. "University of Phoenix allowed me to work 50 hours a week and pursue my degree at the same time." Andrew attended a ground campus and found the classes to be diverse and challenging. "The team projects and presentations helped build my confidence and laid a foundation for me to be successful in the workplace. You have to work with people from all walks of life in the real-world and University of Phoenix built that into their curriculum."

Ryan Zulkoski (Nebraska) received his Master's in Nursing Informatics in 2013. Ryan has been in the Army National Guard for 12 years and served one deployment to Iraq in 2005 and has many other accomplishments and memberships, including a humanitarian deployment to Nicaragua and participation in Army Honor Guard. He used every last benefit to receive his bachelor's in nursing from University of Nebraska and his master's degree with UOPX. "UOPX has helped me build an educational foundation to work in a field that I am extremely passionate about." Ryan found the quality of the program to be on par with his undergraduate from University of Nebraska. "I graduated from UOPX in 2013 and have doubled my salary as a Nurse in less than 2

years. I also have 4 children and a wife, so attending a traditional onsite program was impossible. I loved my experience and UOPX has opened so many doors for me."

Jim Wallace (Florida)—"I am a UOPX graduate, MBA 2006 and veteran of the US Navy Reserve. In my opinion UOPX led the way in educating working professionals. At the time I started my program, no other institutions offered the ability for me to successfully complete my studies, care for my family and work a demanding job. The bottom line is that it was challenging and I worked hard to complete my degree."

Mr. MCCAIN. Mr. President, again, I can only point out what the Wall Street Journal said. This is Obama's for-profit stealth attack. It is being orchestrated and carried out by the Senator from Illinois, who has a well-known record of not supporting the men and women who are serving in the military by his latest opposing of the Defense authorization bill on the grounds of OCO. So the men and women who are serving in the military and those who have served with honor obviously have a lower priority for him than his vendetta against for-profit universities. I think it is shameful.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—H.R. 3819 AND EXECUTIVE CALENDAR NO. 356

Mr. McCONNELL. Mr. President, the Senate is about to pass a short-term highway extension. This 3-week extension will allow the House and Senate to go to conference on our bipartisan bill and allow that to be signed into law by November 20.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3819; that the bill be read a third time and the Senate proceed to vote on passage of the bill with no intervening action or debate; that upon disposition of H.R. 3819, the Senate proceed to executive session to consider Calendar No. 356; that the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the President's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from California.

Mrs. BOXER. Mr. President, I reserve the right to object because I want to make a suggestion.

I ask consent that we modify this matter so that we can pass an amendment to extend the PTC deadline—the

deadline for positive train control—to make it a 1-year extension to December 31, 2016, and that that be agreed to. Right now, it is 3 years with a 2-year possible extension beyond that. I ask that it be changed to 1 year, and that following the use or yielding back of time, the Senate then proceed to a vote on passage of the bill with my amendment.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. THUNE. Mr. President, reserving the right to object, I would state to my colleague from California that this is the practice she and I so often lament when it comes to highway bills, and that is kicking the can down the road. We know full well that a year from now, we will be back here doing this again.

This language, which is agreed upon by both the House and the Senate—Democrats and Republicans of the relevant committees worked very hard to draft consensus language. That is what we have arrived at today. We believe it addresses the situation and provides the correct solution. I think it would be a big mistake to try to modify something that people have worked so hard to get to, knowing full well we will never get what the Senator from California wants to do passed through the House or the Senate.

The House acted yesterday, and acted unanimously. Very rarely do you get a voice vote out of the House of Representatives. Democrats and Republicans in the House came together behind a solution that is incorporated into this base bill.

With that, I object to the request of the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I just want to say to my friend I am not surprised, but I am still quite disappointed because I think it is horrible precedent to take a provision out of an underlying bill that we have all worked so hard on and attach it—a 3-year provision, a 3-to-5-year provision, a delay in this safety measure—on a 3-week extension.

Why didn't my friend pull out some of the good things in there for safety, such as the House rental bill, which says you can't lease a car that has been under recall? He didn't do that. I am not blaming him at all. I know it was a process. I know that. We didn't pull out the increased fines on NHTSA for car manufacturers who kill people because of their negligence.

I feel it is a terrible precedent, but I will not object, and I am going to explain that later. Having withdrawn my objection, I would ask that I may have the floor for 15 minutes immediately following the vote, if that is possible, and I would give 5 minutes of that timeframe to my colleague.

The PRESIDING OFFICER. Is there objection to the majority leader's original request?

Without objection, it is so ordered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

Without objection, it is so ordered.

SURFACE TRANSPORTATION EXTENSION ACT OF 2015

The PRESIDING OFFICER. The clerk will report H.R. 3819 by title.

The legislative clerk read as follows:

A bill (H.R. 3819) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 3819) was passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Sarah Elizabeth Feinberg, of West Virginia, to be Administrator of the Federal Railroad Administration.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Feinberg nomination?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

VOTE EXPLANATION

Mr. TOOMEY. Mr. President, I ask the RECORD to reflect that had the Senate's vote on H.R. 3819 been a recorded vote, I would have voted no.

The PRESIDING OFFICER. The Senator from California.

ORDER OF BUSINESS

Mrs. BOXER. Mr. President, I know Senator COLLINS would like to speak, so the way I would recommend we go is 5 minutes to Senator MANCHIN, 15 minutes for me, and how many minutes for the Senator from Maine?

Ms. COLLINS. I thank the Senator from California. This is not going to

work for me, so I am going to return to my office. I understand this was anticipated, and that is the way it goes sometimes.

Mrs. BOXER. I am so sorry. This has been a contentious matter.

So I would say to Senator MANCHIN, if you want to go first, then I will follow, and I am sure Senator THUNE will have comments.

Mr. THUNE. I will request, through the Chair, if the Senator from Maine is not going to speak, that I be allowed to speak at the conclusion of the remarks of the Senator from California and the Senator from West Virginia.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I thank my colleague from California.

FEINBERG CONFIRMATION

Mr. MANCHIN. I come to the floor to speak on behalf of the Acting Administrator of the Federal Railroad Administration, who is no longer acting but now our Administrator and my friend, Sarah Feinberg.

As a native West Virginian, she has the same pragmatic approach to problem solving that we see among our congressional delegation every day. When it comes to politics in West Virginia, it really doesn't matter whether you are a Democrat or a Republican. What matters is if you can get the job done.

During my time in the State legislature, Sarah's father, Lee Feinberg, and I served together. At that time Lee was head of the West Virginia Governmental Ethics Commission, and he instilled in her the same sense of moral responsibility that also led him into public service. Today she sits before the Senate, seeking to continue in public service as the Administrator of the Federal Railroad Administration, and I am so pleased this has happened.

Over the past 9 months, I believe she has proved herself to be an effective and engaged leader with the courage to make tough decisions and the character to accept the criticism they often incite. She was baptized by fire after being appointed to this position on January 9 of this year and leading the agency's response to five major incidents within her first 60 days at the helm.

On February 3, six people were killed when a commuter train hit an SUV at a grade crossing in Valhalla, NY. On February 4, 14 tank cars carrying ethanol derailed just north of Dubuque, IA. Three of them caught fire. On February 16, 27 tank cars derailed outside Mount Carbon, WV, releasing 378,000 gallons of crude oil and igniting a fire that destroyed a nearby house. On February 24, a commuter train in Oxnard, CA, hit a tractor-trailer at a grade crossing and jumped the tracks. On March 6, 21 cars derailed outside of Galena, IL, near the border with Wisconsin, and five of them caught fire.

I am a firm believer that elected officials need to be on the ground in emergency situations, supporting first responders and assisting those in need, and I was impressed by Ms. Feinberg's response to the Mount Carbon derailment in West Virginia, which I witnessed firsthand. Five weeks into her new job, she executed an efficient and effective Federal response that was one of the best I have ever seen in my experience as an elected official and a public servant.

There are a lot of smart policy people here in Washington, DC, but the best policy in the world will not mean a thing if it doesn't translate into anything in the real world. Sarah's response to the Mount Carbon accident showed me that she understood that, and that gave me faith in her ability not just to lead but to listen to the people we are here to serve.

Over the past 10 years, the increase in domestic energy production has been an engine of economic growth. The Energy Information Administration predicts that growth will continue through 2020. From 2009 until 2014, crude oil production in the United States increased by more than 62 percent—up from 5.35 million barrels per day in 2009 to 8.68 million barrels a day in 2014—and the majority of this product is moving by rail.

In 2008, our railroads moved a meager 9,500 tank cars carrying crude oil. Last year, that number grew to 500,000 tank cars—a 5,000-percent increase. That is unbelievable.

Unprecedented new challenges come along with the new economic opportunities presented by the growth in domestic energy production, and Ms. Feinberg's experience makes her uniquely qualified to lead the FRA through this transition. As Chief of Staff to Secretary Foxx, she helped the Department of Transportation develop a holistic strategy to improve the safety and security of crude by rail that required coordination between multiple administrations within the Department.

The tough new tank car safety regulations that were finalized in May were dependent on close collaboration between the FRA and the Pipeline and Hazardous Materials Safety Administration. Sarah's experience in the Secretary's office and her existing relationships throughout the Department allow her to cut through redtape and get the right people in the room to get the job done.

While the new rules do not solve every problem, they represent a major step in the right direction. They satisfy all or part of 10 outstanding National Transportation Safety Board recommendations, including all 4 recommendations that were made in April of this year.

Since taking the helm at the FRA earlier this year, I have been very

much impressed with Ms. Feinberg's willingness to tackle difficult issues and engage stakeholders about realistic solutions. In May, she convened a positive train control task force to try to identify opportunities for the FRA to help railroads meet their 2015 deadline and become a real part in this process. I think her proactive approach to problem-solving will be an asset to the FRA and the entire Department of Transportation.

I thank Chairman THUNE and Ranking Member NELSON for moving her nomination through the committee yesterday on a strong bipartisan vote of 19 to 1. I want to thank all my colleagues for not only nominating Sarah but confirming her today. I think she will be a great asset to our country and do us all proud.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I will take my time now. I know my friend wanted to have a little time, so I will yield to Senator INHOFE.

The PRESIDING OFFICER. The Senator from Oklahoma.

TRANSPORTATION AUTHORIZATION

Mr. INHOFE. Mr. President, first of all, I know the Senator from California was disappointed in a few things that went on procedurally, and I am very much in sympathy. But far more significant than that is the bill we are talking about now. We made a tremendous advance to it just a few minutes ago. We did what the House has already done. We are now extended to the 20th of November.

It is my understanding that the House is going to be taking up—we are talking about the highway bill. A lot of things we talk about around here are not very important. We all have different ideas about what is and is not important, but still we have that Constitution, and the Constitution says what we are supposed to be doing. What we are supposed to be doing here is defending America and roads and bridges. That is what we are supposed to be doing.

Senator BOXER and I—she is a very proud liberal and I am a very proud conservative—have recognized what our duty is when we come here, and the second most important bill every year—not every year, because we have the Defense authorization bill every year, but not the Transportation authorization bill. That is what is important, and that is what we are supposed to be doing here.

What we did a few minutes ago is very significant. We are on the same page as the House, and that is to have a bill done and on the President's desk by the 20th of November, which is going to be right before we have a

break for Thanksgiving. It now looks like we are assured of doing that.

I have to say that in working over the years with Senator BOXER, we have worked in a capacity in which she was the chairman of that committee and I was the ranking member; then I was the chairman of the committee and she was the ranking member. We never changed what we stood for or what we saw as significant in the second most important bill we deal with every year.

I am anticipating we are going to be able to have this 6-year authorization bill on the floor next week. We are going to be dealing with it, and we are going to be passing it. We already know the number of people who have voted for it in the past, so we know where we are. On the other hand, I think this is going to have a privileged motion and go straight in for a conference. I look forward to that, and that makes it all possible.

You have to keep in mind the Senate isn't doing this. The House is going on a Veterans Day recess, so we have to work on getting their job done before the recess so we can do ours while they are on recess, and then we will have a happy ending.

While I do regret there are some disappointments, I have to say this. When we are talking about a bill like this, it means that the left and the right have to get together, and we did. I want to applaud my ranking member, Senator BOXER, for helping us in some of the areas where we are able to shortcut some of the NEPA requirements and expedite some things that couldn't be done otherwise.

Let's keep in mind that if we went ahead and did what we have been doing since 2009, we wouldn't be doing this. We wouldn't be doing any major bills—no bridges, no major bills. This is a great day to see the assurance that this is going to take place, and I applaud Senator BOXER in the joint effort we had on the left and the right in this body. We don't see that very often.

Mrs. BOXER. No, we don't.

Mr. President, I just want to thank my friend. It is such a privilege to work with him on these infrastructure issues. I often say we don't work too well together on environmental issues—maybe in another life we might—but right now, in this life, we work really well on infrastructure. So does our staff. I am proud of them.

I came down here to try and change a part of this extension—and I will explain it later—that had to do with delaying a safety requirement on the railroad. I feel strongly in my heart about it. By the same token, I agree with my friend that we have to get this bill done.

This will be a 6-year authorization, as my friend knows. He insisted on it. We have 3 years of pay-for. We never give up. Maybe somehow a miracle will happen and we will find more. But

right now, Senator MCCONNELL protected our pay-fors.

For me, it is a strange day. I am very disappointed in this. I call it a rider that was put on this bill. But I am very pleased that the House is moving forward. My friend cited things that he likes—certainly, expediting some of the rules so we don't get these projects dragged out. My sense of it was that I like the fact that we kept the equitable share. We didn't change the share between transit and roads. We certainly added, with my friend's help, a freight title. So there are many good things. It is a mixed bag for me today. I agree with my friend that we need to move fast on the underlying bill, and I look forward to going to conference.

Mr. INHOFE. Will the Senator yield for one observation?

Mrs. BOXER. Of course.

Mr. INHOFE. The Senator mentioned the fact that we have a 6-year bill and 3 years to pay for it. That doesn't really concern me for a couple of reasons.

One is that once we start projects, I can assure you that there will be a reshuffling of priorities in this Chamber here, where people will realize the one thing we don't want to do is to start construction on something and then stop. This, I have no question in my mind, is going to take place.

Secondly, we have the same provision in the House as we do in this body, and that is that if for some reason money is not available, nothing else can be done after that 3-year period. We are not going to let that happen. So I think we are going to be in good shape. Job well done.

Mrs. BOXER. I thank the Senator.

How much time remains of my 15 minutes?

The PRESIDING OFFICER. Ten minutes.

Mrs. BOXER. Since I did yield about 5 minutes to my friend, I ask unanimous consent for another 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Then, of course, Senator THUNE will have all the time that he wants to disagree with most of what I am going to say about positive train control. That is part of the debate that goes on here.

POSITIVE TRAIN CONTROL

Mrs. BOXER. Mr. President, I do want to thank Senator THUNE, Senator NELSON, Senator INHOFE, and others who did something good today, which is to allow us to vote to make sure that we have the head of the Federal Railroad Administration. Finally, after 8 months, Sarah Feinberg got a vote. It is very important. I am glad all this wrangling that we had back and forth led to that happy situation because we need her in place. Frankly, we need her in place to oversee this positive train control.

I want to quote what she stated. She stated that worries of a train exploding in the middle of a city have caused her sleepless nights. This is an Administrator who cares deeply about her role in safety.

There was an article written by someone today that said I stood alone in my opposition to moving forward with a 3- to 5-year extension and taking that extension out of the underlying bill and tacking it on to a 3-week highway bill extension. I want to point out that I did not stand alone and I do not stand alone. Senator BLUMENTHAL is hoping to come here later and make his remarks about the fact that he opposed this. I speak here for Senator FEINSTEIN, my great colleague—my senior colleague—who actually wrote the original legislation because these crashes were occurring. And I want to read a little bit from Senator GILLIBRAND, who is on a train headed to a funeral for a firefighter in New York. This is her statement:

After so many preventable railway tragedies that have led to loss of life, it is an insult to the families who have lost loved ones to let the rail lobby slip a multi-year Positive Train Control delay into a three-week extension. The rail industry has purposefully dragged its feet in meeting its safety requirements, and now Congress is quietly aiding them further. It is without debate that Positive Train Control saves lives. The railroads must work as quickly as possible to implement this life-saving technology, so that the millions of Americans who commute by rail every day can do so safely—and Congress needs to do its job and hold the rail industry accountable.

As I said when Senator MCCONNELL offered the unanimous consent request, I think it is a terrible precedent to place a major safety rollback—I would not call it a repeal; I would say rollback—on a 3-week extension of the highway trust fund. It just isn't right. I am very grateful to the Washington Post for writing a very strong statement—I would say article—about what happens when you don't have positive train control on a train. Positive train control is technology that allows the train to slowly come to a stop if there is a real problem, such as another train crossing or a car.

It was in 2008 when we really moved on positive train control. A horrific accident occurred in Chatsworth, CA, where a Metrolink passenger train and a Union Pacific freight train collided. It was due to a distracted engineer. This preventable accident resulted in the deaths of 25 people and injury to 135 others.

Friends, we are not talking about some scientific experiment here. We are talking about real life, where trains collide, where real people die and get hurt. I have met some of the families.

Afterwards, Senator FEINSTEIN and I got together. She was great, and it was great to work with her. We passed the

Rail Safety Improvement Act of 2008, mandating the installation of positive train control on major passenger commuter and freight rail lines by the end of this year, 2015.

Again, I speak for her in my remarks. She is distressed that the 2015 deadline would be extended as much as it was without a chance to really look at the details in the conference, which we hope to have soon.

For more than 45 years—45 years—the National Transportation Safety Board, or NTSB, has advocated PTC technology. This isn't something new. But it wasn't until 2008 that Senator FEINSTEIN and I got the legislation done.

Let me say this. NTSB is amazing. They are the ones who show up after horrible crashes of rail, of plane, and they are the ones who make really important safety recommendations. Well, actually, they work with the FAA. So they are the ones who come forward after an accident. They do the investigation, and they make the recommendations.

Now, this is what they said: If we had put PTC in all those years ago, 146 accidents or derailments could have been avoided with implementation of the PTC, and at least 300 fatalities and 700 injuries could have been prevented. Since the California accident, 14 PTC-preventable accidents or derailments have occurred.

So let's be clear. People are dying and they are being injured because we don't have positive train control.

Now, the good news—the great news for my State—is that Metrolink and Caltrain already have put PTC on. Amtrak has put it on certain of their runs. So it is happening. But some of the railroads are dragging their feet. They have every excuse in the book. Some of the reasons, I think, do need our attention.

For example, there are problems with spectrum, and there are problems with rights-of-way. We can work on that. But as Senator BLUMENTHAL said, instead of giving these 3-year delays, there need to be what he calls metrics so we can ascertain, before they get all this time, what they are doing. Are we going to be faced here in this body in years to come with more requests for delay? Well, if we are not really looking over the shoulder of the railroads, the answer is, clearly, yes. They don't want to save the money. And, by the way, the cost-benefit ratio on this is overwhelming. It is overwhelming.

I said before, rhetorically, that it is very interesting that the only piece of freestanding legislation that was pulled out of the bill and placed on this 3-week extension was this delay in positive train control safety—nothing else, nothing else. This was cherry-picked—nothing else.

I have worked with several Senators because one of my constituents, Cally

Houck, lost two daughters who rented a car to go on vacation. They were in their twenties. The car was under recall, but the agency rented it to them anyway. It exploded. They died. Mrs. Houck couldn't believe we didn't have a law that said you can't rent a car that is under recall. I bet, if I asked anybody—any stranger to me—if they think they are allowed to rent a car that is under recall, they would say: Of course not. Well, you can. I have fought for years, and I have gotten help from Senator SCHUMER, and Senator McCASKILL actually got the bill passed. I am very grateful to her. That is in the underlying bill. Why didn't we take that out and put it on immediately so this can go into effect immediately?

I think the Washington Post gave us what they think. They wrote a story—a very important story—in the front page yesterday or the day before, Monday. I want to just say we all know that there are special interests here. By the way, I like to work with the railroads because they do a lot of good things. They are very powerful, they are very strong, and they have a very powerful lobby. It is not a Republican lobby or a Democratic lobby. It is a lobby that covers everybody.

Let me quote what the Washington Post article notes:

Rail safety has never been a more pressing issue than it is today. So far, the people who have died in U.S. accidents that PTC could have prevented have generally been crew members or passengers. That could change in dramatic, catastrophic fashion.

The number of rail tank cars carrying flammable material in the United States has grown from 9,500 seven years ago to 493,126 last year.

Let me say that again:

The number of rail tank cars carrying flammable material in the United States has grown from 9,500 seven years ago to 493,126 last year.

Now, just imagine what happens when this flammable material is involved in a collision. We know. We have seen the balls of toxic fire. Seven trains have derailed this year alone, and their contents exploded.

Now, I understand the pleas for delay. That is why I offered a 1-year delay to my friend, the chairman of the commerce committee. I offered him a 1-year delay. Nobody can tell me that a 1-year delay wouldn't work for now. We can look at it in the conference. If we need to extend it, that is fine. No, we weren't able to get it. To me, the only answer that keeps coming back is special interests earmark provision—special interests earmark provision—because it is the only provision that benefits one special interest that was put on this 3-week extension.

Some people say: Why do you care so much? The House voted by voice vote. Do you know what? They were wrong. They shouldn't have. They shouldn't have put it on this bill. This was put on by the House, and it was wrong, wrong, wrong.

Now, when I spoke with my chairman—my really good friend, Senator INHOFE—on the floor, I did say I am so pleased at the way we are moving in terms of the underlying bill. I believe we will have that bill, and I believe we will have that bill next week. Then why on earth did we have to take this out? If we are moving this bill forward, we didn't have to pluck out one of the provisions. I just don't understand it, other than what the Washington Post wrote in their story.

I have to say that there are 60,000-plus bridges that are deficient—structurally deficient. They are in the Presiding Officer's State, and they are in my State. Why didn't they pull out a couple of worst bridges and say "fix those bridges"? All they did was pull out a provision that the railroads wanted—not a provision that commuters want, not a safety provision that will save lives. It is very discouraging.

We all know about the Amtrak crash. I am going to show you a picture of that. It was splayed all across the paper. This is a photo of a destroyed Amtrak train in Philadelphia. We all know the disaster that occurred there. This could have been prevented. As a matter of fact, if I remember right, they were about to put positive train control on this stretch. They were getting ready to do it. Look at this—the suffering and the deaths, needless. If there was positive train control and if another train was coming, simply slow down that train and automatically avoid such a disaster as this.

I am passionate about transportation. I am passionate about safety. I know my colleagues are, but we had a very different view about this. I can only say if anything good came out of this, it was the fact that we now have an Administrator of the Federal Railroad Administration. I think that was good because I feel better now knowing that someone who really cares about this now has officially been given the power to assert her authority.

I look forward to working with Senator THUNE as we move the underlying bill through. He knows how I feel. I want to thank him because he waited around until we had reached an agreement. I appreciate that because otherwise we could have had a complete shutdown of the entire highway program. We averted that because, with respect for our differences, we worked together all day and have the Administrator in place.

I thank Senator NELSON and his staff as well as Senator THUNE's staff. For me, having that done is something that means a lot and means a lot for safety across the board. I hope we will not be doing this in the future. I hope regular order will prevail. I hope we will not be pulling out important pieces of other bills and passing them as stand-alone bills when we are up against a deadline.

I don't think it is the right way to govern. I don't think it is good governance. I think a lot of my colleagues feel the same way.

This is behind us. Now we are going to work together. We are never going to take our eyes off this positive train control. We are going to make sure the railroads are stepping up, doing the right thing—and, by the way, some of them have. I told you two of my railroads have been fantastic. They put it all in place. They met the deadline. There are many others that are close to meeting the deadline, but there are too many that are hiding behind excuses and some that have real reasons why they haven't moved forward. I hope they are watching this today because I am not going away. None of us are going away. We are going to be watching this carefully and making sure this deadline is really a deadline, not some kind of political cover so the railroads can get out of doing what they have to do to save lives. When we take these jobs, that is our overwhelming responsibility—to protect and defend our people, whether it is abroad or at home.

I again thank my staff, Senator THUNE's staff, Senator NELSON's staff, Senator BLUMENTHAL's staff, Senator FEINSTEIN's staff—I hope I am not leaving anybody out—Senator GILLIBRAND's staff, and Senator MURPHY's staff for getting us to a place where we are accepting this with a heavy heart. We are moving on. We are thankful we now do have in place an Administrator—a wonderful, wonderful Administrator of the Federal Railroad Administration.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from South Dakota.

Mr. THUNE. Mr. President, the one thing the Senator from California and I share is a commitment, a longstanding commitment to getting a multiyear highway bill through here. I hope that is going to happen in the next few weeks.

We did need to move on a positive train control extension, and I am going to get into the reasons for that in just a minute. I think probably the most important fact is, as we look at this particular issue, that nearly every railroad in the country—including every major freight railroad—will not meet what is an unrealistic December 31, 2015, deadline for positive train control.

Positive train control—or PTC—when working as intended, is a critical safety technology that will prevent certain types of rail accidents and save lives. We have the ability to make rail transportation even safer by ensuring full implementation of positive train control.

As the chairman of the Commerce, Science, and Transportation Committee, I can assure my colleagues that these disruptions would have caused

cascading and devastating effects for nearly every sector of the economy and every region of the country. Railroads have already started notifying customers that they will stop accepting certain chemical shipments in late November and early December to ensure that such cargoes are off their system when the existing deadline hits at the end of the year.

As rail-dependent businesses and their customers prepare for the shutdown, they have already started to feel the negative supply chain effects on logistics and inventory management. The House-passed short-term highway extension provided an option to avert this completely avoidable and unnecessary harm.

This is not just about the railroads—contrary to what has been said on the floor that somehow this is a special benefit that only helps railroads. It is about the farmers—many of whom I represent in South Dakota—who depend upon the railroad for fertilizer. It is about the manufacturers and other businesses that depend upon rail for critical inputs, and it is about water treatment facilities that depend on rail for chemicals to purify drinking water. It is about all the workers and the households that benefit from this safe mode of transportation.

Rail-dependent commuters and customers cannot afford a congressionally caused railroad shutdown. That is exactly what would happen if we failed to act. Each day well over 1 million riders in the United States board commuter railroads to get to and from their places of work. Over 2 million people work in industries that use hazardous chemicals hauled by rail, and the gross economic output of these industries alone is over \$2 trillion. In fact, the effects of a looming railroad shutdown would have occurred well in advance of the year-end deadline, which is where we are today. Over 130 farmers, manufacturers, and retailers wrote to Congress last week, stating that “rail customers are already starting to feel the impact . . . [w]ith a shutdown just around the corner rail customers must start putting contingency plans into motion, including adjusting production schedules and workforce loads.”

This isn't just an economic issue. It has major implications for public health and safety. I mentioned earlier water treatment facilities across this country have urged a deadline extension and wrote a joint letter to me reiterating that point. I will quote from the letter, which is what they said: “Even a temporary interruption of water disinfection chemical deliveries could risk a public health disaster for communities across this country.”

The U.S. Conference of Mayors also urged a deadline extension and wrote that switching from rail to other modes of transportation would lead to additional accidents in our Nation's

communities and greater exposure to the risks of hazardous materials.

The Federal Railroad Administration's Acting Administrator, whom we just made permanent Railroad Administration Administrator, has the responsibility for conducting oversight of our Nation's rail network, and she expressed concern at a September commerce committee hearing. She said a rail shutdown would “lead to significant congestion and it does lead to safety impacts.”

Keep in mind, total train accidents per year have decreased by nearly 50 percent since 2005. Rail is often the safest available way to haul many types of products, especially hazardous chemicals. It would take more than 600,000 trucks on our Nation's roads to replace freight rail, let alone the additional cars and buses needed to replace commuter rail.

When Congress passed legislation in 2008 mandating the implementation of positive train control, it never intended to punish rail customers or to harm the economy, but this law failed to properly consider the complexity and time involved in developing, mass producing, installing, and testing a new technology involving a complex network of new computers and communications equipment deployed on more than 20,000 locomotives and 60,000 miles of railroad track.

There is plenty of finger-pointing to go around as to why it didn't get done. The bottom line is this: After 7 years of work, over \$6 billion of mostly private funds spent, and with about 2 months to go before the legal deadline, not one single railroad in this country—commuter or freight—has fully implemented positive train control.

For years, study after study, including those from the nonpartisan Government Accountability Office, found that the 2015 deadline for full implementation of PTC was unrealistic. The independent experts at the GAO concluded that the vast majority of railroads, including all freight railroads, would not meet the deadline by the end of the year.

I am pleased the Senate came together and acted on a solution. The bipartisan, bicameral proposal I helped craft does not just extend the deadline for implementing positive train control, it significantly increases accountability and transparency. Our proposal gives the Secretary of Transportation the authority to fine railroads if they fall behind metrics and milestones on their way to completing installation and full implementation. It requires detailed and publicly available reporting to ensure progress each step of the way.

Under our bipartisan proposal, railroads must implement positive train control by December 31, 2018. To ensure that PTC works as intended, the Secretary has very limited case-by-case

discretion to allow railroads additional time for testing and certification but only if railroads complete all installation, spectrum acquisition, and employee training. To qualify for this additional time, freight railroads must have started using PTC on the majority of their territories or track. These accountability-focused changes, with objective criteria and rigorous oversight, are designed to ensure that we never need another extension.

I wish to extend my thanks to our colleagues on the House side—Representatives SCHUSTER, DEFAZIO, DENHAM, and CAPUANO—for their strong bipartisan leadership and collaboration to address this major transportation issue. This issue has been extensively debated in the Senate. This proposal incorporates principles and text that have twice been reported out of the commerce committee and have passed the full Senate in July by a vote of 65 to 34. Let me repeat that. Everything we are talking about today—and it was modified a little bit when we negotiated this with the House—but the basic text, basic framework, basic outline of what we just passed had already passed the Senate as part of the Transportation bill with 65 votes earlier this year. The idea that this is somehow something that is being sprung on Members in the Senate is not consistent with the facts.

I am grateful to Senator BLUNT and Senator MCCASKILL for their partnership and leadership to bring Congress together to ensure that PTC is made safely available as soon as possible. Some have suggested different ways to approaching this issue. At a time when we are making progress to finally end the kick-the-can mentality through the enactment of a multiyear transportation reauthorization bill, this proposal will ensure that we are not injecting that same type of uncertainty into another transportation mode, which is our Nation's rail system.

Attaching the bipartisan agreement on extending the PTC deadline as part of the short-term highway extension solves this problem while keeping pressure on the House of Representatives to pass a multiyear transportation bill that we can then reconcile with the Senate-passed DRIVE Act, the multiyear transportation bill that passed in this Chamber earlier this year.

I wish to applaud Leader MCCONNELL, Chairman INHOFE, Ranking Member BOXER, and Ranking Member NELSON for their continued efforts to push for the completion of a multiyear transportation reauthorization bill. Due to constant pressure from the Senate, as was noticed with last week's markup by the House Transportation and Infrastructure Committee, we can actually see the path to getting a bill done with our House colleagues.

The fact that the short-term extension before the Senate sets a November

20 deadline, along with the House planning to take up a multiyear transportation bill next week, indicates that it is, in fact, possible to soon get a multiyear transportation bill across the finish line.

Nobody should misinterpret my work and my efforts with my colleagues here in the Senate in addressing the harms associated with failing to fix the looming positive train control deadline. As a major part of the overall DRIVE Act, the transportation bill that passed Senate, the legislative text originated from the Senate commerce committee, and I will not be backing down in my efforts to see a host of transportation, safety freight, and rail provisions signed into law in the coming weeks.

Together we have averted the potential harm that would come with a congressionally caused rail shutdown. We have set a realistic positive train control deadline. We have held the railroads accountable and ensured the job is done swiftly and safely. It was important that be done in a swift and safe way.

Earlier my colleague from California quoted a story from the Washington Post that ran earlier this week. The Washington Post editorial board, the very same paper that my colleague from California cited, opined: "Congress should revise the 2008 legislation to give railroads more time to come into compliance, with consequences for those who fail to produce concrete plans for immediate improvement and meet milestones along the way."

But the very newspaper that the Senator from California was quoting actually editorialized on their editorial page that Congress needed to fix and to put in place an extension that would allow the railroads to come into compliance. That was echoed by a lot of the large newspapers across the country.

The Chicago Tribune's editorial board wrote:

PTC is coming. It's just not coming fast enough to meet what was always an unrealistic deadline. So if your commute is a mess come January, don't blame Metra. Blame Congress.

The Chicago Sun-Times editorial board opined: "Congress should extend the deadline to give Metra and railroads a chance to get the job done."

The Los Angeles Times editorial board wrote: "Rather than risk a shutdown of crucial transportation services, Congress ought to fast-track a solution."

The problem we had here is that we didn't have the luxury of time, and so the vehicle that came over from the House of Representatives, which is a short-term extension of the highway bill, presented a chance for us to address this issue knowing full well that it had to be addressed and that it had to be addressed in a timely way. We have railroads and shippers in this

country, that, as I mentioned earlier, have already indicated they are modifying and adjusting their operations and plans right now and notifying customers of the impacts and effects of Congress failing to act in a timely way.

The reason that this needed to be fixed now is that if we hadn't fixed it, we would have started to see the disruptions in our economy that would have come with a shutdown because, as I said, no railroad, to date, has been able to meet the positive train control deadline. We approached this in a way that we felt was reasonable, rational, logical, and kept the pressure on the railroads and required the accountability that is necessary to see this done in a realistic way. I think the end result that just passed the Senate is a good outcome and a good solution, not just for the railroads in this country but for the shippers, farmers, and States such as South Dakota that depend upon those railroads, for the commuters around this country who rely on that form of transportation every day to get to work, and for the thousands and thousands and thousands of people who work in those railroad-related industries across this country. This is one example where Congress demonstrated that it actually could, in a timely way, act responsibly to bring about a solution that will avoid what surely would have been not only an economic disaster but a public safety disaster as well.

I am pleased that our colleagues here in the Senate found a way to approve this today, and I hope, as I said before, that we will continue to keep the heat on to get a multiyear transportation bill through the House and the Senate with this short-term extension through November 20. It gives us a few weeks to complete action on that piece of legislation. But we didn't have the luxury of time nor could we afford to wait to act and to make sure that this positive train control extension was put in place in a timely way.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, by voice vote, this body has extended the highway funding program, which is a good thing. It has also included in that extension a delay in the deadline for positive train control, which was inevitable. None of us opposed a delay in positive train control; what we opposed was an extension of that delay with inadequate accountability and excessive time.

Let's be absolutely clear. This delay in positive train control is really a delay until 2020, not 2018, because when railroads hit 2018, they can apply for 2 more years, and that second extension is dependent only on having completed work on half the system. Much of that determination is within the control of the railroad itself. That will be the 50 anniversary of the NTSB calling for positive train control.

We are not talking about a novel, untested technology. In fact, five railroads will meet the deadline to implement this technology at the end of this year. Clearly, all could have at least sought plausibly to meet that deadline. If they had a reason for failing to do so, they should be required to present it case by case, year by year, with a firm deadline of 2018. That is the system I proposed in the legislation I offered 6 months ago—well before this deadline became an imminent necessity.

Forty-six years ago, two passenger trains collided in Darien, CT, killing four people. There have been similar crashes and catastrophes since that time, resulting in nearly 300 deaths, 6,700 injuries, and incalculable economic loss. The worst of those cases was a crash in Southern California in 2008, killing 25 people. Another took place in the Bronx in 2013. Many of us visited the site in the Bronx and observed the remnants of this derailment and so are closely familiar with it. My colleagues in California and in New York have been ardent advocates of positive train control, and I thank them for their support.

These are examples of only a few of the many instances of death and destruction over decades that could have been prevented by positive train control. Positive train control could have prevented Spuyten Duyvil. It could have prevented other repeated instances of death and destruction that resulted from trains speeding excessively and thereby derailing. It could have prevented drivers from ignoring signals. It could have prevented death and injury around the country with economic losses far exceeding the cost of installing positive train control.

Joe Boardman, head of Amtrak and former FRA Administrator, said: "PTC is the most important rail safety advancement of our time."

Today, the Senate delayed it by 5 years. There are reasons and there is blame enough to go around. The Federal Government—in all frankness, the Federal Communications Commission—perhaps bears part of that blame in the failure to allocate sufficient spending. But let's be honest today in saying that 5 years of delay was unnecessary. The railroads sought it, and they won it with a threat to shut down railroad service everywhere in the country—an unacceptable outcome.

The question is, Can we change this deadline in a smart, responsible way?

Unfortunately, the action today rewards the dilatory with unnecessary delay. Congress has sent a message that these deadlines can be avoided without repercussions and responsibility. That is bad policy. It is a bad process. I regret it. There was a better way to act that would have ensured continued funding for our highways and continued accountability for positive train control, which is indeed the most important rail safety advancement of our time. This is not some abstract, novel system. It has been around. It has been used. It has been tested. I regret that today it has been delayed unnecessarily.

Finally, I wish to congratulate and thank Sarah Feinberg, and the good news today is that her nomination has been approved. I look forward to working with her, and I welcome her as a new source of leadership, which she has already demonstrated. I hope she will act aggressively and responsibly to ensure that positive train control and other safety measures become the law and that the law is enforced as effectively and promptly as possible.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

REGULATING TOBACCO

Mr. MERKLEY. Mr. President, I rise today to speak about an issue that affects the health of our children in every single State.

I ask unanimous consent that after I have completed my remarks, Senator BLUMENTHAL, Senator MARKEY, Senator BOXER, and Senator WARREN be afforded the opportunity to continue to address the same topic.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. I also invite my colleagues to jump in at any point to exchange views as well.

This issue is one that we have known about for a very long period of time, which is that tobacco addiction destroys lives. I grew up in a family where my mother didn't smoke and my father didn't smoke, but they both came from large families—many brothers and sisters—and it seemed as though every single year when I was young, one of my aunts or one of my uncles died from smoking. They died from cancer. They died from heart disease. They died from emphysema. This carnage was all too apparent.

Anyone who has taken the slightest look at this issue knows that the statistics are just unbelievable, the number of deaths and illnesses caused, the number of years lost, the degradation of the quality of life of individuals. For this reason, it had long been a topic here in the Senate that nicotine—the

primary acting element in tobacco—should be considered a drug. It is a drug. It has all of these impacts. We have a Food and Drug Administration, and the Food and Drug Administration should be able to regulate it for the health and welfare of our Nation.

Back in 2009, we debated just such a law here on the floor of the Senate and across the way in the House, and that law was adopted. So we anticipated that in short order regulations would be issued and they would help address particularly the effort of tobacco companies to produce new products designed to essentially produce nicotine tobacco addicts among our children, to entice our children into smoking or chewing and this whole new variety, this continuum of products.

Here we are years later. It is no longer 2009; it is 2015—6 years later and we have no regulation. During that time, a great deal has happened. Many new products have been introduced in the never-ending quest of the tobacco companies to find what they call replacement smokers; that is, young folks who will continue to buy their products as their current customers die because they use their products.

So 6 years have passed and no action out of the administration. Year after year, we have pushed, we have called as Senators, we have talked about it on the floor, we have held meetings with the key officials, and it has always been: We are almost there. We are working on it. We know how important it is.

But while this process has gone along so slowly, millions more of our children have become addicted to tobacco.

One of the main instruments the tobacco industry is using are flavors designed to target children. We can see here on the chart particularly flavors in the e-cigarette category. We have a whole variety. We have coffee. We have cherry. We have apple. We have cherry bomb flavoring. I was told today on the phone that there is a Captain Kangaroo flavor and there is a Scooby Doo flavor. There is a gummy bear flavor. These flavors are not designed to entice adults into becoming smokers because the industry knows that very rarely does an individual start to use tobacco products after the age of 21. It is the youth who experiment, and then the nicotine, as an addictive drug, does its work and turns them into lifetime users. That is where, of course, the money is.

I was asked in an interview today how it is that the tobacco companies say these products are not targeted to children. I responded very simply. It is the big lie. No one, no individual can look at the flavors of these products and not know they are targeting our children.

So what has happened in the last few years is the e-cigarette industry is the most successful of the products that

tobacco companies have tested. In fact, in just the last year alone, use by our high school students has tripled. That means we now have 2 million high school—the survey was the previous 30 days, and in the previous 30 days, 2 million of our high school students had utilized e-cigarettes. So the tobacco campaign is working, which means they are hard at work compromising the health and welfare of our children and leading them down a path to suffering and death. That is unacceptable.

So we are here today—a number of us—to simply say to our own administration, our executive branch: Get the regulations done. They have now been forwarded from the Food and Drug Administration, from the FDA, to the Office of Management and Budget, which does the final review of those regulations. Get the regulations done, and make sure they are strong regulations. Do not put in a clause that grandfather all the products and exempts them from regulations that have been produced up until now. Such a grandfather clause would tear the heart out, tear the guts out of the entire effort to regulate these killer products. And certainly regulate the flavors. That is the key, core strategy of addicting our children. Do not ignore that key, core strategy.

This is something very real that this body debated and decided to do and turn it over to the executive branch. It is way past time for the executive branch to act. So we are asking for quick and powerful, forceful action to stop the carnage that is ensuing from the failure of these regulations.

Several colleagues are coming to the floor to join this conversation. The Senator from Connecticut, Mr. BLUMENTHAL, is planning to jump in next, followed by Senator MARKEY and then Senator WARREN.

Mr. BLUMENTHAL. Mr. President, I am going to yield to Senator MARKEY, if I may, and then follow him in light of the scheduling needs that he may have, and then I will yield to Senator WARREN. Thank you.

Mr. MARKEY. Thank you, Senator BLUMENTHAL, and Senator MERKLEY, thank you for organizing this. Thank you to Senator WARREN and to everyone who is here.

Mr. President, with Halloween just days away, I would like to share some scary facts about nicotine. Nicotine is the main ingredient in cigarettes and is also found in the new cigarettes, the e-cigarettes.

Four decades of scientific research have proved the following: First, nicotine is addictive; second, nicotine affects brain development; third, nicotine combined with tobacco is responsible for claiming millions of lives.

These facts are true, but for years Big Tobacco willfully, consistently, publicly, and falsely denied them.

Those lies were exposed at congressional hearings, and thanks to the tireless efforts of anti-smoking and public health advocates, traditional cigarette smoking has declined from 50 percent of all adults to 18 percent of all adults in the United States. How many millions of lives have been saved because of that?

Big Tobacco and the e-cigarette industry are like the undead. Traditional cigarettes are being supplanted by e-cigarettes. Today e-cigarette sales in the United States alone topped \$1 billion, and e-cigarette use is growing as fast as the students who are smoking them. The use of e-cigarettes among middle and high school students has skyrocketed, tripling from 2013 to 2014, accounting for upwards of 13 percent of all high school students. That is when my father began to smoke two packs of Camels a day. My father died from smoking two packs of Camels a day.

Nearly 2.5 million young Americans currently use e-cigarettes. Why the explosion in youth e-cigarette smoking? It is because Big Tobacco and the e-cigarette industry are marketing their dangerous nicotine delivery product to children and teens.

Big Tobacco would have our young people think that e-cigarettes are a treat, but they are a cruel trick on those children. The younger a person is when he or she starts using products containing nicotine, the more difficult it is to quit.

We know from years of research that flavors attract young people. That is why Congress explicitly banned cigarettes with flavors like cherry and bubble gum, because of their appeal to young people. So it is very disappointing, but not surprising, that new nicotine delivery products are available in a myriad of flavors, from cotton candy to vanilla cupcake to Coca-Cola.

I wonder what this industry is trying to do. Flavors were outlawed from the traditional cigarette industry. You don't have to be a detective to figure it out because over the past decade we have made great strides in educating children and teens about the dangers of smoking, and now we can't allow e-cigarettes to snuff out the progress we have made in preventing nicotine addiction and its deadly consequences.

We need to ban the marketing of e-cigarettes to kids and teens. We need to ban the use of fruit and candy flavoring clearly meant to attract children. We need to ban the online sales of e-cigarettes to keep them out of the hands of children. The dangers of e-cigarettes are clear. Every day we wait is another day that young Americans can fall prey to harmful products pushed by the tobacco industry.

Last year at a commerce committee hearing, when I asked several e-cigarette company leaders to commit to ceasing the sale of these types of fla-

vored products, a few agreed, but the vast majority have not and will not. Just today the e-cigarette industry trade group, the Tobacco Vapor Electronic Cigarette Association, threatened the FDA after posting on its Web site what the association purports is leaked draft industry guidance under the new deeming rule, tweeting: "The FDA needs to know we mean business."

The association got it partially right. The e-cigarette industry should be put out of business.

My father smoked two packs of Camels a day. Back then it was a cool thing to do. For decades Big Tobacco denied that there was any linkage between smoking and cancer. My father died because of that denial of the tobacco industry and the cooperation of the U.S. Congress.

Today electronic cigarettes are no better than the Joe Camels of the past. Through e-cigarettes, children and teens are still getting addicted to nicotine and putting their health and futures at grave risk.

I urge OMB to give America's youth a real Halloween treat by finalizing the deeming rule and stopping the sale of these candy-flavored poisons.

Thank you, and I yield back.

Mr. BLUMENTHAL. Mr. President, I want to thank my colleagues for their very powerful comments, and I have a poster as well. In the spirit of Halloween, mine uses candy. I doubt that children this Halloween are going to receive some of these products—I hope not—when they go door-to-door, but people looking at this poster could easily mistake the candy for the candy-flavored cigarillos or the candy that looks like cigarettes, appears to be tobacco products, or the spit tobacco that is flavored with candy look-alikes.

Today the temptation is to have some fun, use some puns, but I come here in sadness and frankly in anger—sadness that every day thousands of people will become addicted to nicotine and suffer from diseases that tobacco causes, whether it is cancer or smoking-related lung problems, and also tobacco-related problems that can increase the cost as well as the suffering in our Nation.

We are dealing here with indefensible delays in issuing a rule that is necessary to enforce the law. Let me be clear about what is happening. The Tobacco Control Act was passed 6 years ago. All of us thought the provisions of that Federal law would go into effect to protect Americans against the nicotine addiction that is peddled relentlessly and tirelessly by the tobacco industry. We are 6 years later in an administration that is probably the most pro-public health and anti-tobacco abuse of any in our history, and still, 6 years later that law is unenforced, and the reason is there are no regulations.

We are 18 months after the FDA released the rule called the deeming rule

necessary to enforce that law. Eighteen months have passed since the FDA acted, 6 years since the law was passed in this body, and still there is no protection for Americans.

This fight goes back years and years, and I was involved as attorney general for the State of Connecticut in helping bring a landmark lawsuit. I helped to lead that lawsuit as one of the States that sued the tobacco companies for marketing to children.

Back then this poster might have been used in court, and I appeared in court to say that the tobacco companies, despite their denials, were marketing and pitching to children by using Joe Camel. Today the playbook is exactly the same. The tactics have changed, but the strategy is the same: using pitches, wrappings, and flavors to target children—not teenagers or college kids—but younger children who are persuaded by the model of their older siblings and friends to begin a lifetime of addiction and disease.

They may be fooled by the candy flavors and the wrappings and the pitches that are used, but we should not be, the FDA should not be, and the Office of Management and Budget should not be fooled. They should not be waiting to issue this rule. It should be issued now.

We have written to them, asking that the rule be issued. A number of us wrote a letter to Shaun Donovan. I very simply asked the President of the United States for no more delays. Do the rule now. There is no excuse for delay and, by the way, time is not on our side. During every year of delay, thousands more children become addicted, and the President of the United States knows about that addiction because he is a former smoker—hopefully it is former, not present—and he knows the power of nicotine because he has worked hard to overcome it.

Let's prevent young people from becoming addicted in the first place. Let's save money and save lives. Please, Mr. President of the United States, issue this rule.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Thank you, Mr. President.

I would like to thank Senator MERKLEY for organizing this event this afternoon and Senators BLUMENTHAL and MARKEY for their work on this.

Smoking produces corporate profits, period. There is the heart of the problem of e-cigarettes. Long after the science showed that cigarette smoking kills, long after the industry denied and denied, long after millions of people died from smoking-related cancers and heart disease, this country finally got serious about cutting smoking rates.

Much of our attention has been focused on ways to keep the industry from hooking young people, and it is a

good approach: If you don't start, you don't have to quit. For decades now public health experts have worked to reduce smoking and to keep kids and teens from becoming addicted to cigarettes. Congress passed the laws and implemented regulations that restricted access for teens. We increased tobacco taxes, and we clamped down on marketing to kids. State and local governments along with the private sector limited smoking in public. Those combined efforts worked. Since the late 1990s, the youth smoking rate has been cut by more than 50 percent.

The most recent effort in Congress to address this issue was the passage of the Family Smoking Prevention and Tobacco Control Act of 2009. The late Senator Ted Kennedy fought for years and years to give the FDA authority to regulate the manufacture, distribution, and marketing of tobacco. I stand at his desk today to continue this fight because the law was passed but our Federal agencies have still not fully implemented it, and the tobacco industry continues to target young people.

The industry profits from getting kids hooked early, so it finds every way it can to undermine all the other work we have done to keep kids from getting hooked on nicotine. Because it is harder now to get kids hooked with cigarettes, the industry has turned to e-cigarettes.

Six years after the Tobacco Control Act was passed, the regulations that deem e-cigarettes as tobacco products and make them subject to all of the rules in that bill have still not been finalized. As a result, e-cigarettes remain virtually unregulated at the Federal level—no age limits, no marketing restrictions, nothing but a patchwork of State and local restrictions. Even though most states ban the sale of e-cigarettes to minors, this is not enough to combat the deliberate and well-financed work of the tobacco industry to hook another generation of kids on their products.

Now, an investigation last year by House and Senate leaders revealed how the tobacco industry is marketing their products to kids. It found that the industry is following the exact same practices of marketing to kids and teens that addicted a generation to cigarettes decades ago. Tobacco companies market e-cigs with cartoons and Santa Claus. They show popular celebrities and beautiful models using e-cigs.

Tobacco companies push e-cigs in flavors designed to appeal to kids—flavors like cherry crush and chocolate treat. Tobacco companies provide free samples at concerts and other youth-oriented events. Tobacco companies advertise on television shows and radio programs that attract large audiences of teens and preteens. To bring it all into the digital age, tobacco companies use all of these tactics online and on social media.

The tobacco industry has done all of this before. It is having the same result. According to the CDC, e-cigarette use by middle schoolers—that is sixth, seventh, and eighth graders—and high school students tripled in 2014 alone. New data released yesterday shows that 21.6 percent of young adults 18 to 24 have used an e-cigarette.

For teens, e-cig use is now greater than the use of all other tobacco products. Look, the tobacco industry is up to its old tricks, but we are not going to fall for them again. After more than 6 years since the passage of the Tobacco Control Act, the Federal Government is finally on the cusp of regulations to rein in the industry's e-cigarette marketing efforts. Every day that goes by without this regulation, the tobacco industry hooks more kids.

We need a strong rule today, and that is why I join my colleagues to urge the Office of Management and Budget to act without delay and to release this important regulation. It is time—no, it is past time to take action, time to push back against the tobacco industry, time to stand up for our families' health.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Oregon.

Mr. MERKLEY. Mr. President, I would like very much to thank my colleagues for coming to the floor and speaking to this issue, my colleagues from Connecticut, Senator BLUMENTHAL; from Massachusetts, Senator MARKEY; and Senator WARREN, also from Massachusetts.

I must say that this topic of addiction to tobacco and tobacco products being targeted at our children is not one that is only relevant to one State or this State or that State, it affects children in rural America, in urban America, and in every State and corner of our Nation. So there is basically a universal impact. That is probably part of the reason the Senate came together, during a period in which there has been substantial dysfunction and substantial paralysis, and said, no, it is time to regulate these tobacco products as the drugs that they are, but during the 6 years since the bill was passed, we have had no regulation. So I appreciate my colleagues coming to the floor and trying to amplify the message that this is unacceptable, because children will be addicted, they will develop diseases, they will suffer, and they will die because of the inaction in putting the regulations forward.

This is completely unacceptable. During this time, there have been a lot of experimental products put out by the tobacco industry. They have put out finely ground tobacco in the form of mints. They put them into hour glass-shaped candy holders so that when students would put them in our pockets, it would look like a cell phone.

That may not make sense in this age of smartphones, but just a few years ago, in 2009, when this was being test-marketed in my State of Oregon and test-marketed in Ohio, the shape of the most popular cellphones kind of had a little bit of an hourglass shape to it. So the idea was it would look like a cellphone and not like tobacco when you were in school.

They came out with a product of toothpicks made out of finely ground tobacco. They came out with a product of breath strips that you put on your tongue. Can you imagine tobacco to freshen your breath? They were experimenting with everything, but the payday was not toothpicks, it was not mints, and it was not breath strips; the payday product is e-cigarettes.

I am going to put the chart back up about the e-cigarettes. There are two fundamental myths propagated by the tobacco industry. The first is that they are not marketing to youth. Well, let's examine the type of flavors in these products. We have apple—these are just the ones on this chart. We have cotton candy. We have gummy bear. We have watermelon. We have candy crave. We have Red Bull. We have peach.

These candy and fruit flavors are designed to appeal to children and to mask some of the nastiness of smoking. Well, so that is big lie No. 1 from the tobacco industry, that they are not targeting our children. It is absolutely clear they are.

Furthermore, they have to because they know that replacement smokers—getting new smokers to replace those who are dying because of their products requires targeting children because very few people start smoking when they are adults or start using tobacco products when they are adults. The mind of the teenager is the perfect moment to gain traction and produce addiction. That is why the tobacco companies are targeting our children.

The second myth they put forward is that e-cigarettes are simply a wonderful health aid designed to get people to quit smoking. Maybe it is healthier than a cigarette with a tobacco leaf ground up inside of it or a clear liquid nicotine rather than a cigarette or a cigar. Do not believe for a moment that tobacco companies are trying to help individuals stop smoking. They did not do billions of dollars in commerce by getting people to stop smoking. Everything about targeting kids is not about getting individuals to stop smoking but to start smoking. That is the goal, to start smoking, to lead them into a life in which they will spend an enormous amount of money buying a product that is destroying their body.

Eventually they will suffer. Eventually they will die. It will be a heart attack. It will be lung cancer. It will be a whole host of—emphysema. OK. Maybe not every single individual, but

a huge number of folks who become addicted in their youth will suffer substantial health consequences. Even those who don't have cancer or full-blown emphysema will experience other health impacts that make them a less healthy individual and compromise their quality of life.

Again, I thank my colleagues so much for coming to the floor to accentuate this message that we have waited far too long for the regulations to get done to take on this industry and that we are demanding that when the regulation is published—and hopefully that will be very soon, as in days or weeks—that will be a regulation that is written in a forceful, comprehensive fashion, that will not have a grandfather clause that excludes existing products from regulation, and it will not fail to address this powerful instrument being used to target our children, which are fruit and candy flavors.

We ask, now that the Food and Drug Administration has forwarded this decision to the Office of Management and Budget for final decisionmaking, that OMB come out quickly, forcefully, and strongly to address this tremendous blight on our society.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

NOMINATIONS

Mr. CARDIN. Mr. President, I take this time as the ranking Democrat on the Senate Foreign Relations Committee to bring to my colleagues' attention a very disturbing trend that is taking place on us carrying out our constitutional responsibilities. It is up to the Senate, and only the Senate, to confirm—advise and consent—appointments by the President of the United States that require the confirmation of the Senate.

I think the Senate Foreign Relations Committee, which I am honored to serve on and act as the ranking Democrat, has acted in a very responsible manner in scheduling hearings and taking action on the nominations that have been submitted by President Obama. I thank Senator CORKER. He has scheduled these hearings in a very timely way and scheduled markups in our committee so we can make our recommendations to the full Senate. That is not true of the Senate as a body. There are currently 16—16—highly qualified nominees who have been recommended for Senate confirmation, none of whom are controversial, who are awaiting action on the floor of the Senate. Some of these nominees have been waiting as long as 10 months, almost a year for action by the Senate. Let me repeat this: Not one of these nominees is being held up because of challenges to his or her qualifications to assume the responsibilities of the position for which that person has been

nominated. In each of these cases they have cleared the committee hurdle by unanimous or near unanimous votes in the Senate Foreign Relations Committee.

So why have we not taken up those nominees for confirmation votes on the floor of the Senate? They are not controversial. They are qualified for the position. The reason is that in each case a Senator has placed a hold on the consideration of that nominee. What does a hold mean? It means a Senator has let their respective caucus know they will not consent to the nomination coming before the Senate either as a unanimous consent request or for a vote on the floor of the Senate. That has been the prerogative of Members of the Senate. They can do that. The way you overcome that is either the Senator eliminates the hold—in these cases each one of the holds have nothing to do with the qualifications of the individual for this position—or the majority leader, Senator MCCONNELL, brings forward the nomination, if necessary uses a cloture motion in order to get this issue resolved. After all, one Senator should not be able to stop a nomination on the floor of the Senate so we cannot carry out our responsibilities of advice and consent.

Senator MCCONNELL has been unwilling to do that. I understand the challenges of floor time. I fully do. Ten months some of these nominees have been waiting. These are critical missions for our Foreign Service. The reasons these individuals are being held—let me just give you an example—is because of a Member being upset with the Obama administration for taking the Iran agreement to the United Nations for a vote before action in the Senate—having nothing to do with the nominee we are talking about—or concerns about Secretary Clinton or concerns about the Secret Service but not related to the person who was nominated for the position we are talking about. That is just wrong. We have the constitutional responsibility to advise and consent on Presidential appointments.

Let me give some examples that fall into this category of the 16 nominees who are currently waiting for Senate confirmation.

We have the Secretary of State for Conflict and Stabilization Operations. The person who has been nominated for that is Ambassador David Robinson, a career diplomat with 30 years of public service. He has been the Principal Deputy High Representative in Bosnia-Herzegovina, one of the most difficult conflict areas in modern times. He has served both Democratic and Republican administrations. He is a career diplomat.

The position we are talking about focuses on prevention and response to mass atrocities and countering violent extremism and election-related violence. I would think that is a high pri-

ority for this Senate, to make sure the United States has all hands on deck to deal with these types of international challenges.

Ambassador Robinson has served far and wide under dangerous and demanding circumstances. He was the Assistant Chief of Mission at the U.S. Embassy in Kabul, Afghanistan. He served as the Principal Assistant Deputy Secretary for Population, Refugees, and Migration. He served as U.S. Ambassador to Guyana from 2006 to 2008 and as Deputy Chief of Mission at the U.S. Embassy in Georgetown, Guyana, from 2003 to 2006. He also served as the Deputy Chief of Mission at the U.S. Embassy in Paraguay from 2000 to 2003.

He is a highly qualified individual who has shown a clear dedication and commitment to serving his country. He has been waiting almost 7 months for the Senate to act on his nomination.

I wish to cite another example, the State Department's Legal Adviser, Brian Egan. He has served both Republican and Democratic administrations. This a critical mission, the Legal Adviser. Just today, in a hearing before the Senate Foreign Relations Committee, we had General Allen, and a discussion ensued as to the legal authority we have in regard to some of our activities. It would be good to have a confirmed legal adviser so we can get those types of answers.

Like Ambassador Robinson, Mr. Egan has served in both Democratic and Republican administrations. He began his career as a government lawyer in 2005, as a civil servant in the Office of the Legal Adviser of the State Department, which was headed at the time by Secretary of State Condoleezza Rice. He has worked in the private sector. He served as Assistant General Counsel for Enforcement and Intelligence at the Treasury Department. He served on the National Security Council staff. He is a nonpartisan and fair-minded individual who clearly has the skills and the ability to lead the Office of Legal Adviser at the State Department. He has been waiting 9 months for confirmation—9 months. He is a person who has devoted his career to public service.

That is no way to treat people who want to give their service to this country in an important role. We need to carry out our responsibility.

At the USAID, the Administrator position has not been confirmed. The USAID Assistant Administrator for Europe and Eurasia has not been confirmed. The inspector general of USAID has not been confirmed. These appointments have been in the Senate for some time.

I have listened to my colleagues on both sides of the aisle talk about the refugee crisis. We are approaching the number of people who are dislocated in this world similar to what we had at the end of World War II. The principal agency that deals with this crisis in

the United States is the USAID. We know we have conflict areas all over the world, and we have heard over and over again that the way we deal with this—one of our major tools—is through development assistance. We need confirmed, top management at this agency. The Senate has an obligation to act.

None of these nominees are non-controversial. I want to repeat that. They are not being held by a Senator because of anything to do with their qualifications for the position for which they have been nominated. There have been unrelated issues for a long period of time compromising the critical missions of these agencies.

Just as tragically, there are 20 innocent USAID Foreign Service officers who have been held up. These 20 USAID Foreign Service officers are not nominated for Ambassador positions or Assistant Secretary position; these are folks who were plucked from a list of 181 promotions that must be confirmed by the full Senate for the promotions to take effect. In other words, their promotions have not taken effect because of an individual hold by a Senator for reasons unrelated to their performance in office—career diplomats, civil service. These are civil servants who are working hard day in and day out serving their country in both Democratic and Republican administrations. They are not involved in the politics of the Senate, and yet they are the casualties of these politics.

These individuals are called upon to serve in challenging and sometimes very dangerous places. We are talking about a Supervisory Program Officer in Cambodia, the Deputy Director for East Africa Operations in Kenya, the Director of the Democracy and Governance Office in Rwanda, a Senior Advisor for Civilian-Military Cooperation, a Resident Legal Officer for the Resident Mission in Asia, an Education Officer in Honduras, a Regional Legal Advisor in El Salvador, a Deputy Controller for Financial Management in El Salvador, a Regional Food for Peace Officer in Ethiopia, a Regional Legal Advisor in Egypt, a Deputy Education and Youth Office Director in Kenya, the Director of the Food for Peace Program in South Sudan, the Democracy and Governance Director in El Salvador, the Economic Growth Team Leader in Zambia, the Economic Growth Office Director in Ukraine, and a Controller for Financial Management in Rwanda.

I went through that list because I think everyone would acknowledge that these are people who are serving in very dangerous places.

As I mentioned, we had a hearing in the Senate Foreign Relations Committee with General Allen, who is doing incredible public service for our representative in the Middle East. He said he wanted to thank the Senate Foreign Relations Committee for the

attention we have given to our diplomats.

Often on the floor of the Senate you hear glowing thanks—and I join in that—to the men and women who have worn the uniform of our Nation to defend our freedom. Well, our thanks go equally to our Foreign Service officers who serve in very dangerous positions in order to advance the U.S. principles of democracy and human rights. We know about the casualties we have suffered in that regard. These individuals are entitled to their promotions, and it requires our action. To hold up their promotions for reasons unrelated to their job performance is just plain irresponsible, and we need to take up these nominees.

There are ambassadorships that have been open for way too long. I could mention many of the ambassadorships, but I will just mention two—Sweden and Trinidad and Tobago.

Sweden, of course, is a strategic ally and an Arctic Council member. Azita Raji has been nominated. She is a businesswoman who has been the vice president of J.P. Morgan Securities. She brings her unique expertise from the business sector to help one of our critical Ambassador positions. Again, she is a noncontroversial nominee who has been held up 10 months. Sweden is a critical partner for the United States.

In Trinidad and Tobago, John Estrada has been waiting 180 days for his confirmation. Trinidad is a critical place for the United States as far as drug-smuggling activities that bring drugs into the United States. We need a confirmed Ambassador to lead that fight against drug smuggling into the United States. Again, he is being held up for reasons unrelated to his own qualifications.

I could go through all the 16 nominees. I think I have made my point. My point is that I think the public would be surprised to learn that one Senator could block a nomination of a President, and that is used many times unrelated to the qualifications of that individual for the position for which he or she has been nominated. It has happened in the Senate numerous times, as I have just pointed out.

I think it is the responsibility of the Senate to say enough is enough. It is time for us to act on these nominees so they can continue their public service in a confirmed position to help us in our war against drugs, to help us in our international diplomacy, to help us in development assistance in order to resolve conflicts, and to provide the very best legal advice to make sure that what we are doing is consistent with our Constitution.

To do the services of the people for the people of this country, we have to do our service in the Senate, and that is to take up and vote on the President's nominees to these critical foreign policy positions.

I urge my colleagues to allow us to bring these nominees up for a vote so we can carry out our responsibility and so these people can carry out their critically important missions to the security interests of the United States.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

COMMERCIAL SPACE BILL

Mr. NELSON. Mr. President, it looks like there has been a resolution between the House and Senate on a commercial space bill which includes an update. This goes way back 31 years ago. When this Senator was a young Congressman, I actually participated in and sponsored the first Commercial Space Act. Very few people could have envisioned what would happen 30 years later with this legislation, for indeed commercial companies are delivering launch services not only to commercial customers, such as all of our satellites, GPS systems, and some communication satellites, but also government payloads for the U.S. Government, obviously Air Force payloads, and various other intel satellites and satellites for foreign countries.

Our American space launchers are putting these satellites up into space, and of course it has revolutionized our daily life. How many among us are so accustomed to using this device to look up the location of an address? How do you think that is happening? It is happening because we have hundreds of satellites up there in the GPS system—scores of satellites—that give you precise locations of any point on the globe where one might want to visit. These devices have gotten so sophisticated that they talk to you and say: Go 600 feet and turn right on such and such street and then turn left. It is just amazing. This doesn't just happen. It happens because of our space industry and in particular our commercial space industry.

Since this Senator, as a young Congressman, got into this in the beginning, which was about 31 years ago, we have had to update this legislation. A lot of things have happened, and now there are very significant things that are happening. For the past decade, we have had a national laboratory in space, which is one component of what is happening, and it is known as the International Space Station. There are six human beings up there. There is an international crew, which includes American astronauts, and one of them,

by the way, has now completed 6 months of a 1-year stay so we can study the effects on the human body after a long duration in space. That will help us so we can be ready to go to Mars with human beings in the decade of the 2030s.

There are other activities on the space station that are commercial activities. There are all kinds of pharmaceutical experiments that are going on. As a matter of fact, there are drug trials right now, and the FDA, having used the properties of zero G on the International Space Station, is developing vaccines for salmonella and MRSA. If using the properties of zero G may help us to develop vaccines that help us with diseases and bacteria on Earth, then that is a significant accomplishment. Those are some of the commercial activities that are taking place in space.

As we think way into the future, we could be mining other planets, and we could certainly be mining asteroids. Wouldn't it be nice if we found an asteroid that was suddenly full of diamonds. We don't even have to stretch our imagination that far. There are all kinds of elements on these asteroids.

This legislation should be cleared later on tonight and in the morning by both sides. Once it has been cleared, we can take the House bill that is down here, amend it on the Senate bill, and send it back to the House. The House has agreed with the far-reaching thought of mining on asteroids, which will be considered intellectual property so it is preserved for the commercial sector and that would be their property.

This whole commercial space business today, including launching and some of the other activities, unbelievably, is a \$330 billion industry. The commercial launch industry started out on American rockets. Over the course of the last three decades, our launchers were more expensive, and so international competitors came into this—the Russians, in some cases using old Soviet rockets, and the European Space Agency launched the Ariane rocket, which they developed. Other nations also have rockets that offer fierce competition to the American rockets.

The need for this legislation to be passed at this time—by updating the Commercial Space Act—is because we are now seeing commercial enterprises that are set on a road in the NASA authorization bill of 2010 and are becoming so efficient and effective that they are bringing down the cost of launching payloads into orbit. That is also benefitting the U.S. Government, which is buying these launch services in order to get government payloads into orbit. Because of that, we are now seeing some of that international business which went to other countries starting to come back to us. Orbital

Sciences has a commercial rocket, and SpaceX has a very successful program. Amazon founder, Jeff Bezos, has a rocket company called Blue Origin and is likewise getting into the commercial space business. There are many others as well.

This is an exciting time for us to be bringing a lot of this activity back to America. Therefore, at the end of the day, what does that mean? More industry, more high-tech, more research and development, more exploration, and more jobs.

So we are seeing increasingly the U.S. Air Force cooperate on their installation, the Cape Canaveral Air Force Station, using government property but leased through State or local space authorities, which are then, in turn, leasing to these commercial operators. A good example that has been tremendously successful for the past several years is an Elon Musk company called SpaceX. They contracted with Space Florida, which had worked out an arrangement with the Cape Canaveral Air Force Station for launch complex 40, for that to be the SpaceX launchpad. They have been enormously successful. They have not only launched government payloads—the NASA cargo to and from the space station—but they have also launched other commercial payloads, government payloads of foreign countries, as well as government payloads of the U.S. Government.

Eventually, that commercial space company, along with the Boeing Company, will be the ones that, in just 2 years, will launch American astronauts on American rockets for the first time since the shutdown of the space shuttle back in 2011—American astronauts on American rockets to and from our international space station. Those two companies are competing for it, but it doesn't mean that just one of the two necessarily wins the competition. Both could be the providers for NASA of ways for us to get Americans on American rockets to our own international space station instead of having to rely on the Russian—very proven and very dependable—Soyuz rocket, which is the only way to get our astronauts there at the moment, until we start flying these other new rockets.

So I wanted to alert the Senate that this is happening as we speak. I hope we get all of the clearances in the Senate later tonight—if not, early in the morning—so that we can get this amended, onto the House bill. It would basically be this: “Strike all after the enacting clause,” put the Senate bill on, which we have already negotiated with the House, get it to the House, let them pass it, and get it to the President for signature. I wanted to bring the Senate up to date on what is happening.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRADE ACT OF 2015

Mr. McCONNELL. Mr. President, I ask the Chair to lay before the body the message to accompany H.R. 1314.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 1314) entitled “An Act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations,” with an amendment.

MOTION TO CONCUR

Mr. McCONNELL. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 1314.

CLOTURE MOTION

Mr. McCONNELL. I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to accompany H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Mitch McConnell, John Cornyn, Lisa Murkowski, John Thune, Lamar Alexander, John Barrasso, Roger F. Wicker, Orrin G. Hatch, John McCain, Thad Cochran, Thom Tillis, Michael B. Enzi, Mike Rounds, Roy Blunt, Susan M. Collins, Shelley Moore Capito.

MOTION TO CONCUR WITH AMENDMENT NO. 2750

Mr. McCONNELL. I move to concur in the House amendment to the Senate amendment to H.R. 1314, with a further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] moves to concur in the House amendment to the Senate amendment to H.R. 1314, with an amendment numbered 2750.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end add the following:

“This Act shall take effect 1 day after the date of enactment.”

Mr. MCCONNELL. I ask for the yeas and nays on my motion to concur with amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2751 TO AMENDMENT NO. 2750

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2751 to amendment No. 2750.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike “1 day” and insert “2 days”.

MOTION TO REFER WITH AMENDMENT NO. 2752

Mr. MCCONNELL. I move to refer the House message on H.R. 1314 to the Committee on Finance with instructions to report back forthwith with an amendment numbered 2752.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House amendment to the Senate amendment to H.R. 1314 to the Committee on Finance with instructions to report back forthwith with an amendment numbered 2752.

The amendment is as follows:

At the end add the following:

“This Act shall take effect 3 days after the date of enactment.”

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2753

Mr. MCCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2753 to the instructions of the motion to refer.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike “3 days” and insert “4 days”.

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2754 TO AMENDMENT NO. 2753

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2754 to amendment No. 2753.

The amendment is as follows:

Strike “4” and insert “5”.

MORNING BUSINESS

POSITIVE TRAIN CONTROL

Mrs. FEINSTEIN. Mr. President, I wish to speak about the unfortunate extension of the deadline for the implementation of positive train control, or PTC.

As one of the authors of the Rail Safety Improvement Act of 2008—which established the PTC mandate—I stand here committed to ensuring that PTC is installed on all our Nation’s railways as soon as possible.

Current law states railroads must fully install PTC by the end of this year. For a variety of reasons, we all know this is not feasible for all railroads. But we can’t let this drag on indefinitely.

It’s a matter of public safety. We must get this done.

The focus of the current debate has been on why an extension of the mandate is necessary, but I would like to take a step back and remind my colleagues why the mandate itself is necessary.

On September 12, 2008, the inattentive conductor of a Metrolink train—a commuter railroad in the Los Angeles area—missed a red light and entered a stretch of single track going the wrong way.

The train collided with a Union Pacific freight train, which completely demolished the first commuter car. The accident killed 25 and injured more than 100.

This was an absolute tragedy for my State and the country.

What is even more tragic: It was 100 percent preventable. Had PTC been installed, we would have avoided this tragedy.

The National Transportation Safety Board has been recommending the installation of PTC since an accident in Connecticut in 1969.

This technology is lifesaving. It prevents train-to-train collisions and overspeed derailments and other rail dangers.

PTC could have saved 25 lives in Chatsworth. In fact, PTC could have

saved at least 288 lives and prevented more than 6,500 injuries in accidents across 36 States since 1969.

In 2008, at long last, Congress passed a law requiring PTC implementation by the end of 2015, giving railroads 7 years to comply.

It is extremely disappointing that most railroads will not meet this deadline.

It didn’t have to be this way.

The passenger railroads in California took this legal and moral imperative seriously. They committed resources.

In fact, Metrolink will be the first system in the Nation to fully implement positive train control when the Federal Railroad Administration gives its final certification by the end of this year.

The Bay Area is also well ahead of the curve. Caltrain will begin operating PTC on its line between Gilroy and San Francisco by the end of the year, with final certification expected early next year.

These stories show that it can be done on time.

But the sad fact is few railroads will meet the 2015 deadline as mandated by law.

Yes, there were some unanticipated challenges and procedural hurdles that have contributed to the delay.

But more devastating were legal challenges from the industry and railroads failing to commit the necessary resources.

So here we are today, debating an extension.

Let me be very clear: the PTC extension provision the House sent over is flawed.

In my view, we need to be forcing railroads to implement this as soon as possible, and the House proposal fails to do that.

Instead, it gives all railroads a blanket extension until 2018, even those that would be done well before then.

The Secretary of Transportation can take enforcement actions against railroads that miss certain annual milestones between now and 2018, but the railroads themselves get to establish those milestones in the first place.

After the 3-year blanket extension, railroads can request an additional 2-year extension, so long as a railroad is about halfway complete with implementation.

That means they will have until 2020—12 years after Congress first mandated the technology and 50 years since the National Transportation Safety Board began calling for it.

This is effectively a 5-year extension, precisely what railroads have been lobbying for.

There are better options available.

In fact, we anticipated the need for an extension years ago and worked to find reasonable compromises.

First, in 2012, we tried to modify the mandate.

I supported a provision that passed the Senate in that year's transportation reauthorization bill.

It would have kept the deadline in 2015, but allowed the administration to grant up to three 1-year extensions to railroads on a case-by-case basis only when necessary and where railroads were working diligently.

But the railroads wanted 5 years, and the provision was dropped from the final bill.

Then earlier this year, debate began anew.

The Commerce Committee approved a bill that would provide railroads with a blanket extension of 5 to 7 years.

I thought that was reckless and unnecessarily long.

Together with several of my colleagues, we reintroduced separate legislation along the lines of the provision that passed the Senate in 2012.

This started negotiations that led to the two different provisions now included in the House and Senate transportation reauthorization bills.

These provisions are each much improved from a blanket 5- to 7-year extension, but both remain flawed.

In my view, it would be fair and reasonable for the remaining policy differences between these two provisions to be resolved during conference.

I hope the conference would lead to a policy that takes the best parts of both approaches and would be packaged as part of a bill that provided sufficient resources for the commuter railroads to comply with the mandate. We should let that process play out.

We should not rush to pass bad policy on this 3-week extension.

I now want to take a moment to describe something that has disturbed me throughout this entire process.

That is the aggressive stance of the railroad industry.

As we have seen in public, railroads have threatened to stop service for rail passengers around Christmas and stop transporting certain chemicals before that.

Union Pacific's demand letter was the most explicit, acknowledging that "this will cause significant economic disruption for our country," but that it "is in the best interest of our employees and shareholders."

The railroads claim that the fines that will be charged next year by the Federal Railroad Administration would be so draconian that they would be unable to continue operating as railroads.

It is very difficult to believe the government would fine railroads to such an extreme. The government's goal is simply to compel the fastest possible implementation of PTC.

The railroads also say that in the event of a PTC-preventable accident, they would be liable for excessive damages. But as we all know, there is a liability cap for passenger accidents.

And for hazardous materials accidents, the railroads have been shipping

chlorine and ammonia for decades. It is offensive that only when a railroad could face full liability for an accident that they find operation without PTC to be unacceptably dangerous.

The railroads' overtly political threats of economic calamity are not constructive. They serve only to create a hysterical atmosphere that prevents meaningful negotiations.

It is entirely inappropriate that the railroad industry would make hostages of America's passenger rail services and chemical shippers in order to secure their favored legislative outcome.

What we are discussing today is a bad proposal. We should be prioritizing public safety. But this House-passed provision does not.

The proper place for this debate is in the long-term transportation reauthorization bill.

It is very unfortunate that this has been attached to a must-pass short term extension of the highway trust fund.

Ms. STABENOW. Mr. President, today's extension of the deadline to fully implement positive train control technology is deeply disappointing. Passing this extension means that our rail system failed to make good on its original deadline, despite having nearly 7 years to do so.

There are many reasons for the failure to meet this deadline, and the responsibility for this failure is widely shared. The critical bottom line, however, is that positive train control saves lives. And we were tragically reminded of that fact again last May, when the derailment of a speeding train near Philadelphia killed eight passengers, including a wonderful Michigan native, Rachel Jacobs, and injured 200 others. Had positive train control been in place on this section of track, it could have prevented this terrible tragedy.

I understand that today's extension includes concrete milestones, new progress reports, and stronger oversight by the Department of Transportation to ensure positive train control is a reality sooner rather than later. This needs to be a top priority for all of those responsible for getting this done. This extension should not be seen as an excuse to slow progress. We cannot allow any further delays on installing this essential, lifesaving technology.

Mr. BOOKER. Mr. President, as the Senate votes today on a short-term extension of the highway trust fund and an extension of the deadline for positive train control, I rise to discuss the importance of transportation safety and the need for vigorous oversight as both passenger and freight railroads strive to implement this life-saving technology.

Congress passed legislation 7 years ago that gave our Nation's rail carriers until December 31 of this year to fully deploy and implement positive train

control, or PTC, on all rail lines that carry passengers or toxic substances. Some railroads have made the investments necessary to make significant progress in meeting this deadline, and others have been slower for a number of reasons, ranging from the costs to the complexity of the technology.

The necessity of quickly implementing PTC took on a renewed urgency in May of this year when Amtrak train 188 derailed in Philadelphia, taking the lives of eight passengers and injuring hundreds more. PTC could have prevented this accident, and I am grateful the Federal Railroad Administration took swift action with Amtrak to improve safety in certain high-risk sections of the Northeast corridor. But more must be done across the country and as soon as possible.

In recent months, with a deadline looming, Members on both sides of the aisle have heard from railroads as well as downstream producers, shippers, and manufacturers who rely on transporting goods by rail. All stakeholders seem to recognize the importance of using new technology to make our railways safer. What has not had equal consensus is how long it should take for this new technology to be installed and utilized. Recent legislative proposals, including in the Senate-passed DRIVE Act, would have created enforcement loopholes that weaken the tools of Federal safety regulators.

The bipartisan PTC language considered today closes these loopholes and sets a new implementation deadline of December 31, 2018. Railroads will be required to set up implementation plans with clear benchmarks and timelines that will be enforceable by the Department of Transportation.

In what I hope will be very rare cases in which railroads may need an extension beyond that deadline, a limited period, not to exceed 24 months in total, may be applied should the railroad meet strict criteria. These criteria include having PTC already implemented in the majority of its territories, acquisition of all needed spectrum for implementation, installation of all necessary hardware components, completion of employee trainings, and any additional criteria established by the Secretary.

While railroads and commuter authorities face an immense challenge in implementing PTC, now and always, we must place the safety of our citizens above the fear of difficulties incurred by necessary technological change.

As Congress extends the deadline for this lifesaving technology, we must also extend our oversight and commit to meticulous and thorough review of the ongoing implementation process. We should confirm outstanding nominees, including the nominee for FRA

Administrator, who has direct oversight responsibilities over PTC. Congress must also invest more in our Nation's infrastructure and enable railroads to access grants and various funding sources to help implement this technology, as well as other critical safety and state-of-good-repair needs. We should remain diligent in ensuring that critical benchmarks and good-faith efforts to install the technology are being made by industry and, if necessary, take actions to ensure compliance.

I urge my colleagues to stand with me in calling for reasonable and commonsense conditions as we work to ensure every train hauling people and toxic materials in this Nation can operate as safely as possible with new technology.

REGULATING ELECTRONIC CIGARETTES

Mrs. BOXER. Mr. President, it has now been more than 6 years since Congress gave the FDA authority to regulate the tobacco industry, and it is absolutely outrageous that we are still waiting for a final rule that would protect our children from e-cigarettes.

What has happened while we wait? E-cigarette use among middle and high school students tripled last year compared to the year before. That means that as many as 2.5 million children are now experimenting with these dangerous products.

While we are finally making progress in reducing traditional cigarette smoking among young people, the soaring use of e-cigarettes is putting our children at risk of lifelong addiction to nicotine.

Every day that e-cigarettes continue to go unregulated, more and more children and teens are being exposed to nicotine—which according to the Surgeon General poses health risks for adolescent brain development.

E-cigarettes also contain potentially dangerous chemicals like benzene, cadmium, formaldehyde, propylene glycol, and some of the very same nanoparticles that are in traditional cigarettes according to the California Department of Public Health.

But those chemicals are masked by e-cigarette flavors like bubble gum and gummy bear—which are clearly marketed toward children.

And the industry's dangerous targeting of young people is working. New research published in the *Journal of the American Medical Association* just this week shows that 81 percent of teens who have ever tried an e-cigarette started with a flavored one—81 percent.

Combine those flavors with TV ads airing during the most popular youth TV shows and Big Tobacco is clearly seeking to lure the next generation into a lifetime of addiction to their

products. A study published in the journal *"Pediatrics"* last year found that youth exposure to television e-cigarette advertisements increased 256 percent from 2011 to 2013.

This is not an accident. Big Tobacco used the same marketing tactics with traditional cigarettes decades ago—until we stopped them. These companies will not stop until millions more are hooked on nicotine.

So what do we do? We need to protect the health of our children by regulating e-cigarettes just like traditional cigarettes.

The administration needs to issue the final FDA rule to regulate e-cigarettes, which is currently at OMB. It has been more than a year and a half since it was first proposed. While this rule may not go as far as I would like, it is a critical first step, and it must be approved immediately.

First, the regulation should ban the sale of e-cigarettes to minors because it is just common sense. Take these dangerous products out of the hands of our children.

Nearly every State already bans sales to minors—it is beyond time the Federal Government makes this the law of the land.

Second, the FDA should subject products to FDA review before they can be marketed.

Third, the FDA should ensure that e-cigarettes are labeled with health warnings.

Fourth, I want the FDA to go even further and ban flavors and marketing tactics that appeal to children—and ban online sales as well.

Now, we have seen some progress in how e-cigarettes are being handled—like the Department of Transportation's announcement yesterday that it will ban e-cigarettes from checked bags to reduce the risk of fires in flight. But we are still waiting for the final DOT rule prohibiting the use of e-cigarettes on board airplanes—where passengers are subject to the potentially toxic secondhand exposure.

The cost of doing nothing is putting too many lives at risk. The research is clear, and as time goes by, Americans are worried for their health and safety—and parents are worried about the long-term health consequences for our children.

Just listen to what Sondra, from Corona, CA, told me. She says, "I have worked in our local high schools for almost 15 years. The e-cigarettes definitely need to be regulated for people under 18. I am consistently told by students that 'these are better' than traditional cigarettes. They don't realize the harm and the addictive qualities are still present."

There is no time to lose. We don't need another public health epidemic just as we have finally started to save lives by reducing cigarette smoking.

I join my colleagues and urge the administration to finalize the pending

regulation. We cannot wait another day.

REMEMBERING DR. JIM SAMPSON

Mr. WYDEN. Mr. President, I wish to honor an illustrious individual in both Oregon and the Nation's HIV/AIDS research and treatment community who passed away on October 4 of this year. Dr. Jim Sampson, while born a Georgia southerner, made Portland, OR, his home for the past 36 years. As a father, husband, brother, uncle, and friend, Jim generated an inclusive atmosphere of passion, love, and laughter wherever he went. As a medical doctor and a fervent leader in the fight against HIV/AIDS through research and treatments, Jim brought hope and compassion to his daily interactions with colleagues and patients alike. For Jim, no person or job was too big or too small to embrace.

In 1979, after Jim graduated from Emory University and the Medical College of Georgia, he moved to Portland to become the medical director of the health services division and the HIV/AIDS program at Multnomah County Health Department. At a time when a lack of public education and stigmatization of HIV/AIDS stymied research in America, Jim fought to build a greater understanding of the disease. Because of Jim's desire to see HIV/AIDS prevention and treatment improve through extensive research and because of the way he showed love and hope in his interactions with his patients, Jim helped push the doors open wide in the fight against HIV/AIDS.

Over the years, Jim expanded his involvement in the community and the field of HIV/AIDS research and treatment. He would go on to become the chairman of the Oregon Board of Medical Examiners; cofound the Oregon AIDS taskforce; cofound Art AIDS; and sit as executive director and principal investigator at the Research and Education Group, where Jim and his colleagues conducted clinical research. Jim even managed to find time to serve on the board of trustees for the Portland Institute for Contemporary Art and the Pacific Northwest College of Art. Also, over the past 35 years, both Jim and his husband, Geof Beasley, created an unbelievable Sherwood, OR, garden, Bella Madrona, a place where Jim's love of community, advocacy, and family still live on. The Bella Madrona garden has been nationally and internationally recognized, not only for its remarkable beauty, but as the site for many benefits through the years, including human and animal rights, environmental causes, and the arts.

Jim was a valued and loved leader, a healer, and a family man worthy of emulation. With a full and loving heart and an ambitious mindset, Jim selflessly served Oregon and the Nation.

While Jim will be remembered by those whose lives he touched, he will especially be remembered as a loving husband and partner of 47 years to Geof Beasley; dedicated father to daughter Adele; and caring brother to sisters, Miriam Tillman and Elizabeth Martin, and brother, George. I honor the esteemed life and career of Dr. Jim Sampson and thank him for his enduring legacy.

CONGRATULATING THE 40TH ANNIVERSARY OF THE SKANNER NEWS GROUP

Mr. WYDEN. Mr. President, this year marks the 40th anniversary of the Skanner News Group, a renowned print and online news publication that serves African and African-American communities in Portland, OR, and the Northwest.

Since 1975, the Skanner News Group has provided in-depth and essential coverage of its community as it relates to politics, social justice, civil rights, art, and food, all while holding true to its mission statement: "Challenging people to shape a better future now." The Skanner certainly has been a catalyst for change. In the late 1980s, it was the Skanner's coverage of the debate to rename Union Avenue in Northeast Portland for Martin Luther King Jr. Boulevard that played a crucial role in ensuring the community's request was fulfilled. Whether it is honoring minority-owned businesses or running profiles on the Black Lives Matter movement, the Skanner is there to cover and inform all of us in Portland about the most important issues and topics of our time.

The Skanner's long list of awards is a testament not just to the importance of this publication, but also the quality of its reporting. It has received multiple National Newspaper Publishers Association awards and is a three-time winner of the West Coast Black Publishers Association's "Publisher of the Year" award. As well as the national recognitions are local well-earned accolades that further demonstrate what the Skanner means to readers across the Northwest.

Behind the success of this historic publication is a hard-working team that has been instrumental in building the Skanner these past four decades and positioning it for success for decades to come. I would like to especially acknowledge cofounders Bobbie and Bernie Foster, two people I consider the heart and soul of this operation. Beyond the publication, they created the Skanner Foundation, which runs a scholarship program that awards \$1,000 each to the best and brightest young people to help them accomplish their educational goals. Bobbie and Bernie's passion for giving back is a key component of what makes them and the Skanner so special.

In addition to all this great work, the foundation organizes an annual Dr. Martin Luther King, Jr., breakfast that is renowned in Oregon as being an event that justly honors one of the greatest civil rights leaders of our time. I have been privileged to attend the breakfast and know full well what a huge impact it has.

The Skanner News Group is an institution that serves to better our community, by inspiring, uplifting, and informing. I would like to congratulate the staff on reaching their 40th anniversary and wish them the best in the years to come.

ADDITIONAL STATEMENTS

CONGRATULATING DICK ANDERSON

• Mr. HELLER. Mr. President, today I wish to congratulate Richard "Dick" Anderson on receiving the United Service Organization, USO, Volunteer of the Year award. USO Las Vegas proudly offers two locations within McCarran International Airport for our Nation's servicemembers and their families to relax and feel at home. Open 24 hours and staffed by volunteers like Mr. Anderson, each location offers these brave men and women a place to enjoy free electronic stations, entertainment, and food service. I am grateful for all USO Las Vegas does for Nevada's servicemembers, and it gives me great pleasure to see a fellow Nevadan, Mr. Anderson, receive this national award in recognition for volunteering to make this operation a reality.

Mr. Anderson has been an incredible contributor to this organization, dedicating countless volunteer hours to help military families. He serves as volunteer outreach team leader and welcome home/deployment assist team leader. Throughout the past year, USO Las Vegas has undergone great change with the installment of an additional location at McCarran International Airport. During this time, Mr. Anderson offered a great amount of support to the organization and even created the volunteer outreach team to meet the extra need for volunteers at the new location.

Throughout his time volunteering, Mr. Anderson has worked tirelessly to plan numerous events, recruit volunteers, and further expand the organization. His determination has proven to be successful, helping to bring in more than 500 new volunteers since July 2014. From Easter events to fundraising and recruiting, Mr. Anderson has truly put our military community first. Our State is fortunate to have someone like Mr. Anderson—a man of great selflessness and commitment—working to help our Nation's heroes and their families.

There is no way to adequately thank our servicemembers who put their lives

on the line in defense of our freedoms. Mr. Anderson is a shining example of the manner in which we should respect our men and women in uniform. He deeply cares for our veterans, working to make each moment he volunteers count. Without a doubt, his work brings greater happiness to Las Vegas' military community.

Today, I ask my colleagues and all Nevadans to join me in recognizing all of Mr. Anderson's hard work and congratulating him on receiving this much deserved award. Nevada is lucky to have this incredible community member working to support our military men and women, and I wish him the best of luck in all of his future endeavors.●

RECOGNIZING MARCH FARM

• Mr. MURPHY. Mr. President, I wish to congratulate March Farm, a fourth generation family farm from Connecticut, on its 100-year anniversary. Since 1915, when Thomas and Rose Marchukaitis put down \$2,500 to buy 114 acres of land, the March family has worked hard to produce delicious and healthy fruits and vegetables for the people of Connecticut.

March Farm, like many of Connecticut's nearly 6,000 farms, is small and family owned. Situated in beautiful Bethlehem, CT, they have a growing community supported agriculture business that now has about 90 members receiving regular crates of produce. They have worked hard to implement efficient, modern farming practices, even as they eschew chemical pesticides and use environmentally sensitive pest management practices. These practices and the bucolic setting they are located in are part of the reason they were recently named Connecticut's "best farm/orchard experience" by Connecticut Magazine.

Many of my colleagues may be surprised to think of Connecticut as a farming state, but I am glad to report that farming is alive, well, and growing at home. The movement towards locally produced fruits and vegetables and a growing awareness among consumers about healthy, sustainable food choices has supported a nearly 60 percent increase in the number of farms in Connecticut since the 1980s. And many young people, like Ben March, are leaving desk jobs to rediscover the fulfillment of farming, reinvigorating this vital sector.

These farms are an integral part of the fabric of our communities, but they need our help to continue to thrive. Although small farms like March Farm make up fully 90 percent of all farms in the United States, large operations account for the vast bulk of production and sales of produce nationwide. Small family farms face a number of challenges, not least slimmer profit margins and higher risk. I will continue to

fight for small, local farm supports such as beginning farmer and rancher grants and robust farm safety net programs.

March Farm is an example of the best of Connecticut, and I wish them continued success over their next 100 years.●

RECOGNIZING ARROWROCK DAM

● Mr. RISCH. Mr. President, I wish to recognize the 100th anniversary of Arrowrock Dam, situated in the great State of Idaho and its own "eighth wonder of the world." This landmark is a testament to the vision and hard work of the U.S. Bureau of Reclamation in both the initial building of the structure and keeping it operational over the past 100 years.

Formerly, the site of a private irrigation venture helmed by Arthur De Wint Foote, the Arrowrock Dam was the grandest project undertaken by the Bureau of Reclamation when it began in 1912. The dam stands at 350 feet high and spans 1,150 feet with a record breaking 527,300 cubic yards of concrete laid on the dam.

The magnificent dam was dedicated 100 years ago on October 4, 1915. It set many records, standing as the tallest dam in the world until a taller one was built in Switzerland in 1924. Arrowrock proved to be a popular tourist attraction in that first year, drawing approximately 12,000 visitors in its first week of operation. The Arrowrock Dam received acclaim from across the country and even the world.

Arrowrock Dam has allowed Idahoans to not only preserve our lands, but also thrive by providing needed irrigation water for agricultural uses. Caring for the land shows a commitment to future generations while using the resources provided for the needs of today. In addition, thousands of people a year enjoy the many recreational activities provided by the dam. We have enjoyed 100 years of protection from Arrowrock, and I look forward to continued improvement of the dam and its service to the people of Boise and other Idahoans.

I congratulate everyone involved in its building, as well as the continued maintenance of this landmark. I wish them all the best as we all celebrate the past and look ahead to the future of Arrowrock Dam.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY RELATIVE TO THE ACTIONS AND POLICIES OF THE GOVERNMENT OF SUDAN AS DECLARED IN EXECUTIVE ORDER 13067 OF NOVEMBER 3, 1997—PM 30

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Sudan is to continue in effect beyond November 3, 2015.

The crisis constituted by the actions and policies of the Government of Sudan that led to the declaration of a national emergency in Executive Order 13067 of November 3, 1997, and the expansion of that emergency in Executive Order 13400 of April 26, 2006, and with respect to which additional steps were taken in Executive Order 13412 of October 13, 2006, has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13067 with respect to Sudan.

BARACK OBAMA.

THE WHITE HOUSE, October 28, 2015.

MESSAGES FROM THE HOUSE

At 11:32 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 597. An act to reauthorize the Export-Import Bank of the United States, and for other purposes.

H.R. 1090. An act to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes.

At 5:56 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the amendment to the Senate to the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations, with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1090. An act to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 597. An act to reauthorize the Export-Import Bank of the United States, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3319. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Fresh Peppers From Ecuador Into the United States" (RIN0579-AE07) (Docket No. APHIS-2014-0086) received in the Office of the President of the Senate on October 26, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3320. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of three (3) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-3321. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-3322. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulations: Export Control" (RIN1991-AB99) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Energy and Natural Resources.

EC-3323. A communication from the Principal Deputy Assistant Secretary for Fish

and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations, Areas of the National Park System, Klondike Gold Rush National Historical Park, Horse Management" (RIN1024-AE27) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Energy and Natural Resources.

EC-3324. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of the Expiration Date for State Disability Examiner Authority To Make Fully Favorable Quick Disability Determinations and Compassionate Allowance Determinations" (RIN0960-AH77) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Finance.

EC-3325. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Supplement to Rev. Proc. 2014-64, Implementation of Nonresident Alien Deposit Interest Regulations" (Rev. Proc. 2015-50) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Finance.

EC-3326. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—November 2015" (Rev. Rul. 2015-22) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Finance.

EC-3327. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2015-71) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Finance.

EC-3328. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Morehouse v. Commissioner, 769 F.3d 616 (8th Cir. 2014), rev'g 140 T.C. 350 (2013)" received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Finance.

EC-3329. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Request for Comments on Definitions of Section 48 Property" (Notice 2015-70) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Finance.

EC-3330. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2015 National Pool" (Rev. Proc. 2015-49) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Finance.

EC-3331. A communication from the Chief of the Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Listing Notice—Basket Option Contracts" (Notice 2015-73) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Finance.

EC-3332. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2015-1702); to the Committee on Foreign Relations.

EC-3333. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2015-1700); to the Committee on Foreign Relations.

EC-3334. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2015-1701); to the Committee on Foreign Relations.

EC-3335. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2015-1703); to the Committee on Foreign Relations.

EC-3336. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-068); to the Committee on Foreign Relations.

EC-3337. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-090); to the Committee on Foreign Relations.

EC-3338. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-079); to the Committee on Foreign Relations.

EC-3339. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-078); to the Committee on Foreign Relations.

EC-3340. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-076); to the Committee on Foreign Relations.

EC-3341. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-055); to the Committee on Foreign Relations.

EC-3342. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-067); to the Committee on Foreign Relations.

EC-3343. A communication from the Assistant Secretary, Legislative Affairs, Depart-

ment of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-012); to the Committee on Foreign Relations.

EC-3344. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; OR; Portland, Medford, Salem; Clackamas, Multnomah, Washington Counties; Gasoline Dispensing Facilities" (FRL No. 9936-03-Region 10) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Environment and Public Works.

EC-3345. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Arizona; Phased Discontinuation of Stage II Vapor Recovery Program" (FRL No. 9935-66-Region 9) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Environment and Public Works.

EC-3346. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Florida; Regional Haze Plan Amendment-Lakeland Electric C.D. McIntosh" (FRL No. 9936-05-Region 4) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Environment and Public Works.

EC-3347. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans for Designated Facilities; New York" (FRL No. 9936-09-Region 2) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Environment and Public Works.

EC-3348. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for Maryland" (FRL No. 9917-72-Region 3) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Environment and Public Works.

EC-3349. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Nevada; Infrastructure Requirements for Ozone, NO₂ and SO₂" (FRL No. 9935-82-Region 9) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Environment and Public Works.

EC-3350. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3351. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-165, "Behavioral Health Coordination of Care Amendment Act of 2015";

to the Committee on Homeland Security and Governmental Affairs.

EC-3352. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-166, "Unemployment Profile Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3353. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-167, "Injured Worker Fair Pay Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3354. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-168, "Grandparent Caregivers Program Subsidy Transfer Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3355. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-169, "1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3356. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-170, "4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3357. A communication from the Acting Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Special Wage Schedules for U.S. Army Corps of Engineers Flood Control Employees of the Vicksburg District in Mississippi" (RIN3206-AN17) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3358. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the Administration's Fiscal Year 2015 Commercial Activities Inventory and Inherently Governmental Activities Inventory; to the Committee on Homeland Security and Governmental Affairs.

EC-3359. A communication from the Deputy Director, Indian Health Service, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Change of Address for the Interior Board of Indian Appeals" (42 CFR Part 137) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Indian Affairs.

EC-3360. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Facilitate Applicant's Authorization of Access to Unpublished U.S. Patent Applications by Foreign Intellectual Property Offices" (RIN0651-AC95) received in the Office of the President of the Senate on October 26, 2015; to the Committee on the Judiciary.

EC-3361. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Atka Mackerel

in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE224) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3362. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2015 Recreational Accountability Measure and Closure for Red Group-er" (RIN0648-XE217) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3363. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; 'Other Rockfish' in the Central and Western Regulatory Areas of the Gulf of Alaska" (RIN0648-XE213) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3364. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE224) received in the Office of the President of the Senate on October 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3365. A communication from the Senior Assistant Chief Counsel for Hazmat Safety Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Special Permit and Approvals Standard Operating Procedures and Evaluation Process" (RIN2137-AE99) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3366. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "General Technical, Organizational, Conforming, and Correcting Amendments to the Federal Motor Carrier Safety Regulations" (RIN2126-AB83) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3367. A communication from the Attorney-Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Design Standards for Highways" (RIN2125-AF67) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3368. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, the report of a rule entitled "Organization and Functions of the Board and Delegations of Authority" (RIN3147-AA03) received in the Office of the President of the Senate on October 26, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3369. A communication from the Man-
agement and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Canada Corp. Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2014-1059)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3370. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Canada Corp. Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2015-0486)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3371. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Viking Air Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0684)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3372. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-1046)) received in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3373. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CFM International S.A. Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2015-0277)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3374. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-1419)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3375. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0493)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3376. A communication from the Man-
agement and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lycoming Engines Fuel Injected Reciprocating Engines" ((RIN2120-AA64) (Docket No. FAA-2007-0218)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3377. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piper Aircraft, Inc." ((RIN2120-AA64) (Docket No. FAA-2015-4085)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3378. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company Turbohaft Engines" ((RIN2120-AA64) (Docket No. FAA-2008-0808)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3379. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. Turboprop Engines (Type Certificate previously held by AlliedSignal Inc., Garrett Engine Division; Garrett Turbine Engine Company; and AiResearch Manufacturing Company of Arizona)" ((RIN2120-AA64) (Docket No. FAA-2012-0913)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3380. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0677)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3381. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0934)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3382. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-3877)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3383. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0656)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3384. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-4203)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3385. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-3981)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3386. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Sailplanes" ((RIN2120-AA64) (Docket No. FAA-2015-3224)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3387. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0108)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3388. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Restricted Areas R-3601A and R-3601B; Brookville, KS" ((RIN2120-AA66) (Docket No. FAA-2015-3780)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3389. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Restricted Areas R-3602A and R-3602B; Manhattan, KS" ((RIN2120-AA66) (Docket No. FAA-2015-3758)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3390. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Springfield, MO" ((RIN2120-AA66) (Docket No. FAA-2014-0559)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3391. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Sheridan, AR" ((RIN2120-AA66) (Docket No. FAA-2015-1338)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3392. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Cottonwood, AZ" ((RIN2120-AA66) (Docket No. FAA-2015-2270)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3393. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Marshall, AR" ((RIN2120-AA66) (Docket No. FAA-2015-1833)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3394. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Newport, NH" ((RIN2120-AA66) (Docket No. FAA-2014-0037)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3395. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Ponce, PR" ((RIN2120-AA66) (Docket No. FAA-2014-0967)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3396. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Nebraska towns: Albion, NE; Bassett, NE; Lexington, NE" ((RIN2120-AA66) (Docket No. FAA-2015-0841)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3397. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class D Airspace; Springfield, OH" ((RIN2120-AA66) (Docket No. FAA-2014-1071)) received during adjournment of the Senate

in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3398. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Ashland, VA" ((RIN2120-AA66) (Docket No. FAA-2015-0252)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3399. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Iowa towns: Audubon, IA; Corning, IA; Cresco, IA; Eagle Grove, IA; Guthrie Center, IA; Hampton, IA; Harlan, IA; Iowa Falls, IA; Knoxville, IA; Oelwein, IA; and Red Oak, IA" ((RIN2120-AA66) (Docket No. FAA-2015-0368)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3400. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Stockton, CA" ((RIN2120-AA66) (Docket No. FAA-2015-1622)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3401. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace, Revocation of Class E Airspace; Mountain Home, ID" ((RIN2120-AA66) (Docket No. FAA-2015-1136)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3402. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airspace Designations; Incorporation by Reference Amendments" ((RIN2120-AA66) (Docket No. FAA-2015-3375)) received during adjournment of the Senate in the Office of the President of the Senate on October 23, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-101. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Congress and the United States Department of the Army to accelerate federal funding to improve military vehicle safety from rollover accidents; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 156

Whereas, The United States Department of Defense is seeking to implement fleet man-

agement and modernization solutions to meet light tactical vehicle (LTV) requirements while addressing the challenges associated with improving safety, restoring threshold capabilities, maintaining average fleet age, mitigating major component obsolescence, and reducing sustainment and operating costs; and

Whereas, The Michigan National Guard and Michigan military community have been and will continue to utilize the high mobility multipurpose wheeled vehicle (HMMWV) in their missions to support and protect the United States. Non-armored and up-armored HMMWVs are projected to be in the fleet through 2048; and

Whereas, Preventable deadly rollover accidents continue in the HMMWV fleet. Data from the U.S. Army Combat Readiness Safety Center indicates that a significant number of HMMWV rollover accidents and crashes continue today, resulting in death and injury. Accidents occur outside the United States and also within U.S. borders during peace missions and training exercises, endangering the lives and property of civilians as well; and

Whereas, National Highway Traffic Safety Administration report data indicates that antilock brake systems (ABS) and electronic stability control (ESC) reduce fatal rollovers by 74 percent and fatal impacts with objects by 45.5 percent. The United States government has mandated ABS and ESC in all road-going passenger vehicles since 2011, and they are now standard equipment on all passenger cars, light trucks, and vans. The technology has been available to the public since 1987; and

Whereas, The HMMWV is not currently equipped with ABS or ESC. The HMMWV threshold operational requirements include ABS and ESC for the entire HMMWV fleet. Therefore, these vehicles need to be brought up to operational requirements; and

Whereas, The Army Product Director Light Tactical Vehicles, the Michigan National Guard, and the industry have successfully developed and tested solutions using commercial off-the-shelf components modified for defense vehicle application. The proven components, obtained from Michigan's high-volume automotive supply base, can be used to retrofit the entire fleet; and

Whereas, Installation of these standard automotive safety enhancement systems will considerably lower the number of HMMWV rollovers and loss-of-control crashes, save lives, and reduce costs; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Congress and the U.S. Department of the Army to accelerate federal funding to improve military vehicle safety from rollover accidents; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate; the Speaker of the United States House of Representatives; the Chairman of the United States Senate Armed Services Committee; the Chairman of the House Armed Services Committee; the Chairman of the Senate Appropriations Subcommittee for Defense; the Chairman of the House Appropriations Subcommittee for Defense; the Under Secretary of the Army; the Commandant of the Marine Corps; the Chief of the National Guard Bureau; the Assistant Secretary of the Army for Acquisition, Logistics, and Technology; and the members of the Michigan congressional delegation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KING:

S. 2212. A bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of \$1,000 or more from any contributor during a calendar year, and for other purposes; to the Committee on Rules and Administration.

By Mr. BLUMENTHAL (for himself, Mrs. FEINSTEIN, Mr. MURPHY, Ms. WARREN, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HIRONO, Mrs. BOXER, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. REED, Mr. KAINE, and Mr. CARDIN):

S. 2213. A bill to prohibit firearms dealers from selling a firearm prior to the completion of a background check; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself, Ms. WARREN, Ms. STABENOW, Mr. BROWN, and Mr. BLUMENTHAL):

S. 2214. A bill to amend the Federal Food, Drug, and Cosmetic Act to require patient medication information to be provided with certain prescription drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself, Mr. MANCHIN, Mr. ENZI, Mr. THUNE, and Mr. ROBERTS):

S. 2215. A bill to prohibit discretionary bonuses for employees of the Internal Revenue Service who have engaged in misconduct or who have delinquent tax liability; to the Committee on Finance.

By Ms. COLLINS (for herself and Mrs. MCCASKILL):

S. 2216. A bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. CARPER, Mr. LEAHY, Mrs. SHAHEEN, Mr. FRANKEN, Mr. MERKLEY, Mr. MURPHY, and Mr. KAINE):

S. Res. 299. A resolution honoring the life, legacy, and example of former Israeli Prime Minister Yitzhak Rabin on the twentieth anniversary of his death; to the Committee on Foreign Relations.

By Mr. ENZI (for himself, Mr. DONNELLY, Mr. ROBERTS, Mr. BENNET, Mr. HATCH, Mr. UDALL, Mr. CORNYN, Mr. HEINRICH, Mr. WICKER, Mr. WHITEHOUSE, Mr. LEE, Ms. BALDWIN, Mr. MORAN, Mrs. FEINSTEIN, Mr. HOEVEN, Mrs. GILLIBRAND, Mr. THUNE, Mr. SCHUMER, Mr. PORTMAN, Mr. TESTER, Mr. INHOFE, and Mr. MARKEY):

S. Res. 300. A resolution designating November 7, 2015, as National Bison Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 398

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 398, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 451

At the request of Ms. BALDWIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 451, a bill to award grants to encourage State educational agencies, local educational agencies, and schools to utilize technology to improve student achievement and college and career readiness, the skills of teachers and school leaders, and the efficiency and productivity of education systems at all levels.

S. 488

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 488, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 569

At the request of Mr. LEAHY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 569, a bill to reauthorize the farm to school program, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 1192

At the request of Mr. BROWN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1192, a bill to amend the Public Health Service Act to raise awareness of, and to educate breast cancer patients anticipating surgery, especially patients who are members of

racial and ethnic minority groups, regarding the availability and coverage of breast reconstruction, prostheses, and other options.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1559

At the request of Ms. AYOTTE, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1617

At the request of Mrs. SHAHEEN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1617, a bill to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

At the request of Mr. HELLER, his name was added as a cosponsor of S. 1617, *supra*.

S. 1726

At the request of Mr. MERKLEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1726, a bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes.

S. 1773

At the request of Mr. BROWN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1773, a bill to amend title 11, United States Code, to require creditors to inform consumer reporting agencies that certain debts have been discharged in bankruptcy cases.

S. 1789

At the request of Mr. PETERS, his name was added as a cosponsor of S. 1789, a bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1833

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1833, a bill to amend the

Richard B. Russell National School Lunch Act to improve the child and adult care food program.

S. 1852

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1852, a bill to amend title XIX of the Social Security Act to ensure health insurance coverage continuity for former foster youth.

S. 1890

At the request of Mr. HATCH, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 1966

At the request of Mr. BOOZMAN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1966, a bill to amend the Richard B. Russell National School Lunch Act to require alternative options for program delivery.

S. 2035

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2035, a bill to provide for the compensation of Federal employees affected by a lapse in appropriations.

S. 2040

At the request of Mr. CORNYN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2040, a bill to deter terrorism, provide justice for victims, and for other purposes.

S. 2042

At the request of Mrs. MURRAY, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2042, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2067

At the request of Mr. WICKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative

treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2104

At the request of Mr. PORTMAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2104, a bill to amend title XVIII of the Social Security Act to provide relief to Medicare Advantage plans with a significant number of dually eligible or low-income subsidy beneficiaries and to prevent the termination of two star plans.

S. 2133

At the request of Mr. CARPER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2133, a bill to improve Federal agency financial and administrative controls and procedures to assess and mitigate fraud risks, and to improve Federal agencies' development and use of data analytics for the purpose of identifying, preventing, and responding to fraud, including improper payments.

S. 2145

At the request of Mr. LEAHY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2145, a bill to make supplemental appropriations for fiscal year 2016.

S. 2185

At the request of Ms. HEITKAMP, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Michigan (Ms. STABENOW), the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Mrs. MURRAY), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from California (Mrs. BOXER), and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2192

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2192, a bill to ensure that States submit all records of individuals who should be prohibited from buying a firearm to the national instant criminal background check system.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mrs. MCCASKILL):

S. 2216. A bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. COLLINS. Mr. President, as Chairman of the Senate Aging Com-

mittee, I am delighted to be joined today by my ranking member and good friend, Senator CLAIRE MCCASKILL, in introducing the SeniorSafe Act of 2015, a bill that would put in place a common sense plan to help protect American seniors from financial fraud.

According to the GAO, financial fraud targeting older Americans is a growing epidemic that costs seniors an estimated \$2.9 billion annually.

Protecting seniors from financial exploitation and fraud is one of the top priorities of the Aging Committee. Over the course of the past two and a half years, our Committee has held 15 hearings, six since January, examining how fraudsters find and exploit their victims and what can be done to stop them. The frauds we have highlighted have ranged from the infamous "Jamaican Lottery Scam," that reached its height in 2013, to the notorious IRS phone scam that burst onto the scene this spring, and, more recently, to the shady practices of the pension advance industry. Sadly, not all scammers are strangers to their victims, in too many cases, the senior is exploited by someone he or she knows well.

Although the various scams we have examined differ in scope and structure, one factor is common to all—the fraudsters need to gain the trust and active cooperation of their victims. Without this, their schemes would fail. That is why it is so important that seniors recognize as quickly as possible the red flags that signal potential fraud.

Unfortunately, many seniors do not see these red flags. Sometimes they are too trusting or are suffering from diminished capacity, but, just as often, they miss the flags because the swindlers who prey on them are extremely crafty and know how to sound convincing. Whatever the reason, a warning sign that can slip by a victim might trigger a second look by financial service representatives trained to spot common scams, who know enough about a senior's habits to question a transaction that doesn't look right. In our work on the Aging Committee, we have heard of many instances where quick action by bank and credit union employees, broker-dealers, and investment advisors has stopped a fraud in progress, saving their customers untold thousands of dollars.

Let me give you an example. Earlier this year, a senior citizen in Vassalboro, ME, was looking to wire funds from his account at Maine Savings Federal Credit Union to an out-of-state location, supposedly to bail out a relative who was in jail. Something about this transaction didn't sound right to the teller supervisor at the credit union. She questioned the customer, who told her he had gotten a call from an "official" at the jail, who had instructed him not to speak to anyone about the transaction. Fortu-

nately for this senior citizen, this supervisor was able to spot this as a scam, and her quick thinking saved him from falling victim to it.

In another case, just two weeks ago, an alert bank employee in Nebraska noticed suspicious withdrawals from the checking account of a senior citizen who was a customer of the bank. Not knowing what to do, and without sharing confidential information, this bank teller called the Senate Aging Committee's fraud hotline for guidance. Our staff advised her to contact the local Area Agency on Aging. With the SeniorSafe program in place, bank tellers all over the country will know how to respond when situations like this arise in the future.

Regrettably, Federal laws with the important intention of protecting consumer privacy can make it difficult for financial institutions to report suspected fraud to the proper authorities.

Our bill would clarify these laws to encourage banks, credit unions, investment advisors, and broker-dealers to report suspected financial fraud targeting senior citizens to regulators, law enforcement, or adult protective services agencies.

A key feature of the bill is the liability protection it provides: financial institutions and their employees are protected from suit so long as employees are trained in how to spot and report suspected financial exploitation; their reports are made in good faith and on a reasonable basis, and they report to the proper authorities.

Our bill is based on Maine's innovative SeniorSafe program, a collaborative effort by Maine's regulators, financial institutions, and legal organizations to educate bank and credit union employees on how to identify and help stop financial exploitation of older Mainers. This program, pioneered by Maine Securities Administrator Judith Shaw, also serves as the template for model legislation developed for adoption at the state level by the North American Securities Administrators Association, or "NASAA". The SeniorSafe Act and NASAA's model State legislation are complementary efforts, and I am pleased that NASAA has endorsed our bill.

Combating financial abuse of seniors requires regulators, law enforcement, and social service agencies at all levels of government to work collaboratively with the private sector. Financial institutions occupy a critical nexus between fraudsters and their victims, and can play an important role. Their employees, if properly trained, can be a first line of defense protecting our seniors from these fraudsters. The SeniorSafe Act encourages financial institutions to train their employees, and shields them from lawsuits when they make good faith, reasonable reports of potential fraud to the proper authorities.

I urge my colleagues to support it.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NORTH AMERICAN SECURITIES
ADMINISTRATORS ASSOCIATION, INC.,

Washington, DC, October 27, 2015.

Re The SeniorSafe Act of 2015.

Senator SUSAN COLLINS,
Chairman, Senate Special Committee on Aging,
Washington, DC.

Senator CLAIRE MCCASKILL,
Ranking Member, Senate Special Committee on
Aging, Washington, DC.

DEAR CHAIRMAN COLLINS AND RANKING
MEMBER MCCASKILL: On behalf of the North
American Securities Administrators Association ("NASAA"), I'm writing to express
strong support for your work to better protect
vulnerable adults from financial exploitation
through the introduction of the
SeniorSafe Act of 2015. Your legislation will
better protect seniors by increasing the likelihood
that financial exploitation targeting
the elderly will be identified by financial
services professionals, and by removing barriers
that might otherwise frustrate the reporting
of such exploitation to state securities
regulators and other appropriate governmental
authorities.

Senior financial exploitation is a difficult
but critical policy challenge. Many in our
elderly population are vulnerable due to social
isolation and distance from family, caregiver,
and other support networks. Indeed,
evidence suggests that as many as one out of
every five citizens over the age of 65 has been
victimized by a financial fraud. To be successful
in combating senior financial exploitation,
state and federal policymakers must
come together to weave a new safety net for
our elderly, breaking down barriers to identify
those who are best positioned to identify
red flags early on and to encourage reporting
and referrals to appropriate local, county,
state, and federal agencies, including law
enforcement.

As you know, state securities regulators,
working within the framework of NASAA,
are in the late-stages of our own concerted
effort to bolster protections for elderly
investors at risk of exploitation, including
through the development of model legislation
to be enacted by states to promote reporting
of suspected exploitation. While the
approaches contemplated by the recently announced
NASAA model legislation and the
SeniorSafe Act differ in some respects, they
are complementary efforts, both undertaken
with the shared goal of protecting seniors by
increasing the detection and reporting of
elderly financial exploitation.

The SeniorSafe Act consists of several
essential features. First, to promote and encourage
reporting of suspected elderly financial
exploitation by financial services professionals,
who are positioned to identify and report
"red flags" of potential exploitation, the bill
would incentivize financial services employees
to report any suspected exploitation by making
them immune from any civil or administrative
liability arising from such a report, provided
that they exercised due care, and that they make
these reports in good faith. Second, in order to
better assure that financial services employees
have the knowledge and training they require
to identify "red flags" associated with financial
exploitation, the bill would require that, as a
condition of receiving immunity, financial

institutions undertake to train certain personnel
regarding the identification and reporting of
senior financial exploitation as soon as practicable,
or within one year. Under the bill, employees
who would be required to receive such training
as a condition of immunity include supervisory
personnel; employees who come into contact
with a senior citizen as a regular part of their
duties; and employees who review or approve
the financial documents, records, or transactions
of senior citizens as a part of their regular
duties.

The benefits of the types of reporting that
the SeniorSafe Act aims to facilitate and encourage
are far-reaching. Elderly Americans stand to
benefit directly from such reporting, because
early detection and reporting can minimize their
financial losses from exploitation, and because
improved protection of their finances ultimately
helps preserve their financial independence and
their personal autonomy. Financial institutions
stand to benefit, as well, through preservation
of their reputation, increased community
recognition, increased employee satisfaction,
and decreased uninsured losses.

In conclusion, state securities regulators
congratulate you for introducing the SeniorSafe
Act of 2015. We share and support the goals
of this legislation, and look forward to working
closely with you as the legislation is considered
by the Senate.

Sincerely,

JUDITH M. SHAW,
NASAA President
and Maine Securities Administrator.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 299—HONORING THE LIFE, LEGACY, AND EXAMPLE OF FORMER ISRAELI PRIME MINISTER YITZHAK RABIN ON THE TWENTIETH ANNIVERSARY OF HIS DEATH

Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. CARPER, Mr. LEAHY, Mrs. SHAHEEN, Mr. FRANKEN, Mr. MERKLEY, Mr. MURPHY, and Mr. KAINE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 299

Whereas Yitzhak Rabin was born on March 1, 1922, in Jerusalem;

Whereas Yitzhak Rabin volunteered for the Palmach, the elite unit of the Haganah, the predecessor of the Israeli Defense Forces, and served for 27 years, including during the 1948 War of Independence, the 1956 Suez War, and as Chief of Staff in the June 1967 Six Day War;

Whereas Yitzhak Rabin served as Ambassador to the United States from 1968 through 1973, Minister of Defense from 1984 through 1990, and Prime Minister from 1974 through 1977 and from 1992 until his assassination in 1995;

Whereas, in 1975, Prime Minister Yitzhak Rabin signed the interim agreement with Egypt that laid the groundwork for the 1979 Camp David Peace Treaty between Israel and Egypt;

Whereas on September 13, 1993, in Washington, D.C., Yitzhak Rabin signed the Declaration of Principles framework agreement between Israel and the Palestinians, also known as the Oslo Accords;

Whereas, upon the signing of the Declaration of Principles, Yitzhak Rabin said to the

Palestinian people: "We say to you today in a loud and clear voice: Enough of blood and tears. Enough! We harbor no hatred toward you. We have no desire for revenge. We, like you, are people who want to build a home, plant a tree, love, live side by side with you—in dignity, empathy, as human beings, as free men.";

Whereas Yitzhak Rabin received the 1994 Nobel Peace Prize for his vision and bravery as a peacemaker;

Whereas, on October 26, 1994, Yitzhak Rabin and King Hussein of Jordan signed a peace treaty between Israel and Jordan;

Whereas, on November 4, 1995, Yitzhak Rabin was assassinated after attending a peace rally in Tel Aviv, where his last words were: "I have always believed that the majority of the people want peace, are prepared to take risks for peace. . . Peace is what the Jewish People aspire to.";

Whereas Yitzhak Rabin dedicated his life to the cause of peace and security for the state of Israel by defending his nation against all threats, including terrorism and invasion, and undertaking courageous risks in the pursuit of peace;

Whereas, in the years following Yitzhak Rabin's assassination, successive United States Administrations have sought to help Israel and the Palestinians achieve a negotiated two-state solution that ends their conflict;

Whereas today Israel and the Palestinian territories are the site of renewed terrorism and violence;

Whereas the continuation and deepening of the Israeli-Palestinian conflict in the absence of progress toward a two-state solution has contributed to suffering among both peoples, including being one of several factors driving the current terrorism and violence in Israel and the Palestinian territories; and

Whereas today, more than ever, the leadership of Yitzhak Rabin can be a model for securing peace during a time of conflict: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the life and accomplishments of Yitzhak Rabin and extends its deepest sympathy and condolences to his family and the people of Israel on the twentieth anniversary of his death;

(2) recognizes and reiterates its continued support for the close ties and special relationship between the people and Governments of the United States and Israel;

(3) reaffirms its commitment to the process of building a just and lasting peace between Israel and the Palestinians based on two states for two peoples, living side-by-side in peace and security; and

(4) calls on Israeli and Palestinian leaders to quell the current outbreak of terrorism and violence, and to resume work toward a negotiated two-state solution ending the conflict once and for all.

Mrs. FEINSTEIN. President, I rise today to submit a resolution recognizing the 20th anniversary of the assassination of Yitzhak Rabin.

On November 4, 1995, after a major peace rally, then-Prime Minister Rabin was gunned-down by an Israeli nationalist. Rabin's brutal assassination ended the life of a man who lived for peace.

Today, with renewed terrorism and violence in Israel and the Palestinian territories, leaders should look to the example of Mr. Rabin, who forged peace against long odds. His assassin may

have ended his life, but his message must live on.

During Mr. Rabin's first term as Israel's Prime Minister, he laid the foundation for peace with Egypt by concluding the Sinai Interim Agreement on September 1, 1975.

The eventual 1979 Camp David Peace Treaty officially ended hostilities between the two nations. Importantly, Egypt became the first Arab state to recognize Israel. Today, because of Mr. Rabin's work, Egypt and Israel remain at peace.

During Mr. Rabin's second term as Prime Minister, he continued to seek peace with Israel's neighbors. He led the effort to sign the Oslo Accords, which created the Palestinian Authority, and which serves as a framework for the creation of a Palestinian state today.

For their efforts, Mr. Rabin, Yasir Arafat and Shimon Peres won the 1994 Nobel Peace Prize.

That same year, Israel and Jordan also signed a peace treaty, making Jordan the second Arab state to establish peace with Israel.

On this, the twentieth anniversary of the assassination of Yitzhak Rabin, I offer my condolences to his family. May they continue to find solace in the legacy of a leader who sought peace when others sought war.

May leaders all around the world look to him for inspiration on how to lead courageously and chart a more peaceful future for one's people.

SENATE RESOLUTION 300—DESIGNATING NOVEMBER 7, 2015, AS NATIONAL BISON DAY

Mr. ENZI (for himself, Mr. DONNELLY, Mr. ROBERTS, Mr. BENNET, Mr. HATCH, Mr. UDALL, Mr. CORNYN, Mr. HEINRICH, Mr. WICKER, Mr. WHITEHOUSE, Mr. LEE, Ms. BALDWIN, Mr. MORAN, Mrs. FEINSTEIN, Mr. HOEVEN, Mrs. GILLIBRAND, Mr. THUNE, Mr. SCHUMER, Mr. PORTMAN, Mr. TESTER, Mr. INHOFE, and Mr. MARKEY) submitted the following resolution; which was considered and agreed to:

S. RES. 300

Whereas bison are considered a historical symbol of the United States;

Whereas bison were integrally linked with the economic and spiritual lives of many Indian tribes through trade and sacred ceremonies;

Whereas there are more than 60 Indian tribes participating in the Intertribal Buffalo Council;

Whereas numerous members of Indian tribes are involved in bison restoration on tribal land;

Whereas members of Indian tribes have a combined herd on more than 1,000,000 acres of tribal land;

Whereas the Intertribal Buffalo Council is a tribal organization incorporated pursuant to section 17 of the Act of June 18, 1934 (commonly known as the "Indian Reorganization Act") (25 U.S.C. 477);

Whereas bison can play an important role in improving the types of grasses found in landscapes to the benefit of grassland;

Whereas a bison has been depicted on the official seal of the Department of the Interior since 1912;

Whereas bison hold significant economic value for private producers and rural communities;

Whereas, as of 2012, the Department of Agriculture estimates that 162,110 head of bison were under the stewardship of private producers, creating jobs, and contributing to the food security of the United States by providing a sustainable and healthy meat source;

Whereas a bison is portrayed on 2 State flags;

Whereas the bison has been adopted by 3 States as the official mammal or animal of those States;

Whereas the buffalo nickel played an important role in modernizing the currency of the United States;

Whereas several sports teams have the bison as a mascot, which highlights the iconic significance of bison in the United States;

Whereas a small group of ranchers helped save bison from extinction in the late 1800s by gathering the remaining bison of the diminished herds;

Whereas on December 8, 1905, William Hornaday, Theodore Roosevelt, and others formed the American Bison Society in response to the near extinction of bison in the United States;

Whereas on October 11, 1907, the American Bison Society sent 15 bison to the first big game refuge in the United States, now known as the "Wichita Mountains Wildlife Refuge";

Whereas in 2005, the American Bison Society was reestablished, bringing together bison ranchers, managers from Indian tribes, Federal and State agencies, conservation organizations, and natural and social scientists from the United States, Canada, and Mexico to create a vision for the North American bison in the 21st century;

Whereas there are bison herds in National Wildlife Refuges and National Parks;

Whereas there are bison in State-managed herds across 11 States;

Whereas there is a growing effort to celebrate and officially recognize the historical, cultural, and economic significance of the North American bison to the heritage of the United States; and

Whereas members of Indian tribes, bison producers, conservationists, sportsmen, educators, and other public and private partners have participated in the annual National Bison Day since 2012 and are committed to continuing this tradition annually on the first Saturday of November: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 7, 2015, the first Saturday of November, as National Bison Day; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2750. Mr. McCONNELL proposed an amendment to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

SA 2751. Mr. McCONNELL proposed an amendment to amendment SA 2750 proposed

by Mr. McCONNELL to the bill H.R. 1314, *supra*.

SA 2752. Mr. McCONNELL proposed an amendment to the bill H.R. 1314, *supra*.

SA 2753. Mr. McCONNELL proposed an amendment to amendment SA 2752 proposed by Mr. McCONNELL to the bill H.R. 1314, *supra*.

SA 2754. Mr. McCONNELL proposed an amendment to amendment SA 2753 proposed by Mr. McCONNELL to the amendment SA 2752 proposed by Mr. McCONNELL to the bill H.R. 1314, *supra*.

TEXT OF AMENDMENTS

SA 2750. Mr. McCONNELL proposed an amendment to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; as follows:

At the end add the following:

"This Act shall take effect 1 day after the date of enactment."

SA 2751. Mr. McCONNELL proposed an amendment to amendment SA 2750 proposed by Mr. McCONNELL to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; as follows:

Strike "1 day" and insert "2 days".

SA 2752. Mr. McCONNELL proposed an amendment to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; as follows:

At the end add the following:

"This Act shall take effect 3 days after the date of enactment."

SA 2753. Mr. McCONNELL proposed an amendment to amendment SA 2752 proposed by Mr. McCONNELL to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; as follows:

Strike "3 days" and insert "4 days".

SA 2754. Mr. McCONNELL proposed an amendment to amendment SA 2753 proposed by Mr. McCONNELL to the amendment SA 2752 proposed by Mr. McCONNELL to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; as follows:

Strike "4" and insert "5".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 28, 2015, at 10 a.m., in room SR-253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 28, 2015, at 9:30 a.m., to conduct a hearing entitled, "The U.S. Role and Strategy in the Middle East."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 28, 2015, at 3:30 p.m., to conduct a hearing entitled "Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on October 28, 2015, at 2:30 p.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "Retirement Plan Options for Small Businesses."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on October 28, 2015, at 2:30 p.m., to conduct a hearing entitled "Assessing the State of Our Nation's Biodefense."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on October 28, 2015, at 2:30 p.m. in room SR-418 of the Russell Senate Office Building, to conduct a hearing entitled "VA Mental Health: Ensuring Access to Care".

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Financial Institutions and Consumer Protection be authorized to meet during the session of the Senate on October 28, 2015, at 10 a.m., to conduct a hearing entitled "The State of Rural Banking: Challenges and Consequences."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern Bria Justus, who is participating in a shadow day, have privileges of the floor for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 293.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 293) supporting the goals and ideals of National Domestic Violence Awareness Month, commending domestic violence victim advocates, domestic violence victim service providers, crisis hotline staff, and first responders serving victims of domestic violence for their compassionate support of victims of domestic violence, and expressing the sense of the Senate that Congress should continue to support efforts to end domestic violence and hold perpetrators of domestic violence accountable.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 293) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 22, 2015, under "Submitted Resolutions.")

NATIONAL BISON DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 300, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 300) designating November 7, 2015, as National Bison Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 300) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—H.R. 597

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes.

Mr. McCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, OCTOBER 29, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, October 29; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of the House message to accompany H.R. 1314.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:41 p.m., adjourned until Thursday, October 29, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be rear admiral

FRANCIS S. PELKOWSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271(E):

To be captain

LADONN A. ALLEN
AREX B. AVANNI
DONALD E. BADER
RICHARD L. BATES
LANCE C. BELBEN
GARY R. BOWEN
MICHAEL E. BRANDHUBER
STEPHEN BURDIAN
MICHAEL E. CAMPBELL
KEVIN M. CARROLL
CHRISTOPHER M. CHASE
KURT A. CLARKE
DWIGHT E. COLLINS
THOMAS F. COOPER
DARCIE G. CUNNINGHAM
RUSSELL E. DASH
MICHAEL J. DAVANZO
DAVID S. DEUEL
MATTHEW J. FAY
PATRICK M. FLYNN
BRIAN C. GLANDER
DOUGLAS D. GOODWIN
JOHN P. GREGG
JOHN L. HOLLINGSWORTH
SCOTT A. KEISTER
KEVIN M. KING
MARC W. KNOWLTON
BRIAN K. KOSHULSKY
MATTHEW W. LAKE
KRISTI M. LUTTRELL
GREGORY H. MAGEE
RYAN D. MANNING
MICHAEL F. NASITKA
ROBERT A. PHILLIPS
CURTISS C. POTTER
JOHN W. PRUITT
THOMAS C. REMMERS
JOHN G. RIVERS
MONICA L. ROCHESTER
WILLIAM E. SASSER, JR.
PATRICK C. SCHREIBER
JOSEPH H.D. SOLOMON
GLENN D. STOCKS
ERIC J. STORCH
JOSEPH SUNDLAND
JAMES P. SUTTON
JASON P. TAMA
PETER R. VAN NESS
MARK VISLAY, JR.
MARK R. VLAUN
AARON E. WATERS
BLAKE E. WELBORN
ADRIAN L. WEST
STEPHEN R. WHITE
CRAIG J. WIESCHHORSTER
JEFFREY V. YAROSH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be captain

SHARIF A. ABDRAHMO
MICHAEL K. ARNOLD
JOHN M. CARABALLO
RONALD J. CATUDAL
MICHAEL J. FERULLO
EVAN J. GALBO
JOHN J. GAROPOLO, JR.
JILL I. LUMPKIN
MATTHEW J. MCCANN

DAVID A. MENCHACA
PATRICIA J. QUINN
JENNIFER A. TRAVERS
WILBUR A. VELARDE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. ARLEN R. ROYALTY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. KURT W. TIDD

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ALAN D. MURDOCK

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

OLGA M. ANDERSON
ROSEANNE M. BENNETT
JOHN H. COOK
JOHN A. HAMNER II
TIMOTHY P. HAYES, JR.
MAUREN A. KOHN
JULIE A. LONG
ROBERT L. MANLEY III
ANDRAS M. MARTON
SEAN T. MCGARRY
OREN H. MCKNELLY
MICHAEL D. MIERAU, JR.
RUSSELL N. PARSON
TRAVIS L. ROGERS
MICHAEL C. WONG
ERIC W. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JIMMY C. DAVIS, JR.
CHARLES M. FIELDS
MARK A. FREDERICK
DAVID M. LOCKHART
ROBERT NAY
DARIN A. NIELSEN
KEVIN M. PIES
JAMES E. SCHAEFER
OLEN Z. SELLERS
SCOTT R. SHERRETZ
DAVID L. SHOFFNER
JERRY C. SIEG
KENNETH R. SORENSON
TIMOTHY D. WALLS
KEVIN B. WESTON
STANLEY E. WHITTEN
ROBERT E. WICHMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

SPENCER T. PRICE

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

JAMES E. O'NEIL III
KEITH M. ROXO

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

JOSHUA C. ANDRES
CARL W. BARLOW III
LOWELL E. BRUHN
RALPH T. BUCKLES
DEREK A. BURNLEY
ARON E. CALLIPO
DANA S. CANBY
KENDRA B. CARTER
DAVID A. DUFFIELD
STEPHEN M. EMERSON
CLINTON D. EMRICH
JACOB M. GERLACH
DANIEL W. GOODWIN
CHRISTOPHER A. GRILLO
RYAN M. GRUNDT
SAMUEL F. HARTLEY
JOHN J. HARTSOG
KYLE T. HAUBOLD
COLLIN R. HEDGES
DARRELL R. HEIDE
RICHARD S. HEIDEL
BRENT J. HOLLOWAY
ROBERT A. JOHNSON
CHARLES P. JONES
ALFRED L. KELLER, JR.
JEREMY D. LEAZER
WILLIAM C. LIVINGSTON
BENJAMIN B. LONG
FRANCISCO D. MARTINEZ
JOSHUA D. MEEK
THOMAS E. MILLER
JEFFERY A. MILOTA
JUSTIN A. MURTY
SHAUN A. POSEY
PETER J. REMILLARD
ALEX RINALDI
COSMAS SAMARITIS
JOSEPH W. A. SAMMUR
DANIEL C. SHEA
THOMAS J. SIMMONS
MATTHEW D. SPAKOWSKI
ERIK B. SUNDAY
STEPHEN D. SZACHTA, JR.
CHAD T. TELLA
MARK TEMPLAR
NATHANIEL B. VANDEVENTER
ROBERT W. VINSON
MARK F. WAITE
BRIAN D. WILSON
JOHN E. WOODSON
ALAN W. YOUNG
BETHANY R. ZMITROVICH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

CALVIN M. FOSTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

TARA A. FEHER

CONFIRMATION

Executive nomination confirmed by the Senate October 28, 2015:

DEPARTMENT OF TRANSPORTATION

SARAH ELIZABETH FEINBERG, OF WEST VIRGINIA, TO BE ADMINISTRATOR OF THE FEDERAL RAILROAD ADMINISTRATION.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on October 28, 2015 withdrawing from further Senate consideration the following nomination:

AIR FORCE NOMINATION OF ENRIQUE J. GWIN, TO BE COLONEL, WHICH WAS SENT TO THE SENATE ON JUNE 16, 2015.

HOUSE OF REPRESENTATIVES—Wednesday, October 28, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PALAZZO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 28, 2015.

I hereby appoint the Honorable STEVEN M. PALAZZO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

JOHN A. BOEHNER, THE SPEAKER OF THE HOUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, I rise to pay tribute to the Speaker of the House, JOHN BOEHNER.

Speaker BOEHNER and I, as some would note, do not always agree. We have been on opposite sides of this floor and on opposite sides of debate many times. However, that is behind us for JOHN BOEHNER.

In all of the years I have served with him, Speaker BOEHNER has shown me the same kindness, grace, and friendship that he has shown so many of his House colleagues on both sides of the aisle.

JOHN BOEHNER is a gentleman in the truest sense of the word and is a leader who, even in the act of stepping back from his position in the leadership, has always put the best interests of our country first.

When it came time to make difficult decisions, even in the face of strong opposition from some in his own party, Speaker BOEHNER was willing to work across the aisle to make sure that this

House was achieving its most fundamental responsibilities to those we had the honor of serving.

We did not have a catastrophic default on our debt—at least twice—in large part because of JOHN BOEHNER's determination not to let it happen. Millions of children benefitted from the forms of No Child Left Behind because JOHN BOEHNER, the chairman of the committee, put children's interests first and worked in partnership with the late Senator Ted Kennedy and Congressman George Miller.

That was in the best traditions of a President Bush-sponsored piece of legislation—a Republican chairman, a Democratic chairman, and a ranking Democrat working together on behalf of our country's interest.

JOHN BOEHNER worked to keep his Conference and this House marching forward down a productive path. History will be the judge of his success as the leader of his party, but all of us who have had the honor of serving with him will judge him as we know him—a considerate and thoughtful individual, who is a patriot and who cares deeply about this House and the Nation it serves.

I want to thank him, as I would hope all of our Members would and, frankly, those Members who served with him, but who are not in this House now, for his service and for his friendship.

I want to wish him well and wish him luck out there on the golf course, where I am sure he will be spending a lot more time—I am going to be envious of that—in addition to the time that he will spend with his family and in continuing to serve his community, his State, and his Nation.

JOHN BOEHNER served his country and this House of Representatives with fidelity and responsibility, and we should all thank him for that.

We wish the Speaker and his wife, Debbie, well as they embark on a new phase of their lives. He has served his country well. I am confident that he will continue to do so.

DEBT CEILING BILL FINANCIALLY IRRESPONSIBLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, Benjamin Franklin advised: "When you run in debt, you give to another power over your liberty."

Washington is in the middle of an epic battle between elected officials

who, on the one hand, are financially responsible, have the understanding and backbone needed to prevent an American bankruptcy, heed the wisdom of Founding Father Benjamin Franklin, and fight out-of-control debt that threatens our liberty, and you have those elected officials who, on the other hand, are financially irresponsible and are too weak to resist spending money America does not have, has to borrow to get, and can't afford to pay back.

This week Congress faces yet another last-second debt deal, negotiated in secret, sprung at the last moment, that fails the American people by not fixing the cause of the debt ceiling problem: out of control deficits.

Earlier this year America's Comptroller General and the nonpartisan Congressional Budget Office warned Congress and President Obama that America's current financial path is "unsustainable," meaning that America faces a debilitating insolvency and bankruptcy unless we get our financial house in order.

The CBO issued two other dire warnings:

First, America's debt service costs will increase by, roughly, \$600 billion in 10 years. For perspective, \$600 billion is more than what America spends on national defense, which begs the question: Where will the money for that additional \$600 billion debt payment come from?

Second, the CBO warns that, by 2025, America will face an unending string of annual trillion-dollar deficits, deficits that can only end in a debilitating American insolvency and bankruptcy.

Mr. Speaker, economic principles don't care if you are a family, a business, or a country. If you borrow more money than you can pay back, you go bankrupt.

There are good and bad ways to raise the debt ceiling. Today's debt bill is bad because it not only fails to restrain America's spending addiction, it makes things worse by increasing spending by \$80 billion.

I have been in Congress since 2011, when America's debt blew through the \$14 trillion mark. Now America's debt is \$18 trillion. This debt deal blows America's debt through the \$19 trillion mark, meaning America's bank account will soon be \$5 trillion weaker than it was in 2011.

Rather than fixing America's deficit problem while we still have the financial ability to do so, this debt deal kicks the can down the road to 2017,

when America will be financially weaker and less able to rise to the financial challenge that threatens us.

Mr. Speaker, today's debt bill is akin to a sick patient going to the emergency room and getting pain-killing drugs that make the patient feel better, yet does nothing to cure the disease that kills him. In the real world, that is medical malpractice. Similarly, today's debt bill that makes America feel good, but does nothing to cure our debt disease, is governing malpractice.

President George Washington advised Congress: "No pecuniary consideration is more urgent than the regular redemption and discharge of the public debt. On none can delay be more injurious."

George Washington's advice in 1793 is prudent today. Congress and President Obama must balance the budget before America's debt burden spirals out of control, before it is too late to prevent the debilitating insolvency and bankruptcy that awaits us.

Mr. Speaker, I exhort Washington to rise to the challenge and be financially responsible when raising the debt ceiling. The first step is to defeat this debt bill that not only fails to fix a time-critical problem, but that actually makes America's spending addiction \$80 billion worse. America's future as a great Nation and a world power depends on it.

I will vote against this debt deal. I urge my colleagues to be financially responsible—do the same—and insist that the debt ceiling be raised only if we simultaneously fix America's addiction to deficit spending. Today's debt ceiling bill fails that benchmark. It threatens America. It should be defeated.

THE BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, we are in the process of wrapping up a budget agreement that is welcome since it protects against default on the national debt and prevents draconian cuts for disability payments and unfairness in Medicare premiums for our senior citizens; but it continues a downward spiral in government spending for essential items that would improve America's infrastructure, education, medical research, and much more. Yet, at the same time, we are continuing on autopilot with some of the largest expenditures for generations to come.

We had an announcement yesterday that we will be replacing the next generation of stealth bombers for our nuclear triad—up to 100 of them—at an estimated cost of over \$550 million each, and that is just the estimated shelf price, the opening bid, plus another \$20 billion in development costs.

Our history of developing weapons of this magnitude is that from the opening bid, the price is likely to spiral much higher in the future. The same contractor, Northrop Grumman, which won this bid, could only build 21 B-2s out of a planned 132 as the costs spiraled to over \$1 billion a plane.

This comes at a time when we are committed to spending over \$1 trillion in the coming decades in upgrading our nuclear fleet. Think about it: 12 new ballistic missile submarines, up to 100 new long-range, nuclear-capable bombers, 642 new land-based ballistic missiles, 1,000 new nuclear-capable, long-range standoff cruise missiles.

And why are we doing this in the first place?

Think for a moment. These weapons that we have already are far in excess of anything America will ever need—a destructive capacity to obliterate any nation multiple times over—yet, we are moving ahead without ever discussing this spending here on the House floor as to whether or not it is what we need.

Think about the security threats of today in terms of an inability to withstand the devastating impacts of climate change on our communities, the threats from ISIS, different challenges of encroachment from Russia and China—not nuclear attack, but moving ahead in building artificial islands, invading neighboring countries. These are threats now—the Taliban, international terrorism—and we are committed to spending vast sums on weapons that we are never likely to use and are useless against the real threats we face.

We don't need 454 land-based nuclear missiles now. These end up threatening us. Look at the recently released information about the stand-down around Russian paranoia in 1983 regarding NATO exercises. We didn't realize how panicked they were or the steps that they took. That is the real threat from nuclear weapons, accident or miscalculation.

Consider the opportunity costs of vast sums of money that we are tying up that could be used for other purposes, including strengthening our military for today's threats or helping our veterans or our communities on what is bearing down upon them or equipping our citizens to function in this century.

We just had a fascinating lesson when the Export-Import Bank was freed from the iron grasp of the committee and was allowed to actually be debated on the floor of the House. It had been bottled up for years. It had never had that sort of attention. We had more time and energy spent on the Ex-Im Bank over the last 50 hours than, probably, the last 50 years—certainly, in the last 50 months.

What would happen if Congress actually addressed and debated the wisdom

of our current nuclear policies and the vast sums of money that are being spent on autopilot that will be chewing a hole in the budget to the detriment of the Department of Defense and everything else?

There is a lesson to be learned, and I hope someday Congress will learn it, because there is a path for a stronger, safer America, for more meaningful, targeted military spending, and for a balanced, thoughtful budget prioritization. If Congress does its job in the open, collectively, the decision becomes easier and the results become better.

□ 1015

CONGRATULATING STUDENTS AT NATIONAL FFA CONVENTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of the students from Pennsylvania participating in this week's National Future Farmers of America, or FFA, convention in Louisville, Kentucky.

"I believe in the future of agriculture." Those are the first words from the FFA creed. The Pennsylvania group is among 60,000 FFA members at this week's convention, participating in a variety of competitions and stressing the importance of agriculture to our Nation.

Among Pennsylvania's State officers attending the convention is Tony Rice. Tony is a student at the Pennsylvania State University's main campus in Pennsylvania's Fifth Congressional District, and Tony is one of 52 national officer candidates traveling to Louisville.

Each year, six student members are selected as national officers of the FFA. These young men and women travel as many as 100,000 miles per year, stressing the importance of agriculture, agriculture education, and the FFA. Candidates are judged upon their ability to be effective communicators and team players.

Over the past years, Tony Rice has met with more than 12,000 high school students to address the important role that agriculture plays in Pennsylvania's economy as Pennsylvania's number one industry.

Now, I not only commend Tony Rice for his dedication to the future of this industry but also his fellow FFA members and the educators who have helped these young people, who will be the agricultural leaders of tomorrow, succeed.

END CHILDHOOD HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, one of the greatest health challenges facing our country right now is hunger. We have a hunger problem in the United States of America.

For far too long, we have minimized the problem. Some have even ignored the problem. In short, our response has been inadequate. And we have failed to view hunger as a health issue, which it is. For our Nation's youngest and most vulnerable, our children, the negative effects of childhood hunger are pervasive and long-lasting.

So last week I was pleased to see the American Academy of Pediatrics release its newest policy statement which, for the first time, recommends that pediatricians screen all children for food insecurity. The new recommendations consist of two simple questions for pediatricians to ask parents of young children at their annual well visit to identify and address childhood hunger. It also recommends that pediatricians become more familiar with our robust system of antihunger programs at the Federal, State, and local levels. When pediatricians know more about these antihunger programs and the resources they provide, they will be better prepared to help families in need.

Pediatricians are among the most respected, if not the most respected, voices on children's issues; and I hope that, with the AAP's policy statement, more people will start paying attention to the devastating effects of childhood hunger on America's future.

It is shameful that childhood hunger even exists in this country, the richest country in the world, that one in five children lives in a food insecure household, that 17.2 million households in this country struggle with food insecurity, that the only reliable healthy meals some kids receive are the ones they get through school breakfasts or lunches. Their mothers and fathers are forced to skip meals so that their kids can have more to eat because the family simply cannot afford to put enough food on the table.

The harmful effects of hunger on children are well documented: for example, children who live in households that are food insecure get sick more often, recover more slowly from illness, have poorer overall health, and are hospitalized more frequently.

Children and adolescents affected by food insecurity are more likely to be iron deficient, and preadolescent boys dealing with hunger issues have lower bone density. Early childhood malnutrition is also tied to conditions such as diabetes and cardiovascular disease later in life.

Lack of adequate healthy food can impair a child's ability to concentrate and perform well in school and is linked to higher levels of behavioral

and emotional problems from preschool through adolescence.

I have personally heard from pediatricians who see kids in the emergency room come in for a common cold that has become much worse because they don't have enough to eat, and their immune systems have been compromised. Stories like these are heartbreaking.

Mr. Speaker, we know that consistent access to adequate nutritious food is one of the best medicines for growing, thriving children. Children's Health Watch, a national network of pediatricians and child health professionals, found that, in comparison to children whose families were eligible but did not receive SNAP, young children whose families received SNAP were significantly less likely to be at risk of being underweight or experiencing developmental delays.

If Members of Congress are not swayed by the moral arguments for ending childhood hunger, they ought to be swayed by the economic ones. Ensuring that our kids have access to enough nutritious food saves money in the form of reduced healthcare costs and helps them become more productive contributors to our economy later in life.

Mr. Speaker, without our robust Federal antihunger programs, there would no doubt be more hungry children in this country.

The Special Supplemental Nutrition Program for Women, Infants, and Children, or WIC, provides nutritious food and support for children and mothers. The Supplemental Nutrition Assistance Program, or SNAP, is our Nation's premiere antihunger program and helps millions of low-income families afford to purchase food every month. About half of all SNAP recipients are children. And our school breakfast and lunch programs, summer meals, and Child and Adult Food Care Programs all provide nutritious meals to children in community, child-friendly settings.

We can't forget about the incredible work our food banks, food pantries, and other charities do to provide healthy food for low-income children and their families. Despite the incredible work that they do, charities cannot do it alone. The demand is simply too great. Charities need a strong Federal partner to end hunger in this country.

Mr. Speaker, for a while now, I have been urging the White House to convene a White House conference on food, nutrition, and hunger. We ought to bring antihunger groups, pediatricians, business leaders, teachers, hospitals, farmers, nonprofits, faith leaders, and governmental officials together to come up with a plan to end hunger in this country once and for all. I can think of no more compelling reason to end hunger now than for the health and well-being of America's children.

In closing, I commend the American Academy of Pediatrics for working to

solve hunger as a health issue and addressing how it affects our country's greatest resource: our children. We can and we should do more to end hunger now.

ISIS MUST GO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. ABRAHAM) for 5 minutes.

Mr. ABRAHAM. Mr. Speaker, it has now been 1,532 days since President Obama said Syria's Bashar Assad must go. Guess what? He is still there.

It has been 789 days since President Obama drew the red line in the sand, so to speak, and told Assad not to use chemical weapons on his own people. Well, he ignored that. And he used chemical weapons, and he continues to use chemical weapons and kill his own people.

What we are seeing in Syria—the rise of ISIS, the refugee crisis of tens of thousands of people, children having to migrate northward to get out of Syria, the civil war—are all the direct results of the President's unwillingness to stand by his word.

Now Russia is in Syria. They are telling the U.S. on our own soil that America is weak. Look at what they have done in Ukraine. We didn't do anything but give rhetoric and words. Nothing to push Putin back to where he should be.

America is losing her standing in the world, and we would rather appease our enemies than show our strength. This administration still has no strategy for handling ISIS, no tangible plan for defeating Assad, and seemingly no will to stand up to Russia's aggression.

Assad must go. ISIS must go. ISIS must be defeated. America must stand firm and show the world we are a force to be reckoned with, not to be trampled on.

DYSLEXIA AWARENESS MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. FARR) for 5 minutes.

Mr. FARR. Mr. Speaker, October is Dyslexia Awareness Month. It is part of the broader Learning Disabilities Month. This is the time we focus on learning disabilities, particularly in our students and our own children and many who suffer from learning disabilities.

I am emphasizing Dyslexia Awareness Month because I have dyslexia. Growing up, it was very hard being a student that couldn't read well, couldn't spell, couldn't write. I was very ashamed of that. I was shy. I didn't know how to ask for help, but I had a lot of support in my home.

My mother and father didn't really know how to treat it. We didn't even know how to diagnose it in the early ages. I became withdrawn and embarrassed to go to class, particularly to

get up and to have to read in front of the class and to spell in front of the class. I still have trouble doing that. Thanks to loving parents and to supportive teachers, I am here.

I share my story because we need to remove the stigma attached to learning disabilities. No student should have to sit in silence being ashamed, being afraid to ask for help.

I had a high school biology teacher, Enid Larson, a person whom I actually wanted to grow up and be like and be a high school biology teacher, who taught me I could accomplish anything. I think I studied sciences because so much of science was memorization and not having to write a lot of papers and not having to read in front of the class.

I pass that same message along because one in five children with learning disabilities or attention issues has to know that it is not because they have a low IQ. They don't. In fact, some of the brightest people in history have had these learning disabilities. It isn't because you are different. It means that you are unique. It means that, with the right help, support, and love, you can accomplish many things. You can cope with your disability.

Many Members of Congress are dyslexic or have children who are dyslexic, and so many that we have actually formed a Congressional Dyslexic Caucus. I am urging you to ask your Member of Congress, if they have not been a member of that caucus, to join it.

I ask for you to ask your school districts what help they are bringing to kids with disabilities and particularly for dyslexic students.

I encourage the students to speak out. You may be shy about reading, but that shouldn't be affecting your speaking. You should speak out about what you feel and what you want.

Dyslexia is a reading and spelling disorder, but you can develop coping skills. With that, you can overcome your shame and your shyness. After all, many of us in Congress have done that, and that is why I am speaking today and not reading.

FISHER CENTER FOR ALZHEIMER'S RESEARCH FOUNDATION'S 20TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, I rise today to recognize and congratulate the Fisher Center for Alzheimer's Research Foundation on their 20th anniversary. To date, the Fisher Center has raised tens of millions of dollars in private funds in the quest to find a cure for this heartbreaking disease that affects millions of families across the country and around the world.

Mr. Zachary Fisher created the foundation in 1995, with the single mission

of finding a cure for Alzheimer's through scientific discovery. Since then, the research scientists at the Fisher Center for Alzheimer's Research at Rockefeller University, led by Nobel laureate Dr. Paul Greengard, have made remarkable strides, advancing groundbreaking research. But there is, of course, much more work to be done to defeat this debilitating disease.

Mr. Speaker, as I rise to recognize the foundation's leadership in the fight to cure Alzheimer's, I must also recognize Mr. Fisher's many other charitable endeavors that have transformed and touched the lives of those who serve our Nation in uniform.

Mr. Fisher was deeply committed to supporting the men and women of our Armed Forces, and our veterans as well. In that light, he founded the Fisher House Foundation, which provides housing to the families of our veterans and our servicemen while a loved one receives medical treatment. Additionally, Mr. Fisher founded the Intrepid Sea, Air & Space Museum in New York City.

□ 1030

But the cause for which I rise today is to urge my colleagues once again and to urge the Nation once again to focus on the profound need to increase Alzheimer's research and to recognize the equally profound work that the Fisher Center has done to ultimately advance and find a cure.

With 5.3 million Americans suffering from Alzheimer's, we must do more. Left unchecked, Alzheimer's will continue to dramatically impact countless lives and families across the country. Left unchecked, Alzheimer's could cost our Nation \$1.1 trillion annually by 2050.

Mr. Speaker, I urge my colleagues to join me in the fight to find a cure for Alzheimer's, and I rise today to thank the Fisher Center Foundation for leading this charge by funding groundbreaking research to finally end this disease.

PRESERVING OUR PLANET

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to direct our attention to the importance of preserving our planet and what we should do to address the issue of the changes going on in our climate.

Protecting our environment and addressing climate change are issues which are important to all of our cities across the United States. In fact, at a very local level, many of our communities are working on these issues because they face them directly head on.

For the Latino community, like other communities, we are family-ori-

ented, and we want to provide a better future for our generations to come. That includes leaving our planet better—better—for our grandchildren and their children.

As the Latino population continues to increase in the United States—we are about one out of every four, and they say that in another 30 or 40 years, we will be one out of every three Americans—our exposure to climate change and the risks of pollution are even more important because our ZIP Codes—where we live, where the Latino community lives—are where we are highest at risk.

It is estimated that close to 50 percent of all Latino Americans live in counties that frequently violate ground-level ozone standards. It just doesn't affect Latinos, by the way. Asian Americans tend to also live in those ZIP Codes.

What that means is that we are breathing dirtier air than most Americans, and we have more respiratory illness. Poor environmental protections affect the food that we feed our children, the air that our families breathe, and the water that we drink.

Since I was elected to Congress almost 20 years ago, I have worked tirelessly to work in Orange County—where I live and where I represent—to help get some green projects in, both in Orange County and in California.

For example, I have fought to maintain the funding for the Pacific Crest Trail, which serves residents of the entire West Coast and visitors from around the world. Of course, I am an avid hiker; so, I love that trail.

In fact, in this Congress, I cosponsored legislation which would permanently extend the Land and Water Conservation Fund, which ensures the conservation of national parks, rivers, and streams. It provides grants to local parks and to recreation projects.

One of the things it does is try to ensure that, for example, California, being so long in length, you could start at the southern portion of California and actually walk through wilderness all the way to the Oregon border.

The Land and Water Conservation Fund is a bipartisan program. That is why it kind of distresses me a little bit that we, as a Congress, haven't funded it, because it is incredibly important, especially in urban areas, such as my district, where there is little natural environment left and where we need open space and green parks.

It is where Latinos go to have their barbecues. It is where we have our family gatherings. It is incredibly important to us. Sometimes we live in pretty cramped conditions, and we need that outdoor space, even if it is in an urban area. Places like Pearson and Pioneer Park in my hometown of Anaheim or Centennial Park in Santa Ana or our beautiful Santa Ana Zoo have all been made possible by the Land and Water Conservation Fund.

Mr. Speaker, do you know what the total cost to taxpayers for these wonderful developments are? Zero. The land and water conservation comes at no cost to the taxpayer, but it benefits them immensely. And, still, this House has failed to fund this. It expired on September 30.

Mr. Speaker, the Land and Water Conservation Fund is another example of a commonsense—commonsense—bipartisan program on which this House has neglected to act.

So I ask the Members of the House, can you go back to the people of your district and say to them: Oh, I don't really care about your parks. I don't really care about the environment. I don't care about where you hang out with your families? This Congress has to act. We should act together on this because it is incredibly important to our families.

I will leave you with a quote, another one from one of my favorite people, His Holiness Pope Francis: "I call for a courageous and responsible effort to 'redirect our steps' and to avert the most serious effects of the environmental deterioration caused by human activity. I am convinced that we can make a difference." I am sure.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 754. An act to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

LET'S WORK TOGETHER TO END BREAST CANCER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise today in recognition of Breast Cancer Awareness Month. Breast cancer is the most common cancer among women, and today I wish to honor those fighters, survivors, and families it impacts, such as the Edwards family of Washington Crossing, Bucks County. Tracy Edwards was just 47 years old, a wife, mother, daughter, sister, and a courageous fighter to the end.

The American Cancer Society estimates that nearly 300,000 new cases of breast cancer will be diagnosed in the United States this year. It is critical that we understand that the battle against this disease does not end when the pink ribbons go away.

I fully understand the vital role leaders play here in Washington every day in supporting groundbreaking research and that we must fight for better treatments, finding a cure, and ultimately

defeating breast cancer. Let's work together to end it once and for all.

OUR NATION'S MENTAL HEALTH CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LAMALFA) for 5 minutes.

Mr. LAMALFA. Mr. Speaker, for too long we have neglected mental health in our Nation, leaving many to suffer with little hope. Nowhere is this seen more clearly than in our rural communities.

According to reports, more than 60 percent of rural Americans are living in areas that are experiencing shortages in mental health professionals. More than 90 percent of practicing psychologists and psychiatrists in this country work exclusively in metropolitan areas. More than 65 percent of rural Americans rely solely on their primary care providers for mental health care. In most rural communities, the primary mental health crisis responder is a law enforcement officer, despite not being a medical specialist.

All across rural America patients continue to face longer wait times, difficulty accessing care, and long-distance travel just to access subpar care by professionals, through no fault of their own, not even adequately trained to diagnose and treat mental health issues. In Shasta County, in my district, there is evidently only one psychiatrist in the area, while there is an estimated 4,000 patients with mental health needs.

In addition, the lack of mental healthcare facilities, such as the shortage of inpatient beds and space, leaves patients stuck with longer wait times in the emergency room before they can even see a health professional with no other options.

While the President's healthcare law attempted to make strides in this area by including behavioral health coverage, this system is fundamentally and fatally flawed.

While continuing to throw Federal funding at it may serve as a temporary Band-Aid for the symptoms of this crisis, it does nothing to address the root of the problem. One-size-fits-all, top-down systems do not work, especially in rural America.

If we continue to stand by the status quo, our rural patients will continue to suffer and, in many unfortunate cases, end up suicidal, homeless, or in prison, placing an even greater financial burden on our communities.

For this reason, I am proud to support H.R. 2646, the Helping Families in Mental Health Crisis Act of 2015. I thank my colleague from Pennsylvania for introducing this sorely needed bill. It is said the first step to fixing a problem is acknowledging there is one, and that is exactly what this bill does.

We spend approximately \$130 billion on mental health every year, yet our country still faces a shortage of nearly 100,000 psychiatric beds. Three of the largest mental health hospitals are, in fact, criminal incarceration facilities.

For every 2,000 children with a mental health disorder, only one child psychiatrist is available. Outdated HIPAA privacy laws continue to prevent families and doctors from getting their loved ones and patients the care they need.

Our mental health system is broken, but it certainly does not have to be. H.R. 2646 is a great step in rebuilding the system to one that works to empower patients and families with the access to care and services they need.

It brings accountability to the system to ensure every Federal dollar is going to evidence-based standards, improves quality, and expands access to behavioral health in our community health clinics while advancing telepsychiatry in areas with limited access to mental health professionals, and, importantly, ends the outdated prohibition on physicians volunteering at clinics and federally qualified health centers.

In addition, it provides more beds for those in need of immediate care or those experiencing a crisis and improves alternatives to institutionalization so patients can access the treatment they need, while it helps us decrease the incarceration rates, homelessness, and recurring ER visits. These are just a few of the sorely needed reforms included in H.R. 2646.

I want to stand today to thank my colleague, the gentleman from Pennsylvania (Mr. MURPHY), for his leadership in introducing this bill and urge my colleagues to lend their support of this responsible measure to help fix this broken system.

ISSUES OF CONCERN TO ALL AMERICANS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, I rise today to commemorate Breast Cancer Awareness Month. As a breast cancer survivor, I want to add to my sisters and brothers my appreciation for their strength and determination and my respect to those families whose loved ones did not survive the battle.

I am very grateful that, out of this awareness, we have begun to focus on more research for breast cancer remedies and solutions. I introduced a bill dealing with triple-negative breast cancer, which is the most deadly breast cancer and impacts women and minority women to the extent that their lifespan is shortened.

I rise today to indicate and to ask for renewed commitment by this Congress to focus on more research to bring an

end to the forms of breast cancer that have been so deadly, in particular, to women.

I want to thank the U.S. Department of Defense for working with me on providing and supporting legislation that I offered and introduced to provide the research, but also the care for military women who have had breast cancer during their service in the United States military.

It is also Domestic Violence Month, and I acknowledge again the privilege I had to serve on the Committee on the Judiciary and to work with Chairman Hyde in the early stages of introducing and reauthorizing the Violence Against Women Act. So many strides have been made.

In particular, I want to acknowledge the many agencies in Houston that have helped women—and, in some instances, men—who have been victims of domestic violence and abuse, in particular, the Houston Area Women's Center that has provided service. I served on the board previously, and I appreciate their service. We want to say to those women—and maybe men—do not suffer alone. Seek help and seek help now.

□ 1045

Mr. Speaker, today we will be looking at the culmination of discussions that have presented themselves as a budget that would end some form of sequester and would raise the debt limit until March 15, 2017.

As a member of the Congressional Progressive Caucus, I am committed to certain principles that I believe help all of America, and those are: the end to sequestration; the saving of Social Security, Medicaid, and Medicare; not eliminating any executive orders or toxic riders undermining, for example, the issues of dealing with our broken immigration system; and the evenness of defense and non-defense sequester relief. We have begun that journey.

I also made a commitment to my seniors that we would fight against the horrific increases that were about to take place under Medicare part D. Those numbers were going to be onerous and burdensome on our seniors, and I will offer them in just a moment.

In addition, let me say that the compromise generates \$80 billion of sequester increases over 2 years, with the increase split evenly between defense and non-defense programs, and an additional \$16 billion in discretionary funding over a 2-year period. I am hoping that this will help many.

As I indicated, I am supporting breast cancer research. It will help the National Institutes of Health. It will help fill the seats for so many parents who need Head Start resources for their children.

Having traveled with my congressional colleagues, I know that diplomatic security is a vital component to

protecting our Foreign Service officers. And then it will improve, if you will, the day-to-day functions of this government.

I am glad, as I indicated, with respect to the Medicare part B premiums, that we will not see the 54 percent increase that I think was the number, and that the increase will be somewhere around 18 to 20 percent. We want it to be zero.

I want my seniors to know that we are continuing to fight as your increases in prescription drugs and service under Medicare part D continue to go down. And, might I just add, that I believe it is important, in addition, that we negotiate the decreasing price of prescription drugs. If you talk to any individual, what they will say is their highest cost, part of their highest cost, whether it is seniors or families, is the cost of prescription drugs. So I think it is very important.

I think I want to look more into, Mr. Speaker, the Social Security disability fix that is in this budget to ensure that no one sees any loss and cuts in their benefits. We just can't stand for that. Social Security recipients, as much as people want to clarify them as some having perpetrated fraud, they do not, Mr. Speaker.

As I close, let me say I want to protect those who are disabled. We are going to continue to look at this, even down to the moment of voting, to make sure that the budget brings about success and help and not harm.

I ask my colleagues to be deliberative in this debate.

LET'S KEEP OUR ATHLETES HEALTHY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I want to speak to all the student athletes, the parents of student athletes, athletic trainers, and coaches out there: Sports build character. I want to make sure we are using technology, science, data analytics, and best practices to keep our student athletes practicing, performing, and competing in a safe and responsible manner.

I recall, as a former high school and college athlete, the pregame and prepractice routines that my coaches used to require before we could start to play. And while sports provide great enjoyment for athletes, fans, and coaches, they also pose health risks; some of them are unavoidable, but some are preventable.

By utilizing data and technology, we can establish best practices so our athletes can remain healthy and compete, and our sports teams can succeed. We can do that and still make certain injuries more preventable in the process.

In 2015, we have watches that provide real-time data on our heart rate, ca-

loric intake, and blood pressure to smartphones that can then be shared with coaches, parents, and physicians; and that is just an Apple iWatch or a Fitbit.

Data analytics and sports go hand in hand these days, from mathematical algorithms as to what quarterback will be most successful on a Sunday afternoon, to the data of building a winning baseball team.

Today's athletic success is fueled by skills, knowledge, and teamwork, both on and off the field. Just as we find ways to incorporate technology and data to ensure our next generation of athletes can remain healthy and playing well into old age, we must also encourage investments in the research, innovation, and technology to continue to build upon these already great achievements.

One aspect of this can be found in using data analytics to better understand athletic injuries in our children and student athletes: for example, preemptively identifying vulnerabilities and assessing the lasting impact of other injuries so we can design equipment and enforce rules to most effectively avoid the likelihood of such injuries, but do so without compromising the integrity of the competitive sports we all enjoy watching or participating in.

Health professionals, coaches, trainers, and parents can utilize this data to bring about greater awareness of sound practices that can keep our student athletes healthy and in the game, not on the sidelines.

Every preseason we read in our local newspaper about a student athlete who suffered a concussion during football or soccer practice. In 2013 alone, over 1.2 million children visited emergency rooms for sports-related injuries, and nearly 8 percent of these emergency room visits were concussion-related.

Earlier this year, I had the opportunity to introduce H. Res. 112, a resolution, the Secondary School Student Athletes' Bill of Rights, which encourages greater communication, coordination, and teamwork among coaches, parents, teachers, and medical professionals to ensure that our children receive adequate training, safe equipment and facilities, and immediate, on-site injury assessment.

The very data and tools we use to generate information like RBIs or yards per carry can be used to study incidence of injury, the impact of certain dietary habits on developing athletes, better training practices, and a host of ways to improve the safe and responsible athletic experience for our young athletes.

With the support of over 100 diverse organizations dedicated to improving the health of our student athletes, including the National Athletic Trainers Association, the American Football Coaches Association, the American

Heart Association, the National Association of State Boards of Education, and the American Academy of Pediatrics, H. Res. 112 is just one step towards encouraging and emphasizing the use, sharing, and incorporation of data and innovation in improving the safety of athletes and avoiding injury.

While that effort deals with on-the-field success of our student athletes, just as important is making sure we are giving our next generation the tools they need in innovation and analytics. In Congress, we should enable continued research by making a commitment to providing the next generation of innovators with the tools to learn, develop, and ultimately succeed.

Indeed, STEM skills, the foundation of innovation, lies in a dynamic, motivated, and a well-educated workforce equipped with science, technology, engineering, and mathematics. As a member of the Congressional STEM Caucus, I will continue to be an advocate for continued funding of STEM curriculum in schools so that we can equip the next generation of scientists and mathematicians with the tools to succeed. STEM classroom lessons can be applied to sports and the data-collection process. Our STEM students will play a major role in leading the way for greater success on the field.

The bottom line, we must all work together to continue to keep our favorite athletes and our children and our teams on the field and in the game, prevent injuries, and encourage lifelong habits that will allow our children to lead healthier lives. By encouraging the use of technology, we can ensure our student athletes, our athletic trainers, our parents, and our coaches have the tools needed to keep our athletes healthy and on the field instead of on the sidelines.

RESULTS OF THE IRAN NUCLEAR DEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. TROTT) for 5 minutes.

Mr. TROTT. Mr. Speaker, here in Congress we deal with a great number of different matters, and we vote. Sometimes we win, and sometimes we lose. But I thought it was worth spending a moment this morning to take a look at how the Iran nuclear deal is going. We are 10 days since the deal has been formally adopted, and here is the update:

The Supreme Leader has already begun redefining and testing the agreement. Earlier this month, Iran tested its new ballistic missile. The missile has a 1,000-mile range, can carry a 1,600-pound payload. The only practical use for this ballistic missile is to carry a nuclear warhead.

The day after the test, Iran convicted The Washington Post journalist they have been holding. The day after that,

Iran arrested, apparently, an American businessman.

In recent weeks, Iran has begun partnering with Russia to undermine our policy and goals in Syria. And, of course, Iran continues to hold the four Americans.

This deal was predicated on Iran changing its rogue behavior. We are 10 days into this deal, and so far, I have to say, we are not off to a very good start.

EXPORT-IMPORT BANK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. PERRY) for 5 minutes.

Mr. PERRY. Mr. Speaker, I think it is important that constituents know why their Members vote for and against different things.

Yesterday, we saw the reauthorization of the Export-Import Bank, and I voted "no" on that. Of course, I, like probably every single Member of Congress, have businesses in the district that I represent that use the Export-Import Bank to further their business, hire their employees, and help their community.

So why would somebody vote against the Export-Import Bank? I am here to tell you why.

We have a tradition in America of a free-market value and its wanted standing in the world. It is not by a corrupt system of cronyism and political favor, and that is what the Export-Import Bank is to me.

Unfortunately, while many small businesses in every community use the Export-Import Bank, fully 98 percent of businesses don't use the Export-Import Bank to do their exporting—98 percent. But that is not really the issue. The issue is other things.

For instance, between 2007 and 2014, more than 51 percent of all Ex-Im subsidies benefited just 10-10-corporations. One in particular benefited from \$66.7 billion in subsidies during the past 7 years.

We can't fix Social Security, and we can't afford our military. But we can sure afford for 10 corporations to get 51 percent, because it is not really about the small business in your community, generally speaking. As a matter of fact, foreign firms that receive most of Ex-Im financing are large corporations that primarily purchase exports from U.S. conglomerates, not from Main Street businesses.

Five of the top 10 buyers are state-controlled and rake in millions of dollars from their own governments, in addition to Ex-Im Bank subsidies that the taxpayers are on the hook for.

Five of 10 are involved in exploration, development, and production of oil or natural gas, these foreign firms collecting subsidies from American taxpayers at the same time that this administration is restricting domestic oil

and gas operations right here at home. Consequently, the Federal Government has doubly disadvantaged U.S. energy firms through excessive regulation and Ex-Im Bank subsidies granted to foreign competitors.

Now, sometimes in Washington it is not what you know, but it is who you know. Of the 16 members of the Ex-Im Bank's 2014 advisory committee, half, fully half, were executives at companies or unions that directly benefited from Ex-Im financing during their term—fully half.

Does that sound remotely suspicious to anybody?

Another five members represent companies or unions that received Ex-Im assistance shortly before they joined, and I will give you an example.

Since 2011, former Energy Secretary and New Mexico Governor Bill Richardson has held a seat on Spanish energy company Abengoa's international advisory board. Shortly after joining the firm, Mr. Richardson was appointed to the Ex-Im advisory board, right around the same time the two Ex-Im Bank loans benefiting Abengoa were issued. Fascinating coincidence. Those taxpayer-backed loans totaled around \$150 million.

Supporters of Ex-Im argue that the advisory committee members being associated with their beneficiaries is a positive feature. To the contrary, I think it shows that a corporate cronyism atmosphere exists at Ex-Im and will continue to exist at Ex-Im.

The office of the IG and the GAO, the Government Accountability Office, repeatedly document mismanagement, dysfunction within Ex-Im, including inefficient policies and procedures to guard against waste, fraud, and abuse.

□ 1100

Fully 124 investigations have been initiated between October 2007 and March 2014, as well as 792 separate claims involving more than \$500 million, and 74 administrative actions since April of 2009 in which bank officials were forced to act internally on the basis of investigations by the inspector general.

The Congressional Budget Office reported that Ex-Im programs actually operate at a deficit, because we also are told that it makes the American taxpayer money; but we don't really know, because they use their own accounting system not used anywhere else. Actually, the CBO says that will cost taxpayers \$2 billion in the next decade.

And you wonder why certain Members of Congress don't vote for this thing. It is not about the small businesses in our communities that are trying to do a good job and play by the rules, because they are doing a good job and playing by the rules. But there is a bigger issue here. There is more to the story.

The new bill that we just passed guarantees an audit every 4 years—every 4 years. But keep in mind that Ex-Im currently has around 30 open investigations, 75 years of combined prison time, 90 criminal indictments and complaints, 49 criminal judgments, more than \$223 million in court-ordered fines and restitution, and I could go on.

Mr. Speaker, the Ex-Im Bank doesn't do everything it could for small business, but it does a lot for people that know people in this town. That is why it must be reformed or ended.

UNRWA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, for years, I have been pushing for the United States to reexamine its relationship with UNRWA, the U.N. Relief and Works Agency.

UNRWA employs individuals affiliated with Hamas, a U.S.-designated terrorist organization that openly and loudly incites violence against Israel; yet the United States—which means the U.S. taxpayer—sends nearly \$300 million a year to this organization, to UNRWA without questioning, without scrutiny.

Just last week, the U.N. quietly suspended several individuals after allegations of incitement were brought forth from the NGO U.N. Watch. And we thank U.N. Watch for carefully looking over this organization.

These allegations, Mr. Speaker, are just the tip of the iceberg. We must not continue to send taxpayer dollars to UNRWA—again, that is the United Nations Relief and Works Agency—and, subsequently, to individuals tied to the terror group Hamas in violation of our laws.

That is why, Mr. Speaker, earlier this week, I reintroduced my bill that would stop all U.S. contributions to UNRWA until the organization purges its payroll of individuals who incite violence against Israel and until that organization ends all its affiliations with Hamas. Is that really too much to ask, that we should demand that before U.N. agencies get one penny of U.S. taxpayer money that they must not incite violence and that they must no longer affiliate themselves with a U.S.-designated terrorist organization?

So I urge my colleagues to support this measure, to sign on as cosponsors, and to lead in the effort to fight the incitement to violence against Israel.

HONORING JACINTO ACEBAL

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to pay tribute to an extraordinary south Floridian and one of the most highly decorated veterans of the Vietnam war, my dear friend Jacinto Acebal.

Just last January, Mr. Acebal—or “Ace,” as we all call him—was diag-

nosed with larynx cancer. The news hit Ace like a ton of bricks; and, like so many others diagnosed with this horrible disease, the chances of a favorable outcome looked disheartening.

However, no stranger to tough situations, Ace made a commitment to his family that he was not going without a fight. After a total of 8 chemotherapy sessions, 33 radiation treatments, and 3 different surgeries, Ace is no longer bedridden and has been declared cancer-free.

So I ask my colleagues to join me in congratulating Jacinto “Ace” Acebal on this incredible milestone and wishing him many years of good health throughout his life.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 5 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Bishop Mar Awa Royel, Assyrian Church of the East, Salida, California, offered the following prayer:

In the name of the Father and the Son and the Holy Spirit; Amen.

Father of mercy and God of every consolation, we come to You at this hour asking You to bless our civil servants as they labor for our country and its citizens. Grant them Your wisdom and enlighten them with Your truth that they might serve the greater good of our country.

Strengthen them to be instruments of peace and justice in our society today. May they bring about reconciliation and hope in our communities and neighborhoods, and may they be exemplary citizens and servants to their constituents, without distinction of race or creed.

Father, we ask You to bless our land, which has been a beacon of hope and a refuge for the oppressed and the marginalized. Grant freedom to the captive, relief to the suffering, and help us all to construct a better and safer tomorrow for our future generations of Americans.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mrs. WALORSKI. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mrs. WALORSKI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Washington (Ms. DELBENE) come forward and lead the House in the Pledge of Allegiance.

Ms. DELBENE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING BISHOP MAR AWA ROYEL

The SPEAKER. Without objection, the gentleman from California (Mr. DENHAM) is recognized for 1 minute.

There was no objection.

Mr. DENHAM. Mr. Speaker, it is my great honor today to introduce to the House our guest chaplain, Bishop Mar Awa Royel.

Bishop Royel currently presides over the Holy Apostolic Catholic Assyrian Church of the East's Diocese of California and serves as Secretary of the Holy Synod. He was consecrated as a Bishop in 2008 and is the first American-born Bishop of the Assyrian Church of the East.

Bishop Royel is one of five trustees of the Assyrian Church of the East Relief Organization. He is also the president of the Commission on Inter-Church Relations and Educational Development.

I have been honored to know Bishop Royel and work with him to help raise awareness of the plight of Assyrians in the Middle East who are facing unspeakable violence and persecution. Many Central Valley residents have family members who are suffering under ISIL's campaign of terror. I am thankful for Bishop Royel's efforts. Bishop Royel is a gifted speaker, esteemed author, and leader of California's large and faithful Assyrian community.

Mr. Speaker, I ask my colleagues to join me in welcoming him today. We thank him for offering this afternoon's

opening prayer in the United States House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HULTGREN). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

HONORING PAULA NICHOLS

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize South La Porte County Special Education Cooperative Director Paula Nichols for her dedication to providing services to nearly 1,500 students of varying disabilities. The co-op employs 97 teachers and 50 paraprofessionals, ensuring that students receive high-quality instruction and have positive learning experiences.

Currently, the demand for qualified teachers, especially in special ed, is increasing at a pace far greater than existing communities can produce. My thanks for Paula's dedication.

This co-op provides students with services that empower students to become active members of society based on their individual strengths and abilities. Last year, I visited the South La Porte County Special Education Cooperative and saw firsthand the great work of this organization.

I am grateful to Paula Nichols and the co-op for working with parents, schools, students, and the community to create an environment that celebrates and embraces individuality and accommodates diverse learning needs. Mr. Speaker, please join me in honoring Paula Nichols for her tireless dedication to students in La Porte County.

PROTECTING DOMESTIC VIOLENCE AND STALKING VICTIMS ACT

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, October is Domestic Violence Awareness Month. This month is a time for all of us to examine the work that must be done so that every American can live free from the fear of domestic violence.

All of us would do well this month to consider the destructive role that guns can and do play in incidents of domestic violence. From 2001 until 2012, 6,410 women were killed by a gun wielded by an intimate partner. That number is nearly 1,100 more than the total number of American soldiers who were killed in Iraq and Afghanistan over the same time period.

Despite this fact, many domestic abusers can still legally purchase a

gun. There is no Federal prohibition to prevent the sale of a gun to someone convicted of a misdemeanor crime in a dating partner relationship or someone convicted of misdemeanor stalking offenses.

I am proud to be an original cosponsor of the Protecting Domestic Violence and Stalking Victims Act, which Congresswoman LOIS CAPPS has introduced, to close these loopholes immediately.

Let's get to work to end this epidemic and protect the lives of women across our country during Domestic Violence Awareness Month.

OXI DAY

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today because 75 years ago this week, the Nazis were sweeping through Europe with frightening ease. This was the backdrop on the early morning of October 28, 1940, when the Axis forces requested a meeting with the Greek Prime Minister, Ioannis Metaxas.

The Axis' agenda for the meeting was a short one. They came with only one simple demand: Greece must unconditionally surrender and allow the Axis forces unfettered use of strategic military sites or the Greek people would face war.

The Axis forces clearly underestimated the resolve of the Greeks. Prime Minister Metaxas shocked the Axis powers by giving his now famous one-word answer: "Oxi."

While others in Europe were choosing to stay out of the conflict in hopes that they would be spared, the Greeks willingly inserted themselves into the fray, costing hundreds of thousands of Greek lives, but saving millions by continually stifling the Axis forces.

Greece's refusal saved countless lives as Greek forces fought heroically; but Greece paid a terrible price as well, losing practically an entire generation of men and women.

As we remember Oxi Day and the bravery of the Greek people, let us also remember the millions of Greeks who perished so that Hitler might be stopped.

TRINITY RIVER MISSION

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to commend the Trinity River Mission for their dedicated efforts to ensure that all children can achieve academic success. I recently visited Trinity River Mission and was so moved and impressed by what I saw and learned.

Today, the Trinity River Mission is a volunteer-based community learning

center, servicing the educational needs of children, youth, and families in West Dallas. The organization provides a safe environment, nutritional meals, and an after-school program to support youth in grades K through 12 at absolutely no cost to their families.

What I saw that day was hundreds of kids and volunteers like Dolores Sosa Green, Rosie Cisneros, and other volunteers who have come back to the community to work with these kids to show them that they can achieve anything through education.

BREE SANDLIN

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, October is Breast Cancer Awareness Month.

I would like to share the story of a breast cancer survivor I met last week at home. Her name is Bree Sandlin. She is married to Stephen. They have two sons, Beck and Elliott. Elliott is a master Lego engineer.

On July 25, 2012, Bree was diagnosed with stage III triple-negative breast cancer. After major surgery and chemotherapy, Bree was cancer free by February 13, 2013.

A proud Texas Aggie, Bree has embraced life after her cancer. She climbed Mount Kilimanjaro, 19,341 feet above sea level. This past Sunday, she ran the Marine Corps Marathon with a time of 5 hours, 39 minutes, and 10 seconds.

We can beat breast cancer. Just ask Bree Sandlin.

LGBT HISTORY MONTH

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, as LGBT History Month draws to a close, I rise today to recognize Chicago LGBT activist Henry Gerber, a man well ahead of his time.

Mr. Gerber founded the Society for Human Rights in 1924. It was the first chartered gay rights organization in the United States. His home in Chicago's north side, my district, served as the society's headquarters, and from there he published the first-known gay interest periodical in the U.S.

Unfortunately, his activism carried risks. Less than a year after he founded the society, police raided his home, arrested him, and confiscated his possessions. He was put on trial three times. Although he was never convicted of a crime, he lost his life savings, his reputation, and his job.

Thankfully, our country has come a long way in the fight for equality, but we can all learn from Henry Gerber's struggle for human rights in the face of overwhelming adversity.

REMEMBERING LIEUTENANT COLONEL TIMOTHY REDDY

(Mr. BYRNE asked and was given permission to address the House for 1 minute.)

Mr. BYRNE. Mr. Speaker, I rise today to remember the life of Lieutenant Colonel Timothy Reddy, a resident of Baldwin County, Alabama.

Colonel Reddy graduated from the United States Military Academy at West Point in 1976 and was Active-Duty military for 23 years, including a combat tour with the 82nd Airborne Division in Grenada.

Following his military service, Colonel Reddy began a 15-year career teaching math and coaching soccer and swim team at Fairhope High School in my district. He was known for pushing his students to the next level and making them better people. I can personally attest to Colonel Reddy's teaching ability because my children were his students and they considered him one of their all-time favorite teachers. And he was tough.

So on behalf of Alabama's First Congressional District, I want to share our deepest condolences with Colonel Reddy's loved ones. He was a great American and an extraordinary educator. Colonel Reddy made a positive impact in the lives of so many, and his legacy will live on in his students, his family, and his friends.

□ 1215

FARM TO SCHOOL MONTH

(Ms. DELBENE asked and was given permission to address the House for 1 minute.)

Ms. DELBENE. Mr. Speaker, I rise today to celebrate Farm to School Month. Having healthy foods in our schools is crucial. We know that, when students are provided with wholesome foods, they are more likely to pay attention in class and to learn. In addition, by introducing kids to a variety of fruits and vegetables at a young age, we can teach them how to eat healthy over the long term.

We are fortunate in my district to have farmers who grow some of the best food in the world. If our children know where their food comes from, they are also more likely to be passionate and connected to their food choices.

Across our region hundreds of different fruits and vegetables are grown. These crops provide fresh, quality foods to our schools. Why buy berries from another State when we can purchase them from our local farmers?

I strongly support the efforts of our local Farm to School movement and recognize those working to increase access to nutritious foods in schools.

WORKING TOWARDS A CURE

(Mr. YODER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, the month of October is Breast Cancer Awareness Month, and I rise today to call attention and awareness to this disease and to recognize the many women and men in America who are fighting it.

The American Cancer Society estimates that more than 230,000 women and 2,350 men will be diagnosed with breast cancer this year and over 40,000 women and men will, sadly, lose their battle.

Every day brilliant researchers in our country are working towards a cure. We must honor their commitment with full funding of the National Institutes of Health to ensure that we are meeting our commitment to them and the millions of lives affected by cancer each year.

That is why I supported the 21st Century Cures bill that passed the House earlier this year with a majority of each party in support. That is also why I am renewing my call to double NIH funding over the coming decade to recruit, retain, and invest in the people and research that will save lives, grow our economy, and save us trillions.

Mr. Speaker, it is time for the "moonshot," as our Vice President called it earlier this week. It is time for this Congress to make curing cancer its signature priority.

LET'S CLOSE THE LOOPHOLES

(Mr. DEUTCH asked and was given permission to address the House for 1 minute.)

Mr. DEUTCH. Mr. Speaker, what do the mayors of cities like Houston, Texas; Tallahassee, Florida; and Portland, Maine, have in common? They all support closing loopholes in our background check laws, loopholes that let convicted felons and those with severe mental illness buy deadly weapons. That is just one of the findings from Politico magazine's recent "What Works" survey of mayors from across the country.

In red States and in blue States in every part of this country, 90 percent of mayors say they want stronger background checks, 86 percent say they want the gun show loophole closed, and 78 percent want those subject to restraining orders barred from ever buying guns. It is no surprise why.

America's mayors witness up close the gun violence that plagues our country every day. They know the victims of the homicides, the suicides, the accidental shootings, and the domestic gun violence that leave families forever shattered. They know how hollow the gun lobby sounds when it says there is nothing we can do to prevent more tragedies, and they know that it is within the power of this Congress to fix the laws that do not work and to save the lives that need not be lost.

ACUPUNCTURE FOR HEROES AND SENIORS ACT

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute.)

Ms. JUDY CHU of California. Mr. Speaker, acupuncture is one of the oldest medical treatments in the world. Here in the U.S., the demand for acupuncture has grown significantly in recent years.

In fact, about 4 in 10 American adults use alternative medicines. When other treatments may not help, acupuncture can treat chronic pain, mental health issues, substance abuse, and many other illnesses.

I will never forget hearing the testimony of a woman who had severe back pain, but did not want invasive surgery, as suggested by her doctor, and possible addiction to morphine. Instead, she sought acupuncture, and it worked for her.

Indeed, the National Institutes of Health indicates that, for some medical issues, acupuncture can provide the needed relief. It is my goal to make this treatment available to all Americans, including seniors, our brave servicemembers, and respected veterans.

Today I am introducing a bill to do just that. This bill, the Acupuncture for Heroes and Seniors Act, will expand access to acupuncture services to these communities because they deserve to have all the tools at their disposal to live long and healthy lives.

RECOGNIZING DANNY KORNEGAY

(Mr. ROUZER asked and was given permission to address the House for 1 minute.)

Mr. ROUZER. Mr. Speaker, this country is blessed with incredibly talented and God-fearing families and individuals. One great example is Danny Kornegay, a constituent and friend who was recently named the 2015 Swisher Sweets/Sunbelt Expo Southeastern Farmer of the Year.

Danny began farming 25 acres right after graduating high school and during the past 45 years has grown his operation to more than 5,500 acres, producing tobacco, sweet potatoes, cotton, soybeans, wheat, and peanuts. He also finishes about 8,000 to 10,000 head of hog per year.

My family and I have known Danny for many years. Farm families like his prove agriculture is in very capable hands, and they are the reason America continues to produce the best and safest food supply in the world.

Danny's commitment to agriculture, our community, and our State is unparalleled. I know his family and many friends are proud of him. In fact, we are all proud of him.

PASS DAPA FOR SOPHIE CRUZ AND OTHERS

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, the poster beside me depicts the moment in Pope Francis' parade through D.C. when a little girl snuck through the barrier and was lifted into the Pope's arms on live TV.

That little girl is a constituent of mine, Sophie Cruz, a 5-year-old from the City of South Gate. She is one of 5 million children who are American citizens, but whose undocumented parents face deportation. She gave the Pope a T-shirt with a message in Spanish that read: "Pope, rescue DAPA so the legalization can be your blessing."

Deferred Action for Parental Accountability, or DAPA, is a program that would stop the deportation of parents of American children. So far, DAPA faces strong opposition. But is this really what we want, to separate families, to leave American children in the United States without their parents?

I could not be more proud to have Sophie as my constituent. Last night my office honored her with a congressional certificate at a ceremony at the South Gate City Hall. I wish that I could have been there last night, but I want Sophie to know that I support her and that I will be fighting for DAPA for her and for the 5 million children just like her across this great country.

WE MUST COMBAT THE HEROIN EPIDEMIC

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. Mr. Speaker, today I rise to discuss new bipartisan steps my House New Hampshire colleague, FRANK GUINTA, and I are taking to combat the heroin epidemic seizing New Hampshire and many other States across this country.

Last year in New Hampshire alone we experienced 321 drug-related deaths, according to the State medical examiner's office, and the rate of drug-related fatalities in 2015 is expected to increase.

I continue to see the impacts of this terrible epidemic as I meet with affected communities and stakeholders across my district. From educators to police officers, to advocates and health providers, it is only when we stand united and coordinate our efforts that we will be able to halt the destruction that this dangerous substance is causing all across our communities.

That is why I ask my colleagues on both sides of the aisle to join me and my fellow Representative from New Hampshire in our Bipartisan Task Force to Combat the Heroin Epidemic. This task force will focus on finding so-

lutions to the growing epidemic. We believe we must do everything possible to spread awareness, increase educational efforts, and hear from affected families and individuals.

Mr. Speaker, I ask my colleagues to join us to end this epidemic in our communities.

OCTOBER IS NATIONAL FARM TO SCHOOL MONTH

(Ms. PINGREE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PINGREE. Mr. Speaker, October is National Farm to School Month, and I want to talk today about the recent gains our schools have made in connecting students with local food.

Across the country, the Farm to School movement has inspired over 40,000 schools to spend more of their food dollars locally, to create healthier meal options, and to teach students about growing and preparing local food. These efforts have brought numerous benefits, like new markets for local agricultural producers, better nutrition for students, and less food being thrown away in the trash.

I am proud that schools in my State of Maine have helped lead the way; but, like others, they encounter many challenges in replacing highly processed food with fresh ingredients.

The USDA Farm to School grants have eased that transition for many schools by helping them make needed changes in procurement, facilities, and training. As we celebrate Farm to School efforts this month and look toward child nutrition reauthorization, I encourage my colleagues to support increased funding for this program so more communities can reap the benefits.

HONORING MAJOR PHYLLIS PELKY

(Mr. BEN RAY LUJÁN of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to pay tribute to Air Force Major Phyllis Pelky, who died earlier this month in a helicopter crash in Kabul, Afghanistan.

As a Major in the Air Force, Phyllis Pelky served her nation with distinction as aide-de-camp to the superintendent of the Air Force Academy. Major Pelky had been deployed in support of Operation Freedom's Sentinel in Afghanistan, working as the deputy manpower chief of the American Train, Advise and Assist Command.

As we take this moment to honor the service and patriotism of Major Pelky and recognize her sacrifice, the ultimate sacrifice as a member of our armed services, we also thank her for her contributions in the classroom.

Major Pelky was a beloved humanities teacher at the Rio Rancho High School. Her commitment to her students, combined with her enthusiasm, encouraged them to learn. She left a lasting impact on those who were fortunate to have her as a teacher. Her enduring spirit will live on through the many students she inspired.

As we mourn the passing of Phyllis Pelky and celebrate her life, my thoughts and prayers are with her husband, her two sons, her family, and the Rio Rancho community during this sad time.

DOMESTIC VIOLENCE AWARENESS MONTH

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, October is Domestic Violence Awareness Month. One in three women report experiencing domestic violence throughout their lifetimes. In North Carolina alone, 108 people died because of domestic violence in 2013.

Earlier today Ron Kimble, deputy city manager of Charlotte, who resides in my district, spoke at the new Members meeting about the severity of domestic violence. Mr. Kimble and his wife, Jan, lost their daughter Jamie, an only child, to domestic violence in 2012.

Jamie, a 31-year-old graduate of the University of North Carolina and rising star at Coca-Cola Consolidated, worked up the courage to leave her boyfriend, who was controlling and emotionally abusive. Just 3 months after leaving him, he took her life and then he took his own in a murder-suicide.

While Jamie can no longer share her story, her parents—Mr. and Mrs. Kimble—wanted me to share it with you today to shed light on the tragedy that often emerges from domestic violence.

I am a proud cosponsor of the Teach Safe Relationships Act because I believe including safe relationship behavior curriculum in sex education will help combat domestic violence. This Domestic Violence Awareness Month, I urge this Congress to pass the Teach Safe Relationships Act and support other critical domestic violence legislation.

FIGHTING BACK AGAINST BREAST CANCER

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today I rise to recognize October as Breast Cancer Awareness Month and all the men and women working to raise awareness in north Florida.

About one in eight U.S. women will be diagnosed with invasive breast cancer over the course of her lifetime. Approximately 43,000 will be diagnosed in

Florida in this year alone. But in north Florida, we are fighting back.

Local charities, media outlets, survivors, and strong women currently fighting the disease are standing up to be heard and reminding everyone to “Think Pink.”

Each year we make greater strides against breast cancer. Together we are going to beat it and save lives.

□ 1230

REAUTHORIZATION OF THE EXPORT-IMPORT BANK

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, last evening, I voted against reauthorizing the Export-Import Bank, a Federal entity that financially backs purchases of American goods and services by providing taxpayer-backed loans and loan guarantees to foreign companies and governments.

While the Ex-Im Bank can help American industry break into foreign markets, too often it underwrites purchases by companies that directly compete with domestic companies, placing them at a significant disadvantage. For example, when foreign airlines purchase aircraft at lower costs with Ex-Im Bank backing, they are able to charge lower fares and outcompete our domestic airlines.

The Federal Government should ensure that competition occurs on a level playing field, without tilting it toward one side or another.

Furthermore, Ex-Im Bank supporters used a discharge petition to bring this bill to the floor, a parliamentary tactic which limits the use of amendments and creates an end run around the normal committee process that should apply to every measure considered by Congress.

It is the American public that should bear the risk of these loans, and, at the very minimum, they deserve an honest debate on this floor on the best way to move forward in promoting our exports abroad.

BIPARTISAN BUDGET AGREEMENT

(Mr. CONNOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONNOLLY. Mr. Speaker, I rise in support of the bipartisan budget agreement that will come before us here in the House soon. It restores critical funding for our Nation's defense and domestic priorities in a balanced fashion, sparing us from the mindless meat-ax cuts of sequestration.

Under previous Republican budget proposals, spending on domestic programs would have fallen to its lowest

level in 50 years. It is the threat of uncertainty, of those indiscriminate cuts, that has held back our economy.

This agreement also pulls us back from the brink of defaulting on our Nation's credit. Although I am astounded at how some of our colleagues continue to advocate for such a catastrophe, it would send a shock wave through the global economy. We avert that in this agreement.

Mr. Speaker, governing is about the art of compromise. Today's agreement, not perfect, represents that principle. I hope your successor and, frankly, more of the Members on your side of the aisle, will embrace that spirit moving forward in this Congress so, once again, we can start delivering for the American people.

PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 1314, ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 495 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 495

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the Majority Leader or his designee that the House concur in the Senate amendment with the amendment printed in part A of the report of the Committee on Rules accompanying this resolution modified by the amendment printed in part B of that report. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday the Rules Committee met and reported a rule for consideration of H.R. 1314, the Bipartisan Budget Agreement of 2015. The rule makes in order a motion offered by the majority leader that the House concur in the Senate amendment to H.R. 1314, with an amendment consisting of the text of the Bipartisan Budget Agreement of 2015. The rule provides for 1 hour of debate equally divided and controlled by the majority leader and the minority leader.

Mr. Speaker, I want to start with a phrase I often share with my fellow Members: In a negotiation, you are always going to get less than you want and give up more than you would like. I think that is a fitting way to describe the bill we find ourselves presented with today. In an era of divided government, that is the reality we find ourselves in.

At the beginning of the negotiation, the President demanded a clean debt ceiling increase with no changes and no conditions. In addition, he wanted more spending and higher taxes. Given that, I think the deal that we have before us is a testament to our leadership's ability to negotiate.

As I said yesterday, Mr. Speaker, nobody is going to be popping champagne corks at either end of Pennsylvania Avenue over this bill. It is what most things are in divided government, in a system of checks and balances, and in an era of polarized politics. It is a deal that leaves both sides unsatisfied, but it is a deal that avoids default, prevents a government shutdown, and adequately funds our military. Moreover, it reforms and funds the Social Security Disability Insurance Fund, saving it from bankruptcy, and prevents a crippling increase in the premiums paid by many people who receive Medicare part B.

There are any number of provisions that Members on both sides can point to as reasons to oppose this legislation. I, myself, would have negotiated a different deal. But in determining one's support for this legislation, I encourage Members to look at what the alternative would be, and that is this: the first default on our Nation's debt in the history of this country, significant cuts to our military in a time when we need our military the most, and an almost 50 percent increase in Medicare premiums for many of our seniors. That is the reality of what happens if we do nothing.

Mr. Speaker, I am encouraged by a number of provisions in this legislation. First, just like the Bipartisan Budget Act of 2013, this legislation sets forth 2 years of budget certainty for the Appropriations Committee. That certainty puts us on a path to ensure consideration of full-year spending bills for the next 2 years, just as we were able to accomplish this past fiscal year.

In addition, this budget certainty provides the needed investment for our military. With the ongoing conflicts across the Middle East, Russian activity in Eastern Europe, and Chinese claims in the South China Sea, it is clearer now than ever that America needs a robust military.

Mr. Speaker, most importantly, all these discretionary spending increases are fully paid for by offsets in mandatory programs.

In addition to these critical investments, the legislation before us makes a number of commonsense, structural reforms to SSDI, like requiring a medical review before awarding benefits, and expanding Cooperative Disability Investigations units to investigate sophisticated fraud schemes before benefits are awarded. These reforms both ensure that the disability trust fund will be able to pay full benefits and ensure that those who truly are disabled have access to this important program.

Beyond that, Mr. Speaker, this legislation realizes over \$30 billion in Medicare savings within the budget window and countless billions in years to come.

I am pleased to again be talking about the real drivers of our debt: the two-thirds of our government spending that is on autopilot. If we are unable to deal with these mandatory programs, they will end up bankrupting us.

Finally, Mr. Speaker, this legislation suspends the debt ceiling through March 15, 2017. Since its inception in 1917, 20 debt limit laws also included a change in fiscal policy. I am pleased that this debt limit increase is yet again accompanied by mandatory reforms.

Of course, Mr. Speaker, I would have preferred stronger reforms, but, in this era of divided government with a Democratic President and a Republican Congress, no one will be able to get everything they want.

The President wanted a clean debt limit increase. Congress wanted significant entitlement reforms. What we are left with is a compromise which lowers the trajectory of our debt, but also assures the world that the United States will pay its bills.

While not a perfect piece of legislation, I believe this moves us in the right direction and funds critical priorities for our Nation. I urge support for the rule and the underlying legislation.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am here to do my part of the rule. I thank the gentleman from Oklahoma, my friend, for yielding me the time, and I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of the Bipartisan Budget Agreement before us. Instead of the brinkmanship and short-term stopgaps that we have seen, we have, I am glad to say, a 2-year budget agreement that eases the burden of the damaging sequester cuts,

protects seniors, affirms the full faith and credit of the United States, and provides much-needed economic stability and security to our Nation.

This agreement provides relief from 90 percent of the sequester's cuts for the next 2 years. While we should eliminate the sequester in its entirety, this is a welcome respite from the sequester's grip, ensuring a renewed investment in research, infrastructure, and early childhood education.

The agreement also includes a clean way to pay the debts that Congress has already incurred and will eliminate the threat of a debt limit standoff for the next 2 years.

We should remember that the last time politics were played over the debt limit, our credit rating was downgraded for the first time in our history and our economy suffered.

Because of this agreement, the non-partisan Congressional Budget Office estimates that the certainty that this budget agreement creates will encourage the growth of 340,000 new jobs in 2016 alone.

The Los Angeles Times Editorial Board wrote this morning that the budget agreement will provide "a welcome measure of stability at a time of increasing anxiety about the global economy."

Mr. Speaker, I include in the RECORD the text of the editorial from the Los Angeles Times entitled "JOHN BOEHNER'S Last Deal Leaves Congress Better Off."

[From the Los Angeles Times, Oct. 28, 2015]

JOHN BOEHNER'S LAST DEAL LEAVES
CONGRESS BETTER OFF

In a parting gift to the conservatives who hectoring him out of office, House Speaker John A. Boehner (R-Ohio) negotiated a budget agreement with Senate leaders and the Obama administration that increases federal spending and raises the debt ceiling in exchange for—well, not much that Republicans covet. There are no big changes in entitlements, no defunding of Planned Parenthood. Yet this backroom deal delivers the goods that matter most: It will avert the risk of a shutdown until after the next president takes office, providing a welcome measure of stability at a time of increasing anxiety about the global economy.

Boehner had said he wanted to "clean the barn" for his replacement—most likely Rep. Paul D. Ryan (R-Wis.)—which meant disposing of four divisive issues with rapidly approaching deadlines. The federal government is days away from hitting its borrowing limit. Federal agencies are slated to run out of funding in early December. The Social Security trust fund for disability benefits is expected to be empty by late 2016. And millions of elderly and disabled Americans face a whopping 52% increase in their Medicare Part B premiums at year's end.

The compromise negotiated by congressional leaders and the White House would resolve all of these issues in the time-honored way: giving everyone much of what they want, then paying for it with budget gimmicks. The debt ceiling would be suspended until March 2017, the budget caps lifted for two fiscal years, disability benefits assured through 2022 and Medicare premium in-

creases made less dramatic. Without these steps, Congress risks defaulting on debts, forcing a government shutdown and delivering a painful financial blow to vulnerable Americans. None of those outcomes should even be contemplable, and yet Congress' record of dysfunction over the last four years makes them all real possibilities absent a deal like the one Boehner negotiated.

Obviously, it would be better for Congress to make real choices about spending instead of relying on accounting legerdemain to make the numbers look good. The proposed fix for disability insurance, for example, would take the money out of a fund for future retirement benefits; that's a reprieve, not a solution. But when Congress ignores a problem until the last minute, it takes real solutions off the table, leaving lawmakers to choose between pragmatism and the sort of posturing that dissident House Republicans have made their stock in trade. Credit Boehner with opting for one last deal rather than showing the country again that the House GOP's reach exceeds its grasp.

Ms. SLAUGHTER. Mr. Speaker, this agreement avoids the harmful cuts to Medicare and Social Security beneficiaries by reforming tax compliance among hedge funds and private equity funds, ensuring that people in the top bracket pay their fair share.

The agreement also limits any increase in the Medicare part B premiums for 2016, protecting millions of seniors from a roughly 50 percent rate hike. It does this by spreading out the cost of replenishing the Medicare trust fund over a number of years, and it prevents this kind of rate hike from happening again in 2017.

The health savings included in this agreement focus on well-documented areas of overpayment and improved program integrity, clearing out waste in the system.

What's more, the agreement avoids the deep cuts to Social Security Disability Insurance benefits that would occur at the end of next year, ensuring it continues to pay benefits without reducing benefit levels or imposing new eligibility restrictions. Social Security Disability will survive, but with reforms to ensure accountability and fiscal prudence that are long overdue.

These are good steps forward. The agreement represents significant progress for hardworking American families, and for the next 2 years, we have come out of the sequester's shadow. Together, we have found a way forward to confront the challenges we face as a nation.

This agreement is the first bipartisan budget bill we have seen in quite awhile. It serves as a roadmap that will lead us through the appropriations process; but until we finish that process, we are still on the path toward a government shutdown.

However, with the reauthorization of the Export-Import Bank yesterday and now the introduction of this budget agreement, I am hopeful that this House can make progress on issues that are important to America and to our economy. We have sort of grown

accustomed to governing by crisis with stopgap measures that do harm to the Nation.

When JOHN BOEHNER assumed the Speakership, he promised an open process for all Members; but what we have seen is that one party has been consistently shut out and only allowed to participate in fits and starts, which silences half the voices of our Nation. We have seen politicized select committees and political maneuvers, and we hope that the cries to the Speaker-in-waiting for open legislative process will include both parties and include all voices.

This agreement, with a 2-year outlook, with input from leadership from both Chambers of Congress and the White House, has, perhaps, marked a turning point. Only time will tell.

I reserve the balance of my time.

□ 1245

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I just want to make a couple of points. First, I want to thank my good friend for her work on this and her cooperation. I agree with many of the points she made, certainly about the fact that I hope this heralds a new beginning.

Worth noting, we did have a budget agreement 2 years ago, and that worked pretty well for a couple of years. I am pleased to see that this follow-on agreement is here before us today. I think it will give us 2 years of stability.

My friend will understand if I take mild exception with some of her remarks about being shut out of the process. Those of us who were here in the minority on the Republican side of the aisle certainly remember not being allowed to offer amendments to the Affordable Care Act, seeing the stimulus act come to the floor with no committee, and, frankly, having the long-time practice of appropriations bills coming under open rules totally suspended.

But, in the spirit of cooperation today, I will leave it at that. Let's look ahead. I think my friend is exactly right when she suggests this bill not only solves some important issues that are in front of us in a bipartisan way, a give-and-take way, but creates an opening and an opportunity going forward.

I really think, if we get this rule passed—and I am sure we will—and we get the underlying legislation passed—I am sure we will be able to do that as well—that next year offers us an opportunity to do what we have not done around here, really, since 2006, and that is see every single appropriations bill come to the floor under an open rule so that Members on both sides can participate in the most important process of governing ourselves, and that is the appropriation of the taxpayers' dollars for the functioning of government.

If we can build on this and achieve that, I think a lot of people on both sides of the aisle who are concerned about regular order and who, frankly, have never seen it work will have an opportunity to watch it work.

I would suggest the fact that we already have an agreement as to what the top-line number will be on what we spend in the normal appropriations process might make it easier for a lot of the votes to be more bipartisan.

Frankly, I know that is certainly possible in my committee, the Appropriations Committee, and I think that is something that Members are genuinely looking for: an opportunity to debate priorities and discuss, but also to come together when there is common ground.

Again, I want to look at this bill. I know there will be some controversy about it today and there will be some people who would have liked to have done some things differently. Frankly, I suspect every Member would like to do things differently.

But the reality is we are in a period of divided government. We do operate in a system of checks and balances. It has been an exceptionally polarizing political environment. The fact that, with all of those challenges, the Speaker, the majority leader, the President, and the respective minority leaders of both Chambers could come together and find enough common ground to accomplish the things that this accomplishes is something that we ought to laud, not to disparage.

I look forward to working with my friend. I look forward to this becoming the foundation for a much more productive 2016, where we can do something we have not done for a long time, and that is operate under regular order throughout the entire appropriations process. That is going to be my New Year's resolution after we get an omnibus done.

I think this will set the ground for getting that done by early December and we can have stability next year and an opportunity to legislate the way I think most Members, regardless of party or philosophical point of view, want to legislate.

Mr. Speaker, I reserve the balance of my time.

Mrs. SLAUGHTER. Mr. Speaker, I am pleased to yield 2½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank my good friend and the ranking member on the Rules Committee for yielding to me and for her extraordinary leadership for the State of New York and for so many issues before this body.

Mr. Speaker, I rise to express my strong support for this 2-year budget bill and the exemplary bipartisan cooperation that made it possible. Although this bill is by no means perfect,

it is a good bill. It is good for the economy and good for the country.

It will ensure our Nation maintains the full faith and credit of global financial markets. It protects millions of Americans from an enormous Medicare premium increase. It frees us from the uncertainty that roils markets and worries businesses, both big and small.

While I support the compromise, I would like to raise some concerns about its impact on hospitals in the district that I represent.

The bill puts restrictions on which hospital-affiliated facilities can be considered outpatient departments and reimbursed at hospital rates.

Under the bill going forward, acquired facilities that are a certain distance from the main campus of hospitals will be reimbursed, but at a lower rate. They will be reimbursed for services as a regular doctor's visit. Existing sites will be grandfathered, but those that are under construction will be exempted and charged the lower rate.

This will be a challenge in areas, like the district that I represent, where increasing demand collides with the lack of physical space to cause scattered hospital-affiliated facilities. I hope to work with my colleagues to improve the changes made to these outpatient services Medicare payments.

I commend all who have worked with such goodwill on this budget. I urge my colleagues to support the rule and the underlying bill.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I want to say I think my good friend from New York makes an excellent point. There are going to be some issues like this that I think we need to look at very carefully in the coming weeks and perhaps find some common ground on. In an agreement of this magnitude, occasionally we are going to have some problems.

I have some other areas of concern in some of the offsets, agricultural crop insurance being one of them. I suspect, in the coming weeks, perhaps we can find some common ground on these issues. I certainly hope so.

Of course, if we get an omnibus spending bill done, which this is the foundation or the predecessor for, then we will have a vehicle where perhaps we can address some of the concerns that my friend raises and as I know others have in different areas with respect to this agreement.

Again, I want to thank my friend for bringing the issues forward. I think they are important to air and make note of. I just pledge that I will do what I can to see if we can find some common ground here and iron out some of these knotty problems that we have.

Mrs. CAROLYN B. MALONEY of New York. Will the gentleman yield?

Mr. COLE. I certainly yield to my friend.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding. I would like to underscore my appreciation to you and the ranking member for your willingness to work on correcting this.

I believe a correction could literally save taxpayer dollars and be more efficient. The willingness to work together for better government for our country is, I think, a good step forward.

I thank the leaders on the other side of the aisle for approaching this in a bipartisan, cooperative spirit, as you are showing on the floor today. It is better for our country and certainly better for the budget in all respects.

Thank you very, very much. I am extremely appreciative.

Mr. COLE. Reclaiming my time, Mr. Speaker, I want to thank my friend again. I again express my appreciation for the point that she raises and the willingness to work together.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time. My scheduled speakers have not arrived, and I am prepared to close.

Mr. Speaker, today we have before us a 2-year budget agreement that protects seniors, invests in job training, and eases the burden of the sequester.

However, unless we see the process through with the appropriations process, we are still on a path toward shutdown, which is not what the American people want from Congress and what the economy can't stand.

So I urge my colleagues to vote for this bipartisan agreement, for the rule, and the underlying bill.

I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to just reiterate a number of points that I opened my remarks with.

First, I don't think this is a perfect bill. I doubt that anybody on this floor does. However, it is the only deal that can be considered in the timeframe we have before the debt limit is breached.

Secondly, the deal ensures an appropriate level of discretionary government spending for the next 2 years, a level that robustly funds our military and ensures America's security.

Finally, this deal is fully paid for and includes mandatory offsets that will build over time, further decreasing the trajectory of our expanding debt, shifting the burden to where the true drivers of the debt are and where the supercommittee was intended to actually find cuts and brings us back to fiscal balance.

Before I conclude my remarks, Mr. Speaker, I also want to add a personal tribute, if I may, to our Speaker. This is probably the last significant piece of legislation that this body will pass under Speaker BOEHNER's leadership. He was instrumental in forging it.

I know there are many people who are critical of particular aspects of this

deal or about the process. Indeed, our Speaker himself has used rather colorful language in expressing his opinion of the process by which we arrived at this agreement.

However, I think it is worth noting that, in the finest traditions of this House and the institutions that we all cherish, the Speaker, the President, the majority leader, the minority leader in the House, the minority leader in the Senate, came together, put aside differences, and found common ground.

In doing so, they solved some really difficult issues for us. They dealt with an impending default to make sure that didn't happen. They dealt with a potential government shutdown or at least bought us the time to deal with it between now and December 11.

They made sure that the additional discretionary spending that they both agreed to was offset by a variety of means. They included a really important reform in the Social Security disability system that, again, will keep it from going bankrupt and help millions of Americans who need help.

Finally, they also made sure that millions of Americans who are facing literally 50 percent rate increases under Medicare part B will not have those increases. That is no small achievement.

And JOHN BOEHNER, for 25 years in this institution, from a freshman to the highest pinnacle that we have, the Speakership, has operated with integrity and has operated from principle, but has never been afraid to try and find common ground for people with different points of view. I, for one, appreciate the manner in which he has led our House, the manner in which at the very last minute he continues to work for the good of the American people and to reach across the aisle to find common ground with those with opposing views and opposing partisan affiliations.

I appreciate the manner in which he has dealt with our own Conference, which is the largest since 1928, and, consequently, probably the most fractious. He has worked with Members of differing opinion and found common ground and brought us together.

So I just, again, speaking for myself, want to say how much I have enjoyed, throughout my entire career, having had the opportunity to serve with Speaker BOEHNER, first as a freshman member on his committee when he chaired Education and the Workforce, then at the leadership table when he became the leader of our party, and, finally, just as another Member who admires and appreciates his many, many accomplishments, his character, and the manner in which he has led.

So, with that, Mr. Speaker, I want to again thank the Speaker of the entire House, Mr. BOEHNER, for his distinguished service to this institution and to this country and for being a valued

friend and a person that I genuinely admire and I think people on both sides of the aisle genuinely admire.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 58 minutes p.m.), the House stood in recess.

□ 1453

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 2 o'clock and 53 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 495; and

Adoption of House Resolution 495, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 1314, ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 495) providing for consideration of the Senate amendment to the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 325, nays 103, not voting 6, as follows:

[Roll No. 577]

YEAS—325

Abraham	Ellmers (NC)	Lawrence
Adams	Emmer (MN)	Levin
Aderholt	Eshoo	Lieu, Ted
Aguilar	Esty	LoBiondo
Allen	Farenthold	Long
Amash	Fattah	Loudermilk
Amodei	Fincher	Love
Ashford	Fitzpatrick	Lowenthal
Babin	Fleischmann	Lucas
Barletta	Fleming	Luetkemeyer
Barr	Flores	Lujan Grisham
Barton	Forbes	(NM)
Beatty	Fortenberry	Lummis
Benishek	Fox	Lynch
Bilirakis	Franks (AZ)	MacArthur
Bishop (GA)	Frelinghuysen	Marchant
Bishop (MI)	Gabbard	Marino
Bishop (UT)	Garrett	Massie
Black	Gibbs	McCarthy
Blackburn	Gibson	McCaul
Blum	Gohmert	McClintock
Bonamici	Goodlatte	McCollum
Bost	Gosar	McHenry
Boustany	Gowdy	McKinley
Boyle, Brendan	Graham	McMorris
F.	Granger	Rodgers
Brady (PA)	Graves (GA)	McSally
Brady (TX)	Graves (LA)	Meadows
Brat	Graves (MO)	Meehan
Bridenstine	Grayson	Messer
Brooks (AL)	Griffith	Mica
Brooks (IN)	Grothman	Miller (FL)
Brownley (CA)	Guinta	Miller (MI)
Buchanan	Guthrie	Moolenaar
Buck	Gutiérrez	Mooney (WV)
Buchshon	Hahn	Moulton
Burgess	Hanna	Mullin
Bustos	Hardy	Mulvaney
Byrne	Harper	Murphy (FL)
Calvert	Harris	Murphy (PA)
Capuano	Hartzler	Neal
Carney	Heck (NV)	Neugebauer
Carter (GA)	Hensarling	Newhouse
Carter (TX)	Herrera Beutler	Noem
Cartwright	Hice, Jody B.	Nolan
Castor (FL)	Hill	Nugent
Chabot	Himes	Nunes
Chaffetz	Holding	O'Rourke
Cicilline	Hoyer	Olson
Clawson (FL)	Huelskamp	Palazzo
Clyburn	Huffman	Palmer
Coffman	Huizenga (MI)	Pascrell
Cohen	Hultgren	Paulsen
Cole	Hunter	Pearce
Collins (GA)	Hurd (TX)	Perlmutter
Collins (NY)	Hurt (VA)	Perry
Comstock	Issa	Peterson
Conaway	Jenkins (KS)	Pittenger
Connolly	Jenkins (WV)	Pitts
Cook	Johnson (OH)	Poe (TX)
Cooper	Johnson, Sam	Poliquin
Costa	Jolly	Pompeo
Costello (PA)	Jones	Posey
Courtney	Jordan	Price, Tom
Cramer	Joyce	Quigley
Crawford	Kaptur	Ratcliffe
Crenshaw	Katko	Reed
Crowley	Keating	Reichert
Cuellar	Kelly (IL)	Renacci
Culberson	Kelly (MS)	Ribble
Curbelo (FL)	Kelly (PA)	Rice (SC)
Davis (CA)	Kennedy	Richmond
Davis, Rodney	Kind	Rigell
Denham	King (IA)	Roby
Dent	King (NY)	Roe (TN)
DeSantis	Kinzinger (IL)	Rogers (AL)
DesJarlais	Kline	Rogers (KY)
Dold	Knight	Rohrabacher
Donovan	Kuster	Rokita
Doyle, Michael	Labrador	Rooney (FL)
F.	LaHood	Ros-Lehtinen
Duckworth	LaMalfa	Roskam
Duffy	Lamborn	Ross
Duncan (SC)	Lance	Rothfus
Duncan (TN)	Latta	Rouzer

Royce	Smith (NE)
Ruiz	Smith (NJ)
Ruppersberger	Smith (TX)
Rush	Stefanik
Russell	Stewart
Ryan (WI)	Stivers
Salmon	Stutzman
Sánchez, Linda	Swalwell (CA)
T.	Takano
Sanford	Thompson (PA)
Scalise	Thornberry
Schiff	Tiberi
Schrader	Tipton
Schweikert	Torres
Scott, Austin	Trott
Scott, David	Turner
Sensenbrenner	Upton
Serrano	Valadao
Sessions	Vela
Sewell (AL)	Wagner
Shimkus	Walberg
Shuster	Walder
Simpson	Walker
Sinema	Walorski
Sires	Walters, Mimi
Smith (MO)	Walz

NAYS—103

Bass	Gallego	McNerney
Becerra	Garamendi	Meng
Bera	Green, Al	Moore
Beyer	Green, Gene	Nadler
Blumenauer	Grijalva	Napolitano
Brown (FL)	Hastings	Norcross
Butterfield	Heck (WA)	Pallone
Capps	Higgins	Pelosi
Cárdenas	Hinojosa	Peters
Carson (IN)	Honda	Pingree
Castro (TX)	Israel	Pocan
Chu, Judy	Jackson Lee	Polis
Clark (MA)	Jeffries	Price (NC)
Clarke (NY)	Johnson (GA)	Rangel
Clay	Johnson, E. B.	Rice (NY)
Cleaver	Kildeer	Roybal-Allard
Conyers	Kilmer	Ryan (OH)
Cummings	Kirkpatrick	Sanchez, Loretta
Davis, Danny	Langevin	Sarbanes
DeFazio	Larsen (WA)	Schakowsky
DeGette	Larson (CT)	Scott (VA)
Delaney	Lee	Sherman
DeLauro	Lewis	Slaughter
DeBene	Lipinski	Smith (WA)
DeSaulnier	Loebach	Speier
Deutch	Lofgren	Thompson (CA)
Dingell	Lowey	Thompson (MS)
Doggett	Lujan, Ben Ray	Titus
Edwards	(NM)	Tonko
Ellison	Maloney,	Tsongas
Engel	Carolyn	Van Hollen
Farr	Maloney, Sean	Vargas
Foster	Matsui	Veasey
Frankel (FL)	McDermott	Velazquez
Fudge	McGovern	Waters, Maxine

NOT VOTING—6

Diaz-Balart	Meeks	Takai
Hudson	Payne	Visclosky

□ 1524

Mrs. DINGELL and Mr. LOEBSACK changed their vote from “yea” to “nay.”

Mr. ROSKAM, Ms. SINEMA, Mr. CROWLEY, Ms. ESHOO, Mr. AGUILAR, Ms. BROWNLEY of California, Messrs. LYNCH, NOLAN, Ms. ESTY, Messrs. FATTAH, LOWENTHAL, Ms. HAHN, Mrs. BUSTOS, Mses. WILSON of Florida, WASSERMAN SCHULTZ, ADAMS, SEWELL of Alabama, and Mrs. BLACK changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. COLE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 392, noes 37, not voting 5, as follows:

[Roll No. 578]

AYES—392

Abraham	Crowley	Hensarling
Adams	Cuellar	Herrera Beutler
Aderholt	Culberson	Higgins
Aguilar	Cummings	Hill
Allen	Curbelo (FL)	Himes
Amodei	Davis (CA)	Hinojosa
Ashford	Davis, Danny	Holding
Babin	Davis, Rodney	Honda
Barletta	DeFazio	Hoyer
Barr	DeGette	Huffman
Barton	Delaney	Huizenga (MI)
Bass	DeLauro	Hultgren
Beatty	DelBene	Hunter
Becerra	Denham	Hurd (TX)
Benishek	Dent	Hurt (VA)
Bera	DeSantis	Israel
Beyer	DeSaulnier	Issa
Bilirakis	Deutch	Jackson Lee
Bishop (GA)	Diaz-Balart	Jeffries
Bishop (MI)	Dingell	Jenkins (KS)
Bishop (UT)	Dold	Jenkins (WV)
Black	Donovan	Johnson (GA)
Blackburn	Doyle, Michael	Johnson (OH)
Blumenauer	F.	Johnson, E. B.
Bonamici	Duckworth	Johnson, Sam
Bost	Duffy	Jolly
Boustany	Duncan (SC)	Joyce
Boyle, Brendan	Duncan (TN)	Kaptur
F.	Edwards	Katko
Brady (PA)	Ellison	Keating
Brady (TX)	Ellmers (NC)	Kelly (IL)
Brooks (IN)	Emmer (MN)	Kelly (MS)
Brown (FL)	Engel	Kelly (PA)
Brownley (CA)	Eshoo	Kennedy
Buchanan	Esty	Kildee
Buchshon	Farenthold	Kilmer
Burgess	Farr	Kind
Bustos	Fattah	King (NY)
Butterfield	Fincher	Kinzinger (IL)
Byrne	Fitzpatrick	Kirkpatrick
Calvert	Fleischmann	Kline
Capps	Flores	Knight
Capuano	Forbes	Kuster
Cárdenas	Fortenberry	LaHood
Carney	Foster	LaMalfa
Carson (IN)	Fox	Lamborn
Carter (GA)	Frankel (FL)	Lance
Carter (TX)	Franks (AZ)	Langevin
Cartwright	Frelinghuysen	Larsen (WA)
Castor (FL)	Gabbard	Larson (CT)
Castro (TX)	Gallego	Latta
Chabot	Garamendi	Lawrence
Chaffetz	Garrett	Levin
Chu, Judy	Gibbs	Lewis
Cicilline	Gibson	Lieu, Ted
Clark (MA)	Goodlatte	Lipinski
Clarke (NY)	Gowdy	LoBiondo
Clay	Graham	Loebach
Cleaver	Granger	Lofgren
Clyburn	Graves (GA)	Long
Coffman	Graves (LA)	Loudermilk
Cohen	Graves (MO)	Love
Cole	Grayson	Lowenthal
Collins (GA)	Green, Al	Lowe
Collins (NY)	Green, Gene	Lucas
Comstock	Grijalva	Luetkemeyer
Conaway	Grothman	Lujan Grisham
Connolly	Guinta	(NM)
Conyers	Guthrie	Luján, Ben Ray
Cook	Gutiérrez	(NM)
Cooper	Hahn	Lummis
Costa	Hanna	Lynch
Costello (PA)	Hardy	MacArthur
Courtney	Harper	Maloney
Cramer	Hartzler	Carolyn
Crawford	Heck (NV)	Maloney, Sean
Crenshaw	Heck (WA)	Marchant

Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)

Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)

NOES—37

Amash
Blum
Brat
Bridenstine
Brooks (AL)
Buck
Clawson (FL)
DesJarlais
Doggett
Fleming
Fudge
Gohmert
Gosar

Griffith
Harris
Hastings
Hice, Jody B.
Huelskamp
Jones
Jordan
King (IA)
Labrador
Lee
Massie
McDermott
Mooney (WV)

Mulvaney
Perry
Peters
Ribble
Salmon
Sanford
Stutzman
Titus
Waters, Maxine
Weber (TX)
Yoho

NOT VOTING—5

Hudson
Meeks

Payne
Takai

Visclosky

□ 1533

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR THE DRIVE ACT

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Madam Speaker, on Tuesday evening, the Rules Committee circulated a Dear Colleague outlining the amendment process for the Senate amendments to H.R. 22, the DRIVE Act. This will be the vehicle for consideration of H.R. 3763, the Surface Transportation Reauthorization and Reform Act. An amendment deadline has been set for Friday, October 30, at 2 p.m.

This is an unusual amendment process; so, I ask all Members to please read the Dear Colleague, which can be found on the Rules Committee Web site, very carefully and refer any questions to the Rules Committee staff or myself, as the chairman.

I would also like to point out that, in consultation with the Transportation and Infrastructure Committee, several changes were made to the bill, as ordered reported. A summary of those changes can also be found on the Rules Committee Web site. Please feel free to contact me or any of our staff members if we can be of assistance.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to House Resolution 495 and as the designee of the majority leader, I call up the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Trade Act of 2015”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TRADE PROMOTION AUTHORITY

Sec. 101. Short title.

Sec. 102. Trade negotiating objectives.

Sec. 103. Trade agreements authority.

Sec. 104. Congressional oversight, consultations, and access to information.

Sec. 105. Notice, consultations, and reports.

Sec. 106. Implementation of trade agreements.

Sec. 107. Treatment of certain trade agreements for which negotiations have already begun.

Sec. 108. Sovereignty.

Sec. 109. Interests of small businesses.

Sec. 110. Conforming amendments; application of certain provisions.

Sec. 111. Definitions.

TITLE II—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE

Sec. 201. Short title.

Sec. 202. Application of provisions relating to trade adjustment assistance.

Sec. 203. Extension of trade adjustment assistance program.

Sec. 204. Performance measurement and reporting.

Sec. 205. Applicability of trade adjustment assistance provisions.

Sec. 206. Sunset provisions.

Sec. 207. Extension and modification of Health Coverage Tax Credit.

Sec. 208. Customs user fees.

Sec. 209. Child tax credit not refundable for taxpayers electing to exclude foreign earned income from tax.

Sec. 210. Time for payment of corporate estimated taxes.

Sec. 211. Coverage and payment for renal dialysis services for individuals with acute kidney injury.

Sec. 212. Modification of the Medicare sequester for fiscal year 2024.

TITLE I—TRADE PROMOTION AUTHORITY

SEC. 101. SHORT TITLE.

This title may be cited as the “Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

SEC. 102. TRADE NEGOTIATING OBJECTIVES.

(a) *OVERALL TRADE NEGOTIATING OBJECTIVES.*—The overall trade negotiating objectives of the United States for agreements subject to the provisions of section 103 are—

(1) to obtain more open, equitable, and reciprocal market access;

(2) to obtain the reduction or elimination of barriers and distortions that are directly related to trade and investment and that decrease market opportunities for United States exports or otherwise distort United States trade;

(3) to further strengthen the system of international trade and investment disciplines and procedures, including dispute settlement;

(4) to foster economic growth, raise living standards, enhance the competitiveness of the United States, promote full employment in the United States, and enhance the global economy;

(5) to ensure that trade and environmental policies are mutually supportive and to seek to protect and preserve the environment and enhance the international means of doing so, while optimizing the use of the world's resources;

(6) to promote respect for worker rights and the rights of children consistent with core labor standards of the ILO (as set out in section 111(7)) and an understanding of the relationship between trade and worker rights;

(7) to seek provisions in trade agreements under which parties to those agreements ensure that they do not weaken or reduce the protections afforded in domestic environmental and labor laws as an encouragement for trade;

(8) to ensure that trade agreements afford small businesses equal access to international markets, equitable trade benefits, and expanded export market opportunities, and provide for the reduction or elimination of trade and investment barriers that disproportionately impact small businesses;

(9) to promote universal ratification and full compliance with ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor;

(10) to ensure that trade agreements reflect and facilitate the increasingly interrelated, multi-sectoral nature of trade and investment activity;

(11) to recognize the growing significance of the Internet as a trading platform in international commerce;

(12) to take into account other legitimate United States domestic objectives, including, but not limited to, the protection of legitimate health or safety, essential security, and consumer interests and the law and regulations related thereto; and

(13) to take into account conditions relating to religious freedom of any party to negotiations for a trade agreement with the United States.

(b) **PRINCIPAL TRADE NEGOTIATING OBJECTIVES.**—

(1) **TRADE IN GOODS.**—The principal negotiating objectives of the United States regarding trade in goods are—

(A) to expand competitive market opportunities for exports of goods from the United States and to obtain fairer and more open conditions of trade, including through the utilization of global value chains, by reducing or eliminating tariff and nontariff barriers and policies and practices of foreign governments directly related to trade that decrease market opportunities for United States exports or otherwise distort United States trade; and

(B) to obtain reciprocal tariff and nontariff barrier elimination agreements, including with respect to those tariff categories covered in section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)).

(2) **TRADE IN SERVICES.**—(A) The principal negotiating objective of the United States regarding trade in services is to expand competitive market opportunities for United States services and to obtain fairer and more open conditions of trade, including through utilization of global value chains, by reducing or eliminating barriers to international trade in services, such as regulatory and other barriers that deny national treatment and market access or unreasonably restrict the establishment or operations of service suppliers.

(B) Recognizing that expansion of trade in services generates benefits for all sectors of the economy and facilitates trade, the objective described in subparagraph (A) should be pursued through all means, including through a plurilateral agreement with those countries willing and able to undertake high standard services commitments for both existing and new services.

(3) **TRADE IN AGRICULTURE.**—The principal negotiating objective of the United States with respect to agriculture is to obtain competitive opportunities for United States exports of agricultural commodities in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of trade in bulk, specialty crop, and value added commodities by—

(A) securing more open and equitable market access through robust rules on sanitary and phytosanitary measures that—

(i) encourage the adoption of international standards and require a science-based justification be provided for a sanitary or phytosanitary measure if the measure is more restrictive than the applicable international standard;

(ii) improve regulatory coherence, promote the use of systems-based approaches, and appropriately recognize the equivalence of health and safety protection systems of exporting countries;

(iii) require that measures are transparently developed and implemented, are based on risk assessments that take into account relevant international guidelines and scientific data, and are not more restrictive on trade than necessary to meet the intended purpose; and

(iv) improve import check processes, including testing methodologies and procedures, and certification requirements,

while recognizing that countries may put in place measures to protect human, animal, or plant life or health in a manner consistent with

their international obligations, including the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (referred to in section 101(d)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(3)));

(B) reducing or eliminating, by a date certain, tariffs or other charges that decrease market opportunities for United States exports—

(i) giving priority to those products that are subject to significantly higher tariffs or subsidy regimes of major producing countries; and

(ii) providing reasonable adjustment periods for United States import sensitive products, in close consultation with Congress on such products before initiating tariff reduction negotiations;

(C) reducing tariffs to levels that are the same as or lower than those in the United States;

(D) reducing or eliminating subsidies that decrease market opportunities for United States exports or unfairly distort agriculture markets to the detriment of the United States;

(E) allowing the preservation of programs that support family farms and rural communities but do not distort trade;

(F) developing disciplines for domestic support programs, so that production that is in excess of domestic food security needs is sold at world prices;

(G) eliminating government policies that create price depressing surpluses;

(H) eliminating state trading enterprises whenever possible;

(I) developing, strengthening, and clarifying rules to eliminate practices that unfairly decrease United States market access opportunities or distort agricultural markets to the detriment of the United States, and ensuring that such rules are subject to efficient, timely, and effective dispute settlement, including—

(i) unfair or trade distorting activities of state trading enterprises and other administrative mechanisms, with emphasis on requiring price transparency in the operation of state trading enterprises and such other mechanisms in order to end cross subsidization, price discrimination, and price undercutting;

(ii) unjustified trade restrictions or commercial requirements, such as labeling, that affect new technologies, including biotechnology;

(iii) unjustified sanitary or phytosanitary restrictions, including restrictions not based on scientific principles in contravention of obligations in the Uruguay Round Agreements or bilateral or regional trade agreements;

(iv) other unjustified technical barriers to trade; and

(v) restrictive rules in the administration of tariff rate quotas;

(J) eliminating practices that adversely affect trade in perishable or cyclical products, while improving import relief mechanisms to recognize the unique characteristics of perishable and cyclical agriculture;

(K) ensuring that import relief mechanisms for perishable and cyclical agriculture are as accessible and timely to growers in the United States as those mechanisms that are used by other countries;

(L) taking into account whether a party to the negotiations has failed to adhere to the provisions of already existing trade agreements with the United States or has circumvented obligations under those agreements;

(M) taking into account whether a product is subject to market distortions by reason of a failure of a major producing country to adhere to the provisions of already existing trade agreements with the United States or by the circumvention by that country of its obligations under those agreements;

(N) otherwise ensuring that countries that accede to the World Trade Organization have made meaningful market liberalization commitments in agriculture;

(O) taking into account the impact that agreements covering agriculture to which the United States is a party have on the United States agricultural industry;

(P) maintaining bona fide food assistance programs, market development programs, and export credit programs;

(Q) seeking to secure the broadest market access possible in multilateral, regional, and bilateral negotiations, recognizing the effect that simultaneous sets of negotiations may have on United States import sensitive commodities (including those subject to tariff rate quotas);

(R) seeking to develop an international consensus on the treatment of seasonal or perishable agricultural products in investigations relating to dumping and safeguards and in any other relevant area;

(S) seeking to establish the common base year for calculating the Aggregated Measurement of Support (as defined in the Agreement on Agriculture) as the end of each country's Uruguay Round implementation period, as reported in each country's Uruguay Round market access schedule;

(T) ensuring transparency in the administration of tariff rate quotas through multilateral, plurilateral, and bilateral negotiations; and

(U) eliminating and preventing the undermining of market access for United States products through improper use of a country's system for protecting or recognizing geographical indications, including failing to ensure transparency and procedural fairness and protecting generic terms.

(4) **FOREIGN INVESTMENT.**—Recognizing that United States law on the whole provides a high level of protection for investment, consistent with or greater than the level required by international law, the principal negotiating objectives of the United States regarding foreign investment are to reduce or eliminate artificial or trade distorting barriers to foreign investment, while ensuring that foreign investors in the United States are not accorded greater substantive rights with respect to investment protections than United States investors in the United States, and to secure for investors important rights comparable to those that would be available under United States legal principles and practice, by—

(A) reducing or eliminating exceptions to the principle of national treatment;

(B) freeing the transfer of funds relating to investments;

(C) reducing or eliminating performance requirements, forced technology transfers, and other unreasonable barriers to the establishment and operation of investments;

(D) seeking to establish standards for expropriation and compensation for expropriation, consistent with United States legal principles and practice;

(E) seeking to establish standards for fair and equitable treatment, consistent with United States legal principles and practice, including the principle of due process;

(F) providing meaningful procedures for resolving investment disputes;

(G) seeking to improve mechanisms used to resolve disputes between an investor and a government through—

(i) mechanisms to eliminate frivolous claims and to deter the filing of frivolous claims;

(ii) procedures to ensure the efficient selection of arbitrators and the expeditious disposition of claims;

(iii) procedures to enhance opportunities for public input into the formulation of government positions; and

(iv) providing for an appellate body or similar mechanism to provide coherence to the interpretations of investment provisions in trade agreements; and

(H) ensuring the fullest measure of transparency in the dispute settlement mechanism, to the extent consistent with the need to protect information that is classified or business confidential, by—

(i) ensuring that all requests for dispute settlement are promptly made public;

(ii) ensuring that—

(I) all proceedings, submissions, findings, and decisions are promptly made public; and

(II) all hearings are open to the public; and

(iii) establishing a mechanism for acceptance of amicus curiae submissions from businesses, unions, and nongovernmental organizations.

(5) **INTELLECTUAL PROPERTY.**—The principal negotiating objectives of the United States regarding trade-related intellectual property are—

(A) to further promote adequate and effective protection of intellectual property rights, including through—

(i) (I) ensuring accelerated and full implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15)), particularly with respect to meeting enforcement obligations under that agreement; and

(II) ensuring that the provisions of any trade agreement governing intellectual property rights that is entered into by the United States reflect a standard of protection similar to that found in United States law;

(ii) providing strong protection for new and emerging technologies and new methods of transmitting and distributing products embodying intellectual property, including in a manner that facilitates legitimate digital trade;

(iii) preventing or eliminating discrimination with respect to matters affecting the availability, acquisition, scope, maintenance, use, and enforcement of intellectual property rights;

(iv) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other global communication media, and to prevent the unauthorized use of their works;

(v) providing strong enforcement of intellectual property rights, including through accessible, expeditious, and effective civil, administrative, and criminal enforcement mechanisms; and

(vi) preventing or eliminating government involvement in the violation of intellectual property rights, including cyber theft and piracy;

(B) to secure fair, equitable, and nondiscriminatory market access opportunities for United States persons that rely upon intellectual property protection; and

(C) to respect the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001, and to ensure that trade agreements foster innovation and promote access to medicines.

(6) **DIGITAL TRADE IN GOODS AND SERVICES AND CROSS-BORDER DATA FLOWS.**—The principal negotiating objectives of the United States with respect to digital trade in goods and services, as well as cross-border data flows, are—

(A) to ensure that current obligations, rules, disciplines, and commitments under the World Trade Organization and bilateral and regional trade agreements apply to digital trade in goods and services and to cross-border data flows;

(B) to ensure that—

(i) electronically delivered goods and services receive no less favorable treatment under trade rules and commitments than like products delivered in physical form; and

(ii) the classification of such goods and services ensures the most liberal trade treatment

possible, fully encompassing both existing and new trade;

(C) to ensure that governments refrain from implementing trade-related measures that impede digital trade in goods and services, restrict cross-border data flows, or require local storage or processing of data;

(D) with respect to subparagraphs (A) through (C), where legitimate policy objectives require domestic regulations that affect digital trade in goods and services or cross-border data flows, to obtain commitments that any such regulations are the least restrictive on trade, non-discriminatory, and transparent, and promote an open market environment; and

(E) to extend the moratorium of the World Trade Organization on duties on electronic transmissions.

(7) **REGULATORY PRACTICES.**—The principal negotiating objectives of the United States regarding the use of government regulation or other practices to reduce market access for United States goods, services, and investments are—

(A) to achieve increased transparency and opportunity for the participation of affected parties in the development of regulations;

(B) to require that proposed regulations be based on sound science, cost benefit analysis, risk assessment, or other objective evidence;

(C) to establish consultative mechanisms and seek other commitments, as appropriate, to improve regulatory practices and promote increased regulatory coherence, including through—

(i) transparency in developing guidelines, rules, regulations, and laws for government procurement and other regulatory regimes;

(ii) the elimination of redundancies in testing and certification;

(iii) early consultations on significant regulations;

(iv) the use of impact assessments;

(v) the periodic review of existing regulatory measures; and

(vi) the application of good regulatory practices;

(D) to seek greater openness, transparency, and convergence of standards development processes, and enhance cooperation on standards issues globally;

(E) to promote regulatory compatibility through harmonization, equivalence, or mutual recognition of different regulations and standards and to encourage the use of international and interoperable standards, as appropriate;

(F) to achieve the elimination of government measures such as price controls and reference pricing which deny full market access for United States products;

(G) to ensure that government regulatory reimbursement regimes are transparent, provide procedural fairness, are nondiscriminatory, and provide full market access for United States products; and

(H) to ensure that foreign governments—

(i) demonstrate that the collection of undisclosed proprietary information is limited to that necessary to satisfy a legitimate and justifiable regulatory interest; and

(ii) protect such information against disclosure, except in exceptional circumstances to protect the public, or where such information is effectively protected against unfair competition.

(8) **STATE-OWNED AND STATE-CONTROLLED ENTERPRISES.**—The principal negotiating objective of the United States regarding competition by state-owned and state-controlled enterprises is to seek commitments that—

(A) eliminate or prevent trade distortions and unfair competition favoring state-owned and state-controlled enterprises to the extent of their engagement in commercial activity, and

(B) ensure that such engagement is based solely on commercial considerations,

in particular through disciplines that eliminate or prevent discrimination and market-distorting subsidies and that promote transparency.

(9) **LOCALIZATION BARRIERS TO TRADE.**—The principal negotiating objective of the United States with respect to localization barriers is to eliminate and prevent measures that require United States producers and service providers to locate facilities, intellectual property, or other assets in a country as a market access or investment condition, including indigenous innovation measures.

(10) **LABOR AND THE ENVIRONMENT.**—The principal negotiating objectives of the United States with respect to labor and the environment are—

(A) to ensure that a party to a trade agreement with the United States—

(i) adopts and maintains measures implementing internationally recognized core labor standards (as defined in section 111(17)) and its obligations under common multilateral environmental agreements (as defined in section 111(6)),

(ii) does not waive or otherwise derogate from, or offer to waive or otherwise derogate from—

(I) its statutes or regulations implementing internationally recognized core labor standards (as defined in section 111(17)), in a manner affecting trade or investment between the United States and that party, where the waiver or derogation would be inconsistent with one or more such standards, or

(II) its environmental laws in a manner that weakens or reduces the protections afforded in those laws and in a manner affecting trade or investment between the United States and that party, except as provided in its law and provided not inconsistent with its obligations under common multilateral environmental agreements (as defined in section 111(6)) or other provisions of the trade agreement specifically agreed upon, and

(iii) does not fail to effectively enforce its environmental or labor laws, through a sustained or recurring course of action or inaction, in a manner affecting trade or investment between the United States and that party after entry into force of a trade agreement between those countries;

(B) to recognize that—

(i) with respect to environment, parties to a trade agreement retain the right to exercise prosecutorial discretion and to make decisions regarding the allocation of enforcement resources with respect to other environmental laws determined to have higher priorities, and a party is effectively enforcing its laws if a course of action or inaction reflects a reasonable, bona fide exercise of such discretion, or results from a reasonable, bona fide decision regarding the allocation of resources; and

(ii) with respect to labor, decisions regarding the distribution of enforcement resources are not a reason for not complying with a party's labor obligations; a party to a trade agreement retains the right to reasonable exercise of discretion and to make bona fide decisions regarding the allocation of resources between labor enforcement activities among core labor standards, provided the exercise of such discretion and such decisions are not inconsistent with its obligations;

(C) to strengthen the capacity of United States trading partners to promote respect for core labor standards (as defined in section 111(7));

(D) to strengthen the capacity of United States trading partners to protect the environment through the promotion of sustainable development;

(E) to reduce or eliminate government practices or policies that unduly threaten sustainable development;

(F) to seek market access, through the elimination of tariffs and nontariff barriers, for United States environmental technologies, goods, and services;

(G) to ensure that labor, environmental, health, or safety policies and practices of the parties to trade agreements with the United States do not arbitrarily or unjustifiably discriminate against United States exports or serve as disguised barriers to trade;

(H) to ensure that enforceable labor and environment obligations are subject to the same dispute settlement and remedies as other enforceable obligations under the agreement; and

(I) to ensure that a trade agreement is not construed to empower a party's authorities to undertake labor or environmental law enforcement activities in the territory of the United States.

(11) CURRENCY.—The principal negotiating objective of the United States with respect to currency practices is that parties to a trade agreement with the United States avoid manipulating exchange rates in order to prevent effective balance of payments adjustment or to gain an unfair competitive advantage over other parties to the agreement, such as through cooperative mechanisms, enforceable rules, reporting, monitoring, transparency, or other means, as appropriate.

(12) FOREIGN CURRENCY MANIPULATION.—The principal negotiating objective of the United States with respect to unfair currency practices is to seek to establish accountability through enforceable rules, transparency, reporting, monitoring, cooperative mechanisms, or other means to address exchange rate manipulation involving protracted large scale intervention in one direction in the exchange markets and a persistently undervalued foreign exchange rate to gain an unfair competitive advantage in trade over other parties to a trade agreement, consistent with existing obligations of the United States as a member of the International Monetary Fund and the World Trade Organization.

(13) WTO AND MULTILATERAL TRADE AGREEMENTS.—Recognizing that the World Trade Organization is the foundation of the global trading system, the principal negotiating objectives of the United States regarding the World Trade Organization, the Uruguay Round Agreements, and other multilateral and plurilateral trade agreements are—

(A) to achieve full implementation and extend the coverage of the World Trade Organization and multilateral and plurilateral agreements to products, sectors, and conditions of trade not adequately covered;

(B) to expand country participation in and enhancement of the Information Technology Agreement, the Government Procurement Agreement, and other plurilateral trade agreements of the World Trade Organization;

(C) to expand competitive market opportunities for United States exports and to obtain fairer and more open conditions of trade, including through utilization of global value chains, through the negotiation of new WTO multilateral and plurilateral trade agreements, such as an agreement on trade facilitation;

(D) to ensure that regional trade agreements to which the United States is not a party fully achieve the high standards of, and comply with, WTO disciplines, including Article XXIV of GATT 1994, Article V and V bis of the General Agreement on Trade in Services, and the Enabling Clause, including through meaningful WTO review of such regional trade agreements;

(E) to enhance compliance by WTO members with their obligations as WTO members through active participation in the bodies of the World Trade Organization by the United States and all other WTO members, including in the trade policy review mechanism and the committee system of the World Trade Organization, and by working to increase the effectiveness of such bodies; and

(F) to encourage greater cooperation between the World Trade Organization and other international organizations.

(14) TRADE INSTITUTION TRANSPARENCY.—The principal negotiating objective of the United States with respect to transparency is to obtain wider and broader application of the principle of transparency in the World Trade Organization, entities established under bilateral and regional trade agreements, and other international trade fora through seeking—

(A) timely public access to information regarding trade issues and the activities of such institutions;

(B) openness by ensuring public access to appropriate meetings, proceedings, and submissions, including with regard to trade and investment dispute settlement; and

(C) public access to all notifications and supporting documentation submitted by WTO members.

(15) ANTI-CORRUPTION.—The principal negotiating objectives of the United States with respect to the use of money or other things of value to influence acts, decisions, or omissions of foreign governments or officials or to secure any improper advantage in a manner affecting trade are—

(A) to obtain high standards and effective domestic enforcement mechanisms applicable to persons from all countries participating in the applicable trade agreement that prohibit such attempts to influence acts, decisions, or omissions of foreign governments or officials or to secure any such improper advantage;

(B) to ensure that such standards level the playing field for United States persons in international trade and investment; and

(C) to seek commitments to work jointly to encourage and support anti-corruption and anti-bribery initiatives in international trade fora, including through the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organization for Economic Cooperation and Development, done at Paris December 17, 1997 (commonly known as the "OECD Anti-Bribery Convention").

(16) DISPUTE SETTLEMENT AND ENFORCEMENT.—The principal negotiating objectives of the United States with respect to dispute settlement and enforcement of trade agreements are—

(A) to seek provisions in trade agreements providing for resolution of disputes between governments under those trade agreements in an effective, timely, transparent, equitable, and reasoned manner, requiring determinations based on facts and the principles of the agreements, with the goal of increasing compliance with the agreements;

(B) to seek to strengthen the capacity of the Trade Policy Review Mechanism of the World Trade Organization to review compliance with commitments;

(C) to seek adherence by panels convened under the Dispute Settlement Understanding and by the Appellate Body to—

(i) the mandate of those panels and the Appellate Body to apply the WTO Agreement as written, without adding to or diminishing rights and obligations under the Agreement; and

(ii) the standard of review applicable under the Uruguay Round Agreement involved in the dispute, including greater deference, where appropriate, to the fact finding and technical expertise of national investigating authorities;

(D) to seek provisions encouraging the early identification and settlement of disputes through consultation;

(E) to seek provisions to encourage the provision of trade-expanding compensation if a party to a dispute under the agreement does not come into compliance with its obligations under the agreement;

(F) to seek provisions to impose a penalty upon a party to a dispute under the agreement that—

(i) encourages compliance with the obligations of the agreement;

(ii) is appropriate to the parties, nature, subject matter, and scope of the violation; and

(iii) has the aim of not adversely affecting parties or interests not party to the dispute while maintaining the effectiveness of the enforcement mechanism; and

(G) to seek provisions that treat United States principal negotiating objectives equally with respect to—

(i) the ability to resort to dispute settlement under the applicable agreement;

(ii) the availability of equivalent dispute settlement procedures; and

(iii) the availability of equivalent remedies.

(17) TRADE REMEDY LAWS.—The principal negotiating objectives of the United States with respect to trade remedy laws are—

(A) to preserve the ability of the United States to enforce rigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws, and avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies, or that lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(B) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market access barriers.

(18) BORDER TAXES.—The principal negotiating objective of the United States regarding border taxes is to obtain a revision of the rules of the World Trade Organization with respect to the treatment of border adjustments for internal taxes to redress the disadvantage to countries relying primarily on direct taxes for revenue rather than indirect taxes.

(19) TEXTILE NEGOTIATIONS.—The principal negotiating objectives of the United States with respect to trade in textiles and apparel articles are to obtain competitive opportunities for United States exports of textiles and apparel in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of trade in textiles and apparel.

(20) COMMERCIAL PARTNERSHIPS.—

(A) IN GENERAL.—With respect to an agreement that is proposed to be entered into with the Transatlantic Trade and Investment Partnership countries and to which section 103(b) will apply, the principal negotiating objectives of the United States regarding commercial partnerships are the following:

(i) To discourage actions by potential trading partners that directly or indirectly prejudice or otherwise discourage commercial activity solely between the United States and Israel.

(ii) To discourage politically motivated actions to boycott, divest from, or sanction Israel and to seek the elimination of politically motivated nontariff barriers on Israeli goods, services, or other commerce imposed on the State of Israel.

(iii) To seek the elimination of state-sponsored unsanctioned foreign boycotts against Israel or compliance with the Arab League Boycott of Israel by prospective trading partners.

(B) DEFINITION.—In this paragraph, the term "actions to boycott, divest from, or sanction Israel" means actions by states, non-member states of the United Nations, international organizations, or affiliated agencies of international organizations that are politically motivated and are intended to penalize or otherwise limit commercial relations specifically with Israel or persons doing business in Israel or in Israeli-controlled territories.

(21) **GOOD GOVERNANCE, TRANSPARENCY, THE EFFECTIVE OPERATION OF LEGAL REGIMES, AND THE RULE OF LAW OF TRADING PARTNERS.**—The principal negotiating objectives of the United States with respect to ensuring implementation of trade commitments and obligations by strengthening good governance, transparency, the effective operation of legal regimes and the rule of law of trading partners of the United States is through capacity building and other appropriate means, which are important parts of the broader effort to create more open democratic societies and to promote respect for internationally recognized human rights.

(c) **CAPACITY BUILDING AND OTHER PRIORITIES.**—In order to address and maintain United States competitiveness in the global economy, the President shall—

(1) direct the heads of relevant Federal agencies—

(A) to work to strengthen the capacity of United States trading partners to carry out obligations under trade agreements by consulting with any country seeking a trade agreement with the United States concerning that country's laws relating to customs and trade facilitation, sanitary and phytosanitary measures, technical barriers to trade, intellectual property rights, labor, and the environment; and

(B) to provide technical assistance to that country if needed;

(2) seek to establish consultative mechanisms among parties to trade agreements to strengthen the capacity of United States trading partners to develop and implement standards for the protection of the environment and human health based on sound science;

(3) promote consideration of multilateral environmental agreements and consult with parties to such agreements regarding the consistency of any such agreement that includes trade measures with existing environmental exceptions under Article XX of GATT 1994; and

(4) submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate an annual report on capacity-building activities undertaken in connection with trade agreements negotiated or being negotiated pursuant to this title.

SEC. 103. TRADE AGREEMENTS AUTHORITY.

(a) **AGREEMENTS REGARDING TARIFF BARRIERS.**—

(1) **IN GENERAL.**—Whenever the President determines that one or more existing duties or other import restrictions of any foreign country or the United States are unduly burdening and restricting the foreign trade of the United States and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President—

(A) may enter into trade agreements with foreign countries before—

(i) July 1, 2018; or

(ii) July 1, 2021, if trade authorities procedures are extended under subsection (c); and

(B) may, subject to paragraphs (2) and (3), proclaim—

(i) such modification or continuance of any existing duty,

(ii) such continuance of existing duty free or excise treatment, or

(iii) such additional duties,

as the President determines to be required or appropriate to carry out any such trade agreement.

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this title.

(2) **NOTIFICATION.**—The President shall notify Congress of the President's intention to enter into an agreement under this subsection.

(3) **LIMITATIONS.**—No proclamation may be made under paragraph (1) that—

(A) reduces any rate of duty (other than a rate of duty that does not exceed 5 percent ad valorem on the date of the enactment of this Act) to a rate of duty which is less than 50 percent of the rate of such duty that applies on such date of enactment;

(B) reduces the rate of duty below that applicable under the Uruguay Round Agreements or a successor agreement, on any import sensitive agricultural product; or

(C) increases any rate of duty above the rate that applied on the date of the enactment of this Act.

(4) **AGGREGATE REDUCTION; EXEMPTION FROM STAGING.**—

(A) **AGGREGATE REDUCTION.**—Except as provided in subparagraph (B), the aggregate reduction in the rate of duty on any article which is in effect on any day pursuant to a trade agreement entered into under paragraph (1) shall not exceed the aggregate reduction which would have been in effect on such day if—

(i) a reduction of 3 percent ad valorem or a reduction of $\frac{1}{10}$ of the total reduction, whichever is greater, had taken effect on the effective date of the first reduction proclaimed under paragraph (1) to carry out such agreement with respect to such article; and

(ii) a reduction equal to the amount applicable under clause (i) had taken effect at 1-year intervals after the effective date of such first reduction.

(B) **EXEMPTION FROM STAGING.**—No staging is required under subparagraph (A) with respect to a duty reduction that is proclaimed under paragraph (1) for an article of a kind that is not produced in the United States. The United States International Trade Commission shall advise the President of the identity of articles that may be exempted from staging under this subparagraph.

(5) **ROUNDING.**—If the President determines that such action will simplify the computation of reductions under paragraph (4), the President may round an annual reduction by an amount equal to the lesser of—

(A) the difference between the reduction without regard to this paragraph and the next lower whole number; or

(B) $\frac{1}{2}$ of 1 percent ad valorem.

(6) **OTHER LIMITATIONS.**—A rate of duty reduction that may not be proclaimed by reason of paragraph (3) may take effect only if a provision authorizing such reduction is included within an implementing bill provided for under section 106 and that bill is enacted into law.

(7) **OTHER TARIFF MODIFICATIONS.**—Notwithstanding paragraphs (1)(B), (3)(A), (3)(C), and (4) through (6), and subject to the consultation and layover requirements of section 115 of the Uruguay Round Agreements Act (19 U.S.C. 3524), the President may proclaim the modification of any duty or staged rate reduction of any duty set forth in Schedule XX, as defined in section 2(5) of that Act (19 U.S.C. 3501(5)), if the United States agrees to such modification or staged rate reduction in a negotiation for the reciprocal elimination or harmonization of duties under the auspices of the World Trade Organization.

(8) **AUTHORITY UNDER URUGUAY ROUND AGREEMENTS ACT NOT AFFECTED.**—Nothing in this subsection shall limit the authority provided to the President under section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)).

(b) **AGREEMENTS REGARDING TARIFF AND NON-TARIFF BARRIERS.**—

(1) **IN GENERAL.**—(A) Whenever the President determines that—

(i) 1 or more existing duties or any other import restriction of any foreign country or the United States or any other barrier to, or other distortion of, international trade unduly bur-

dens or restricts the foreign trade of the United States or adversely affects the United States economy, or

(ii) the imposition of any such barrier or distortion is likely to result in such a burden, restriction, or effect,

and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President may enter into a trade agreement described in subparagraph (B) during the period described in subparagraph (C).

(B) The President may enter into a trade agreement under subparagraph (A) with foreign countries providing for—

(i) the reduction or elimination of a duty, restriction, barrier, or other distortion described in subparagraph (A); or

(ii) the prohibition of, or limitation on the imposition of, such barrier or other distortion.

(C) The President may enter into a trade agreement under this paragraph before—

(i) July 1, 2018; or

(ii) July 1, 2021, if trade authorities procedures are extended under subsection (c).

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this title.

(2) **CONDITIONS.**—A trade agreement may be entered into under this subsection only if such agreement makes progress in meeting the applicable objectives described in subsections (a) and (b) of section 102 and the President satisfies the conditions set forth in sections 104 and 105.

(3) **BILLS QUALIFYING FOR TRADE AUTHORITIES PROCEDURES.**—(A) The provisions of section 151 of the Trade Act of 1974 (in this title referred to as "trade authorities procedures") apply to a bill of either House of Congress which contains provisions described in subparagraph (B) to the same extent as such section 151 applies to implementing bills under that section. A bill to which this paragraph applies shall hereafter in this title be referred to as an "implementing bill".

(B) The provisions referred to in subparagraph (A) are—

(i) a provision approving a trade agreement entered into under this subsection and approving the statement of administrative action, if any, proposed to implement such trade agreement; and

(ii) if changes in existing laws or new statutory authority are required to implement such trade agreement or agreements, only such provisions as are strictly necessary or appropriate to implement such trade agreement or agreements, either repealing or amending existing laws or providing new statutory authority.

(c) **EXTENSION DISAPPROVAL PROCESS FOR CONGRESSIONAL TRADE AUTHORITIES PROCEDURES.**—

(1) **IN GENERAL.**—Except as provided in section 106(b)—

(A) the trade authorities procedures apply to implementing bills submitted with respect to trade agreements entered into under subsection (b) before July 1, 2018; and

(B) the trade authorities procedures shall be extended to implementing bills submitted with respect to trade agreements entered into under subsection (b) after June 30, 2018, and before July 1, 2021, if (and only if)—

(i) the President requests such extension under paragraph (2); and

(ii) neither House of Congress adopts an extension disapproval resolution under paragraph (5) before July 1, 2018.

(2) **REPORT TO CONGRESS BY THE PRESIDENT.**—If the President is of the opinion that the trade authorities procedures should be extended to implementing bills described in paragraph (1)(B), the President shall submit to Congress, not later

than April 1, 2018, a written report that contains a request for such extension, together with—

(A) a description of all trade agreements that have been negotiated under subsection (b) and the anticipated schedule for submitting such agreements to Congress for approval;

(B) a description of the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this title, and a statement that such progress justifies the continuation of negotiations; and

(C) a statement of the reasons why the extension is needed to complete the negotiations.

(3) OTHER REPORTS TO CONGRESS.—

(A) REPORT BY THE ADVISORY COMMITTEE.—The President shall promptly inform the Advisory Committee for Trade Policy and Negotiations established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155) of the decision of the President to submit a report to Congress under paragraph (2). The Advisory Committee shall submit to Congress as soon as practicable, but not later than June 1, 2018, a written report that contains—

(i) its views regarding the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this title; and

(ii) a statement of its views, and the reasons therefor, regarding whether the extension requested under paragraph (2) should be approved or disapproved.

(B) REPORT BY INTERNATIONAL TRADE COMMISSION.—The President shall promptly inform the United States International Trade Commission of the decision of the President to submit a report to Congress under paragraph (2). The International Trade Commission shall submit to Congress as soon as practicable, but not later than June 1, 2018, a written report that contains a review and analysis of the economic impact on the United States of all trade agreements implemented between the date of the enactment of this Act and the date on which the President decides to seek an extension requested under paragraph (2).

(4) STATUS OF REPORTS.—The reports submitted to Congress under paragraphs (2) and (3), or any portion of such reports, may be classified to the extent the President determines appropriate.

(5) EXTENSION DISAPPROVAL RESOLUTIONS.—(A) For purposes of paragraph (1), the term “extension disapproval resolution” means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: “That the _____ disapproves the request of the President for the extension, under section 103(c)(1)(B)(i) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, of the trade authorities procedures under that Act to any implementing bill submitted with respect to any trade agreement entered into under section 103(b) of that Act after June 30, 2018.”, with the blank space being filled with the name of the resolving House of Congress.

(B) Extension disapproval resolutions—(i) may be introduced in either House of Congress by any member of such House; and

(ii) shall be referred, in the House of Representatives, to the Committee on Ways and Means and, in addition, to the Committee on Rules.

(C) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to extension disapproval resolutions.

(D) It is not in order for—

(i) the House of Representatives to consider any extension disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules;

(ii) the Senate to consider any extension disapproval resolution not reported by the Committee on Finance; or

(iii) either House of Congress to consider an extension disapproval resolution after June 30, 2018.

(d) COMMENCEMENT OF NEGOTIATIONS.—In order to contribute to the continued economic expansion of the United States, the President shall commence negotiations covering tariff and nontariff barriers affecting any industry, product, or service sector, and expand existing sectoral agreements to countries that are not parties to those agreements, in cases where the President determines that such negotiations are feasible and timely and would benefit the United States. Such sectors include agriculture, commercial services, intellectual property rights, industrial and capital goods, government procurement, information technology products, environmental technology and services, medical equipment and services, civil aircraft, and infrastructure products. In so doing, the President shall take into account all of the negotiating objectives set forth in section 102.

SEC. 104. CONGRESSIONAL OVERSIGHT, CONSULTATIONS, AND ACCESS TO INFORMATION.

(a) CONSULTATIONS WITH MEMBERS OF CONGRESS.—

(1) CONSULTATIONS DURING NEGOTIATIONS.—In the course of negotiations conducted under this title, the United States Trade Representative shall—

(A) meet upon request with any Member of Congress regarding negotiating objectives, the status of negotiations in progress, and the nature of any changes in the laws of the United States or the administration of those laws that may be recommended to Congress to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement;

(B) upon request of any Member of Congress, provide access to pertinent documents relating to the negotiations, including classified materials;

(C) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;

(D) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under subsection (c) and all committees of the House of Representatives and the Senate with jurisdiction over laws that could be affected by a trade agreement resulting from the negotiations; and

(E) with regard to any negotiations and agreement relating to agricultural trade, also consult closely and on a timely basis (including immediately before initialing an agreement) with, and keep fully apprised of the negotiations, the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(2) CONSULTATIONS PRIOR TO ENTRY INTO FORCE.—Prior to exchanging notes providing for the entry into force of a trade agreement, the United States Trade Representative shall consult closely and on a timely basis with Members of Congress and committees as specified in paragraph (1), and keep them fully apprised of the measures a trading partner has taken to comply with those provisions of the agreement that are to take effect on the date that the agreement enters into force.

(3) ENHANCED COORDINATION WITH CONGRESS.—

(A) WRITTEN GUIDELINES.—The United States Trade Representative, in consultation with the

chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(i) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on enhanced coordination with Congress, including coordination with designated congressional advisers under subsection (b), regarding negotiations conducted under this title; and

(ii) may make such revisions to the guidelines as may be necessary from time to time.

(B) CONTENT OF GUIDELINES.—The guidelines developed under subparagraph (A) shall enhance coordination with Congress through procedures to ensure—

(i) timely briefings upon request of any Member of Congress regarding negotiating objectives, the status of negotiations in progress conducted under this title, and the nature of any changes in the laws of the United States or the administration of those laws that may be recommended to Congress to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement; and

(ii) the sharing of detailed and timely information with Members of Congress, and their staff with proper security clearances as appropriate, regarding those negotiations and pertinent documents related to those negotiations (including classified information), and with committee staff with proper security clearances as would be appropriate in the light of the responsibilities of that committee over the trade agreements programs affected by those negotiations.

(C) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under subparagraph (A) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(b) DESIGNATED CONGRESSIONAL ADVISERS.—

(1) DESIGNATION.—

(A) HOUSE OF REPRESENTATIVES.—In each Congress, any Member of the House of Representatives may be designated as a congressional adviser on trade policy and negotiations by the Speaker of the House of Representatives, after consulting with the chairman and ranking member of the Committee on Ways and Means and the chairman and ranking member of the committee from which the Member will be selected.

(B) SENATE.—In each Congress, any Member of the Senate may be designated as a congressional adviser on trade policy and negotiations by the President pro tempore of the Senate, after consultation with the chairman and ranking member of the Committee on Finance and the chairman and ranking member of the committee from which the Member will be selected.

(2) CONSULTATIONS WITH DESIGNATED CONGRESSIONAL ADVISERS.—In the course of negotiations conducted under this title, the United States Trade Representative shall consult closely and on a timely basis (including immediately before initialing an agreement) with, and keep fully apprised of the negotiations, the congressional advisers for trade policy and negotiations designated under paragraph (1).

(3) ACCREDITATION.—Each Member of Congress designated as a congressional adviser under paragraph (1) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegations to international conferences, meetings, and negotiating sessions relating to trade agreements.

(c) CONGRESSIONAL ADVISORY GROUPS ON NEGOTIATIONS.—

(1) IN GENERAL.—By not later than 60 days after the date of the enactment of this Act, and not later than 30 days after the convening of

each Congress, the chairman of the Committee on Ways and Means of the House of Representatives shall convene the House Advisory Group on Negotiations and the chairman of the Committee on Finance of the Senate shall convene the Senate Advisory Group on Negotiations (in this subsection referred to collectively as the "congressional advisory groups").

(2) MEMBERS AND FUNCTIONS.—

(A) MEMBERSHIP OF THE HOUSE ADVISORY GROUP ON NEGOTIATIONS.—In each Congress, the House Advisory Group on Negotiations shall be comprised of the following Members of the House of Representatives:

(i) The chairman and ranking member of the Committee on Ways and Means, and 3 additional members of such Committee (not more than 2 of whom are members of the same political party).

(ii) The chairman and ranking member, or their designees, of the committees of the House of Representatives that would have, under the Rules of the House of Representatives, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(B) MEMBERSHIP OF THE SENATE ADVISORY GROUP ON NEGOTIATIONS.—In each Congress, the Senate Advisory Group on Negotiations shall be comprised of the following Members of the Senate:

(i) The chairman and ranking member of the Committee on Finance and 3 additional members of such Committee (not more than 2 of whom are members of the same political party).

(ii) The chairman and ranking member, or their designees, of the committees of the Senate that would have, under the Rules of the Senate, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(C) ACCREDITATION.—Each member of the congressional advisory groups described in subparagraphs (A)(i) and (B)(i) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegation in negotiations for any trade agreement to which this title applies. Each member of the congressional advisory groups described in subparagraphs (A)(ii) and (B)(ii) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegation in the negotiations by reason of which the member is in one of the congressional advisory groups.

(D) CONSULTATION AND ADVICE.—The congressional advisory groups shall consult with and provide advice to the Trade Representative regarding the formulation of specific objectives, negotiating strategies and positions, the development of the applicable trade agreement, and compliance and enforcement of the negotiated commitments under the trade agreement.

(E) CHAIR.—The House Advisory Group on Negotiations shall be chaired by the Chairman of the Committee on Ways and Means of the House of Representatives and the Senate Advisory Group on Negotiations shall be chaired by the Chairman of the Committee on Finance of the Senate.

(F) COORDINATION WITH OTHER COMMITTEES.—Members of any committee represented on one of the congressional advisory groups may submit comments to the member of the appropriate congressional advisory group from that committee regarding any matter related to a negotiation for any trade agreement to which this title applies.

(3) GUIDELINES.—

(A) PURPOSE AND REVISION.—The United States Trade Representative, in consultation

with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(i) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines to facilitate the useful and timely exchange of information between the Trade Representative and the congressional advisory groups; and

(ii) may make such revisions to the guidelines as may be necessary from time to time.

(B) CONTENT.—The guidelines developed under subparagraph (A) shall provide for, among other things—

(i) detailed briefings on a fixed timetable to be specified in the guidelines of the congressional advisory groups regarding negotiating objectives and positions and the status of the applicable negotiations, beginning as soon as practicable after the congressional advisory groups are convened, with more frequent briefings as trade negotiations enter the final stage;

(ii) access by members of the congressional advisory groups, and staff with proper security clearances, to pertinent documents relating to the negotiations, including classified materials;

(iii) the closest practicable coordination between the Trade Representative and the congressional advisory groups at all critical periods during the negotiations, including at negotiation sites;

(iv) after the applicable trade agreement is concluded, consultation regarding ongoing compliance and enforcement of negotiated commitments under the trade agreement; and

(v) the timeframe for submitting the report required under section 105(d)(3).

(4) REQUEST FOR MEETING.—Upon the request of a majority of either of the congressional advisory groups, the President shall meet with that congressional advisory group before initiating negotiations with respect to a trade agreement, or at any other time concerning the negotiations.

(d) CONSULTATIONS WITH THE PUBLIC.—

(1) GUIDELINES FOR PUBLIC ENGAGEMENT.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(A) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on public access to information regarding negotiations conducted under this title; and

(B) may make such revisions to the guidelines as may be necessary from time to time.

(2) PURPOSES.—The guidelines developed under paragraph (1) shall—

(A) facilitate transparency;

(B) encourage public participation; and

(C) promote collaboration in the negotiation process.

(3) CONTENT.—The guidelines developed under paragraph (1) shall include procedures that—

(A) provide for rapid disclosure of information in forms that the public can readily find and use; and

(B) provide frequent opportunities for public input through Federal Register requests for comment and other means.

(4) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under paragraph (1) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(e) CONSULTATIONS WITH ADVISORY COMMITTEES.—

(1) GUIDELINES FOR ENGAGEMENT WITH ADVISORY COMMITTEES.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee

on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(A) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on enhanced coordination with advisory committees established pursuant to section 135 of the Trade Act of 1974 (19 U.S.C. 2155) regarding negotiations conducted under this title; and

(B) may make such revisions to the guidelines as may be necessary from time to time.

(2) CONTENT.—The guidelines developed under paragraph (1) shall enhance coordination with advisory committees described in that paragraph through procedures to ensure—

(A) timely briefings of advisory committees and regular opportunities for advisory committees to provide input throughout the negotiation process on matters relevant to the sectors or functional areas represented by those committees; and

(B) the sharing of detailed and timely information with each member of an advisory committee regarding negotiations and pertinent documents related to the negotiation (including classified information) on matters relevant to the sectors or functional areas the member represents, and with a designee with proper security clearances of each such member as appropriate.

(3) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under paragraph (1) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(f) ESTABLISHMENT OF POSITION OF CHIEF TRANSPARENCY OFFICER IN THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.—Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) There shall be in the Office one Chief Transparency Officer. The Chief Transparency Officer shall consult with Congress on transparency policy, coordinate transparency in trade negotiations, engage and assist the public, and advise the United States Trade Representative on transparency policy.”.

SEC. 105. NOTICE, CONSULTATIONS, AND REPORTS.

(a) NOTICE, CONSULTATIONS, AND REPORTS BEFORE NEGOTIATION.—

(1) NOTICE.—The President, with respect to any agreement that is subject to the provisions of section 103(b), shall—

(A) provide, at least 90 calendar days before initiating negotiations with a country, written notice to Congress of the President's intention to enter into the negotiations with that country and set forth in the notice the date on which the President intends to initiate those negotiations, the specific United States objectives for the negotiations with that country, and whether the President intends to seek an agreement, or changes to an existing agreement;

(B) before and after submission of the notice, consult regarding the negotiations with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, such other committees of the House and Senate as the President deems appropriate, and the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 104(c);

(C) upon the request of a majority of the members of either the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations convened under section 104(c), meet with the requesting congressional advisory group before initiating the negotiations or at any other time concerning the negotiations; and

(D) after consulting with the Committee on Ways and Means and the Committee on Finance, and at least 30 calendar days before initiating negotiations with a country, publish on a publicly available Internet website of the Office of the United States Trade Representative, and regularly update thereafter, a detailed and comprehensive summary of the specific objectives with respect to the negotiations, and a description of how the agreement, if successfully concluded, will further those objectives and benefit the United States.

(2) NEGOTIATIONS REGARDING AGRICULTURE.—

(A) ASSESSMENT AND CONSULTATIONS FOLLOWING ASSESSMENT.—Before initiating or continuing negotiations the subject matter of which is directly related to the subject matter under section 102(b)(3)(B) with any country, the President shall—

(i) assess whether United States tariffs on agricultural products that were bound under the Uruguay Round Agreements are lower than the tariffs bound by that country;

(ii) consider whether the tariff levels bound and applied throughout the world with respect to imports from the United States are higher than United States tariffs and whether the negotiation provides an opportunity to address any such disparity; and

(iii) consult with the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning the results of the assessment, whether it is appropriate for the United States to agree to further tariff reductions based on the conclusions reached in the assessment, and how all applicable negotiating objectives will be met.

(B) SPECIAL CONSULTATIONS ON IMPORT SENSITIVE PRODUCTS.—(i) Before initiating negotiations with regard to agriculture and, with respect to agreements described in paragraphs (2) and (3) of section 107(a), as soon as practicable after the date of the enactment of this Act, the United States Trade Representative shall—

(I) identify those agricultural products subject to tariff rate quotas on the date of enactment of this Act, and agricultural products subject to tariff reductions by the United States as a result of the Uruguay Round Agreements, for which the rate of duty was reduced on January 1, 1995, to a rate which was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994;

(II) consult with the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning—

(aa) whether any further tariff reductions on the products identified under subclause (I) should be appropriate, taking into account the impact of any such tariff reduction on the United States industry producing the product concerned;

(bb) whether the products so identified face unjustified sanitary or phytosanitary restrictions, including those not based on scientific principles in contravention of the Uruguay Round Agreements; and

(cc) whether the countries participating in the negotiations maintain export subsidies or other programs, policies, or practices that distort world trade in such products and the impact of such programs, policies, and practices on United States producers of the products;

(III) request that the International Trade Commission prepare an assessment of the probable economic effects of any such tariff reduction on the United States industry producing the product concerned and on the United States economy as a whole; and

(IV) upon complying with subclauses (I), (II), and (III), notify the Committee on Ways and

Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate of those products identified under subclause (I) for which the Trade Representative intends to seek tariff liberalization in the negotiations and the reasons for seeking such tariff liberalization.

(ii) If, after negotiations described in clause (i) are commenced—

(I) the United States Trade Representative identifies any additional agricultural product described in clause (i)(I) for tariff reductions which were not the subject of a notification under clause (i)(IV), or

(II) any additional agricultural product described in clause (i)(I) is the subject of a request for tariff reductions by a party to the negotiations,

the Trade Representative shall, as soon as practicable, notify the committees referred to in clause (i)(IV) of those products and the reasons for seeking such tariff reductions.

(3) NEGOTIATIONS REGARDING THE FISHING INDUSTRY.—Before initiating, or continuing, negotiations that directly relate to fish or shellfish trade with any country, the President shall consult with the Committee on Ways and Means and the Committee on Natural Resources of the House of Representatives, and the Committee on Finance and the Committee on Commerce, Science, and Transportation of the Senate, and shall keep the Committees apprised of the negotiations on an ongoing and timely basis.

(4) NEGOTIATIONS REGARDING TEXTILES.—Before initiating or continuing negotiations the subject matter of which is directly related to textiles and apparel products with any country, the President shall—

(A) assess whether United States tariffs on textile and apparel products that were bound under the Uruguay Round Agreements are lower than the tariffs bound by that country and whether the negotiation provides an opportunity to address any such disparity; and

(B) consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate concerning the results of the assessment, whether it is appropriate for the United States to agree to further tariff reductions based on the conclusions reached in the assessment, and how all applicable negotiating objectives will be met.

(5) ADHERENCE TO EXISTING INTERNATIONAL TRADE AND INVESTMENT AGREEMENT OBLIGATIONS.—In determining whether to enter into negotiations with a particular country, the President shall take into account the extent to which that country has implemented, or has accelerated the implementation of, its international trade and investment commitments to the United States, including pursuant to the WTO Agreement.

(b) CONSULTATION WITH CONGRESS BEFORE ENTRY INTO AGREEMENT.—

(1) CONSULTATION.—Before entering into any trade agreement under section 103(b), the President shall consult with—

(A) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;

(B) each other committee of the House and the Senate, and each joint committee of Congress, which has jurisdiction over legislation involving subject matters which would be affected by the trade agreement; and

(C) the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 104(c).

(2) SCOPE.—The consultation described in paragraph (1) shall include consultation with respect to—

(A) the nature of the agreement;

(B) how and to what extent the agreement will achieve the applicable purposes, policies, priorities, and objectives of this title; and

(C) the implementation of the agreement under section 106, including the general effect of the agreement on existing laws.

(3) REPORT REGARDING UNITED STATES TRADE REMEDY LAWS.—

(A) CHANGES IN CERTAIN TRADE LAWS.—The President, not less than 180 calendar days before the day on which the President enters into a trade agreement under section 103(b), shall report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate—

(i) the range of proposals advanced in the negotiations with respect to that agreement, that may be in the final agreement, and that could require amendments to title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) or to chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.); and

(ii) how these proposals relate to the objectives described in section 102(b)(16).

(B) RESOLUTIONS.—(i) At any time after the transmission of the report under subparagraph (A), if a resolution is introduced with respect to that report in either House of Congress, the procedures set forth in clauses (iii) through (vii) shall apply to that resolution if—

(I) no other resolution with respect to that report has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to those procedures; and

(II) no procedural disapproval resolution under section 106(b) introduced with respect to a trade agreement entered into pursuant to the negotiations to which the report under subparagraph (A) relates has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be.

(ii) For purposes of this subparagraph, the term “resolution” means only a resolution of either House of Congress, the matter after the resolving clause of which is as follows: “That the

_____ finds that the proposed changes to United States trade remedy laws contained in the report of the President transmitted to Congress on _____ under section 105(b)(3) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 with respect to _____, are inconsistent with the negotiating objectives described in section 102(b)(16) of that Act.”, with the first blank space being filled with the name of the resolving House of Congress, the second blank space being filled with the appropriate date of the report, and the third blank space being filled with the name of the country or countries involved.

(iii) Resolutions in the House of Representatives—

(I) may be introduced by any Member of the House;

(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and

(III) may not be amended by either Committee.

(iv) Resolutions in the Senate—

(I) may be introduced by any Member of the Senate;

(II) shall be referred to the Committee on Finance; and

(III) may not be amended.

(v) It is not in order for the House of Representatives to consider any resolution that is not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.

(vi) It is not in order for the Senate to consider any resolution that is not reported by the Committee on Finance.

(vii) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to floor consideration of certain resolutions in the House and Senate) shall apply to resolutions.

(4) **ADVISORY COMMITTEE REPORTS.**—The report required under section 135(e)(1) of the Trade Act of 1974 (19 U.S.C. 2155(e)(1)) regarding any trade agreement entered into under subsection (a) or (b) of section 103 shall be provided to the President, Congress, and the United States Trade Representative not later than 30 days after the date on which the President notifies Congress under section 103(a)(2) or 106(a)(1)(A) of the intention of the President to enter into the agreement.

(c) **INTERNATIONAL TRADE COMMISSION ASSESSMENT.**—

(1) **SUBMISSION OF INFORMATION TO COMMISSION.**—The President, not later than 90 calendar days before the day on which the President enters into a trade agreement under section 103(b), shall provide the International Trade Commission (referred to in this subsection as the “Commission”) with the details of the agreement as it exists at that time and request the Commission to prepare and submit an assessment of the agreement as described in paragraph (2). Between the time the President makes the request under this paragraph and the time the Commission submits the assessment, the President shall keep the Commission current with respect to the details of the agreement.

(2) **ASSESSMENT.**—Not later than 105 calendar days after the President enters into a trade agreement under section 103(b), the Commission shall submit to the President and Congress a report assessing the likely impact of the agreement on the United States economy as a whole and on specific industry sectors, including the impact the agreement will have on the gross domestic product, exports and imports, aggregate employment and employment opportunities, the production, employment, and competitive position of industries likely to be significantly affected by the agreement, and the interests of United States consumers.

(3) **REVIEW OF EMPIRICAL LITERATURE.**—In preparing the assessment under paragraph (2), the Commission shall review available economic assessments regarding the agreement, including literature regarding any substantially equivalent proposed agreement, and shall provide in its assessment a description of the analyses used and conclusions drawn in such literature, and a discussion of areas of consensus and divergence between the various analyses and conclusions, including those of the Commission regarding the agreement.

(4) **PUBLIC AVAILABILITY.**—The President shall make each assessment under paragraph (2) available to the public.

(d) **REPORTS SUBMITTED TO COMMITTEES WITH AGREEMENT.**—

(1) **ENVIRONMENTAL REVIEWS AND REPORTS.**—The President shall—

(A) conduct environmental reviews of future trade and investment agreements, consistent with Executive Order 13141 (64 Fed. Reg. 63169), dated November 16, 1999, and its relevant guidelines; and

(B) submit a report on those reviews and on the content and operation of consultative mechanisms established pursuant to section 102(c) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E).

(2) **EMPLOYMENT IMPACT REVIEWS AND REPORTS.**—The President shall—

(A) review the impact of future trade agreements on United States employment, including labor markets, modeled after Executive Order 13141 (64 Fed. Reg. 63169) to the extent appropriate in establishing procedures and criteria; and

(B) submit a report on such reviews to the Committee on Ways and Means of the House of

Representatives and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E).

(3) **REPORT ON LABOR RIGHTS.**—The President shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, on a time-frame determined in accordance with section 104(c)(3)(B)(v)—

(A) a meaningful labor rights report of the country, or countries, with respect to which the President is negotiating; and

(B) a description of any provisions that would require changes to the labor laws and labor practices of the United States.

(4) **PUBLIC AVAILABILITY.**—The President shall make all reports required under this subsection available to the public.

(e) **IMPLEMENTATION AND ENFORCEMENT PLAN.**—

(1) **IN GENERAL.**—At the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E), the President shall also submit to Congress a plan for implementing and enforcing the agreement.

(2) **ELEMENTS.**—The implementation and enforcement plan required by paragraph (1) shall include the following:

(A) **BORDER PERSONNEL REQUIREMENTS.**—A description of additional personnel required at border entry points, including a list of additional customs and agricultural inspectors.

(B) **AGENCY STAFFING REQUIREMENTS.**—A description of additional personnel required by Federal agencies responsible for monitoring and implementing the trade agreement, including personnel required by the Office of the United States Trade Representative, the Department of Commerce, the Department of Agriculture (including additional personnel required to implement sanitary and phytosanitary measures in order to obtain market access for United States exports), the Department of Homeland Security, the Department of the Treasury, and such other agencies as may be necessary.

(C) **CUSTOMS INFRASTRUCTURE REQUIREMENTS.**—A description of the additional equipment and facilities needed by U.S. Customs and Border Protection.

(D) **IMPACT ON STATE AND LOCAL GOVERNMENTS.**—A description of the impact the trade agreement will have on State and local governments as a result of increases in trade.

(E) **COST ANALYSIS.**—An analysis of the costs associated with each of the items listed in subparagraphs (A) through (D).

(3) **BUDGET SUBMISSION.**—The President shall include a request for the resources necessary to support the plan required by paragraph (1) in the first budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, after the date of the submission of the plan.

(4) **PUBLIC AVAILABILITY.**—The President shall make the plan required under this subsection available to the public.

(f) **OTHER REPORTS.**—

(1) **REPORT ON PENALTIES.**—Not later than one year after the imposition by the United States of a penalty or remedy permitted by a trade agreement to which this title applies, the President shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the effectiveness of the penalty or remedy applied under United States law in enforcing United States rights under the trade agreement, which shall address whether the penalty or remedy was effective in changing the behavior of the targeted party and whether the penalty or remedy had any adverse impact on parties or interests not party to the dispute.

(2) **REPORT ON IMPACT OF TRADE PROMOTION AUTHORITY.**—Not later than one year after the date of the enactment of this Act, and not later than 5 years thereafter, the United States International Trade Commission shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the economic impact on the United States of all trade agreements with respect to which Congress has enacted an implementing bill under trade authorities procedures since January 1, 1984.

(3) **ENFORCEMENT CONSULTATIONS AND REPORTS.**—(A) The United States Trade Representative shall consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate after acceptance of a petition for review or taking an enforcement action in regard to an obligation under a trade agreement, including a labor or environmental obligation. During such consultations, the United States Trade Representative shall describe the matter, including the basis for such action and the application of any relevant legal obligations.

(B) As part of the report required pursuant to section 163 of the Trade Act of 1974 (19 U.S.C. 2213), the President shall report annually to Congress on enforcement actions taken pursuant to a trade agreement to which the United States is a party, as well as on any public reports issued by Federal agencies on enforcement matters relating to a trade agreement.

(g) **ADDITIONAL COORDINATION WITH MEMBERS.**—Any Member of the House of Representatives may submit to the Committee on Ways and Means of the House of Representatives and any Member of the Senate may submit to the Committee on Finance of the Senate the views of that Member on any matter relevant to a proposed trade agreement, and the relevant Committee shall receive those views for consideration.

SEC. 106. IMPLEMENTATION OF TRADE AGREEMENTS.

(a) **IN GENERAL.**—

(1) **NOTIFICATION AND SUBMISSION.**—Any agreement entered into under section 103(b) shall enter into force with respect to the United States if (and only if)—

(A) the President, at least 90 calendar days before the day on which the President enters into the trade agreement, notifies the House of Representatives and the Senate of the President's intention to enter into the agreement, and promptly thereafter publishes notice of such intention in the Federal Register;

(B) the President, at least 60 days before the day on which the President enters into the agreement, publishes the text of the agreement on a publicly available Internet website of the Office of the United States Trade Representative;

(C) within 60 days after entering into the agreement, the President submits to Congress a description of those changes to existing laws that the President considers would be required in order to bring the United States into compliance with the agreement;

(D) the President, at least 30 days before submitting to Congress the materials under subparagraph (E), submits to Congress—

(i) a draft statement of any administrative action proposed to implement the agreement; and

(ii) a copy of the final legal text of the agreement;

(E) after entering into the agreement, the President submits to Congress, on a day on which both Houses of Congress are in session, a copy of the final legal text of the agreement, together with—

(i) a draft of an implementing bill described in section 103(b)(3);

(ii) a statement of any administrative action proposed to implement the trade agreement; and

(iii) the supporting information described in paragraph (2)(A);

(F) the implementing bill is enacted into law; and

(G) the President, not later than 30 days before the date on which the agreement enters into force with respect to a party to the agreement, submits written notice to Congress that the President has determined that the party has taken measures necessary to comply with those provisions of the agreement that are to take effect on the date on which the agreement enters into force.

(2) SUPPORTING INFORMATION.—

(A) IN GENERAL.—The supporting information required under paragraph (1)(E)(iii) consists of—

(i) an explanation as to how the implementing bill and proposed administrative action will change or affect existing law; and

(ii) a statement—

(I) asserting that the agreement makes progress in achieving the applicable purposes, policies, priorities, and objectives of this title; and

(II) setting forth the reasons of the President regarding—

(aa) how and to what extent the agreement makes progress in achieving the applicable purposes, policies, and objectives referred to in subclause (I);

(bb) whether and how the agreement changes provisions of an agreement previously negotiated;

(cc) how the agreement serves the interests of United States commerce; and

(dd) how the implementing bill meets the standards set forth in section 103(b)(3).

(B) PUBLIC AVAILABILITY.—The President shall make the supporting information described in subparagraph (A) available to the public.

(3) RECIPROCAL BENEFITS.—In order to ensure that a foreign country that is not a party to a trade agreement entered into under section 103(b) does not receive benefits under the agreement unless the country is also subject to the obligations under the agreement, the implementing bill submitted with respect to the agreement shall provide that the benefits and obligations under the agreement apply only to the parties to the agreement, if such application is consistent with the terms of the agreement. The implementing bill may also provide that the benefits and obligations under the agreement do not apply uniformly to all parties to the agreement, if such application is consistent with the terms of the agreement.

(4) DISCLOSURE OF COMMITMENTS.—Any agreement or other understanding with a foreign government or governments (whether oral or in writing) that—

(A) relates to a trade agreement with respect to which Congress enacts an implementing bill under trade authorities procedures; and

(B) is not disclosed to Congress before an implementing bill with respect to that agreement is introduced in either House of Congress, shall not be considered to be part of the agreement approved by Congress and shall have no force and effect under United States law or in any dispute settlement body.

(b) LIMITATIONS ON TRADE AUTHORITIES PROCEDURES.—

(1) FOR LACK OF NOTICE OR CONSULTATIONS.—

(A) IN GENERAL.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) if during the 60-day period beginning on the date that one House of Congress agrees to a procedural disapproval resolution for lack of notice or consultations with respect to such trade agreement or agreements, the other House separately agrees to a procedural disapproval

resolution with respect to such trade agreement or agreements.

(B) PROCEDURAL DISAPPROVAL RESOLUTION.—

(i) For purposes of this paragraph, the term “procedural disapproval resolution” means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: “That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to _____ and, therefore, the trade authorities procedures under that Act shall not apply to any implementing bill submitted with respect to such trade agreement or agreements.”, with the blank space being filled with a description of the trade agreement or agreements with respect to which the President is considered to have failed or refused to notify or consult.

(ii) For purposes of clause (i) and paragraphs (3)(C) and (4)(C), the President has “failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015” on negotiations with respect to a trade agreement or trade agreements if—

(I) the President has failed or refused to consult (as the case may be) in accordance with sections 104 and 105 and this section with respect to the negotiations, agreement, or agreements;

(II) guidelines under section 104 have not been developed or met with respect to the negotiations, agreement, or agreements;

(III) the President has not met with the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations pursuant to a request made under section 104(c)(4) with respect to the negotiations, agreement, or agreements; or

(IV) the agreement or agreements fail to make progress in achieving the purposes, policies, priorities, and objectives of this title.

(2) PROCEDURES FOR CONSIDERING RESOLUTIONS.—(A) Procedural disapproval resolutions—

(i) in the House of Representatives—

(I) may be introduced by any Member of the House;

(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and

(III) may not be amended by either Committee; and

(ii) in the Senate—

(I) may be introduced by any Member of the Senate;

(II) shall be referred to the Committee on Finance; and

(III) may not be amended.

(B) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to a procedural disapproval resolution introduced with respect to a trade agreement if no other procedural disapproval resolution with respect to that trade agreement has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, and if no resolution described in clause (ii) of section 105(b)(3)(B) with respect to that trade agreement has been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to the procedures set forth in clauses (iii) through (vii) of such section.

(C) It is not in order for the House of Representatives to consider any procedural disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.

(D) It is not in order for the Senate to consider any procedural disapproval resolution not reported by the Committee on Finance.

(3) CONSIDERATION IN SENATE OF CONSULTATION AND COMPLIANCE RESOLUTION TO REMOVE TRADE AUTHORITIES PROCEDURES.—

(A) REPORTING OF RESOLUTION.—If, when the Committee on Finance of the Senate meets on whether to report an implementing bill with respect to a trade agreement or agreements entered into under section 103(b), the committee fails to favorably report the bill, the committee shall report a resolution described in subparagraph (C).

(B) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—The trade authorities procedures shall not apply in the Senate to any implementing bill submitted with respect to a trade agreement or agreements described in subparagraph (A) if the Committee on Finance reports a resolution described in subparagraph (C) and such resolution is agreed to by the Senate.

(C) RESOLUTION DESCRIBED.—A resolution described in this subparagraph is a resolution of the Senate originating from the Committee on Finance the sole matter after the resolving clause of which is as follows: “That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to _____ and, therefore, the trade authorities procedures under that Act shall not apply in the Senate to any implementing bill submitted with respect to such trade agreement or agreements.”, with the blank space being filled with a description of the trade agreement or agreements described in subparagraph (A).

(D) PROCEDURES.—If the Senate does not agree to a motion to invoke cloture on the motion to proceed to a resolution described in subparagraph (C), the resolution shall be committed to the Committee on Finance.

(4) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES OF A CONSULTATION AND COMPLIANCE RESOLUTION.—

(A) QUALIFICATIONS FOR REPORTING RESOLUTION.—If—

(i) the Committee on Ways and Means of the House of Representatives reports an implementing bill with respect to a trade agreement or agreements entered into under section 103(b) with other than a favorable recommendation; and

(ii) a Member of the House of Representatives has introduced a consultation and compliance resolution on the legislative day following the filing of a report to accompany the implementing bill with other than a favorable recommendation,

then the Committee on Ways and Means shall consider a consultation and compliance resolution pursuant to subparagraph (B).

(B) COMMITTEE CONSIDERATION OF A QUALIFYING RESOLUTION.—(i) Not later than the fourth legislative day after the date of introduction of the resolution, the Committee on Ways and Means shall meet to consider a resolution meeting the qualifications set forth in subparagraph (A).

(ii) After consideration of one such resolution by the Committee on Ways and Means, this subparagraph shall not apply to any other such resolution.

(iii) If the Committee on Ways and Means has not reported the resolution by the sixth legislative day after the date of its introduction, that committee shall be discharged from further consideration of the resolution.

(C) CONSULTATION AND COMPLIANCE RESOLUTION DESCRIBED.—A consultation and compliance resolution—

(i) is a resolution of the House of Representatives, the sole matter after the resolving clause of which is as follows: “That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade

Priorities and Accountability Act of 2015 on negotiations with respect to _____ and, therefore, the trade authorities procedures under that Act shall not apply in the House of Representatives to any implementing bill submitted with respect to such trade agreement or agreements.”, with the blank space being filled with a description of the trade agreement or agreements described in subparagraph (A); and

(ii) shall be referred to the Committee on Ways and Means.

(D) **APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.**—The trade authorities procedures shall not apply in the House of Representatives to any implementing bill submitted with respect to a trade agreement or agreements which are the object of a consultation and compliance resolution if such resolution is adopted by the House.

(5) **FOR FAILURE TO MEET OTHER REQUIREMENTS.**—Not later than December 15, 2015, the Secretary of Commerce, in consultation with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the United States Trade Representative, shall transmit to Congress a report setting forth the strategy of the executive branch to address concerns of Congress regarding whether dispute settlement panels and the Appellate Body of the World Trade Organization have added to obligations, or diminished rights, of the United States, as described in section 102(b)(15)(C). Trade authorities procedures shall not apply to any implementing bill with respect to an agreement negotiated under the auspices of the World Trade Organization unless the Secretary of Commerce has issued such report by the deadline specified in this paragraph.

(6) **LIMITATIONS ON PROCEDURES WITH RESPECT TO AGREEMENTS WITH COUNTRIES NOT IN COMPLIANCE WITH TRAFFICKING VICTIMS PROTECTION ACT OF 2000.**—

(A) **IN GENERAL.**—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) with a country to which the minimum standards for the elimination of trafficking are applicable and the government of which does not fully comply with such standards and is not making significant efforts to bring the country into compliance (commonly referred to as a “tier 3” country), as determined in the most recent annual report on trafficking in persons submitted under section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)).

(B) **MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING DEFINED.**—In this paragraph, the term “minimum standards for the elimination of trafficking” means the standards set forth in section 108 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106).

(C) **RULES OF HOUSE OF REPRESENTATIVES AND SENATE.**—Subsection (b) of this section, section 103(c), and section 105(b)(3) are enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such are deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

SEC. 107. TREATMENT OF CERTAIN TRADE AGREEMENTS FOR WHICH NEGOTIATIONS HAVE ALREADY BEGUN.

(a) **CERTAIN AGREEMENTS.**—Notwithstanding the prenegotiation notification and consultation

requirement described in section 105(a), if an agreement to which section 103(b) applies—

(1) is entered into under the auspices of the World Trade Organization,

(2) is entered into with the Trans-Pacific Partnership countries with respect to which notifications have been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act,

(3) is entered into with the European Union,

(4) is an agreement with respect to international trade in services entered into with WTO members with respect to which a notification has been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act, or

(5) is an agreement with respect to environmental goods entered into with WTO members with respect to which a notification has been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act,

and results from negotiations that were commenced before the date of the enactment of this Act, subsection (b) shall apply.

(b) **TREATMENT OF AGREEMENTS.**—In the case of any agreement to which subsection (a) applies, the applicability of the trade authorities procedures to implementing bills shall be determined without regard to the requirements of section 105(a) (relating only to notice prior to initiating negotiations), and any resolution under paragraph (1)(B), (3)(C), or (4)(C) of section 106(b) shall not be in order on the basis of a failure or refusal to comply with the provisions of section 105(a), if (and only if) the President, as soon as feasible after the date of the enactment of this Act—

(1) notifies Congress of the negotiations described in subsection (a), the specific United States objectives in the negotiations, and whether the President is seeking a new agreement or changes to an existing agreement; and

(2) before and after submission of the notice, consults regarding the negotiations with the committees referred to in section 105(a)(1)(B) and the House and Senate Advisory Groups on Negotiations convened under section 104(c).

SEC. 108. SOVEREIGNTY.

(a) **UNITED STATES LAW TO PREVAIL IN EVENT OF CONFLICT.**—No provision of any trade agreement entered into under section 103(b), nor the application of any such provision to any person or circumstance, that is inconsistent with any law of the United States, any State of the United States, or any locality of the United States shall have effect.

(b) **AMENDMENTS OR MODIFICATIONS OF UNITED STATES LAW.**—No provision of any trade agreement entered into under section 103(b) shall prevent the United States, any State of the United States, or any locality of the United States from amending or modifying any law of the United States, that State, or that locality (as the case may be).

(c) **DISPUTE SETTLEMENT REPORTS.**—Reports, including findings and recommendations, issued by dispute settlement panels convened pursuant to any trade agreement entered into under section 103(b) shall have no binding effect on the law of the United States, the Government of the United States, or the law or government of any State or locality of the United States.

SEC. 109. INTERESTS OF SMALL BUSINESSES.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the United States Trade Representative should facilitate participation by small businesses in the trade negotiation process; and

(2) the functions of the Office of the United States Trade Representative relating to small businesses should continue to be reflected in the title of the Assistant United States Trade Rep-

resentative assigned the responsibility for small businesses.

(b) **CONSIDERATION OF SMALL BUSINESS INTERESTS.**—The Assistant United States Trade Representative for Small Business, Market Access, and Industrial Competitiveness shall be responsible for ensuring that the interests of small businesses are considered in all trade negotiations in accordance with the objective described in section 102(a)(8).

SEC. 110. CONFORMING AMENDMENTS; APPLICATION OF CERTAIN PROVISIONS.

(a) **CONFORMING AMENDMENTS.**—

(1) **ADVICE FROM UNITED STATES INTERNATIONAL TRADE COMMISSION.**—Section 131 of the Trade Act of 1974 (19 U.S.C. 2151) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking “section 2103(a) or (b) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “subsection (a) or (b) of section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(ii) in paragraph (2), by striking “section 2103(b) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”;

(B) in subsection (b), by striking “section 2103(a)(3)(A) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103(a)(4)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(C) in subsection (c), by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(2) **HEARINGS.**—Section 132 of the Trade Act of 1974 (19 U.S.C. 2152) is amended by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(3) **PUBLIC HEARINGS.**—Section 133(a) of the Trade Act of 1974 (19 U.S.C. 2153(a)) is amended by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(4) **PREREQUISITES FOR OFFERS.**—Section 134 of the Trade Act of 1974 (19 U.S.C. 2154) is amended by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” each place it appears and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(5) **INFORMATION AND ADVICE FROM PRIVATE AND PUBLIC SECTORS.**—Section 135 of the Trade Act of 1974 (19 U.S.C. 2155) is amended—

(A) in subsection (a)(1)(A), by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(B) in subsection (e)—

(i) in paragraph (1)—

(I) by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” each place it appears and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(II) by striking “not later than the date on which the President notifies the Congress under section 2105(a)(1)(A) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “not later than the date that is 30 days after the date on which the President notifies Congress under section 106(a)(1)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(ii) in paragraph (2), by striking “section 2102 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 102 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(6) PROCEDURES RELATING TO IMPLEMENTING BILLS.—Section 151 of the Trade Act of 1974 (19 U.S.C. 2191) is amended—

(A) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “section 2105(a)(1) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 106(a)(1) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(B) in subsection (c)(1), by striking “section 2105(a)(1) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 106(a)(1) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(7) TRANSMISSION OF AGREEMENTS TO CONGRESS.—Section 162(a) of the Trade Act of 1974 (19 U.S.C. 2212(a)) is amended by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(b) APPLICATION OF CERTAIN PROVISIONS.—For purposes of applying sections 125, 126, and 127 of the Trade Act of 1974 (19 U.S.C. 2135, 2136, and 2137)—

(1) any trade agreement entered into under section 103 shall be treated as an agreement entered into under section 101 or 102 of the Trade Act of 1974 (19 U.S.C. 2111 or 2112), as appropriate; and

(2) any proclamation or Executive order issued pursuant to a trade agreement entered into under section 103 shall be treated as a proclamation or Executive order issued pursuant to a trade agreement entered into under section 102 of the Trade Act of 1974 (19 U.S.C. 2112).

SEC. 111. DEFINITIONS.

In this title:

(1) AGREEMENT ON AGRICULTURE.—The term “Agreement on Agriculture” means the agreement referred to in section 101(d)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(2)).

(2) AGREEMENT ON SAFEGUARDS.—The term “Agreement on Safeguards” means the agreement referred to in section 101(d)(13) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(13)).

(3) AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES.—The term “Agreement on Subsidies and Countervailing Measures” means the agreement referred to in section 101(d)(12) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(12)).

(4) ANTIDUMPING AGREEMENT.—The term “Antidumping Agreement” means the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 referred to in section 101(d)(7) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(7)).

(5) APPELLATE BODY.—The term “Appellate Body” means the Appellate Body established under Article 17.1 of the Dispute Settlement Understanding.

(6) COMMON MULTILATERAL ENVIRONMENTAL AGREEMENT.—

(A) IN GENERAL.—The term “common multilateral environmental agreement” means any agreement specified in subparagraph (B) or included under subparagraph (C) to which both the United States and one or more other parties to the negotiations are full parties, including any current or future mutually agreed upon protocols, amendments, annexes, or adjustments to such an agreement.

(B) AGREEMENTS SPECIFIED.—The agreements specified in this subparagraph are the following:

(i) The Convention on International Trade in Endangered Species of Wild Fauna and Flora,

done at Washington March 3, 1973 (27 UST 1087; TIAS 8249).

(ii) The Montreal Protocol on Substances that Deplete the Ozone Layer, done at Montreal September 16, 1987.

(iii) The Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973, done at London February 17, 1978.

(iv) The Convention on Wetlands of International Importance Especially as Waterfowl Habitat, done at Ramsar February 2, 1971 (TIAS 11084).

(v) The Convention on the Conservation of Antarctic Marine Living Resources, done at Canberra May 20, 1980 (33 UST 3476).

(vi) The International Convention for the Regulation of Whaling, done at Washington December 2, 1946 (62 Stat. 1716).

(vii) The Convention for the Establishment of an Inter-American Tropical Tuna Commission, done at Washington May 31, 1949 (1 UST 230).

(C) ADDITIONAL AGREEMENTS.—Both the United States and one or more other parties to the negotiations may agree to include any other multilateral environmental or conservation agreement to which they are full parties as a common multilateral environmental agreement under this paragraph.

(7) CORE LABOR STANDARDS.—The term “core labor standards” means—

(A) freedom of association;

(B) the effective recognition of the right to collective bargaining;

(C) the elimination of all forms of forced or compulsory labor;

(D) the effective abolition of child labor and a prohibition on the worst forms of child labor; and

(E) the elimination of discrimination in respect of employment and occupation.

(8) DISPUTE SETTLEMENT UNDERSTANDING.—The term “Dispute Settlement Understanding” means the Understanding on Rules and Procedures Governing the Settlement of Disputes referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16)).

(9) ENABLING CLAUSE.—The term “Enabling Clause” means the Decision on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries (L/4903), adopted November 28, 1979, under GATT 1947 (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)).

(10) ENVIRONMENTAL LAWS.—The term “environmental laws”, with respect to the laws of the United States, means environmental statutes and regulations enforceable by action of the Federal Government.

(11) GATT 1994.—The term “GATT 1994” has the meaning given that term in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

(12) GENERAL AGREEMENT ON TRADE IN SERVICES.—The term “General Agreement on Trade in Services” means the General Agreement on Trade in Services (referred to in section 101(d)(14) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(14))).

(13) GOVERNMENT PROCUREMENT AGREEMENT.—The term “Government Procurement Agreement” means the Agreement on Government Procurement referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17)).

(14) ILO.—The term “ILO” means the International Labor Organization.

(15) IMPORT SENSITIVE AGRICULTURAL PRODUCT.—The term “import sensitive agricultural product” means an agricultural product—

(A) with respect to which, as a result of the Uruguay Round Agreements, the rate of duty was the subject of tariff reductions by the United States and, pursuant to such Agree-

ments, was reduced on January 1, 1995, to a rate that was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994; or

(B) which was subject to a tariff rate quota on the date of the enactment of this Act.

(16) INFORMATION TECHNOLOGY AGREEMENT.—The term “Information Technology Agreement” means the Ministerial Declaration on Trade in Information Technology Products of the World Trade Organization, agreed to at Singapore December 13, 1996.

(17) INTERNATIONALLY RECOGNIZED CORE LABOR STANDARDS.—The term “internationally recognized core labor standards” means the core labor standards only as stated in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998).

(18) LABOR LAWS.—The term “labor laws” means the statutes and regulations, or provisions thereof, of a party to the negotiations that are directly related to core labor standards as well as other labor protections for children and minors and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health, and for the United States, includes Federal statutes and regulations addressing those standards, protections, or conditions, but does not include State or local labor laws.

(19) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen;

(B) a partnership, corporation, or other legal entity that is organized under the laws of the United States; and

(C) a partnership, corporation, or other legal entity that is organized under the laws of a foreign country and is controlled by entities described in subparagraph (B) or United States citizens, or both.

(20) URUGUAY ROUND AGREEMENTS.—The term “Uruguay Round Agreements” has the meaning given that term in section 2(7) of the Uruguay Round Agreements Act (19 U.S.C. 3501(7)).

(21) WORLD TRADE ORGANIZATION; WTO.—The terms “World Trade Organization” and “WTO” mean the organization established pursuant to the WTO Agreement.

(22) WTO AGREEMENT.—The term “WTO Agreement” means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.

(23) WTO MEMBER.—The term “WTO member” has the meaning given that term in section 2(10) of the Uruguay Round Agreements Act (19 U.S.C. 3501(10)).

TITLE II—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE

SEC. 201. SHORT TITLE.

This title may be cited as the “Trade Adjustment Assistance Reauthorization Act of 2015”.

SEC. 202. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.

(a) REPEAL OF SNAPBACK.—Section 233 of the Trade Adjustment Assistance Extension Act of 2011 (Public Law 112–40; 125 Stat. 416) is repealed.

(b) APPLICABILITY OF CERTAIN PROVISIONS.—Except as otherwise provided in this title, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on December 31, 2013, and as amended by this title, shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to petitions for certification filed under chapter 2, 3, or 6 of title II of the Trade Act of 1974 on or after such date of enactment.

(c) REFERENCES.—Except as otherwise provided in this title, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of

1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on December 31, 2013.

SEC. 203. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE PROGRAM.

(a) **EXTENSION OF TERMINATION PROVISIONS.**—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by striking “December 31, 2013” each place it appears and inserting “June 30, 2021”.

(b) **TRAINING FUNDS.**—Section 236(a)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) is amended by striking “shall not exceed” and all that follows and inserting “shall not exceed \$450,000,000 for each of fiscal years 2015 through 2021”.

(c) **REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE.**—Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking “December 31, 2013” and inserting “June 30, 2021”.

(d) **AUTHORIZATIONS OF APPROPRIATIONS.**—

(1) **TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.**—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking “December 31, 2013” and inserting “June 30, 2021”.

(2) **TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.**—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended by striking “fiscal years 2012 and 2013” and all that follows through “December 31, 2013” and inserting “fiscal years 2015 through 2021”.

(3) **TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.**—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended by striking “fiscal years 2012 and 2013” and all that follows through “December 31, 2013” and inserting “fiscal years 2015 through 2021”.

SEC. 204. PERFORMANCE MEASUREMENT AND REPORTING.

(a) **PERFORMANCE MEASURES.**—Section 239(j) of the Trade Act of 1974 (19 U.S.C. 2311(j)) is amended—

(1) in the subsection heading, by striking “DATA REPORTING” and inserting “PERFORMANCE MEASURES”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “a quarterly” and inserting “an annual”; and

(ii) by striking “data” and inserting “measures”;

(B) in subparagraph (A), by striking “core” and inserting “primary”; and

(C) in subparagraph (C), by inserting “that promote efficiency and effectiveness” after “assistance program”;

(3) in paragraph (2)—

(A) in the paragraph heading, by striking “CORE INDICATORS DESCRIBED” and inserting “INDICATORS OF PERFORMANCE”; and

(B) by striking subparagraph (A) and inserting the following:

“(A) **PRIMARY INDICATORS OF PERFORMANCE DESCRIBED.**—

“(i) **IN GENERAL.**—The primary indicators of performance referred to in paragraph (1)(A) shall consist of—

“(I) the percentage and number of workers who received benefits under the trade adjustment assistance program who are in unsubsidized employment during the second calendar quarter after exit from the program;

“(II) the percentage and number of workers who received benefits under the trade adjustment assistance program and who are in unsubsidized employment during the fourth calendar quarter after exit from the program;

“(III) the median earnings of workers described in subclause (I);

“(IV) the percentage and number of workers who received benefits under the trade adjustment assistance program who, subject to clause

(ii), obtain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, during participation in the program or within one year after exit from the program; and

“(V) the percentage and number of workers who received benefits under the trade adjustment assistance program who, during a year while receiving such benefits, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable gains in skills toward such a credential or employment.

“(ii) **INDICATOR RELATING TO CREDENTIAL.**—For purposes of clause (i)(IV), a worker who received benefits under the trade adjustment assistance program who obtained a secondary school diploma or its recognized equivalent shall be included in the percentage counted for purposes of that clause only if the worker, in addition to obtaining such a diploma or its recognized equivalent, has obtained or retained employment or is in an education or training program leading to a recognized postsecondary credential within one year after exit from the program.”;

(4) in paragraph (3)—

(A) in the paragraph heading, by striking “DATA” and inserting “MEASURES”;

(B) by striking “quarterly” and inserting “annual”; and

(C) by striking “data” and inserting “measures”; and

(5) by adding at the end the following:

“(4) **ACCESSIBILITY OF STATE PERFORMANCE REPORTS.**—The Secretary shall, on an annual basis, make available (including by electronic means), in an easily understandable format, the reports of cooperating States or cooperating State agencies required by paragraph (1) and the information contained in those reports.”.

(b) **COLLECTION AND PUBLICATION OF DATA.**—Section 249B of the Trade Act of 1974 (19 U.S.C. 2323) is amended—

(1) in subsection (b)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking “enrolled in” and inserting “who received”;

(ii) in subparagraph (B)—

(I) by striking “complete” and inserting “exited”; and

(II) by striking “who were enrolled in” and inserting “, including who received”;

(iii) in subparagraph (E), by striking “complete” and inserting “exited”;

(iv) in subparagraph (F), by striking “complete” and inserting “exit”; and

(v) by adding at the end the following:

“(G) The average cost per worker of receiving training approved under section 236.

“(H) The percentage of workers who received training approved under section 236 and obtained unsubsidized employment in a field related to that training.”; and

(B) in paragraph (4)—

(i) in subparagraphs (A) and (B), by striking “quarterly” each place it appears and inserting “annual”; and

(ii) by striking subparagraph (C) and inserting the following:

“(C) The median earnings of workers described in section 239(j)(2)(A)(i)(III) during the second calendar quarter after exit from the program, expressed as a percentage of the median earnings of such workers before the calendar quarter in which such workers began receiving benefits under this chapter.”; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(ii) by inserting after subparagraph (A) the following:

“(B) the reports required under section 239(j);”;

(B) in paragraph (2), by striking “a quarterly” and inserting “an annual”.

(c) **RECOGNIZED POSTSECONDARY CREDENTIAL DEFINED.**—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended by adding at the end the following:

“(19) The term ‘recognized postsecondary credential’ means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by a State or the Federal Government, or an associate or baccalaureate degree.”.

SEC. 205. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.

(a) **TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.**—

(1) **PETITIONS FILED ON OR AFTER JANUARY 1, 2014, AND BEFORE DATE OF ENACTMENT.**—

(A) **CERTIFICATIONS OF WORKERS NOT CERTIFIED BEFORE DATE OF ENACTMENT.**—

(i) **CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.**—If, as of the date of the enactment of this Act, the Secretary of Labor has not made a determination with respect to whether to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall make that determination based on the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment.

(ii) **RECONSIDERATION OF DENIALS OF CERTIFICATIONS.**—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall—

(I) reconsider that determination; and

(II) if the group of workers meets the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment, certify the group of workers as eligible to apply for adjustment assistance.

(iii) **PETITION DESCRIBED.**—A petition described in this clause is a petition for a certification of eligibility for a group of workers filed under section 221 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(b) **ELIGIBILITY FOR BENEFITS.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), a worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) shall be eligible, on and after the date that is 90 days after the date of the enactment of this Act, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment.

(ii) **COMPUTATION OF MAXIMUM BENEFITS.**—Benefits received by a worker described in clause (i) under chapter 2 of title II of the Trade Act of 1974 before the date of the enactment of this Act shall be included in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act.

(2) **PETITIONS FILED BEFORE JANUARY 1, 2014.**—A worker certified as eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or before December 31, 2013, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on December 31, 2013.

(3) **QUALIFYING SEPARATIONS WITH RESPECT TO PETITIONS FILED WITHIN 90 DAYS OF DATE OF ENACTMENT.**—Section 223(b) of the Trade Act of

1974, as in effect on the date of the enactment of this Act, shall be applied and administered by substituting “before January 1, 2014” for “more than one year before the date of the petition on which such certification was granted” for purposes of determining whether a worker is eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act and on or before the date that is 90 days after such date of enactment.

(b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—

(1) CERTIFICATION OF FIRMS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(A) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Commerce has not made a determination with respect to whether to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall make that determination based on the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment.

(B) RECONSIDERATION OF DENIAL OF CERTAIN PETITIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

- (i) reconsider that determination; and
- (ii) if the firm meets the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment, certify the firm as eligible to apply for adjustment assistance.

(C) PETITION DESCRIBED.—A petition described in this subparagraph is a petition for a certification of eligibility filed by a firm or its representative under section 251 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(2) CERTIFICATION OF FIRMS THAT DID NOT SUBMIT PETITIONS BETWEEN JANUARY 1, 2014, AND DATE OF ENACTMENT.—

(A) IN GENERAL.—The Secretary of Commerce shall certify a firm described in subparagraph (B) as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974, as in effect on the date of the enactment of this Act, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 not later than 90 days after such date of enactment.

(B) FIRM DESCRIBED.—A firm described in this subparagraph is a firm that the Secretary determines would have been certified as eligible to apply for adjustment assistance if—

- (i) the firm or its representative had filed a petition for a certification of eligibility under section 251 of the Trade Act of 1974 on a date during the period beginning on January 1, 2014, and ending on the day before the date of the enactment of this Act; and
- (ii) the provisions of chapter 3 of title II of the Trade Act of 1974, as in effect on such date of enactment, had been in effect on that date during the period described in clause (i).

SEC. 206. SUNSET PROVISIONS.

(a) APPLICATION OF PRIOR LAW.—Subject to subsection (b), beginning on July 1, 2021, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.), as in effect on January 1, 2014, shall be in effect and apply, except that in applying and administering such chapters—

(1) paragraph (1) of section 231(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

(2) section 233 of that Act shall be applied and administered—

(A) in subsection (a)—

(i) in paragraph (2), by substituting “104-week period” for “104-week period” and all that follows through “130-week period”; and

(ii) in paragraph (3)—

(I) in the matter preceding subparagraph (A), by substituting “65” for “52”; and

(II) by substituting “78-week period” for “52-week period” each place it appears; and

(B) by applying and administering subsection (g) as if it read as follows:

“(g) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—

“(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

“(2) the worker participates in training in each such week; and

“(3) the worker—

“(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

“(B) is expected to continue to make progress toward the completion of the training; and

“(C) will complete the training during that period of eligibility.”;

(3) section 245(a) of that Act shall be applied and administered by substituting “June 30, 2022” for “December 31, 2007”;

(4) section 246(b)(1) of that Act shall be applied and administered by substituting “June 30, 2022” for “the date that is 5 years” and all that follows through “State”;

(5) section 256(b) of that Act shall be applied and administered by substituting “the 1-year period beginning on July 1, 2021” for “each of fiscal years 2003 through 2007, and \$4,000,000 for the 3-month period beginning on October 1, 2007”;

(6) section 298(a) of that Act shall be applied and administered by substituting “the 1-year period beginning on July 1, 2021” for “each of the fiscal years” and all that follows through “October 1, 2007”; and

(7) section 285 of that Act shall be applied and administered—

(A) in subsection (a), by substituting “June 30, 2022” for “December 31, 2007” each place it appears; and

(B) by applying and administering subsection (b) as if it read as follows:

“(b) OTHER ASSISTANCE.—

“(1) ASSISTANCE FOR FIRMS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 3 after June 30, 2022.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 3 pursuant to a petition filed under section 251 on or before June 30, 2022, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.

“(2) FARMERS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 6 after June 30, 2022.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chap-

ter 6 on or before June 30, 2022, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.”.

(b) EXCEPTIONS.—The provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall continue to apply on and after July 1, 2021, with respect to—

(1) workers certified as eligible for trade adjustment assistance benefits under chapter 2 of title II of that Act pursuant to petitions filed under section 221 of that Act before July 1, 2021;

(2) firms certified as eligible for technical assistance or grants under chapter 3 of title II of that Act pursuant to petitions filed under section 251 of that Act before July 1, 2021; and

(3) agricultural commodity producers certified as eligible for technical or financial assistance under chapter 6 of title II of that Act pursuant to petitions filed under section 292 of that Act before July 1, 2021.

SEC. 207. EXTENSION AND MODIFICATION OF HEALTH COVERAGE TAX CREDIT.

(a) EXTENSION.—Subparagraph (B) of section 35(b)(1) of the Internal Revenue Code of 1986 is amended by striking “before January 1, 2014” and inserting “before January 1, 2020”.

(b) COORDINATION WITH CREDIT FOR COVERAGE UNDER A QUALIFIED HEALTH PLAN.—Subsection (g) of section 35 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraph (11) as paragraph (13); and

(2) by inserting after paragraph (10) the following new paragraphs:

“(11) ELECTION.—

“(A) IN GENERAL.—This section shall not apply to any taxpayer for any eligible coverage month unless such taxpayer elects the application of this section for such month.

“(B) TIMING AND APPLICABILITY OF ELECTION.—Except as the Secretary may provide—

“(i) an election to have this section apply for any eligible coverage month in a taxable year shall be made not later than the due date (including extensions) for the return of tax for the taxable year; and

“(ii) any election for this section to apply for an eligible coverage month shall apply for all subsequent eligible coverage months in the taxable year and, once made, shall be irrevocable with respect to such months.

“(12) COORDINATION WITH PREMIUM TAX CREDIT.—

“(A) IN GENERAL.—An eligible coverage month to which the election under paragraph (11) applies shall not be treated as a coverage month (as defined in section 36B(c)(2)) for purposes of section 36B with respect to the taxpayer.

“(B) COORDINATION WITH ADVANCE PAYMENTS OF PREMIUM TAX CREDIT.—In the case of a taxpayer who makes the election under paragraph (11) with respect to any eligible coverage month in a taxable year or on behalf of whom any advance payment is made under section 7527 with respect to any month in such taxable year—

“(i) the tax imposed by this chapter for the taxable year shall be increased by the excess, if any, of—

“(I) the sum of any advance payments made on behalf of the taxpayer under section 1412 of the Patient Protection and Affordable Care Act and section 7527 for months during such taxable year, over

“(II) the sum of the credits allowed under this section (determined without regard to paragraph (1)) and section 36B (determined without regard to subsection (f)(1) thereof) for such taxable year; and

“(ii) section 36B(f)(2) shall not apply with respect to such taxpayer for such taxable year, except that if such taxpayer received any advance

payments under section 7527 for any month in such taxable year and is later allowed a credit under section 36B for such taxable year, then section 36B(f)(2)(B) shall be applied by substituting the amount determined under clause (i) for the amount determined under section 36B(f)(2)(A).”.

(c) **EXTENSION OF ADVANCE PAYMENT PROGRAM.**—

(1) **IN GENERAL.**—Subsection (a) of section 7527 of the Internal Revenue Code of 1986 is amended by striking “August 1, 2003” and inserting “the date that is 1 year after the date of the enactment of the Trade Adjustment Assistance Reauthorization Act of 2015”.

(2) **CONFORMING AMENDMENT.**—Paragraph (1) of section 7527(e) of such Code is amended by striking “occurring” and all that follows and inserting “occurring—

“(A) after the date that is 1 year after the date of the enactment of the Trade Adjustment Assistance Reauthorization Act of 2015, and

“(B) prior to the first month for which an advance payment is made on behalf of such individual under subsection (a).”.

(d) **INDIVIDUAL INSURANCE TREATED AS QUALIFIED HEALTH INSURANCE WITHOUT REGARD TO ENROLLMENT DATE.**—

(1) **IN GENERAL.**—Subparagraph (J) of section 35(e)(1) of the Internal Revenue Code of 1986 is amended by striking “insurance if the eligible individual” and all that follows through “For purposes of” and inserting “insurance. For purposes of”.

(2) **SPECIAL RULE.**—Subparagraph (J) of section 35(e)(1) of such Code, as amended by paragraph (1), is amended by striking “insurance.” and inserting “insurance (other than coverage enrolled in through an Exchange established under the Patient Protection and Affordable Care Act).”.

(e) **CONFORMING AMENDMENT.**—Subsection (m) of section 6501 of the Internal Revenue Code of 1986 is amended by inserting “, 35(g)(11)” after “30D(e)(4)”.

(f) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the amendments made by this section shall apply to coverage months in taxable years beginning after December 31, 2013.

(2) **PLANS AVAILABLE ON INDIVIDUAL MARKET FOR USE OF TAX CREDIT.**—The amendment made by subsection (d)(2) shall apply to coverage months in taxable years beginning after December 31, 2015.

(3) **TRANSITION RULE.**—Notwithstanding section 35(g)(11)(B)(i) of the Internal Revenue Code of 1986 (as added by this title), an election to apply section 35 of such Code to an eligible coverage month (as defined in section 35(b) of such Code) (and not to claim the credit under section 36B of such Code with respect to such month) in a taxable year beginning after December 31, 2013, and before the date of the enactment of this Act—

(A) may be made at any time on or after such date of enactment and before the expiration of the 3-year period of limitation prescribed in section 6511(a) with respect to such taxable year; and

(B) may be made on an amended return.

(g) **AGENCY OUTREACH.**—As soon as possible after the date of the enactment of this Act, the Secretaries of the Treasury, Health and Human Services, and Labor (or such Secretaries’ delegates) and the Director of the Pension Benefit Guaranty Corporation (or the Director’s delegate) shall carry out programs of public outreach, including on the Internet, to inform potential eligible individuals (as defined in section 35(c)(1) of the Internal Revenue Code of 1986) of the extension of the credit under section 35 of the Internal Revenue Code of 1986 and the availability of the election to claim such credit

retroactively for coverage months beginning after December 31, 2013.

SEC. 208. CUSTOMS USER FEES.

(a) **IN GENERAL.**—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (B)(i), by striking “September 30, 2024” and inserting “September 30, 2025”; and

(2) by adding at the end the following:

“(D) Fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on July 29, 2025, and ending on September 30, 2025.”.

(b) **RATE FOR MERCHANDISE PROCESSING FEES.**—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 125 Stat. 460) is amended by adding at the end the following:

“(c) **FURTHER ADDITIONAL PERIOD.**—For the period beginning on July 15, 2025, and ending on September 30, 2025, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

“(1) in subparagraph (A), by substituting ‘0.3464’ for ‘0.21’; and

“(2) in subparagraph (B)(i), by substituting ‘0.3464’ for ‘0.21’.”.

SEC. 209. CHILD TAX CREDIT NOT REFUNDABLE FOR TAXPAYERS ELECTING TO EXCLUDE FOREIGN EARNED INCOME FROM TAX.

(a) **IN GENERAL.**—Section 24(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) **EXCEPTION FOR TAXPAYERS EXCLUDING FOREIGN EARNED INCOME.**—Paragraph (1) shall not apply to any taxpayer for any taxable year if such taxpayer elects to exclude any amount from gross income under section 911 for such taxable year.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.

SEC. 210. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986, in the case of a corporation with assets of not less than \$1,000,000,000 (determined as of the end of the preceding taxable year)—

(1) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2020 shall be increased by 2.75 percent of such amount (determined without regard to any increase in such amount not contained in such Code); and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

SEC. 211. COVERAGE AND PAYMENT FOR RENAL DIALYSIS SERVICES FOR INDIVIDUALS WITH ACUTE KIDNEY INJURY.

(a) **COVERAGE.**—Section 1861(s)(2)(F) of the Social Security Act (42 U.S.C. 1395x(s)(2)(F)) is amended by inserting before the semicolon the following: “, including such renal dialysis services furnished on or after January 1, 2017, by a renal dialysis facility or provider of services paid under section 1881(b)(14) to an individual with acute kidney injury (as defined in section 1834(r)(2))”.

(b) **PAYMENT.**—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

“(r) **PAYMENT FOR RENAL DIALYSIS SERVICES FOR INDIVIDUALS WITH ACUTE KIDNEY INJURY.**—

“(1) **PAYMENT RATE.**—In the case of renal dialysis services (as defined in subparagraph (B) of section 1881(b)(14)) furnished under this part by a renal dialysis facility or provider of serv-

ices paid under such section during a year (beginning with 2017) to an individual with acute kidney injury (as defined in paragraph (2)), the amount of payment under this part for such services shall be the base rate for renal dialysis services determined for such year under such section, as adjusted by any applicable geographic adjustment factor applied under subparagraph (D)(iv)(II) of such section and may be adjusted by the Secretary (on a budget neutral basis for payments under this paragraph) by any other adjustment factor under subparagraph (D) of such section.

“(2) **INDIVIDUAL WITH ACUTE KIDNEY INJURY DEFINED.**—In this subsection, the term ‘individual with acute kidney injury’ means an individual who has acute loss of renal function and does not receive renal dialysis services for which payment is made under section 1881(b)(14).”.

SEC. 212. MODIFICATION OF THE MEDICARE SEQUESTER FOR FISCAL YEAR 2024.

Section 251A(6)(D)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)(D)(ii)) is amended by striking “0.0 percent” and inserting “0.25 percent”.

MOTION OFFERED BY MR. ROGERS OF KENTUCKY

Mr. ROGERS of Kentucky. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Rogers of Kentucky moves that the House concur in the Senate amendment to H.R. 1314 with the amendment printed in part A of House Report 114-315 modified by the amendment printed in part B of that report.

The text of the House amendment to the Senate amendment to the text is as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Bipartisan Budget Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—BUDGET ENFORCEMENT

Sec. 101. Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 102. Authority for fiscal year 2017 budget resolution in the Senate.

TITLE II—AGRICULTURE

Sec. 201. Standard Reinsurance Agreement.

TITLE III—COMMERCE

Sec. 301. Debt collection improvements.

TITLE IV—STRATEGIC PETROLEUM RESERVE

Sec. 401. Strategic Petroleum Reserve test drawdown and sale notification and definition change.

Sec. 402. Strategic Petroleum Reserve mission readiness optimization.

Sec. 403. Strategic Petroleum Reserve drawdown and sale.

Sec. 404. Energy Security and Infrastructure Modernization Fund.

TITLE V—PENSIONS

Sec. 501. Single employer plan annual premium rates.

Sec. 502. Pension Payment Acceleration.

Sec. 503. Mortality tables.

Sec. 504. Extension of current funding stabilization percentages to 2018, 2019, and 2020.

TITLE VI—HEALTH CARE

- Sec. 601. Maintaining 2016 Medicare part B premium and deductible levels consistent with actuarially fair rates.
- Sec. 602. Applying the Medicaid additional rebate requirement to generic drugs.
- Sec. 603. Treatment of off-campus outpatient departments of a provider.
- Sec. 604. Repeal of automatic enrollment requirement.

TITLE VII—JUDICIARY

- Sec. 701. Civil monetary penalty inflation adjustments.
- Sec. 702. Crime Victims Fund.
- Sec. 703. Assets Forfeiture Fund.

TITLE VIII—SOCIAL SECURITY

- Sec. 801. Short title.
- Subtitle A—Ensuring Correct Payments and Reducing Fraud
- Sec. 811. Expansion of cooperative disability investigations units.
- Sec. 812. Exclusion of certain medical sources of evidence.
- Sec. 813. New and stronger penalties.
- Sec. 814. References to Social Security and Medicare in electronic communications.
- Sec. 815. Change to cap adjustment authority.

Subtitle B—Promoting Opportunity for Disability Beneficiaries

- Sec. 821. Temporary reauthorization of disability insurance demonstration project authority.
- Sec. 822. Modification of demonstration project authority.
- Sec. 823. Promoting opportunity demonstration project.
- Sec. 824. Use of electronic payroll data to improve program administration.
- Sec. 825. Treatment of earnings derived from services.

Sec. 826. Electronic reporting of earnings.
Subtitle C—Protecting Social Security Benefits

- Sec. 831. Closure of unintended loopholes.
- Sec. 832. Requirement for medical review.
- Sec. 833. Reallocation of payroll tax revenue.
- Sec. 834. Access to financial information for waivers and adjustments of recovery.

Subtitle D—Relieving Administrative Burdens and Miscellaneous Provisions

- Sec. 841. Interagency coordination to improve program administration.
- Sec. 842. Elimination of quinquennial determinations relating to wage credits for military service prior to 1957.
- Sec. 843. Certification of benefits payable to a divorced spouse of a railroad worker to the Railroad Retirement Board.
- Sec. 844. Technical amendments to eliminate obsolete provisions.
- Sec. 845. Reporting requirements to Congress.
- Sec. 846. Expedited examination of administrative law judges.

TITLE IX—TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT

- Sec. 901. Temporary extension of public debt limit.
- Sec. 902. Restoring congressional authority over the national debt.

TITLE X—SPECTRUM PIPELINE

- Sec. 1001. Short title.

- Sec. 1002. Definitions.
- Sec. 1003. Rule of construction.
- Sec. 1004. Identification, reallocation, and auction of Federal spectrum.
- Sec. 1005. Additional uses of Spectrum Relocation Fund.
- Sec. 1006. Plans for auction of certain spectrum.
- Sec. 1007. FCC auction authority.
- Sec. 1008. Reports to Congress.

TITLE XI—REVENUE PROVISIONS
RELATED TO TAX COMPLIANCE

- Sec. 1101. Partnership audits and adjustments.
- Sec. 1102. Partnership interests created by gift.

TITLE XII—DESIGNATION OF SMALL HOUSE ROTUNDA

- Sec. 1201. Designating small House rotunda as “Freedom Foyer”.

TITLE I—BUDGET ENFORCEMENT

SEC. 101. AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

(a) REVISED DISCRETIONARY SPENDING LIMITS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (3) and (4) and inserting the following:

“(3) for fiscal year 2016—
“(A) for the revised security category, \$548,091,000,000 in new budget authority; and
“(B) for the revised nonsecurity category \$518,491,000,000 in new budget authority;

“(4) for fiscal year 2017—
“(A) for the revised security category, \$551,068,000,000 in new budget authority; and
“(B) for the revised nonsecurity category, \$518,531,000,000 in new budget authority;”.

(b) DIRECT SPENDING ADJUSTMENTS FOR FISCAL YEARS 2016 AND 2017.—Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), is amended—

(1) in paragraph (5)(B), by striking “paragraph (10)” and inserting “paragraphs (10) and (11)”;

(2) by adding at the end the following:
“(11) IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2016 AND 2017.—(A) OMB shall make the calculations necessary to implement the direct spending reductions calculated pursuant to paragraphs (3) and (4) without regard to the amendment made to section 251(c) revising the discretionary spending limits for fiscal years 2016 and 2017 by the Bipartisan Budget Act of 2015.
“(B) Paragraph (5)(B) shall not be implemented for fiscal years 2016 and 2017.”.

(c) EXTENSION OF DIRECT SPENDING REDUCTIONS FOR FISCAL YEAR 2025.—Section 251A(6) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking “and for fiscal year 2024” and by inserting “for fiscal year 2024, and for fiscal year 2025”;

(2) by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C); and

(3) in subparagraph (C) (as so redesignated), by striking “fiscal year 2024” and inserting “fiscal year 2025”.

(d) OVERSEAS CONTINGENCY OPERATIONS AMOUNTS.—In fiscal years 2016 and 2017, the adjustments under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)) for Overseas Contingency Operations/Global War on Terrorism appropriations will be as follows:

(1) For budget function 150—

(A) for fiscal year 2016, \$14,895,000,000; and
(B) for fiscal year 2017, \$14,895,000,000.

(2) For budget function 050—

(A) for fiscal year 2016, \$58,798,000,000; and
(B) for fiscal year 2017, \$58,798,000,000.

This subsection shall not affect the applicability of section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. AUTHORITY FOR FISCAL YEAR 2017 BUDGET RESOLUTION IN THE SENATE.

(a) FISCAL YEAR 2017.—For the purpose of enforcing the Congressional Budget Act of 1974, after April 15, 2016, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2017 with appropriate budgetary levels for fiscal years 2018 through 2026.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—After April 15, 2016, but not later than May 15, 2016, the Chairman of the Committee on the Budget of the Senate shall file—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with discretionary spending limits set forth in section 251(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended by this Act, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2017 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) levels of Social Security revenues and outlays for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) ADDITIONAL MATTER.—The filing referred to in subsection (b) may also include for fiscal year 2017 the matter contained in subtitles A and B of title IV of S. Con. Res. 11 (114th Congress) updated by 1 fiscal year.

(d) EXPIRATION.—This section shall expire if a concurrent resolution on the budget for fiscal year 2017 is agreed to by the Senate and the House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

TITLE II—AGRICULTURE**SEC. 201. STANDARD REINSURANCE AGREEMENT.**

Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking “may renegotiate” and all that follows through the end of clause (ii) and inserting the following: “shall renegotiate the financial terms and conditions of each Standard Reinsurance Agreement—

“(i) not later than December 31, 2016; and

“(ii) not less than once during each period of 5 reinsurance years thereafter.”; and

(2) by striking subparagraph (E) and inserting the following:

“(E) CAP ON OVERALL RATE OF RETURN.—Notwithstanding subparagraph (F), the Board shall ensure that the Standard Reinsurance Agreement renegotiated under subparagraph (A)(i) establishes a target rate of return for the approved insurance providers, taken as a whole, that does not exceed 8.9 percent of retained premium for each of the 2017 through 2026 reinsurance years.”.

TITLE III—COMMERCE**SEC. 301. DEBT COLLECTION IMPROVEMENTS.**

(a) IN GENERAL.—Section 227(b) of the Communications Act of 1934 (47 U.S.C. 227(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(iii), by inserting “, unless such call is made solely to collect a debt owed to or guaranteed by the United States” after “charged for the call”; and

(B) in subparagraph (B), by inserting “, is made solely pursuant to the collection of a debt owed to or guaranteed by the United States,” after “purposes”; and

(2) in paragraph (2)—

(A) in subparagraph (F), by striking “and” at the end;

(B) in subparagraph (G), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(H) may restrict or limit the number and duration of calls made to a telephone number assigned to a cellular telephone service to collect a debt owed to or guaranteed by the United States.”.

(b) DEADLINE FOR REGULATIONS.—Not later than 9 months after the date of enactment of this Act, the Federal Communications Commission, in consultation with the Department of the Treasury, shall prescribe regulations to implement the amendments made by this section.

TITLE IV—STRATEGIC PETROLEUM RESERVE**SEC. 401. STRATEGIC PETROLEUM RESERVE TEST DRAWDOWN AND SALE NOTIFICATION AND DEFINITION CHANGE.**

(a) NOTICE TO CONGRESS.—Section 161(g) of the Energy Policy and Conservation Act (42 U.S.C. 6241(g)) is amended by striking paragraph (8) and inserting the following:

“(8) NOTICE TO CONGRESS.—

“(A) PRIOR NOTICE.—Not less than 14 days before the date on which a test is carried out under this subsection, the Secretary shall notify both Houses of Congress of the test.

“(B) EMERGENCY.—The prior notice requirement in subparagraph (A) shall not apply if the Secretary determines that an emergency exists which requires a test to be carried out, in which case the Secretary shall notify both Houses of Congress of the test as soon as possible.

“(C) DETAILED DESCRIPTION.—

“(i) IN GENERAL.—Not later than 180 days after the date on which a test is completed under this subsection, the Secretary shall submit to both Houses of Congress a detailed description of the test.

“(ii) REPORT.—A detailed description submitted under clause (i) may be included as part of a report made to the President and Congress under section 165.”.

(b) DEFINITION CHANGE.—Section 3(8)(C)(iii) of the Energy Policy and Conservation Act (42 U.S.C. 6202(8)(C)(iii)) is amended by striking “sabotage or an act of God” and inserting “sabotage, an act of terrorism, or an act of God”.

SEC. 402. STRATEGIC PETROLEUM RESERVE MISSION READINESS OPTIMIZATION.

Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) complete a long-range strategic review of the Strategic Petroleum Reserve; and

(2) develop and submit to Congress a proposed action plan, including a proposed implementation schedule, that—

(A) specifies near- and long-term roles of the Strategic Petroleum Reserve relative to the energy and economic security goals and objectives of the United States;

(B) describes whether existing legal authorities that govern the policies, configuration, and capabilities of the Strategic Petroleum Reserve are adequate to ensure that the Strategic Petroleum Reserve can meet the current and future energy and economic security goals and objectives of the United States;

(C) identifies the configuration and performance capabilities of the Strategic Petroleum Reserve and recommends an action plan to achieve the optimal—

(i) capacity, location, and composition of petroleum products in the Strategic Petroleum Reserve; and

(ii) storage and distributional capabilities; and

(D) estimates the resources required to attain and maintain the long-term sustainability and operational effectiveness of the Strategic Petroleum Reserve.

SEC. 403. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall draw down and sell—

(1) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2018;

(2) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2019;

(3) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2020;

(4) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2021;

(5) 8,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2022;

(6) 10,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2023;

(7) 10,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2024; and

(8) 10,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2025.

(b) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this section in amounts that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act (42 U.S.C. 6241(h)) in the full amount authorized by that subsection.

(c) PROCEEDS.—Proceeds from a sale under this section shall be deposited into the gen-

eral fund of the Treasury during the fiscal year in which the sale occurs.

SEC. 404. ENERGY SECURITY AND INFRASTRUCTURE MODERNIZATION FUND.

(a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States a fund to be known as the Energy Security and Infrastructure Modernization Fund (referred to in this section as the “Fund”), consisting of—

(1) collections deposited in the Fund under subsection (c); and

(2) amounts otherwise appropriated to the Fund.

(b) PURPOSE.—The purpose of the Fund is to provide for the construction, maintenance, repair, and replacement of Strategic Petroleum Reserve facilities.

(c) COLLECTION AND DEPOSIT OF SALE PROCEEDS IN FUND.—

(1) DRAWDOWN AND SALE.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), to the extent provided in advance in appropriation Acts, the Secretary of Energy shall draw down and sell crude oil from the Strategic Petroleum Reserve in amounts as authorized under subsection (e), except as provided in paragraph (2). Amounts received for a sale under this paragraph shall be deposited into the Fund during the fiscal year in which the sale occurs. Such amounts shall remain available in the Fund without fiscal year limitation.

(2) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this subsection in amounts that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act (42 U.S.C. 6241(h)) in the full amount authorized by that subsection.

(d) AUTHORIZED USES OF FUND.—

(1) IN GENERAL.—Amounts in the Fund may be used for, or may be credited as offsetting collections for amounts used for, carrying out the program described in paragraph (2)(B), to the extent provided in advance in appropriation Acts.

(2) PROGRAM TO MODERNIZE THE STRATEGIC PETROLEUM RESERVE.—

(A) FINDINGS.—Congress finds the following:

(i) The Strategic Petroleum Reserve is one of the Nation’s most valuable energy security assets.

(ii) The age and condition of the Strategic Petroleum Reserve have diminished its value as a Federal energy security asset.

(iii) Global oil markets and the location and amount of United States oil production and refining capacity have dramatically changed in the 40 years since the establishment of the Strategic Petroleum Reserve.

(iv) Maximizing the energy security value of the Strategic Petroleum Reserve requires a modernized infrastructure that meets the drawdown and distribution needs of changed domestic and international oil and refining market conditions.

(B) PROGRAM.—The Secretary of Energy shall establish a Strategic Petroleum Reserve modernization program to protect the United States economy from the impacts of emergency product supply disruptions. The program may include—

(i) operational improvements to extend the useful life of surface and subsurface infrastructure;

(ii) maintenance of cavern storage integrity; and

(iii) addition of infrastructure and facilities to optimize the drawdown and incremental distribution capacity of the Strategic Petroleum Reserve.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated (and

drawdowns and sales under subsection (c) in an equal amount are authorized) for carrying out subsection (d)(2)(B), \$2,000,000,000 for the period encompassing fiscal years 2017 through 2020.

(f) TRANSMISSION OF DEPARTMENT BUDGET REQUESTS.—The Secretary of Energy shall prepare and submit in the Department's annual budget request to Congress—

(1) an itemization of the amounts of funds necessary to carry out subsection (d); and

(2) a designation of any activities thereunder for which a multiyear budget authority would be appropriate.

(g) SUNSET.—The authority of the Secretary to draw down and sell crude oil from the Strategic Petroleum Reserve under this section shall expire at the end of fiscal year 2020.

TITLE V—PENSIONS

SEC. 501. SINGLE EMPLOYER PLAN ANNUAL PREMIUM RATES.

(a) FLAT-RATE PREMIUM.—

(1) IN GENERAL.—Section 4006(a)(3)(A)(i) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)(i)) is amended by striking “and” at the end of subclause (IV), by striking the period at the end of subclause (V) and inserting a semicolon, and by inserting after subclause (V) the following:

“(VI) for plan years beginning after December 31, 2016, and before January 1, 2018, \$69;

“(VII) for plan years beginning after December 31, 2017, and before January 1, 2019, \$74; and

“(VIII) for plan years beginning after December 31, 2018, \$80.”.

(2) PREMIUM RATES AFTER 2019.—Section 4006(a)(3)(G) of such Act (29 U.S.C. 1306(a)(3)(G)) is amended—

(A) in the matter preceding clause (i), by striking “2016” and inserting “2019”; and

(B) in clause (i)(II) by striking “2014” and inserting “2017”.

(b) VARIABLE-RATE PREMIUM INCREASES.—

(1) IN GENERAL.—Section 4006(a)(8)(C) of such Act (29 U.S.C. 1306(a)(8)(C)) is amended—

(A) in the subparagraph heading, by striking “increase in 2014 and 2015” and inserting “increases”;

(B) in clause (ii), by striking “and” at the end;

(C) in clause (iii), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(iv) in the case of plan years beginning in calendar year 2017, by \$3;

“(v) in the case of plan years beginning in calendar year 2018, by \$4; and

“(vi) in the case of plan years beginning in calendar year 2019, by \$4.”.

(2) CONFORMING AMENDMENTS.—Section 4006(a)(8) of such Act (29 U.S.C. 1306(a)(8)) is amended—

(A) in subparagraph (A)—

(i) in clause (iii), by striking “and” at the end;

(ii) in clause (iv), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(v) for plan years beginning after calendar year 2017, the amount in effect for plan years beginning in 2017 (determined after application of subparagraph (C));

“(vi) for plan years beginning after calendar year 2018, the amount in effect for plan years beginning in 2018 (determined after application of subparagraph (C)); and

“(vii) for plan years beginning after calendar year 2019, the amount in effect for plan years beginning in 2019 (determined after application of subparagraph (C)).”; and

(B) in subparagraph (D)—

(i) in clause (iii), by striking “and” at the end;

(ii) in clause (iv), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(v) 2015, in the case of plan years beginning after calendar year 2017;

“(vi) 2016, in the case of plan years beginning after calendar year 2018; and

“(vii) 2017, in the case of plan years beginning after calendar year 2019.”.

(3) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2016.

SEC. 502. PENSION PAYMENT ACCELERATION.

Notwithstanding section 4007(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1307(a)) and section 4007.11 of title 29, Code of Federal Regulations, for plan years commencing after December 31, 2024, and before January 1, 2026, the premium due date for such plan years shall be the fifteenth day of the ninth calendar month that begins on or after the first day of the premium payment year.

SEC. 503. MORTALITY TABLES.

(a) CREDIBILITY.—For purposes of subclause (I) of section 430(h)(3)(C)(iii) of the Internal Revenue Code of 1986 and subclause (I) of section 303(h)(3)(C)(iii) of the Employee Retirement Income Security Act of 1974, the determination of whether plans have credible information shall be made in accordance with established actuarial credibility theory, which—

(1) is materially different from rules under such section of such Code, including Revenue Procedure 2007-37, that are in effect on the date of the enactment of this Act, and

(2) permits the use of tables that reflect adjustments to the tables described in subparagraphs (A) and (B) of section 430(h)(3) of such Code, and subparagraphs (A) and (B) of section 303(h)(3) of such Act, if such adjustments are based on the experience described in subclause (II) of section 430(h)(3)(C)(iii) of such Code and in subclause (II) of section 303(h)(3)(C)(iii) of such Act.

(b) EFFECTIVE DATE.—This section shall apply to plan years beginning after December 31, 2015.

SEC. 504. EXTENSION OF CURRENT FUNDING STABILIZATION PERCENTAGES TO 2018, 2019 AND 2020.

(a) FUNDING STABILIZATION UNDER THE INTERNAL REVENUE CODE OF 1986.—The table in subclause (II) of section 430(h)(2)(C)(iv) of the Internal Revenue Code of 1986 is amended to read as follows:

“If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, or 2020.	90%	110%
2021	85%	115%
2022	80%	120%
2023	75%	125%
After 2023	70%	130%”.

(b) FUNDING STABILIZATION UNDER EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) IN GENERAL.—The table in subclause (II) of section 303(h)(2)(C)(iv) of the Employee Retirement Income Security Act of 1974 (29

U.S.C. 1083(h)(2)(C)(iv)) is amended to read as follows:

“If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, or 2020.	90%	110%
2021	85%	115%
2022	80%	120%
2023	75%	125%
After 2023	70%	130%”.

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—Section 101(f)(2)(D) of such Act (29 U.S.C. 1021(f)(2)(D)) is amended—

(i) in clause (i) by striking “and the Highway and Transportation Funding Act of 2014” both places it appears and inserting “, the Highway and Transportation Funding Act of 2014, and the Bipartisan Budget Act of 2015”, “and

(ii) in clause (ii) by striking “2020” and inserting “2023”.

(B) STATEMENTS.—The Secretary of Labor shall modify the statements required under subclauses (I) and (II) of section 101(f)(2)(D)(i) of such Act to conform to the amendments made by this section.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect

to plan years beginning after December 31, 2015.

TITLE VI—HEALTH CARE

SEC. 601. MAINTAINING 2016 MEDICARE PART B PREMIUM AND DEDUCTIBLE LEVELS CONSISTENT WITH ACTUARIALLY FAIR RATES.

(a) 2016 PREMIUM AND DEDUCTIBLE AND REPAYMENT THROUGH FUTURE PREMIUMS.—Section 1839(a) of the Social Security Act (42 U.S.C. 1395r(a)) is amended—

(1) in the second sentence of paragraph (1), by striking “Such” and inserting “Subject to paragraphs (5) and (6), such”; and

(2) by adding at the end the following:

“(5)(A) In applying this part (including subsection (i) and section 1833(b)), the monthly actuarial rate for enrollees age 65 and over for 2016 shall be determined as if subsection (f) did not apply.

“(B) Subsection (f) shall continue to be applied to paragraph (6)(A) (during a repayment month, as described in paragraph (6)(B)) and without regard to the application of subparagraph (A).

“(6)(A) With respect to a repayment month (as described in subparagraph (B)), the monthly premium otherwise established under paragraph (3) shall be increased by, subject to subparagraph (D), \$3.

“(B) For purposes of this paragraph, a repayment month is a month during a year, beginning with 2016, for which a balance due amount is computed under subparagraph (C) as greater than zero.

“(C) For purposes of this paragraph, the balance due amount computed under this subparagraph, with respect to a month, is the amount estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services to be equal to—

“(i) the amount transferred under section 1844(d)(1); plus

“(ii) the amount that is equal to the aggregate reduction, for all individuals enrolled under this part, in the income related monthly adjustment amount as a result of the application of paragraph (5); minus

“(iii) the amounts payable under this part as a result of the application of this paragraph for preceding months.

“(D) If the balance due amount computed under subparagraph (C), without regard to this subparagraph, for December of a year would be less than zero, the Chief Actuary of the Centers for Medicare & Medicaid Services shall estimate, and the Secretary shall apply, a reduction to the dollar amount increase applied under subparagraph (A) for each month during such year in a manner such that the balance due amount for January of the subsequent year is equal to zero.”.

(b) TRANSITIONAL GOVERNMENT CONTRIBUTION.—Section 1844 of the Social Security Act (42 U.S.C. 1395w) is amended—

(1) in subsection (a), by adding at the end the following:

“In applying paragraph (1), the amounts transferred under subsection (d)(1) with respect to enrollees described in subparagraphs (A) and (B) of such subsection shall be treated as premiums payable and deposited in the Trust Fund under subparagraphs (A) and (B), respectively, of paragraph (1).”; and

(2) by adding at the end the following:

“(d)(1) For 2016, there shall be transferred from the General Fund to the Trust Fund an amount, as estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services, equal to the reduction in aggregate premiums payable under this part for a month in such year (excluding any changes in amounts collected under section 1839(i)) that is attributable to the application of section 1839(a)(5)(A) with respect to—

“(A) enrollees age 65 and over; and

“(B) enrollees under age 65.

Such amounts shall be transferred from time to time as appropriate.

“(2) Premium increases affected under section 1839(a)(6) shall not be taken into account in applying subsection (a).

“(3) There shall be transferred from the Trust Fund to the General Fund of the Treasury amounts equivalent to the additional premiums payable as a result of the application of section 1839(a)(6), excluding the aggregate payments attributable to the application of section 1839(i)(3)(A)(ii)(II).”.

(c) CONFORMING APPLICATION OF HIGH INCOME ADJUSTMENTS TO INCREASED MONTHLY PREMIUM IN SAME MANNER AS FOR REGULAR MEDICARE PREMIUMS.—Section 1839(i)(3)(A)(ii) of the Social Security Act (42 U.S.C. 1395r(i)(3)(A)(ii)) is amended—

(1) by striking “AMOUNT—200 percent” and inserting the following: “AMOUNT—

“(I) 200 percent”; and

(2) by striking the period at the end and inserting “; plus”; and

(3) by adding at the end the following new subclause:

“(II) 4 times the amount of the increase in the monthly premium under subsection (a)(6) for a month in the year.”.

(d) CONDITIONAL APPLICATION TO 2017 IF NO SOCIAL SECURITY COLA FOR 2017.—If there is no increase in the monthly insurance benefits payable under title II with respect to December 2016 pursuant to section 215(i), then the amendments made by this section shall be applied as if—

(1) the reference to “2016” in paragraph (5)(A) of section 1839(a) of the Social Security Act (42 U.S.C. 1395r(a)), as added by subsection (a)(2), was a reference to “2016 and 2017”; and

(2) the reference to “a month during a year, beginning with 2016” in paragraph (6)(B) of section 1839 of such Act (42 U.S.C. 1395r(a)), as added by subsection (a)(2), was a reference to “a month in a year, beginning with 2016 and beginning with 2017, respectively”; and

(3) the reference to “2016” in subsection (d)(1) of section 1844 of such Act (42 U.S.C. 1395w), as added by subsection (b)(2), was a reference to “each of 2016 and 2017”. Any increase in premiums effected under this subsection shall be in addition to the increase effected by the amendments made by subsection (a).

(e) CONSTRUCTION REGARDING NO AUTHORITY TO INITIATE APPLICATION TO YEARS AFTER 2017.—Nothing in subsection (d) or the amendments made by this section shall be construed as authorizing the Secretary of Health and Human Services to initiate application of such subsection or amendments for a year after 2017.

SEC. 602. APPLYING THE MEDICAID ADDITIONAL REBATE REQUIREMENT TO GENERIC DRUGS.

(a) IN GENERAL.—Section 1927(c)(3) of the Social Security Act (42 U.S.C. 1396r-8(c)(3)) is amended—

(1) in subparagraph (A), by striking “The amount” and inserting “Except as provided in subparagraph (C), the amount”; and

(2) by adding at the end the following new subparagraph:

“(C) ADDITIONAL REBATE.—

“(i) IN GENERAL.—The amount of the rebate specified in this paragraph for a rebate period, with respect to each dosage form and strength of a covered outpatient drug other than a single source drug or an innovator multiple source drug of a manufacturer, shall be increased in the manner that the rebate for a dosage form and strength of a sin-

gle source drug or an innovator multiple source drug is increased under subparagraphs (A) and (D) of paragraph (2), except as provided in clause (ii).

“(ii) SPECIAL RULES FOR APPLICATION OF PROVISION.—In applying subparagraphs (A) and (D) of paragraph (2) under clause (i)—

“(I) the reference in subparagraph (A)(i) of such paragraph to ‘1990’ shall be deemed a reference to ‘2014’;

“(II) subject to clause (iii), the reference in subparagraph (A)(ii) of such paragraph to ‘the calendar quarter beginning July 1, 1990’ shall be deemed a reference to ‘the calendar quarter beginning July 1, 2014’; and

“(III) subject to clause (iii), the reference in subparagraph (A)(ii) of such paragraph to ‘September 1990’ shall be deemed a reference to ‘September 2014’;

“(IV) the references in subparagraph (D) of such paragraph to ‘paragraph (1)(A)(ii)’, ‘this paragraph’, and ‘December 31, 2009’ shall be deemed references to ‘subparagraph (A)’, ‘this subparagraph’, and ‘December 31, 2014’, respectively; and

“(V) any reference in such paragraph to a ‘single source drug or an innovator multiple source drug’ shall be deemed to be a reference to a drug to which clause (i) applies.

“(iii) SPECIAL RULE FOR CERTAIN NONINNOVATOR MULTIPLE SOURCE DRUGS.—In applying paragraph (2)(A)(ii)(II) under clause (i) with respect to a covered outpatient drug that is first marketed as a drug other than a single source drug or an innovator multiple source drug after April 1, 2013, such paragraph shall be applied—

“(I) by substituting ‘the applicable quarter’ for ‘the calendar quarter beginning July 1, 1990’; and

“(II) by substituting ‘the last month in such applicable quarter’ for ‘September 1990’.

“(iv) APPLICABLE QUARTER DEFINED.—In this subsection, the term ‘applicable quarter’ means, with respect to a drug described in clause (iii), the fifth full calendar quarter after which the drug is marketed as a drug other than a single source drug or an innovator multiple source drug.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to rebate periods beginning after the date that is one year after the date of the enactment of this Act.

SEC. 603. TREATMENT OF OFF-CAMPUS OUTPATIENT DEPARTMENTS OF A PROVIDER.

Section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)) is amended—

(1) in paragraph (1)(B)—

(A) in clause (iii), by striking “but” at the end;

(B) in clause (iv), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new clause:

“(v) does not include applicable items and services (as defined in subparagraph (A) of paragraph (21)) that are furnished on or after January 1, 2017, by an off-campus outpatient department of a provider (as defined in subparagraph (B) of such paragraph).”; and

(2) by adding at the end the following new paragraph:

“(21) SERVICES FURNISHED BY AN OFF-CAMPUS OUTPATIENT DEPARTMENT OF A PROVIDER.—

“(A) APPLICABLE ITEMS AND SERVICES.—For purposes of paragraph (1)(B)(v) and this paragraph, the term ‘applicable items and services’ means items and services other than items emergency department (as defined in section 489.24(b) of title 42 of the Code of Federal Regulations).

“(B) OFF-CAMPUS OUTPATIENT DEPARTMENT OF A PROVIDER.—

“(i) IN GENERAL.—For purposes of paragraph (1)(B)(v) and this paragraph, subject to clause (ii), the term ‘off-campus outpatient department of a provider’ means a department of a provider (as defined in section 413.65(a)(2) of title 42 of the Code of Federal Regulations, as in effect as of the date of the enactment of this paragraph) that is not located—

“(I) on the campus (as defined in such section 413.65(a)(2) of such provider; or

“(II) within the distance (described in such definition of campus) from a remote location of a hospital facility (as defined in such section 413.65(a)(2)).

“(ii) EXCEPTION.—For purposes of paragraph (1)(B)(v) and this paragraph, the term ‘off-campus outpatient department of a provider’ shall not include a department of a provider (as so defined) that was billing under this subsection with respect to covered OPD services furnished prior to the date of the enactment of this paragraph.

“(C) AVAILABILITY OF PAYMENT UNDER OTHER PAYMENT SYSTEMS.—Payments for applicable items and services furnished by an off-campus outpatient department of a provider that are described in paragraph (1)(B)(v) shall be made under the applicable payment system under this part (other than under this subsection) if the requirements for such payment are otherwise met.

“(D) INFORMATION NEEDED FOR IMPLEMENTATION.—Each hospital shall provide to the Secretary such information as the Secretary determines appropriate to implement this paragraph and paragraph (1)(B)(v) (which may include reporting of information on a hospital claim using a code or modifier and reporting information about off-campus outpatient departments of a provider on the enrollment form described in section 1866(j)).

“(E) LIMITATIONS.—There shall be no administrative or judicial review under section 1869, section 1878, or otherwise of the following:

“(i) The determination of the applicable items and services under subparagraph (A) and applicable payment systems under subparagraph (C).

“(ii) The determination of whether a department of a provider meets the term described in subparagraph (B).

“(iii) Any information that hospitals are required to report pursuant to subparagraph (D).”.

SEC. 604. REPEAL OF AUTOMATIC ENROLLMENT REQUIREMENT.

The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) is amended by repealing section 18A (as added by section 1511 of the Patient Protection and Affordable Care Act (Public Law 111-148)).

TITLE VII—JUDICIARY

SEC. 701. CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS.

(a) SHORT TITLE.—This section may be cited as the “Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015”.

(b) AMENDMENTS.—The Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note) is amended—

(1) in section 4—

(A) by striking the matter preceding paragraph (1) and inserting the following:

“(a) IN GENERAL.—Not later than July 1, 2016, and not later than January 15 of every year thereafter, and subject to subsections (c) and (d), the head of each agency shall—”;

(B) in paragraph (1)—

(i) by striking “by regulation adjust” and inserting “in accordance with subsection (b), adjust”; and

(ii) by striking “, the Tariff Act of 1930, the Occupational Safety and Health Act of 1970, or the Social Security Act” and inserting “or the Tariff Act of 1930”;

(C) in paragraph (2), by striking “such regulation” and inserting “such adjustment”; and

(D) by adding at the end the following:

“(b) PROCEDURES FOR ADJUSTMENTS.—

“(1) CATCH UP ADJUSTMENT.—For the first adjustment made under subsection (a) after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015—

“(A) the head of an agency shall adjust civil monetary penalties through an interim final rulemaking; and

“(B) the adjustment shall take effect not later than August 1, 2016.

“(2) SUBSEQUENT ADJUSTMENTS.—For the second adjustment made under subsection (a) after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, and each adjustment thereafter, the head of an agency shall adjust civil monetary penalties and shall make the adjustment notwithstanding section 553 of title 5, United States Code.

“(c) EXCEPTION.—For the first adjustment made under subsection (a) after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, the head of an agency may adjust the amount of a civil monetary penalty by less than the otherwise required amount if—

“(1) the head of the agency, after publishing a notice of proposed rulemaking and providing an opportunity for comment, determines in a final rule that—

“(A) increasing the civil monetary penalty by the otherwise required amount will have a negative economic impact; or

“(B) the social costs of increasing the civil monetary penalty by the otherwise required amount outweigh the benefits; and

“(2) the Director of the Office of Management and Budget concurs with the determination of the head of the agency under paragraph (1).

“(d) OTHER ADJUSTMENTS MADE.—If a civil monetary penalty subject to a cost-of-living adjustment under this Act is, during the 12 months preceding a required cost-of-living adjustment, increased by an amount greater than the amount of the adjustment required under subsection (a), the head of the agency is not required to make the cost-of-living adjustment for that civil monetary penalty in that year.”;

(2) in section 5—

(A) in subsection (a), by striking “to the nearest—” and all that follows through the end of subsection (a) and inserting “to the nearest multiple of \$1.”; and

(B) by amending subsection (b) to read as follows:

“(b) DEFINITION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of subsection (a), the term ‘cost-of-living adjustment’ means the percentage (if any) for each civil monetary penalty by which—

“(A) the Consumer Price Index for the month of October preceding the date of the adjustment, exceeds

“(B) the Consumer Price Index for the month of October 1 year before the month of October referred to in subparagraph (A).

“(2) INITIAL ADJUSTMENT.—

“(A) IN GENERAL.—Subject to subparagraph (C), for the first inflation adjustment under

section 4 made by an agency after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, the term ‘cost-of-living adjustment’ means the percentage (if any) for each civil monetary penalty by which the Consumer Price Index for the month of October, 2015 exceeds the Consumer Price Index for the month of October of the calendar year during which the amount of such civil monetary penalty was established or adjusted under a provision of law other than this Act.

“(B) APPLICATION OF ADJUSTMENT.—The cost-of-living adjustment described in subparagraph (A) shall be applied to the amount of the civil monetary penalty as it was most recently established or adjusted under a provision of law other than this Act.

“(C) MAXIMUM ADJUSTMENT.—The amount of the increase in a civil monetary penalty under subparagraph (A) shall not exceed 150 percent of the amount of that civil monetary penalty on the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.”;

(3) in section 6, by striking “violations which occur” and inserting “civil monetary penalties, including those whose associated violation predated such increase, which are assessed”; and

(4) by adding at the end the following:

“SEC. 7. IMPLEMENTATION AND OVERSIGHT ENHANCEMENTS.

“(a) OMB GUIDANCE.—Not later than February 29, 2016, not later than December 15, 2016, and December 15 of every year thereafter, the Director of the Office of Management and Budget shall issue guidance to agencies on implementing the inflation adjustments required under this Act.

“(b) AGENCY FINANCIAL REPORTS.—The head of each agency shall include in the Agency Financial Report submitted under OMB Circular A-136, or any successor thereto, information about the civil monetary penalties within the jurisdiction of the agency, including the adjustment of the civil monetary penalties by the head of the agency under this Act.

“(c) GAO REVIEW.—The Comptroller General of the United States shall annually submit to Congress a report assessing the compliance of agencies with the inflation adjustments required under this Act, which may be included as part of another report submitted to Congress.”.

(c) REPEAL.—Section 31001(s) of the Debt Collection Improvement Act of 1996 (28 U.S.C. 2461 note) is amended by striking paragraph (2).

SEC. 702. CRIME VICTIMS FUND.

There is hereby rescinded and permanently canceled \$1,500,000,000 of the funds deposited or available in the Crime Victims Fund created by section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601).

SEC. 703. ASSETS FORFEITURE FUND.

Of the amounts deposited in the Department of Justice Assets Forfeiture Fund, \$746,000,000 are hereby rescinded and permanently cancelled.

TITLE VIII—SOCIAL SECURITY

SEC. 801. SHORT TITLE.

This title may be cited as the “Social Security Benefit Protection and Opportunity Enhancement Act of 2015”.

Subtitle A—Ensuring Correct Payments and Reducing Fraud

SEC. 811. EXPANSION OF COOPERATIVE DISABILITY INVESTIGATIONS UNITS.

(a) IN GENERAL.—Not later than October 1, 2022, the Commissioner of Social Security shall take any necessary actions, subject to

the availability of appropriations, to ensure that cooperative disability investigations units have been established, in areas where there is cooperation with local law enforcement agencies, that would cover each of the 50 States, the District of Columbia, Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

(b) **REPORT.**—Not later than 90 days after the date of the enactment of this Act and annually thereafter until the earlier of 2022 or the date on which nationwide coverage is achieved, the Commissioner of Social Security shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report describing a plan to implement the nationwide coverage described in subsection (a) and outlining areas where the Social Security Administration did not receive the cooperation of local law enforcement agencies.

SEC. 812. EXCLUSION OF CERTAIN MEDICAL SOURCES OF EVIDENCE.

(a) **IN GENERAL.**—Section 223(d)(5) of the Social Security Act (42 U.S.C. 423(d)(5)) is amended by adding at the end the following: “(C)(i) In making any determination with respect to whether an individual is under a disability or continues to be under a disability, the Commissioner of Social Security may not consider (except for good cause as determined by the Commissioner) any evidence furnished by—

“(I) any individual or entity who has been convicted of a felony under section 208 or under section 1632;

“(II) any individual or entity who has been excluded from participation in any Federal health care program under section 1128; or

“(III) any person with respect to whom a civil money penalty or assessment has been imposed under section 1129 for the submission of false evidence.

“(ii) To the extent and at such times as is necessary for the effective implementation of clause (i) of this subparagraph—

“(I) the Inspector General of the Social Security Administration shall transmit to the Commissioner information relating to persons described in subclause (I) or (III) of clause (i);

“(II) the Secretary of Health and Human Services shall transmit to the Commissioner information relating to persons described in subclause (II) of clause (i); and”.

(b) **REGULATIONS.**—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Social Security shall issue regulations to carry out the amendment made by subsection (a).

(c) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to determinations of disability made on or after the earlier of—

(1) the effective date of the regulations issued by the Commissioner under subsection (b); or

(2) one year after the date of the enactment of this Act.

SEC. 813. NEW AND STRONGER PENALTIES.

(a) **CONSPIRACY TO COMMIT SOCIAL SECURITY FRAUD.**—

(1) **AMENDMENT TO TITLE II.**—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)) is amended—

(A) in paragraph (7)(C), by striking “or” at the end;

(B) in paragraph (8), by adding “or” at the end; and

(C) by inserting after paragraph (8) the following:

“(9) conspires to commit any offense described in any of paragraphs (1) through (4),”.

(2) **AMENDMENT TO TITLE VIII.**—Section 811(a) of such Act (42 U.S.C. 1011(a)) is amended—

(A) in paragraph (3), by striking “or” at the end;

(B) in paragraph (4), by striking the comma and adding “; or” at the end; and

(C) by inserting after paragraph (4) the following:

“(5) conspires to commit any offense described in any of paragraphs (1) through (3),”.

(3) **AMENDMENT TO TITLE XVI.**—Section 1632(a) of such Act (42 U.S.C. 1383a(a)) is amended—

(A) in paragraph (3), by striking “or” at the end;

(B) in paragraph (4), by adding “or” at the end; and

(C) by inserting after paragraph (4) the following:

“(5) conspires to commit any offense described in any of paragraphs (1) through (3),”.

(b) **INCREASED CRIMINAL PENALTIES FOR CERTAIN INDIVIDUALS VIOLATING POSITIONS OF TRUST.**—

(1) **AMENDMENT TO TITLE II.**—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)), as amended by subsection (a), is further amended by striking the period at the end and inserting “, except that in the case of a person who receives a fee or other income for services performed in connection with any determination with respect to benefits under this title (including a claimant representative, translator, or current or former employee of the Social Security Administration), or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, such person shall be guilty of a felony and upon conviction thereof shall be fined under title 18, United States Code, or imprisoned for not more than ten years, or both.”.

(2) **AMENDMENT TO TITLE VIII.**—Section 811(a) of such Act (42 U.S.C. 1011(a)), as amended by subsection (a), is further amended by striking the period at the end and inserting “, except that in the case of a person who receives a fee or other income for services performed in connection with any determination with respect to benefits under this title (including a claimant representative, translator, or current or former employee of the Social Security Administration), or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, such person shall be guilty of a felony and upon conviction thereof shall be fined under title 18, United States Code, or imprisoned for not more than ten years, or both.”.

(3) **AMENDMENT TO TITLE XVI.**—Section 1632(a) of such Act (42 U.S.C. 1383a(a)), as amended by subsection (a), is further amended by striking the period at the end and inserting “, except that in the case of a person who receives a fee or other income for services performed in connection with any determination with respect to benefits under this title (including a claimant representative, translator, or current or former employee of the Social Security Administration), or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, such person shall be guilty of a felony and upon conviction thereof shall be fined under title 18, United States Code, or imprisoned for not more than ten years, or both.”.

(c) **INCREASED CIVIL MONETARY PENALTIES FOR CERTAIN INDIVIDUALS VIOLATING POSITIONS OF TRUST.**—Section 1129(a)(1) of the Social Security Act (42 U.S.C. 1320a-8(a)(1)) is amended, in the matter following subparagraph (C), by inserting after “withholding disclosure of such fact” the following: “, except that in the case of such a person who receives a fee or other income for services performed in connection with any such determination (including a claimant representative, translator, or current or former employee of the Social Security Administration) or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, the amount of such penalty shall be not more than \$7,500”.

(d) **NO BENEFITS PAYABLE TO INDIVIDUALS FOR WHOM A CIVIL MONETARY PENALTY IS IMPOSED FOR FRAUDULENTLY CONCEALING WORK ACTIVITY.**—Section 222(c)(5) of the Social Security Act (42 U.S.C. 422(c)(5)) is amended by inserting after “conviction by a Federal court” the following: “, or the imposition of a civil monetary penalty under section 1129,”.

SEC. 814. REFERENCES TO SOCIAL SECURITY AND MEDICARE IN ELECTRONIC COMMUNICATIONS.

(a) **IN GENERAL.**—Section 1140(a)(1) of the Social Security Act (42 U.S.C. 1320b-10(a)(1)) is amended by inserting “(including any Internet or other electronic communication)” after “or other communication”.

(b) **EACH COMMUNICATION TREATED AS SEPARATE VIOLATION.**—Section 1140(b) of such Act (42 U.S.C. 1320b-10(b)) is amended by inserting after the second sentence the following: “In the case of any items referred to in subsection (a)(1) consisting of Internet or other electronic communications, each dissemination, viewing, or accessing of such a communication which contains one or more words, letters, symbols, or emblems in violation of subsection (a) shall represent a separate violation”.

SEC. 815. CHANGE TO CAP ADJUSTMENT AUTHORITY.

Section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(B)) is amended—

(1) in clause (i)—

(A) in the matter before subclause (I), by striking “and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act” and inserting “, for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, for the cost of co-operative disability investigation units, and for the cost associated with the prosecution of fraud in the programs and operations of the Social Security Administration by Special Assistant United States Attorneys”;

(B) in subclause (VI), by striking “\$1,309,000,000” and inserting “\$1,546,000,000”;

(C) in subclause (VII), by striking “\$1,309,000,000” and inserting “\$1,462,000,000”;

(D) in subclause (VIII), by striking “\$1,309,000,000” and inserting “\$1,410,000,000”; and

(E) in subclause (X), by striking “\$1,309,000,000” and inserting “\$1,302,000,000”;

(2) in clause (ii)(I), by inserting “, including work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity” before the semicolon; and

(3) in clause (ii)(III), by striking “and rede-terminations” and inserting “, redeterminations, co-operative disability investigation units, and fraud prosecutions”.

Subtitle B—Promoting Opportunity for Disability Beneficiaries

SEC. 821. TEMPORARY REAUTHORIZATION OF DISABILITY INSURANCE DEMONSTRATION PROJECT AUTHORITY.

(a) **TERMINATION DATE.**—Section 234(d)(2) of the Social Security Act (42 U.S.C. 434(d)(2)) is amended by striking “December 18, 2005” and inserting “December 31, 2021, and the authority to carry out such projects shall terminate on December 31, 2022”.

(b) **AUTHORITY TO WAIVE COMPLIANCE WITH BENEFITS REQUIREMENTS.**—Section 234(c) of such Act is amended by striking “December 17, 2005” and inserting “December 30, 2021”.

SEC. 822. MODIFICATION OF DEMONSTRATION PROJECT AUTHORITY.

(a) **IN GENERAL.**—Section 234(a)(1) of the Social Security Act (42 U.S.C. 434(a)(1)) is amended in the matter preceding subparagraph (A) by inserting “to promote attachment to the labor force and” after “designed”.

(b) **CONGRESSIONAL REVIEW PERIOD.**—Section 234(c) of the Social Security Act (42 U.S.C. 434(c)), as amended by section 821(b) of this Act, is further amended by inserting “including the objectives of the experiment or demonstration project, the expected annual and total costs, and the dates on which the experiment or demonstration project is expected to start and finish,” after “thereof,”

(c) **ADDITIONAL REQUIREMENTS.**—Section 234 of the Social Security Act (42 U.S.C. 434), as amended by subsection (b), is further amended by adding at the end the following:

“(e) **ADDITIONAL REQUIREMENTS.**—In developing and carrying out any experiment or demonstration project under this section, the Commissioner may not require any individual to participate in such experiment or demonstration project and shall ensure—

“(1) that the voluntary participation of individuals in such experiment or demonstration project is obtained through informed written consent which satisfies the requirements for informed consent established by the Commissioner for use in such experiment or demonstration project in which human subjects are at risk;

“(2) that any individual’s voluntary agreement to participate in any such experiment or demonstration project may be revoked by such individual at any time; and

“(3) that such experiment or demonstration project is expected to yield statistically significant results.”.

(d) **ANNUAL REPORTING DEADLINE.**—Section 234(d)(1) of such Act is amended by striking “June 9” and inserting “September 30”.

SEC. 823. PROMOTING OPPORTUNITY DEMONSTRATION PROJECT.

Section 234 of the Social Security Act (42 U.S.C. 434), as amended by section 822 of this Act, is further amended by adding at the end the following:

“(f) **PROMOTING OPPORTUNITY DEMONSTRATION PROJECT.**—

“(1) **IN GENERAL.**—The Commissioner shall carry out a demonstration project under this subsection as described in paragraph (2) during a 5-year period beginning not later than January 1, 2017.

“(2) **BENEFIT OFFSET.**—Under the demonstration project described in this paragraph, with respect to any individual participating in the project who is otherwise entitled to a benefit under section 223(a)(1) for a month—

“(A) any such benefit otherwise payable to the individual for such month (other than a benefit payable for any month prior to the 1st month beginning after the date on which the individual’s entitlement to such benefit is determined) shall be reduced by \$1 for each \$2 by which the individual’s earnings derived from services paid during such month exceeds an amount equal to the individual’s impairment-related work expenses for such month (as determined under paragraph (3)), except that such benefit may not be reduced below \$0;

“(B) no benefit shall be payable under section 202 on the basis of the wages and self-employment income of the individual for any month for which the benefit of such individual under section 223(a)(1) is reduced to \$0 pursuant to subparagraph (A);

“(C) entitlement to any benefit described in subparagraph (A) or (B) shall not terminate due to earnings derived from services except following the first month for which such benefit has been reduced to \$0 pursuant to subparagraph (A) (and the trial work period (as defined in section 222(c)) and extended period of eligibility shall not apply to any such individual for any such month); and

“(D) in any case in which such an individual is entitled to hospital insurance benefits under part A of title XVIII by reason of section 226(b) and such individual’s entitlement to a benefit described in subparagraph (A) or (B) or status as a qualified railroad retirement beneficiary is terminated pursuant to subparagraph (C), such individual shall be deemed to be entitled to such benefits or to occupy such status (notwithstanding the termination of such entitlement or status) for the period of consecutive months throughout all of which the physical or mental impairment, on which such entitlement or status was based, continues, and throughout all of which such individual would have been entitled to monthly insurance benefits under title II or as a qualified railroad retirement beneficiary had such termination of entitlement or status not occurred, but not in excess of 93 such months.

“(3) IMPAIRMENT-RELATED WORK EXPENSES.—

“(A) **IN GENERAL.**—For purposes of paragraph (2)(A) and except as provided in subparagraph (C), the amount of an individual’s impairment-related work expenses for a month is deemed to be the minimum threshold amount.

“(B) **MINIMUM THRESHOLD AMOUNT.**—In this paragraph, the term ‘minimum threshold amount’ means an amount, to be determined by the Commissioner, which shall not exceed the amount sufficient to demonstrate that an individual has rendered services in a month, as determined by the Commissioner under section 222(c)(4)(A). The Commissioner may test multiple minimum threshold amounts.

“(C) EXCEPTION FOR ITEMIZED IMPAIRMENT-RELATED WORK EXPENSES.—

“(i) **IN GENERAL.**—Notwithstanding subparagraph (A), in any case in which the amount of such an individual’s itemized impairment-related work expenses (as defined in clause (ii)) for a month is greater than the minimum threshold amount, the amount of the individual’s impairment-related work expenses for the month shall be equal to the amount of the individual’s itemized impairment-related work expenses (as so defined) for the month.

“(ii) **DEFINITION.**—In this subparagraph, the term ‘itemized impairment-related work expenses’ means the amount excluded under section 223(d)(4)(A) from an individual’s

earnings for a month in determining whether an individual is able to engage in substantial gainful activity by reason of such earnings in such month, except that such amount does not include the cost to the individual of any item or service for which the individual does not provide to the Commissioner a satisfactory itemized accounting.

“(D) **LIMITATION.**—Notwithstanding the other provisions of this paragraph, for purposes of paragraph (2)(A), the amount of an individual’s impairment-related work expenses for a month shall not exceed the amount of earnings derived from services, prescribed by the Commissioner under regulations issued pursuant to section 223(d)(4)(A), sufficient to demonstrate an individual’s ability to engage in substantial gainful activity.”.

SEC. 824. USE OF ELECTRONIC PAYROLL DATA TO IMPROVE PROGRAM ADMINISTRATION.

(a) **IN GENERAL.**—Title XI of the Social Security Act (42 U.S.C. 1301, et seq.) is amended by inserting after section 1183 the following:

“INFORMATION EXCHANGE WITH PAYROLL DATA PROVIDERS

“SEC. 1184. (a) **IN GENERAL.**—The Commissioner of Social Security may enter into an information exchange with a payroll data provider for purposes of—

“(1) efficiently administering—

“(A) monthly insurance benefits under subsections (d)(1)(B)(ii), (d)(6)(A)(ii), (d)(6)(B), (e)(1)(B)(ii), and (f)(1)(B)(ii) of section 202 and subsection (a)(1) of section 223; and

“(B) supplemental security income benefits under title XVI; and

“(2) preventing improper payments of such benefits without the need for verification by independent or collateral sources.

“(b) **NOTIFICATION REQUIREMENTS.**—Before entering into an information exchange pursuant to subsection (a), the Commissioner shall publish in the Federal Register a notice describing the information exchange and the extent to which the information received through such exchange is—

“(1) relevant and necessary to—

“(A) accurately determine entitlement to, and the amount of, benefits described under subparagraph (A) of subsection (a)(1);

“(B) accurately determine eligibility for, and the amount of, benefits described in subparagraph (B) of such subsection; and

“(C) prevent improper payment of such benefits; and

“(2) sufficiently accurate, up-to-date, and complete.

“(c) **DEFINITIONS.**—For purposes of this section:

“(1) **PAYROLL DATA PROVIDER.**—The term ‘payroll data provider’ means payroll providers, wage verification companies, and other commercial or non-commercial entities that collect and maintain data regarding employment and wages, without regard to whether the entity provides such data for a fee or without cost.

“(2) **INFORMATION EXCHANGE.**—The term ‘information exchange’ means the automated comparison of a system of records maintained by the commissioner of Social Security with records maintained by a payroll data provider.”.

(b) **AUTHORIZATION TO ACCESS INFORMATION HELD BY PAYROLL DATA PROVIDERS.**—

(1) **AMENDMENT TO TITLE II.**—Section 225 of the Social Security Act (42 U.S.C. 425) is amended by adding at the end the following:

“(c) **ACCESS TO INFORMATION HELD BY PAYROLL DATA PROVIDERS.**—(1) The Commissioner of Social Security may require each

individual who applies for or is entitled to monthly insurance benefits under subsections (d)(1)(B)(ii), (d)(6)(A)(ii), (d)(6)(B), (e)(1)(B)(ii), and (f)(1)(B)(ii) of section 202 and subsection (a)(1) of section 223 to provide authorization by the individual for the Commissioner to obtain from any payroll data provider (as defined in section 1184(c)(1)) any record held by the payroll data provider with respect to the individual whenever the Commissioner determines the record is needed in connection with a determination of initial or ongoing entitlement to such benefits.

“(2) An authorization provided by an individual under this subsection shall remain effective until the earliest of—

“(A) the rendering of a final adverse decision on the individual’s application or entitlement to benefits under this title;

“(B) the termination of the individual’s entitlement to benefits under this title; or

“(C) the express revocation by the individual of the authorization, in a written notification to the Commissioner.

“(3) The Commissioner of Social Security is not required to furnish any authorization obtained pursuant to this subsection to the payroll data provider.

“(4) The Commissioner shall inform any person who provides authorization pursuant to this clause of the duration and scope of the authorization.

“(5) If an individual who applies for or is entitled to benefits under this title refuses to provide, or revokes, any authorization under this subsection, subsection (d) shall not apply to such individual beginning with the first day of the first month in which he or she refuses or revokes such authorization.”.

(2) TITLE XVI.—Section 1631(e)(1)(B) of the Social Security Act (42 U.S.C. 1383(e)(1)(B)) is amended by adding at the end the following:

“(ii)(I) The Commissioner of Social Security may require each applicant for, or recipient of, benefits under this title to provide authorization by the applicant, recipient or legal guardian (or by any other person whose income or resources are material to the determination of the eligibility of the applicant or recipient for such benefits) for the Commissioner to obtain from any payroll data provider (as defined in section 1184(c)(1)) any record held by the payroll data provider with respect to the applicant or recipient (or any such other person) whenever the Commissioner determines the record is needed in connection with a determination of initial or ongoing eligibility or the amount of such benefits.

“(II) An authorization provided by an applicant, recipient or legal guardian (or any other person whose income or resources are material to the determination of the eligibility of the applicant or recipient) under this clause shall remain effective until the earliest of—

“(aa) the rendering of a final adverse decision on the applicant’s application for eligibility for benefits under this title;

“(bb) the cessation of the recipient’s eligibility for benefits under this title;

“(cc) the express revocation by the applicant, or recipient (or such other person referred to in subclause (I)) of the authorization, in a written notification to the Commissioner; or

“(dd) the termination of the basis upon which the Commissioner considers another person’s income and resources available to the applicant or recipient.

“(III) The Commissioner of Social Security is not required to furnish any authorization obtained pursuant to this clause to the payroll data provider.

“(IV) The Commissioner shall inform any person who provides authorization pursuant to this clause of the duration and scope of the authorization.

“(V) If an applicant for, or recipient of, benefits under this title (or any such other person referred to in subclause (I)) refuses to provide, or revokes, any authorization required by subclause (I), paragraph (2)(B) and paragraph (10) shall not apply to such applicant or recipient beginning with the first day of the first month in which he or she refuses or revokes such authorization.”.

(c) REPORTING RESPONSIBILITIES FOR BENEFICIARIES SUBJECT TO INFORMATION EXCHANGE WITH PAYROLL DATA PROVIDER.—

(1) AMENDMENT TO TITLE II.—Section 225 of the Social Security Act (42 U.S.C. 425), as amended by subsection (b)(1), is further amended by adding at the end the following:

“(d) An individual who has authorized the Commissioner of Social Security to obtain records from a payroll data provider under subsection (c) shall not be subject to a penalty under section 1129A for any omission or error with respect to such individual’s wages as reported by the payroll data provider.”.

(2) AMENDMENT TO TITLE XVI.—Section 1631(e) of the Social Security Act (42 U.S.C. 1383(e)) is amended—

(A) in paragraph (2)—

(i) by striking “In the case of the failure” and inserting “(A) In the case of the failure”;

(ii) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively; and

(iii) by adding at the end the following:

“(B) For purposes of subparagraph (A), the Commissioner of Social Security shall find that good cause exists for the failure of, or delay by, an individual in submitting a report of an event or change in circumstances relevant to eligibility for or amount of benefits under this title in any case where—

“(i) the individual (or another person referred to in paragraph (1)(B)(iii)(I)) has provided authorization to the Commissioner to access payroll data records related to the individual; and

“(ii) the event or change in circumstance is a change in the individual’s employer.”; and

(B) by adding at the end the following:

“(10) An individual who has authorized the Commissioner of Social Security to obtain records from a payroll data provider under paragraph (1)(B)(iii) (or on whose behalf another person described in subclause (I) of such paragraph has provided such authorization) shall not be subject to a penalty under section 1129A for any omission or error with respect to such individual’s wages as reported by the payroll data provider.”.

(d) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Social Security shall prescribe by regulation procedures for implementing the Commissioner’s access to and use of information held by payroll providers, including—

(1) guidelines for establishing and maintaining information exchanges with payroll providers, pursuant to section 1184 of the Social Security Act;

(2) beneficiary authorizations;

(3) reduced wage reporting responsibilities for individuals who authorize the Commissioner to access information held by payroll data providers through an information exchange; and

(4) procedures for notifying individuals in writing when they become subject to such reduced wage reporting requirements and when such reduced wage reporting requirements no longer apply to them.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act.

SEC. 825. TREATMENT OF EARNINGS DERIVED FROM SERVICES.

(a) IN GENERAL.—Section 223(d)(4) of the Social Security Act (42 U.S.C. 423(d)(4)) is amended by adding at the end the following:

“(C)(i) Subject to clause (ii), in determining when earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity, such earnings shall be presumed to have been earned—

“(I) in making a determination of initial entitlement on the basis of disability, in the month in which the services were performed from which such earnings were derived; and

“(II) in any other case, in the month in which such earnings were paid.

“(ii) A presumption made under clause (i) shall not apply to a determination described in such clause if—

“(I) the Commissioner can reasonably establish, based on evidence readily available at the time of such determination, that the earnings were earned in a different month than when paid; or

“(II) in any case in which there is a determination that no benefit is payable due to earnings, after the individual is notified of the presumption made and provided with an opportunity to submit additional information along with an explanation of what additional information is needed, the individual shows to the satisfaction of the Commissioner that such earnings were earned in another month.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect upon the date of the enactment of this Act, or as soon as practicable thereafter.

SEC. 826. ELECTRONIC REPORTING OF EARNINGS.

(a) IN GENERAL.—Not later than September 30, 2017, the Commissioner of Social Security shall establish and implement a system that—

(1) allows an individual entitled to a monthly insurance benefit based on disability under title II of the Social Security Act (or a representative of the individual) to report to the Commissioner the individual’s earnings derived from services through electronic means, including by telephone and Internet; and

(2) automatically issues a receipt to the individual (or representative) after receiving each such report.

(b) SUPPLEMENTAL SECURITY INCOME REPORTING SYSTEM AS MODEL.—The Commissioner shall model the system established under subsection (a) on the electronic wage reporting systems for recipients of supplemental security income under title XVI of such Act.

Subtitle C—Protecting Social Security Benefits

SEC. 831. CLOSURE OF UNINTENDED LOOP-HOLES.

(a) PRESUMED FILING OF APPLICATION BY INDIVIDUALS ELIGIBLE FOR OLD-AGE INSURANCE BENEFITS AND FOR WIFE’S OR HUSBAND’S INSURANCE BENEFITS.—

(1) IN GENERAL.—Section 202(r) of the Social Security Act (42 U.S.C. 402(r)) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) If an individual is eligible for a wife’s or husband’s insurance benefit (except in the case of eligibility pursuant to clause (ii) of subsection (b)(1)(B) or subsection (c)(1)(B), as appropriate), in any month for which the individual is entitled to an old-age insurance

benefit, such individual shall be deemed to have filed an application for wife's or husband's insurance benefits for such month.

“(2) If an individual is eligible (but for section 202(k)(4)) for an old-age insurance benefit in any month for which the individual is entitled to a wife's or husband's insurance benefit (except in the case of entitlement pursuant to clause (ii) of subsection (b)(1)(B) or subsection (c)(1)(B), as appropriate), such individual shall be deemed to have filed an application for old-age insurance benefits—

“(A) for such month, or

“(B) if such individual is also entitled to a disability insurance benefit for such month, in the first subsequent month for which such individual is not entitled to a disability insurance benefit.”.

(2) CONFORMING AMENDMENT.—Section 202 of the Social Security Act (42 U.S.C. 402) is amended—

(A) in subsection (b)(1), by striking subparagraph (B) and inserting the following:

“(B)(i) has attained age 62, or

“(ii) in the case of a wife, has in her care (individually or jointly with such individual) at the time of filing such application a child entitled to a child's insurance benefit on the basis of the wages and self-employment income of such individual.”; and

(B) in subsection (c)(1), by striking subparagraph (B) and inserting the following:

“(B)(i) has attained age 62, or

“(ii) in the case of a husband, has in his care (individually or jointly with such individual) at the time of filing such application a child entitled to a child's insurance benefit on the basis of the wages and self-employment income of such individual.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to individuals who attain age 62 in any calendar year after 2015.

(b) VOLUNTARY SUSPENSION OF BENEFITS.—

(1) IN GENERAL.—Section 202 of the Social Security Act (42 U.S.C. 402) is amended by adding at the end the following:

“(z) VOLUNTARY SUSPENSION.—(1)(A) Except as otherwise provided in this subsection, any individual who has attained retirement age (as defined in section 216(l)) and is entitled to old-age insurance benefits may request that payment of such benefits be suspended—

“(i) beginning with the month following the month in which such request is received by the Commissioner, and

“(ii) ending with the earlier of the month following the month in which a request by the individual for a resumption of such benefits is so received or the month following the month in which the individual attains the age of 70.

“(2) An individual may not suspend such benefits under this subsection, and any suspension of such benefits under this subsection shall end, effective with respect to any month in which the individual becomes subject to—

“(A) mandatory suspension of such benefits under section 202(x);

“(B) termination of such benefits under section 202(n);

“(C) a penalty under section 1129A imposing nonpayment of such benefits; or

“(D) any other withholding, in whole or in part, of such benefits under any other provision of law that authorizes recovery of a debt by withholding such benefits.

“(3) In the case of an individual who requests that such benefits be suspended under this subsection, for any month during the period in which the suspension is in effect—

“(A) no retroactive benefits (as defined in subsection (j)(4)(B)(iii)) shall be payable to such individual;

“(B) no monthly benefit shall be payable to any other individual on the basis of such individual's wages and self-employment income; and

“(C) no monthly benefit shall be payable to such individual on the basis of another individual's wages and self-employment income.”.

(2) CONFORMING AMENDMENT.—Section 202(w)(2)(B)(ii) of the Social Security Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended by inserting “under section 202(z)” after “request”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to requests for benefit suspension submitted beginning at least 180 days after the date of the enactment of this Act.

SEC. 832. REQUIREMENT FOR MEDICAL REVIEW.

(a) IN GENERAL.—Section 221(h) of the Social Security Act (42 U.S.C. 421(h)) is amended to read as follows:

“(h) An initial determination under subsection (a), (c), (g), or (i) shall not be made until the Commissioner of Social Security has made every reasonable effort to ensure—

“(1) in any case where there is evidence which indicates the existence of a mental impairment, that a qualified psychiatrist or psychologist has completed the medical portion of the case review and any applicable residual functional capacity assessment; and

“(2) in any case where there is evidence which indicates the existence of a physical impairment, that a qualified physician has completed the medical portion of the case review and any applicable residual functional capacity assessment.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to determinations of disability made on or after the date that is 1 year after the date of the enactment of this Act.

SEC. 833. REALLOCATION OF PAYROLL TAX REVENUE.

(1) WAGES.—Section 201(b)(1) of the Social Security Act (42 U.S.C. 401(b)(1)) is amended by striking “and (R) 1.80 per centum of the wages (as so defined) paid after December 31, 1999, and so reported” and inserting “(R) 1.80 per centum of the wages (as so defined) paid after December 31, 1999, and before January 1, 2016, and so reported, (S) 2.37 per centum of the wages (as so defined) paid after December 31, 2015, and before January 1, 2019, and so reported, and (T) 1.80 per centum of the wages (as so defined) paid after December 31, 2018, and so reported.”.

(2) SELF-EMPLOYMENT INCOME.—Section 201(b)(2) of such Act (42 U.S.C. 401(b)(2)) is amended by striking “and (R) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1999” and inserting “(R) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1999, and before January 1, 2016, (S) 2.37 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 2015, and before January 1, 2019, and (T) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 2018”.

(3) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to wages paid after December 31, 2015, and self-employment income for taxable years beginning after such date.

SEC. 834. ACCESS TO FINANCIAL INFORMATION FOR WAIVERS AND ADJUSTMENTS OF RECOVERY.

(a) ACCESS TO FINANCIAL INFORMATION FOR OLD-AGE, SURVIVORS, AND DISABILITY INSUR-

ANCE WAIVERS.—Section 204(b) of the Social Security Act (42 U.S.C. 404(b)) is amended to read as follows:

“(b)(1) In any case in which more than the correct amount of payment has been made, there shall be no adjustment of payments to, or recovery by the United States from, any person who is without fault if such adjustment or recovery would defeat the purpose of this title or would be against equity and good conscience.

“(2) In making for purposes of this subsection any determination of whether any individual is without fault, the Commissioner of Social Security shall specifically take into account any physical, mental, educational, or linguistic limitation such individual may have (including any lack of facility with the English language).

“(3)(A) In making for purposes of this subsection any determination of whether such adjustment or recovery would defeat the purpose of this title, the Commissioner of Social Security shall require an individual to provide authorization for the Commissioner to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act) from any financial institution (within the meaning of section 1101(1) of such Act) any financial record (within the meaning of section 1101(2) of such Act) held by the institution with respect to such individual whenever the Commissioner determines the record is needed in connection with a determination with respect to such adjustment or recovery.

“(B) Notwithstanding section 1104(a)(1) of the Right to Financial Privacy Act, an authorization provided by an individual pursuant to this paragraph shall remain effective until the earlier of—

“(i) the rendering of a final decision on whether adjustment or recovery would defeat the purpose of this title; or

“(ii) the express revocation by the individual of the authorization, in a written notification to the Commissioner.

“(C)(i) An authorization obtained by the Commissioner of Social Security pursuant to this paragraph shall be considered to meet the requirements of the Right to Financial Privacy Act for purposes of section 1103(a) of such Act, and need not be furnished to the financial institution, notwithstanding section 1104(a) of such Act.

“(ii) The certification requirements of section 1103(b) of the Right to Financial Privacy Act shall not apply to requests by the Commissioner of Social Security pursuant to an authorization provided under this paragraph.

“(iii) A request by the Commissioner pursuant to an authorization provided under this paragraph is deemed to meet the requirements of section 1104(a)(3) of the Right to Financial Privacy Act and the flush language of section 1102 of such Act.

“(D) The Commissioner shall inform any person who provides authorization pursuant to this paragraph of the duration and scope of the authorization.

“(E) If an individual refuses to provide, or revokes, any authorization for the Commissioner of Social Security to obtain from any financial institution any financial record, the Commissioner may, on that basis, determine that adjustment or recovery would not defeat the purpose of this title.”.

(b) ACCESS TO FINANCIAL INFORMATION FOR SUPPLEMENTAL SECURITY INCOME WAIVERS.—

(1) IN GENERAL.—Section 1631(b)(1)(B) of the Social Security Act (42 U.S.C. 1383(b)(1)(B)) is amended by adding at the end the following: “In making for purposes of this subparagraph a determination of whether an adjustment or recovery would defeat the purpose of this title, the Commissioner of Social

Security shall require an individual to provide authorization for the Commissioner to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act) from any financial institution (within the meaning of section 1101(1) of such Act) any financial record (within the meaning of section 1101(2) of such Act) held by the institution with respect to such individual whenever the Commissioner determines that the record is needed in connection with a determination with respect to such adjustment or recovery, under the terms and conditions established under subsection (e)(1)(B)."

(2) **CONFORMING AMENDMENT.**—Section 1631(e)(1)(B)(ii)(V) of such Act (42 U.S.C. 1383(e)(1)(B)(ii)(V)) is amended by inserting ", determine that adjustment or recovery on account of an overpayment with respect to the applicant or recipient would not defeat the purpose of this title, or both" before the period at the end.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to determinations made on or after the date that is 3 months after the date of the enactment of this section.

Subtitle D—Relieving Administrative Burdens and Miscellaneous Provisions

SEC. 841. INTERAGENCY COORDINATION TO IMPROVE PROGRAM ADMINISTRATION.

(a) **IN GENERAL.**—Title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by inserting after section 1127 the following:

"INTERAGENCY COORDINATION TO IMPROVE PROGRAM ADMINISTRATION

"SEC. 1127A. (a) **COORDINATION AGREEMENT.**—Notwithstanding any other provision of law, including section 207 of this Act, the Commissioner of Social Security (referred to in this section as 'the Commissioner') and the Director of the Office of Personnel Management (referred to in this section as 'the Director') shall enter into an agreement under which a system is established to carry out the following procedure:

"(1) The Director shall notify the Commissioner when any individual is determined to be entitled to a monthly disability annuity payment pursuant to subchapter V of chapter 84 of subpart G of part III of title 5, United States Code, and shall certify that such individual has provided the authorization described in subsection (f).

"(2) If the Commissioner determines that an individual described in paragraph (1) is also entitled to past-due benefits under section 223, the Commissioner shall notify the Director of such fact.

"(3) Not later than 30 days after receiving a notification described in paragraph (2) with respect to an individual, the Director shall provide the Commissioner with the total amount of any disability annuity overpayments made to such individual, as well as any other information (in such form and manner as the Commissioner shall require) that the Commissioner determines is necessary to carry out this section.

"(4) If the Director provides the Commissioner with the information described in paragraph (3) in a timely manner, the Commissioner may withhold past-due benefits under section 223 to which such individual is entitled and may pay the amount described in paragraph (3) to the Office of Personnel Management for any disability annuity overpayments made to such individual.

"(5) The Director shall credit any amount received under paragraph (4) with respect to an individual toward any disability annuity overpayment owed by such individual.

"(b) **LIMITATIONS.**—

"(1) **PRIORITY OF OTHER REDUCTIONS.**—Benefits shall only be withheld under this section after any other reduction applicable under this Act, including sections 206(a)(4), 224, and 1127(a).

"(2) **TIMELY NOTIFICATION REQUIRED.**—The Commissioner may not withhold benefits under this section if the Director does not provide the notice described in subsection (a)(3) within the time period described in such subsection.

"(c) **DELAYED PAYMENT OF PAST-DUE BENEFITS.**—If the Commissioner is required to make a notification described in subsection (a)(2) with respect to an individual, the Commissioner shall not make any payment of past-due benefits under section 223 to such individual until after the period described in subsection (a)(3).

"(d) **REVIEW.**—Notwithstanding section 205 or any other provision of law, any determination regarding the withholding of past-due benefits under this section shall only be subject to adjudication and review by the Director under section 8461 of title 5, United States Code.

"(e) **DISABILITY ANNUITY OVERPAYMENT DEFINED.**—For purposes of this section, the term 'disability annuity overpayment' means the amount of the reduction under section 8452(a)(2) of title 5, United States Code, applicable to a monthly annuity payment made to an individual pursuant to subchapter V of chapter 84 of subpart G of part III of such title due to the individual's concurrent entitlement to a disability insurance benefit under section 223 during such month.

"(f) **AUTHORIZATION TO WITHHOLD BENEFITS.**—The authorization described in this subsection, with respect to an individual, is written authorization provided by the individual to the Director which authorizes the Commissioner to withhold past-due benefits under section 223 to which such individual is entitled in order to pay the amount withheld to the Office of Personnel Management for any disability overpayments made to such individual.

"(g) **EXPENSES.**—The Director shall pay to the Social Security Administration an amount equal to the amount estimated by the Commissioner as the total cost incurred by the Social Security Administration in carrying out this section for each calendar quarter."

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to past-due disability insurance benefits payable on or after the date that is 1 year after the date of the enactment of this section.

SEC. 842. ELIMINATION OF QUINQUENNIAL DETERMINATIONS RELATING TO WAGE CREDITS FOR MILITARY SERVICE PRIOR TO 1957.

Section 217(g)(2) of the Social Security Act (42 U.S.C. 417(g)(2)) is amended—

(1) by inserting "through 2010" after "each fifth year thereafter"; and

(2) by inserting after the first sentence the following: "The Secretary of Health and Human Services shall revise the amount determined under paragraph (1) with respect to the Federal Hospital Insurance Trust Fund under title XVIII in 2015 and each fifth year thereafter through such date, and using such data, as the Secretary determines appropriate on the basis of the amount of benefits and administrative expenses actually paid from such Trust Fund under title XVIII and the relevant actuarial assumptions set forth in the report of the Board of Trustees of such Trust Fund for such year under section 1817(b)."

SEC. 843. CERTIFICATION OF BENEFITS PAYABLE TO A DIVORCED SPOUSE OF A RAILROAD WORKER TO THE RAILROAD RETIREMENT BOARD.

Section 205(i) of the Social Security Act (42 U.S.C. 405(i)) is amended by inserting "or divorced wife or divorced husband" after "the wife or husband".

SEC. 844. TECHNICAL AMENDMENTS TO ELIMINATE OBSOLETE PROVISIONS.

(a) **ELIMINATION OF REFERENCE IN SECTION 226 TO A REPEALED PROVISION.**—Section 226 of the Social Security Act (42 U.S.C. 426) is amended—

(1) by striking subsection (i); and
(2) by redesignating subsection (j) as subsection (i).

(b) **ELIMINATION OF REFERENCE IN SECTION 226A TO A REPEALED PROVISION.**—Section 226A of such Act (42 U.S.C. 426-1) is amended by striking the second subsection (c).

SEC. 845. REPORTING REQUIREMENTS TO CONGRESS.

(a) **REPORT ON FRAUD AND IMPROPER PAYMENT PREVENTION ACTIVITIES.**—Section 704(b) of the Social Security Act (42 U.S.C. 904(b)) is amended by adding at the end the following:

"(3) For each fiscal year beginning with 2016 and ending with 2021, the Commissioner shall include in the annual budget prepared pursuant to subparagraph (A) a report describing the purposes for which amounts made available for purposes described in section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the fiscal year were expended by the Social Security Administration and the purposes for which the Commissioner plans for the Administration to expend such funds in the succeeding fiscal year, including—

"(A) the total such amount expended;
"(B) the amount expended on co-operative disability investigation units;

"(C) the number of cases of fraud prevented by co-operative disability investigation units and the amount expended on such cases (as reported to the Commissioner by the Inspector General of the Social Security Administration);

"(D) the number of felony cases prosecuted under section 208 (as reported to the Commissioner by the Inspector General) and the amount expended by the Social Security Administration in supporting the prosecution of such cases;

"(E) the amount of such felony cases successfully prosecuted (as reported to the Commissioner by the Inspector General) and the amount expended by the Social Security Administration in supporting the prosecution of such cases;

"(F) the amount expended on and the number of completed—

"(i) continuing disability reviews conducted by mail;

"(ii) redeterminations conducted by mail;

"(iii) medical continuing disability reviews conducted pursuant to section 221(i);

"(iv) medical continuing disability reviews conducted pursuant to 1614(a)(3)(H);

"(v) redeterminations conducted pursuant to section 1611(c); and

"(vi) work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual's ability to engage in substantial gainful activity;

"(G) the number of cases of fraud identified for which benefits were terminated as a result of medical continuing disability reviews (as reported to the Commissioner by the Inspector General), work-related continuing disability reviews, and redeterminations,

and the amount of resulting savings for each such type of review or redetermination; and

“(H) the number of work-related continuing disability reviews in which a beneficiary improperly reported earnings derived from services for more than 3 consecutive months, and the amount of resulting savings.”.

(b) **REPORT ON WORK-RELATED CONTINUING DISABILITY REVIEWS.**—The Commissioner of Social Security shall annually submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the number of work-related continuing disability reviews conducted each year to determine whether earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity. Such report shall include—

(1) the number of individuals receiving benefits based on disability under title II of such Act for whom reports of earnings were received from any source by the Commissioner in the previous calendar year, reported as a total number and separately by the source of the report;

(2) the number of individuals for whom such reports resulted in a determination to conduct a work-related continuing disability review, and the basis on which such determinations were made;

(3) in the case of a beneficiary selected for a work-related continuing disability review on the basis of a report of earnings from any source—

(A) the average number of days—

(i) between the receipt of the report and the initiation of the review,

(ii) between the initiation and the completion of the review, and

(iii) the average amount of overpayment, if any;

(B) the number of such reviews completed during such calendar year, and the number of such reviews that resulted in a suspension or termination of benefits;

(C) the number of such reviews initiated in the current year that had not been completed as of the end of such calendar year;

(D) the number of such reviews initiated in a prior year that had not been completed as of the end of such calendar year;

(4) the total savings to the Trust Funds and the Treasury generated from benefits suspended or terminated as a result of such reviews; and

(5) with respect to individuals for whom a work-related continuing disability review was completed during such calendar year—

(A) the number who participated in the Ticket to Work program under section 1148 during such calendar year;

(B) the number who used any program work incentives during such calendar year; and

(C) the number who received vocational rehabilitation services during such calendar year with respect to which the Commissioner of Social Security reimbursed a State agency under section 222(d).

(c) **REPORT ON OVERPAYMENT WAIVERS.**—Not later than January 1 of each calendar year, the Commissioner of Social Security shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on—

(1) the number and total value of overpayments recovered or scheduled to be recovered by the Social Security Administration during the previous fiscal year of benefits under title II and title XVI, respectively, including the terms and conditions of repayment of such overpayments; and

(2) the number and total value of overpayments waived by the Social Security Administration during the previous fiscal year of benefits under title II and title XVI, respectively.

SEC. 846. EXPEDITED EXAMINATION OF ADMINISTRATIVE LAW JUDGES.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Office of Personnel Management shall, upon request of the Commissioner of Social Security, expeditiously administer a sufficient number of competitive examinations, as determined by the Commissioner, for the purpose of identifying an adequate number of candidates to be appointed as Administrative Law Judges under section 3105 of title 5, United States Code. The first such examination shall take place not later than April 1, 2016 and other examinations shall take place at such time or times requested by the Commissioner, but not later than December 31, 2022. Such examinations shall proceed even if one or more individuals who took a prior examination have appealed an adverse determination and one or more of such appeals have not concluded, provided that—

(1) the Commissioner of Social Security has made a determination that delaying the examination poses a significant risk that an adequate number of Administrative Law Judges will not be available to meet the need of the Social Security Administration to reduce or prevent a backlog of cases awaiting a hearing;

(2) an individual whose appeal is pending is provided an option to continue their appeal or elects to take the new examination, in which case the appeal is considered vacated; and

(3) an individual who decides to continue his or her appeal and who ultimately prevails in the appeal shall receive expeditious consideration for hire by the Office Personnel Management and the Commissioner of Social Security.

(b) **PAYMENT OF COSTS.**—Notwithstanding any other provision of law, the Commissioner of Social Security shall pay the full cost associated with each examination conducted pursuant to subsection (a).

TITLE IX—TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT

SEC. 901. TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT.

(a) **IN GENERAL.**—Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date of the enactment of this Act and ending on March 15, 2017.

(b) **SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING EXTENSION PERIOD.**—Effective March 16, 2017, the limitation in effect under section 3101(b) of title 31, United States Code, shall be increased to the extent that—

(1) the face amount of obligations issued under chapter 31 of such title and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on March 16, 2017, exceeds

(2) the face amount of such obligations outstanding on the date of the enactment of this Act.

SEC. 902. RESTORING CONGRESSIONAL AUTHORITY OVER THE NATIONAL DEBT.

(a) **EXTENSION LIMITED TO NECESSARY OBLIGATIONS.**—An obligation shall not be taken into account under section 901(b)(1) unless the issuance of such obligation was necessary to fund a commitment incurred pursuant to law by the Federal Government that required payment before March 16, 2017.

(b) **PROHIBITION ON CREATION OF CASH RESERVE DURING EXTENSION PERIOD.**—The Secretary of the Treasury shall not issue obligations during the period specified in section 901(a) for the purpose of increasing the cash balance above normal operating balances in anticipation of the expiration of such period.

TITLE X—SPECTRUM PIPELINE

SEC. 1001. SHORT TITLE.

This title may be cited as the “Spectrum Pipeline Act of 2015”.

SEC. 1002. DEFINITIONS.

In this title:

(1) **ASSISTANT SECRETARY.**—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(2) **COMMISSION.**—The term “Commission” means the Federal Communications Commission.

(3) **FEDERAL ENTITY.**—The term “Federal entity” has the meaning given such term in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l)).

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

SEC. 1003. RULE OF CONSTRUCTION.

Each range of frequencies described in this title shall be construed to be inclusive of the upper and lower frequencies in the range.

SEC. 1004. IDENTIFICATION, REALLOCATION, AND AUCTION OF FEDERAL SPECTRUM.

(a) **IDENTIFICATION OF SPECTRUM.**—Not later than January 1, 2022, the Secretary shall submit to the President and to the Commission a report identifying 30 megahertz of electromagnetic spectrum (in bands of not less than 10 megahertz of contiguous frequencies) below the frequency of 3 gigahertz (except for the spectrum between the frequencies of 1675 megahertz and 1695 megahertz) for reallocation from Federal use to non-Federal use or shared Federal and non-Federal use, or a combination thereof.

(b) **CLEARING OF SPECTRUM.**—The President shall—

(1) not later than January 1, 2022, begin the process of withdrawing or modifying the assignment to a Federal Government station of the electromagnetic spectrum identified under subsection (a); and

(2) not later than 30 days after completing the withdrawal or modification, notify the Commission that the withdrawal or modification is complete.

(c) **REALLOCATION AND AUCTION.**—

(1) **IN GENERAL.**—The Commission shall—

(A) reallocate the electromagnetic spectrum identified under subsection (a) for non-Federal use or shared Federal and non-Federal use, or a combination thereof; and

(B) notwithstanding paragraph (15)(A) of section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)), not later than July 1, 2024, begin a system of competitive bidding under such section to grant new initial licenses for the use of such spectrum, subject to flexible-use service rules.

(2) **PROCEEDS TO COVER 110 PERCENT OF FEDERAL RELOCATION OR SHARING COSTS.**—Nothing in paragraph (1) shall be construed to relieve the Commission from the requirements of section 309(j)(16)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(16)(B)).

SEC. 1005. ADDITIONAL USES OF SPECTRUM RELOCATION FUND.

(a) **IN GENERAL.**—Section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928) is amended—

(1) by redesignating subsection (g) as subsection (i); and

(2) by inserting after subsection (f) the following:

“(g) **ADDITIONAL PAYMENTS FOR RESEARCH AND DEVELOPMENT AND PLANNING ACTIVITIES.**—

“(1) **AMOUNTS AVAILABLE.**—Notwithstanding subsections (c) through (e)—

“(A) there are appropriated from the Fund on the date of the enactment of the Spectrum Pipeline Act of 2015, and available to the Director of OMB for use in accordance with paragraph (2), not more than \$500,000,000 from amounts in the Fund on such date of enactment; and

“(B) there are appropriated from the Fund after such date of enactment, and available to the Director of OMB for use in accordance with such paragraph, not more than 10 percent of the amounts deposited in the Fund after such date of enactment.

“(2) **USE OF AMOUNTS.**—

“(A) **IN GENERAL.**—The Director of OMB may use amounts made available under paragraph (1) to make payments requested by Federal entities for research and development, engineering studies, economic analyses, activities with respect to systems, or other planning activities intended to improve the efficiency and effectiveness of the spectrum use of Federal entities in order to make available frequencies described in subparagraph (C) for reallocation for non-Federal use or shared Federal and non-Federal use, or a combination thereof, and for auction in accordance with such reallocation.

“(B) **SYSTEMS THAT IMPROVE EFFICIENCY AND EFFECTIVENESS OF FEDERAL SPECTRUM USE.**—For purposes of a payment under subparagraph (A) for activities with respect to systems that improve the efficiency and effectiveness of the spectrum use of Federal entities, such systems include the following:

“(i) Systems that have increased functionality or that increase the ability of a Federal entity to accommodate spectrum sharing with non-Federal entities.

“(ii) Systems that consolidate functions or services that have been provided using separate systems.

“(iii) Non-spectrum technology or systems.

“(C) **FREQUENCIES DESCRIBED.**—The frequencies described in this subparagraph are, with respect to a payment under subparagraph (A), frequencies that—

“(i) are assigned to a Federal entity; and

“(ii) at the time of the activities conducted with such payment, are not identified for auction.

“(D) **CONDITIONS.**—The Director of OMB may not make a payment to a Federal entity under subparagraph (A)—

“(i) unless—

“(I) the Federal entity has submitted to the Technical Panel established under section 113(h)(3) a plan describing the activities that the Federal entity will conduct with such payment;

“(II) the Technical Panel has approved such plan under subparagraph (E); and

“(III) the Director of OMB has submitted the plan approved under subparagraph (E) to the congressional committees described in subsection (d)(2)(C); and

“(ii) until 60 days have elapsed after submission of the plan under clause (i)(III).

“(E) **REVIEW BY TECHNICAL PANEL.**—

“(i) **IN GENERAL.**—Not later than 120 days after a Federal entity submits a plan under subparagraph (D)(i)(I) to the Technical Panel established under section 113(h)(3), the Technical Panel shall approve or disapprove such plan.

“(ii) **CRITERIA FOR REVIEW.**—In considering whether to approve or disapprove a plan

under this subparagraph, the Technical Panel shall consider whether—

“(I) the activities that the Federal entity will conduct with the payment will—

“(aa) increase the probability of relocation from or sharing of Federal spectrum;

“(bb) facilitate an auction intended to occur not later than 8 years after the payment; and

“(cc) increase the net expected auction proceeds in an amount not less than the time value of the amount of the payment; and

“(II) the transfer will leave sufficient amounts in the Fund for the other purposes of the Fund.

“(h) **PRIORITIZATION OF PAYMENTS.**—In determining whether to make payments under subsections (f) and (g), the Director of OMB shall, to the extent practicable, prioritize payments under subsection (g).”

(b) **ADMINISTRATIVE SUPPORT FOR TECHNICAL PANEL.**—Section 113(h)(3)(C) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(h)(3)(C)) is amended by striking “this subsection and subsection (i)” and inserting “this subsection, subsection (i), and section 118(g)(2)(E)”.

(c) **ELIGIBLE FEDERAL ENTITIES.**—Section 113 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923) is amended—

(1) in subsection (g)—

(A) in paragraph (1)—

(i) by striking “authorized to use a band of eligible frequencies described in paragraph (2) and”; and

(ii) by inserting “eligible” after “auction of”; and

(B) in paragraph (3)(A), by striking “previously assigned to such entity or the sharing of spectrum frequencies assigned to such entity” and inserting “or the sharing of spectrum frequencies”; and

(2) in subsection (h)(1), by striking “authorized to use any such frequency”.

SEC. 1006. PLANS FOR AUCTION OF CERTAIN SPECTRUM.

(a) **REPORTS TO CONGRESS.**—In accordance with each paragraph of subsection (c), the Commission, in coordination with the Assistant Secretary, shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing a proposed plan for the assignment of new licenses for non-Federal use of the spectrum identified under such paragraph, including—

(1) an assessment of the operations of Federal entities that operate Federal Government stations authorized to use such spectrum;

(2) an estimated timeline for the competitive bidding process; and

(3) a proposed plan for balance between unlicensed and licensed use.

(b) **INFORMATION FOR ASSESSMENT OF FEDERAL ENTITY OPERATIONS.**—The Assistant Secretary, in coordination with the affected Federal entities, shall provide to the Commission the necessary information to carry out subsection (a)(1).

(c) **REPORT DEADLINES; IDENTIFICATION OF SPECTRUM.**—The Commission shall submit reports under subsection (a) as follows:

(1) Not later than January 1, 2022, for at least 50 megahertz of spectrum (in bands of not less than 10 megahertz of contiguous frequencies) below 6 gigahertz, to be identified by the Commission, in coordination with the Assistant Secretary, from spectrum other

than the spectrum identified under section 1004(a).

(2) Not later than January 1, 2024, for at least 50 megahertz of spectrum (in bands of not less than 10 megahertz of contiguous frequencies) below 6 gigahertz, to be identified by the Commission, in coordination with the Assistant Secretary, from spectrum other than the spectrum identified under paragraph (1) or section 1004(a).

SEC. 1007. FCC AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by inserting before the period at the end the following: “, except that, with respect to the electromagnetic spectrum identified under section 1004(a) of the Spectrum Pipeline Act of 2015, such authority shall expire on September 30, 2025”.

SEC. 1008. REPORTS TO CONGRESS.

Not later than 3 years after the date of the enactment of this Act, the Commission shall submit to Congress—

(1) a report containing an analysis of the results of the rules changes relating to the frequencies between 3550 megahertz and 3650 megahertz; and

(2) a report containing an analysis of proposals to promote and identify additional spectrum bands that can be shared between incumbent uses and new licensed, and unlicensed services under such rules and identification of at least 1 gigahertz between 6 gigahertz and 57 GHz for such use.

TITLE XI—REVENUE PROVISIONS RELATED TO TAX COMPLIANCE

SEC. 1101. PARTNERSHIP AUDITS AND ADJUSTMENTS.

(a) **REPEAL OF TEFRA PARTNERSHIP AUDIT RULES.**—Chapter 63 of the Internal Revenue Code of 1986 is amended by striking subchapter C (and by striking the item relating to such subchapter in the table of subchapters for such chapter).

(b) **REPEAL OF ELECTING LARGE PARTNERSHIP RULES.**—

(1) **IN GENERAL.**—Subchapter K of chapter 1 of such Code is amended by striking part IV (and by striking the item relating to such part in the table of parts for such subchapter).

(2) **ASSESSMENT RULES RELATING TO ELECTING LARGE PARTNERSHIPS.**—Chapter 63 of such Code is amended by striking subchapter D (and by striking the item relating to such subchapter in the table of subchapters for such chapter).

(c) **PARTNERSHIP AUDIT REFORM.**—

(1) **IN GENERAL.**—Chapter 63 of such Code, as amended by the preceding provisions of this section, is amended by inserting after subchapter B the following new subchapter:

“Subchapter C—Treatment of Partnerships

“PART I—IN GENERAL

“PART II—PARTNERSHIP ADJUSTMENTS

“PART III—PROCEDURE

“PART IV—DEFINITIONS AND SPECIAL RULES

“PART I—IN GENERAL

“Sec. 6221. Determination at partnership level.

“Sec. 6222. Partner’s return must be consistent with partnership return.

“Sec. 6223. Designation of partnership representative.

“SEC. 6221. DETERMINATION AT PARTNERSHIP LEVEL.

“(a) **IN GENERAL.**—Any adjustment to items of income, gain, loss, deduction, or credit of a partnership for a partnership taxable year (and any partner’s distributive share thereof) shall be determined, any tax attributable thereto shall be assessed and

collected, and the applicability of any penalty, addition to tax, or additional amount which relates to an adjustment to any such item or share shall be determined, at the partnership level pursuant to this subchapter.

“(b) ELECTION OUT FOR CERTAIN PARTNERSHIPS WITH 100 OR FEWER PARTNERS, ETC.—

“(1) IN GENERAL.—This subchapter shall not apply with respect to any partnership for any taxable year if—

“(A) the partnership elects the application of this subsection for such taxable year,

“(B) for such taxable year the partnership is required to furnish 100 or fewer statements under section 6031(b) with respect to its partners,

“(C) each of the partners of such partnership is an individual, a C corporation, any foreign entity that would be treated as a C corporation were it domestic, an S corporation, or an estate of a deceased partner,

“(D) the election—

“(i) is made with a timely filed return for such taxable year, and

“(ii) includes (in the manner prescribed by the Secretary) a disclosure of the name and taxpayer identification number of each partner of such partnership, and

“(E) the partnership notifies each such partner of such election in the manner prescribed by the Secretary.

“(2) SPECIAL RULES RELATING TO CERTAIN PARTNERS.—

“(A) S CORPORATION PARTNERS.—In the case of a partner that is an S corporation—

“(i) the partnership shall only be treated as meeting the requirements of paragraph (1)(C) with respect to such partner if such partnership includes (in the manner prescribed by the Secretary) a disclosure of the name and taxpayer identification number of each person with respect to whom such S corporation is required to furnish a statement under section 6037(b) for the taxable year of the S corporation ending with or within the partnership taxable year for which the application of this subsection is elected, and

“(ii) the statements such S corporation is required to so furnish shall be treated as statements furnished by the partnership for purposes of paragraph (1)(B).

“(B) FOREIGN PARTNERS.—For purposes of paragraph (1)(D)(ii), the Secretary may provide for alternative identification of any foreign partners.

“(C) OTHER PARTNERS.—The Secretary may by regulation or other guidance prescribe rules similar to the rules of subparagraph (A) with respect to any partners not described in such subparagraph or paragraph (1)(C).

“SEC. 6222. PARTNER'S RETURN MUST BE CONSISTENT WITH PARTNERSHIP RETURN.

“(a) IN GENERAL.—A partner shall, on the partner's return, treat each item of income, gain, loss, deduction, or credit attributable to a partnership in a manner which is consistent with the treatment of such income, gain, loss, deduction, or credit on the partnership return.

“(b) UNDERPAYMENT DUE TO INCONSISTENT TREATMENT ASSESSED AS MATH ERROR.—Any underpayment of tax by a partner by reason of failing to comply with the requirements of subsection (a) shall be assessed and collected in the same manner as if such underpayment were on account of a mathematical or clerical error appearing on the partner's return. Paragraph (2) of section 6213(b) shall not apply to any assessment of an underpayment referred to in the preceding sentence.

“(c) EXCEPTION FOR NOTIFICATION OF INCONSISTENT TREATMENT.—

“(1) IN GENERAL.—In the case of any item referred to in subsection (a), if—

“(A)(i) the partnership has filed a return but the partner's treatment on the partner's return is (or may be) inconsistent with the treatment of the item on the partnership return, or

“(ii) the partnership has not filed a return, and

“(B) the partner files with the Secretary a statement identifying the inconsistency, subsections (a) and (b) shall not apply to such item.

“(2) PARTNER RECEIVING INCORRECT INFORMATION.—A partner shall be treated as having complied with subparagraph (B) of paragraph (1) with respect to an item if the partner—

“(A) demonstrates to the satisfaction of the Secretary that the treatment of the item on the partner's return is consistent with the treatment of the item on the statement furnished to the partner by the partnership, and

“(B) elects to have this paragraph apply with respect to that item.

“(d) FINAL DECISION ON CERTAIN POSITIONS NOT BINDING ON PARTNERSHIP.—Any final decision with respect to an inconsistent position identified under subsection (c) in a proceeding to which the partnership is not a party shall not be binding on the partnership.

“(e) ADDITION TO TAX FOR FAILURE TO COMPLY WITH SECTION.—For addition to tax in the case of a partner's disregard of the requirements of this section, see part II of subchapter A of chapter 68.

“SEC. 6223. PARTNERS BOUND BY ACTIONS OF PARTNERSHIP.

“(a) DESIGNATION OF PARTNERSHIP REPRESENTATIVE.—Each partnership shall designate (in the manner prescribed by the Secretary) a partner (or other person) with a substantial presence in the United States as the partnership representative who shall have the sole authority to act on behalf of the partnership under this subchapter. In any case in which such a designation is not in effect, the Secretary may select any person as the partnership representative.

“(b) BINDING EFFECT.—A partnership and all partners of such partnership shall be bound—

“(1) by actions taken under this subchapter by the partnership, and

“(2) by any final decision in a proceeding brought under this subchapter with respect to the partnership.

“PART II—PARTNERSHIP ADJUSTMENTS

“Sec. 6225. Partnership adjustment by Secretary.

“Sec. 6226. Alternative to payment of imputed underpayment by partnership.

“Sec. 6227. Administrative adjustment request by partnership.

“SEC. 6225. PARTNERSHIP ADJUSTMENT BY SECRETARY.

“(a) IN GENERAL.—In the case of any adjustment by the Secretary in the amount of any item of income, gain, loss, deduction, or credit of a partnership, or any partner's distributive share thereof—

“(1) the partnership shall pay any imputed underpayment with respect to such adjustment in the adjustment year as provided in section 6232, and

“(2) any adjustment that does not result in an imputed underpayment shall be taken into account by the partnership in the adjustment year—

“(A) except as provided in subparagraph (B), as a reduction in non-separately stated income or an increase in non-separately stat-

ed loss (whichever is appropriate) under section 702(a)(8), or

“(B) in the case of an item of credit, as a separately stated item.

“(b) DETERMINATION OF IMPUTED UNDERPAYMENTS.—For purposes of this subchapter—

“(1) IN GENERAL.—Except as provided in subsection (c), any imputed underpayment with respect to any partnership adjustment for any reviewed year shall be determined—

“(A) by netting all adjustments of items of income, gain, loss, or deduction and multiplying such net amount by the highest rate of tax in effect for the reviewed year under section 1 or 11,

“(B) by treating any net increase or decrease in loss under subparagraph (A) as a decrease or increase, respectively, in income, and

“(C) by taking into account any adjustments to items of credit as an increase or decrease, as the case may be, in the amount determined under subparagraph (A).

“(2) ADJUSTMENTS TO DISTRIBUTIVE SHARES OF PARTNERS NOT NETTED.—In the case of any adjustment which reallocates the distributive share of any item from one partner to another, such adjustment shall be taken into account under paragraph (1) by disregarding—

“(A) any decrease in any item of income or gain, and

“(B) any increase in any item of deduction, loss, or credit.

“(c) MODIFICATION OF IMPUTED UNDERPAYMENTS.—

“(1) IN GENERAL.—The Secretary shall establish procedures under which the imputed underpayment amount may be modified consistent with the requirements of this subsection.

“(2) AMENDED RETURNS OF PARTNERS.—

“(A) IN GENERAL.—Such procedures shall provide that if—

“(i) one or more partners file returns (notwithstanding section 6511) for the taxable year of the partners which includes the end of the reviewed year of the partnership,

“(ii) such returns take into account all adjustments under subsection (a) properly allocable to such partners (and for any other taxable year with respect to which any tax attribute is affected by reason of such adjustments), and

“(iii) payment of any tax due is included with such return, then the imputed underpayment amount shall be determined without regard to the portion of the adjustments so taken into account.

“(B) REALLOCATION OF DISTRIBUTIVE SHARE.—In the case of any adjustment which reallocates the distributive share of any item from one partner to another, paragraph (2) shall apply only if returns are filed by all partners affected by such adjustment.

“(3) TAX-EXEMPT PARTNERS.—Such procedures shall provide for determining the imputed underpayment without regard to the portion thereof that the partnership demonstrates is allocable to a partner that would not owe tax by reason of its status as a tax-exempt entity (as defined in section 168(h)(2)).

“(4) MODIFICATION OF APPLICABLE HIGHEST TAX RATES.—

“(A) IN GENERAL.—Such procedures shall provide for taking into account a rate of tax lower than the rate of tax described in subsection (b)(1)(A) with respect to any portion of the imputed underpayment that the partnership demonstrates is allocable to a partner which—

“(i) in the case of ordinary income, is a C corporation, or

“(ii) in the case of a capital gain or qualified dividend, is an individual.

In no event shall the lower rate determined under the preceding sentence be less than the highest rate in effect with respect to the income and taxpayer described in clause (i) or clause (ii), as the case may be. For purposes of clause (ii), an S corporation shall be treated as an individual.

“(B) PORTION OF IMPUTED UNDERPAYMENT TO WHICH LOWER RATE APPLIES.—

“(i) IN GENERAL.—Except as provided in clause (ii), the portion of the imputed underpayment to which the lower rate applies with respect to a partner under subparagraph (A) shall be determined by reference to the partners’ distributive share of items to which the imputed underpayment relates.

“(ii) RULE IN CASE OF VARIED TREATMENT OF ITEMS AMONG PARTNERS.—If the imputed underpayment is attributable to the adjustment of more than 1 item, and any partner’s distributive share of such items is not the same with respect to all such items, then the portion of the imputed underpayment to which the lower rate applies with respect to a partner under subparagraph (A) shall be determined by reference to the amount which would have been the partner’s distributive share of net gain or loss if the partnership had sold all of its assets at their fair market value as of the close of the reviewed year of the partnership.

“(5) OTHER PROCEDURES FOR MODIFICATION OF IMPUTED UNDERPAYMENT.—The Secretary may by regulations or guidance provide for additional procedures to modify imputed underpayment amounts on the basis of such other factors as the Secretary determines are necessary or appropriate to carry out the purposes of this subsection.

“(6) YEAR AND DAY FOR SUBMISSION TO SECRETARY.—Anything required to be submitted pursuant to paragraph (1) shall be submitted to the Secretary not later than the close of the 270-day period beginning on the date on which the notice of a proposed partnership adjustment is mailed under section 6231 unless such period is extended with the consent of the Secretary.

“(7) DECISION OF SECRETARY.—Any modification of the imputed underpayment amount under this subsection shall be made only upon approval of such modification by the Secretary.

“(d) DEFINITIONS.—For purposes of this subchapter—

“(1) REVIEWED YEAR.—The term ‘reviewed year’ means the partnership taxable year to which the item being adjusted relates.

“(2) ADJUSTMENT YEAR.—The term ‘adjustment year’ means the partnership taxable year in which—

“(A) in the case of an adjustment pursuant to the decision of a court in a proceeding brought under section 6234, such decision becomes final,

“(B) in the case of an administrative adjustment request under section 6227, such administrative adjustment request is made, or

“(C) in any other case, notice of the final partnership adjustment is mailed under section 6231.

“SEC. 6226. ALTERNATIVE TO PAYMENT OF IMPUTED UNDERPAYMENT BY PARTNERSHIP.

“(a) IN GENERAL.—If the partnership—

“(1) not later than 45 days after the date of the notice of final partnership adjustment, elects the application of this section with respect to an imputed underpayment, and

“(2) at such time and in such manner as the Secretary may provide, furnishes to each

partner of the partnership for the reviewed year and to the Secretary a statement of the partner’s share of any adjustment to income, gain, loss, deduction, or credit (as determined in the notice of final partnership adjustment),

section 6225 shall not apply with respect to such underpayment and each such partner shall take such adjustment into account as provided in subsection (b). The election under paragraph (1) shall be made in such manner as the Secretary may provide and, once made, shall be revocable only with the consent of the Secretary.

“(b) ADJUSTMENTS TAKEN INTO ACCOUNT BY PARTNER.—

“(1) TAX IMPOSED IN YEAR OF STATEMENT.—Each partner’s tax imposed by chapter 1 for the taxable year which includes the date the statement was furnished under subsection (a) shall be increased by the aggregate of the adjustment amounts determined under paragraph (2) for the taxable years referred to therein.

“(2) ADJUSTMENT AMOUNTS.—The adjustment amounts determined under this paragraph are—

“(A) in the case of the taxable year of the partner which includes the end of the reviewed year, the amount by which the tax imposed under chapter 1 would increase if the partner’s share of the adjustments described in subsection (a) were taken into account for such taxable year, plus

“(B) in the case of any taxable year after the taxable year referred to in subparagraph (A) and before the taxable year referred to in paragraph (1), the amount by which the tax imposed under chapter 1 would increase by reason of the adjustment to tax attributes under paragraph (3).

“(3) ADJUSTMENT OF TAX ATTRIBUTES.—Any tax attribute which would have been affected if the adjustments described in subsection (a) were taken into account for the taxable year referred to in paragraph (2)(A) shall—

“(A) in the case of any taxable year referred to in paragraph (2)(B), be appropriately adjusted for purposes of applying such paragraph, and

“(B) in the case of any subsequent taxable year, be appropriately adjusted.

“(c) PENALTIES AND INTEREST.—

“(1) PENALTIES.—Notwithstanding subsections (a) and (b), any penalties, additions to tax, or additional amount shall be determined as provided under section 6221 and the partners of the partnership for the reviewed year shall be liable for any such penalty, addition to tax, or additional amount.

“(2) INTEREST.—In the case of an imputed underpayment with respect to which the application of this section is elected, interest shall be determined—

“(A) at the partner level,

“(B) from the due date of the return for the taxable year to which the increase is attributable (determined by taking into account any increases attributable to a change in tax attributes for a taxable year under subsection (b)(2)), and

“(C) at the underpayment rate under section 6621(a)(2), determined by substituting ‘5 percentage points’ for ‘3 percentage points’ in subparagraph (B) thereof.

“SEC. 6227. ADMINISTRATIVE ADJUSTMENT REQUEST BY PARTNERSHIP.

“(a) IN GENERAL.—A partnership may file a request for an administrative adjustment in the amount of one or more items of income, gain, loss, deduction, or credit of the partnership for any partnership taxable year.

“(b) ADJUSTMENT.—Any such adjustment under subsection (a) shall be determined and

taken into account for the partnership taxable year in which the administrative adjustment request is made—

“(1) by the partnership under rules similar to the rules of section 6225 (other than paragraphs (2), (6) and (7) of subsection (c) thereof) for the partnership taxable year in which the administrative adjustment request is made, or

“(2) by the partnership and partners under rules similar to the rules of section 6226 (determined without regard to the substitution described in subsection (c)(2)(C) thereof).

In the case of an adjustment that would not result in an imputed underpayment, paragraph (1) shall not apply and paragraph (2) shall apply with appropriate adjustments.

“(c) PERIOD OF LIMITATIONS.—A partnership may not file such a request more than 3 years after the later of—

“(1) the date on which the partnership return for such year is filed, or

“(2) the last day for filing the partnership return for such year (determined without regard to extensions).

In no event may a partnership file such a request after a notice of an administrative proceeding with respect to the taxable year is mailed under section 6231.

“PART 1—PROCEDURE

“Sec. 6231. Notice of proceedings and adjustment.

“Sec. 6232. Assessment, collection, and payment.

“Sec. 6233. Interest and penalties.

“Sec. 6234. Judicial review of partnership adjustment.

“Sec. 6235. Period of limitations on making adjustments.

“SEC. 6231. NOTICE OF PROCEEDINGS AND ADJUSTMENT.

“(a) IN GENERAL.—The Secretary shall mail to the partnership and the partnership representative—

“(1) notice of any administrative proceeding initiated at the partnership level with respect to an adjustment of any item of income, gain, loss, deduction, or credit of a partnership for a partnership taxable year, or any partner’s distributive share thereof,

“(2) notice of any proposed partnership adjustment resulting from such proceeding, and

“(3) notice of any final partnership adjustment resulting from such proceeding.

Any notice of a final partnership adjustment shall not be mailed earlier than 270 days after the date on which the notice of the proposed partnership adjustment is mailed. Such notices shall be sufficient if mailed to the last known address of the partnership representative or the partnership (even if the partnership has terminated its existence). The first sentence shall apply to any proceeding with respect to an administrative adjustment request filed by a partnership under section 6227.

“(b) FURTHER NOTICES RESTRICTED.—If the Secretary mails a notice of a final partnership adjustment to any partnership for any partnership taxable year and the partnership files a petition under section 6234 with respect to such notice, in the absence of a showing of fraud, malfeasance, or misrepresentation of a material fact, the Secretary shall not mail another such notice to such partnership with respect to such taxable year.

“(c) AUTHORITY TO RESCIND NOTICE WITH PARTNERSHIP CONSENT.—The Secretary may, with the consent of the partnership, rescind any notice of a partnership adjustment mailed to such partnership. Any notice so rescinded shall not be treated as a notice of a

partnership adjustment for purposes of this subchapter, and the taxpayer shall have no right to bring a proceeding under section 6234 with respect to such notice.

“SEC. 6232. ASSESSMENT, COLLECTION, AND PAYMENT.

“(a) **IN GENERAL.**—Any imputed underpayment shall be assessed and collected in the same manner as if it were a tax imposed for the adjustment year by subtitle A, except that in the case of an administrative adjustment request to which section 6227(b)(1) applies, the underpayment shall be paid when the request is filed.

“(b) **LIMITATION ON ASSESSMENT.**—Except as otherwise provided in this chapter, no assessment of a deficiency may be made (and no levy or proceeding in any court for the collection of any amount resulting from such adjustment may be made, begun or prosecuted) before—

“(1) the close of the 90th day after the day on which a notice of a final partnership adjustment was mailed, and

“(2) if a petition is filed under section 6234 with respect to such notice, the decision of the court has become final.

“(c) **PREMATURE ACTION MAY BE ENJOINED.**—Notwithstanding section 7421(a), any action which violates subsection (b) may be enjoined in the proper court, including the Tax Court. The Tax Court shall have no jurisdiction to enjoin any action under this subsection unless a timely petition has been filed under section 6234 and then only in respect of the adjustments that are the subject of such petition.

“(d) **EXCEPTIONS TO RESTRICTIONS ON ADJUSTMENTS.**—

“(1) **ADJUSTMENTS ARISING OUT OF MATH OR CLERICAL ERRORS.**—

“(A) **IN GENERAL.**—If the partnership is notified that, on account of a mathematical or clerical error appearing on the partnership return, an adjustment to a item is required, rules similar to the rules of paragraphs (1) and (2) of section 6213(b) shall apply to such adjustment.

“(B) **SPECIAL RULE.**—If a partnership is a partner in another partnership, any adjustment on account of such partnership's failure to comply with the requirements of section 6222(a) with respect to its interest in such other partnership shall be treated as an adjustment referred to in subparagraph (A), except that paragraph (2) of section 6213(b) shall not apply to such adjustment.

“(2) **PARTNERSHIP MAY WAIVE RESTRICTIONS.**—The partnership may at any time (whether or not any notice of partnership adjustment has been issued), by a signed notice in writing filed with the Secretary, waive the restrictions provided in subsection (b) on the making of any partnership adjustment.

“(e) **LIMIT WHERE NO PROCEEDING BEGUN.**—If no proceeding under section 6234 is begun with respect to any notice of a final partnership adjustment during the 90-day period described in subsection (b) thereof, the amount for which the partnership is liable under section 6225 shall not exceed the amount determined in accordance with such notice.

“SEC. 6233. INTEREST AND PENALTIES.

“(a) **INTEREST AND PENALTIES DETERMINED FROM REVIEWED YEAR.**—

“(1) **IN GENERAL.**—Except to the extent provided in section 6226(c), in the case of a partnership adjustment for a reviewed year—

“(A) interest shall be computed under paragraph (2), and

“(B) the partnership shall be liable for any penalty, addition to tax, or additional amount as provided in paragraph (3).

“(2) **DETERMINATION OF AMOUNT OF INTEREST.**—The interest computed under this para-

graph with respect to any partnership adjustment is the interest which would be determined under chapter 67 for the period beginning on the day after the return due date for the reviewed year and ending on the return due date for the adjustment year (or, if earlier, the date payment of the imputed underpayment is made). Proper adjustments in the amount determined under the preceding sentence shall be made for adjustments required for partnership taxable years after the reviewed year and before the adjustment year by reason of such partnership adjustment.

“(3) **PENALTIES.**—Any penalty, addition to tax, or additional amount shall be determined at the partnership level as if such partnership had been an individual subject to tax under chapter 1 for the reviewed year and the imputed underpayment were an actual underpayment (or understatement) for such year.

“(b) **INTEREST AND PENALTIES WITH RESPECT TO ADJUSTMENT YEAR RETURN.**—

“(1) **IN GENERAL.**—In the case of any failure to pay an imputed underpayment on the date prescribed therefor, the partnership shall be liable—

“(A) for interest as determined under paragraph (2), and

“(B) for any penalty, addition to tax, or additional amount as determined under paragraph (3).

“(2) **INTEREST.**—Interest determined under this paragraph is the interest that would be determined by treating the imputed underpayment as an underpayment of tax imposed in the adjustment year.

“(3) **PENALTIES.**—Penalties, additions to tax, or additional amounts determined under this paragraph are the penalties, additions to tax, or additional amounts that would be determined—

“(A) by applying section 6651(a)(2) to such failure to pay, and

“(B) by treating the imputed underpayment as an underpayment of tax for purposes of part II of subchapter A of chapter 68.

“SEC. 6234. JUDICIAL REVIEW OF PARTNERSHIP ADJUSTMENT.

“(a) **IN GENERAL.**—Within 90 days after the date on which a notice of a final partnership adjustment is mailed under section 6231 with respect to any partnership taxable year, the partnership may file a petition for a readjustment for such taxable year with—

“(1) the Tax Court,

“(2) the district court of the United States for the district in which the partnership's principal place of business is located, or

“(3) the Claims Court.

“(b) **JURISDICTIONAL REQUIREMENT FOR BRINGING ACTION IN DISTRICT COURT OR CLAIMS COURT.**—

“(1) **IN GENERAL.**—A readjustment petition under this section may be filed in a district court of the United States or the Claims Court only if the partnership filing the petition deposits with the Secretary, on or before the date the petition is filed, the amount of the imputed underpayment (as of the date of the filing of the petition) if the partnership adjustment was made as provided by the notice of final partnership adjustment. The court may by order provide that the jurisdictional requirements of this paragraph are satisfied where there has been a good faith attempt to satisfy such requirement and any shortfall of the amount required to be deposited is timely corrected.

“(2) **INTEREST PAYABLE.**—Any amount deposited under paragraph (1), while deposited, shall not be treated as a payment of tax for purposes of this title (other than chapter 67).

“(c) **SCOPE OF JUDICIAL REVIEW.**—A court with which a petition is filed in accordance with this section shall have jurisdiction to determine all items of income, gain, loss, deduction, or credit of the partnership for the partnership taxable year to which the notice of final partnership adjustment relates, the proper allocation of such items among the partners, and the applicability of any penalty, addition to tax, or additional amount for which the partnership may be liable under this subchapter.

“(d) **DETERMINATION OF COURT REVIEWABLE.**—Any determination by a court under this section shall have the force and effect of a decision of the Tax Court or a final judgment or decree of the district court or the Claims Court, as the case may be, and shall be reviewable as such. The date of any such determination shall be treated as being the date of the court's order entering the decision.

“(e) **EFFECT OF DECISION DISMISSING ACTION.**—If an action brought under this section is dismissed other than by reason of a rescission under section 6231(c), the decision of the court dismissing the action shall be considered as its decision that the notice of final partnership adjustment is correct, and an appropriate order shall be entered in the records of the court.

“SEC. 6235. PERIOD OF LIMITATIONS ON MAKING ADJUSTMENTS.

“(a) **IN GENERAL.**—Except as otherwise provided in this section, no adjustment under this subpart for any partnership taxable year may be made after the later of—

“(1) the date which is 3 years after the latest of—

“(A) the date on which the partnership return for such taxable year was filed,

“(B) the return due date for the taxable year, or

“(C) the date on which the partnership filed an administrative adjustment request with respect to such year under section 6227, or

“(2) in the case of any modification of an imputed underpayment under section 6225(c), the date that is 270 days (plus the number of days of any extension consented to by the Secretary under paragraph (4) thereof) after the date on which everything required to be submitted to the Secretary pursuant to such section is so submitted, or

“(3) in the case of any notice of a proposed partnership adjustment under section 6231(a)(2), the date that is 270 days after the date of such notice.

“(b) **EXTENSION BY AGREEMENT.**—The period described in subsection (a) (including an extension period under this subsection) may be extended by an agreement entered into by the Secretary and the partnership before the expiration of such period.

“(c) **SPECIAL RULE IN CASE OF FRAUD, ETC.**—

“(1) **FALSE RETURN.**—In the case of a false or fraudulent partnership return with intent to evade tax, the adjustment may be made at any time.

“(2) **SUBSTANTIAL OMISSION OF INCOME.**—If any partnership omits from gross income an amount properly includible therein and such amount is described in section 6501(e)(1)(A), subsection (a) shall be applied by substituting ‘6 years’ for ‘3 years’.

“(3) **NO RETURN.**—In the case of a failure by a partnership to file a return for any taxable year, the adjustment may be made at any time.

“(4) **RETURN FILED BY SECRETARY.**—For purposes of this section, a return executed by the Secretary under subsection (b) of section

6020 on behalf of the partnership shall not be treated as a return of the partnership.

“(d) **SUSPENSION WHEN SECRETARY MAILS NOTICE OF ADJUSTMENT.**—If notice of a final partnership adjustment with respect to any taxable year is mailed under section 6231, the running of the period specified in subsection (a) (as modified by the other provisions of this section) shall be suspended—

“(1) for the period during which an action may be brought under section 6234 (and, if a petition is filed under such section with respect to such notice, until the decision of the court becomes final), and

“(2) for 1 year thereafter.

“PART 2—DEFINITIONS AND SPECIAL RULES

“Sec. 6241. Definitions and special rules.

“SEC. 6241. DEFINITIONS AND SPECIAL RULES.

“For purposes of this subchapter—

“(1) **PARTNERSHIP.**—The term ‘partnership’ means any partnership required to file a return under section 6031(a).

“(2) **PARTNERSHIP ADJUSTMENT.**—The term ‘partnership adjustment’ means any adjustment in the amount of any item of income, gain, loss, deduction, or credit of a partnership, or any partner’s distributive share thereof.

“(3) **RETURN DUE DATE.**—The term ‘return due date’ means, with respect to the taxable year, the date prescribed for filing the partnership return for such taxable year (determined without regard to extensions).

“(4) **PAYMENTS NONDEDUCTIBLE.**—No deduction shall be allowed under subtitle A for any payment required to be made by a partnership under this subchapter.

“(5) **PARTNERSHIPS HAVING PRINCIPAL PLACE OF BUSINESS OUTSIDE UNITED STATES.**—For purposes of sections 6234, a principal place of business located outside the United States shall be treated as located in the District of Columbia.

“(6) **PARTNERSHIPS IN CASES UNDER TITLE 11 OF UNITED STATES CODE.**—

“(A) **SUSPENSION OF PERIOD OF LIMITATIONS ON MAKING ADJUSTMENT, ASSESSMENT, OR COLLECTION.**—The running of any period of limitations provided in this subchapter on making a partnership adjustment (or provided by section 6501 or 6502 on the assessment or collection of any imputed underpayment determined under this subchapter) shall, in a case under title 11 of the United States Code, be suspended during the period during which the Secretary is prohibited by reason of such case from making the adjustment (or assessment or collection) and—

“(i) for adjustment or assessment, 60 days thereafter, and

“(ii) for collection, 6 months thereafter.

A rule similar to the rule of section 6213(f)(2) shall apply for purposes of section 6232(b).

“(B) **SUSPENSION OF PERIOD OF LIMITATION FOR FILING FOR JUDICIAL REVIEW.**—The running of the period specified in section 6234 shall, in a case under title 11 of the United States Code, be suspended during the period during which the partnership is prohibited by reason of such case from filing a petition under section 6234 and for 60 days thereafter.

“(7) **TREATMENT WHERE PARTNERSHIP CEASES TO EXIST.**—If a partnership ceases to exist before a partnership adjustment under this subchapter takes effect, such adjustment shall be taken into account by the former partners of such partnership under regulations prescribed by the Secretary.

“(8) **EXTENSION TO ENTITIES FILING PARTNERSHIP RETURN.**—If a partnership return is filed by an entity for a taxable year but it is determined that the entity is not a partnership (or that there is no entity) for such

year, then, to the extent provided in regulations, the provisions of this subchapter are hereby extended in respect of such year to such entity and its items and to persons holding an interest in such entity.”.

(2) **CLERICAL AMENDMENT.**—The table of subchapters for chapter 63 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by inserting after the item relating to subchapter B the following new item:

“SUBCHAPTER C. TREATMENT OF PARTNERSHIPS.”.

(d) **BINDING NATURE OF PARTNERSHIP ADJUSTMENT PROCEEDINGS.**—Section 6330(c)(4) of such Code is amended by striking “or” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “; or”, and by inserting after subparagraph (B) the following new subparagraph:

“(C) a final determination has been made with respect to such issue in a proceeding brought under subchapter C of chapter 63.”.

(e) **RESTRICTION ON AUTHORITY TO AMEND PARTNER INFORMATION STATEMENTS.**—Section 6031(b) of such Code is amended by adding at the end the following: “Except as provided in the procedures under section 6225(c), with respect to statements under section 6226, or as otherwise provided by the Secretary, information required to be furnished by the partnership under this subsection may not be amended after the due date of the return under subsection (a) to which such information relates.”.

(f) **CONFORMING AMENDMENTS.**—

(1) Section 6031(b) of such Code is amended by striking the last sentence.

(2) Section 6422 of such Code is amended by striking paragraph (12).

(3) Section 6501(n) of such Code is amended by striking paragraphs (2) and (3) and by striking “CROSS REFERENCES” and all that follows through “For period of limitations” and inserting “CROSS REFERENCE.—For period of limitations”.

(4) Section 6503(a)(1) of such Code is amended by striking “(or section 6229)” and all that follows through “(of section 6230(a))”.

(5) Section 6504 of such Code is amended by striking paragraph (11).

(6) Section 6511 of such Code is amended by striking subsection (g).

(7) Section 6512(b)(3) of such Code is amended by striking the second sentence.

(8) Section 6515 of such Code is amended by striking paragraph (6).

(9) Section 6601(c) of such Code is amended by striking the last sentence.

(10) Section 7421(a) of such Code is amended by striking “6225(b), 6246(b)” and inserting “6232(c)”.

(11) Section 7422 of such Code is amended by striking subsection (h).

(12) Section 7459(c) of such Code is amended by striking “section 6226” and all that follows through “or 6252” and inserting “section 6234”.

(13) Section 7482(b)(1) of such Code is amended—

(A) in subparagraph (E), by striking “section 6226, 6228, 6247, or 6252” and inserting “section 6234”;

(B) by striking subparagraph (F), by striking “or” at the end of subparagraph (E) and inserting a period, and by inserting “or” at the end of subparagraph (D), and

(C) in the last sentence, by striking “section 6226, 6228(a), or 6234(c)” and inserting “section 6234”.

(14) Section 7485(b) of such Code is amended by striking “section 6226, 6228(a), 6247, or 6252” and inserting “section 6234”.

(g) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Except as otherwise provided in this subsection, the amendments made by this section shall apply to returns filed for partnership taxable years beginning after December 31, 2017.

(2) **ADMINISTRATIVE ADJUSTMENT REQUESTS.**—In the case of administrative adjustment request under section 6227 of such Code, the amendments made by this section shall apply to requests with respect to returns filed for partnership taxable years beginning after December 31, 2017.

(3) **ADJUSTED PARTNERS STATEMENTS.**—In the case of a partnership electing the application of section 6226 of such Code, the amendments made by this section shall apply to elections with respect to returns filed for partnership taxable years beginning after December 31, 2017.

(4) **ELECTION.**—A partnership may elect (at such time and in such form and manner as the Secretary of the Treasury may prescribe) for the amendments made by this section (other than the election under section 6221(b) of such Code (as added by this Act)) to apply to any return of the partnership filed for partnership taxable years beginning after the date of the enactment of this Act and before January 1, 2018.

SEC. 1102. PARTNERSHIP INTERESTS CREATED BY GIFT.

(a) **IN GENERAL.**—Section 761(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following: “In the case of a capital interest in a partnership in which capital is a material income-producing factor, whether a person is a partner with respect to such interest shall be determined without regard to whether such interest was derived by gift from any other person.”.

(b) **CONFORMING AMENDMENTS.**—Section 704(e) of such Code is amended—

(1) by striking paragraph (1) and by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively,

(2) by striking “this section” in paragraph (2) (as so redesignated) and inserting “this subsection”, and

(3) by striking “FAMILY PARTNERSHIPS” in the heading and inserting “PARTNERSHIP INTERESTS CREATED BY GIFT”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to partnership taxable years beginning after December 31, 2015.

TITLE XII—DESIGNATION OF SMALL HOUSE ROTUNDA

SEC. 1201. DESIGNATING SMALL HOUSE ROTUNDA AS “FREEDOM FOYER”.

The first floor of the area of the House of Representatives wing of the United States Capitol known as the small House rotunda is designated the “Freedom Foyer”.

The **SPEAKER** pro tempore. Pursuant to House Resolution 495, the motion shall be debatable for 1 hour equally divided and controlled by the majority leader and the minority leader or their designees.

The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative

days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 1314, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today to present the House amendment to the Senate amendment to H.R. 1314, the Bipartisan Budget Agreement of 2015, an agreement that helps advance this Nation toward our goals of fiscal stability, strong national security, and entitlement reform.

These are goals that we have been advocating for years, ones that will secure significant long-term savings, provide our economy with the certainty needed to grow and prosper, and ensure the readiness of our military to meet current and emerging threats.

First, this agreement prevents the economic damage of a default, which could happen as early as next week, by suspending the debt limit through March 2017.

Next, the agreement includes the first significant reform to Social Security since 1983. These structural reforms will help maintain the solvency of vital Social Security trust funds by closing loopholes, increasing program integrity, and cracking down on fraud, resulting in \$168 billion in long-term savings. The agreement also finds savings in other mandatory programs, including over \$30 billion in Medicare entitlement savings.

As I have said many, many times before—and I have heard it said many times by others here on the floor—mandatory and entitlement programs make up two-thirds of the Nation's budget and are the primary drivers of our deficits and our debt. In fact, we have saved \$195 billion on discretionary spending in these last 4 years. In the meantime, the entitlement-mandatory side of the budget continues to zoom skyward.

Reforms to these programs are necessary and overdue, and I hope that this bill today paves the way for additional action in the future.

This bill also repeals a flawed provision of the President's healthcare law, eliminating the automatic enrollment mandate that forces workers into employer-sponsored healthcare coverage that they may not want or need.

Finally—and, in my opinion, most importantly—this agreement provides for new top-line spending caps for the next 2 years. This will roll back the harmful, automatic, meat-ax approach of sequestration cuts which gut important Federal programs and slice the good with the bad, including slicing into our military strength.

A 2-year plan, why is that so important? Well, it provides much-needed certainty to the appropriations process and to the Defense Department and all the other agencies of the government, ensuring our ability to make thoughtful, responsible funding decisions over that time.

Having established agreed-upon, top-line numbers for both fiscal 2016 and 2017 will allow Congress to do its work on behalf of the American people and avoid a harmful government shutdown or the threat thereof. This is particularly crucial when it comes to our national security. It provides the Pentagon with the certainty needed to plan for the future, maintain readiness, and provide for our troops.

These adjustments are fully offset by mandatory spending cuts and other savings, not through tax increases, as the administration proposed in its budget submission earlier this year.

These new levels do not undermine our remarkable success in limiting Federal discretionary spending. Since 2011, as I have said before, we have reduced discretionary spending—that is what we appropriate here on the floor—by \$175 billion. We remain on track to save taxpayers more than \$2 trillion if you extrapolate those numbers through 2024.

With passage of this important agreement, my committee stands ready, coiled, poised to implement the details of this deal, going line by line through budgets and making the tough, but necessary, decisions to fund the entire government in a responsible way.

We will begin work with our Senate counterparts as soon as this bill is signed.

We have our eye on the December 11 deadline, and it is my goal to complete our appropriations work ahead of that date to avoid any more delays, continuing resolutions, or shutdown showdowns that hurt important Federal programs, our economy, and, coincidentally, the trust of the people in the Congress.

I want to thank and commend our leaders for their courage, their tenacity, and their resolve. While I know that this deal is not perfect, there are things I would change if I had the chance. The process by which it emerged is less than ideal. I believe, still, it is in the best interest of the country that we move forward with this arrangement.

This agreement takes steps in the right direction, from finding savings in our entitlement programs to protecting our economy from a dangerous default, to providing for the future of the Nation through funding certainty.

These are goals that I believe we can all get behind. So I ask my colleagues to support this bipartisan agreement today.

I reserve the balance of my time.

□ 1545

Mr. VAN HOLLEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to start by joining the comments of the chairman of the Committee on Appropriations, Mr. ROGERS, in congratulating all those who came together to iron out their differences and produce this agreement.

It is not a perfect agreement, but it is far better than the alternative, the alternative which we would have seen which would have produced great damage to the economy, as opposed to this agreement, which will help boost economic growth and make important national investments.

What a difference a week makes, Madam Speaker. Just last week, we had on the floor of this House a bill that would have jeopardized the full faith and credit of the United States. It was a piece of legislation that says the United States Government only has to pay some of its bills, doesn't have to pay all of its bills. That would have been an awful precedent that would have put the economy at risk.

Even worse, it said, well, when we decide which bills we are going to pay, we are first going to pay all the bondholders, like China and the folks on Wall Street, rather than our soldiers and our veterans and the doctors who provide Medicare to our seniors. I am glad we have gotten beyond that, Madam Speaker.

This will ensure the full faith and credit of the United States. It will also lift the very damaging sequester caps that have been put in place that, according to the nonpartisan Congressional Budget Office, were going to slow down economic growth over the next couple years.

Instead, we are going to be able to make some vital investments in key areas: in education, in scientific research, in transportation, and in military readiness. Now, I know those decisions are going to be left to Mr. ROGERS and the appropriators, and I wish them all the best in making those decisions. I hope we come back by mid-December with an agreement to go forward without further threats of government shutdown.

This agreement at least provides the room and space to make those important investments. It also prevents a looming 20 percent cut in Social Security disability benefits and provides that reassurance to millions of Americans who otherwise would have been on the edge.

It prevents what would have been a whopping increase in Medicare part B premiums for millions of seniors around this country, who would have been stretched extremely thin and probably not been able to make all their payments—whether they were mortgage payments, rent payments, or

food payments—at the same time they were facing those huge Medicare part B premium increases. So that was addressed as well.

Now, like Mr. ROGERS, there are lots of things that I would like to have seen in this bill that are not included; but on balance, this is an important step forward, certainly a great improvement over where we were just a week ago.

So, again, I want to express my gratitude to everybody who helped make this possible.

Madam Speaker, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SESSIONS), the distinguished chairman of the House Committee on Rules.

Mr. SESSIONS. Madam Speaker, last night in the Committee on Rules we looked at this bill. We talked about it and its importance to the Nation.

Madam Speaker, first let me say that this is an agreement between the White House, the Senate, and the House. This is an agreement that we can move forward on and avoid many destructive things that might have happened not only to the American people and the economy, but, really, our own credibility. Our ability to work together at this very careful time is important so that we show the American people that this can happen.

There are a lot of things that I agree and disagree with that were said. First of all, harm the economy? Good gosh, when you only have a 1 percent GDP growth, the President has already done that with massive tax increases. The President has done that with rules and regulations. We are trying to make sure that what we are doing in this bill is to stick to the Republican plan.

What is the Republican plan? It has been—going into our sixth year—that we are going to hold government spending flat. We do that essentially not only with a CR, which we will do again in a few weeks, but through effective use of sequestration. What we have done is been able to take the sequestration dollars and to utilize them in such a way that, as the chairman was speaking about, we are pulling in mandatory spending.

We believe, after 5 years of staying flat with government spending, that we are in a more dangerous world than ever, and our military must have more money, our security operations must have more money. What we are going to do is to look at the entire process, come up with an idea about bringing in more money that funds our security, that funds our military, and offsets that so that we can do this by looking at long-term mandatory spending that will bring in over 170 billion dollars' worth of savings over the mirror that we look at, over the timeframe that is important for the American people to

have confidence that we will not bankrupt this country and that we can continue.

Now, the bottom line to this whole exercise is that what we have done is worked together. Working together, we now have a plan to move forward; and we will simply go to the next exercise, and that is funding the government for the year.

The Republican plan is simple. We are not going to give this government one extra penny to put us into a bankruptcy circumstance, but we are asking also, back, that the President of the United States give us an opportunity to grow our economy. Taxes are too high, and we have too many rules and regulations; but the Republican Party will stick to our plan, and that is what we are doing here.

Mr. VAN HOLLEN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Michigan (Mr. LEVIN), the distinguished ranking member of the Committee on Ways and Means.

Mr. LEVIN. Madam Speaker, first and foremost, this bill takes the important step of protecting the full faith and credit of the United States. We will pay our obligations—and not only to foreign bondholders, but to our citizens, whether veterans or our children—unlike the Republican majority bill last week.

It protects millions of seniors from a 50 percent increase in their monthly Medicare part B premiums and spreads out the cost of paying for the fix over a number of years. It ensures that all 11 million Americans that rely on Social Security disability insurance won't see their benefits cut by 20 percent. It is fiscally responsible, while not undermining or changing the structure of vital programs in any way.

Let me repeat that. It is fiscally responsible, while not undermining or changing the structure of vital programs in any way.

It ensures, in Social Security, a uniform national process for disability evaluations, and it closes a loophole used mostly by higher income individuals to receive higher Social Security benefits than intended. It regularizes payments in Medicare for care given in outpatient facilities.

Finally, the agreement raises the spending caps for 2 years for domestic spending, not only for defense priorities, as some have earlier proposed. I just want to repeat that so it is clear. The agreement raises the spending caps for 2 years for both domestic and defense spending. That means we can better fund critical domestic programs that were cut under sequestration, increasing support for education, health research, food safety, job training, and health care for veterans.

This was a product of a lot of effort, of Members, of staff in various committees, the leadership on a bipartisan basis working with the administration.

I just want to leave expressing my support and expressing we will truly have a broad, bipartisan vote for this bill today.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), the distinguished chairman of the Subcommittee on Defense of the Committee on Appropriations.

Mr. FRELINGHUYSEN. Madam Speaker, I will be brief.

I rise in support of the agreement before us this afternoon.

Madam Speaker, as my colleagues are aware, the Department of Defense and the intelligence community have borne the brunt of our efforts to reduce the budget deficit and control our burgeoning national debt. Under the Budget Control Act of 2011, roughly half of all the discretionary spending reductions were taken from programs in the national security area.

My colleagues, 2011 was a different time. The security environment has changed significantly. Since that time, threats from terrorist groups and nation-states have risen dramatically. The security spending reductions envisioned 4 years ago seem extremely unwise and dangerous today.

In this agreement, the Department of Defense will receive additional resources, badly needed resources: \$30 billion this year, and \$15 billion next year. But almost more important, this agreement gives the Pentagon and our intelligence community predictability, certainty, the ability to organize and plan its activities for 2 years. It also gives our soldiers and their families a degree of certainty that they will be supported as they do the work of freedom.

Senior leaders of the Army, Navy, Air Force, and Marines—and the Department itself—will now be able to plan as to how they will configure, equip, train, sustain, and deploy our forces in the most effective and efficient manner possible. This ability will result in budget savings and a more effective fighting force.

Madam Speaker, this agreement is by no means perfect, but this agreement does require support because it provides predictable funding for our Nation's security at a time of changing and growing defense. Every Member ought to support it.

Mr. VAN HOLLEN. Madam Speaker, I yield 2 minutes to the gentleman from the great State of Maryland (Mr. CUMMINGS), the very distinguished ranking member of the Committee on Oversight and Government Reform.

Mr. CUMMINGS. Madam Speaker, I rise in support of the Bipartisan Budget Agreement.

I am very encouraged that this agreement includes provisions from my bill, H.R. 2391, the Medicaid Generic Drug Price Fairness Act, which I introduced back on May 18. My legislation requires generic drug manufacturers to

provide rebates to Medicaid when they raise prices faster than the rate of inflation.

My legislation will help Americans get lifesaving prescriptions they need. It will save \$1 billion over 10 years, according to the Congressional Budget Office.

Just this morning, the nonpartisan Kaiser Family Foundation issued a report finding that this issue, the skyrocketing prices of prescription drugs, is the number one healthcare priority for the American people. The report found that 77 percent of those surveyed, including Democrats, Republicans, and Independents, identified the issue as their top health concern overall.

This legislation is a strong and welcome step to help keep drugs affordable, but we must do more. We need to investigate drug companies that are taking advantage of the American people by jacking up their prices just to boost corporate profits and make their executives rich.

Over the past month, press reports have been filled with almost daily accounts of drug company executives trying to justify the obscene price increases while lining their pockets. My colleagues may have heard about the so-called “pharma bro” Martin Shkreli, who increased the price of a drug that treats life-threatening infections from about \$14 to \$750 overnight. He then called his price gouging “a great thing for society.”

My colleagues also may have heard about Michael Pearson, the CEO of Valeant Pharmaceuticals, which increased the prices of two drugs used to treat heart failure and hypertension by 212 percent and 525 percent on the same day it acquired them. This company is currently obstructing congressional oversight and refusing to provide documents relating to its increases.

I am very pleased to support this budget bill, and I urge my colleagues to vote in favor of it.

□ 1600

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY), the distinguished chairman of the House Armed Services Committee.

Mr. THORNBERRY. Madam Speaker, if one takes into account the effects of inflation, we cut our military budget 21 percent from 2010 to 2014.

Madam Speaker, I think everybody in this body will acknowledge the world is not 21 percent safer today than it was just 4 years ago.

As a matter of fact, if you look around the world, whether it is the growth of ISIS into more countries or the continued challenge of al Qaeda and its various affiliates, to the morass of Syria with historic Russian re-insertion today, to China building islands in the South Pacific, to North Korea's

saber rattling, to Iran intentionally violating an agreement it made on its missile testing just after the U.S. ratified the nuclear deal, to daily cyber attacks, the world is growing increasingly dangerous.

Into that danger we send men and women who wear the uniform of the United States to meet that danger. Yet, we cut their budget 21 percent.

We saw last week the President of the United States used them as a political bargaining chip to try to force Congress to comply with his domestic agenda.

The bottom line for me, Madam Speaker, is our troops deserve better than that. That is the reason I support this Bipartisan Budget Act of 2014. It stops the cuts in defense.

It increases the money going to our troops. It prevents them from being used as a bargaining chip in the future because it sets the military budget for fiscal year 2016 and fiscal year 2017 so that that is decided. They can't be used as leverage for some other agenda. I think that is the sort of stability and predictability they need and that they deserve.

I think the great question, Madam Speaker, is: If not this, then what?

We know that this budget agreement at least comes close to meeting what the President has asked for on defense and comes close to the Congressional budget, within \$5 billion.

Now, that is not enough money to repair all the damage that has been done over the past 5 years, but it is in the ball park. If we do not approve this budget, then what?

Well, then we are back to continuing resolutions and sequester, which means, for example, the Army has said they will have to cut another 40,000 troops out of their ranks on top of the 70,000 they have already cut.

Now, that is just a sampling of what not passing this bill could well mean. If we go back to CRs and the sequester level, it would be drastic reductions to the military, a much less safe world for the United States and its interests.

I believe that this measure, on that basis alone, deserves our support.

Mr. VAN HOLLEN. Madam Speaker, I yield myself such time as I may consume.

I agree with the gentleman that the investments in military readiness are important. I also believe the investments to help our economy grow and invest in education and scientific research are important.

What the President said to the Congress is what the vast majority of the American public believed, that it is vital to have a strong national defense. But a strong national defense requires a strong economy. It requires an educated workforce. It requires investments in innovation and technology. It requires a 21st century infrastructure.

So I am pleased that the President insisted that we make investments not

just in the military, but also vital investments to help the economy grow, grow more jobs, which are estimated to be in the range of 350,000 in 2016 alone. So those are vital investments that also help strengthen America.

Madam Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), somebody who has been on the front lines of making those important investments for our country, the very distinguished ranking member of the Appropriations Committee.

Mrs. LOWEY. Madam Speaker, as ranking member of the Appropriations Committee, I rise to support this bipartisan legislation that ensures the full faith and credit of the United States and sets a path to a responsible appropriations process this year and next.

Since the beginning of this year's appropriations process, Democrats have called for relief from damaging, austerity-level budget caps so Congress can invest in our Nation's future.

Unfortunately, the majority's budget resolution and appropriation bills would have strangled economic growth and not met our Nation's needs with cuts to Pell Grants that help families pay college tuition and law enforcement grants, for example. The list goes on and on.

From the start of the appropriations process, I urged my majority colleagues to negotiate reasonable spending caps that protect our economy and national priorities.

I am pleased these talks finally happened and resulted in this bipartisan package that provides an additional \$40 billion for defense, \$40 billion for non-defense, over 2 years. These investments are critical.

Upon its passage, I look forward to working together in a similarly responsible manner to reach bipartisan consensus on the spending bills to avoid a government shutdown in mid-December.

I urge passage of this bill so we can immediately begin our appropriations work, already overdue.

Mr. ROGERS of Kentucky. Madam Speaker, may I inquire of the time remaining?

The SPEAKER pro tempore. The gentleman from Kentucky has 15½ minutes remaining. The gentleman from Maryland has 19 minutes remaining.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DIAZ-BALART), the chairman of the Subcommittee on Transportation and Housing and Urban Development.

Mr. DIAZ-BALART. I thank the chairman.

Madam Speaker, I, in essence, only want to make four brief points. Number one is that, I, too, have concerns with lots of parts of this bill. There are parts that I wish were different. I think all of us do. But there are a number of reasons why I think it is important

that we move forward on this legislation.

Number one, this helps avoid a devastating hit to senior citizens in the district that I represent and, frankly, senior citizens across the entire country that deserve to be protected by those of us that represent them up here in Washington.

Number two, when we are able to move forward on the appropriations process, which this legislation will allow us to do, that is a way that allows every Member of this House to have input. Every Member of this House has been part of that process.

So for those of us who believe in regular order and inclusiveness and in making sure that every Member has a word and a say as to how we move forward, this bill will allow us to move forward on that very open process.

Lastly—and we have heard this before—it is no secret that the world has gotten a lot more dangerous, and you have heard the numbers. We are devastating our military at a time when we are asking them to do more and more and when the world is becoming more and more dangerous.

So let me just leave with this last, final point. Are we going to allow our military to continue to receive cuts at a time when they should actually be helped and should actually have increased spending or are we going to permit the devastating of our men and women in uniform, of the U.S. military, at this time in our history?

My dear friends, I, for one, am not going to sit back, if I can do anything about it, and allow the U.S. military to be devastated by more budget cuts.

So, therefore, I respectfully urge a “yes” vote on this legislation.

Mr. VAN HOLLEN. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON), a distinguished member of the Financial Services Committee.

Mr. ELLISON. Madam Speaker, I thank the gentleman for the time.

I plan on voting for this bill, but I am not here to pound and celebrate that.

It does things that are good. It lifts the debt ceiling and puts us in a position where we don't have to fear defaulting on America's debts. It avoids ruinous cuts in Medicare part B, and disability insurance benefit cuts won't go down.

But the fact is no one here, no one in this room, can say that this piece of legislation that we are looking at now is going to advance America, bring us progress that we actually really need.

Do you know that, since 2012, we have seen 640 fewer National Institutes of Health grants? We haven't been making the investments we need in embassy security, housing, health care, education. We are not advancing America.

This is not a progress budget. This is a survival budget. And we need to sur-

vive; so, I'm going to vote for this piece of legislation.

But we must come to the moment in time when we are looking to advance our country, to move forward and offer real leadership to the world, rather than just obsessing over how much we can cut and how much we can take.

The fact is that the Progressive Caucus offered a budget. It meets our minimal conditions, but it doesn't advance our real progress that we need.

We have principles that we have been talking about that are about pushing this country forward: child nutrition, affordable care, college education, housing, transit. This is what is going to make our country strong.

This budget keeps us above water, keeps us from defaulting on our debts, and that is a good thing. But can't we do more?

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. ISSA).

Mr. ISSA. Madam Speaker, I am a member of the majority.

When the majority brings a bill to the floor, you normally start off with “yes” and hope to stay there. In this case, I started off with “likely” and didn't arrive at a “yes.” So, reluctantly, I am going to vote “no” on this bill.

I am not going to vote “no” because of what it seeks to do. I am certainly not going to vote “no” knowing that we need to fund our troops in the field in a war that has dragged on for 15 years and now has re-ignited.

But I am going to vote “no” because of how this bill is paid for. I have done as much as I can as long as I can to tolerate how we “score” things.

At the risk of being wrong, I will remind people that I am only as good as the information that my staff has given me. But according to CBO, \$2.5 billion worth of this pay-for comes from premium payments that are accelerated, meaning we are robbing from the future to pay for today.

Another one comes from extended pension smoothing, \$9 billion. This is a time-shifting on money over 10 years. Again, we are robbing from the future to pay for this year.

Another one, \$4 billion, comes from Social Security disability. But it is a double count. It has already been scored elsewhere previously.

And \$5 billion comes from the Strategic Petroleum Reserve. This will be the third time this year that we have brought a bill saying we are going to sell this oil at its low price.

Ultimately, the real question is: Aren't we selling off an asset today to pay for current expenses?

\$3.5 billion will come from FCC bandwidth sales. I can live with that. I'm not thrilled with it. I think we should make more bandwidth available to the public so that, in fact, space we can all use without paying would be available.

But here is the one that really broke me: Extending the Medicare sequester rate saves \$14 billion, but the one-time saving is based on an occurrence in the year 2025.

So, in closing, Madam Speaker, I will not sell our future for this year's budget; and, therefore, I recommend a “no” because of the pay-fors on this budget.

□ 1615

Mr. VAN HOLLEN. Madam Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH), somebody who has been very focused on making sure we keep the full faith and credit of the United States.

Mr. WELCH. I thank the gentleman.

Madam Speaker, there are a few reasons why this agreement deserves our support:

First, it is good public policy. This finally unleashes the shackles of the sequester that have prevented Congress from making decisions and, instead, just had across-the-board cuts. The gentleman from Kentucky (Mr. ROGERS) is going to have an opportunity for his Appropriations Committee—Republicans and Democrats—to do its job.

Second, it averts enormous increases in Medicare part B premiums.

Third, it keeps Social Security disability funds solvent through 2022, and there are a number of other things.

The second major reason why this is so important is this: It is an agreement. We have finally come together, through the leadership of Speaker BOEHNER and Leader PELOSI, to legislate. We have been part of a legislative body that is on strike, that hasn't legislated. We cannot underestimate the power that is unleashed by the capacity of this Congress to give certainty to the American people and to our agencies as to what comes ahead and what they have to do.

Secondly, what Speaker BOEHNER did—and I am so indebted to him, as all of us should be—is that he took out of the hands of those of us in Congress two weapons which, when used, are very destructive, and those are: the threat of shutting the government down, and the threat of defaulting on America's full faith and credit. We can't do that.

And Speaker BOEHNER, to his credit, when there was the Planned Parenthood dispute about funding and he was in favor of cutting funding, he opposed shutting down government to achieve that goal.

We have suspended the debt ceiling through 2017, which means this body is going to have not just the opportunity, but the responsibility to do its job.

Finally, what we have seen here, when Speaker BOEHNER reached out to Leader PELOSI, is that he had in the minority leader a willing partner who was willing to sit down, work hard, and reach an agreement. That sets the foundation for progress ahead.

I wish the best success to Speaker-to-be RYAN. He has willing and able partners in the whole Caucus to make progress for America.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD), the distinguished former Governor of South Carolina, who is a Member of this great body.

Mr. SANFORD. Madam Speaker, I will say to the chairman from Kentucky that I am absolutely sympathetic in the way that he and others in the leadership are really caught between a rock and a hard place.

If you think about 100 members of the defense community saying, "Wait a minute. We won't vote for it unless we get more there"; folks in the AG community saying, "We don't like this particular provision"; advocates of Medicare saying, "We have got to have a bit more here," the realities of a debt ceiling, a President who said, "A clean ceiling or nothing at all," I mean, they really have been between a rock and a hard place.

But that having been said, we are still left at the end of the day with a \$1.5 trillion problem that has grown on top of an \$18 trillion problem; and I, therefore, believe that the simple notion is the key to getting out of a hole is to quit digging. Fundamentally, I believe that this bill does more digging than not. And I say that from three different points:

One, there is a process question. In fairness to the chairman and others, in some ways, this was handed to them, and I think that there are serious questions that any of us should have with regard to process.

Two, it does remove the caps. As draconian as they are, they represent the only piece of financial restraint in Washington, D.C., that has encumbered this entity. That, I think, has a lot to do with the fiscal restraint that we have seen on domestic discretionary spending.

And finally, as my colleague from California just pointed out, there is borrowing from Peter to pay for Paul. And if you look at where disability insurance is getting money from the standpoint of old age survivors, if you look at the bandwidth question, if you look at the strategic oil question, if you look at pension smoothing and a whole number of other areas, you are left with this larger question of this still does not solve the problem of this upward trajectory that we have with regard to spending in this place.

Therefore, I would remind everyone of what Admiral Mike Mullen said, who is the former Chairman of the Joint Chiefs of Staff. He said that the greatest threat to our civilization was the national debt. At the end of the day, this bill compounds it; and for that reason, I would respectfully encourage a "no."

Mr. VAN HOLLEN. Madam Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), a distinguished member of the Ways and Means Committee.

Mr. NEAL. Madam Speaker, today's effort is a moment of satisfaction but not delectation. This stands before us as a testament that Congress cannot be dictated to by a minority of the majority. This institution cannot work based upon the principle that a minority of the majority can dictate the outcome of legislative life.

I am glad we are finding common ground and common purpose. It is similar to the Congress that I joined a lot of years ago.

But rather than a moment of gloating, we should all take a look at what has happened to the process that once governed this institution. And my plea to the new Speaker of the House is going to be: Remember that the committee system is the vertebra of Congress. It is within the structure of the committee system that we find the way forward.

And to Speaker BOEHNER, a good man and a good friend who leaves here in the next couple of days, congratulations, as well as to Leader PELOSI, Leader MCCONNELL, and Leader REID. But the sad commentary is this could never have happened if they didn't take it upon themselves to do the actual negotiation. The polarization in this institution would have prevented that.

We cannot keep taking America to the financial precipice. We need some predictability, some confidence in building the economy. By embracing this proposal, we allow that opportunity to perhaps happen. We take default off the table. The full faith and credit of the United States will not be impugned. We will not allow the country to be hijacked by extremist views.

I say to those here, that small number that want to dictate the outcome of what happens in this institution: Pay some attention to the skill and the art of legislating as opposed to just the talking points that lend themselves to the incendiary commentary that flows from this institution now. Work with both sides to try to find an outcome that the American people can look at as having accomplished with some pride.

We look at this institution with great regard, and what has happened to it is a shameful exercise in allowing this rule that prevents us from moving forward because of the advances that are made by a minority of the majority.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Ways and Means Committee.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy and his hard work over the years on the budget.

Madam Speaker, I am pleased to stand today to support this agreement. It allows us to limp along. There is no shutdown for now. We avoid the damage of default. There is a slight relaxation in sequestration. There is equity for seniors and the disabled.

There was a time when many of these provisions would not necessarily be a cause for celebration, but it is today. This is a signal accomplishment for stability.

I take my hat off to Speaker BOEHNER, Leader PELOSI, the Senate leadership, and the President and his team for delivering an agreement that came together for Congress at relatively warp speed, working behind the scenes for days. It wins the House some breathing space, not lurching from crisis to crisis, and I hope that we take advantage of this achievement.

This was an important week here on Capitol Hill.

We have made a transition on the Republican side with a new Speaker, a friend that I respect and admire, the gentleman from Wisconsin, PAUL RYAN. I look forward to working with him.

It was important that the House was able to work its will on the Ex-Im Bank. We found a piece of legislation supported not just overwhelmingly by the House, but by a majority of Republicans, bottled up in committee by a minority, and it broke loose. I think that is important.

I hope this breathing room allows us to do one other thing, and that is to prioritize our budget requirements. We are going to spend over \$1 trillion in the years ahead on nuclear weapons that we cannot afford to use and can't afford to buy. We can do better for the American people, and I hope this agreement allows us to do so.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH), a distinguished member of the Committee on Appropriations.

Mr. FATTAH. Madam Speaker, I am one who comes to this floor to support this agreement. It means the great work that we are doing on the Appropriations Committee—working with my colleagues, like Chairman ROGERS and TOM COLE from Oklahoma—the work we are doing on brain health-related issues, the creation of a process to map the human brain, to create a national brain observatory, to help lead the world in an area in which we can finally find answers to a whole range of diseases going forward. We will be able to move our appropriations bills on a whole range of issues—from youth mentoring, to housing, to health care—because the Congress and its leadership have come together.

So I commend both sides, and I commend the White House. I am pleased that this agreement has happened.

Yesterday I announced a \$10 million TIGER grant for Philadelphia. This agreement means that there will be other Members who will be making said announcements out in the future because we will be doing the work that helps keep America number one in the world.

For all of our challenges, we have the most powerful Nation in the world. This agreement helps to move us forward, and I am here to applaud it and to vote in favor of it.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), somebody who knows how to lead, who knows how to get things done, who knows how to find common ground, and who was a vital part of bringing us to the progress we are making today, the Democratic leader.

Ms. PELOSI. I thank the gentleman from Maryland (Mr. VAN HOLLEN) for yielding and for his kind words, and I return the compliment to him.

To the staff of the Budget Committee, the staff of the other committees of jurisdiction on both sides of the aisle who enabled this important agreement to come forward, thank you very much.

Madam Speaker, today we are proud to come to the floor with legislation that moves America forward, affirming the full faith and credit of the United States of America, as our Constitution says should never be in doubt, and passing a budget agreement that creates jobs, protects seniors, and invests in our future.

Today we cast our votes for a bipartisan budget package that represents significant progress for hardworking American families.

Throughout the budget process, I am proud that Democrats have been united by our values and our determination to win progress for those hardworking American families. We showed we had the votes and the resolve to sustain the President's vetoes of funding bills that did not meet the needs of those people.

Working with our Republican colleagues on a compromise enabled us at long last to bring to the floor a bill, a bill with which we have broken the sequester stranglehold on our national defense and our investments in good-paying jobs and the future of America.

In this agreement before the House, we achieve equal funding; we honor the principle of parity between defense and domestic priorities. We achieve equal funding increases for defense and domestic initiatives, amounting to \$112 billion over the next 2 years. We prevent a 20 percent cut in disability benefits for millions of people in 2016 and extend the solvency of the Social Security Disability Insurance program. We prevent a drastic increase in Medicare part B premiums and deductibles for

millions of seniors next year. And we affirm the full faith and credit of the United States is nonnegotiable and unbreakable, with a clean debt limit suspension.

□ 1630

We push through the gridlock to provide more economic certainty and, according to the Council of Economic Advisers, create an additional 340,000 jobs in 2016 alone.

Budget and senior groups and groups for disability are lining up in strong support of this agreement. As AARP wrote to congressional leaders—I'm sure you saw this, Mr. ROGERS, and thank you for your courageous support of this legislation, our great chairman of the Appropriations Committee—AARP wrote, "AARP strongly supports the bipartisan agreement you have reached to avert deep reductions in Social Security Disability Insurance benefits in 2016, and to address the imminent spike in Medicare Part B premiums which many older Americans would otherwise experience. Your efforts to reach across the aisle and together find sensible solutions to significant problems are appreciated and commended."

Working together, Madam Speaker, Democrats and Republicans, we have found a way forward for the American people. I thank the Republican leadership for their partnership in reaching this agreement.

Again, I thank the staffs of the committees of jurisdiction: the Budget Committee, the Ways and Means Committee, the Appropriations Committee, the Energy and Commerce Committee, and others. I commend our colleagues for speaking out on this important agreement.

Let us pass this agreement. Let's vote "yes" today together. Let us pass this agreement, move swiftly to keep government open, and make progress for the American people.

Madam Speaker, I urge a "yes" vote, and I hope it is a big strong one.

Mr. ROGERS of Kentucky. Madam Speaker, might I inquire of the gentleman how many speakers he has remaining?

Mr. VAN HOLLEN. Madam Speaker, I have about four more speakers.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER). He is somebody who has been a key leader on budget and fiscal issues, someone from the great State of Maryland, and our distinguished Democratic whip.

Mr. HOYER. I thank the gentlelady.

I thank the gentleman from Maryland for yielding. I thank him for his outstanding leadership as ranking member of the Budget Committee on fiscal stability and fiscal responsibility

and his willingness to lead in ensuring that America invests in its future.

I thank the chairman of the Appropriations Committee. I think I quote the chairman of the Appropriations Committee as much as I quote any other Member: Unrealistic and ill-advised. Those two words of his relating to the sequester are emblazoned on my frontal lobe, and I thank him for that statement.

Madam Speaker, this agreement represents a bipartisan effort to prevent a catastrophic default and lessen the chance of a government shutdown in December—lessens the chance. It doesn't preclude it. It shows what is possible when Democrats and Republicans work together to get something done in a bipartisan way.

This has been a unique week. The Export-Import Bank passed with a majority of Republicans and an overwhelmingly majority—all but one—of Democrats. This is going to pass, in my view, with overwhelming numbers of Republicans and overwhelming numbers of Democrats voting for it. That is what Americans want, and that is what they expect. They want us to work together, not always agree with one other, but to work together.

Madam Speaker, this bill replaces the sequester, that ill-advised policy that is hurting our country. It replaces it for 2 years and does so with parity for defense and non-defense sequester relief. It protects Medicare part B beneficiaries from seeing higher premiums, and it saves the Social Security Disability Insurance program from insolvency. All of those are worthwhile objectives.

This legislation will give us a chance to work on a long-term solution to our fiscal challenges over the next 2 years. This agreement, like Ryan-Murray, is a short-term agreement, and the end of it comes sooner than we expect.

Congress ought not to wait until this agreement is about to expire 2 years from now to act. We should get to work right now on a big, bipartisan deal to put America's fiscal house back in order and enable our Nation to afford investments in a stronger economic future.

Americans are not looking for a rickety bridge to 2017, but a sturdy one that can carry us into a stronger economic future. Businesses across the country are clamoring for long-term certainty, for Congress to find a way to replace the sequester and remove the uncertainty that it has created and continues to create.

So I hope, Madam Speaker, the history that is written about this legislation is that it was a bipartisan first step towards securing the kind of long-term agreement all of us know we must achieve.

I had the opportunity to serve with Mr. ROGERS for a couple of decades on the Appropriations Committee. He and

I have served in this Congress together for a long period of time.

He is a responsible leader in the Congress of the United States, and I quote him because his perspective and mine are the same—although we differ on many issues—and it is that we owe it to the American people, we owe it to America, and we owe it to future generations to create the fiscal stability that will allow the Appropriations Committee, very frankly, to again become the center of decisionmaking, which it was for many of the years that I served on it.

Too often now we ignore the Appropriations Committee whose job is to set priorities and to apply the resources of our country to those priority items. If we don't adhere to that process, that will not happen.

Madam Speaker, in closing, we need to get a long-term fiscal resolution. This is a short term. I will support it. It is good for the country. But we need a long-term solution. I thank the chairman, and I thank the ranking member, Mr. VAN HOLLEN, my friend, who has done such a terrific job.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Ranking Member, let me thank you. And to the chairman of the Appropriations Committee, let me thank you as well.

This was a tough call. And I do want to thank the leadership, Speaker BOEHNER, and our leadership, Leader PELOSI, Whip HOYER, and, of course, our ranking member of the Budget Committee, and the Ways and Means leadership as well. This is an important step forward because I can say to my constituents: We fixed some of your pain and your anguish.

Madam Speaker, this bill quickly provides \$80 billion, but I am so grateful that part of that deals with the plussing up of non-defense discretionary funding: child care, National Institutes of Health, and other very important issues.

My seniors, I think it is very important to note that your Medicare premium part B will not go up in a 50 percent increase in 2016 and there will be less deep cuts in Social Security, more jobs being created, and as well we will have the opportunities, as I indicated, to increase NIH funding.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. VAN HOLLEN. Madam Speaker, I yield the gentlewoman an additional 10 seconds.

Ms. JACKSON LEE. What we must be careful of is that we do not increase any mandatory minimums and some of the penalties that are in place, and we must be careful that we do protect Social Security and Medicare. We will

continue to monitor this for a budget that will lift the debt ceiling until 2017 and have this country stand on its feet and pay its bills.

Madam Speaker, I thank the gentlelady for yielding and I rise to speak on the rule and the underlying legislation, which is the Senate Amendment to H.R. 1314, the "Bipartisan Budget Agreement of 2015."

The bill before us is not perfect—far from it—but it is a modest and positive step toward preventing Republicans from shutting down the government again and manufacturing crises that only harm our economy, destroy jobs, and weaken our middle class.

I have reviewed the agreement carefully and have concluded that on balance the good outweighs the bad for the following reasons:

1. The agreement provides \$80 billion of significant sequester relief over the next two years for both defense and non-defense priorities, which is nearly 90 percent of the relief requested by the President in his 2016 budget;

2. The Bipartisan Budget Agreement prevents a roughly 50 percent increase in the Medicare Part B premium in 2016, protecting thousands of seniors in my congressional district, and millions more across the country, from cost increases;

3. The Bipartisan Budget Agreement avoids deep cuts to Social Security Disability Insurance (DI) benefits that would occur at the end of next year;

4. Hundreds of thousands of American jobs will be created over the next two years due to the avoidance of manufactured budget crises;

5. The Bipartisan Budget Agreement provides additional resources and the funding stability needed to protect our homeland, counter future threats, and take care of our troops while preventing deep cuts that would result from locking in sequestration;

6. The agreement is paid for in a balanced way that avoids harmful cuts to Medicare or Social Security beneficiaries; and

7. Prevents a catastrophic default and protects the full faith and credit of the United States and by suspending the national debt limit until March 15, 2017.

But as with any compromise there are some things in the agreement that I support and some things that I do not.

For example, while providing \$80 billion in relief over two years, instead of abolishing sequestration, as I would prefer, the agreement retains the sequestration principle and extends its applicability for two additional years, until 2025.

Of this \$80 billion, \$50 billion will be available in FY 2016 and \$30 billion in FY 2017, to be equally divided and allocated by the House and Senate Appropriations Committees among the various federal agencies and programs.

This modest increase in discretionary domestic funding holds open the promise of increased investments in critical areas such as basic research in health and science, education, veterans' medical care, and job training.

And these investments are desperately needed if we are to position our nation to prevail in an increasingly interconnected economy.

Madam Speaker, in the absence of this agreement, we would have to rely upon a full-year continuing resolution which would result in \$1 billion less in NIH funding and nearly 1,000 fewer NSF grants than under the President's budget.

Were we to operate under a continuing resolution through the end of FY 2016, per-pupil education funding would fall to the lowest levels since 2000, and Head Start would be flat-funded, which would mean roughly 17,000 fewer children served than in 2014.

Madam Speaker, a full-year CR at sequestration levels would mean \$1 billion less than the President requested for veterans' medical care relative even though all of us here agree that our veterans deserve more, much more, support than they have received.

The Bipartisan Budget Agreement will allow us to provide funding for job training for two million more workers than would be possible if we continued to operate through the end of FY 2016 under a continuing resolution subject to sequestration.

Madam Speaker, I strongly support the provision in the Bipartisan Budget Agreement that prevents an increase of nearly 50 percent in the Medicare Part B premium for 2016 and 2017 by spreading out the cost of replenishing the Medicare Supplemental Medical Insurance Trust Fund over a number of years.

Without Congressional action, the monthly 2015 Part B premium of \$104.90 would increase by \$54.40 in 2016 to \$159.30 for beneficiaries not held harmless (i.e., those who did not receive an increase in their Social Security benefits).

The Bipartisan Budget Agreement maintains the hold harmless provision in current law and prevents a dramatic premium increase on beneficiaries not held harmless by setting a new 2016 basic Part B premium for the beneficiaries not held harmless at \$120, which is the amount the Part B premium would otherwise be for all beneficiaries in 2016 if the hold harmless provision in current law did not apply.

To replenish the Medicare Trust Fund, in 2016 there would be a loan of general revenue from the Federal Treasury, which will be repaid beginning in 2016 by an additional \$3 surcharge in the monthly Part B premium of beneficiaries not subject to the hold harmless.

Madam Speaker, it is worth noting that a functioning, effective federal government is critical to people with disabilities who disproportionately rely on government services to live, learn and work in their communities.

That is why I also strongly support the provision in the Bipartisan Budget Agreement that avoids deep cuts to Social Security Disability Insurance.

Specifically, the agreement ensures that the Social Security Disability Insurance program will continue to provide the full benefits that workers have earned, preventing a 20 percent cut that would have been applied to workers and their families at the end of 2016.

Madam Speaker, another reason I support the Bipartisan Budget Agreement is that it eliminates the temptation of House Republicans to once again resort to the brinkmanship politics of defaulting on the national debt.

The full faith and credit of the United States is too valuable a national asset to be trifled

with, as Alexander Hamilton, the nation's first and greatest Treasury Secretary, understood.

In 1789, in the dawn of the nation's birth, Hamilton recognized and acted upon the belief that the path to American prosperity and greatness lay in its creditworthiness which provided the affordable access to capital needed to fund internal improvements and economic growth.

According to Hamilton, the nation's creditworthiness was one of its most important national assets and "the proper funding of the present debt, will render it a national blessing."

But to maintain this blessing, or to "render public credit immortal," Hamilton warned that it was necessary that "the creation of debt should always be accompanied with the means of extinguishment."

In other words, to retain and enjoy the prosperity that flows from good credit, it is necessary for a nation to pay its bills.

Defaulting on the national debt would vitiate the full faith and credit of the United States, cost American jobs, hurt businesses of all sizes, and do irreparable damage to the economy.

On the other hand, suspending the national debt until March 15, 2017, is estimated by the Congressional Budget Office to create 340,000 additional American jobs in 2016 alone and more than 500,000 job-years in 2017.

Additionally, the Chairman of the Council of Economic Advisors forecasts that the indirect effect of increased certainty and confidence could further boost job creation and economic growth above these estimates.

What is more, increased long-term growth and rising middle-class incomes can be expected to result from the greater investments in human capital and infrastructure made possible by the Bipartisan Budget Agreement.

Madam Speaker, perhaps the most immediate benefit of the Bipartisan Budget Agreement is that it paves the way for the House and Senate to reach agreement on the FY2016 spending bills needed to keep the federal government open and avoid another disastrous shutdown like the one House Republicans inflicted on the nation in October 2013.

That shutdown lasted 16 days, cost the economy \$24 billion, and inflicted untold harm on federal employees and the people they serve.

Madam Speaker, the past several years have been an extraordinary time in America.

We have seen the Legislative and Executive Branches of our government and the constitutional balance that the framers of the Constitution intended regarding matters related to public purse tested.

It is extraordinary when a matter that should be dealt with in the regular order of the business of the House and Senate becomes a matter so grave that a broad and diverse coalition call on Members of this body to do what we were elected to do: manage the business of the people through cooperation and compromise.

That is why we have heard from a broad and diverse range of American voices, including the AARP, the U.S. Chamber of Commerce, the National Education Association,

and the Leadership Conference on Civil and Human Rights, calling for the passage of the Bipartisan Budget Agreement.

By supporting the Bipartisan Budget Agreement we can show the American people that we understand that we were sent here to address their problems and concerns by working together to reach agreement that responsibly makes the investments needed to keep our nation competitive in a global economy and enables all of our people to reach their potential and realize their dreams.

UPDATED II: SOME OF THE KEY GROUPS SUPPORTING THE BIPARTISAN BUDGET AGREEMENT

(October 28, 2015)

AARP: "On behalf of our 38 million members and as the largest nonprofit, non-partisan organization representing the interests of Americans age 50 and older and their families, AARP strongly supports the bipartisan agreement you have reached to avert deep reductions in Social Security Disability Insurance benefits in 2016, and to address the imminent spike in Medicare Part B premiums which many older Americans would otherwise experience. . . . By finding a sensible solution to keep premiums manageable for over 16 million beneficiaries, Congress is helping to prevent financial hardship for many beneficiaries at a time when there is no Social Security cost of living adjustment. . . . Finally, AARP appreciates that the agreement modifies sequestration for discretionary programs for fiscal year 2016. The higher discretionary cap may prevent unwise cuts to countless programs serving older Americans. Sequestration relief for many health care, nutrition and supportive service programs is critically important to seniors as funding for them has declined over the past decade despite substantial increases in population requiring this assistance."

Center for Medicare Advocacy: "Congress is considering the Bipartisan Budget Act of 2015. This proposed budget agreement would reduce an expected spike in the Medicare Part B deductible and premiums for 2016. . . . We are glad people who rely on Medicare can breathe a bit easier—knowing that premiums and deductibles will not skyrocket next year."

Consortium for Citizens with Disabilities: The Consortium for Citizens with Disabilities' (CCD) Fiscal Policy Task Force commends the House and Senate leadership for negotiating the Bipartisan Budget Act of 2015 (BBA). . . . We commend the negotiators for reaching a deal that provides relief from sequestration and raises the budget caps for discretionary programs in Fiscal Years 2016 and 2017. The package provides welcome stability in the appropriations process and avoids a devastating 20% benefit cut in 2016 for Social Security Disability beneficiaries and their families."

Federation of American Hospitals: "The Federation of American Hospitals acknowledges that it is incumbent upon Congress to act on the debt ceiling and establish a federal budget. The Bipartisan Budget Act of 2015 agreement, which accomplishes these goals, includes Medicare cuts as offsets. . . . The FAH understands that Congressional leaders did their best to minimize the effects of these cuts on the hospitals that care for the nation's seniors. By extending without increasing the overall effect of the Medicare sequester and focusing a limited payment change on certain physician-hospital arrangements, the bill is carefully crafted to meet its objectives."

American College of Physicians: "The American College of Physicians is pleased that today's proposed bipartisan budget agreement will provide two years of relief from existing 'sequestration' level spending caps that could result in cuts to programs that are vital to the nation's healthcare, including the National Institutes of Health, Agency for Healthcare Research and Quality, and Primary Care Training Programs authorized by Section 747 of Title VII of the Public Health Service Act. . . . We [also] strongly support the proposal to ensure all new hospital acquisitions of private physician practices would only be eligible for Medicare payments equal to those for the same care services provided in the free-standing, community-based setting."

American Academy of Family Physicians: "On behalf of the Academy of Family Physicians (AAFP), which represents 120,900 family physicians and medical students across the country, I write in support of the Bipartisan Budget Act of 2015. . . . The AAFP notes that the bill will make two important reforms to Medicare. First, the bill will mitigate an anticipated spike in 2016 in premiums and deductibles for America's Medicare Part B enrollees, which will help avoid disruption in access to physicians' services to seniors. Second, the bill removes an incentive in the Medicare hospital outpatient payment system that has driven health systems to purchase Physician practices, in turn increasing healthcare costs without any corresponding benefit to patient care."

Chamber of Commerce: "The U.S. Chamber of Commerce . . . urges Congress to pass the Bipartisan Budget Act of 2015 (BBA2015) to bring certainty to next year's appropriations process, raise the debt limit through March 15, 2017, strengthen America's national security, and constructively resolve a handful of other outstanding issues."

NETWORK: A National Catholic Social Justice Lobby: "NETWORK, A National Catholic Social Justice Lobby is encouraged to hear that a budget deal has been reached that will surpass sequester budget caps for the next two years and raise the debt ceiling to prevent a default on our nation's financial obligations. . . . We are encouraged by the White House and Congressional leaderships' work on the proposed budget deal that lifts the caps on non-defense spending. Unaddressed, sequester would have caused hardship for many hardworking and vulnerable people in our nation."

The Leadership Conference on Civil and Human Rights: "We applaud the White House and congressional leaders who negotiated the budget deal introduced late last night for their hard work in crafting a bipartisan, two-year bill that will raise the caps on spending for both defense and non-defense discretionary spending and provided needed relief for underfunded programs that serve our communities."

Robert Greenstein, Center for Budget and Policy Priorities: "If approved by Congress, the new budget deal from the White House and congressional leaders will mark a significant achievement by an otherwise polarized Washington. . . . The package would effectively eliminate about 90 percent of the sequestration budget cuts for non-defense discretionary programs in fiscal year 2016, and about 60 percent of them in 2017. . . . extend the solvency of Social Security Disability Insurance through 2022, thereby avoiding across-the-board cuts of nearly 20 percent in disability benefits starting in late 2016, which will otherwise occur, and avoid, for Medicare, an estimated 52 percent increase in deductibles for physician and other

outpatient services in 2016, and a 52 percent increase in Part B premiums that roughly 30 percent of Medicare beneficiaries otherwise would face. . . . The deal is a major, multifaceted package that addresses a number of contentious issues. . . . Overall, the deal is a significant achievement that includes an array of sound policies and policy reforms and accomplishes important goals.”

National Education Association: “On behalf of the three million members of the National Education Association (NEA) and the students they serve, we urge you to Vote Yes on the Bipartisan Budget Act of 2015 which could be voted on as early as Wednesday. We applaud the bipartisan leadership exhibited to craft a bill that takes needed steps toward ending harmful sequester level funding so that necessary investments can be made in programs that will grow our economy and our future. Votes associated with this issue may be included in the NEA Legislative Report Card for the 114th Congress.

Committee for Education Funding: “The Committee for Education Funding (CEF), a coalition of 122 national education associations and institutions spanning early learning to postgraduate education, writes to express our support for the Bipartisan Budget Act (BBA) of 2015. The bill will eliminate most of the harmful sequester spending caps for nondefense discretionary (NDD) programs for Fiscal Year (FY) 2016 and FY 2017, thereby providing room for critically important investments in education programs through appropriations.”

League of Conservation Voters: “We commend Leader Pelosi, Leader Reid, and President Obama for negotiating a deal free of ideological attacks on our environment that finally ends the cuts that hamper investment in our economy and the priorities of our families. We urge Congress to pass this budget deal and then pass a clean spending bill free of anti-environmental riders that fund all federal agencies at a level that allows them to continue protecting our air, water, lands and wildlife.”

Easter Seals: “Easter Seals is encouraged by the framework presented in the Bipartisan Budget Act of 2015 (BBA). This compromise is designed to restore order to the federal budget and appropriations process, and will allow for much needed investments in people with disabilities. A functioning, effective federal government is critical to people with disabilities who disproportionately rely on government services to live, learn and work in their communities. We commend the negotiators for reaching a deal that provides partial relief from sequestration and raises the budget caps for discretionary programs in Fiscal Year 2016 and 2017 and provides stability.”

NDD United: “NDD United—an alliance of more than 2,500 national, state, and local organizations working to protect investments in core government functions—strongly supports and urges you to support the Bipartisan Budget Act of 2015 (BBA). This deal, brokered by all four corners of Congressional leadership and the President, restores critical funding equally to both defense and non-defense spending that keeps Americans healthy, safe and secure and ensures that we do not risk the full faith and credit of the United States by suspending the debt ceiling through March 2017.”

AAUW: “On behalf of the over 170,000 members and supporters of the American Association of University Women (AAUW), I urge Rep. Pelosi to support the Balanced Budget Act of 2015 (H.R. 1314). The Bipartisan Budget Act of 2015 lifts sequestration in a fair and

responsible manner that ensures communities are healthy, safe, and secure. Cuts as a result of sequestration take a direct toll on our communities. . . . We . . . saw cuts to . . . important programs such as food assistance programs for women and children, cancer screenings, services for domestic violence survivors, and federal funding for low-income schools.”

American Public Health Association: “The deal will allow Congress to provide much needed additional funding for nondefense discretionary programs in 2016, including public health, which continues to be woefully underfunded. The proposal would also reduce a pending premium increase for many Medicare Part B beneficiaries and extend the solvency of the Social Security Disability Insurance Trust Fund.”

Alliance for Retired Americans: “The Alliance for Retired Americans is relieved that this budget deal would protect millions of seniors from significant increases to their Medicare Part B deductibles while preventing a 20% cut to Social Security Disability Insurance (SSDI) benefits in 2016. The reallocation between the Social Security Old Age and Survivors Insurance (OASI) and SSDI trust funds would prevent a massive cut in benefits for the disabled. The transfer would not impact the long-term solvency of Social Security.”

AFL-CIO: “Congressional leaders and the President successfully eluded the traps set by a conservative faction in Congress who have tried to hold our economy hostage to achieve their radical agenda. The full faith and credit of the United States will be preserved as we pay our bills on time—preventing brinksmanship over the debt until 2017. . . . It reduces the spike in [Medicare] deductibles for everyone and avoids a sharp increase in premiums for many. It ensures that 11 million Americans on Social Security Disability Insurance continue to receive full benefits through 2022.”

SEIU: “This deal makes significant progress in eliminating some of the extraordinary hardship and uncertainty associated with the sequester—as well as helps to head off a catastrophic government shutdown . . .”

Mr. ROGERS of Kentucky. Madam Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Speaker, may I inquire how much time remains on this side?

The SPEAKER pro tempore. The gentleman from Maryland has 3¾ minutes remaining.

Mr. VAN HOLLEN. I yield 2 minutes to the gentlewoman from California (Ms. LEE), a great member of the Budget Committee.

Ms. LEE. Madam Speaker, first, let me thank our ranking member, Congressman VAN HOLLEN, for yielding and for his tremendous leadership on the Budget Committee.

Also, to Leader PELOSI and to Speaker BOEHNER, I just have to thank you for demonstrating that we can work together in a bipartisan way on behalf of the American people.

Madam Speaker, I rise today in support of H.R. 1314, which is the bipartisan budget agreement of 2015. Let me just say, as a member of the Appropriations and Budget Committees, I really know how difficult it has been to get us

to where we were today. So thank you very much.

This budget deal, though, is not perfect. It averts a shutdown and prevents a catastrophic default on the Federal debt. Most importantly, though, it provides relief from the sequester and it begins—it begins—to invest in the American people through programs like food stamps, a safety net which many, many people need until they are through this economic recession.

We must do more to create good-paying jobs for individuals who want to work. This begins to invest in early childhood education and in public housing.

This agreement also prevents a massive hike in healthcare costs for our seniors. So while this agreement is an important step forward, much work remains.

It is past time that we start addressing the priorities of the American people, including passing bipartisan comprehensive immigration reform, making education affordable and accessible from pre-K through college, investing in workforce training through our community colleges, and building pathways out of poverty.

So, Madam Speaker, I urge my colleagues to vote “yes” on this agreement so we can get Congress back to work putting people first. The American Dream has really turned into a nightmare for so many. Hopefully, our action today will give people hope that the American Dream may be achievable. But we must do more.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE), a terrific new Member of Congress.

Mr. BRENDAN F. BOYLE of Pennsylvania. Madam Speaker, I thank the gentleman.

Madam Speaker, for the cynics who believe that nothing can happen in Washington and that we are permanently doomed to disarray, this has been a very bad week.

First, with the Export-Import Bank, we see a majority of Republicans and an overwhelming majority of Democrats come together and reach a bipartisan compromise, and now here again with this big budget agreement, something that would avoid the catastrophic default, the first in American history if it were to happen.

Madam Speaker, I don't agree with everything that is in this bill, but I agree with the majority of it. It is about time this body stopped allowing the 10 or 20 percent we disagree with to block the 70, 80, and 90 percent we agree with. This is a step in the right direction. This is progress. This is what we need to do more of. I am proud to support it.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Speaker, may I ask how much time remains on this side?

The SPEAKER pro tempore. The gentleman from Maryland has 45 seconds remaining.

Mr. VAN HOLLEN. Madam Speaker, I yield myself the balance of my time.

Where we close is where we started. As we all recognize, this agreement is not perfect, but it certainly beats the alternative and is a positive step forward.

It ensures the full faith and credit of the United States. We will pay our bills on time. It prevents damaging sequester cuts to our economy and allows us to invest more in education, in scientific research, and military readiness.

It prevents a 20 percent cut to Social Security Disability beneficiaries, and it prevents a whopping Medicare part B increase for millions of American seniors.

So, again, while many of us would like to see more—and I agree with those who have said that we need to invest more and address many of the other big issues our country faces—this is a positive step forward.

Madam Speaker, I want to thank everybody who helped come together to make it possible. I urge its adoption.

Madam Speaker, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, it has been my goal, as chairman of the Appropriations Committee for these 4 years, to get us back into regular order.

When I first came here and for many years thereafter, we passed 12 individual appropriations bills funding the entire government, but separate bills so that every Member had a chance to dissect each of these bills, offer amendments, debate them, fight them, promote them, what have you, but at least everyone had their day in court.

Then somehow we got off on a tangent to where we could not appropriate separate bills. So at the end of the fiscal year, we had no choice but to pass what is called a continuing resolution, which means we just continue spending as we had for the last year, regardless of the needs of the moment.

That is a terrible way to do business. Agencies, particularly the military, would not have a way to plan their work or to make orders or to deploy troops and the like, a terrible way to do business. We lurch from one crisis to another, it seems.

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My goal has been just to get back to that business of appropriating 12 separate bills so that we don't need a CR.

We hear current needs. In a CR, you are spending money on projects no longer needed, but, nevertheless, they are required to spend the money, for example. A terrible waste of money.

So to get back on track, the appropriations process, our committee needs to have a top line number to which we appropriate. We have not been getting that number for one reason or the other. But now in this bill, not only are we getting a number for fiscal '16, which we will now use to write an omnibus appropriations bill for current needs and finish it by September 11, the deadline, we will do that, but it will be made up of the bills that have passed both the House and Senate Appropriations Committees and in conversations between the two bodies.

Not only do we have the number for fiscal '16, but we have it for fiscal '17, and that is very important. It gives us a year to plan our work to try to marshal through 12 separate bills for the first time in many, many years so that we, with the Senate, can send to the President 12 bills that have the polish and the content put into it and on it by the Members of our bodies, the House and the Senate. That is my goal. That is why I am so strong for this bill. That is the biggest thing in it from my perspective.

It is important that we are helping our folks who are on Social Security Disability to take the worry away from them that they have that that fund will be drying up, which it will be. It is great that we are taking care of the problem with Medicare benefit increases, the interest on Medicare. It is important, very important, of course, that we avoid the default in our debt ceiling coming up momentarily. All of these things you have heard about in this debate are great.

But for me, the 2 years that we have now to get back on regular order and stop lurching from crisis to crisis, to stop that business, this bill will give us that great chance.

I urge Members to support the bill. It is a good one. It is not perfect, not ideal, by any stretch of the imagination, but it is the best we can do with what we have, and the alternative would be disaster. I urge an "aye" vote.

I yield back the balance of my time.

Mr. TOM PRICE of Georgia. Madam Speaker, today the House is scheduled to consider the Bipartisan Budget Act of 2015 which would increase the discretionary spending caps for fiscal years 2016 and 2017 set in the Budget Control Act of 2011 and would include offsets over 10 years. While the legislation would provide funding certainty for discretionary programs in fiscal years 2016 and 2017, it has some concerning provisions as explained below.

The bill provides additional resources for base discretionary non-defense spending far in excess of the levels in the fiscal year 2016 budget conference agreement (S. Con. Res.

11). The amount of base nondefense discretionary increases for fiscal years 2016 and 2017 are \$30 billion and \$15 billion, respectively, above the levels approved by Congress just over 5 months ago when the budget conference agreement was adopted. The bill also provides an additional adjustment through the Overseas Contingency Operations/Global War on Terrorism (OCO/GWOT) category of \$14.9 billion for the State Department and International Affairs budget category, which is \$7.9 billion—more than double—what the President requested in his FY16 Budget. If this adjustment becomes law, it will allow non-defense budgetary resources to be shifted from the base discretionary category, which has spending limits, to the OCO/GWOT category which has no spending limits. When both the base and OCO/GWOT increases for non-defense are considered, the total non-defense increase for 2016 and 2017 is \$37.9 billion and \$22.9 billion, respectively, above the budget conference agreement.

The bill also includes language that directs the Senate to file budget allocations in fiscal year 2017 at levels consistent with the discretionary amounts included in the bill and at the Congressional Budget Office baseline amounts for all other spending, unless a budget conference agreement is reached. This provision makes it highly likely that regular order for the budget process in the Senate will be circumvented and that the Senate will not offer a new budget in fiscal year 2017. If this outcome occurs, it will further erode the integrity of the Congressional budget process by preventing a fiscal year 2017 budget from being adopted that reflects the will of the Majority in the House and Senate. It also means reconciliation will not be available for fiscal year 2017 and Congress will no longer have a balanced budget agreement in place.

Ms. ROYBAL-ALLARD. Madam Speaker, I rise in support of the Bipartisan Budget Agreement of 2015. While I have concerns about portions of the bill, including the impact it may have on some of our hospitals, there are important provisions in the bill that are essential to protecting the well-being of many Americans.

For example, the bill provides two years of sequester relief, and allows us to increase our investments in critical areas, including education, housing, healthcare, transportation, homeland security, and defense. The agreement also suspends the debt limit until March 15, 2017. This will allow us to get back on track and plan for the future rather than continue governing from crisis to crisis.

The measure keeps Medicare Part B premium costs down for millions of seniors and protects all Medicare beneficiaries from the projected increases in their deductibles.

I am encouraged by this framework and hope that as the bill moves through the process, some of the areas of concern will be worked out and that we will be able to pass bipartisan appropriations measures for fiscal years 2016 and 2017. I urge my colleagues to support the Bipartisan Budget Agreement for the good of our country.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 495, the previous question is ordered.

The question is on the motion to concur by the gentleman from Kentucky (Mr. ROGERS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROGERS of Kentucky. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 266, nays 167, not voting 2, as follows:

[Roll No. 579]

YEAS—266

Adams	DelBene	Kirkpatrick
Aguilar	Denham	Kline
Ashford	Dent	Kuster
Barr	DeSaulnier	Langevin
Bass	Deutch	Larsen (WA)
Beatty	Diaz-Balart	Larson (CT)
Becerra	Dingell	Lawrence
Benishek	Doggett	Lee
Bera	Dold	Levin
Beyer	Donovan	Lewis
Bishop (GA)	Doyle, Michael	Lieu, Ted
Blumenauer	F.	Lipinski
Boehner	Duckworth	LoBiondo
Bonamici	Edwards	Loeb
Bost	Ellison	Lofgren
Boyle, Brendan	Engel	Lowenthal
F.	Eshoo	Lowey
Brady (PA)	Esty	Lucas
Brady (TX)	Farr	Luetkemeyer
Brooks (IN)	Fattah	Lujan Grisham
Brown (FL)	Fitzpatrick	(NM)
Brownley (CA)	Fortenberry	Lujan, Ben Ray
Buchanan	Foster	(NM)
Bustos	Frankel (FL)	Lynch
Butterfield	Frelinghuysen	MacArthur
Calvert	Fudge	Maloney
Capps	Gabbard	Carolyn
Capuano	Gallego	Maloney, Sean
Cardenas	Garamendi	Matsui
Carney	Gibson	McCarthy
Carson (IN)	Graham	McCollum
Carter (TX)	Granger	McDermott
Cartwright	Grayson	McGovern
Castor (FL)	Green, Al	McHenry
Castro (TX)	Green, Gene	McMorris
Chu, Judy	Grijalva	Rodgers
Ciulline	Guthrie	McNerney
Clark (MA)	Gutiérrez	McSally
Clarke (NY)	Hahn	Meehan
Clay	Hanna	Meng
Cleaver	Harper	Messer
Clyburn	Hartzler	Mica
Cohen	Hastings	Miller (MI)
Cole	Heck (WA)	Moore
Collins (NY)	Higgins	Moulton
Comstock	Himes	Murphy (FL)
Conaway	Hinojosa	Nadler
Connolly	Honda	Napolitano
Conyers	Hoyer	Nolan
Cook	Huffman	Norcross
Cooper	Israel	Nunes
Costa	Jackson Lee	O'Rourke
Costello (PA)	Jeffries	Pallone
Courtney	Johnson (GA)	Pascarella
Cramer	Johnson (OH)	Payne
Crenshaw	Johnson, E. B.	Pelosi
Crowley	Jolly	Perlmutter
Cuellar	Joyce	Peters
Culberson	Kaptur	Peterson
Cummings	Katko	Pingree
Curbelo (FL)	Keating	Pittenger
Davis (CA)	Kelly (IL)	Pocan
Davis, Danny	Kennedy	Poliquin
Davis, Rodney	Kildee	Polis
DeFazio	Kilmer	Price (NC)
DeGette	Kind	Quigley
Delaney	King (NY)	Rangel
DeLauro	Kinzinger (IL)	

Reed	Scott, David	Tsongas
Reichert	Serrano	Turner
Rice (NY)	Sewell (AL)	Upton
Richmond	Sherman	Valadao
Rigell	Shuster	Van Hollen
Rogers (AL)	Simpson	Vargas
Rogers (KY)	Sinema	Veasey
Ros-Lehtinen	Sires	Vela
Roybal-Allard	Slaughter	Velázquez
Royce	Smith (WA)	Visclosky
Ruiz	Speier	Walden
Ruppersberger	Stefanik	Walters, Mimi
Rush	Stivers	Walz
Ryan (OH)	Swalwell (CA)	Wasserman
Ryan (WI)	Takai	Schultz
Sánchez, Linda	Takano	Waters, Maxine
T.	Thompson (CA)	Watson Coleman
Sanchez, Loretta	Thompson (MS)	Welch
Sarbanes	Thompson (PA)	Wilson (FL)
Scalise	Thornberry	Wilson (SC)
Schakowsky	Tiberi	Womack
Schiff	Titus	Yarmuth
Schrader	Tonko	
Scott (VA)	Torres	

NAYS—167

Abraham	Hardy	Perry
Aderholt	Harris	Pitts
Allen	Heck (NV)	Poe (TX)
Amash	Hensarling	Pompeo
Amodei	Herrera Beutler	Posey
Babin	Hice, Jody B.	Price, Tom
Barletta	Hill	Ratcliffe
Barton	Holding	Renacci
Bilirakis	Huelskamp	Ribble
Bishop (MI)	Huizenga (MI)	Rice (SC)
Bishop (UT)	Hultgren	Roby
Black	Hunter	Roe (TN)
Blackburn	Hurd (TX)	Rohrabacher
Blum	Hurt (VA)	Rokita
Boustany	Issa	Rooney (FL)
Brat	Jenkins (KS)	Roskam
Bridenstine	Jenkins (WV)	Ross
Brooks (AL)	Johnson, Sam	Rothfus
Buck	Jones	Rouzer
Bucshon	Jordan	Russell
Burgess	Kelly (MS)	Salmon
Byrne	Kelly (PA)	Sanford
Carter (GA)	King (IA)	Schweikert
Chabot	Knight	Scott, Austin
Chaffetz	Labrador	Sensenbrenner
Clawson (FL)	LaHood	Sessions
Cliffman	LaMalfa	Shimkus
Collins (GA)	Lamborn	Smith (MO)
Crawford	Lance	Smith (NE)
DeSantis	Latta	Smith (NJ)
DesJarlais	Long	Smith (TX)
Duffy	Loudermilk	Stewart
Duncan (SC)	Love	Stutzman
Duncan (TN)	Lummis	Tipton
Ellmers (NC)	Marchant	Trott
Emmer (MN)	Marino	Wagner
Farenthold	Massie	Walberg
Fincher	McCauley	Walker
Fleischmann	McClintock	Walorski
Fleming	McKinley	Weber (TX)
Flores	Meadows	Webster (FL)
Forbes	Miller (FL)	Wenstrup
Fox	Moolenaar	Westerman
Franks (AZ)	Mooney (WV)	Westmoreland
Garrett	Mullin	Whitfield
Gibbs	Mulvaney	Williams
Gohmert	Murphy (PA)	Wittman
Goodlatte	Neugebauer	Woodall
Gosar	Newhouse	Yoder
Gowdy	Noem	Yoho
Graves (GA)	Nugent	Young (AK)
Graves (LA)	Olson	Young (IN)
Graves (MO)	Palazzo	Young (IA)
Griffith	Palmer	Zeldin
Grothman	Paulsen	
Guinta	Pearce	

NOT VOTING—2

Meeks

□ 1721

Messrs. GUINTA, RUSSELL, Ms. HERRERA BEUTLER, and Mr. NUGENT changed their vote from “yea” to “nay.”

Mses. LEE and SEWELL of Alabama and Messrs. DAVID SCOTT of Georgia

and McDERMOTT changed their vote from “nay” to “yea.”

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3819. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SUDAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-71)

The SPEAKER pro tempore (Mr. JENKINS of West Virginia) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Sudan is to continue in effect beyond November 3, 2015.

The crisis constituted by the actions and policies of the Government of Sudan that led to the declaration of a national emergency in Executive Order 13067 of November 3, 1997, and the expansion of that emergency in Executive Order 13400 of April 26, 2006, and with respect to which additional steps

were taken in Executive Order 13412 of October 13, 2006, has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13067 with respect to Sudan.

BARACK OBAMA.
THE WHITE HOUSE, October 28, 2015.

□ 1730

HOOR OF MEETING ON TOMORROW

Mr. NEUGEBAUER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

STATE LICENSING EFFICIENCY ACT OF 2015

Mr. NEUGEBAUER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2643) to direct the Attorney General to provide State officials with access to criminal history information with respect to certain financial service providers required to undergo State criminal background checks, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "State Licensing Efficiency Act of 2015".

SEC. 2. BACKGROUND CHECKS.

Section 1511(a) of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5110(a)) is amended—

(1) by inserting after "State-licensed loan originators" the following: "and other financial service providers"; and

(2) by inserting before the period the following: "or other financial service providers".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. NEUGEBAUER) and the gen-

tlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. NEUGEBAUER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NEUGEBAUER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2643, offered by my good friend and fellow Texan, Mr. WILLIAMS, is commonsense bipartisan legislation that will address the unintended consequences of the SAFE Act.

This bill passed the Committee on Financial Services by a vote of 57-0. Before I get into the details of this bill, I would like to thank the Texas Banking Commissioner, Charles Cooper, for his help and guidance as the committee considered this legislation.

Mr. Speaker, H.R. 2643 helps ensure a safe consumer financial marketplace by facilitating the licensing of certain financial services providers.

Congress authorized the creation of the National Mortgage Licensing System and Registry, the NMLS, to provide a mechanism for licensing nationwide of financial services providers.

The mission of NMLS is to improve interstate coordination information sharing among regulators, increasing efficiencies for industry and enhanced consumer protection.

Currently, the greater utility NMLS is frustrated by the FBI's current statutory incapacity to enhance the platform by allowing additional financial service providers, other than mortgage loan originators, to be licensed under this system.

When processing licenses, authorized State regulating agencies should have access to the most up-to-date criminal background information from the Federal Bureau of Investigation. For certain classes of financial providers, that is not occurring.

The FBI should not be hindered from bringing the same efficiency to the criminal background checks of financial services personnel that the NMLS brought to the mortgage loan originators.

By enabling the State license agencies to obtain these background checks, this bill will make the licensing process more efficient and potentially help qualified businesses get up and running more quickly.

By enhancing the authority to process criminal history records for licensing of financial service providers beyond mortgage loan originators, this bill ensures that State financial regu-

lators have the necessary tools to exercise effective oversight.

Mr. Speaker, I want to be clear that this bill only affects financial services businesses which are already required to conduct background checks and which cannot currently use the NMLS system by Federal law.

H.R. 2643 has the potential to reduce the time it takes to complete background checks from anywhere between 2 days and 2 weeks to 24 hours under the expanded NMLS.

At the end of 2014, there were 20,386 professionals registered in the system. Nationwide there was a need to conduct over 105,000 background checks outside of the system.

It is estimated that this bill will reduce the number of background checks conducted outside the NMLS system by 80 percent and reduce the administrative and regulatory burden of State banking examiners to conduct them.

In closing, I want to make two points. First, no authority to conduct background checks is created by this legislation. Second, no new licensing requirements are created by this legislation.

I want to again thank the gentleman from Texas for his hard work.

Mr. Speaker, I reserve the balance of my time.

COMMITTEE ON THE JUDICIARY,

HOUSE OF REPRESENTATIVES,

Washington, DC, October 27, 2015.

Hon. JEB HENSARLING,

Chairman, Committee on Financial Services,
Washington, DC.

DEAR CHAIRMAN HENSARLING: I am writing concerning H.R. 2643, the "State Licensing Efficiency Act of 2015" which was referred to your Committee as well as the Committee on the Judiciary.

As a result of your having consulted with us on provisions in H.R. 2643 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration. The Judiciary Committee takes this action with our mutual understanding that by forgoing consideration of H.R. 2643 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

BOB GOODLATTE,
Chairman.

COMMITTEE ON FINANCIAL SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 27, 2015.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for your October 27th letter regarding H.R. 2643, the "State Licensing Efficiency Act of 2015."

I am most appreciative of your decision to forgo action on H.R. 2643 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving action on the bill, the Committee on the Judiciary is in no way waiving its jurisdictional interest in this or similar legislation. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in our committee's report on H.R. 2643 and in the Congressional Record during floor consideration of the same.

Sincerely,

JEB HENSARLING,
Chairman.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2643, and I am proud to be an original cosponsor of this legislation.

I want to briefly say a few words about Mr. WILLIAMS' bill, H.R. 2643, the State Licensing Efficiency Act of 2015.

This legislation is extremely important. I am proud that this bill is a product of a bipartisan effort, a bipartisan effort that, in the last Congress, I was privileged to work with the Committee on Financial Services chair emeritus, Chairman Bachus, on this legislation.

Unfortunately, the clock ran out on the last Congress. So I am very pleased that Mr. WILLIAMS has taken up this legislation and gotten it to the floor.

It just makes all the sense in the world to streamline criminal background checks. I want to thank Mr. WILLIAMS and thank my colleague, Mr. NEUGEBAUER, for championing this legislation.

I urge adoption of this bill. I have no further speakers on this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. NEUGEBAUER. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. WILLIAMS), the primary author of this bill.

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman for yielding. I would also like to thank my colleague, Ms. MOORE, for her hard work on this. I appreciate it.

H.R. 2643, the State Licensing Efficiency Act, will expand the State's ability to use a federally accepted registry, the Nationwide Multistate Licensing System, to expedite background checks.

For many State-licensed financial service providers, the current background check process is inefficient, but this registry has a proven track record of being effective while also reducing regulatory burden.

Under the SAFE Act, the current NMLS, developed by State banking commissioners, has been used to oversee the mortgage industry since 2008. To date, the Conference of State Bank Supervisors has channeled over 1.3 million fingerprint checks of mortgage loan originators.

Citing an absence in Federal law, the FBI has prevented its use to conduct background checks for other financial services, including money transmitters, debt collectors, pawnbrokers, and check cashers.

Whereas a State wishing to conduct a criminal background check through traditional means may wait several weeks and sometimes even months for their response, NMLS communicates directly with the FBI and often receives the same results, as we have heard, in just 24 hours.

H.R. 2643 would expand the current system to include those financial service providers who are already licensed by the State and require a Federal background check.

The NMLS provides increased collaboration between State banking departments, reduces the risk of bad actors by preventing them from continuing to operate, and improves the safety and soundness of the financial system as a whole. In short, NMLS provides an added level of assurance to community banks that their business customers and vendors are operating legally.

Supported by the Conference of State Bank Supervisors, expanding the use of NMLS provides State regulators a secure and efficient means by which to conduct background checks on license applicants.

I want to be clear. As we have heard in the past, this bill does not create any requirements for background checks or fingerprints, but greatly increases efficiency and transparency.

In addition, by no means does this bill encourage States to require or mandate States to license or register any additional class of financial service providers.

This act authorizes only State-licensed loan originators and other State-licensed financial service providers to be processed through NMLS for background checks authorized under the laws of the State. Simply put, by expanding its use, NMLS will save industry and, ultimately, the consumer money.

At the end of 2014, there were around 20,386 professionals registered in the NMLS system. Those individuals, as we have heard, required over 105,000 background checks outside the NMLS system. If our bill becomes law, we would reduce that number by 80 percent because we would be using one system instead of 50, saving industry \$1.1 million by removing duplicate background checks.

Finally, in my home State of Texas, the expansion of NMLS is supported by

State Banking Commissioner Charles Cooper, who we talked about tonight. I want to take a moment to thank Commissioner Cooper for his leadership on this issue.

In addition, I want to thank my own staff and the staff of CSBS, who have worked tirelessly to support our efforts in pushing this legislation through. Without them and the support of my colleagues on the committee and Chairman HENSARLING, none of this would be possible. I thank Chairman NEUGEBAUER, and I thank Ms. MOORE.

Mr. Speaker, I urge passage of H.R. 2643.

Mr. NEUGEBAUER. Mr. Speaker, I have no further speakers.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. NEUGEBAUER) that the House suspend the rules and pass the bill, H.R. 2643.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1745

SOCIAL MEDIA WORKING GROUP ACT OF 2015

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 623) to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "DHS Social Media Improvement Act of 2015".

SEC. 2. SOCIAL MEDIA WORKING GROUP.

(a) *IN GENERAL.*—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following:

"SEC. 318. SOCIAL MEDIA WORKING GROUP.

"(a) *ESTABLISHMENT.*—The Secretary shall establish within the Department a social media working group (in this section referred to as the 'Group').

"(b) *PURPOSE.*—In order to enhance the dissemination of information through social media technologies between the Department and appropriate stakeholders and to improve use of social media technologies in support of preparedness, response, and recovery, the Group shall identify, and provide guidance and best practices to the emergency preparedness and response community on, the use of social media technologies before, during, and after a natural disaster or an act of terrorism or other man-made disaster.

"(c) *MEMBERSHIP.*—

"(1) *IN GENERAL.*—Membership of the Group shall be composed of a cross section of subject matter experts from Federal, State, local, tribal,

territorial, and nongovernmental organization practitioners, including representatives from the following entities:

“(A) The Office of Public Affairs of the Department.

“(B) The Office of the Chief Information Officer of the Department.

“(C) The Privacy Office of the Department.

“(D) The Federal Emergency Management Agency.

“(E) The Office of Disability Integration and Coordination of the Federal Emergency Management Agency.

“(F) The American Red Cross.

“(G) The Forest Service.

“(H) The Centers for Disease Control and Prevention.

“(I) The United States Geological Survey.

“(J) The National Oceanic and Atmospheric Administration.

“(2) CHAIRPERSON; CO-CHAIRPERSON.—

“(A) CHAIRPERSON.—The Secretary, or a designee of the Secretary, shall serve as the chairperson of the Group.

“(B) CO-CHAIRPERSON.—The chairperson shall designate, on a rotating basis, a representative from a State or local government who is a member of the Group to serve as the co-chairperson of the Group.

“(3) ADDITIONAL MEMBERS.—The chairperson shall appoint, on a rotating basis, qualified individuals to the Group. The total number of such additional members shall—

“(A) be equal to or greater than the total number of regular members under paragraph (1); and

“(B) include—

“(i) not fewer than 3 representatives from the private sector; and

“(ii) representatives from—

“(I) State, local, tribal, and territorial entities, including from—

“(aa) law enforcement;

“(bb) fire services;

“(cc) emergency management; and

“(dd) public health entities;

“(II) universities and academia; and

“(III) nonprofit disaster relief organizations.

“(4) TERM LIMITS.—The chairperson shall establish term limits for individuals appointed to the Group under paragraph (3).

“(d) CONSULTATION WITH NON-MEMBERS.—To the extent practicable, the Group shall work with entities in the public and private sectors to carry out subsection (b).

“(e) MEETINGS.—

“(1) INITIAL MEETING.—Not later than 90 days after the date of enactment of this section, the Group shall hold its initial meeting.

“(2) SUBSEQUENT MEETINGS.—After the initial meeting under paragraph (1), the Group shall meet—

“(A) at the call of the chairperson; and

“(B) not less frequently than twice each year.

“(3) VIRTUAL MEETINGS.—Each meeting of the Group may be held virtually.

“(f) REPORTS.—During each year in which the Group meets, the Group shall submit to the appropriate congressional committees a report that includes the following:

“(1) A review and analysis of current and emerging social media technologies being used to support preparedness and response activities related to natural disasters and acts of terrorism and other man-made disasters.

“(2) A review of best practices and lessons learned on the use of social media technologies during the response to natural disasters and acts of terrorism and other man-made disasters that occurred during the period covered by the report at issue.

“(3) Recommendations to improve the Department's use of social media technologies for emergency management purposes.

“(4) Recommendations to improve public awareness of the type of information disseminated through social media technologies, and how to access such information, during a natural disaster or an act of terrorism or other man-made disaster.

“(5) A review of available training for Federal, State, local, tribal, and territorial officials on the use of social media technologies in response to a natural disaster or an act of terrorism or other man-made disaster.

“(6) A review of coordination efforts with the private sector to discuss and resolve legal, operational, technical, privacy, and security concerns.

“(g) DURATION OF GROUP.—

“(1) IN GENERAL.—The Group shall terminate on the date that is 5 years after the date of enactment of this section unless the chairperson renews the Group for a successive 5-year period, prior to the date on which the Group would otherwise terminate, by submitting to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a certification that the continued existence of the Group is necessary to fulfill the purpose described in subsection (b).

“(2) CONTINUED RENEWAL.—The chairperson may continue to renew the Group for successive 5-year periods by submitting a certification in accordance with paragraph (1) prior to the date on which the Group would otherwise terminate.”

“(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 317 the following:

“Sec. 318. Social media working group.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. COSTELLO) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 623, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

As disasters become more frequent and severe, it is critical that emergency managers and citizens take advantage of new technologies to send and receive critical information.

Social media has become an essential tool in the preparedness, response, and recovery for all hazards, whether natural or manmade. We saw how critical social media was in relaying information following Hurricane Sandy, the Boston Marathon bombing, and, just a few weeks ago, during Hurricane Joaquin and the historic flooding in South Carolina. Social media helps reach people in need, helps get the right information into the hands of the public, helps organize volunteers, and can be a source of critical on-the-ground information to decisionmakers.

H.R. 623, as amended by the Senate, would require DHS to establish a social media working group to enhance the use of social media to support preparedness, response, and recovery of all hazards. This group will be required to report to Congress on an annual basis on its findings, emerging trends, and best practices.

I commend the gentlewoman from Indiana (Mrs. BROOKS) for sponsoring this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, H.R. 623, the DHS Social Media Improvement Act of 2015, was introduced by my good friend and colleague from Indiana, Congresswoman SUSAN BROOKS.

The bill, Mr. Speaker, was referred to the Committee on Transportation and Infrastructure and to the Committee on Homeland Security. This bill codifies the Department of Homeland Security's Social Media Working Group to enhance the use of social media during disasters and other events, and to provide guidance and best practices in emergency preparedness and response. Social media, especially Twitter, Facebook, and YouTube, can play a critical role in preparedness, response, and recovery operations during emergencies.

Emergency managers at all levels use social media to warn those in harm's way of impending natural hazards. Social media is also used to inform survivors on how to access disaster assistance and tips for speedier recoveries. Equally important, Mr. Speaker, social media has been used to coordinate and manage assistance from nonprofits and volunteers who want to help in recovery efforts.

More and more, we are seeing individuals take to social media during emergencies. Individuals have used social media to help identify locations where assistance may still be needed and to raise awareness of impending hazards. They have also used it, Mr. Speaker, to communicate with loved ones who may be impacted by an event as well as reconnect pets with their owners. This has certainly been the case in the great Hoosier State.

This last summer, Mr. Speaker, will go down as the wettest summer in Indianapolis history. Rainfall in July broke a 140-year-old record in our great city, making it the wettest month ever recorded, and social media helped keep residents informed in real time. In Indianapolis, the National Weather Service, Department of Homeland Security, and local broadcasters routinely used social media to post updates on ever-changing weather conditions.

The very unique benefit of social media alerts is that you don't have to be right next to a radio or TV to be informed; you can virtually be anywhere. This summer, when dangerous flooding

covered many roads in our city, social media exploded with pictures of flooded roadways and stranded motorists. This nontraditional tool enabled people to know where major problems were located and to avoid danger with the famous catchphrase, “Turn Around Don’t Drown.”

The existing DHS Social Media Working Group provides recommendations on how to use social media before, during, and after emergencies. This working group, Mr. Speaker, consists of emergency responders, NGOs, nonprofits, and Federal agencies.

I support the provisions in today’s bill to broaden the group’s membership to include private sector representatives and to require consultation with nonmembers.

To ensure accountability, this requires an annual report to Congress on important issues, such as best practices and lessons learned. It would also provide recommendations on how to improve the use of the social media platform for emergency management purposes.

Finally, Mr. Speaker, we recognize the importance of this platform for emergency management. I would be remiss not to remind our colleagues of the need to authorize the Integrated Public Alert and Warning System, also known as IPAWS.

As the committee of primary jurisdiction over IPAWS, the Transportation and Infrastructure Committee unanimously approved the Barletta-Carson IPAWS authorization bill back in April and ordered the bill reported. It is past time for this bill to be considered in the House.

Despite the Senate’s inadvertent omission of the Transportation and Infrastructure Committee, I support this bill, Mr. Speaker, and I urge our colleagues to do the same to approve this measure.

I yield back the balance of my time.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I yield 5 minutes to the gentlewoman from Indiana (Mrs. BROOKS), the sponsor of this bill.

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in support of H.R. 623, the DHS Social Media Improvement Act of 2015.

I want to thank the gentleman from Pennsylvania for his management of the bill and, also, my good friend and colleague from the State of Indiana, Congressman CARSON. Both of us have served in public safety in the past, and so it is especially gratifying that he is managing the bill as well this evening.

Social media, as we have heard, is transforming the way the Nation is communicating before, during, and after terrorist attacks, natural disasters, and other emergencies. There are countless examples from recent events of how citizens are turning to Facebook, Twitter, Instagram, and even Snapchat for public safety infor-

mation, to comfort survivors, tell loved ones they are safe, and request assistance.

As has already been mentioned, citizens of South Carolina used social media to communicate with first responders, friends, and families after heavy rainfall caused destructive flash flooding across the State.

Additionally, a quarter of Americans—let me repeat, a quarter of Americans—got information about the devastating terrorist attack at the 2013 Boston Marathon bombing from Facebook and Twitter.

Citizens are not the only ones using social media during and after an emergency. First responders are proactively using social media as a force multiplier to get vital information out. For example, immediately following the terrorist attack and during the manhunt, the Boston PD utilized social media as a way to communicate with and solicit information from citizens and visitors.

These are just a few of the hundreds of examples that demonstrate the prevalence of social media use before, during, and after an emergency.

In the 113th Congress, I served as the chair of the Committee on Homeland Security’s Subcommittee on Emergency Preparedness, Response, and Communications. The subcommittee held two hearings that focused on this new phenomenon, and I learned at that time that while the Nation is making great strides in this area, gaps and challenges remain.

One of the key takeaways, however, was that during and after a terrorist attack, natural disaster, or other emergency, there is still a need for better communication between the public and the private sectors, specifically, with how to utilize social media as a communication tool.

So last year, I was proud to work with the ranking member, Congressman PAYNE, to find ways to better utilize social media during disasters by leveraging both public and private resources and experiences.

The bill passed with overwhelming support last Congress and, after reintroduction this Congress, I am pleased to say, in February, the House again resoundingly agreed to its passage.

H.R. 623, while authorizing and enhancing the Department of Homeland Security’s existing social media group, essentially what it does is it ensures that best practices and lessons learned on the use of social media during terrorist attacks or disasters are being discussed and shared with Federal, State, and local first responders, non-governmental organizations, academia, and the private sector.

Currently, the Virtual Social Media Working Group is made up primarily of State and local officials, and they are doing great work and developing guidance. However, this bill will increase

the group’s stakeholder participation, particularly among the private sector and the Federal response agencies.

So by including private sector groups like Google and Twitter and Facebook, we know it will improve coordination and relief efforts. Also, as we have already heard, it will require the group to submit an annual report to Congress highlighting best practices, lessons learned, and any recommendations. Finally, this bill will require the group to meet, in person or virtually, at least twice a year, and will not be a financial burden on the Department.

I appreciate the swift action of the Senate Homeland Security and Governmental Affairs Committee. I especially want to thank Chairman JOHNSON for his leadership on this issue. Their thoughtful additions have served to further improve the bill.

I also want to thank Chairman SHUSTER and Chairman BARLETTA of the Transportation and Infrastructure Committee for working with me to get this bill to the floor, and also my successor at EPRC, Ms. MCSALLY, for continuing to make this issue a priority.

Finally, I want to thank the staff, because we know that this bill and the improvements with technology will save lives, and it will make our first responders and those in danger safer.

I urge my colleagues to support the bill.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. COSTELLO) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 623.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

NORTHERN BORDER SECURITY REVIEW ACT

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 455) to require the Secretary of Homeland Security to conduct a northern border threat analysis, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 455

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Northern Border Security Review Act”.

SEC. 2. NORTHERN BORDER THREAT ANALYSIS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the appropriate congressional

committees a Northern Border threat analysis that includes—

(1) current and potential terrorism and criminal threats posed by individuals and organized groups seeking to—

(A) enter the United States through the Northern Border; or

(B) exploit border vulnerabilities along the Northern Border;

(2) improvements needed at and between ports of entry along the Northern Border to—

(A) prevent terrorists and instruments of terror from entering the United States; and

(B) reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across the Northern Border;

(3) gaps in law, policy, cooperation between State, local, and tribal law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counter-terrorism, anti-human smuggling and trafficking efforts, and the flow of legitimate trade along the Northern Border; and

(4) an analysis of whether additional U.S. Customs and Border Protection preclearance and pre-inspection operations at ports of entry along the Northern Border could help prevent terrorists and instruments of terror from entering the United States.

(b) ANALYSIS REQUIREMENTS.—For the threat analysis required under subsection (a), the Secretary of Homeland Security shall consider and examine—

(1) technology needs and challenges;

(2) personnel needs and challenges;

(3) the role of State, local, and tribal law enforcement in general border security activities;

(4) the need for cooperation among Federal, State, local, tribal, and Canadian law enforcement entities relating to border security; and

(5) the terrain, population density, and climate along the Northern Border.

(c) CLASSIFIED THREAT ANALYSIS.—To the extent possible, the Secretary of Homeland Security shall submit the threat analysis required under subsection (a) in unclassified form. The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines such is appropriate.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) NORTHERN BORDER.—The term “Northern Border” means the land and maritime borders between the United States and Canada.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentleman from New York (Mr. HIGGINS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. KATKO).

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and in-

clude any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 455, the Northern Border Security Review Act, and urge its passage. This legislation would require the Department of Homeland Security to conduct a much-needed threat analysis of current and potential threats along our Nation's vast northern border.

As a former Federal prosecutor on both the northern border in New York and the southern border in El Paso, Texas, not to mention my time as a Federal prosecutor on the island of Puerto Rico, I have seen firsthand the challenges our Nation faces to counter violent drug trafficking organizations, organized crime syndicates, and human trafficking that transit across our Nation's border.

While great attention is justifiably given to the challenges of securing our southern border, ensuring the safety of our vast northern border is also critical to our Nation's security. It has been well documented that several major terrorist plots have been discovered and disrupted along the northern border in recent years.

□ 1800

Ahmed Ressam, the so-called millennium bomber, was entering Washington State from Canada with a concealed bomb intended to detonate at LAX Airport when he was arrested by alert Customs agents in 1999.

In 2013, with the help of our Canadian allies, the FBI and the Royal Canadian Mounted Police thwarted an attempt to derail and kill passengers on a train between New York and Toronto, which became known as the VIA rail plot.

As chairman of the Homeland Security Committee's bipartisan Foreign Fighters Task Force, I recently examined other vulnerabilities at our border associated with foreign fighter travel. Unfortunately, neither the United States nor Canada is immune to the threat of foreign fighters who may be inspired by groups like ISIS or otherwise radicalized online from others abroad.

Among the findings of the bipartisan Task Force was the identification of security weaknesses that are putting the U.S. homeland in danger by making it easier for foreign fighters to migrate to terrorist hotspots and for jihadists to return to the West. One such vulnerability stems from our vast northern border that we share with Canada. Along this border, we face a number of unique challenges both geographically and jurisdictionally.

Complicating the current understanding of the security needs along

our northern border is the administration's decision to stop providing metrics to Congress in 2010 that identified the number of miles under operational control.

In that year, the Government Accountability Office reported that only 69 miles, or about 2 percent of the northern border's 4,000 miles, were under operational control. Let me repeat that. Only 2 percent of our northern border is under operational control.

To address this lack of information with regard to the state of northern border security, this legislation requires that an assessment be conducted to analyze a variety of issues facing the northern border. These include potential terrorist threats, potential improvements, gaps in law or policy, and illegal border activity.

This analysis is intended to better inform any resources that are needed along the border to increase operational control and legislation that can result therefrom.

I recently had the opportunity to spend time with CBP officers and agents at the Port of Oswego in my district. I am continually impressed with their ability to carry out their duties in incredibly difficult situations.

This bill will help them better secure our Nation's borders, as it will give our agents and officers the tools and information needed to better do their jobs.

Previous analyses of the northern border have largely focused on drug trafficking and lack a holistic security approach to the issues that are unique along the northern border.

The analysis required in this bill will provide Customs and Border Protection with the foundation needed to address all threats at and between ports of entry along the northern border. It will also provide Congress with the information necessary to conduct proper oversight.

In my 10 months in office, I have worked vigorously to address known challenges that the Department of Homeland Security faces. Since January, I, along with both my Republican and Democratic colleagues, have introduced seven pieces of legislation that address transportation and border security issues and hope that this will be the third bipartisan bill that we send to the President's desk.

This final product embodies the essence of bipartisanship, and I am proud to say that all Americans will benefit from the work my colleagues and I have done to secure our northern border.

My colleagues and I understand we have a lot more work to do, and I promise we will continue to provide diligent oversight of the Department of Homeland Security. When we see a problem at this agency, we work swiftly together in a bipartisan manner with our Democratic brothers and sisters to address it.

I urge my colleagues to support this bipartisan legislation.

I would like to thank Subcommittee on Border and Maritime Security Chairman CANDICE MILLER for her support, along with my fellow northern border colleagues who have joined as cosponsors.

Mr. Speaker, I reserve the balance of my time.

Mr. HIGGINS. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 455, the Northern Border Security Review Act, introduced by my friend, the gentleman from New York (Mr. KATKO).

The bill before us would direct the Secretary of Homeland Security to prepare a northern border threat analysis. There has long been an intent focus on the southern border and the many challenges faced there. While this is undoubtedly justified, the northern border has often been neglected in this process.

The Northern Border Security Review Act takes steps to correct this disparity by requiring an analysis of terror threats posed by individuals entering through the northern border as well as improvements needed at and between ports to prevent their entry.

I was pleased that two of my amendments were adopted in committee. The first required an analysis of whether the implementation of preclearance and preinspection at additional ports of entry would enhance our security and prevent terrorists from entering the United States.

A preinspection pilot at the Peace Bridge in Buffalo was conducted in early 2014 and was deemed a success. It demonstrated the potential to efficiently process cargo while also enabling Customs and Border Protection to conduct inspections and interdict threats before they reach the United States.

The historic preclearance agreement reached between the United States and Canada earlier this year paved the way for implementation of permanent preinspection and preclearance at the Peace Bridge and other locations.

The second amendment would require an analysis of the number of additional Customs and Border Protection officers and agents needed to properly staff the northern border. Persistent staffing shortages have resulted in wait times that discourage economic activity while also leaving us vulnerable to a number of threats.

That is why I was disappointed that this language was weakened during negotiations with the Senate. Having accurate information on the number of personnel required to detect illicit activity while facilitating legitimate trade and travel is vital. It is my hope that analysis on staffing requirements is included in forthcoming legislation.

H.R. 455 will help ensure that we better understand the threats facing the

northern border so we can understand how best to address them. With that in mind, I urge my colleagues to support this important bill.

I reserve the balance of my time.

Mr. KATKO. Mr. Speaker, if the gentleman from New York has no further speakers, I am prepared to close once the gentleman does.

Mr. HIGGINS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman from New York (Mr. HIGGINS), the gentleman from Texas (Mr. VELA), and the gentleman from New York (Mr. KATKO) for their great leadership.

Mr. Speaker, the good news is that we on the Committee on Homeland Security work together very well on many of these issues.

I rise to support the Northern Border Security Review Act, H.R. 455. My colleague from Texas (Mr. VELA) is the ranking member. I am delighted to be able to support a bill that captures all of what we have been speaking of over the years.

As a member of Homeland Security, there are two borders. There is the southern border, for which I certainly have concern, as a Representative from Texas, but there is also the northern border. I am glad to say I have been to the northern border, walked along the northern border.

Let me say thank you for the aspects of this bill. H.R. 455 directs the Secretary of Homeland Security to submit a classified northern border threat analysis on terrorism threats posed by individuals seeking to enter the United States, improvements needed at ports of entry, gaps in law, policy, international agreements, illegal cross-border activity, and the scope of the border security challenges.

This is a complete picture of the Nation's border, including whether additional preclearance and preinspection by CBP at ports of entry along the northern border could help prevent terrorists and their instruments from entering the United States.

Canada has been a longstanding friend. I believe anytime that we can enhance both the relationship and the security of the U.S.-Canadian border, the northern border, it is a very positive step forward for the Nation's security.

Mr. Speaker, I ask my colleagues to join me in supporting H.R. 455, the Northern Border Security Review Act.

Mr. Speaker, as a senior member of the Homeland Security, a former ranking member of its Border and Maritime Security Subcommittee, and a co-sponsor, I rise today in strong support of H.R. 455, the "Northern Border Security Review Act."

I would like to thank Chairman MCCAUL and Ranking Member THOMPSON of the Homeland Security Committee and Chairman MILLER and Ranking Member VELA of the Border and Maritime Security Subcommittee for their work on this vital legislation.

Their leadership, coupled with input from members of the Homeland Security Committee and the Border and Maritime Security Subcommittee, have helped make this common sense legislation a reality.

I very much appreciate the bipartisan spirit Chairman MILLER has displayed as we worked together on many border security initiatives over the past several years.

The security of the Northern Border is an important area of concern in the effort to secure our homeland and keep it safe from those who would do us harm.

BILL OVERVIEW

H.R. 455 directs the Secretary of Homeland Security to submit a classified northern border threat analysis, which shall include analyses of:

1. terrorism threats posed by individuals seeking to enter the United States through the northern border;
2. improvements needed at ports of entry along the northern border to prevent terrorists and instruments of terror from entering the United States;
3. gaps in law, policy, international agreements, or tribal agreements that hinder the border security and counterterrorism efforts along the northern border;
4. illegal cross border activity between ports of entry, including the maritime borders of the Great Lakes;
5. the scope of border security challenges that shall include the terrain, population density, and climate along the northern border; and
6. whether additional preclearance and preinspection by the CBP at ports of entry along the northern border could help prevent terrorists and their instruments from entering the United States.

CANADA-U.S. BORDER

Mr. Speaker, at 5,524 miles, the border separating Canada and United States is the longest contiguous international border in the world.

In contrast, the border separating the United States and Mexico is only Mexico border is only 1,951 miles long.

The border with Canada is significantly easier to cross, due to less Border Patrol personnel.

The United States has approximately 1,000 Border Patrol agents assigned to the northern border but more than 11,000 patrolling its southern border with Mexico.

TRAVEL BETWEEN CANADA AND U.S.

In 2009, there were 39,254,000 trips by Canadians to the United States.

In 2010, 20,213,500 Americans traveled to Canada from the United States.

Over 15,700,000 people flew on commercial flights between Canada and the U.S. in 2010.

CANADIAN ILLEGAL IMMIGRANTS IN U.S.

Current estimates show there to be around 600,000 undocumented Canadian immigrants working in the United States.

Canadian citizens are not required to obtain visas; instead as Canadian citizens they are eligible for visa waivers which do not expire for six months.

CONCLUSION

Mr. Speaker, the security of homeland requires that we have increased situational

awareness and resources to respond to threats on the nation's northern, as well as southern border.

H.R. 455 makes a positive contribution in this effort and I urge all Members to join me in voting for its passage.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

I briefly just want to thank the gentlewoman from Texas (Ms. JACKSON LEE) and the gentleman from New York (Mr. HIGGINS) for their comments. They echo the sentiments that I believe firmly, that the Homeland Security Subcommittee is probably the most bipartisan committee in Congress. It is an honor to be a part of it. It is an honor to serve with my colleagues I just mentioned and the others.

Every single bill we have has bipartisan support. Every single bill seems to be like we are all on the same page, and that is really important when we have national security issues at hand.

I reserve the balance of my time.

Mr. HIGGINS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, too often in Congress our debate on border security is long on political rhetoric and short on substance. Development of a substantive and thorough analysis of border security threats is essential to decision-making at all levels about how best to respond. This bill will help us do just that.

I urge my colleagues to support H.R. 455, the Northern Border Security Review Act, to help us understand and ultimately address any threats along our border with Canada.

I yield back the balance of my time.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support H.R. 455. This bill is going to form the foundation for properly securing the northern border once and for all.

While our Canadian brothers and sisters are indeed our friends, the fact remains that bad people in Canada are intent on coming to the United States and vice versa and are intent on doing harm here. We must secure our borders.

Having a 98 percent open border with Canada is absolutely unacceptable. This bill is the first step in moving towards securing that border in a proper manner by making sure that we do a proper analysis once and for all, which I am not sure has ever been done in this manner.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 455, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BIPARTISANSHIP IN CONGRESS

(Mr. TAKAI asked and was given permission to address the House for 1 minute.)

Mr. TAKAI. Mr. Speaker, this week Congress voted on the reauthorization of the Export-Import Bank. Moments ago we just cleared a bipartisan budget, which now makes its way to the Senate. Through this budget, we lift our debt ceiling and increase our defense and nondefense spending equally for 2 years and we avoid a government shutdown.

I agree with many of my colleagues that we must reduce our Nation's growing debt, but we need to make sure that we do not do so at the expense of our country's future and our ability to compete in a changing global economy.

We, as Congress, need to come together to find long-term, bipartisan, commonsense solutions rather than play politics with our national security, economy, and the well-being of its people.

Tomorrow the House of Representatives votes for a new Speaker. I hope that, under this new leadership, we see a change in how we govern. I hope Congress will no longer shy away from addressing the tough issues. I hope we can come together, both Republicans and Democrats, to get the people's work done.

HEAD START

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Mr. Speaker, I rise today to congratulate the students, parents, staff, alumni, and supporters of Head Start as they celebrate Head Start Awareness Month and 50 years of service to our Nation's most vulnerable children.

On May 18, 1965, President Lyndon B. Johnson launched Project Head Start as an 8-week summer demonstration project to teach low-income students essential skills to prepare them for kindergarten.

Since that date, Head Start has served 32 million children and families across the country, providing them with the tools they need to build successful futures, helping to ensure a quality education and access to health care and social services. Head Start is a critical investment in the education of our Nation's youngest children.

Mr. Speaker, I ask that, as a body, we reaffirm our investment in the children who are the future of this country. I urge my colleagues to support bipartisan efforts to give all of America's children a head start in life and an open door to opportunity.

□ 1815

PRESIDENT OBAMA'S CLEAN POWER PLAN

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I rise in support of President Obama's Clean Power Plan, and I would like to applaud the 10,000 men and women, African American faith leaders, who are engaged, involved, and committed to clean air. These faith leaders represent 13 million African American churchgoers who remain steadfast and unmoving in their cause to combat the negative impact of climate change.

Mr. Speaker, members of the Congressional Black Caucus tomorrow will receive the signatures and public statements of those demanding that this body fully support President Obama's Clean Power Plan. Nearly 40 percent of the 6 million Americans living close to coal-fired power plants are people of color and disproportionately African Americans.

Pollution and damaging toxins from these plants are responsible for thousands of premature deaths, higher risk of asthma attacks, respiratory disease, and hundreds of thousands missed workdays.

I believe this Congress can hear the Black church and work together. The Black church and their fearless leaders for generations have stood united on critical social, economic, and moral imperatives that are meant to strengthen the communities they represent. They have been in the forefront, like Dr. Martin Luther King, who walked across the Edmund Pettus Bridge with our colleague, JOHN LEWIS, for voting rights.

Climate change and their support for the Clean Power Plan is no different. They are in the forefront. As they state in their letter to us, "The Bible speaks passionately about the importance of stewardship for God's creation," and they believe that Obama's Power Plan calls them to action.

Mr. Speaker, I join with these ladies and gentlemen in their dedication to saving lives.

Mr. Speaker, I rise today in strong support of President Obama's "Clean Power Plan."

I would like to applaud the more than 10,000 men and women African American faith leaders.

These faith leaders represent 13 million African American churchgoers who remain steadfast and unmoving in their cause to combat the negative impact of climate change.

Tomorrow, Members of the Congressional Black Caucus to receive the signatures and public statements of those demanding that this body fully support President Obama's Clean Power Plan.

Nearly 40 percent of the six million Americans living close to coal-fired power plants are people of color and disproportionately African American.

Pollution and damaging toxins from these plants are responsible for thousands of premature deaths, higher risks of asthma attacks, respiratory disease, and hundreds of thousands of missed workdays.

The Black Church and their fearless leaders, for generations, have stood united on critical social and economic moral imperatives that are meant to strengthen the communities they represent.

Climate change and their support for the Clean Power Plan are no different.

As they state in their letter to us: "The Bible speaks passionately about the importance of stewardship for God's creation. And President Obama's Clean Power Plan echoes God's call."

Once again, I salute these dedicated men and women of God and for the vital work they are doing on this important issue.

FOCUSING ON WORKING FAMILIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, about 1 year ago, Speaker BOEHNER and Senate Majority Leader MCCONNELL described a vision for the 114th Congress. It included "focusing first on jobs and the economy." They looked forward to helping middle class Americans "frustrated by an increasing lack of opportunity, the stagnation of wages, and a government that seems incapable of performing even basic tasks."

In the time since, they have done nothing but protect big businesses enjoy record profits, attack immigrants, and help polluters continue the destruction of our environment.

This body has voted four times in support of the Confederate battle flag, but we have taken no votes on legislation that will level the playing field for working Americans. This body has voted against a solid, long-term transportation and infrastructure bill five times, and we have taken no votes on legislation to boost American wages. This body has voted countless times to undermine the Affordable Care Act or endanger women's access to health care, but we have taken no votes on legislation to help families balance the needs of work and their personal lives. That is in spite of statements from Members like the Republican nominee for Speaker who just last week indi-

cated he wouldn't run for the position unless he would be allowed to set aside time to spend with his family.

Mr. Speaker, my colleagues and I are here on the floor tonight to call for a shift in focus. We were elected to ensure everyday Americans have a fighting chance and opportunities to succeed. We need to change gears to get to work on an agenda for working families. We need to pass legislation that would give workers the ability to balance work and family needs, bills like the Healthy Families Act, the Family and Medical Insurance Leave Act, the Schedules That Work Act, and the Strong Start for America's Children Act. We need to pass legislation that will give workers paychecks that actually give them a chance to make ends meet, bills like the Raise the Wage Act, the WAGE Act, and the Payroll Fraud Prevention Act.

We need to pass legislation that will give every American a chance to succeed and climb into the middle class regardless of gender, sexual orientation, or any other quality, bills like the Paycheck Fairness Act, the Pregnant Workers Fairness Act, and the Equality Act.

Tonight, Mr. Speaker, you will hear stories from across the country of working families who have played by the rules and worked for long hours and still can't seem to make it work. These experiences are shared with countless others from my district in New Jersey all the way across the Nation to California.

I hope that my colleagues are ready to listen, and, more importantly, I hope they are ready to act.

It is my pleasure to yield to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I would like to thank the gentlewoman for yielding. I also would like to thank the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for her tireless support of the progressive message and her long work in New Jersey, but also here in Congress. Thank you, ma'am.

Mr. Speaker, Working Families Day of Action, the day when we came together to talk about the agenda for working people, is a far cry from what my Republican colleagues like to talk about on a daily basis. But working people in this country need an advocate; they need somebody in Congress to care.

I want to tell a quick story about a young lady in my district. Her name is Randa Jama, and she is a member of SEIU Local 26, who took a job as a wheelchair attendant at the Minneapolis-Saint Paul Airport last fall with AirServ, a Delta Airlines subcontractor. It was supposed to be a full-time position, but her employer suddenly cut her hours to only 12 hours a week. She explains to me: "They told me that you are working only Saturday and Sunday from now on." Her su-

pervisors would still sometimes ask her at the last minute to stay late or do an extra shift, but she can't work at such short notice even though she needs the hours because it is hard to get access to babysitters. She is a young mom.

Now, on behalf of Randa Jama and many other people, I just want to make a few reflections here today, and that is that things are absolutely out of balance. They are out of balance, and the gap between rich and everybody else is wider now than it has been in decades; and working people, consumers, and environmental advocates are starting to come together to demand good jobs and shared prosperity.

The story today is not necessarily about income inequality. We all know that. But what we may not know is how Americans all over this country are moving, shaking, and doing what they need to do. Whether it is the workers of the Restaurant Opportunities Centers or whether it is WorkingAmerica or whether it is the people in the labor movement, the Fight for \$15, people all over this country—Americans—are not taking this situation lying down.

We are here today to talk about what working families need and what they are doing. They face stagnating wages and struggle to balance the demands at home and on the job. I am very pleased that when it was announced that PAUL RYAN, our colleague, was considering accepting the role of Speaker of the House, he insisted that he would have proper work-life balance and was not going to give up home time. I hope that is a signal that we can pursue a shared agenda of the work-life balance for all families all across America.

Too many lack access to paid sick leave and affordable child care. For workers who don't have a reliable work schedule, it is often impossible to plan and to pay for child care, rent, transportation, and groceries. People are not working enough hours in many cases, and when they get those hours, they often have to choose between leaving their kids at home or taking the hours that they so desperately need. Workers are seeing their right to organize erode.

Here is another opportunity to tell you a good story, which is true, about a friend named Kipp Hedges. Kipp Hedges worked as a baggage handler for 25 years for Delta. He did an awesome job day in and day out and was a member of his union. The people at the Minneapolis-Saint Paul Airport said: Hey, we want to form a union.

The people who pushed the wheelchairs, the folks who drive the disabled around the airport, and the folks who clean up the airport wanted a union. He said: Well, that is a good effort, and I want to support it.

He got fired. He got fired.

A lot of people who try to organize unions today get fired for engaging in

union activity. That is wrong, and it is against the National Labor Relations Act, but people get fired for it anyway. The fact is it takes them a long time to ever get any kind of satisfaction.

In the mid-1950s, you should note that the percentage of workers belonging to unions was about 33 percent. But between 1973 and 2007, private sector union membership plummeted all the way down from about 33, 34 percent down to about 8 percent for men and about from 16 percent to 6 percent for women. It is a devastating situation.

We all know that when people are in unions they make more. People of color in unions make more than people of color not in unions. Women in unions make more money than women not in unions. Even White men in unions, working men, make more money than White men not in unions. The union factor makes a big difference.

The decline is estimated to explain at least one-third of the growth in wage inequality among men and one-fifth of the growth in wage inequality among women. The decline of union density has resulted directly in Americans of all backgrounds having less money in their paychecks.

Now, the American economy is growing. This is the richest country in the world, and it is actually doing pretty well. But the share of that growth has only been going to the very richest few, and it has not been distributed equally.

This is a pivotal moment in our history, and Americans are stepping up to do something about it. We can see clearly now that tax cuts for big corporations won't help working people. We hear all the time, day in and day out, that if you cut taxes for the wealthy and you don't make them obey any health and safety rules, then they will use all that extra money to start businesses, buy inventory, start plants, and buy equipment, and that will give the rest of us jobs. That kind of philosophy has a name. It is called trickle-down economics. It doesn't work now, and it didn't work then. It never works. As a matter of fact, Americans all over are starting to see that a tax cut for a big corporation or a wealthy individual and allowing them to abandon health and safety rules is not going to benefit anybody but them. In fact, it is going to hurt us quite a bit.

Mr. Speaker, we know that deregulation won't help consumers, and we know that it is not going to help the environment. It will leave our consumers at the tender mercies of the business community, and it will leave our communities at the tender mercy of polluters. We can't afford that.

Things are radically out of balance, and working people, consumers, and environmental advocates need to band together to push back for shared prosperity. We in Congress need to stand with them. One thing we can do is sup-

port policies and priorities outlined in the Day of Action. One thing we can do is stand in support of the policy priorities outlined in this Working Families Day of Action, #workingfamilies. We in Congress need to stand with them.

Today we are highlighting bills that would: one, raise wages; two, protect the right to unionize and organize; three, increase access to paid sick leave, family leave, and affordable child care; and, four, promote fair scheduling at the workplace and fight workplace discrimination.

Let me just mention a few steps before I turn it over. On the issue of fair scheduling, this is a big deal. There are more than 23 million workers in low-wage jobs, and two-thirds of these workers are women. Workers in these jobs often face schedules that are rigid, unpredictable, and unstable, which can make it impossible to successfully juggle responsibilities on and off the job.

I just want to say to any small business who worries about fair scheduling: We want to be in conversation with you. We want to talk it out and work it out. We know that sometimes things do come up in unexpected ways. But for sure, we can discuss, as Americans, how to work out a schedule that is a family-friendly schedule and that meets the needs of the business. What we have now is a completely unpredictable environment where people are left either choosing between leaving their kids at home or abandoning those hours that are available.

I also want to mention something about unions. A typical union worker makes 30 percent more than a non-union worker. This is a fact. The companies they work for are thriving and growing. There are tons of union companies all over this country that are making a lot of money. The question is: How big is the CEO's bonus? If we can have some union representation, the company can thrive, but the workers can share in that thriving. Right now, workers are eking a living hand to mouth and paycheck to paycheck, and the CEO bonuses are out of control.

□ 1830

Unionized African American workers make 36 percent more than nonunionized African Americans. Unionized Hispanic women make 46 percent more than nonunionized Hispanic women.

Let me just wrap up with a little quick story because this really is about people, Mr. Speaker. It is about people. It is not just about the stats. It is about people.

This is a worker who was required to have open availability and still can't get the hours. She is required to get open availability and still can't get the hours. Her name is Jill, and she works for JCPenney.

She writes:

My name is Jill Ernst. When I interviewed at JCPenney in Minnesota, part of how I got

the job was that I had to have a very flexible schedule.

I was open all 7 days of the week, but now they only give me less than 35 hours. If they give me less than 34.5 hours, it's a struggle to pay rent and my bills. If they put me on the schedule for 28 hours, I have to figure out how to convince my manager to give me more hours or find someone who is willing to give up hours.

My schedule is so inconsistent that, if I need to take paid time off for 1 day, I know that I'll have to take the entire week off or I'll be scheduled a bunch of short days and not be paid for that 1 day off.

Mr. Speaker, we need to stand up for working families, who had a day of action yesterday: #workingfamilies. We know there is inequality. We know the wages have stagnated. We know that it is tough out there for working Americans.

But working Americans aren't sitting around taking it on the chin. They are out there demanding a fair share of this economy, and Congress should stand there with them.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank my colleague, Mr. ELLISON, who has been a very strong and consistent voice on behalf of all working families and, indeed, all of those that are least among us couldn't have a better advocate.

I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I want to start by thanking Congresswoman BONNIE WATSON COLEMAN for organizing this evening.

Many members of the Congressional Progressive Caucus I hope will be coming down and joining us this evening for a tribute to this Working Families Day of Action, the Working Families Agenda. Mrs. WATSON COLEMAN listed some of the bills that we have on that agenda.

The problems that working families are facing are not intractable. We know that many working women and men are struggling today, but these problems are not unsurmountable. In fact, they could be solved relatively easily if the Republican majority would work with us to pass legislation that would bring U.S. labor policies in line with the rest of the industrialized world. We have the legislation. We have the public support. We just need action.

One solution, which my colleague, Mr. ELLISON, mentioned is to allow workers to join unions. We know that union members earn more and have better benefits. A study by the Center for Economic and Policy Research found that unionized women earn, on average, \$2.50 more per hour, are 36 percent more likely to have an employer-sponsored benefit plan and 18 percent more likely to have paid sick leave.

Last week I visited with some O'Hare airport workers who came to Washington, baggage handlers, passenger transporters—the people who push the wheelchairs—and others. They are

hired by contractors like Prospect Company.

Now, they are wearing uniforms, and it looks to me like they are hired by either the airline or the airport. But, no, they are hired by a private contractor. They don't have paid sick leave or health insurance. One woman in the group earned only \$8.25 an hour after 14 years on the job.

One of their colleagues suffered a miscarriage after her employer refused to give her light duty. The next time she became pregnant, they offered her light duty, but only if she agreed to work only one afternoon a week.

Unionized workers have a different experience. One of the workers in the group was a cabin cleaner hired by Skyline, a union company. He earned fair wages, a pension, and benefits.

We know that these problems can be solved. But I want to talk a little bit about how unstable work schedules contribute to the chaotic life of many workers by telling you about Tanya in a letter I received.

My name is Tanya and I work in an assembly line in a frigid 36-degree warehouse chopping lettuce and other items to create grab'n'go foods destined for display cases in Starbucks, Costco, and Walmart.

I never know much in advance which days I will work, which hours, or even how long my shift will last. Sometimes I may be scheduled for an 8-hour shift, but get only 4 hours of work because my line's order is completed early. Other times I am at work and on my feet for 12 hours.

The unpredictability of my schedule makes it impossible for me to go back to school, which I desperately want to do, because I can't commit to any class schedule. I can't even plan a budget for rent, food or transportation because I have no idea how much money I will make in any given month.

It is terrible when I finish the order early and am sent home without working my full shift. It is even worse when I punch out and hear my supervisor say, "We don't need you tomorrow." My heart sinks. It is the last thing I want to hear. I only make \$9.25 an hour and sometimes I get only 25 hours a week. That isn't even enough to pay my rent.

These are stories that all of us in this Congress need to hear, to digest, to understand what the life of people in our districts is like, and we need to offer solutions that can improve their lives.

They work hard. They are not asking for much. They want good schedules. They want fair wages. They want some benefits. And, yes, even a little retirement security would be good. We could do that. We are the richest country in the world at the richest moment in history.

Mrs. WATSON COLEMAN. Mr. Speaker, I want to thank the gentlewoman from Illinois. She is always a progressive voice and no greater advocate can we have.

I am now delighted to yield to the gentleman from Virginia (Mr. SCOTT), someone who has been a friend for a very long time and whose work I respect and admire tremendously.

Mr. SCOTT of Virginia. Mr. Speaker, I thank Mrs. WATSON COLEMAN for all of her work, particularly the work she has done in New Jersey when she was in the State legislature and now in Congress. I want to thank the Congressional caucus for holding this Special Order on the Working Families Agenda.

Since the Republicans took over the House in January 2011, they have held hearing after hearing to make it harder for workers to form a union, they have attempted over 60 times to repeal the Affordable Care Act, they have been giving tax cuts to the wealthy, and all that time they have been wasting millions of dollars on the Benghazi Committee.

Enough is enough. The American people deserve better. We know that families across America are struggling to make ends meet. Today I am calling on my colleagues across the aisle to get to work on the responsible solutions that hardworking Americans want and need, solutions that would boost wages, help workers achieve a better balance between work and family, and level the playing field so all workers can get a fair shot at success. This is the Working Families Agenda.

This agenda would help workers like India Ford, who is from my district. During the Working Families Day of Action yesterday, she spoke to Members about how she worked nights and weekends for nearly a dozen years in the restaurant industry. As a single mom, this meant not being home for her child to help her with her homework, missing PTA meetings, and not being able to spend time with her daughter before she went to bed.

Finally, she got a new job at a new restaurant with a manager who offered to give her a schedule that worked for her family. And do you know what she did? She selected the lunch shift. This simple change was profound because now she is at home with her daughter at night. She is able to attend school events and able to help with homework.

But basic protections like fair schedules and paid sick leaves shouldn't depend on winning the boss lottery. They should be fundamental rights of every American.

Today workers are more productive than ever, but it has been a long time since most people got a raise. We need to pass legislation to raise the minimum wage. We also need to improve the National Labor Relations Act because, when workers try to organize and form a union to negotiate for a fair share, more than one-third of the time somebody gets fired during the organizational drive.

It is time to strengthen the National Labor Relations Act so that employers might think twice before they retaliate. That is what the Workplace Action for a Growing Economy, or the WAGE Act, would do.

We need to help workers better balance work and family. We need Federal paid sick days and paid family and medical leave laws, which 80 percent of the public supports. Workers need flexible schedules, schedules that work.

It is also past time that we level the playing field so that all working families have a fair shot. It is shameful that, in 2015, discrimination still shuts many workers out of good-paying jobs.

No family should live in fear of a breadwinner being fired for being gay, but Federal law still does not provide explicit workplace protections on the basis of sexual orientation and gender identity. Working people deserve more than just a paycheck. They deserve a decent life. It is time to rewrite the rules to make the economy work for everybody.

Democrats stand ready to take up responsible solutions, like the Working Families Agenda, to boost wages, help workers balance family and work, and level the playing field by eliminating discrimination so that everybody has a fair shot.

In honor of National Work and Family Month, on Thursday, we will introduce a resolution calling on Congress to hold hearings and votes on the Working Families Agenda.

We already have 90 cosponsors on the resolution, and we won't stop there. For as long as it takes, we will continue to call on our colleagues across the aisle to take up the responsible policies that will help people make a better life for themselves and their families.

Again, I want to thank Mrs. WATSON COLEMAN and the Congressional Progressive Caucus for coordinating this Special Order hour and thank all of my colleagues in the Democratic Caucus who are standing up for working families.

Mrs. WATSON COLEMAN. Thank you very much. As always, you have shared information with us which is illuminating and edifying and, hopefully, convincing of our colleagues that they shall adhere to those things that you were suggesting and recommending.

Mr. Speaker, one of the stories tonight that I have comes from Armando in New Brunswick, New Jersey. For 3½ years, Armando worked at a gas station 7 days a week on the night shift. He got one day off every 3 months. Despite working 46 hours each week, he didn't get overtime pay.

In 2007, when his wife Silvia developed eye problems that required a number of doctors' appointments, Armando's request to leave work early to help with her treatment and recovery was denied.

In order to care for his wife, Armando would come in from work at 6 a.m., leave at 7 a.m. to head to the hospital with Silvia, return home at 7 p.m., and sleep for just 2 hours before doing it all over again.

When he filed a complaint with the Department of Labor, Armando lost his job. On his way out the door, Armando's employer told him he was a good worker. He liked his work, but not the complaint.

Mr. Speaker, no one should have to endure this. No one should have to work endlessly with just 4 days off each year just to make ends meet. No one should have to choose between caring for a loved one and losing his or her job.

I would like to take this opportunity and share another story with you from New Jersey. This story comes from Josefa, also from New Brunswick, New Jersey. She works in a restaurant in the kitchen and occasionally as a cashier.

When Josefa became pregnant, she had to take 2 months off of work without pay. When she returned, she asked for the morning shift so that she could go home to be with her newborn baby.

They obliged her request, but 2 weeks later they moved her to a 5 p.m. to 9 p.m. shift. With so few hours and traveling long distances to get to the restaurant, Josefa was stuck. She asked her boss for more hours, not a raise or a handout, but the chance to work enough hours to make ends meet.

□ 1845

Despite 5 years in her job, Josefa was told that, if she didn't like it, she could leave.

In Josefa's own words: "I was a single mom, so it was very difficult; and things like this don't just happen to me—they happen to many others. We just make enough to pay the babysitter and rent, but there are so many expenses."

Mr. Speaker, in the greatest Nation in the world, which we are, we can—and we must—do better. We must stand up for those hardworking Americans who don't want a handout but who simply want a level playing field. We have got to stand up for those working Americans who have to work 46 hours a week, who get 3 or 4 days a year off, who are not able to make the decision to be able to care for a sick child, a sick spouse, or a sick parent.

We can do better than that. It doesn't take a lot for us to simply be decent to those who hold up our economy, who do the jobs that we take for granted every single, solitary day; but without those jobs, we would see what is lacking in our lives.

So I ask, Mr. Speaker, that our colleagues in this House—and particularly on the other side of the aisle—spend some time reflecting on what little it is they need to do to simply give our working Americans a fair shake, a fair chance, time with their families, and time to be able to bring their families into the middle class.

Mr. Speaker, I yield back the balance of my time.

Ms. LEE. Mr. Speaker, thank you, Congresswoman BONNIE WATSON COLEMAN, for your tireless advocacy for working families. I'd also like to thank Ranking Member BOBBY SCOTT for leading the way, as ranking member of the Education and Workforce Committee, and with this important agenda.

Let me start by telling Andre's story.

Andre is from California, he's 31 and a father of four boys. He was a trained apprenticed carpenter.

When he began to look for work, he learned quickly that without a personal connection, it was nearly impossible to get a job in the construction industry. Every morning, he hustled to get to work sites by 5 AM to introduce himself to employers and show them his skills.

Seldom did he receive the opportunity to actually apply for a job.

As a result, he could barely sustain his family. Any income he had went to food, transportation and rent. So, he began volunteering with the Los Angeles Black Workers Center, which connected him to a good-paying job building new rail lines that let him provide for his family.

The unemployment and underemployment that Andre and other Black workers experience is not unique. The use of informal networks in hiring means that Black workers are often excluded and discriminated against before they even get a shot. Andre said: "Too many people are out there talking about training, like we're not trained enough. Training is not the issue. I was trained really well. The issue is access."

Andre is right—all the training in the world won't help if in the end, employers won't give people like Andre a fair shot.

And this agenda is designed to give Andre, his family and all families, a fair chance.

Andre's struggle reflects the divide in our economy and our country: while some have recovered fully from the Great Recession, too many working families are still struggling.

And in communities of color, which were the hardest hit by the Great Recession, unemployment and underemployment remains sky-high—and wage discrimination and formal and informal barriers to employment continue to slow economic growth.

For example, African American women in my home state of California still earn just 64 cents for every dollar paid to white men. And Latinas earn a mere 44 cents. This persistent wage gap is a reflection of our economy, which is leaving too many working families behind—especially communities of color.

That's why the Working Family Agenda is so important.

It takes long overdue steps to level the playing field for all.

Specifically, this agenda would: raise the wage for millions, strengthen collective bargaining and improve working conditions, provide paid sick and family leave, and expand access to childcare.

Furthermore, it would provide long overdue protections for women and LGBT Americans in the workplace.

And as a former small business owner, I know the importance and value of providing your employees with a living wage: it's better for your company and for retaining good workers.

Mr. Speaker, now is the time to take action on this agenda—families need it and our economy needs it. Let's boost wages, make it easier for families to balance work and family life, and bring an end to workplace discrimination.

That's what American families want—and it's what Congress should be working on.

RESETTLEMENT ACCOUNTABILITY NATIONAL SECURITY ACT OF 2015

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. BABIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. BABIN. Mr. Speaker, I feel compelled to speak tonight on an issue that impacts the safety and the security of our country. There is a grave threat to our national security that no one seems to want to talk about or to address—we talk around it; we allude to it; we look the other way or vainly hope that it will just go away—but sticking our heads in the sand will not make it go away. Instead, the threat is growing, and a lack of knowledge, foresight, and action on our part could jeopardize the future of our children and our grandchildren. The threat that I am referring to is the Refugee Resettlement Act.

Today, I want to share with my colleagues and the Nation some very important aspects of the Refugee Resettlement Program, which, I hope, will result in serious debate and in an effective reevaluation of our current refugee resettlement policies.

After events like 9/11 and the Boston Marathon bombing, you would think that America would have implemented a more rigorous screening process for allowing entry into the United States. On the contrary, as the world becomes increasingly more dangerous, significant security gaps remain.

President Obama has recently announced his plans to increase from 70,000 to 85,000 the number of refugees allowed into the United States in 2016, next year, and, for 2017, he plans to bring in 100,000. Most of the increase is from Syria and western Iraq, a direct result of the conflict of ISIS and of Mr. Obama's own weak, disjointed foreign policy.

In addition to the alarming national security concerns the resettlement program poses, there are significant costs that will be placed on the U.S. taxpayer and on State and local governments. The numbers that we have seen suggest a large economic burden on Americans, and we don't even know the full extent of all of the costs of this program.

This is why I have introduced H.R. 3314, the Resettlement Accountability National Security Act of 2015. My bill places an immediate moratorium on

the U.S. Refugee Resettlement Program until the Government Accountability Office conducts a study to determine the economic costs to the American taxpayer and until Congress analyzes the risks to our national security.

According to the U.S. Refugee Admissions' database, nearly 500,000 new refugees have come into the United States under the Refugee Resettlement Program since President Obama first took office. As a first-term Representative from Texas, I immediately began to investigate this issue because the State of Texas and its taxpayers have been asked to take in more refugees than any other State.

I found out that no one was asking—much less answering—the questions of who, how, when, where, and how much regarding these refugees. I also found out that aspects of this program are very hard to determine even by the government agencies supposedly overseeing it, mainly because these agencies contract and provide funding to nongovernmental organizations to administer the program and because the United Nations gets to choose the majority of the refugees who enter the United States.

Since the Resettlement Act was signed into law by then-President Jimmy Carter in 1980, more than 3 million refugees from Third World countries have been permanently resettled in the United States; and as I said earlier, nearly 500,000 refugees in just the last 6½ years of the Obama administration have been resettled by private Federal contractors across this country in over 190 towns and communities whose local citizens have little to no say in the matter.

The private government-contracted organizations that administer the Refugee Resettlement Program and choose the locations of resettlement within the United States are nonprofit groups. However, these nonprofits are paid, literally, millions of Federal dollars. I am very troubled by the Refugee Resettlement Act's cost to America.

The stark financial problems of our nearly \$19 trillion national debt argue against asking the American taxpayer to take on the further financial burden of tens of billions of dollars for refugee resettlement. According to official statistics published by the U.S. Office of Refugee Resettlement, or ORR, more than 90 percent of recent refugees from the Middle East are on welfare. This is alarming from a budgetary standpoint alone.

The Congressional Research Service's memo that was issued to the Senate Judiciary Committee on the Office of Refugee Resettlement Admissions from the Department of Health and Human Services revealed that 74.2 percent of all refugees up until the year 2013 received food stamps while 56 percent received some sort of medical assistance.

The very next year, in 2014, the ORR reported that 92 percent of Middle Eastern refugees were on food stamps, and over 68 percent received direct cash assistance.

According to the ORR's annual report to Congress for fiscal year 2013, the majority of the refugees who enter the United States are without any income or assets to support themselves and are given benefits paid for by State-administered programs.

Families who have children under the age of 18 are eligible for the Temporary Assistance for Needy Families, or TANF, program. Refugees who are older, blind, or disabled are eligible for Medicaid benefits and Supplemental Security Income, or SSI, whose trust fund right now is nearing insolvency. The Federal Government does not reimburse States for the costs or for Medicaid programs, which places a huge economic drain on the State governments. As a former mayor and local school board member, I know of the strain this places on local municipalities and school systems as well.

Refugees in certain States who do not meet the specifications listed above, such as single adults, childless couples, and two-parent families, are still eligible to receive benefits under the Refugee Cash Assistance, or RCA, and Refugee Medical Assistance, or RMA, programs for up to the first 8 months that a refugee is in the United States. While the States are reimbursed for these programs, they cost U.S. taxpayers about \$302.4 million each year.

For 2013, the Office of Refugee Resettlement allocated \$400 million for transitional and medical services, \$150 million for social services, and nearly \$50 million in targeted assistance. Along with several other allotments, the total refugee appropriation was over \$620 million.

What many Americans do not realize is that refugees are eligible for lawful permanent residence, or LPR, status and for all Federal benefits after being here 1 year in the United States. In addition, if they have children born here in the United States, they are eligible for benefits as well. Robert Rector of the respected Heritage Foundation puts the cost of accepting just 10,000 Syrian refugees at more than \$6.5 billion for a lifetime of costs.

Again, I ask: Is this wise for a country that is nearly \$19 trillion in debt?

It sounds noble for the Obama administration to propose bringing in more refugees next year, yet there is no full accounting or transparency over what this will cost the taxpayers at the Federal, State, or local level. In a critical time when we must be economically responsible and prioritize our finite resources accordingly, allocating over a half a billion dollars for a program with unknown consequences is not the best use of our government resources.

The question at the end of the day is: Can we really afford not to take a further look at the resettlement program?

Let's also take a few minutes to examine the national security threats of this.

Perhaps even more disconcerting than the enormous costs are the numerous security risks posed by accepting refugees without properly screening or vetting them. As entire regions of the Middle East dissolve into chaos, the ability to conduct the proper vetting of refugees by verifying places of origin, political orientations, criminal records, or sometimes even basic identities is, all too often, simply nonexistent.

Already, Director of National Intelligence James Clapper, FBI Director James Comey, and Department of Homeland Security Secretary Jeh Johnson have testified under oath that they cannot properly screen the refugees who are streaming out of these war-torn areas of the Middle East.

FBI Director James Comey said he had serious concerns about bringing in refugees from conflict zones. We cannot just call up the Damascus or Libyan police department and run background checks on these refugees from conflict zones. There is already a very good chance that, of the 70,000 refugees per year coming into the United States, terrorists and ISIS followers who are posing as refugees may have slipped through the gaps.

ISIS has promised that it will exploit this refugee crisis, and it has already, indeed, been caught attempting to do so. According to a senior Lebanese official, at least 20,000 jihadists have already infiltrated the Syrian refugee camps and are plotting to enter Western Europe. According to the Council on Foreign Relations, jihadist groups typically target European countries that have generous and liberal immigration policies and that are allies of the United States.

In line with this, the Hurriyet Daily News, in Turkey, stated this past February that the Turkish intelligence service had warned police that 3,000 trained jihadists were attempting to cross into Turkey from Syria and Iraq and then make their way into Western Europe to target countries involved in the U.S.-led anti-Islamic State coalition. What is even more alarming is that the news publication reports that some of the members of the group, including their leaders, have already entered Turkey and have already established cells of terrorist operation.

Palestinians and citizens from Syria who are between the ages of 17 to 25 have entered Turkey as refugees and plan to travel to Europe through Bulgaria in order to attack anti-ISIS coalition-member countries. In fact, one ISIS operative has claimed more than 4,000 covert ISIS gunmen have been smuggled into Western nations and are

currently hiding amongst innocent refugees. He then warned “just wait,” according to the *International Business Times*.

In May, the *International Business Times* also cited Libyan Government adviser Abdul Basit Haroun, who warned that ISIS operatives were being smuggled into Europe by boat. Haroun said that ISIS militants are taking advantage of the crisis by using boats for their own operatives whom they want to send to Europe, and the European authorities can't differentiate between those from ISIS and the actual refugees. If this is not disturbing, then I don't know what is.

□ 1900

There are also thousands of former refugees who have settled in Europe over the past several decades now going to join ISIS in the Middle East. According to Gilles de Kerchove, the European Union's counterterrorism chief, nearly 4,000 Europeans are estimated to have left Western Europe and gone and joined ISIS.

We have even seen this in the United States refugee settlement communities as well. In Minneapolis, Minnesota, there have been 22 young Somali men that we know of since 2007 that left their new refugee home in the United States to join the terrorist organization al Shabaab.

In Somalia, they are fighting against U.S. allies and U.S.-trained troops. There are 27,000 Somali refugees in the Minneapolis area, and President Obama's plans call for thousands more.

In Texas, 37-year-old Bilal Abood is an Iraqi American who is suspected to have come to the United States as a refugee or an asylum seeker in the year 2009. When the FBI went to his home, they found evidence of ties with ISIS, including pledging an oath to its leader, Abu Bakr al-Baghdadi.

A former cab driver in Virginia, Liban Haji Mohamed, who came to the United States as a Somali refugee, is on the FBI's Most Wanted Terrorist list for providing material support to al Qaeda and al Shabaab. He is considered particularly dangerous because he worked to recruit other U.S. terrorists for these terrorist organizations. He lived in Alexandria, Virginia, just a few miles across the river from where I am standing right now.

According to Mike Mauro, a professor of homeland security and national security analyst at the Clarion Project, a poll was conducted in November of 2014 of 900 Syrian refugees. In this poll of recent refugees, 13 percent, or roughly one out of seven, claim to have sympathies toward ISIS. Alarming and incredibly, that amounts to a potential 130 ISIS sympathizers.

The Immigration and Nationality Act, known as the INA, specifies that applicants for the resettlement program be subject to various grounds of

inadmissibility, including criminal, security, and public health grounds.

The grounds of inadmissibility applying to refugee applicants include the broad terrorism-related inadmissibility grounds, or TRIG, in section 212 of the INA, the Immigration and Nationality Act.

Very disturbing is the fact that, beginning in 2005, the Department of Homeland Security, the State Department, and the Department of Justice began exercising their discretionary authority to waive these categories of inadmissibility for refugee applicants.

Then, in 2015, the Department of Homeland Security began implementing new additional exemptions for individuals if they only provided insignificant or certain limited material support to terrorists—this includes routine commercial and social transactions—or provided humanitarian assistance to undesignated terrorist organizations.

As of this past June, the United States Government has granted more than 15,560 TRIG exemptions to refugee applicants. That is right. More than 15,000 times the Government of the United States has waived past participation with terrorist organizations so that refugees could come and enter into the United States. This must stop.

The warning signs are everywhere of the potential of terrorist suspects posing as refugees while President Obama redoubles his efforts to bring these people in the United States and put at risk the lives and safety of the American people.

We have recently had two terrorist gunmen in Garland, Texas, who linked themselves to ISIS; the shooter in Chattanooga, Tennessee, who killed five U.S. servicemembers, recruiters; and the Tsarnaev brothers in the Boston Marathon bombing, who killed three spectators and injured an estimated 260 others. What we need to ask ourselves is: How did the Federal Government fail the American people with respect to vetting these refugees?

Of course, not all refugees are Islamic jihadists. Indeed, most are not. But the few that are pose a very real threat to the safety and security of the American people. The 9/11 terrorist attackers numbered 19, the Boston terrorists only 2.

As elected representatives, our responsibility to the American citizens and our communities should be our number one priority.

The Refugee Resettlement Program has long operated under the radar of most Americans. The average American has no idea that this resettlement program is a U.N. plan that chooses which refugees come to the United States and that the United States taxpayer foots the bill.

But as it has grown over the last few years and its implementation has become a threat to small communities,

saddling them with the problems that refugee resettlement brings without their say-so and often even without their knowledge, residents in several States, including Texas, are starting to ask hard questions.

No longer satisfied with past answers, they are showing up at townhall meetings, starting blogs and email lists, digging up information and informing their friends and neighbors of what is really going on with refugee resettlement in such diverse American communities as Minneapolis-St. Paul, Minnesota; Lewiston, Maine; Amarillo, Texas; the State of Idaho; and many other locations, just to name a few.

To really see what America's future will be, we have to look no further than western Europe, which has taken in over half a million refugees just this year, not to mention the millions over the past decades.

A very popular destination for refugees coming to Europe is Sweden. The country is currently facing a large-scale refugee crisis, and the government does not know where these refugees will live, how they will work, and who will foot the bill for them.

According to Boverket, the Swedish National Board of Housing, Building and Planning, Sweden needs to build half a million homes by the year 2020. This costly housing initiative will cost about \$387 million a year and will only fund half of this by 2020.

Sweden is also known for its horrific rape numbers. Recent refugees—and now their Swedish-born children—are responsible for more than half of those convicted of rape, murder, and robbery.

Clearly, the existing approach to addressing the plight of refugees is simply not working. Are these really the sort of problems that we want here at home and the United States?

Again, I am not saying that brutal rapes, gang violence, and domestic terror are the norms, but, rather, they are the risks that have been seen in Europe that come along with accepting large numbers of refugees without proper vetting and screening.

While refugee crises are tragic, crimes committed by transplanted people against unsuspecting, unprotected victims in their own country are even more tragic.

The five wealthiest countries on the Arabian Peninsula—Saudi Arabia, United Arab Emirates, Qatar, Kuwait, and Bahrain—have not taken in a single refugee that we know of.

Instead, they have argued that accepting large numbers of Syrians is a threat to their safety, as terrorists could be hiding within an influx of people.

The only help so far from Saudi Arabia is an offer to build 200 mosques in Germany. It is quite apparent that the fear of importing terrorists is real for American communities if Syria's own neighbors will not admit these refugees.

My investigation of the refugee resettlement policies have also led to a concern for the most persecuted religious minority in the entire Middle East region: Christians.

Of the nine nongovernmental organizations which receive Federal grants and contracts to resettle refugees, six are designated religious charities. However, I could find no mission statements from any of them about saving Christians.

The U.N. connection could explain why so many non-Christian refugees are chosen to be brought into the United States while persecuted Christians in Syria, Iraq, Egypt, and other nations there have a very hard time getting within sight of the Statue of Liberty.

In fact, the glaring shortcoming of the U.N. refugee program is that it falls short of helping one of the most persecuted groups around the world, and that is Christians.

According to reporting by Nina Shea and Elliott Abrams, the United Nations High Commission on Refugees refuses to classify Christians as a persecuted group eligible for resettlement on this basis.

Why? Because our Department of State chooses to adhere to a definition of refugees as people persecuted by their own government. The murders of Christian men, the rapes of Christian women, and the butchery of Christian children apparently do not count. These people are routinely beheaded, crucified, burned at the stake, sold into slavery, or have their property confiscated.

In Iraq, ISIS has blown up dozens of churches, kidnapped Christians and held them for ransom, even after they have already murdered them. Last summer they started marking Christian homes with a red letter "N" for "Nazarene" before they took the homes and exiled the owners.

Unfortunately, for many Christians, exile is a better option than the inhumane atrocities that many in the region are currently facing. Many are sexually enslaved by ISIS, like Kayla Mueller.

Kayla Mueller was a Christian American human rights activist from Prescott, Arizona. She was taken captive in August 2013 by ISIS in Syria after leaving a Doctors Without Borders hospital. After she was taken by the terrorist group, she was repeatedly raped by Abu Bakr al-Baghdadi, who is the leader of ISIS.

There are still many other Christian ISIS prisoners, including 460 taken from Syria and many more who have already been killed. Many have been taken by al Shabaab in Africa. Pope Francis has even gotten involved and is calling this targeting of Christians a form of genocide.

Many Christians who want to flee persecution face the difficult decision

of where to turn and where will they be safe.

A decision of how to flee and what mode of transportation to take can be critical to Christian families. It was reported this past April that 12 Christian migrants trying to get to Europe by boat were simply thrown overboard by fellow Muslim migrants and drowned.

Most are afraid to go to the U.N. refugee camps and fear the actions taken by some of their more radicalized Muslim neighbors within the camps. There are very few Christians in these camps and other non-Muslims because they fear for their own personal safety.

Unfortunately for these persecuted religious minorities, the only persons able to qualify easily for U.N. refugee resettlement are those people who are in these U.N. refugee camps. There in the camp they can be designated as priority 1 eligible by the United Nations High Commission on Refugees, and then they qualify for resettlement.

This is critical to know because the U.N. refugee camps are the only source from which the U.S. will accept U.N. refugees under this resettlement act. Since very few Christians feel safe in these camps, it is apparent that this is the reason that less than 4 percent of the U.N. resettled refugees are Christians.

Former Archbishop George Carey of Canterbury said it best when he stated that this inadvertently discriminates against the very Christian communities most victimized by the inhuman butchers of the so-called Islamic State.

It is a sad reality for Christians in this part of the world right now. They are so desperate to leave that they have said that they will go almost anywhere except the U.N. camps to try to rebuild their lives.

There is another method, however, other than the resettlement act by which it is possible to admit Christians and other groups into the U.S. as refugees. The U.S. State Department has the authority to designate certain groups like Christians as priority 2 refugees, which would enable them to enter the United States without having to be living in a U.N. refugee camp.

The U.S. State Department needs to act on this immediately. It defies logic that we would want to potentially import the problems of the Middle East into the very heart of America.

□ 1915

The recent terrorist attacks in Garland, Texas; Chattanooga, Tennessee; Oklahoma City, and the Boston Marathon should serve as a dire warning.

A report submitted by the Obama administration for proposed refugee admissions says that in the year 2014 the median age of refugees from Iraq and Syria was 28 and 23, respectively, and over half of these refugees were of working age, between 16 years and 64 years of age. In fact, according to U.N.

statistics, 65 percent of these Syrian refugees are military-age males, who should be defending their own country and pose a risk of having ISIS infiltrators among them.

Again, we don't need to look any further than Europe for all the evidence that we need to see the dire consequences for this program to American safety and security.

According to the Gatestone Institute, half a million known migrants and refugees came to the European Union in the first 8 months of 2015. This number will most likely reach 1 million by the end of this year, and this does not include the number of individuals who slipped in undetected.

Of the maritime arrivals in Europe, the top countries of origin are Syria, Afghanistan, Eritrea, Nigeria, Albania, Pakistan, Somalia, Sudan, and Iraq. For the refugees who arrived by land, the top three countries of origin are Syria, Afghanistan, and Pakistan.

There has been much criminal activity, including multiple cases of rape, among refugee camps. On August 6 of this year, police finally reported that a young 13-year-old girl was raped by another asylum seeker at a refugee facility in Detmold, Germany. The rape actually had taken place in June, but the police had kept quiet about it for several months, not wanting to alarm the German local population. It was only after a local media outlet had published this story about the crime that it came to light.

According to German social work organizations, large numbers of women and young girls housed in refugee shelters in Germany are being raped, sexually assaulted, or forced into prostitution by male asylum seekers.

An editorial comment in the German newspaper *Westfalen-Blatt* said police are refusing to go public about the crimes involving refugees because they don't want to give legitimacy to criticism of the dangers of mass, unchecked migration from the Middle East.

In this refugee population, there are many elements that neither Europe nor the United States would ever invite in, and the challenge is separating them. Europe is dealing with a stark reality that it does not want to face and would prefer to turn a blind eye.

Police in the Bavarian town of Mering have issued a warning to German parents not to allow their children to go outside unaccompanied. In another Bavarian town of Pocking, administrators at the Wilhelm-Diess-Gymnasium have told parents not to let their daughters wear revealing clothes to avoid "misunderstandings" by the large number of refugees in their town.

These are not the only troubling actions unfolding in Germany, a country which has pledged to take more refugees than any other country in the European Union. Levels of violent crime

brought about by the groups from the Balkans and the Middle East have turned certain cities such as Duisburg into no-go zones for police, according to a police report from their headquarters in the North Rhine-Westphalia region. This is the most populous state in Germany. This report states that the ability of the police to maintain public order “cannot be guaranteed over the long term,” according to *Der Spiegel*, the newsmagazine which leaked the report.

There are districts where immigrant gangs are taking over entire metro trains for themselves. Local residents and businesspeople are being intimidated and silenced. People taking trams during the evening and nighttime describe their experiences as living nightmares. Policemen, and especially policewomen, are subject to high levels of aggressiveness and disrespect.

Unassimilated refugees and immigrants have turned large sections of Europe's great cities into no-go zones where even the police will not go. Jewish emigration from France is the highest since World War II.

In the near term, nothing will change, according to this report. The reasons for this: the high rate of unemployment, the lack of job prospects for immigrants without qualifications for the German labor market, and ethnic tensions among the migrants themselves. The Duisburg police department now wants to reinforce its presence on the streets and track offenders much more consistently than before.

I am not suggesting that every refugee or even the majority of these refugees are engaged in such criminal activity. It is a very small number. But what I am suggesting is that there are some among them who have terrorist intentions that have infiltrated these communities, and it is difficult to screen them out. Even one is too many.

President Obama's plan is a potential national disaster waiting to happen. No one is saying that we should not help those who are in refugee camps. We should. America is the most generous and compassionate country in the world. We already are spending \$4.5 billion in humanitarian aid, food, shelter, and medicine for these displaced persons in these refugee camps. What we should not do is endanger the American people and the safety of our children and our grandchildren.

Each of us serving in this body took an oath to support and defend the Constitution against enemies, both foreign and domestic, and ISIS has already exploited this U.N. program to infiltrate Europe. We have a sworn duty to prevent foreign enemies from entering the United States and allowing them to become domestic enemies, particularly at taxpayer expense. The President's plan and the current policy of the Refugee Resettlement Act defies all logic.

I am sure that I will be criticized and attacked for making this speech and

sharing these very disturbing facts with you today, but I am compelled by the oath of office that I took when I was sworn in as a Member of the United States Congress to put the safety and security of the American people above political correctness.

I didn't come to Congress to be politically correct. I came to uphold the U.S. Constitution and to protect our national security. Protecting our American way of life, the greatest experiment in liberty and freedom in all human history, is our highest calling as elected leaders of this great Nation.

Those who criticize me for these remarks should instead turn their criticism toward those who are exploiting refugees and to the terrorists who are infiltrating these very refugees who are entering Europe and the United States.

I encourage my colleagues to further investigate the Federal Refugee Resettlement Program and to join me in calling for a moratorium on the President's proposal while we fully examine the costs to the American taxpayer and the national security implications of his policies.

Let us reassert our congressional authority over the refugee program and put the safety and security of the American people above all else. It is crucial that Congress take a look at the results of my proposed reassessment of the Refugee Resettlement Program, its cost to the American taxpayer, its threat to our national security, and its impact on our small towns and communities by passing H.R. 3314, the Resettlement Accountability National Security Act of 2015.

Mr. Speaker, I yield back the balance of my time.

THE HONORABLE FRANK M. JOHNSON, THE HIDDEN HAND OF JUSTICE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 30 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the leadership for allowing us to have this time to discuss H. Con. Res. 84. This recognizes the works of the Honorable Frank M. Johnson, a Federal judge.

Not only was he a Federal judge, he was one of the greatest unsung heroes of the civil rights movement, a lawyer par excellence, a great student of jurisprudence, and, I would daresay, he was the hidden hand of justice in the civil rights movement.

Before continuing, however, let me just thank some additional persons. It is appropriate that I thank the six original cosponsors of this resolution. Of course, we would mention the Honorable ALCEE HASTINGS of Florida, and we thank him for signing on to this resolution. We also would like to thank

the Honorable SHEILA JACKSON LEE of Texas, the Honorable GREGORY MEEKS of New York, the Honorable ELEANOR HOLMES NORTON of Washington, D.C., and I especially want to thank the Honorable TERRI SEWELL of Alabama, because Judge Johnson was from Alabama. She has signed on to this resolution, meaning that she has given her approval. I am grateful to her. She is a great, great Member of this body and has done quite well in representing the people of her district and, indeed, her State and her country. And, finally, the Honorable FEDERICA WILSON of Florida. All of these Members have signed on to this resolution honoring the Honorable Frank M. Johnson.

The Honorable Frank M. Johnson was a unique person in American history, unique in that he was one of those people that made real the great and noble American ideals: liberty and justice for all; government of the people, by the people, for the people. He truly—he truly—made justice more than a word. It meant something to him, and, as a result, people were able to benefit from justice. Justice was more than a word for the Honorable Frank Johnson.

He did not have it easy, however. He was appointed to this Federal District Court by the Honorable President Dwight Eisenhower in November of 1955. After being appointed, he immediately had a very difficult case come before him. This is when we learned of the character of Frank M. Johnson. His character was such that he refused to allow himself to be intimidated.

Over the course of his life, he had a cross burned on the lawn of his yard. Over the course of his life, and he lived for 80 years, his mother's house was bombed. It was thought that it was his home. It was bombed by the KKK. He was a person who had, as a classmate in law school, Governor George Wallace.

He was a person who probably could not have been predicted to be one of the most significant persons in the civil rights movement at the time he was appointed to the bench. There are people who, for whatever reasons, decide that they are going to do the just and honorable thing, and Frank M. Johnson was such a person.

While he lived, he had to have 24-hour protection—24-hour protection—for his very life because there were those who saw him as a threat to the way of life that existed at that time. They wanted to end his life because of his being perceived as a threat to their way of life.

What is it about him that caused people to want to burn a cross on his lawn, that caused persons to bomb his mother's house thinking that it was his? What was it about this man that caused people to believe that he was such a huge instrumentality that was moving the South in a direction that they did not want to see it move into?

Well, he was one of those persons who actually proved, Mr. Speaker, that Black lives matter. He proved that Black lives were as important as any other lives, that all lives matter, but he proved that Black lives matter by his decisions that he made.

I indicated earlier that one of his first decisions, Mr. Speaker, was a difficult one. It was a case that involved the bus boycott in Montgomery, Alabama. It was a case wherein Rosa Parks, the Alabama female of African ancestry, took a seat on a bus; and after taking that seat, she was required to move because, as others came on the bus who were White, she would have to move, as would any other Black person, and give White persons an opportunity to have seats on the bus. She would either have to move back or, if all of the other seats were filled, she would have to stand. She refused.

As a result of that refusal, Mr. Speaker, a civil rights movement was born in Montgomery, Alabama, and a protest movement was led by the Honorable Dr. Martin Luther King. As a result of this protest movement, many people galvanized. They came together, and they decided that they would not ride the buses and that they would transport themselves to and from work.

Well, one might think that this boycott was the reason that the bus line was eventually integrated after about a year of protestations. But, Mr. Speaker, the hidden hand of justice was the Honorable Frank M. Johnson, because he, on a three-judge panel, concluded that the Brown decision, which applied to schools, should be applied to public accommodations, should be applied to public transportation. He convinced another judge to do so, and, as a result, they issued an order that desegregated the buses in Montgomery, Alabama.

□ 1930

He was the hidden hand of justice. The protest movement was absolutely necessary, but he showed that Black lives mattered when he decided that he was going to stand for justice and that he was going to issue that order integrating the bus lines.

Later on, in the case of *Gomillion v. Lightfoot*, this is a case that invalidated the City of Tuskegee's plan to dilute Black voting strength.

At that time, it was not unusual for Black voting strength to be diluted such that Blacks could not get representation. We were not represented in Congress to the extent that we are today.

At that time, gerrymandering was almost commonplace to make sure that Blacks did not have the opportunity to represent constituents in city councils, and not only city councils, but in county government, as State Representatives, as State Senators, gerrymandering.

Well, it was the Honorable Frank M. Johnson that invalidated that plan that they had and ordered the redrawing of the lines.

In the *United States v. Alabama*, in 1961, literacy tests were required for Blacks, but they weren't required for Whites. Blacks had to take the test, which was impossible to pass, in many cases. How many bubbles are there in a bar of soap, all sorts of ridiculous things, were required of Blacks.

But this judge, the hidden hand of justice, the man who believed that Black lives mattered, required Black people be registered to vote to the same extent as the least qualified White person was registered to vote. Allowing Black people to register allowed more Black representation to manifest itself in the years that followed.

In the case of *Lewis v. Greyhound*, 1961, this case involved the Honorable JOHN LEWIS, who is now a Member of Congress. It involved protesting at a bus station. It involved being seated at a counter and involved desegregating the bus lines and the bus stations. JOHN LEWIS was one of several persons who were arrested, and this violated his civil rights.

It was the Honorable Frank M. Johnson that required the desegregation of the bus depots across the length and breadth of the country. By directly doing it in Montgomery, Alabama, it eventually became the law across the land.

Again he demonstrated that Black lives mattered to him, and he moved on it. He didn't just believe it. He acted on his beliefs.

In the case of *Sims v. Frink*, in 1962, this had to do with Alabama reapportioning. Alabama had not reapportioned since 1900. The lines had been left as they were because, by leaving them as they were, they could keep certain people from having a right to vote or having their vote really count in the scheme of one man, one vote.

It was Frank M. Johnson who required that one man, one vote, principles be utilized, giving Black people a greater voice in voting.

In *Lee v. Macon County Board of Education*, in 1963, this was the first statewide desegregation of schools, and it happened in Alabama. It happened because Frank M. Johnson concluded that Black lives mattered. He ordered the desegregation of these schools, and it was the beginning of something that would spread across this country.

He was a part of the avant-garde of the civil rights movement, but he did so with a pen from the bench. As a matter of fact, he did not wear a robe when he was on the bench and he did not have a gavel. He believed that, if you are a just judge and you are going to follow the law, you didn't need the robe and you didn't need the gavel. You just needed to follow the law. And he did so.

He did so in the case of *Williams v. Wallace*. This is a landmark case in that it involved the Honorable Dr. Martin Luther King.

As we know now, persons assembled at the Edmund Pettus Bridge. They assembled there for the purpose of marching from Selma to Montgomery. When they assembled at the Edmund Pettus Bridge, they decided that, in marching from Selma to Montgomery, they would assemble themselves at a church, and they marched from that church to the bridge.

If you have not been to the Edmund Pettus Bridge, you should do so because, as you do so, you will see that that bridge has an arch. As you move across the bridge, you can't see from the start of your movement to the bridge what lies on the other side.

But on the other side of the Edmund Pettus Bridge were men, members of the constabulary. They were on horses. They had clubs. And these men on horses, with clubs, confronted the marchers, who were peaceful. They were unarmed.

They were Black. They were White. They were multi-ethnic in terms of their ethnicity. They were persons of goodwill who only wanted to exercise their freedom of movement to demonstrate, to move from one city to another, protesting the way African Americans were being treated in the South in terms of their voting rights, in terms of their inability to receive the same treatment as others under the law.

Well, in doing this, in marching from Selma to Montgomery, when they encountered these officers with clubs, these officers beat them.

The Honorable JOHN LEWIS was a part of the march. He has said on many occasions that he thought he was going to die.

They beat them all the way back to the church where they started—all the way back to the church—blood on their heads, on their bodies, on the ground, on people, as they tried to flee and tried to fend for themselves against these members of the constabulary.

The marchers returned later to march again, but this time they had gone to court and they had appeared before the Honorable Frank M. Johnson. He issued an order requiring the constabulary to get out of the way and allow the marchers to move from Selma to Montgomery.

Few people are aware that Bloody Sunday was followed by an order from the hidden hand of justice, the Honorable Frank M. Johnson. I would dare say that that order and that movement, that march, were the basis for the passage of the Civil Rights Act of 1965. It passed shortly thereafter.

The President signed it into law. As a result, many people who are in Congress today are here because that march took place and because the Honorable Judge, the hidden hand of justice, Frank M. Johnson, signed an

order requiring the constabulary to get out of the way.

What is interesting about this order, Mr. Speaker, is that it was issued by his classmate, whom I mentioned earlier, Governor George Wallace. Governor George Wallace and Frank M. Johnson were at constant odds with each other. They were at odds with each other not only as it related to this march, but as it related to the integration of schools.

As a matter of fact, there were many people in Alabama who were of goodwill who started to call Frank M. Johnson the real Governor of Alabama because he stood toe to toe with Governor Wallace and, in so doing, made real what the Governor had the opportunity to do, but refused to do.

The Honorable Frank M. Johnson, the hidden hand of justice in Alabama and the United States of America.

In *White v. Cook*, 1966, he ruled that Blacks should be allowed to and must serve on juries in Alabama. Black people have not always had the opportunity to serve, even when the law said they had the right to serve.

As a result of not having the right to serve by virtue of the way people interpreted the law, they were denied service on juries. It was the Honorable Frank M. Johnson that permitted this to happen by his ruling.

Mr. Speaker, how much time do I have left?

I would like to make sure that I properly cover certain materials.

The SPEAKER pro tempore. The gentleman from Texas has 14 minutes remaining.

Mr. AL GREEN of Texas. Mr. Speaker, Frank M. Johnson, in making this ruling that allowed Blacks to serve on juries, was taking a giant step forward in that he was bringing Black people into the courthouse and they were now allowed to come right in and go right in and sit up front.

Black people haven't always been able to go into the courthouse and sit on the front row. They haven't always been respected when they have been in the courtroom.

In my lifetime, I have heard African American lawyers referred to as "Boy" in the courtrooms of this country.

In my lifetime, I have seen African American lawyers required to wait while White lawyers were being served. In my lifetime, I have seen some things that I am not proud of.

But, in my lifetime, I have seen great changes take place, and many of these changes took place because of people like Frank M. Johnson, unsung heroes, people who have not received the kinds of accolades, the kinds of kudos, that they merit for the actions that they took and the bravery that they exhibited.

But tonight I want to make sure that at least one person who was an unsung hero gets the notoriety that he de-

serves. Of course, I am speaking of the Honorable Frank M. Johnson.

In 1966, *United States v. Alabama*, he ruled that the poll tax was unconstitutional, the poll tax. At one time, you had to pay a tax to vote. Unfortunately, that time has returned.

In my State, the State of Texas, we now have a poll tax. That time has returned. Frank M. Johnson declared it unconstitutional, giving Black people the right to vote without having to pay a fee.

Well, in my State, the State of Texas, we find now that, if you want to vote and you don't have a license to carry a gun and you don't have certain other IDs, well, you will have to then acquire an ID to vote. And while the State of Texas will provide at no cost a certain type of ID, these IDs are predicated upon your having proof of birth, a birth certificate.

I took the test myself. I went to the polls to vote, and I went to the polls without my voter registration intentionally. I might add, and I voted a provisional ballot.

I was given time to go out and acquire the proper identification. I did it knowing that I would bring the proper identification, and I did so. And I voted timely. But I did this because I wanted to see what does one go through to simply get a birth certificate.

Well, I applied for my birth certificate. I was born in the State of Louisiana. I applied for it and, to this day, I have not received my birth certificate. This was about a year ago that I applied for it. I still have not received it from the State of Louisiana. I applied for it, paid the fee.

Now, why am I saying it is a poll tax? Because in the State of Texas, if you get your birth certificate from the State of Texas, then there is a provision for indigent persons to acquire the certificate and the ID and you can do this without a fee.

But if you are from out of state, you have got to pay that fee to that out-of-state agency to get your birth certificate so that you can get it to the State of Texas and you can get your ID.

The point is paying for the right to vote is a poll tax. No one should have to pay to vote, no one. Frank M. Johnson outlawed the poll tax in the State of Alabama.

I pray that we have some other Frank M. Johnsons on the bench who will eventually outlaw the poll tax in the State of Texas because, to Frank M. Johnson, Black lives mattered. They mattered.

They ought to matter to other people who understand that invidious discrimination still exists, that people are finding clever ways to keep people from voting today, just as they did many, many years ago.

□ 1945

The struggle for human rights, human dignity, civil rights is not over.

There are still challenges before us. There are still people who are in high places who are making it difficult for people to vote.

I thank God for the Frank M. Johnsons of the world who are willing to stand for justice and make it possible for people to have the same right to vote as other people have had in this country for many years.

I know that there are some who would say: "Well, you have got the right to vote; you ought to have an ID." Well, I don't have a problem with people having an ID. I do have a problem when you have to pay for that ID so that you can vote. Voting is separate, and it is sacred in this country. We ought not require people to have to pay a fee to acquire an ID so that they can vote.

So he declared the poll tax unconstitutional in 1966.

In 1970, in *Smith v. the YMCA of Montgomery*, he ordered the desegregation of the Montgomery chapter of the YMCA.

The YMCA has not always had its doors open to Blacks, and many of the institutions in this country who did open doors opened only the back door. I know. I have been to the back doors. I know what it is like to go to a bus station and have to go to the back door. I know what it is like to go to a food service establishment and have to go to the back door to get your food. I have been there. I know what it is like to travel across country and to have to pick your places to stop because in certain places it was known that you were not permitted to stop; and in those places where you were permitted to stop, you would have to use back doors a good amount of the time.

So I know what discrimination looks like. I have seen the face of discrimination, and I understand how it hurts people. I understand the pain that is inflicted upon people. I am proud that we can now go through front doors because of judges like Frank M. Johnson, who had the courage to order the desegregation of public accommodation facilities in this country. I am so proud that there are unsung heroes who took a stand when others would simply conclude that this is not the right time, the country is not ready.

There were many other judges who could have taken the same position that Frank M. Johnson took, but they didn't do so. It takes courage to do the righteous thing. Frank M. Johnson was a righteous person, and he had the courage to do the righteous thing.

In the case of the *NAACP v. Dothard*, which required Alabama to hire one Black State trooper for every White State trooper, which was to be done until parity was achieved, it was the Honorable Frank M. Johnson that ordered this be done.

Frank M. Johnson understood the necessity to have the DPS in Alabama

demonstrate diversity. He understood that if you have a diverse police department, Department of Public Safety, that you are going to get people there who can help other people be better people. It was by doing this that we got more Blacks into the Department of Public Safety in Alabama and, as a result, across the country later on. He had the courage to do this because he knew that Black lives matter.

Now, this is not to say that only a certain color of person is going to make a good peace officer, not true. People of all hues, of all ethnicities, of all races, of all creeds can make good peace officers. But there are some who are not good, and those have to be removed from their positions. You ought not have people who don't respect all people, but especially at this time when we are seeing so many things happen to Black people, that don't understand that Black lives matter.

I cannot resist the temptation to avoid speaking about what happened to that young girl in South Carolina. I think the sheriff did the right thing. He has removed that officer from his department. But there is something about that case that I think we need to talk about very briefly, tersely, this: If the camera's eye had not been there, I conclude, I prognosticate, he would not have been fired. He would not have been fired without the camera's eye.

The sheriff, himself, said that two adults who were there, who saw what happened—two adults, one a teacher—said they thought the officer's behavior was correct. They didn't have a problem with the officer's behavior. It was the eye of the camera, Mr. Speaker, that made the difference. The camera brings to us what we cannot acquire when we get people with conflicting stories about what happened. We had an opportunity to see for ourselves what happened.

This is why we need body cameras. This is why Congressman CLEAVER and I have introduced the CAM TIP Act in this Congress, so that people across the length and breadth of this country can be protected who are officers. If they have the body camera on, you have the evidence of what occurred. Citizens are protected. Officers can't have these frivolous charges made real. They will help both officers and citizens.

Body cameras make a difference. They are not the panacea; they are not the silver bullet; they won't be the end-all; but they will be a means by which we will have additional evidence of what actually occurred. And many times that evidence is going to be much more potent, much more revealing than what people will say when they have conflicting stories.

I believe we ought to do all that we can to help the municipalities, the police departments across the length and breadth of this country acquire these body cameras, because these body cam-

eras will make a difference in the lives of people.

In this case in South Carolina, if not but for the eye of the camera, I conclude we would have different results because you had two adults who proclaimed the actions of the officer to be appropriate.

It was Frank M. Johnson who declared that there should be parity in the DPS in Alabama.

Finally, I want to mention this case. It is the case of a 39-year-old White female, Viola Liuzzo, who came down to Alabama to do what she thought was the righteous thing and help in the civil rights movement. She was murdered by the KKK. And after an informant in the KKK revealed the identities of the culprits, and when they were brought to trial with overwhelming evidence, in the first trial, there was a hung jury. In the second trial, an all-White jury acquitted the officers. In the third trial, before the Honorable Frank M. Johnson, they were all found guilty, but they were not found guilty without the judge requiring the jury to deliberate at length. He may have been one of the first to give what is known as an Allen charge today, requiring the jurors to continue to deliberate notwithstanding their belief that they had exhausted all of their options. He required them to continue to deliberate; and, as a result, these three members of the KKK were found guilty. After having been found guilty, they were each sentenced to 10 years.

So I am honored tonight to have brought to the attention of this august body, to the attention of our State of Texas, to the attention of the United States of America the many, many exploits positive of Frank M. Johnson. I pray that this resolution will pass in the Congress of the United States of America for this unsung hero who understood that Black lives matter.

Mr. Speaker, I believe my time is up, and I am honored that you were gracious enough not to remove me from the microphone. Thank you for the additional time. God bless you.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HUDSON (at the request of Mr. MCCARTHY) for today on account of attending a funeral.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3819. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

ADJOURNMENT

Mr. AL GREEN of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, October 29, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3288. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Importation of Fresh Peppers From Ecuador Into the United States [Doc. No.: APHIS-2014-0086] (RIN: 0579-AE07) received October 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3289. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Direct Grant Programs (RIN: 1890-AA19) received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3290. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Student Assistance General Provisions, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program [Docket ID: ED-2014-OPE-0161] (RIN: 1840-AD18) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3291. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Program Integrity and Improvement [Docket ID: ED-2015-OPE-0020] (RIN: 1840-AD14) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3292. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's interim final rule — Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Vicks VapoInhaler [Docket No.: DEA-367] (RIN: 1117-AB39) received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3293. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Protection System, Automatic Reclosing, and Sudden Pressure Relaying Maintenance Reliability Standard [Docket No.: RM15-9-000, Order No. 813] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3294. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's interim final rule — Schedules of

Controlled Substances: Table of Excluded Nonnarcotic Products: Nasal Decongestant Inhaler/Vapor Inhaler [Docket No.: DEA-409] (RIN: 1117-ZA30) received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3295. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report by the Department on progress toward a negotiated solution of the Cyprus question covering the period of June 1 through July 31, 2015, pursuant to Sec. 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with Sec. 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

3296. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Special Wage Schedules for U.S. Army Corps of Engineers Flood Control Employees of the Vicksburg District in Mississippi (RIN: 3206-AN17) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

3297. A letter from the Deputy Director, Department of Health and Human Services, transmitting the Department's final rule — Change of Address for the Interior Board of Indian Appeals received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3298. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting the Department's final rule — Special Regulations, Areas of the National Park System, Klondike Gold Rush National Historical Park, Horse Management [NPS-KLGO-19374; PPAKKLGOL0, PPMRLE1Z.L00000] (RIN: 1024-AE27) received October 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3299. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the report on the administration of the Foreign Agents Registration Act of 1938 for the six month period ending December 31, 2014, pursuant to Sec. 11 of the Foreign Agents Registration Act, as amended (22 U.S.C. 621); to the Committee on the Judiciary.

3300. A letter from the Federal Liaison Officer, United States Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Changes to Facilitate Applicant's Authorization of Access to Unpublished U.S. Patent Applications by Foreign Intellectual Property Offices [Docket No.: PTO-P-2014-0012] (RIN: 0651-AC95) received October 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3301. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2015-1419; Directorate Identifier 2014-NM-183-AD; Amendment 39-18279; AD 2015-20-01] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3302. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. Turbo-prop Engines (Type Certificate previously held by AlliedSignal Inc., Garrett Engine Division; Garrett Turbine Engine Company; and AiResearch Manufacturing Company of Arizona) [Docket No.: FAA-2012-0913; Directorate Identifier 2012-NE-23-AD; Amendment 39-18261; AD 2015-18-03] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3303. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes [Docket No.: FAA-2015-0677; Directorate Identifier 2013-NM-244-AD; Amendment 39-18289; AD 2015-20-10] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3304. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2015-0934; Directorate Identifier 2014-NM-030-AD; Amendment 39-18287; AD 2015-20-08] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3305. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0656; Directorate Identifier 2013-NM-224-AD; Amendment 39-18295; AD 2015-21-03] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3306. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Fuel Injected Reciprocating Engines [Docket No.: FAA-2007-0218; Directorate Identifier 92-ANE-56-AD; Amendment 39-18269; AD 2015-19-07] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3307. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; M7 Aerospace LLC Airplanes [Docket No.: FAA-2015-2207; Directorate Identifier 2015-CE-003-AD; Amendment 39-18272; AD 2015-19-10] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3308. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes [Docket No.: FAA-2015-2775; Directorate Identifier 2015-CE-021-AD; Amendment 39-18277; AD 2015-19-15] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3309. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0773; Directorate Identifier 2014-NM-068-AD; Amendment 39-18271; AD 2015-19-09] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3310. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-0494; Directorate Identifier 2014-NM-160-AD; Amendment 39-18275; AD 2015-19-13] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3311. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH (formerly Eurocopter Deutschland GmbH) (Airbus Helicopters) Helicopters [Docket No.: FAA-2012-0503; Directorate Identifier 2011-SW-032-AD; Amendment 39-18276; AD 2015-19-14] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3312. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piaggio Aero Industries S.p.A. Airplanes [Docket No.: FAA-2015-2466; Directorate Identifier 2015-CE-018-AD; Amendment 39-18273; AD 2015-19-11] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3313. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0929; Directorate Identifier 2014-NM-118-AD; Amendment 39-18274; AD 2015-19-12] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3314. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Poplarville-Pearl River County Airport, MS [Docket No.: FAA-2012-1210; Airspace Docket No.: 12-ASO-42] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3315. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Mackall AAF, NC [Docket No.: FAA-2015-3057; Airspace Docket No.: 15-ASO-9] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3316. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Amendment of Class C Airspace; Portland International Airport, OR [Docket No.: FAA-2015-2905; Airspace Docket No.: 15-AWA-3] (RIN: 2120-AA66) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3317. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for the following Nebraska towns: Albion, NE; Bassett, NE; Lexington, NE [Docket No.: FAA-2015-0841; Airspace Docket No.: 15-ACE-3] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3318. A letter from the Regulatory Ombudsman, FMCSA, Department of Transportation, transmitting the Department's final rule — General Technical, Organizational, Conforming, and Correcting Amendments to the Federal Motor Carrier Safety Regulations [Docket No.: FMCSA-2015-0207] (RIN: 2126-AB83) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3319. A letter from the Senior Assistant Chief Counsel for Hazmat Safety Law, PHMSA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Special Permit and Approvals Standard Operating Procedures and Evaluation Process [Docket No.: PHMSA-2012-0260 (HM-233E)] (RIN: 2137-AE99) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3320. A letter from the Attorney-Advisor, Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule — Design Standards for Highways [Docket No.: FHWA-2015-0003] (RIN: 2125-AF67) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3321. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Request for Comments on Definitions of Section 48 Property [Notice 2015-70] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3322. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB rule — *Morehouse v. Commissioner*, 769 F.3d 616 (8th Cir. 2014), rev'g 140 T.C. 350 (2013) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3323. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2015-71] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3324. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Supplement to Rev. Proc. 2014-64, Im-

plementation of Nonresident Alien Deposit Interest Regulations (Rev. Proc. 2015-50) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3325. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — November 2015 (Rev. Rul. 2015-22) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3326. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2015 National Pool (Rev. Proc. 2015-49) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3327. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Listing Notice for Basket Option Contracts [Notice 2015-73] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 2643. A bill to direct the Attorney General to provide State officials with access to criminal history information with respect to certain financial service providers required to undergo State criminal background checks, and for other purposes (Rept. 114-316, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 2510. A bill to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation; with an amendment (Rept. 114-317, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 2510 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

The Committee on the Judiciary discharged from further consideration. H.R. 2643 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CARTER of Georgia (for himself and Mrs. TORRES):

H.R. 3842. A bill to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to pro-

vide training to first responders, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN:

H.R. 3843. A bill to authorize for a 7-year period the collection of claim location and maintenance fees, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JODY B. HICE of Georgia:

H.R. 3844. A bill to establish the Energy and Minerals Reclamation Foundation to encourage, obtain, and use gifts, devises, and bequests for projects to reclaim abandoned mine lands and orphan oil and gas well sites, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Iowa:

H.R. 3845. A bill to amend the Federal Crop Insurance Act to repeal the changes regarding the Standard Reinsurance Agreement enacted as part of the Bipartisan Budget Act of 2015; to the Committee on Agriculture.

By Mr. KELLY of Pennsylvania (for himself, Mr. BLUMENAUER, Mr. TIBERI, Mr. NEAL, Mr. BOUSTANY, Mr. LARSON of Connecticut, Mr. TURNER, Mr. KIND, Mr. RANGEL, and Mr. REED):

H.R. 3846. A bill to amend the Internal Revenue Code of 1986 to improve the Historic Rehabilitation Tax Credit, and for other purposes; to the Committee on Ways and Means.

By Mr. ISSA (for himself, Mr. PETERSON, and Mr. HUNTER):

H.R. 3847. A bill to provide for reforms of the Export-Import Bank of the United States; to the Committee on Financial Services.

By Mr. BENISHEK (for himself and Mrs. DINGELL):

H.R. 3848. A bill to reaffirm and clarify the Federal relationship of the Burt Lake Band as a distinct federally recognized Indian Tribe, and for other purposes; to the Committee on Natural Resources.

By Ms. JUDY CHU of California:

H.R. 3849. A bill to amend title 10, United States Code, to ensure access to qualified acupuncturist services for military members and military dependents, to amend title 38, United States Code, to ensure access to acupuncturist services through the Department of Veterans Affairs, to amend title XVIII of the Social Security Act to provide for coverage of qualified acupuncturist services under the Medicare program; to amend the Public Health Service Act to authorize the appointment of qualified acupuncturists as officers in the commissioned Regular Corps and the Ready Reserve Corps of the Public Health Service, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, Veterans' Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. CONNOLLY, Mr. BLUMENAUER, Ms. BROWNLEY of California, Mr. CONYERS, Mr. CUMMINGS, Mr. DELANEY,

Ms. EDWARDS, Ms. FRANKEL of Florida, Mr. GARAMENDI, Ms. JACKSON LEE, Ms. KAPTUR, Ms. KELLY of Illinois, Mrs. KIRKPATRICK, Mr. LANGEVIN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Ms. NORTON, Mr. POCAN, Mr. TAKANO, Mr. THOMPSON of Mississippi, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. SCHAKOWSKY, and Mr. JONES):

H.R. 3850. A bill to provide for additional protections and disclosures to consumers when financial products or services are related to the consumers' military or Federal pensions, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Veterans' Affairs, Armed Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas:

H.R. 3851. A bill to amend the Public Health Service Act to authorize appointment of Doctors of Chiropractic to regular and reserve corps of the Public Health Service Commissioned Corps, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HIGGINS (for himself and Mr. HANNA):

H.R. 3852. A bill to direct the Secretary of Energy to conduct a study on the benefits of solar net energy metering, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MOORE:

H.R. 3853. A bill to provide the Attorney General with greater discretion in issuing Federal firearms licenses, and to authorize temporarily greater scrutiny of Federal firearms licensees who have transferred a firearm unlawfully or had 10 or more crime guns traced back to them in the preceding 2 years; to the Committee on the Judiciary.

By Mr. O'ROURKE:

H.R. 3854. A bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of \$1,000 or more from any contributor during a calendar year, and for other purposes; to the Committee on House Administration.

By Mr. QUIGLEY (for himself, Mr. FORBES, Mr. COOPER, and Mr. RENACCI):

H.R. 3855. A bill to amend the Internal Revenue Code of 1986 to require the Secretary of the Treasury to provide each individual taxpayer a receipt for an income tax payment which itemizes the portion of the payment which is allocable to various Government spending categories; to the Committee on Ways and Means.

By Mr. RENACCI (for himself and Mr. CARNEY):

H.R. 3856. A bill to amend the Internal Revenue Code of 1986 to provide a safe harbor for de minimis errors on information returns and payee statements; to the Committee on Ways and Means.

By Mr. CHABOT:

H. Con. Res. 88. Concurrent resolution reaffirming the Taiwan Relations Act and the Six Assurances as the cornerstone of United States-Taiwan relations; to the Committee on Foreign Affairs.

By Mr. KING of Iowa (for himself, Mr. WEBER of Texas, Mr. RIGELL, Mr. LAMBORN, Mr. WESTMORELAND, Mr. SESSIONS, Mr. BARLETTA, Mr. MCCLINTOCK, Mr. AUSTIN SCOTT of

Georgia, Mr. MCKINLEY, Mr. MULVANEY, Mr. DESJARLAIS, Mr. RUSSELL, Mr. FARENTHOLD, Mr. SMITH of Texas, Mr. ALLEN, Mr. KELLY of Pennsylvania, Mr. BISHOP of Michigan, Mr. LOUDERMILK, Mr. PALMER, Mr. MURPHY of Pennsylvania, Mr. HUELSKAMP, Mr. BISHOP of Utah, Mr. GRAVES of Georgia, Mr. FLEISCHMANN, Mr. WILSON of South Carolina, Mr. ZINKE, Mr. WALBERG, Mr. JODY B. HICE of Georgia, Mr. GIBBS, Mr. ROE of Tennessee, Mr. STUTZMAN, Mr. CHAFFETZ, Mr. WALKER, Mr. LAMALFA, Mr. ROUZER, Mr. STIVERS, Mr. YOUNG of Iowa, and Mr. BURGESS):

H. Res. 500. A resolution expressing the sense of the House of Representatives that the State of Israel has the right to defend itself against Iranian hostility and that the House of Representatives pledges to support Israel in its efforts to maintain its sovereignty; to the Committee on Foreign Affairs.

By Mr. AMODEI:

H. Res. 501. A resolution expressing the sense of the House of Representatives that the United States postal facility network is an asset of significant value and the United States Postal Service should take appropriate measures to maintain, modernize and fully utilize the existing post office network for economic growth; to the Committee on Oversight and Government Reform.

By Mr. ELLISON (for himself, Mr. COHEN, Mr. YARMUTH, and Mr. BLUMENAUER):

H. Res. 502. A resolution honoring the life, legacy, and example of former Israeli Prime Minister Yitzhak Rabin on the 20th anniversary of his death; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CARTER of Georgia:

H.R. 3842.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. LAMBORN:

H.R. 3843.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3, clause 2 and Article I, section 8, clause 18

By Mr. JODY B. HICE of Georgia:

H.R. 3844.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3, clause 2 and Article I, section 8, clause 18

By Mr. YOUNG of Iowa:

H.R. 3845.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause 3 of the United States Constitution, Congress

has the authority to regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KELLY of Pennsylvania:

H.R. 3846.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 3 of Section 8 of Article I of the United States Constitution. The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. ISSA:

H.R. 3847.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. BENISHEK:

H.R. 3848.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3 of the Constitution

By Ms. JUDY CHU of California:

H.R. 3849.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article of the United States Constitution

By Mr. CARTWRIGHT:

H.R. 3850.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. GENE GREEN of Texas:

H.R. 3851.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution.

By Mr. HIGGINS:

H.R. 3852.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. MOORE:

H.R. 3853.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. O'ROURKE:

H.R. 3854.

Congress has the power to enact this legislation pursuant to the following:

Section 4 of Article I of the Constitution:

The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

By Mr. QUIGLEY:

H.R. 3855.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to regulate commerce; as enumerated in Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RENACCI:

H.R. 3856.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises

shall be uniform throughout the United States.

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 140: Mr. CULBERSON.
H.R. 184: Mrs. ELLMERS of North Carolina.
H.R. 209: Mrs. WATSON COLEMAN and Mr. MCNERNEY.
H.R. 213: Mr. HIMES.
H.R. 271: Ms. DUCKWORTH.
H.R. 282: Mrs. DINGELL.
H.R. 381: Mr. SERRANO.
H.R. 452: Mr. GUTIÉRREZ.
H.R. 546: Mr. SIMPSON, Mr. WHITFIELD, and Mr. CULBERSON.
H.R. 592: Mr. BRADY of Pennsylvania and Mr. HINOJOSA.
H.R. 664: Mrs. NAPOLITANO.
H.R. 703: Mr. GRAVES of Georgia and Mr. LAMALFA.
H.R. 932: Mr. GALLEG0.
H.R. 938: Ms. BORDALLO.
H.R. 953: Ms. WASSERMAN SCHULTZ and Mr. TURNER.
H.R. 985: Mr. CÁRDENAS.
H.R. 987: Mr. NUGENT.
H.R. 1002: Mr. TURNER and Ms. PINGREE.
H.R. 1062: Mr. ZELDIN.
H.R. 1089: Ms. BROWN of Florida.
H.R. 1150: Mr. HANNA.
H.R. 1197: Mr. CARSON of Indiana.
H.R. 1220: Mr. ROSS.
H.R. 1258: Mr. LARSON of Connecticut, Ms. KAPTUR, and Ms. ADAMS.
H.R. 1301: Mrs. MIMI WALTERS of California, Mrs. ELLMERS of North Carolina, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1401: Ms. KELLY of Illinois.
H.R. 1475: Mr. KATKO, Mr. MOONEY of West Virginia, and Mrs. BLACK.
H.R. 1478: Mr. DELANEY.
H.R. 1492: Mr. FATTAH.
H.R. 1516: Mr. PRICE of North Carolina and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1517: Mr. GARAMENDI.
H.R. 1549: Mr. ROKITA.
H.R. 1550: Mr. WILLIAMS.
H.R. 1603: Mr. LIPINSKI.
H.R. 1608: Mr. MURPHY of Pennsylvania.
H.R. 1610: Mr. LAHOOD.
H.R. 1672: Mr. THOMPSON of Mississippi, Mr. NEAL, and Mr. BLUMENAUER.
H.R. 1688: Ms. DUCKWORTH.
H.R. 1709: Ms. LOFGREN.
H.R. 1728: Mr. FATTAH, Mrs. KIRKPATRICK, Mr. GUTIÉRREZ, Mr. KIND, Ms. EDWARDS, and Mr. GRIJALVA.
H.R. 1786: Mr. SMITH of Washington.
H.R. 1814: Ms. MENG, Mr. FLEISCHMANN, Mr. COOPER, and Mr. DANNY K. DAVIS of Illinois.
H.R. 1886: Mr. CRAMER.
H.R. 1942: Mr. MOULTON.
H.R. 1961: Mrs. NAPOLITANO.
H.R. 2050: Mrs. DAVIS of California.
H.R. 2156: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2169: Mrs. DINGELL.
H.R. 2185: Mr. DUNCAN of South Carolina.
H.R. 2241: Mr. SMITH of New Jersey.
H.R. 2293: Mr. LARSON of Connecticut and Mr. CASTRO of Texas.

H.R. 2375: Mr. FATTAH.
H.R. 2382: Mr. GRAYSON.
H.R. 2418: Mr. JOLLY.
H.R. 2434: Mr. WALBERG.
H.R. 2449: Mr. BERA.
H.R. 2450: Mr. FATTAH.
H.R. 2515: Ms. MATSUI and Mr. EMMER of Minnesota.
H.R. 2546: Mr. VAN HOLLEN.
H.R. 2612: Mr. SCHIFF.
H.R. 2623: Ms. DELAULO.
H.R. 2646: Mr. JOLLY.
H.R. 2656: Mr. SABLÁN.
H.R. 2657: Mr. CURBELO of Florida, Mr. CONNOLLY, Mr. BISHOP of Michigan, and Mr. LIPINSKI.
H.R. 2660: Ms. TSONGAS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SPEIER, Ms. EDWARDS, Mr. RUSH, Mr. HASTINGS, Mr. NOLAN, Mr. ELLISON, Ms. MENG, Mr. GRIJALVA, and Mr. AGUILAR.
H.R. 2689: Ms. LORETTA SANCHEZ of California.
H.R. 2754: Mr. PAULSEN.
H.R. 2759: Mr. PETERSON.
H.R. 2802: Mr. KNIGHT.
H.R. 2858: Mr. VARGAS and Mr. MEEHAN.
H.R. 2880: Mr. RYAN of Ohio, Mr. CLAY, Mr. FATTAH, Mrs. LAWRENCE, Ms. SEWELL of Alabama, Ms. NORTON, Mr. PAYNE, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Ms. PLASKETT, Ms. BASS, Mr. JEFFRIES, and Mr. BUTTERFIELD.
H.R. 2894: Mr. ZINKE.
H.R. 2896: Mr. JOYCE.
H.R. 2903: Mr. HOLDING and Mr. DANNY K. DAVIS of Illinois.
H.R. 2915: Mr. ASHFORD.
H.R. 2932: Mr. LANGEVIN.
H.R. 2962: Mr. VARGAS, Mr. GRAYSON, and Mrs. KIRKPATRICK.
H.R. 2978: Mr. COOPER.
H.R. 3041: Ms. SLAUGHTER.
H.R. 3046: Ms. MOORE.
H.R. 3055: Mr. EMMER of Minnesota.
H.R. 3067: Mr. GARAMENDI.
H.R. 3071: Mr. KILMER.
H.R. 3084: Mr. HIMES.
H.R. 3119: Mr. WILSON of South Carolina and Mr. SCHIFF.
H.R. 3126: Mr. GROTHMAN.
H.R. 3183: Mr. JENKINS of West Virginia and Mr. CRENSHAW.
H.R. 3216: Mr. OLSON and Mr. KILMER.
H.R. 3222: Mrs. ELLMERS of North Carolina.
H.R. 3225: Mr. HASTINGS.
H.R. 3229: Ms. TITUS, Mr. ROTHFUS, and Mr. TED LIEU of California.
H.R. 3237: Mr. HONDA.
H.R. 3268: Mr. LARSON of Connecticut, Mr. FOSTER, Mr. BRADY of Pennsylvania, Mr. TIPPON, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 3314: Mr. ROE of Tennessee and Mr. AUSTIN SCOTT of Georgia.
H.R. 3323: Mr. LOEBSACK.
H.R. 3326: Mr. BLUM and Mr. CARTWRIGHT.
H.R. 3339: Ms. MOORE, Mr. FARR, Ms. CLARKE of New York, Ms. JACKSON LEE, Mr. COHEN, and Ms. EDWARDS.
H.R. 3399: Mr. JOHNSON of Georgia and Mr. BLUMENAUER.
H.R. 3423: Mr. KATKO, Mr. SCHIFF, and Mr. HURT of Virginia.
H.R. 3471: Ms. MCSALLY, Ms. KUSTER, and Mr. THOMPSON of Pennsylvania.
H.R. 3484: Mr. BECERRA.
H.R. 3488: Mr. MULVANEY, Mr. RIGELL, and Mr. ABRAHAM.
H.R. 3514: Mr. CICILLINE, Mr. MCDERMOTT, Mr. GRAYSON, and Ms. PINGREE.
H.R. 3516: Mr. TOM PRICE of Georgia, Mr. GROTHMAN, and Mr. AUSTIN SCOTT of Georgia.

H.R. 3534: Mr. ZINKE.
H.R. 3535: Mr. CROWLEY.
H.R. 3542: Mr. NOLAN and Mr. HASTINGS.
H.R. 3543: Mr. BLUMENAUER.
H.R. 3549: Mr. YOUNG of Iowa.
H.R. 3556: Mrs. NAPOLITANO, Ms. CASTOR of Florida, Mr. CARTWRIGHT, Mr. PIERLUISI, and Mr. CLAY.
H.R. 3580: Mr. JOHNSON of Ohio.
H.R. 3621: Mr. HUFFMAN.
H.R. 3632: Ms. TSONGAS and Mr. MCGOVERN.
H.R. 3652: Mr. GARAMENDI.
H.R. 3658: Mr. POCAN.
H.R. 3664: Ms. SLAUGHTER.
H.R. 3666: Mr. CARTWRIGHT, Mr. JEFFRIES, and Mr. GIBSON.
H.R. 3696: Mr. AL GREEN of Texas and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 3706: Mr. MARINO.
H.R. 3729: Mr. RODNEY DAVIS of Illinois.
H.R. 3751: Mr. HASTINGS and Mr. CÁRDENAS.
H.R. 3756: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. GARAMENDI.
H.R. 3765: Mr. MULVANEY.
H.R. 3770: Mr. COHEN and Mr. WELCH.
H.R. 3776: Mr. GRIFFITH.
H.R. 3781: Ms. JUDY CHU of California, Ms. DELAULO, Mr. HASTINGS, Ms. SCHAKOWSKY, Mrs. TORRES, Mr. GUTIÉRREZ, Ms. ROYBAL-ALLARD, Mr. TED LIEU of California, Mrs. LAWRENCE, and Mrs. BEATTY.
H.R. 3782: Mr. JEFFRIES.
H.R. 3783: Mr. JEFFRIES.
H.R. 3786: Mr. GARAMENDI.
H.R. 3799: Mr. MASSIE.
H.R. 3800: Mr. GARAMENDI.
H.R. 3802: Mr. DUNCAN of South Carolina, Mr. BOUSTANY, and Mr. WALBERG.
H.R. 3803: Mr. MULVANEY.
H.R. 3804: Mr. BROOKS of Alabama and Mr. MEADOWS.
H.R. 3805: Mr. POMPEO.
H.R. 3815: Mr. JONES.
H.R. 3841: Ms. LEE, Mr. HONDA, Ms. CLARKE of New York, Ms. SCHAKOWSKY, Ms. MOORE, Ms. HAHN, and Mr. TED LIEU of California.
H.J. Res. 48: Mr. CAPUANO.
H.J. Res. 50: Mr. MULVANEY.
H.J. Res. 70: Mr. DUNCAN of South Carolina, Mr. WILSON of South Carolina, Mr. BYRNE, Mr. AUSTIN SCOTT of Georgia, Mr. LAMALFA, and Mr. SAM JOHNSON of Texas.
H.J. Res. 71: Mr. LATTI, Mr. MCKINLEY, Mr. BARTON, Mr. POMPEO, Mr. FLORES, Mr. GRIFFITH, Mr. MULLIN, Mr. OLSON, Mr. HUDSON, Mrs. ELLMERS of North Carolina, Mr. HARPER, Mr. LONG, Mr. GUTHRIE, Mr. CRAMER, and Mr. BARR.
H.J. Res. 72: Mr. LATTI, Mr. MCKINLEY, Mr. BARTON, Mr. POMPEO, Mr. FLORES, Mr. GRIFFITH, Mr. MULLIN, Mr. OLSON, Mr. HUDSON, Mrs. ELLMERS of North Carolina, Mr. HARPER, Mr. LONG, Mr. GUTHRIE, Mr. CRAMER, and Mr. BARR.
H. Con. Res. 59: Mr. BLUMENAUER.
H. Res. 32: Mr. HINOJOSA, Mr. PAYNE, and Mr. FOSTER.
H. Res. 110: Ms. SPEIER.
H. Res. 265: Ms. MENG.
H. Res. 346: Mr. DUNCAN of South Carolina, Mr. MCCAUL, Mr. SIREs, and Ms. FRANKEL of Florida.
H. Res. 386: Mr. TAKANO.
H. Res. 393: Mr. NADLER and Ms. KELLY of Illinois.
H. Res. 416: Ms. EDWARDS.
H. Res. 428: Mr. HUFFMAN, Mr. FARR, and Ms. NORTON.
H. Res. 467: Mr. DOGGETT, Ms. DUCKWORTH, and Ms. MOORE.

EXTENSIONS OF REMARKS

IN RECOGNITION OF A.L. BROWN
HIGH SCHOOL WINNING THE
"BATTLE FOR THE BELL"

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. HUDSON. Mr. Speaker, I rise today to recognize the A.L. Brown High School Wonders football team for its victory over the Concord High School Spiders in the "Battle for the Bell" football game.

In the 85th meeting between these two rival football programs, A.L. Brown earned a hard-fought victory over Concord by a score of 26–15. The Wonders took an early lead in the first quarter with a 24-yard pass from quarterback Damon Johnson to wide receiver Dominique Washington, but Concord answered in the second quarter with a Keenan Black one-yard touchdown run to tie the game up at the half. The two teams traded touchdowns in the third quarter, but the Spiders had the lead going in to the fourth quarter after a successful two-point conversion. However, the Wonders would answer in the fourth quarter with two touchdowns to recapture "The Bell" and take it back to A.L. Brown High School, located in Kannapolis, North Carolina.

This is the first victory for A.L. Brown over Concord in three seasons, with Concord holding the slight overall series edge at 42–39–4. In addition to being the 85th game played between these two schools, this game made history by being the first ever game in the state of North Carolina to be televised live, according to the Charlotte Observer. Having gone to the game myself, I can confirm this was a game worthy of the distinction. Both teams played extremely hard, and both fan bases should be proud of the effort and skill displayed by both teams.

Mr. Speaker, please join me today in congratulating the A.L. High School football team for its victory over Concord High School in the "Battle for the Bell" football game.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. TAKAI. Mr. Speaker, on Tuesday, October 27, 2015, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "no" on Roll Call 570, Motion on Ordering the Previous Question on the Rule providing for the consideration of H.R. 1090.

I would have voted "no" on Roll Call 571, the Rule providing for the consideration of H.R. 1090.

I would have voted "yea" on Roll Call 572, Motion on Ordering the Previous Question on the Rule providing for the consideration of H.R. 597.

I would have voted "yea" on Roll Call 573, the Rule providing for the consideration of H.R. 597.

I would have voted "yea" on Roll Call 574, the Lynch Amendment to H.R. 1090.

I would have voted "no" on Roll Call 575, final passage of H.R. 1090.

I would have voted "yea" on Roll Call 576, final passage of H.R. 597.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,152,603,664,891.43. We've added \$7,525,726,615,978 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO MAXINE BERMAN

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to a remarkable person from my home state of Michigan, Maxine Berman, who is being inducted into the Michigan Women's Hall of Fame on October 29, 2015. Maxine and nine others will join pioneering women including civil rights pioneer Rosa Parks, former First Lady Betty Ford, the Queen of Soul Aretha Franklin, and the longtime dean of the White House press corps Helen Thomas, who have been previously inducted into the Women's Hall of Fame for their contributions to my home state and to our nation.

Maxine Berman served in the Michigan House of Representatives from 1983 to 1996, where she earned a reputation for her intelligence, her thoughtfulness about public policy, and for her candor. She was also known for her steadfast commitment to women's health and reproductive freedom, including authoring a bill to require accreditation for mammography facilities and successfully lobbying the

federal government to establish national standards. Maxine was also outspoken about challenges she and other women experienced in the State Legislature. In 1994, near the end of her tenure in the Michigan House, she published a book about this experience—The Only Boobs in the House Are Men: A Veteran Woman Legislator Lifts the Lid on Politics Macho Style—which made waves then and is still cited today, more than twenty years later.

After a few years away from government, Rep. Berman joined the administration of Governor Jennifer Granholm, where she served as director of special projects. In this position, Maxine was a powerful public advocate for vital issues including women's health and reproductive freedom, affirmative action, and stem cell research, and she led the Granholm Administration's effort to encourage local governments to collaborate in providing services to their residents. Her leadership was recognized by Central Michigan University, who appointed Rep. Berman to be the Griffin Endowed Chair in American Government from 2009 to 2013. This prestigious position is named for former U.S. Senator Robert Griffin and his wife Marjorie, and has been held by notable political leaders from both political parties since its inception.

Her many accomplishments do not capture the influence that my dear friend, Maxine, has had throughout—and since—her years of public service. Maxine is always willing to lend an ear or a hand to talented people who want to serve, and Michigan has benefitted from the leadership of the countless women to whom Maxine has served as a mentor, confidante, policy advisor and coach. She remains committed to good public policy and grassroots activism.

Mr. Speaker, it is truly fitting that Maxine Berman will join other notable women of Michigan in the Women's Hall of Fame. I encourage my colleagues to join me in congratulating her, and in thanking her for her leadership and significant contributions to Michigan and to the nation.

IN HONOR OF THE FIRST BAPTIST CHURCH OF KANNAPOLIS' 100 YEAR ANNIVERSARY

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. HUDSON. Mr. Speaker, I rise today to recognize First Baptist Church of Kannapolis for their 100-year anniversary.

Located in Kannapolis, North Carolina, First Baptist Church has been a staple of the community throughout their 100-year history. Under the stewardship of Rev. Dr. Claude Forehand II, First Baptist Church has been a beacon of hope in our community through

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

service projects and events, and has provided the congregation with opportunities to develop as individuals through prayer, worship and educational workshops.

On Friday, September 25, 2015, First Baptist Church of Kannapolis officially celebrated their 100-year anniversary with an event filled with fellowship and worship. The event included remarks from special guest speaker Rev. Dr. Haywood Gray, who serves as Executive Secretary of the General Baptist State Convention of North Carolina.

I would like to commend First Baptist Church of Kannapolis for their 100 years of service and dedication to our community, and I wish them well as they begin their journey towards the next 100 years.

Mr. Speaker, please join me today in congratulating First Baptist Church of Kannapolis on the occasion of their 100-year anniversary.

IN REMEMBRANCE OF HAROLD
"LEFTY" ENCARNACION

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. BISHOP of Georgia. Mr. Speaker, I rise today with a heavy heart to pay tribute to a devoted community leader, respected businessman, and loving father, husband, and dear friend, Harold "Lefty" Encarnacion. Sadly, Lefty, as he was affectionately known, passed away Tuesday, October 13, 2015. A candlelight vigil was held the very next evening with over 100 members of the community in attendance to share stories and give remembrance to Lefty and his service to the Columbus, Georgia community. A funeral service will be held on Wednesday, October 28, 2015 at 7:00 p.m. at Ambassadors of Christ Fellowship in Columbus, Georgia.

Harold "Lefty" Encarnacion was born on May 10, 1953 in the Bronx, New York to Puerto Rican immigrants. He worked as a maintenance supervisor at Fort Hamilton in New York and ran a small nightclub. Looking for a safer and more peaceful place to raise their family, Harold and his wife, Millie, moved to Columbus, Georgia in 1983.

Upon arriving, Harold worked numerous jobs, including cab driving. Millie was a manager at a food market. After noticing a lack of resources for the Latino population of Columbus, Harold and his wife opened their own grocery store called Millie's International Market in Columbus, which sold a variety of ethnic foods and seasonings. The store quickly became a staple in Columbus, as well as a community center for the area's Hispanic and Caribbean populations.

Although Millie's was successful in bringing together the Latino community of Columbus, Lefty believed there was more to be done to unify and empower this segment of the population. He managed Columbus' only Hispanic radio station, UNIDOS 107.7 FM until it closed in 2014. But in 2013, after many years of planning, Lefty partnered with Columbus City Councilor, Mimi Woodsen, to launch the inaugural Tri-City Latino Festival.

The Tri-City Latino Festival is a tremendously successful celebration, and now a tra-

dition, that brings together the Latino communities in the Chattahoochee Valley to celebrate this vibrant culture. It shows that this is an area that thrives on its diversity and unites members of the community to honor the struggle, sacrifice and success of their ancestors from Spain, Mexico, the Caribbean, and Central and South America.

Lefty was a beloved community leader and pioneer and his contributions to the city of Columbus will be remembered for years to come. More so, his kindness and emphatic resolve to push his community forward will live on through those who knew and loved him. On a personal note, I am proud to have called Lefty my friend of many years.

Mr. Speaker, my wife Vivian and I, along with the more than 700,000 residents of the Second Congressional District, salute Harold "Lefty" Encarnacion for his efforts to empower the Latino population of Columbus, Georgia and his everlasting commitment to his community. I ask my colleagues in the House of Representatives to join us in extending our deepest condolences to Lefty's family and friends during this difficult time. We pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks and months ahead.

CONNIE REELED IN THE GOLD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Connie O'Day from Pearland, Texas for winning this year's Islamorada Light Tackle Tournament.

The Islamorada Light Tackle Tournament is one of several fishing tournaments put on by the International Women's Fishing Association. Connie proved her skill in what used to be a male-dominated sport. During the tournament, all of the contestants braved the strong winds, but it was Connie's team that won the day. Her boat, guided by Captain Mark Gilman, beat the elements and the rest of the competition by catching the most fish. Now, I have to ask, when does Pearland get to go to the O'Day house for some fresh fish?

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Connie for winning the tournament and bringing the gold to Pearland.

RECOGNIZING DR. WILLIAM (BILL)
T. STANLEY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I would like to take this time to recognize the life of Dr. William (Bill) T. Stanley. Born in Lebanon, Bill grew up in Kenya and moved to the United States with intentions of becoming an animal scientist.

Bill was in charge of some 29 million objects and specimens at the Field Museum in Chi-

cago. Scientists and students would reach out to Bill for his resourcefulness in their respective fields of study. He helped many graduate students reach their potential with his assistance on their theses and dissertations. His knowledge and ability to explain specimens in detail motivated his audience to engage and learn.

Reaching his goals of becoming a mammalian researcher, Bill's character touched the lives of everyone he came in contact with. Bill was known not only for his research but also his ability to fill the room with his good spirits and incredible sense of humor. Bill will be missed by his family, friends and the mammalian research community to which he devoted his life.

I would like to thank Dr. William T. Stanley for his strong leadership and contributions to the city of Chicago. His legacy will live on and may he rest in peace.

HONORING THE LIFE OF
CHRIS WEST

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor Chris West of Concord, North Carolina, who passed away far too soon on August 22, 2015, after a four year fight with cancer. We send our prayers and sincerest condolences to his parents, Brian and Michelle West, the entire West family, his friends, and the Jay M. Robinson High School community.

Born on August 19, 1998, Chris dedicated his short life to serving others, even in the face of battling such a horrific disease. During his four year fight with Hodgkin's lymphoma, Chris has made national headlines for his selflessness and his desire to care for others. A prime example of Chris' selflessness is rather than celebrating a successful bone marrow transplant in a personal way, like many of us would, Chris performed 100 random acts of kindness for others in his community. During his struggle with cancer, Chris was never known to ask for anything; that is until his 17th birthday. The only thing Chris wanted for his birthday were birthday cards, and the community he gave so much to responded by sending him more than 10,000 cards.

In a recent People magazine feature about Chris' request for birthday cards, he was quoted as saying "I like going to the mailbox. It's just an exciting feeling and it makes me feel special." I can say, without a shadow of a doubt, that Chris was a special individual, and I hope he knew that every day of his life. Our community will greatly miss his kind heart and indomitable spirit, and he will be remembered as a shining example of the best among us.

Mr. Speaker, please join me today in commemorating the life of Chris West, who in his short life taught us that no matter what difficulty life may throw at us, we should always take time to serve others.

PERSONAL EXPLANATION

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. PAYNE. Mr. Speaker, on October 23, 2015, due to unforeseen circumstances, I was not present to vote on H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015, introduced by Representative TOM PRICE. Had I been present, I would have voted NO on final passage of H.R. 3762, roll call No. 568.

PERSONAL EXPLANATION

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. BURGESS. Mr. Speaker, on October 27, 2015, the House considered H.R. 3819, the Surface Transportation Extension Act of 2015. This act extends the Positive Train Control implementation deadline to December 31, 2018. The House passed H.R. 3819 by voice vote. Had this been a recorded vote, I would have voted no on H.R. 3819.

RECOGNIZING INDEPENDENT
AUDIO DRAMA**HON. JOHN KATKO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. KATKO. Mr. Speaker, I rise today to recognize the contributions of independent audio drama to our nation's culture and history. For over one hundred years, the dramatic scripts, compelling music, and sound effects of audio drama have resonated with listeners across various ethnic, financial, and geographic divides.

During the Great Depression, radio drama adaptations of novels and plays achieved widespread popularity as a means of increasing morale through such difficult times. With the increase in televised and video entertainment came the waning interest in radio drama. However, in recent years, the growth of independent media production has revived audio drama within the U.S. Independent audio drama is now providing aspiring as well as seasoned artists with a unique and sophisticated platform to reach diverse audiences.

I am proud to rise in recognition of independent audio drama as it continues to expand, exhibit the work of our talented rising artists, and impact the lives of countless Americans.

CONGRATULATING DR. ROBERT
KASE ON EARNING A GRAMMY
NOMINATION**HON. BILL FOSTER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. FOSTER. Mr. Speaker, I rise today to congratulate Dr. Robert Kase, Dean of the College of Arts and Sciences at the University of Saint Francis in Joliet, Illinois, for earning a Grammy award nomination in the category of Outstanding Jazz Solo for the track entitled "Dr. Doo Good." "Dr. Doo Good" is an original composition by Dr. Kase and is part of his recently released jazz quintet album titled *As We Gather*.

As We Gather was not only recorded at University of St. Francis's Digital Audio Recording Arts studio, it was engineered, mastered, and produced by University of Saint Francis faculty.

Dr. Kase has an impressive background as an educator, administrator, business leader, and performer. His musical career includes touring with Sonny and Cher and playing alongside Frank Sinatra, The Temptations, Natalie Cole, and other musical legends.

Mr. Speaker, I ask my colleagues to join me in congratulating Dr. Robert Kase in earning a Grammy nomination.

NATIONAL WORK AND FAMILY
MONTH**HON. ALBIO SIRES**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. SIRES. Mr. Speaker, today I am proud to discuss the importance of America's working families. October is National Work and Family month and an opportune time to discuss how Congress can better serve our working families. In almost three out of five married families with children, both parents work. Supporting initiatives like raising the minimum wage, ensuring equal pay for women, and allowing workers access to affordable childcare is vital to ensuring the success of our working families.

Raising the minimum wage is a critical step in closing the opportunity gap and building an economy that works for everyone. By raising the minimum wage, we can restore fairness for working men and women across the country. No hard working American should be forced to raise their family in poverty, but unfortunately the current minimum wage allows for just that. An increase in the minimum wage is not only the moral thing to do, but it would also provide a much-needed boost to our economy.

Equal pay issues affect all workers in this country trying to provide for their families. Women make up 47% of the workforce and bring home 44% of the family income, yet they earn 77 cents for every dollar earned by men. As women continue to make up a larger segment of our Nation's workforce, it is imperative that we ensure that pay disparity is related to

job-performance instead of gender. Stronger protections and enforcement will lead to a more successful female workforce that is not bogged down by discrimination.

Ensuring access to childcare and early education for working families is important to their success. The lack of good, affordable preschool and childcare options have huge impacts on working families, with a significant disadvantage to low-income families. Childcare and early education options allow for parents to continue working and provide children with a strong foundation. Yet, many low-income working families are not able to afford childcare and have difficulties receiving assistance, even though they may be eligible. Providing greater access to childcare and preschool is a crucial step towards ensuring job retention among parents while offering a foundation for children.

Employing policies that ensure that all working families are afforded a fair chance to succeed should be something that Congress strives to achieve. I look forward to working with my colleagues to address these issues.

TRIBUTE TO GLEN AND SUSAN
TRAVIS**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Glen and Susan Travis of Thurman, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on September 24, 1965.

Glen and Susan's lifelong commitment to each other and their children, Vicki, Scott, and Kari, and their grandchildren, truly embodies our Iowa values. It is families like the Travis family that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this special couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

RECOGNIZING THE 25TH ANNIVERSARY
OF THE TULLY HILL
CHEMICAL DEPENDENCY TREATMENT CENTER**HON. JOHN KATKO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. KATKO. Mr. Speaker, I rise today to recognize the 25th anniversary of the Tully Hill Chemical Dependency Center in Tully, New York. The Tully Hill Chemical Dependency Center opened in 1990 to provide quality detoxification and inpatient rehabilitation services to the Central New York community. Tully Hill began outpatient treatment services in 1996 and continues to provide chemical dependency treatment to individuals in need in the 24th District.

As a former federal prosecutor in Syracuse, NY, I saw the direct impact chemical dependency and addiction has on the safety, health, and success of our community. Chemical dependency centers, such as Tully Hill, are crucial to the reduction of chemical dependency throughout Central New York. Centers, such as Tully Hill, help Central New York individuals and families in their time of need to regain their health and lead positive lives through comprehensive, safe treatment.

I am proud to recognize the Tully Hill Chemical Dependency Center and congratulate the Center on the achievement of its 25th anniversary. On behalf of Central New York and the more than 17,000 patients and their families that Tully Hill has helped in their efforts to achieve and maintain sobriety, I want to thank the Tully Hill Chemical Dependency Center for their work in our community.

PERSONAL EXPLANATION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. MARCHANT. Mr. Speaker, yesterday the House of Representatives voted on the Retail Investor Protection Act, which passed by a wide margin of 245–186. Allow me to make a clarification on my vote. I fully support this legislation and meant to vote 'yea' on final passage, not 'no'. Unfortunately, by the time I noticed the error, the vote had closed and I was unable to correct it. Voting 'no' was not my intention.

I am pleased the Retail Investor Protection Act passed the House with broad support. Like many of my constituents, and others across the country, I have serious concerns about the negative impacts that the Department of Labor's proposed 'fiduciary rule' will have on the retirement savings options available to employees. I believe that the Retail Investor Protection Act properly addresses these concerns and contributes to the financial security of millions of Americans.

On October 26, 2015, I joined my House colleagues on a letter to the Secretary of Labor that urged the Department to withdraw the proposed rule and commit to a process that avoids the arbitrariness, uncertainty, and inadequate analysis embodied in the proposed rule. I remain fully committed to these views and support the entirety of the Retail Investor Protection Act.

RECOGNIZING MR. STEPHEN LARCEN, UPON HIS RETIREMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. COURTNEY. Mr. Speaker, today I rise to thank Dr. Stephen W. Larcen, President of the Hartford Healthcare Behavioral Health Network, for 25 years of devotion to improving the continuum of mental health services in Connecticut. With more than 40 years of experi-

ence in behavioral health and healthcare management, Steve has been an invaluable resource to Hartford Healthcare and the community at large. He has accompanied the organization through many periods of growth and change, including Hartford Healthcare's acquisition of Natchaug Hospital and their expansion to reach even more of Connecticut's residents by opening nine satellite hospitals throughout the state. Under his watch, the Behavioral Health Network expanded to offer more services than ever before, including in-home psychiatric services and a treatment program for adolescent girls involved in court proceedings.

During his career, Steve's work stretched all across eastern Connecticut, a very diverse population with many mental health needs. Steve demonstrated a remarkable sensitivity to this diversity, which as the Congressman for that region I admire greatly. In particular, Steve successfully spearheaded an effort to give Medicaid patients from Windham County opportunity to receive care for mental illness at Windham Hospital and Natchaug Hospital, rather than New Haven or Hartford. This was a very competitive national process that Steve successfully navigated.

A testament to his achievement and vision, Steve was appointed by the Governor to the Connecticut Behavioral Health Partnership Oversight Council. He is a corporator of Lawrence & Memorial Hospital and serves on the East Lyme Board of Finance and received the National Association of Psychiatric Health Systems' 2010 Grassroots Leadership Award for his work in elevating the importance of grassroots advocacy within the association. He has advocated tirelessly for increased coverage and funding for quality mental health services on a federal, state and local level. Adding to his many awards and recognitions, Steve received the 2015 American Hospital Association Connecticut Grassroots Champion Award.

Although Steve will be retiring at the end of this year, the effect of his decades of devotion to the mental health horizon in Connecticut will be felt for years to come. I ask my colleagues to please join me in wishing Dr. Stephen Larcen a restful and enjoyable retirement.

DIRECT SELLING

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mrs. BLACKBURN. Mr. Speaker, I am honored to be a founding co-chair of the Direct Selling Caucus, which was established in January and announced at a Direct Selling Association (DSA) event with participants and constituents from around the country.

As a full time student, direct selling provided me with the flexibility necessary to pay for college while in school. Running my own business was an extremely rewarding experience and served as great preparation for my career in public service. It is a vibrant sector of the economy that embraces entrepreneurship and helps people achieve their American dream.

More than 18 million Americans located in every state, Congressional district and com-

munity choose to become involved in direct selling. It contributes more than \$34 billion to the U.S. economy annually. As economic uncertainty places more emphasis on needed flexibility that opportunities to work independently provide, direct selling will continue to grow and prosper.

Just as important to the continued success of direct selling are the safeguards that the industry, through the Direct Selling Association's leadership, put into place. They promote high standards of business ethics and consumer protection.

On October 29, 2015, hundreds of direct sellers from across the country will come to Washington, DC to emphasize the importance of direct selling to the economy and remind policymakers of the opportunity it provides to pursue meaningful independent work. I hereby request that October 29, 2015 be recognized by this House as Direct Selling Day.

HONORING THE HEROIC ACTIONS OF BRIAN BALLENTINE, TROOPER GARDNER, AND TROOPER JOHNS

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. KATKO. Mr. Speaker, I rise today to recognize Mr. Brian C. Ballentine of Liverpool, New York and Troopers Michael L. Gardner and David A. Johns of the New York State Police. On September 5, 2015, Trooper Gardner and Trooper Johns, with the help of private civilian Mr. Ballentine heroically saved a 4-year old child.

On September 5, Trooper Gardner and Trooper Johns responded to an amber alert issued by the Vermont State Police while traveling on the New York State Thruway. As Trooper Gardner and Trooper Johns spotted a vehicle that matched the description of the vehicle in the amber alert they received a radio call advising that a private citizen, Mr. Ballentine, had called 911 to report that the van was in fact the suspected vehicle. With this confirmation Trooper Gardner and Trooper Johns were able to stop the vehicle and safely rescue the 4-year old child.

Trooper Michael L. Gardner is a 12-year veteran of the New York State Police. He has been stationed in Troops D and B and has been assigned to the New York State Thruway in Troop T since October of 2012. Trooper Gardner is currently stationed at State Police Syracuse in Dewitt, New York.

Trooper David A. Johns in an 8-year veteran of the New York State Police. He has been stationed in Troops B and D and has been assigned to the New York State Thruway in Troop T since October of 2009. He is currently stationed at State Police Syracuse in Dewitt, New York.

Mr. Brian C. Ballentine of Liverpool, New York has lived in the Central New York community his entire life and I am proud to recognize his exemplary actions in our community.

I am honored to recognize Trooper Gardner, Trooper Johns, and Mr. Ballentine for their heroic actions on September 5, 2015. The 4-year

old girl is now out of harm's way thanks to these three brave men. Trooper Gardner's and Trooper Johns's efforts in this situation exemplify the finest traditions of the New York State Police and I wish them continued success in their careers.

HONORING APOSTLE RICHARD D.
HENTON

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to Apostle Richard D. Henton who made his heavenly transition on October 22, 2015. Apostle Henton was called into the ministry in 1948 and rose to become one of the most prolific speakers of our day.

Apostle Henton served in ministry for 66 years, 50 of those as pastor of the 5,000 member Monument of Faith Church located in my district. Apostle Henton also founded the R. D. Henton Breakthrough Ministries, a weekly program that aired on television, radio and online throughout the world and allowed Apostle Henton to touch the lives of millions across the globe.

This tremendous ministry permitted the world to know Apostle Henton's charismatic and captivating voice that brought breakthroughs for his members and the world at large and led many to know him not only as a faithful pastor but as their "TV Evangelist".

Mr. Speaker, Apostle Henton was a learned man who held three Doctorate of Divinity degrees and was the recipient of numerous certificates of merit. Apostle Henton was not only honored by our colleagues here in the House, but also with letters from presidents, and having been given keys to many cities.

Of his numerous awards, he was especially proud of two very special awards he was given in his hometown of Chicago, Illinois: The N'Digo Foundation's N'Faith Award and the Luminary Senior Citizen Hall of Faith Award presented by former Mayor Richard M. Daley.

Of his many accomplishments, Mr. Speaker, we must not forget that, ultimately, Apostle Henton was a family man and the father of four children who worked faithfully with him in the ministry.

Mr. Speaker, Apostle Henton will truly be missed by us all but I will always remember what an amazing pastor and friend he was. My thoughts and prayers are extended to his family, church family and many friends. No one can prepare for a loss; it comes like a swift wind, but, I take solace in the fact that he is now resting in the arms of our Lord.

IN MEMORY OF KAY ARNOLD

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. TROTT. Mr. Speaker, I rise today to honor the memory of the Honorable Kay Arnold of Plymouth, Michigan for her extensive

public service and unwavering commitment to the Plymouth community.

Kay had an unparalleled résumé, serving on the Plymouth Board of Trustees since 1992 and the planning commission since 1996. Her accomplishments in these roles include leading projects to improve the Ann Arbor Road corridor, Miller Park, and bridges in the township park. Colleagues often praise her independence in completing projects and willingness to always listen to residents' concerns. Plymouth Township would not be the same without Kay's work, and her influence will not be quickly forgotten. Kay also devoted time to volunteer work and was active with United Way, the Plymouth Community Arts Council, the Schoolcraft College Foundation, and the Plymouth Community Chamber of Commerce.

The Plymouth community will greatly miss Kay and her tireless efforts to improve her township. I express my condolences to her family, and to all who had the privilege of knowing her.

CONGRATULATING YANIS COFFEE
ZONE FOR THEIR DESIGNATION
AS THE 2015 SMALL BUSINESS OF
THE YEAR BY THE JEFFERSON
CITY AREA CHAMBER OF COM-
MERCE

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Yanis Coffee Zone with being named 2015 Small Business of the Year by the Jefferson City Area Chamber of Commerce.

Yanis Coffee Zone, known for its Rocket Fuel house brew, has been serving customers since October 7, 2003. For the past twelve years, Yanis Coffee Zone has expanded from fifty customers to an average of four hundred patrons a day.

This award is based on a business' overall success accounting for innovation and creativity, growth, and involvement in community-oriented projects. Yanis Coffee Zone's owners and employees have shown dedication and commitment to the hard work that contributed to receiving this award. It is evident that Yanis Coffee Zone represents excellence within the business community and in serving their patrons.

I ask you to join me in recognizing Yanis Coffee Zone on receiving this outstanding award.

TRIBUTE TO DEBBIE WILLIS

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. SIMPSON. Mr. Speaker, this December, the Army Corps of Engineers will see an exceptional employee retire after 32 years of exemplary service to our citizens, communities,

agencies and military men and women that the Corps serves.

Debbie Willis lived in Idaho from 1999 to 2009, serving as the Project Manager in charge of the Walla Walla District's Boise office. During that time, she represented the "First and Best" door to the Corps of Engineers, Walla Walla District. Debbie always provided a "can-do" attitude and worked tirelessly with her peers, local citizens, state and federal agencies, and private non-profits, to unlock remarkable solutions to difficult challenges that our communities faced in Idaho. In the words of one Idaho Mayor, she was our "Superwoman." These sentiments are shared by the countless individuals Debbie worked alongside to solve problems during her time at the Corps.

Debbie specialized with issues related to environmental improvements in urban and suburban flood-prone areas. She also worked with local communities to address the critical issues of water and wastewater infrastructure management and actively sought to involve community stakeholders in flood risk reduction and environmental habitat improvements along Idaho's valuable waterways and riparian areas.

In 2005 and 2006 she earned the honor of being selected from the ranks of the Corps of Engineers to serve as a Congressional Fellow and as a member of the staff for the House Energy and Water Development Appropriations Subcommittee. On May 24, 2006, Chairman of the Energy and Water Appropriations Subcommittee Dave Hobson recognized Debbie on the floor of the House of Representatives for her invaluable assistance in crafting the Energy and Water appropriations bill for fiscal year 2007.

Throughout her years of service to our country, Debbie served the Corps of Engineers in Georgia, South Carolina, Washington and North Carolina. She holds a Civil Engineering degree from North Carolina State University and has utilized her education and experience to help plan, engineer, and manage the construction of many large and complex military and civil works projects throughout the country and most recently for the U.S. Army Special Operations Command at Fort Bragg.

As a senior Corps project manager, she provided environmental restoration support to the Department of Energy at two of the Nation's largest nuclear facilities, the Hanford and Savannah River sites. Debbie also found time to use her expertise in a volunteer capacity by helping local communities in the southern U.S. assess and recover from damages caused by natural disasters. She traveled across the country and overseas, teaching management fundamentals and skills to Corps' employees and continues to be a mentor to many within the agency.

Debbie's last assignment has been as a Senior Project Manager for the Wilmington District, Corps of Engineers. Within that capacity, she has demonstrated extraordinary leadership and dedication supporting our service men and women at Fort Bragg. Over the past several years she has successfully managed the design and construction for both the Joint Special Operations Command (JSOC) and the Security Operations Training Facility (SOTF) at that base.

Debbie's hard work and dedication to duty is a proud reflection of the Corps of Engineers and her support for our nation's military. Her performance awards serve as a testament to more than three decades of exceptional service and selfless dedication to this country. I congratulate Debbie Willis on her retirement and wish her and her husband Brayton well in future endeavors.

TRIBUTE TO MICHAEL J. HEID

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to pay tribute to a distinguished Urbandale, Iowa resident and industry leader, Michael J. Heid. Mike is a widely respected mortgage industry executive with Wells Fargo, whose mortgage business is headquartered in West Des Moines, Iowa. Mike recently announced his retirement after an impactful and successful 30-year banking career that culminated in spending the last eleven years as President of Wells Fargo Home Lending.

In addition to managing 40,000 employees across the country, Mike has been a leader in shaping housing policy while helping the industry navigate the unprecedented challenges of the past decade. He devoted a great deal of his time to bringing together divergent views on housing finance reform and has spent hours acting as a valuable subject matter resource to policymakers on Capitol Hill along with multiple Administrations.

A frequent visitor to the nation's capital, Mike has been referred to as the "go-to source" in Washington for housing policy matters. He has testified before Congressional committees on numerous occasions and is known for his thoughtful approach and his in-depth and unbiased knowledge of the housing industry.

A native of Wisconsin, Mike joined Wells Fargo in 1988. During his twenty-seven years at the company, he has led the servicing function and acted as CFO before becoming president of the mortgage business. Wells Fargo was the nation's largest home lender during his tenure. But Mike hasn't always been perched at the top of the mortgage industry. He started at a small mortgage bank whose cash flow was so poor that he determined he would have to sell the furniture to stay afloat. Mike draws his strength from his family; his wife, his son and his daughter. He now has extra incentive to spend more time with his family, having two granddaughters living in the Des Moines area. Full-time grandparent sounded awfully inviting to Mike.

Mr. Speaker, I applaud Mike's dedication to the greater Des Moines community, and his steadfast commitment to bringing the American dream of home ownership to so many. I ask that my colleagues in the United States House of Representatives join me in congratulating Mike and wishing him and his wife Diane nothing but the best as they plan this new chapter in their lives.

HONORING ANNE SAMSON

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. MEADOWS. Mr. Speaker, I rise today to celebrate the legacy of Anne Samson. Anne was a selfless philanthropist who dedicated her life to serving her family and community.

A daughter of Hungarian Holocaust survivors, Anne was a devoted wife, mother, grandmother, and friend. Anne's love for Israel and the Jewish people illuminated much of her work. Anne and her husband, Lee, actively served within the Jewish community and volunteered in Israel following the Six-Day War. Anne's philanthropy and selflessness touched many families, synagogues, and organizations. In her memory, the Samson family has helped establish the Anne Samson Memorial Fund which will provide assistance to the Jerusalem Journey summer program, in which hundreds of public school students have their very first Israel experience.

Anne's life demonstrated that it is often the quiet leader who is the most impactful. She led by example, motivated by her strong convictions and Jewish faith. Beloved by her family and community, Anne's legacy lives on in her children and grandchildren who carry on her graciousness, hospitality and dedication to service. It is my honor to commemorate Anne Samson's memory today.

PAYING TRIBUTE TO ELLEN
ROSENTHAL FOR HER OUT-
STANDING SERVICE TO CONNER
PRAIRIE

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Ellen Rosenthal on the occasion of her retirement. For 10 years Ellen has served as President and CEO of Conner Prairie Interactive History Park, a beloved destination of Indiana's Fifth Congressional District located in Fishers, Indiana. Conner Prairie flourished under Ellen's leadership, and Hoosiers are eternally grateful for her contributions.

Ellen has a long history developing museums and exhibits. She planned the opening of historic houses at the Minnesota Historical Society in St. Paul, Minnesota and at the Frick Art and Historical Center in Pittsburgh, Pennsylvania. She also served as curatorial director for the American History Workshop in Brooklyn, New York, where she managed projects for the National Museum of American History, South Street Seaport Museum, and National Endowment for the Humanities. In 1999, Ellen began her career with Conner Prairie as Vice President of Internal Affairs, assumed a leadership role in 2003 when she was promoted to Executive Director, and in 2005 became President and CEO. Since then, Ellen played an integral role in transforming Conner Prairie from a traditional living history museum into the

independent, immersive, and interactive history park it is today.

At the beginning stages of Conner Prairie's transformation, Ellen redefined the museum's mission to "inspire curiosity and foster learning about Indiana's past by providing engaging, individualized and unique experiences." She has a passion for creating and developing museums that offer active engagement and learning that transcends generations and strategic, data-driven decision making. A wonderful example of Ellen's vision put into action is the opening of the outdoor experience "Civil War Journey: Raid on Indiana," which used historical actors, sounds, and sets to place visitors in the middle of a southern Indiana Civil War battle. Her unique approach to focusing on experiential learning and guest immersion as well as her incomparable ability to build support and raise funds for new exhibits has resulted in more than a 240 percent increase in annual attendance. More than 360,000 guests visit Conner Prairie's historic grounds and indoor experiences annually.

During her tenure as President and CEO, Conner Prairie has received a number of honors and awards. Most notably, Conner Prairie was awarded the nation's highest honor for museums—the National Medal from the Institute for Museum Library Sciences. Conner Prairie also was selected as one of six museums nationwide to be featured as a magnetic museum, which is defined as "high-performance organizations that deliver tangible cultural and civic value and achieve superior business results." Under her leadership, Conner Prairie became a Smithsonian affiliate, the only museum in Indiana to hold such a distinction. Additionally, Ellen led the effort that secured a \$2.3 million National Science Foundation grant in 2012 that empowers Conner Prairie to lead four American institutions in the integration of informal science experiments at historical sites and museums across the country.

Ellen's personal commitment to the community and success as a leader has not gone unnoticed. Governor Mike Pence is bestowing upon Ellen a Sagamore of the Wabash, one of the most prestigious honors in Indiana. She also received the Commitment to Creativity Trailblazer award from University High School (2014), the Torchbearer award from the Indiana Commission for Women (2013), was cited for Excellence in Innovation by the Indiana Innovation Awards (2012), named a Woman of Influence by the Indianapolis Business Journal (2008), and named a "Distinguished Hoosier" by Governor Mitch Daniels (2006).

As a personal friend and admirer of Ellen for over a decade, it is truly a privilege to honor her today for her many accomplishments. On behalf of the grateful constituents of Indiana's Fifth Congressional District, I congratulate Ellen on the occasion of her retirement. We congratulate her on her remarkable career and extend a huge thank you for all of the wonderful contributions she has made to Conner Prairie and the Hoosier community. I wish the very best to Ellen, her husband, Dr. Ted Logan, and her three sons, Daniel, Sam, and Paul as she enjoys a well-deserved retirement.

COMMEMORATING THE 150TH ANNIVERSARY OF OAK GROVE BAPTIST CHURCH, LITTLETON, NORTH CAROLINA

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. BUTTERFIELD. Mr. Speaker, I rise to celebrate the 150th anniversary of Oak Grove Baptist Church located in my congressional district in Halifax County, North Carolina in the town of Littleton. The Church was founded in 1865 by Reverend Lovely Brown, Sr. and several faith leaders who devoted themselves to spreading the word of God.

One hundred fifty years ago, Reverend Brown and his small congregation of parishioners gathered to worship under a "bush arbor." Through steadfast faith and an unwavering dedication to its mission of faith and service, Oak Grove has grown from those humble beginnings to become a pillar of hope for its congregation and a cornerstone of the Littleton community.

On April 2, 1966, the church was destroyed by a devastating fire. Pastor J.W. Wiley rallied the congregation and the community to rebuild. The following year, Oak Grove held its first service in the newly built "Heritage Sanctuary."

Oak Grove is pastored by Rev. Dr. Charles McCollum, Sr. where the church continues to prosper under his leadership.

Mr. Speaker, I ask my colleagues to join me in congratulating Rev. Dr. McCollum, the parishioners of Oak Grove Baptist Church, and the residents of Littleton on this historic milestone.

TRIBUTE TO NICOLE ALDRICH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize the heroic actions of Nicole Aldrich, MSN, RN of Altoona, Iowa. On Sept. 18, 2015, VA Central Iowa Health Care System hosted a POW/MIA Remembrance Ceremony. The ceremony was running accordingly until mid-way through when the keynote speaker collapsed at the lectern.

Without hesitation, Nicole charged forward from the back of the room, announced that she was a nurse, and took charge of the situation. She immediately began CPR and then shouted for an AED. At this point her 79 year old patient was unconscious, but she dutifully continued CPR until the AED was used and the POW keynote speaker began to breathe on his own again. Nicole turned the patient onto his side and reassured him the EMT was

on its way. Once in the ER, her quick actions were repeatedly praised and she was credited for saving the man's life.

Nicole is an eight year veteran employee of VA Central Iowa. She received her BSN degree from Grand View University and her Masters of Nursing in Leadership and Management from Walden University. She currently serves as the Nurse Manager for the Specialty Clinics/Diabetes Education/Oncology unit at the VA Central Iowa Health Care System.

Mr. Speaker, it is a great honor to represent leaders like Nicole in the United States Congress. I applaud her lifesaving efforts and I ask that my colleagues in the United States House of Representatives join me in commending Nicole, thanking her for her efforts, and wishing her nothing but the best.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 29, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 3

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the future of warfare.

SD-G50

Committee on Foreign Relations

To hold hearings to examine the nominations of Deborah R. Malac, of Virginia, to be Ambassador to the Republic of Uganda, and Lisa J. Peterson, of Virginia, to be Ambassador to the Kingdom of Swaziland, both of the Department of State.

SD-419

2:30 p.m.

Committee on Foreign Relations

Subcommittee on Europe and Regional Security Cooperation

To hold hearings to examine Putin's invasion of Ukraine and the propaganda in Europe.

SD-419

Committee on the Judiciary

Subcommittee on Privacy, Technology and the Law

To hold hearings to examine data brokers, focusing on whether consumers' information is secure.

SD-226

NOVEMBER 4

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine how gagging honest reviews harms consumers and the economy.

SR-253

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the value of education choices for low-income families, focusing on reauthorizing the D.C. Opportunity Scholarship Program.

SD-342

Committee on the Judiciary

To hold hearings to examine the nomination of Stuart F. Delery, of the District of Columbia, to be Associate Attorney General, Department of Justice.

SD-226

10:30 a.m.

Committee on the Budget

To hold hearings to examine reforming the Federal budget process, focusing on a biennial approach to better budgeting.

SD-608

2 p.m.

Committee on the Judiciary

Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts

To hold hearings to examine the American victims of Iranian and Palestinian terrorism.

SH-216

2:30 p.m.

Joint Economic Committee

To hold hearings to examine ensuring success for the Social Security Disability Insurance program and its beneficiaries.

SD-106

NOVEMBER 5

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine agency progress in retrospective review of existing regulations.

SD-342

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine wildfire, focusing on stakeholder perspectives on budgetary impacts and threats to natural resources on Federal, state, and private lands.

SR-328A

HOUSE OF REPRESENTATIVES—Thursday, October 29, 2015

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

Monsignor Donn Heiar, St. John Vianney Catholic Church, Janesville, Wisconsin, offered the following prayer:

Lord God, You know our needs. You have entrusted to us a great nation founded on life and liberty. We stand before You, ready to fulfill a mission that will give glory to Your name and ensure the dignity of all humanity. We plead for Your wisdom.

Give us the courage to open our eyes to see. Give us the fortitude to endure when the demands of our office seem overwhelming. Bless us with prudence when all pathways seem troublesome. Help us to discern and seek the common good when comfort and expedience tempt and beckon.

Challenge our minds and steady our hand and remind us that all good things come from You. Transform our lives, and we will remember that life, liberty, and the pursuit of happiness is the greatest work we will perform on behalf of all people.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio (Mr. CHABOT) come forward and lead the House in the Pledge of Allegiance.

Mr. CHABOT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CALL OF THE HOUSE

Mr. TIBERI. Mr. Speaker, pursuant to clause 7 of rule XX, I move a call of the House.

The SPEAKER. Under clause 7(b) of rule XX, the Chair confers recognition for that purpose.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 580]

ANSWERED "PRESENT"—421

Abraham	Crawford	Hartzler
Adams	Crenshaw	Hastings
Aderholt	Crowley	Heck (NV)
Aguilar	Cuellar	Heck (WA)
Allen	Culberson	Hensarling
Amash	Curbelo (FL)	Herrera Beutler
Ashford	Davis (CA)	Hice, Jody B.
Babin	Davis, Danny	Higgins
Barletta	Davis, Rodney	Hill
Barr	DeFazio	Himes
Barton	DeGette	Holding
Bass	Delaney	Honda
Beatty	DeLauro	Hoyer
Becerra	DelBene	Hudson
Benishek	Denham	Huelskamp
Bera	Dent	Huffman
Beyer	DeSantis	Huizenga (MI)
Bilirakis	DeSaulnier	Hultgren
Bishop (GA)	DesJarlais	Hunter
Bishop (MI)	Deutch	Hurd (TX)
Bishop (UT)	Diaz-Balart	Hurt (VA)
Black	Dingell	Israel
Blackburn	Doggett	Issa
Blum	Dold	Jackson Lee
Blumenauer	Donovan	Jeffries
Boehner	Doyle, Michael	Jenkins (KS)
Bonamici	F.	Jenkins (WV)
Bost	Duckworth	Johnson (GA)
Boustany	Duffy	Johnson (OH)
Boyle, Brendan	Duncan (SC)	Johnson, E. B.
F.	Duncan (TN)	Johnson, Sam
Brady (PA)	Ellison	Jolly
Brady (TX)	Ellmers (NC)	Jones
Brat	Emmer (MN)	Jordan
Bridenstine	Engel	Joyce
Brooks (AL)	Eshoo	Kaptur
Brooks (IN)	Esty	Katko
Brown (FL)	Farenthold	Keating
Brownley (CA)	Farr	Kelly (IL)
Buchanan	Fincher	Kelly (MS)
Buck	Fitzpatrick	Kelly (PA)
Bucshon	Fleischmann	Kennedy
Burgess	Fleming	Kildee
Bustos	Flores	Kilmer
Butterfield	Forbes	Kind
Byrne	Fortenberry	King (IA)
Calvert	Foster	King (NY)
Capps	Fox	Kinzinger (IL)
Capuano	Frankel (FL)	Kirkpatrick
Cárdenas	Franks (AZ)	Kline
Carney	Frelinghuysen	Knight
Carson (IN)	Fudge	Kuster
Carter (GA)	Gabbard	Labrador
Carter (TX)	Gallego	LaHood
Cartwright	Garamendi	LaMalfa
Castor (FL)	Garrett	Lamborn
Castro (TX)	Gibbs	Lance
Chabot	Gibson	Langevin
Chaffetz	Gohmert	Larsen (WA)
Chu, Judy	Goodlatte	Larson (CT)
Cicilline	Gosar	Latta
Clark (MA)	Gowdy	Lawrence
Clawson (FL)	Graham	Lee
Clay	Granger	Levin
Cleaver	Graves (GA)	Lewis
Clyburn	Graves (LA)	Lieu, Ted
Coffman	Graves (MO)	Lipinski
Cohen	Grayson	LoBiondo
Cole	Green, Al	Loeb
Collins (GA)	Green, Gene	Lofgren
Collins (NY)	Griffith	Long
Comstock	Grijalva	Loudermilk
Conaway	Grothman	Love
Connolly	Guinta	Lowenthal
Conyers	Guthrie	Lowey
Cook	Gutiérrez	Lucas
Cooper	Hahn	Luetkemeyer
Costa	Hanna	Lujan Grisham
Costello (PA)	Hardy	(NM)
Courtney	Harper	Luján, Ben Ray
Cramer	Harris	(NM)

Lummis	Poliquin	Smith (NJ)
Lynch	Polis	Smith (TX)
MacArthur	Pompeo	Smith (WA)
Marchant	Posey	Speier
Marino	Price (NC)	Stefanik
Massie	Price, Tom	Stewart
Matsui	Quigley	Stivers
McCarthy	Rangel	Stutzman
McCaul	Ratcliffe	Swalwell (CA)
McClintock	Reed	Takai
McCollum	Reichert	Takano
McDermott	Renacci	Thompson (CA)
Hill	Ribble	Thompson (MS)
McHenry	Rice (NY)	Thompson (PA)
McKinley	Rice (SC)	Thornberry
McMorris	Richmond	Tiberi
Rodgers	Rigell	Tipton
McNerney	Roby	Titus
McSally	Roe (TN)	Tonko
Meadows	Rogers (AL)	Torres
Meehan	Rogers (KY)	Trott
Meng	Rohrabacher	Tsongas
Messer	Rokita	Turner
Mica	Ros-Lehtinen	Upton
Miller (FL)	Roskam	Valadao
Miller (MI)	Ross	Van Hollen
Moolenaar	Rothfus	Vargas
Mooney (WV)	Rouzer	Veasey
Moore	Roybal-Allard	Vela
Moulton	Royce	Velázquez
Mullin	Ruiz	Visclosky
Mulvaney	Ruppersberger	Wagner
Murphy (FL)	Rush	Walberg
Murphy (PA)	Russell	Walden
Nadler	Ryan (OH)	Walker
Napolitano	Ryan (WI)	Walorski
Neal	Salmon	Walters, Mimi
Neugebauer	Sánchez, Linda	Walz
Newhouse	T.	Wasserman
Noem	Sanchez, Loretta	Schultz
Nolan	Sanford	Waters, Maxine
Norcross	Scalise	Watson Coleman
Nugent	Schakowsky	Weber (TX)
Nunes	Schiff	Webster (FL)
O'Rourke	Schrader	Welch
Olson	Schweikert	Wenstrup
Palazzo	Scott (VA)	Westerman
Pallone	Scott, Austin	Westmoreland
Palmer	Scott, David	Whitfield
Pascarella	Sensenbrenner	Williams
Paulsen	Serrano	Wilson (SC)
Pearce	Sessions	Wittman
Pelosi	Sewell (AL)	Womack
Perlmutter	Sherman	Woodall
Perry	Shimkus	Yarmuth
Peters	Shuster	Yoder
Peterson	Simpson	Yoho
Pingree	Sinema	Young (IA)
Pittenger	Sires	Young (IN)
Pitts	Slaughter	Zeldin
Pocan	Smith (MO)	Zinke
Poe (TX)	Smith (NE)	

NOT VOTING—14

Amodei	Hinojosa	Payne
Clarke (NY)	Maloney,	Rooney (FL)
Cummings	Carolyn	Sarbanes
Edwards	Maloney, Sean	Wilson (FL)
Fattah	Meeks	Young (AK)

□ 0934

The SPEAKER pro tempore. On this rollcall, 421 Members have recorded their presence.

A quorum is present.

FAREWELL ADDRESS

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. BOEHNER. Mr. Speaker, I rise today to inform you that I will resign as Speaker of the House effective upon the election of my successor. I will also resign as Representative from Ohio's Eighth District at the end of this month.

I leave with no regrets, no burdens. If anything, I leave the way I started—just a regular guy, humbled by the chance to do a big job. That is what I am most proud of. I am still just me, the same guy who came here 25 years ago as a small-business man and spent all these 25 years trying to just be me.

Now, sometimes my staff thought I was too much like me, but it really is the thing I am most proud of. I am the same regular guy who came here to try to do a good job for my district and my country.

Before I go, I want to express what an honor it has been to serve with all of you. The people's House is, in my view, the great embodiment of the American Dream. Everybody here comes from somewhere, and everybody here is on some mission.

I come from a part of the world where we are used to working. As far back as I can remember, I was working. My staff was asking me the other day: Well, you know, on November 1st, you're not going to have a job. When was the last time you didn't have a job?

I thought about it and thought about it and thought about it. I thought, well, I had to be 8 or 9 years old because I was throwing newspapers back then and working in my dad's bar. As a matter of fact, I used to work from 5 a.m. on Saturday morning until 2 p.m. for \$2. Not \$2 an hour. \$2.

I never thought about growing up as the easy way or the hard way. It was just the Cincinnati way. Our city takes its name from the great Roman general Cincinnatus, a farmer who answered the call of his nation to lead and then surrendered his power to go back to his plow.

For me, it wasn't a farm. It was a small business. And it wasn't so much a calling as it was a mission—a mission to strive for a smaller, less costly, and more accountable Federal Government here in Washington.

How did we do? Here are some facts. For the first time in nearly 20 years, we have made some real entitlement reforms, saving trillions of dollars over the long term.

We have protected 99 percent of the American people from an increase in their taxes. We are on track to save taxpayers \$2.1 trillion over the next 10 years, the most significant spending reductions in modern times. We have banned earmarks altogether. Sorry.

We have protected this institution. We have made it more open to the people. Every day in this capital city there are hundreds of kids from the toughest neighborhoods who are finally getting a chance at a decent education.

I am proud of these things, but the mission is not complete. And the truth is it may never be. One thing I came to realize over the years that I have been here is that this battle over the size and scope and cost of our government in Washington has been going on for more than 200 years, and the forces of the status quo go to an awful lot of trouble to prevent change from happening.

Real change takes time. Yes, freedom makes all things possible, but patience is what makes all things real. So believe in the long, slow struggle. Believe in this country's ability to meet her challenges and to lead the world. And, remember, you can't do a big job alone, especially this one.

So I am grateful to my family, Deb and my two girls. My two girls were 3 and 1 when I first ran for office. Now they are a lot older. So they have been through a lot. You all know what your families go through. It is one thing for us to take the bricks and the boards and everything that gets thrown at us, but it is another thing for our families. Their skin isn't as thick as ours.

I am also grateful to all of my colleagues: my fellow leaders, Mr. MCCARTHY and Mr. SCALISE, Ms. MCMORRIS RODGERS; and many on my side of the aisle, our committee chairs, people I have worked with for a long time.

But I am just as grateful to Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, and Mr. BECERRA and others for all of the work that we have done together. Over these last 5 years, we have done an awful lot of work together. There was probably more work done across the aisle over the last 5 years than in the 25 years that I have served in this institution.

Now, as much as I enjoy working with all of you, some of you still could learn to dress better. You know who you are. I saw one of the culprits, one of the usual suspects who shows up here once in a while without a tie. This morning he didn't look dressed very well, but he did have a tie on.

I am grateful to the people who work in this institution every day, whether it is the Reading Clerks or—you know, there are a lot of people, thousands of people, who allow us to do our jobs and to help make this institution what it is. Whether it is the people you see here today or the people in the CAO's office or the Capitol Police or legislative counsel, there really are thousands of people who really do allow us to do our job.

I am grateful to my staff. Now, you all know I am a big believer in staff. None of us can be what we are without a good staff, and I certainly would never have gotten to this job without having built a great team. So I really am grateful to my staff. As they like to say to each other, once you are part of Boehnerland, you are always a part of Boehnerland, and that certainly goes for me as well.

I am especially grateful to all my constituents and the volunteers over the years. That includes a student at Miami University in Oxford, Ohio, in 1990, who was putting up campaign signs for me. His name was PAUL RYAN. I don't think he could pronounce my name back in 1990 when he was putting up yard signs for me.

But, as Cincinnatus understood, there is a difference between being asked to do something and being called to do something. PAUL is being called. I know he will serve with grace and with energy, and I want to wish him and his family all the best.

□ 0945

My colleagues, I have described my life as a chase for the American Dream. That chase began at the bottom of the hill, just off the main drag in Reading, Ohio, right outside of Cincinnati. At the top of the hill was a small house with a big family, a shining city in its own right.

The hill had twists. The hill had turns, and even a few tears. Nothing wrong with that. But let me tell you, it was just perfect.

Never forget, we are the luckiest people on the Earth. In America, you can do anything that you are willing to work for, willing to work hard at, and anything can happen if you are willing to make the necessary sacrifices in life.

If you falter—and you will—you can just pick yourself up, dust yourself off, and go do it again, because hope always springs eternal. And if you just do the right things for the right reasons, good things will happen.

And this, too, can really happen to you.

God bless you, and God bless our great country.

ELECTION OF SPEAKER

The SPEAKER. Pursuant to the Speaker's announcement of October 29, 2015, the Chair will receive nominations for the Office of Speaker.

The Chair recognizes the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Mr. Speaker, today, in the people's House, it gives me great honor to nominate the people's Speaker.

You don't need to look any further than the architecture of Washington, D.C., to see what our Founders envisioned. It is not by mistake that the dome over the Congress is the very center of the Federal city. The White House and the Supreme Court are set about us, satellites to the supreme power of the people expressed in this legislative body.

In the House, we are eager for a fresh start that will make us more effective to fulfill our obligation to reflect the will of the people and to reestablish the balance of power.

There is no better person to lead us in that calling than the man I am about to nominate. He was first elected to the House at the ripe old age of 28, and he has served here now for almost 17 years.

We all remember when he led the House Budget Committee: the visionary proposals, the lengthy debates. And who could forget those PowerPoints?

He is now the chairman of the House Ways and Means Committee. But he is more than a chairman to us. He is more than a colleague. He is our friend. He is a leader.

Through it all, he has never forgotten his roots. He lives on the same block he grew up on in Janesville, Wisconsin. There is no place he would rather be than at home with his family.

He will continue to put the people of this country first. And I can say, in all candor, he did not seek this office. The office sought him.

As chair of the House Republican Conference, I am directed by the vote of that Conference to present for election to the Office of Speaker of the House of Representatives for the 114th Congress the Representative from the State of Wisconsin, the man from Janesville, the Honorable PAUL D. RYAN.

The SPEAKER. The Chair now recognizes the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I offer my congratulations to my friend, the gentleman from Wisconsin (Mr. RYAN), on his nomination by his colleagues.

At this time, as chairman of the Democratic Caucus of this House, I wish to place in nomination the name of a proven leader for the Office of Speaker of the House of Representatives:

A leader who has accomplished, in this Chamber and for this country, what few can match;

A leader who, as Speaker of this House, secured passage of landmark economic recovery package legislation in 2009 which transformed a diving economy, losing 800,000 jobs each month, to one which has now created more than 13 million jobs over the last 67 consecutive months of job growth;

A leader who, as Speaker, accomplished what 70 years of Congresses could not, enactment of our lifesaving health security law, which has put 18 million more Americans in control of their and their children's health care;

A leader who had the foresight, in 2008, to fight for the biggest investment in our troops since World War II, with the passage of the Post-9/11 GI Bill, and the largest investment in our veterans' health care and benefits in the 77-year history of the VA;

A leader who was not afraid to take on the challenge of fixing our broken immigration system and secured passage of the DREAM Act in 2010.

Mr. Speaker, leadership is about making the tough choices and getting things done. It means knowing how to build a majority, not just with the members of your own political party, but with the 435 elected Members of the House of Representatives so we can get things done. This leader understands that and knows how to get things done, even while serving in the minority in this House.

That is why, less than 24 hours ago, this leader succeeded in breaking through the gridlock in this House and secured the votes needed to avert a senseless government shutdown and a perilous default on the payment of America's bills. Thanks to this leader, 16.5 million seniors will not suffer a \$55-per-month increase in their Medicare premiums and Congress will not cut the Social Security benefits of 11 million disabled Americans by 20 percent.

Mr. Speaker, that is leadership, and that is what Americans expect from those they elect. That is why it is my privilege, as chairman of the House Democratic Caucus and as directed by the colleagues of the Democratic Caucus, to nominate for election to the Office of Speaker of the House of Representatives, from the 12th District of the great State of California, the Honorable NANCY PATRICIA D'ALESSANDRO PELOSI.

The SPEAKER. The names of the Honorable PAUL D. RYAN, a Representative from the State of Wisconsin, and the Honorable NANCY PELOSI, a Representative from the State of California, have been placed in nomination.

Are there further nominations?

There being no further nominations, the Chair appoints the following tellers:

The gentlewoman from Michigan (Mrs. MILLER);

The gentleman from Pennsylvania (Mr. BRADY);

The gentlewoman from Ohio (Ms. KAPTUR); and

The gentlewoman from Florida (Ms. ROS-LEHTINEN).

The tellers will come forward and take their seats at the desk in front of the Speaker's rostrum.

The roll will now be called, and those responding to their names will indicate by surname the nominee of their choosing.

The Reading Clerk will now call the roll.

The tellers having taken their places, the House proceeded to vote for the Speaker.

The following is the result of the vote:

[Roll No. 581]
RYAN (WI)—236

Abraham
Aderholt
Allen
Amash
Amodei

Babin
Barletta
Barr
Barton
Benishok

Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn

Blum
Boehner
Bost
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)

Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry

PELOSI—184

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps

Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney

Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shinkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Engel	Lewis	Raybal-Allard
Eshoo	Lieu, Ted	Ruiz
Esty	Lipinski	Ruppersberger
Farr	Loeb	Rush
Fattah	Lofgren	Ryan (OH)
Foster	Lowenthal	Sánchez, Linda
Frankel (FL)	Lowe	T.
Fudge	Lujan Grisham	Sánchez, Loretta
Gabbard	(NM)	Sarbanes
Galleo	Luján, Ben Ray	Schakowsky
Garamendi	(NM)	Schiff
Grayson	Lynch	Schrader
Green, Al	Maloney,	Scott (VA)
Green, Gene	Carolyn	Scott, David
Grijalva	Maloney, Sean	Serrano
Gutiérrez	Matsui	Sewell (AL)
Hahn	McCollum	Sherman
Hastings	McDermott	Sires
Heck (WA)	McGovern	Slaughter
Higgins	McNerney	Smith (WA)
Himes	Meng	Speier
Hinojosa	Moore	Swalwell (CA)
Honda	Moulton	Takai
Hoyer	Murphy (FL)	Takano
Huffman	Nadler	Thompson (CA)
Israel	Napolitano	Thompson (MS)
Jackson Lee	Neal	Titus
Jeffries	Nolan	Tonko
Johnson (GA)	Norcross	Torres
Johnson, E. B.	O'Rourke	Tsongas
Kaptur	Pallone	Van Hollen
Keating	Pascarella	Vargas
Kelly (IL)	Payne	Veasey
Kennedy	Pelosi	Vela
Kildee	Perlmutter	Velázquez
Kilmer	Peters	Visclosky
Kind	Peterson	Walz
Kirkpatrick	Pingree	Wasserman
Kuster	Pocan	Schultz
Langevin	Polis	Waters, Maxine
Larsen (WA)	Price (NC)	Watson Coleman
Larson (CT)	Quigley	Welch
Lawrence	Rangel	Wilson (FL)
Lee	Rice (NY)	Yarmuth
Levin	Richmond	

WEBSTER (FL)—9

Brat	Gosar	Posey
Clawson (FL)	Jones	Weber (TX)
Gohmert	Massie	Yoho

COLIN POWELL—1

Cooper

COOPER—1

Graham

LEWIS—1

Sinema

ANSWERED "PRESENT"—0

NOT VOTING—3

Meeks	Ryan (WI)	Webster (FL)
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□ 1046

The SPEAKER. The tellers agree in their tallies that the total number of votes cast is 432, of which the Honorable PAUL D. RYAN of the State of Wisconsin has received 236, the Honorable NANCY PELOSI of the State of California has received 184, the Honorable DANIEL WEBSTER of the State of Florida has received 9, the Honorable JIM COOPER of the State of Tennessee has received 1, the Honorable JOHN LEWIS of the State of Georgia has received 1, and the Honorable Colin Powell has received 1.

Therefore, the Honorable PAUL D. RYAN of the State of Wisconsin, having received a majority of the votes cast, is duly elected Speaker of the House of Representatives.

The Chair appoints the following committee to escort the Speaker-elect to the chair:

The gentleman from California (Mr. MCCARTHY)

The gentlewoman from California (Ms. PELOSI)

The gentleman from Louisiana (Mr. SCALISE)

The gentleman from Maryland (Mr. HOYER)

The gentlewoman from Washington (Mrs. McMORRIS RODGERS)

The gentleman from South Carolina (Mr. CLYBURN)

The gentleman from Oregon (Mr. WALDEN)

The gentleman from California (Mr. BECERRA)

The gentleman from Indiana (Mr. MESSER)

The gentleman from New York (Mr. CROWLEY)

The gentlewoman from Kansas (Ms. JENKINS)

The gentleman from New York (Mr. ISRAEL)

The gentlewoman from North Carolina (Ms. FOXX)

The gentleman from New Mexico (Mr. BEN RAY LUJÁN)

The gentlewoman from Missouri (Mrs. WAGNER)

The gentlewoman from Connecticut (Ms. DELAULO)

The gentlewoman from California (Mrs. MIMI WALTERS)

The gentlewoman from Maryland (Ms. EDWARDS)

The gentleman from Texas (Mr. SESSIONS)

The gentleman from Maryland (Mr. VAN HOLLEN)

The gentleman from North Carolina (Mr. MCHENRY)

And the Members of the Wisconsin delegation:

Mr. SENSENBRENNER

Mr. KIND

Ms. MOORE

Mr. DUFFY

Mr. RIBBLE

Mr. POCAN

Mr. GROTHMAN

The committee will retire from the Chamber to escort the Speaker-elect to the chair.

The Sergeant at Arms announced the Speaker-elect of the House of Representatives of the 114th Congress, who was escorted to the chair by the Committee of Escort.

□ 1100

Ms. PELOSI. My dear colleagues of the 114th Congress of the United States, today, as every day, we come to this floor strengthened and inspired by the support of our colleagues, the trust of our constituents, and the love of our families.

My special thanks to my husband, Paul; our five children; our nine grandchildren; and the entire Pelosi and D'Alesandro families for their support. My deep gratitude to the people of San Francisco for the continued honor they give me to represent them here.

My heartfelt thanks to my Democratic colleagues for extending me the

honor of being nominated to be Speaker of the House. Thank you, my colleagues.

Today, we bid farewell to a Speaker who has served his constituents and this Congress with honor for 25 years, Speaker JOHN BOEHNER.

In his story, we are reminded of the enduring, exceptional promise of America—this hardworking son of an Ohio bartender and owner who grew up to be the Speaker of the House of Representatives. JOHN BOEHNER talked about the American Dream. JOHN BOEHNER, you are the personification of the American Dream.

As you all know, Speaker BOEHNER was a formidable spokesman for the Republican agenda. My Republican colleagues, I am sure you know—and I can attest—to the fact that he was always true and loyal to the members of his Conference in any negotiations we ever had.

Although we had our differences and often, I always respected his dedication to this House and his commitment to his values. Thank you, JOHN, for your leadership and courage as Speaker.

Your graciousness as Speaker extended and was reflected in your staff under the leadership of Mike Sommers, whom we all respect. Thank you to JOHN BOEHNER's staff.

I know I speak for everyone here, Democrats and Republicans, when I thank you for making the visit of His Holiness Pope Francis such a beautiful and meaningful experience for all of us.

Today, we extend our thanks and congratulations to Debbie; your daughters, Lindsay and Tricia; and the entire Boehner family, now including grandson, Allister.

Let's hear it for the family of JOHN BOEHNER.

On behalf of House Democrats and personally, I wish you and your family all of God's blessings in the glorious years ahead.

Last month, we witnessed something truly special when Pope Francis made history addressing a joint session of Congress. Standing right here, Pope Francis called on us to seek hope, peace, and dialogue for all people and reminded us of our duty to find a way forward for everyone. "A good political leader," His Holiness said, "is one who, with the interest of all in mind, seizes the moment in a spirit of openness and pragmatism."

Pope Francis echoed the principles of our Founders that placed at the heart of our democracy the saying, "E Pluribus Unum," from many, one. The Founders could never have imagined how vast our country would become, how diverse and many we would be—ethnically, gender identities, beliefs, and priorities—but they knew we had to be one.

Every day in this House and across the country we pledge allegiance to one nation under God, indivisible, with liberty and justice for all.

This is the beauty of America, that for all of our honest differences, perspectives, and priorities aired and argued so passionately on this floor, we are committed to being one nation. Despite our differences—in fact, respecting them—I look forward to a clear debate in this marketplace of ideas, the people's House of Representatives.

So, my fellow colleagues, we have a responsibility to act upon our shared faith in the greatness of our country. We have a responsibility to be worthy of the sacrifices of our troops, our veterans, and our military families. We have a responsibility to make real the promise of the American Dream for all.

There is important work before the Congress. We must do more to promote growth, decrease the deficit, create good-paying jobs, and increase the paychecks of America's working families.

Today, in this House, a page is turned. A new chapter has begun. Today, the gavel passes to a proud son of Wisconsin, the first Speaker from Wisconsin.

PAUL RYAN has had the full breadth of experience on Capitol Hill, from a young staffer to a Tortilla Coast waiter—shall I say that again?—Tortilla Coast waiter—to a Congressman, to being a sincere and proud advocate for his point of view as chairman of the Budget Committee, as a respected leader and chairman of the Ways and Means Committee, and in a minute, he will be the Speaker of the House of Representatives.

Mr. Speaker, today, on behalf of House Democrats, I extend the hand of friendship to you.

Congratulations to you, PAUL, and to Janna; your children, Liza, Charlie, and Sam; your mother, who is here—how proud she must be—and the entire Ryan family, whom we all know mean so much to you.

Mr. Speaker, God bless you and your family. And God bless the United States of America.

This is the people's House. This is the people's gavel. In the people's name, it is my privilege to hand this gavel to the Speaker-elect of the House, Congressman and Honorable PAUL D. RYAN.

Mr. RYAN of Wisconsin. Thank you, Madam Leader.

Before I begin, I would like to thank all of my family and friends who flew in from Wisconsin and from all over for being here today.

In the gallery I have my mom, Betty; my sister, Janet; my brothers, Stan and Tobin; and more cousins than I can count on a few hands.

Most importantly, I want to recognize my wife, Janna; and our children: Liza, Charlie, and Sam.

I also want to thank Speaker BOEHNER. For almost 5 years, he led this House. For nearly 25 years, he served it. Not many people can match his accomplishments, the offices he held, the laws he passed.

But what really sets JOHN apart is he is a man of character, a true class act. He is, without question, the gentleman from Ohio. So please join me in saying one last time, "Thank you, Speaker BOEHNER."

Now I know how he felt. It is not until you hold this gavel, stand in this spot, look out and see all 435 Members of this House, as if all America is sitting right in front of you—it is not until then that you feel it, the weight of responsibility and the gravity of the moment.

As I stand here, I can't help but think of something Harry Truman once said. The day after Franklin Roosevelt died, Truman became President. He told a group of reporters, "If you ever pray, pray for me now."

When they told me yesterday what had happened, I felt like the Moon, the stars, and all the planets had fallen on me. We should all feel that way. A lot is on our shoulders. So if you ever pray, let's pray for each other, Republicans for Democrats and Democrats for Republicans.

□ 1115

And I don't mean pray for a conversion, all right? Pray for a deeper understanding. Because when you are up here, you see it so clearly. Wherever you come from, whatever you believe, we are all in the same boat.

I never thought I would be Speaker, but early in my life, I wanted to serve this House. I thought this place was exhilarating because here you can make a difference. If you had a good idea, if you worked hard, you could make it happen. You could improve people's lives. To me, the House of Representatives represents what is the best of America: the boundless opportunity to do good.

But let's be frank. The House is broken. We are not solving problems. We are adding to them. I am not interested in laying blame. We are not settling scores. We are wiping the slate clean.

Neither the Members nor the people are satisfied with how things are going. We need to make some changes, starting with how the House does business. We need to let every Member contribute, not once they have earned their stripes, but now.

I come at this job as a two-time committee chair. The committees should retake the lead in drafting all major legislation. If you know the issue, you should write the bill.

Let's open up the process. Let people participate, and they might change their mind. A neglected minority will gum up the works. A respected minority will work in good faith. Instead of trying to stop the majority, they might try to become the majority. In other words, we need to return to regular order.

Now, I know this sounds like process. It is actually a matter of principle. We

are the body closest to the people. Every 2 years, we face the voters and sometimes face the music. But we do not echo the people; we represent the people. We are supposed to study up and do the homework that they cannot do. So when we do not follow regular order, when we rush to pass bills that a lot of us don't understand, we are not doing our job. Only a fully functioning House can truly represent the people; and if there were ever a time for us to step up, this would be that time.

America does not feel strong anymore because the working people of America do not feel strong anymore. I am talking about the people who mind the store and grow the food and walk the beat and pay the taxes and raise the family. They do not sit in this House. They do not have fancy titles, but they are the people who make this country work, and this House should work for them.

Here is the problem. They are working hard. They are paying a lot. They are trying to do right by their families, and they are going nowhere fast. They never get a raise. They never get a break. The bills keep piling up and the taxes and the debt. They are working harder than ever before to get ahead, and yet they are falling further behind. They feel robbed. They feel cheated of their birthright. They are not asking for any favors. They just want a fair chance, and they are losing faith that they will ever get it.

Then they look at Washington, and all they see is chaos. What a relief to them it would be if we finally got our acts together. What a weight off of their shoulders. How reassuring it would be if we actually fixed the Tax Code, put patients in charge of their health care, grew our economy, strengthened our military, lifted people out of poverty, and paid down our debt. At this point, nothing could be more inspiring than a job well done. Nothing could stir the heart more than real, concrete results.

The cynics will scoff. They will say it is not possible. You better believe, we are going to try. We will not duck the tough issues; we will take them head-on. We are going to do all we can do so that working people get their strength back and people not working get their lives back. No more favors for the few. "Opportunity for all," that is our motto.

I often talk about a need for a vision. I am not sure I ever really said what I meant. We solve problems here, yes. We create a lot of them, too. But at bottom, we vindicate a way of life. We show by our work that free people can govern themselves. They can solve their own problems. They can make their own decisions. They can deliberate, collaborate, and get the job done.

We show that self-government is not only more efficient and more effective,

it is more fulfilling. In fact, we show it is that struggle, that hard work, that very achievement itself that makes us free. That is what we do here.

We will not always agree, not all of us, not all of the time, but we should not hide our disagreements. We should embrace them. We have nothing to fear from honest differences honestly stated. If you have ideas, let's hear them. I believe that a greater clarity between us can lead to greater charity among us, and there is every reason to have hope.

When the first Speaker took the gavel, he looked out at a room of 30 people, representing a nation of 3 million. Today, as I look out at each and every one of you, we represent a nation of 300 million.

So when I hear people say that America doesn't have it, we are done, we are spent, I don't believe it. I believe with every fiber of my being that we can renew the American idea. Now our task is to make us all believe.

My friends, you have done me a great honor. The people of this country, they have done all of us a great honor. Now let's prove ourselves worthy of it. Let's seize the moment. Let's rise to the occasion. And when we are done, let us say that we left the people—all the people—more united, happy, and free. Thank you.

I am now ready to take the oath of office.

I ask the Dean of the House of Representatives, the Honorable JOHN CONYERS, Jr., of Michigan, to administer the oath of office.

Mr. CONYERS then administered the oath of office to Mr. PAUL D. RYAN of Wisconsin, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

(Applause, the Members rising.)

Mr. CONYERS. Congratulations, Mr. Speaker.

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER

Mr. MCCARTHY. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 503

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected Paul D. Ryan, a Representative from the State of Wisconsin, Speaker of the House of Representatives.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESOLUTION TO INFORM THE SENATE THE ELECTION OF THE SPEAKER

Mr. MCCARTHY. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 504

Resolved, That a message be sent to the Senate to inform that body that Paul D. Ryan, a Representative from the State of Wisconsin, has been elected Speaker of the House of Representatives.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATIONS AS MEMBER OF COMMITTEE ON WAYS AND MEANS AND JOINT COMMITTEE ON TAXATION

The SPEAKER pro tempore (Mr. THORNBERRY) laid before the House the following resignations as a member of the Committee on Ways and Means and the Joint Committee on Taxation:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, October 29, 2015.

Hon. KAREN HAAS,
Clerk of the House of Representatives, U.S. Capitol, Washington, DC.

DEAR MS. HAAS: As a result of my election today as Speaker, this letter is to inform you that I resign as Chairman of the Committee on Ways and Means and from further service on that Committee. I also resign as Chairman and a member of the Joint Committee on Taxation.

Sincerely,

PAUL D. RYAN,
Chairman.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would take this occasion to note that the Speaker's announced policies with respect to particular aspects of the legislative process placed in the RECORD on January 6, 2015, will continue in effect for the remainder of the 114th Congress.

□ 1130

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that the Speaker has delivered to the Clerk a letter dated October 29, 2015, listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule I.

RECALL DESIGNEE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 29, 2015.

Hon. KAREN L. HAAS,
Clerk of the House of Representatives, The Capitol, Washington, DC.

DEAR MADAM CLERK: I hereby designate Representative Kevin McCarthy of California to exercise any authority regarding assembly, reassembly, convening, or reconvening of the House pursuant to House Concurrent Resolution 1, clause 12 of rule I, and any concurrent resolutions of the current Congress as may contemplate my designation of Members to exercise similar authority.

In the event of the death or inability of that designee, the alternate Members of the House listed in the letter bearing this date that I have placed with the Clerk are designated, in turn, for the same purposes.

Sincerely,

PAUL D. RYAN,
Speaker.

APPOINTMENT OF MEMBERS TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DURING THE 114TH CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 29, 2015.

I hereby appoint the Honorable Jeff Denham, the Honorable Mac Thornberry, the Honorable Fred Upton, the Honorable Andy Harris, the Honorable Barbara Comstock, and the Honorable Luke Messer to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the remainder of the One Hundred Fourteenth Congress.

PAUL D. RYAN,
Speaker.

The SPEAKER pro tempore. Without objection, the appointments are approved.

There was no objection.

ADJOURNMENT FROM THURSDAY, OCTOBER 29, 2015, TO MONDAY, NOVEMBER 2, 2015

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, November 2, 2015, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PUBLICATION OF BUDGETARY MATERIAL

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2015, 2016, AND THE 10-YEAR PERIOD FY 2016 THROUGH FY 2025

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, October 29, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: To facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal years 2015, 2016, and for the 10-year period of fiscal years 2016 through 2025. This status report is current through October 27, 2015. The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

Table 1 in the report compares the current levels of total budget authority, outlays, and revenues to the overall limits, as adjusted, that were filed in the Congressional Record on April 29, 2014 for fiscal year 2015, and to the limits contained in the conference report on S. Con. Res. 11, as agreed to on May 5, 2015, for fiscal year 2016, and for the 10-year period of fiscal years 2016 through 2025. This comparison is needed to implement section 311(a) of the Congressional Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years

after fiscal year 2016 because appropriations for those years have not yet been considered.

Table 2 compares the current levels of budget authority and outlays for legislative action completed by each authorizing committee with the "section 302(a)" allocations filed on April 29, 2014 for fiscal year 2015, and to the limits contained in the conference report on S. Con. Res. 11, as agreed to on May 5, 2015, for fiscal year 2016 and for the 10-year period of fiscal years 2016 through 2025. For fiscal year 2015, "legislative action" refers to legislation enacted after the adoption of the levels set forth in the Congressional Record on April 29, 2014. For fiscal year 2016 and the 10-year period of fiscal years 2016 through 2025, "legislative action" refers to legislation enacted after the adoption of the levels set forth in the conference agreement on S. Con. Res. 11. This comparison is needed to enforce section 302(f) of the Congressional Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

Tables 3 and 4 compare the current status of discretionary appropriations for fiscal years 2015 and 2016 with the "section 302(b)" suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is needed to enforce section 302(f) of the Congressional Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation. The tables also provide sup-

plementary information on spending in excess of the base discretionary spending caps allowed under section 251(b) of the Budget Control Act.

Table 5 compares the levels of changes to mandatory programs (CHIMPs) contained in appropriations acts with the permissible limits on CHIMPs as specified in sections 3103 and 3104 of S. Con. Res. 11. The comparison is needed to enforce a point of order established in S. Con. Res. 11 against fiscal year 2016 appropriations measures containing CHIMPs that would breach the permissible limits for fiscal year 2016.

Tables 6 and 7 display the current level of advance appropriations for fiscal years 2016 and 2017, respectively, of accounts identified for advance appropriations under section 601 of H. Con. Res. 25 (113th Congress), in force and effect pursuant to H. Res. 5 (114th Congress), and under section 3304 of S. Con. Res. 11. These tables are needed to enforce a point of order against appropriations bills containing advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the budget resolution.

In addition, letters from the Congressional Budget Office are attached that summarize and compare the budget impact of enacted legislation that occurred after adoption of the budget resolution against the budget resolution aggregates in force.

If you have any questions, please contact Jim Herz or Jim Bates at (202) 226-7270.

Sincerely,

TOM PRICE, M.D.,
Chairman.

TABLE 1.—REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 2015, 2016, AND 2016–2025 CONGRESSIONAL BUDGET REFLECTING ACTION COMPLETED AS OF OCTOBER 27, 2015

(On-budget amounts, in millions of dollars)

	Fiscal Year 2015 ¹	Fiscal Year 2016 ²	Fiscal Years 2016–2025
Appropriate Level:			
Budget Authority	3,033,319	3,040,743	n.a.
Outlays	3,027,686	3,092,541	n.a.
Revenues	2,535,978	2,675,967	32,233,099
Current Level:			
Budget Authority	3,037,055	3,154,888	n.a.
Outlays	3,047,157	3,167,136	n.a.
Revenues	2,453,570	2,676,111	32,237,119
Current Level over (+) / under (–)			
Appropriate Level:			
Budget Authority	+3,736	+114,145	n.a.
Outlays	+19,471	+74,595	n.a.
Revenues	–82,408	+144	+4,020

n.a. = Not applicable because annual appropriations Acts for fiscal years 2017 through 2025 will not be considered until future sessions of Congress.

¹ Section 115(b) of the Bipartisan Budget Act of 2013 (BBA) required the Chairman of the Committee on the Budget in the House of Representatives to file aggregate budgetary levels for fiscal year 2015 for purposes of enforcing section 311 of the Congressional Budget Act of 1974. The spending and revenue aggregates for fiscal year 2015 were filed on April 29, 2014. The current level for this report begins with the budgetary levels filed on April 29, 2014, as adjusted, and makes changes to those levels for enacted legislation.

² The FY2016 Concurrent Resolution on the Budget was agreed to in S. Con. Res. 11 and the accompanying report, H. Rept. 114–96. The current level for this report is measured relative to the on-budget levels filed in H. Rept. 114–96.

TABLE 2.—DIRECT SPENDING LEGISLATION, COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(a) ALLOCATIONS FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF OCTOBER 27, 2015

(Fiscal Years, in millions of dollars)

House Committee	2015		2016		2016–2025	
	BA	Outlays	BA	Outlays	BA	Outlays
Agriculture:						
302(a) Allocation	0	0	–1,645	–347	–302,149	–300,020
Legislative Action	+263	+238	0	0	+2	+2
Difference	+263	+238	–1,645	+347	+302,151	+300,022
Armed Services:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	–121	–104	0	0	0	0
Difference	–121	–104	0	0	0	0
Education and the Workforce						
302(a) Allocation	0	0	–10,633	–5,017	–249,574	–229,658
Legislative Action	0	0	0	0	0	0
Difference	0	0	+10,633	+5,017	+249,574	+229,658
Energy and Commerce:						
302(a) Allocation	0	0	–54,654	–49,173	–1,379,704	–1,369,488
Legislative Action	+6,935	+6,935	+5	+5	+56	+56
Difference	+6,935	+6,935	+54,659	+49,178	+1,379,760	+1,369,544
Financial Services:						
302(a) Allocation	0	0	–7,334	–6,712	–62,254	–62,056
Legislative Action	+121	+121	0	0	0	0
Difference	+121	+121	+7,334	+6,712	+62,254	+62,056

TABLE 2.—DIRECT SPENDING LEGISLATION, COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(a) ALLOCATIONS FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF OCTOBER 27, 2015—Continued

(Fiscal Years, in millions of dollars)

House Committee	2015		2016		2016–2025	
	BA	Outlays	BA	Outlays	BA	Outlays
Foreign Affairs:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Homeland Security:						
302(a) Allocation	0	0	–180	–180	–22,630	–22,630
Legislative Action	0	0	0	0	–3,160	–3,160
Difference	0	0	+180	+180	+19,470	+19,470
House Administration:						
302(a) Allocation	0	0	–31	–2	–298	–53
Legislative Action	0	0	0	0	0	0
Difference	0	0	+31	+2	+298	+53
Judiciary:						
302(a) Allocation	0	0	–14,419	–868	–24,949	–23,055
Legislative Action	0	0	0	0	0	0
Difference	0	0	+14,419	+868	+24,949	+23,055
Natural Resources:						
302(a) Allocation	0	0	–569	–261	–32,678	–32,483
Legislative Action	+98	+94	0	0	0	0
Difference	+98	+94	+569	+261	+32,678	+32,483
Oversight and Government Reform:						
302(a) Allocation	0	0	–9,188	–9,026	–193,961	–193,896
Legislative Action	0	0	0	0	0	0
Difference	0	0	+9,188	+9,026	+193,961	+193,896
Science, Space and Technology:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Small Business:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Transportation and Infrastructure:						
302(a) Allocation	0	0	–12,114	0	–197,706	0
Legislative Action	+8,068	+8,068	+130	0	+1,300	0
Difference	+8,068	+8,068	+12,244	0	+199,006	0
Veterans' Affairs:						
302(a) Allocation	0	0	–31	–31	–1,925	–1,925
Legislative Action	+1	+151	–2	+388	–1	+644
Difference	+1	+151	+29	+419	+1,924	+2,569
Ways and Means:						
302(a) Allocation	0	–15	–59,559	–59,529	–1,600,290	–1,599,790
Legislative Action	+368	+332	+445	+175	–5,164	–5,132
Difference	+368	+347	+60,004	+59,704	+1,595,126	+1,594,658

TABLE 3.—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2015—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF SEPTEMBER 30, 2015

(Figures in Millions) ¹

	302(b) Allocations H. Rept. 113–474		302(b) for GWOT		Current Status General Purpose ¹		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	20,880	21,716	0	0	20,666	21,603	0	0	–214	–113	0	0
Commerce, Justice, Science	51,200	61,518	0	0	50,103	61,099	0	0	–1,097	–419	0	0
Defense	490,944	522,774	79,445	36,839	490,194	520,271	64,000	30,476	–750	–2,503	–15,445	–6,363
Energy and Water Development	34,010	37,831	0	0	34,202	38,061	0	0	+192	+230	0	0
Financial Services and General Government	21,285	22,750	0	0	21,820	23,158	0	0	+535	+408	0	0
Homeland Security	45,658	44,712	0	0	46,108	45,339	213	170	+450	+627	+213	+170
Interior, Environment	30,220	30,191	0	0	30,416	32,308	0	0	+196	+2,117	0	0
Labor, Health and Human Services, Education	155,702	159,922	0	0	158,247	169,426	0	0	+2,545	+9,504	0	0
Legislative Branch	4,258	4,219	0	0	4,300	4,235	0	0	+42	+16	0	0
Military Construction and Veterans Affairs	71,499	76,100	0	0	71,808	76,427	221	0	+309	+327	+221	0
State, Foreign Operations	42,381	42,319	5,912	3,142	40,007	44,149	9,258	2,233	–2,374	+1,830	+3,346	–909
Transportation, Housing & Urban Development	52,029	118,732	0	0	53,770	119,039	0	0	+1,741	+307	0	0
Full Committee Allowance	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Total	1,020,066	1,142,784	85,357	39,981	1,021,641	1,155,115	73,692	32,879	+1,575	+12,331	–11,665	–7,102
Comparison of Total Appropriations and 302(a) allocation	General Purpose		GWOT									
	BA	OT	BA	OT								
302(a) Allocation	1,021,641	1,144,101	85,357	39,981								
Total Appropriations	1,021,641	1,155,115	85,357	39,981								
Total Appropriations vs. 302(a) Allocation	0	+11,014	–11,665	–7,102								
Memorandum	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity					
Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	BA	OT	BA	OT	BA	OT	BA	OT				
Agriculture, Rural Development, FDA	0	0	25	7	91	40	0	0				
Commerce, Justice, Science	0	0	0	0	0	0	0	0				
Defense	0	0	112	119	0	0	0	0				
Energy and Water Development	0	0	0	0	0	0	0	0				
Financial Services and General Government	0	0	0	0	0	0	0	0				
Homeland Security	6,438	322	0	0	6,438	322	0	0				
Interior, Environment	0	0	0	0	0	0	0	0				
Labor, Health and Human Services, Education	0	0	2,742	933	0	0	1,484	1,277				
Legislative Branch	0	0	0	0	0	0	0	0				
Military Construction and Veterans Affairs	0	0	0	0	0	0	0	0				
State, Foreign Operations	0	0	2,526	468	0	0	0	0				
Transportation, Housing & Urban Development	0	0	0	0	0	0	0	0				
Totals	6,438	322	5,405	1,527	6,529	362	1,484	1,277				

¹ Spending designated as emergency is not included in the current status of appropriations shown in this table.

TABLE 4.—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2016—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF OCTOBER 27, 2015

(Figures in Millions) ¹

	302(b) Allocations H. Rept. 114–198		302(b) for GWOT		Current Status General Purpose ¹		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	20,650	22,064	0	0	20,650	21,762	0	0	0	–302	0	0
Commerce, Justice, Science	51,374	62,026	0	0	51,374	62,026	0	0	0	0	0	0
Defense	490,226	515,775	88,421	45,029	490,226	515,775	88,421	45,029	0	0	0	0
Energy and Water Development	35,402	36,195	0	0	35,402	36,195	0	0	0	0	0	0
Financial Services and General Government	20,250	22,092	0	0	20,250	21,957	0	0	0	–135	0	0
Homeland Security	39,333	49,169	0	0	46,046	44,897	0	0	+6,713	–4,272	0	0
Interior, Environment	30,170	31,891	0	0	30,170	31,891	0	0	0	0	0	0
Labor, Health and Human Services, Education	154,536	170,377	0	0	154,536	167,196	0	0	0	–3,181	0	0
Legislative Branch	4,300	4,243	0	0	3,337	3,510	0	0	–963	–733	0	0
Military Construction and Veterans Affairs	76,056	78,242	532	2	76,056	78,242	532	2	0	0	0	0
State, Foreign Operations	40,500	47,055	7,334	3,767	40,500	46,960	7,334	1,519	0	–95	0	–2,248
Transportation, Housing & Urban Development	55,269	118,792	0	0	55,269	118,792	0	0	0	0	0	0
Full Committee Allowance	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Total	1,018,066	1,157,921	96,287	48,798	1,023,816	1,149,203	96,287	46,550	+5,750	–8,718	0	–2,248
Comparison of Total Appropriations and 302(a) allocation	General Purpose		GWOT									
	BA	OT	BA	OT								
302(a) Allocation	1,018,066	1,157,921	96,287	48,798								
Total Appropriations	1,023,816	1,149,203	96,287	46,550								
Total Appropriations vs. 302(a) Allocation	+5,750	–8,718	0	–2,248								
Memorandum	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity					
Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	BA	OT	BA	OT	BA	OT	BA	OT				
Agriculture, Rural Development, FDA	0	0	–2	0	0	0	0	0				
Commerce, Justice, Science	0	0	0	0	0	0	0	0				
Defense	0	0	0	0	0	0	0	0				
Energy and Water Development	0	0	0	0	0	0	0	0				
Financial Services and General Government	0	0	0	0	0	0	0	0				
Homeland Security	0	0	0	0	6,713	336	0	0				
Interior, Environment	0	0	0	0	0	0	0	0				
Labor, Health and Human Services, Education	1,484	1,277	0	0	0	0	1,484	1,277				
Legislative Branch	0	0	0	0	0	0	0	0				
Military Construction and Veterans Affairs	0	0	0	0	0	0	0	0				
State, Foreign Operations	0	0	0	0	0	0	0	0				
Transportation, Housing & Urban Development	0	0	0	0	0	0	0	0				
Totals	1,484	1,277	–2	0	6,713	336	1,484	1,277				

¹ Spending designated as emergency is not included in the current status of appropriations shown in this table.

TABLE 5.—CURRENT LEVEL OF FY 2016 CHIMPS SUBJECT TO S. CON. RES. 11, SECTION 3103 LIMITS (IN MILLIONS) AS OF OCTOBER 27, 2015

Appropriations Bill	Budget Authority
Agriculture, Rural Development, FDA	0
Commerce, Justice, Science	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment	0
Labor, Health and Human Services, Education	0
Legislative Branch	0
Military Construction and Veterans Affairs	0
State, Foreign Operations	0
Transportation, Housing & Urban Development	0
Total CHIMP's Subject to Limit	0
S. Con. Res. 11, Section 3103 Limit for FY 2016	19,100
Total CHIMP's vs. Limit	–19,100

CURRENT LEVEL OF FY 2016 CRIME VICTIMS FUND CHIMP SUBJECT TO S. CON. RES. 11, SECTION 3104 LIMIT (IN MILLIONS) AS OF OCTOBER 27, 2015

	Budget Authority
Crime Victims Fund CHIMP	0
S. Con. Res. 11, Section 3104 Limit for FY 2016	10,800
Total CHIMP's vs. Limit	–10,800

TABLE 6.—2016 ADVANCE APPROPRIATIONS PURSUANT TO SECTION 115(c) OF THE BIPARTISAN BUDGET ACT OF 2013 AS OF OCTOBER 27, 2015
(Budget Authority, millions)

Section 601(d)(1) Limits		2016
Appropriate Level		58,662
Enacted Advances:		
Accounts Identified for Advances:		
Department of Veterans Affairs:		
Medical Services		47,603
Medical Support and Compliance		6,144
Medical Facilities		4,915
Subtotal, enacted advances ¹		58,662
Enacted Advances vs. Section 601(d)(1) Limit		0
Section 601(d)(2) Limits		2016
Appropriate Level		28,781
Enacted Advances:		
Accounts Identified for Advances:		
Postal Service		41
Employment and Training Administration		1,772
Education for the Disadvantaged		10,841
School Improvement Programs		1,681
Special Education		9,283
Career, Technical and Adult Education		791
Tenant-based Rental Assistance		4,000
Project-based Rental Assistance		400
Subtotal, enacted advances ¹		28,809
Enacted Advances vs. Section 601(d)(2) Limit		+28
Previously Enacted Advance Appropriations		2016
Corporation for Public Broadcasting ²		445
Total, enacted advances ¹		87,916

¹ Line items may not add to total due to rounding.² Funds were appropriated in the Consolidated Appropriations Act 2014 P.L. 113–76.TABLE 7.—2017 ADVANCE APPROPRIATIONS AS AUTHORIZED BY S. CON. RES. 11 AS OF OCTOBER 27, 2015
(Budget Authority, millions)

Section 3304(c)(2) Limits		2017
Appropriate Level		63,271
Enacted Advances:		
Accounts Identified for Advances:		
Department of Veterans Affairs:		
Medical Services		0
Medical Support and Compliance		0
Medical Facilities		0
Subtotal, enacted advances ¹		0
Enacted Advances vs. Section 601(d)(1) Limit		– 63,271
Section 3304(c)(1) Limits		2017
Appropriate Level		28,852
Enacted Advances:		
Accounts Identified for Advances:		
Employment and Training Administration		0
Education for the Disadvantaged		0
School Improvement Programs		0
Special Education		0
Career, Technical and Adult Education		0
Tenant-based Rental Assistance		0
Project-based Rental Assistance		0
Subtotal, enacted advances ¹		0
Enacted Advances vs. Section 601(d)(2) Limit		– 28,852
Previously Enacted Advance Appropriations		2017
Corporation for Public Broadcasting ²		445,000,000
Total, enacted advances ¹		445,000,000

¹ Line items may not add to total due to rounding.² Funds were appropriated in Public Law 113–235.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 29, 2015.

Hon. TOM PRICE, M.D.,
Chairman, Committee on the Budget, House of
Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through October 27, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S.

Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

Since our last letter dated May 21, 2015, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2016:

An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (Public Law 114–25);

Defending Public Safety Employees' Retirement Act and the Bipartisan Congress-

sional Trade Priorities and Accountability Act of 2015 (Public Law 114–26);

Trade Preferences Extension Act of 2015 (Public Law 114–27);

Steve Gleason Act of 2015 (Public Law 114–40);

Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41);

Continuing Appropriations Act, 2016 (Public Law 114–53);

Airport and Airway Extension Act of 2015 (Public Law 114–55);

October 29, 2015

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Department of Veterans Affairs Expiring Authorities Act of 2015 (Public Law 114-58); and
Protecting Affordable Coverage for Employees Act (Public Law 114-60).
Enclosure.
Sincerely,

KEITH HALL,
Director.

FISCAL YEAR 2016 HOUSE CURRENT LEVEL REPORT THROUGH OCTOBER 27, 2015
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted: ^a			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,972,212	1,905,523	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	-784,820	-784,879	n.a.
Total, Previously enacted	1,187,392	1,621,469	2,676,733
Enacted Legislation: ^b			
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114-25)	0	20	0
Defending Public Safety Employees' Retirement Act and the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114-26)	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114-27)	445	175	-766
Steve Gleason Act of 2015 (P.L. 114-40)	5	5	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114-41) ^b	0	0	99
Airport and Airway Extension Act of 2015 (P.L. 114-55)	130	0	0
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114-58)	-2	368	0
Protecting Affordable Coverage for Employees Act (P.L. 114-60)	0	0	40
Total, Enacted Legislation	578	568	-622
Continuing Resolution:			
Continuing Appropriations Act, 2016 (P.L. 114-53)	1,008,053	602,405	0
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	958,865	942,694	0
Total Current Level ^c	3,154,888	3,167,136	2,676,111
Total House Resolution ^d	3,040,743	3,092,541	2,675,967
Current Level Over House Resolution	114,145	74,595	144
Current Level Under House Resolution	n.a.	n.a.	n.a.
Memorandum:			
Revenues, 2016-2025:			
House Current Level	n.a.	n.a.	32,237,119
House Resolution ^e	n.a.	n.a.	32,233,099
Current Level Over House Resolution	n.a.	n.a.	4,020
Current Level Under House Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

^a Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114-1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114-4) and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114-10).

^b Pursuant to section 314(d) of the Congressional Budget Act of 1974, amounts designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for purposes of Title III and Title IV of the Congressional Budget Act. The amounts so designated for 2016, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015	0	917	0
Continuing Appropriations Resolution, 2016	700	775	0
Total, amounts designated as emergency requirements	700	1,692	0

^c For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

^d Periodically, the House Committee on the Budget revises the totals in S. Con. Res. 11, pursuant to various provisions of the resolution:

	Budget Authority	Outlays	Revenues
Original House Resolution:	3,039,215	3,091,442	2,676,733
Revisions:			
Adjustment for Program Integrity Spending	1,083	924	0
Adjustment for Senate Amendment to H.R. 1295, the Trade Preferences Extension Act, 2015	445	175	-766
Revised House Resolution	3,040,743	3,092,541	2,675,967

^e Periodically, the House Committee on the Budget revises the 2015-2024 revenue totals in S. Con. Res. 11, pursuant to various provisions of the resolution.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 29, 2015.
Hon. TOM PRICE, M.D.,
Chairman, Committee on the Budget, House of
Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2015 budget and is current through September 30, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on April 29, 2014, pursuant to section 115 of the Bipartisan Budget Act (Public Law 113-67).

Since our last letter dated May 21, 2015, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2015:

Construction Authorization and Choice Improvement Act (Public Law 114-19);

An act to extend the authorization to carry out the replacement of the existing

medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (Public Law 114-25);

Trade Preferences Extension Act of 2015 (Public Law 114-27); and

Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41).

Sincerely,

KEITH HALL,
Director.

Enclosure.

FISCAL YEAR 2015 HOUSE CURRENT LEVEL REPORT THROUGH SEPTEMBER 30, 2015
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted: ^a			
Revenues	n.a.	n.a.	2,533,388
Permanents and other spending legislation	1,882,631	1,805,294	n.a.
Appropriation legislation	0	508,261	n.a.
Offsetting receipts	-735,195	-734,481	n.a.

FISCAL YEAR 2015 HOUSE CURRENT LEVEL REPORT THROUGH SEPTEMBER 30, 2015—Continued

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Total, Previously enacted	1,147,436	1,579,074	2,533,388
Enacted Legislation: ^b			
Lake Hill Administrative Site Affordable Housing Act (P.L. 113–141)	0	–2	0
Highway and Transportation Funding Act of 2014 (P.L. 113–159)	0	–15	2,590
Emergency Afghan Allies Extension Act of 2014 (P.L. 113–160)	5	5	6
Continuing Appropriations Resolution, 2015 (P.L. 113–164) ^c	–4,705	–180	0
Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183)	0	10	0
IMPACT Act of 2014 (P.L. 113–185)	22	22	0
Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113–235) ^b	1,878,696	1,424,582	–178
An act to amend certain provisions of the FAA Modernization and Reform Act of 2012 (P.L. 113–243)	0	0	–28
Naval Vessel Transfer Act of 2013 (P.L. 113–276)	–20	–20	0
Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113–291)	–15	0	0
An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes (P.L. 113–295)	160	160	–81,177
Terrorism Risk Insurance Program Reauthorization Act of 2015 (P.L. 114–1)	121	121	1
Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4)	47,763	27,534	0
Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10)	7,354	7,329	0
Construction Authorization and Choice Improvement Act (P.L. 114–19)	0	20	0
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	130	0
Trade Preferences Extension Act of 2015 (P.L. 114–27)	38	7	–1,051
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41) ^{b,d}	8,068	8,068	19
Total, Enacted Legislation	1,937,487	1,467,771	–79,818
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	–47,868	312	0
Total Current Level ^e	3,037,055	3,047,157	2,453,570
Total House Resolution ^f	3,033,319	3,027,686	2,535,978
Current Level Over House Resolution	3,736	19,471	n.a.
Current Level Under House Resolution	n.a.	n.a.	82,408
Memorandum:			
Revenues, 2015–2024:			
House Current Level	n.a.	n.a.	31,167,723
House Resolution ^g	n.a.	n.a.	31,206,399
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	n.a.	n.a.	38,676

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

^a Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during the 2nd session of the 113th Congress but before publication in the Congressional Record of the statement of the allocations and aggregates pursuant to section 115 of the Bipartisan Budget Act of 2013 (P.L. 113–67): the Agricultural Act of 2014 (P.L. 113–79), the Homeowner Flood Insurance Affordability Act of 2014 (P.L. 113–89), the Gabriella Miller Kids First Research Act (P.L. 113–94), and the Cooperative and Small Employer Charity Pension Flexibility Act (P.L. 113–97).

^b Pursuant to section 314(d) of the Congressional Budget Act of 1974, amounts designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for purposes of Title III and Title IV of the Congressional Budget Act. The amounts so designated for 2015, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Emergency Supplemental Appropriations Resolution, 2014 (P.L. 113–145)	0	75	0
Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014 (P.L. 113–146)	–1,331	6,619	–42
Consolidated and Further Continuing Appropriations Act, 2015	5,405	1,452	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015	0	1,147	0
Total, amounts designated as emergency requirements	4,074	9,293	–42

^c Sections 136 and 137 of the Continuing Appropriations Resolution, 2015 provide \$88 million to respond to the Ebola virus, which is available until September 30, 2015. Section 139 rescinds funds from the Children's Health Insurance Program. Section 147 extended the authorization for the Export-Import Bank of the United States through June 30, 2015.

^d Section 2002 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 transferred \$8,068 million from the general fund to the Highway Trust Fund. Pursuant to section 3302 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016, general fund transfers to the Highway Trust Fund are considered to be new budget authority and outlays for budget enforcement purposes in the House of Representatives.

^e For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

^f Periodically, the House Committee on the Budget revises the budgetary levels printed in the Congressional Record on April, 29, 2014, pursuant to section 115 of the Bipartisan Budget Act (Public Law 113–67):

	Budget Authority	Outlays	Revenues
Original House Resolution	3,025,306	3,025,032	2,533,388
Revisions:			
Adjustment for Disaster Designated Spending	6,438	322	0
Pursuant to section 115(e) of the Bipartisan Budget Act of 2013	0	1,030	0
Adjustment for the Highway and Transportation Funding Act of 2014	0	–15	2,590
Adjustment for Program Integrity Spending	1,484	1,277	0
Adjustment for the Department of Homeland Security Appropriations Act, 2015	91	40	0
Revised House Resolution	3,033,319	3,027,686	2,535,978

^g Periodically, the House Committee on the Budget revises the 2015–2024 revenue totals printed in the Congressional Record on April, 29, 2014 pursuant to section 115 of the Bipartisan Budget Act (Public Law 113–67).

BILL PRESENTED TO THE
PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 28, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 313. To amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

ADJOURNMENT

Mr. MCCARTHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 31 minutes a.m.), under its previous order, the House adjourned until Monday, November 2, 2015, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3328. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Methoxyfenozide; Pesticide Tolerances [EPA-HQ-OPP-2014-0591; FRL-9934-14] received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3329. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Air Plan; Arizona; Stationary Sources; New Source Review [EPA-R09-OAR-2015-0187; FRL-9930-43-Region 9] received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law

104-121, Sec. 251; to the Committee on Energy and Commerce.

3330. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Teflubenzuron; Pesticide Tolerances [EPA-HQ-OPP-2014-0600; FRL-9933-25] received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3331. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Southwest Fisheries Science Center Fisheries Research [Docket No.: 120416011-5836-02] (RIN: 0648-BB87) received October 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3763. A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; with an amendment (Rept. 114-318). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MESSER:

H.R. 3857. A bill to require the Board of Governors of the Federal Reserve System and the Financial Stability Oversight Council to carry out certain requirements under the Financial Stability Act of 2010 before making any new determination under section 113 of such Act, and for other purposes; to the Committee on Financial Services.

By Mr. CHABOT (for himself, Mr. GOODLATTE, and Mr. SMITH of Texas):

H.R. 3858. A bill to reauthorize the September 11th Victim Compensation Fund and to create a fund to compensate U.S. victims of state sponsored terrorism who hold final judgments from Article III courts and for other purposes; to the Committee on the Judiciary.

By Mr. PERRY (for himself and Mr. MCCAUL):

H.R. 3859. A bill to make technical corrections to the Homeland Security Act of 2002; to the Committee on Homeland Security.

By Mr. WALBERG (for himself, Mr. ROKITA, Mr. SMITH of Nebraska, Mr. ROE of Tennessee, Mr. BROOKS of Alabama, Ms. JENKINS of Kansas, and Mr. BUCSHON):

H.R. 3860. A bill to preserve the companionship services exemption for minimum wage and overtime pay, and the live-in domestic services exemption for overtime pay, under the Fair Labor Standards Act of 1938; to the Committee on Education and the Workforce.

By Mr. RODNEY DAVIS of Illinois (for himself, Ms. GRAHAM, Mr. COFFMAN, Mr. ROUZER, Mr. NOLAN, Ms. MCSALLY, Mr. GARAMENDI, Mr. MURPHY of Florida, and Mr. BLUM):

H.R. 3861. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payments of qualified education loans; to the Committee on Ways and Means.

By Mr. DUCKWORTH (for herself, Mr. LANGEVIN, Mr. CONYERS, Mr. CARTWRIGHT, Ms. TSONGAS, Mr. HONDA, Mr. RUSH, Ms. NORTON, Ms. DELBENE, Mr. TED LIEU of California, Mrs. LAWRENCE, Mr. FOSTER, Mrs. WATSON COLEMAN, Mr. McDERMOTT, Mr. QUIGLEY, Mr. CARSON of Indiana, Ms. EDWARDS, Mr. ASHFORD, Mr. SARBANES, Mr. BRADY of Pennsylvania, Mr. LIPINSKI, Mr. GARAMENDI, Mr. WALZ, Mr. TAKAI, Ms. SCHAKOWSKY, Mr. VAN HOLLEN, Mr. LARSEN of Washington, Mr. CICILLINE, Mrs. CAPPS, Mr. GUTIÉRREZ, Mrs. BUSTOS, Mr. HINOJOSA, Mrs. NAPOLITANO, Ms. LEE, Mr. POCAN, Mr. SABLAN, Mr. RANGEL, and Mr. RYAN of Ohio):

H.R. 3862. A bill to amend the Workforce Innovation and Opportunity Act to support community college and industry partnerships, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ISRAEL (for himself, Mr. DESAULNIER, Mr. PALLONE, Mr. FATTAH, Mr. KING of New York, Mr. CONNOLLY, Mr. NADLER, Mr. RANGEL, Mr. SIREs, Mrs. CAROLYN B. MALONEY of New York, Mr. PASCRELL, Ms. MENG, Mr. CAPUANO, and Mr. ENGEL):

H.R. 3863. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for common interest communities, condominiums, and housing cooperatives damaged by a major disaster, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. JEFFRIES (for himself and Mr. COLLINS of Georgia):

H.R. 3864. A bill to prevent certain monitoring and interception by Federal authorities of Federal prisoner communications that are subject to attorney-client privilege; to the Committee on the Judiciary.

By Mr. JENKINS of West Virginia (for himself, Ms. CLARK of Massachusetts, Mr. STIVERS, Mrs. WAGNER, Ms. KUSTER, Mrs. BLACKBURN, Mr. MCKINLEY, Mr. BOUSTANY, Mr. MOONEY of West Virginia, Mr. POLIQUIN, Mr. DOLD, Mr. MACARTHUR, Mr. LANCE, Mr. SALMON, Mr. GROTHMAN, Mr. TIBERI, Mr. JOLLY, Mr. WOMACK, Mr. RODNEY DAVIS of Illinois, Mr. TURNER, Mr. GUINTA, Mr. BYRNE, Ms. KAPTUR, and Mr. HIMES):

H.R. 3865. A bill to provide for alternative and updated certification requirements for participation under Medicaid State plans under title XIX of the Social Security Act in the case of certain facilities treating infants under one year of age with neonatal abstinence syndrome, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NORCROSS (for himself, Mr. PALLONE, Mrs. WATSON COLEMAN, Mr. GARRETT, Mr. SIREs, Mr. MACARTHUR, Mr. PAYNE, Mr. FRELINGHUYSEN, Mr. LOBIONDO, Mr. PASCRELL, Mr. SMITH of New Jersey, and Mr. LANCE):

H.R. 3866. A bill to designate the facility of the United States Postal Service located at

1265 Hurffville Road in Deptford Township, New Jersey, as the "First Lieutenant Salvatore S. Corma II Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. ZINKE:

H.R. 3867. A bill to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the State of Montana, and for other purposes; to the Committee on Natural Resources.

By Mr. SCALISE:

H. Con. Res. 89. Concurrent resolution expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; to the Committee on Ways and Means.

By Mr. MCCARTHY:

H. Res. 503. A resolution authorizing the Clerk to inform the President of the election of the Speaker; considered and agreed to.

By Mr. MCCARTHY:

H. Res. 504. A resolution to inform the Senate the election of the Speaker; considered and agreed to.

By Mr. HINOJOSA (for himself, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. GENE GREEN of Texas, Ms. JACKSON LEE, Mr. VELA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VEASEY, Mr. JEFFRIES, Mr. TAKANO, Mr. SABLAN, Mr. CÁRDENAS, Mrs. DAVIS of California, Mr. POLIS, Ms. FUDGE, Ms. JUDY CHU of California, Mr. DANNY K. DAVIS of Illinois, Mr. POCAN, Ms. CLARK of Massachusetts, Ms. LEE, Mrs. NAPOLITANO, Mr. DOGGETT, Mr. GALLEGO, Ms. BONAMICI, Mr. FATTAH, Ms. CLARKE of New York, Mr. CASTRO of Texas, Mr. O'ROURKE, Ms. ADAMS, Ms. ROYBAL-ALLARD, Mr. COURTNEY, Mr. CUELLAR, Mr. DESAULNIER, Mr. AL GREEN of Texas, and Ms. WILSON of Florida):

H. Res. 505. A resolution honoring the 50th anniversary of the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. SCOTT of Virginia (for himself, Ms. DELAURO, Ms. EDWARDS, Ms. LINDA T. SÁNCHEZ of California, Ms. JUDY CHU of California, Mr. ELLISON, Mr. GRIJALVA, Ms. FRANKEL of Florida, Ms. MATSUI, Ms. WILSON of Florida, Mr. NADLER, Mr. CICILLINE, Mr. POCAN, Mr. POLIS, Ms. CLARK of Massachusetts, Ms. BONAMICI, Mr. COURTNEY, Mrs. DAVIS of California, Mr. DESAULNIER, Ms. FUDGE, Mr. HINOJOSA, Mr. JEFFRIES, Mr. SABLAN, Mr. TAKANO, Mr. BEYER, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Ms. LEE, Mrs. KIRKPATRICK, Mr. GRAYSON, Ms. KAPTUR, Mr. McDERMOTT, Ms. SCHAKOWSKY, Ms. NORTON, Ms. JACKSON LEE, Mr. MEEKS, Mr. DELANEY, Mr. TONKO, Mrs. BUSTOS, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. DANNY K. DAVIS of Illinois, Ms. SLAUGHTER, Mr. PAYNE, Ms. CLARKE of New York, Mr. HONDA, Mr. FATTAH, Mrs. LAWRENCE, Mr. LANGEVIN, Mrs. CAROLYN B. MALONEY of New York, Ms. TSONGAS, Mr. MOULTON, Mr. DEUTCH, Ms. BROWN of Florida, Ms. LORETTA SÁNCHEZ of California, Ms. HAHN, Ms. SEWELL of Alabama, Mr. BRADY of Pennsylvania, Mr. TAKAI, Mr. QUIGLEY, Mr. MCGOVERN, Ms. ADAMS, Ms. MCCOLLUM, Mr. GENE GREEN of Texas, Mr. LEWIS, Mr. GARAMENDI, Mr. CÁRDENAS, Mr. HUFFMAN, Mr.

SERRANO, Mrs. NAPOLITANO, Mr. COHEN, Ms. ROYBAL-ALLARD, Mr. PASCRELL, Mr. VAN HOLLEN, Mr. HASTINGS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CUMMINGS, Mr. PALLONE, Mr. RYAN of Ohio, Ms. MENG, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CONYERS, Mr. SIREN, Mr. CLEAVER, Mr. SMITH of Washington, Mr. VEASEY, Ms. PINGREE, Mr. BISHOP of Georgia, Mr. RICHMOND, Mr. BLUMENAUER, Mr. AL GREEN of Texas, Mr. KILMER, Mrs. DINGELL, Mr. CASTRO of Texas, Ms. KELLY of Illinois, Mr. ENGEL, Mr. TED LIEU of California, Mr. KILDEE, Mr. RANGEL, Ms. DUCKWORTH, Miss RICE of New York, Mr. PRICE of North Carolina, Mr. CLAY, Mr. LARSEN of Washington, Mr. FARR, Ms. WASSERMAN SCHULTZ, Mrs. CAPPS, Mr. HIGGINS, Mrs. BEATTY, and Mr. NORCROSS):

H. Res. 506. A resolution expressing the sense of the House of Representatives in support of considering legislation that would reinforce the goals of the working families agenda; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MESSER:

H.R. 3857.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 18, of the United States Constitution

By Mr. CHABOT:

H.R. 3858.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3, and Article I, section 8, clause 18.

By Mr. PERRY:

H.R. 3859.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof.

By Mr. WALBERG:

H.R. 3860.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States; the power to regulate Commerce with foreign Nations, and among the several states, and with the Indian Tribes.

To preserve the companionship services exemption for minimum wage and overtime pay, and the live in domestic services exemption for overtime pay, under the Fair Labor Standards Act of 1938.

By Mr. RODNEY DAVIS of Illinois:

H.R. 3861.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of, and the Sixteenth Amendment to, the United States Constitution.

By Ms. DUCKWORTH:

H.R. 3862.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. ISRAEL:

H.R. 3863.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8 of the United States Constitution.

By Mr. JEFFRIES:

H.R. 3864.

Congress has the power to enact this legislation pursuant to the following:

US Const. Art. I, Sec. 8, Cl. 18 ("Congress shall have the power . . . To make all Laws which shall be necessary and proper for carrying into Execution . . . all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.").

By Mr. JENKINS of West Virginia:

H.R. 3865.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. NORCROSS:

H.R. 3866.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. ZINKE:

H.R. 3867.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 & 18 of the United States Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 499: Mr. ROTHFUS.

H.R. 816: Mr. LONG.

H.R. 1197: Mr. TIPTON and Mr. FORBES.

H.R. 1258: Mr. DIAZ-BALART and Ms. GRAMHAM.

H.R. 1282: Mr. BLUMENAUER.

H.R. 1304: Mr. MASSIE and Mr. AMASH.

H.R. 1342: Mr. TAKANO, Mr. QUIGLEY, Mrs. NAPOLITANO, Mr. JEFFRIES, and Mr. KEATING.

H.R. 1427: Mr. LANCE.

H.R. 1439: Mr. FOSTER.

H.R. 1464: Mr. TAKAI.

H.R. 1567: Mr. HECK of Washington and Mr. BLUMENAUER.

H.R. 1608: Mr. FOSTER.

H.R. 1625: Mrs. LOWEY.

H.R. 1733: Mr. RANGEL.

H.R. 1853: Mr. WILLIAMS, Mr. WALBERG, Mrs. WATSON COLEMAN, Mr. KILDEE, Ms. MCSALLY, Ms. WASSERMAN SCHULTZ, Mr. DUNCAN of Tennessee, Mr. WESTERMAN, and Mr. KINZINGER of Illinois.

H.R. 2017: Mr. BILIRAKIS and Mr. PEARCE.

H.R. 2216: Ms. BONAMICI.

H.R. 2342: Mr. WITTMAN, Ms. MATSUI, Mr. HINOJOSA, and Mr. YOUNG of Alaska.

H.R. 2366: Mr. COHEN.

H.R. 2461: Mr. HANNA.

H.R. 2515: Mr. NOLAN, Mr. MEEHAN, and Mr. MOONEY of West Virginia.

H.R. 2553: Ms. BONAMICI and Ms. EDWARDS.

H.R. 2563: Mr. GUTIÉRREZ.

H.R. 2568: Mr. WILSON of South Carolina.

H.R. 2660: Mr. KENNEDY.

H.R. 2692: Mr. GARAMENDI and Mr. VARGAS.

H.R. 2894: Ms. KUSTER.

H.R. 3068: Mr. MEEKS, Mr. AL GREEN of Texas, Mr. THOMPSON of California, Ms. WASSERMAN SCHULTZ, and Mr. HANNA.

H.R. 3198: Mr. DAVID SCOTT of Georgia.

H.R. 3229: Mr. THOMPSON of Pennsylvania.

H.R. 3286: Mr. CÁRDENAS.

H.R. 3411: Mr. PERLMUTTER and Mr. FATTAH.

H.R. 3487: Ms. MCCOLLUM.

H.R. 3524: Mr. MURPHY of Florida.

H.R. 3629: Mr. BLUMENAUER.

H.R. 3643: Mr. HUFFMAN and Mr. POLIQUIN.

H.R. 3760: Mr. GRAYSON and Mr. NADLER.

H.R. 3761: Mr. GARAMENDI, Mr. CUMMINGS, and Mr. DANNY K. DAVIS of Illinois.

H.R. 3785: Mr. RUPPERSBERGER, Ms. CASTOR of Florida, Ms. WASSERMAN SCHULTZ, Mrs. DINGELL, Mr. KILDEE, Ms. EDWARDS, Ms. LEE, Mr. RICHMOND, Mr. MEEKS, Mr. PAYNE, Mr. HASTINGS, and Ms. CLARKE of New York.

H.R. 3805: Ms. JACKSON LEE and Ms. BROWN of Florida.

H.R. 3829: Mr. WEBER of Texas.

H. Res. 220: Mr. GUINTA, Mr. LAMALFA, Mr. CASTRO of Texas, Mr. LIPINSKI, and Mr. RUSH.

H. Res. 293: Mr. JOHNSON of Ohio, Mr. LEVIN, Mr. PERRY, Mr. CARTWRIGHT, Mr. HECK of Nevada, Ms. LINDA T. SÁNCHEZ of California, Mr. TAKANO, and Mr. KEATING.

H. Res. 343: Mr. PETERS, Mr. GIBSON, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Res. 467: Mr. BEYER, Mr. DEFazio, Mrs. LOWEY, and Mr. MCNERNEY.

H. Res. 494: Mr. UPTON, Mr. BISHOP of Michigan, Mr. DUNCAN of South Carolina, and Mr. POE of Texas.

H. Res. 500: Mr. MILLER of Florida.

SENATE—Thursday, October 29, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, You are worthy of our praise. Let Your Name be honored on Earth as it is in Heaven. Fill our lawmakers with a spirit of reverence for You and Your purposes. As they seek Your wisdom, direct their steps through the unfolding of Your Divine providence. May no weapon formed against them be able to prosper. Lord, continue to do great things for and through them, causing justice to roll down like waters and righteousness like a mighty stream. Thank You that we can come to You in weakness and find strength.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROUNDS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

FISCAL AGREEMENT

Mr. MCCONNELL. Mr. President, I said that the Senate would take up the fiscal agreement after the House acted, and we are. This agreement isn't perfect. I share some concerns other colleagues have raised. But here is the bottom line. This is a fully offset agreement that rejects tax hikes, secures long-term savings through entitlement reforms, and provides increased support for our military. All this is at a time when we confront threats in multiple theaters.

Each of these items was a Republican goal heading into the negotiation. Each of these items was achieved in the agreement before us. I am encouraged that it would enact the most significant reform to Social Security since 1983, resulting in \$168 billion in long-term savings. I am encouraged that it would repeal more of ObamaCare. I am encouraged that it would help provide resources our troops so desperately need in an era of diverse and very challenging global threats—when we see ISIL consolidating gains in Iraq and Syria; when we see the forces of Assad marching alongside Iranian soldiers and Hezbollah militias, supported by Russian aircraft overhead.

Colleagues know that I will respect whatever choice they ultimately make when this agreement comes up for a vote. There are valid differences of opinion, and that is OK. But I ask every colleague to also consider what this fully offset agreement would mean for the men and women who voluntarily put themselves in harm's way so that we may live free.

Commanders tell us that additional resources are required—required to ensure their safety and preparedness. This fully offset agreement would help provide them—along with enacting the most significant Social Security reform in over three decades, along with repealing another piece of ObamaCare, and along with refusing to raise taxes by a penny. I hope Senators will join me in voting for it.

TRIBUTE TO JOHN BOEHNER

Mr. MCCONNELL. Mr. President, allow me to say a few words about the Speaker of the House. There is a lot you can say about JOHN BOEHNER. He loves his breakfast every morning at Pete's Diner. He is a fan of the tie dimple. He is one of the most genuine guys you will ever, ever meet. I know because we have fought many battles together in the trenches. He never breaks his word. He never buckles in a storm.

What is amazing is how we have had such a frictionless relationship, especially when you consider that old House saying: The other party—that is just the opposition. But the Senate—that is the enemy.

That may have been true of past House and Senate leaders, but it wasn't true for us. Though you might not expect it, I am a little more Bourbon and JOHN is a little more Merlot. I lecture on Henry Clay. John sings "Zip-a-Dee-Doo-Dah." But I have always considered JOHN an ally. I have always con-

sidered JOHN a friend. It is hard not to like him, and it is hard not to admire what John has accomplished in his career.

As a concerned Ohioan, he took on a scandal-plagued incumbent in a primary and won. As a freshman Congressman, he took on money laundering schemes and banking scandals involving powerful Members and prevailed. As an engineer of the Contract with America, he took on Democrats' decades-long power lock and triumphed.

As an ex-member of leadership once considered politically dead, he knew he had more to offer and convinced his colleagues that he did. As the inheritor of a diminished and dispirited House minority, he dared to believe conservatives could rise again and help grow the largest Republican majority since bob-haired flappers were dancing the Charleston back in the 1920s.

JOHN BOEHNER has wandered the valley. JOHN BOEHNER has also been to the mountaintop. JOHN BOEHNER has slid right back into the valley, and then ascended to great heights yet again. He does it all with hard work. He does it with an earnestness and an honesty I have always admired.

When JOHN talks about struggling to make it, it is not some platitude. When JOHN gets choked up about Americans reaching for their dreams, it is not some act. This is a guy who had to share a bathroom with 11 brothers and sisters. Imagine that. This is a guy whose parents slept on the pullout sofa. This is a guy who worked hard behind the bar and eventually found his way atop the rostrum. Maybe that is why he is so humble. Maybe that is why when he orders breakfast at Pete's, they don't call him Mr. Speaker; they call him "John-John."

Here is what I know about Speaker JOHN BOEHNER. He says the code he lives by is a simple one: Do the right thing for the right reasons, and the right things will happen. I have always found that to be true. I found it to be true in our battles fighting side by side for conservative reform, sometimes from a position deep in the minority. We had our share of Maalox moments. That is for sure. But he always strived to push forward.

As I said about JOHN BOEHNER the day he announced his retirement, grace under pressure, country and institution before self—these are the things that come to mind when I think of him. I wish Speaker BOEHNER the very best in retirement. I thank him for always working hard to do the right thing—for his family, for his district, for his

party, and for his country. Farewell, my friend.

PAUL RYAN

Mr. MCCONNELL. Though we bid farewell to one Speaker today, we know we will soon be saying hello to a new one. The House will vote later this morning on the nomination of Congressman PAUL RYAN. I think it is appropriate to wait for that vote to occur before making full comments. But I also think it goes without saying that PAUL RYAN is one of the most respected guys around here. Everyone knows he is smart. Everyone knows he is serious. I look forward to working closely with him in pursuit of conservative solutions for our country.

MEASURE PLACED ON THE CALENDAR—H.R. 597

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

BUDGET AGREEMENT

Mr. REID. Mr. President, last night the House of Representatives passed the bipartisan budget agreement that will keep our Government open, funded, and free from default. Now, 100 percent of the Democrats in the House of Representatives voted for this, and 68 percent of Republicans voted against it. Let's pause just a minute and understand what I said: 68 percent of the Republicans in the House of Representatives voted to default on the full faith and credit of our great country. So 68 percent of the Republicans voted to close our government.

This legislation is now before the Senate. I urge all of my colleagues to support this responsible agreement. It is not perfect, as my friend the Republican leader said. No legislation is. But this budget agreement accomplishes two major priorities the Democrats have long supported. It promotes eco-

nomic growth by providing relief from sequestration's damaging cuts for 2 years, and it ensures that we invest equally in the middle class and the Pentagon. The budget agreement is good for the middle class, good for the economy, and good for the country.

I thank the people who worked so hard to make this agreement what it is today. The agreement was among President Obama, Speaker BOEHNER, MITCH MCCONNELL, Leader PELOSI, and I helped. I applaud and commend the President of the United States. He was firm, he was resolute, and he was—as usual—very smart. I appreciate the good work that he did to help us get to the point where we are now.

To reach these negotiations, each of us had discussions with each other. We also know that a lot of the work was done by our staffs—our respective staffs. My chief of staff, Drew Wilson, represented the Senate Democrats in these negotiations. The Senate Democratic caucus is aware of Drew's expertise, hard work, fairness, and openness. Drew was ably assisted by Gary Myrick—indispensable Gary Myrick, who is the Democratic Secretary, as well as a number of people on my team of senior policy analysts who helped a great deal. Kate Leone—I don't think there is anyone in the Senate who doesn't know who Kate Leone is. She is the expert on health care. Bruce King, Ellen Doneski, Ayesha Khanna, Trey Reffett, Tyler Moran, George Holman, Gavin Parke, Alex McDonough, and utility man Bill Dauster all worked literally night and day to get this to the point where we were able to be here on the floor today, seeking support for it.

I am so grateful for the wonderful staff that I have, but there were others involved. Senator MCCONNELL's negotiator in this was Hazen Marshall. Hazen Marshall is a good person. He was resolute. He carried forward what the Republican leader wanted, but, like my staff, you never get exactly what you want. Everybody enjoyed working with him.

Dave Stewart was Speaker BOEHNER's negotiator on this. I care a great deal about Dave Stewart. David is a good man, and we all admire the work that he has done. I hope the new Speaker to be, PAUL RYAN, will use his good offices. He is very good. He is a talented man.

Dick Meltzer was Leader PELOSI's able negotiator. I have to commend NANCY PELOSI. I so admire this good woman. She is a stalwart in the House of Representatives. She will go down in history as one of the great leaders of that body. I admire her, appreciate her friendship, and extend to anyone within the sound of my voice my appreciation for the work that she did on this bill.

As to the White House, I have already indicated the President did a wonderful job on this, but he also as-

signed two really terrific, good, outstanding people. I can't say enough about them. Brian Deese was one of the White House negotiators, along with Katie Fallon. Katie is a woman whom we all know in the Senate. She worked for Senator SCHUMER for a number of years, and she worked for the Democratic Policy Committee. She was on the committee for a number of years. We admire her very much. She was so helpful with everything we did in this legislation. She was always easy to get ahold of. She was easy to reach.

It is now time for this important legislation to pass the U.S. Senate.

I have to say a few words about Speaker BOEHNER. I have to admit that I was skeptical when he said that he wanted to clean out the barn before he left, but he found a way to clean out the barn by passing a clean debt limit and a 2-year budget agreement, which should go a long way to returning the appropriations process to the way it should work.

I will always consider him my friend, and I will miss him. I wish him the very best in everything he does in the future. I listened to his final remarks on the House floor, which were very moving. It wasn't only JOHN BOEHNER who shed a tear over there today, but many Members of the House of Representatives and a number of us who watched his final speech shed a tear or two.

There has been a lot of talk about the appropriations process. I have been an appropriator since I came to the Senate. I was very fortunate as a brand new Senator, which was many decades ago, to be on the Appropriations Committee. What an honor.

The Appropriations Committee's work is not as it used to be. We have to get back to doing individual appropriations bills.

I say to my Republican friends: Let's do the appropriations bills. Let's get rid of these foolish riders that they stick on appropriations bills. We need to understand that there is a time and place for doing that. There is authorization. Do the bills, authorize stuff, but don't mess up the appropriations process. Next year, we will be happy to support individual appropriations bills that come to the floor. We don't need motions to proceed. We will be happy to move to the bill as long as they get rid of those vexatious riders that have nothing to do with the bill brought before us. The Defense appropriations bill doesn't need something dealing with women's health in the sense of directly attacking Planned Parenthood. We don't need on Commerce, State, Justice something that basically does away with the Environmental Protection Agency. There are many examples that I could use. Let's get to doing appropriations bills the way we used to. I want to do them. We don't need to have a motion to proceed as long as my Republican colleagues get rid of these

foolish, ideological amendments that have nothing to do with the bill before us.

AFFORDABLE CARE ACT

Mr. REID. Mr. President, yesterday the Georgetown University Center for Children and Families released a stunning report detailing the sharp increase in the number of Nevada children who have health insurance. At one time, we were the most underinsured State in the country for health insurance.

According to the Georgetown study, the number of Nevada children without health insurance fell by 35 percent in just 1 year. In 2013, 15 percent of children in Nevada lacked health insurance coverage. One year later, that number fell to 9.3 percent.

Reading directly from that report:

States with the sharpest declines in the rate of uninsured children were Nevada, Colorado, West Virginia, Mississippi, and Rhode Island. Nevada's decline was considerably larger than any other State.

A 35-percent increase in the number of insured children in 1 year is remarkable. It means more children have access to the care they need to stay healthy. A number of these children will be able to go to the doctor for the first time in their lives. It is yet further proof that the Affordable Care Act is working in Nevada and across America.

Again, I say to my friends, the Republicans: Let's start working together to improve health care. We want to work with you. If there is a problem you see with ObamaCare, let's work together. We have been able to make some improvements in this law, and we want to make more improvements. We just need cooperation from our Republican friends.

The spike in the number of insured Nevada children is also due to the foresight of the Governor of the State of Nevada. Brian Sandoval is a Republican. He is a proud Republican who supported the State's Medicaid expansion option. He took on all the naysayers.

Why did Brian Sandoval do this? Is he really one of ours? He did this because he thought it was the right thing to do for the State of Nevada, and it has been proven that, in fact, is true. By expanding Medicaid in Nevada, many, many more parents were able to secure affordable health care for their kids. Quite frankly, Governor Sandoval's courage stands in stark contrast to many of his fellow Republicans.

Governors in a number of States dominated by Republican State legislatures have refused to expand coverage to the needy. These Republicans have blocked expanded coverage despite the fact that it means fewer Americans and their children have access to the health

care they need. This means that people are dying as a result of this.

Two States with the highest rates of uninsured children, Alaska and Texas, have rejected Medicare expansion, and others have done the same. There were many Republicans in Nevada who wanted to go the same route. The Republican State legislature within the Nevada congressional delegation opposed all efforts to increase access to health care. They have voted to repeal ObamaCare time and time again, but Governor Sandoval was not swayed by the cynics in his own party. He refused to let politics stand in the way of children's health, and today Nevada's children are better for it.

I repeat, the Affordable Care Act is helping American families, it is helping Nevada families, and it is working especially well in States that are actually using the law as it was intended.

I hope more Republicans will follow Governor Sandoval's examples, thus helping their States and their constituents by expanding access to quality health care. I am an admirer of Governor Sandoval, and that is saying a lot. His opponent in the last election was my son. But I have to say this: In spite of the fact that my son came in second, Brian Sandoval has done an outstanding job as Governor. I admire him and appreciate what he has done. I don't agree with everything he has done. I had some disagreements with what he did in the legislature. None of us are perfect, and he certainly isn't, but I appreciate what he has done for the betterment of the State of Nevada.

LATINA EQUAL PAY DAY

Mr. REID. Mr. President, earlier this year we recognized Equal Pay Day—a day that highlights the disparaging wage gap between women and men in the United States. Equal Pay Day marks the day when women's wages finally catch up with men's wages from the previous year.

On average, American women make about 77 cents for every \$1 that their male colleagues make while doing the very same job. This unjust and immoral reality is even more pronounced for women of color.

Tomorrow is Latina Equal Pay Day, the point at which wages of Latina women in America catch up to men's earnings from the previous year. It is today. They have had to work all of this time to catch up. The fact that a Hispanic woman must work a full year, plus 9 months and 30 days, just to make what her male co-workers make is certainly unacceptable.

In Nevada, Latina women earn 53 cents for every \$1 their fellow male workers make. It is not just a problem in Nevada; it is a problem nationwide. Nationwide they earn 55 cents for every \$1 a man makes for doing the exact same work. All told, the wage gap that

Latina women face results in a loss of over \$25,000 a year for these women. That is \$25,000 that could be used to help these women sustain their families.

To make matters worse, the wage gaps that exist between Latina women and their male counterparts disproportionately affect Hispanic families. Why? Because Latina women are more likely to be the primary breadwinners for their families. Thirty percent of all Hispanic families in the United States are headed by a single mother, and 40 percent of married Latina women earn more than 50 percent of their family's income.

As legislators, it is our duty to seek the well-being of all Americans. Democrats don't take that responsibility lightly. We understand that when wages of women do not reflect their hard work, it undermines the strength of families and communities throughout the Nation. That is why we have continually and consistently fought to secure equal pay for equal work.

Five times in 5 years Republicans have stood in the way of equal pay for women. They have stood in the way of equal wages for their own sisters, daughters, and wives. Even Republican women—that is Republican Members of Congress—have refused to address this important issue. The proposal that Republicans have put forward falls short of ensuring real equal pay protections and ignores the realities women face in fighting for fair pay. In so doing, Republicans have proudly placed their stamp of approval on unequal paychecks across America.

The wage gap Latina women endure is a disgrace to this Nation. No woman should make less than a man who does the exact same work. Latina women deserve the hard-earned wages for which they work. They also deserve elected officials who will advocate on their behalf.

As we recognize Latina Equal Pay Day, I call on Republicans to support a pay equity bill that empowers women to receive equal pay they have so rightly earned, not just because it strengthens families and benefits our country but because it is the right thing to do.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

TRADE ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 1314, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 1314, an act to amend the Internal Revenue Code of

1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Pending:

McConnell motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with McConnell amendment No. 2750, to change the enactment date.

McConnell amendment No. 2751 (to amendment No. 2750), of a perfecting nature.

McConnell motion to refer the amendment of the House of Representatives to the amendment of the Senate to the bill, to the Committee on Finance, with instructions, McConnell amendment No. 2752, to change the enactment date.

McConnell amendment No. 2753 (to (the instructions) amendment No. 2752), of a perfecting nature.

McConnell amendment No. 2754 (to amendment No. 2753), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, today we are kicking off a debate on major bipartisan legislation. Chairman HATCH and I are also involved in an important Senate Finance Committee hearing. He will be here a little bit later today.

I ask unanimous consent that our colleague, Senator DURBIN from Illinois, be allowed to speak after I do. I believe that his remarks will also be completed before Chairman HATCH arrives.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. I thank the Presiding Officer.

Chairman HATCH and I will be managing this bill, and we want our colleagues to know that we are anxious to give everyone an opportunity to speak out on this extraordinarily important issue. If Senators who wish to speak come down and consult with the Finance staff—majority and minority—in our respective cloakrooms, we are going to work very hard to accommodate all of our colleagues on both sides of the aisle.

Here, in my view, is what this issue is all about. Fiscal battles in the Congress come and go, but nothing should ever be allowed to threaten America's sterling economic reputation, and this legislation will preserve it. Without this agreement, the Congress is staring at a potential debt default—a debt default that would be literally days away, when the Treasury would lose its authority to borrow in order to make payments.

By now, I think a lot of Senators understand the disastrous consequences of default: housing costs shooting upward, retirement accounts shrinking, jobs disappearing, and consumer confidence dropping. We also understand that no one can get particularly thrilled by the prospect of raising the debt ceiling. Yet it is a job that must be done.

Our country is an economic rock in tumultuous seas, and we certainly have disagreements. Disagreements practically come with every news cycle and election. But what doesn't change is that our country pays its debts and we pay them on time. That is why this legislation is so important.

The bipartisan compromise reduces the threats of a potential government shutdown in December. When this becomes law, the pin, in effect, goes back in the grenade, where it belongs. That is positive news, as we look for some predictability and certainty, and we all hear from our businesses, our employers, and our citizens that this is so important.

Congress ought to look at this compromise, in my view, as a springboard to a full and productive debate over the budget in the upcoming 2 years. The fact is, last-minute deals have become too commonplace and they have left a lot of important policy reforms and policy improvements on the cutting room floor.

For example, with America's West getting hotter and drier each year, our broken system of budgeting for wildfires is in drastic need of improvement. The same goes for many programs and services that are a lifeline for rural America. Fortunately, this legislation lays the groundwork for the Congress to go back to having robust budget debates that can actually solve these challenges.

With my time this morning, I wish to address some specific elements of the bill, starting with what I see as several particularly constructive policies.

First, the legislation staves off the full brunt of the automatic budget cuts known in the corridors of Washington as sequestration. This policy was designed in effect to be painful from the get-go, and it would weaken Medicare, the lifeline for older people, and other domestic programs. It was supposed to be considered so god-awful that it would vanish 2 years after it began, but it continues to haunt budget debates to this day.

It is important that this legislation eases the burden by \$80 billion over 2 years. That means more opportunities to invest in education, in medical and scientific research, in housing assistance, in public health, and more.

Second, this bipartisan plan is going to prevent a big spike in Medicare costs for millions of older people. Several weeks ago, the news came down that seniors were facing a hike in premiums and deductibles in Medicare Part B, the outpatient portion of Medicare, of potentially more than 50 percent. That would amount to an increase of hundreds of dollars—perhaps more—in a year when Social Security benefits are not expected to grow. From my years as codirector of Oregon's Gray Panthers, I can tell my colleagues that for many seniors living

on a fixed income, that would have really hit them like a wrecking ball.

When we got those initial reports, several of my Democratic colleagues and I got together and introduced legislation that would fully shield older people from this huge financial hit. Following our work, the bipartisan compromise before the Senate includes a version of this important fix. It is not as generous as the proposal my colleagues and I introduced. There are questions about how it will affect the landscape a few years down the road. But, make no mistake about it, this approach goes a long, long way toward protecting seniors, particularly the dual eligibles—seniors eligible for Medicare and Medicaid—and this is a very important part of this legislation.

Third, the budget compromise takes an extraordinarily important step to shore up one of our country's most vital safety net programs: the Social Security Disability Insurance Program. Without a fix, what is called SSDI—Social Security disability insurance benefits—that workers have earned would have been slashed by 20 percent, and that 20-percent cut would have hit those affected very quickly.

This proposal is going to follow what has been a frequently used bipartisan approach of shifting funding within the Social Security Program to make sure that those who depend on this program are protected through 2022. I introduced legislation earlier this year, along with 28 of our colleagues, which would have gone further by guaranteeing that the program remain solvent through 2034, but this compromise package strengthens the program for several years, and we will have a chance to come together—hopefully on a bipartisan basis—and go even further.

Fourth, the budget package makes real progress on what is called complying with our tax laws—tax compliance. It is important to note that these are not tax hikes. This is a question of enforcing tax law so that when taxes are owed, they are actually paid.

In the tax compliance area, there are several important proposals that are going to crack down on taxpayers who seek to dodge their responsibilities and pass the buck to other Americans. For example, enforcing the tax laws with respect to large partnerships has been a challenge for some time. There are more than 10,000 of these complex businesses in our country. More than 500 of them have at least 100,000 partners. So there has not been an effective way to conduct audits under the current rules because the rules are basically decades old and haven't kept up with the times. In my view, the proposal before the Senate makes meaningful improvements. More taxpayers will pay what they owe instead of using sleight-of-hand approaches to dodge their responsibilities.

We all understand that the Tax Code almost boggles the mind in terms of its

complexity. I think it would be fair to say there may be more work that goes into getting this policy right as it relates to partnerships and several of the other issues, and my colleagues and I on the Finance Committee intend to keep giving the scrutiny the partnership issue deserves on an ongoing analysis.

Those are four specific areas of progress in this compromise that staves off a risky budgetary battle.

I do feel it is important to share one of my concerns with the bill at this time, and it is a provision that really has little to do with the budget. It is called section 301, and it allows debt collectors to make robocalls directly to Americans' cell phones. Here is my view. Debt collectors should not be gifted broad permission to harass our citizens, particularly through robocalls, running up costly charges in many cases. The Federal Communications Commission has limits on the number and duration of calls, and they are not sufficient. In a healthier budget process, this kind of proposal would get weeded out. So I would like to say to our colleagues in the Senate, both Democrats and Republicans, that I am going to do everything I can to reverse this action in the weeks ahead.

Finally, in my capacity as ranking member of the Finance Committee, I wish to discuss how these fiscal agreements ought to be financed in the future. Medicare and Social Security absolutely cannot become the honey pots that Congress raids whenever it needs to pay for legislation. If we go around the country—to Oregon, to Illinois, to Georgia, to the Dakotas, to Texas—and we ask typical Americans what they want their representatives in Congress to do, protecting Medicare and Social Security is right at the top of the list. I hear it in every townhall meeting. I have had more than 700 of them in my home State. And I have to believe many colleagues in South Dakota and Illinois and elsewhere hear the same thing.

There is a longstanding tradition that says changes in Medicare policy should be for strengthening Medicare in the future. The same principle goes for Social Security. Yet, twice now, these vital programs have been used to fund budget deals, and Medicare sequestration is sticking around long past its original expiration date.

This legislation preventing a calamitous default is coming down to the wire. I would tell colleagues that this is a must-pass bill. I support it, and I urge Democrats and Republicans to do so as well.

I would also say as we talk about where we go from here that it is important to recognize that Medicare and Social Security must not be used as ATMs for other spending in the future. The bottom line has to be that the process of reaching a budget and keep-

ing the lights on in this wonderful institution—the people's branch—keeping the lights on in the process of reaching a budget has to change. The Congress cannot continue to just go from crisis to crisis to crisis. It is our job as lawmakers, working in a bipartisan way, to set the right temperature in our economy with smart, forward-looking policies that help our businesses succeed and give everybody in America—I want to emphasize that; everybody in America—the opportunity to get ahead. It is pretty hard to do when we lurch from one crisis to another.

Let's use this legislation as an opportunity to get back to writing the budget in a bipartisan fashion through the traditional approaches that have been used in what is called regular order, pass this bill now so as to ensure that America's sterling economic reputation is intact, and then let's look to the future around some of the principles I have laid out.

Again, Chairman HATCH will be here in a bit. He and I, as the managers of the bill, want to make it clear we want to try to accommodate as many colleagues as we can, and we ought to be able to. I look forward to the remarks of the distinguished senior Senator from Illinois. I believe that before too long Chairman HATCH will be here as well.

With that, I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

UNIVERSITY OF PHOENIX

Mr. DURBIN. Mr. President, yesterday the senior Senator from Arizona, the chairman of the Senate Armed Services Committee, came to the floor to speak to an issue and mentioned my name several times during the course of his remarks on the floor. I come here this morning to respond to the senior Senator from Arizona.

The issue is a decision by the Department of Defense on October 7 of this year to place the University of Phoenix, a for-profit university, on probation and prohibit the company from enrolling new Department of Defense tuition assistance and MyCAA beneficiaries. Under this Department of Defense order, the company—University of Phoenix—was barred from accessing military bases. This is a serious action, and there is a reason for it.

The senior Senator from Arizona came to the floor to protest this decision by the Department of Defense and to also protest other actions that have been taken relative to other for-profit universities. I come this morning to respond.

What is at stake is something that is very essential. When men and women volunteer for our military and hold up their hands and say "I am willing to die for this country," they make a promise and we make a promise. Our promise is that if you will serve this

country and risk your life for America, we will stand by you when you come home. If you are injured, we will provide medical care. If you want to pursue education and training, we will help you do it; in fact, we will help your family do it. And there are many other benefits that we rightly promise to these members of the military.

Department of Defense tuition assistance and the GI bill, which has been characterized as the GI bill since World War II, is really the vehicle that gives to many of these servicemembers, while they are serving and after they have completed their service, a chance to build their lives. They are generous programs, and they should be. MyCAA is generous to their families, and it should be. But these are virtually once-in-a-lifetime opportunities. We hope these members of the military choose well in terms of the courses they need to take and the training they need to prepare for their lives after they have served our country. We have a responsibility when it comes to those who are currently in the service to monitor the activities of the schools that are offering education and training as part of these programs. We would be derelict in our responsibility if we did not.

The Department of Defense wrote a memorandum of understanding to all schools saying: If you want to offer Tuition Assistance program training and education, if you want to offer training for the families of servicemembers, here are the rules to play by. And I think virtually every institution of higher learning knows going in to follow the rules, whatever the institution may be.

Let me say a word about the University of Phoenix. This is not just another for-profit school; it is the largest by far. At the height of its enrollment, the University of Phoenix, a for-profit university largely offering online courses, had as many as 600,000 students. That is dramatically more than the combined enrollment of all the Big Ten colleges and universities. Over the years—in the last 5 years, the size of their student body has declined; it is now slightly over 200,000. As an individual institution, it is the largest in America, and it certainly is the largest of the for-profit colleges and universities. You can hardly escape the advertising, the naming rights to the stadium where the Arizona Cardinals play their football games in Arizona. They have advertising on television, radio, and billboards. It is a company that markets in every direction and as a consequence has built a large student enrollment.

How about the University of Phoenix in terms of dollars it receives? That is interesting. Unlike universities and colleges around the United States, whether in North Dakota, South Dakota, Nebraska, Illinois, or wherever,

these for-profit universities get a substantial portion of their revenue directly from the Treasury through Pell grants and student loans. Dramatically higher percentages of their revenue come from Treasury than virtually any other college or university. This is unique to the for-profit college and university sector. They are the most heavily subsidized for-profit private businesses in America today.

Let me give an example of what I am talking about. Eighty-two percent of the revenue going to the University of Phoenix—\$2.7 billion—comes out of title IV. When it comes to Department of Defense tuition assistance, University of Phoenix is the fourth largest recipient in the United States—\$20 million. Under the GI bill, it is the largest recipient from the Department of Defense and the Treasury—\$346 million. Their CEO, Mr. Cappelli, is paid \$8 million a year in total compensation, which is dramatically more than virtually any other university president in the ordinary course of higher education—what is a record.

University of Phoenix students cumulatively owe more in student debt than any educational institution in America. University of Phoenix students owe \$35 billion in student loans. Only half of the University of Phoenix borrowers are paying down their debt 5 years after graduation or after they have dropped out of school. Phoenix's overall 3-year repayment rate—that means how many borrowers are making payments on their debt after 3 years—is 41 percent. Less than half of the University of Phoenix students and graduates after 3 years are paying back. Their 5-year repayment rate is 47 percent. Nearly one out of every two students who graduated or dropped out in 2009 has defaulted within 5 years. The University of Phoenix's 5-year cohort default rate—students who graduated in 2009 and defaulted by 2014—is 45 percent. The Arizona location—which includes online students across the country—the 4-year bachelor's-seeking graduation rate is 1 percent and the 6-year bachelor's-seeking graduation rate is 10 percent.

In the for-profit college and university industry, there are three numbers to remember. Ten percent of the students graduating from high school go to these for-profit schools. Twenty percent of all the Federal aid for education goes to these schools. Why? They are very expensive. The tuition they charge is dramatically more than colleges and universities across the country. But here is the number to remember: As an industry, 40 percent of all the student loan defaults are students who attend for-profit colleges and universities. Why? It is so darned expensive that students can't continue the education and drop out or they complete the education and many times find that the diploma is worthless.

Let's go back to the Department of Defense. We want to protect our men and women in uniform from being exploited by any college or university, for-profit or not. The Department of Defense wrote a memorandum of understanding and said: If you want to offer courses to our men and women in uniform, here are the rules to play by.

On October 7, the Department of Defense announced that they placed the University of Phoenix on probation and prohibited them from enrolling new servicemembers in the DOD Tuition Assistance and MyCAA Programs. They barred them from accessing military bases. The decision, the Department said, was based on violations of the memorandum of understanding, which I described this morning, based on their own review.

Yesterday the senior Senator from Arizona came to the floor to protest the decision by the Department of Defense. There were several things he said during the course of his floor statement which I would like to address.

The senior Senator from Arizona claimed that the Department of Defense's "actions were taken without due process" and based on "an outside investigative report." The Senator went on to say that it "wasn't a department investigation. There was no scrutiny." He said that on the floor to protest the Department of Defense decision.

Here are the facts. The Department of Defense conducted nearly 4 months of review of the University of Phoenix's practices after the report by the Center for Investigative Reporting raised allegations relating to the company strategy using corporate sponsorship of events on military bases to skirt the Federal rules on recruitment that had been spelled out in the memorandum of understanding.

The Department of Defense placed the University of Phoenix on probation when its review "revealed several violations of the Department of Defense Memorandum of Understanding." DOD also gave the company 14 days to provide the Department of Defense with materials in response to the decision.

To argue that there was no due process in this is betrayed by the facts.

The senior Senator from Arizona went on to say: "If the University of Phoenix is guilty of some wrongdoing, I want to be one of the first to make sure that proper penalties are enacted."

Here is the fact: The Department of Defense confirmed that the University of Phoenix is guilty of wrongdoing. The Department of Defense's notice to the university stated that "it conducted a review of the agreements between the University of Phoenix and the DoD, as reflected in the DoD MOU. . . . This review revealed several violations of the DoD MOU attributed to the University of Phoenix, including, but not limited

to, transgression of Defense Department policies regarding use of its official seals or other trademark insignia and failure to go through the responsible education advisor for each business related activity requiring access to the DoD installations. . . ." They go on to say that they found that "the frequency and scope of these previous violations of the DoD MOU is disconcerting."

Despite this, the senior Senator from Arizona is urging the Department of Defense to ignore what they found in their investigation and to reverse their decision putting the company on probation.

The senior Senator from Arizona went on to call Phoenix's violations "minor breaches in decorum" and "technical in nature."

The Department of Defense found that the University of Phoenix violated terms of its memorandum of understanding—a legal document laying out the rules and standards every institution must adhere to in order to be eligible to participate in voluntary military education programs. For instance, this document specifies that the base's education officer, not the base commander, is the sole approving authority for any and all access to the base. In their violation of this memorandum of understanding provision, the Department of Defense called the University of Phoenix's violations disconcerting in their frequency and scope.

The company had a corporate strategy of spending millions of dollars to sponsor events on military bases to skirt Department of Defense rules and the 2012 Executive order that was designed to prohibit institutions from recruiting servicemembers on military bases.

Mr. President, let me spell out some of the things that were being done by the University of Phoenix. Remember what we are talking about. This university is receiving \$20 million a year through DOD tuition assistance and \$346 million through the GI bill. Of course, it is a big profit center for them to continue this pursuit of the military, and they spent a lot of money to support it, and that is what got them in trouble.

The University of Phoenix spent over \$250,000 in the last 3 years just in one location—Fort Campbell, KY—sponsoring 89 events. One event featured a performer named Big Smo; that alone cost \$25,000. Across the country, the University of Phoenix sponsored events on military bases, including rock concerts, Super Bowl parties, father-daughter dances, Easter egg hunts, a chocolate festival, and even brunch with Santa.

The University of Phoenix paid the Department of Defense to have its staff serve as exclusive résumé advisers in Hiring Our Heroes job fairs and workshops, many on military bases. A Center of Investigative Reporting hidden

camera documented that all of the résumé workshop materials, presentation slides, and sample “successful” résumés were labeled with University of Phoenix marketing, and trainers urged attendees to go to the University of Phoenix Web site for more information.

The University of Phoenix used “challenge coins”—which the Senator from Arizona raised on the floor—with DOD seals and logos to show its close relationship with the military without receiving prior approval. The Senator from Arizona noted that other schools have done the same thing, including, he mentioned, Southern Illinois University. This Senator is not going to send a letter to the DOD protesting if they hold SIU or any school accountable for the same conduct as the University of Phoenix. The senior Senator from Arizona did, and I think he ought to reflect on that for a moment.

The senior Senator from Arizona says the University of Phoenix has a long history of serving nontraditional students, such as Active-Duty military and others. According to Paul Reickhoff of the Iraq and Afghanistan Veterans of America, the university of Phoenix “is constantly reported as the single worst by far” when it comes to for-profit colleges taking advantage of its members.

The Senator from Arizona says the Consumer Financial Protection Bureau, the Education Department, and the California attorney general, Kamala Harris, drove another for-profit school, Corinthian, out of business without ever proving misconduct, and now we are attempting to do the same to the University of Phoenix.

The fact is, there are ongoing investigations into the University of Phoenix by the Federal Trade Commission related to unfair and deceptive practices, including military recruitment and the handling of student personal information. There is an investigation underway of the University of Phoenix by the Department of Education’s inspector general related to marketing, recruitment, enrollment, financial aid processing, fraud prevention, student retention, personnel training, attendance, academic grading, et cetera.

There is an ongoing investigation into the University of Phoenix by the Security and Exchange Commission relating to insider trading, and not one but three different state attorneys general are investigating the University of Phoenix for unfair and deceptive practices. The Senator from Arizona comes and protests that we are involved in some sort of ideological grandstanding—that is what he said, ideological grandstanding—ignoring the evidence which I have presented this morning about the investigations into the University of Phoenix going on across agencies, State and Federal, and the investigation by the Department of Defense that led to this decision.

He also went on to say yesterday in his remarks:

Last year, the Education Department, Consumer Financial Protection Bureau—

And an individual named Ms. Harris—

mounted a coordinated campaign that drove for-profit Corinthian College out of business without ever proving misconduct.

They were able to drive a college out of business. What a coincidence that he would make that statement on the floor of the Senate yesterday, the same day it was reported that a Federal judge in Chicago ordered Corinthian College—now bankrupt—to pay \$530 million to the Consumer Financial Protection Bureau, resolving a year-long lawsuit against the for-profit chain for allegedly steering students into predatory student loans.

The CFPB Director, Richard Cordray, said in a statement, “Today’s ruling marks the end of our litigation against a company that has severely harmed tens of thousands of students, turning dreams of higher education into a nightmare.” I don’t understand how the Senator from Arizona could come to the floor the same day this Federal decision was reported and raise this issue without some knowledge of what the Corinthian Colleges were doing. What they were doing was lying. They were misrepresenting to the Federal Government how many students were employed after they graduated. It turns out Corinthian was paying employers several thousand dollars to hire their students—graduates—for a month or two so they could report to the Federal Government they had jobs.

Of course, when the money ran out from Corinthian, the students lost those part-time jobs. Corinthian was caught. They were asked to provide information to refute what I have just said. Instead of doing that, they started dissembling and going out of business. They were also steering students to what they called genesis loans at Corinthian College. Students were paying outrageous tuition and fees for bachelor’s degrees, \$60,000 or \$75,000, and then they were facing genesis loans, they called them, with interest rates as high as 15 percent.

This industry does have good schools and good courses in the for-profit business sector, I am sure, but there has clearly been misconduct. We have to call them on it and hold them responsible. It is our Federal Government that virtually acknowledges the accreditation of these schools that offer Pell grants and direct student loans to their students, creating the impression among students and families that these are perfectly good colleges and universities. We have a responsibility to students and families across this Nation to police their ranks when there is misconduct. In this case, the Department of Defense looked closely and decided that the University of Phoenix was in-

volved in misconduct. That is why they reached their decision.

There was a letter that was prepared by a number of organizations—I will not read all of their names—but it was sent October 27 this week to the Honorable Ashton Carter, the Secretary of Defense, thanking the Department for their recent action when it came to the University of Phoenix. These organizations went on to catalog the things I have said this morning. They also talk about the students these organizations have worked with. This letter says servicemember complaints regarding the University of Phoenix fall into three categories: servicemembers who were signed up for loans without their knowledge or permission after being promised they would incur no loans, servicemembers who were misled about the cost of tuition increases at the University of Phoenix, servicemembers who were misled about the accreditation and transferability of University of Phoenix credits.

Yesterday, the senior Senator from Arizona cited three students. I would like to read from this letter. They note three students who were members of the military commenting on the University of Phoenix. First, Cody Edie, of the U.S. Marines said:

I was told these credits would transfer anywhere nationwide but as I began my transition from active duty I found out they will not transfer to the schools in my home state. I wasted my time and 15 credits for nothing.

A statement from Erin Potter, U.S. Army:

I was told by the University of Phoenix that I would be eligible for grants that I did not have to pay back. I came to find out they enrolled me in loans and now I cannot afford the payments.

From Dennis Chamberlain, U.S. Army:

I attended the University of Phoenix to obtain my bachelors degree. I racked up close to \$20,000 in debt to attain my degree. I feel they targeted me for my military student aid. I struggle every month paying back the student loans I could have avoided. I was shot twice in Afghanistan by shrapnel from RPGs.

The letter is signed by about 20 different organizations: the Air Force Sergeants Association, the Association of the U.S. Navy, the American Association of State Colleges and Universities, Blue Star Families, Paralyzed Veterans of America.

I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OCTOBER 27, 2015.

Hon. ASHTON CARTER,
Secretary of Defense,
Washington, DC.

DEAR SECRETARY CARTER: We write to thank you and your staff for the Department’s recent action to enforce its Tuition Assistance Memorandum of Understanding (MOU) with the University of Phoenix. The

MOU is the Department's main tool for implementing Executive Order 13607 and its directive to protect service members from deceptive recruiting, including surreptitious recruiting on military installations.

In these difficult financial times, protecting the integrity of the Tuition Assistance program is essential to preservation of the program and its goal of military readiness and professional development for our men and women in uniform. In this context, the Department's action to enforce the MOU is a prudent measure, and we feel more needs to be done to protect the integrity of the program. Failure to take swift and serious action against violations of the MOU harms service members, taxpayers, and the program itself, and sends the wrong message to other MOU signatories about the acceptability of violations.

The Department's investigation concluded that "the frequency and scope" of the University's violations was "disconcerting," including "transgression of Defense Department policies regarding use of its official seals or other trademark insignia and failure to go through the responsible education advisor for each business related activity requiring access to the DoD installations." The Department's letter to the University also raised concern that "several additional provisions" of the MOU may have been violated if allegations are substantiated about deceptive marketing, recruiting, and billing of U.S. military personnel raised in the law enforcement inquiries of the U.S. Federal Trade Commission and California Attorney General. We also would draw to your attention similar allegations that also, if substantiated, would violate provisions of the MOU, raised in ongoing investigations of the Attorneys General of Delaware, Florida, and Massachusetts; the Enforcement Division of the U.S. Securities & Exchange Commission; the Mid-Atlantic Region of the U.S. Education Department's Office of Inspector General; and the whistleblower suit brought by University of Phoenix military recruiters filed in the federal district court in Kentucky.

Although signatories to the MOU promise to eliminate unfair and deceptive marketing and recruiting, such practices continue. For example, many of our organizations are helping service members and veterans who experienced deceptive recruiting, and nearly 1,000 of these attended the University of Phoenix. Their experiences over the past decade, and through 2015, demonstrate a pattern consistent with the allegations made by current law enforcement investigations. Service members' complaints regarding the University of Phoenix tend to fall into three categories: (1) service members who were signed up for loans without their knowledge or permission, after being promised they would incur no loans; (2) service members who were misled about the cost and tuition increases at University of Phoenix; and (3) service members who were misled about the accreditation and transferability of University of Phoenix credits. Below is a small sampling of complaints about the University of Phoenix from service members who used Tuition Assistance. The first student attended the University as recently as 2015:

"I was told these credits would transfer anywhere nationwide but as I begin my transition from active duty, I found out they will not transfer to the schools in my home state. I wasted my time and 15 credits for nothing."—Cody Edie, U.S. Marines E-4

"I was told by University of Phoenix that I would be eligible for grants that I did not

have to pay back. I came to find out they enrolled me in loans and now I cannot afford the payments."—Erin Potter, U.S. Army E-5

"I attended University of Phoenix to attain my bachelors degree. I racked up close to \$20,000 in debt to attain my degree. I feel they targeted me for my military student aid. I struggle every month paying back the student loans I could have avoided. I was shot twice in Afghanistan by shrapnel from RPGs."—Dennis Chamberlain, U.S. Army O-3

Because the Department's action affects only prospective students, we also urge you to alert service members currently enrolled at the University about the probation and current law enforcement investigations, and remind them about the availability of the Department's complaint system. Doing so would aid those students and enhance the Department's ability to identify MOU infractions. As you may know, the University was required by SEC rules to notify its investors of these actions; current students deserve to be informed as well.

We thank you for your efforts to protect the integrity of the Tuition Assistance program and to protect service members from deceptive recruiting practices. We hope the Department will continue to take action against violations and consider that reinstatement following a short probation could indicate to other MOU signatories that violations are met with little repercussion.

Sincerely,

Air Force Sergeants Association, American Association of State Colleges and Universities, American Federation of Labor—Congress of Industrial Organizations, Association of the U.S. Navy, Blue Star Families, Campaign for America's Future, Children's Advocacy Institute, Consumer Action, Consumer Federation of California, Consumers Union, Empire Justice Center, Higher Ed Not Debt, Institute for Higher Education Policy, Iraq and Afghanistan Veterans of America.

Leadership Conference on Civil and Human Rights, League of United Latin American Citizens, National Association of Consumer Advocates, National Consumer Law Center (on behalf of its low-income clients), Paralyzed Veterans of America, Public Law Center, Student Debt Crisis, Student Veterans of America, The Education Trust, The Institute for College Access & Success, University of San Diego Veterans Legal Clinic, Veterans Education Success, Veterans for Common Sense, Veterans Student Loan Relief Fund, VetJobs, VetsFirst, a program of United Spinal Association, Vietnam Veterans of America, Working America, Young Invincibles.

Mr. DURBIN. Mr. President, I am going to wrap up. I read carefully what the senior Senator from Arizona had to say yesterday. I hope I have addressed each of the major points he raised. There was indeed an investigation. There were standards which the University of Phoenix agreed to follow and then failed to follow. There is an effort underway to make sure we protect the men and women in the military and their families from exploitation when it comes to their GI bills. We should continue that effort.

I hope my friend and colleague from Arizona who has made a record in the Senate of speaking up, standing up to avoid those misuses of Federal funds, will continue in that same vein when it comes to this issue. We want money well spent. We want our men and uniform well served.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CROP INSURANCE PROGRAM

Mr. McCONNELL. Mr. President, the chairman of the Senate agriculture committee is on the floor, and I thank him for his tenacity and diligent work on behalf of America's farmers and rural communities.

I have discussed with the chairman his concerns about crop insurance provisions in the fiscal agreement and their impact on farmers, concerns which are shared by our counterparts in the House of Representatives. I also have concerns about the changes to crop insurance and what it will mean to the future farmers in my State. We have a big agricultural community in Kentucky, and I have certainly heard from them in great numbers over the past couple of days.

Farming has been a long tradition in my State. Kentucky is made up largely of smaller family farms—farms that have been passed down from generation to generation. These folks rely heavily on the notion that a bad-crop-year will not stop their ability to continue farming because of the certainty provided through this crop insurance program.

It is our joint understanding that the House leaders will work to reverse these crop insurance changes and find bipartisan alternative deficit reduction savings when they consider the omnibus appropriations bill later this year.

So I assure my friend from Kansas and the other Members of our conference who care about this that I will work closely with him to support the House in these efforts.

Mr. ROBERTS. Mr. President, will the distinguished leader yield?

Mr. McCONNELL. I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise to engage in this colloquy that our distinguished Republican leader has already mentioned or stressed. I also thank our majority whip, the Senator from Texas, and the senior Senator from South Dakota, Mr. THUNE, with regard to a commitment made between all of us on the floor.

This commitment is in reference to the obvious need to remedy the language adversely affecting our Nation's farmers and ranchers that is now included in the Bipartisan Budget Act. This provision, section 201, included in the underlying bill, should it go into effect, would greatly damage the crop insurance program as we know it, not

to mention the farmers who purchase this crop insurance.

The commitment we have reached is to reverse these damaging cuts and policy changes to the crop insurance program in order to protect our producers' primary risk management tool and their No. 1 priority. In all of the great talk and effort that we had to pass the farm bill—over 400 days—the No. 1 issue to farmers, ranchers, and every commodity group and every farm organization was crop insurance.

This legislative action—or fix, if we want to call it that—will take place in consideration of the year-end spending bill. I have been working very closely with House Agriculture Committee Chairman MIKE CONAWAY, who has reached a similar position with the House leadership. It was a tough trail, but MIKE got it done.

We have all agreed here to restore these funds to the program and reverse this policy and do so with support from the House and the Senate.

I yield to our distinguished majority whip.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I express my gratitude to the majority leader and to the chairman of the agriculture committee in the Senate, as well as to the two Senators from South Dakota, Mr. THUNE and Mr. ROUNDS, for their cooperation and their commitment to address this issue.

I particularly wish to join the chairman of the agriculture committee, Senator ROBERTS, in commending MIKE CONAWAY, a good Texan, who is chairman of the House Agriculture Committee, whom I know cares very deeply about this issue.

Texas is a huge agricultural State and 98 percent of our agricultural production is run by families and employs one out of every seven Texans. Texas ranchers and farmers are no strangers to the perils caused by drought and other weather-related events beyond their control.

With the current regulatory environment and unforeseen perils they face, I understand the necessity and the viability of the crop insurance program to their livelihoods.

So I wish to say that I too stand ready to support our colleagues, working together to find a solution to this important problem.

I yield the floor.

Mr. ROBERTS. Mr. President, I yield to my distinguished friend and colleague from South Dakota, the senior Senator from South Dakota, Mr. THUNE.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, I wish to thank the Senator from Kansas, who is the distinguished chairman of the agriculture committee, on which I serve, as well as the leader and the whip in the Senate.

I rise in support as well of restoring what would be some very devastating cuts to an important program, the crop insurance program. The cuts were supposed to be imposed by the budget agreement that was reached and that we are going to be voting on later today.

Crop insurance plays a critical role in supporting South Dakota agriculture. It is my State's No. 1 industry. Crop losses due to drought, wind, hail, and excessive moisture provide the greatest challenges to economic survival and sustainability in production agriculture. Crop insurance provides the only viable risk management tool to meet those challenges. So it is imperative that we preserve crop insurance and maintain its viability.

I support the agreement that has been discussed on the floor today. I will work with the leader, the chairman, my Senate colleagues, and my colleague from South Dakota, Senator ROUNDS, who has been involved in these discussions, to make sure we find a reasonable alternative to the unworkable cuts to crop insurance that are found in section 201 of the Bipartisan Budget Act.

I thank the majority leader, the whip, and the chairman of our agriculture committee for their commitment to our farming families and rural economies across this great country. I also thank those who have worked in the House to come to a point where we can have this discussion and move forward in a way that will preserve what is a very important program for production agriculture in this country.

I ask the chairman of the agriculture committee, Senator ROBERTS, through the Presiding Officer, if the House has reached a similar agreement in terms of the discussion that we are having in the Senate today.

Mr. ROBERTS. Mr. President, I thank my friend for the question. I respond to my friend that, yes, the chairman, MIKE CONAWAY, has reached a bipartisan agreement with the House leadership and also the chairman of the Committee on Appropriations, Mr. ROGERS from Kentucky. So there is bipartisan agreement with the House leadership, and it is now time for the Senate to respond.

I also echo the comments of the senior Senator from South Dakota, with the help of Senator ROUNDS, and I would be remiss in not mentioning virtually every member of the ag committee who has been involved in this effort as well. I appreciate the work of my colleagues and the work of our ranking member, Senator STABENOW. I especially want to thank her for raising this issue and helping to find an agreement.

I note that I have worked my entire career to build crop insurance as a public-private partnership that best protects our producers, taxpayers, and

consumers, not to mention a very hungry and malnourished world. This agreement reached today continues in that effort to fulfill that mission. I thank the majority leader, the majority whip, and Senator THUNE for their commitment. I also thank many of our colleagues who helped reach this solution today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise to speak in support of the bipartisan Budget Act of 2015, the legislation that passed in the House last night and that I expect we will be voting on soon in the Senate.

Anyone who hasn't been living in a cave for the last few weeks is aware of the controversy surrounding this legislation. However, while the bill is likely no one's idea of an ideal path forward, I believe the controversy stems more from political considerations than from policy or substance.

Let me say one thing up front. I don't love this legislation. If we were living in the "United States of Orrin Hatch" this bill would look very different, but while I may not like parts of this deal very much, there are other things I like much less, including political brinksmanship on important matters and election-year posturing on complicated issues.

This budget deal, while far from perfect, will help eliminate several hurdles that must be overcome in the near term and hopefully allow Congress to function and to actually govern over the next year. That said, there are some very important provisions in this bill that I think will be counted as wins for good government and will help us address some important issues. So I would like to take just a few minutes and talk about some of the specifics of this legislation and why I believe these provisions are important.

First, as we all know, the bill would suspend the statutory debt limit through mid-March of 2017. I have heard a number of my colleagues decry this provision, arguing that any increase in the debt limit should be accompanied by fiscal reforms, and on that count my colleagues are right.

I think you would be hard-pressed to find many Members in this Chamber who have spent more time than I have talking about our Nation's debt and calling for reforms. I have spoken extensively about the need to rein in our broken entitlement programs, which are the main drivers of our debt. Unlike most Members of Congress, I have actually come up with specific proposals that would help stave off the growing entitlement crisis. On top of that, as chairman of the Senate committee with jurisdiction over the debt limit, I have repeatedly called on the Obama administration to do what past administrations have done, which is to

use debt limit increases as opportunities to reexamine our fiscal situation and work with Congress to find a path toward reforms that will improve our fiscal outlook.

Unfortunately, these calls and similar calls made by other leaders in Congress have largely gone ignored as the administration refuses to even consider fiscal changes in the context of a debt limit increase. I am as frustrated as anyone by the refusal of this administration to even engage on this issue. However, the President's refusal to be reasonable and to do his job when it comes to our debt is no excuse for Congress failing to do its job and prevent a default.

I know some of my colleagues either don't believe a default would be that bad or that the result of hitting the debt limit would even be classified as a default. I will not delve into the semantics of the issue, I will just say that hitting the debt limit would prevent the government from meeting a large number of its obligations. Nothing good and many things that are bad will come from that result. No reasonable person would dispute that.

In addition, I don't think any reasonable person wants to see Congress push up against debt limit deadlines multiple times throughout 2016. Mixing a looming possibility of default with election-year posturing—and I am talking about posturing on both sides of the aisle, by the way—is, in my view, a recipe for disaster. This budget bill will suspend the debt limit and spare Congress and the American people the spectacle of ticking debt clocks in the middle of an election season. Once again, this isn't my preferred result, but it is much better than the alternative.

In addition to raising the debt limit, the bill would extend the life of the Social Security disability insurance, or SSDI, trust fund through a temporary reallocation of resources from the retirement trust fund into the disability insurance program.

As we all know, the SSDI trust fund is set to be exhausted sometime late next year, which would lead to benefit cuts of around 20 percent for disabled Americans. I am not willing to do that. Right now, the beneficiaries in the disability program face enormous uncertainty, and that will only get worse between now and the end of 2016 if Congress fails to act.

I have been urging action on this issue for quite some time and have put forward a number of proposals to reform various aspects of the disability insurance program. Sadly, despite many calls for bipartisan cooperation, the administration has decided to remain silent, aside from the very simple and overly broad reallocation proposal. Nonetheless, the budget bill will, as I mentioned, provide an interfund reallocation that will add an additional 6

years of viability to the SSDI trust fund, preventing benefit cuts to disabled American workers and removing the current uncertainty.

That is not all. The bill would also put in place reforms to the SSDI Program, including some of the proposals I put forward earlier this year and reflecting a great deal of work between Chairman PAUL RYAN of the House Ways and Means Committee and Representative SAM JOHNSON, who chairs the Social Security Subcommittee, and me. Our work led to a number of features of the budget bill's treatment of SSDI that will help combat fraud in the program, make it easier for those who can and desire to return to work to be able to do so, and improve the overall administration and integrity of the disability program.

As I said before, this is not a budget bill that I would have written, and I think there are a number of other ways to improve the SSDI Program and Social Security more generally. However, nothing in the bill prevents us from continuing our work to develop and refine ideas and come up with additional improvements. Given the unsustainability of the Social Security System generally, we will have to continue to work on reforms to ensure these programs are available to future generations.

For now, we must be realistic. If we don't act now to prevent next year's benefit cuts, we will create a cliff that will occur right in the middle of an election campaign, when fundamental reforms to an entitlement program will be virtually impossible. Instead of a real debate over the future of this important program, we would see accusations lobbed back and forth about which side is responsible for the impending benefit cuts. Why would anyone want that? What good would that accomplish?

I would also like to remind my colleagues that the SSDI reforms in this budget bill represent the most significant changes to any Social Security program since 1983—more than three decades ago. That is nothing to sneeze at. So while critics may be right that these changes aren't the only types of long-term fixes the SSDI Program needs, they should not by any means be overlooked.

While we are on the subject of entitlements, I also want to point out that this budget bill will avert an unprecedented and large increase in Medicare Part B premiums for millions of elderly Americans. Under the law, there is a complicated interplay between the Social Security and Medicare Programs, where under what is called the "hold harmless" rule, the majority of Medicare beneficiaries cannot see a premium increase greater than their cost-of-living adjustment under Social Security. However, due to very low inflation, there will be no cost-of-living ad-

justments in Social Security in 2016, meaning there can be no premium increases for the majority of Medicare Part B participants. This means the full amount of what the Medicare system needs to collect in Part B premiums for next year will be charged to the nearly 30 percent of Medicare beneficiaries who do not have their premiums deducted from their Social Security payments.

Long story short, absent some kind of action, more than one-quarter of all Medicare Part B beneficiaries will see their premiums go up as much as 52 percent in 2016. This bill is important, with all its faults, and that is a great reason to vote for it. The legislation before us will prevent this increase, once again allowing Congress to avoid a contentious fight and preventing many seniors from becoming pawns in the unending liberal political gamesmanship and demagoguery. Most importantly it would do so in a responsible manner.

In addition to sparing our country some needless political fights over Social Security and Medicare, this bill will also repeal the employer auto-enrollment requirement under the so-called Affordable Care Act. This provision, once implemented, would require large employers to automatically enroll new employees in health insurance plans, putting the burden on employees who prefer alternative plans to opt out. This provision, like many provisions of ObamaCare, never made sense and ultimately had few champions outside left-leaning think tanks that continually advocate for the government to "nudge" citizens into what some technocrats believe are preferred outcomes by removing certain nonpreferred choices.

So with this legislation we have bipartisan agreement on the need to remove at least part—and not an insignificant part—of ObamaCare. That is important. That is a good reason to vote for this. Obviously, we need to do more, but in my view any acknowledgement from my friends on the other side that any part of the President's health care law doesn't work is good progress. We haven't been able to get them to admit that in all these years of this failing program that is going on.

Finally, and for many most significantly, the bipartisan budget legislation would partially lift the budget caps established under the Budget Control Act both for domestic spending priorities and national defense. While very few people in Congress or elsewhere are big fans of the sequester threat, it did result in the only legitimate measurable spending cuts we have seen in quite some time. It is especially noteworthy, given the current administration's seemingly insatiable desire for more debt-fueled spending.

I sympathize with my colleagues who might be hesitant to lift those spending caps. However, I think we need to keep a few things in mind. First, the increase in the spending baseline under this bill is fully offset. That is important. While not all of the offsets are ideal, it is important that the spending cap relief will not result in increased debt or a tax hike. Let me repeat that. It is important to note that the spending cap relief will not result in increased debt or a tax hike. In that sense, the spending caps, even with the relief included in this bill, continue to be successful. Let me repeat that again. In that sense, the spending caps, even with the relief included in this bill, continue to be successful.

Second, lifting the spending caps will help us ensure our military is properly funded, although many of us would like to do more with the world in the turmoil it is in. Many Members of Congress, particularly on the Republican side, have expressed concern regarding the impact of the spending caps on our men and women in uniform and our overall military readiness. Make no mistake, these are dangerous times. American generals and military officials have made clear the spending levels under the Budget Control Act are not enough to meet the challenges our Nation faces on the world stage. Between the threat of ISIS in Iraq and Syria, Russian aggression in Eastern Europe, and our newly prolonged troop presence in Afghanistan, now is not the time to underfund our military. We need to be sure our troops have all the resources they need to succeed.

As we know, President Obama has conditioned any budget-cap relief for defense on similar relief for other domestic spending programs. While I agree with many of my colleagues that this represents an odd set of priorities for a Commander in Chief—his No. 1 duty is to keep us safe—we should not let the President's refusal to do right by our military lead us to do the same.

In addition to criticisms of the substance of the bill, some of which I agree with, I have also heard complaints about the process that led us here. On that front as well, I share some of my colleagues' concerns. It certainly would have been better to move this legislation through regular order, including committee consideration and an open amendment process. I can't speak for anyone else, but I would assume that almost everyone involved would prefer to see legislation of this magnitude move through the House and Senate in a more deliberative process and a longer timetable. Unfortunately, for a variety of reasons, that is not what happened.

However, much of the time, effective government is about the art of doing what is doable. Though Republicans control both Chambers of Congress, there is a Democrat in the White House

and enough Democrats in the Senate to sustain a filibuster. That is just a fact. We have to live with that. If we want to get anything done around here, we cannot demand perfection, nor can we operate in a zero-sum environment where every victory for the other side, however minor, is considered a loss for yours.

I get that there are some who sincerely and truthfully believe that compromise inherently means failure, and I know there are others with different agendas in mind that lead them to oppose anything resembling a concession to the other side, no matter what their side may get in return, but I have been around here long enough to know that such an approach does not often yield satisfactory results. If you are going to wait for that perfect bill to come around, my experience has taught me that you are likely to wait a very long time.

The budget bill before us is far from perfect. But, as the saying goes, the perfect should not be the enemy of the good. Under the circumstances, I believe this bill needs to pass so we can solve these problems, remove many dangerous obstacles directly in front of us, and give ourselves a chance to govern effectively without the cliffs, crises, and deadlines that all too frequently dictate what we do around here. For these reasons I plan to vote yes on this legislation, and I urge my colleagues to do the same.

Having said that, I would like to compliment our majority leader. He has one of the toughest jobs ever on Capitol Hill.

I want to compliment the House as well. I have worked very closely with the distinguished new Speaker of the House. He is a tremendous human being. He does not reject the doable. He is a very strong conservative, one of the strongest people in either House of Congress, as is our majority leader. Both of them are doing what has to be done, and they deserve to have support in doing that. I compliment my friends on the other side for the successes they consider they have made.

On the other hand, I wish to pay tribute to our majority leader and the work that he is doing, trying to keep this fractious group of people together in so many ways and to get important legislation like this passed so that we are working on even more important legislation in the future.

I want to personally pay tribute to PAUL RYAN for his election to Speaker of the House. We have worked very closely together, as he has been chairman of the Ways and Means Committee. We have met almost weekly ever since he took over as chairman of that committee and I as chairman of the Finance Committee. He is one of the truly great people in the Congress, and I personally want to express my view that we are lucky to have him. We

are lucky to have our distinguished majority leader as well.

I want to compliment my friends on the other side who have been working to do the art of the doable and, though imperfect, have worked with both of these leaders to get this done.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

THE MIDDLE EAST

Mr. NELSON. Mr. President, I rise to discuss a very troubled part of the world, the Middle East, a region that is experiencing perhaps the greatest turmoil it has seen since the end of the First World War.

After more than 4 years, with over 200,000 people killed and 4 million forced to flee, Syria's civil war and humanitarian crisis continues to drag on. President Assad still clings to power, and he clings to that power with the help of Iran, Russia, and Hezbollah.

Opposition groups remain divided, and they are weak, while terrorist groups like ISIS and Al Qaeda's al-Nusra Front exploit the chaos. ISIS also exploits sectarian tensions across the border in Iraq, where its fighters battle Iraqi and Kurdish forces, as well as Shia militias, for control of large parts of the country. And, according to press reports, a Saudi-led coalition meanwhile battles Iranian-backed Houthi rebels for control of Yemen, home to Al Qaeda in the Arabian Peninsula.

In addition to its support for Assad and terror and proxy groups, Iran continues other hostile activities, such as testing ballistic missiles, attacking in cyberspace, and violating human rights. I think this is an important thing to remember, as the expectations of the Iranian joint nuclear agreement—this was not a panacea for all of the things that Iran is doing. As a matter of fact, it specifically was a negotiation to prevent Iran from having a nuclear weapon, which I think has been achieved for at least 10, if not 15 to 25, years.

Then, to add to the complications regarding Iran, there are still four Americans detained or missing. One that is missing, of course, is our Floridian Bob Levinson, a former FBI agent.

These are tough challenges that reflect a changing balance of power, and we have already taken important steps to meet them. I am talking about steps other than the Iranian nuclear joint agreement. American and coalition air strikes against ISIS in both Iraq and Syria and the training and equipping of Iraqi and Kurdish forces in Iraq have blunted ISIS's momentum, and we are starting to see some reverses there. As the Secretary of Defense just a few days ago told our Armed Services Committee, we are changing our approach to supporting the moderate Syrian opposition and equipping those forces already on the battlefield against ISIS.

It is much more difficult in Syria, and we have not had a lot of success in training and equipping those so-called moderate forces in Syria.

So now the changing strategy is that the United States is focusing on what the Secretary of Defense referred to as the “three R’s”—the ISIS strongholds of Raqqa in Syria and Ramadi in Iraq and then targeted raids in both to build battlefield momentum. We saw such a raid that tragically took the life of a senior enlisted Special Forces Special Operations sergeant the other day, but that raid was particularly successful in that it rescued 70 people who were about to be executed the next morning. In those raids, the three R’s the Secretary mentioned are underway.

Turmoil and violence in the Middle East may seem distant to everyday Americans, but the consequences extend far beyond those regions. We see it daily on our television screens. Tens of thousands of Syrians have sought refuge in Europe. ISIS, we are reminded, uses the Internet and social media to spread its propaganda and radicalizes young people far from Iraq and Syria and even some in the United States.

So in this whole perplexing problem, as we try to get our arms around it, meeting these challenges, protecting our national security and interests, including those of our allies like Israel, is going to take strong and patient leadership on the part of our country.

I wanted to share these thoughts with the Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPORT-IMPORT BANK

Mrs. MURRAY. Mr. President, it is not always easy to get a majority of Congress to agree on something. But when it comes to the Export-Import Bank, the numbers are now clear. Three days ago, the House easily passed a bill to reauthorize this critically important program, 313 to 118. Months before that, here in the Senate, we approved reauthorization 64 to 29. That is a supermajority in both Chambers, so no one should think we should not be able to pass this. But right now, the will of a bipartisan supermajority is being blocked by Senate Republican leaders who have so far refused us the opportunity to act. This lack of movement on this critical issue is unacceptable,

and people across the country are not going to stand for it.

Every single day that passes without this program in operation, America’s businesses—most of them small businesses—are at a disadvantage. That is because one of the main goals of the Export-Import Bank is to level the playing field for American companies to sell their goods overseas.

There are 60 other export credit agencies worldwide, including several in China. While companies around the world are enjoying the support of their own lending programs, this Congress allowed one of its best tools to grow the economy to go dark. That is now hurting our economy at a time when we should be continuing to work to build and grow and create jobs.

For months, I have heard from businesses in my home State of Washington that they are being held back by partisan grandstanding nearly 3,000 miles away. Businesses in Washington State make great products, and they want to ship what they make overseas and continue to build their business at home, and Congress ought to be a good partner in that effort.

This isn’t a Republican issue or a Democratic issue. This is about supporting American companies that are creating local jobs, adding to our economy, and helping our economy grow from the middle out. It is why the Export-Import Bank has had the support of this body now for more than 80 years.

I urge Republican leaders to stop allowing extreme members of their party—a minority of their party—to hold our economy hostage. It is time to renew the Export-Import Bank on behalf of American businesses, American workers, and American families.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 597

Ms. HEITKAMP. Mr. President, once again we are down on the floor of the Senate, begging, pleading, and trying to get anyone to listen to our pleas to once again open the Export-Import Bank. As we look at the consequences of having closed—for the last 3½ months—the Export-Import Bank, it becomes readily apparent every day and every hour that we are losing American manufacturing jobs and we are stressing small businesses that have a strong history of reliance on the Export-Import Bank, and that we are, in fact, not only not helping American business, but we are hurting American manufacturers in this country.

Why would we do that? Why would we wait one more day? Before the charter expired on the Export-Import Bank, we were told that the reason why—even though we had 64 votes in the Senate for the Ex-Im Bank—we couldn’t possibly get this done was because the House of Representatives would not take this up. The House of Representatives would not move on the Ex-Im Bank, and, in fact, if it came to the floor, it was doubtful that we would actually get a vote that was favorable to the Ex-Im Bank. Well, a funny thing happened when we looked at the reality of where the House of Representatives is today.

When we counted the votes this week for the Ex-Im Bank, guess what; over 70 percent of the House of Representatives voted to reauthorize the Ex-Im Bank. And probably even more remarkable, a majority of Republicans in the House of Representatives voted to reauthorize the Ex-Im Bank.

Now, you might wonder: What changed? What happened? How could we possibly have been so wrong?

Well, let me tell you that no one in their right mind in the business community ever believed that we would let the Ex-Im Bank charter expire, and so everybody assumed that we would do the right thing here—that the charter would go on and that this would happen. Guess what happened. When we shut down the Ex-Im Bank and people weren’t able to approach the Ex-Im Bank to get credit guarantees to do the work of manufacturing and exporting, all of a sudden, those small business men and women and those employees of those institutions picked up their phones and started calling their Members of Congress. When they called their Members of Congress, that is when we saw action. That is when we saw things moving in a direction that actually supports American manufacturing.

This is an institution that has been reauthorized many times. This is an institution that has been in existence for decades. It is an institution that is in competition with dozens—in fact, about 80 or 90 export credit agencies are run by other countries—of credit agencies every day. They are competing against those same agencies.

What we have now is unilateral disarmament. Imagine this: American manufacturers—longstanding manufacturers—are actually considering moving their manufacturing facilities offshore so that they can compete for this export business. We can’t wait another minute. We can’t wait another day. We can’t wait for another opportunity to present itself. We have to do this now.

I understand and know that I am new to this institution. But most times when you have supermajorities in support of something, it shouldn’t be that hard to get it done, and we know the President will sign it.

I am always a little shocked when people say: Well, you know, we still can't get that done because we need to find a vehicle. And I think: Well, what does that mean when you actually introduce a bill and the bill itself is sitting at the desk and there is an opportunity not to try to attach something so that somebody can hide their vote or not to try to attach it to something because you might be able to leverage another idea on there but to actually move this bill forward?

We don't need to look for a vehicle. We don't need to look for another opportunity to advance the Ex-Im Bank. Guess what we need. We need to bring this bill to the floor right now. We need to ask our colleagues to engage in what we should be doing here, which is debate and legislation on the floor of the Senate. We need to resolve this issue and wrap it up.

When we started this journey, we were told the Ex-Im Bank was in need of reform. In a very bipartisan way, my office sat down with Senator KIRK's office, joined by Senator BLUNT, Senator LINDSEY GRAHAM, Senator MANCHIN, and Senator DONNELLY and said: What do we need to do to make the Ex-Im Bank better? What do we need to do to make the Ex-Im Bank more accessible and more accountable?

We negotiated something that is rare here, which is a bipartisan bill, the Kirk-Heitkamp Ex-Im Bank reauthorization bill. That bill has been the vehicle and the kind of blueprint for how we are going to move forward. In fact, when the House did their discharge petition, they discharged the bill that is, in fact, the Kirk-Heitkamp bill. There is nothing in there where we have to balance this or somehow reconcile a House version and a Senate version.

We can get this done today. We can move this forward. We can send the message to the rest of the world that the Ex-Im Bank and American manufacturers are open for business. It makes absolutely no sense for us to wait any longer and in any way delay the movement of the Ex-Im Bank.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank my colleague from North Dakota for her continued leadership on this issue and for pointing out to our colleagues that we really could be just a short step away from reauthorizing a very important business tool for small businesses, manufacturers, and the agriculture industry by making sure that we reauthorize the Export-Import Bank.

What my colleague is referring to is that it would take just a short agreement here this morning to go ahead and take the House-passed bill that, as she explained, was passed after colleagues got a discharge petition, but it is the same as the language that we have had over here in the Senate.

The process to move forward on this reauthorization would be very simple. I am sure Senator HEITKAMP pointed out before I got to the floor that a filibuster-proof majority of our colleagues approve of this legislation. I think 67 of our colleagues approve of this, and now we have this tremendous support—313 votes—from the House of Representatives.

As Senator HEITKAMP said, we are just a short step away. Why are we so emphatic about that? Why wait? When we look at what has just come out, the financial numbers show a 1.5 percent job growth. I think it is something like that. It shows very anemic numbers for our economy.

I don't know about anybody else, but since we are a very cyclical economy in the Northwest, or we have been for various periods of time in our history, my constituents expect me to get up every day and fight for things that will improve the economic opportunity of America, and that is what we are doing here.

When we look at 2014, it supported \$27.4 billion in U.S. exports and 164,000 jobs. My colleagues know how much the economy outside of the United States is growing. So we want to sell them U.S.-made products. I think it is one of the biggest economic opportunities in front of us. I believe in what we make.

I complained because I think exotic financial instruments got us into trouble, and I want to be known for something in the United States of America besides exotic financial instruments. I like that we make airplanes and automobiles.

The Senator from Michigan has joined us on the floor. I like that we make great agriculture products from North Dakota that are then exported around the globe.

I visited Bob's Red Mill in Oregon. That company makes a great variety of various grain products that are shipped all over the world. They use the Export-Import Bank as a way to gain access because not every bank in Oregon is brave enough to take on a deal in Tanzania or some other country. Why? Because the banking doesn't exist there. So the Oregon bank says: OK, I will bank you. I will get Bob's Red Mill sold in all of those places, but I want some credit insurance. I want to be sure that you have an insurance program in case something goes wrong, and that is where the Export-Import Bank comes in.

In 2014, we had \$27.4 billion in U.S. exports and 164,000 jobs.

Where have we been since 2008? It has helped us with 1.4 million jobs. Our economic information shows that we have had a somewhat anemic quarter in our country. I would say it is interesting that it did coincide with this issue of the Export-Import Bank, and this whole malaise here of not getting

work done probably didn't make anybody happy in business, and there is the fact that a lot of doubt and uncertainty plagued us.

So if you want to help the economy, let's just agree this morning that the Export-Import Bank is a great tool to help U.S. manufacturers grow their economic opportunities outside of the United States. Let's just agree this morning and get this done, and we will be moving ahead on this important issue.

Now, some people are saying: Let's just wait. I am saying: What we are risking by waiting is more job loss, more small businesses at risk, and the U.S. economy at risk. There are more than \$9 billion in pending Export-Import Bank deals on the table—\$9 billion. That can't get done because the Bank doesn't exist anymore. If you just think about that, those are U.S. companies that have economic activity to do around the globe to help us grow the U.S. economy at a time when we have been anemic. If no one objects to my motion, we would restart that engine today.

Ms. STABENOW. Will the Senator from Washington yield for one quick question?

Ms. CANTWELL. Yes.

Ms. STABENOW. Was that \$9 billion?

Ms. CANTWELL. Yes.

Ms. STABENOW. We have economic activity that is hanging in the balance, and because of this inactivity, we are losing \$9 billion every single day?

Ms. CANTWELL. Yes.

Ms. STABENOW. That is billion with a "B"?

Ms. CANTWELL. Yes. That's the dollar value of deals for U.S. companies being held up that could be moved forward.

Ms. STABENOW. Shocking.

Ms. CANTWELL. So I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 282, H.R. 597, the Export-Import Bank Reform and Reauthorization Act, and that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. MCCONNELL. Mr. President, I would remind my colleagues that we voted on the reauthorization of the Export-Import Bank already. There are numerous objections on this side of the aisle; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. CANTWELL. Mr. President, I hope our colleagues realize that the economic activity we could be seeing today could help us in everything we are doing moving forward.

While the Senate has passed the Export-Import Bank, it is part of a larger transportation package that this Senator hopes will actually get done. But

there are many people who don't want to see the Export-Import Bank reauthorized. In fact, some of our colleagues suggested in the recent budget deal that they put a 1-year provision in for the Export-Import Bank. I don't support a 1-year provision. We support a 5-year reauthorization, and we want to get to that now. We do not want to see more jobs shifted overseas as we continue to have this debate, because that is what is happening. We are giving economic opportunity to other countries to take advantage of our businesses.

I hope we will take this up and move it forward so that we can get economic opportunities back in front of the American people at a time when we most critically need to.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Will my friend from Washington yield for a question?

Ms. CANTWELL. Yes.

Ms. HEITKAMP. We have now had this experience of 3½ months—really 4 months because we are at the end of October—with no opportunity for a small business to actually look at how they could grow that small business. We know we have lost jobs all across America in States where they are economically challenged. Opportunities are there. We know that the large institutions, the large manufacturers in our country, some of which are in Senator CANTWELL's State, rely on this small business chain of businesses, and those are the businesses that have been hit the hardest.

If we wait, again, for another promise that we are going to put it on another vehicle—how much more inactivity, how much more disruption to these small businesses can these small supply chains have given their economics? Isn't it true that a small business is much more challenged by a day's delay in opening up the Ex-Im Bank than a large corporation?

Ms. CANTWELL. Mr. President, I thank the Senator from North Dakota for her question because she is right on the pinpoint of what this issue is about. It is really about small businesses that don't have huge capital reserves to set aside money so that they can guarantee the sale of their product.

As I said, there is \$9 billion of pending issues before the Bank right now, and many of those are small businesses. So those small businesses could be opening up economic opportunity that might grow their revenue significantly and allow them to create more jobs. When we think about the motion I just made, if no one had objected, that \$9 billion would have been free to go out into the economy, those deals would have gotten done, those small businesses would have been empowered, and we would be on our way to winning in what is an export economy.

Why is it an export economy? Because the growing middle class around the globe is going to double in the next several years. Ninety-five percent of consumers live outside the United States of America. So we want to win economic opportunity, and we have to be able to sell outside the United States of America. It is hard because not every place in the United States of America is so developed that their banking system is there to do deals.

This great company in my State, in Spokane, SCAFCO—two of my colleagues here—the ranking member on the Agriculture Committee, from Michigan, and my colleague from North Dakota, Senator HEITKAMP—are very active in agriculture issues and will get it. He is basically making and selling aluminum grain containers, silos, all over the world. That is his business. He has expanded it, built new buildings, and he has an incredible workforce.

As the rest of the world—particularly in Africa and South America but even in Asia—starts to grow their agricultural economies, guess what they need. They need agriculture equipment. I am sure the Senator from Michigan understands that because she has some of those manufacturers. So those manufacturers have a huge opportunity to sell U.S.-made agriculture equipment.

I like to say: Guess what we are still No. 1 at in the United States of America? Agriculture. We know how to do agriculture. Guess what the next big opportunity is around the globe? Feeding the growing middle class around the globe. It is one of the biggest economic opportunities. But we have to be able to sell them things. We have to be able to sell them Michigan-manufactured products. We have to be able to sell them agriculture products that my colleague from North Dakota makes. SCAFCO needs to be able to sell their grain silos, but they can't because people want to hold up this process, all to put a trophy on someone's desk saying they did the bidding of a very conservative think tank that—the last I know, I don't think they created any of these manufacturing jobs in America.

I hope my colleagues will help us continue this debate because I know there are some who will say: Well, we passed this bill, and it is going to get done someday. Someday, really? Because everybody said we will get it on the Transportation bill in April. OK. That didn't happen. They did an extension. It didn't happen. We will get it on the Transportation bill in July. The Bank won't expire. Guess what. It expired. Now they are telling us to wait again, and we do not want to wait on creating more U.S. jobs.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, if I might just wrap up one statement. I

know my colleague from New Jersey is here.

I want to thank my colleagues who are such great leaders on the Export-Import Bank, the Senator from Washington State, Ms. CANTWELL, and Senator HEITKAMP from North Dakota.

I just want to put on the record that 100 businesses in Michigan alone were assisted in \$1 billion in exports, which meant jobs in Michigan last year. We can't wait. We need those jobs. Our businesses need the support. We need to get this done now.

Thank you.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that following my remarks, Senator SESSIONS be recognized, and that following Senator SESSIONS, Senator DAINES be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

THIRD ANNIVERSARY OF SUPERSTORM SANDY

Mr. MENENDEZ. Mr. President, I rise on the third anniversary of Superstorm Sandy to reflect on where we have been, how far we have come, and what is still left to accomplish, and to praise the people of New Jersey who have remained New Jersey proud and New Jersey strong during this long, 3-year recovery process. But, most importantly, it is to remind everyone in this Chamber and all around the Nation that the job isn't done yet. Many people believe that this is over and that everyone just moved on, but I know that for many Sandy victims, that is not the case.

In these last few years, we have made a lot of progress. Billions of dollars of Federal funds have flowed to the State and were used to rebuild bridges, roads, boardwalks, help businesses reopen, and keep people working. Those fortunate enough to navigate the maze of Federal and State programs have rebuilt their homes stronger and more resilient than before. The Jersey Shore has enjoyed a resurgence in tourism which fueled the local and State economy, creating jobs and supplementing the recovery.

But while the beaches have been replenished and the boardwalks have been rebuilt, 3 years later, for far too many working-class New Jerseyans, the recovery not only is incomplete, in some cases it has still barely begun. There are still parts of the State that remain neglected. There are still families who haven't stepped foot in their homes for 3 years. They may not have a reality TV crew following them around, but they are the real New Jerseyans, the salt of the Earth, and the backbone of our great State. They are the unsung, hard-working New Jersey families who suffered loss and pulled themselves back up and kept going, one foot in front of the other, every day, not only because they wanted to but because they had no other choice.

For these families, even after the storm passed, the clouds parted, and the Sun came out, a different kind of disaster—this time manmade—was looming on the horizon. They went from filling up sandbags to fend off the Atlantic Ocean to filling out endless forms to fend off insurance companies and government officials. They had endured the fight against Mother Nature but were simply no match against Uncle Sam.

Doug Quinn, a constituent of mine who served as a marine—and once you are a marine, you are always a marine, so I won't say former marine but who served as a marine—and who served his country with distinction, encapsulated this sentiment perfectly in a letter he wrote to me. In it he said:

I was in my home the night the floodwaters rushed in. I waded out through waist deep water at midnight to escape while electrical transformers exploded and houses burned down. That was the easy part. It's the year-and-a-half since then that has been the tragedy.

Let me repeat that. He says the flood was the easy part. This is a picture of him in that flood and the consequences to his home afterward.

Doug had maximum coverage of \$250,000 and received estimates of damages in excess of that—\$254,000—but he received only \$90,000, just over a third of what he needed to rebuild. And Doug was not alone.

Chuck Appleby is another one of the thousands of New Jerseyans who has had to engage in this fight for the past 3 years to just get what he deserves. Like many others, Chuck, who joined us recently, was lowballed by FEMA and his insurance company, which somehow claimed it wasn't Sandy that severely cracked the foundation of his home. According to them, it was all a preexisting condition that just happened to magically appear the day after Sandy hit. Imagine that. He played by the rules, he faithfully paid for flood insurance for 10, 20, or 30 years, never had a claim until Sandy, came only to find out it wasn't enough.

People assumed that since they have insurance, they would be made whole and that the resources necessary to rebuild would be there. But after surviving the wind, the rain, and the storm surge, he woke up to another nightmare: A flood insurance claim process that threatened to take what the storm had not.

As much as I wish it were an aberration, Chuck's story is not unique. Thousands of New Jerseyans were lowballed by their insurance company, stunting the recovery and leaving families out of their homes.

Fortunately, I, along with Senators BOOKER, SCHUMER, and GILLIBRAND, was able to convince FEMA to allow all Sandy survivors to have their claims reviewed, which will result in tens of millions of dollars going to the recov-

ery. Chuck is one of those people who opted into the process, and FEMA recently admitted its mistake and acknowledged he was shorted at least \$50,000.

Dawn and Sonny Markosky are another example. They stood next to me in Belmar this week after having received a check for \$56,000 from FEMA's claims review money that they should have received the first time around. Sonny served our country as a retired Army reservist and a police chief. He is now only receiving the justice he deserved and the chance to rebuild. And even Dawn's mom, who was lowballed \$17,000 on her house, got an additional \$17,000 from the claims review—money she had been owed all along. And it goes on and on.

It shouldn't have taken this long, nor should the path have been this winding and difficult, but these successes illustrate the incredible resiliency of all the Sandy survivors who wouldn't give up no matter how dark things appeared on the morning of October 30, 2012, and throughout the 3 years that followed.

I will continue to fight to help everyone recover. I will continue to be a voice for everyone in the Sandy community as we seek to repair what happened and make our communities more resilient in the future and more capable of dealing with storms like Sandy, which left incredible devastation in its wake.

As we take a moment to think back on that day 3 years ago today, when the clouds finally parted and the ominous seas receded, the destruction Sandy left is almost unimaginable. We remember images like these of Seaside Heights. In fact, I actually took this photo while touring the damage with Vice President BIDEN.

This is a photo of Hoboken, in northern New Jersey, where street after street looked like a series of canals. Thousands of families lost everything and suddenly found themselves homeless. Billions upon billions of dollars' worth of property, roads, bridges, trains, schools, fire stations, and hospitals were in ruins. Most tragically of all, dozens of people lost their lives. It was a dark time for our entire State, no doubt about it, but, as the proverb goes, the darkest hour is just before the dawn.

Today, as we remember that dark hour, we commit ourselves to completing the job and entering the dawn of a new era in the long journey to rebuild and recover not just to where we were before the storm but to a place where we are stronger, more resilient, and more prepared. I have no doubt we will get there together, not just through our efforts here in Washington but because of the indefatigable, dogged character of the people of New Jersey. We showed that character in the immediate aftermath when, despite the level of devastation, New Jerseyans

were true to their reputation of being New Jersey strong. Communities united, families took in neighbors who lost their homes, and we all came together and worked together. It was a testament to the fundamental nature of community action, community involvement, and to what real community service is all about.

After seeing the impact of the damage that day, I came back to Washington with a heavy heart but a determined mind, solely focused on representing the countless victims of our State who had their lives turned upside down. They didn't ask for handouts; they asked for help and kept moving forward.

I remember working closely with my late colleague and dear friend Senator Frank Lautenberg, and we made it our No. 1 priority to bring every available resource back to the victims of our State. I continued to work with Senator BOOKER, who jumped head first into the fight from the moment he entered the Senate to do the same. And to be clear, we had to fight from the very beginning. We had to fight a tea party-inspired opposition that was blocking the relief we so desperately needed. We had Senators and Congressmen who said no to disaster victims in New Jersey with one side of their mouths, while asking for Federal funds when a disaster struck their State on the other side. Ultimately, we overcame the calloused and ideological attacks and secured more than \$50 billion for the entire region. These Federal funds have been absolutely critical to our recovery, but mistakes by government agencies at the Federal and State level hindered our progress.

On this third anniversary of Sandy, I don't come to the floor to point fingers at FEMA or the State or to play a blame game. This is not about politics or scapegoating; it is about continuing to do all we can to deliver for the people in every disaster who still need help, and that requires cooperation and teamwork from all levels of government.

One example of bipartisanship was our effort to stop the draconian flood insurance rate increases that Sandy survivors were facing after the storm. These families were being confronted with skyrocketing premiums which threatened to take what the storm had not. In response, I led a broad, bipartisan coalition from all parts of the country and passed legislation to stop these egregious hikes and restore fairness in the flood insurance program.

A recovery requires more efforts like this. It requires the State to be transparent and open to correcting any inefficiency that causes delays and for every Federal Government agency to step up, step in, and make corrections when needed. It requires strong oversight and technical assistance from Federal agencies, such as Housing and Urban Development.

As we have seen in the past, this cooperation can result in significant improvement. For example, when I discovered that homeowners were being needlessly delayed from rebuilding because the State chose to conduct historical and environmental reviews at the end of the application process—therefore, further delay—I worked with then-Secretary Donovan to clarify to the State that they could conduct these reviews at the front end of the application process, allowing victims to begin rebuilding sooner without jeopardizing their funding. This was a perfect example of eliminating unnecessary obstacles and inefficiencies, and I was proud to be in charge.

We always need to find more opportunities like this. We need HUD to continue to work with the States to discover these inefficiencies and to get people fully restored. It is our responsibility to make the system and the process work for them.

When I look at two of these families—a marine serving with distinction for his country and a former Army reservist and police chief—their country didn't ultimately respond to them the way it should have. It made life more difficult when, in fact, it should have been the other way around.

We cannot allow partisan and geographical politics into our Nation's disaster response priorities. There is a reason we call our Nation the United States of America. I have cast my vote time and time again for flooding in Mississippi, wildfires out West, Hurricane Katrina—the list goes on and on—because I believe in this we are one. No matter where a disaster occurs, no matter if it is across the street or across the country, we come together as a nation ready to go.

With that, Mr. President, I look forward to our continuing effort to get everyone in New Jersey back in their homes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the remarks of the Senator from New Jersey, and no doubt they faced tremendous challenges.

Mr. President, I ask unanimous consent that Senator DAINES be recognized for up to 2 minutes for remarks and that I then be recognized for the 30 minutes I have noticed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Montana.

REMEMBERING CHARLES "CHARLIE" DECRANE

Mr. DAINES. Today I rise to honor Montana World War II veteran Charlie DeCrane, a member of the Crow Tribe, who passed away earlier this week in Billings, MT.

Charlie was an incredible person. He was hard-working and dedicated to serving his country as well as his tribe.

He was a quiet and gentle spirit, and that was apparent to anyone who came into contact with him. Charlie was a man of principle and honor.

I had the privilege of spending time with Charlie in Washington, DC, when he accompanied me as my one special guest to the State of the Union Address. I was able to witness firsthand truly what an amazing man he was. Our walk from my office to the House Chamber is one I will never forget. To personally know a man who fought so courageously in World War II was a great honor. Many freedoms we have today stem from the sacrifices made by Charlie and men and women like him. His accomplishments in life will continue to live on.

It is my hope that through Charlie's life we will remember how important our veterans are and how much respect and care they deserve.

His passing is one that will affect many, and not just his close family and friends. Cindy and I will be keeping Charlie's family and the entire Crow community in our thoughts and prayers in this most difficult time.

I thank my colleague from Alabama for allowing me to speak.

I yield back to Senator SESSIONS.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, the budget passage that will soon be before us essentially does a number of things. One of the more basic is that it spends a lot more money than the current law allows, and it is done in a way that the new Speaker of the House said "stinks" a day or so ago.

Once again a massive deal is crafted behind closed doors and is being rushed through Congress under the threat of panic. The Bipartisan Budget Act of 2015 serves as a reminder that the most important and controversial legislation is still being drafted in secret with little or no input from the Members of this Chamber. We have been cut out of the process. No amendments will be allowed to this massive package, and the cloture vote will be filed immediately after the bill is placed on the floor in order to force a vote, limiting the debate to the shortest possible time under the rules of the Senate. Those who question, object, and want more time, are accused of wanting to shut down the government and disrupt the machinery of the government. They say that President Obama will accuse us of shutting down the government. They say that we should cower under our debt at this great charge he might make against us. As if insisting that we have a right to read and study a bill of this magnitude is out of order.

It should not be run through the Congress in the shortest possible time. They can bluster and they can huff and puff, but I say the arguments that I am going to make in opposition to this deal are bricks of truth, and this house

will not fall down. They will not be able to sustain a charge that somehow we have bad motives by objecting to what is set about here.

At its core, this deal with President Obama provides what the President has demanded throughout.

First, it lifts the Federal spending caps for 2 years, including a \$40 billion increase in spending on the Federal bureaucracy.

A "yes" vote affirms that this spending level—the new high spending level—is correct and that we need to spend this much money.

Second, it erases the current debt limit we have that stops spending or borrowing money above a certain amount. It erases that debt limit until March of 2017, allowing for approximately \$1.5 trillion more to be added to our debt of \$18.4 trillion, and it could be more than that.

The text states that at that date the debt ceiling shall be raised to whatever level of public debt is at that time. Unlike in the past, when we had a debt ceiling, it was a dollar amount, and we would raise it and approve a certain dollar amount. Suspending this limit is a very unwise process. It was done last time and should not be done in the future—raise it to a date in the future and indicate, in effect, that as much debt as Congress or the President wants to add in that time is approved. We don't even know the amount. This is a covert and clever way of raising the debt ceiling without having to engage in a real discussion of Washington's runaway spending problem. It ensures that no further serious conversation about our debt course or any corresponding action to alter it will take place.

The debt ceiling has always been a pivotal point. It is the classic case of the parents calling the young man home from college. He has overrun his credit card, and they have a little prayer meeting about this spending and demand certain reforms in the young man's spending habits if he wants to continue to have a credit card.

Congress has the debt ceiling power to call in the President and say: We are on an unsustainable debt course. We need to have reform.

That was done in 2011, and that is why we have these numbers in place today that contain spending but are being violated by this act.

Finally, the deal submits the unacceptable precedent that every dollar of increased defense spending should be met with a dollar of increased non-defense spending. How silly is this? What possible logical argument can you make for this? This is upside down.

If an emergency requires more defense spending—as I think it does—we could dispute the amount, but we have had the Russians in Crimea since 2011, Russians in Syria, refugees by the millions in the Middle East, ISIS threatening the very government of Iraq, Afghanistan is still a problem, Yemen,

Libya, and so forth. All of these have happened in some part due to the inconsistent, incoherent policies of this President. It has happened. We have a lot of problems out there. We need some more money for defense.

Common sense says we should seek to identify reductions and not demand spending hikes because we have to spend more money on defense. I think this is a deeply troubling problem that we have.

Raising these budget caps, as we go forward now, removes the moral authority of Senators who vote yes and approve this process and reduces our ability to talk with integrity to our friends and voters back home to whom we promised reform and more principled spending decisions in Washington.

How can we with a straight face say this is a good policy? If we approve these higher spending levels, those who vote for it are prohibited in many ways from objecting to the levels in the future. If they find some waste and cut it, it does not mean we will reduce spending. Instead, the Congress, lacking the moral authority to decrease spending below these levels, will spend that money up to the higher levels in the future. It is a big decision and I think it is wrong.

Furthermore, I would note, as a member of the Armed Service Committee, my concern about defense, but the defense account takes a larger percentage of the budget than does the nondefense account for discretionary spending. By increasing defense and nondefense by the same amount, the nondefense category actually receives a larger percentage of the increase, all to pay for more bureaucracy, employees, and government in Washington.

So let's be clear. The spending caps in law today were placed in as a part of the 2011 Budget Control Act agreement which lifted the debt ceiling by \$2.1 trillion. We objected. Congress objected to raising the debt ceiling without reform. Senator MCCONNELL stood firm, and the Budget Control Act of 2011 is the reform that came. Then we raised the debt ceiling. We approved a raising of the debt limit on the credit card only after we got a containment of the growth in spending. So supporters are calling this bill sequester relief as if that is OK, but sequester and the Budget Control Act were just simply limits on spending. That is what they were.

The fact is, we have never followed the sequester. In 2013 the Congress passed the Ryan-Murray budget deal. That deal raised the discretionary spending \$64 billion over 2 years. Now that deal has ended, and instead of returning to regular order and agreed-upon limits, the President wants us to yet again break the Budget Control Act and raise spending an extra \$80 billion over the next 2 years.

This deal will obliterate future spending restraint, it does do so, de-

stroying our credibility to achieve meaningful spending reform. The Budget Control Act represented a bipartisan commitment to cap spending, limiting it at a fixed amount. It is a good, responsible policy. In fact, I thought it did not limit the spending enough. It was passed by a Republican House, a Democratic Senate, and signed into law by President Obama. He agreed to these limits.

This deal shatters that commitment by spending \$80 billion more than we promised over the next 2 years. It is problematic because it is filled with gimmicks. They contend, not correctly, that all of this new spending is offset by new revenues or cuts in spending somewhere else. However, I would suggest and would show here that is not accurate. These are a lot of gimmicks we have here.

Secondly, if we have wasteful spending, and some of this is wasteful spending, it needs to be eliminated. But the spending cuts ought to be used to reduce the deficit, which was over \$400 billion last year, will be \$400 billion next year, and will double in the next 10 years according to the Congressional Budget Office. We need to be using this wasteful spending—these low-hanging-fruit problems—to reduce government expenditures and reduce our deficits, not using that opportunity to reduce deficits to instead spend more money somewhere else.

So they offset. It appears the deal is built on the same principles as the deal in 2013. It exchanges instant increases in Federal spending for distant promised savings in the future, as much as 20 years, or two decades down the road, many of which are unlikely to occur. It funds increased spending through increased revenues, violating a core budget principle by extracting evermore money from Americans to expand an already-too-large Federal bureaucracy.

We need to be reducing the bureaucracy, not adding to it.

The deal trades ending spending limits for the promise of new spending limits 10 years from now. We just agreed to limits in 2011. They promised that we are going to have new spending limits in the future. My time in the Senate says promises about the future seldom come to pass in this body.

We need to fight tenaciously to hold the spending limits that are in law today and not exchange those limits for a promised limit in the future. This is how a country goes broke. We are heading to financial catastrophe on the path we are going.

The deal also uses a common gimmick where alleged savings in an entitlement program—a trust fund—are used to boost unrelated spending in the general discretionary budget. This is a bigger issue than most of our colleagues understand. Any savings found in the entitlement programs faced with

insolvency must be used to shore up those programs, those trust funds, not for spending somewhere else. Yet this deal claims illusory savings from disability insurance, part of Social Security. That is the disability trust fund. There are two trust funds of Social Security, disability and a retirement fund. Every American pays into both from their paycheck. So 2.2 percent of your paycheck goes to fund the disability fund, the rest of it funds your Social Security, and then there is additional money that comes out of your paycheck to fund the Medicare trust fund.

So this deal claims illusory savings from the disability insurance and increased pension insurance fees in order to boost bureaucratic budgets. Perhaps even worse, the deal attempts to stave off the shortfall in the fraud-ridden Social Security Disability Insurance Program that has a host of problems. We all know and have known for years it is coming into default by the end of 2016. How does it get around the default in the disability program? It raids the Social Security retirement fund to pay for the deficient, ineffective, badly managed disability fund.

It weakens Social Security. We need to be looking at ways to strengthen Social Security, not raid it and weaken it. Some \$150 billion in funds will be siphoned off from Americans' payroll retirement contributions and taken out of the Social Security fund and transferred to the disability program—four-tenths of a percent each year of the income of an American.

This will weaken the Social Security trust fund by \$150 billion while politicians all over America continue to promise that what they are doing is acting to strengthen the Social Security trust fund. We have seen the disability trust fund heading for disaster for several years now. Now, "60 Minutes" and program after program have shown abuse, fraud, and total mismanagement in Social Security Disability. It has not been reformed. It needs fundamental reform. They made a few changes in the program that I am sure are worthwhile, but none that come close to putting the disability fund on a long-term sound basis. It is basically a gimmick to get past the impending insolvency crisis, to kick it down the road, and then create some money to justify the new spending above the spending limits imposed by the Budget Control Act.

People want to end wasteful Washington spending. The people want that. Lifting the budget caps and raising the debt ceiling through 2017 only ensures that our ineffective bureaucracy continues its wasteful ways, while momentum in Washington for deficit reduction stalls out. That is what is happening. We are losing momentum. Several years ago we were in serious discussions about the dangers we faced financially. That conversation has been

eroded. It eliminates a powerful opportunity, the debt ceiling, to advance the case for fiscal discipline.

What about Social Security? The deal uses the same fraudulent accounting methods our Democratic colleagues used to pass ObamaCare on a straight party-line vote. We just received a letter from the Social Security Actuary, Mr. Goss, who stated that the “enactment of these provisions [in this proposed legislation] is projected to reduce the long-range 75-year OASDI [the combined Social Security trust funds] actuarial deficit by 0.04 percent of taxable payroll,” which is a lot. However, the savings going in are being counted as both, creating money that can be spent to increase new spending, and also creating money that can be spent to shore up the retirement insurance program. This is an important concept, colleagues. The funds are used to pay for more government spending outside the retirement and disability funds.

Even worse than the promise of saving Social Security, which has been overstated as major entitlement reform, the savings are being counted as money that can be spent on the discretionary account. It basically provides cover to extend the debt of the United States.

This is the very same tool the Democrats used to pass the ObamaCare bill, amazingly, and to produce a phony score so the President could say that every penny of it is paid for—saying it would not increase the deficit. Our colleagues used the same tactic in this deal by counting the funds they cut from your retirement account as being able to fund new discretionary spending.

During the Obamacare debate, the Democrats reduced payments to hospitals and doctors and others, but Medicare is a trust fund. They claimed some \$500 billion would be used both to extend the life of Medicare and to pay for the new ObamaCare spending. They openly and directly claimed that these savings could be used for two different things—\$500 billion. It was one of the largest, I contend, misrepresentations of finances—fraudulent activities—in the history of the world.

You cannot have money that is used for two different purposes. Mr. Elmen-dorf, the Director of the Congressional Budget Office, has said: You cannot spend the same dollar twice, even though the conventions of accounting might suggest otherwise. So they used an accounting gimmick to make it appear that this money was available to strengthen Medicare and fund ObamaCare. It is the same money.

We accepted that kind of improper financial analysis. The bill was passed on the promise it would not add to the debt. It certainly did. The same accounting gimmick lies at the heart of the proposed legislation to waive Federal spending caps and to raise the debt limit by at least \$1.5 trillion.

Promoters of the Bipartisan Budget Act of 2015 boast of long-term future savings to Social Security disability, but those savings need to extend the life of the disability program, which is nearing insolvency. Instead, they are spent on new discretionary spending, basically adding to the debt. This is not entitlement reform, this is an accounting gimmick. Any savings to be captured in the future from disability insurance cannot be spent today on bureaucratic budgets for Federal departments such as the EPA, the Department of Labor, or the Department of Health and Human Services.

A second and no less egregious accounting trick siphons off as much as \$150 billion from the Social Security trust fund for retirees and transfers that money to the fraud-ridden disability program. But there is no surplus in the retirement trust fund. We know the Social Security retirement trust fund is heading toward insolvency. Taking this money out and moving it to the disability program shortens the lifespan, the solvency of the retirement program. All this reform accomplishes is advancing the insolvency date of the retirement fund, while bailing out the mismanaged disability fund by taking working Americans' pension contributions and reallocating them to the disability fund. Again, the authors of the bill double count the savings as both increasing the sustainability of Social Security disability and paying for the new spending.

So instead of implementing much needed reforms to fix the disability program, which is projected to go broke next year, this deal robs \$150 billion from the Social Security trust fund and uses it to pay disability checks through 2022. The Social Security trust fund is never reimbursed. They reduce the amount of dedicated money going to the Social Security retirement fund on everybody's paycheck and redirect it for 3 years to the disability fund, and the Social Security retirement fund is never reimbursed for the money they lost. So Social Security is left in a worse financial situation than it is currently. It is also a violation of the budget law to do that; I am confident.

Furthermore, this bailout lasts only 6 years. In 2022, the disability fund runs out of money again, and Congress will have to bail it out once again. This bill removes the incentive to provide serious reform to fix that broken program and put it on a sound basis. It kicks the can down the road once again.

In conclusion, I would say to my colleagues that we don't have to pass this bill today. There is no crisis that requires us to pass it today. There are a number of interim steps we could take to allow this bill to be out there for the Members who actually study it, to offer amendments on it, and maybe im-

prove it for the American people to understand just what it is the Members of Congress are doing to their Social Security and to the fiscal debt of America.

As I have mentioned, the Budget Control Act of 2011 increased the amount that we can borrow in exchange for \$2.1 trillion in spending cuts that we were able to win in 2011. What we did when we faced the debt ceiling issue was that we were able to enforce our new spending law, which limited the growth of spending in the future, saving \$2.1 trillion over that period of time. We are still in that time period, and we are ceasing to save money because we are violating the law.

We were able to win a concession from the President. We didn't cower under our tables. We didn't retreat from the huffing and puffing of the President on this issue. We stood up as Members of Congress, committed to fiscal integrity in America, and we told the President: You are not going to get an increase in the debt ceiling unless you agree to some spending reforms. That is what happened. We did that when there were only 45 Republicans in the Chamber. Now there are 54 Republicans in the Chamber, and the House has a huge majority.

I think we can do better. I don't think this should be rushed through the Congress, and I object to its passage.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Indiana.

Mr. COATS. Mr. President, I ask unanimous consent that I be recognized for up to 20 minutes and that Senator SANDERS be recognized immediately following my remarks for up to 15 minutes.

Mr. SANDERS. I thank the Senator. If you could extend that up to 20 minutes, that would be great.

Mr. COATS. Mr. President, I amend that to 20 minutes for Senator SANDERS, if there is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Mr. President, having previously served in the Senate, I came to the floor once again for the second time as a freshman Senator, in the early months of 2011, full of optimism and a sense of purpose.

Back for a second time as a newly elected freshman, I delivered my inaugural speech, which included the following thoughts:

For each of us serving today, I believe it is our duty to rise to the immediate challenge and resolve the problems which now confront us. It will take all of us, united behind a common purpose—that above all else we must first restore and strengthen our fiscal security. We must articulate a clear vision, set specific goals and make the tough decisions needed to bring our nation out of debt and preserve prosperity and opportunity for future generations.

Those remarks outline a major part of my vision for what I hope to achieve

in my term as a Senator. It is now 5 years later. What I came back to try to accomplish hasn't been accomplished.

At the time, I saw—and it was the reason why I answered the call to come back—that our fiscal health was eroding right before our very eyes. I didn't want to be a part of the first generation of Americans to leave our children and the country worse off than the one we inherited.

Anyone who reads through our history knows the sacrifices that have been made by generation after generation after generation so that their children and their grandchildren and their country could be in a better position so that they wouldn't be saddled with the burdens that might not allow them to live the American dream.

I asked Hoosiers to send me back to Washington to focus on taking on these essential issues. It was the first thing in my very first debate, where I put it on the table and said: Unless we go back and address our runaway mandatory spending and entitlement programs, it is not worth going back, and I will not ask you to send me back there unless you give me the mandate that this is a task that has to be undertaken.

It was called political suicide at the time: Oh, you can't bring that up. I mean those who are on Medicare or Medicaid or Social Security will make sure that you will never be sent back to the Senate if that is what your goal is.

I said: I just want every Hoosier to know, when you walk in that voting booth, what you are voting for and what you are not voting for.

And I received the mandate to come back to address that because people in my generation understood that as to the privileges they had received and the opportunities they had received throughout their lives, they wanted to pass them and that same opportunity on to their children and their grandchildren. They wanted us to come back and make difficult decisions so that would happen.

It is not that this issue wasn't worked on. Whether it was to fix the debt or the Business Roundtable, Domenici-Rivlin, Simpson-Bowles, the Gang of 6, the super committee resulting from the Budget Control Act, and the dinner club of Senators—all of these efforts over the early years I threw myself into and in support of. And many of us—even on a bipartisan basis—were working together to try to address this gorilla in the room, the runaway mandatory spending. It is now eating up over 70 percent of our total budget and ever-decreasing discretionary spending.

The President, unfortunately, walked away from every effort that was made. The efforts were divided, and nearly 40 of us—20 Democrats and 20 Republicans—sent the President a letter stat-

ing: We need to address that, and we are willing to step up and address this if you will join us in this process.

I was very much a part of the final effort with the President—the so-called dinner club—at the President's initiative. We were working with the President himself, his Chief of Staff, his top Director of OMB—now Secretary Burwell at HHS—and his political director. Over the months, eight of us met privately—there was no press, no staff—working to see, as principals, if we could come up with something. In the end, it fell apart. It fell apart because the President, in the end, wouldn't even accept his own previous proposals—his own White House proposals to address this problem.

Here we are 5 years later. Currently, what we have gone from, under this administration, is a \$10.6 trillion debt at the beginning of this Presidency to now 18-plus, or almost \$18.2 trillion. There was almost a doubling in just two terms of one President, almost a doubling of our debt.

And here we stand with injunctions from the Congressional Budget Office saying that we are headed toward a crisis and it is holding down our economy. We are not growing as we should and putting people back to work as we should because this is a drag on us. It is an anchor holding us down.

Every Member of this Senate understands that the issue here is not this particular program or that particular program. The issue is runaway mandatory entitlements that are eating up everything—virtually three-quarters of everything they spend money on.

There are essential functions of the Federal Government that have to be addressed: the National Institutes of Health and, obviously, our defense and national security. There is the CDC, which deals with communicable diseases, education funding, veterans programs, law enforcement, border security, and food safety, just to name a few. Those are essential functions. But the money available to do what government needs to do is ever shrinking in terms of our ability to allocate it for that to be done, and the mandatory spending is just simply running out of control.

Is anyone in this Senate or in this Congress saying we should end Social Security, end Medicare, and end Medicaid? Everyone here is saying no. Everyone has to understand, however, that to preserve those programs we have to bring on sensible reforms, and that has been the challenge.

CBO said earlier this year: "Large and growing federal debt would have serious negative consequences, including increasing federal spending for interest payments; restraining economic growth in the long term; giving policymakers less flexibility to respond to unexpected challenges; and eventually heightening the risk of a fiscal crisis.

The evidence that we read and talk about in the Senate every day comes to the same conclusion. Congress too often has governed to avoid a crisis and failed to make the tough but necessary choices.

Now here we are in another crisis looming, another leverage for us to try to achieve some sensible forward movement in terms of dealing with this runaway mandatory spending, and this is the raising of the debt limit. Given all the failure of previous efforts, the exhaustion of the private sector and congressional efforts, we are left with very few options to address our fiscal problems. Now we have a debt limit that is hitting us just days from now, November 3, and we won't be able to pay our bills unless we raise that debt limit.

So what have we done, using this potential leverage, to try to achieve something of significance? We end up basically waving the white flag and saying: There is really nothing more we can do. We just have to simply raise this. We have to live with it. We have to continue spending more. Oh, and by the way, those caps that we put in terms of discretionary spending, we have to break those also.

There is a legitimate argument for the need to provide additional funding for our Department of Defense and our national security. All you have to do is turn on the television and watch what is happening around the world to understand that America is in a weakened position and that national strength and defense strength are important for the future of our country. So I do think that was a legitimate issue to try to deal with. But to break the caps on an equal basis for more government spending on the discretionary side simply is something we shouldn't have to do.

These so-called pay-fors that were put out there are the same old, same old. It is spend now and maybe we will adjust the program later and that will help cover the cost now. That hasn't worked before, and it won't work now. It is a gimmick, in most instances. It is something to sell the program, but it doesn't begin to address the problem of out-of-control debt.

Along with that, Social Security disability, the trustees have said, is going to go broke in just a few months, and the benefits are going to have to be dramatically cut unless it is fixed. So do we come in with a real fix for the real future of the Social Security-related programs? No, we transfer money from the old age fund—actually, there is no money in that fund, we simply allocate the money that is owed to that fund to pay for solvency for the disability part of that fund.

First of all, the thing we need to do is to be honest with the American people is to rename the Social Security trust fund to something else because the trust tells us there is money there

to pay these benefits when there isn't. There are IOUs there, locked in a box or a safe somewhere. There are simply piled up pieces of paper saying: We have to pay you back at some point. Without addressing this—and we saw this last evening in the debate, those of us who watched. I was going back and forth, to be truthful, between the World Series and the debate, trying to catch both of those. But we saw a few Members stand up and tell the truth—tell the American people exactly what the situation is and why we need to do what we need to do. I commend those few who had the courage to go forward and tell the American people straight up that this is the problem and it must be solved.

Anyway, speaking of this vote that is coming up—the vote that will allow more spending for Federal programs, many of which are not priority programs—the arrangement will simply allow us to take a pass on raising the debt limit. We are not going to use it as leverage to try and achieve anything meaningful in terms of entitlement—frankly, offsets that we have used before and we use over and over again. It is the same old shuffle game where we move pieces around, but it doesn't accomplish the purpose. All of that leads me to the conclusion that I cannot support this particular arrangement.

There are reforms that must be put in place. We have to get to the point where we stop talking about these reforms and put them in place, where we make the political decisions that I believe will be supported back home. But even if they aren't supported by everyone back home, even if they are distorted by organizations that are funded by trying to scare seniors into believing Congress or the government is taking away their benefits—which is not the case; we are trying to save those benefits and we are trying to put our future generations, our children and grandchildren, in a better position so they won't be so saddled with that debt—there are many ways we can go forward.

We have talked about balancing our budget. What entity in the world doesn't have to balance a budget at some point? What entity can keep borrowing money, saying on a piece of paper they will pay it later—that they are going to spend it now and pay it later? What businessman or woman, what small, medium-sized, or large business, what family, what organization continues to deal with their fiscal issues the way the Federal Government deals with its fiscal issues and survives? We are careening toward a crisis. There are solutions for this, but it takes political will, and we have seen far too little of that political will.

More importantly, it takes support from both branches of government, both the legislative and the executive, if we are going to accomplish this. Un-

fortunately, it appears now we are going to have to wait for yet another Presidency, yet another Congress, because we are kicking the can down the road. We are dumping this problem on the next group coming in. Boy, I feel for whoever winds up with the Presidency, whether it is Democrat or Republican, because of what they will inherit, given the damage that has been done over the past several years.

Clearly, we need to address the gorilla in the room. Clearly, we need to stand up and be truthful with the American people, as some of our candidates were last evening. We must tell them exactly where we are, what we need to do, and then put the long-term reforms in place that will save these programs and put America in a solid fiscal situation.

Getting a balanced budget amendment in place is something we have talked about. We have made an effort, and we need to continue that. Without the discipline of putting your hand on the Bible with your right hand up and swearing you will uphold the Constitution of the United States, which includes balancing our budget and not spending more than we take in, we will never get there. You have to put people under oath in order to achieve that. We have come close on a couple of occasions but, unfortunately, not close enough.

Therefore, I am resorting to a program that has worked in the past regarding our national defense and our military and proposing that what we do is create another BRAC. BRAC was the Base Realignment Commission—a process we finally agreed to because there was no way we could touch or close anything, and we were just overrun with excess spending and excess bases in the United States. And that worked. It worked very well. All of us here know exactly or very closely what the parameters of that were.

In this case, if we cannot summon the courage and the will to stand up and do this, as we are required to do under the oath of office we take, but which we avoid doing, we should turn to a commission that would provide a solution. It would be a budget reduction accountability commission. We can use the same BRAC title on the thing. Let's call it the budget reduction accountability commission, which would bring forward a plan to achieve the goal of bringing us back to fiscal health. We would put it before this Congress, both the Senate and the House, with a straight up-or-down majority vote—yea or nay.

Here is the plan. You haven't been able to do it yourself, you have tried it, we appreciate your trying it, but it has come up short, whether it is the executive branch or the legislative branch. So the outside commission presents the path forward, and we say yes or no. Then the people back home all know

exactly where we stand in terms of the future fiscal health of this country. They will know exactly where we stand in terms of how we want to leave our legacy to the next generation and future generations, how we want to treat our children and our grandchildren.

Each Member will have to go home and not talk about procedures and not talk about bumping up to the crisis level of spending and how we have to do something to avoid a government shutdown or avoid chaos or avoid economic collapse. Every Member will go home and say they were presented with a plan to get us there, and they were either for it or against it. Nobody could say: Well, we had to do this, we had to do that, it was late, we bumped up against the ceiling, it was running out, and so forth. I am tired of hearing all of that.

Mr. President, clearly solutions exist to deal with this problem. Clearly, we must summon the courage to set aside politics and do what we all know we need to do and suffer the consequences. I think the consequences will be applause and support because finally someone is standing up and saying we are going to fix this problem for the future of America and the future of our children and grandchildren; we are going to take that risk. If the groups outside are going to rally against this kind of thing and try to take us down, fine; we will go down doing the right thing. But I think we will be rewarded for doing so.

I want to close this today with the same words I used to conclude my inaugural speech in 2011, where I said:

I am standing here today to find solutions—to make the hard decisions—and to leave behind a country that is stronger and more fiscally secure for future generations. This crisis is not insurmountable. We can overcome it by doing what great generations before us have done—mustering our will to do what is right. If we do, I know America's greatest days are not behind us, but still lie ahead of us.

Mr. President, with that, I yield the floor.

I suggest the absence of a quorum.
The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARIJUANA LEGALIZATION

Mr. SANDERS. Mr. President, I want to spend a few minutes discussing a major crisis in this country that must be addressed. Tragically, in the United States of America we now have 2.2 million people in jail. We have more people incarcerated than any other country on Earth, including China, which is a Communist authoritarian country four times our size. We have more people in jail than does China.

Further, at a time of large deficits and a very large national debt, we are spending about \$80 billion a year in Federal, State, and local taxpayer money to lock up people—\$80 billion a year to incarcerate people.

Our criminal justice system is broken, and we need major reforms in that system. I think there is no debate in this country that violent and dangerous people must be locked up and they must be kept in jail and away from society. I think nobody argues that. On the other hand, I hope there is also no debate that nonviolent people—people who have been convicted of relatively minor crimes—should not have their lives destroyed while they do time in prison and create an arrest record which will stay with them for their entire lives. The important point is, it is not just the year or 2 years somebody is in prison; this record will stay with them for their entire lives and do enormous damage to their lives.

In 2014 there were 620,000 marijuana possession arrests. That is one arrest every minute. According to a report by the ACLU, there were more than 8 million marijuana arrests in the United States from 2001 to 2010—8 million marijuana arrests—and almost 9 in 10 were for possession. Arrests for marijuana possession rose last year nationwide even as Colorado, Washington, Oregon, Alaska, and the District of Columbia became the first States in the Nation to legalize personal use of marijuana.

Let's be clear that there is a racial component to this situation. Although about the same proportion of Blacks and Whites use marijuana, a Black person is almost four times more likely to be arrested for marijuana possession than a White person. In other words, as we try to understand why our prison population today is disproportionately Black and Latino, one reason is because in overpoliced Black neighborhoods, African Americans are much more likely to be arrested for smoking or using marijuana than will Whites. Here is the simple truth: An upper middle class White kid in Scarsdale, NY, has a much lower chance of being arrested for using marijuana than a low-income Black kid in Chicago or Baltimore. Those are just the facts.

Too many Americans in this country have seen their lives destroyed because they have criminal records as a result of marijuana use. That is wrong. That has to change. Let's be clear. A criminal record could mean not only jail time, but much more. If a person has a criminal record, it will be much harder for that person later in life to get a job. It is not so easy to come out of jail and get a job, and if you don't get a job, there is a strong likelihood you will go back into your same old environment and end up in jail again. If somebody has a criminal record, it may be impossible for them to obtain certain types

of public benefits and in fact make it difficult for them to even live in public housing. A criminal record stays with a person for his or her entire life until the day he or she dies. A criminal record destroys lives.

Right now, under the Controlled Substances Act, marijuana is listed as a Schedule I drug, meaning it is considered to be a drug that is extremely dangerous. In fact, under the act, marijuana is considered to be as dangerous as heroin. I know there are conflicting opinions about the health impacts marijuana may have, but nobody I know seriously believes marijuana is as dangerous as heroin. This is absurd. Nobody believes that.

In my view, the time is long overdue for us to take marijuana off of the Federal Government's list of outlawed drugs. In my view, at a time when Colorado, Washington, Oregon, Alaska, and the District of Columbia have already legalized the personal use of marijuana, every State in this country should have the right to regulate marijuana the same way that State and local laws now govern sales of alcohol and tobacco. Among other things, that means recognized businesses in States that have legalized marijuana should be fully able to use the banking system without fear of Federal prosecution.

In response to the initiatives that Colorado and other States have taken, the Obama administration has essentially allowed these States to go forward and do what the people in those States have chosen to do. That is a good step forward, but it is not good enough because a new administration with a different point of view could simply go forward and prosecute those marijuana businesses and individuals in those States who use marijuana despite what the people in those States have decided to do legislatively.

What I am saying is not that the Federal Government should legalize marijuana throughout the country. This is a decision for the States. I hope many of my colleagues, especially those who express support for States' rights and our Federalist system of government, those who often decry the power of the big bad Federal Government in undermining local initiatives, would support my very simple and straightforward legislation that will be introduced next week.

All my legislation says is that if a State chooses to legalize marijuana, that State should be able to go forward without legal impediments from the Federal Government.

CAPITAL PUNISHMENT

Mr. President, I want to talk about an issue of great importance in this country. I believe the time is now for the United States to end capital punishment. I know this is not necessarily a popular point of view, but in my view it is the right point of view. Virtually every Western industrialized country

has chosen to end capital punishment. I would rather have our country stand side-by-side with European democracies than with countries like China, Iran, Saudi Arabia, and others that maintain the death penalty.

We are all shocked and disgusted by the horrific murders we see in this country, including massacres in schools and on college campuses that seem to take place every week. All of us are tired and disgusted with what we are seeing, but it seems to me that at a time of rampant violence and murder all over the world, where people are being blown up and their heads are being cut off, it is important that the state itself, the Federal Government in America, say loudly and clearly that we will not be part of that process.

When people commit horrendous crimes—and we see too many of them—we should lock them up and throw away the key. I have no problem in saying that people who commit terrible murders should spend the rest of their lives in jail, but the state itself, in a democratic civilized society, should itself not be involved in the murder of other Americans.

I know there are strong differences of opinion on this issue. In fact, I think I am in a minority position, but I think those of us who want to set an example, who want to say that we have to end the murders and the violence we are seeing in our country and all over the world, should in fact be on the side of those of us who believe we must end capital punishment in this country.

Mr. President, I yield the floor.

THE PRESIDING OFFICER (Mr. HOEVEN). The Senator from Washington.

HOMELESS VETERANS SERVICES PROTECTION ACT OF 2015

Mrs. MURRAY. Mr. President, I want to take a few minutes to talk about an issue that is very important to me, and that is the care of our Nation's veterans. As the daughter of a World War II veteran, I realize what it means for a family member to be willing to sacrifice their life for their country. We promise our men and women in uniform that the country will be there for them after they leave service, and sometimes that means long after the war is over. But I am concerned our country is about to turn its back on thousands of veterans, and I am here today to say we have to fix it.

Last year, the VA told homeless service providers they needed to cut off services to certain veterans who had other than honorable discharges or had not served a certain length of time. If that policy had been enacted, it would have been a major setback for veterans across the country. It would have set us back on our goal of ending veteran homelessness, a goal that the administration has set for itself and hundreds

of mayors across the country have committed to. It would have been simply unacceptable. These are veterans who need our support. Many of them struggle with mental illness and substance abuse or simply finding employment.

According to some of our leading veterans and homeless groups—including the American Legion, the National Alliance to End Homelessness, the National Low Income Housing Coalition, and the National Coalition for Homeless Veterans—if the policy had been enacted, the VA would have had to stop serving about 15 percent of the homeless veteran population. In some urban areas, up to 30 percent of homeless veterans would be turned away.

Thankfully, after hearing concern from around the country, including from my home State of Washington, the VA was able to put off that terrible policy change. But, unfortunately, the VA is now expected to announce their final decision any day that the reprieve is over, and they are going to have to go ahead with this change and force homeless providers to turn away veterans who have nowhere else to go—veterans whose providers have been serving them for decades. That is wrong. This policy change would be heartless. It is a bureaucratic move that would put thousands of veterans on the streets practically overnight, and it has to be stopped.

The VA is going to enact this policy when the final decision is made. So Congress needs to act now to stop this from happening. Earlier this year, I introduced the Homeless Veterans Services Protection Act. That is a bill that would ensure our most vulnerable veterans would be assured continued access to critical homeless service programs, regardless of their discharge status or length of service. In other words, it fixes the problem the VA says it has and makes sure they do not have to cut off homeless veterans from care.

My bill will make it clear that our country takes care of those who served and that we do not allow bureaucracy to dictate who gets a roof over their head and who does not. But it is critical that we act now. The VA has said it would issue this legal position in November, which could put thousands of veterans on the street. We are running out of time. But the solution to this crisis is now before us, and we can do it by passing the Homeless Veterans Services Protection Act.

I don't believe there is any Member of this body who would deny our obligation to ensure that veterans are taken care of and have a roof over their head. While our country has made great strides in recent years providing homeless services to the men and women who so bravely served our country, I believe that even one veteran sleeping on our streets in the United States is one too many. We know we have a lot of work ahead of us.

Veterans are at a greater risk of becoming homeless than nonveterans. On any given night, as many as 50,000 veterans are homeless here in this country. With an influx of veterans now returning from the wars in Iraq and Afghanistan, the numbers of veterans seeking care will continue to go up.

In short, this problem is not going away. Our veterans have made great sacrifices serving our country. We cannot turn our backs on them when they come home. That commitment includes providing benefits, medical care, support, and assistance to prevent homelessness. It is a commitment that shouldn't stop simply because we have run into a policy roadblock.

I am very pleased to call this up now with the Heller amendment which is the text of S. 1105. It is a bill that I strongly support. The provision will increase the availability of care for homeless veterans with children by reimbursing facilities funded by the VA Grant and Per Diem Program.

I want to thank Senator HELLER for his leadership on this issue. I want to thank Senator ISAKSON and Senator BLUMENTHAL for their leadership, as the heads of the Veterans Affairs' Committee, and for their support in being here today.

I am hoping Democrats and Republicans join us today to right this wrong and prevent this problem from happening. It shouldn't be a partisan issue. It is not a political issue. This is a veterans issue. It is one that should bring us all together.

With that, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 1731 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (S. 1731) to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Heller amendment be agreed to; the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2760) was agreed to, as follows:

(Purpose: To authorize per diem payments under comprehensive service programs for homeless veterans to furnish care to dependents of homeless veterans)

On page 4, between lines 15 and 16, insert the following:

SEC. 6. AUTHORIZATION OF PER DIEM PAYMENTS FOR FURNISHING CARE TO DEPENDENTS OF CERTAIN HOMELESS VETERANS.

Section 2012(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(4) Services for which a recipient of a grant under section 2011 of this title (or an entity described in paragraph (1)) may receive per diem payments under this subsection may include furnishing care for a dependent of a homeless veteran who is under the care of such homeless veteran while such homeless veteran receives services from the grant recipient (or entity).”

The bill (S. 1731), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1731

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Homeless Veterans Services Protection Act of 2015”.

SEC. 2. WAIVER OF MINIMUM PERIOD OF CONTINUOUS ACTIVE DUTY IN ARMED FORCES FOR CERTAIN BENEFITS FOR HOMELESS VETERANS.

Section 5303A(b)(3) of title 38, United States Code, is amended—

(1) by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively; and

(2) by inserting after subparagraph (E) the following new subparagraph (F):

“(F) to benefits under section 2011, 2012, 2013, 2044, or 2061 of this title;”.

SEC. 3. AUTHORIZATION TO FURNISH CERTAIN BENEFITS TO HOMELESS VETERANS WITH DISCHARGES OR RELEASES UNDER OTHER THAN HONORABLE CONDITIONS.

Section 5303(d) of title 38, United States Code, is amended—

(1) by striking “not apply to any war-risk insurance” and inserting the following: “not apply to the following:

“(1) Any war-risk insurance”; and

(2) by adding at the end the following new paragraph:

“(2) Benefits under section 2011, 2012, 2013, 2044, or 2061 of this title (except for benefits for individuals discharged or dismissed from the Armed Forces by reason of the sentence of a general court-martial).”.

SEC. 4. MODIFICATION OF DEFINITION OF VETERAN FOR PURPOSES OF PROVIDING CERTAIN BENEFITS TO HOMELESS VETERANS.

Section 2002 of title 38, United States Code, is amended—

(1) by striking “In this chapter” and inserting “(a) IN GENERAL.—In this chapter”; and

(2) by adding at the end the following:

“(b) VETERAN DEFINED.—(1) Notwithstanding section 101(2) of this title and except as provided in paragraph (2), for purposes of sections 2011, 2012, 2013, 2044, and 2061 of this title, the term ‘veteran’ means a person who served in the active military, naval, or air service, regardless of length of service, and who was discharged or released therefrom.

“(2) For purposes of paragraph (1), the term ‘veteran’ excludes a person who—

“(A) received a dishonorable discharge from the Armed Forces; or

“(B) was discharged or dismissed from the Armed Forces by reason of the sentence of a general court-martial.”.

SEC. 5. TRAINING OF PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS AND GRANT RECIPIENTS.

The Secretary of Veterans Affairs shall conduct a program of training and education to ensure that the following persons are aware of and implement this Act and the amendments made by this Act:

(1) Personnel of the Department of Veterans Affairs who are supporting or administering a program under chapter 20 of title 38, United States Code.

(2) Recipients of grants or other amounts for purposes of carrying out such a program.

SEC. 6. AUTHORIZATION OF PER DIEM PAYMENTS FOR FURNISHING CARE TO DEPENDENTS OF CERTAIN HOMELESS VETERANS.

Section 2012(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(4) Services for which a recipient of a grant under section 2011 of this title (or an entity described in paragraph (1)) may receive per diem payments under this subsection may include furnishing care for a dependent of a homeless veteran who is under the care of such homeless veteran while such homeless veteran receives services from the grant recipient (or entity).”.

SEC. 7. REGULATIONS.

Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe regulations, including such modifications to section 3.12 of title 38, Code of Federal Regulations (or any successor regulation), as the Secretary considers appropriate, to ensure that the Department of Veterans Affairs is in full compliance with this Act and the amendments made by this Act.

SEC. 8. EFFECTIVE DATE.

This Act and the amendments made by this Act shall apply to individuals seeking benefits under chapter 20 of title 38, United States Code, before, on, and after the date of the enactment of this Act.

Mrs. MURRAY. Mr. President, I want to thank Senator HELLER, Senator ISAKSON, and the other Members who worked so hard for this. I would like to yield some time to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I want to thank Senator MURRAY for her efforts here today and for her willingness to work with me on including a provision that we worked on together for several years now as members of the Senate Committee on Veterans' Affairs. Senator MURRAY's legislation ensures that homeless veterans continue to be eligible for the VA's Grant and Per Diem Program.

With my provision that Senator MURRAY agreed to include, this legislation will also extend this eligibility to the dependents of homeless veterans. Given the work that I have done with Senator MURRAY on eligibility for homeless veterans' dependents, I believe it was important we addressed both the needs of the veteran as well as their dependents.

In cities such as Las Vegas, where veteran homelessness remains a serious problem, the support of housing and service centers that receive VA funding

is absolutely critical in getting these veterans back on their feet. Not only do the programs provide housing but they also offer services, such as case management, education, crisis intervention, and other services to special populations and important populations such as homeless women veterans.

This Congress has a responsibility to ensure that existing veterans under this program remain eligible, but also that dependents of veterans, especially their children, are taken care of when their veteran parents have fallen on hard times.

That is why I introduced the CARE for Veterans' Dependents Act with Senator MURRAY, to make dependents eligible for care at VA-funded facilities. These children and their parents deserve the certainty that they will be able to access supportive housing during their serious time of need. I am proud that we were able to move forward on this measure, which was just accepted a few moments ago by unanimous consent.

Senator MURRAY and I have a proud history of working together to advocate on behalf of our Nation's veterans, and today's passage of this legislation is another testament to our strong partnership on behalf of veterans. I am also grateful to the chairman of the committee, Senator ISAKSON, and to Ranking Member BLUMENTHAL of the Senate Committee on Veterans' Affairs, for working so diligently with us to make this happen.

Mr. President, I yield back to the Senator from Washington.

Mrs. MURRAY. Mr. President, I yield back.

Mr. HELLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRADE ACT OF 2015—Continued

UNANIMOUS CONSENT REQUEST—S. RES. 222

Mr. LEAHY. Mr. President, as the proud parent of a wonderful daughter and the proud grandparent of three wonderful granddaughters, like so many others, I was proud of the U.S. Women's National Team and their historic World Cup victory. I was even more proud on Tuesday when I saw them at the White House with President Obama.

I know all Americans are so proud, as well as honored. The reason why so many Americans are proud of it is that earlier this year, with more than 25 million Americans watching, this electrifying group of athletes led the United States to a record third World

Cup title. We all cheered, but then along with a lot of other Americans, I was surprised to learn that the U.S. Women's National Team—even though there were enormous receipts from the TV coverage of this—received \$2 million for winning the Women's World Cup. The 2014 Men's World Cup winners were awarded \$35 million. When the women won, it was \$2 million. When the men won, it was \$35 million. To make it even worse, the men's teams that lost in the first round of the 2014 Men's World Cup were awarded \$8 million. In other words, if you lose and are a man, you get \$8 million. If you are a woman and you win, you get \$2 million.

That is really not acceptable. I cannot imagine anybody finding it acceptable. I wanted to raise some awareness of this. I introduced a Senate resolution calling on soccer's international governing body, FIFA, to eliminate its discriminatory prize awards structure.

It highlights the gross pay disparity in their award structure and calls for immediate change. All Democrats support this call. I have heard some opponents of an equal prize awards structure in sports who say: Oh, no, we must pay men more than women. They point to revenue as the reason behind this disparity. Revenue cannot be accepted as a means for discrimination. Awards should not be determined by gender. That is why major sporting events, including the U.S. Open Tennis Championships and Wimbledon changed their prize award structure to assure that both female and male athletes are treated with the same dignity and respect they deserve.

This proud father and grandfather feels that my sons and my daughter should be treated the same and my grandsons and granddaughters should be treated the same. In fact, it is why the U.S. Women's National Team was rightly honored with a Ticker-Tape parade and magazine covers for each player and their head coach by Sports Illustrated.

These athletes, recognized at the White House on Tuesday, are global icons. Not just here in America but around the world they are recognized. They are role models to young athletes and fans everywhere.

This includes fans such as 13-year-old Ayla Ludlow. She wrote to President Obama and the First Lady after the Women's World Cup. She said: “It makes me mad that people do not treat girls equally.” I agree. It is time to recognize all athletes for their contributions—not make women second-class citizens. By taking an overdue but important step toward pay equity, we send a resounding message not just to women and girls but also to men and boys around the world. Equal pay for equal work should not be an ideal we talk about, but a reality.

The men's teams that lost in the 2014 Men's World Cup were awarded \$8 million. The women's team, which was

watched worldwide as they won, was awarded \$2 million. The men's team that did win was awarded \$35 million. I cannot imagine anybody who could stand up for that kind of disparity and treat men so much differently and so much better than women. These are athletes who worked hard from the time they were young to be the best of the best. They made America proud. But I think we make America a little ashamed if we do not stand up and say: We want women treated the same as men.

Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 222, and that the Senate proceed to its immediate consideration—this is the resolution calling on FIFA to pay the same; and that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, reserving the right to object, I listened carefully to the distinguished Senator's comments. Gender discrimination is wrong, and we all know that. We have enacted laws in the United States for sports and for the workplace to make sure that we reflect those values.

I support those laws, but we have a budget to pass, a debt crisis to fix, an education system that needs reform, and a humanitarian crisis in Europe that we ought to address. That is what the U.S. Senate ought to be spending its time on rather than offering opinions and resolutions about a private international entity and how they should distribute prizes and awards. So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEAHY. Mr. President, last night we passed resolutions, and here we are talking about taking 30 seconds out of our busy, busy schedule. Of course, we were in a quorum call for a few hours today. We could take 30, 50, or 82 seconds out of the 100 hours or so we will spend during the month sitting here doing nothing and pass a resolution that calls for the equal treatment of male and female athletes.

If we cannot even do that, is it any wonder that the approval ratings of the Senate are in the tank? If we cannot even pass a nonbinding resolution, how can we ever achieve real pay equity for women? What is the real objection? We are simply urging for the equal treatment of female athletes. Treating people differently solely because of their gender is unacceptable. It sends a terrible message to mothers, daughters, and granddaughters across the globe.

As I said, every single Democrat supports this resolution. I am very dis-

appointed that the Republicans are blocking it.

I will leave after saying one more thing. The women's team won to international acclaim, and they were awarded \$2 million. The men's teams that lost in the first round was paid \$8 million. The men's team that won was awarded \$35 million.

Wimbledon knows better. The U.S. Open Tennis Championships said enough is enough. Women should be treated the same as men.

A 13-year-old girl wrote to the President and said: "It makes me mad that people do not treat girls equally." Well, I have a granddaughter who will be 13 in December. How do I speak to her? How do I tell her that the U.S. Senate—which is sort of waiting around here and has not done anything today—is unwilling to take 10 seconds, 30 seconds, 50 seconds to say: Let's treat women athletes the same as men.

I thank my Democratic colleagues for supporting this legislation. I hope my Republican colleagues will change their minds and say: Let's treat female athletes the same as male athletes, especially since the World Cup organization made a fortune on TV rights. They certainly made a heck of a lot more money on those TV rights while the women were winning than they were making when the men's team lost, but the men's teams that lost in the first round were still paid \$8 million. They made four times more than the women who won the championship were paid. It is sexist, and it is wrong.

In this day and age we need to stop treating women as second-class citizens. I do not want my daughter treated that way. I do not want my granddaughters treated that way. I do not want the women in Vermont treated that way. I do not want women anywhere in this country to be treated that way. I want to say to that 13-year-old girl who is angry because of the unfair treatment of girls: I am sorry the U.S. Senate would not stand up for you, but I, and others, stand up for you, and I always will. Let us hope someday the Senate stands up for you too.

We can see how busy we are at this time. There is not a single Senator on the floor, except for the distinguished Presiding Officer, of course, and so I will suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TESTER. Mr. President, I rise today to address a frustrating situation that has brought us here today. For months I have been calling on Congress to come to the middle and nego-

tiate a responsible budget deal that works for the American people, but time and time again, whether it was in the Appropriations Committee or here on the Senate floor, Members of this body refused to have a conversation about how to do that. They dug their heels in and said: It is my way or the highway.

Now here we are, down to the wire, and they finally realize that sequestration is damaging. It is something that we have been saying from day one. Unfortunately, it cost the Speaker of the House his job, it wasted months of time, and it continued to erode what is left of the faith that the American people have in Congress.

Coming from Montana, I find this incredibly frustrating. Folks back home are reasonable. They talk to their neighbors even if they don't agree with them. They compromise, negotiate, give a little, and most of the time they get a lot. This body could learn a lot from my constituents.

The Senate was designed to be a deliberative body. It was supposed to be a place where conversations and compromise happen, where we reach across the aisle and partner with our colleagues with whom we might not always agree. That kind of bipartisanship requires more time, harder work, and tougher conversations. Sure, it is a lot easier to scream and yell at the other side so the super PACs and millionaires who fund too much of our politics these days know we didn't back down, but at the end of the day, that doesn't move the country forward, and unfortunately that happened again this year.

Had we started these budget negotiations back in July when 10 moderate Members of this body first rang the alarm, we wouldn't be in a last-minute scramble today. I am disappointed. I am disappointed in the Senate. The only time folks are talking to one another is when there is a crisis. The only time folks are working together is when we are faced with fiscal cliffs, economic meltdowns, and catastrophes. I hope we realize that Congress is the only place in this country that operates like this. Businesses and families plan, talk, and they certainly don't wait until the last minute to get their financial house in order.

Why does it take an emergency for Congress to govern? Why does it take a looming deadline for folks to come to their senses and to do their jobs? It is because the voices in the middle are getting drowned out by the voices on the fringes. We have become afraid of compromise. In many circles it is a dirty word, one that should never be uttered.

So here we are today, just a few days before we default on our debt, and we have wasted so much time. Our inability to tackle these issues earlier this year caused the appropriations process

to break down. It caused an unnecessary veto of the Defense authorization bill, something our troops are waiting for us to resolve while they stand on the frontlines.

I know this budget deal isn't perfect, but it is the product of compromise, however last minute it may be and however limited the ability of Senators to weigh in on it is. But by raising the debt ceiling, we will prevent interest rates from skyrocketing and the value of the dollar from plummeting. By ending the sequester, we will do away with severe budget cuts that are hurting our veterans, seniors, students, and working families.

We will shore up Social Security and allow ourselves to make responsible investments in our national security, education, health care, and public lands. It will reduce a massive premium hike that was scheduled to impact 46,000 Montana seniors who use Medicare for their health insurance. This legislation will keep those premiums more manageable.

Those accomplishments are critically important to our economy and worthy of this Senate's support, but as with anything that comes together at the last minute, there are provisions I don't like, things that could have been fixed if we had taken more time to negotiate. Take, for instance, the budget's impact on our rural hospitals. There are provisions in here that could severely limit access to rural health care. I am committed to addressing those concerns in the upcoming appropriations process because folks in Montana and other rural States shouldn't have to drive hundreds of miles to see a doctor.

As I said, this budget isn't perfect. The most disappointing thing is that it could have been so much better. But in the spirit of compromise that got us here today, we need to use that conversation to make sure we get things done.

I know there will always be those who refuse to get off the ideological soapbox and who like to watch others do the hard work of governing, but those folks usually don't last long with my constituents.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

CONGRATULATING SPEAKER PAUL RYAN

Mr. McCONNELL. Mr. President, when responsibility calls, it is usually not at a time of our choosing. The decision to answer is rarely easy or straightforward. PAUL RYAN knows this. He spent his nights dreaming about tax policy, not the Speakership. But our country is fortunate that he stepped up to lead, and I know I am grateful that he did.

Speaker RYAN is thoughtful about the issues facing our Nation. He is sober-minded. He knows the job he is walking into is tough. He also under-

stands the potential it holds in terms of conservative solutions for our country and in terms of more opportunity for the middle class.

When I called to congratulate Speaker RYAN, we discussed our many shared goals in Congress. We pledged a strong partnership. We aimed to continue advancing conservative reform. I look forward to working closely with him as we move forward.

Speaker RYAN knows what it means to work hard. He knows what it means to dream big dreams. He knows what it means to achieve them as well. Something we all admire about Speaker RYAN is his determination to ensure others are able to achieve big things in their lives too, to ensure others can lead fulfilling lives defined by meaning and punctuated with purpose.

There is no doubt he cares deeply. He cares about combating poverty effectively. He cares about lifting up the middle class successfully. And because he cares, he is willing to call out failed policies when they hurt those they are supposed to help, and he has suggested better ways forward as well.

In short, here is what we can say about Speaker RYAN: He has a big heart, he has an extraordinary intellect, and he knows how to lead with both. That quality is rare around here. So is having a reputation that so greatly precedes oneself in such a positive way. But that is Speaker RYAN.

Nothing is going to come easily in his new role, and he certainly knows that. Neither of us will be under any illusions about the positions we hold. We face a Democratic Party that continues to move left. We face a President who doesn't seem very interested in cooperation on the big things or the hard things, nor on making divided government work. These are the realities that face us, and we might as well acknowledge them, but it won't stop us from working together to advance conservative reform as well as to achieve solutions for the middle class whenever we can.

Today, though, let's celebrate Speaker RYAN's extraordinary achievement. He has already proven his stature as a leader in our party. From leading the Nation on responsible budgeting and pro-growth tax reform to serving as an extraordinary candidate for Vice President, he always rises to the challenge.

I would note for my House colleagues that their incoming leader campaigned vigorously to become President of the Senate, but he was drafted into the Speakership.

But, look, on a more serious note, PAUL RYAN may not have asked for this job, but the moment called for him to lead, and I am grateful that he will because we know he is a leader who has repeatedly demonstrated the talent, the vision, and the experience to succeed.

I look forward to building a strong partnership on behalf of our country.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 345 through 355 and all nominations on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed en bloc, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Thomas K. Wark

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Howard P. Purcell

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Allan L. Swartzmiller

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. David D. Halverson

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Kenneth R. Dahl

The following named officer for appointment in the United States Army Veterinary Corps to the grade indicated under title 10, U.S.C., sections 3064 and 3084:

To be brigadier general

Col. Erik H. Topping, III

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Thomas S. Vandal

The following Army National Guard of the United States officer for appointment in the

Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Valeria Gonzalez-Kerr

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. John J. Morris

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Stephen E. Markovich

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Marta Carcana

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN603 AIR FORCE nominations (1451) beginning BRANDON R. ABEL, and ending BRANDON A. ZUERCHER, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN805 AIR FORCE nominations (19) beginning MICHELLE T. AARON, and ending KIRK P. WINGER, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN808 AIR FORCE nominations (50) beginning QUENTIN D. BAGBY, and ending MARY A. WORKMAN, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN811 AIR FORCE nominations (126) beginning ROBERT H. ALEXANDER, and ending JUSTIN DAVID WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

IN THE ARMY

PN784 ARMY nomination of Matthew P. Tarjick, which was received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN816 ARMY nomination of Judith S. Meyers, which was received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN817 ARMY nominations (2) beginning THOMAS W. WISENBAUGH, and ending HAROLD P. XENITELIS, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN898 ARMY nomination of Michael A. Blaine, which was received by the Senate and appeared in the Congressional Record of October 5, 2015.

IN THE NAVY

PN906 NAVY nomination of Terry A. Petropoulos, which was received by the Senate and appeared in the Congressional Record of October 8, 2015.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the consideration of Calendar No. 343; that the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination. The bill clerk read the nomination of Edward L. Gilmore, of Illinois, to be United States Marshal for the Northern District of Illinois for the term of four years.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Gilmore nomination?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PAUL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRADE ACT OF 2015—Continued

Mr. PAUL. Mr. President, I rise today in opposition to raising the debt ceiling. I rise particularly in opposition to raising the debt ceiling without getting any sort of spending reform or budgetary reform in return. In fact, it will be completely the opposite. We will be raising the debt ceiling in an unlimited fashion. We will be giving President Obama a free pass to borrow as much money as he can borrow in the last year of his office—no dollar limit. Here you go, President Obama, spend what you want. We do this while also exceeding what are called budget caps.

We have been trying to have spending restraint in Washington. It hasn't worked very well, but at least there are some numbers the government is not supposed to exceed. These include spending caps for military spending as well as domestic spending.

When I first arrived in 2010, I was part of the movement called the tea party movement. We came into prominence, and I was elected primarily because I was concerned about the debt, worried about the debt we were leaving to our kids and our grandkids, worried that we were destroying the very fabric of the country with debt.

We came here in 2010, and we negotiated and negotiated, and President Obama said: I won't negotiate with you. I won't negotiate with a gun to my head.

The media said: You always have to raise the debt ceiling. It is irresponsible to use that as leverage to get reform.

But you know what. We did get reform. The conservatives put together something called cut, cap, and balance. It was passed overwhelmingly in the House, blocked in the Senate, but ultimately there was something passed called sequestration, which put caps on both military and domestic spending. It did slow down the rate of growth in government for a little while.

This is the problem with Congress: Congress will occasionally do something in the right direction, and then they take one step forward and two steps back. In 2013 we gave up on the sequester and we added back in about \$60 billion worth of money. Now they are doing the same thing again. This time we are going to add back in \$80 billion—\$50 billion in 2016 and another \$30 billion in 2017.

We are doing the opposite of what we should be doing. We should be using the leverage of the debt ceiling by saying: We are not raising it again until you reform your ways, until you begin spending only the money you have.

Instead, we are saying: Here, Mr. President. You can raise the debt as much as you want. You can spend as much as you want while you are in office, and we are going to do nothing. In fact, we are going to help you. We are going to exceed the caps so everybody gets what they want.

So everyone in Washington is going to get something. The right is going to get more military money, the left is going to get more welfare money, the secret handshake goes on, and the American public gets stuck with the bill.

I think one of the most important things that we do is defend the country. If you ask me to prioritize the spending, I will say we have to defend the country above and beyond and before all else. But that doesn't mean we are stronger or safer if we are doing this from bankruptcy court.

I think the No. 1 threat to our country, the No. 1 threat to our security is debt, this piling on of debt. The debt threatens our national security. Yet we just want to pile it on and pile it on.

This deal will do nothing but explode the debt. In fact, it doesn't even limit

how much the debt can go up. We are giving the President a blank check.

We are in the middle of a filibuster. This filibuster will go on until about 1:00 in the morning, and then we will find out who the true conservatives in this town are. If you are conservative, you will say: There is no way I am going to vote to give an unlimited power to the President to borrow money. If you are a conservative, you are going to say: We shouldn't be exceeding the budget caps; if anything, we should be passing more stringent budget caps.

It disappoints me greater than I can possibly express that the party I belong to that should be the conservative party doesn't appear to be conservative. This is a big problem.

I am traveling the country, and I have asked Republicans everywhere. I have yet to meet a single Republican who supports this deal.

In the House, they voted on this yesterday. Do you know what the vote was? Two to one among Republicans say that this is a god-awful deal and that we shouldn't touch it with a 10-foot pole. It is a terrible deal. House Republicans understood this.

We should be doing the opposite. We should be taking the leverage of saying we are not going to raise the debt ceiling unless we get reform. Instead, we went to the President and said: Here, raise the debt ceiling as much as you can possibly spend over the next year, and we will let you exceed the budget caps. It is irresponsible. It shows a lack of concern for our country, for the debt, and it should go down in defeat.

When I ran for office in 2010, the debt was an enormous issue. The debt was \$10 trillion. Some of us in the tea party were concerned because it had doubled in the last 8 years. It doubled from \$5 to \$10 trillion under a Republican administration. Many of us were adamant that Republicans needed to do a better job. We had added new entitlement programs, we added new spending, and the deficit got worse under Republicans. Now we are under a Democratic President and it is set to double again. This President will add more to the debt than all of the previous Presidents combined. So we will go from \$10 trillion now to nearly \$20 trillion. We may get close to \$20 trillion, and now that we have increased the debt ceiling an unspecified amount, we may well get to \$20 trillion by the time this President leaves.

Is that a problem? Some people say: It is just a big number. I don't know what \$1 trillion is.

If you want to imagine \$1 trillion, take thousand-dollar bills and put them in your hand. Thousand-dollar bills 4 inches high is \$1 million. If you want to have \$1 trillion in thousand-dollar bills, it would be 63 miles high. We are talking about an amount of money that is hard to fathom.

You say: What does that mean? How does that hurt me or my family?

Economists say we are losing 1 million jobs a year through the burden of debt. Economists also say that when your debt becomes as large as your economy, you are in a worrisome place; that when the debt is as large as the economy, there is a possibility that you may enter into a period where you might suffer a panic or a collapse or a burden so great that your economy can't withstand it. In 2008 we were very close to a panic. I think we get closer with each day.

The No. 1 priority up here shouldn't be trying to scrounge around and find new money to spend. It should be trying to conserve. It should be doing something that some say is radical but I say is the absolute essence of common sense; that is, we should spend what comes in.

So often up here, things become partisan and people just want to point fingers and say: Oh, it is that party that did it; they are the ones responsible for the debt.

But I want to let you in on a secret. This is a secret that goes on and on and on up here. It is something I call the unholy alliance. It is the unholy alliance between right and left—they both have sacred cows they want to spend money on. Instead of saying: The debt is a real problem, and we both have to conserve in both areas, they get together secretly and raise the money for their sacred cows. So on the right we are busting the limits because the right wants more military spending. The left wants more for welfare. The unholy alliance is the secret handshake. And what gets worse? The debt. We are borrowing \$1 million every minute, and it is not going to end in a pretty way.

What do other conservatives have to say about this deal? Stephen Moore at the Heritage Foundation writes: "It is the worst budget deal to be negotiated by the GOP since George H.W. Bush violated his 'no new taxes' pledge in 1990."

Rush Limbaugh says: "The Republican party cannot campaign by running around blaming the Democrats for destroying the budget, for overspending, for threatening the very fabric of the country." They can't do it because they are now complicit.

We can't point fingers and say the Democrats are the big spenders. We now, by this deal, become complicit. We become equally guilty of supporting new debt.

Some say: Well, gosh, you have to raise the debt ceiling, right? If you don't raise the debt ceiling, there will be a default.

Hogwash. Do you know how much money comes into this place every month through taxes? About \$250 billion comes in in taxes. Do you know what our interest payment is? About

\$30 billion, might be as high as \$60, \$70, \$80 billion. There is never not enough revenue to pay for interest. People say we couldn't pay for everything. I say maybe we shouldn't spend it on everything. We have plenty of money that comes in every month to spend on interest, to spend on Medicare, to spend on Social Security, and to spend on soldiers' salaries and veterans affairs and the rest, but maybe government shouldn't be doing much else.

These are the questions we would have to ask: What would happen if the debt ceiling didn't go up? We would have a balanced budget. How bad would that be? If your debt ceiling didn't go up, you would spend what comes in. That is what every American family does—they spend what comes in.

I think this is absolutely what we need to do, but even I am willing to compromise, so I have put forward a compromise. I put forward a compromise that we tried in 2011 called cut, cap, and balance. My compromise would cut the deficit in half in 1 year—a dramatic lessening of the burden of debt. That is the cut. The cap is that my bill would actually cap spending at 18 percent of GDP—18 percent of the total amount of money spent on the economy. Why did we pick 18 percent? Because that leads to a balanced budget. The last part of my bill of cut, cap, and balance is we would pass a balanced budget amendment to the Constitution. I have kind of jokingly said—but probably seriously—if we pass a balanced budget amendment to the Constitution and we pass term limits, I will go back to being a doctor, which is my first love anyway.

We have to fix the country. We are destroying the country with debt. We are drowning in a sea of debt, and neither party seems to be concerned with it anymore.

So what I would do is I would say, yes, I will compromise. I will raise the debt ceiling under these three conditions: cut the deficit in half, cap the spending, and pass a balanced budget amendment to the Constitution.

People say: Well, there aren't the votes for that.

Why don't we have a vote? Why don't we allow a vote on cut, cap, and balance, the conservative alternative to this deal we have on the floor? Why don't we vote on an alternative? Because there won't be any amendments allowed. This will be pushed through without amendments. I really object to that. This is supposed to be a body of deliberation. We are supposed to be able to deliberate over how we are going to fix the problems of the country. And I think this is the No. 1 threat to us. We are accumulating debt at \$1 million every minute. Someone has to stand up and do something about it.

Taxpayers for Common Sense says about this: "We're not a fan of the Bipartisan Budget Agreement of 2015."

CATO writes: “The Gipper’s [Ronald Reagan’s] ghost is probably looking down from heaven at the new budget deal between congressional leaders and the Obama administration and saying ‘there they go again.’”

“So let’s rephrase the question: What do advocates of fiscal restraint get in exchange [for raising these spending caps]? Well, if you peruse [this] agreement, it’s apparent they don’t get anything.”

What we have traded is an increase in the debt ceiling—not just an increase, an unspecified increase in the debt ceiling. We have said to President Obama: You can spend as much money as you want throughout the rest of your Presidency—no limits.

The National Taxpayers Union writes:

If the question on the budget and debt ceiling package is “Deal or No Deal?” taxpayers should clearly opt for the latter.

While the agreement contains a few meritorious provisions, it fails other sufficient savings and structural reforms necessary to address our Nation’s \$18.1 trillion debt problem. The debt is without question the No. 1 problem in the country. We will have a vote this evening, and that vote will be: Do you care? Are you willing to do something to slow it down? Do you think we ought to use the leverage of the debt ceiling to slow down spending or are you a profligate spender who will vote to bust the caps and who will vote to give President Obama unlimited borrowing authority?

I think it is a clear-cut question. I will vote no, and I will continue this filibuster as long as there are enough votes to allow it to continue.

UNANIMOUS CONSENT REQUEST—S. 2182

Mr. President, at this point, I ask unanimous consent that the Senate proceed to the immediate consideration of my bill, Cut, Cap, and Balance, which is Calendar No. 274, S. 2182. I further ask that there be 1 hour of debate equally divided in the usual form; that following the use or yielding back of time the bill be read a third time and passed and the motion to reconsider be made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, the Senate is now considering a bipartisan budget agreement. I believe it is important to pass that bipartisan effort to avoid catastrophic default and to put an end to the mindless sequestration and pass funding to keep the government open. Regrettably, because I often agree with my friend from Kentucky and we team up on so many issues, the request to take up the Cut, Cap, and Balance legislation is a step in the wrong direction.

When you push for cut, cap, and balance in this context, you are pushing for default, recession, and joblessness because that is what all of the independent financial authorities tell us is what is ahead if we don’t act in the Senate. The desire to set aside what we are working on and pursue this other legislation is specifically an approach that would throw aside the bipartisan agreement before the Senate.

This bipartisan effort is exactly the kind of bipartisan work where Democrats and Republicans come together to tackle a major issue. The American people expect their leaders to find common ground on key issues. That is what this legislation does.

For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. PAUL. Mr. President, I agree with the Senator from Oregon that bipartisan agreement is necessary in this body, but I think we have in this agreement bipartisan agreement in the wrong direction. The bipartisan agreement we need is to conserve across the board, for both sides to say that our sacred cow, whether it is military on the right or domestic spending on the left—that they all will have to be conserved. We will not be able to spend money we don’t have.

I think we are becoming weaker as a nation the more we borrow. If we pass this bill, it is not a difference or a choice between calamity and continuing to add to the debt—which this bill will do. I fully believe we can continue to make our payments. We have \$250 billion a month that comes in. Interest payments are \$30 billion. There is absolutely no reason we would ever default. In fact, I have a bill called the Default Protection Act, which would ensure that Social Security, Medicare, our soldiers’ salaries, and the interest on the debt were paid for. So I think what we should be doing is doing the opposite kind of compromise. Right and left should come together and say: You know what. I really want spending on this. The right says: I really want spending on the military. They should come together and say: You know what. We don’t have any money. We are borrowing \$1 million every minute.

So I think this bipartisan compromise goes in the wrong direction. What I would ask for is a bipartisan compromise to actually save money and borrow less.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SYRIA

Mr. CASEY. Mr. President, I rise to talk about the conflict in Syria, and in particular what is happening over the

next couple of days and weeks. We know that in the last 4 years, starting in 2011, this conflict has resulted in the deaths of a quarter of a million Syrians. More than 4 million Syrians have fled and registered as refugees in neighboring countries. We are told that 7.6 million Syrian are displaced from their homes within Syria itself.

So when you combine those who have fled the country because of the violence and combine that with the number of folks displaced in the country, you have about half the population of Syria. If we had the equivalent number here in the United States—of over 300 million people—that would be something on the order of 150 million Americans displaced from their homes. We cannot even imagine the scale of that suffering.

At the center of this horror, this horrific war and humanitarian catastrophe, sits Bashar al-Assad, the dictator, who in the estimation of many experts and world leaders, and this is my opinion as well, has lost all legitimacy as the leader of Syria. A conflict that began with peaceful protests by Syrian young people for change quickly gave way to fighting on the streets of Homs, Daraa, and Aleppo.

Assad’s security forces have attempted to quash dissent with brutal beatings, imprisonment, starvation, use of chemical weapons, and wholesale destruction from indiscriminate barrel bombs, which, by the way, is a violation of international law. These actions prove to be a recruiting windfall for extremists and terrorist groups like ISIS, which now operate along many major transportation routes and cities in parts of Syria.

The Institute for the Study of War just this week assessed that ISIS is now challenging the Assad regime for control of the supply line to Aleppo, expanding their reach westward. As I have said before and some others have said—it is what I will continue to maintain—the conflict in Syria and the international effort to degrade and ultimately defeat ISIS are inextricably linked.

We cannot expect to bring about a lasting defeat of ISIS without bringing about a political transition in Syria. The atrocities perpetrated by these two evils, one the Assad regime and also ISIS—these atrocities are too numerous to catalog today. Neither entity offers a stable, secure, and prosperous future for Syria. Several times the United States has participated in international negotiations with an eye toward ending this horror and paving the road toward a third choice for Syria.

That is what this would be, a real political transition featuring inclusiveness, rule of law, and the primacy of citizenship over sect, ethnicity, and other divisive categories. These conversations have yet to bear fruit, mostly because the regime in Iran and the

Russians continue to offer a lifeline to the murderous Assad, but we must keep trying. We must keep trying.

One look at the images of the destruction in Aleppo or the faces of Syrians fleeing to Europe for a better life reminds us of the human costs of inaction. It is because of this that the Iranian and Russian escalation in recent weeks is so outrageous. These countries look at Syria as a ground line of communication to Hezbollah or a friendly host for a warm-water naval outpost. They turn a blind eye to the suffering of ordinary men, women, and children in an effort to exert their international influence. Russia's warplanes have struck in areas where the Syrian opposition, not ISIS, operates. Their strikes appear indiscriminate and have killed many civilians.

Now, in the case of Iran, the recent visit of a designated terrorist and IRGC commander, Qasem Soleimani—his movement to Syria indicates that Iran and its proxies like Hezbollah are still central elements of this fight. I am on the floor today as leaders from major countries meet in Vienna. Yesterday in a speech at Carnegie Endowment, Secretary Kerry described his diplomatic task as "charting a course out of hell." That is how he described the way out through a political resolution in Syria.

Although news reports indicate that these talks will not deal directly with the question of Bashar al-Assad, our policy must remain firm. Assad has no place—no place in Syria's future. No bombing campaigns, no promise of sham elections should change that. I commend the work Secretary Kerry is doing. I commend him for the speech he gave yesterday.

One month ago I wrote to him calling for greater U.S. leadership on at least three tracks: political, multilateral, and humanitarian. In the response to my letter, the State Department emphasized, "The only way to sustainably end the suffering of the Syrian people is through a genuine political solution consistent with the Geneva principles."

I appreciate and agree with this commitment. However, I am concerned that the Governments of Syria, Iran, and Russia remain in clear violation of multiple U.N. Security Council resolutions, including flouting arms control restrictions and travel sanctions. These regimes do not appear to be ready for dialogue consistent with the Geneva principles. Secretary Kerry said during his Carnegie speech yesterday that the United States and Russia have many points of common ground on Syria. However, the areas of divergence are stark.

We know there is no military solution to this conflict. Only a political settlement can heal the deep wounds across Syria. We must continually assert that no political solution can include a role for Bashar al-Assad. For a ruler who indiscriminately barrel

bombs children over and over again, presides over the death of over one-quarter of a million civilians, there must be no soft political landing.

We have said over and over again—and I will continue to say it—that Assad must go. It is important our negotiators in Vienna insist that these talks are a vehicle to effectuate the removal of Assad, not continue his brutal rule.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to speak as in morning business and following my speech that Senator LEE from Utah be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO M.H. "WOODY" WOODSIDE

Mr. ISAKSON. Mr. President, all of us know that back in our home States today and every day, there are men and women working hard to plant the fields, manufacture the products, run the chambers of commerce, sell the groceries, cut the lawns, make the beds, make our States work, and make our economy work. We also know that as politicians serving in the Senate, there is not one of us who doesn't owe our career to community leaders back home who take the time to lend their support to us, bring their communities to us, and give us the fortification we need to serve our great State.

Back in Georgia there is one such person who means a lot to me and who meets all those criteria. His name is Woody Woodside. Woody is the president of The Brunswick-Golden Isles Chamber of Commerce in Brunswick, GA. On November 5, he is going to be honored for 30 consecutive years as president of that chamber. And Woody is one great chamber president, let me tell you.

He got his start right here in Washington, DC, working 11 years for Bo Ginn, the Congressman from Georgia's coast, and for 3 years following that for Bo's successor, Lindsay Thomas. Woody worked hard for our State, he worked hard for his district, and he worked hard for those members of commerce.

But he comes back to us every year now as the president of the chamber of commerce. He brings his board with him. He brings the issues that are before them and he lobbies hard for his community. But he also lobbies hard for the environment. Woody represents a chamber that promotes tourism on the coast of Georgia but fights equally for the preservation of the estuary of the Atlantic, the Marshes of Glynn.

He is proud of his community and proud of the work he does. He is a tireless worker on behalf of his State and his community. He loves his beautiful family—his wife Ellen, his daughter Mary Gould, his late son Jay, his

grandson James "Woods" Woodside, and his granddaughter Mary Bremer Moorhead.

He is one of those priceless citizens who means so much to our State and so much to me personally. On this occasion on the floor of the Senate, I pay tribute to Woody Woodside for his 30 years of service to the Brunswick-Golden Isles Chamber of Commerce and thank him for everything he has done for his country, his State, and his community.

May God bless Woody Woodside, and may God bless the United States of America.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the budget deal before the Senate today is not just a horrible piece of legislation that is undeserving of this Chamber's support, it also represents the last gasping breath of a disgraced bipartisan beltway establishment on the verge of collapse.

The bill is the product of an unfair, dysfunctional, and fundamentally undemocratic process—a process that is virtually indistinguishable from what we promised the American people a GOP-controlled Congress would bring to an end. We made that promise precisely because negotiating legislation behind closed doors without input from the majority of Members and then rushing it through to final passage without debate or opportunity for amendments violates our party's core principles. It also inevitably leads to bad policy.

The Bipartisan Budget Act of 2015 is a case in point. This bill would suspend the debt limit for 17 months and increase government spending beyond its already unsustainable levels. It would do so while failing to make reforms that would put us on a path toward fiscal sustainability.

Many proponents of this budget deal challenge this claim. They say: Well, the bill isn't perfect, but while it isn't perfect it does include some meaningful entitlement reforms.

The sales pitch we hear most often alleges that this budget deal will save the Social Security disability trust fund from insolvency, but we are never told exactly how this bill would do this. That is because, as always, the devil is in the details.

I rise today to discuss these very details, details that prove this budget deal's so-called entitlement reforms are nothing of the sort. At best, they are well-intentioned but ineffectual tweaks to a program that desperately needs fundamental, structural overhaul. At worst, they are accounting gimmicks unbecoming of the U.S. Congress.

According to the Social Security trustees, the Social Security Disability Insurance Program—or SSDI—is scheduled to run out of money in 2016, which

means that without serious reform disability benefits would be slashed across the board by nearly 20 percent.

Under the Budget Control Act of 2015, the bankruptcy deadline of SSDI would be pushed off for an additional 6 years until 2022. But here is the kicker: It would do so by raiding the Social Security trust fund to the tune of \$150 billion. That is right. Our grand, bipartisan solution to the impending insolvency of our Nation's disability insurance program amounts to stealing \$150 billion from our Nation's largest retirement insurance program.

This isn't the only phony pay-for in this budget deal. There are others that simply move money around from elsewhere in the Federal budget, such as the Crime Victims Fund and the Assets Forfeiture Fund. There are also new heavyhanded instruments that purport to implement cost savings in Medicaid reimbursements but actually only impose misguided price controls on the generic drug industry. Only in Washington, DC, could something so deceptive and ineffective, something so unfair to America's seniors and future generations, be considered a reform.

To be fair, there are a couple of sound entitlement reforms in this budget deal that deserve to be commended. First, there is a position that would correct a design error in the Social Security program that amounts to an unfair and wasteful loophole. Fixing this would save a significant amount of money over a 75-year window. There are also measures that would increase the penalties for fraud, create new pilot programs, and prohibit doctors with felonies from submitting medical evidence. But these minor changes don't even come close to putting SSDI on a path toward fiscal sustainability and sanity, and they represent only a tiny fraction of the sensible reform proposals put forth by our conference.

Many of my colleagues, such as Senator LANKFORD and Senator COTTON, have already spoken or will soon speak on the floor about the long list of structural reform ideas that are still sitting on the sidelines of this debate. I wish to take a moment to touch on just a few of them.

Senator COATS has a proposal that would protect the SSDI trust fund from being drawn down by fugitive felons illegally receiving disability benefits.

Senator HATCH has put forth a plan that would prevent an individual from receiving both unemployment insurance and disability insurance simultaneously, ensuring that SSDI funds would remain focused on their intended population.

I also have a proposal that would expand the footprint of private disability insurance program, which I intend to file as an amendment to this bill.

That is not all. My friends, Senator COTTON and Senator LANKFORD, have their own proposals, and there has been

an equal amount of policy innovation by our colleagues in the House of Representatives.

They are all commonsense ideas that would bring us much closer to real SSDI reform than what is found in this budget deal, but you won't hear much about them in this debate because there won't be any real debate on the Bipartisan Budget Act of 2015—no amendments, a fast-approaching deadline and, in the end, a take-it-or-leave-it choice forced upon us with our backs up against a cliff.

This is not how Congress is supposed to operate. This is not how we promised the country we would conduct the American people's business if given control of the House and the Senate. We should be the party of ideas, but we won't be so long as we continue to tolerate a legislative process that stifles our most innovative proposals from getting a fair hearing. We should be the party of reform, but we won't be so long as individual Senators are blocked from offering amendments to legislation. We should be the party of fiscal sanity and responsible governance, but we won't be so long as we continue to govern by crisis and by cliff, delaying the inevitable while working only 3 days a week in our legislative calendar. We should be the party that looks out for the most vulnerable among us, but we won't be so long as we lack the courage to enact the structural reform that our retirement and disability programs need to survive for generations to come.

We can be all of these things. I know we can, but it is going to take hard work—a fair, open, and inclusive legislative process, and all the policy innovation we can muster. It is going to take something more, something better than this budget deal.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, in recent weeks I have spoken three or four or five times on the question of whether we are going to realistically and honestly fund the transportation improvements our country so badly needs. I don't know if it is my imagination, but every time I am here speaking on the subject, you are here. We have any number of people—50-some Republican Senators in the majority—who cycle in as Presiding Officer, yet you always seem to draw the short straw and get to hear me wax eloquently about transportation infrastructure. I am honored you would be back again today for more of the same.

Pretty soon, you will be able to give these talks for me and I will sit up there and preside. I won't ask unanimous consent for that, but it is a good thought.

Mr. President, this is a picture that was taken, gosh, 60 or 70 years ago, and there is a quote here by a fellow who was a great military leader for our country during World War II and later one of our Presidents. In fact, he was President when I had just about come into the world and left as President a few years after that. The photograph says, "This is the first project in the United States on which actual construction was started under provisions of the new Federal Aid Highway Act of 1956."

This is in Missouri. They have the contractor and some of the local folks there. I don't see Ike anywhere, but his words are here at the bottom of this old photograph. His words that day were: "A modern, efficient highway system is essential to meet the needs of our growing population, our expanding economy, and our national security."

There is a word—"prescient"—that indicates something is wise and forward-looking. Those words are just that—wise and forward-looking—and they were first spoken almost 60 years ago by President Eisenhower.

This week, President Obama and leaders in the House of Representatives and the Senate reached a long-sought compromise on a budget deal for 2 years, through 2017. And while there are certainly some aspects of that budget deal that are disappointing, other aspects of it, at least for me—in terms of finding ways to save money, going after program integrity, and looking for waste and fraud—bring a good deal to like about it as well.

It is encouraging that Democrats and Republicans were able to come together to reach an agreement—any agreement—that will pause the cycle of crisis government, from crisis to crisis, where we find too much of our time across the Federal Government, as we run up to these crises, spent not doing work—the work we ought to be doing—but actually trying to figure out how we deal with a shutdown. At least we can say this agreement will prevent that and for the next couple of years enable people across the Federal Government to do their work, whether it happens to be agriculture, environment, law enforcement, border security, or you name it.

The other thing I would say is by preventing a default on our Federal obligations and lifting the harmful spending cuts—particularly in the areas of our budget where we actually invest money that create economic opportunity—this deal will help to encourage continued economic growth and recovering from low job creation and job preservation.

I heard today that this agreement is worth about an extra one-third of a million jobs, and in a little State like mine, Delaware, with fewer than a million people, that is quite a few jobs. However, if we really wanted to focus on economic growth and job creation, we would be talking a lot more about transportation, and I mentioned the words here of Dwight Eisenhower, but let's go on to the next poster.

While there is much to like in the budget agreement we are debating today and into the night, I am disappointed that it fails to offer a long-term plan to increase investment in America's infrastructure, particularly in our transportation infrastructure. A budget deal like this offered a prime opportunity to address our chronic underinvestment in the roads, highways, bridges, and transit systems of this Nation.

I have looked high and low in this budget agreement, and when it comes to transportation, there is a "whole lotta nothing" in there with respect to transportation and infrastructure investment. Instead, Congress is now poised to pass not the 13th but the 14th extension of our Federal transportation programs since 2008. We have done this 14 times. Fortunately, this extension does not require us to add to the \$74 billion we have spent since 2008 to bail out the highway transportation fund time and again, but it only continues the cycle of uncertainty and crisis governing that prevented our States and our cities from planning major transportation projects.

I would just insert here that if you look at the country from coast to coast, our State transportation budgets use a mix of funds from different sources, but on average, about half the money they spend—from Delaware and the other 49 States—comes from the Federal Government.

We have missed another opportunity to give our Nation's economy a serious boost. This is a little bit of what I am talking about. This poster says: "Here's why Congress needs to reauthorize funding to rebuild America's infrastructure." Here are a few numbers to keep in mind: 25 percent, 45 percent, and 65 percent. Twenty-five percent of our bridges require significant repair. Either that or they cannot handle today's traffic at all. Twenty-five percent. Forty-five percent of Americans lack access to transit. Forty-five percent. Sixty-five percent of America's roads are rated in less than good condition. Sixty-five percent.

There is an outfit called the American Society of Civil Engineers. One of the things they do every year is to rate highways, roads, and bridges. They assign a grade. It could be an A.

We have our pages here. They are here doing their school work while

they are paging in the Senate, so they do double duty, but hopefully they are all getting A's in their courses. Our roads, highways, and bridges do not receive any A's. They do not receive B's. Hopefully our pages get B's and better, but our roads, highways, and bridges do not. In fact, our roads, highways, and transit systems are earning a D. D is disappointing. D is degraded. D is dogged. And our Nation's bridges earn a C-plus. Those aren't grades that our pages would be proud of or that their parents would be proud of, and those certainly aren't grades we should be proud of as a country.

In the most recent World Economic Forum ranking, in less than a decade the United States has fallen from seventh overall in the quality of our transportation infrastructure. A decade ago we were No. 7; today we are No. 18. In *Billboard* magazine, when they are rating the top record across the country—a record on the rise gets a vote. A No. 5 in the vote means it is heading up the charts. Ten years ago we were No. 7, and now, like a bullet, we are heading right the other way—from No. 7 to No. 18. We are heading in a very wrong direction.

Here in this poster we can see that highways and transit spending as a share of GDP has not been going up.

In 1962 John Kennedy was President and I was a junior in high school, just like you pages. In 1962 the share of GDP that we spent for highways and transit was right at 3 percent—right at 3 percent. Over time it started dropping. Around 1972, in the middle of the Vietnam war—I spent some time overseas in Southeast Asia with my compadres—it dropped to 2 percent. We were trying to pay for guns and bullets. It really dropped rather steeply there, probably because of the war. What has gone on since 1972 is to trend down, down, and down, and now the number is somewhere between 1 and 1.5 percent. It has diminished by more than half since 1962.

Let me mention a couple of other numbers. The infrastructure spending is only about 2.5 percent of GDP in the United States. Actually, it is only about 1.5 percent in the United States. What is that compared to? Compared to what?

I have a friend, and when you ask him "How are you doing?" he says "Compared to what?" Well, how is the United States doing? Well, compared to what? We are at 1.5 percent—actually, a little less than that—of GDP for transportation infrastructure. Where are our Canadians up to the north? They are at 4 percent—more than twice the number we are. Australia, South Korea—where are they? They are at 5 percent, and 5 percent for most of Europe. China is at 9 to 12 percent. They are spending 9 to 12 percent of their

GDP on transportation and infrastructure. We are spending 1.5 percent. That is not a good thing. That is not a good thing.

The National Association of Manufacturers estimates that their investments in roads and highways dropped significantly between 2003 and 2012. How significantly? By another 20 percent.

To meet our country's needs in ways that support American business and families, an outfit called McKinsey Global Institute—most of us have heard of the McKinsey Consulting Company, but they have an arm of their company called McKinsey Global Institute—estimates that we need to increase infrastructure investment by \$150 billion annually through 2020 to catch up the backlog of projects that are badly needed—roads, highways, bridges, and transit.

Our lack of transportation investment is hurting families, individuals, and businesses. There is an outfit down in Texas, Texas A&M, which is famous in recent years for their football teams, but they are also well known because every year they give us a report on congestion on the roads, highways, and bridges in the United States. They found that the average commuter across the country wastes 42 hours per year in traffic—42 hours per year just sitting there or barely moving. If you actually look at cities such as New York City or Philadelphia or Dallas or Denver or L.A., that number is 82 hours per year. Think about that—82 hours per year here in the greater Washington area and a lot of other places, such as L.A. and New York City. The resulting wasted fuel and lost productivity cost the Nation's economy \$160 billion this year—\$160 billion. That works out to about \$960 per commuter.

In addition to congestion, we have other costs to commuters—people out on the roads, highways, and bridges—that come from our repairs.

Not everybody can see this, but obviously there is a guy working on potholes and talking to his supervisor. It says: Warning, potholes. But here is the number that is really the key: There is \$516 per driver in increased repair and maintenance costs every year.

There was an editorial in the *Philadelphia Inquirer* last week, talking to consumers and voters, that said: The next time you get a bill for replacing your tires, your steering, your rims or whatever, send the bill to your Congressman, your Congresswoman, your Senator.

Even if it is only half of that, it is still a lot of money. I don't have reason to believe it is half, but even if it is, it is a huge amount of money that we are spending. Add to that the waste of time, and this adds up.

This is a sad commentary. Some of the charts I use are humorous; this one is not. Poor roadway conditions were a significant factor in approximately one-third of the 32,000 traffic fatalities last year. About 10,000 people who would be alive today are not. The primary contributing factor to their death was the poor condition of the highways, roads, and bridges on which they were traveling.

I mentioned the McKinsey Global Institute a minute ago. They said that if we were serious about making real progress and doing it promptly on the condition of roads, highways, bridges, and transit systems, we ought to be investing about \$150 billion a year. Here is another report from the McKinsey Global Institute. It says that about a \$150 to \$180 billion in annual investment is needed for 15 to 20 years. That is a lot of money for a long time. They say that if we are serious and consistent in robustly investing in transportation infrastructure, we would add to GDP, not once but every year, somewhere between 1.4 percent and 1.7 percent per year, and we would add about 1.8 million jobs if we are willing to make the kind of investments that we need. Those aren't my numbers. Those are McKinsey's.

Put it all together, and this explains why Senator DICK DURBIN and I introduced a month or so ago what we call the TRAFFIC Relief Act. It raises about \$220 billion in new money, user fee revenue—revenue that can only be used for roads, highways, transit, and bridges, and not for anything else—not for foreign aid, not for wars, not for some other domestic program. But \$220 billion would go into roads, highways, bridges, and transit systems.

The legislation Senator DURBIN and I introduced permanently eliminates the annual highway trust fund shortfalls. Every year we run out of money. We run out of money in the transportation trust fund and take money out of the general fund to fill up the transportation trust fund. When the general fund runs out of money, we go around the world cup-in-hand borrowing money from people such as China to refill the transportation trust fund. Then, when we call China on their misbehavior—it might be manipulation, it might be dumping various goods and services on our country, it might be messing around in the South China Sea and other places—we say to them: You can't do that.

If I were them, I would say to us: We thought you wanted to borrow our money. We shouldn't be in that position. So the TRAFFIC Relief Act Senator DURBIN and I introduced raises an additional \$72 billion over 10 years for new transportation investments, over and above what would otherwise be generated. We could use that \$72 billion and more.

Not everybody can read the script here, but this one fellow here is saying:

"There is no way I can afford an increase in the gas tax." Then over here it goes on to say, as his car is towed away: "I spend all my money fixing my car because of these terrible roads." Think about that. There are a lot of terrible roads, highways, and bridges, and some pretty lousy transit systems as well. I spent money on my minivan last year replacing a tire that cost me about \$200 because of a problem with the road. I am not the only person. That happens to a lot of folks during the course of the year.

Those are all the posters I have. I will close by saying that on the Environmental and Public Works Committee, where I serve, we have reported out unanimously authorizing legislation that would authorize investments in transportation systems—roads, bridges, highways, and transits—for the next 6 years. It is actually very smart legislation. I give Senator BOXER and Senator INHOFE, the lead Democrat and the lead Republican on the committee, a lot of credit for leading that effort.

The House of Representatives is coming up with a 6-year transportation authorization plan that reflects in many ways what we have done in the Senate. To the extent that is the case, then we applaud their efforts as well.

Some may remember another poster I showed earlier, an enlarged photograph of a fellow wearing a cowboy hat as if he were asleep on his back. The cowboy hat was covering his face. He didn't look like the "Marlboro Man." He looked like a cowboy who had been ridden hard and put up wet. The caption at the bottom of the poster was talking about the hat: "All hat, no cattle," suggesting the guy wasn't a real cowboy. "All hat, no cattle."

It is great that we have sound, smart transportation authorization legislation, and we do. What is really disappointing is "all hat and no cattle" when it comes to paying for this stuff, not coming close to the amount of money we need to invest. We are not even close. I think we are going to look at a 6-year transportation authorization with maybe 3 years of funding. Some of that funding we create by borrowing and spending, which is like 8, 9, 10 years down the road and bringing it forward to pay for spending today. I don't feel good about that. I expect you don't either. In some cases we are taking money that is supposedly being collected for TSA, for aviation safety and our security in the skies, and using that money for roads, highways, bridges—taking TSA funding increases and using it for a couple of months on roads, highways, bridges, and improvements. We do the same thing with Customs fees along our border. People and a lot of commerce come across our border. Another idea we have used in the past is taking money out of the Strategic Petroleum Reserve, maybe from

oil we bought for \$80, \$90 a barrel and turning around and selling it for half that price. Buy high and sell low—I don't think that is a very smart strategy for investing in or for funding transportation projects. The American people deserve better than this.

Ronald Reagan, Eisenhower, and others—even Democrats—have said that the way we have funded transportation for years in this country and improvements to transportation—roads, highways, bridges—is a user approach. The folks and the businesses that use our roads, highways, and bridges ought to pay for it. That is what we have done. We have come to a place in this country where we are finding it hard to pay for the things we need and the things we want. Somehow we have to summon the courage to do what the American people expect us to do, which is to work together, to work smartly, and to make some tough decisions.

The legislation I alluded to that Senator DURBIN and I and another colleague or two have introduced and sponsored would raise the gas tax and diesel tax in this country. It hasn't been raised in 22 years. The gas tax, which 22 years ago was raised to 18 cents, because of inflation is now worth less than a dime. The diesel tax, which 22 years ago was worth about 23 cents, is now not even worth 15 cents. Meanwhile, the cost of concrete, asphalt, steel, and labor have all gone up, and we are still stuck with the same purchasing power from these user fees that we had 22 years ago. The math doesn't add up. As a result, we earn nearly failing grades for the transportation system that we have.

If we were to somehow wave a magic wand and the House and the Senate would come to their senses and pass by acclamation an increase in the user fee of 4 cents a year for 4 years, we would get to 2020 and we would have added 16 cents over that period of time to what is one of the lowest user fees on gas and diesel of any advanced nation in the world. I think we are No. 33 out of 34 of the OECD nations. In 2020, after an increase of 4 cents a year for 4 years was put in place, the cost to the average driver is the cost of a cup of coffee a week. Think about it. For the average driver paying an additional user fee of 4 cents a year for 4 years, indexing for inflation, the cost is the cost of a cup of coffee a week.

The question I would ask my colleagues—and I think we would ask most people—is this: Would you rather put up with really—one of my favorite, good senatorial words—"crappy" roads, highways, bridges? Would you rather continue to put up with that?

We could have a transportation system that we could be proud of for a cup of coffee. I don't think that is asking too much.

I don't have a magic wand. I don't think it is likely that my colleagues

will rush to the floor after these remarks today and say: Let's do something real. Let's see if we can't get our roads, highways, and bridges making the kinds of grades that our pages are making doing their schoolwork while they serve us here in the Senate.

In the Bible there is a parable where some seeds were sown on the hard ground and never bore fruit. Some came up for a little while and raised up some plants but then died away in the hot sun. But others took root and grew a hundredfold. I am going to keep sowing these seeds, and hopefully someday soon—sooner rather than later—some of these seeds will fall on fertile soil.

Until then, I look forward to joining the Presiding Officer on the floor to keep this up until you say "uncle" and then we will change places.

I see my friend from Kansas—my many talented friend—here with our friend from Nebraska. I am tempted to wait and see what they have to say.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, in the morning we will vote on a budget agreement and I will vote no. I think it is useful and important for my constituents to understand my thinking and the basis on which I reach that conclusion.

In my mind, one of the most important issues that we face in this country today is the fiscal condition of our country. The amount of debt that we incur and the amount of debt that we continue to incur is a significant drag on our economy, on job creation, and, in reality, on the American dream.

It is an economic issue. At some point in time, if we don't get our fiscal house in order, we will pay a significant price. We can either deal with this issue in a gradual, incremental way, in which we set ourselves on a path to right, or we can wait for the crisis to occur, which I have no doubt will happen.

While it is often said that this is an economic issue, and fiscal issues matter to the country, I also would point out that this is not just an economic issue. It is a moral issue. The borrowing of money to pay for services and goods that the government provides the American people is a selfish circumstance in which we take the so-called benefits of government programs today and expect future generations of Americans to pay for those benefits. It is wrong economically for us to continue down the path of fiscal irresponsibility, but it is also morally wrong to expect someone else to pay for the so-called benefits we receive today.

As to this issue today, this Bipartisan Budget Act—this bipartisan effort to resolve the circumstance we find ourselves in because we face a debt limit problem—the problem is that if we don't do something, then we reach

the debt limit. There are those who will argue that the consequences of not raising the debt ceiling are so dramatic, so damaging that we need to do that regardless of the fiscal consequences of doing so.

I come down on the side of fiscal responsibility, and I want to explain why. I want Kansans to know how I think about this issue. In fact, one of the first letters I ever wrote to President Obama as a new U.S. Senator, March of 2011, was an explanation to the President that he needed to work with Congress, and I offered to work with the President and the administration and my colleagues in the Congress and the Senate to see if we couldn't find a solution so that when we raised the debt ceiling, we actually did something that would change the course, the path of spending we are on.

I explained to Kansans, by publishing that letter and explaining my comments in the letter to the President, what I believed was important, most important. Unfortunately, since 2011 we are no more on a course of fiscal sanity than we were when I wrote the letter to the President.

Here is the point I want to make. If we give up the leverage, the opportunity that this issue presents to us as Members of Congress, to force us to do things that we apparently don't have the will, the courage, the political desire to do, how do we ever get it done? Again, I guess there will be editorialists—certainly across the country and perhaps a few in Kansas—who will say that we need to raise the debt ceiling because it is irresponsible not to. Isn't it also true that it is irresponsible simply to raise the debt ceiling every time we need it? If we don't take advantage of the circumstance we are in to force ourselves to do the things that need to be done, we are irresponsible.

I read a lot of history. For a few years I have studied our country as a private citizen, and I have been involved in the political process in Washington in trying to resolve problems our country faces. Here is an observation: Things have changed over time. It used to be a bipartisan desire, a bipartisan understanding that balancing the budget was important. One of things that has changed over time is there no longer seems to be the desire on the part of many in Congress—many don't see it and in my view Democrats in particular don't see deficits as a bad thing. We look the other way.

Maybe in days gone by, when there was broad consensus from Republican Presidents and Democratic Presidents that balancing the budget was something that mattered, that reducing the debt at least over time was important, that when we incurred expenditures going to war that we paid for them, that was something that was generally believed across the country by the vast majority of Americans and by the vast

majority of Members of Congress, regardless of what political party they associate with.

That consensus, that drive, that insistence that we do that no longer exists, which highlights for me that the necessity of using this issue of whether the debt ceiling should be raised to determine what we should do about reducing spending, reducing the debt, figuring out what the balance is between taxes and expenditures is all the more important.

If I had any faith that this Congress, this President were going to deal with the deficit, regardless of what happened with the debt ceiling, then I wouldn't be interested in using the debt ceiling as a tool to force change in behavior in Washington, DC, but unfortunately I have no faith that there are enough people here who care enough about the deficit to do something about it unless we are forced to do so.

At the moment, the only tool I have is to insist we use this opportunity, in which we are requested to raise the debt ceiling, to change the course our country is on in regard to spending and deficits. Again, the argument may be by some it is irresponsible. In fact, I have heard so many times that all we are doing is authorizing the borrowing of money to pay for the things we have already encumbered.

Wouldn't it seem a better solution for us to quit encumbering over time rather than coming after the fact and saying let's raise the debt ceiling? But the reality apparently is there is no will to do that. We can say it is irresponsible not to raise the debt ceiling. We can say we are only paying for the things we have already decided to spend money on, but if that is the only thing we say, we never take it to the necessary step of doing anything about the problem.

It is irresponsible not to use this opportunity to force us to behave in ways that are good for the country today, that are economically solid and sound, that are morally correct. Borrowing money ad infinitum is not an option for this country under either economic or moral circumstances.

It is irresponsible for us to once again decide we will try to solve this problem later. I have always thought that the most important political issue we face, the one that has been most important to the country since I was elected to the Senate, was how do we make certain that the economy is growing, there are job opportunities, people feel secure in their employment, they have the opportunity to advance their careers, and they have the sense that they are saving for their kids' education, that they are saving for their own retirement. This issue of the fiscal condition of our country inhibits the ability for that economic security to be available to Americans.

I wish to conclude by saying we need to do what is responsible. What is responsible is making certain we pay our way and that we don't expect others to do so in the future. To only say that we have to reach this agreement in order to avoid greater challenges in our country is to walk away from something that I think is a primary and important responsibility of Congress and the President. It is unfortunate.

In my time and service in the Senate, President Obama has been the President, but I have seen no political will on the part of this administration to do anything about the long-term consequences of spending more money than we have. That means we have no choice but to insist that something be done, and the only opportunity before us is this question of whether the debt ceiling should be raised without corresponding reductions in spending.

In my view, those reductions in spending take priority. It is important. Our primary responsibility as American citizens, as an American citizen, not just as a U.S. Senator but all of us as American citizens—we have a responsibility to do two things for the future of our country: protect and preserve the freedoms and liberties guaranteed by our Constitution and make sure the American dream is alive and well so future Americans have the chance to pursue their dreams in this country.

To continue to borrow money to put our country's fiscal condition in jeopardy once again means we will have failed that responsibility because the spending and borrowing of money inhibits our personal liberties and freedoms and reduces economic opportunity, the American dream for all Americans.

I will vote no.

I yield the floor to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska.

EQUAL PAY

Mrs. FISCHER. Mr. President, I rise to respond to the minority leader's earlier comments today regarding equal pay. Pay discrimination is wrong. It is also illegal. Republicans and Democrats alike believe that violations of the Equal Pay Act and the Civil Rights Act should be punished to the full extent of the law.

Let me be crystal clear. The lack of consensus on proposals like the Paycheck Fairness Act does not mean that Republicans do not support the principle of equal pay. I am tired of hearing that Republicans don't have any new ideas on this issue.

I have offered legislation, the Workplace Advancement Act, which would prohibit retaliation against employees who discuss their wages. My proposal has a strong record of success, and unlike other proposals out there, it has bipartisan support.

In April of 2014, before Republicans had the majority, I, along with Senator AYOTTE, Senator COLLINS, and Senator MURKOWSKI, offered an amendment to the Paycheck Fairness Act that would make it illegal to retaliate against employees for seeking or sharing information on their wages. Unfortunately, that amendment was not considered.

This March I offered a similar amendment to the budget that would reaffirm and strengthen equal pay laws and make it illegal to retaliate against employees for seeking or sharing information on their wages. This non-retaliation measure was adopted to the budget resolution with bipartisan support. The legislative progress of my efforts to protect women in the workplace from retaliation for trying to ensure fairness in pay suggests a clear bipartisan way forward in this Chamber.

When women are fighting to be paid what they are worth, they need to know what they are up against. Knowledge is power, especially in the case of equal pay. Ensuring transparency will make it easier for workers to recognize pay discrimination and ensure that they are being paid fairly. How can workers negotiate for fair pay when they don't know how their industry or their employer compensates other workers? How can a woman know that discrimination is taking place if she is prohibited from asking about what other workers are making?

I want to empower women to be their own best advocates, secure in the knowledge that they have every tool available to them as they negotiate for the wages they deserve. It is time to remove this issue from our election-year politics. Let's have a real conversation about a substantive policy change that will improve the lives of all workers. I hope the Senate will soon consider my legislation because I believe Republicans and Democrats can come together on this issue and we can make a real, needed difference in ensuring equal pay.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, prior to being elected to the U.S. Senate, I spent 28 years in business. When you are in business, you know you can't keep spending more money than you are taking in or you go broke, you go out of business. I was elected to help get our country back on track and get the reckless spending and record debt of Washington, DC, under control. In fact, the very first bill I introduced in the U.S. Senate was the Balanced Budget Accountability Act. It is pretty simple. It requires that the Members of Congress pass a balanced budget or they don't get paid. The people of Montana deserve real solutions to address the failures of Washington, DC, not more budget gimmicks and backroom deals. In fact, Montana's farmers will

suffer because of this budget deal. The crop insurance program was gutted as a way to make this deal work. Where was the voice of Montana? Where was the voice of rural America as this backroom deal was cut?

This deal takes our Nation in the wrong direction, and that is why I am voting no. This budget deal would increase our spending by \$117 billion over the next 2 years and raise the debt limit through 2017. How big are these numbers? We are currently at about \$18.1 trillion of debt. By the end of this 2-year agreement, sometime in 2017, we will be above \$19 trillion. How big is 1 trillion? Do you know how long it takes to count to 1 million? If we were to count to 1 million 1 digit per second, 24 by 7, it takes less than 30 days to count to 1 million.

How long does it take to count to 1 billion? To count to 1 billion would take 32 years. Then the question is, How long would it take to count to 1 trillion? We are throwing around these numbers without much sense of how big they truly are when we are talking about \$18 trillion—and soon to be \$19 trillion—worth of debt. How long would it take to count to \$1 trillion? It would take 32,000 years.

It is irresponsible for Washington to increase the limit on the Nation's credit card while at the same time busting the budget and increasing government spending with the false promise of far-off savings and new revenues that will never materialize. It is time that Washington, DC, takes a page out of Montana's playbook and stops spending more than we are taking in. It is time for commonsense solutions that protect the taxpayer and make elected officials accountable for delivering results to the people they serve because Americans deserve a thoughtful and open discussion, not one with backroom deals, about how to best support the Nation's priorities while also cutting wasteful spending and reining in this national debt. The current budget fails to provide a more secure future for the next generation of Montanans.

I thank the Presiding Officer and yield back my time.

The PRESIDING OFFICER. The Senator from Wyoming.

ENVIRONMENTAL PROTECTION AGENCY

Mr. BARRASSO. Mr. President, back in August several western States and Indian tribes suffered an enormous environmental disaster. It has been called the Gold King Mine spill. In this disaster, the Environmental Protection Agency spilled 3 million gallons of toxic wastewater into a tributary of the Animas River in Colorado. This plume of toxic waste threatened people in Colorado, New Mexico, and Utah. It stretched to the land of the Navajo Nation and the southern Ute Indian Tribes.

Last month, I chaired a hearing of the Indian Affairs Committee that

looked at the spill. The EPA was there to testify. The EPA claimed that it was taking full responsibility, and then it did everything it could to deflect actual blame. They said they were taking full responsibility; then they did everything they could to deflect actual blame.

The agency administrator actually told our committee that this spill was inevitable. She said it was "inevitable." Does that sound like someone who is actually taking full responsibility?

Well, last week we got the results of the investigation by the Department of Interior about what actually happened at the Gold King Mine. On Friday the Washington Post reported: "EPA gets blame for mine spill into rivers." Well, according to this report, the EPA's crew didn't take engineering into account when it was working on the mine. It didn't take engineering into account. The agency didn't understand that waters in these mines, according to the report, "can create hydraulic forces similar to a dam." How could the experts from the EPA, the U.S. Government's Environmental Protection Agency, not know that? The report also said that "the conditions and actions that led to the Gold King Mine incident are not isolated or unique, and in fact are surprisingly prevalent."

Remember, the EPA said it was inevitable. This spill was inevitable only because the EPA is so inept, so negligent, and so incompetent that it was inevitable the agency would cause a disaster like this someday, and now they have. It is inevitable that the agency is going to keep making the same mistakes unless something changes at this irresponsible, incompetent agency.

What has changed? It has been almost 3 months since this disaster happened. The Environmental Protection Agency has not named a single person whom it is holding responsible for poisoning the river. If the EPA's incompetence is "surprisingly prevalent," as the investigation found, you would think that this agency should be trying to get its house in order before it takes on new jobs. That is not what the Obama administration is doing. Oh, no, it is not slowing down at all. It is not slowing down in its quest for power or in finding more ways that it can control what people do.

On Friday, the Obama administration published the final rule for what it calls its Clean Power Plan. This regulation would create more Washington control over how electricity is produced across the country. That very same day 26 States, including mine and that of the President's, filed lawsuits in Federal court to stop this disastrous rule. These States say that the Environmental Protection Agency went far beyond anything that the law allows and far beyond anything Congress ever

intended. I completely agree. This rule is too expensive, it is too extensive, and it is too extreme.

The EPA does have a job to do, and it is failing dramatically at its job. Instead of going back to basics and doing its job right, the EPA wants more power, more control, and less accountability. This so-called Clean Power Plan will cost billions of dollars. According to one estimate, it will destroy the jobs of more than 125,000 Americans. None of that seems to matter to the President of the United States or his administration and the EPA. They are driven by ideology, not by the facts, and their ideology is driven by their desire for more control. That is why it is so urgent that we focus our attention on all of the ways this Washington bureaucracy is trying to restrict people's freedom and take more control for themselves.

The Obama administration isn't even satisfied telling States how to get their energy. Now the Obama administration wants to be involved in making these decisions for the whole world. It is trying to negotiate a climate change treaty that will impose broad new limits on American energy. This treaty will also do incredible damage to the American economy. At the same time, the administration wants to pay billions of American taxpayer dollars—hard-earned dollars—to other countries. In return for these other countries adopting green energy sources like solar panels, the Obama administration will help prop up their economies, not at their expense but at America's expense. It wants to do all of this behind closed doors without any oversight from Congress or the American people.

The administration wants to make sure that nobody can do anything to stop it until after it is too late. It wants to tie the hands of the American economy, dole out billions of taxpayer dollars, and not even ask the American people if that is what they want. The U.S. Congress cannot stand for that. It is the wrong choice for America, and it is the wrong choice for the rest of the world as well.

There was an op-ed in the Wall Street Journal last Thursday by Bjorn Lomborg. He is the director of a non-partisan international group called the Copenhagen Consensus Center. The headline is "This Child Doesn't Need a Solar Panel." It has a photo of a child in a slum in Mozambique. The author points out that the Obama administration is wrongly focused on the kind of climate change payoff that the President is promoting.

In the op-ed he writes:

This effectively means telling the world's worst-off people, suffering from tuberculosis, malaria, or malnutrition, that what they really need isn't medicine, mosquito nets, or micronutrients, but a solar panel. It is terrible news.

He goes on:

In a world in which malnourishment continues to claim at least 1.4 million children's lives each year, 1.2 billion people live in extreme poverty, and 2.6 billion lack clean drinking water and sanitation, this growing emphasis on climate aid is immoral.

That is the assessment coming out of the Copenhagen Consensus Center. The President's actions are immoral. There are some very real dangers facing the United States and other countries today, such as the threat from global terrorists and from countries like Russia, Iran, and North Korea. There are desperate humanitarian crises around the world. That is where the Obama administration should focus its foreign policy.

Here at home, the EPA should be cleaning up the environment, not poisoning America's rivers and lakes. Until the Obama administration gets its priorities straight, Congress will have to act to stop it.

Republicans have introduced legislation to block some of the administration's most egregious new rules. Senator ERNST has filed a resolution against the so-called waters of the United States or the WOTUS rule. I have introduced legislation to replace the WOTUS rule with one that actually protects waterways while preventing Washington's takeover of nonnavigable waterways. Senator MCCONNELL and Senator CAPITO have filed resolutions against the extreme limits on powerplants. Senator FLAKE has filed one on the burdensome new ozone standard.

We are going to keep a spotlight on this administration as it negotiates this new climate change treaty. We are going to stop it from committing this country to another bad deal—and the rest of us will be paying for that bad deal long after President Obama is out of office.

Congress is going to hold the Obama administration accountable—accountable—and rein in the Washington bureaucrats before they do additional damage.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FLAKE. Mr. President, I rise to express concern about the budget deal that seems to have been reached that we will vote on later today or tomorrow morning.

This Senator has a broader concern that we simply aren't cutting spending and that we aren't holding to the budget agreements we made. What we are

doing here is getting rid of or extending the budget caps on the budget control agreement, spending about \$80 billion more than we would have otherwise.

We have told ourselves that we have offset this spending. Here is my concern. It is clear that we haven't. Some of the so-called offsets are simple budget gimmicks. Many have been tried and true in the past, such as just extending the sequester a little longer. One that is of particular concern was raised earlier today. There is in this budget agreement a modest crop insurance savings provision. In farm bills over the past few years, we have tried to rein in some of the massive subsidies and waste that have gone on in terms of direct payments and some of the other methods. A lot of that funding has gone toward crop insurance, and it is quite a generous program. In fact, the taxpayer subsidizes crop insurance on average of I think about 70 percent. Seventy percent of the premium is paid for by the taxpayers.

What we are doing in this agreement or what we have tried to do in previous farm bills is say that the savings—if we reform these programs through so-called standard reinsurance agreements, or SRAs, if we realize some savings, than we plow those savings into the deficit or against the deficit. But what came out of the last farm bill was a provision that said if there are any savings in this program, they have to stay within the program.

Now, we don't have that type of provision in just about any other program of government, where if you realize some savings by reform, you have to spend those savings on the program itself, just in another way. That doesn't save the taxpayer any money overall.

In this case, we have tried to get those savings, but the farm bill said no, it had to be plowed back into the program. So the reform that was agreed to in this budget deal was to do what we had been trying to do—to make sure that any savings that result from a standard reinsurance agreement be plowed into or be put against the deficit to actually save some money.

There is also a small provision which set a target rate for crop insurance companies at 8.9 percent rather than the 14.5 percent that it is currently at now. Opponents of this deal are saying that this minor change will gut crop insurance. I don't think that is true at all. Crop insurance is far from a suffering industry. It is a significant driver of the cost of our Nation's farm program.

Government costs for crop insurance have increased substantially over the decades. In fact, after ranging from \$2.1 billion to \$3.9 billion during fiscal year 2000 to fiscal year 2007, costs rose to a total of \$14.1 billion by fiscal year 2012. In fiscal year 2013, the total costs were

\$6 billion, and in fiscal year 2014, \$8.7 billion. Taxpayers are footing about 70 percent of the total costs of the program and 60 percent of all premiums paid.

This change would not impact the coverage that is received; it would simply trim some of the profits. Some say that will drive crop insurance out of business. I don't think so. There isn't a crisis here when taxpayers are footing 60 percent of the premiums and 70 percent of the overall cost of the program. Typically, it is the type of program the private sector would like to get into. If there is a problem with people fleeing the program, it hasn't been demonstrated. This is not an industry under siege; it is a industry which has seen dramatic expansion and which now faces a slight trimming of its profits. Yet we are saying that we can't stand it. What we are saying is that we are going to undo that deal as part of the budget deal before we even vote on the budget deal.

Earlier today on the floor, there was an agreement reached with the appropriators in the form of a colloquy that in the omnibus coming up in a couple of weeks, we would remove that provision, that savings of some \$4 billion or \$8 billion would simply be made up somehow by extending the sequester.

This reminds me of the last budget agreement we had, the Ryan-Murray budget, where there was a provision to very slightly adjust the cost-of-living increase for Active-Duty military retirees. This is something that the military actually asked us to do because they wanted to take a portion of the savings and put them into other areas of the military, but also it would realize a savings for us. This was a small adjustment for just Active-Duty military retirees who retired before the age of 62. If they made it all the way to 62, they could recover all the savings that were there for the COLA adjustment.

Three months after the agreement, because of lobbying by one particular small subset of those receiving these benefits, we reversed that change. Just 3 months after we signed the deal, we reversed part of the deal.

In this case, what we are doing with the Crop Insurance Program is we are not even waiting 3 months after the deal. We are not having a separate vote.

That vote, by the way, was 97 to 3 to reverse it, just because of some lobbying against it. I was one of the three opposed to reversing the program for the slight cuts.

But in this case, the Crop Insurance Program in this budget deal, we aren't even waiting until the ink is dry. In fact, we aren't even waiting until the ink is applied to the paper signing this deal. We are reversing this change before we even pass the deal. We are agreeing that in the omnibus in a couple of weeks, we are going to reverse

these savings, we are going to reverse these offsets.

I had a lot of problems with this budget deal prior to today, but the more I look at this and the more I learn, I don't know how we can vote for this deal.

I don't know when we are going to get serious about our deficit and our overall debt. If we can't do it now, when will we do it? If we can't get serious now, when are we going to get serious? If we have a budget agreement with the BCA now and we can't stick to it now, what makes us think we are going to in the future?

It makes me think, if we are reversing changes we made to get some savings before we even have the deal signed, what are we going to do a month after? What are we going to do in the next month? Are there other provisions in the other so-called offsets that we are going to address and say: We did not really mean it; we are going to reverse that as well.

It is very discouraging to see what is happening with the budget. We cannot continue to simply spend, spend, and spend and just ignore the real offsets that are needed. I would have been fine with spending additional money on nondefense discretionary if we had been serious about going into entitlement spending and the mandatory spending and finding real savings, savings that were significant. We have a couple of reaches into mandatory spending but not significant reaches. Who knows whether they will last or whether we will reverse them as well in a couple of months.

This is very discouraging. I will vote against this, and I would encourage my colleagues to vote against this agreement as well.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SHELBY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SHELBY. Mr. President, I rise this afternoon in strong opposition to the 2-year budget agreement before the Senate. This so-called budget deal was negotiated at the last minute. It is now being rushed through Congress with inadequate time for proper scrutiny. While the devil is typically in the details when Congress negotiates these eleventh-hour deals, the flaws in this agreement are evident from merely taking a glance at what is in it.

This budget agreement would increase the current Budget Control Act spending caps, which we enacted in 2011 in an effort to restrain Washington spending, by approximately \$80 billion or more over the next 2 years. On top

of raising the caps by \$80 billion or more, this deal also adds \$32 billion in additional spending totals. That is \$112 billion in new spending over the next 2 years—yes, \$112 billion in new spending over the next 2 years.

Not only would this agreement allow for increased spending, it would also raise the debt ceiling through March of 2017—yes, through March of 2017—where we can borrow more money, adding an estimated \$1.5 trillion of borrowing.

President Obama has continually called for more government spending and a blank check, to raise our Nation's debt limit with no corresponding reforms or spending cuts. The deal before us today represents a victory for President Obama and his liberal allies, not for the American people. As long as Washington continues to spend far beyond its means and remain on the same unsustainable track, our economy will suffer.

While I believe we should safeguard the full faith and credit of the United States, I also believe we should do so in a manner that puts our Nation on a more responsible fiscal path. We cannot—I repeat, we cannot continue to raise the debt limit without taking responsible steps to tackle the underlying problems facing our Nation: wasteful government spending.

Taking on more debt to facilitate more government spending is not the answer and is simply unacceptable.

Hard-working Americans in Alabama and across the country are looking for Washington to have serious conversations about how to tackle our country's \$18 trillion debt that is growing. Instead, this deal before us continues the never-ending cycle of bad policies that grow our bloated government, impede job growth, and perpetuate a stagnant economic recovery.

I believe our constituents deserve better than a last-minute, flawed budget deal that not only exacerbates our debt crisis, but it adds more and more to our children's debt. There is absolutely no excuse for continuing to increase our Nation's debt. Americans are frustrated that Congress continues to push policies that empower Washington instead of the people of this great country. This deal is more of the same. Borrow more, spend more, be accountable less and less. That is why I adamantly oppose this budget deal and will continue to fight for a smaller, more effective government that puts the American people first.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MARKEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARKEY. Mr. President, I come to bring a very important subject to the attention of my colleagues.

"Sequestration" is just a fancy word for cuts, mindless cuts. That is why I have always opposed sequestration. This thoughtless, across-the-board approach to the Federal budget has harmed States across the country, but its effect on Massachusetts has been disproportionate.

Sequestration significantly reduced Federal research and development funding for science and medicine. That is Massachusetts. Investments in those fields are critical to our economy with its world-class universities, medical centers, industry-leading bio- and high-tech companies, and clean-tech industries exploding with new technologies. This is the future of our country. This is the future of the 21st century. This is what we must be investing in: research and technology, research and science.

I am pleased that for the next 2 years this budget agreement will give us desperately needed relief from sequestration and will extend the debt limit. This legislation will also protect vulnerable Americans who rely on Medicare and Social Security. It will ensure that for the next 7 years, millions who depend on the Social Security disability program do not face a benefit cut. The legislation will also help millions of seniors by avoiding a Gronk-like spike in Medicare premiums. But this bill comes with a price: more unwanted calls and texts to Americans.

Back in 1991, consumers were constantly harassed by unwanted telemarketing phone calls that interrupted their family dinners. In 1991, my bill, the Telephone Consumer Protection Act, stopped these intrusive and unwanted calls from telemarketers.

Yes, this budget being debated today actually makes it easier to harass consumers on their mobile phones. That is wrong, just plain wrong. Current law contains important safeguards against abusive practices. Before a caller can make autodialed or prerecorded calls or send texts, that caller must have the consent of whoever is being called.

Section 301 of this legislation before this body today removes that precall consent requirement if someone is collecting debt owed to the Federal Government. The provision opens the door to potentially unwanted robocalls and texts to the cell phones of anyone with a student loan or a mortgage, calls to the cell phones of delinquent taxpayers, calls to farmers, to veterans, or to anyone with debt backed by the Federal Government.

That is why, once the Senate takes action on this budget bill, I plan to file a bill that strikes that provision. I also intend to ask the majority leader for a vote on my bill at the earliest possible time. We must protect American students and consumers.

That rollback of protections against abusive telemarketers is not the only

problem with this legislation. The bill also would sell off part of our Nation's oil stockpile simply to raise revenue. The Presiding Officer is an expert in this area. Our Strategic Petroleum Reserve is there to protect American consumers and our security in the event of an emergency, but now it is increasingly viewed as a piggy bank to fund other priorities.

If we are going to sell oil from our strategic reserve, we should at least do so strategically to get the best deal for our taxpayers, but the budget deal that we are considering would require the sale of a specific amount of oil each year from 2018 to 2025 regardless of its price.

When the majority attempted to use similar Strategic Petroleum Reserve sales to fund the highway bill, Senator CASSIDY of Louisiana and I authored a bipartisan amendment to fix the problem. Our commonsense amendment gave the Secretary of Energy flexibility to sell more oil when prices are high and thereby maximize the return for taxpayers.

Unfortunately, that bipartisan fix is not part of this legislation, but I will continue to work with Senator CASSIDY on this important issue. You know that we are right when a conservative Republican from Louisiana and a liberal Democrat from Massachusetts agree on an issue. It is foolish to buy high and sell low. That is essentially what this legislation is now mandating.

Rather than saying to the government that you have to find just the right time when the price of oil is high to sell it over the next 7 years, it says sell it on this schedule regardless of whether or not you are going to get a good return on your investment. That is not the way this government should be operated. We should be using some common sense, especially since the Senator from Louisiana and I had already drafted the legislation and had already attached it to the Transportation bill when that was going to be the place where they use the Strategic Petroleum Reserve money.

This is a very bad provision that is in a bill which is going to pass—and it should pass—but this is a flaw. It is going to lose a lot of money if it continues on with the language that is in this bill.

I am going to continue to work with the Presiding Officer, the Senator from Louisiana, so that we can correct it. It will save a lot of money if we do it the correct way.

We need to ensure that we have a rational approach to budgeting—unlike sequestration—which will finally allow us to get back to the business of legislating instead of lurching from crisis to crisis. That is not possible unless we begin a new era in this institution. Hopefully, that is what today and perhaps tomorrow will represent. Maybe we can work together again across the

aisle the way I think all Americans want us to. I pledge to work on these two pieces of legislation going forward to correct real flaws that are built into this legislation.

Thank you for allowing me to have the floor at this time. I hope the Presiding Officer and I can partner to correct at least one of the problems in this bill.

I yield back the remainder of my time.

Mr. HATCH. Mr. President, before we move to a vote on the Bipartisan Budget Act of 2015, I want to take a moment to discuss the part of the bill that is intended to be an offset for partially lifting the budget caps established under the Budget Control Act.

Under current law, large partnerships are subject to a special set of tax procedural rules. They are known as the TEFRA partnership rules because they were included in the Tax Equity and Fiscal Responsibility Act of 1982.

These rules are complex and unwieldy for both the taxpayers and the Internal Revenue Service. Most tax experts agree that these rules are in bad need of reform. I agree.

The Treasury Department, former House Ways and Means Committee Chairman Dave Camp, and Congressman JIM RENACCI have all put forward reforms of the TEFRA partnership rules. And, on the Senate Finance Committee, we have been looking at those reforms and other proposals as well. We have also held discussions with the Ways and Means Committee, as well as tax professionals and members of the business community. These efforts, so far, have been bipartisan.

Because any such reforms would have a significant impact on a large number of taxpayers, we were prepared to tackle this problem the same way the Finance Committee has dealt with other widely applicable tax compliance measures. Specifically, we had planned to release various discussion drafts that would be open for public comment and subsequent modification. That is the way the Finance Committee handled issues like stock basis reporting and merchant credit card reporting, and the process has worked well in the past.

However, as these efforts were ongoing, bipartisan leaders from both the House and Senate identified TEFRA partnership reforms as a potential offset for this budget legislation. As per usual, the Finance Committee was consulted, and we provided assistance in drafting the offset language. I am pleased to say that many of our recommendations were adopted in the final version of the bill.

However, for those who might be concerned about this process, it is important to note that the effective date for the TEFRA partnership reforms in the budget bill is delayed for 2 tax years. In the coming weeks and months, the Fi-

nance Committee will treat the TEFRA partnership reforms as a work in process. As planned, we intend to hear comments and will be prepared to address issues raised by taxpayers, especially those issues that may not have been anticipated.

As an example, we have heard from stakeholders who were concerned that particular partner-level tax attributes that may be known by a partnership, such as certain passive losses under tax code section 469, should be identified in the legislation for purposes of modifying the so-called imputed underpayment amount with respect to the partnership.

In sum, I want the record to be clear: The TEFRA partnership reforms are not effective for a couple of years. We plan to use that window to properly address problems raised by affected parties.

Mr. LEAHY. Mr. President, for months, Democrats have called on Republican leaders in both the Senate and the House to work with us to avert the economic crisis that default would have wrought on this country. With our backs against the wall, congressional leaders and the White House have reached an agreement to not only raise the debt ceiling—ensuring that our government can pay its bills—but to limit the devastating impacts of sequestration for the next 2 years.

This agreement is far from perfect. This deal uses funding identified and supported by the Senate to extend the critical highway trust fund. The trust fund has limped along, one short-term extension after another, for far too long. Despite the progress made on advancing a 6-year authorization, we will now have to move back to square one to find a way to pay for it. I am as concerned now as I was in July that we are stealing from ourselves by selling off strategic oil preserves at a time of low prices when we purchased at a time of high prices, and I am deeply concerned that this deal raids the Crime Victims Fund of \$1.5 billion. Democrats and Republicans alike have long supported the Crime Victims Fund—unique in that it comes not from taxpayer dollars, but from penalties and fines paid by the criminals themselves. This fund was set up to be a dedicated resource to help victims of crime. Given the ongoing level of unmet need in that community, it is simply unacceptable that this fund was raided to pay for unrelated things. This one-time rescission must not become a new precedent. We cannot turn our backs on the victims of crime.

Nonetheless, I support the Bipartisan Budget Act. It is the product of compromise that will offer a measure of stability and help pave the way for an omnibus appropriations bill to keep our government open past December 11. But this is only the first step. While we will avert a calamitous default next

week, we now must undertake the difficult process of crafting an omnibus spending bill that will meet our financial obligations and properly invest our resources. We have come together—across the aisle and across Congress—to support this budget deal. Let's not squander those bipartisan efforts in the next phase by derailing the appropriations process with needless partisan policy riders intended to do nothing more than score political points.

Mr. WYDEN. Mr. President, I would like to address a small but important aspect of the hospital outpatient policy that is included in the budget agreement. The legislation does not address what happens to outpatient departments that are currently under construction. The bill allows current outpatient departments to continue to receive the Medicare outpatient payment rate because hospitals rely on those payments. Hospitals that want to build new facilities in the future go in with "eyes open" because they know they will not receive the higher outpatient rate. But that is not the case for outpatient departments that are currently being constructed as we speak. These hospitals made the decision to build, understanding that these facilities would receive the outpatient rate—they had no idea that Congress would be voting on this policy as part of this bill at this exact time. Facilities under construction should be treated the same as current facilities. I think it is unfortunate that this was not addressed when the bill was drafted, and I hope my colleagues will join me in ensuring this issue is addressed, either through regulations or through a technical legislative fix.

Mr. REED. Mr. President, I come to the floor today to voice my support for the Bipartisan Budget Act of 2015. This is a credible compromise that accomplishes three key objectives: it prevents an economically catastrophic default, establishes 2 years of rational budgets for defense and domestic priorities, and provides our military with the resources they need without an overreliance on the emergency war fund accounts.

Specifically, the agreement takes the threat of default off the table until March 2017 and provides \$80 billion in sequester relief over the next 2 years, evenly split between defense and domestic spending. Throughout this process to reach a budget agreement, I have urged my colleagues on both sides of the aisle to work together to find a balanced, responsible way to address defense and domestic spending—because they are both essential to the security and financial well-being of the American people. And while this bill relies on emergency war fund accounts, it more accurately reflects the costs of our overseas military operations and provides the Department of Defense

with some additional budgetary stability and flexibility to plan for the future. With the sequester relief that the bill provides, we will have greater fiscal certainty and the additional resources we need to maintain a strong defense and economy.

The bill also contains offsets that improve tax compliance among large partnerships and reforms federal crop insurance. These are the sorts of new revenue and spending cuts we should see more of instead of revenue and spending cuts that come off the backs of seniors and the middle class.

Now, while I would prefer to eliminate the sequester all together, this compromise sets an encouraging precedent for future sequester relief, which is balanced and allows the government to keep making investments in areas that spur economic growth like education, transportation, health care, and defense. And that is why it's important for the Senate and House Appropriations Committees to quickly reach a consensus and produce a detailed spending package before the expiration of the continuing resolution on December 11.

I urge my colleagues to quickly approve this budget agreement and move on to a bill to fund the government.

Mr. KAINÉ. Mr. President, I want to speak about the compromise budget legislation we are debating on the Senate floor. This is a good deal that covers so many important topics: sequester relief for defense and nondefense accounts, the debt limit, Medicare premiums, Social Security Disability Insurance, and many more items. These are all items the Senate needed to address, and I am happy to support this bipartisan budget accord.

In my 3 years in the Senate, I have done everything I can to address the nonstrategic sequester cuts that have been hurting our national security and economy. When I was sworn into the Senate and put on the Budget Committee, we were about to let go into effect the arbitrary sequester cuts set forth in the Budget Control Act of 2011. So in 2013, we got to a bipartisan Murray-Ryan budget deal. I supported that deal because it provided sequester relief for 2 years and gave certainty to businesses and families, teachers and shipbuilders, around the Commonwealth and Nation to plan for their needs.

Since 2013, we have seen the uncertainty presented by short-term budget deals and continuing resolutions has actually been shown to harm the economy. In addition, the world is a very different place now than it was in 2011 when the Budget Control Act passed, and we need to adjust our budget policies to respond to today's challenges, from the rise of ISIL to increasing cyber attacks.

The deal before the Senate today provides more than \$100 billion in seques-

ter relief over 2 years for both defense and nondefense accounts, which will provide much-needed certainty to Virginia's families while helping businesses and the defense community better plan for the future. It also prevents certain Medicare beneficiaries from experiencing a significant increase in premiums next year and protects disabled Americans from a potential 20 percent reduction in benefits. It raises the debt ceiling, avoiding a default on our debt and disaster in financial markets. The agreement is not perfect. But that is the nature of compromise.

Everyone can find something in this bill they dislike, and that is usually the marker of an honest compromise. I wish we were able to fully replace sequestration and reach that long-term budget deal which would fully replace sequester cuts, make Medicare and Social Security solvent over the long term, and reform the Tax Code. But that budget deal will take time to negotiate, and we face government debt default in less than a week. Given that reality, this compromise is a dramatic improvement over a government debt default, across-the-board budget cuts, and crisis budgeting.

I especially applaud the fact that we will do a 2-year budget deal, just like we did when we reached the Murray-Ryan compromise in December 2013. Two-year budgets provide certainty, and that has a significant positive impact on the economy. I came to the Senate a strong supporter of 2-year budgeting due to my experience as Governor, and it is good to see others in Congress finally embracing this helpful reform. I support this budget compromise and look forward to moving this bill to the President's desk.

Mr. MARKEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LANKFORD. Mr. President, people in my home State are trying to figure out what they missed on this budget deal. It was announced by the White House today that this is a great job-creating achievement, but all they see is more spending and no change in the status quo.

Everyone throws around numbers, but here is the one number people in my State want to hear. How much does it save the American taxpayer? Put another way, does it help us to balance our budget or to address the debt problem?

We need two things to be able to balance our Federal budget: spending restraint and a growing economy. Right now we have neither. We have \$18.5

trillion in debt and over \$430 billion in deficit in this year. To start paying down our debt, we have to first balance our budget.

The Presiding Officer knows very well that we passed a budget earlier this year that took the next 10 years to be able to balance our budget. Let's play pretend for a moment in this body. Let's say we put that budget into place, and over the 10 years we work down a little bit each year and get to a balanced budget 10 years from now. Let's take a guess in this body, and let's say the year after that we had a \$50 billion surplus. It took us 10 years to get back to balance, and in year 11 we had a \$50 billion surplus. How many years would we have to maintain a \$50 billion surplus until we paid off our debt? The correct answer would be: 360 years in a row we would have to have a \$50 billion surplus to pay off our debt. We need to start doing budgets that actually deal seriously with our debt and deficit.

Today, our GDP growth was announced again. It is a whopping 1.5-percent growth in the American economy. With new regulations on every business, the assault on American energy, new loan restrictions on banks, and ObamaCare cost increases—including in my State of Oklahoma, where premium increases are hitting 35 percent for next year on individuals—people know inherently that if you keep overspending, it limits our economic growth in America. We have fewer jobs because of it. It is harder to start a business because of it.

The President keeps saying if we will just spend a little more, we will have more jobs. But people don't believe it anymore because they have seen it is not true. After 6 years of "if we just spend a little more, spend a little more, this will get caught up" we still have a 1.5-percent growth rate in the American economy. That is pathetic.

While we have a great number of terrific people in the Federal workforce, people inherently know if you just keep adding jobs in the Federal workforce, it hurts our economy because it continues to take money out of private hands and puts it into government control. What people want is not unreasonable. They just want a plan. People want to know that if we are going to spend money, we use it efficiently and that there is a plan to be able to get us out of debt.

What we heard through the negotiations was that any increase in spending would be offset with pay-fors that were real. The spending negotiations that were done were supposed to develop that plan. What we have as a final document is not a plan to get us out of debt. In fact, it increases our debt again. What we have is not a plan to handle the long-term consequences of deficit. In fact, it obfuscates that again. We need a plan to deal with entitlements, and what we have done is

just scratched the surface dealing with entitlements.

What I have heard over and over is that at least the pay-fors are real, that for any increased spending that was done, at least there were offsets for that. Let me give a couple of examples of these real pay-fors, as I read the bill.

Here are a couple of real pay-fors. One is called pension payment acceleration. This is listed as one of the real pay-fors in the document. Pension payment acceleration in section 502 changed the due date for pension premiums from October 15, 2025, to September 15, 2025, in order to get another \$2.3 billion into the 10-year budget window.

You see, this is all laid out to say that in the next 10 years we will pay this off. So they took a payment that was due 10 years and 2 weeks from now and moved it forward a month. So literally, yes, it adds \$2.3 billion into the 10-year window, but if we had a 10-year-plus-2-week time period, it would be exactly the same. It is actually zero savings. It is not real. They moved the payment a month and said that is a pay-for. It is not a pay-for. That is the pension payment acceleration.

How about this one? We have this one in the Federal Government called the Crime Victims Fund. The Crime Victims Fund is money seized from criminals and designated not for general use but to compensate the victims of crime—hence the name Crime Victims Fund. Apparently, this budget agreement qualifies as a victim of crime because \$1.5 billion is taken from the Crime Victims Fund and dedicated not to victims of crime but to spending in other areas.

We literally take \$1.5 billion out of the Crime Victims Fund and spend it on the EPA, the IRS, and silent Shakespeare festivals out there in Federal funding—so much for helping crime victims.

We have 12 appropriations bills we have done in the Senate. It is the first time in a very long time that the Committee on Appropriations has done all 12 appropriations bills through committee. In this agreement, all 12 of those appropriations bills will have to be redone. Here is how they will be redone. The defense bill will be cut, and the other 11 will all go up in spending. The top of that debt ceiling is without reform.

The final straw for me in looking at this deal is Social Security disability. The Presiding Officer knows full well I have worked for 3 years on Social Security disability reform, knowing that the day was coming when we would have to fix Social Security.

The CBO has warned us for 4 years that Social Security disability would reach insolvency in 2016, so my office has spent the last 3 years preparing for how we could actually reform this program to make sure we stabilize the So-

cial Security disability program. I have interviewed individuals within the disability program—attorneys that work with it, Federal judges, administrative law judges, representatives, Social Security staff in all of those cubicles across the Social Security Administration offices, advocacy groups, parents of the disabled, and we held bipartisan hearings to look for common-ground solutions and worked with the inspector general and the GAO to hear other practical solutions they had discovered. We have a long list of real solutions to solving Social Security disability for the disabled and for the taxpayer. We have submitted those solutions as an amendment to this bill because there are real answers to solving Social Security disability, if you do the work. We have actually done the work to prepare for this.

Instead, this budget bill renews a few demonstration programs, changes a few names, transfers some funds from retirement Social Security over to disability Social Security, and calls it reform. If you look at the way the actuarial tables work out, of the 100 percent that needs to be done to bring solvency, they do 1.5 percent of what needs to be done to bring the program to solvency. The estimate is 1.5 percent of the 100 percent that needs to be done, and it is called real significant disability reform. I wish it were, because it is desperately needed.

Everyone knows this Congress only seems to do anything when they have to. A deadline is coming to deal with Social Security disability. This is the time we have to do the reforms. This opportunity will not come around again for 7 years, because this extends out this program for 7 years with almost no reforms at all. We are missing our window.

These are the most vulnerable individuals in our society who are on disability. These are individuals who literally cannot work in the economy in any way, and they need our help and they need real reform in this program, and we have punted. There is 1.5 percent of reform of the 100 percent that is needed to actually stabilize the program.

What does real reform look like? It helps those stuck in the painful process of disability applications and gets them the help they need at the time they need it. Real reform helps with those who game the system to get out of the system. It gives clarity, accountability, and oversight to the system itself. That is what real reform would look like.

Let me give a couple of examples. The grid—it is called a vocational grid—which is used to determine if someone can work in the economy, has not been updated since 1978. It needs to be updated not just now but every 10 years in order to have a regular cycle of updating, and not every 40 years. But that is not required in this bill.

We need to have good record keeping—evidence for disability. That is not required in this bill. We need to have a standard to be able to rotate off disability and to bring some clarity to it. Right now it is medical improvement. The problem is there are no good records often for those individuals on disability. So there is no way to rotate off of it. An individual is permanently trapped in it because the records were so bad at the start. There is no change in that.

What does that look like in real life? Let me give a couple of real-life examples. In Puerto Rico, the Office of the U.S. Attorney accepted a case for prosecution about 4 years ago. The inspector general initiated a Federal grand jury investigation, working closely with the Office of the U.S. Attorney, the FBI, and the Puerto Rico Police Department. In August of 2013, 74 individuals, including 47 medical professionals and a nonattorney claimant representative, were indicted and arrested for their involvement in a large-scale disability fraud scheme.

On January 15, 2015, the U.S. Attorney's Office in Puerto Rico announced the indictments of an additional 40 individuals, including a psychiatrist, for their alleged involvement in this conspiracy when they undertook an early-morning arrest operation for those individuals. All of these individuals were apprehended, and at the end they estimate the cost to the taxpayer is \$100 million of fraud in that one case alone.

In Huntington, WV, in May of this year, the Social Security Administration mailed letters to approximately 1,500 individuals informing them of their need to redetermine their eligibility for Social Security disability—many of those individuals have been on disability for years—because the Social Security Administration and the Inspector General's Office noted that many of these individuals were put on in a case that did not match facts with what actually happened in their lives. They were led to believe this by a representative, an attorney in this case, fraudulent work behind the scenes by physicians, and the inside work of individuals within Social Security who tracked them through the process. What happened? There were hundreds of millions of dollars in fraud.

These things still continue. Nothing changes on this. I wish this bill would correct some of these issues today, but it doesn't. Those individuals were told by someone that they fit into the disabled category, only to find out later that they had also been defrauded in the system.

There is nothing in this bill mandating the Social Security Administration to update its medical and vocational listings. There is nothing in this

bill to prevent people who receive unemployment insurance, who by definition must be employable, from also receiving disability insurance—people who by definition cannot also work.

There is nothing in this bill to streamline the adjudication process or to eliminate the second level of appeal, which is called reconsideration. Many individuals within the process who are legitimately disabled and who just want to have their cases heard get stuck in this long process. There are actually more appeals in Social Security Administration, in the Social Security disability program, than there are on death row, which puts people in this cycle of endless appeals, year after year, and continues to rack up the cost to the taxpayer and the effect on those who are disabled.

There is nothing in this bill to ensure that a claimant's medical record is well developed so that when they come up for a continuing disability review, a disability determination service examiner can make an informed judgment and actually evaluate whether they are medically improved.

There is nothing in this bill to conduct oversight of the administrative law judges or claimants' representatives. The bill increases the number of administrative law judges but not the oversight. I am not sure if many in this body are aware that some of the administrative law judges in this country have an overturn rate of 95 percent or higher, and we are adding more but not increasing the oversight.

There is no opportunity given for greater accountability or even to improve the Code of Judicial Conduct—a basic element of reform that should be in this.

As for the claimant representatives, according to the Social Security Administration's Office of Inspector General, in tax year 2013, the top 10 highest earning claimant representatives made \$23 million. Remember that the payment for the claimant representatives comes directly out of the money that should go to the disabled individual, not from another fund. It is from the individual who should have received that money as disability. So the more the reps make, the less tax money that actually gets to the disabled individual. There is no change in this model. It continues to provide funding for claimant representatives and attorneys and continues to leave the disabled exposed.

By the way, today in Social Security Administration offices all around the country, they are processing the money from the disabled and sending checks to the representatives because although the reps are hired by the disabled individual, they are paid and processed by the Federal workforce from the disabled person's money. We can do better than this. We should do better than this.

This is not a deal the American people are looking for. This is not a budget agreement the people of Oklahoma say fixes our debt and deficit issues and stabilizes disability. This is a deal that is done, apparently, but not a deal that is done well. Based on where we are in debt and deficit, we need to do better, and I pray we do in the days ahead. We have much to get fixed. It is time to actually fix some things, not just to stay operational.

Mr. President, I ask unanimous consent to speak for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

FREE EXERCISE OF RELIGION

Mr. LANKFORD. Mr. President, there is a football coach in Washington State. He is the head coach of the JV team, and he is the assistant coach of the varsity football team. Tonight is the last game of the season for them, but he will not be coaching on the sidelines today because last night he was dismissed from his duties in Bremerton, WA. According to the attorneys at the school, he was dismissed from his duties because last Friday night at the football game, he had the audacity to kneel down at the end of the game and silently pray at the 50-yard line when the game was over, when the school had instructed him that he was not to silently pray at the end of a game.

Help me understand this. The night before the last game of the season, they kick the football coach off the field because he had the audacity to silently pray when they told him not to.

To his defense, this is not brand new. Since 2008, this same coach, at the end of the games—each game—has had the habit of kneeling and praying at the 50-yard line after the kids have gone, after the game is over, to thank God for the safety of his kids. It is a habit he started 7 years ago, but for some reason the Bremerton School District has determined this is completely unacceptable. Their perspective is that you can only have faith if no one sees it. They have literally set a new standard. What they are taking from the Borden case, which I will explain in a moment—they are saying that if you are a school official, no one can see that you have faith because if anyone sees that you have faith, they will take that as the establishment of religion from the school district. That is a standard no court in America has set. That would mean any individual who is Jewish couldn't wear a yarmulke if they were also a teacher. That would mean anyone who is Muslim couldn't wear a head scarf because clearly that is a visual display of faith. That would mean no teacher could bow their head and pray before their meal in the school lunchroom. That would mean no football coach could kneel down with 5 seconds to go in the game in, the

fourth quarter, before their 16-year-old is about to kick a field goal. They would say: No, you can't kneel down and pray on the sidelines.

The absurdity of this is they set this brandnew standard that says you cannot have anyone see you have faith. That would mean that in this situation, this district has created a new legal standard that no one else has ever agreed to, literally created in the school district a faith-free zone, put up a sign on the front door that says "No one can express any type of faith in this building." That is absurd.

The school district quoted multiple times from the Borden case, which is the Borden v. School District of the Township of East Brunswick case. This is what the actual case was. It was a football coach who, before the game, at a mandatory meeting of the team, led them in a prayer. The only similarity here is prayer and football because this is not a mandatory meeting before the game; this is not a required closed time; this is an individual, after the game is over, kneeling down on his own and freely expressing his faith without requiring anyone else to be there, anyone to listen. This is an individual living their faith. That is free in America, whether you are Muslim, whether you are Wiccan, whether you are Hindu, whether you are Christian, whether you are Jewish, whether you are a Federal employee or a State employee or a private citizen. Every individual retains their constitutional right to the free exercise of their religion. Does that mean they can coerce people or proselytize in that situation? No, it does not. The Court has been very clear on that. But that is not what this was. This is not a situation where the coach was coercing his players to participate in a prayer or proselytizing his players while he was on school time. He was simply kneeling down to pray, and for whatever strange reason the school district has put him on paid administrative leave and has started the process of firing the coach.

I bring this up because it suddenly becomes a national issue when a school district creates a new legal standard for every person of faith in America. Every person of faith in America has the right to live their faith. A school district does not have the right to say to someone: Your constitutional right ends here.

I can go through in great detail the different standards they leave out there, but their accommodation was this one simple thing: He could privately pray in a room of the school district's choosing. If he wanted to pray, they would put him in a spot and say: You can pray in there, in a place we pick, but you can't pray out there.

May I remind Americans that we do not have freedom of worship in America; we have the free exercise of religion in America. The government does

not have the authority to confine your faith to the location of the government's choosing. A government entity like a school district cannot say to an employee: You can only live your faith over there, where we pick.

I don't know what the school district is going to do in the days ahead, but I know what Americans of all faiths and people of no faith should do. They should rise up and say: We are a nation that protects the free exercise of religion. And people who disagree with that coach should rise up in the same way with people who agree because I can assure you—if they will silence a Christian who is silently praying on the 50-yard line, I can assure you they will be after every other faith in the country and say: You can only practice your faith in the place of the government's choosing. That is not who we are.

Coach Joe Kennedy has the right to pray anywhere he wants to pray as long as it doesn't interrupt his school responsibilities. I pray that this school district and the attorneys who are trying to manufacture a new requirement on people of faith will see that in the days ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

HONORING OUR ARMED FORCES

SENIOR AIRMAN QUINN LAMAR JOHNSON-HARRIS

Mr. JOHNSON. Mr. President, I come to the floor today to pay tribute to one of the finest among us, a young man from Wisconsin whose service to his country was cut short by tragedy in Afghanistan.

SrA Quinn Lamar Johnson-Harris, a 21-year-old from Milwaukee, was among six airmen and five civilian passengers who lost their lives when a C-130 crashed on takeoff from Jalalabad Airfield in Afghanistan earlier this month. Every one of those individuals was a grave loss to our country. Every one deserves to be remembered and revered before the Senate.

Today it is my solemn duty and particular honor to tell you about Airman Johnson-Harris. Quinn graduated from Homestead High School in Mequon, WI, in 2012. The very next year, he joined the Air Force. It was a foregone conclusion that he would serve his country long before that, however. His grandfather served in Vietnam. His oldest brother, Jeremy, is a proud marine. His other older brother, Lamar, graduated from West Point just last spring and is now proudly serving in the Army.

His mother told the story about how her three sons—Quinn was only 2 years old at the time—saluted at the grave of their grandfather and vowed to serve their country.

For men such as these, our Nation is eternally grateful.

Quinn went to rebuild houses in New Orleans after Hurricane Katrina while he was still in school. Later one of his

comrades, a sergeant who served with him in the Air Force, said he was: "the heart of the squadron" and that "He was the best of us."

For 239 years, our service men and women have guarded our freedom, more than 42 million of them. Since the Revolutionary War, more than 1 million of those heroes have given their lives, including more than 27,000 sons and daughters of Wisconsin. Now Airman Johnson-Harris has been added to that terrible toll. His brothers, his sister Fatia, his parents Yvette and LaMar, and all his family and friends grieve their loss. Our hearts go out to them, and we pray that they will find comfort and peace.

I saw the grief of Airman Johnson-Harris's family this past weekend during his funeral service at Christian Faith Fellowship Church in Milwaukee. I saw the respect they had for him and the honor granted him by a family who knows the meaning of earned honor. Quinn swore to support and defend the Constitution of the United States, to put his life on the line for the liberties we all enjoy. We must never take that type of dedication for granted. We owe him the honor of taking our own corresponding oath of duty as seriously as he took his.

May God bless Airman Johnson-Harris's loved ones, may He guard all of those in our Armed Forces who defend our Nation's liberty, and may God bless America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

Mr. MORAN. Mr. President, I spoke a few moments ago on the Senate floor, and as I was leaving I was made aware of an article in which the minority leader, Senator REID, was quoted. I wish to highlight something I want my colleagues to hear and know.

What the Senator from Nevada indicated was—the article begins: Having secured their goal of getting a budget deal addressing the debt ceiling and sequestration cuts, Democrats are now looking forward to the appropriations process.

As an appropriator, so am I. I am interested for us to have the opportunity, if this budget agreement passes, to make decisions about the priorities of spending within those budget numbers. What is so troublesome to me is that the indication was that President Obama and Democrats stand firm against efforts to target environmental regulations and other contentious riders.

I am quoting the Senator from Nevada:

We're holding hands with the president, we're all holding hands. We are not going to deal with these vexatious riders. We feel comfortable and confident. . . ."

He goes on to talk about the agreement.

This is a Congress that is supposed to deal with contentious and vexatious issues. Why does anyone have the opportunity to say it is off the table? It happened in these budget agreements in which we were told dealing with mandatory spending is off the table. Yet it is one of the most important issues we need to address, and you ought not start negotiations by saying we are not even going to talk about an issue. In this case, "off the table, not subject to discussion" is the issue of contentious or environmental regulations.

Congress—Republican and Democratic Members—ought to care about the power of Congress that is granted to us by the Constitution in our representation of the American people. We need the days in which the Congress and Members of Congress are not wedded to a Republican President or a Democratic President just because they happen to be Republicans or Democrats. We need to make decisions based upon what is good for the country, not whether we are backstopping a President who happens to be a Member of our political party. Where are the Members of Congress who say congressional authority is the constitutional grant of power to act on behalf of Americans?

We need not only to establish priorities as a Congress when it comes to the spending process, but we need to make decisions when an agency or a department exceeds their authority, when they operate in ways that are contrary to what we believe is in the best interest of the country, in circumstances in which they are doing things that lack common sense. The role of Congress is to direct the spending. It is granted to us by the Constitution of the United States. We are saying that while we are pleased we have a budget agreement, we will not stand for Congress determining whether the money can be spent in a certain way, whether it can be prohibited from being spent in a certain way. We are taking vexatious riders off the table.

This is our responsibility. It is just as important for us to determine whether money should be spent at all as it is for us to determine how much money can be spent on a government program. It is particularly true, I don't think there is any question but that this administration has been the most active, many of us would consider acting in an unconstitutional way in the development of regulations, of policies, of the bureaucracy of what the departments and agencies are doing. This is

an administration that cries out for congressional oversight, not for someone who says it is not even on the table to be considered.

I would think Republicans and Democrats both ought to have an interest in determining how money is spent as well as whether we should tell an agency, a department they can't spend that money at all. Many of my Democratic colleagues have indicated they support a number of riders, including ones that are considered environmental.

Waters of the United States is one that I have been told numerous times that my colleagues on the Democratic side of this Congress support the rider that is in the appropriations bill. Numerous times I have been told that many Democrats support reining in the regulations that are coming from the Department of Labor related to a fiduciary rule. Now we hear that vexatious environmental riders are off the table. We ought not allow that to stand. It is not that I expect every rider that I am for to receive approval of Congress, but those votes ought to be taken. That is our responsibility and majority rules.

Again, the circumstance we now find ourselves in, this is nothing that we are even going to talk about. It is troublesome to me that those of my colleagues who have expressed support for those riders—I guess I should explain to Kansans and to Americans, a rider is a provision—language in the appropriations bill that oftentimes says no money can be spent to implement this idea, to implement this regulation.

It is an absolutely important responsibility for Congress. It is not unusual. It is not something outside the boundaries of what we are supposed to be doing. It is absolutely a significant component of our responsibility. Now those who claim they are for a rider, say the Waters of the United States or the fiduciary rule that the Department of Labor is promulgating—we have colleagues who say they are for that. Now they will be able to say: I am for it, but I never had a chance to vote on it because it was off the table.

I would again ask my colleagues on both sides of the aisle, don't fall into this trap in which we are here to support ad hoc, at every instance, the executive branch just because they happen to be a Member of our political party. When there is a Republican President, I hope to abide by those same rules. I am here on behalf of Kansans and on behalf of Americans, not on behalf of an administration regardless of their political party, and we ought to demand that Congress do its work. We had an election, the people of this country asked for something different, and once again we are back in the circumstance in which no longer are we able to move forward on legislation.

I assume by what the former majority leader is saying that when he says

it is off the table, he means there will not be 60 votes for us to even consider an omnibus bill in which those riders are included. Now, what I will say is that before long, we are going to be hearing about how Republicans are interested in shutting down government because they want these riders. Well, the reality is that the Senator from Nevada is indicating there is no discussion, and the blame ought not fall on those of us who actually wanted Congress to work. The allegation of shutting down government ought to rest on those who say: We won't even discuss an appropriations bill that includes vexatious or contentious riders.

Who would want to be a Member of a Congress that is unwilling to deal with contentious issues? It is our constitutional responsibility. The American people ought to demand the opportunity for us to address issues of importance to them, and it ought not be off the table before the conversation even begins.

Again, the point is that we have a constitutional responsibility that we failed to exercise. When the decisions are made, it is off the table. We need a Congress that works, and we need a Congress that puts the American people above defending a President, regardless of his or her political party.

I yield the floor.

MEASURE DISCHARGED AND PLACED ON THE CALENDAR—S.J. RES. 20

The PRESIDING OFFICER. Pursuant to 42 U.S.C. 2159(i) and section 601(b)(4) of Public Law 94-329, S.J. Res. 20 is discharged and placed on the calendar, 45 days of the review period having elapsed.

Mr. MORAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, for the information of our colleagues, the cloture vote on the House-passed budget and debt limit package will occur an hour after we reconvene, which is at 1 a.m. under the regular order. Once cloture is invoked, the Senate will remain in session and on the message until we vote on passage.

Senators will be permitted for up to an hour to speak postcloture. That is after 1 o'clock, under the rules. It is my hope that the debate time will be extremely limited and that we will be able to move to a passage vote almost immediately after 1 a.m. The timing, however, is up to any individual Senator who claims debate time after the 1 a.m. vote.

ORDERS FOR FRIDAY, OCTOBER 30, 2015

So I ask unanimous consent that when the Senate completes its business

today, or at 11:55 p.m. today, whichever comes first, it adjourn until 12:01 a.m. on Friday, October 30; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of the House message to accompany H.R. 1314, with the time until 1:01 a.m. equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. McCONNELL. So if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess subject to the call of the Chair, following the remarks of Senator WHITEHOUSE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE COSTS

Mr. WHITEHOUSE. Mr. President, we are embarked on a significant budget agreement that has as one of its components adjustments to America's health care costs. In the case of this particular agreement, I support the adjustments that have been proposed—things such as preventing drug manufacturers from raising their costs higher than the rate of inflation. We have seen people come in and buy companies and jack up the costs 10 times because they can. They haven't added any value to the products; they have just raised the costs. I support that. Paying hospitals the rate for physician practices that the physician practices were paid before the hospital bought them—nothing changed in the physician practices; just ownership changed, and that shouldn't allow a windfall to the buyer. I think we have done well with what we have done to reduce health care spending in this particular bill, but I recall that in the sequester we did an across-the-board haircut right across Medicare. Whatever you were being paid before, you got paid 98 percent of that afterward if you were a Medicare provider.

I want to come today to offer a thought that I hope can percolate a bit,

and if we go back and look at those costs again I would like to get this thought into the conversation. The backdrop of this is the extraordinary increase of health care costs that we have seen more or less in my lifetime.

This chart shows 1960, and it is a \$27 billion American expenditure on total health care. Here it is in 2013, with \$2.9 trillion, an increase of more than 100 times over those years in what we spend on health care. And as we have done that, what we have done is we have become the most expensive per-capita health care country in the world—and not by a little but by a ton. Over at the far side of the chart is the United Kingdom, then Germany, Japan, Switzerland, France, the Netherlands, and here is the United States. Again, this is 2013 data. We are way above the most expensive competitors that we have. So there is something that can be done here with this excess cost, because people aren't getting bad health care in Germany. They are not getting terrible health care in the United Kingdom. They are not suffering in Japan or Switzerland or France or the Netherlands. These are competitive systems with ours, but ours costs half again as much. There is a big target in savings here.

Here is another way of describing it. If you look at the cost and you compare it to a quality measure, here the quality measure is life expectancy in years, how long people can expect to live in these different countries, and this is the same per-capita cost information I showed in the last bar chart. What you see is that most of the countries that we compete with are grouped right up in here, as shown on this chart—Greece, Great Britain, Japan. Most of the EU is right in here. As you run up the cost curve you get to Switzerland and the Netherlands. They are the two most expensive countries in the world in per-capita health care, not counting us. Look where we are. We are out here. Our costs are about half again as much as the least efficient health care providers in the industrialized world. We are more inefficient by nearly a factor of a third than the least efficient health care providers in the industrialized world. That is not a prize we want to own. We want to be able to move this back.

If you look at this gradient of life expectancy, we compare with Chile and the Czech Republic. Where we want to be is up here. Where we are is here. So once again, it proves there is enormous room for improvement in our health care system and we know that because other countries are doing it. They can do it. Darn it, we ought to be able to do it too.

Now we change the scope of this a little bit. This chart shows the American health care system State by State. Each State is marked as one of the dots on this graph. This graph has the

same thing across the bottom—Medicare spending per beneficiary. The last one was national spending, and this is Medicare spending per beneficiary. Here are the quality rankings of the States. There are a variety of quality rankings, and this assembles them into a consolidated quality rating.

What you see is that within the United States of America you have the States. This goes back a bit. This is an old ranking that the Journal of the American Medical Association produced. It shows that there are some States that were just under \$5,000 per capita. They were doing something right. There are other States here, including an outlier, all the way over to \$8,000 per capita. But there is a bulk of States here that run about \$7,000 per capita. That is a \$2,000-per-Medicare-recipient difference between this group of States and that group of States. That is interesting. Why is it that there is this big difference?

Here is another interesting factor. Look who is doing better on quality—the States that spend less. The lesson from this is if you are delivering high quality health care, you can deliver it less expensively than if you are delivering low quality health care. At a \$2,000-per-beneficiary increase in costs, these States are way at the bottom on quality compared to the others. The relationship between quality of the care people receive and the cost it takes to deliver it to them is reversed. This isn't like Lexus and Mercedes, where you pay more and you get a better car. This is the opposite. You have a really crummy car and it costs more to run it, it doesn't work, and it is expensive because it is not working well. It is backward. It is interesting that way.

If you bring that forward, this shows a recent graph from the Commonwealth Fund that shows the same thing, overall quality score relative to the U.S. median and costs in total Medicare spending. Here is the average right here for cost and the average for quality, and here you have these States down here in the bad box. They are way out here in costs. They are very expensive States. They are all above average. Some of them here are way above average—25 percent above average, 15 percent above average, 20 percent above average. Look what their quality measure is. They stink. They deliver terrible quality health care. Over here you have a bunch of other States that are way above the quality median and at the same time they are way below the cost average. So the principle from that first graph back in 2000 still holds true, according to the Commonwealth Fund.

With that background, here is another way to describe it. These are the 10 worst States in terms of highest cost per capita, and these are the best 10 States. I know we have a country with 50 States. This is only 20. We leave out

the middle 30. These are the worst 10 in terms of cost, and these are the 10 best in terms of cost.

Here is the idea. Why should we be reimbursing above average the States that have a per-capita cost above average, instead of the way we did it on the sequester, by taking a 2-percent cut on everybody across the board that nobody can do anything about—just a cold, wet blanket of funds denial? Why not look and say this is the most that a State would get paid—whatever the cost would be—if it were at the average. The rest, you just take it back per capita across the entire reimbursement for that State.

This is what would happen with these high cost States. The very next meeting of the State medical society, the very next time the State met with the Governor, the very next time the Medicaid program got together, they would be hollering, saying: What on Earth? I do a good job. I am going to get my reimbursement cut because of that?

No, we have to fix this. It would give them a massive incentive to stop behaving like this and start behaving like this. If we built in some lead time so they had the chance to actually get there, they might actually never have to cut. They might not ever have to face that cut because what they would have done in the time leading up to when the cut was scheduled to be imposed is begin to behave like the States that have lower costs than average.

We know this could be done because so many States are already doing it. Why would we ever again look at an across-the-board Medicare-provider cut when we have an enormous discrepancy between these high-cost, low-quality States and these low-cost, high-quality States—like this one all the way over here? Oh, my gosh, it is a bargain there; it is top quality care.

That is my point for the day. I hope that anybody listening who is looking at the proposed cuts in the budget and who is looking at the need to manage this exploding health care cost curve that America has had for the last 50 years—steepening health care cost curve—starts to think about ways to do not just dumb and bloody cuts, but smart cuts—smart cuts that give the States that are costing us much more money than their peers the incentive to actually start behaving like their peers and bring down the cost for everyone. That is what I would consider to be a serious win-win.

I look forward to continuing this discussion. We have a couple of years before we are going to face this again with any luck, but I think this is an idea that is worth considering.

Once again, if you give the States enough warning within the 10-year budget period so we can score it but with enough warning that they have got the chance to react—I encourage anybody to read Atul Gawande's last

article about Texas. He wrote an article about the terrible cost differential between—I think it was El Paso and a town called McAllen, TX—huge. Then they brought in the ObamaCare affordable care organizations—accountable care organization models and down came the price in McAllen.

So it can be done. We have seen it being done.

With that, I yield the floor.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 7:03 p.m., recessed subject to the call of the Chair and reassembled at 8:32 p.m. when called to order by the Presiding Officer (Mr. SASSE).

TRADE ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, for many months I have been speaking about what I call the Washington cartel. The Washington cartel consists of career politicians in both parties who get in bed with lobbyists and special interests in Washington and grow and grow and grow government. I believe the Washington cartel is the source of the volcanic frustration Americans face across this country, and it is difficult to find a better illustration of the Washington cartel than the charade we are engaged in this evening. This deal we are here to vote on is both shockingly bad on the merits and it is also a manifestation of the bipartisan corruption that suffuses Washington, DC.

What are the terms of this budget deal? Well, in short, what the House of Representatives has passed, and what the Senate is expected to pass shortly, is a bill that adds \$85 billion in spending increases—\$85 billion to our national debt, \$85 billion to your children and my children that they are somehow expected to pay. I don't know about your kids, but my girls don't have \$85 billion lying around in their rooms.

This bill is put together in a way only Washington could love. The spending increases, when do they occur? Surprise to nobody, \$37 billion in 2016, \$36 billion in 2017, and \$12 billion in 2018. But we were told, fear not; there are some spending cuts to offset them. And wonderfully, miraculously, ostensibly there are supposed to be a few spending cuts in 2020, then 2021, 2022, 2023, and 2024. At the very end, 10 years from now—when my daughter Caroline will be getting ready to graduate high school, she is 7 now—we are told \$33 billion will be cut in 2025.

If you believe that, I have a bridge to sell you in Brooklyn and I have some beachfront property in Arizona. Nobody in this Chamber believes that. Nobody in the House of Representatives believes that. No member of the press believes that. Everyone understands this is a lie. It is an agreed-to lie by everyone. We will spend now for a promise that 10 years hence we will magically cut spending that will never ever, ever occur.

That is on the face of it, but beyond that it is worth thinking about just how much \$85 billion is. It is more than the Senate negotiated with the House when HARRY REID was majority leader. When HARRY REID was majority leader the Ryan-Murray budget agreement—which was a flawed agreement and an agreement I voted against—increased spending by \$63 billion over 2 years.

So what does it say that a supposedly Republican majority of the Senate negotiates a bigger spending bill than HARRY REID and the Democrats? When HARRY REID and the Democrats were in charge of this body they jacked up spending and our debt \$63 billion. When the Republicans take charge, whoo baby, we can do it better—some \$85 billion.

Not only that, this deal is not content with spending increases. It also takes the debt ceiling and essentially hands President Obama a blank credit card. It says to the President: You can add whatever debt you like for the remainder of your term with no constraint from this body. We are abdicating any and all congressional authority over the debt that is bankrupting our kids and grandkids.

Now the Presiding Officer and I both campaigned telling the citizens of Nebraska and the citizens of Texas that if we were elected we would fight with every breath in our body to stop the spending and debt that is bankrupting our kids and grandkids. How, pray tell, does handing President Obama a blank credit card for the remainder of his tenure do anything to follow those commitments?

Let me note that for the remaining 15 months we are going to see a binge from this President that makes the preceding 6½ years pale. For 6½ years we have seen an assault on rule of law, an assault on our constitutional rights, a retreat from the world stage, all of which I think will pale compared to what is coming in the next 15 months. In the next 15 months abroad, I have said before, we are essentially in a Hobbesian state of nature, where the enemies of America have made the judgment that the Commander in Chief is not a credible threat, so they are limited only by the limits of their own strength. It is like "Lord of the Flies."

On the regulatory side, we are seeing a press on every front to go after economic freedom—to destroy small businesses, to destroy jobs, to destroy our

constitutional liberties. When it comes to spending, I shudder to think what President Obama for the next 15 months will do with a blank credit card that the Republican majority in the House of Representatives and the Republican majority in the Senate are preparing to send him.

American Express has a whole series of credit cards. It has the green card, the introductory card. I remember when I was a freshman in college—I was 17 years old. I got an application for an American Express card. I was really excited. I got an AmEx when I was 17. It was a green card. Now, if you spend more and you spend more, eventually you can upgrade to a gold card, then you can upgrade to a platinum card, and then you can actually upgrade to a black card above that.

Well, I have to say, a multi-trillion-dollar Presidential card has to be an extraordinary card. I assume it is encrusted in diamonds and glows in the dark. That is what the Republican majorities have just given President Obama—a diamond encrusted, glow-in-the-dark AmEx card, and it has a special feature. The President gets to spend it now, and they do not even send him the bill. They send the bill to your kids and my kids. It is a pretty nifty card. You don't have to pay for it. You get to spend it, and it is somebody else's problem.

Not only is this bill spending us deeper and deeper into a hole, it is chock-full of gimmicks. These are gimmicks that everyone writing them knew were there. For example, it contains a spending gimmick that targets single-employer pension plans while ignoring the oncoming union multi-employer pension plan funding tsunami.

Beyond that, this bill also addresses ObamaCare. But what does it do? It provides a targeted ObamaCare fix for big business—those with more than 200 employees. By repealing the law's automatic enrollment provision, which requires employers to automatically enroll new full-time employees in one of the company's health plans unless the employee opts out.

What does it say that the Congress of the United States exists to provide a special exemption for giant corporations but turns a blind eye, turns a deaf ear to the small businesses being driven out of business over and over and over again by ObamaCare? What does it say? If you are a giant corporation in America, if you have armies of lobbyists, then fear not, the Washington cartel is here for you—a special carve-out, no doubt just as soon as you hand over your campaign contribution.

For the small business we are facing a time unique in recorded history, where more small businesses are going out of business than are being created. For as long as they have kept records, that has never been true until recent years under the Obama economy. Why

does that matter? That matters because over two-thirds of all new jobs come from small businesses. When you hammer small businesses, you end up getting the stagnation, the misery, the malaise we have right now. When you hammer small businesses, you have young people coming out of school who can't find jobs, who have student loans up to their eyeballs but can't find a job. When you hammer small businesses, you have people like my father, who in the 1950s was a teenage immigrant washing dishes, unable to find a job.

What does it say that Congress will pass a special exemption for giant corporations, but for the single moms, for the teenage immigrants, for the young African-American teenagers struggling to achieve a better life there is no answer to their plight? To some 6 million Americans who had their health insurance canceled and their doctors canceled because of ObamaCare, there is no answer to their plight. To the millions of Americans who have seen their health insurance premiums skyrocket so they can no longer afford them, there is no answer to their plight. But fear not, the cartel is here for the giant corporations.

Let us be abundantly clear. The cartel is not a partisan phenomenon. It is not just the Democrats—although it is most assuredly the Democrats—but there are far too many Republicans as well who are card-carrying cartel members who, when the K Street lobbyists summon action, snap to attention.

Look at what else this deal does. This deal additionally takes \$150 billion the next 3 years from the Social Security trust fund and moves it to the disability insurance fund. I would advise all Members of this body the next time you are home and visiting with a senior, the next time the topic of Social Security comes up, if you vote for this deal tonight, be sure to say: Ma'am, just so you know, I voted to take \$150 billion out of your Social Security. Because that is what they are doing.

That is what they are doing. They are saying to seniors: Well, there is a little bit of money here, and we are going to take it and move it over here. Why? Because actually fixing the disability program, reforming the program would be too difficult. Stepping forward to address the fraud in that program would be too difficult. Stepping forward to put in place work incentives to help people with disabilities find meaningful work, even if it is not everything they are capable of—a great many people with disabilities are capable of meaningful work—reforming that program to help people work to provide for their families makes a difference in people's lives, but that isn't easy. That is hard work. That is actually what we were elected to do. It is far easier just to raid the Social Secu-

rity trust fund, far easier to pull \$150 billion from our seniors and reallocate it and do nothing, zero, to fix the underlying problem.

The deal also sells 58 million barrels of oil from the Strategic Petroleum Reserve. It is always interesting to see the Federal Government selling off Federal assets. I have argued for a long time that we should be selling off Federal land, far too much of which in this country is owned by the Federal Government. I am not talking about national parks, which are a treasure that should be preserved; I am talking about the vast amounts of land that are held, utterly nonproductive, by the Federal Government.

So it is a good thing that this bill is selling some assets, but it is interesting, No. 1, that they estimate that will yield \$5 billion because they estimate it will be selling at \$86 a barrel. I have to say, representing the State of Texas, if you know how to sell oil today at \$86 a barrel, you are truly a magician because it is selling at about half that right now. But when it comes to budget trickery, just make up a number and put it in there. As I said before, on this chart everyone knows it is a lie. Nobody believes it is true. It is a game. It is the Washington game.

I would note that in selling 58 million barrels of oil, they are not using that revenue to pay down our national debt. If they are actually selling assets, we would think it would go to something at home. If you sell an asset and have a massive credit card debt, the prudent thing to do would be to use the revenue from that asset to pay down that credit card debt. Oh, no. It is just more and more spending.

A group called the Conservative Action Project consists of the CEOs of over 100 organizations representing all of the major elements of the conservative movement, the economic, social, and national security conservatives. They sent a letter to this body. The letter reads as follows:

The latest budget deal negotiated by the White House and outgoing House Speaker John Boehner, the bipartisan Budget Act of 2015, proposes increasing spending by \$85 billion over the next three fiscal years. What the deal doesn't include are meaningful accountability measures that ensure responsible spending levels.

The deal would allow Treasury unfettered borrowing power until 2017 in exchange for theoretical budget cuts down the road. The included offsets are spending gimmicks, at best. According to budget analyses from the Congressional Budget Office and The Heritage Foundation, the deal would result in spending increase of \$85 billion over the next three years, while significant spending cuts would not take place for another ten years—until 2025. Furthermore, we cannot reasonably expect that a future Congress will abide by these measures. Moreover, the busting of the caps presently is proof that the gimmicks which promise reform later are hollow.

This "bipartisan deal" indicates a dangerous trend that has become commonplace

in Washington—rather than hard questions about spending, the Congress is choosing to eliminate the possibility of those conversations or votes for the next two years. Furthermore, the deal represents total surrender on important conserve principles, while capitulating to every demand of the White House.

It is this sort of irresponsible spending that has resulted in a national debt of over 18 trillion dollars. For the first time in nearly six years, Republicans have control of both Houses of Congress and a real chance to send responsible budget reforms to the President's desk. A responsible alternative would acknowledge the importance of appropriating funds for government operations while simultaneously addressing our statutory debt limit and staying within the budget caps.

Instead, lawmakers have forgone the chance at meaningful reforms and instead are digging us deeper into the mire of debt our nation has already accrued.

In potentially the most egregious portion of the deal, the Overseas Contingency Operation or "OCO" fund, which is dubious in and of itself, is typically designated for efforts to support troops on the ground in emergency situations, is turned over to a slush-fund for non-defense spending.

We oppose the Bipartisan Budget Act of 2015 not only because it fails to curtail spending, but it prevents future reform for an entire two years. Lawmakers should reject this deal, and attach earnest, meaningful reform to any hike of the debt limit.

It is signed by former Attorney General Edwin Meese, the Honorable Becky Norton Dunlop, and dozens of respected conservative leaders across this country, across the full spectrum of the conservative movement—across fiscal conservatives, social conservatives, national security conservatives, all united, the conservative movement.

Many of the people who worked very hard to elect us to this body, many of the people who worked very hard to give us a Republican majority in the Senate are now all speaking in unison saying: What in the heck are you doing? Some of them may be using stronger language than that.

This bill we are voting on was not cooked up overnight. This wasn't a slap-dash on a Post-it last night. This represents days or weeks or months of negotiations. This represents the cartel in all of its glory because this is the combined work product of JOHN BOEHNER and NANCY PELOSI and MITCH MCCONNELL and HARRY REID.

The entire time Republican leaders have been promising "We are going to do something on the budget; we are going to rein in the President," they have been in the backroom negotiating to fund every single thing President Obama did. I am reminded that it wasn't too long ago that we saw El Chapo dug out of his prison cell. One of the first things you realized when El Chapo was dug out is that tunnel wasn't dug overnight; the drug cartels spent many weeks or months digging that tunnel. Well, our leadership, the leadership of the Washington cartel, has spent many weeks and months

breaking El Chapo out on the American people, digging us deeper into debt. It is contrary to the promises our leaders have made.

In August of 2014, Majority Leader MITCH MCCONNELL was quoted as saying:

So in the House and Senate, we own the budget. So what does that mean? That means that we can pass the spending bill. And I assure you that in the spending bill, we will be pushing back against this bureaucracy by doing what's called placing riders in the bill. No money can be spent to do this or to do that. We're going to go after them on healthcare, on financial services, on the Environmental Protection Agency, across the board. . . . All across the federal government, we're going to go after them.

Let me ask, have we done any of that—any of that at all? Now wait, leadership might come back and say: Well, sure. We have appropriations bills. There are riders. But the Democrats are filibustering.

Everyone understands why the Democrats are filibustering appropriations bills. When Republican leadership begins the negotiation by peremptorily surrendering, by saying, "We are going to fund everything, 100 percent of what you want," what rational Democrat would ever agree to allow an appropriations bill to go forward?

I am reminded of a football game. In a football game, if the coach comes out at the beginning of the game when the coin is being flipped and forfeits, we know the results in 100 percent of those games. In 100 percent of those games, that team will lose. Sadly, that team is the American people because it is Republican leadership that goes out and forfeits at the coin toss over and over again.

That was in 2014.

In 2015, Senate Majority Leader MITCH MCCONNELL vowed "some big fights over funding the bureaucracy," saying that his party would use spending bills now being written in the GOP-controlled Congress to extract policy concessions from President Barack Obama. Where are those policy concessions? Where are those fights? I don't recall seeing any fights. Actually, that is not fair. There are fights—fights against conservatives; fights against efforts to rein in the Obama administration; fights against efforts to stop the spending; fights against efforts to turn around our debt. On that, Republican leadership fights ferociously. But where are the promised fights against the Obama agenda, on anything? Name one concession.

Let's go back to the substance of this deal. One of the things this deal does is it utterly makes a mockery of the Budget Control Act. It abrogates the budget caps. It wasn't too long ago that Republican leadership was touting the Budget Control Act as one of the greatest successes of Republican leadership. Indeed, when asked "Well, why does it matter to have Republicans in

control?" typically the answer would be "Look at the Budget Control Act."

Here is another quote from Majority Leader MITCH MCCONNELL:

Politicians regularly come to Washington promising fiscal responsibility, but too often they can't agree to cut spending when it counts, and that is why the Budget Control Act is such a big deal.

Mind you, a big deal that right now the Republican Congress is abrogating.

Since Congress passed the BCA with overwhelming bipartisan majorities in 2011, Washington has actually reduced the level of government spending for 2 years running. That is the first time this has happened since the Korean war.

Leader MCCONNELL continuing:

The BCA savings are such a big deal, in fact, that the President campaigned on it endlessly in 2012.

Yet the lone fiscal accomplishment supposedly of the Republican majority, this deal throws overboard. They didn't have much to point to, but they had this one: We have the budget caps. Guess what. We don't have those either.

Then there is the debt ceiling. In 2011, then-Minority Leader MITCH MCCONNELL talked about what the debt ceiling should be used for. This is a quote from an op-ed he wrote:

What Republicans want is simple: We want to cut spending now.

Does this do this? No.

We want to cap runaway spending in the future—

Does this do this? No—

and we want to save our entitlements and our country from bankruptcy by requiring the nation to balance its budget.

Again, this does not do this.

We want to finally get our economy growing again at a pace that will lead to significant job growth.

Well, surely there are some pro-growth measures in this. No.

That wasn't an isolated statement. Earlier in 2011, Leader MCCONNELL explained that "no president—in the near future, maybe in the distant future—is going to be able to get the debt ceiling increased without a re-ignition of the same discussion of how do we cut spending and get America headed in the right direction." That was 4 years ago.

Why is it that the Republican leadership is giving President Obama trillions in more debt without any—let's go back to Leader MCCONNELL's words—"re-ignition of the same discussion of how do we cut spending and get America headed in the right direction"? That was a clear promise made to the American people, and this deal makes that promise a mockery. It makes it an utter mockery. Instead, Republican leadership is taking the lead to remove the debt ceiling from Barack Obama. He will never have to worry about it again.

Why do these matter? Why do we have these fights? To understand why,

we have to understand the dynamics of Congress today.

In Congress today, there are essentially three types of spending bills. No. 1, there are show votes. Show votes are a particular favorite of leadership. Show votes are anything, frankly, that men and women who are elected care about. They will tee up a show vote. We have had show votes on Planned Parenthood. We have had show votes on the Iran nuclear deal. We have had show votes on amnesty. Show votes are designed for all the Republicans to vote one way, all the Democrats to vote the other, and for us to lose. Show votes are a game of political posture.

Leadership is happy to give show votes. Frankly, leadership is irked that the men and women who elected us are not satisfied with show votes anymore. There was a time when politicians in Washington could look down at our constituents and say: They don't understand what is going on. If we give them a show vote, they will be satisfied with that.

Well, a funny thing happened on the way to the floor: The electorate has gotten much more sophisticated, much more educated, and much more informed. With the advent of the Internet, with the advent of social media, people can now tell a show vote. A vote that is designed to lose from day one, that is an exercise in political theater, in Kabuki theater, is not, in fact, honoring the commitments made to the men and women who elected us.

There is a second type of legislation which is simply a collective spending bill that pays off the Washington cartel, pays off the lobbyists, and that can often get bipartisan agreement. If you are giving money to giant corporations, it is amazing how many Democrats and Republicans can come together to say: Hey, these corporations write campaign checks; we are all for that. The pesky taxpayers don't know enough to fight against this. We can keep them in the dark, so let's keep robbing the single moms waiting tables to take her paycheck and give it to the giant corporation. That stinks. Do you want to know why America is mad? That is it right there, the legalized looting that occurs in this city every day.

Then there is a third type of vote. That is the must-pass legislation. I would note that this year in the Senate there are a number of Senate freshmen. Senate leadership has done what Senate leadership always does, which is wrap their arms around Senate freshmen and bring them into the bosom. One of the things I am hoping Senate freshmen observe firsthand—I have not been here much longer than Senate freshmen, but one of the things you quickly realize is the only fights that have any chance of actually changing law, the only fights that have any chance of actually changing policy are must-pass bills.

If you want to do more than a show vote, if you want to actually fix a problem, if you want to actually address a wrong, you either fight on the must-pass votes or you do nothing. Those are the choices. Leadership knows that must-pass votes are typically one of three things: They are continuing resolutions, they are Omnibus appropriations bills, or they are debt ceiling increases.

If you look historically at how Congress has reined in a recalcitrant President, it has been through continuing resolutions, Omnibus appropriations, or debt ceiling increases. If leadership foreswears using any of them, we will not use any must-pass legislation to do anything. Do you know what that means? That means Congress in the United States has become all but irrelevant. That is what leadership has done.

It is all captured in one innocuous little statement: no shutdowns. That is what leadership has promised. We are going to have no shutdowns. Listen, to most folks that sounds like a very reasonable proposition. In the private sector, you generally don't shut a business down. Saying we are not going to shut things down seems very commonsensical, but here is the problem. When you are dealing with zealots and when you are dealing with ideologues and you tell them if they do the following, I will surrender—if you tell them “if you say the word ‘zucchini,’ I will give in,” we all know what will happen. Immediately they will begin saying “zucchini, zucchini, zucchini.”

That is Washington today. Republican leadership in both Chambers has told President Obama we will never ever allow a shutdown because, Lord knows, the last time we had a shutdown, it resulted in us winning nine Senate seats, taking control of the Senate, retiring HARRY REID as majority leader, winning the largest majority in the House, and, goodness gracious, we don't want that to happen again.

Once Republican leadership tells Obama we will never ever allow a shutdown, then suddenly the President has a little furry rabbit's foot in his pocket. On any issue, any fight, any topic that comes up whatsoever, all the President has to do is whisper quietly in the wind “shutdown” and Republican leadership runs to the hills. It is a wonderful negotiating tactic. Why is this happening? Because President Obama whispered “shutdown,” and leadership said, “We surrender.”

If you are not willing to fight on any must-pass legislation, we will not win anything. Leadership responds, though, that it is not reasonable. You cannot win. You can never win a fight on must-pass legislation.

The problem with that is history is to the contrary. As John Adams famously said, “Facts are stubborn

things.” Of the last 55 times Congress has raised the debt ceiling, it has attached meaningful conditions to that 28 times. It has historically proven the most effective leverage Congress has.

When leadership says—and by the way, when press outlets echo leadership in saying that it is hopeless, nothing can be done, do not fight on these issues, they never seem to address the reality of history that is directly to the contrary. Gramm-Rudman, one of the most significant spending restraints in modern times, came from the debt ceiling. If Congress wasn't willing to fight on the debt ceiling, you would have no Gramm-Rudman. Yet leadership might respond: OK. Fine. Historically that was true but not with Barack Obama, not with HARRY REID. This current incarnation of Democrats—they are too partisan, they are too extreme, they are too zealous, and it will never work with them. The only problem is that is not true either.

Indeed, what we are talking about right now—the Budget Control Act—came from the debt ceiling. The newly elected majority in the House of Representatives used the debt ceiling to extract the Budget Control Act from President Obama, which until just recently leadership hailed as their greatest fiscal success in modern times.

If the tool that yielded their greatest fiscal success was the debt ceiling, why would leadership say we will never use it again? It is like the San Francisco 49ers of great saying that we are never going to again allow Joe Montana to throw to Jerry Rice. That worked too well—never again.

If you discover a tool that works, who in their right mind would say we will take off the field forever the tool that has proven most successful in reining in the President? I don't know if anyone in their right mind would, but that is in fact what congressional Republican leadership has done. This debt ceiling is kicked down the road until the end of the Obama Presidency.

I would note that when Speaker BOEHNER announced his resignation on that day, I predicted this outcome. On that day, within minutes of Speaker BOEHNER announcing his resignation, I stated publicly that what this means is that he has cut a deal with NANCY PELOSI to raise the debt ceiling and to fund the entirety of Obama's agenda for the next 2 years.

It was interesting. When I said that, there were those in the media who criticized me: Oh, you don't know that. Why are you so cynical? Why would you say such a thing?

I would say such a thing because I understand how the Washington cartel operates, how it is not two parties, but it is in fact one party—the party of Washington. I mentioned that this deal took months to negotiate. We are seeing the fruits of it right here. This is exactly what I predicted the day JOHN

BOEHNER resigned. Why? Because that then freed the Speaker to pass this through the House of Representatives. How many Democrats do you think voted for this? I will tell you. It was every single one of them. One hundred percent of House Democrats who voted, voted for this, and 79 Republicans voted for it—a handful, a small minority of Republicans. So how did this pass the House? With all the Democrats, House leadership, and a handful of Republicans. How is it likely to pass this body? Every Democrat will vote for it. Republican leadership will vote for it, and they will get some of the Republicans. That pattern—a lameduck Speaker of the House cutting a deal with a lameduck President to add \$85 billion to our national debt and to give away any and all leverage for the Obama administration—that is what this deal means.

It is worth understanding. This deal means Republican majorities in Congress will extract nothing of significance from President Obama. This deal means that Republican leadership has fully surrendered.

It is interesting. They call it clearing the decks. That is a uniquely Washington term. You recall back in December the trillion-dollar CROmnibus bill. The very first thing we did after winning majority in both Houses was also called clearing the decks. Boy, these decks need a lot of clearing. I have to say, these chairs get rearranged like they are on the deck of the Titanic, and no one addresses the fact that the ship of the United States is headed toward the iceberg.

With \$18 trillion in debt that the party of Washington, the Washington cartel, has created—and it is complicit and growing—the only people losing are our kids and their kids and the future of this country and the future of the free world. That is all that is being lost. But, hey, there are cocktail parties in Washington this week. Lobbyists are hosting them. They are writing checks.

If we actually stood up to that, that would be difficult. There is a reason so many politicians talk about standing up to Washington. Yet so few actually do it because it is far easier to take the path of least resistance. It is far easier to go along to get along. It is far easier simply to agree, to be agreeable, to get along. Why can't you get along with the politicians who are bankrupting your children and my children? Do you know what? I don't make it a habit to acquiesce to people who are doing enormous damage to this country. That is what we are seeing.

What could have been done instead? Imagine a hypothetical. Imagine we had Republican leadership that wanted to fight on something, on anything. For Pete's sake, at this point, I think most voters would say: Give me something that matters and fight on that,

whatever it is. They are so frustrated. How can it be that we won majorities in both Houses and there is nothing, nothing that matters to the people that we are willing to fight on?

Do I think the continuing resolution or the debt ceiling could have magically transformed this country? Do I think we could have done fundamental, wholesale reforms? Probably not. That would have taken truly inspired leadership. That may be asking too much. If we couldn't have solved every problem, is the alternative really that we could have solved nothing? Is the alternative really that we had to give Obama everything and do nothing to fix the problems?

Let me suggest seven things this deal could have included. How about the Default Prevention Act? It is legislation PAT TOOMEY introduced. He also calls it the Full Faith and Credit Act. Every time we have a debt ceiling fight, the Democrats scaremonger. They say: If you don't raise the debt ceiling, America will default on its debt.

Let's be clear. That is a blatant lie. They know it is a lie. I will note that when Barack Obama was Senator Obama, he voted against George W. Bush raising the debt ceiling. He said it was unpatriotic to raise the debt ceiling. That is when the debt was about half of what it is now.

Everyone who votes here later tonight, you should remember that Senator Obama said that if you are voting to raise this debt ceiling, what you are doing is unpatriotic. Those are the words of a young Barack Obama, but there is reason it is a lie. Every month's Federal revenue is about \$200 billion. Interest on the debt runs between \$30 billion and \$40 billion a month, which means in any given month there are ample revenues to service the debt. No responsible President would ever allow a default on the debt. Indeed, what a responsible President should do is stand up at the very outset and say: Let me be clear. Under no circumstances will the United States ever, ever default on its debt. That is what a responsible President would do. Sadly, that means that is not what President Obama has done. Instead, what he does consistently when we approach a debt ceiling is to threaten to default on the debt if we don't give him a blank credit card.

What does the Default Prevention Act do? It says that in the event the debt ceiling is not raised, we will always, always, always service our debt. We will never ever, ever, ever default on the debt. I recognize that there are some skilled demagogues in Washington, but how exactly does the Democratic Party demagogue Republicans for risking a default on the debt in order to pass legislation preventing defaults on the debt? That is some slick talking. But you know what. The Republican leadership didn't want to

do that, because if we did that, then when we face the next debt ceiling, conservatives would expect us to say: OK, let's use this leverage to fight for something, and they don't want to fight for something.

The Democratic scaremongering is useful because they are working to meet the same priorities. If you pass the Default Prevention Act, then suddenly some spines might stiffen and people might be prepared to fight, and that is a nightmare to leadership—that we would actually fight. So, no, no, no, no, we will not attach the Default Prevention Act.

How about another one—shutdowns? Senator PORTMAN has legislation preventing government shutdowns. There is one promise that Republican leadership has made that is carved in stone, and that is that we will never, ever, ever, ever allow a shutdown. So if there was anything on Earth to attach to this deal, it would be that. Senator PORTMAN's legislation says: In the event a continuing resolution isn't passed, in the event that appropriations expire, funding will continue, but it will gradually ratchet down slowly over time. If we pass that bill, there will never ever, ever again be a government shutdown.

Gosh, if I listened to the rhetoric of leadership, I would think they would want to pass that bill. Why isn't it in this? The answer is simple: Because if it were in this, Members of this body would actually expect us to stand up and fight for something. Instead, leadership wants to be able to tell the freshmen—the new Members of the Senate—that a shutdown is terrible. It is the worst thing in the world. So we can't fight for anything; so you must acquiesce in everything that Obama wants. If we actually passed legislation prohibiting shutdowns, that scaremongering would be taken off the table. Democrats don't want that because Democrats support shutdowns.

If we look at the last shutdown over ObamaCare—revisionist history aside, because the media loves doing revisionist history—Republicans voted over and over and over to fund the government, and it was HARRY REID and Barack Obama who shut down the government. Reporters scoff at that when they hear it without ever acknowledging that HARRY REID very publicly said: Gosh, we think shutdowns help Democrats politically. Why is it a difficult proposition? If the leader of the Democratic Party says that we think a shutdown is politically beneficial, why is it difficult to understand that they are the ones forcing a shutdown? The last thing Democrats want is to take shutdowns off the table.

The dirty little secret—the mendacity in this body—is that the Republican leadership doesn't want that either. They don't want us standing and resisting anything because it is not two parties; it is one party.

What else could we have done? How about growth? Remember MITCH MCCONNELL's comments about economic growth? Why doesn't this bill have a provision lifting the ban on crude oil exports? That would produce economic growth across this country. It is a no-brainer economically. Is this in there? No. Did we try? No. Maybe it was brought up behind closed doors, and the Democrats laughed and said no and we surrendered. I don't know. It doesn't matter because leadership is not willing to fight for it. If you are not willing to fight for it, it won't happen.

What else could we have done? We could have repealed the waters of the United States rule, one of the most crushing rules that is hammering farmers and ranchers and poses an immense threat to jobs across this country. By the way, there is even some bipartisan opposition to it in this body. But fear not, next week we have a show vote on the waters of the United States bill scheduled. Leadership is very happy. We will have a show vote. We will get to vote, and it will fail.

Every farmer and rancher that is facing hundreds of thousands of dollars in costs because of this rule should rest assured that our show vote will allow us to pretend to be with them. Why not attach to this a provision rescinding the waters of the United States? Because that would actually prompt a fight.

How about another option on the spending side? How about putting in a work requirement for welfare? In the mid-1990s, welfare reform was one of the most successful policy reforms in modern times. It moved millions people off of welfare and into work, out of poverty and into the middle class. It lifted their spirits, their hopes, their dreams. It provided the dignity of work. It provided children with homes that were more stable, had more future and more opportunity. We could have added that to this. Is that here? No. Why? Because President Obama would fight it. It is contrary to his big government agenda to expect anyone receiving welfare to work or look for work.

By the way, let me say as an aside, that you are not helping anyone when you make them dependent on government. You are not doing them a favor when you sap them of the dignity and self-respect of going to work. Arthur Brooks has a wonderful new book out. One of the things that he talks about is the happiness that comes from going to work and working hard, the dignity that comes from looking your kids in the eyes and having a job.

The Democrats are not helping the people they trap with dependency; they are hurting them profoundly. I have said many times that when my dad was a teenage immigrant in the 1950s, washing dishes and making 50 cents an

hour, and he couldn't speak English, thank God some well-meaning liberal didn't come put his arm around him and say: Let me take care of you. Let me make you dependent on government. Let me give you a check. Let me sap your dignity and self-respect. It would have been the most destructive thing you could have done to my father.

We could have fought that fight. But did we do that? No.

What about adding a provision of Internet tax freedom—permanently? The Internet will be tax free in perpetuity. I tried to bring that up numerous times. The Democrats can be expected to routinely block it. Why? Because they want to threaten taxing the Internet. That is some money. Ain't nothing politicians in Washington like more than a chance to get their grubby little hands on our dollars and our freedom.

How precisely did we lose this fight if in the course of this we simply attached permanent Internet tax freedom to this fight? Are Republicans really that lousy at political battle that we fear the President would shut down the government, blame us, and we would collapse in ignominy because we fought for Internet tax freedom? Holy cow—if we are that bad at this, why are we doing this?

I have one other option. How about auditing the Federal Reserve? That is something else that has bipartisan support, something else that would address the effects of debasing the currency. One of the effects of debasing the currency is seniors, people who saved their whole lives are seeing their savings devalue. They are people who are struggling and living paycheck to paycheck. Single moms are finding it harder and harder to make ends meet. Those are seven things we could have added to this.

By the way, I would note that when leadership says, "Gosh, you are being unrealistic to expect us to fight," I didn't say any one of those is a must-have. I gave a choice of seven. Is it really the case that we could have fought for nothing? Is that really the case? That is what leadership tells us. No, nothing pro-growth, nothing limiting spending, nothing addressing any of the promises we make—that is the position of leadership.

I ask my Republican colleagues to name one thing President Obama is unhappy with regarding this deal. There is an old line that if it is a good negotiation, both sides are unhappy, both sides will have given something. Name one thing that President Obama is unhappy with. What did we get in return? Name one thing. The answers to both questions are exactly the same—nothing.

The fact is, President Obama has already told us what he thinks of this deal. Just this week he stated: "I'm

pretty happy about the budget deal because it reflects our values." Whose values are those? He is right. This budget deal reflects the Obama values. Who negotiated this budget deal? That would be Republican leadership. What does it say that Republican leadership's budget deal gives President Obama everything he wants because it reflects Obama's values? This is why the American people are so frustrated. We keep winning elections and nothing changes.

In 2009, we were told that if only you had a Republican majority in the House of Representatives, then things would be different. We rose up, and millions of us in 2010 won a majority. And very little changed. Then we were told the problem was the Senate—HARRY REID and the Senate. If only we had a Republican majority in the Senate, then things would be different. In 2014, millions of Americans rose up again, and we won another historic tidal wave victory. We won nine Senate seats and retired HARRY REID as the majority leader. The Presiding Officer and I have been here 10 months. Is there one single accomplishment we can point to that the Republican majority has given to the men and women who elected us? Mind you, there are things we have accomplished. It just wasn't anything we promised the men and women back home.

One of the things I discovered as a freshman is how often leadership would effectively pat you on the head and say: Now, son, that is what you tell the folks back home. We don't actually do it. You don't expect us to actually do those things.

A few weeks back, I was meeting with a number of House Republicans. I suggested to them to go back to their districts and convene a townhall and set up a whiteboard and just ask their constituents: What should be the top priorities of Republican majorities in both Houses of Congress? Make a list. If you make a list of 20 things from your constituents—the Presiding Officer is from Nebraska and I am from Texas—I guarantee you that of those 20 things at least 18 of them will be nowhere on the leadership's priority list. They are simply not what majorities are endeavoring to do.

The second thing I suggested to the House Republicans was to go down to K Street and assemble the biggest lobbyists in Washington. Take out that same whiteboard and ask them: What are your top priorities? Write a list of 20 things, and 18 of them will be leadership's priorities. That is the divide.

People ask me: Is it that leadership is unwilling to fight? Is it that they are not very good? Do they not know how to fight? Sadly, it is worse than that. They know how to fight. They are actually quite capable of it. They are willing to fight. It is whom they are fighting for. Washington is working,

but it is just not working for the American people. It is working for the giant corporations, it is working for the lobbyists, and it is working for the rich and powerful. Six of the 10 wealthiest counties in America are in and around Washington, DC. That is whom the Washington cartel works for. That is the basic divide.

Indeed, as we look back over the last 10 months, one is left with the conclusion—and a rather shocking conclusion—that Majority Leader MCCONNELL has proven to be the most effective Democratic leader in modern times. Now, that is, in the parlance of Washington, a surprising statement.

Let's take a moment to review the statistics. Between January and September 30 of this year, there have been a total of 269 rollcall votes. In the same time period in the prior Congress under HARRY REID, there were 211 rollcall votes. Let's look at the differences, and in particular, I want to focus on the total number of times a majority of Democrats voted aye, a majority of Republicans voted no, and the measure passed.

Now, if someone is an effective Democratic leader, you would expect them to be able pass legislation when a majority of Democrats support it and a majority of Republicans oppose it. Indeed, if you are a partisan Democrat, that would be almost the definition of an effective Democratic leader. Nineteen times in the last 9 months, this so-called Republican majority has passed legislation and has had a vote succeed where a majority of Democrats supported it and a majority of Republicans opposed it.

One example we can look to is DHS funding—funding for the Department of Homeland Security when President Obama issued his lawless and unconstitutional Executive amnesty.

Republicans across the country campaigned, promising to stop it. The Presiding Officer and I campaigned together in his home State of Nebraska. I spent 2 months in the year 2014 campaigning with Republican Senate candidates all over this country. I think for those 2 months before that election I slept in my own bed about 5 days. Over and over again, Republican Senate candidates said: If you give us a majority in the Senate, we will stop this unconstitutional amnesty.

I have to tell my colleagues I shared with Republican leadership. How about we honor that commitment. The response from leadership was, I didn't say that. I can tell my colleagues Senate candidates across this country did because I was standing next to them when they said it.

What happened? When we voted, all 45 Democrats voted aye; 100 percent of them. That is impressive for a leader to get 100 percent unanimity among his party. Notice I said "his party." There is a reason I said that. Right now,

sadly, the majority leader MITCH MCCONNELL is the most effective Democratic leader we have seen in modern times. One hundred percent of the Democrats were united. How about Republicans? Well, 31 voted no and 23 voted yes. So under this majority leader, the Democrats had their way and a majority of Republicans lost.

Surely that is an outlier. Yes, the President was behaving lawlessly. Yes, he was behaving unconstitutionally. Yes, indeed, he was behaving, in his own terms, like an emperor. Let me note calling a President an emperor, that is fairly overheated rhetoric, but it is not my rhetoric, it is President Obama's.

President Obama was asked by activists, could he decree amnesty unilaterally, and he said: I don't have the constitutional authority to do so. I am not an emperor. Those are Barack Obama's words: I am not an emperor. Just months later, magically, that same power he said he didn't have under the Constitution—just months before a Presidential election—it materialized. Suddenly, the man who said "I am not an emperor" apparently became an emperor, in his own assessment. Yet what did the Republican majority in the Senate do? It joined with 100 percent of the Democrats to overrule a majority of the Republicans in funding President Obama's lawless amnesty, acting as an emperor.

The Presiding Officer and I both sat through a Republican lunch a couple of weeks ago where our colleagues were quite puzzled why approval of the Republican majority is at such low levels. They couldn't understand why right now Republicans in Congress have a 10-percent lower approval rating than we had in the middle of the shutdown. They were utterly befuddled by this. I am going to suggest a very easy reason. When our leader acts like an effective Democratic leader, the people who elected us, their heads explode. Surely one might say this is an isolated example.

Well, let's look at the next example, yet another example, the Bennet climate change amendment. This climate change amendment said climate change is real, it is manmade, it is a national security threat, and we need to act to stop it. Listen, let me say something on global warming. I am the son of two mathematicians and scientists. I believe we should be driven by the scientific evidence. Sadly, the far left is not interested in science or evidence, they are interested in politics and political power. So when it comes to global warming, they do not want to confront the inconvenient truth, as Al Gore might put it, that the satellite data demonstrates there has been no significant warming whatsoever for 18 years. They get very angry when we point that out.

We had an amendment on that. How many Democrats voted for it? Oh, look,

again, 46, 100 percent, every single Democrat. How many Republicans voted against it? Forty-seven and just seven Republicans voted for it. Yet it passed.

That is an impressive victory for a Democratic leader. We just have 46 Democrats. For a Democratic leader to get a win with just 46 Democrats, that is impressive. That is what the current majority leader did. He produced a win, ran over the wishes of 47 Republicans.

Let's use another example: a motion to waive the budget rules on H.R. 2. This was the so-called doc fix. The doc fix has been a perennial challenge in Congress. It is part of Medicare that assumed unreasonable cuts in doctor reimbursement rates. For a time, it served a purpose. It actually allowed Washington politicians to shake down the doctors election after election after election to write checks. So for a time the Washington cartel liked the doc fix, but it came time to get rid of it, and getting rid of it was a good thing. Here is the problem. When we got rid of it, we didn't pay for it. We just put it on a credit card. We didn't do the hard work of figuring out how to pay for it, we just accepted more debt. Well, but at least it is not that much more debt. Well, unfortunately, it is. This so-called doc fix will spend more than \$200 billion and add more than \$140 billion to our deficits over the first 10 years and more than \$500 billion to our Nation's deficits over 20 years—\$500 billion. Look, even in the world of Washington, \$500 billion is real money, but surely it is unreasonable to expect anyone to figure out how to pay for a doc fix.

It is interesting that since 2004 Congress has passed periodic doc fixes, and since 2004 doc fixes have been fully offset 94 percent of the time—and 98 percent of the time if we count some of the budget gimmicks. If we count the gimmicks, it is 98 percent of the time. Just this time, \$500 billion, no, we are not going to offset that. We are just going to put it on the credit part. After all, Obama has a platinum-encrusted, glow-in-the-dark AmEx. We will put it on your kids and my kids.

What does that irresponsible profligate spending do? Well, how many Democrats voted for it? There is a surprise, every single one of them: 46 Democrats. The Republicans: 29 Republicans vote no, 25 vote yes. Now, for a Democratic leader, what a great victory. A Democratic leader, with just 46 Democrats, added \$500 billion in spending without paying for it. Holy cow. I don't recall HARRY REID ever being able to campaign saying: Give me a Democratic majority and I will add \$500 billion in spending without paying for it. This is an accomplishment the prior Democratic leader, HARRY REID, was not able to achieve. Yet the current majority leader got this win for the Democrats.

Let's look at the next example: Confirmation of the Attorney General, Loretta Lynch. I serve on the Judiciary Committee. I participated in multiple hearings where Ms. Lynch over and over again refused to acknowledge any limits on President Obama's authority whatsoever. When Ms. Lynch was asked how she would differ from Eric Holder, who has been the most lawless and partisan Attorney General this Nation has ever seen, she said: No way whatsoever. When pressed repeatedly if she could articulate even a single limit on the authority of this President, who has since implicitly declared himself an emperor, she refused to articulate even a single limit. When asked if she would appoint an independent prosecutor to investigate the IRS for wrongfully targeting citizens because of their free speech, because of their political views—mind you, something that when Richard Nixon tried to do it, the career professionals at the IRS refused. Richard Nixon was rightly denounced in bipartisan terms for attempting to use the IRS to target his political enemies. When the Obama administration not only attempted but succeeded in doing so, no one has been held to account. Instead, the Holder Justice Department, appointed and charged with the investigation a major Democratic donor who has given over \$6,000 to President Obama and the Democrats. There is a Yiddish word for that, "chutzpah." When you appoint a major Obama donor to be in charge of the investigation as to whether the Obama administration is targeting the political opponents of the President, miraculous, miraculous, the results we just saw: a whitewash, everyone was exonerated.

Mistakes were made, we were told. It was rather classic. They used the same passive tense, passive voice as in the Watergate scandal: Mistakes were made. Yes, mistakes were made. Well, Ms. Lynch told us, no, she would not appoint a special prosecutor.

Now, a number of Members of this body, a number of Republicans voted to confirm Eric Holder. That may or may not have been a mistake. I was not here at that time. I did not have the opportunity to examine his record prior to his being appointed Attorney General. I can understand those who voted yes. Prior to becoming Attorney General, Eric Holder had built a reputation, by and large, as a law-and-order prosecutor, and so we can understand Senators who would believe that his tenure as U.S. attorney, his tenure as Deputy Attorney General might suggest he would not be partisan in laws. With Ms. Lynch it was qualitatively different. With Ms. Lynch she told us she would do the very same thing.

I suspect that quite a few people on this side of the aisle have given speeches about the IRS target. No one should be surprised the Department of Justice

has now exonerated everyone, because, you know what, we confirmed the Attorney General who basically told us she would do that. I would note, by the way, the majority leader had complete and unilateral authority. If we hadn't taken up this nomination, she would not have been confirmed. Indeed, when President Obama put in place his illegal Executive amnesty, I publicly called on the soon-to-be majority leader. If the President violates the checks and balances of the Constitution, if the President usurps the authority of Congress, if the President ignores our immigration laws, then the majority leader should have responded and said the Senate will not confirm any Obama nominees, executive or judicial, other than vital national security positions, unless and until the President rescinds his illegal amnesty.

Now, that would have been strong medicine, to be sure. That is a serious pushback. It happens to be an authority directly given to the Congress by the Constitution as a check and balance. How do we get an imperial Presidency? We get an imperial Presidency when the other branches of the government lie down and hand over their authority. Nothing prevented the majority leader from doing so, other than that violates the norms of the Washington cartel, and so instead it was the majority leader who brought this up for a vote. And what happened? Sadly, there is no drama or suspense anymore in looking to what happened. With the Democrats, all 46 Democrats voted to confirm Loretta Lynch—all 46—and 34 Republicans voted no. Yet she is confirmed, and the lawlessness continues at the Department of Justice.

I have to say for a Democratic leader, it is not clear to me HARRY REID could have gotten this done. HARRY REID, in charge of this floor, with just 46 Democrats, it is not clear to me at all he could have gotten this done, but I have to say, Leader MCCONNELL has proven to be a very effective Democratic leader. With just 46 Democrats, the outcome is exactly what HARRY REID and the Democrats would want.

Is this not a curious state of affairs? Why is a Republican majority leader fighting to accomplish the priorities of the Democratic minority?

We will look at one other example, the Export-Import Bank. Now, President Obama, when he was Senator Obama, described this as a classic example of corporate welfare. Over \$100 billion in taxpayer-funded loan guarantees going to a handful of giant corporations, predominantly. Yet as we talked about before, if there is one thing the Washington cartel is good at, it is corporate welfare. The Export-Import Bank, how many Democrats? Here is a shot: Only 42 Democrats, not 100 percent. We had one, I believe it was BERNIE SANDERS. I will commend Senator SANDERS for standing up against

this corporate welfare. On that, he and I are on exactly the same page. Yet 42 Democrats, just 22 Republicans in favor of this corporate welfare; 28 Republicans voted no. Yet what happens? It passes. Now, it is not at all clear that HARRY REID, as Democratic leader with just 42 Democrats—it is not at all clear he could have gotten this done, but Leader MCCONNELL, once again, is a very effective Democratic leader.

And I would note one of Speaker BOEHNER's parting farewells was to tee up the Export-Import Bank in the House of Representatives. It expired this summer. We talked before about how the Budget Control Act was one of the few victories Republican majorities could point to. Actually, the expiration of the Ex-Im Bank is another one. An example of over \$100 billion of taxpayer loan guarantees to a handful of giant corporations, and it expired.

What does it say that in the period of 2 weeks Republican majorities in both Houses are working to undo not one but both of the only two meaningful victories the Republican majorities have produced? And, mind you, for the same reason—because the cartel demands it, because the giant corporations want it, and because they want checks.

What does that say? What does that say, indeed. Well, if you want to know what it says, we can look to the previous Democratic leader, HARRY REID, who tweeted out:

I commend Senate majority leader for setting up a vote to reauthorize the Export-Import Bank. This bill is critically important for U.S. businesses.

Set aside how rich it is for the Democrats to be claiming to be fighting for U.S. businesses. Any time they say that, what they mean is cronies, because when Washington, particularly under the Obama administration, fights for U.S. businesses, it is giant corporations and not the little guys. Over and over and over again it is those who employ armies of lobbyists and lawyers and accountants who get favors from Washington, because when Washington is handing out favors, it empowers politicians. Ayn Rand wrote in "Atlas Shrugged" about how productive members of society, business owners, would be forced to go to parasitical politicians—although some suggest that is a redundant phrase—to go to parasitical politicians on bended knee begging for special dispensation. When you are standing for business, it means giant corporations that pay little to no taxes because they have tax loopholes carved in. It never means the mom and pop, it never means the little guy, it never means the Sabina Lovings of the world.

Who is Sabina Loving? Sabina Loving is a woman who testified before the Senate in a hearing I chaired a couple of weeks ago. Sabina Loving is an African-American woman, a single mom

who started a small tax preparation company on the South Side of Chicago. The Obama IRS put in place new rules regulating tax preparation authority, rules for which they had no legal authority. In fact, they used a statute called the Dead Horse Act as their justification for regulating tax returns.

The Obama IRS regulation exempted lawyers, it exempted high-priced accountants, it exempted the rich and powerful, the giant accounting firms, but Ms. Loving, who started this business on the South Side of Chicago, was facing thousands of costs—costs she felt that would drive her out of business. Ms. Loving sued the IRS and Ms. Loving won. If you want a historic and incredible story of a single mom standing up against Big Government and the lawless regulations of the Obama IRS—well, you know what. Sabina Loving has no lobbyists in Washington. The Washington cartel doesn't listen to the Sabina Lovings. It listens to the rich and powerful corporations that write checks to both parties because it is one party, the party of Washington. That is the sad reality of where we are.

You want to know why the American people are frustrated. You want to know why they are ticked off. You want to know why they cannot understand. It is not that we keep losing elections. That would be frustrating, but you could understand. We have to do a better job. We have to motivate people. We have to convince people. We have to get a message that resonates. We keep winning and the people we elect don't do what they said they would do.

By the way, to leave the Ex-Im Bank unauthorized all Congress had to do was do nothing. If there is one thing the U.S. Congress is good at doing, it is doing nothing.

Yet the phrase that gets repeated so often—Washington is broken—is actually not true. Washington is working. It is just not working for the American people. It is working for the cartel, it is working for the lobbyists, the giant corporations, and those with power and influence in the Obama administration. This deal is a classic example of the Washington cartel.

I would note, by the way, today we have a new Speaker of the House, PAUL RYAN. I congratulate PAUL RYAN on his speakership. I hope we see bold, principled leadership from the new Speaker. One of the things Speaker RYAN articulated was the Ryan rule, that under Speaker RYAN they would not bring to the floor of the House any bill that didn't have majority support among the Republican conference.

I ask the Presiding Officer: Why doesn't Majority Leader MITCH MCCONNELL articulate a similar rule for the U.S. Senate? If the Ryan rule is good enough for the U.S. House, why is the Ryan rule not good enough for the U.S. Senate?

In every one of the examples I just gave were a majority of Democrats—in fact typically unanimous Democrats—beat a majority of Republicans. Every one of those would never have come to the floor if the Senate followed the Ryan rule. How about that for a meaningful reform; that if the majority leader disputes the characterization that he is the most effective Democratic leader modern times has seen, how about the majority leader promulgate a similar rule to the Ryan rule, that we will not bring to the Senate floor something that does not have majority support from Republicans. That would be a sensible reform. Sadly, I think the odds of it happening are not significant.

Here is the reality that the American people understand and it frustrates them. The cartel is all one happy home. The lameduck Speaker on his way out will no doubt land in a plush easy chair in the Washington cartel, will soon be making millions of dollars living off the cartel. The lameduck President when he moves on, like Bill Clinton before him, will make hundreds of millions of dollars. The cartel operates as one. In the Senate we have one leadership team. It is the McConnell-Reid leadership team, and in the House we have had the Boehner-Pelosi leadership team. They operate in complete harmony in Washington. That frustration is what is driving the growing and growing rage of the American people every day.

The truth is Republican leadership does not spend time thinking, How do we beat President Obama? How do we beat HARRY REID? How do we beat NANCY PELOSI? How do we change any of these disastrous policies that are hurting millions of Americans? Instead, leadership spends all their time thinking, How do we beat the conservatives in the House? How do we crush this freedom caucus—these crazy radicals who actually believe we do what we said we would do. What a shocking, revolutionary, radical statement for Washington, DC, that elected officials actually do what we told our constituents we would do.

Republican leadership with recent deals on Planned Parenthood—Republican leadership led the fight to fund Planned Parenthood. Indeed, their press team went to the press and said: Isn't it great, we boxed out conservatives. We played the procedural game so there was nothing conservatives could do to stop \$500 million in taxpayer funding for Planned Parenthood. What does it say when I said Majority Leader MCCONNELL is the most effective Democratic leader we have seen in modern times? You know what. HARRY REID didn't spend that much time thinking about how to beat Republicans. Leader MCCONNELL spends more time focused on how to defeat conservatives than HARRY REID ever did. That

is the problem. It is our own leadership that cooks up deals.

Why do you think we are voting at 1 o'clock in the morning? Is that an accident? It is by design, 1 o'clock in the morning. Pay no attention to the man behind the curtain. Pay no attention to another \$85 billion in debt. Pay no attention to the fact that it is the Republican majority giving a blank credit card to Barack Obama. Votes at 1 in the morning, Republican leadership hopes no one notices, so right after we vote on it we can run out, get on planes, and fly home to our constituents, and say: We have to stop the debt.

I shudder to think for anyone standing too close to a politician who says we have to stop the debt after voting for this, the lightning strike that may hit them—the mendacity of this city.

Leadership always counsels prudence and reasonableness. How is it prudent to continue bankrupting this Nation? How is it prudent to have gone from \$10 trillion to over \$18 trillion in debt? How is it prudent to stay with languishing economic growth. From 2008 to today, the economy has grown on average 1.2 percent a year. That is prudent? How is it prudent to watch as your children and my children's future is washed away? How is that reasonable? How is that pragmatic?

Why are we not instead trying to fix these problems and not even just fix them all, not even solve everything with a perfect magical bow—because leadership plays this game: “You can't let the perfect be the enemy of the good.” Where is the good?

Leadership's position is we can't do anything. Leadership's position is that with Republican majorities in both Houses, we should spend more—\$85 billion—than we did with a Democratic majority, \$63 billion. Leadership will harumph us about expectations. You shouldn't set unreasonable expectations. Gosh, it seems to me it was leadership who said if we had a Republican majority in the Senate then we would fight.

On what are we willing to fight? We may have some more show votes. By the way, we just had a show vote on sanctuary cities and Kate's Law. Why wasn't Kate's Law attached to this bill? Why wasn't sanctuary cities attached to this bill? Because that was something we actually campaigned on and we promised our constituents and the Democrats wouldn't like that.

Remember my question: What in this is Barack Obama unhappy about? Nothing. Because leadership's position is we can do nothing. If we can do nothing then it makes one wonder what was all the fuss about winning the majority?

I don't believe we can win every fight. I don't believe we can magically transform everything—at least not without winning the Presidency—but surely the alternative is not we can do

nothing. Is there not a reasonable middle ground that we can accomplish something?

I would note the last time we had Republican majorities in Congress and a Democratic President was Newt Gingrich as Speaker of the House and Bill Clinton as President. We accomplished a great deal. We accomplished welfare reform. We balanced the budget. What have these Republican majorities done? Made the problem worse.

As a result, with apologies to the late great journalist Michael Kelly, I want to sum up my views as simply saying I believe.

I believe. I believe what Republican leadership tells us. I believe that every time the mainstream media echoes, leadership listens. Of course it is right that we cannot set expectations too high. We cannot promise too much. We cannot be expected to deliver on any of our promises.

I believed Republican leadership when they said if only we had a Republican majority in the House, then we would stand and fight. After winning the House in 2010, I believed the leadership, that if only we had a Republican majority in the Senate also, then we would stand and fight.

Today I believe Republican leadership that if only we had 60 votes in the Senate, then we would stand and fight. And if we were to get 60 votes, I will believe Republican leadership when they tell us, that if only we had 67 votes in the Senate, then we will finally stand up and fight.

I believe that there is no way Congress could do anything whatsoever to stop ObamaCare or even to try to provide meaningful relief to millions who are hurt by that failed law every day.

I believe that Congress has no power to do anything about the President's unconstitutional Executive amnesty or sanctuary cities or anything else that might secure our borders.

I believe that Republican majorities in both Houses of Congress can do nothing meaningful on spending or the debt or tax reform or regulatory reform, that we can do nothing to rein in the EPA or CFPB, no matter how many millions of jobs they kill.

I believe that Congress must acquiesce to the Obama administration's declaring the Internet to be a regulated public utility and the administration's attempt to give away control of the Internet to an international cartel of stakeholders, including Russia and China.

I believe that Congress can do nothing—absolutely nothing—to stop this catastrophic Iranian nuclear deal. Yes, it will send over \$100 billion to the Ayatollah Khamenei, who chants “Death to America” in front of mobs burning American and Israeli flags, and even though it threatens the security of Israel and potentially the lives of millions of Americans.

I believe that Congress has the constitutional power of the purse, but I believe Congress can still do nothing whatsoever to protect the American citizens.

I believe that Congress can do nothing to protect religious liberty or free speech, that Congress must quietly accept an IRS that targets citizens for exercising their constitutional rights and a President who ignores Federal law and Federal judges who disregard the text of the Constitution.

I believed Republican leadership when they promised the American people that if only we had congressional majorities, we would fight ObamaCare and amnesty and lawlessness. And today, I believe Republican leadership when they say: Of course we cannot and will not do any of that. It was unreasonable for anyone to have believed those promises in the first place.

I believe that anytime President Obama threatens a shutdown, Republican leadership is exactly right to surrender and fund all of Obama's Big Government priorities, to fund ObamaCare and amnesty and Planned Parenthood and the Iranian nuclear deal. Otherwise, Obama might shut down the government and it would be our fault. So we must do whatever he demands no matter what.

I believe that it is unreasonable—radical even—to expect Congress to do any of the things we promised the voters on the campaign trail.

I believe that when a Republican Speaker joins with NANCY PELOSI and the Democrats to fund all of Obama's priorities, that it is the Republican Freedom Caucus who are the crazy ones saying we should stand for something.

I believe that when the Republican Senate majority leader publicly promises there is no secret deal to reauthorize the Export-Import Bank and then 1 month later contorts procedural rules to force through the deal that he had claimed did not exist, that it is not his public lie that matters but, rather, it is the junior Senator who has violated decorum by pointing it out, out loud.

I believe that the only thing we can expect Republican majorities to do is expand government, reauthorize corporate welfare, and grow the debt. That is called governing—always said one octave lower in Washington. Governing is measured by how many bills you pass, and one cannot govern without agreeing with Democrats across the board. If we pass a lot of bills, even if they do nothing to address the debt or bring back jobs or economic growth and even if they actually expand Washington power and make the problem worse, then I believe we should celebrate.

I believe that Democrats can never be forced to compromise on anything, that it is always unreasonable to ever try to win a political battle with them,

and so it must always be the Republicans who agree to the Democrat's Big Government priorities. I believe the only way Republicans can win is to continue making these same mistakes over and over and over again.

Of course, I do sometimes wonder why it matters if we have Republican majorities in Congress. After all, leadership has told me that they cannot accomplish anything different from the Democrats, that it is an unreasonable demand to expect them to fight Obama on anything. Since it is only the crazy "kamikaze caucus" who thinks we can fight Obama on any issue, anything whatsoever, I believe that leadership is right to fight on nothing, to pass the very same bills filled with pork and corporate welfare, the Export-Import Bank, ObamaCare funding, and amnesty, and confirm the very same Attorney General the Democrats would have confirmed.

I do wonder sometimes, as Hillary Clinton would have put it, what difference does it make? But then I put aside such foolish thoughts. Instead, I believe.

MORNING BUSINESS

Mr. CRUZ. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, Republicans continue to object to requests for unanimous consent on basic things we should be able to do in a bipartisan manner here in the Senate. In addition to my request about gender discrimination, Republicans have previously objected to unanimous consent requests to allow votes on noncontroversial judicial nominees with bipartisan support to fill vacancies in our Federal judiciary. These requests are not remotely controversial; yet the Republicans continue to obstruct for obstruction's sake.

Since the Republicans took over in January, their leadership has allowed only nine judges to be confirmed. A few district court judges have been confirmed in the last few weeks, but this recent increase in activity is in sharp contrast to their inaction all year. When Senate Democrats were in the majority during the last 2 years of the Bush Presidency, we had already confirmed 34 judges by this point—nearly four times more judges than Republicans have confirmed this year.

Republicans have tried to justify their poor record by accusing Senate Democrats of scheduling votes for 11 judges during the lameduck session

last December. They suggest that those 11 confirmations under last year's Democratic majority should somehow be counted towards this year's confirmation numbers. First, it is well-established Senate precedent to approve all pending consensus nominees before the end of a year. And second, even if we did ignore reality and count these 11 judges towards the Republicans majority's record, that would only bring their count up to 20 confirmations this year. That is still far behind the 34 nominees that Democrats confirmed in the last 2 years of the Bush administration.

The glacial pace in which Republicans are currently confirming uncontroversial judicial nominees is a failure to carry out the Senate's constitutional duty of providing advice and consent. We should be responding to the needs of our Federal judiciary so that, when hard-working Americans seek justice, they do not encounter the lengthy delays that they currently face today. Because of Republican obstruction, judicial vacancies have increased by more than 50 percent since they took over the majority this January and caseloads are piling up in courts throughout the country.

We can and should take action right now to alleviate this problem by holding confirmation votes on the 16 judicial nominees pending on the floor. A number of these pending nominees have the support of their Republican Senators; yet they continue to languish on the calendar without a vote.

If Republican obstruction continues and if home State Senators cannot persuade the majority leader to schedule a vote for their nominees soon, then it is unlikely that even highly qualified nominees with Republican support will be confirmed by the end of the year. These are nominees that members of the majority leader's own party want confirmed, including several from Tennessee and Pennsylvania. Last week, we had a hearing for two Iowa nominees. I expect they will be reported out of the Judiciary Committee soon. We also have nominees from Massachusetts, Florida, Georgia, Pennsylvania, Rhode Island, Hawaii, and Maryland who are waiting for their confirmation hearings. None of these nominees are likely to be confirmed by the end of the year if Senate Republicans continue at this historically slow pace.

I hope Republican Senators will implore their leadership to vote on the pending judicial nominees without delay for the sake of the American people who seek justice before those courts.

60TH ANNIVERSARY OF NATIONAL ASSOCIATION OF SOCIAL WORKERS

Ms. MIKULSKI. Mr. President, I wish to recognize and commend the National Association of Social Workers,

NASW, which is celebrating its 60th anniversary this year. Today NASW is the largest membership organization of professional social workers in the world, with 130,000 members, including 3,500 in my home State of Maryland. As a social worker myself, I am proud to be a dues-paying, card-carrying member of NASW, and I congratulate them on 60 wonderful years.

In 1955, seven organizations had the vision to come together to form NASW in an effort to unify and strengthen the social work profession. The visionary leaders of those organizations understood that we can achieve more when we work together.

And they have achieved so much. In the six decades since NASW's founding, members have been on the front lines, advocating and organizing for just causes such as fighting for child welfare and juvenile justice, working to end poverty, and protecting victims of domestic violence. NASW was directly involved in passing the Civil Rights Act, the Voting Rights Act, and the Violence Against Women Act and supported the creation of Medicaid and Medicare. I have seen the importance of this work firsthand, as I began my own career as a social worker in Baltimore, helping at-risk children and educating seniors about the Medicare program.

NASW has been there time and again, to help social workers do what they do best—care for people at every stage and every age. Social workers reach every part of our communities, from hospitals and mental health clinics to corporations and schools. Working every day and in every way for others, social workers truly put service above themselves. They meet people where they are—in their communities, in their homes, in their everyday lives.

I am so glad that NASW has been such a wonderful champion and partner, fighting to make sure social workers have what they need to make a difference for countless people nationwide. From professional development, to ethics consultation, to publications on standards and changing trends in the profession, NASW continues to make a difference in the social work profession as it reaches its 60 year mark.

Social workers do so much, and they deserve someone in their corner who works as hard for them as they work for others. That is why I was proud to reintroduce the Social Work Reinvestment Act this year, which would create a National Coordination Center for supporting and sharing the good work and research that social workers are doing around the country. The bill also includes grant funding for education, training, and research; and it is going to help address the social worker shortage with better recruitment, retention, and compensation. Just this month, I was also glad to be an original cospon-

sor of the Improving Access to Mental Health Act of 2015, which would help seniors gain access to vital mental health services provided by social workers through the Medicare Program.

Social workers constantly seek solutions that reduce economic inequality, racism, hunger, and all forms of discrimination. They also ensure access to health care and mental health care for our Nation's most vulnerable populations. For the past 60 years, NASW members have cleared paths to brighter days in America. And I am excited for what social workers and NASW will do in the next 60 years. Thank you.

REMEMBERING WWII VETERANS IN UMATILLA COUNTY, OREGON

Mr. WYDEN. Mr. President, I wish to commemorate the honorable veterans and civilians of Umatilla County, OR, who worked tirelessly and fought valiantly for their community and country during the Second World War. These brave men and women served in a variety of capacities on all fronts, working to support the war effort at home, defending our coastlines from attack, and risking their lives in battle overseas. As the country continues to mark the 70th anniversary of World War II this year, I am proud to raise my voice to pay tribute to the men and women of Umatilla County for their part in the Allied victory.

Umatilla County played a unique and important role in helping our country achieve victory in World War II. In 1941, the U.S. Army Corps of Engineers created an airport in Pendleton, OR, which became home to the U.S. Army Air Forces 17th Bombardment Group. Following the attack on Pearl Harbor, the 17th Bombardment Group was called upon to defend the west coast from Japanese submarines. The group's aircraft and many of its members participated in the daring Doolittle Raid on Tokyo—the first U.S. bombing of the Japanese homeland. All 80 of Jimmy Doolittle's raiders trained in Pendleton, and 5 of them were Oregonians.

Umatilla County also played home to another facility vital to the war effort: the Umatilla Army Depot, located near Hermiston, OR. The Umatilla Army Depot was a repository for munitions and supplies in hundreds of semisubterranean silos. The depot created an economic boom for Hermiston—then a town of 800—which ended up harboring 7,000 new workers. The Umatilla County Depot became the largest munitions facility in the world and stayed active in Hermiston until 2001.

Umatilla County lost 86 people during World War II, but their spirit and stories live on through their families and in their communities. One of these men, SGT Modie L. Hubbard, even has a great nephew who now works in my

office. Sergeant Hubbard was killed in action, and his is just one of many stories of those fearless men and women who died preserving the freedom of future generations.

There is sometimes a temptation to focus on the massive scale of events like World War II, on the number of tanks built or brigades in the field. As we reflect on these and other aspects of America's war effort, I would encourage people to remember the communities across this country—communities like Umatilla County—that built those tanks or provided those soldiers. It must be our responsibility to honor these communities and their sacrifices to this great country, and it is my hope that their stories will continue to live on and inspire future generations of Americans to service.

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

Mr. SCOTT. Mr. President, for National Disability Employment Awareness Month, I congratulate and honor the Palmetto Goodwill in North Charleston, SC, for their outstanding commitment to service and work with the AbilityOne Program.

In 1974, a small group of citizens in the Charleston area wanted to address the lack of opportunity for persons with disabilities. The Palmetto Goodwill of South Carolina has answered the call of service by becoming a part of the United States AbilityOne Commission network with their Champions Program.

The Palmetto Goodwill has successfully implemented the Champions Program which aims to empower citizens of South Carolina that are blind or possessing a disability. Through providing employment opportunities, the Palmetto Goodwill is making strides to continue the mission of National Disability Employment Awareness Month throughout the year. Currently 85 percent of their employed staff is persons with a disability. I applaud the stellar work of the Champions Program and therefore recognize the Palmetto Goodwill.

ADDITIONAL STATEMENTS

TRIBUTE TO ALEX COLLIE

• Mr. DAINES. Mr. President, I wish to recognize the incredible service of Alex Collie from Mackenzie, MT. Mr. Collie is the recipient of the National Weather Service's General Albert J. Myer award for completing 65 years of service as a cooperative weather observer.

The cooperative weather observers consists of 11,000 nationwide volunteers who record official weather observations across the country. Mr. Collie joins an elite group of cooperative weather observers and is currently the

longest serving observer in Montana's history. Nationally, only 16 others have served in Mr. Collie's capacity or 65 years or longer. His services are critical to Montana—from supporting our farmers and ranchers by providing accurate forecasts and helping our truck drivers complete their routes safely and on schedule.

This prestigious award was established in honor of General Myer, who was an observer at Eagle Pass, TX, and became the chief of the Signal Service. In 1870, by a joint resolution of Congress and signed by President Ulysses S. Grant, General Myer was appointed to establish and direct the Division of Telegrams and Reports for the Benefit of Commerce, now known as the National Weather Service. Mr. Collie is truly following in tremendous footsteps.

Mr. Collie has provided a valuable service not only to his neighbors, but the entire State of Montana. Thank you, Mr. Collie, and I look forward to seeing your work continue in the years to come.●

RECOGNIZING THE LAS VEGAS LATIN CHAMBER OF COMMERCE'S 40TH ANNIVERSARY

● Mr. HELLER. Mr. President, today I wish to recognize the 40th anniversary of an important organization to southern Nevada, Las Vegas' Latin Chamber of Commerce. I am proud to honor this chamber that contributes so much in support of Las Vegas' Hispanic business community. As the premier Latin Chamber serving our Great State, it is a key contributor to the success of Nevada. I am pleased to see the Latin Chamber of Commerce reach this significant milestone, continuing to serve as an important ally to Las Vegas' Hispanic community.

Without a doubt, the many Hispanic businesses, both small and large, located throughout the southern Nevada valley have greatly contributed to our State's achievements. With the help of the Latin Chamber of Commerce, Las Vegas' Hispanic business community has continued to grow and thrive, contributing to our State's economy. Even in difficult economic times, the Latin Chamber of Commerce was there to support local Hispanic businesses and keep hard-working southern Nevada businessowners on their feet. The chamber has helped to cultivate a flourishing Hispanic business community through innovation, creativity, and ingenuity. The strong foundation it has built will be felt for years to come.

Aside from helping local businesses expand, the Latin Chamber of Commerce also brings southern Nevada's Hispanic entrepreneurs unique opportunities. The chamber provides numerous networking events, including luncheons, leadership programs, and

seminars. It also prioritizes Nevada's Hispanic youth by providing an academic scholarship program for students, which offers opportunities for those wishing to pursue higher education. Alongside this program, the Latin Chamber of Commerce sponsors the Latino Youth Leadership Conference that brings together students from high schools across Nevada to provide them tools for a prosperous future.

I have attended multiple Latin Chamber of Commerce events where I have spoken with the men and women who participate in this chamber, and I can attest to the incredible role they play within our community. Sixteen members serve on the Board of Directors, bringing structure and direction to this significant entity. I am thankful for their leadership and for the great things they are doing for businesses in southern Nevada.

For the past 40 years, Las Vegas' Latin Chamber of Commerce has proven its unwavering dedication to the great State of Nevada. The hard work of those that have served this chamber has greatly contributed to the excellent growth that we see in the city of Las Vegas today. I ask my colleagues to join me in honoring the Latin Chamber of Commerce on its 40th anniversary and thanking it for all it does to make Nevada's business community the best it can be.●

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3819. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 12:36 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 455. An act to require the Secretary of Homeland Security to conduct a northern border threat analysis, and for other purposes.

H.R. 2643. An act to direct the Attorney General to provide State officials with access to criminal history information with respect to certain financial service providers required to undergo State criminal background checks, and for other purposes.

The message also announced that the House has agreed to H. Res. 504, resolving that the Senate be informed that PAUL D. RYAN, a Representative from the State of Wisconsin, has been elect-

ed Speaker of the House of Representatives of the One Hundred Fourteenth Congress.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 623) to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 455. An act to require the Secretary of Homeland Security to conduct a northern border threat analysis, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2643. An act to direct the Attorney General to provide State officials with access to criminal history information with respect to certain financial service providers required to undergo State criminal background checks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES DISCHARGED

The following joint resolution was discharged pursuant to 42 U.S.C. 2159(i) and section 601(b)(4) of Public Law 94-329, and placed on the calendar:

S.J. Res. 20. Joint resolution relating to the approval of the proposed Agreement for Cooperation Between the United States of America and the Government of the Republic of Korea Concerning Peaceful Uses of Nuclear Energy.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 597. An act to reauthorize the Export-Import Bank of the United States, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 1324. A bill to require the Administrator of the Environmental Protection Agency to fulfill certain requirements before regulating standards of performance for new, modified, and reconstructed fossil fuel-fired electric utility generating units, and for other purposes (Rept. No. 114-159).

S. 1500. A bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes (Rept. No. 114-160).

By Mr. INHOFE, from the Committee on Environment and Public Works:

Report to accompany S. 1523, a bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes (Rept. No. 114-161).

EXECUTIVE REPORTS OF
COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Brian R. Martinotti, of New Jersey, to be United States District Judge for the District of New Jersey.

Robert F. Rossiter, Jr., of Nebraska, to be United States District Judge for the District of Nebraska.

Edward L. Stanton III, of Tennessee, to be United States District Judge for the Western District of Tennessee.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUNT (for himself and Mr. KIRK):

S. 2217. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Mr. MURPHY, Mr. ISAKSON, and Mr. DONNELLY):

S. 2218. A bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Mr. GARDNER):

S. 2219. A bill to require the Secretary of Commerce to conduct an assessment and analysis of the outdoor recreation economy of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself, Mrs. MURRAY, Ms. MIKULSKI, Mr. MARKEY, Mr. TESTER, Mr. HEINRICH, Ms. BALDWIN, Mr. WHITEHOUSE, Mr. CASEY, Mr. SCHUMER, Mr. KAINE, Mr. COONS, Mr. LEAHY, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. PETERS, Mr. CARDIN, Mr. BENNET, Mr. MERKLEY, Mrs. BOXER, and Mr. MURPHY):

S. 2220. A bill to amend title XXVII of the Public Health Service Act to provide for a special enrollment period for pregnant women, and for other purposes; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mr. ALEXANDER, Mr. ISAKSON, Mr. ENZI, Mr. CORNYN, Mr. RISCH, Mr. HATCH, Mrs. FISCHER, Mr. FLAKE, Mr. MCCAIN, Mr. VITTER, Mr. COATS, and Mr. MORAN):

S. 2221. A bill to preserve the companionship services exemption for minimum wage and overtime pay, and the live-in domestic services exemption for overtime pay, under the Fair Labor Standards Act of 1938; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN (for himself and Mrs. SHAHEEN):

S. 2222. A bill to amend the Workforce Innovation and Opportunity Act to support community college and industry partnerships, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE:

S. 2223. A bill to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Ms. BALDWIN, and Mr. BROWN):

S. 2224. A bill to establish in the Administration for Children and Families of the Department of Health and Human Services the Federal Interagency Working Group on Reducing Child Poverty to develop a national strategy to eliminate child poverty in the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 405

At the request of Ms. MURKOWSKI, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 405, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 540

At the request of Ms. COLLINS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 540, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 746

At the request of Mr. WHITEHOUSE, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 1132

At the request of Mr. MERKLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1132, a bill to amend title XVIII of the Social Security Act to provide for patient protection by establishing safe nurse staffing levels at certain Medicare providers, and for other purposes.

S. 1249

At the request of Mr. MENENDEZ, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1249, a bill to amend the Fair Credit Reporting Act to provide protections for active duty military consumers, and for other purposes.

S. 1286

At the request of Mrs. SHAHEEN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1286, a bill to amend title 38, United States Code, to reduce the backlog of appeals of decisions of the Secretary of Veterans Affairs by facilitating pro bono legal assistance for veterans before the United States Court of Veterans Appeals and the Board of Veterans' Appeals, to provide the Secretary with authority to address unreasonably delayed claims, and for other purposes.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1731

At the request of Mr. HELLER, his name was added as a cosponsor of S. 1731, a bill to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes.

S. 1830

At the request of Mr. BARRASSO, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1830, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family

therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1865

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1865, a bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 1947

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1947, a bill to exclude the discharge of certain Federal student loans from the calculation of gross income.

S. 2042

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2042, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2066

At the request of Mr. SASSE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2066, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 2148

At the request of Mr. WYDEN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2148, a bill to amend title XVIII of the Social Security Act to prevent an increase in the Medicare part B premium and deductible in 2016.

S. 2168

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2168, a bill to encourage greater community accountability of law enforcement agencies, and for other purposes.

S. 2184

At the request of Mr. COONS, his name was added as a cosponsor of S. 2184, a bill to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes.

S. 2203

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2203, a bill to amend the Internal Revenue Code of 1986 to make residents of Puerto Rico eligible for the earned income tax credit and to provide equitable treatment for residents of Puerto Rico with respect to the refundable portion of the child tax credit.

S. 2206

At the request of Mr. SULLIVAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2206, a bill to reduce the incidence of sexual harassment and assault at the National Oceanic and Atmospheric Administration, to reauthorize the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes.

S. 2213

At the request of Mr. BLUMENTHAL, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2213, a bill to prohibit firearms dealers from selling a firearm prior to the completion of a background check.

S. RES. 275

At the request of Mr. CASSIDY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 275, a resolution calling on Congress, schools, and State and local educational agencies to recognize the significant educational implications of dyslexia that must be addressed and designating October 2015 as "National Dyslexia Awareness Month".

S. RES. 299

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 299, a resolution honoring the life, legacy, and example of former Israeli Prime Minister Yitzhak Rabin on the twentieth anniversary of his death.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2755. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table.

SA 2756. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 2757. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 2758. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 2759. Mr. GARDNER (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 2760. Mrs. MURRAY (for Mr. HELLER) proposed an amendment to the bill S. 1731, to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes.

SA 2761. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2755. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Strike title VIII and insert the following:

TITLE VIII—SOCIAL SECURITY

Subtitle A—Protecting the Disability Insurance Trust Fund

SEC. 801. UPDATE AND ADJUSTMENT OF THE SOCIAL SECURITY DISABILITY INSURANCE MEDICAL-VOCATIONAL GUIDELINES.

(a) IN GENERAL.—

(1) AGE CRITERIA.—Notwithstanding appendix 2 to subpart P of part 404 of title 20, Code of Federal Regulations, with respect to disability determinations or reviews made on or after the date that is 1 year after the date of the enactment of this Act, age shall not be considered as a vocational factor for any individual who has not attained the age that is 12 years less than the retirement age for such individual (as defined in section 216(1)(1) of the Social Security Act (42 U.S.C. 416(1)).

(2) WORK WHICH EXISTS IN THE NATIONAL ECONOMY.—With respect to disability determinations or reviews made on or after the date of the enactment of this Act, in determining whether an individual is able to engage in any work which exists in the national economy (as defined in section 223(d)(2)(A) of the Social Security Act (42 U.S.C. 423(d)(2)(A))), the Commissioner of Social Security shall consider the share and ages of individuals currently participating in the labor force and the number and types of jobs available in the current economy.

(b) UPDATING THE MEDICAL-VOCATIONAL GUIDELINES AND DATA ON WORK WHICH EXISTS IN NATIONAL ECONOMY.—

(1) IN GENERAL.—Subject to paragraph (2), not later than 2 years after the date of the enactment of this Act, and every 10 years thereafter, the Commissioner of Social Security shall prescribe rules and regulations that update the medical-vocational guidelines, as set forth in appendix 2 to subpart P of part 404 of title 20, Code of Federal Regulations, used in disability determinations.

(2) JOBS IN THE NATIONAL ECONOMY.—Not later than 2 years after the date of the enactment of this Act, and every year thereafter,

the Commissioner of Social Security shall update the data used by the Commissioner to determine the jobs which exist in the national economy to ensure that such data reflects the full range of work which exists in the national economy, including newly-created jobs in emerging industries.

SEC. 802. MANDATORY COLLECTION OF NEGOTIATED CIVIL MONETARY PENALTIES.

Section 1129(i)(2) of the Social Security Act (42 U.S.C. 1320a-8(i)(2)) is amended by inserting “and shall delegate authority for collecting civil money penalties and assessments negotiated under this section to the Inspector General” before the period.

SEC. 803. REQUIRED ELECTRONIC FILING OF WAGE WITHHOLDING RETURNS.

(a) IN GENERAL.—Paragraph (2) of section 6011(e) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively,

(2) by inserting before subparagraph (B), as so redesignated, the following new subparagraph:

“(A) shall—

“(i) require any person that is required to file a return containing information described in section 6051(a) to file such return on magnetic media, and

“(ii) provide for waiver of the requirements of clause (i) in the case of demonstrated hardship for—

“(I) for any period before January 1, 2020, a person having 25 or fewer employees, and

“(II) for any period after December 31, 2019, a person having 5 or fewer employees.”, and

(3) by inserting “except as provided in subparagraph (A),” before “shall not require” in subparagraph (B), as so redesignated.

(b) CONFORMING AMENDMENT.—Paragraph (4) of section 6011(e) of the Internal Revenue Code of 1986 is amended by striking “paragraph (2)(A)” and inserting “paragraph (2)(B)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns filed after December 31, 2016.

SEC. 804. DISQUALIFICATION ON RECEIPT OF DISABILITY INSURANCE BENEFITS IN A MONTH FOR WHICH UNEMPLOYMENT COMPENSATION IS RECEIVED.

(a) IN GENERAL.—Section 223(d)(4) of the Social Security Act (42 U.S.C. 423(d)(4)) is amended by adding at the end the following:

“(C)(i) If for any week in whole or in part within a month an individual is paid or determined to be eligible for unemployment compensation, such individual shall be deemed to have engaged in substantial gainful activity for such month.

“(ii) For purposes of clause (i), the term ‘unemployment compensation’ means—

“(I) ‘regular compensation’, ‘extended compensation’, and ‘additional compensation’ (as such terms are defined by section 205 of the Federal-State Extended Unemployment Compensation Act (26 U.S.C. 3304 note)); and

“(II) trade adjustment assistance under title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).”.

(b) TRIAL WORK PERIOD.—Section 222(c) of the Social Security Act (42 U.S.C. 422(c)) is amended by adding at the end the following:

“(6)(A) For purposes of this subsection, an individual shall be deemed to have rendered services in a month if the individual is entitled to unemployment compensation for such month.

“(B) For purposes of subparagraph (A), the term ‘unemployment compensation’ means—

“(i) ‘regular compensation’, ‘extended compensation’, and ‘additional compensation’ (as such terms are defined by section 205 of the Federal-State Extended Unemployment Compensation Act (26 U.S.C. 3304 note)); and

“(ii) trade adjustment assistance under title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).”.

(c) DATA MATCHING.—The Commissioner of Social Security shall implement the amendments made by this section using appropriate electronic data.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to individuals who initially apply for disability insurance benefits on or after January 1, 2016.

SEC. 805. STUDY AND REPORT ON CONSULTATIVE EXAMINATION FEES.

Not later than 2 years after the date of the enactment of this Act, the Inspector General of the Social Security Administration shall submit a report to the Committees on Finance and Homeland Security and Government Affairs of the Senate and the Committees on Ways and Means and Oversight and Government Reform of the House of Representatives on fees paid by Disability Determination Services agencies to medical providers for consultative examinations, including—

(1) the average rate paid by the Disability Determination Services agencies in each State for such examinations;

(2) a comparison between the rates described in paragraph (1) and the highest rates paid by Federal agencies and other agencies in each State for similar services; and

(3) the number of cases in which a Disability Determination Services agency ordered a consultative examination which resulted in an initial denial of disability insurance benefits and a subsequent appeal.

SEC. 806. REALLOCATION OF PAYROLL TAX REVENUE.

(a) WAGES.—Section 201(b)(1) of the Social Security Act (42 U.S.C. 401(b)(1)) is amended by striking “and (R) 1.80 per centum of the wages (as so defined) paid after December 31, 1999, and so reported,” and inserting “(R) 1.80 per centum of the wages (as so defined) paid after December 31, 1999, and before January 1, 2016, and so reported, (S) 2.37 per centum of the wages (as so defined) paid after December 31, 2015, and before January 1, 2019, and so reported, and (T) 1.80 per centum of the wages (as so defined) paid after December 31, 2018, and so reported.”.

(b) SELF-EMPLOYMENT INCOME.—Section 201(b)(2) of such Act (42 U.S.C. 401(b)(2)) is amended by striking “and (R) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1999” and inserting “(R) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1999, and before January 1, 2016, (S) 2.37 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 2015, and before January 1, 2019, and (T) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 2018”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to wages paid after December 31, 2015, and self-employment income for taxable years beginning after such date.

Subtitle B—Program Integrity

SEC. 811. PROVIDING FOR AN EXPEDITED ADJUDICATION PROCESS.

(a) IN GENERAL.—Section 205(b) of the Social Security Act (42 U.S.C. 405(b)) is amended—

(1) in paragraph (2), by striking “In any” and inserting “Subject to paragraph (4), in any”; and

(2) by adding at the end the following:

“(4) Any review of an initial adverse determination with respect to an application for disability insurance benefits under section 223 or for monthly benefits under section 202 by reason of being under a disability shall only be made before an administrative law judge in a hearing under paragraph (1).”.

(b) REVIEW BY FEDERAL COURTS.—It is the sense of Congress that, in reviewing disability determinations, the Federal courts shall make their rulings based solely on the determination made by the administrative law judge of the Social Security Administration and rely solely on the evidence that was considered by such judge during the initial hearing.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to initial adverse determinations on applications for disability insurance benefits under title II of the Social Security Act made after the date of the enactment of this Act.

SEC. 812. DEADLINE FOR SUBMISSION OF MEDICAL EVIDENCE; EXCLUSION OF CERTAIN MEDICAL EVIDENCE.

(a) CLOSING OF RECORD FOR SUBMISSION OF MEDICAL EVIDENCE.—Section 205(b)(1) of the Social Security Act (42 U.S.C. 405(b)(1)) is amended—

(1) by striking “The Commissioner of Social Security is directed” and inserting—

“(A) The Commissioner of Social Security is directed”; and

(2) by adding at the end the following new subparagraph:

“(B)(i) Notwithstanding the last sentence of subparagraph (A), in the case of a hearing before an administrative law judge to determine if an individual is under a disability (as defined in section 223(d)) or a review of such a determination before the Appeals Council of the Office of Appellate Operations of the Social Security Administration, medical evidence (other than the evidence already in the record) shall not be received if the evidence is submitted less than 30 days prior to the date on which the hearing is held unless the individual can show that the evidence is material and there is good cause for the failure to submit it before the deadline, but in no case shall medical evidence be received if it is—

“(I) based on information obtained during the period that begins after a determination is made by an administrative law judge; or

“(II) submitted more than 1 year after a determination is made by an administrative law judge.

“(ii) At the request of an individual applying for benefits under this title or such individual’s representative, and for the purpose of completing the record, an administrative law judge may postpone a hearing to determine if the individual is under a disability (as so defined) to a date that is no more than 30 days after the date for which the hearing was originally scheduled if—

“(I) the request is made no less than 7 days prior to the date for which the hearing was originally scheduled; and

“(II) the party making the request shows good cause for why the hearing should be postponed.”.

(b) EXCLUSION OF MEDICAL EVIDENCE THAT IS NOT SUBMITTED IN ITS ENTIRETY OR FURNISHED BY A LICENSED PRACTITIONER.—Section 223(d)(5) of the Social Security Act (42 U.S.C. 423(d)(5)) is amended—

(1) in subparagraph (B), by striking “In” and inserting “Subject to subparagraphs (C) and (D), in”; and

(2) by adding at the end the following new subparagraphs:

“(C)(i) An individual and, if applicable, such individual’s representative shall submit, in its entirety and without redaction, all relevant medical evidence known to the individual or the representative to the Commissioner of Social Security.

“(ii) In the case of a hearing before an administrative law judge to determine if an individual is under a disability (as defined in paragraph (1)), the Commissioner of Social Security shall not consider any piece of medical evidence furnished by an individual or such individual’s representative unless such individual and, if applicable, such individual’s representative, certifies at the hearing that all relevant medical evidence has been submitted in its entirety and without redaction.

“(iii) For purposes of this subparagraph, the term ‘relevant medical evidence’ means any medical evidence relating to the individual’s claimed physical or mental impairments that the Commissioner of Social Security should consider to determine whether the individual is under a disability, regardless of whether such evidence is favorable or unfavorable to the individual’s case, but shall not include any oral or written communication or other document exchanged between the individual and such individual’s attorney representative that are subject to attorney-client privilege or work product doctrine, unless the individual voluntarily discloses such communication to the Commissioner. Neither the attorney-client privilege nor the work product doctrine shall prevent from disclosure medical evidence, medical source opinions, or any other factual matter that the Commissioner may consider in determining whether or not the individual is entitled to benefits.

“(iv) Any individual or representative who knowingly violates this subparagraph shall be guilty of making a false statement or representation of material fact, shall be subject to civil and criminal penalties under sections 208 and 1129, and, in the case of a representative, shall be suspended or disqualified from appearing before the Social Security Administration.

“(D) The Commissioner of Social Security shall not consider any evidence furnished by a physician or health care practitioner who is not licensed, has been sanctioned, or is under investigation for ethical misconduct.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply to applications for disability insurance benefits filed on or after that date.

SEC. 813. PROCEDURAL RULES FOR HEARINGS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Social Security, in consultation with the administrative law judges of the Social Security Administration, shall establish and make available to the public procedural rules for hearings to determine whether or not an individual is entitled to disability insurance benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.). These rules shall include those established in this Act as well as—

(1) rules and procedures for motions and requests;

(2) rules related to the representation of individuals in such a hearing, such as the qualifications and standards of conduct required of representatives;

(3) rules and procedures for the submission of evidence;

(4) rules related to the closure of the record; and

(5) rules and procedures for imposing sanctions on parties for failing to comply with hearing rules.

(b) AUTHORITY OF ADMINISTRATIVE LAW JUDGES TO SANCTION CLAIMANT REPRESENTATIVES.—Section 206(a)(1) of the Social Security Act (42 U.S.C. 406(a)(1)) is amended by inserting after the fifth sentence the following: “The Commissioner of Social Security shall establish rules under which an administrative law judge may impose fines and other sanctions the Commissioner determines to be appropriate on a representative for failure to follow the Commissioner’s rules and regulations.”

(c) EFFECTIVE DATE.—Any rules adopted pursuant to this section or the amendment made thereby shall take effect on the date that is 6 months after the date of their publication and shall apply to hearings held on or after that date.

SEC. 814. PROHIBITING ATTORNEYS WHO HAVE RELINQUISHED A LICENSE TO PRACTICE IN THE FACE OF AN ETHICS INVESTIGATION FROM SERVING AS A CLAIMANT REPRESENTATIVE.

Section 206(a)(1) of the Social Security Act (42 U.S.C. 406(a)(1)), as amended by section 813(b), is further amended—

(1) in the first sentence, by inserting “, and, in cases where compensation is sought for services as a representative, shall” before “prescribe”;

(2) in the second sentence, by striking “Federal courts,” and inserting “Federal courts and certifies to the Commissioner that such attorney has never (A) been disbarred or suspended from any court or bar to which such attorney was previously admitted to practice or disqualified from participating in or appearing before any Federal program or agency, or (B) relinquished a license to practice in, participate in, or appear before any court, bar, or Federal program or agency in connection with a settlement of an investigation into ethical misconduct,”; and

(3) in the third sentence—

(A) by striking “may” each place it appears and inserting “shall”;

(B) by striking “or who has been disqualified from participating in or appearing before any Federal program or agency” and inserting “, who has been disqualified from participating in or appearing before any Federal program or agency, or who has voluntarily relinquished a license to practice in, participate in, or appear before any court, bar, or Federal program or agency in settlement of an investigation into ethical misconduct”;

(C) by inserting “or who has voluntarily relinquished a license to practice in any court or bar in settlement of an investigation into ethical misconduct” before the period.

SEC. 815. APPLYING JUDICIAL CODE OF CONDUCT TO ADMINISTRATIVE LAW JUDGES.

(a) IN GENERAL.—Section 3105 of title 5, United States Code, is amended—

(1) by striking “Each agency” and inserting

“(a) Each agency”; and

(2) by adding at the end the following:

“(b) The Code of Conduct for United States Judges adopted by the Judicial Conference of

the United States shall apply to administrative law judges appointed under this section.

“(c) If, in applying a standard of conduct to an administrative law judge appointed under this section, there is a conflict between the Code of Conduct for United States Judges and any other law or regulation, the stricter standard of conduct shall apply.

“(d) Pursuant to section 7301, the President may issue such regulations as may be necessary to carry out subsections (b) and (c).”

(b) LIMITATION ON REGULATORY AUTHORITY.—Section 1305 of title 5, United States Code, is amended by striking “3105” and inserting “3105(a)”.

SEC. 816. EVALUATING MEDICAL EVIDENCE.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Social Security shall ensure that all administrative law judges within the Office of Disability Adjudication and Review of the Social Security Administration receive training on how to appropriately evaluate and weigh medical evidence provided by medical professionals.

(b) OPINION EVIDENCE.—Section 223(d)(5)(B) of the Social Security Act (42 U.S.C. 423(d)(5)(B)), as amended by section 812(b), is further amended by adding at the end the following new sentences: “In weighing medical evidence, the Commissioner of Social Security may assign greater weight to certain opinion evidence supplied by an individual’s treating physician (or other treating health care provider) than to opinion evidence obtained from another source, but in no circumstance shall opinion evidence from any source be given controlling weight.”

(c) HEALTH CARE PROVIDERS SUPPLYING CONSULTATIVE EXAMS.—

(1) IN GENERAL.—Beginning 1 year after the date of enactment of this Act, in determining whether an individual applying for disability insurance benefits under title II of the Social Security Act is disabled, the Commissioner of Social Security shall not consider medical evidence resulting from a consultative exam with a health care provider conducted for the purpose of supporting the individual’s application unless the evidence is accompanied by a Medical Consultant Acknowledgment Form signed by the health care provider who conducted the exam.

(2) MEDICAL CONSULTANT ACKNOWLEDGMENT FORM.—

(A) DEFINITION.—As used in this subsection, the term “Medical Consultant Acknowledgment Form” means a form published by the Commissioner of Social Security that meets the requirements of subparagraph (B).

(B) REQUIREMENTS.—The Commissioner of Social Security shall develop the Medical Consultant Acknowledgment Form and make it available to the public not later than 6 months after the date of enactment of this Act. The contents of the Medical Consultant Acknowledgment Form shall include—

(i) information on how medical evidence is used in disability determinations;

(ii) instructions on completing a residual functional capacity form;

(iii) information on the legal and ethical obligations of a health care provider who supplies medical evidence for use in a disability determination, including any civil or criminal penalties that may be imposed on a health care provider who supplies medical evidence for use in a disability determination; and

(iv) a statement that the signatory has read and understands the contents of the form.

(3) **PENALTIES FOR FRAUD.**—In addition to any other penalties that may be prescribed by law, any individual who forges a signature on a Medical Consultant Acknowledgment Form submitted to the Commissioner of Social Security shall be guilty of making a false statement or representation of material fact, and upon conviction shall be subject to civil and criminal penalties under sections 208 and 1129 of the Social Security Act and, in the case of a representative, shall be suspended or disqualified from appearing before the Social Security Administration.

(d) **SYMPTOM VALIDITY TESTS.**—

(1) **IN GENERAL.**—For purposes of evaluating the credibility of an individual's medical evidence, an administrative law judge responsible for conducting a hearing to determine whether an individual applying for disability insurance benefits under title II of the Social Security Act or for monthly benefits under section 202 of such Act by reason of a disability may require the individual to undergo a symptom validity test either prior to or after the hearing.

(2) **WEIGHT GIVEN TO SVTS.**—An administrative law judge may only consider the results of a symptom validity test as a part of an individual's entire medical history and shall not give controlling weight to such results.

(e) **EVIDENCE OBTAINED FROM PUBLICLY AVAILABLE SOCIAL MEDIA.**—For purposes of evaluating the credibility of an individual's medical evidence, an administrative law judge responsible for conducting a hearing to determine whether an individual applying for disability insurance benefits under title II of the Social Security Act is disabled shall be permitted to consider information about the individual obtained from publicly available social media.

(f) **REGULATIONS RELATED TO EVALUATING MEDICAL EVIDENCE.**—Not later than 1 year after the date of enactment of this Act, the Commissioner of Social Security shall promulgate rules and regulations to carry out the purposes of this section, including regulations relating to when it is appropriate for an administrative law judge to order a symptom validity test or to consider evidence obtained from publicly available social media.

SEC. 817. REFORMING FEES PAID TO ATTORNEYS AND OTHER CLAIMANT REPRESENTATIVES.

(a) **PROHIBITION ON REIMBURSEMENT FOR TRAVEL EXPENSES.**—Not later than 1 year after the date of enactment of this Act, the Commissioner of Social Security shall establish rules and regulations relating to the fees payable to representatives of individuals claiming entitlement to disability insurance benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.) to prohibit a representative from being reimbursed by the Social Security Administration for travel expenses related to a case.

(b) **ELIMINATING DIRECT PAYMENTS TO CLAIMANT REPRESENTATIVES.**—

(1) **IN GENERAL.**—Section 206 of the Social Security Act (42 U.S.C. 406) is amended—

(A) in subsection (a)—

(i) by striking paragraph (4); and

(ii) by redesignating paragraph (5) as paragraph (4);

(B) in subsection (b)(1)(A), by striking “and the Commissioner of Social Security” and all that follows through “as provided in this paragraph” and inserting “with such amount to be paid out of, and not in addition to, the amount of such past-due benefits”; and

(C) by striking subsections (d) and (e).

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to determinations made after the date of the enactment of this Act.

(c) **REVIEW OF HIGHEST-EARNING CLAIMANT REPRESENTATIVES.**—

(1) **REVIEW.**—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Inspector General of the Social Security Administration shall conduct a review of the practices of a sample of the highest-earning claimant representatives and law firms to ensure compliance with the policies of the Social Security Administration. In reviewing representative practices, the Inspector General shall look for suspicious practices, including—

(A) repetitive language in residual functional capacity forms;

(B) irregularities in the licensing history of medical professionals providing medical opinions in support of a claimant's application; and

(C) a disproportionately high number of appearances by a representative before the same administrative law judge.

(2) **REPORT.**—Not later than December 1 of each year in which a review described in paragraph (1) is conducted, the Inspector General of the Social Security Administration shall submit a report containing the results of such review, together with any recommendations for administrative action or proposed legislation that the Inspector General determines appropriate, to the Committees on Finance and Homeland Security and Government Affairs of the Senate and the Committees on Ways and Means and Oversight and Government Reform of the House of Representatives.

(d) **APPLICABILITY OF THE EQUAL ACCESS TO JUSTICE ACT.**—Section 205 of the Social Security Act (42 U.S.C. 405) is amended by adding at the end the following new subsection:

“(v) Sections 504 of title 5 and 2412 of title 28, United States Code (commonly known as the ‘Equal Access to Justice Act’), shall not apply to—

“(1) any review under this title of a determination of disability made by the Commissioner of Social Security; or

“(2) if new evidence is submitted by an individual after a hearing to determine whether or not the individual is under a disability, judicial review of a final determination of disability under subsection (g) of this section.”.

SEC. 818. STRENGTHENING THE ADMINISTRATIVE LAW JUDGE QUALITY REVIEW PROCESS.

(a) **IN GENERAL.**—

(1) **REVIEW.**—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Division of Quality of the Office of Appellate Operations of the Social Security Administration shall conduct a review of a sample of determinations that individuals are entitled to disability insurance benefits by outlier administrative law judges and identify any determinations that are not supported by the evidence.

(2) **REPORT.**—Not later than December 1 of each year in which a review described in paragraph (1) is conducted, the Division of Quality Review of the Office of Appellate Operations of the Social Security Administration shall submit a report containing the results of such review, including all determinations that were found to be unsupported by the evidence, together with any recommendations for administrative action or proposed legislation that the Division determines appropriate, to—

(A) the Inspector General of the Social Security Administration;

(B) the Commissioner of the Social Security Administration;

(C) the Committees on Ways and Means and Oversight and Government Reform of the House of the Representatives; and

(D) the Committees on Finance and Homeland Security and Government Affairs of the Senate.

(3) **DEFINITION OF OUTLIER ADMINISTRATIVE LAW JUDGE.**—For purposes of this subsection, the term “outlier administrative law judge” means an administrative law judge within the Office of Disability Adjudication and Review of the Social Security Administration who, in a given year—

(A) issues more than 700 decisions; and

(B) determines that the applicant—

(i) is entitled to disability insurance benefits in not less than 85 percent of cases; or

(ii) is not entitled to disability insurance benefits in not less than 15 percent of cases.

(b) **MANDATORY CONTINUING DISABILITY REVIEW.**—

(1) **IN GENERAL.**—The Commissioner of Social Security shall ensure that, not less than 6 months after receiving a report described in subsection (a)(2), every determination of entitlement found to be unsupported by the evidence is in the process of being reviewed under section 221(i)(1) of the Social Security Act.

(2) **CONFORMING AMENDMENT.**—Section 221(i)(1) of the Social Security Act (42 U.S.C. 421(i)(1)) is amended by inserting “or under section 818(b) of the Bipartisan Budget Act of 2015” after “administration of this title”.

SEC. 819. PERMITTING DATA MATCHING BY INSPECTORS GENERAL.

Clause (ix) of section 552a(a)(8)(B) of title 5, United States Code, is amended by striking “the Secretary of Health and Human Services or the Inspector General of the Department of Health and Human Services” and inserting “the Inspector General of an agency, or an agency in coordination with an Inspector General”.

SEC. 820. ACCOUNTING FOR SOCIAL SECURITY PROGRAM INTEGRITY SPENDING.

Amounts made available for Social Security program integrity spending by the Social Security Administration for a fiscal year shall be—

(1) included in a separate account within the Federal budget; and

(2) funded in a separate account in the appropriate annual appropriations bill.

SEC. 821. USE OF THE NATIONAL DIRECTORY OF NEW HIRES.

Beginning with the date that is 1 year after the date of the enactment of this Act, the Commissioner of Social Security shall consult the National Directory of New Hires established under section 453(i) of the Social Security Act (42 U.S.C. 653(i)) in determining whether any individual who submits an application or reapplication for disability insurance benefits under title II of the Social Security Act or for monthly benefits under section 202 of such Act by reason of a disability is able to engage in substantial gainful activity.

SEC. 822. ENSURING PROPER APPLICATION OF THE MEDICAL IMPROVEMENT REVIEW STANDARD.

(a) **IN GENERAL.**—The Commissioner of Social Security shall establish within the Social Security Administration an office to ensure the proper identification of individuals who should not be entitled to benefits on the basis of a finding that the physical or mental impairment on the basis of which such benefits are provided has ceased, does not exist, or is not disabling, as described in sections 223(f) and 1614(a)(4) of the Social Security Act.

(b) **ADDITIONAL FUNCTIONS.**—The office described in subsection (a) shall carry out the

functions described in such subsection by providing training to officers and employees of the Social Security Administration, carrying out data collection and reviews, and proposing such policy recommendations and clarification as are determined appropriate.

(c) **TRAINING FOR ADMINISTRATIVE LAW JUDGES.**—The Commissioner of Social Security shall establish a program to provide for more efficient and effective training for all individuals and agencies involved in the disability determination process under section 221 of the Social Security Act, including Disability Determination Services agencies and the administrative law judges of the Social Security Administration, in regards to making determinations in which an individual should not be entitled to benefits on the basis of a finding that the physical or mental impairment on the basis of which such benefits are provided has ceased, does not exist, or is not disabling, as described in sections 223(f) and 1614(a)(4) of the Social Security Act.

(d) **APPLICATION OF INITIAL DISABILITY STANDARD IN CERTAIN CASES.**—

(1) **DISABILITY INSURANCE BENEFITS.**—Section 223 of the Social Security Act (42 U.S.C. 423) is amended by adding at the end the following new subsection:

“Application of Initial Disability Standard

“(k)(1) For purposes of subsection (f), in the case of an individual whose case file (including new evidence concerning the individual's prior or current condition which is presented by the individual or secured by the Commissioner of Social Security) does not provide sufficient evidence for purposes of making a determination under paragraph (1) of such subsection, a recipient of benefits under this title or title XVIII based on the disability of such individual shall not be entitled to such benefits unless such individual furnishes such medical and other evidence required under subsection (d) to determine that such individual is under a disability.

“(2) Any determination made under this subsection shall be made on the basis of the weight of the evidence and on a neutral basis with regard to the individual's condition, without any initial inference as to the presence or absence of disability being drawn from the fact that the individual has previously been determined to be disabled.

“(3) For purposes of this subsection, a benefit under this title is based on an individual's disability if it is a disability insurance benefit, a child's, widow's, or widower's insurance benefit based on disability, or a mother's or father's insurance benefit based on the disability of the mother's or father's child who has attained age 16.”

(2) **SUPPLEMENTAL SECURITY INCOME BENEFITS.**—Section 1614 of such Act (42 U.S.C. 1382c) is amended by adding at the end the following new subsection:

“Application of Initial Disability Standard

“(g)(1) For purposes of paragraph (4) of subsection (a), in the case of an individual whose case file (including new evidence concerning the individual's prior or current condition which is presented by the individual or secured by the Commissioner of Social Security) does not provide sufficient evidence for purposes of making a determination under subparagraph (A) of such paragraph, a recipient of benefits based on disability under this title shall not be entitled to such benefits unless such individual furnishes such medical and other evidence required under subsection (a)(3) to determine that such individual is under a disability.

“(2) Any determination made under this subsection shall be made on the basis of the

weight of the evidence and on a neutral basis with regard to the individual's condition, without any initial inference as to the presence or absence of disability being drawn from the fact that the individual has previously been determined to be disabled.”

(3) **CONFORMING AMENDMENTS.**—

(A) Subsection (f) of section 223 of such Act is amended by striking “A recipient of benefits” and inserting “Subject to subsection (k), a recipient of benefits”.

(B) Paragraph (4) of section 1614(a) of such Act is amended by striking “A recipient of benefits” and inserting “Subject to subsection (g), a recipient of benefits”.

(4) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to determinations made after the date of the enactment of this Act.

SA 2756. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NO BUDGET NO PAY.

(a) **SHORT TITLE.**—This section may be cited as the “No Budget, No Pay Act”.

(b) **DEFINITION.**—In this section, the term “Member of Congress”—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

(c) **TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.**—If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

(d) **NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (e).

(2) **NO RETROACTIVE PAY.**—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (e), at any time after the end of that period.

(e) **DETERMINATIONS.**—

(1) **SENATE.**—

(A) **REQUEST FOR CERTIFICATIONS.**—On October 1 of each year, the Secretary of the

Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under clause (1) and (ii) of subparagraph (B).

(B) **DETERMINATIONS.**—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Senators may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Senators may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Secretary of the Senate.

(2) **HOUSE OF REPRESENTATIVES.**—

(A) **REQUEST FOR CERTIFICATIONS.**—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under clauses (i) and (ii) of subparagraph (B).

(B) **DETERMINATIONS.**—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Members of the House of Representatives may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Chief Administrative Officer of the House of Representatives.

(f) **EFFECTIVE DATE.**—This section shall take effect on February 1, 2017.

SA 2757. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 505. BENEFIT SUSPENSIONS FOR MULTIPLE EMPLOYER PLANS IN CRITICAL AND DECLINING STATUS.

(a) **ERISA AMENDMENTS.**—Section 305(e)(9)(H) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(e)(9)(H)) is amended—

(1) in clause (ii)—

(A) by striking “Except as provided in clause (v), the” and inserting “The”; and

(B) by striking “a majority of all participants and beneficiaries of the plan” and inserting “, of the participants and beneficiaries of the plan who cast a vote, a majority”;

(2) by striking clause (v);

(3) by redesignating clause (vi) as clause (v); and

(4) in clause (v), as so redesignated—

(A) by striking “(or following a determination under clause (v) that the plan is a systemically important plan)”;

(B) by striking “(or, in the case of a suspension that goes into effect under clause

(v), at a time sufficient to allow the implementation of the suspension prior to the end of the 90-day period described in clause (v)(I)).

(b) IRC AMENDMENTS.—Section 432(e)(9)(H) of the Internal Revenue Code of 1986 is amended—

(1) in clause (ii)—

(A) by striking “Except as provided in clause (v), the” and inserting “The”; and

(B) by striking “a majority of all participants and beneficiaries of the plan” and inserting “, of the participants and beneficiaries of the plan who cast a vote, a majority”;

(2) by striking clause (v);

(3) by redesignating clause (vi) as clause (v); and

(4) in clause (v), as so redesignated—

(A) by striking “(or following a determination under clause (v) that the plan is a systemically important plan)”; and

(B) by striking “(or, in the case of a suspension that goes into effect under clause (v), at a time sufficient to allow the implementation of the suspension prior to the end of the 90-day period described in clause (v)(I)).”

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to any vote on the suspension of benefits under section 305(e)(9)(H) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(e)(9)(H)) and section 432(e)(9)(H) of the Internal Revenue Code of 1986 that occurs after the date of enactment of this Act.

SA 2758. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . AUTOMATIC CONTINUING APPROPRIATIONS.

(a) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

“§ 1311. Continuing appropriations

“(a)(1) If any appropriation measure for a fiscal year is not enacted before the beginning of such fiscal year or a joint resolution making continuing appropriations is not in effect, there are appropriated such sums as may be necessary to continue any program, project, or activity for which funds were provided in the preceding fiscal year—

“(A) in the corresponding appropriation Act for such preceding fiscal year; or

“(B) if the corresponding appropriation bill for such preceding fiscal year did not become law, then in a joint resolution making continuing appropriations for such preceding fiscal year.

“(2)(A) Appropriations and funds made available, and authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the lower of—

“(i) 100 percent of the rate of operations provided for in the regular appropriation Act providing for such program, project, or activity for the preceding fiscal year;

“(ii) in the absence of such an Act, 100 percent of the rate of operations provided for such program, project, or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year; or

“(iii) 100 percent of the annualized rate of operations provided for in the most recently enacted joint resolution making continuing appropriations for part of that fiscal year or any funding levels established under the provisions of this Act;

for the period of 120 days. After the first 120-day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. For each subsequent 90-day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. The 90-day period reductions shall extend beyond the last day of that fiscal year.

“(B) If this section is in effect at the end of a fiscal year, funding levels shall continue as provided in this section for the next fiscal year.

“(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides for such program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be.

“(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such program, project, or activity under current law.

“(c) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of a fiscal year providing for such program, project, or activity for such period becomes law.

“(d) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period; or

“(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue for such period.”

(b) CLERICAL AMENDMENT.—The table of sections of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

“1311. Continuing appropriations.”.

SA 2759. Mr. GARDNER (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REDUCING EXCESSIVE GOVERNMENT.

(a) SHORT TITLE; DEFINITIONS.—

(1) SHORT TITLE.—This section may be cited as the “Reducing Excessive Government Act of 2015” or the “REG Act”.

(2) DEFINITIONS.—In this section—

(A) the term “agency” has the meaning given the term “Executive agency” under section 105 of title 5, United States Code;

(B) the term “amount of the increase in the debt limit” means—

(i) the dollar amount of the increase in the debt limit specified in the Act increasing the debt limit; or

(ii) in the case of an Act that provides that the debt limit shall not apply for a period and that the amount of the debt limit is increased at the end of such period, the amount by which the Secretary of the Treasury estimates the debt limit shall be increased at the end of the period of the suspension, which the Secretary shall submit to Congress on the date of enactment of such an Act;

(C) the term “debt limit” means the limitation imposed by section 3101(b) of title 31, United States Code;

(D) the term “direct cost of Federal regulation” means all costs incurred by, and expenditures required of, the Federal Government in issuing and enforcing Federal regulations, rules, statements, and legislation;

(E) the term “Federal regulatory cost”—

(i) means all costs incurred by, and expenditures required of, the private sector in complying with any Federal regulation, rule, statement, or legislation; and

(ii) does not include the value of any benefit under the Federal regulation, rule, statement, or legislation;

(F) the term “joint resolution” means a joint resolution—

(i) reported by the Committee on the Budget of the Senate or the House of Representatives in accordance with subsection (d)(3);

(ii) which does not have a preamble;

(iii) the title of which is as follows: “Joint resolution relating to repeal of costly rules.”; and

(iv) the matter after the resolving clause of which is as follows: “That the following rules shall have no force or effect: _____.”, the blank space being filled in with the list of major rules recommended to be repealed under subsection (d) by the committees of the House in which the joint resolution is reported; and

(G) the term “major rule” means any rule that has or is likely to result in an annual effect on the economy of \$100,000,000 or more.

(b) REDUCTIONS IN REGULATORY COST.—Not later than 60 days after the date on which the debt limit is increased or a suspension of the debt limit takes effect, Congress shall enact legislation eliminating rules that results in a reduction of the direct cost of Federal regulation during the 10-fiscal year period beginning with the next full fiscal year by not less than the amount of the increase in the debt limit.

(c) ACTION BY AGENCIES.—

(1) IDENTIFICATION OF MAJOR RULES.—If the amount of the debt limit is increased or a suspension of the debt limit takes effect, each agency shall submit to the Senate, the House of Representatives, and the Comptroller General of the United States a report identifying each major rule of the agency, as determined by the head of the agency.

(2) CERTIFICATION BY GAO.—After receipt of all reports required under paragraph (1), the Comptroller General of the United States shall submit to the Senate and the House of Representatives a statement certifying

whether the repeal of all major rules identified in such reports would result in a decrease in the direct cost of Federal regulation during the 10-fiscal year period beginning with the next full fiscal year by not less than the amount of the increase in the debt limit.

(d) ACTION BY COMMITTEES.—

(1) IN GENERAL.—Each committee of the Senate and the House of Representatives shall submit to the Committee on the Budget of its House a list of the major rules that—

(A) are within the jurisdiction of the committee, which may include major rules identified in the report of an agency under subsection (c)(1); and

(B) the committee recommends should be repealed.

(2) CONSIDERATIONS.—In determining whether to recommend repealing major rules within its jurisdiction, a committee of the Senate or the House of Representatives shall consider—

(A) whether the major rule achieved, or has been ineffective in achieving, the original purpose of the major rule;

(B) any adverse effects that could materialize if the major rule is repealed, in particular if those adverse effects are the reason the major rule was originally enacted;

(C) whether the costs of the major rule outweigh any benefits of the major rule to the United States;

(D) whether the major rule has become obsolete due to changes in technology, economic conditions, market practices, or any other factors; and

(E) whether the major rule overlaps with another rule.

(3) COMBINING OF RECOMMENDATIONS.—The Committee on the Budget of the Senate and the Committee on the Budget of the House of Representatives, upon receiving recommendations from all relevant committees under paragraph (1), shall report to its House a joint resolution carrying out all such recommendations without any substantive revision.

(e) EXPEDITED PROCEDURES.—

(1) CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(A) PLACEMENT ON CALENDAR.—Upon a joint resolution being reported by the Committee on the Budget of the House of Representatives, or upon receipt of a joint resolution from the Senate, the joint resolution shall be placed immediately on the calendar.

(B) PROCEEDING TO CONSIDERATION.—

(i) IN GENERAL.—It shall be in order, not later than 60 days after the date on which the debt limit is increased or a suspension of the debt limit takes effect, to move to proceed to consider a joint resolution in the House of Representatives.

(ii) PROCEDURE.—For a motion to proceed to consider a joint resolution—

(I) all points of order against the motion are waived;

(II) such a motion shall not be in order after the House of Representatives has disposed of a motion to proceed to the joint resolution;

(III) the previous question shall be considered as ordered on the motion to its adoption without intervening motion;

(IV) the motion shall not be debatable; and

(V) a motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) CONSIDERATION.—The House of Representatives shall establish rules for consideration of a joint resolution in the House of Representatives.

(2) EXPEDITED CONSIDERATION IN SENATE.—

(A) PLACEMENT ON CALENDAR.—Upon a joint resolution being reported by the Committee on the Budget of the Senate, or upon receipt of a joint resolution from the House of Representatives, the joint resolution shall be placed immediately on the calendar.

(B) PROCEEDING TO CONSIDERATION.—

(i) IN GENERAL.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order, not later than 60 days after the date on which the debt limit is increased or a suspension of the debt limit takes effect (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of a joint resolution.

(ii) PROCEDURE.—For a motion to proceed to the consideration of a joint resolution—

(I) all points of order against the motion are waived;

(II) the motion is not debatable;

(III) the motion is not subject to a motion to postpone;

(IV) a motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order; and

(V) if the motion is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(C) FLOOR CONSIDERATION GENERALLY.—If the Senate proceeds to consideration of a joint resolution—

(i) all points of order against the joint resolution (and against consideration of the joint resolution) are waived;

(ii) consideration of the joint resolution, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees;

(iii) an a motion to postpone or a motion to commit the joint resolution is not in order; and

(iv) a motion to proceed to the consideration of other business is not in order.

(D) REQUIREMENTS FOR AMENDMENTS.—

(i) IN GENERAL.—No amendment that is not germane to the provisions of a joint resolution shall be considered.

(ii) REPEAL OF MAJOR RULES.—Notwithstanding clause (i) or any other rule, an amendment or series of amendments to a joint resolution shall always be in order if such amendment or series of amendments proposes to repeal a major rule that would result in a decrease in the direct cost of Federal regulation during the 10-fiscal year period beginning with the next full fiscal year.

(E) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the consideration of a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(F) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of this subsection or the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(3) CONSIDERATION AFTER PASSAGE.—

(A) IN GENERAL.—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President takes action with respect to the joint resolution shall be disregarded in computing the period described in subsection (g).

(B) VETOES.—If the President vetoes the joint resolution—

(i) the period beginning on the date the President vetoes the joint resolution and

ending on the date Congress receives the veto message with respect to the joint resolution shall be disregarded in computing the period described in subsection (g); and

(ii) consideration of a veto message in the Senate under this section shall be not more than 2 hours equally divided between the majority and minority leaders or their designees.

(4) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and supersede other rules only to the extent that they are inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(f) EFFECT OF JOINT RESOLUTION.—

(1) IN GENERAL.—A major rule shall cease to have force or effect if Congress enacts a joint resolution repealing the major rule.

(2) LIMITATION ON SUBSEQUENT RULEMAKING.—A rule that ceases to have force or effect under paragraph (1) may not be reissued in substantially the same form, and a new rule that is substantially the same as such a rule may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the joint resolution repealing the original rule.

(g) FAILURE TO ENACT REDUCTIONS IN SPENDING.—

(1) DETERMINATION.—On the date that is 61 days after the date on which the debt limit is increased or a suspension of the debt limit takes effect, the Director of the Office of Management and Budget shall determine whether legislation has been enacted eliminating rules that reduces the direct cost of Federal regulation during the 10-fiscal year period described in subsection (b)(1) by not less than the amount of the increase in the debt limit.

(2) INSUFFICIENT REDUCTIONS.—If the Director of the Office of Management and Budget determines that legislation has not been enacted that eliminates rules that reduces the direct cost of Federal regulation during the 10-fiscal year period described in subsection (b)(1) by not less than the amount of the increase in the debt limit, effective on the date of the determination, the limitation in section 3101(b) of title 31, United States Code, shall be equal to the sum of the face amount of obligations issued under chapter 31 of title 31, United States Code, and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on the date of the determination.

SA 2760. Mrs. MURRAY (for Mr. HELLER) proposed an amendment to the bill S. 1731, to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed

Forces with other than dishonorable conditions, and for other purposes; as follows:

On page 4, between lines 15 and 16, insert the following:

SEC. 6. AUTHORIZATION OF PER DIEM PAYMENTS FOR FURNISHING CARE TO DEPENDENTS OF CERTAIN HOMELESS VETERANS.

Section 2012(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(4) Services for which a recipient of a grant under section 2011 of this title (or an entity described in paragraph (1)) may receive per diem payments under this subsection may include furnishing care for a dependent of a homeless veteran who is under the care of such homeless veteran while such homeless veteran receives services from the grant recipient (or entity).”.

SA 2761. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of title VIII, insert the following:

Subtitle E—Private Disability Insurance Plans

SEC. 851. REDUCTION OF PAYROLL TAX FOR ENROLLMENT IN A PRIVATE DISABILITY INSURANCE PLAN.

(a) SELF-EMPLOYMENT INCOME TAX.—Section 1401 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (a), by striking “In addition to” and inserting “Except as provided in subsection (d), in addition to”, and

(2) by adding at the end the following new subsection:

“(d) REDUCTION OF TAX RATE FOR SELF-EMPLOYED INDIVIDUALS WHO ARE ENROLLED IN A PRIVATE DISABILITY INSURANCE PLAN.—

“(1) IN GENERAL.—For any self-employment income received in any calendar year after 2015 by an applicable individual, the tax imposed under subsection (a) for each taxable year shall be equal to—

“(A) for the first calendar year in which such individual is enrolled in a private disability insurance plan which satisfies the requirements in paragraph (3), 11.5 percent, and

“(B) for any subsequent calendar year in which such individual is enrolled in a private disability insurance plan, 12.15 percent.

“(2) PENALTY RATE FOR TERMINATION OF COVERAGE.—In the case of an applicable individual who terminates enrollment in a private disability insurance plan within 5 years of the date on which such enrollment began, for any self-employment income received in the calendar year beginning after the date of termination, the tax imposed under subsection (a) for any taxable year beginning in such calendar year shall be equal to 13.95 percent.

“(3) APPLICABLE INDIVIDUAL.—For purposes of this subsection, the term ‘applicable individual’ means an individual enrolled in a private disability insurance plan which satisfies the following requirements:

“(A) The plan shall be subject to regulation and oversight by the appropriate State insurance regulator.

“(B) The plan shall provide periodic payments to the enrolled individual which, on

an annual basis, are equal to an amount that is not less than 50 percent of the annual self-employment income of such individual during the preceding calendar year.

“(C) The plan shall provide payments to the enrolled individual for a period of 2 years.

“(D) The plan may not require the enrolled individual to file an application for disability insurance benefits under section 223 of the Social Security Act during the first 18 months in which such individual is provided payments under such plan.

“(E) The plan may, as a condition of receiving payments under such plan, require the enrolled individual to receive any medical treatment or vocational rehabilitation which has been determined as likely to improve the ability of such individual to return to employment.

“(F) In the case of an individual who has applied for disability insurance benefits following the period described in subparagraph (D), the plan shall agree to provide the Commissioner of Social Security with any records relevant to the disability determination made under such plan for such individual.”.

(b) EMPLOYER TAX.—Section 3111 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (a), by striking “In addition to” and inserting “Except as provided in subsection (f), in addition to”; and

(2) by adding at the end of the following new subsection:

“(f) REDUCTION OF TAX RATE FOR EMPLOYERS PROVIDING PRIVATE DISABILITY INSURANCE PLANS TO EMPLOYEES.—

“(1) IN GENERAL.—For any wages paid by an employer in any calendar year after 2015 to an applicable individual in their employ, the tax imposed under subsection (a) shall be equal to—

“(A) for the first calendar year in which such individual is enrolled in a private disability insurance plan which satisfies the requirements in paragraph (3), 5.3 percent, and

“(B) for any subsequent calendar year in which such individual is enrolled in a private disability insurance plan, 5.95 percent.

“(2) PENALTY RATE FOR TERMINATION OF COVERAGE.—In the case of an employer who terminates coverage under a private disability insurance plan for an applicable individual within 5 years of the date on which enrollment in such plan began, for any wages paid by the employer to such individual (provided that such individual continues in their employ) in the calendar year beginning after the date of termination, the tax imposed under subsection (a) for during such calendar year shall be equal to 7.75 percent.

“(3) APPLICABLE INDIVIDUAL.—For purposes of this subsection, the term ‘applicable individual’ means an individual enrolled in a private disability insurance plan which satisfies the following requirements:

“(A) The plan shall be subject to regulation and oversight by the appropriate State insurance regulator.

“(B) The plan shall provide periodic payments to the enrolled individual which, on an annual basis, are equal to an amount that is not less than 50 percent of the annual wages paid to such individual during the preceding calendar year.

“(C) The plan shall provide payments to the enrolled individual for a period of 2 years.

“(D) The plan may not require the enrolled individual to file an application for disability insurance benefits under section 223 of the Social Security Act during the first 18 months in which such individual is provided payments under such plan.

“(E) The plan may not require the enrolled individual to contribute to the payment of any insurance premiums for such plan.

“(F) The plan may, as a condition of receiving payments under such plan, require the enrolled individual to receive any medical treatment or vocational rehabilitation which has been determined as likely to improve the ability of such individual to return to employment.

“(G) In the case of an individual who has applied for disability insurance benefits following the period described in subparagraph (D), the plan shall agree to provide the Commissioner of Social Security with any records relevant to the disability determination made under such plan for such individual.”.

(c) ASSISTANCE FROM DEPARTMENT OF LABOR.—The Secretary of the Department of Labor shall provide appropriate guidance and technical assistance to any State insurance regulator that requests such guidance and assistance for purposes of regulation and oversight of private disability insurance plans described in sections 1401(d)(2) and 3111(f)(2) of the Social Security Act, as added by this section.

(d) CONFORMING AMENDMENT.—Section 223(b) of the Social Security Act (42 U.S.C. 423(b)) is amended by adding at the end the following: “An applicable individual (as described in section 1401(d)(3) or section 3111(f)(3) of the Internal Revenue Code of 1986) may not file an application for disability benefits during the first 18 months in which such individual is provided payments under a private disability insurance plan which satisfies the requirements under section 1401(d)(3) or section 3111(f)(3) of such Code.”

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to remuneration paid in any calendar year after 2015.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on October 29, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on October 29, 2015, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Welfare and Poverty in America.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 29, 2015, at 10 a.m., to conduct a hearing entitled “Nominations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 29, 2015, at 2:15 p.m., to conduct a hearing entitled "Treaties."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on October 29, 2015, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled "Mental Health and Substance Use Disorders in America: Priorities, Challenges, and Opportunities."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on October 29, 2015, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 29, 2015, at 2:30 p.m.

ADJOURNMENT UNTIL 12:01 A.M.
TOMORROW

Mr. CRUZ. Mr. President, I ask that the Senate stand adjourned under the previous order.

Thereupon, the Senate, at 10:07 p.m., adjourned until Friday, October 30, 2015, at 12:01 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 29, 2015:

DEPARTMENT OF JUSTICE

EDWARD L. GILMORE, OF ILLINOIS, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. THOMAS K. WARK

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. HOWARD P. PURCELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. ALLAN L. SWARTZMILLER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DAVID D. HALVERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KENNETH R. DAHL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY VETERINARY CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 3064 AND 3064:

To be brigadier general

COL. ERIK H. TORRING III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS S. VANDAL

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. VALERIA GONZALEZ-KERR

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOHN J. MORRIS

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. STEPHEN E. MARKOVICH

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. MARTA CARCANA

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH BRANDON R. ABEL AND ENDING WITH BRANDON A. ZUERCHER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH MICHELLE T. AARON AND ENDING WITH KIRK P. WINGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH QUENTIN D. BAGBY AND ENDING WITH MARY A. WORKMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH ROBERT H. ALEXANDER AND ENDING WITH JUSTIN DAVID WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

IN THE ARMY

ARMY NOMINATION OF MATTHEW P. TARJICK, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JUDITH S. MEYERS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH THOMAS W. WISENBAUGH AND ENDING WITH HAROLD P. XENITELIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

ARMY NOMINATION OF MICHAEL A. BLAINE, TO BE COLONEL.

IN THE NAVY

NAVY NOMINATION OF TERRY A. PETROPOULOS, TO BE LIEUTENANT COMMANDER.

EXTENSIONS OF REMARKS

RECOGNIZING JERRY DAVIS AS
THE NORTHWEST FLORIDA AGRICULTURAL INNOVATOR OF THE
YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. MILLER of Florida. Mr. Speaker, it is with great pleasure that I rise to recognize Mr. Jerry Davis from Florida's First Congressional District, for being selected as the Northwest Florida Agricultural Innovator of the Year.

Jerry's love of farming derives from his childhood, when he helped grow soybeans and wheat on his family's farm. Since the beginning, Jerry has been an innovator in the agricultural arena. By the time he was 20, he designed a seed conditioning plant to clean and bag seed for planting. In 1987, he became involved in the testing of a crop simulation model developed by scientists in USDA's Agricultural Research Services and Mississippi State and Clemson Universities. The model allowed participants to optimize inputs in relation to weather, nitrogen, moisture stress, crop maturity, growth resultants, and harvest aid materials. As a result of this innovative project, Jerry and the other participating growers saw net profits on test fields increase by more than \$30 per acre.

In the late 1990s, Jerry began expanding his farming operation from Santa Rosa County to Escambia County in Florida and Baldwin and Hale counties in Alabama. At the time, he was the only peanut grower in Hale and one of the first in Baldwin. Similarly, he was one of the first farmers to grow 30-inch twin row peanuts and use grid sampling and precision agriculture to perfect his technique over thousands of acres.

Most recently, Jerry has partnered with the University of Florida, Institute of Food and Agricultural Sciences to grow carinata, a plant that has the potential to help meet the renewable energy demands of the United States. Along with Northwest Florida scientists, Jerry is testing the viability of carinata in Northwest Florida and its potential use as a source of renewable jet fuel.

The Davis family farming tradition continues today as his wife Patty and daughter Caitlynn are also active on the farm, which comprises cotton, peanuts, wheat, corn, soybeans, vegetables, livestock, and other crops.

Aside from his agricultural contributions, Jerry is known throughout his community for his kind nature and willingness to help others. Jerry has participated in 12 mission trips to Central and South America, spreading his faith and helping those in need, and every Thanksgiving, he and his family donate sweet potatoes that are included in a box of Thanksgiving food that is provided to members of the Escambia and Santa Rosa counties in need.

Despite his busy schedule, Jerry is always happy to promote Northwest Florida agriculture and also has a very extensive civic resume including serving as District I Florida Farm Bureau Director since 2009, Santa Rosa County Farm Bureau President, Chairman of the Agricultural Research Committee for Cotton Incorporated, a member of the Florida Commissioner of Agriculture Peanut Advisory Committee, a member of the Southern Cotton Growers Farm Bill Task Force, and a director of the Florida and Southeastern Boll Weevil Eradication Foundation, Inc. Board.

Mr. Speaker, Northwest Florida and our Nation share a proud agricultural tradition built by the hard work of farmers and their families. The Northwest Florida Agricultural Innovator of the Year Award is a reflection of Jerry's tireless work and dedication to improving farming practices. On behalf of the United States Congress, I would like to offer my congratulations to Jerry Davis for being outstanding in his field. My wife Vicki and I extend our best wishes to him and the Davis family for their continued success.

RECOGNIZING GUITARS FOR
HEROES

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. MARCHANT. Mr. Speaker, I rise today to recognize a special veterans program in North Texas known as Guitars For Heroes. As an initiative through the Recreation Therapy Services of the VA North Texas Health Care System, the program was founded in 2012 by Fort Worth VA Outpatient Clinic Supervisor Donna Gerron with the objective of assisting veterans through music therapy.

Guitars For Heroes provides veterans 12 sessions of free instruction, acoustic guitars, and accessory kits with the intent of restoring joy and a renewed purpose in life. Veterans from all different backgrounds who are overcoming traumatic experiences, depression, or isolation have found solidarity and restoration through the program.

For over three years, Guitars For Heroes has mentored veterans into becoming fine musicians. I am pleased to announce that they will be performing at the Annual Veterans Fair on November 7, 2015, in Grapevine, Texas. This annual event, made possible by the tireless work of dedicated personnel, helps introduce veterans to important benefits, programs, and services. It will be a privilege to have Guitars For Heroes perform in front of the hundreds of attending veterans.

As a special acknowledgment, I am pleased to recognize each member of Guitars For Heroes performing at the fair. These honorable

veterans are Mike Andersen, James Benson, Steve Brenner, James Bullard, Rondal Burns, Keith Burrowes, Marco Garcia, Dujuan Jackson, Brian Michel, Frank Precure, Juan Reyes, Alfred Schram, Roy Vaughn, Glen Wilson, and Bill Yohn.

Mr. Speaker, it is a pleasure to acknowledge the success of Guitars For Heroes, and I ask all of my distinguished colleagues to join me in recognizing this special program.

RECOGNIZING OCTOBER 29, 2015 AS
DIRECT SELLING DAY

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. VEASEY. Mr. Speaker, I rise to recognize today, October 29, 2015, as Direct Selling Day.

For years, the direct selling industry has made a significant impact on both families and the economy in Texas and across the nation.

Today, more than 18 million Americans, hailing from every state, Congressional district and community in the United States, are involved in direct selling.

For many individuals, direct selling is one of the most flexible businesses there is, and in today's busy world having an opportunity to work at one's own pace and earn additional income is beneficial and convenient when individuals are trying to balance work with family and other priorities.

Out of the more than 18 million Americans involved in direct selling, more than two million reside in Texas. Many of the residents I represent in Dallas and Fort Worth chose direct selling to provide economic security for their families.

Their efforts contribute more than \$34 million to the U.S. economy, helping individuals build their businesses while supporting their local and national economies.

As the economy continues to change and place more emphasis on flexibility, the direct selling industry will continue to grow and prosper.

It is clear that the direct selling companies across Texas and around the country are committed to helping the next generation of American entrepreneurs. Since its founding in September 2015, the Direct Sellers Caucus has worked to build greater awareness of direct selling and discuss policy issues relevant to the industry, ensuring that these companies can continue to make an impact on the lives of those involved.

In honor of the Direct Sellers Association's day on the Hill and the impact the industry has on both local communities and the nation as a whole, this statement will be submitted.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN RECOGNITION OF SERGEANT
MAJOR ALAN M. GIBSON

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to recognize and commend Sergeant Major Alan M. Gibson, the Division G3 Sergeant Major for the 4th Infantry and Fort Carson, Colorado, who will be retiring from the United States Army after 32 years of distinguished service to the United States of America. He will be honored at a retirement ceremony on Friday, October 30, 2015 at Fort Benning, Georgia.

A Georgia man through and through, Sergeant Major Alan Gibson is originally from Columbus, Georgia and graduated from Morris Brown College in Atlanta, where he earned a Bachelor of Science degree in Therapeutic Recreation/Kinesiology in 1982. He is currently working on a Master's degree from Central Michigan University. SGM Gibson joined the United States Army in October 1983 and completed basic training at Fort McClelland, Alabama and Advanced Individual Training at Fort Benning, Georgia. In his first assignment, he served as an Infantryman in the Berlin Brigade from March 1984 to October 1985.

After departing Berlin, Germany, SGM Gibson attended Airborne School and the Ranger Indoctrination Program (RIP) prior to being assigned to 3rd Battalion, 75th Ranger Regiment, at Fort Benning while he served as a Rifleman, Team Leader, and Squad Leader from October 1985 to April 1989. In fact, he would return to Fort Benning several times throughout his career. He also served in numerous leadership and staff positions at Fort Myer, Virginia; Yongsan, Korea; Fort Monroe, Virginia; and Fort Leavenworth, Kansas, where he was the Sergeant Major for the Center for Army Leadership for the Combined Arms Center (CAC).

SGM Gibson served four combat tours, including Operation Just Cause in Panama; Operation Iraqi Freedom 1 in Iraq; Operation Enduring Freedom (OEF 13-14) in Afghanistan; and he deployed in support of Operation Enduring Freedom in Kuwait.

SGM Gibson is a highly decorated non-commissioned Army officer. His numerous awards and decorations include the Bronze Star Medal with V devices, Bronze Star w/ 1OLC, Purple Heart, Meritorious Service Medal, Combat Infantryman Badge (2nd Award), Expert Infantryman Badge, Master Parachutist Badge with Bronze Star, Pathfinder Badge, Aviation Crewmember Badge, Canadian Parachutist Badge, German Schutzenschnur Badge (Silver), and the coveted Ranger Tab, among many others. SGM Gibson also was awarded the Order of Saint Maurice (Infantry), and Order of The Combat Spurs (Cavalry).

On a personal note, I am proud to call SGM Alan Gibson my friend. I have witnessed firsthand his compassionate leadership and his enduring dedication to our great nation. Throughout his distinguished career, SGM Gibson has consistently exhibited the Seven Core Army Values of Loyalty, Duty, Respect, Selfless Service, Honor, Integrity, and Personal Courage.

SGM Gibson has certainly accomplished many things in his life but none of this would have been possible without the love and support of his wife, Cheryl, and their three daughters, Asia Rochelle, Alana Shantelle and Ariel Danae.

Mr. Speaker, today I ask my colleagues to join me and my wife, Vivian, in extending our sincerest gratitude and best wishes to Sergeant Major Alan Gibson and his family, on the occasion of his retirement from a stellar career of 32 years in the United States Army.

RECOGNIZING THE HENDRICKS
FAMILY AS THE 2015 SANTA
ROSA COUNTY, FLORIDA, OUT-
STANDING FARM FAMILY OF
THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. MILLER of Florida. Mr. Speaker, it is with great pleasure that I rise to recognize the Hendricks Family from Jay, Florida, for being selected as the 2015 Santa Rosa County, Florida, Outstanding Farm Family of the Year.

A fourth generation farmer, Rick Hendricks was only six years old when he first began to work on the farm alongside his father, B.D. By the age of 12, he had graduated to using a selective tractor, and as a teenager, he worked on the farm after school and athletic practices before going off to college at Livingston University. Rick played football at Livingston before his love of the farm brought him home.

During Rick's farming career, several changes have taken place in the agricultural industry, and he has witnessed and experienced the new picker/balers, as well as changes in cotton and peanut production equipment from two-row to six-row. Over the years, the Hendricks' family farm has grown and incorporated new technology, and today, in addition to his own farming operation, Rick manages Hendricks and Son Farms, Inc. and B.D. Hendricks Farm, which in total covers 2,250 acres and includes 200 brood cows and row crops of cotton, peanuts, and hay.

To Rick, his wife Nina of 27 years, and their children, Brandt, Rush, and Tessa, farming is an investment in their future. It is Rick's hope, that the value of hard work instilled in him by his parents, will also create the strong foundation for future success for his children. It is also truly a family affair, and today the Hendricks family farm is also operated by Rick's sister, Vicki; nephews, Tanner and Todd; as well as full time employee, Dylan Barnes.

In addition to the hours spent on the farm, Rick has served as a member and advisor of many organizations including terms as President of the Board for Santa Rosa County Farm Bureau and the Jay Peanut Farmers Cooperative.

Mr. Speaker, Northwest Florida and our Nation share a proud agricultural tradition built by the hard work of farmers and their families. The Santa Rosa County Outstanding Farm Family of the Year Award is a reflection of Rick and his family's tireless work and dedica-

tion. On behalf of the United States Congress, I would like to offer my congratulations to the Hendricks Family for being outstanding in their field. My wife Vicki and I extend our best wishes for their continued success.

CONGRATULATING VICTOR
MORENO ON HIS RETIREMENT

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate Victor Moreno on his retirement from serving as Chief of Police for East Moline Police Department. Victor is rightfully being honored by the East Moline Police Department for his longstanding dedication to the community.

Victor has served a total of 26 years with the department. He has been Chief of Police since 2004 and has given so much comfort to the community with his dedication to public safety. Victor has held himself to the highest moral standard.

Victor has enriched the lives of all those around him. Fortunately, he will continue to serve his community by teaching law enforcement and public safety at United Township High School.

Mr. Speaker, I would like to thank Victor for his commitment to the East Moline Community. I congratulate him again on his well-earned retirement and wish him luck in his future endeavors.

CONGRATULATING MASTER SER-
GEANT DANIEL LIND WILLIAMS
ON HIS RETIREMENT FROM THE
MARINE CORPS

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. TAKAI. Mr. Speaker, on behalf of myself and Congresswoman TAMMY DUCKWORTH, I would like to take the time today to recognize Master Sergeant Daniel Lind Williams, an American patriot who has devoted his career to working in the United States Marine Corps.

In 1995, Master Sergeant Williams joined the Marine Corps and has served honorably as a Marine ever since. Starting as a training instructor, he was responsible for range scheduling and marksmanship. He was awarded the Navy and Marine Corps Achievement Medal for high standards of professionalism as a junior Marine and has been decorated with numerous commendations since, including the Bronze Star.

Throughout his career working in counter-intelligence and in special operations he has worked on a variety of vital projects leading to a more stable Afghanistan and Iraq. From assisting with the re-opening of the U.S. Embassy in Kabul, Afghanistan, to working as a counterintelligence representative to the interim Iraqi Government, he has worked to ensure that the society that we live in today is a safer one.

Master Sergeant Williams, thank you for all your years of service to the United States; you have the deepest gratitude of a thankful nation. As you are surely aware, the Marine Corps and the United States are proud of all that you have accomplished for our safety and security as well as the safety and security of our international allies abroad. Thank you very much (mahalo nui loa) for your devotion and patriotism to our country.

SPEAKER BOEHNER TRIBUTE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. CALVERT. Mr. Speaker, it is my honor and privilege to pay tribute to my friend, JOHN BOEHNER, who has proudly served as Speaker of the House of Representatives since January 5, 2011.

As many people know, Speaker BOEHNER is the son of a bartender and one of 12 children. The people of southwest Ohio have elected him to serve as their Representative in the House on thirteen separate occasions.

During his service in the House, Speaker BOEHNER has distinguished himself by regularly stepping forward to tackle important challenges facing his Ohio constituents and the country.

JOHN BOEHNER was elected to serve as House GOP Conference Chairman following the election of a historic Republican majority in 1992. As Conference Chairman, BOEHNER played a key role in the adoption of the Balanced Budget Act, which limited spending, helped grow the economy, and resulted in the first budget surplus in decades. He played a central role in shaping and fulfilling the Contract with America.

Later while serving as Chairman of the House Education and Workforce Committee, BOEHNER co-wrote the bill establishing the first private school choice program in the District of Columbia, and worked to ensure historic parental choice provisions were included in the bipartisan No Child Left Behind Act.

In 2007, JOHN was chosen by his Republican colleagues to serve as the House Republican Leader. In that role, he led the charge and a unified Republican Conference in opposition to job-killing bills like ObamaCare and a cap-and-trade energy tax, as well as the opposition to the wasteful Obama-Pelosi economic stimulus bill of 2009.

As Speaker of the House, JOHN BOEHNER has continued his legacy of reform. The House has enacted landmark changes that increase transparency and give Americans access to data and information that it never had before. Speaker BOEHNER also oversaw the first meaningful change to entitlement programs in many years as well as significant reductions to the reckless spending levels that became the norm under the previous Democratic majority.

Earlier this year, Speaker BOEHNER's long-time goal of having a Pope address Congress for the first time was realized when Pope Francis addressed a Joint Meeting of Congress. That historic address was a source of

inspiration for Congress and the nation, and was a clear crowning achievement for Speaker BOEHNER.

It is clearly evident by his record that Speaker BOEHNER has been one of the most instrumental and effective members to ever serve in this body. However, I must tell you that in my opinion, he is an even better person than he is a Member of Congress. JOHN BOEHNER, and his wife Debbie, have become close and dear friends of mine. I will always value their friendship, support, and words of encouragement.

Thank you, Speaker JOHN BOEHNER, for your service as a happy warrior. Godspeed, old pal.

CONGRATULATING THE UNIVERSITY OF CENTRAL FLORIDA, 2015 NATIONAL COLLEGIATE CYBER DEFENSE COMPETITION NATIONAL CHAMPIONS

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. GRAYSON. Mr. Speaker, I rise today to congratulate the University of Central Florida's Collegiate Cyber Defense Club, for winning the National Collegiate Cyber Defense Competition this past April. They beat nine other teams to become national champions for the second year in a row.

The club, also known as Hack@UCF, was created in 2012 by students who wanted to compete in regional and national cyber defense competitions. The competition, organized by the Center for Infrastructure Assurance and Security, is the nation's most prestigious collegiate data defense competition. Ten regional contests around the country included roughly 200 teams consisting of more than 2,400 students. The winning students are, Alexander Davis, Andres Giron, Austin Brogle, Carlos Beltran, Conner Brooks, Jason Cooper, Jonathan Lundstrom, Kevin Colley, Kevin DiClemente, Nathan Dennis, Shane Welch, and Tyler Dever.

It is my pleasure to recognize the University of Central Florida and the students of the Collegiate Cyber Defense Club for winning its second national championship. I congratulate the hard-working faculty and outstanding students that make the University a destination for our nation's best and brightest minds. Go Knights.

PERSONAL EXPLANATION

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. HUDSON. Mr. Speaker, on October 28, 2015 I was attending a family member's funeral and missed votes. Had I been present, I would have voted Aye on Roll Call 577, Aye on Roll Call 578, and Nay on Roll Call 579.

NATIONAL FARM TO SCHOOL MONTH

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Ms. KAPTUR. Mr. Speaker, October is National Farm to School Month, an important opportunity to celebrate the close connection between local schools and local food in communities throughout the country. Farm to School initiatives play an important role in growing that connection, improving child nutrition, supporting local jobs and economies, and educating the next generation about the sources of their food.

Many of our rural communities are struggling. Meanwhile, access to affordable, nutritious food continues to be a challenge for many inner city communities. With these trends at work, it will be especially important to grow our Farm to School initiatives. One such initiative in Sandusky, Ohio connects students and their families with fresh, healthy food and local food producers. These programs are vitally important because they bridge the gap between rural and urban communities and help build local food systems that provide food security and independence.

It is no wonder that Farm to School programs are cropping up all over the country, today reaching more than 40,000 schools and over 25.5 million students. Here are the outcomes:

For Farmers: Growing sales opportunities. Reliable demand. Expanded community interest in local foods.

For Schools: Reduction in child obesity; fresh and local food options that increase participation rates in school food programs, thereby boosting revenues.

For the Community: Keeps food dollars in the community; ensures healthy local farms that provide jobs, pay taxes, and protect working agricultural land.

Mr. Speaker, America's Farm to School programs are a win-win-win scenario.

So as we conclude this month long celebration, I urge my colleagues in the House to support H.R. 1061, The Farm To School Act of 2015 introduced by Congressman FORTENBERRY, which reauthorizes Farm to School programs through FY 2021 and allows land grant colleges and universities to participate as well.

Connecting our nation's schools to locally produced nutritious foods is not a partisan issue. It affects both Democratic and Republican districts. The House has an opportunity to act on this pressing matter with dispatch today. I suggest we take it.

CELEBRATING THE LIFE OF FORMER WASHINGTON STATE SENATOR SCOTT BARR

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to honor my close mentor and

friend, former Washington State Senator Scott Barr, who passed away in his Colville, Washington home last week at the age of ninety-nine. It is especially sad that we will not be able to celebrate his 100th birthday at Edwall Park in August. Washington State lost a passionate leader, one who faithfully served his community and the people of Northeastern Washington.

Before serving in the state legislature, Senator Barr grew wheat and raised cattle near Edwall, Washington. His experience as a farmer encouraged him to become more involved in his local community, culminating in his run for a seat in Washington's 7th Legislative District. In 1976, Senator Barr was elected to the Washington State House of Representatives where he served for seven years before being elected to the Washington State Senate. In the Senate, Senator Barr was a tireless champion for Northeastern Washington, focusing on issues closest to his constituents, agriculture and natural resources. It was often said that if three people were gathered at a meeting in the 7th Legislative District, Senator Barr would be one of them.

Throughout his career, Senator Barr served as the Chairman of the Senate Committee on Agriculture and the Western States Legislative Forestry Task Force, co-chaired the Joint Select Committee on Water Resource Policy, and served as the Ranking Republican Member on the Agriculture and Ecology and the Parks committees. In December 1993, Senator Scott Barr announced his retirement from the Washington State Senate, at the age of seventy-seven. Even after his retirement, Senator Barr continued to be a champion for the 7th Legislative District, working to preserve the way of life that those in his community enjoy.

Senator Barr served as the president of the Washington Association of Wheat Growers, headed up the Expo Food and Soil Association, and supported youth development through local 4-H programs. Senator Barr was also instrumental in ensuring 4-H programs continued to function and thrive throughout Washington State. Before running for the state legislature, Senator Barr was also a key advocate on behalf of the Lincoln County Conservation District.

On a personal level, Scott was a friend and a role model, not only to me but to everyone serving in Eastern Washington and across our state. Scott desired to better the lives of those around him and to support young people in order that they may reach their full potential. Even in his late nineties, Scott had a contagious energy and excitement for life—he was committed to giving back and remained active in his community.

I rise to thank Senator Scott Barr for his years of service to Northeastern Washington. He leaves behind a legacy in leadership and devotion to his community and will be remembered for his commitment to issues close to the hearts of the people of Washington State. My thoughts and prayers remain with his wife, Dollie Mae, his children, and other family members and friends. Washington State lost a truly dedicated and passionate leader. He will be missed.

CONGRATULATING DAVIS & ELKINS COLLEGE

HON. ALEXANDER X. MOONEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. MOONEY of West Virginia. Mr. Speaker, I would like to congratulate Davis & Elkins College in Elkins, West Virginia for their recent acceptance into the Museum Assessment Program (MAP). This program will help develop and improve the College's already outstanding collection, which includes pieces from Native American history, to traditional Appalachian culture, and showcases West Virginia's rich history. This accomplishment required the hard work and dedication of the students, faculty, and staff of Davis & Elkins College. It makes me proud to see colleges like Davis & Elkins thriving. I wish everyone involved with this great achievement the best in their future studies and careers.

HONORING MR. RONALD S. MOULTRIE

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to honor Ronald S. Moultrie, a United States Intelligence Officer for the National Security Agency (NSA), on the occasion of his retirement. Mr. Moultrie has honorably served our country for over 36 years, including time spent in the United States Air Force and the Central Intelligence Agency.

Throughout his illustrious career, Mr. Moultrie's most notable position was his tenure as Director of the Signals Intelligence Directorate (SIGINT) program at NSA. As Director, he led a civilian and military workforce, while effectively guiding the integration and transformation of SIGINT reporting, dissemination, and collection capabilities.

His duties at NSA led him to be a key voice in global operational activities of critical importance to the Department of Defense and the Intelligence Community. He is considered to be one of NSA's foremost active senior executives, with a strong focus on diversity efforts.

Throughout Mr. Moultrie's career he has been awarded numerous honors including, the USAF Meritorious Service Medal (1983), Defense Meritorious Service Medal (1986), NSA Meritorious Civilian Service Award (1996, 1998), NSA Exceptional Civilian Service Award (2000, 2001, 2015), NSA Director's Distinguished Service Medal (2004), National Intelligence Superior Service Medal (2008), Presidential Rank Award: Meritorious Executive (2011), and the National Intelligence Distinguished Service Medal (2014).

Mr. Moultrie graduated from the University of Maryland, College Park Magna Cum Laude with a Bachelor of Arts. He then attended the Defense Intelligence College, where he earned a Master's of Science. Subsequently, he enrolled at the Federal Executive Institute

and later became an Intelligence Fellow at the Harvard University Kennedy School of Business.

Mr. Moultrie is married and lives with his wife near Annapolis, Maryland where they are notable philanthropists. Mr. Moultrie is also a blood donor and a proud member of NSA's Red Cross 10-Gallon Club.

Mr. Speaker, I ask that you join with me today to honor Mr. Moultrie and his lifelong dedicated service to the United States government and the Intelligence Community. It is with great pride that I congratulate Mr. Moultrie on his retirement and wish him the best of luck in all his future endeavors.

RECOGNIZING OCTOBER AS DOWN SYNDROME AWARENESS MONTH

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I am very pleased today to recognize October as Down Syndrome Awareness Month. Down syndrome is a congenital disorder arising from a chromosome defect, likely a full or partial copy of chromosome 21. This defect causes intellectual impairment and physical abnormalities.

Approximately 1 in 700 babies in the United States are born with Down syndrome. Infants with Down syndrome are more likely to have other medical issues such as hearing loss, heart defects, and various eye diseases. Furthermore, African American infants born with Down syndrome have a lower chance of surviving past the first year of life than infants with Down syndrome from other racial and ethnic backgrounds.

The economic impacts on the families of those with Down syndrome are also staggering. Medical care costs for children in their first four years are twelve times higher than the costs associated with a child without Down syndrome. Nearly 40 percent of families have suffered a financial setback or have forced a family member to stop working because of the child's condition.

Progress has been made in some areas that impact individuals with Down syndrome. The life expectancy for individuals with this disability has greatly increased. The 21st Century Cures Act, a bipartisan bill that passed the House of Representatives earlier this session, provides additional funding to the National Institute of Health for medical research that one day may move the needle of innovation in research and treatment forward enough to improve the lives of individuals with Down syndrome.

I am pleased to recognize the 400,000 Americans with Down syndrome and the families who have sacrificed so that these individuals can live their lives to the fullest.

October 29, 2015

EXTENSIONS OF REMARKS, Vol. 161, Pt. 12

16905

IN RECOGNITION OF THE DEEP
LOSS BEING EXPERIENCED BY
NEW MEXICAN COMMUNITIES
DUE TO THE DEATH OF LILLY
GARCIA

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2015

Mr. BEN RAY LUJÁN of New Mexico. Mr.
Speaker, I rise today to express the sorrow

and profound loss that is being felt in communities across New Mexico following a heinous act of violence that took the life of an innocent young girl.

Four year-old Lilly Garcia was in the back seat of her car with her family, when in a case of road rage, a bullet that was fired at her car, hit her, and killed her. This senseless violence was shocking and heartbreaking. It has shaken our community to its core. We cannot turn a blind eye to violence like this. Sadly this story of violence is not unique.

In Rio Rancho we lost Officer Gregg Benner who was shot and killed in the line of duty, and in Albuquerque, Officer Daniel Webster died this week after he too was shot in the line of duty. We must have a real discussion about how we address the violence that has taken the lives of too many loved ones, and only by coming together as a community can we make a change.

My heart goes out to the family of Lilly Garcia and all those who have lost someone they love to violence.

SENATE—Friday, October 30, 2015

The Senate met at 12:01 a.m. and was called to order by the Honorable CORY GARDNER, a Senator from the State of Colorado.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, You hold victory in store for the upright. As we cross the threshold of another day, thank You for calling us to be Your sons and daughters.

Bless our lawmakers. Make them bigger in their thinking, in their praying, and in their outreach to the huddled masses yearning to breathe free. May our Senators find nourishment in Your sacred Word as they press toward the goal of becoming more like You. Lord, lead them upon the byways and the highways of service in a way that glorifies You. Grant them grace to walk in Your light and follow Your guidance.

Thank You that Your grace abides with us all, hour by hour and day by day.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 30, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CORY GARDNER, a Senator from the State of Colorado, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. GARDNER thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

TRADE ACT OF 2015

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 1314, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 1314, an act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Pending:

McConnell motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with McConnell amendment No. 2750, to change the enactment date.

McConnell amendment No. 2751 (to amendment No. 2750), of a perfecting nature.

McConnell motion to refer the amendment of the House of Representatives to the amendment of the Senate to the bill, to the Committee on Finance, with instructions, McConnell amendment No. 2752, to change the enactment date.

McConnell amendment No. 2753 (to (the instructions) amendment No. 2752), of a perfecting nature.

McConnell amendment No. 2754 (to amendment No. 2753), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 1:01 a.m. will be equally divided between the two leaders or their designees.

The Senator from Texas.

Mr. CORNYN. Mr. President, I ask unanimous consent to waive the mandatory quorum call with respect to the motion to concur in the House message to accompany H.R. 1314.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from Illinois.

Mr. DURBIN. Mr. President, earlier this week the White House and congressional leadership announced a budget deal that will avert a potential shutdown of the Federal Government and prevent a default on our country's obligations. This agreement would provide relief to the arbitrary sequester caps for 2 years and maintain the full faith and credit of the United States by extending the debt limit to March 2017.

For months we have been calling on both sides to abandon any reckless budget cuts and work together to give the American people much needed relief from the sequester. I applaud President Obama and the leaders from both political parties for crafting a commonsense solution that protects

the American people and our economic recovery.

This measure passed the House of Representatives, and now it is our turn. This agreement calls for \$112 billion in sequester relief, providing necessary funding for critical programs on which many Americans depend. With this additional funding, dramatic cuts in these programs can be avoided.

Yesterday I spoke about the importance of biomedical research. Funding for the National Institutes of Health can lead to medical breakthroughs that keep us healthier and save money in the long run. One illustration: One American is diagnosed with Alzheimer's every 67 seconds in America, and \$1 out of every \$5 spent in the Medicare system is spent for those suffering from Alzheimer's and dementia. The numbers are growing, the cost is growing, and the research is imperative. If we can find a way to delay the onset of Alzheimer's, treat it, cure it, for goodness' sake, it not only will spare human suffering, but it will save our budget. So is money for medical research well spent? Of course. Yet in past years we have shortchanged it in the name of budget relief.

Well, this is a moment where we can keep our promise to the NIH, to the CDC, and many other agencies that are responsible for medical research. Thanks to bipartisan support—and I especially note the Senator from Missouri, ROY BLUNT, as well as the Senator from Washington, PATTY MURRAY—we are going to see an increase in the Senate bill this year for NIH if the Senate number continues, and I hope that it does. But it shouldn't come at the expense of other programs, such as the Centers for Disease Control, which faces cuts in our version of the bill and receives better treatment in the House. We can't be the world leader in biomedical research by cutting funding for NIH or CDC.

We should also restore funding for community health centers and substance abuse and mental health programs. As I travel around the State of Illinois, our State, like most States, is facing a heroin epidemic. We find that the overdoses and deaths associated with heroin are now striking a part of our population that they never struck before. The prevalence of death from heroin in America in the last 15 years has changed dramatically, and now most of the victims are White, between the ages of 18 and 44. And that means we have to do something about it, not only in policing—which is, of course, our responsibility—but also when it comes to treatment for those who are

addicted. We can't cut back in substance abuse and mental health programs without paying a heavy price and inviting more human suffering.

We need to ensure that the FDA has the funding to fully implement the Food Safety Modernization Act.

The money in this budget agreement will help us reach these goals and many others. We can work together to chip away at the \$850 million underinvestment in programs that help our veterans, ensuring that those who put their lives on the line for America are given the care, the respect, and the quality education they deserve.

We should use some of the sequester relief in the budget deal to fund transit programs and transportation, if necessary. I am proud to represent the city of Chicago. Our mass transit is essential. We, of course, stand by our infrastructure as well when it comes to highways, bridges, and rail service, but it is important that our mass transit systems across America be maintained.

The core capacity and TIGER grants—popular grant programs that have benefited the entire Nation—were facing cuts in early versions of bills. We can reverse it.

Senate Republicans funded the HOME Program, which is \$66 million. That was a 93-percent reduction in funding for this essential housing program. We can start to restore money in that area.

Without the sequester relief provided in the budget deal, \$770 million would be cut from America's schools. Who in the world thinks that cutting spending on education is the best thing for America in the 21st century? We don't want to eliminate critical title I funding for the most vulnerable kids in America. In my home State of Illinois alone, that amounts to a cut of about \$40 million if we stuck with the original budget figures. Now, with this agreement, we could provide more money for education for the most vulnerable kids.

This agreement also protects our seniors by preventing Medicare Part B premium increases and deep cuts to Social Security disability insurance that were scheduled to occur next year. It also extends SSDI solvency to 2022 and prevents a 20-percent across-the-board cut in disability benefits.

The idea of sequester relief is not a new one. A similar agreement to the one we are voting on this morning was reached in 2013 between Senator PATTY MURRAY and then-Congressman PAUL RYAN, who yesterday was sworn in as the new Speaker of the House. That had widespread bipartisan support. This should as well. It was the right thing to do then, and it is the right thing to do now.

Government by manufactured crisis is no way to do the American people's business. After months of uncertainty, we have before us a plan to remove the

seemingly constant threat of defaults and shutdowns.

The new Speaker of the House, PAUL RYAN, was very candid yesterday in acknowledging the broken system in the U.S. House of Representatives, and I think he could point to our side of the Rotunda as well, which has a desperate need for more bipartisan solutions. Our work is not done even with this agreement.

I encourage my colleagues to continue in the spirit of compromise and a shared goal of growing our American economy and providing fairness to American citizens. Let's pass appropriations bills free of ideological policy riders that seek to divide us.

I look forward to joining my colleagues on both sides of the aisle in passing this bill. Let's get back to work and face the critical issues which American families face every single day.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, yesterday Chairman HATCH and I began managing this legislation on the floor of this distinguished body. It seems to me that speaking for more than a couple of minutes at this point would just be excessive, but I think I want to summarize what the central question is at this late hour.

It would be fair to say that we have spirited debates in the Senate, and fiscal battles that play out in this Chamber take place at virtually every new cycle and certainly with every election. That is as it should be. That ensures that we have vigorous debate about important issues the Founding Fathers wanted this Senate to be part of. But that must never endanger the sterling economic reputation our country has built over the generations, and passing this legislation, in my view, helps to preserve that reputation.

With this bipartisan legislation, it is possible to avert a catastrophic default and a mindless sequester, which would give an opportunity that the President, the Senate, and I care a great deal about, and that would be the opportunity to come up with smart, effective, targeted reforms, such as fixing the broken system of fighting wildfires in our country. That system is broken today. With this legislation and the opportunity to bring a bit more flexibility to the cause of reforming our government, there will be an opportunity on a bipartisan basis to fix that broken policy which has consumed, literally and figuratively, so much of our land in the West.

To me, having the opportunity to prevent a government shutdown and demonstrate once more that our country pays its debts and pays them on time is central to our obligations in the Senate—obligations we must meet on a bipartisan basis.

The reality is, as it has been for decades, that America is the economic rock in tumultuous seas with this legislation. Once again, we preserve our status, our prestige, with the ability to say to the world: America pays its debts. Our full faith and credit is intact.

The reality is the cycle of fiscal crisis has gone on for far too long. To me, the Senate ought to view this legislation as, in effect, a springboard to go back to very different and robust and bipartisan budget debates. The people of this country—certainly the people of my State—expect Senators on both sides of the aisle and of differing philosophies to come together to solve the big economic challenges ahead.

The reality is, if you count the votes here in the Senate, to get the important work done, you have to find some common ground. Neither side can forge the progress we need here in this body all by itself. So let's pass this bipartisan legislation tonight, and let's reaffirm our pledge to protect the full faith and credit of the United States.

This evening I urge my colleagues, Democrats and Republicans alike, to support this important legislation.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator delay his suggestion?

Mr. WYDEN. Yes. Mr. President, I ask unanimous consent that the time during the quorum call be allocated equally.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. WYDEN. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PAUL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PAUL. Mr. President, the number one threat to our country's future is our debt. The number one threat to our national security is our debt. This deal gives the President the power to borrow unlimited amounts of money. This deal represents the worst of Washington culture. The left and the right have come together in an unholy alliance to explode the debt. The left gets more welfare, the right gets more military contracts, and the taxpayer is stuck with the deal.

This is a bipartisan busting of the budget caps that will further indenture our next generation. I promised the voters of Kentucky to oppose deficits, to oppose budgets that don't balance, and to spend only that which comes in. I will not give this President any power

to borrow unspecified amounts of money. Our debt now equals our entire economy. Not raising the debt ceiling means we would be forced to only spend what comes in—also known as a balanced budget. I could accept that. But I can also accept a balanced budget that brings us to balance over 5 years. The debt threatens us like never before, and now is the time to take a stand. I have traveled far and wide across America. I have not met one voter outside of DC who supports adding an unlimited increase to the debt ceiling.

I hope my colleagues will listen and will listen very clearly to their constituents before voting for this terrible, rotten, no-good deal. The time is now to take a stand. The time is now to say enough is enough—no more debt. The very foundation of our country is threatened by the addition of debt. This is precisely the time when we should be using the leverage of raising the debt ceiling to exact budgetary reforms.

In 2011, that is exactly what we did. We had a compromise that worked in the right direction. We had a compromise that said we will set limits on both the military and the domestic spending. Instead, what we have today is an unholy alliance of right and left. We wonder why the deficit grows no matter which party is involved, no matter which party is in charge. The deficit continues to grow because, frankly, many are not serious about reducing the debt. Many up here are serious only about increasing spending for their sacred cow.

The true compromise that is necessary in America is for both right and left to say enough is enough, to say that the particular interests they have in spending money is hurting the country. It is time for the right to say: You know what; the country is not stronger by going further in debt. The country actually, I believe, is weaker. We do not project power from bankruptcy court.

I think the time is now. Enough is enough. We shouldn't be adding more debt. The left needs to acknowledge this as well. The left may say this is for humanitarian purposes, we want to help people. I don't doubt their motives, but I do doubt whether you can help people from bankruptcy court. I think we are weakening our country.

One of the reasons why we have been able to help so many people in our country is that we are the richest, most humanitarian country in the history of mankind. In the year 2014 alone, we gave away nearly \$400 billion in private charity in this country. I fear that will not continue to last. I fear that as this deficit mounts, as the debt mounts, they will drag us down.

Already some economists estimate that we are losing a million jobs a year because of the burden of debt. I think

what we need to do is to have compromise in Washington, but the compromise needs to be that the right and the left need to say we don't have enough money at this point. Some say we need to have military readiness. But this week in the Armed Services Committee, they talked about \$20 billion of waste in one program within the military. We have had Secretaries of the Cabinet Departments and a Secretary of the Navy saying: You know what; we can save money within the Pentagon. But if we keep adding to the top line, if we keep adding more money, if we keep spending good money after bad, we are going to bankrupt the country.

I hope my colleagues will listen to their constituents, because I have been in 40 of the 50 States and I have yet to meet a single voter who says: Keep adding to the debt; keep spending more money.

What I find is the opposite. They say: Work together to save the country. Work together not to add more debt.

This debt ceiling vote does something that is unprecedented. It doesn't even add a certain amount to the debt. It adds an unspecified amount. Over the next year or year and a half, we will add as much debt as can be crammed into the budget, as much money as can be spent. There will be no limit. We are giving an unspecified amount of borrowing power to the President. I don't care whether it is a Democratic President or a Republican President. It is unconscionable to give unlimited borrowing authority to the President.

As we contemplate this decision, we need to think beyond the short term. We need to think beyond the short term of self-constituencies on either side of the aisle and say enough is enough. We don't have the money. Let's take a stand now and try to reform the process before it is too late.

Mr. HATCH. Mr. President, I want to once again express my support for the Bipartisan Budget Act of 2015 and urge my colleagues to vote in favor of invoking cloture on this legislation.

As I have said before, this is not a perfect bill, and I haven't heard anyone argue that it is. Indeed, any Senator looking for a reason to vote against this budget deal could easily find one.

However, at the same time, this bill will accomplish a number of important tasks and clear a number of hurdles out of our way to allow us to govern more effectively in the coming months.

For example, the bill will suspend the statutory debt limit through mid-March of 2017, eliminating the threat of an immediate default and ensuring that conflicts over the debt limit do not get swept up in the politicking and pandering of next year's election campaign.

This bill will also extend the life of the Social Security Disability Insurance—or SSDI—trust fund for an addi-

tional 6 years, preventing massive benefit cuts to disabled American workers and removing the current uncertainty. It actually goes further than that, putting in place SSDI reforms that are the most significant changes to any Social Security program in more than 30 years—not an insignificant accomplishment.

In addition, this legislation will prevent millions from seeing huge premium hikes in the Medicare Part B Program, again ensuring that our seniors don't suffer as a result of political gridlock and grandstanding in Congress.

And it will repeal an unpopular and obviously ineffective provision from the so-called Affordable Care Act: the employer auto-enrollment requirement.

Finally, the bill will partially lift the budget caps established under the Budget Control Act. And, while I share my colleague's concerns about rolling back real spending cuts, I think that it is important to note that the bill does not add to the debt, nor does it raise taxes. Even more important is the fact that it will increase funding for our military at a time when we face so many challenges and potential conflicts in the world.

As I said earlier in this debate, sometimes—many times, in fact—governing effectively is about the art of the doable. While neither the substance of this bill nor the process that got us here are ideal for anyone, we need to take a close look at where we are and, more importantly, where we want to be in the near future.

I won't speak for anyone else, but I personally would rather focus on substantive, long-term solutions to the problems plaguing our country than spending so much time navigating from crisis to crisis. Meaningful and lasting policies are very rarely crafted or enacted when we are speeding toward a cliff, and this bill would eliminate a number of cliffs in our very near future and give us a real chance to do more good for the American people.

Therefore, in addition to voting to move this bill forward, I want to call on my colleagues on both sides of the aisle—particularly those who have real reservations about the legislation before us today—to work with me on these issues. I currently chair the Senate committee with jurisdiction over many of these areas, and I have been working for a number of years to address these problems.

I want to reform our entitlement programs in order to put our debt on a sustainable trajectory.

I want to put in place fundamental, long-term fixes for the SSDI program and Social Security more generally.

And I want to work to get long-term spending under control.

I know many of my colleagues share these desires, and nothing in this bill

prevents us from doing more work to get us where so many of us want to be. I am willing to work with anyone—Republican or Democrat—to get us there.

But it will be extremely difficult to do any of this with ticking clocks hanging over our heads. That is why, once again, I urge my colleagues to vote to move this bill forward.

This bill has been an important undertaking. And I know that many of our leaders are taking no small amount of criticism for the work they have done to put it together. I want to thank them for their efforts and particularly for their willingness to set aside partisanship and political expedience to do what needs to be done.

Most notably, I want to thank Speaker BOEHNER for his efforts in crafting this compromise and getting it across the finish line. He had a difficult road over in the House of Representatives—being Speaker of the House is never an easy job. Even if you disagreed with Speaker BOEHNER, which I did from time to time, you could never doubt his commitment to the people he represented in Congress and his courage to always do what he believed was the right thing for the American people.

While I have every confidence in the new Speaker of the House—Speaker RYAN and I have worked well together on a number of issues, and I think we can all acknowledge that he is an effective leader—I have to say that Speaker BOEHNER will be missed.

I also have to once again thank our distinguished majority leader here in the Senate. He also has a difficult job and is no less willing to take a lot of heat and put up with a lot of criticism in order to do the right thing. Under Senator MCCONNELL's leadership, the Senate is finally a functioning body where things actually get done. Things haven't gone perfectly—they never do—but, I expect that, as time goes on, things will continue to get better.

The ACTING PRESIDENT pro tempore. Who yields time?

If no one yields time, the time will be charged equally to both sides.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to accompany H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Mitch McConnell, John Cornyn, Lisa Murkowski, John Thune, Lamar Alex-

ander, John Barrasso, Roger F. Wicker, Orrin G. Hatch, John McCain, Thad Cochran, Thom Tillis, Michael B. Enzi, Mike Rounds, Roy Blunt, Susan M. Collins, Shelley Moore Capito.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1314 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. MURPHY) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 63, nays 35, as follows:

[Rollcall Vote No. 292 Leg.]

YEAS—63

Alexander	Franken	Murray
Ayotte	Gillibrand	Nelson
Baldwin	Graham	Peters
Barrasso	Hatch	Reed
Bennet	Heinrich	Reid
Blumenthal	Heitkamp	Roberts
Booker	Hirono	Rounds
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Kirk	Schumer
Capito	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Carper	Manchin	Tester
Cassey	Markey	Thune
Cochran	McCain	Tillis
Collins	McCaskill	Udall
Coons	McConnell	Warner
Cornyn	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wicker
Feinstein	Murkowski	Wyden

NAYS—35

Blunt	Fischer	Paul
Boozman	Flake	Perdue
Burr	Gardner	Portman
Cassidy	Grassley	Risch
Coats	Heller	Rubio
Corker	Hoeven	Sasse
Cotton	Inhofe	Scott
Crapo	Isakson	Sessions
Cruz	Johnson	Shelby
Daines	Lankford	Sullivan
Enzi	Lee	Toomey
Ernst	Moran	

NOT VOTING—2

Murphy Vitter

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 63, the nays are 35.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to refer falls.

The Senator from Kentucky.

Mr. PAUL. Mr. President, could we have order.

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. PAUL. Mr. President, the No. 1 threat to our country's future is our

debt. The No. 1 threat to our national security is our debt. When Admiral Mullen was asked about the debt in the recent past, he said that it is indeed the debt that is the No. 1 threat to our national security.

This deal gives the President the power to borrow unlimited amounts of money. This is extraordinary in the sense that we are not to specify how much money the President can borrow; we are to allow the President to borrow unlimited amounts of money.

This deal represents the worst of Washington culture. One of the colloquial ways of putting this is guns and butter. What this deal does is allow one side to have more guns and one side to have more butter. It is the old proverbial guns and butter that is bankrupting this country.

Often people want to point fingers in Washington and out in the campaign hustings and they want to say, well, it is Democrats' fault or it is Republicans' fault. What this bill shows it is really the fault of both parties. There is an unholy alliance in Washington between right and left, frankly, and it is the guns and butter caucus. On the right they say we need more money for military. On the left they say we need more money for welfare. So they get together, there is a secret handshake, we spend more money on everything, and the country is going bankrupt as a consequence.

We borrow \$1 million every minute. This threatens the very foundation of our country. If we ask people—and I think if we ask people throughout America, Republican, Democrat, or Independent—if we ask them whether or not it is a good idea to continue to borrow money without reforming what we do, to continue borrowing money at an alarming rate, they would say enough is enough; we should spend only what comes in.

Now, some have said we shouldn't negotiate over something like raising the debt ceiling, that it might potentially cost us our bond rating. But the interesting thing is that in 2011 when we had this discussion, what we found was that actually our bond rating went down, and the S&P bond rating agency said that it went down because we failed to enact meaningful budgetary reform.

Mr. President, could we have order.

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. PAUL. Often people wonder why the deficit gets worse, either under Republicans or under Democrats. Under the previous Republican administration, the debt doubled. It went from \$5 trillion to \$10 trillion. Under this administration, it will go from \$10 trillion to about \$20 trillion, although we don't know the exact number because we are now letting the President borrow an unspecified amount of money. But we are on target to add more debt under this President than all of the previous Presidents combined.

People ask: Why does this go on? Where are the fiscal conservatives? I guess I would maintain that there are very few fiscal conservatives on either side of the aisle. Both sides of the aisle have what I would call sacred cows. On the right they have the sacred cow of military contracts. And then the interesting thing is they say: We don't have enough money to properly defend the country. But the interesting thing is that when you look at military spending, we actually spend more on our military than the next 10 countries combined. Think about it. Russia, China, and eight more countries—add up all of their military spending, and it still doesn't equal what we spend on the military.

Since 9/11 we have increased our military spending by 50 percent. How do we do that? How do we get the money for the military? It only happens by a compromise with the other side. The other side will sometimes resist excessive spending in the military, but they say: You know what; we will give it to you if you give us what we want. So the left wants more domestic spending; the left wants more welfare. The right wants more military spending. So what is the unholy alliance? What is the great compromise? This is being touted as a bipartisan compromise. Well, it is a bipartisan busting of the budget caps. It is a bipartisan compromise that is ruining the country.

The No. 1 threat to our national security is the debt. So for those who say that we just need more military spending and somehow we will be safer, I think we are actually becoming less safe as we get further and further mired in debt. We need to seek something like the opposite of this compromise. We could have compromise, but I think the compromise would be that the right acknowledges that we don't have an unlimited treasury and that we actually are making the country weaker by hollowing the country from the inside out through this massive debt that we are accumulating.

I don't think you project power from bankruptcy court. To the left, I would say: If your goal is humanitarian, if your goal is to help people who are in need, if your goal is to help the poor and help those who can't help themselves, we are doing a disservice to the country if we are going further into bankruptcy to do so. We have to understand what the contrast is.

We have to understand the contrast between our country and other countries. One of the great contrasts and one of the things about America that allows us to be the most humanitarian nation probably in the history of man is this engine of capitalism. The engine of capitalism, however, I think, is being brought down. The engine of capitalism is being burdened by this enormous anchor of debt.

I think we really should be concerned about whether we can continue to do

the things we do to help our fellow man if we are burdened by this debt. So I think both the right and the left mistake their purpose here in the short run by saying: Well, we are going to get what we want—more money, more money, more money. Frankly, we don't have any money. We are borrowing money at \$1 million every minute.

There has been much discussion as I traveled around the country. There has been much discussion about education. People say they want free education for everyone. They say we should just give education to everyone. Well, the interesting thing is this: Do you know to whom we give free education? We give \$15 million of free education to foreign students just for community college. The things that go and riddle through the government of what we are spending money on and the reason we never get reform is because we are doing this unholy compromise when we are not going through item after item after item of waste.

I will give you a couple of examples of the waste that exists in government. We spent \$800,000 last year in Afghanistan on a televised cricket league—a televised cricket league for Afghanistan, \$800,000. They don't even have televisions in Afghanistan. Why does this go on? Why are we never able to fix any of these problems? Because of the unholy compromise between the right and left that skirts these issues and continues to blithely go on.

We do not self-examine what is wrong with government because we bundle government into one large continuing resolution in which there is no self-examination of waste.

We spent \$150,000 on yoga classes for Federal employees. We spent \$200,000 last year studying whether Japanese quail are more sexually promiscuous when they are on cocaine. The American public is outraged at the waste.

Even within the Defense Department we have had hearings just this week that said we wasted \$20 billion on one program. This program is called Future Combat Systems. So we waste money, but nobody is fixing it. The American people are asking themselves: Why does it go on? Why is there never any reform? Why? Because there is an unholy alliance between the right and the left. Everybody gets what they want. The right will get more military money, and the left will get more welfare money—guns and butter in abundance. Who gets stuck with the bill? The taxpayer. The taxpayer is stuck and burdened with the bill, and we have made our future generations indentured servants. We are making the next generation bear the burden of our profligate ways, and there is no sustained force to say enough is enough.

When we look at waste in the military, former Secretary of the Navy John Lehman, who was the youngest Secretary of the Navy under Reagan,

has said that he believes we do need to modernize our navy. He thinks we do need more ships. But he also says we should pay for it by reducing the costs in the Pentagon by reducing the bureaucracy in the Pentagon. When John Lehman was Secretary of the Navy there were seven joint task forces. There are now 250 joint task forces.

But here is what I would ask you: We have this program about which we pointed this out last week called Future Combat Systems—\$20 billion worth of waste in the Pentagon. Do you think it is going to get fixed if we raise the level of money we spend? The only way waste is ever ferreted out is if we lower the amount. If you lower the top line number, if you lower the amount of money that is given, waste will have to be ferreted out. In fact, what we need are the constraints of the marketplace that ferret out waste within the private marketplace.

The opposite happens in government. When you look at government spending and you look at it department by department, what really happens is the opposite. As each department gets to the end of their fiscal year, what do they do with the remaining money? They spend it. They try to spend their money at the end so they will get it the next year.

I proposed a budgetary reform which wouldn't fix the entire government, but it would actually do something I think to lead us in the right direction. I proposed legislation that I think actually would help to right some of the problems and try to have correct incentives in the way we spend our money, both on the military side as well as on the domestic side. I would give all Federal employees bonuses based on cost savings. When the American people read about the waste throughout government, they say: How come it never gets better? Do you want to know why Congress has a 10-percent approval rating? Because you guys just raise all the money. You blithely go on, rubber-stamp, and give the money. We have to go for the weekend. But there are ways that we could reform this. If you gave bonuses to Federal employees for finding savings, then you would have the correct incentive—the same kind of incentive that you have in private business, which tries to maximize profit by reducing costs.

In government, though, you never get that. In the government people keep spending their money and spending their money. In fact, what we discovered is that as the fiscal year comes to a close, spending accelerates and multiplies. People spend more money in the last month than they spend in the other 11 months. They spend more money in the last week than they spend in the early weeks. They spend more money in the last day of the fiscal year than on any other day of the year. In fact, as the sun rises and as

the sun sets, you can watch the spending accelerate on the last day of the fiscal year. As 5 o'clock approaches in the East, there is a fury to spend money. As the sun continues into the West and to Federal agencies in California, they are spending it like crazy as 5 p.m. approaches.

Why don't we fix any of these problems? We don't fix them because we have become a rubberstamp and we give everybody what they want. The right gets their money for guns, the left for butter. Guns and butter are bankrupting the country.

What we really need are fiscal conservatives. You can be liberal and be a fiscal conservative. You can be conservative and be a fiscal conservative. But the problem we have now is that there are people on the right who are actually liberal with military spending. I don't think you can be a fiscal conservative if you are for unlimited spending for the military.

If you look at what we are spending on the Pentagon, if you look at what we are spending on military spending, we spend more than all the next 10 countries combined. We have increased our defense spending by 50 percent. Perhaps we should look at the amount spent and try to ferret out waste and try to figure out what is working and what is not working. While we are doing it, we should think—and we should think long and hard—about whether or not we want to get back involved with another war in Iraq.

The first war in Iraq cost us \$1 trillion. In Afghanistan we have now spent more than the entire Marshall Plan. We don't have a lot to show for it. Many of the things that have been built in Afghanistan have been wasted. Much money has been stolen. There are stories repeatedly of the Karzai family being involved in drugs and drug running and money being wasted and squandered.

We have to decide this: What is our mission currently in Afghanistan? What is the purpose of our mission in Afghanistan? What is the purpose of our mission currently in Iran and Iraq? Are we going to be back in Iraq with another half million troops over there? Are we prepared to spend another trillion dollars in another war in Iraq?

The message that I am trying to get across tonight is that it is not the fault of one party or another. It is the fault of both parties. I think the American people actually recognize this because essentially there is a universal disdain for all of those in office. If you have missed this, if you haven't noticed this, you are missing out on something big that is happening in America. What is happening in America is that people are very, very upset that nothing seems to improve, that the waste continues on and the spending continues on.

Look at projects that are wasteful. I will give you another example of a

project that really annoys people. This project is one where we spent \$250,000 bringing 24 kids from Pakistan and bringing them to Space Camp in Alabama. There are hundreds and hundreds of these projects. We have American kids who can't afford to go to Space Camp in Alabama. What in the world are we doing borrowing money from China to send it to Pakistan to bring some of their kids to Space Camp? It is outrageous. We are bankrupting the country with this, and it goes on and on.

One of the reasons there is never any reform in our spending is because we don't address spending the way we properly should. There are 12 different departments of government and about 10 years ago was the last time that we actually passed appropriation bills. So there are 12 departments of government. We should pass them and exercise the power of the purse by passing the individual appropriations bills. If we were to do that, that is when we would begin to reform. That is when we would begin to say that we don't have the money to spend on this. That is when we would ask tough questions.

But Congress has become a shell of itself. Congress has become so miniscule as to be almost insignificant. This is with regard to almost all policy. The executive branch writes the regulations. The executive branch fights the wars, and we do nothing. We have been at war almost constantly for the last 20 years. We have been at war in Syria and now in Iraq for over a year, and yet Congress has not weighed in.

Congress has not voted to give the President any authority. Some will say: Well, we gave him that authority on 9/11. Well, go back and read the use of authorization of force from 9/11. Read the use of authorization of force and see what is in there. What you will find is in there is that it was directed toward those who attacked us on 9/11. Well, they did not attack us from Iraq. Iraq had nothing to do with 9/11. Yet we use that same resolution from 15 years ago.

Think about the absurdity of this. Think about the absurdity of using a resolution from 2001 to fight war forever. Really, can a vote from a Congress—and probably more than half of us were not part of that Congress in 2001—can that vote really be used to bind generation after generation after generation in perpetual war?

We find also that it is both sides really. Both sides have supported the war in Iraq. You had Hillary Clinton support the war when she was here. She now runs away from this. But you also have Hillary Clinton who is still involved with wanting us to be back involved in Syria, calling for a no-fly zone.

Before we get involved, should we not have a debate in Congress? There is an

extraordinary amount of money that is spent. There is an extraordinary amount of lives that are lost. In the Iraq war, we spent over \$1 trillion, but we lost also nearly 5,000 of our brave young men and women over there.

The problem in Washington—and this is an interesting point—many in the media point out that the problem is incivility and not getting along. I guess I would argue the opposite, that we get along too well, that compromise actually comes too easy, and that when you look at whether there is enough discussion on whether the debt is harming us, there is actually too much agreement on both sides and lack of concern really for the debt.

So you have both sides coming together with this bill to basically say that we are going to give the President an unspecified and unlimited amount of borrowing power. I think that is bad for the country.

Mr. FRANKEN. Will the Senator yield for a question?

Mr. PAUL. I think I would prefer to finish up. You know what, I think each Senator can have an hour. I would love it if you would fulfill the next hour and make points about why we really are spending our country into oblivion. But I think I am going to finish my hour.

Mr. President, can you tell me how much time I have remaining?

The PRESIDING OFFICER. The Senator has approximately 38 minutes remaining.

Mr. PAUL. Good.

When we look at the problem here, it is not really a problem that involves a lack of compromise. What we have is both right and left have come together—and not just tonight, right and left have been coming together for a long time up here. Right and left have been saying: You scratch my back, and I will scratch yours. Basically, the compromise is, we both get what we want. The right's sacred cow is military spending. The left's sacred cow is domestic welfare spending. Both sides end up getting what they want, but as a consequence, we borrow \$1 million every minute.

Many economists have said that our debt is actually the biggest threat to our future. Many economists have actually said that our debt is actually costing us about 1 million jobs a year. Kids ask me: What about a job? What are you going to do to create jobs? What are we going to do to keep America strong, to keep America producing and manufacturing and creating millions of jobs?

I think it is the wrong thing to add more debt. I think it is wrong to spend money you don't have. So often up here, everybody looks and says "Well, I am going to do this with the money" when, indeed, the first thing we should be asking is where the money is going to come from. We borrow the money

from China, often to send it to Pakistan. We have sent billions of dollars to Pakistan.

I will give you an example of where we could save some money, and yet there seems to be very little interest for saving money in Washington. I put forward an amendment I think about 6 months ago in the Foreign Relations Committee. My amendment said that any country that persecutes Christians should not get any of our foreign aid. I have asked people about this in Kentucky and across the country: Should a country that persecutes Christians get any of our foreign aid? I have not met anybody who is in favor of that, and yet almost everybody here is for it. The vote was 18 to 2 in the committee to continue sending foreign aid to countries that persecute Christians.

You say: Well, how are you defining that? How do you define the persecution of Christians.

Pretty easily, actually. We define it as any country that puts a Christian to death or puts anyone to death for criticizing the state religion. In Pakistan, it is the death penalty if you criticize the state religion. It is the death penalty if you convert from the state religion to any other religion. Yet we pour billions of dollars in there.

When I tried to end the practice of sending money to countries that persecute Christians, the response from the other side was, well, this money is not going to those who are persecuting Christians, the money is going to the moderates to influence their behavior. The problem is that there is no objective evidence that they are changing their behavior. If you look over the last dozen years, you look over the last two decades in Pakistan, are they becoming more friendly to America? Are they changing the laws so they don't persecute Christians? Well, it is actually probably the opposite. In some ways, there has been more radicalization of Pakistan.

I will give you an example—Asia Bibi. Asia Bibi is a Christian. There are not many Christians left in Pakistan. Asia Bibi went to the well in a small Muslim village. She went to the well to draw water. As she was drawing water, they began to stone her. They stoned her and beat her with sticks until she was a bloody pulp. As she lay on the ground crying out for help and hoping that someone would show up, finally the police came. As the police came, this Christian woman, Asia Bibi—when the police came, they did not help her, they arrested her. She was arrested and accused of criticizing the state religion. What is our response? Our response is to send more money to Pakistan.

We continue to send money—good money after bad—to countries that abuse their citizenry. Look at a country like Saudi Arabia. Many people have forgotten that 16 out of the 19 hi-

jackers were from Saudi Arabia. We still have some questions from the 9/11 report that do discuss Saudi Arabia, the possibility of Saudi Arabia's involvement in the 9/11 attacks. We also have a Saudi Arabia that has a horrendous human rights record. This is a question that has been put forward. Some have said that really their goal is to support women's rights, such as Hillary Clinton. Yet she has taken tens of millions of dollars from Saudi Arabia.

In Saudi Arabia, there was a young woman who was 17. They called her the Girl of Qatif. She was raped. She was gang-raped by seven men. When they finally brought about justice in Saudi Arabia, their idea of justice was that the girl who was raped was publicly whipped. She was whipped for being in the car with an unmarried man.

If you think foreign aid and selling weapons to a country like Saudi Arabia is going to change their behavior, you have got another thing coming. If you think selling weapons to Saudi Arabia or selling weapons to Egypt is somehow changing their behavior or creating a warm fuzzy feeling in the hearts of Saudi Arabians or Egyptians for us, you have got another thing coming.

Over a period of time, we sent \$60 billion to Egypt. Probably one-third to half of that was stolen by one family, the Mubarak family. We also sold a lot of weaponry to them. They ended up using some of the weaponry on their own people.

As protesters gathered in Tahrir Square in Cairo about a year ago, as these protests were occurring and hundreds of thousands of people were showing up, when Mubarak was still in power, Mubarak attempted to quell the protest. He attempted to stifle the crowd by spraying tear gas on the crowd. That is bad enough, to try to quell protests with brute force, but what made it doubly bad is when the Egyptians bent over and they picked up the empty cartridge from the tear gas, it said, "Made in Pennsylvania."

You see, I think America is a great country. I think by our example and by our trade and by our diplomatic engagement with the world, we are the shining light for the world. But when we sell weapons to countries that then use those weapons to suppress their own people, I am not so sure that helps American relations around the world.

We should participate as a body more in how the money is being spent. I think this is one of the points of this resolution. When we see that we are giving an unspecified amount of borrowing power to the President—we have done it both ways in the past. We have done it this way in the past, and I think it is wrong—it was wrong then. But we have also done it when we have allowed the President to borrow certain amounts. Many people have argued: We should not have a debt ceiling.

We should never have this problem. It is too disruptive, and we should let them borrow as much as they want.

I really think the opposite. I think we need to put a closer rein on what actually happens in government. But I think we also need to specify and lay out the entire budget. A good example of this is when we had the Ebola outbreak, and people were looking for money, and they said there was not enough money. It turns out there was plenty of money, but the money was being spent on a lot of bizarre things that come out of the NIH. We looked and we found that over \$2 million was being spent on origami condoms. Well, I think we are fairly good on the science of condoms, and an extra \$2 million on origami condoms was perhaps not the best use of money. But when you bring out these outrageous spending examples, you think: Well, certainly we are going to fix it, right?

Every year I think for the past 20 years there has been a waste book produced. The waste book has hundreds and hundreds of items that should be eliminated. Why are they in there every year? Why have we never fixed any of this? It is because we don't do individual appropriations bills, we don't look at the individual bills and say: This is how we will reform it.

Some have said: We are not passing those appropriations bills because you are trying to tell the President how to spend the money.

Yes. That is what we are supposed to do. That is what the power of the purse is.

If you ask people around the country what are the things they are most unhappy about, I know from talking to Republicans and conservatives that the thing they are most unhappy about with us—and when I say "unhappy," I mean really unhappy—they are unhappy that we are not exercising the power of the purse, that basically we are a rubberstamp for Big Government.

Others will argue—they will say: We need to be the adults in the room and we need to govern. We need to govern seamlessly with no hiccups.

I would say there are two potential problems here. You could argue that, well, by letting us get close to the brink on the debt ceiling or getting close to running out of money, that is disruptive and sends a bad signal to the marketplace. You could argue in the short run that maybe that is disruptive. But you could also argue that it is incredibly disruptive to the country to keep borrowing money at \$1 million a minute. So I think you have to weigh which is worse. Is it worse to keep borrowing money at \$1 million a minute or is it worse to actually have a little bit of uncertainty about the debt ceiling?

With regard to the debt ceiling, though, if you look at the debt ceiling and ask whether we would ever default, we bring in, in tax revenue, about \$250

billion a month. Our interest payments lately have been averaging about \$30 billion. There is actually no risk of defaulting at all.

We should do the opposite. Instead of scaring the marketplace and saying that there is any chance of default, we should say that we have no intention of defaulting. We should say that we will not default. In fact, we have legislation—I have actually introduced legislation; it is called the Default Protection Act. It says that we will not default. It says that the first thing we will spend out of our revenue would be for our interest. It also says that out of our revenue we would pay for Social Security. We would fully fund it. We would pay for Medicare and fully fund it. We would pay for our soldiers' salaries. We would pay for veterans affairs.

People say: Well, we have little else.

You know, then maybe the question should be—maybe government should not be doing much beyond interest, soldiers' salaries, veterans affairs, Medicare, and Social Security. Maybe that is what government should do and nothing else, at least until we got caught up again, at least until we had as much money coming in.

What would happen if we did not raise the debt ceiling? If we don't raise the debt ceiling, we have a balanced budget. Is it really so awful to concede that we would only spend what comes in? Every American family does it. Every American family only spends what comes in. I think it would be good for the country to do that.

But there is an even better way. What many conservatives have offered is something called cut, cap, and balance. This is a way we could raise the debt ceiling, and we would temporarily raise it for about a 5-year period. We would raise the debt ceiling in a gradual manner over about a 5-year period. The reason you would do that and the reason I would vote for that is I would vote for it because we would be balancing the budget. So cut, cap, and balance, we would cut the deficit in half in 1 year. It is the best way to get on a good footing. Let's go ahead and cut out a significant amount in 1 year, and then it makes it a lot easier in the successive years if you hold the line.

Calvin Coolidge was incredible with this kind of stuff. In Amity Shlaes' book she goes through in exquisite detail—wonderful detail—how he ended up balancing the budget. In those days the President was paid a pretty good amount for those days. I think it was about \$100,000, but everything came out of their salary. So when an ambassador for France came for dinner, the dinner came out of Coolidge's salary. So Coolidge would be down in the kitchen after dinner saying: I noticed we cooked five hams. I think we could have done with four hams.

That was the kind of handle he had on expenditures. He also had a handle

on expenditures throughout government, and he met every week with the Treasury Department. He met every week with the Cabinet Secretary to say: This is how we are going to stop spending money. This is how we are going to stop wasting money.

Cut, cap, and balance is an alternative to what we are putting forward. I think if we were a true, open, and deliberative body we would have a vote on that, but no vote has been scheduled for cut, cap, and balance. So those of us—and I think there were a significant number who said that this was not a good deal. Those of us who believe it to be not a good deal were not allowed the opportunity to have an alternative.

The alternative we have is called cut, cap, and balance. In cut, cap, and balance, we would cut the debt or cut the deficit in half in 1 year. We would cap spending.

This deal actually does the opposite of capping spending. This deal actually gets rid of the caps and exceeds the caps on spending. We would cap spending at 18 percent of GDP. That means you would multiply 18 percent by the total dollar amount of the economy and that is what we would spend.

Why did we choose 18 percent? We chose 18 percent because that is about what comes in historically on average. If you look over the past 20 years, we have occasional times when we bring more money in, occasional times when we bring in less, but on average we bring in about 18 percent. So really if you want to balance your spending—which would be the responsible thing if we were responsible adults, if we cared about the American people, cared what they thought, and cared that they were worried about the debt we were adding—we would spend about what comes in. So 18 percent is about what comes in. If we spent 18 percent, we would have a balanced budget.

I think people ought to think about it in this perspective: We bring in \$3 trillion. Our problem isn't so much how much money comes in, our problem is that we spend in excess of what comes in.

Couldn't we just spend what comes in? Couldn't we spend \$3 trillion? Couldn't we have a strong country? I think we would actually be a stronger country if we spent only what comes in. We wouldn't have "no" government, and in some ways we might have a government that was even bigger than I desire. If we only spent what comes in, if we spent the \$3 trillion—and that is all we spent—think how strong we would become again as a country. Think about the strength of our marketplace, the strength of the stock market, the strength of our job creation if we were only spending what comes in.

This is not a new problem. It has accelerated under this President, but I think we should be very ecumenical

with the blame. There is enough blame to go around. I think there is an unholy alliance. The problem in Washington is not lack of cooperation, it is too much cooperation. We have decided, right and left, that we want to spend more money, but we don't have the money. So what do we do? We say we are going to simply borrow it, but there are repercussions to borrowing. There are repercussions to spending money we don't have. I think this is a point in time when we should reevaluate. It is a point in time where maybe you ought to spend time and go home.

I know when I am at home I don't meet anybody who is for this deal. Those who vote for this deal—maybe if you are from a State that isn't concerned about the budget, isn't concerned about the debt, you may get away with it, but I think people are going to have a rude awakening when they get home because outside of DC the antipathy for this deal is rising. The anger is rising. The belief that basically everybody needs to be sent home from Washington is a rising sentiment in the country because we don't appear to be listening.

If you ask people—and I ask people all the time. Do you think we ought to have term limits? The answer is yes.

Would the Parliamentarian inform me of how much time remains.

The PRESIDING OFFICER (Mrs. CAPITO). The Senator has 19 minutes remaining.

Mr. PAUL. When I have discussed this issue with folks at home, with constituents in Kentucky, the question they ask me is, How can you give the President an unspecified amount to borrow? Weren't you elected to try to stop this? I was elected in 2010 when the tea party movement arose. The tea party movement arose—and this is an interesting, maybe some say, historical fact—the tea party arose not so much in criticism of Democrats; the tea party folks weren't those who really believed the Democrats would be fiscally responsible. The tea party arose because they were concerned that Republicans weren't being fiscally responsible. The tea party arose largely as a rebuke to the Republican Party. The tea party arose and said: You know what, bailing out the banks wasn't something the average middle class, ordinary, conservative Republican supported. We didn't support the bailouts. We didn't support President Obama's huge and enormous government stimulus, nearly \$1 trillion. We also don't support borrowing or lending money for these programs. There are two ways you can stop this. You can stop this by voting against the spending, which there doesn't seem to be a significant amount of will in this body on either side of the aisle to stop and discontinue this profligate spending. So it is spending and borrowing, spending and borrowing. Which comes first? Well, they

go hand-in-hand, but it is a real problem. I think it is a problem that threatens the very fabric of our country, and it is why I ran for office.

The reason I ran for office is because I was concerned we were accumulating so much debt that we were piling on debt that ultimately could lead to the destruction of our country. People say: Well, we are a strong country. The debt will never bring us down.

We are at a point where our debt basically just about equals our economy, 100 percent of our economy, and that is a tipping point. Many economists who look at the economics of nations have looked at that and said: We are at a tipping point. We are at a point where if we do nothing, if we continue to give a blank check to the government, if we give a blank check to this President for his final year in office, what might happen?

This is a President who is going to add more debt than all of the previous Presidents combined, and we are going to give him a blank check? Those who vote for this deal will be giving the President a blank check. They will say: You can borrow whatever you want. Fill in the blank.

That ought to be the title of this bill: "Fill in the blank."

How much debt do you want? Fill in the blank.

There is no specific amount. This bill will allow for unlimited addition of debt. This bill is exactly why people are upset and angry with Washington.

The fact that this bill is going to slide through is exactly why Congress has about a 10-percent approval rating. People here scratch their heads and can't figure it out. This is why. They don't want you to act like adults and govern over this enormous debt. They want you to act. They want you to do something. They want you to quit the borrowing and spending.

The lesson that needs to be learned is that this isn't one-sided. This is not the fault of one party, this is a two-party problem. These are the two parties getting together in an unholy alliance and spending us into oblivion.

People say: Well, how will we defend the country? Don't we need more money?

We have increased military spending by 50 percent since 9/11 in real dollars. There is waste in the Pentagon. I have been arguing that we should audit the Pentagon. The Pentagon says they are too big to be audited. How insulting. It goes on and on.

The frustration of the American people is that as it goes on and on, nothing ever changes. The establishment in Washington is completely and utterly tone deaf to the way America feels about this. All you have to do is drive outside the beltway, enter into America, and ask the first person you meet at a supermarket: Do you think we should keep borrowing more money?

I don't care what party they are in. I defy you to drive outside the beltway, stop at a gas station, stop at a supermarket, and ask the first person: Do you think we should increase the debt and increase spending at the same time? Do you think we should increase the debt? Do you think we should increase the debt ceiling with an unspecified amount?

Ask any parent of a college-age kid whether we should give them a credit card with no limit. If your child comes to you and has \$2,000 on the credit card, what do you do? You tell them they have to watch their spending. Do you give them more money? No.

Should we give Congress more money? Hell, no. Congress is bad with money. They are not good with money. Do not trust them with any more money. It is a mistake, a huge mistake, to give this body any more money. We should be doing the opposite. We should be binding this body with the chains of the Constitution that say only certain powers were delegated to Congress, only certain powers under article I, section 8, and we shouldn't allow for unlimited government.

Our Founding Fathers were concerned about a big government, but they were also concerned about a big and overwhelming military that was there all the time and would tend to grow. Even some of our greatest heroes—President Eisenhower worried about the military industrial complex. So there have been leaders in the past who have said we have to be careful that we don't get to a point where the contractors are driving Congress, where the contractors are creating a situation in which their concerns and their well-being are more important than the well-being of the country.

Will the Parliamentary report on the time remaining.

The PRESIDING OFFICER. The Senator has 13 minutes remaining.

Mr. PAUL. Some will criticize this exercise of keeping the Senate awake at night. The rumblings can be heard, but what I would say is that the future of the country is worth the time spent. One of the reasons we are spending the middle of the night discussing this is that we don't have an ordinary process for proposals. We don't have an ordinary process for amending bills.

Were there to be an ordinary process where conservatives would be allowed an alternative such as cut, cap, and balance—we actually did that in 2011 when the opposite party was in charge. We did have a vote on cut, cap, and balance. It actually passed. It passed in the House overwhelmingly and was defeated in the Senate, but the fact is there are other alternatives. There isn't just one alternative. The only alternative shouldn't be that we continue to go further and further into debt.

Sometimes people say: Well, I can't even conceive of \$1 trillion. It is just this enormous money, this enormous amount of money. What is \$1 trillion?

To illustrate what \$1 trillion is, imagine if you had thousand-dollar bills in your hand and you had thousand-dollar bills stacked four inches high. That would be \$1 million. But if you want to imagine \$1 trillion, in thousand-dollar bills it would be 63 miles high. That is what we are talking about adding.

While they have not specified how much debt they are going to burden us with, many are estimating that it will be over \$1 trillion. So when you think about what your government is doing to you tonight, think about how much of a burden of debt the next generation will get in just the next year, just from this bill over the next year and a half—over \$1 trillion. If you want to know how much that is, imagine thousand-dollar bills stacked 63 miles high. That is the burden we are passing on to the next generation.

None of this is an argument for no government. None of this is an argument for no Federal Government. In fact, this is an argument for just spending what comes in. We actually have a lot of money that comes in; \$3 trillion comes in. Could we not simply live with the \$3 trillion that comes in? What would happen to the country if we only spent what comes in? Would there be some sort of calamity? I think it would actually be the opposite. I think it would send a signal to the world that we are serious, that we are going to make America great again. America's greatness was founded upon fiscal sanity, small government.

Liberty thrives when government is small. We need a government that is small and restrained by the Constitution. If we had a government that was restrained by the Constitution, we wouldn't be in this fix. Many of the functions of government we do up here are not written into the Constitution and were never delegated to the Federal Government. The reason we have gotten into this fix is because we have gotten away from the confines of the Constitution.

Jefferson once said that the chains of the Constitution will bind government. Patrick Henry said that the Constitution is not about restraining the people; the Constitution was intended to restrain the government.

There has been a long history of this. This is not something that has occurred overnight. If you want to go back and see the history of people trying to restrain their government and keep their government small, you can probably go back to the plains of Runnymede in 1215. When the Magna Carta was passed, that was one of the first explicit sort of explosions of people saying to government enough is enough; the king does not have unlimited power.

This goes against the character and the charter of the Magna Carta, which tried to limit the power of the monarch. Instead, we are giving unlimited power to borrow to the President. So if you look at the character of the Magna Carta and you look at the character of our Founding Fathers, who wanted to have restraint, who wanted government to be restrained by rules, what you find is that we are going headlong in the wrong direction. What we need is to obey the Constitution once again. When we obey the Constitution, I think what would happen is that the budget would balance almost automatically. It would balance every year.

Washington does need to have compromise, but this is the wrong kind of compromise. The compromise is going in the wrong direction. What we need is compromise that actually reduces spending. Instead, we have compromise, or so-called compromise, that is actually increasing spending.

This deal will give the President unspecified and unlimited power to borrow money without limits. In the President's last year in office he will be able to borrow whatever—no limits whatsoever. We are abdicating our role as a constitutional body to limit and check the power of the Presidency with this.

Some will say: Oh, you are only saying this because it is a President of the opposite party. I would be saying this if it were a President of either party because we have allowed too much power to gravitate to the Presidency, and this allows even more.

Will the Parliamentarian give an update on the time remaining?

The PRESIDING OFFICER. The Senator has 5½ minutes remaining.

Mr. PAUL. In the remaining time, I would like to talk about a budget point of order that I will be putting forward. This legislation does something that many in this body have been critical of in the past. It actually takes money from the obligations to Social Security and transfers them to a more immediate program.

Specifically written into the budget rules, though, were rules that say: If you are going to take money, if you are going to steal money from Social Security, from people who are retired and who have put it in there, and you are going to spend it on something else, there is a special budget point of order that says in order to do this you will need 60 votes. So we will be putting forward a budget resolution that says: If you are going to steal money from Social Security, if you are going to take money from Social Security and you are going to spend it on other concerns—people will say: Oh, well, we are going to spend it on disability. Well, the Social Security fund was put forward as a pension plan. You have an obligation to those who put the money in. So stealing money from people who

will be getting money in the future to pay for immediate concerns is robbing Peter to pay Paul.

So those in this body will be asked tonight to vote on whether or not you are willing to vote to take money from Social Security to spend it on immediate concerns. This is sort of like saying: All right, I have a pension fund. Let's say I have \$100,000 in my pension plan, but I want to go to the racetrack and I need some money this week. So I am willing to take the \$100,000 out, and I am willing to pay a \$30,000 penalty. I am willing to do it because I am an addict, and I am addicted to spending, and I have to spend the money now.

That is what it is, and you are all guilty of it, right and left. You are going to take money out of the Social Security fund, and you are going to spend it on an immediate fix. And by fix, I mean not fixing the program. By fix, I mean what a junkie does. A junkie is addicted to spending. That is what the problem is here, that we are addicted to spending.

So, Madam President, at this point I raise a point of order against the pending motion pursuant to section 311(a) of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016. The legislation reallocates payroll between the retirement and disability programs and therefore breaches the budget act. I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of the House message, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. PAUL. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Is there further debate on the motion to waive?

If not, the question is on agreeing to the motion to waive.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 64, nays 35, as follows:

[Rollcall Vote No. 293 Leg.]

YEAS—64

Alexander	Baldwin	Bennet
Ayotte	Barrasso	Blumenthal

Booker	Heitkamp	Reed
Boxer	Hirono	Reid
Brown	Kaine	Roberts
Cantwell	King	Rounds
Capito	Kirk	Sanders
Cardin	Klobuchar	Schatz
Carper	Leahy	Schumer
Casey	Manchin	Shaheen
Cochran	Markey	Stabenow
Collins	McCain	Tester
Coons	McCaskill	Thune
Cornyn	McConnell	Tillis
Donnelly	Menendez	Udall
Durbin	Merkley	Warner
Feinstein	Mikulski	Warren
Franken	Murkowski	Whitehouse
Gillibrand	Murphy	Wicker
Graham	Murray	Wyden
Hatch	Nelson	
Heinrich	Peters	

NAYS—35

Blunt	Fischer	Paul
Boozman	Flake	Perdue
Burr	Gardner	Portman
Cassidy	Grassley	Risch
Coats	Heller	Rubio
Corker	Hoeven	Sasse
Cotton	Inhofe	Scott
Crapo	Isakson	Sessions
Cruz	Johnson	Shelby
Daines	Lankford	Sullivan
Enzi	Lee	Toomey
Ernst	Moran	

NOT VOTING—1

Vitter

The PRESIDING OFFICER. On this vote, the yeas are 64, the nays are 35.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

VOTE ON MOTION TO CONCUR WITH AMENDMENT
NO. 2750

Mr. MCCONNELL. Madam President, I move to table the motion to concur with the amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

VOTE ON MOTION TO CONCUR

Mr. MCCONNELL. I know of no further debate on the motion to concur.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the motion to concur.

Mr. TILLIS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 35, as follows:

[Rollcall Vote No. 294 Leg.]

YEAS—64

Alexander	Boxer	Cochran
Ayotte	Brown	Collins
Baldwin	Cantwell	Coons
Barrasso	Capito	Cornyn
Bennet	Cardin	Donnelly
Blumenthal	Carper	Durbin
Booker	Casey	Feinstein

Franken	McCaskill	Schatz
Gillibrand	McConnell	Schumer
Graham	Menendez	Shaheen
Hatch	Merkley	Stabenow
Heinrich	Mikulski	Tester
Heitkamp	Murkowski	Thune
Hirono	Murphy	Tillis
Kaine	Murray	Udall
King	Nelson	Warner
Kirk	Peters	Warren
Klobuchar	Reed	Whitehouse
Leahy	Reid	Wicker
Manchin	Roberts	Wyden
Markey	Rounds	
McCain	Sanders	

NAYS—35

Blunt	Fischer	Paul
Boozman	Flake	Perdue
Burr	Gardner	Portman
Cassidy	Grassley	Risch
Coats	Heller	Rubio
Corker	Hoeven	Sasse
Cotton	Inhofe	Scott
Crapo	Isakson	Sessions
Cruz	Johnson	Shelby
Daines	Lankford	Sullivan
Enzi	Lee	Toomey
Ernst	Moran	

NOT VOTING—1

Vitter

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

FEDERAL WATER QUALITY PROTECTION ACT—MOTION TO PROCEED

Mr. MCCONNELL. Madam President, I move to proceed to Calendar No. 153, S. 1140.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 153, S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States," and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 153, S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States," and for other purposes.

Mitch McConnell, Dean Heller, Jeff Flake, Steve Daines, Johnny Isakson, Mike Rounds, Ben Sasse, Roy Blunt, Daniel Coats, John Cornyn, John Boozman, Richard Burr, Cory Gardner, Shelley Moore Capito, Richard C. Shelby, David Perdue, John Barrasso.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISCHARGE PETITION—S.J. RES. 22

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Environment and Public Works be discharged from further consideration of S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act, and further, that the resolution be placed upon the Legislative Calendar under General Orders.

Joni Ernst, James Inhofe, Mike Rounds, Chuck Grassley, John Cornyn, Lamar Alexander, Rand Paul, Patrick Toomey, Pat Roberts, John Barrasso, Mike Lee, Thad Cochran, Orrin Hatch, Mike Crapo, Bill Cassidy, Shelley Moore Capito, Jeff Flake, Deb Fischer, Richard Burr, John McCain, David Perdue, Michael B. Enzi, Richard Shelby, John Hoeven, Ben Sasse, Tim Scott, Thom Tillis, James Lankford, Dan Sullivan, Bob Corker, Johnny Isakson, David Vitter, Mitch McConnell, Ted Cruz, Jerry Moran, Rob Portman, Ron Johnson, Dan Coats, Marco Rubio.

MEASURES DISCHARGED

The following joint resolution was discharged by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 22. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TILLIS (for himself, Ms. MIKULSKI, Mr. CASSIDY, and Mr. WARNER):

S. 2225. A bill to amend the Immigration and Nationality Act to establish an H-2B temporary non-agricultural work visa program and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MURKOWSKI (for herself, Mr. SULLIVAN, and Mr. SCHATZ):

S. Res. 301. A resolution calling on the Council for the Accreditation of Educator Preparation to modify the accreditation standards of the Council to prevent the standards from negatively impacting Alaska Native and Native American teacher candidates; to the Committee on Health, Education, Labor, and Pensions.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 301—CALLING ON THE COUNCIL FOR THE ACCREDITATION OF EDUCATOR PREPARATION TO MODIFY THE ACCREDITATION STANDARDS OF THE COUNCIL TO PREVENT THE STANDARDS FROM NEGATIVELY IMPACTING ALASKA NATIVE AND NATIVE AMERICAN TEACHER CANDIDATES

Ms. MURKOWSKI (for herself, Mr. SULLIVAN, and Mr. SCHATZ) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 301

Whereas Alaska Natives and Native Americans are underrepresented in the profession of teaching;

Whereas Alaska Native and Native American students benefit academically from the cultural perspectives of Alaska Native and Native American teachers;

Whereas Alaska Native and Native American teachers often serve as positive role models for Alaska Native and Native American students;

Whereas increasing the number of Alaska Native and Native American teachers working in native communities empowers tribes, benefits native youth, and strengthens tribal self-sufficiency;

Whereas the Council for the Accreditation of Educator Preparation (referred to in this preamble as the "Council") is the sole accrediting body for educator preparation programs at institutions of higher education in the United States;

Whereas the Council approved new accreditation standards in 2013 and plans for the standards to be fully implemented by 2020;

Whereas the 2013 accreditation standards of the Council require that institutions of higher education, when accepting candidates to their schools of education, ensure that the group average performance on assessments such as the ACT and SAT is—

- (1) in the top 50 percent from 2016–2017;
- (2) in the top 40 percent of the distribution from 2018–2019; and
- (3) in the top 33 percent of the distribution by 2020;

Whereas because of social, academic, and economic barriers, the average ACT and SAT scores of Alaska Natives and Native Americans are disproportionately lower than other categories of students;

Whereas Alaska Native and Native American students have disproportionately inadequate access to exam preparation opportunities and 21st century technology and are less likely to take the ACT or SAT than other categories of students;

Whereas no definitive research or data has shown that performance on the ACT or SAT is an effective indicator of the likelihood of

success of a prospective student in an educator preparation program or as a teacher;

Whereas the 2013 accreditation standards of the Council—

(1) will force institutions of higher education to accept fewer Alaska Native and Native American students into teacher preparation programs in order to retain accreditation;

(2) will result in fewer Alaska Natives and Native Americans gaining acceptance into those programs; and

(3) will exacerbate the already low representation of Alaska Natives and Native Americans in the teaching community;

Whereas the Federal Government has a trust responsibility to support the education of Alaska Natives and Native Americans; and

Whereas the Council should recognize the negative impact of the standards of the Council on Alaska Native and Native American teacher candidates: Now, therefore, be it

Resolved, That the Senate calls on the Council for the Accreditation of Educator Preparation—

(1) to consult with tribes and native organizations;

(2) to jointly develop changes to the accreditation standards of the Council to ensure that Alaska Native and Native American teacher candidates will not be negatively impacted by the standards; and

(3) to adopt changes to the accreditation standards of the Council expeditiously.

Ms. MURKOWSKI. Madam President, today I am submitting a resolution, with Senators SULLIVAN and SCHATZ, calling on the Council for the Accreditation of Educator Preparation, CAEP, to modify one of their accreditation standards that applies to the qualifications for enrollment of teacher candidates.

The goal of accreditation agencies is to ensure that the education provided by our Nation's institutions of higher education and their various programs meet appropriate levels of quality.

In 2013, CAEP—the only accreditor of teacher preparation programs in the country—revised its accreditation standards. Problematic, however, is Standard 3.2 that would require teacher preparation programs to ensure that each cohort of students enrolled in the program has an average SAT/ACT/GRE score in the top 50 percent from 2016–2017; the top 40 percent from 2018–2019; and the top 33 percent by 2020.

I am all for making sure that our Nation's youngsters have the best possible teachers. We need well-trained,

culturally competent, intelligent, effective teachers in every classroom in America.

But there is no definitive research or data that shows that performance on the SAT, the ACT, or the GRE is an effective indicator that someone will become an excellent teacher. Worse, basing acceptance into a teacher preparation programs on these tests will have a negative impact on young Native Americans and Alaska natives who want to become teachers in their own communities—where they are so desperately needed.

Compounding this inappropriate use of these tests is the fact that Native American and Alaska native students experience academic, economic, and social barriers that result in their SAT, ACT, and GRE scores being disproportionately lower than their peers of other races. Native students also have disproportionately inadequate access to exam preparation and are less likely to take the ACT or SAT than their peers.

This new CAEP Standard 3.2 will, therefore, effectively block decades-long efforts to train more Native American and Alaska native teachers, when we know that Native American and Alaska native students benefit from having teachers who understand their culture, their history, and their learning styles.

My resolution calls on the Council for the Accreditation of Educator Preparation to do three things: to consult with tribes and native organizations; to jointly develop changes to these standards to ensure that Native Americans and Alaska natives will not be negatively impacted by these standards; and to adopt changes to the standards expeditiously.

I hope that my colleagues will pay close attention to this issue, reach out to the teacher preparation programs in their states, and join my colleagues, Senators SULLIVAN and SCHATZ in co-sponsoring this resolution, as the Council's standards will impact not only our Native American and Alaska native communities. This standard will also very likely impact young African Americans and Hispanic Americans who hope one day to become teachers but who experience similar barriers to

producing high scores on standardized tests.

SIGNING AUTHORITY

Mr. McCONNELL. Madam President, I ask unanimous consent that during the upcoming adjournment of the Senate, the majority leader and the senior Senator from Mississippi be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, NOVEMBER 3, 2015

Mr. McCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, November 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 1140, with the time until 12:30 p.m. equally divided between the two leaders or their designees; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that notwithstanding the provisions of rule XXII, the vote on the motion to invoke cloture on the motion to proceed to S. 1140 occur at 2:30 p.m. on Tuesday, November 3, with the time from 2:15 p.m. until 2:30 p.m. equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TUESDAY, NOVEMBER 3, 2015, AT 10 A.M.

Mr. McCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 3:14 a.m., adjourned until Tuesday, November 3, 2015, at 10 a.m.

HOUSE OF REPRESENTATIVES—Monday, November 2, 2015

The House met at noon and was called to order by the Speaker pro tempore (Mr. ALLEN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 2, 2015.

I hereby appoint the Honorable RICK W. ALLEN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 29, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 29, 2015 at 3:22 p.m.:

That the Senate passed S. 1731.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 30, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 30, 2015 at 11:57 a.m.:

That the Senate concur in the House amendment to the Senate amendment H.R. 1314.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 2 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God of the universe, we give You thanks for giving us another day.

Bless the Members of this assembly as they set upon the work of these hours, of these days. Help them to make wise decisions in a good manner and to carry their responsibilities steadily with high hopes for a better future for our great Nation.

Deepen their faith, widen their sympathies, heighten their aspirations, and give them the strength to do what ought to be done for this country.

During this time of transition in the Speaker's office, may all Members renew their hope of a productive dynamic within the House and, with Your grace, be willing to reset relationships both within and between party conferences.

May Your blessing, O God, be with them and with us all this day and every day to come, and may all we do be done for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina (Ms. FOXX)

come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 29, 2015.

Hon. PAUL D. RYAN,
Speaker of the House,
Washington, DC.

SPEAKER RYAN: I write to inform you that I have notified Ohio Governor John Kasich of my resignation from the U.S. House of Representatives, effective 11:59 p.m. October 31, 2015.

At this hour, my heart is full with gratitude. I wish to thank the people of Ohio's Eighth District for giving me the opportunity to serve, my staff for being the linchpins of that service, and my colleagues for honoring me with their trust by electing me their Speaker. Together, we banned earmarks, cut spending by more than \$2 trillion, made the first entitlement reforms in nearly two decades, and made it possible for kids in Washington, D.C.'s toughest neighborhoods to go to great schools. Put another way, we did the right things for the right reasons, and good things happened.

It has been an honor to serve.

Sincerely,

JOHN A. BOEHNER.

(Representative John A. Boehner's resignation letter to Governor John R. Kasich will be placed in the Congressional Record of November 3, 2015 prior to the adjournment.)

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Ohio (Mr. Boehner), the whole number of the House is 434.

MIAMI WALK TO END ALZHEIMER'S

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, today I rise to lend my support to the Miami Walk to End Alzheimer's, and I urge my fellow south Floridians to come out to Museum Park in downtown Miami this Saturday, November

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

7, to help advance Alzheimer's support, care, and research in our community and, indeed, across our great Nation.

Alzheimer's is a growing problem in Florida, with over half a million seniors impacted. And it is not just patients who suffer. Family members and caregivers, too, often bear the brunt of this tragic and emotionally draining disease. I know this personally, having lost my mother to complications from Alzheimer's on January 28, 2011.

Please consider taking a few hours out of your weekend to benefit Alzheimer's awareness and research for south Florida's elderly and the families who support and love them.

RECOGNIZING AMERICA'S VETERANS AND MILITARY FAMILIES

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, next week this Nation will celebrate Veterans Day, where we rightly pay tribute to the members of our military, past and present, and honor them with the respect and gratitude they deserve. Liberty is bought and paid for by the incomprehensible generosity of these patriots.

We also honor the commitment and sacrifices of our military families by celebrating Military Family Month in November. Through deployments, separations, and moves across the country and overseas, these families inspire us as they endure the extended absence of their loved ones with grace, strength, and devotion.

America is the land of the free because we are the home of the brave. I thank our veterans for seeing the value of freedom and rising to America's defense with unfailing strength. I thank our military families for standing with our servicemembers, supporting that great bravery, and sharing in the sacrifice.

CONGRATULATIONS TO PAUL DAVIS RYAN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, congratulations to America's new Speaker of the House, PAUL DAVIS RYAN.

I have been grateful to serve with the Speaker for a number of years, and I know he is a proven conservative. I know his positive commitment to the people of the First District of Wisconsin and every corner of our Nation, which he visited while campaigning in 2012.

I look forward to Speaker RYAN's conservative leadership, cited in the National Journal Daily as "chief Democratic villain in Washington." He

was also condemned as a "budget-slashing fiend." Despite these attacks, his service will advance meaningful, conservative change for the American people, limiting government, and expanding freedom. Congress has a positive leader, as we work to promote a strong national defense of peace through strength.

The Economist identified the Speaker as a dogmatic conservative with faith in supply-side reform for growth-boosting.

In conclusion, God bless our troops, and the President, by his actions, must never forget September the 11th in the global war on terrorism.

Our sympathy and prayers to the people of Russia upon the deaths of 224 persons onboard the Metrojet charter flight in Egypt.

RECOGNIZING LINDA CHMIELEWSKI

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize Linda Chmielewski from St. Cloud for receiving a 2015 Nurse of the Year award from the Minnesota March of Dimes.

Linda, who is the vice president and chief nursing officer at St. Cloud Hospital—CentraCare Health, was named a recipient of the leadership award. She has effectively overseen the hospital's nursing department and ensures that her patients receive quality care, making her fully deserving of this award.

This is not the first time that Linda has been recognized for exemplary work. In 2014, she was honored by the Women's Health Leadership Trust, again, for her leadership in the healthcare field.

Nursing is a noble profession. We have all been cared for by a nurse, so we all know they go to great lengths for their patients. Without caring individuals like Linda, our healthcare system would suffer. So it is an honor to recognize her and all nurses for their service.

Linda, thank you for your hard work and dedication to our community.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. DENHAM) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 30, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representa-

tives, I have the honor to transmit a sealed envelope received from the White House on October 30, 2015, at 3:12 p.m., and said to contain a message from the President whereby he notifies the Congress of his intention to terminate the designation of Burundi as a beneficiary sub-Saharan African country under the African Growth and Opportunity Act.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

NOTIFICATION OF INTENT TO TERMINATE THE DESIGNATION OF THE REPUBLIC OF BURUNDI AS A BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY UNDER AGOA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-72)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

In accordance with section 506A(a)(3)(B) of the African Growth and Opportunity Act, as amended (AGOA) (19 U.S.C. 2466a(a)(3)(B)), I am providing notification of my intent to terminate the designation of the Republic of Burundi (Burundi) as a beneficiary sub-Saharan African country under AGOA.

I am taking this step because I have determined that the Government of Burundi has not established or is not making continual progress toward establishing the rule of law and political pluralism, as required by the AGOA eligibility requirements outlined in section 104 of the AGOA (19 U.S.C. 3703). In particular, the continuing crackdown on opposition members, which has included assassinations, extra-judicial killings, arbitrary arrests, and torture, have worsened significantly during the election campaign that returned President Nkurunziza to power earlier this year. In addition, the Government of Burundi has blocked opposing parties from holding organizational meetings and campaigning throughout the electoral process. Police and armed youth militias with links to the ruling party have intimidated the opposition, contributing to nearly 200,000 refugees fleeing the country since April 2015. Accordingly, I intend to terminate the designation of Burundi as a beneficiary sub-Saharan African country under AGOA as of January 1, 2016.

BARACK OBAMA.
THE WHITE HOUSE, October 30, 2015.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by Speaker

pro tempore MESSER on Monday, November 2, 2015:

H.R. 623, to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes;

H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1607

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 4 o'clock and 7 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

DEPARTMENT OF HOMELAND SECURITY INSIDER THREAT AND MITIGATION ACT OF 2015

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3361) to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3361

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Homeland Security Insider Threat and Mitigation Act of 2015".

SEC. 2. ESTABLISHMENT OF INSIDER THREAT PROGRAM.

(a) IN GENERAL.—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following new section:

"SEC. 104. INSIDER THREAT PROGRAM.

"(a) ESTABLISHMENT.—The Secretary shall establish an Insider Threat Program within the Department. Such Program shall—

"(1) provide training and education for Department personnel to identify, prevent,

mitigate, and respond to insider threat risks to the Department's critical assets;

"(2) provide investigative support regarding potential insider threats that may pose a risk to the Department's critical assets; and

"(3) conduct risk mitigation activities for insider threats.

"(b) STEERING COMMITTEE.—

"(1) IN GENERAL.—The Secretary shall establish a Steering Committee within the Department. The Under Secretary for Intelligence and Analysis shall serve as the Chair of the Steering Committee. The Chief Security Officer shall serve as the Vice Chair. The Steering Committee shall be comprised of representatives of the Office of Intelligence and Analysis, the Office of the Chief Information Officer, the Office of the General Counsel, the Office for Civil Rights and Civil Liberties, the Privacy Office, the Office of the Chief Human Capital Officer, the Office of the Chief Financial Officer, the Federal Protective Service, the Office of the Chief Procurement Officer, the Science and Technology Directorate, and other components or offices of the Department as appropriate. Such representatives shall meet on a regular basis to discuss cases and issues related to insider threats to the Department's critical assets, in accordance with subsection (a).

"(2) RESPONSIBILITIES.—Not later than one year after the date of the enactment of this section, the Under Secretary for Intelligence and Analysis and the Chief Security Officer, in coordination with the Steering Committee established pursuant to paragraph (1), shall—

"(A) develop a holistic strategy for Department-wide efforts to identify, prevent, mitigate, and respond to insider threats to the Department's critical assets;

"(B) develop a plan to implement the insider threat measures identified in the strategy developed under subparagraph (A) across the components and offices of the Department;

"(C) document insider threat policies and controls;

"(D) conduct a baseline risk assessment of insider threats posed to the Department's critical assets;

"(E) examine existing programmatic and technology best practices adopted by the Federal Government, industry, and research institutions to implement solutions that are validated and cost-effective;

"(F) develop a timeline for deploying workplace monitoring technologies, employee awareness campaigns, and education and training programs related to identifying, preventing, mitigating, and responding to potential insider threats to the Department's critical assets;

"(G) require the Chair and Vice Chair of the Steering Committee to consult with the Under Secretary for Science and Technology and other appropriate stakeholders to ensure the Insider Threat Program is informed, on an ongoing basis, by current information regarding threats, best practices, and available technology; and

"(H) develop, collect, and report metrics on the effectiveness of the Department's insider threat mitigation efforts.

"(c) REPORT.—Not later than two years after the date of the enactment of this section and the biennially thereafter for the next four years, the Secretary shall submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Com-

mittee on Intelligence of the Senate a report on how the Department and its components and offices have implemented the strategy developed under subsection (b)(2)(A), the status of the Department's risk assessment of critical assets, the types of insider threat training conducted, the number of Department employees who have received such training, and information on the effectiveness of the Insider Threat Program, based on metrics under subsection (b)(2)(H).

"(d) DEFINITIONS.—In this section:

"(1) CRITICAL ASSETS.—The term 'critical assets' means the people, facilities, information, and technology required for the Department to fulfill its mission.

"(2) INSIDER.—The term 'insider' means—

"(A) any person who has access to classified national security information and is employed by, detailed to, or assigned to the Department, including members of the Armed Forces, experts or consultants to the Department, industrial or commercial contractors, licensees, certificate holders, or grantees of the Department, including all subcontractors, personal services contractors, or any other category of person who acts for or on behalf of the Department, as determined by the Secretary; or

"(B) State, local, tribal, territorial, and private sector personnel who possess security clearances granted by the Department.

"(3) INSIDER THREAT.—The term 'insider threat' means the threat that an insider will use his or her authorized access, wittingly or unwittingly, to do harm to the security of the United States, including damage to the United States through espionage, terrorism, the unauthorized disclosure of classified national security information, or through the loss or degradation of departmental resources or capabilities."

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 103 the following new item:

"Sec. 104. Insider Threat Program."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation. The bill under consideration ensures that the Department of Homeland Security has the authority and congressional mandate to create a robust Insider Threat Program.

In the Manning and Snowden espionage scandals, two trusted insiders abused their access to classified information. When Aaron Alexis attacked the Washington Navy Yard, 12 Americans lost their lives. In the face of

these insider threat scenarios, it is vital that government agencies have the tools to detect and disrupt future insider threat situations before damage is done. Unfortunately, all three were able to conduct their traitorous work undetected because the government had at one time vetted and granted them access to secure facilities and information systems.

H.R. 3361 reinforces the message that a security clearance is a privilege granted to individuals who have pledged to protect the American people from threats domestically and abroad. Had investigators more thoroughly scrutinized Edward Snowden's background, they might have identified disturbing trends that made him unfit to hold a clearance of any kind and a potential insider threat to U.S. national security. Had Federal adjudicators had access to criminal history records from the Seattle Police Department, they would have been aware of Aaron Alexis' arrest in 2004 on firearms charges and potentially conducted a more rigorous screening of his background prior to authorizing him access to the Washington Navy Yard.

Trusted insiders, going back to Aldrich Ames and Robert Hanssen, not only severely damaged national security, their traitorous actions led to the loss of life. In each case, the post-breach review highlighted that the previously trusted individual exhibited suspicious behavior, but it was not reported due to a lack of understanding by colleagues or failures in the reinvestigation process.

In describing the new type of insider threat represented by Snowden and WikiLeaks, Michael Hayden correctly concluded that, "in this new, modern, connected era, the trusted insider who betrays us is far more empowered to do damage far greater than these kinds of people were able to do in the past. And therefore we have to be even more vigilant."

The Department of Homeland Security has over 280,000 employees, including tens of thousands with access to classified or sensitive information. The Department has an existing Insider Threat Program and is moving forward to increase security controls on internal systems, but much more remains to be done.

The bill directs DHS to develop a strategy for the Department to identify, prevent, mitigate, and respond to insider threats, and requires DHS to ensure that personnel understand what workplace behavior may be indicative of a potential insider threat and how their activity on DHS networks will be monitored.

The bill codifies a comprehensive Insider Threat Program at DHS that can be implemented throughout the Department and its component agencies and, most importantly, reinforces the importance of preventing future insider attacks.

I want to thank Homeland Security Chairman MCCAUL, Ranking Member THOMPSON, Ranking Member HIGGINS, and Congressmen KATKO, DONOVAN, and BARLETTA for working with me to bring this bill to the floor. The bill went through regular order and received bipartisan support during subcommittee and full committee consideration.

I urge my colleagues to support this bill so we can establish a comprehensive, transparent DHS-wide Insider Threat Program that is a model for the public and private sectors.

I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3361, the Department of Homeland Security Insider Threat and Mitigation Act of 2015.

Mr. Speaker, H.R. 3361, the Department of Homeland Security Insider Threat and Mitigation Act of 2015, authorizes the Department of Homeland Security to address the homeland and national security risk posed by trusted insiders.

Typically, trusted insiders are given unrestricted access to mission-critical assets such as personnel, facilities, and computer networks. While DHS, like other Federal agencies, conducts extensive vetting of prospective employees, there remains a risk that someone who gains "insider status" exploits their position to damage the United States through espionage, terrorism, or even the unauthorized disclosure of sensitive national security information.

As the ranking member of the Committee on Homeland Security, I am supportive of the Department of Homeland Security's current Insider Threat Program. It is targeted at preventing and detecting when a vetted DHS employee or contractor with authorized access to U.S. Government resources, including personnel, facilities, information, equipment, networks, and systems, exploits such access for nefarious, terrorist, or criminal purposes.

While I support the DHS program, I could not support this legislation when it was considered by the full committee because it did not include language to prevent the somewhat broad authority granted under this bill for being used by DHS to deploy "continuous evaluation." Continuous evaluation is an automated system that constantly monitors public and private databases for information regarding the credit, criminal, and social media activities of certain individuals. The Defense Department has an extensive pilot underway, and I am concerned that Federal agencies, with the understandable urge to protect their IT systems and facilities, are racing to acquire this capability before knowing whether such costly systems are even effective.

At this time, I would like to engage in a colloquy with the gentleman from

New York (Mr. KING) about some concerns I have with the prospect that the Department will use the authority under this act to establish a continuous evaluation program.

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Would the gentleman agree that it is important that, prior to establishing any such program under which certain DHS employees would be subjected to ongoing automated credit, criminal, or social media monitoring, the Department engages Congress about not only the potential costs and benefits of such a program but what protections would be in place for workers subject to such program?

I yield to the gentleman from New York (Mr. KING).

Mr. KING of New York. I thank the gentleman for yielding.

Yes, I agree with the gentleman from Mississippi. The implementation of the Insider Threat Program, including a possible continuous evaluation component, needs congressional oversight and must be transparent.

I look forward to working with the gentleman from Mississippi on this issue as we go forward.

Mr. THOMPSON of Mississippi. I thank the gentleman.

Mr. Speaker, we live at a time when the threats to our Nation are complex. None of us want to see someone exploit their access to DHS networks to carry out cybercrimes or other criminal activity.

Even as DHS works to detect and prevent such threats, it is important that such activities be carried out in a transparent way so as not to compound the chronic morale challenges that exist within the workforce.

Each time DHS considers making an adjustment to its Insider Threat Program, thoughtful consideration must be paid to whether the operational drawbacks and costs of such an adjustment outweigh the benefit of such change.

That said, I commend General Taylor, the Under Secretary for Intelligence and Analysis at DHS, for the attention he has given to the insider threat challenge and look forward to continuing to work with him to bolster security within the Department.

I appreciate the gentleman from New York's cooperation and colloquy. I look forward to the successful passage and approval of this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me also at the outset thank the distinguished ranking member for his support and his cooperation as this bill has gone forward. I am sure the two of us will be able to continue to work and cooperate as, again, this will be monitored in the future.

The Department of Homeland Security and all Federal agencies are targeted by adversaries on a daily basis. Some of the most damaging attacks to the U.S. Government have been committed by U.S. citizens who have been granted access to government facilities and electronic networks.

This bill provides the framework for DHS to implement an Insider Threat Program that identifies and disrupts malicious insiders who seek to do the Department and its employees harm. It also seeks to protect the Department's workforce by conducting a transparent process to reinforce cyber hygiene, data security, and awareness of malicious activity through a robust training program.

I want to thank the committee staff, especially John Neal and Tyler Lowe.

I urge my colleagues to vote for H.R. 3361.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise in support of H.R. 3361, the "Department of Homeland Security Insider Threat and Mitigation Act."

I am in support of this bill because it amends the Homeland Security Act of 2002 to direct the Department of Homeland Security (DHS) to establish an Insider Threat Program, which shall: provide training and education for DHS personnel to identify, prevent, mitigate, and respond to insider threat risks to DHS's critical assets; provide investigative support regarding such threats; and conduct risk mitigation activities for such threats.

The Department of Homeland Security will establish a Steering Committee headed by the Under Secretary for Intelligence and Analysis who will serve as the Chair; and the Chief Security Officer of the office as the Vice Chair of the Committee.

The Under Secretary and the Chief Security Officer, in coordination with the Steering Committee, shall: develop a holistic strategy for DHS-wide efforts to identify, prevent, mitigate, and respond to insider threats to DHS's critical assets; develop a plan to implement the strategy across DHS components and offices; document insider threat policies and controls; conduct a baseline risk assessment of such threats; examine existing programmatic and technology best practices adopted by the federal government, industry, and research institutions; develop a timeline for deploying workplace monitoring technologies, employee awareness campaigns, and education and training programs related to potential insider threats; consult with the Under Secretary for Science and Technology and other stakeholders to ensure that the Insider Threat Program is informed by current information regarding threats, best practices, and available technology; and develop, collect, and report metrics on the effectiveness of DHS's insider threat mitigation efforts.

Threat mitigation is focused on blunting the effectiveness of threats posed by terrorists seeking to carry out attacks in the United States.

This is a core mission of the Department of Homeland Security and this bill will support that mission.

I ask my colleagues to join me in support of this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 3361, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY CLEARANCE MANAGEMENT AND ADMINISTRATION ACT

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3505) to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3505

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Homeland Security Clearance Management and Administration Act".

SEC. 2. SECURITY CLEARANCE MANAGEMENT AND ADMINISTRATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 is amended—

(1) by inserting before section 701 (6 U.S.C. 341) the following:

"Subtitle A—Headquarters Activities";

and

(2) by adding at the end the following new subtitle:

"Subtitle B—Security Clearances

"SEC. 711. DESIGNATION OF NATIONAL SECURITY SENSITIVE AND PUBLIC TRUST POSITIONS.

"(a) IN GENERAL.—The Secretary shall require the designation of the sensitivity level of national security positions (pursuant to part 1400 of title 5, Code of Federal Regulations, or similar successor regulation) be conducted in a consistent manner with respect to all components and offices of the Department, and consistent with Federal guidelines.

"(b) IMPLEMENTATION.—In carrying out subsection (a), the Secretary shall require the utilization of uniform designation tools throughout the Department and provide training to appropriate staff of the Department on such utilization. Such training shall include guidance on factors for determining eligibility for access to classified information and eligibility to hold a national security position.

"SEC. 712. REVIEW OF POSITION DESIGNATIONS.

"(a) IN GENERAL.—Not later than July 6, 2017, and every five years thereafter, the Secretary shall review all sensitivity level designations of national security positions (pursuant to part 1400 of title 5, Code of Federal Regulations, or similar successor regulation) at the Department.

"(b) DETERMINATION.—If during the course of a review required under subsection (a), the Secretary determines that a change in the sensitivity level of a position that affects the need for an individual to obtain access to classified information is warranted, such access shall be administratively adjusted and an appropriate level periodic reinvestigation completed, as necessary.

"(c) CONGRESSIONAL REPORTING.—Upon completion of each review required under subsection (a), the Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the findings of each such review, including the number of positions by classification level and by component and office of the Department in which the Secretary made a determination in accordance with subsection (b) to—

"(1) require access to classified information;

"(2) no longer require access to classified information; or

"(3) otherwise require a different level of access to classified information.

"SEC. 713. AUDITS.

"Beginning not later than 180 days after the date of the enactment of this section, the Inspector General of the Department shall conduct regular audits of compliance of the Department with part 1400 of title 5, Code of Federal Regulations, or similar successor regulation.

"SEC. 714. REPORTING.

"(a) IN GENERAL.—The Secretary shall annually through fiscal year 2021 submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the following:

"(1) The number of denials, suspensions, revocations, and appeals of the eligibility for access to classified information of an individual throughout the Department.

"(2) The date and status or disposition of each reported action under paragraph (1).

"(3) The identification of the sponsoring entity, whether by a component, office, or headquarters of the Department, of each action under paragraph (1), and description of the grounds for each such action.

"(4) Demographic data, including data relating to race, sex, national origin, and disability, of each individual for whom eligibility for access to classified information was denied, suspended, revoked, or appealed, and the number of years that each such individual was eligible for access to such information.

"(5) In the case of a suspension in excess of 180 days, an explanation for such duration.

"(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form and be made publicly available, but may include a classified annex for any sensitive or classified information if necessary.

"SEC. 715. UNIFORM ADJUDICATION, SUSPENSION, DENIAL, AND REVOCATION.

"Not later than one year after the date of the enactment of this section, the Secretary, in consultation with the Homeland Security Advisory Committee, shall develop a plan to achieve greater uniformity within the Department with respect to the adjudication of eligibility of an individual for access to classified information that are consistent with the Adjudicative Guidelines for Determining Access to Classified Information published on December 29, 2005, or similar successor regulation. The Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee

on Homeland Security and Governmental Affairs of the Senate the plan. The plan shall consider the following:

“(1) Mechanisms to foster greater compliance with the uniform Department adjudication, suspension, denial, and revocation standards by the head of each component and office of the Department with the authority to adjudicate access to classified information.

“(2) The establishment of an internal appeals panel responsible for final national security clearance denial and revocation determinations that is comprised of designees who are career, supervisory employees from components and offices of the Department with the authority to adjudicate access to classified information and headquarters, as appropriate.

“SEC. 716. DATA PROTECTION.

“The Secretary shall ensure that all information received for the adjudication of eligibility of an individual for access to classified information that is consistent with the Adjudicative Guidelines for Determining Access to Classified Information published on December 29, 2005, or similar successor regulation, and is protected against misappropriation.

“SEC. 717. REFERENCE.

“Except as otherwise provided, for purposes of this subtitle, any reference to the ‘Department’ includes all components and offices of the Department.”.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended—

(1) by inserting before the item relating to section 701 the following new item:

“Subtitle A—Headquarters Activities”;

and

(2) by inserting after the item relating to section 707 the following new items:

“Subtitle B—Security Clearances

“Sec. 711. Designation of national security sensitive and public trust positions.

“Sec. 712. Review of position designations.

“Sec. 713. Audits.

“Sec. 714. Reporting.

“Sec. 715. Uniform adjudication, suspension, denial, and revocation.

“Sec. 716. Data protection.

“Sec. 717. Reference.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the legislation.

In 2013, Director of National Intelligence James Clapper called the num-

ber of individuals with clearances “too high.” In a memo to government agencies, Director Clapper expressed his concern with the growing number of individuals with access to classified information, particularly TS/SCI clearances.

H.R. 3505 complements the bill the House just passed, H.R. 3361. One important element of any Insider Threat Program is knowing who has access to classified information and who has a need to know specific information.

This bill requires the DHS Secretary to conduct a review of all positions within the Department designated as positions of national security to confirm whether or not those positions continue to require security clearances.

This is an example of good government. The bill directs the Department to conduct an inventory of its positions that require security clearances and assess what positions may be duplicative or are no longer necessary.

As we know, security clearances are costly to investigate, adjudicate, and maintain. This bill will ensure that DHS conducts a thorough screening of its workforce needs and reduces the number of positions, if determined appropriate.

The bill introduced by Ranking Member THOMPSON is an example of the accounting that each Federal department should be conducting today and will lead to a more lean and effective Department of Homeland Security in the future.

I urge support for the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3505, the Department of Homeland Security Clearance Management and Administration Act.

Mr. Speaker, I want to start off by thanking the chairman of the Counterterrorism and Intelligence Subcommittee, Mr. KING, as well as Chairman MCCAUL, for their support of my bill.

I introduced H.R. 3505, the Department of Homeland Security Clearance Management and Administration Act, to make specific reforms in how the Department manages its security clearance process. Specifically, H.R. 3505 addresses how DHS carries out the complex and extensive tasks of identifying positions that warrant security clearances, investigating candidates for clearances, and administering its clearance adjudications, denials, suspensions, revocations, and appeals process.

Since September 11, there has been a massive proliferation of original and derivative classified materials across the Federal Government. Along with the enormous growth of classified ma-

terial holdings has come a sizeable growth in the number of Federal positions requiring security clearances.

H.R. 3505 reflects recent regulations issued by the Office of Personnel Management and the Office of the Director of National Intelligence to help ensure that Federal agencies make correct designations for national security positions and, in turn, avoid the costly exercise of recruiting, investigating, and hiring an individual at a clearance level and salary well above what is necessary.

H.R. 3505 seeks to put DHS on a path of right-sizing the position designations for its workforce. Specifically, my bill directs the Secretary of the Department of Homeland Security to ensure that the sensitivity levels of national security positions are designated appropriately across the Department and its components.

It also requires the Department's Chief Security Officer to audit national security positions periodically to ensure that such security designations are still appropriate.

Additionally, the bill requires the Department to develop a plan to ensure that adjudications of eligibility for a security clearance are done accurately across the Department.

Lastly, in response to the growing security threat from data breaches, this act also provides safeguards for the protection of the applicant's personal information.

Mr. Speaker, as I mentioned, my bill seeks to take targeted steps at improving critical aspects of how the Department of Homeland Security administers its security clearance program.

If enacted, H.R. 3505 would make DHS a leader among Federal agencies with respect to security clearance and position designation practices. I ask for my colleagues' support.

I yield back the balance of my time.

Mr. KING of New York. Mr. Speaker, I once again urge my colleagues to support H.R. 3505.

I commend the ranking member, the gentleman from Mississippi, for authoring this legislation. I am proud to support it. It is a commonsense, good-government bill that will reduce waste and improve security.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, and Ranking Member of the Subcommittee on Border and Maritime Security, I rise in strong support of H.R. 3505 the “Fusion Center Enhancement Act,” which would guarantee improvement of security for the Department of Homeland Security.

This bill requires the Homeland Security Department to provide training to appropriate staff of the Department to determine eligibility for access to classified information.

At least 88 DHS workers have been on administrative leave pending resolution of claims against them, according to the office of Senator CHARLES GRASSLEY (R-Iowa).

Four workers had been on leave for three years or more with another 17 on leave for two years or more. The 88 were placed on leave for a variety of reasons.

Amongst those reasons it was noted that 13 were placed on leave due to security clearance issues.

Earlier this year officials said that a database holding sensitive security clearance information on millions of prior, current, as well as potential federal employees and contractors was compromised, via a Chinese Breach.

That database was also breached last year by the Chinese in a separate incident.

The bill will ensure that:

1. The Secretary will review all sensitivity level designations of national security positions;

2. Access shall be administratively adjusted and an appropriate level periodic reinvestigation completed, as necessary; and

3. The Inspector General of the Department shall conduct regular audits.

With cyber security threats on the rise across the world, and our continued dependence on technology we must be ever vigilant of the threats that we face.

It is for these reasons, as well as the previously mentioned cases of threats to DHS security clearance, that I seek the support of my colleagues today to support H.R. 3505.

I am confident that my colleagues will heed my advice and realize the need for the enactment of H.R. 3505.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 3505.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FUSION CENTER ENHANCEMENT ACT OF 2015

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3598) to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fusion Center Enhancement Act of 2015”.

SEC. 2. DEPARTMENT OF HOMELAND SECURITY FUSION CENTER PARTNERSHIP INITIATIVE.

(a) IN GENERAL.—Section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h) is amended—

(1) by amending the section heading to read as follows:

“SEC. 210A. DEPARTMENT OF HOMELAND SECURITY FUSION CENTER PARTNERSHIP INITIATIVE.”;

(2) in subsection (a), by adding at the end the following new sentence: “Beginning on

the date of the enactment of the Fusion Center Enhancement Act of 2015, such Initiative shall be known as the ‘Department of Homeland Security Fusion Center Partnership Initiative’.”;

(3) by amending subsection (b) to read as follows:

“(b) INTERAGENCY SUPPORT AND COORDINATION.—Through the Department of Homeland Security Fusion Center Partnership Initiative, in coordination with principal officials of fusion centers in the National Network of Fusion Centers and the officers designated as the Homeland Security Advisors of the States, the Secretary shall—

“(1) coordinate with the heads of other Federal departments and agencies to provide operational and intelligence advice and assistance to the National Network of Fusion Centers;

“(2) support the integration of fusion centers into the information sharing environment;

“(3) support the maturation and sustainment of the National Network of Fusion Centers;

“(4) reduce inefficiencies and maximize the effectiveness of Federal resource support to the National Network of Fusion Centers;

“(5) provide analytic and reporting advice and assistance to the National Network of Fusion Centers;

“(6) review information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information, that is gathered by the National Network of Fusion Centers and incorporate such information, as appropriate, into the Department’s own such information;

“(7) provide for the effective dissemination of information within the scope of the information sharing environment to the National Network of Fusion Centers;

“(8) facilitate close communication and coordination between the National Network of Fusion Centers and the Department and other Federal departments and agencies;

“(9) provide the National Network of Fusion Centers with expertise on Department resources and operations;

“(10) coordinate the provision of training and technical assistance to the National Network of Fusion Centers and encourage such fusion centers to participate in terrorism threat-related exercises conducted by the Department;

“(11) ensure, to the greatest extent practicable, that support for the National Network of Fusion Centers is included as a national priority in applicable homeland security grant guidance;

“(12) ensure that each fusion center in the National Network of Fusion Centers has a privacy policy approved by the Chief Privacy Officer of the Department and a civil rights and civil liberties policy approved by the Officer for Civil Rights and Civil Liberties of the Department;

“(13) coordinate the nationwide suspicious activity report initiative to ensure information gathered by the National Network of Fusion Centers is incorporated as appropriate;

“(14) lead Department efforts to ensure fusion centers in the National Network of Fusion Centers are the primary focal points for the sharing of homeland security information, terrorism information, and weapons of mass destruction information with State and local entities to the greatest extent practicable;

“(15) develop and disseminate best practices on the appropriate levels for staffing at

fusion centers in the National Network of Fusion Centers of qualified representatives from State, local, tribal, and territorial law enforcement, fire, emergency medical, and emergency management services, and public health disciplines, as well as the private sector; and

“(16) carry out such other duties as the Secretary determines appropriate.”;

(4) in subsection (c)—

(A) by striking so much as precedes paragraph (3)(B) and inserting the following:

“(c) RESOURCE ALLOCATION.—

“(1) INFORMATION SHARING AND PERSONNEL ASSIGNMENT.—

“(A) INFORMATION SHARING.—The Under Secretary for Intelligence and Analysis shall ensure that, as appropriate—

“(i) fusion centers in the National Network of Fusion Centers have access to homeland security information sharing systems; and

“(ii) Department personnel are deployed to support fusion centers in the National Network of Fusion Centers in a manner consistent with the Department’s mission and existing statutory limits.

“(B) PERSONNEL ASSIGNMENT.—Department personnel referred to in subparagraph (A)(ii) may include the following:

“(i) Intelligence officers.

“(ii) Intelligence analysts.

“(iii) Other liaisons from components and offices of the Department, as appropriate.

“(C) MEMORANDA OF UNDERSTANDING.—The Under Secretary for Intelligence and Analysis shall negotiate memoranda of understanding between the Department and a State or local government, in coordination with the appropriate representatives from fusion centers in the National Network of Fusion Centers, regarding the exchange of information between the Department and such fusion centers. Such memoranda shall include the following:

“(i) The categories of information to be provided by each entity to the other entity that are parties to any such memoranda.

“(ii) The contemplated uses of the exchanged information that is the subject of any such memoranda.

“(iii) The procedures for developing joint products.

“(iv) The information sharing dispute resolution processes.

“(v) Any protections necessary to ensure the exchange of information accords with applicable law and policies.

“(2) SOURCES OF SUPPORT.—

“(A) IN GENERAL.—Information shared and personnel assigned pursuant to paragraph (1) may be shared or provided, as the case may be, by the following Department components and offices, in coordination with the respective component or office head and in consultation with the principal officials of fusion centers in the National Network of Fusion Centers:

“(i) The Office of Intelligence and Analysis.

“(ii) The Office of Infrastructure Protection.

“(iii) The Transportation Security Administration.

“(iv) U.S. Customs and Border Protection.

“(v) U.S. Immigration and Customs Enforcement.

“(vi) The Coast Guard.

“(vii) Other components or offices of the Department, as determined by the Secretary.

“(B) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Under Secretary for Intelligence and Analysis shall coordinate with appropriate officials throughout the Federal

Government to ensure the deployment to fusion centers in the National Network of Fusion Centers of representatives with relevant expertise of other Federal departments and agencies.

“(3) RESOURCE ALLOCATION CRITERIA.—

“(A) IN GENERAL.—The Secretary shall make available criteria for sharing information and deploying personnel to support a fusion center in the National Network of Fusion Centers in a manner consistent with the Department’s mission and existing statutory limits.”; and

(B) in paragraph (4)(B), in the matter preceding clause (i), by inserting “in which such fusion center is located” after “region”;

(5) in subsection (d)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4)—

(i) by striking “government” and inserting “governments”; and

(ii) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following new paragraph:

“(5) utilize Department information, including information held by components and offices, to develop analysis focused on the mission of the Department under section 101(b).”;

(6) in subsection (e)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—To the greatest extent practicable, the Secretary shall make it a priority to allocate resources, including deployed personnel, under this section from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the Coast Guard to support fusion centers in the National Network of Fusion Centers located in jurisdictions along land or maritime borders of the United States in order to enhance the integrity of and security at such borders by helping Federal, State, local, tribal, and territorial law enforcement authorities to identify, investigate, and otherwise interdict persons, weapons, and related contraband that pose a threat to homeland security.”; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “participating State, local, and regional”;

(7) in subsection (j)—

(A) in paragraph (4), by striking “and” at the end;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph:

“(5) the term ‘National Network of Fusion Centers’ means a decentralized arrangement of fusion centers intended to enhance individual State and urban area fusion centers’ ability to leverage the capabilities and expertise of all fusion centers for the purpose of enhancing analysis and homeland security information sharing nationally; and”;

(8) by striking subsection (k).

(b) ACCOUNTABILITY REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2022, the Under Secretary for Intelligence and Analysis of the Department of Homeland Security shall report to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate on the efforts of the Office of Intelligence and Analysis of the Department and other relevant components

and offices of the Department to enhance support provided to fusion centers in the National Network of Fusion Centers, including meeting the requirements specified in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by subsection (a) of this section.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 210A and inserting the following new item:

“Sec. 210A. Department of Homeland Security Fusion Centers Initiative.”.

(d) REFERENCE.—Any reference in any law, rule, or regulation to the “Department of Homeland Security State, Local, and Regional Fusion Center Initiative” shall be deemed to be a reference to the “Department of Homeland Security Fusion Center Initiative”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3598, the Fusion Center Enhancement Act of 2015. The purpose of this legislation is to clarify and enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers.

The bill amends the existing statute to update the Department’s responsibilities for sharing information with State and local law enforcement and other emergency personnel within the National Network of Fusion Centers.

After the 9/11 terrorist attacks, State and local governments created fusion centers as a way to communicate Federal homeland security information to State and local law enforcement officials as well as to fuse State and locally collected information with Federal intelligence.

Congress supported this partnership by mandating that the Office of Intelligence and Analysis within the Department of Homeland Security coordinate and share information with fusion centers. There are now 78 State and locally owned fusion centers across the country.

H.R. 3598 amends existing law to improve the relationship and flow of information between the Federal Government and fusion centers.

The bill includes language updating the responsibilities of the Department

of Homeland Security related to support and coordination within the National Network. This includes improving coordination with other Federal departments to provide better operational intelligence, reducing inefficiencies, and coordinating nationwide suspicious activity reporting.

As a member of the Homeland Security Committee and a former mayor, a concern I have heard from law enforcement in my district is a lack of information and coordination from ICE, CBP, and other DHS component agencies.

I have seen this problem firsthand and know that more can be done to help our local law enforcement get the support that they need from the Federal Government.

This bill is one small step to make that fusion center a better resource for the people who know our communities the best: our local law enforcement officers.

The bill includes language to direct DHS to ensure that each component is providing information and personnel to work with the fusion centers.

To address the need for better accountability, language is included throughout the bill requiring DHS to coordinate with fusion centers and State Homeland Security advisers in carrying out the assigned responsibilities.

□ 1630

Additionally, I added a requirement for the Department to submit a report to Congress on their efforts, including the components, to support fusion centers and specifically report on how they are meeting the requirements set forth in this bill.

I want to thank House Intelligence Committee Chairman NUNES, Committee on Homeland Security Chairman MCCAUL and Ranking Member THOMPSON, and Subcommittee on Counterterrorism and Intelligence Chairman KING and Ranking Member HIGGINS for working with me to bring this bill to the floor. The bill went through regular order and received bipartisan support during subcommittee and full committee consideration.

Mr. Speaker, I urge my colleagues to support this bill so we can add important requirements and accountability in how the Department of Homeland Security interacts and shares information with key State and local stakeholders.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, October 28, 2015.

Hon. MICHAEL MCCAUL, Chairman, House Committee on Homeland Security, Ford Office Building, Washington, DC.

DEAR CHAIRMAN MCCAUL: On September 30, 2015, your committee ordered H.R. 3503, the “Department of Homeland Security Support

to Fusion Centers Act of 2015," reported. Additionally, on that same day, your committee ordered H.R. 3598, the "Fusion Center Enhancement Act of 2015," reported.

As you know, both H.R. 3503 and H.R. 3598 contain provisions within the jurisdiction of the Permanent Select Committee on Intelligence. On the basis of your consultations with the Committee and in order to expedite the House's consideration of both bills, the Permanent Select Committee on Intelligence will not assert a jurisdictional claim over either bill by seeking a sequential referral. This courtesy is, however, conditioned on our mutual understanding and agreement that it will in no way diminish or alter the jurisdiction of the Permanent Select Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bills or any similar legislation.

I would appreciate your response to this letter confirming this understanding and would request that you include a copy of this letter and your response in the committee reports for both bills and in the Congressional Record during their floor consideration. Thank you in advance for your cooperation.

Sincerely,

DEVIN NUNES,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, October 29, 2015.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, The Capitol, Washington, DC.

DEAR CHAIRMAN NUNES: Thank you for your letter regarding H.R. 3503, the "Department of Homeland Security Support to Fusion Centers Act of 2015," and H.R. 3598, the "Fusion Center Enhancement Act of 2015."

I appreciate your support in bringing both of these measures before the House of Representatives, and accordingly, understand that the Permanent Select Committee on Intelligence will not seek a sequential referral on either bill. I acknowledge that by foregoing a sequential referral on these two pieces of legislation, your Committee is not diminishing or altering its jurisdiction with respect to any future jurisdictional claim over the subject matters contained in these bills or any similar legislation. Additionally, should a conference on either bill be necessary, I would support your request to have the Permanent Select Committee represented on the conference committee.

I will include copies of this exchange in the reports for H.R. 3503 and H.R. 3598 and in the Congressional Record during consideration of these bills on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman,
Committee on Homeland Security.

Mr. THOMPSON of Mississippi. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3598, the Fusion Center Enhancement Act of 2015. First of all, let me compliment Mr. BARLETTA for his bill. Those of us who have been around kind of know the confusion that exists among fusion centers throughout the country, and any effort to streamline that confusion is much appreciated.

Mr. Speaker, this bipartisan bill seeks to update the law to reflect the

evolution of the Department of Homeland Security's National Network of Fusion Centers as well as the relationship of the Department's Office of Intelligence and Analysis with the fusion centers in the network.

H.R. 3598, as introduced by the gentleman from Pennsylvania (Mr. BARLETTA), clarifies that fusion centers are State- and locally owned and operated and requires the Department's Office of Intelligence and Analysis to provide support to centers in its network through the deployment of appropriate personnel and providing access to information.

Importantly, H.R. 3598 also adds several new responsibilities to the Under Secretary of Intelligence and Analysis related to grant guidance, coordinating nationwide suspicious activity reports, and ensuring that fusion centers are the focal points for sharing information.

This bill makes several technical changes to existing statutory language to help ensure increased information-sharing resources are made available to Federal, State, and local law enforcement officials at our National Network of Fusion Centers.

If enacted, H.R. 3598 will go a long way to providing States and localities that have invested significant resources in standing up fusion centers to participate in DHS' National Network with the support they need to keep their communities and, ultimately, the Nation secure.

In closing, Mr. Speaker, I want to express my support again for this bill and commend the leaders of the committee's Counterterrorism and Intelligence Subcommittee, Mr. KING and Mr. HIGGINS, for working together to advance this timely and important piece of legislation.

Again, let me thank Mr. BARLETTA and talk about the longstanding confusion that has existed with fusion centers around the country. When created, it was Congress' hope that everybody would be singing from the same sheet of music. Hopefully this gets us real close to that performance. I urge the passage of H.R. 3598 and look forward to its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, one of the most critical responsibilities of the Department of Homeland Security is to share threat information with State and local first responders. Fusion centers are a key mechanism for that process. The original requirements directing DHS' responsibilities towards fusion centers were enacted in 2007. In the past 8 years, there have been significant changes to the information-sharing environment and the fusion centers across the country.

Mr. Speaker, I urge my colleagues to vote for H.R. 3598 in order to bolster

the information-sharing environment within the Department and between the Department and State and local stakeholders.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 3598, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY SUPPORT TO FUSION CENTERS ACT OF 2015

Ms. MCSALLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3503) to require an assessment of fusion center personnel needs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3503

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Homeland Security Support to Fusion Centers Act of 2015".

SEC. 2. FUSION CENTER PERSONNEL NEEDS ASSESSMENT.

Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an assessment of Department of Homeland Security personnel assigned to fusion centers pursuant to subsection (c) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), including an assessment of whether deploying additional Department personnel to such fusion centers would enhance the Department's mission under section 101(b) of such Act and the National Network of Fusion Centers. The assessment required under this subsection shall include the following:

(1) Information on the current deployment of the Department's personnel to each fusion center.

(2) Information on the roles and responsibilities of the Department's Office of Intelligence and Analysis' intelligence officers, intelligence analysts, senior reports officers, reports officers, and regional directors deployed to fusion centers.

(3) Information on Federal resources, in addition to personnel, provided to each fusion center.

(4) An analysis of the optimal number of personnel the Office of Intelligence and Analysis should deploy to fusion centers, including a cost-benefit analysis comparing deployed personnel with technological solutions to support information sharing.

(5) An assessment of fusion centers located in jurisdictions along land and maritime borders of the United States, and the degree to which deploying personnel, as appropriate, from the U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the Coast Guard to such fusion centers would enhance the integrity and

security at such borders by helping Federal, State, local, and tribal law enforcement authorities to identify, investigate, and interdict persons, weapons, and related contraband that pose a threat to homeland security.

(6) An assessment of fusion centers located in jurisdictions with large and medium hub airports, and the degree to which deploying, as appropriate, personnel from the Transportation Security Administration to such fusion centers would enhance the integrity and security of aviation security.

SEC. 3. PROGRAM FOR STATE AND LOCAL ANALYST CLEARANCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that any program established by the Under Secretary for Intelligence and Analysis of the Department of Homeland Security to provide eligibility for access to information classified as Top Secret for State and local analysts located in fusion centers shall be consistent with the need to know requirements pursuant to Executive Order 13526 (50 U.S.C. 3161 note).

(b) REPORT.—Not later than two years after the date of the enactment of this Act, the Under Secretary for Intelligence and Analysis of the Department of Homeland Security, in consultation with the Director of National Intelligence, shall submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate a report on the following:

(1) The process by which the Under Secretary of Intelligence and Analysis determines a need to know pursuant to Executive Order 13526 to sponsor Top Secret clearances for appropriate State and local analysts located in fusion centers.

(2) The effects of such Top Secret clearances on enhancing information sharing with State, local, tribal, and territorial partners.

(3) The cost for providing such Top Secret clearances for State and local analysts located in fusion centers, including training and background investigations.

(4) The operational security protocols, training, management, and risks associated with providing such Top Secret clearances for State and local analysts located in fusion centers.

SEC. 4. INFORMATION TECHNOLOGY ASSESSMENT.

The Under Secretary of Intelligence and Analysis of the Department of Homeland Security, in collaboration with the Chief Information Officer of the Department and representatives from the National Network of Fusion Centers, shall conduct an assessment of information systems (as such term is defined in section 3502 of title 44, United States Code) used to share homeland security information between the Department and fusion centers in the National Network of Fusion Centers and make upgrades to such systems, as appropriate. Such assessment shall include the following:

(1) An evaluation of the accessibility and ease of use of such systems by fusion centers in the National Network of Fusion Centers.

(2) A review to determine how to establish improved interoperability of departmental information systems with existing information systems used by fusion centers in the National Network of Fusion Centers.

(3) An evaluation of participation levels of departmental components and offices of information systems used to share homeland security information with fusion centers in the National Network of Fusion Centers.

SEC. 5. MEMORANDUM OF UNDERSTANDING.

Not later than one year after the date of the enactment of this Act, the Under Secretary of Intelligence and Analysis of the Department of Homeland Security shall enter into a memorandum of understanding with each fusion center in the National Network of Fusion Centers regarding the type of information fusion centers will provide to the Department and whether such information may be subject to public disclosure.

SEC. 6. DEFINITIONS.

In this Act:

(1) FUSION CENTER.—The term “fusion center” has the meaning given such term in subsection (j) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h).

(2) NATIONAL NETWORK OF FUSION CENTERS.—The term “National Network of Fusion Centers” means a decentralized arrangement of fusion centers intended to enhance individual State and urban area fusion centers’ ability to leverage the capabilities and expertise of all such fusion centers for the purpose of enhancing analysis and homeland security information sharing nationally.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Arizona (Ms. MCSALLY) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Arizona.

GENERAL LEAVE

Ms. MCSALLY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

Ms. MCSALLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3503, the Department of Homeland Security Support to Fusion Centers Act of 2015.

We have made improvements since the 9/11 attacks, the Boston Marathon bombings, and Fort Hood to increase and enhance the Nation’s ability to detect and prevent terrorist attacks. However, the elevated potential for attacks carried out by individuals either directed or inspired by radical violent extremism reinforces that there is more work to be done, especially breaking down information-sharing stovepipes. Ensuring that the Federal Government is sharing intelligence and homeland security information with State and local officials is a vital component to that effort.

In June, I visited the Arizona Counter-Terrorism Intelligence Center, or the ACTIC, my State’s fusion center. I saw firsthand how fusion centers are disseminating Federal threat and intelligence information out to emergency responder providers, as well as collecting State and local information, and fusing it with Federal intelligence to enhance terrorist investigations and create a more complete picture.

While fusion centers are continuing to mature, I am concerned about the lack of small cities’ and rural areas’ representation in fusion centers. As we continue to enhance the Nation’s ability to share intelligence information, we need to ensure that all emergency service providers have access to this vital information.

To help break down the information-sharing stovepipes, the ACTIC and 77 other fusion centers across the country need greater access to intelligence and information from the Department of Homeland Security and its components.

Mr. Speaker, I introduced H.R. 3503 along with Chairman MCCAUL, Chairman KING, and Representatives BARLETTA and LOUDERMILK to ensure that the Department is providing fusion centers with the resources needed to protect our Nation from terrorist attacks and other emergencies. This bill passed the Subcommittee on Counterterrorism and Intelligence and the full Committee on Homeland Security by voice vote with bipartisan support.

I want to thank the gentleman from Georgia (Mr. LOUDERMILK) for adding two important provisions to this bill during the full committee markup. These provisions ensure that the Department of Homeland Security’s information technology systems are user-friendly for State and local analysts, and require the Under Secretary of the Office of Intelligence and Analysis to sign a memorandum of understanding with each fusion center to ensure that each center is aware of what information can be publicly disclosed.

Also, Mr. Speaker, I want to thank Chairman NUNES of the House Permanent Select Committee on Intelligence and his staff for working with me and the Committee on Homeland Security to get this bill to the floor today.

Mr. Speaker, H.R. 3503, as amended, requires the Government Accountability Office, GAO, to conduct an assessment of the Department of Homeland Security personnel detailed to fusion centers and whether deploying additional personnel from several of the departmental components will enhance threat and homeland security information sharing. Having an unbiased assessment of staffing levels and responsibilities for Department of Homeland Security personnel deployed to fusion centers will be valuable in making decisions moving forward on the appropriate staffing levels.

Additionally, this bill applauds the effort of the Office of Intelligence and Analysis in establishing a program to provide top secret clearances to appropriate State and local analysts in fusion centers. To ensure that this initiative is carried out efficiently and in a manner that ensures operational security, the bill requires DHS to submit a onetime report to Congress.

The committee has received testimony from State and local law enforcement about the value additional clearances will provide. The need for top secret clearances was also a key finding of the committee's Foreign Fighter Task Force, of which I was proud to be a member.

It is especially timely that we are considering this bill today. This week is the annual conference held by the National Fusion Center Association. This bill will help ensure that our State and local law enforcement officers, as well as fire and EMS personnel, are getting access to the information they need to protect our communities.

Since the summer, our country has been at its highest threat posture since 9/11, given the large number of foreign fighters and ISIS-inspired plots. It is essential that Congress ensure that all of the dots are being connected.

I urge all Members to support this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

October 28, 2015.

Hon. MICHAEL MCCAUL,
Chairman, House Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: On September 30, 2015, your committee ordered H.R. 3503, the "Department of Homeland Security Support to Fusion Centers Act of 2015," reported. Additionally, on that same day, your committee ordered H.R. 3598, the "Fusion Center Enhancement Act of 2015," reported.

As you know, both H.R. 3503 and H.R. 3598 contain provisions within the jurisdiction of the Permanent Select Committee on Intelligence. On the basis of your consultations with the Committee and in order to expedite the House's consideration of both bills, the Permanent Select Committee on Intelligence will not assert a jurisdictional claim over either bill by seeking a sequential referral. This courtesy is, however, conditioned on our mutual understanding and agreement that it will in no way diminish or alter the jurisdiction of the Permanent Select Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bills or any similar legislation.

I would appreciate your response to this letter confirming this understanding and would request that you include a copy of this letter and your response in the committee reports for both bills and in the Congressional Record during their floor consideration. Thank you in advance for your cooperation.

Sincerely,

DEVIN NUNES,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, October 29, 2015.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, Washington, DC.

DEAR CHAIRMAN NUNES: Thank you for your letter regarding H.R. 3503, the "Department of Homeland Security Support to Fusion Centers Act of 2015," and H.R. 3598, the "Fusion Center Enhancement Act of 2015."

I appreciate your support in bringing both of these measures before the House of Rep-

resentatives, and accordingly, understand that the Permanent Select Committee on Intelligence will not seek a sequential referral on either bill. I acknowledge that by foregoing a sequential referral on these two pieces of legislation, your Committee is not diminishing or altering its jurisdiction with respect to any future jurisdictional claim over the subject matters contained in these bills or any similar legislation. Additionally, should a conference on either bill be necessary, I would support your request to have the Permanent Select Committee represented on the conference committee.

I will include copies of this exchange in the reports for H.R. 3503 and H.R. 3598 and in the Congressional Record during consideration of these bills on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3503, the Department of Homeland Security Support Fusion Centers Act of 2015. Mr. Speaker, this bill was passed unanimously by the committee last month, and I am pleased that it is being considered on the House floor today.

After the terrorist attacks of 9/11, there was broad recognition that the traditional stovepipes to the sharing of homeland security information needed to be cleared and that the Federal Government needed to do more to share timely information with State and local partners.

A key mechanism to fostering such information sharing has been the development of a network of fusion centers across the Nation. These centers allow Federal intelligence and homeland security information to be shared with State and local law enforcement and other key stakeholders. As of today, 77 fusion centers have been stood up by State and local governments and participate in the Department of Homeland Security's National Network of Fusion Centers.

For fusion centers to realize their full promise, it is critical that personnel assigned to fusion centers be able to access Department of Homeland Security information, data, and personnel. In the course of conducting oversight of fusion centers, the committee has learned that not enough State and local analysts and officials assigned to these centers have the TS/SCI clearances necessary to foster the timely sharing of homeland security information and intelligence. H.R. 3503, for the first time, authorizes DHS to sponsor State and local analysts for security clearances.

All of us, as the chairwoman has said, have heard from our State and locals that this is, indeed, a problem. The approach taken is consistent with ongoing DHS efforts to sponsor TS and SCI clearances on appropriate State, local, tribal, as well as territorial partners' levels.

In the 14 years since 9/11, there has been progress across the Federal Government at breaking down institutional stovepipes and moving away from a "need to know" to a "need to share" culture. Certainly with the right support and buy-in at the Federal level, the Department's National Network of Fusion Centers holds great promise for fostering more opportunities to interdict would-be terrorists before they attack and contributing to better awareness, preparedness, and responses at all levels.

Mr. Speaker, again, I thank the gentlewoman from Arizona for this legislation. Again, this is getting us all on the same sheet of music. We absolutely have to have fusion centers operating in uniformity, and we should not have fusion centers doing their own thing. We are fighting this together. The stovepiping of information is not good, and it is not healthy. We have problems identifying bad actors, terrorists, and what have you. So I urge passage of H.R. 3503, the Department of Homeland Security Support to Fusion Centers Act of 2015.

Mr. Speaker, I yield back the balance of my time.

□ 1645

Ms. MCSALLY. Mr. Speaker, I yield myself such time as I may consume.

One of the core missions of the Department of Homeland Security is to share threat information with State and local first responders. Fusion centers are a key mechanism for that process.

As fusion centers continue to mature into national assets, Congress must ensure the Department of Homeland Security is supporting fusion centers with the resources needed to keep our communities safe.

Once again, I urge my colleagues to vote for H.R. 3503.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise in support of H.R. 3503, the "Homeland Security Support Fusion Centers Act of 2015."

State and major urban area fusion centers serve as central points within the state and local environment for the receipt, analysis, gathering, and sharing of threat-related information between the federal government and state, local, tribal, territorial, and private sector partners.

H.R. 3503 will require the Under Secretary of Intelligence and Analysis of the Department of Homeland Security (DHS), in coordination with the homeland security advisors of the states to provide an assessment of fusion center personnel needs, and for other purposes; to the Committee on Homeland Security.

H.R. 3503 will amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security.

Homeland Security advisors must conduct a needs assessment of Department personnel

assigned to fusion centers pursuant to subsection (c) of section 210A of the Homeland Security Act of 2002.

The assessment must include information on: the current deployment of DHS personnel to each fusion center; the roles and responsibilities of Office of Intelligence and Analysis intelligence officers, intelligence analysts, senior reports officers, reports officers, and regional directors deployed to fusion centers; federal resources, in addition to personnel, provided to each fusion center; whether deploying additional personnel would enhance intelligence and information sharing between DHS and federal, state, local, tribal, and territorial partners; fusion centers located in jurisdictions along land and maritime borders of the United States and the degree to which deploying personnel from the U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the Coast Guard to such centers would enhance the integrity and security at such borders; and fusion centers located in jurisdictions with large and medium hub airports and the degree to which deploying personnel from the Transportation Security Administration to such centers would enhance aviation security.

The Under Secretary must submit such assessment to specified congressional committees, together with a report on: the number of personnel assigned to fusion centers from the Office of Intelligence and Analysis; the number of personnel assigned to the National Network of Fusion Centers from components and offices of DHS and the methodology for determining the fusion centers to which such personnel are assigned; and an implementation plan for determining how DHS's personnel resources will be allocated to fusion centers in the future.

H.R. 3503 will help to ensure the safety of our fusion centers and the personnel that work within these centers.

I urge my colleagues to join me in voting for H.R. 3503.

Mr. McCAUL. Mr. Speaker, I submit the following exchange of letters between the Committee on Homeland Security and the Transportation and Infrastructure Committee, regarding H.R. 3598, for the record.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, November 2, 2015.

Hon. MICHAEL T. McCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN McCAUL: I write concerning H.R. 3598, the "Fusion Center Enhancement Act of 2015." This legislation includes matters that I believe fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 3598, the Committee on Transportation and Infrastructure agreed to forgo action on this bill despite the fact that the Parliamentarians were unable to fully litigate the jurisdictional question. However, this was conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction.

I request that you please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, November 3, 2015.

Hon. BILL SHUSTER,
Chairman, Transportation and Infrastructure Committee, Washington, DC.

DEAR CHAIRMAN SHUSTER, Thank you for your interest in H.R. 3598, the "Fusion Center Enhancement Act of 2015." I appreciate your cooperation in refraining from requesting a sequential referral on this bill in the interest of allowing it to move expeditiously under suspension of the House Rules on November 2, 2015. Because H.R. 3598 has now passed the House, the Parliamentarians can no longer render an official decision as to any jurisdictional claim the Transportation and Infrastructure Committee may have had.

I therefore acknowledge that the question of the Transportation and Infrastructure Committee's jurisdictional interest in a certain provision of H.R. 3598 has not been fully adjudicated and that no final decision as to that point was made. I further agree that the absence of a final decision will not prejudice any claim the Transportation and Infrastructure Committee may have with respect to this legislation in the future.

A copy of this letter will be entered into the Congressional Record.

Sincerely,

MICHAEL T. McCAUL,
Chairman.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Arizona (Ms. MCSALLY) that the House suspend the rules and pass the bill, H.R. 3503, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXPRESSING CONCERN OVER ANTI-ISRAEL AND ANTI-SEMITIC INCITEMENT WITHIN THE PALESTINIAN AUTHORITY

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 293) expressing concern over anti-Israel and anti-Semitic incitement within the Palestinian Authority, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 293

Whereas the 1995 Interim Agreement on the West Bank and the Gaza Strip, commonly referred to as Oslo II, specifically details that Israel and the Palestinian Authority shall "abstain from incitement, including hostile propaganda, against each other and, without derogating from the principle of freedom of expression, shall take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction";

Whereas the Oslo II agreement further states that Israel and the Palestinian Authority "will ensure that their respective educational systems contribute to the peace between the Israeli and Palestinian peoples and to peace in the entire region";

Whereas Palestinian Authority incitement against Israelis has continued unabated for many years despite periods of negotiations between Israel and the Palestinian Authority;

Whereas this incitement takes on many forms, and has included the glorification of terrorists who have murdered Israeli civilians; advocating struggle against Israel despite entering into negotiations with Israel; the demonization of Jews and Israelis, including by the use of anti-Semitic motifs; the denial of Israel's existence and its delegitimization as evidenced by the absence of Israel on official maps used in Palestinian Authority institutions; and false claims that Israel or the Jews are endangering Muslim holy sites, such as the Al-Aqsa mosque/Temple Mount in Jerusalem;

Whereas in June 2013, Abbas referenced Israeli acts which "indicate an evil and dangerous plot to destroy Al-Aqsa and build the alleged temple";

Whereas on September 16, 2015, Abbas stated on Palestinian television that "we welcome every drop of blood spilled in Jerusalem. This is pure blood, clean blood, blood on its way to Allah. With the help of Allah, every martyr will be in heaven, and every wounded will get his reward";

Whereas since mid-September 2015 there has been a wave of Palestinian violence in Israel and the West Bank, including stabbings, shootings, and other terrorist acts;

Whereas this situation has been inflamed by statements made by Palestinian President Abbas, other Palestinian officials, clerics, and official Palestinian Authority media, and frequently amplified on social media platforms;

Whereas these statements have included repeated false claims that Israel seeks to change the "status quo" on the Temple Mount/al-Aqsa Mosque compound;

Whereas despite the incitement-induced wave of terrorism, the Palestinian Authority security forces and the Israel Defense Forces have continued security cooperation;

Whereas section 7038 of the Consolidated and Further Continuing Appropriations Act, 2015 states that "none of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation";

Whereas section 7040(e) of the Consolidated and Further Continuing Appropriations Act, 2015 requires the Secretary of State, if the President waives section 7040(a) of that Act, to "certify and report to the Committees on Appropriations prior to the obligation of funds that . . . the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel"; and

Whereas the Palestinian Authority has not fully lived up to its prior agreements with Israel to end incitement and should do more to prepare the Palestinian people for peace with Israel: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses support and admiration for individuals and organizations working to encourage cooperation between Israelis and Palestinians;

(2) strongly condemns the wave of violent attacks in Israel and the West Bank;

(3) reiterates the strong condemnation of anti-Israel and anti-Semitic incitement to violence in the Palestinian Authority as antithetical to the cause of peace;

(4) calls on the Palestinian Authority to—

(A) immediately discontinue incitement to violence in all Palestinian Authority-controlled media outlets, and officially and publicly repudiate attacks against Israelis and engage in a sustained effort to publicly and officially rebuke anti-Israel incitement to violence;

(B) continue important security cooperation with Israel; and

(C) agree to unconditionally renew direct talks with the Israelis, including the reconstitution of the Trilateral Commission on Incitement;

(5) encourages responsible nations to condemn in the strongest possible terms incitement to violence by the Palestinian Authority;

(6) expresses support for the Government of Israel in its fight against terror;

(7) directs the Department of State to regularly monitor and publish information on all official incitement by the Palestinian Authority against Jews and the State of Israel; and

(8) calls on the Administration to continue publicly repudiating and raising the issue of Palestinian anti-Israel incitement to violence in all appropriate bilateral and international forums.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the esteemed chairman of our full committee, Chairman ROYCE, and Ranking Member ENGEL, who is before us today, for their leadership and for helping us to mark up and vote on this resolution at the subcommittee and at the full committee, thereby landing us right here on the floor this afternoon.

I would also like to thank my friend and dear south Florida colleague, ranking member of the Middle East and North Africa Subcommittee, Mr. DEUTCH, for joining me in introducing this important resolution condemning the anti-Israel and anti-Semitic incitement from within the Palestinian Authority.

Sadly, Mr. Speaker, as we have seen over the past 2 months in Israel, violence and terror are on the rise, and hardly a day goes by when we don't

hear about yet another attack against innocent Israelis.

Since the most recent round of attacks began on the Jewish New Year in mid-September, there have been nearly 60 stabbing attacks, 5 shootings, and 6 car-ramming attacks, resulting in 10 deaths and scores more injured.

Let me repeat that again, Mr. Speaker: 60 stabbing attacks, 5 shootings, and 6 car-ramming attacks, resulting in 10 deaths and many people injured, not to mention the psychological toll that these acts of terror have taken on Israelis.

Today—today—Mr. Speaker, there were two separate stabbing attacks in two different cities. An 80-year-old woman was among the victims, showing that these random attacks can happen anywhere, at any time, to anyone.

When Israeli citizens cannot walk out of their homes to go to work or they cannot walk out of their homes to go to the grocery store for fear of yet another terrorist attack, we must hold the Palestinian leadership accountable for its incitement and its unwillingness to ease tensions in the region.

The resolution before us, Mr. Speaker, House Resolution 293, unfortunately is the consequence of the continued failure of the Palestinian leadership. Instead of working toward achieving lasting peace with Israel, what is Abu Mazen, the leader of the Palestinian Authority, doing? He is undermining the peace process.

Instead of encouraging the Palestinian people and leading them toward a better future, Abu Mazen's divisive actions are tearing the Palestinians apart, leading them into despair, into hatred, into violence.

Instead of calling for an emergency meeting with Palestinian leaders to discuss a way to walk back the rhetoric, a way to calm the tensions, no, Abu Mazen called for an emergency meeting at the United Nations Human Rights Council, the preferred platform to spew anti-Israel hatred.

Why? In an effort to delegitimize the Jewish state where he further fanned the flames of violence once again, as he has been doing, Mr. Speaker, since he assumed leadership.

Already the perpetrators of these acts of terror are being glorified—yes, glorified—hailed as heroes, hailed as martyrs.

Last week, in fact, the Palestinian Authority named a street after a Palestinian terrorist. What did that person do? He fatally stabbed two innocent Israelis in Jerusalem.

But where is the world's condemnation of this? What is the response from the international community? Silence. Too often we see attempts to place this false moral equivalence between the Israelis' actions and the Palestinians' because too many are unwilling to accept the truth, and that is that the Palestinian leadership is the problem, not the solution, to the peace process.

We cannot allow Abu Mazen's words and Abu Mazen's actions to continue to go unpunished because, as we have seen over the past month and a half, they have consequences and innocent people have died.

Today, Mr. Speaker, we have an opportunity to send a clear message to Abu Mazen, that his words and actions are unacceptable, that we condemn these actions, and that we hold the Palestinian Authority responsible for inciting these recent acts of terror against Israeli citizens.

Palestinian leaders have been indoctrinating the Palestinian people with incitement against Israel for generations, and that is not something that is easily reversed.

But by passing this resolution tonight, Mr. Speaker, we are sending a message to the Palestinian leader that this behavior will not be tolerated and it will not be unaddressed. This is an opportunity to start to hold Abu Mazen and the PA accountable for their words, accountable for their deadly actions.

I urge my colleagues to join me in condemning anti-Israel and anti-Semitic incitement in all of its forms.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this measure.

Let me start by thanking our former chair of the Foreign Affairs Committee, ILEANA ROS-LEHTINEN, for sponsoring this resolution. I agree with every word she just said.

She has been a good friend to the state and people of Israel, and this measure, which I am happy to cosponsor, shows once again that support for Israel in Congress is not a partisan issue. Israel has much bipartisan support in this Congress, and we intend to keep it this way.

As the Congresswoman has mentioned, the violence in Israel has gone from bad to worse in recent days. Day after day, we hear new reports of innocent Israeli victims of stabbings or shootings at the hands of Palestinian terrorists.

I use the word "terrorist," Mr. Speaker, because what they are doing are acts of terrorism. If random people, average citizens, have nothing to do with policy, have nothing to do with politics—they are just civilians that are walking in the street—if they are attacked by a knife or something else that harms them, that is a terrorist attack.

Imagine if we had such things going on in the United States. It would have a chilling effect on what people can do, and whether they can move around or can't move around as a result of it.

So this is not something that is random. It is not something that is confined. It can strike anybody at any time, any place, and it is terrorism.

I have often said that while I support a two-state solution, if the Palestinians continue to use terrorism because they think it will get them closer to their state, they are wrong. It will prevent them from ever having a state if they don't renounce terrorism.

That is what this is all about. It is the incitement. It is the encouraging of hatred for Israelis and the Jews and for the United States as well.

This goes on time and time and time again, and then we wonder why we have these acts of violence, because you cannot fan the fires and be a leader in it and then suddenly look the other way and say, "Well, you know, we are not encouraging it."

The Palestinian Authority has been irresponsible, and they have been irresponsible for many, many years. So, as it has every right to do, Israel has defended itself against these attacks, these stabbings and shootings. But this bloodshed must be brought to an end.

I have no doubt, Mr. Speaker, that it could be in a hurry if Palestinian leaders would do the right thing: repudiate the violence and, most importantly, the ceaseless campaign of incitement that demonizes Jews and Israelis and glorifies terrorists.

Chairman ROYCE and I will soon send a bipartisan letter signed by more than 350 of our colleagues in both parties. I am very, very happy with the overwhelming support we have gotten from our colleagues on both sides of the aisle for this letter.

That is why Chairman ROYCE and I try to do things in a bipartisan manner: because something like this is bipartisan; support for Israel is bipartisan; support against terror is bipartisan.

We have to stand together as Americans, regardless of party affiliation, and say: we will not countenance terror. And we are going to point fingers at the Palestinian Authority, who has been utterly irresponsible in this whole thing.

So if Palestinian leaders would do the right thing and repudiate the violence and, most importantly, end the ceaseless campaign of incitement that demonizes Jews and Israelis and glorifies terrorists, this could stop.

This letter that Chairman ROYCE and I have done, signed by more than 350 of our colleagues, to Palestinian President Abbas urges him to take that course, but I cannot say that I have high hopes. After all, this type of rhetoric by Palestinians against Jews and Israelis and even just Americans, in general, is nothing new.

In Palestinian books and newspapers, on the television and radio, we see and hear a constant message of hatred and incitement.

From a young age, Palestinians are taught that the people of Israel are their enemies and those who use violence are heroes, and this is very, very infuriating.

It is the fuel that fires the violence we are seeing today, and it is a roadblock, as I said before, on the path towards a two-state solution.

Palestinians will never build their own state on the backs of terrorists. It is a dead end for them, and it is counterproductive. They ought to know it. They are doing their people a tremendous disservice.

This resolution calls on Palestinian leaders to show real responsibility to reject the violence and end incitement and to return to the negotiating table with no preconditions, sit down and negotiate.

It reaffirms our commitment to our Israeli allies and our desire to see peace for both Israelis and Palestinians.

I urge my colleagues to support this measure.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE), who is the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. POE of Texas. Mr. Speaker, I thank the gentlewoman from Florida for yielding on this important resolution.

Mr. Speaker, the conflict between the Israelis and the Palestinians has reached new levels of terror. Over the past month, Palestinians have stabbed, shot, or run over innocent Israelis almost every day. The cause of these tragedies is simple: the incitement by Palestinian leaders.

Of course, our government is on the wrong side of this issue. Our government stands by while Palestinian Authority President Abbas praises violent riots on the Temple Mount.

But the problem is bigger than speeches. Palestinian leaders have turned their schools into terrorist breeding grounds that teach hate.

□ 1700

Israel reacted to this violence how any other country should react; but the United States State Department callously calls Israel's self-defense executive force. Like I said, the State Department has got it wrong.

The Palestinians should be called out for what they are doing: inciting violence and committing violence. They are responsible for their criminal acts, not the Israelis. We can stand side by side with Israel by condemning these terrorist acts, and the Palestinian leaders should be held personally accountable for inciting violence in the Palestinian community. The State Department and the world need to quit making excuses for Palestinian terrorists and hold them accountable for the crimes that they commit.

I am glad to be an original cosponsor of House Resolution 293. I urge its passage so that America and the rest of

the world understand that we stand by Israel and not by the terrorists.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. DEUTCH), the ranking member of the Foreign Affairs Subcommittee on the Middle East and North Africa.

Mr. DEUTCH. I thank my friend, Mr. ENGEL.

Mr. Speaker, I want to thank Chairman ROYCE and Ranking Member ENGEL and their staffs for working to bring this bipartisan resolution to the floor. I want to thank my friend and colleague and neighbor, Congresswoman ILEANA ROS-LEHTINEN, for partnering with me on this effort.

In the month of October, there have been more than 50 stabbings in Israel, there have been attempted stabbings, there have been shootings, there have been cars rammed into civilians. Terrorists have killed 11 and have wounded more than 10 times that number. In a span of just 12 hours today, there were 4 separate terror attacks.

This resolution is important because these attacks aren't a protest or a political statement about holy sites or politics. It is terrorism, and it flows from incitement at the highest levels of the Palestinian Government.

Now, I have said many times that all attacks on innocent civilians should be condemned and that they should be condemned regardless of who commits them. Yet I have to point out that, when a revenge attack occurs, committed by Israelis, the Prime Minister of Israel himself condemns that action on national television; but when there are attempted stabbings every single day for nearly 8 weeks, Palestinian leadership does not condemn even one single attack. Instead, we continue to see officials trying to justify acts of terror as an expected part of a religious conflict.

False accusations about changes at the Temple Mount, when they have been repeatedly denied by Israeli leadership, send a very dangerous message that violence is necessary to preserve Muslim holy sites when, in fact, those holy sites are not threatened at all.

Unfortunately, incitement from officials within the Palestinian Authority is not new. Despite statements from President Abbas that he is committed and has been committed for years to nonviolence, there are still countless examples in official textbooks, on social media pages, and in television speeches that call for an armed conflict and that depict Jews as dirty pigs.

Mr. Speaker, Secretary Kerry was right when he recently said, "President Abbas has been committed to nonviolence. He needs to be condemning this loudly and clearly, and he needs to not engage in the incitement that his voice has sometimes been heard to encourage; so that has to stop."

If President Abbas remains committed to his stated vision of a peaceful, stable Palestinian state, living side

by side with a safe and secure Israel, then now is the time for real leadership. Now is the time to go on national television and condemn these attacks. Now is the time to accept the Jordanian plan for surveillance at the Temple Mount to ensure that religious freedom is, in fact, being protected.

Now is the time to stop dangerous rhetoric, like when he said that he would “welcome every drop of blood spilled in Jerusalem” or when he accused Israel of the “summary execution of children” when, in fact, the 13-year-old whom he referenced was receiving medical care in an Israeli hospital after he stabbed two Israeli teenagers.

Even before these recent terror attacks, incitement within the Palestinian Authority has been well documented. If these are the messages that are sent to Palestinian youth, if they never see the State of Israel on a map in their textbooks or if they watch television programs that glorify attacks on Israelis and Jews, how can we ever expect him to be committed to peace?

By passing today’s resolution, the United States House of Representatives is sending a message. It is a very simple message to the world, that we stand with the people of Israel as they face this onslaught of terror and that incitement spurred by inflammatory, violent rhetoric will not be tolerated.

We won’t tolerate officials using religion as a means to spur violence, and we won’t tolerate actions like the recent Palestinian-backed resolution at UNESCO that attempted to rewrite history and inflame tension on the ground.

Our resolution also expresses support for individuals and organizations that are working to encourage cooperation between Israelis and Palestinians. Unfortunately, President Abbas and his government are doing just the opposite.

Mr. Speaker, there must be an end to this wave of terrorism. It is time to stop the spread of incitement. This resolution puts the House on record that incitement leads to violence, and it must end if there is to be a chance for peace.

I urge my colleagues to support this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. ZELDIN), who is a member of our Committee on Foreign Affairs.

Mr. ZELDIN. I thank Ms. ILEANA ROS-LEHTINEN for her inspiring leadership in bringing forth this bipartisan resolution.

I am inspired as I listen to the words of Mr. DEUTCH and Mr. ENGEL as this is something that allows Americans to unite for a cause of strengthening our relationships with our friends, like Israel, ensuring that we treat our enemies as our enemies.

Mr. Speaker, according to the Maariv daily, Palestinian Authority President Abbas said in a Ramallah address:

We will not forsake our country, and we will keep every inch of our land. Every drop of blood spilled in Jerusalem is pure. Every Shahid will reach paradise, and every injured person will be rewarded by God.

The Palestinian Authority President said he would insist that a future Palestinian state include East Jerusalem as its capital. He said:

The Al-Aqsa Mosque is ours. The church is ours as well. They have no right to desecrate the mosque with their dirty feet. We won’t allow them to do that.

A top Hamas official in the Gaza Strip called on all of the Palestinians to turn their weapons against the Israelis, saying that Allah created man only to wage jihad and to plunge knives into the chests of the enemies.

We hear a lot of talk about the pursuit of a viable two-state solution. It is not just about Israel and its recognizing the Palestinians’ right to exist. It is also about the Palestinians and its recognizing Israel’s right to exist. Yet the Palestinian Authority, by the day, is under more and more influence of an element that will not rest until the other side is wiped off the map.

I was disturbed when the Secretary of State’s spokesperson, John Kirby, said:

Individuals on both sides of this divide are, have been proven capable of, and, in our view, are guilty of acts of terrorism.

Last month the State Department claimed that the Temple Mount status quo was violated. I was just there a couple of months back. I was at a place called Decks Restaurant in Tiberias. It is right on the Sea of Galilee.

The owner of the restaurant got on the microphone—the place was crowded with locals—and she started preaching about her love of America, about her appreciation of the strength of that bond between the U.S. and Israel.

As she is saying this, a boat pulls in off the Sea of Galilee and starts setting off fireworks. As the fireworks start blowing off, they start playing “God Bless America” over the loud speaker. All the locals stood up and were singing along, and if they didn’t know the words, they were lip-syncing it.

It was such a proud moment. Where else in the world can you go where you will find a restaurant at which the owner will get on the microphone and start talking about her love of America?

I value the relationship that we have with our friends, such as Israel. We didn’t see the Israeli Prime Minister going on international TV trying to embarrass the President of the United States after there was a hospital strike, which the President took responsibility for.

It is important that we don’t embarrass our allies and that we stand with them in tough times. Right now we

stand with innocent victims in Israel, who are being targeted by terrorist attacks through the incitement of violence by the leadership of the Palestinian Authority.

That is why I am so proud to stand here today with Ms. ILEANA ROS-LEHTINEN for, again, her consistent and strong dedication and leadership and for her determination in ensuring that this body stands united with Israel every single day.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

In closing, as you have heard from everyone who has spoken, the recent surge of Palestinian violence against Israel must stop. It must stop to save innocent lives. It must stop so that negotiations can go forward. It must stop because acts of terrorism are not to be tolerated.

Any way you look at it, these are terrorist acts, and the only way we can have peace and the only way we can have a two-state solution is if both parties sit opposite each other, with no preconditions, and start negotiating.

I do support a two-state solution—a Palestinian Arab state and an Israeli Jewish state—living together in peace and harmony; but it is not going to happen if the Palestinian leadership, which is bankrupt in more ways than one, refuses to teach its people the right thing, if it refuses to repudiate acts of terror.

Mahmoud Abbas, or Abu Mazen—the leader of the Palestinians—is, I think, on the eighth year of his 4-year term. He is not really legitimate anymore. The more he talks with rhetoric and incitement, the less relevant he becomes.

It is really a shame because I do think that the Palestinians deserve better and I do think that, ultimately, they deserve their own state; but they will not have their own state if they resort to terror. It is bankrupt, and it is a dead end for them.

Instead of encouraging these kinds of acts of terror against innocent civilians, the leadership of the Palestinians ought to be dismissing it, ought to be condemning it, ought to be taking strong stands against it. We have yet to hear, and that is why this resolution is so important.

This resolution sends the signal that Palestinian leaders have a responsibility to repudiate this violence and put an end to the horrific campaign of incitement against Jews and Israelis.

Everyone who spoke today is saying the same thing. We are saying the same thing because it is clear as night and day what is going on over there. So I urge all of my colleagues to support this measure.

The United States will always stand with the people of Israel, and the United States will always stand against violence and terrorism wherever it rears its head around the world.

I again thank my good friend, ILEANA ROS-LEHTINEN, for her leadership and Mr. DEUTCH for his leadership as well.

Mr. Speaker, I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the chairman of our committee, Mr. ROYCE, for his help in bringing this resolution to the floor after the markup in the subcommittee and the full committee.

I want to thank Mr. ENGEL for his steadfast support of doing everything that is humanly possible to support efforts in getting peace in the Middle East and his support for the democratic Jewish state of Israel.

I want to thank Mr. DEUTCH, who is my partner on the Middle East and North Africa Subcommittee. He has been a person who understands the many obstacles to peace that the Palestinians encounter because of their failed leadership, and the responsibility lies in that leadership. I have had the opportunity to travel to Israel with Mr. DEUTCH, and I am very thankful for his friendship and for his guidance.

I also want to thank Mr. POE and Mr. ZELDIN—valued members of our Committee on Foreign Affairs—for their perspectives on how to reach peace, because, when all is said and done, this is what this resolution is all about.

We are condemning the anti-Israel and anti-Semitic incitement to violence by the Palestinian Authority, but we do so because this is antithetical to the cause of peace, which is what this body is all about and what the United States' foreign policy is based on in the Middle East.

Mr. Speaker, I yield back the balance of my time.

Mr. ELLISON. Mr. Speaker, securing a lasting peace between Israel and Palestine requires a commitment to humanizing the experiences of both peoples. Divisive rhetoric dehumanizes people and undermines the prospect of long-term peace. This resolution is divisive.

Incitement by either party, including Palestinian Authority leaders, is a serious issue and deserves to be condemned. But when we denounce the Palestinians and leave no mention of divisive rhetoric by the Israeli government, we do a disservice to Palestinians and Israelis. Just two weeks ago, Israeli Prime Minister Benjamin Netanyahu said "Hitler didn't want to exterminate the Jews at the time, he wanted to expel the Jews." He laid the blame for the Shoa at the feet of a Palestinian Grand Mufti of Jerusalem, Haj Amin al-Husseini. Al-Husseini was a virulent anti-Semite. But Prime Minister Netanyahu's blaming the idea of the Holocaust on a Palestinian, and by implication Palestinians, deserves to be condemned by this body just as Palestinian incitement does.

I oppose this resolution, not because the Palestinians are not inciting, and not because I believe this incitement should not be con-

demned. I oppose this resolution because any resolution that attacks one side while ignoring the other can only further tension and violence.

If Congress wants to be considered a legitimate arbiter of peace between Israel and Palestine we must pursue a balanced approach that calls for an end to incitement on both sides and both leaders to live up to their obligations under the Oslo Accords.

Ms. JACKSON LEE. Mr. Speaker, I stand in support of H. Res. 293, expressing concerns over anti-Semitic incitement within the Palestinian Authority.

I continue to support the safety and security of Jewish people across the globe.

Indeed, last week, I signed on to the Royce-Engel letter to President Mahmoud Abbas of the Palestinian National Authority to express my deep concern over the recent wave of violence in Israel and the West Bank.

It is imperative that political leaders across the globe help to set the tone for peace by advocating non-violence.

Over the past two months, news reports inform us that scores of attacks on innocent Israelis have occurred.

This bipartisan legislation condemns these attacks and urges Palestinian Authority leaders to discontinue all incitement and exert political influence to discourage any form of violence by the Palestinian civil society.

This legislation also expresses support for individuals and organizations working to encourage cooperation between Israelis and Palestinians.

This legislation encapsulates the United States' unwavering support as Israel's strongest ally.

Indeed, among other things, the 1995 Interim Agreement on the West Bank and the Gaza Strip, also known as Oslo II, asks all parties to abstain from incitement without derogation for the principle of freedom of expression to prevent incitement by any organization, groups or individuals within their jurisdiction.

Moreover, Oslo II admonishes Israel and the Palestinian Authority to ascertain that their respective educational systems facilitate peace between Israeli and Palestinian peoples, working together towards peace in the region.

This legislation encourages and recognizes the work of individuals and organizations focused on facilitating the cooperation towards peace between Israelis and Palestinians.

Thus, I support and urge continued efforts to urge an end to language that incites any form of violence and I encourage efforts to help facilitate peace between all parties involved.

The SPEAKER pro tempore (Mr. HARRIS). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 293, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

□ 1715

PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1853) to direct the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1853

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION.

(a) FINDINGS.—Congress makes the following findings:

(1) Safety, security and peace is important to every citizen of the world, and shared information ensuring wide assistance among police authorities of nations for expeditious dissemination of information regarding criminal activities greatly assists in these efforts.

(2) Direct and unobstructed participation in the International Criminal Police Organization (INTERPOL) is beneficial for all nations and their police authorities. Internationally shared information with authorized police authorities is vital to peace-keeping efforts.

(3) With a history dating back to 1914, the role of INTERPOL is defined in its constitution: "To ensure and promote the widest possible mutual assistance between all criminal police authorities within the limits of the laws existing in the different countries and in the spirit of the Universal Declaration of Human Rights."

(4) Ongoing international threats, including international networks of terrorism, show the ongoing necessity to be ever inclusive of nations willing to work together to combat criminal activity. The ability of police authorities to coordinate, preempt, and act swiftly and in unison is an essential element of crisis prevention and response.

(5) Taiwan maintained full membership in INTERPOL starting in 1964 through its National Police Administration but was ejected in 1984 when the People's Republic of China (PRC) applied for membership.

(6) Nonmembership prevents Taiwan from gaining access to INTERPOL's I-24/7 global police communications system, which provides real-time information on criminals and global criminal activities. Taiwan is relegated to second-hand information from friendly nations, including the United States.

(7) Taiwan is unable to swiftly share information on criminals and suspicious activity with the international community, leaving a huge void in the global crime-fighting efforts and leaving the entire world at risk.

(8) The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations and has consistently reiterated that support.

(9) Following the enactment of Public Law 108-235, a law authorizing the Secretary of State to initiate and implement a plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly and subsequent advocacy by the

United States, Taiwan was granted observer status to the World Health Assembly for six consecutive years since 2009. Both prior to and in its capacity as an observer, Taiwan has contributed significantly to the international community's collective efforts in pandemic control, monitoring, early warning, and other related matters.

(10) INTERPOL's constitution allows for observers at its meetings by "police bodies which are not members of the Organization".

(b) TAIWAN'S PARTICIPATION IN INTERPOL.—The President shall—

(1) develop a strategy to obtain observer status for Taiwan in INTERPOL and at other related meetings, activities, and mechanisms thereafter; and

(2) instruct INTERPOL Washington to officially request observer status for Taiwan in INTERPOL and to actively urge INTERPOL member states to support such observer status and participation for Taiwan.

(c) REPORT CONCERNING OBSERVER STATUS FOR TAIWAN IN INTERPOL.—Not later than 30 days after the date of the enactment of this Act, the President shall transmit to Congress a report, in unclassified form, describing the United States strategy to endorse and obtain observer status for Taiwan in INTERPOL and at other related meetings, activities, and mechanisms thereafter. The report shall include the following:

(1) A description of the efforts the President has made to encourage INTERPOL member states to promote Taiwan's bid to obtain observer status in INTERPOL.

(2) A description of the actions the President will take to endorse and obtain observer status for Taiwan in INTERPOL and at other related meetings, activities, and mechanisms thereafter.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I first want to thank the chairman of the Asia and the Pacific Subcommittee, Congressman MATT SALMON, for introducing this important resolution.

Taiwan is indeed a strong ally of the United States, one which shares our interests and values, including an enduring commitment to democracy and the freedom of expression.

Taiwan is a beacon of freedom in the Pacific, serving as an inspiration for the world's oppressed, and it serves as a model for future democratic transitions. Unfortunately, however, Taiwan is under increasing pressure from an aggressive China that is attempting to

assert its dominance in the Pacific and to isolate Taiwan on the international stage. One organization that China has prevented Taiwan from joining is INTERPOL, the International Criminal Police Organization.

INTERPOL was created, Mr. Speaker, to promote international cooperation between criminal police authorities; but because of undue Chinese pressure, Taiwan is no longer a member of INTERPOL. Taiwan is forced to receive less effective, secondhand information about international criminals and their illicit activities. Likewise, Taiwan cannot share the law enforcement information that it gathers in order to benefit INTERPOL.

In China's efforts to exclude Taiwan and in the efforts of some nations to accommodate China, they have ended up hurting Taiwan and the entire international community in the process.

So we have this bill before us, Mr. Speaker. This bill by Congressman SALMON directs the President to request observer status for Taiwan at INTERPOL, to urge other INTERPOL members to support it, and for the President to develop a strategy to ensure the participation of Taiwan.

I am pleased to support this legislation. I believe that the United States should be helping Taiwan's meaningful participation in all international organizations and entities in which it has expressed an interest in participating.

Taiwan's exclusion from organizations like INTERPOL is dangerous. It is a dangerous practice. It hurts the international community just as much as it hurts the people of Taiwan.

We must not allow U.N. politics or China's efforts to isolate Taiwan to exclude it from international organizations. It is, therefore, crucial that the United States provide the kind of military assistance, economic assistance, and political assistance that will allow Taiwan to resist any type of Chinese coercion.

The Taiwan Relations Act, together with the Six Assurances are the cornerstone of U.S.-Taiwan relations, and we must always keep it as our guiding beacon. I know that this is a sentiment that is greatly shared by the members of our Foreign Affairs Committee and by the chairman of our committee, Mr. ROYCE of California, because the friendship between the people of the United States and Taiwan has cemented into one of the most cherished partnerships. I look forward to the United States Government demonstrating its continued commitment to the people of Taiwan with the passage of Mr. SALMON's bill.

I want to thank, again, Chairman SALMON for introducing this important resolution. I am pleased to offer my support, and I urge my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of this measure.

Mr. Speaker, I want to also thank Mr. SALMON from Arizona, who chairs our Foreign Affairs Subcommittee on Asia and the Pacific, for authoring this bill. I am proud to be a cosponsor.

The International Criminal Police Organization, what we call INTERPOL, helps law enforcement agencies around the world collaborate with one another. Thanks to INTERPOL, a task force in New York can share information with a police agency in Hamburg or flag a terrorist suspect for authorities in Tokyo.

Sensitive information about criminals or missing persons is available at the push of a button for INTERPOL's members. For decades, it has been a vital tool for global security.

Until 1984, Taiwan was a member of INTERPOL; but since the People's Republic of China applied for membership, Taiwan has been left out. This is ridiculous, absolutely ridiculous.

Taiwan has the 16th or 17th largest economy in the world. And anyone who has ever been to Taiwan, as I have and as my colleague has, will just be amazed at the democracy they have built themselves on that tiny island. The fact is that they look to the United States for protecting them and helping them. Because just like we share the same values with Israel, we share the same values with Taiwan, and that is why we work with them.

Taiwan has been left out, and this gap in INTERPOL's membership creates a public safety risk for the people of Taiwan and also for the rest of the world. So nobody is saying that China should not be a member, but China should not have the right to exclude Taiwan.

This legislation would close that gap. It would instruct the administration to push for Taiwan to be granted observer status in INTERPOL. Observer status, that is what we are asking for.

There are countries around the world that function as countries, that have everything that all other countries have, and yet, because of politics, they are excluded from these international organizations. Taiwan is one such country. Kosovo is another type of country.

We have to stop this. People that live in these countries need to not bear the brunt of politics, but really need the protections that citizens of other countries have. By our not giving them the protections, we leave ourselves a bit unprotected as well.

So this legislation would instruct the administration to push for Taiwan to be granted observer status in INTERPOL. As an observer, Taiwan would have access to the information that law enforcement agencies already have. It would also allow Taiwan to contribute information to INTERPOL,

information that could be used to stop crime or thwart terrorist activity, arrest human traffickers, or sideline other bad actors.

Good precedent exists for giving Taiwan this status. Taiwan is an observer in the World Health Assembly, where it has played a vital role in contributing to public health and fighting pandemic disease.

In fact, Taiwan has repeatedly shown itself to be a constructive, positive force in the global community. Countries around the world stand to benefit from Taiwan's inclusion in international organizations like INTERPOL. So not only does Taiwan benefit, but the rest of the world benefits. It is a no-brainer. It is a win-win situation for everybody.

I support this legislation wholeheartedly. I urge my colleagues to do the same.

I thank my colleague from Florida, ILEANA ROS-LEHTINEN, and the chairman from California, ED ROYCE. Again, we are all in this together.

This is great bipartisan legislation of the Foreign Affairs Committee. It is important for Taiwan and important for the United States.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, before I yield to Mr. SALMON, I ask unanimous consent that the gentleman from California (Mr. ROYCE), the esteemed chairman of our committee, who is here with us now, manage the rest of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. SALMON). He is the chairman of the Subcommittee on Asia and the Pacific and the author of this important measure.

Mr. SALMON. Mr. Speaker, I thank Chairman ED ROYCE for bringing this important measure to the floor today and for being a constant champion of the people of Taiwan.

I was able to go on a trip with the chairman to Taiwan, and I think that he is as close to royalty in Taiwan as anybody that I have ever met. They love ED ROYCE. In fact, the guy that used to be called "Mr. Taiwan" was the former Senator from Arizona, Barry Goldwater, but I think ED ROYCE has maybe taken that title away.

I am just honored to be able to be here supporting this bill that he has allowed to come to the floor. I have been a long-time supporter of Taiwan, as have Members throughout this body on both sides of the aisle.

Let me just segue for a minute.

A lot of people out there get really, really frustrated by the partisan nature of what they see happening here in the Nation's Capital. A lot of people

are frustrated: Why can't both sides just agree? I mean, after all, aren't we all Americans?

The interesting thing is I wish more Americans could come and see our committee, the Foreign Affairs Committee, in action because it is the epitome of bipartisanship. Besides the fact that Chairman ED ROYCE leads the committee and demands that we exhibit bipartisanship, Ranking Member ELIOT ENGEL is one of the best men I have ever met in my life. And I mean that from the bottom of my heart.

Whether it is dealing with terrorism in the Middle East or fairness across the globe like this issue with Taiwan and common sense, he is always on the right side. He leads his delegation, his folks on that side of the aisle in something that we have long believed, but sometimes it kind of gets lost in the cacophony of arguments here on Capitol Hill on other things, but that is that partisanship ends at the water's edge.

My hat is off to you, Mr. ENGEL, because you have always exhibited that, and I appreciate the way that you have led this body in that way.

Taiwan is a wonderful, thriving democracy. In fact, I had an opportunity as a young man to live there for 2 years, from 1977 to 1979, while serving a mission for my church. While I was there in 1978, the Nixon administration normalized relations with China, recognizing the Government of the People's Republic of China as the sole, legal government of China and declaring it would withdraw diplomatic recognition from Taiwan. The U.S. Government has since articulated a one-China policy, which was a dark turn for U.S.-Taiwan relations. Since then, we have seen a Taiwan that is marginalized in the international community.

Taiwan's ambiguous sovereignty status has contributed to its exclusion from many, many international organizations, despite Taiwan's obvious willingness to play a larger role in international affairs and international security, as it should. From humanitarian assistance and disaster relief to law enforcement and global health, so often it has been denied the right to share its knowledge and its expertise in the international fora.

This bill, H.R. 1853, would improve Taiwan's capability to contribute and benefit from the international community in the interest of international security. H.R. 1853 would direct the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, or INTERPOL. It would also require the President to report to Congress on efforts to encourage Taiwan's inclusion in INTERPOL.

Since the early 20th century, INTERPOL has facilitated mutual assistance between criminal police authorities worldwide through the shar-

ing of information, such as access to comprehensive lists of suspicious persons and criminals.

As we all know and, I think, as every American knows, terrorism and other nontraditional security challenges no longer end at our borders or anybody's borders. These threats are global by nature.

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In order to secure domestic and international security, the sharing of information across borders is vital. Taiwan's exclusion from INTERPOL hampers efforts to prevent and respond to threats.

To ensure that potential terrorists are barred from entering Taiwan, it is essential that Taiwan have direct access to INTERPOL and its I-24/7 system, which provides real-time information on criminals and global criminal activities.

Without this access, Taiwan is forced to cobble together its own list based on incomplete and untimely information obtained from a small number of friendly countries to Taiwan and Taiwan's own domestic intelligence.

Equally important, Taiwan is unable to share the information that it gathers on criminals and suspicious persons with INTERPOL directly. Mr. ENGEL called this policy silly. I think that that is very, very appropriate and accurate. This puts everybody at risk, when we have a policy that plays politics instead of common sense.

Cooperation between Taiwan and INTERPOL could be markedly enhanced if Taiwan is able to become an observer. H.R. 1853, with 114 bipartisan cosponsors, continues to carry the torch of congressional support for Taiwan's membership and inclusion in the international community.

Taiwan is a vibrant, democratic society, with much to contribute to the international community. The United States must do more to fulfill our obligations under the Taiwan Relations Act, which provides that the U.S. treat Taiwan the same as foreign countries, nations, states, government, or similar entities.

This is a vote for U.S. support of Taiwan's inclusion in international affairs. This is a vote for international security. I urge my colleagues to vote to support Taiwan's participation in international policing efforts by supporting this legislation, H.R. 1853.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

We are all saying the same thing, and I think it really shows how important this legislation is. I want to mention the gentleman from Arizona, as I mentioned before. He was very kind about some of the things he said about me.

You need to go on a trip to China or Taiwan with the gentleman from Arizona because he is very modest, but he speaks fluent Mandarin. He has great

diplomatic skills, and the people there really appreciate what he has done. I appreciate him being the author of this important piece of legislation.

It is true, when we talk about bipartisanship in foreign affairs, it is probably more important than in any other place. I have gone on a number of trips and we have had delegations of Republicans and Democrats together, and always, as Americans, the differences that we might have are very, very tiny.

When you travel together and you go to another country, we realize how important it is that, as Americans, we stand united and that other countries respect our country for what our country has done and is doing. That is really important.

I want to thank the gentleman from Arizona, my friend. He has been a vital force for this legislation, H.R. 1853, but he has also been a vital force on so many other issues on the Committee on Foreign Affairs and global issues that are really just so important.

When we talk about global issues and talk about policy that we need to do, there really are no Democrats and no Republicans. We are all Americans. We want to make sure that other countries respect what we try to do.

We believe in what this country stands for, and we want to have good relations with countries around the world. I think it is so important when Members travel there and meet with dignitaries and meet with leaders of the country and meet with other parliamentarians that people understand what the United States of America is all about.

I want to thank the gentleman from Arizona for his leadership.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill, as a strong original cosponsor. I want to thank Mr. ENGEL, and I want to thank Mr. SALMON and Mr. BRAD SHERMAN for this legislation.

Taiwan is a nation of 23 million people. It is a booming democracy, with a free and open media. It is a loyal friend. It is a loyal partner to the United States.

Taiwan is engaged in important missions worldwide. We see the results of a lot of that engagement. Ebola is one most recently on our mind. When Ebola hit West Africa, it was Taiwan that donated 100,000 sets of protective equipment that were used to stop the spread of Ebola. It was Taiwan that gave so much in financial resources to help the sickest in Liberia.

Taiwan today is assisting those who have been forced out of their homes by terrorists, whether it is in Syria or Iraq; yet, despite its active and constructive role internationally, Taiwan is excluded from many international organizations because of its political status.

While Taiwan voluntarily adheres to the rules and the regulations of international organizations like the U.N., it is barred from participating. It is barred from being included in U.N. treaties against transnational organized crime and nuclear proliferation. This is not good for Taiwan, and it is not good for us.

To better protect its citizens and all the people around the world who travel there, Taiwan is seeking observer status in the International Criminal Police Organization, which many know as INTERPOL.

This organization enables police from 190 member countries to work together to make the world a safer place through information sharing, capacity building, and response coordination between police departments. That is 190 countries, but Taiwan is not included.

The legislation before us today will help to secure observer status for Taiwan at INTERPOL. The measure requires the President of the United States to develop and execute a strategy to ensure that Taiwan participates in INTERPOL's next General Assembly meeting, which is coming up in Indonesia. This will bring better international law enforcement cooperation with one of our most important partners: Taiwan.

Mr. Speaker, by way of history, Taiwan had full membership in INTERPOL starting back in 1964, but Taiwan was ejected from the law enforcement group in 1984, when the People's Republic of China applied for membership.

Since then, Taiwan has relied on delayed secondhand information that they get from the United States about international criminals and global criminal activities, and that, frankly, makes Taiwan more vulnerable to security threats.

Likewise, Taiwan cannot share the law enforcement information it gathers to the benefit, frankly, of INTERPOL and the rest of the community and all of the members of INTERPOL, all the police organizations that try to rely on that. And, of course, we are part of that. We could utilize that benefit.

Mr. Speaker, the fact that Taiwan must rely on a convoluted process, with an added layer of bureaucracy, to access this critical information makes no sense. Taiwan regularly hosts the type of megaevents which often, unfortunately, attract terrorist activity, or they could.

For example, in 2009 Taiwan hosted the World Games and had to rely solely on the United States to vet athletes and media lists, and with the U.S.' help, several suspicious persons were, in fact, identified. They were denied entry into Taiwan.

In 2017 Taiwan will host the Summer Universiade, a student sporting event in which 900 athletes from 170 countries are expected to attend. This event is second only to the Olympics in the

number of participants and countries that are represented.

There must be a more streamlined way for Taiwan to access information from INTERPOL. As the number of visitors from Taiwan to the United States has grown exponentially, there is an urgent need to ensure that Taiwan's police forces have real-time access to information on criminal activities and on threats.

Taiwan entered into the U.S. Visa Waiver Program in 2012. Since then, the number of Taiwanese visitors to the United States has increased by nearly 42 percent. From my home State of California, the increase in visitors from Taiwan has been a boon to the economy.

I am proud to have worked on Taiwan's entry into the Visa Waiver Program because I know that, as a result of this agreement, Taiwanese Americans in southern California have a much easier time staying connected to their families, and business travelers are having an easier time, too.

That is why I am also supporting Taiwan's participation in Customs and Border Protection's Global Entry program, which will make two-way travel even easier.

Mr. Speaker, strengthening Taiwan's law enforcement capabilities benefits American citizens as much as it does the Taiwanese. Every year tens of thousands of Americans travel to Taiwan, and this bill will certainly help Taiwan's police forces protect American citizens traveling in Taiwan.

INTERPOL's constitution allows for observers at its meetings by police bodies which are not members of the organization. And so I am confident Taiwan will be able to be an observer.

H.R. 1853 will support Taiwan's efforts to gain observer status with INTERPOL. It is going to improve everybody's security. Mr. Speaker, we must constantly be pressing to ensure that security across the globe is protected.

Taiwan's unique political status has thus far hindered its inclusion in INTERPOL and is a vulnerable loophole for criminals and, frankly, for terrorists to target. With this piece of legislation, we are sending a clear message that safety is a priority.

I want to again commend Representative MATT SALMON of Arizona, chairman of the Subcommittee on Asia and the Pacific, and, of course, Mr. ENGEL and Mr. SHERMAN for authoring and introducing this important measure. I appreciated working with them on it.

I will just say this of Mr. SALMON as well. He has a longstanding interest in Taiwan. His leadership on this measure is very much appreciated by all of us.

Mr. Speaker, I yield back the balance of my time.

Mr. ENGEL. Mr. Speaker, I am prepared to close on my side. I yield myself such time as I may consume.

As I have said, we need to use every tool available to combat terrorism and disrupt criminal networks around the world. It only makes sense to have more partners at the table in that effort.

So bringing Taiwan back into INTERPOL as an observer just makes common sense. The more participants in INTERPOL, the more good the organization can do. We should do all we can to bring willing contributors off the sidelines.

Again, Taiwan was a member and was thrown out when everyone recognized People's Republic of China. There is room for both. There should be both.

I again want to commend my friend, Mr. SALMON, who is largely responsible for this, and our chairman, Mr. ROYCE, who I think has more people from Taiwan in his district than virtually any other district in the country. So he knows quite a bit about Taiwan and quite a bit about what should be done.

It is something that we are all saying the same thing. It makes sense for Taiwan. It makes sense for the United States. It makes sense for INTERPOL. I encourage my colleagues to support this measure.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I stand in strong support of H.R. 1853, directing the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization (INTERPOL).

As the Ranking Member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, the empowerment of law enforcement in order that they be able to carry out their mandate in upholding the rule of law and preservation of peace and security are imperatives I believe we must continue to seek to facilitate.

Our world today is fraught with global terrorism, with groups utilizing information sharing and technologies to advance their vitriolic causes.

This is why organizing, inclusion and empowerment of nations willing to work together to combat domestic and global terrorism is in our global and national security interest.

This measure facilitates the United States' and the global community's ability to move swiftly to empower police and law enforcement in our collective efforts of coordinating, preempting and acting swiftly in unison in combatting terrorism, crisis prevention and response.

I join this bipartisan measure which seeks to facilitate INTERPOL member states' efforts to promote Taiwan's ability to bid to obtain observer status in the INTERPOL.

Indeed, since 1964, Taiwan had maintained full membership, but was ejected 20 years later when the People's Republic of China (PRC) applied for membership.

Part of what the United States Administration can do is to take the lead in endorsing Taiwan in obtaining its observer status.

The United States has expressed its affirmative intentions in support of Taiwan's participation in appropriate international organiza-

tions, as delineated in the 1994 Taiwan Policy Review.

For instance, Public Law 108–235 authorized the Secretary of State to initiate and implement a plan to endorse and obtain observer status at the annual World Health Assembly for six consecutive years, owing to Taiwan's significant contribution to the global community's efforts of addressing pandemic control and global public health issues of our day.

Indeed, the INTERPOL's constitution allows observer status at meetings by police entities who are not members of the Organization.

The current status of non-membership status precludes Taiwan from gaining access to INTERPOL's I–24/7 global communications systems, an important real time information sharing infrastructure on domestic and global criminals.

The current state of affairs relegates Taiwan to hearsay or second hand information from friendly nations such as the United States.

This impedes Taiwan's ability to move swiftly in information acquisition as it relates to its domestic and global crime fighting efforts.

As a senior member of the Committee on Homeland Security, global and national security is very important to me.

This measure seeks to protect our security interests in Taiwan as well as the global security of the world.

Taiwan's inaccessibility to critical information readily made available to its law enforcement forces places our entire world at risk.

This measure seeks to facilitate Taiwan's direct and unobstructed participation in the International Criminal Police which promotes global security.

I support and urge the support of this measure because it is beneficial for all nations and their police authorities to be able to share information with authorized police authorities in their law enforcement and peacekeeping efforts in combatting local and global crimes, including the contemporary crime of terrorism.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 1853.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

GLOBAL ANTI-POACHING ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2494) to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2494

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Global Anti-Poaching Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Poaching and the illicit trade in endangered and threatened wildlife are among the most lucrative criminal activities worldwide, worth an estimated \$7 to \$10 billion annually.

(2) Poaching and wildlife trafficking have escalated in scale, sophistication and violence, risking the potential extinction of some of the world's most iconic species.

(3) Wildlife poaching and trafficking threaten elephants, rhinoceros, and tigers greatly, but also have devastating impact on a number of other species, including sharks, great apes, and turtles.

(4) The high demand for rare wildlife products has driven prices to historically high levels.

(5) Much of the demand for wildlife products comes from Asia and is fueled by the perceived medicinal value and social status associated with these products.

(6) Reporting indicates that a number of rebel groups and terrorist organizations, including Sudan's Janjaweed militia, the Lord's Resistance Army, the Seleka rebel movement in the Central African Republic, and Somalia's al-Shabaab, either participate in or draw funding from illicit wildlife trafficking networks.

(7) Analyses suggest the high demand for illegal wildlife products, combined with weak law enforcement and security measures and corruption and governance failures, has led to the increased involvement of transnational organized crime in wildlife trafficking.

(8) The United Nations Security Council has authorized multilateral sanctions against individuals and entities supporting armed groups through the illicit trade in wildlife, in addition to other natural resources, in the Democratic Republic of Congo and the Central African Republic.

(9) A National Intelligence Council analysis of wildlife poaching threats found that certain African government officials facilitated the movement of wildlife products, and that these governments' ability to reduce poaching and trafficking was hindered by corruption and weak rule of law.

(10) On November 13, 2013, the Secretary of State announced the first reward under the Transnational Organized Crime Rewards Program for information leading to the dismantling of the Xaysavang Network, a large wildlife trafficking syndicate that is based in Laos and spans Africa and Asia.

SEC. 3. EXPANSION OF WILDLIFE ENFORCEMENT NETWORKS.

(a) FINDINGS.—Congress finds the following:

(1) Wildlife enforcement networks are government-led, regionally-focused mechanisms that increase capacity and coordination efforts between law enforcement, environmental agencies, and other entities focused on countering wildlife trafficking of member countries.

(2) Currently there are active wildlife enforcement networks in Southeast Asia, South Asia, and Central America. The more mature wildlife enforcement networks, such as the Southeast Asia wildlife enforcement

network, have proven effective in dismantling transnational wildlife trafficking networks and bringing to justice those individuals involved in the illegal trade of endangered and threatened species.

(3) Efforts are underway to establish additional wildlife enforcement networks in Central Africa, the Horn of Africa, South America, and Central and West Asia, among other regions.

(b) **STATEMENT OF POLICY.**—The Secretary of State, the Administrator of the United States Agency for International Development, the Director of the United States Fish and Wildlife Service, and heads of other appropriate agencies should, in an effort to address regional threats to biodiversity and conservation, support strengthening existing wildlife enforcement networks and the establishment of new networks in other appropriate regions.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that in the process of strengthening and expanding wildlife enforcement networks, the appropriate agencies should—

(1) assess the existing capacity of wildlife enforcement network member countries to gather baseline data that may be used for developing program activities for the wildlife enforcement network;

(2) establish a central secretariat within each wildlife enforcement network that will coordinate the operational mechanisms of each such network;

(3) establish a focal mechanism in each member country of a wildlife enforcement network, that includes representatives from environmental and wildlife protection agencies, law enforcement agencies, financial intelligence units, customs and border protection agencies, and the judiciary system, that will serve as a conduit to the larger wildlife enforcement network and the central secretariat;

(4) strengthen cooperation and the capacity of law enforcement agencies of the wildlife enforcement network;

(5) facilitate the sharing of intelligence and relevant case information within the agencies of a wildlife enforcement network;

(6) support the cooperation and coordination between different regional wildlife enforcement networks;

(7) incorporate and utilize expertise from international bodies and civil society organizations that have appropriate subject matter expertise;

(8) eventually create an institutionalized, sustainable, and self-sufficient platform; and

(9) recognize that lawful, well regulated hunting can contribute to sustainability and economic development, and that enforcement policies should not discourage or impede this activity.

SEC. 4. SUPPORTING THE PROFESSIONALIZATION OF THE WILDLIFE LAW ENFORCEMENT SECTOR.

The Secretary of State, the Administrator of the United States Agency for International Development, the Director of the United States Fish and Wildlife Service, and heads of other appropriate agencies, including the National Park Service and the United States Forest Service, should, in an effort to address local and regional threats to biodiversity and conservation and support the rule of law and good governance, promote the professionalization of the wildlife law enforcement sector and professional ranger training in partner countries through support and technical assistance for the following:

(1) The creation and adoption of standards for professional ranger training and qualifi-

cations, including in relevant international fora and multilateral agreements.

(2) Training and accreditation systems based on the standards described in paragraph (1) that produce professionally trained and qualified rangers and promote the overall professionalization of ranger forces, whether through existing United States institutions, such as International Law Enforcement Academies, or through partnerships with national or regional training institutions.

(3) Legal reforms, where necessary, to provide rangers with authority to detain and arrest suspects, process crime scenes, present evidence in court, and defend themselves in life threatening situations.

(4) The development and institutionalization of reward and promotion systems for rangers based on performance and set competencies.

(5) The development and institutionalization of national systems to provide insurance to rangers and their families and compensation for those rangers killed in the line of duty.

(6) Cooperation and coordination between local law enforcement tasked with wildlife or park protection and local defense forces, where appropriate, including training opportunities, logistical support, or provision of equipment.

SEC. 5. DESIGNATION OF MAJOR WILDLIFE TRAFFICKING COUNTRIES AND AUTHORITY TO WITHHOLD CERTAIN ASSISTANCE.

(a) **REPORT.**—Not later than September 15 of each year, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall submit to Congress a report that lists each foreign country determined to be a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products or their derivatives.

(b) **SPECIAL DESIGNATION.**—In each report required under subsection (a), the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall—

(1) designate each country listed in the report that has failed demonstrably, during the previous 12-month period, to make substantial efforts to adhere to its obligations under international agreements relating to endangered or threatened species; and

(2) include a short justification for each determination made under paragraph (1).

(c) **WITHHOLDING OF ASSISTANCE.**—The Secretary of State may withhold assistance described in subsection (d) with respect to each foreign country that is specially designated under subsection (b).

(d) **ASSISTANCE DESCRIBED.**—The assistance described in this subsection are sections 516, 524, and 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2344, or 2347), chapter 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2348 et seq.), and section 23 of the Arms Export Control Act (22 U.S.C. 2763).

(e) **NOTIFICATION.**—The Secretary of State shall notify—

(1) the government of each foreign country that is listed in the report required under subsection (a) that the country has been so listed; and

(2) the government of each foreign country that is specially designated under subsection (b) and is subject to the withholding of assistance described in subsection (c).

(f) **REPORTING COST OFFSET.**—Section 8 of Public Law 107-245 (50 U.S.C. 1701 note) is repealed.

(g) **SUNSET.**—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 6. SENSE OF CONGRESS REGARDING SECURITY ASSISTANCE TO COUNTER WILDLIFE TRAFFICKING AND POACHING IN AFRICA.

It is the sense of Congress that the United States should continue to provide defense articles (not including significant military equipment), defense services, and related training to appropriate security forces of countries of Africa for the purposes of countering wildlife trafficking and poaching.

SEC. 7. UPDATES TO THE FISHERMEN'S PROTECTIVE ACT OF 1967.

Section 8 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, in consultation with the Secretary of State,” after “Secretary of Commerce”;

(B) in paragraph (2), by inserting “, in consultation with the Secretary of State,” before “finds”;

(C) in paragraph (3), by inserting “in consultation with the Secretary of State,” after “, as appropriate,”;

(D) by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following:

“(4) The Secretary of Commerce and the Secretary of the Interior shall each report to the Congress each certification to the President made by such Secretary under this subsection, within 15 days after making such certification.”; and

(2) in subsection (d), by inserting “in consultation with the Secretary of State,” after “as the case may be.”

SEC. 8. WILDLIFE TRAFFICKING VIOLATIONS AS PREDICATE OFFENSES UNDER RACKETEERING AND MONEY LAUNDERING STATUTES.

(a) **TRAVEL ACT.**—Section 1952 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “or (3)” and inserting “(3)”; and

(B) by striking “of this title and (ii)” and inserting the following: “of this title, or (4) any act that is a criminal violation of section 9(a)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)(1)), section 2203 of the African Elephant Conservation Act (16 U.S.C. 4223), or section 7(a) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5305a(a)), if the endangered or threatened species, products, items, or substances involved in the violation and relevant conduct, as applicable, have a total value of more than \$10,000 and (ii)”; and

(2) by adding at the end the following:

“(f) **USE OF AMOUNTS FROM FINES, FORFEITURES, AND RESTITUTION RELATING TO WILDLIFE TRAFFICKING VIOLATIONS.**—Any amounts received by the United States as fines, forfeitures of property or assets, or restitution to the Government for any violation under this section that involves an unlawful activity described in subsection (b)(1)(4) shall be transferred by the Secretary of the Treasury, to the extent practicable, to the Multi-national Species Conservation Fund and used as provided in advance in appropriations Acts for the benefit of the species impacted by the applicable violation.”

(b) **MONEY LAUNDERING.**—Section 1956 of title 18, United States Code, is amended—

(1) in subsection (c)(7)—

(A) in subparagraph (E), by striking “or” at the end;

(B) in subparagraph (F), by adding “or” at the end; and

(C) by adding at the end the following:

“(G) any act or acts constituting a criminal violation of section 9(a)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)(1)), section 2203 of the African Elephant Conservation Act (16 U.S.C. 4223), or section 7(a) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5305a(a)), if the endangered or threatened species, products, items, or substances involved in the violation and relevant conduct, as applicable, have a total value of more than \$10,000;” and

(2) by adding at the end the following:

“(j) **USE OF AMOUNTS FROM CIVIL PENALTIES, FINES, FORFEITURES, AND RESTITUTION RELATING TO WILDLIFE TRAFFICKING VIOLATIONS.**—Any amounts received by the United States as fines, forfeitures of property or assets, or restitution to the Government for any violation under this section that involves an unlawful activity described in subsection (c)(7)(G) shall be transferred by the Secretary of the Treasury, to the extent practicable, to the Multinational Species Conservation Fund and used as provided in advance in appropriations Acts for the benefit of the species impacted by the applicable violation.”

(c) **RICO.**—Chapter 96 of title 18, United States Code, is amended—

(1) in section 1961(1)—

(A) by striking “or (G)” and inserting “(G)”; and

(B) by inserting before the semicolon at the end the following: “, or (H) any act constituting a criminal violation of section 9(a)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)(1)), section 2203 of the African Elephant Conservation Act (16 U.S.C. 4223), or section 7(a) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5305a(a)), if the endangered or threatened species, products, items, or substances involved in the violation and relevant conduct, as applicable, have a total value of more than \$10,000;” and

(2) in section 1963, by adding at the end the following:

“(n) **USE OF AMOUNTS FROM FINES, FORFEITURES, AND RESTITUTION RELATING TO WILDLIFE TRAFFICKING VIOLATIONS.**—Any amounts received by the United States as fines, forfeitures of property or assets, or restitution to the Government for any violation under section 1962 that is based on racketeering activity described in section 1961(1)(H) shall be transferred by the Secretary of the Treasury, to the extent practicable, to the Multinational Species Conservation Fund and used as provided in advance in appropriations Acts for the benefit of the species impacted by the applicable violation.”

(d) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) **USE OF AMOUNTS FROM FINES.**—Section 1402(b)(1)(A) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(b)(1)(A)) is amended—

(A) in clause (i), by striking “and” at the end; and

(B) by adding at the end the following:

“(iii) sections 1952(f), 1956(j), and 1963(n) of title 18, United States Code; and”.

(2) **USE OF AMOUNTS FROM FORFEITURES.**—Section 524(c)(4)(A) of title 28, United States Code, is amended by inserting before “or the Postmaster General” the following: “or section 1952(f), 1956(j), or 1963(n) of title 18.”

SEC. 9. OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS.

It is the sense of Congress that the Secretary of State should dedicate sufficient program resources to—

(1) conduct monitoring and evaluation, with a special emphasis where feasible on

impact evaluations, of wildlife trafficking programs consistent with the Department of State’s January 2015 Evaluation Policy;

(2) publish program information on wildlife trafficking programs on the Department of State’s Internet website, “ForeignAssistance.gov” in a digital format consistent with the United States commitment to the International Aid Transparency Initiative (IATI); and

(3) develop and implement a learning agenda to improve the performance and impact of wildlife trafficking programs and to share best practices among relevant executive branch agencies.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

□ 1745

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative to revise and extend their remarks and to include extraneous material.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I include in the **RECORD** an exchange of letters between myself and the chairmen of the Natural Resources and Judiciary Committees.

Mr. Speaker, the very disturbing reality is that some of the world’s most majestic animals have become “blood currency” for terrorist organizations and rebel groups. Some of the same radical organizations that carry out terror for political purposes get their resources by the sale of rhino horns and ivory through the slaughter of these animals in order to fund their terrorist operations. Poachers are taking advantage of under-equipped and undermanned park rangers. As we watch this play out across the sub-Saharan continent, they are decimating elephant and rhino populations and trading their tusks.

In the 1980s, over 1 million African elephants roamed the continent’s forests and savannahs. That is not that long ago. Today, there are less than 500,000 left. With this explosion in poaching, at these current rates, in about two decades, they will vanish. The rhino would vanish.

In South Africa, home of the one of the largest rhino populations, poachers killed an average of 14 rhinos per year in the 1990s and 2000s. Last year, they killed 1,200—the top year on record.

This is bigger than security. This, frankly, is a security issue for the entire planet. As we watch what is developing with these organizations, wildlife trafficking is now the most lucrative criminal activity—certainly, one of the most lucrative—around the world. I

saw an estimate that poaching in Africa is worth \$10 billion in annual income for these radical organizations.

The Foreign Affairs Committee has held several hearings and briefings in which we learned how nefarious groups like al Shabaab, the Janjaweed, and Joseph Kony’s Lord’s Resistance Army benefit from trafficking in wildlife and trading the ivory for guns. An average-size tusk is worth 25 cases of fresh ammunition in central Africa. Twenty-five cases will enable rebel groups to continue to rampage and terrorize civilian populations.

The U.S. has invested a great deal of resources in trying to bring stability to the countries where these armed groups operate: Somalia, Sudan, and the Congo. All of that effort and investment are undermined when these terrorist organizations and rebel groups find these new financial lifelines. We remember the situation with blood diamonds. Well, for the last decade and a half, it has been ivory and rhino horns.

Mr. Speaker, to address this crisis, the Global Anti-Poaching Act tackles wildlife trafficking in several ways. This legislation designates those countries that are ignoring wildlife trafficking and allows the Secretary of State to withhold security assistance from the worst offenders.

In some wildlife trafficking cases, foreign governments have been found complicit. A “naming and shaming” of these countries is the minimum we can do if we are to contend with the poaching explosion. We know from some of our antitrafficking legislation how much pressure this does, in fact, put on foreign governments. Countries in Asia that are driving the demand for wildlife products also come under the spotlight in this bill.

In the same tactic of naming and shaming that this legislation establishes, it has been used, as I mentioned, not just with traffickers, but also in drug trafficking cases. It is a way to force other countries to become part of the solution, rather than part of the problem.

To make this big business riskier for those who are involved in it, the legislation makes wildlife trafficking an offense under racketeering and money laundering statutes, going after the international networks that are taking profits out of this. It is the terrorist organizations on the ground doing the work, but it is the international criminal syndicates that then move the ivory around the world. We also have to stop that demand for the ivory.

The legislation directs that any seized assets from these new penalties go toward the conservation of the very species that were trafficked. So when moneys are obtained from those involved in the pipeline, it can be employed for that purpose.

Mr. Speaker, tackling poaching can protect exotic wildlife, increase security, and help Africa's development. One of the fastest growing sectors in Africa is ecotourism. In 2014, the industry contributed \$70 billion to the African economy and directly employed 8 million people.

These majestic animals drive tourism in Africa. They drive sustainable development there. But if we don't bring the slaughter to an end, there might not be any of these animals to see in a few years.

The park rangers on the front lines trying to stop the slaughter at the hands of poachers are outmaneuvered and outgunned. This bipartisan legislation will help even out the fight by pressuring the administration to provide vital security assistance, including vehicles as well as intelligence and surveillance tools, to these park rangers.

We know the security and economic consequences if today's poaching rates go on unchecked: terrorist and rebels fund their dangerous activities, and the African economy takes a major hit. The legislation before us today is a chance to change this course and to reverse this course back toward one of sustainable development; back toward one where, in the future, people from around the globe can go to Africa and see these magnificent animals and participate in building the economy through ecotourism in Africa.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY.
Washington, DC, October 15, 2015.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 2494, the "Global Anti-Poaching Act," which was referred to the Committee on Foreign Affairs and in addition to the Committee on the Judiciary. As a result of your having consulted with us on provisions in H.R. 2494 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2494 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 2494 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 2494.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, October 15, 2015.

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 2494, the Global Anti-Poaching Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on the Judiciary, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 2494 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, October 15, 2015.

Hon. EDWARD R. ROYCE,
Chairman, House Committee on Foreign Affairs,
Washington, DC.

DEAR MR. CHAIRMAN: I write regarding H.R. 2494, the Global Anti-Poaching Act. This bill contains provisions under the jurisdiction of the Committee on Natural Resources.

I recognize and appreciate your desire to bring this bill before the House of Representatives in an expeditious manner, and accordingly, I will agree that the Committee on Natural Resources be discharged from further consideration of the bill. I do so with the understanding that this action does not affect the jurisdiction of the Committee on Natural Resources, and that the Committee expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask that you support any such request.

Finally, I also ask that a copy of this letter and your response be included in the Congressional Record during consideration of H.R. 2494 on the House floor.

Thank you for your work on this bill and I look forward to its enactment.

Sincerely,

ROB BISHOP,
Chairman, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, October 15, 2015.

Hon. ROB BISHOP,
Chairman, House Committee on Natural Resources,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 2494, the Global Anti-Poaching Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Natural Resources, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an

appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 2494 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this measure.

I want to, first of all, thank my friend, the chairman of the Foreign Affairs Committee, ED ROYCE, for authoring the Global Anti-Poaching Act. I am very proud to be an original cosponsor. This bill, again, is a good example of our committee working across the aisle to get real results.

On average, one elephant is killed every 20 minutes. That is just a shocking statistic. So in the 40 minutes we have to debate this bill, two elephants will be killed. Last year, the toll was 20,000. It is just disgusting.

And make no mistake, these animals aren't being killed for sport. No matter how you feel about big game hunting, the real reason elephants and other iconic animals are being wiped out is far more sinister, and it is why this issue deserves the attention of Congress and the administration. Those responsible for poaching are profiting from their crimes by selling ivory or rhinoceros horns or cheetah pelts.

Where do these profits go? These profits go to buy weapons for violent, armed militias, to bribe government officials and law enforcement, and to fuel criminal networks. In short, poaching pumps resources into groups that threaten security and stability, groups that want to do harm to innocent people and want to do harm to the United States of America. That is why Chairman ROYCE and I view wildlife trafficking as a security issue, and that is why we introduced the Global Anti-Poaching Act.

Our bill would bring wildlife trafficking under money laundering and racketeering statutes that are already part of our law. It would support the professionalization of wildlife law enforcement units on the ground and allow us to provide them nonlethal assistance. It would strengthen regional Wildlife Enforcement Networks designed to combat poaching, and it would name and shame governments that aren't taking this problem seriously.

Mr. Speaker, I would also like to highlight the excellent work of the Wildlife Conservation Society from my hometown, Bronx, New York. The Wildlife Conservation Society runs the Bronx Zoo and many other cultural institutions in New York City. They have

been actively fighting poaching and trafficking for many years. They have been on the forefront of the American fight against poaching and trafficking. It is a pleasure to work with them on this and so many other issues.

I, of course, have longstanding ties with one of their leaders, John Calvelli, who used to be my chief of staff in Washington—he ran my Washington office—so I know how dedicated this group is.

We need to crack down on wildlife trafficking, both to deny resources to dangerous organizations and to protect some of the world's most iconic creatures.

People may feel: Well, if I just buy a little ivory doll or I buy something made out of ivory, how can that hurt? After all, it is there.

It may be cute. It may be trendy. What is wrong with it? I will tell you what is wrong with it. It funnels and aids and abets terrorism, because these groups that sell the tusks and sell the ivory are, by and large, groups that get the money back and use it to force terror.

People who are buying these things are not buying some innocent things; they are buying things that help terrorist organizations. Just like we have the fight with the artifacts that are coming in from Syria that ISIS takes and loots and then sells abroad to help finance their terrorist activities, the same thing is true for ivory and the same reasons are being used: It is being done to funnel this money towards helping sinister groups, many of whom are terrorist organizations.

So I urge my colleagues to support this bill. This is a very important bill. I thank my friend and partner, Chairman ROYCE.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I just want to recognize Mr. ENGEL's commitment to conservation on this planet and to his work on this legislation as well.

I yield 4 minutes to the gentleman from Texas (Mr. POE), chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade. He is an original cosponsor of this bill.

Mr. POE of Texas. I thank the chairman for yielding. I also thank the chairman and ranking member for their work on this very important piece of legislation.

Mr. Speaker, around the world, big game like elephant and rhinos are getting slaughtered. Ivory-seeking poachers have killed 100,000 elephants in 3 years. The black rhino population has dropped 95 percent since the early 20th century. In 2007, there were 12 rhinos killed in South Africa; but in 2013 and 2014, over 1,000 were killed each year.

Regarding elephants, this is a photograph of one of the oldest elephants in existence. Satao was his name. He was in his forties. He was killed for his tusks. They were so long, they dug on the ground.

That is what is happening to the elephant population in Africa. They are killed not for their meat; they are killed for their tusks.

Most of the people doing the poaching are really not the locals who poach for an animal to eat. That is not most of the poaching, although that does occur.

Most of those doing the poaching are transnational criminal organizations. The criminal groups come from places like China and Vietnam. China is the number one destination for elephant tusks. Vietnam is the number one world destination for rhino horns.

Criminal cartels that are involved in this trafficking don't just traffic wildlife. They traffic drugs, weapons, and people. It is all the same group of criminals that are trafficking. They traffic anything for money.

The wildlife trafficking trade has exploded in recent years because the criminals understand that profits they get from trafficking wildlife are bigger than what they get for trafficking drugs.

□ 1800

Also, the chances of getting caught are less and, if caught, the punishment is less. So that is why wildlife trafficking is on the increase.

A rhino horn is now worth about \$27,000 per pound. That is twice the value of gold and platinum and more than cocaine and diamonds.

It should come as no surprise that terrorist groups are involved in this as well. I held a hearing in my subcommittee in February on the connection between wildlife trafficking and terrorist groups. The witnesses testified that terrorists are one of several groups involved in wildlife trafficking. And, of course, they do it all for the money. They use the money, as Mr. ENGEL said, to buy bullets and guns to cause terror in Africa and other places in the world.

Just over the weekend, al Qaeda's Somali affiliate, Al-Shabaab, released photographs of its fighters hunting and killing a giraffe. Here is a photograph of that giraffe that was killed in Africa. It is a recruiting poster for jihad.

Al-Shabaab put this on its recruiting poster. This recent video says: Terrorism is in my nation, and we do it for tourism. Therefore, come and help us in jihad. That is a recruiting poster, the killing of wildlife in Africa.

Killing of elephants is a main revenue source for the Lord's Resistance Army, led by the infamous Joseph Kony.

By going after wildlife traffickers, we are going after transnational criminal organizations and terrorists.

But we also must call out, as this legislation does, corrupt government officials that give a wink and a nod for allowing the poaching, in their countries, of rhinos, elephants, and others.

This isn't just a wildlife problem. It is a national security problem. This bill will give our law enforcement the authority it needs to be able to go after criminals and terrorists and help foreign governments save rhinos and elephants from extinction.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ROYCE. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. POE of Texas. Mr. Speaker, if we don't stop wildlife trafficking of rhinos, elephants, and other animals by terrorist groups, for organized criminal activities, the only places our kids and grandkids are going to see rhinos and elephants are at the zoo or in a Disney cartoon.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Again, let me thank Chairman ROYCE for his leadership on this issue, the gentleman from Texas (Mr. POE), and all of the people that have worked so hard on this.

We need to be creative in the way we go after financing for violent groups. If nothing is done, I believe the statistic is that, in 11 years, elephants will be extinct in the wild. Isn't that a tragedy? Who would have thought? So we need to be creative in the way we go after the financing for violent groups.

Mr. POE pointed out some very, very important things about terrorism and criminal activities. So, again, I want to say that, when people buy these things, it is not innocent. They are aiding terrorism, and they are aiding criminality.

We need to use every tool at our disposal, so this legislation does that by going after a critical source of funding for criminals and terrorists. At the same time, it will help to preserve some of the world's most imperiled animals.

Again, I urge all my colleagues to support this measure. I thank Chairman ROYCE for his hard work on this and so many other things. This is something that everyone needs to support.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, part of the tragedy of this can be seen in what happened in Garissa National Park in Africa. The jihadists hit that park in order to take those tusks, in order to get that hard currency and trade those tusks for weapons and for bullets, and then used that weaponry to turn on Garissa University.

Now, remember, these are jihadists. The one thing that Al-Shabaab has in common with the Janjaweed and with these other jihadi organizations is a hatred—just as Boko Haram has this hatred—a hatred of those who study.

So what did they do? What did they do when they had their hands on those weapons? They then went to Garissa University and slaughtered 145 students after slaughtering the elephants in the parks.

There is a direct link when jihadi organizations, as Judge TED POE shared with you, carried out these attacks to recruit, to show that they have got the power to kill, that they have got the power to exterminate, to annihilate not just these animal species but human beings as well.

Mr. Speaker, time is not on our side. Each day of inaction means more animals poached, and the coffers of terrorist organizations and rebels grow full because the criminal syndicates that buy the ivory give them the weapons and give them the money. That has to come to an end.

Since the time we started this debate, as Mr. ENGEL pointed out, two elephants have already been poached, have been slaughtered, because one is killed every 15 minutes in Africa.

It is quite possible, as Mr. ENGEL said and as Mr. POE alluded, that our children could grow up in a world without rhinoceros, without elephants, and it is no exaggeration. Certainly the forest elephant is going to be wiped out; the black rhino is going to be wiped out.

Do we want to live in that kind of a world? Do we want to allow that to happen on our watch?

The Global Anti-Poaching Act combats today's unprecedented levels of poaching and wildlife trafficking by holding foreign governments accountable, by adding greater consequences for traffickers in this illicit trade, while also assisting those park rangers on the ground who, frankly, need our help, need the help of our intelligence services, need our satellites and other capabilities, and need a better way in which to defend themselves and those parklands across Africa.

Some years ago, myself and another Member of this body authored legislation to help set up these national parks across Africa, the Congo Basin Forest Partnership Act, which Clay Shaw and I authored.

But today these terrorist organizations are in the parklands themselves, slaughtering these species.

I would like to thank the Members that have been involved in putting this together and, also, some from the other committees that assisted us, like Chairman GOODLATTE of the Judiciary Committee and Chairman BISHOP of the Natural Resources Committee, for their constructive input and assistance in getting this legislation to the floor.

And, of course, I would like, in closing, to recognize, again, Ranking Member ENGEL and Representatives POE, SMITH, and BASS for their valuable contributions.

I urge all my colleagues to seize this opportunity and vote for H.R. 2494 and then help us bring a little pressure to bear to get this bill out of the Senate.

I yield back the balance of my time.

Mr. GRAYSON. Mr. Speaker, I rise today to reiterate a point I made during the Foreign Affairs Committee markup of the Global Anti-

Poaching Act, H.R. 2494, which is being considered on the House floor today.

At the markup in June, I offered a very specific amendment to this bill that would simply ensure that nothing in Section 6 of this Act shall be construed to authorize the use of the United States Armed Forces in combat activities. Since that time, I am happy to see that the Chairman has amended the text of this legislation to reflect my concerns.

I think it is important to state, once again, that this bill does not authorize the use of U.S. forces in combat activities as a result of fighting poaching. At markup the Chairman assured me that nothing in this bill could be construed to authorize such a combat activity, and the amended text of this bill does more to ensure that is the case.

We all know that poaching is a very serious problem and I believe this bill is a constructive step toward combating that evil. I applaud Chairman ROYCE for his work on this important legislation.

Ms. JACKSON LEE. Mr. Speaker, as a longstanding member of the Congressional Animal Rights Caucus and champion of wildlife preservation and protection of animals, I rise in support of H.R. 2494, the Global Anti-Poaching Act by Chairman of the Foreign Affairs Committee, Congressman ROYCE of California.

Earlier this year, in light of the brutal killing of Cecil the Lion, I introduced and sought the support of my colleagues as original co-sponsors of my legislation entitled, Cecil the Lion Endangered and Threatened Species Act of 2015.

H.R. 2494 embodies the purpose of my legislation by strengthening partner countries' capacity in countering wildlife trafficking and designating major wildlife countries for protection.

Mr. Speaker, my legislation on Cecil the Lion amends the Endangered Species Act of 1973 to prohibit the taking and transportation of any endangered or threatened species as a trophy into the United States.

This current legislation crystallizes our bipartisan collective efforts to address and tackle a yearly \$7 to \$10 billion illicit venture that seeks to destroy endangered and troubled wildlife.

Currently, the Endangered Species Act (ESA) does not protect the vast majority of wild animals killed and imported.

While the ESA allows for the importation of endangered and threatened species for scientific research, propagation or survival of the species, hunters are abusing this limited exception to murder and transport protected wildlife for sport.

As a result of this loophole, tens of thousands of wild animals are killed every year by trophy hunters and transported into the United States.

The conservation of endangered and threatened species is critically important to the sustainability of our biodiversity, ecosystem and the beauty of wildlife as we know it.

Terrorist organizations are not only proving to be a threat to global security but also a threat to our environment and natural wildlife, utilizing the funds from their illicit activity of wildlife poaching to fund their terroristic activities.

Vulnerable species are at the mercy of transnational terrorist groups whose actions

place these natural inhabitants of the earth in danger of extinction.

For example, the population of African elephants has decreased from 1.3 million to 400,000, with 22,000 poached in 2012.

Only 3,200 tigers remain in the wild, and these tigers remain in danger of being poached for their skins, bones and body parts.

H.R. 2494 works to enforce the United Nations Security Council multilateral sanctions against individuals and entities engaging in illicit trade of wildlife in support of armed groups like the Lord's Resistance Army, al-Shabaab and other terrorist organizations.

This legislation supports the efforts of the State Department under the Transnational Organized Crime Rewards Program to dismantle the wildlife trafficking syndicates in the global south from Africa to Asia.

This legislation supports the President's Executive Order 13648, geared at combatting wildlife trafficking, through the creation of a Presidential Task Force responsible for our national strategy to combat wildlife trafficking.

Indeed, the United States along with 40 countries from Africa, Asia, the Middle East and Latin America participated in the London Conference on the Illegal Wildlife Trade where we collectively committed to addressing the cultural, social, environmental and economic consequences of the illegal trade in wildlife.

Mr. Speaker, this bill seeks to protect endangered species, expand and professionalize wildlife enforcement networks through: assessment of the capacity of existing enforcement networks in member countries; establishment of a central secretariat to coordinate enforcement networks; facilitation of law enforcement and intelligence efforts and information sharing; utilization of the expertise of international bodies and civil society organizations to tackle the issue; and training of enforcement personnel, and the creation and institutionalization of a wildlife enforcement platform based on the rule of law.

Indeed, by making certain large-scale wildlife trafficking crimes predicate offenses for money laundering, racketeering, and smuggling, this bill elevates the seriousness of major wildlife trafficking offenses, putting wildlife crime on par legally with other forms of transnational organized crime.

Mr. Speaker, as ranking member on the House Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, this bill is a step in the right direction as it enforces existing laws, directs fines, forfeitures, and penalties, all imperative for wildlife conservation.

I strongly support H.R. 2494 because it supports on-the-ground efforts to protect species, including elephants, tigers, and rhinos from becoming victims of wildlife crime.

Ms. MCCOLLUM. Mr. Speaker, illegal poaching has hit a crisis point for many of the world's most iconic species. Nearly 100 elephants are being slaughtered each day by ivory poachers. The black market sale of rhino horn and trafficking in infant gorillas is driving these species to the brink of extinction. H.R. 2494, the Global Anti-Poaching Act, takes critical steps to strengthen the punishments for poaching and wildlife tracking.

The United States is a leader in the fight to protect endangered and threatened species

around the world, and this legislation continues that legacy. This bill will ensure that the full strength of the U.S. criminal justice system can be brought to bear against those who seek to kill, trade, or otherwise profit from the furs, pelts, skins, or other body parts of protected species. The profits from this illegal trade are often used to fund terrorist or criminal activities, making the tougher enforcements in this bill an issue of national security as well.

Additionally, this bill creates important partnerships with nations around the world to lend our country's expertise in countering wildlife trafficking to local law enforcement officials on the ground. By engaging partners across national boundaries, coordinating resources, and sharing intelligence, this legislation would make anti-poaching efforts around the world more efficient and more effective.

Poaching is a big business in the criminal world that threatens species across the globe. This legislation steps up America's efforts to ensure the protection of endangered species and crack down on this black market industry. I thank Mr. ROYCE, as the author of this bill and our founding co-chair on the International Conservation Caucus, for his leadership on this issue, and I urge my colleagues to support H.R. 2494.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 2494, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 30 minutes p.m.

PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the motion to suspend the rules previously postponed.

The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1853) to direct the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organi-

zation, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 392, nays 0, not voting 41, as follows:

[Roll No. 582]

YEAS—392

Abraham	Crenshaw	Heck (WA)
Adams	Crowley	Hensarling
Aderholt	Cuellar	Herrera Beutler
Aguilar	Culberson	Hice, Jody B.
Allen	Curbelo (FL)	Higgins
Amash	Davis (CA)	Hill
Amodei	Davis, Rodney	Himes
Ashford	DeFazio	Hinojosa
Babin	DeGette	Holding
Barletta	Delaney	Honda
Barr	DeLauro	Hoyer
Barton	DelBene	Hudson
Beatty	Denham	Huelskamp
Becerra	Dent	Huffman
Benishek	DeSantis	Huizenga (MI)
Bera	DeSaulnier	Hultgren
Beyer	DesJarlais	Hunter
Bilirakis	Deutch	Hurd (TX)
Bishop (GA)	Diaz-Balart	Issa
Bishop (MI)	Dingell	Jeffries
Bishop (UT)	Doggett	Jenkins (KS)
Black	Dold	Jenkins (WV)
Blackburn	Donovan	Johnson (GA)
Blum	Doyle, Michael	Johnson (OH)
Blumenauer	F.	Johnson, E. B.
Bonamici	Duckworth	Johnson, Sam
Bost	Duffy	Jolly
Boustany	Duncan (SC)	Jones
Boyle, Brendan	Duncan (TN)	Jordan
F.	Edwards	Joyce
Brady (PA)	Ellison	Kaptur
Brady (TX)	Emmer (MN)	Katko
Brat	Engel	Keating
Bridenstine	Eshoo	Kelly (IL)
Brooks (AL)	Esty	Kelly (PA)
Brooks (IN)	Farenthold	Kennedy
Brown (FL)	Farr	Kildee
Brownley (CA)	Fattah	Kilmer
Buck	Fitzpatrick	Kind
Bucshon	Fleischmann	King (IA)
Burgess	Fleming	King (NY)
Bustos	Flores	Kinzinger (IL)
Butterfield	Forbes	Kline
Byrne	Fortenberry	Knight
Calvert	Foster	Kuster
Capps	Fox	LaHood
Capuano	Frankel (FL)	LaMalfa
Cárdenas	Franks (AZ)	Lamborn
Carney	Frelinghuysen	Lance
Carson (IN)	Fudge	Langevin
Carter (GA)	Galleo	Larsen (WA)
Carter (TX)	Garamendi	Larson (CT)
Cartwright	Garrett	Latta
Castor (FL)	Gibbs	Lawrence
Castro (TX)	Gibson	Lee
Chabot	Goodlatte	Levin
Chaffetz	Gosar	Lewis
Chu, Judy	Gowdy	Lieu, Ted
Ciulline	Graham	LoBiondo
Clark (MA)	Granger	Loeb
Clarke (NY)	Graves (GA)	Lofgren
Clawson (FL)	Graves (LA)	Long
Cleaver	Graves (MO)	Loudermilk
Clyburn	Grayson	Love
Coffman	Green, Al	Lowenthal
Cohen	Green, Gene	Lowey
Cole	Griffith	Lucas
Collins (GA)	Grothman	Luetkemeyer
Collins (NY)	Guinta	Lujan Grisham
Conaway	Guthrie	(NM)
Connolly	Hahn	Lummis
Conyers	Hanna	Lynch
Cook	Hardy	MacArthur
Cooper	Harper	Maloney, Sean
Costa	Harris	Marchant
Costello (PA)	Hartzler	Marino
Courtney	Hastings	Massie
Cramer	Heck (NV)	Matsui

McCarthy	Posey	Smith (WA)
McCaul	Price (NC)	Stefanik
McClintock	Price, Tom	Stewart
McCollum	Quigley	Stivers
McDermott	Rangel	Swalwell (CA)
McGovern	Ratcliffe	Takano
McHenry	Reed	Thompson (CA)
McKinley	Reichert	Thompson (MS)
McMorris	Renacci	Thompson (PA)
Rodgers	Ribble	Thornberry
McNerney	Rice (SC)	Tiberi
McSally	Rigell	Tipton
Meadows	Roby	Titus
Meehan	Roe (TN)	Tonko
Meng	Rogers (AL)	Torres
Messer	Rogers (KY)	Trott
Mica	Rokita	Tsongas
Miller (FL)	Rooney (FL)	Turner
Miller (MI)	Ros-Lehtinen	Upton
Moolenaar	Roskam	Valadao
Mooney (WV)	Ross	Van Hollen
Moore	Rothfus	Vargas
Moulton	Rouzer	Veasey
Mullin	Roybal-Allard	Vela
Mulvaney	Royce	Velázquez
Murphy (FL)	Ruiz	Visclosky
Murphy (PA)	Ruppersberger	Wagner
Napolitano	Russell	Walberg
Neal	Salmon	Walden
Neugebauer	Sánchez, Linda	Walker
Newhouse	T.	Walorski
Noem	Sarbanes	Walters, Mimi
Nolan	Scalise	Walz
Norcross	Schakowsky	Wasserman
Nugent	Schiff	Schultz
Nunes	Schrader	Waters, Maxine
O'Rourke	Schweikert	Watson Coleman
Olson	Scott (VA)	Weber (TX)
Palazzo	Scott, Austin	Webster (FL)
Pallone	Scott, David	Welch
Palmer	Sensenbrenner	Wenstrup
Pascarella	Serrano	Westerman
Paulsen	Sessions	Williams
Pearce	Sewell (AL)	Wilson (FL)
Perlmutter	Sherman	Wilson (SC)
Perry	Shinkus	Wittman
Peters	Shuster	Womack
Peterson	Simpson	Woodall
Pittenger	Sinema	Yoho
Pitts	Sires	Young (AK)
Pocan	Slaughter	Young (IA)
Poe (TX)	Smith (MO)	Young (IN)
Poliquin	Smith (NE)	Zeldin
Polis	Smith (NJ)	Zinke
Pompeo	Smith (TX)	

NOT VOTING—41

Bass	Jackson Lee	Richmond
Buchanan	Kelly (MS)	Rohrabacher
Clay	Kirkpatrick	Rush
Comstock	Labrador	Ryan (OH)
Crawford	Lipinski	Sanchez, Loretta
Cummings	Lujan, Ben Ray	Sanford
Davis, Danny	(NM)	Speier
Ellmers (NC)	Maloney,	Stutzman
Fincher	Carolyn	Takai
Gabbard	Meeks	Westmoreland
Gohmert	Nadler	Whitfield
Grijalva	Payne	Yarmuth
Gutiérrez	Pelosi	Yoder
Hurt (VA)	Pingree	
Israel	Rice (NY)	

□ 1856

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LOUDERMILK). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the additional motion to suspend the rules on which a recorded vote or the yeas and

nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

□ 1900

EXPRESSING THE SENSE OF THE HOUSE REGARDING SAFETY AND SECURITY OF EUROPEAN JEWISH COMMUNITIES

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 354) expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 354

Whereas anti-Semitic rhetoric and acts, including violent attacks on people and places of faith, have increased in frequency, variety, and severity in many countries in Europe;

Whereas the French Service de Protection de la Communauté Juive (Jewish Community Security Service) reported an increase in anti-Semitic acts in France between 2013 to 2014 (from 423 acts to 851), including an increase in violent ones (from 105 acts to 241);

Whereas the Community Security Trust reported an increase in anti-Semitic acts in the United Kingdom between 2013 to 2014 (from 535 acts to 1,168), including an increase in violent ones (from 69 to 81); and the Kantor Center for the Study of Contemporary European Jewry reported an increase in anti-Semitic acts between 2013 and 2014 in Germany (from 788 acts to 1076, including 36 violent acts to 76), Belgium (from 64 acts to 109, including 11 violent acts to 30), Austria (from 137 acts to 255, including 4 violent acts to 9), and Italy (from 45 to 90, including 12 violent acts to 23);

Whereas the Federal Bureau of Investigation reported, in its latest available statistics, 870 incidents in 2012 with anti-Jewish bias motivation, including 13 violent incidents, and 625 incidents in 2013 with anti-Jewish bias motivation, including four violent incidents;

Whereas anti-Semitic attacks have been increasingly directed at places of ordinary daily life and places of worship, including—

(1) the violent extremist who pledged his loyalty to the Islamic State of Iraq and al-Sham (ISIS) and attacked a kosher supermarket in Paris, France, January 9, 2015, murdering four Jewish patrons; and

(2) the violent extremist who pledged his loyalty to ISIS and attacked the Great Synagogue in Copenhagen, Denmark, during a bat mitzvah celebration, February 15, 2015, murdering a member of the Jewish community on security duty, and wounding two members of the Danish Police Service;

Whereas anti-Semitic attacks are threats to the fundamental freedoms, rights, security, and diversity of all citizens, societies, and countries in which they occur;

Whereas governments have primary responsibility for the security and safety of all of their citizens and therefore primary responsibility for monitoring, preventing, and responding to anti-Semitic violence;

Whereas Jewish community groups that focus on strengthening safety awareness, cri-

sis management, and preparedness are essential to keeping members of the Jewish community safe, and complement efforts of government and inter-governmental entities;

Whereas keeping members of Jewish communities safe requires government agencies, intergovernmental institutions and agencies, and law enforcement associations, formally recognizing and partnering with Jewish community groups that focus on safety awareness and crisis management and preparedness;

Whereas in the United States, United Kingdom, and France, there are examples of formal recognition, partnership, training, and information-sharing between government entities and Jewish community security groups that have strengthened these countries and contributed to the safety and security of Jewish communities;

Whereas Jewish community groups, consortia, and initiatives, have formed and are forming to focus on safety awareness, crisis management, and preparedness, and partner with law enforcement entities and thought leaders;

Whereas information-sharing and action-focused campaigns, including the national “If You See Something, Say Something” campaign of the Department of Homeland Security, which rely on members of the public reporting suspicious activity to law enforcement personnel, are critical to preventing violent attacks on individuals and communities;

Whereas relevant information, research, and analysis is vital to strengthening the preparedness, prevention, mitigation, and response of Jewish communities and law enforcement agencies;

Whereas broader efforts to counter violent extremism, and efforts to counter anti-Semitism, should be integrated with each other as appropriate and share best practices;

Whereas in the Berlin Declaration of April 29, 2004, participating States of the Organization for Security and Cooperation in Europe (OSCE) condemned anti-Semitism and committed themselves to specific actions to combat it, and to collect and maintain reliable information and statistics about anti-Semitic crimes;

Whereas, on December 6, 2013, the Ministerial Council of the OSCE, which is composed of the Foreign Ministers of participating States, adopted Decision number 3/13 entitled “Freedom of Thought, Conscience, Religion, or Belief”, emphasizing “the link between security and full respect for the freedom of thought”, and committing member governments to adopt “policies to promote respect and protection for places of worship and religious sites, religious monuments, cemeteries and shrines against vandalism and destruction”, among other specific actions;

Whereas, on December 5, 2014, the Ministerial Council of the OSCE adopted Declaration number 8, the Basel Declaration, on “Enhancing Efforts to Combat Anti-Semitism”, in which members of the Council stated, “We express our concern at the disconcerting number of anti-Semitic incidents that continue to take place in the OSCE area and remain a challenge to stability and security” and “We stress the importance of States collaborating with civil society through effective partnerships and strengthened dialogue and co-operation on combating anti-Semitism”; and

Whereas in 2004, Congress passed the Global Anti-Semitism Review Act, which established an Office to Monitor and Combat Anti-Semitism, headed by a Special Envoy to

Monitor and Combat Anti-Semitism: Now, therefore, be it

Resolved, That the House of Representatives—

(1) urges the United States Government to work closely with European governments and their law enforcement agencies, the Organization for Security and Cooperation in Europe (OSCE), the European Union, Europol, and Interpol, encouraging them to—

(A) formally recognize, partner, train, and share information with Jewish community security groups to strengthen preparedness, prevention, mitigation, and response related to anti-Semitic attacks and to support related research initiatives;

(B) consider the formal partnerships in the United States, the United Kingdom, and France, between government entities and Jewish community security groups, as examples of partnership, training, and information-sharing;

(C) support assessments of the—

(i) general environment in which anti-Semitic attacks occur;

(ii) data on types of crimes committed and the response from law enforcement;

(iii) relationships of Jewish community groups with local law enforcement agencies, including joint training opportunities and information sharing;

(iv) preparedness, including emergency response plans, of Jewish community groups; and

(v) response of local law enforcement systems to anti-Semitic attacks, including incident reporting, initial response, and the prioritization and prosecution of those crimes;

(D) utilize these assessments to help make adjustments to their strategies and efforts to combat anti-Semitism as needed;

(E) help Jewish communities develop common, baseline safety standards;

(F) consider developing a standardized pan-European information-sharing and alerting system that can include governmental and non-governmental agencies, as well as Jewish communities;

(G) develop safety-awareness and suspicious activity reporting campaigns;

(H) integrate, as appropriate, efforts to combat violent extremism and efforts to combat anti-Semitism;

(I) ensure law enforcement personnel are effectively trained to monitor, prevent, and respond to anti-Semitic violence, and to partner with Jewish communities;

(J) reaffirm and work for the implementation of the OSCE declarations, decisions, and other commitments focusing on anti-Semitism; and

(K) ensure senior officials, with commensurate authority and resources, have been appointed or designated to combat anti-Semitism and collaborate with governmental and inter-governmental agencies, law enforcement agencies, Jewish community groups, and other civil society groups;

(2) reaffirms its support for the mandate of the United States Special Envoy to Monitor and Combat Anti-Semitism as part of the broader policy priority of fostering international religious freedom; and

(3) urges the Secretary of State to continue robust United States reporting on anti-Semitism by the Department of State and the Special Envoy to Combat and Monitor Anti-Semitism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous materials in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, anti-Semitism in Europe is on the rise. Jewish communities there are on the edge. Fearing this rise in hatred toward them may signal a return to Europe's darkest days. This sad reality is well documented by authoritative reports from the Pew Foundation, the Anti-Defamation League, and others.

In 2015, a survey by the Anti-Defamation League showed that over 25 percent of European respondents said that they harbored anti-Semitic feelings; and that number had significantly increased from the year before in a few countries, such as in the Netherlands and in the United Kingdom.

It is a phenomenon clearly felt on the streets, seen scrawled across synagogues and in desecrated burial sites, and even demonstrated in deadly acts of terror. We all recall the horrific attacks on the Charlie Hebdo offices and the grocery in Paris and the later attacks at a synagogue and a cafe in Copenhagen. Just last month in Manchester, four Jewish youths were attacked by thugs who shouted their hatred of Jews. One of the victims, a 17-year-old boy, had to be hospitalized.

The rise of such attacks and hate-filled rhetoric is causing Europe's Jews to look over their shoulders and even consider fleeing communities that they have been a part of for over 20 generations, to seek safety elsewhere.

Targeted violence against the Jewish people or any other religious or minority group is repugnant. Sadly, the Jewish people have been among the most persecuted in the world.

When you think of the consequences of the Holocaust, when you think of the consequences of the Inquisition, the magnitude of it comes home when you realize that there are as many Jews left alive on this planet today as there were during the early days of the Roman Empire. The slaughter of these people, their persecution, leaves for humanity the thought: Have we learned nothing from the Holocaust?

European leaders must unequivocally send this message to their people and act to provide greater protection for their Jewish citizens.

This important resolution proposes several commonsense steps for our Eu-

ropean allies to consider to improve the safety of their Jewish communities:

It calls for establishing partnerships between law enforcement and Jewish community groups in order to improve the security plans, training, and enhanced law enforcement response to these anti-Semitic attacks.

Improved sharing of information between government agencies, law enforcement, and Jewish community groups is another key recommendation.

Finally, this measure encourages European nations to improve communication between themselves and with the United States to analyze trends in anti-Semitic crimes and to share best practices in combating extremism.

As we learned from the Holocaust, anti-Semitic sentiment can lay the foundation for persecution of Jewish communities under the guise of political protest or under the guise of nationalistic pride. That is why leaders of free societies everywhere must expose these prejudices for the dangers they pose to their communities.

I want to recognize Congressman CHRIS SMITH of New Jersey for authoring this important measure. And, as always, I thank Ranking Member ENGEL for his help on this measure and in getting this bill to the floor.

I urge my colleagues to join me in support of this timely resolution.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of this measure.

Mr. Speaker, I want to thank Chairman ROYCE, again, for being on top of all these very important issues. Under his leadership, the Foreign Affairs Committee has really taken the lead on important issues such as this.

I want to also thank Mr. SMITH from New Jersey for sponsoring this resolution. As the chair of the Foreign Affairs Subcommittee on Africa, Global Human Rights, and International Organizations, CHRIS SMITH has been focused on the disturbing surge of anti-Semitism in Europe. He is always there. He always speaks out forcefully about anti-Semitism and other things that are important to him. I am grateful for his leadership.

It is disappointing that we still need to take up this sort of measure. As we all know, anti-Semitism, that ancient hatred, has continued smoldering through the centuries. Week after week, we hear reports of new anti-Semitic attacks: the vandalism of the Babi Yar Holocaust site in Kiev—I have been there a number of times. It is very disheartening that that would be desecrated—the targeting of the Great Synagogue in Copenhagen; and, of course, the unfathomable attack, as Chairman ROYCE mentioned, in Paris last January.

We would be foolish to dismiss this surge in anti-Semitism as the work of

violent, fringe individuals. In countries like Hungary and Greece, shamefully, we see explicitly anti-Semitic political parties winning seats and elections. It is deeply troubling, very disturbing.

It wasn't even a century ago that we heard this canary in the coal mine. You can draw a straight line from early indifference and inaction to the darkest chapter in human history. The lessons of the Holocaust are seared in our collective consciousness. Those lessons are telling us to throw water on this fire before it burns out of control.

I was born after World War II in New York, and I remember hearing family members talking about anti-Semitism. The general prevailing thought was, well, this is something that will never happen again, that the Holocaust was so horrific that world humanity would understand that something like this could never happen again. When I say "never happen again," I mean to any group—not just to Jewish groups, to any group.

This cannot be tolerated, and one has to just look around the world to see all the hatred and all the people who are being slaughtered because of who they are or what tribe they are from or what people they are from.

It is particularly galling in Europe, where so many people—6 million Jewish people—perished during the Holocaust, that anti-Semitism would rear its ugly head again. One would think that people would be ashamed and would not want to go down the anti-Semitic path again.

Here it is, barely 70 years after the end of World War II, and we see an alarming rise. And it is an alarming rise from a lot of different communities. There are skinheads and people who have always uttered anti-Semitic remarks.

We also, unfortunately, have a number of people living in Europe of Middle Eastern descent who also are using the conflict between Israel and the Palestinians to, again, fan the fires of anti-Semitic hatred. As the numbers of people from Arab lands go to Europe, some, unfortunately, are fanning the fires of anti-Semitism. That has to be condemned and stopped as well.

Anti-Semitism needs to be condemned no matter who is espousing it, no matter where it is coming from, and no matter what they are saying. It is really time to call it the way it is.

So we need greater vigilance by law enforcement when Jewish communities in Europe are under threat. But it is not that simple. We also need greater leadership from officials by speaking out against anti-Semitism. We had a bill just a couple of hours ago—maybe not even a couple of hours ago—which talked about the Palestinian leadership not condemning anti-Semitism and having incitement of things that result in anti-Semitic attacks.

So this is the same thing. It is the same thing, whether it is in Europe or

the Middle East. It is rearing its ugly head, and it is time for us to continue to speak out against it.

The United States of America has always been the bastion of society, and the world looks to us for leadership. I think it is very important that the United States Congress is doing this now.

So we need greater vigilance by law enforcement when Jewish communities in Europe are under threat, but it is not that simple. We also need greater leadership from officials by speaking out against anti-Semitism. We need stronger partnerships with Jewish communities to help them develop their own safety responses, community policing techniques, and information sharing with government agencies.

We need to foster cultures that respect diversity and don't ostracize minority groups. I condemn any kind of ostracizing of any minority group in this country or around the world. We need to step in and say that we will not tolerate it.

So this resolution encourages these efforts, and I encourage my colleagues to support it. Anti-Semitism is rearing its ugly head, but it can be defeated. I think what the Congress is doing today is a very good step in that direction.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield the remainder of my time to the gentleman from New Jersey (Mr. SMITH), the author of this measure, and I ask unanimous consent that he be allowed to control the time. Mr. SMITH, as U.S. chairman of the Helsinki Commission, works with our European allies to improve the security and improve the safety of these Jewish communities in Europe. We appreciate his authorship of this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I thank Chairman ROYCE for his leadership on this very important human rights issue, as he has done so ably and effectively on all of these issues, particularly his leadership on Iran; and that, of course, would be echoed with ELIOT ENGEL's excellent work there as well. This is a group of leaders that have made a huge difference. So thank you, Chairman ROYCE, for that.

H. Res. 354, Mr. Speaker, prescribes specific, effective actions that government should take in response to the deadly threats to the Jewish communities in Europe. As we all know, the number of violent anti-Semitic attacks have increased from 100 to 400 percent in some European countries since 2013 alone. Murders in Paris and Copenhagen and elsewhere remind us that there are those who are motivated by anti-Semitic hate and have the will and the means to kill.

I would just note parenthetically that my work in combating anti-Semitism began back in 1981, in my first term, from this very podium, speaking out in favor of Jewish refuseniks. I joined Mark Levin and the NCSJ 1 year later in 1982 on a trip to the Soviet Union where we met with men and women who were targeted by the KGB and the Soviet evil empire simply because they were Jewish. Sadly, anti-Semitism has not abated, and in recent years, it has actually worsened.

□ 1915

This resolution calls for the United States Government to work with our European allies on specific actions that are essential to keep European Jewish communities safe and secure. It is based on consultations with the leading experts who are working directly with these communities. The resolution focuses on the formal partnerships between European law enforcement agencies and Jewish community security groups.

Here in the United States, Mr. Speaker, the collaboration between the Department of Homeland Security and Security Community Network—an initiative of the Jewish Federation of North America and the Conference of Presidents of Major American Jewish Organizations—has been essential to protecting Jewish communities here.

The formal partnerships between the Community Security Trust in the United Kingdom and the Jewish Community Security Service in France and their respective governments are also excellent models that need to be emulated.

The resolution emphasizes the importance of consistent, two-way communication and information sharing between law enforcement agencies and Jewish community groups. It encourages the development of a pan-European information sharing, communication, and alerting system, and envisions governments, intergovernmental agencies, and Jewish communities working together on it. Such a system should function day-round and year-round and include training for personnel who are implementing it.

The resolution also calls for European governments to support assessments in several key areas and accordingly adjust their actions and strategies. Details matter. The assessments should gather and analyze data on crimes committed, response from law enforcement, types of attacks or incidents that are most prevalent, and the types of targets that are most at risk.

It is essential to understand how law enforcement agencies usually receive reports of anti-Semitic crimes and what initial actions they take when a report is filed.

I remember years ago, when I offered a resolution at the OSCE Parliamentary Assembly, we heard that it was

just hooliganism and other kinds of acts done by young people when you spray-paint a swastika on a tombstone in a Jewish cemetery, when you deface a synagogue, and you attack a man simply because he is wearing a yarmulke. Clearly, these are acts of anti-Semitic hate; yet, they were being dismissed as something that was other.

Assessments are also needed on Jewish community security groups, particularly of their capabilities, resources, relationships with local law enforcement agencies, preparedness, including emergency response plans, and the extent to which their decision-making is based on the best available information, analysis, and practices.

The resolution calls for governments to use these assessments to help these community groups develop common baseline safety standards. These standards should include, as I said before, training, controlling access to physical facilities, physical security measures, including cameras, and crisis communications. Emergency exercises and simulations, mapping access to facilities, and sharing information with law enforcement agencies should also be part of the standards.

These assessments, Mr. Speaker, will help achieve the resolution's call for law enforcement personnel to be well trained to monitor, prevent, and respond to anti-Semitic violence and to partner with Jewish communities. For all of these assessments, governments should draw information from sources that include Jewish groups, law enforcement agencies, independent human rights NGOs, research initiatives, and other civil society groups and leaders.

H. Res. 354 calls for safety awareness and suspicious activity reporting campaigns, like "If you see something, say something" here in the United States. Other aspects of the resolution include appropriately integrating initiatives to counter violent extremism and those to combat anti-Semitism and the urgency of implementing the declarations, decisions, and other commitments of the Organization for Security and Cooperation in Europe that focus on anti-Semitism.

To accomplish these goals, the resolution calls for European governments to ensure that they appoint or designate senior officials with the necessary authority and resources to combat anti-Semitism and collaborate with governmental and intergovernmental agencies, law enforcement, and Jewish community groups.

Finally, the resolution reaffirms support for the mandate of the United States Special Envoy to Monitor and Combat Anti-Semitism as part of the broader policy of fostering international religious freedom and urges the Secretary of State to continue robust U.S. reporting on anti-Semitism by the Department of State and the

Special Envoy to Combat and Monitor Anti-Semitism.

I would note parenthetically that I authored the amendment to the Global Anti-Semitism Review Act of 2004, introduced and sponsored by Senator Voinovich. My amendment created the Office to Monitor and Combat Anti-Semitism within the State Department. That has proven to be a key tool in this fight.

Mr. Speaker, the resolution has the support of leading organizations, and it has 89 cosponsors, including all eight of the co-chairs of the Bipartisan Taskforce for Combating Anti-Semitism.

I would like to acknowledge, Mr. Speaker, John Farmer, Jr., and Paul Goldenberg for their tireless efforts and dedication and leadership in fighting anti-Semitism and terrorism over the years.

John is a former attorney general of New Jersey and is now on the steering committee of the Institute for Emergency Preparedness and Homeland Security and is the codirector of the Faith-Based Communities Security Program at Rutgers University.

Paul is the executive director of the Secure Community Network and a senior adviser to the Institute and the program. Several major Jewish communities in Europe have relied on their counsel, and both have spent time on the ground within these communities.

Finally, I would like to acknowledge and single out for very, very special thanks and recognition Rabbi Andy Baker, personal representative of the OSCE chair in the Office on Combating Anti-Semitism and director of the International Jewish Affairs for the American Jewish Committee. He has been critical—critical—to American leadership in Europe and in the United States in the fight against anti-Semitism.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY), my good friend and the ranking member of the Committee on Appropriations.

Mrs. LOWEY. Mr. Speaker, I want to particularly thank Chairman ED ROYCE and my good friend, our ranking member of the committee, ELIOT ENGEL, and all those who were so involved in putting this important resolution together.

I rise in support of House Resolution 354. It was introduced by the co-chairs of the Bipartisan Taskforce for Combating Anti-Semitism. In the aftermath of appalling anti-Semitic incidents throughout Europe, including the devastating terrorist attacks at the Paris kosher supermarket and the Great Synagogue of Copenhagen, this important resolution urges the United States Government to help improve the safety and security of Jewish communities in Europe.

From Austria to Belgium, Germany to the United Kingdom, Ukraine to France, there has been a sharp rise in assaults on Jewish individuals and acts of vandalism on Jewish places of worship, cemeteries, and memorials. Such destruction and desecration is unacceptable and must be stopped. That is why this resolution is so critical.

It highlights specific ways the administration can work with European governments, especially law enforcement agencies, to formally recognize and partner with Jewish organizations to develop common safety standards, alert systems, information-sharing mechanisms, and ensure that local law enforcement personnel are effectively trained to monitor, prevent, and respond to anti-Semitic violence.

I want to express my appreciation to my fellow co-chairs of the Anti-Semitism Taskforce, Representatives SMITH, ENGEL, GRANGER, ISRAEL, ROSLEHTINEN, DEUTCH, and ROSKAM. The task force remains committed to working across regions, religions, and party lines to condemn all anti-Semitism and fight for the right of Jews to live freely as Jews without fear.

Before closing, I also want to express my strong support for H. Res. 293, which condemns anti-Israel and anti-Semitic incitement within the Palestinian Authority and calls on President Abbas to discourage such despicable behavior.

The latest cycle of terrorism against Israel must end. The only way it will end is if Palestinian leaders take genuine and immediate steps to denounce all violence and promote security cooperation, coexistence, and peace with Israel.

As the ranking member of the Subcommittee on State, Foreign Operations, and Related Programs of the Committee on Appropriations, I will continue to do everything in my power to bolster Israel's security to combat incitement and to promote stability and peaceful coexistence throughout the world.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. ROSLEHTINEN), the chair of the Subcommittee on the Middle East and North Africa of the Committee on Foreign Affairs, and the former chair of the full committee.

Ms. ROSLEHTINEN. Mr. Speaker, I rise in strong support of Mr. SMITH's bill, House Resolution 354, expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe. I was an original cosponsor of this resolution.

I want to highlight the work of my good friend and colleague, CHRIS SMITH, for his leadership on this issue and, indeed, for his tireless efforts to fight anti-Semitism and support international religious freedom.

I would also like to thank our fellow co-chairs of the congressional Bipartisan Taskforce for Combating Anti-Semitism for demonstrating their leadership on this issue in Congress and for raising the level of awareness and dialogue within our body related to global anti-Semitism.

In recent years, Mr. Speaker, the protection and the promotion of these values have moved from being part and parcel of our foreign policy objective to not even ranking as one of our top priorities. It is time.

It is way past time that we make respect for human rights and the protection of religious and ethnic minorities a top priority for our foreign policy objectives and show real leadership and show that we have the will and the moral imperative to promote our values across the world.

The terror group ISIL is rising in the Middle East. It is seeking to establish an Islamic caliphate. It wants to wipe out the region's religious minorities of all kinds and anyone who does not adhere to its radical brand of Islam.

This, along with an alarming rise in anti-Semitism in Europe and other attacks on religious freedom across the globe, underscores why Mr. SMITH's measure before us today is so timely, is so important.

It urges our government to work with European governments and law enforcement agencies in order to help them fight the rise of anti-Semitism across the continent and to make combating anti-Semitism part of our government's broader policy of promoting international religious freedom.

Europe is at the dawn of a lamentably repeated and dangerous era, one of anti-Semitism, often masked through a political anti-Israel stance. If we don't move to act now, Mr. Speaker, we may see more deadly attacks, like the murder of four Jews in a kosher supermarket in Paris earlier this year.

We in the United States must be at the forefront, leading the effort, helping other nations develop a more comprehensive approach to confronting the rising anti-Semitism problem. This measure before us today establishes a good framework in moving forward.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SMITH of New Jersey. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman.

Ms. ROSLEHTINEN. Mr. Speaker, I want to thank the task force members, of which I am humbled to be just a small part, Congresspersons CHRIS SMITH, KAY GRANGER, PETER ROSKAM, ELIOT ENGEL, NITA LOWEY, TED DEUTCH, and STEVE ISRAEL, all of us working together to highlight the spread of anti-Semitism and steps we must take to stem this tide.

I urge my colleagues to support this important resolution brought forth by

the gentleman from New Jersey. I thank all of the Members who have worked on the task force to bring this forward.

Mr. ENGEL. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from New York has 11 minutes remaining. The gentleman from New Jersey has 3 minutes remaining.

Mr. ENGEL. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from Florida (Mr. DEUTCH), who is the ranking member of the Subcommittee on the Middle East and North Africa of the Committee on Foreign Affairs and a good friend.

□ 1930

Mr. DEUTCH. Mr. Speaker, I thank the gentleman, the ranking member of the Foreign Affairs Committee, for yielding and for his tireless work to address the threat of anti-Semitism around the world.

Mr. Speaker, this resolution was a collaborative effort among my fellow co-chairs of the Bipartisan Taskforce for Combating Anti-Semitism, and I thank each of them for their commitment to bringing attention and responding to the proliferation of anti-Semitism globally. I especially want to thank and acknowledge Congressman SMITH of New Jersey for his commitment to human rights and his ongoing fight against anti-Semitism.

This resolution is a strong statement by Congress that, in the face of rising global anti-Semitism, countries, including ours, must prioritize the security and the protection of their Jewish communities.

The anti-Semitism we are witnessing around the world today is both unique and longstanding. It is amorphous and it is very direct. It is complex. But in many ways, it is straightforward hatred.

Not every case of anti-Semitism will garner international attention like the attack on the Paris supermarket earlier this year. However, Jewish communities around the world experience attacks and intimidation on a regular basis.

Just weeks ago, in Marseille, France, an armed man attacked three Jews near a synagogue, including a rabbi and his 19-year-old son. A third man suffered serious injuries from the stabbing. Earlier this year, in Argentina, the phrase "death to the Jews" and a swastika were spray painted. In Ukraine, there have been at least three incidents of Holocaust memorials desecrated with swastikas. And in many cities, Jews are simply afraid to walk the streets as Jews.

Tragically, these cases are far too commonplace for Jewish communities. No one, Jewish or otherwise, should ever have to accept they will feel targeted, that they will not feel safe, and

that their lives are always somewhat at risk.

Governments must take a hard look at the trends of bigotry developing in their countries. They must be sufficiently prepared to react preemptively and respond swiftly to cases of violence and intimidation against Jewish communities.

This resolution, among other things, calls on countries to build partnerships between communities and law enforcement agencies and to establish standard procedures for responding to threats and attacks by outlining steps to take and the responsibilities for each party.

I welcome the historic and continued bipartisan and overwhelming support in Congress for combating anti-Semitism. Tonight, we stand against anti-Semitism, it is true; but where anti-Semitism grows, it is a symptom of the growth of hatred, of bigotry, and of the violation of human rights.

I encourage my colleagues to support this resolution and, in turn, to support a world where hatred of any type, anti-Semitism and all hatred, will not be tolerated. That is the world that we envision on the floor of the United States House of Representatives this evening.

Again, I encourage my colleagues to support this resolution.

Mr. SMITH of New Jersey. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY), a very valued member of the Foreign Affairs Committee.

Mr. CONNOLLY. I thank my friend from New York for his leadership. I also thank Mr. CHRIS SMITH of New Jersey, of course, for his leadership, and that of the taskforce.

Mr. Speaker, anti-Semitism and the safety of Jewish communities in Europe are issues with overwhelmingly powerful historical context. The Continent has more than intimate knowledge of the devastation wrought by the purveyors of anti-Semitism.

When we say "never again," our threshold for action shouldn't be the impending threat of violence, let alone genocide. Instead, we must marshal the will and resources to stamp out even the conditions or precursors to an environment that allows for such anti-Semitism to flourish. In fact, when we face anti-Semitism today, whether it be here, in Europe, or in any part of the world, we ought to say to those purveyors, "We are all Jews." That is the protection we ought to seek.

The proactive measures and collaboration encouraged by this resolution are in keeping with what should be our highest standard for vigilance with respect to anti-Semitism. "Never again" isn't about words. It is a pledge that is sacred and must be kept.

Mr. SMITH of New Jersey. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I thank the gentleman for yielding. I want to thank everybody who has put effort into bringing this resolution to the floor.

It is not difficult to stand up—or it shouldn't be difficult, and I don't think it is—to speak against anti-Semitism, but it is a little more difficult to have carved a niche in the United States Government and governments around the world as being a leader in fighting for human rights and against anti-Semitism; and that is what I have seen Congressman CHRIS SMITH do.

Congressman SMITH is the chair of the Helsinki Commission, of which I am a proud member. I got to know Mr. SMITH during the hearings we have had and the travels on the Helsinki Commission. CHRIS SMITH is a super leader in looking out for people and minorities all over the world. So I thank him particularly for his efforts at spearheading this and being vigilant. It is so important.

It is hard to fathom that we still have anti-Semitism in this world. It wasn't that long ago that the Holocaust occurred. We have got Holocaust museums and programs throughout different countries. We have had a lot of Holocaust museums and an understanding in Germany as well, but you have got skinheads and disciples of ISIL who continue to spread hate and venom.

I know Elie Wiesel, a survivor of the Holocaust, said that people who hate, hate everyone; and I know Elie Wiesel, who was a genius and a prophet, was right. So it is important that we stand up and that we share resources with our European allies to fight anti-Semitism and that this country remains a bulwark in fighting against anti-Semitism. We haven't always been that. We are today, and we will continue to be.

I am proud to support this resolution. I thank the Members for bringing it, and I urge all Members to vote for it and pass it.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself 30 seconds.

I just want to thank my dear colleague, Mr. COHEN, and the other members of the taskforce.

This is truly a bipartisan resolution. We all contributed to it. We all care deeply about it. I want him and my other colleagues to know how deeply I respect their efforts, which have been Herculean, to try to end this cruelty that is on the rise in Europe, in the United States, and in other parts. We know in the Middle East it is perhaps as bad as it has ever been; and the diaspora that makes its way into Europe is carrying that hatred with them—not all of them, of course, but a sizable number—presenting more and more challenges.

This is truly a bipartisan effort, and I want to thank Mr. COHEN for his comments.

Mr. ENGEL. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN), who is a newer Member, but she has certainly made her mark.

Mrs. WATSON COLEMAN. I want to thank Mr. ENGEL for giving me this opportunity to speak, and I want to thank my colleague and neighbor, Congressman CHRIS SMITH, for introducing this resolution. I stand in proud support of the resolution, and I urge its passage.

Mr. Speaker, more than 70 years removed from the Holocaust, Jewish residents in Europe face renewed waves of anti-Semitic violence. The Pew Research Center reported that global harassment of Jews has reached a 7-year high. This violence is pronounced in Europe, where the desecration of synagogues, cemeteries, schools, and other violent incidents have spiked over the past few years.

The Jewish Community Security Trust reported more than 1,100 anti-Jewish incidents in the United Kingdom in 2014, including 81 violent assaults. That same year, according to the French Jewish advocacy group CRIF, anti-Semitic incidents doubled in that nation. Troubling, violent, and even deadly anti-Semitic attacks have also occurred in countries such as Denmark, Belgium, and Germany.

As the leader in the international community, the United States plays a very vital role in denouncing anti-Semitism and hate. The national director of the Anti-Defamation League has attributed U.S. public figures speaking out against hate as contributing to steady decreases in anti-Semitic attitudes domestically.

As a nation founded on equality and religious freedom, we share a responsibility to stand against anti-Semitism and against hate in all its manifestations, whether it is the hate that manifested as four people were killed at the HyperCacher Jewish supermarket outside of Paris this past January, or the hate that manifested as the nine Americans killed in the massacre at Mother Emmanuel AME in Charleston, or the hate manifested as six killed at the Sikh Temple in Oak Creek, or the hate that manifested in the flames that have recently burned countless Black churches to the ground. We must join together as a nation and a global community to denounce hate wherever it may appear and uproot weeds of hate wherever they may sprout.

With that, I urge my colleagues to support this.

Mr. SMITH of New Jersey. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. FRANKEL), a very valued member of the Foreign Affairs Committee.

Ms. FRANKEL of Florida. I thank Mr. ENGEL, Mr. SMITH, and my colleagues on the anti-Semitism Taskforce.

Mr. Speaker, Susanne Winter, a member of the Austrian Parliament from the extreme rightwing Freedom Party of Austria, received the following post on her Facebook: "The Zionist money Jews are the global problem. Europe, and in particular Germany, are now getting what they deserve from Zionist Jews, particularly rich Zionist Jews in the USA." Winter responded to the post on Saturday. She said: "It is great. You took the words right out of my mouth."

Mr. Speaker, this resolution condemning anti-Semitism in Europe takes the words right out of my mouth, and I support it emphatically.

Mr. SMITH of New Jersey. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

History has shown us the tragedy of what can happen when this sort of hatred goes on unchecked. It is past time for governments and communities to focus on the rising tide of anti-Semitism in Europe and do whatever it takes to turn it back.

This resolution sends a message that we are keeping a close eye on the problem and that action is needed now to meet this challenge. I encourage my colleagues to support this measure.

I want to also compliment my good friend CHRIS SMITH. We all worked hard on this, but no one works harder than he in combating anti-Semitism. If you know CHRIS SMITH, you know that, when he gets obsessed with something, he follows it to the end; and it, as always, has a great conclusion. He is obsessed against hatred. He is obsessed against bad things happening to any group of people. I am very proud of the work that he has done through the years, and I want to thank him for his leadership in combating anti-Semitism.

I urge my colleagues to support this measure.

I yield back the balance of my time.

Mr. SMITH of New Jersey. I yield myself such time as I may consume.

Again, I want to thank Mr. ENGEL for his leadership and his kind words. Again, this is truly a collaborative effort, and I want to thank him for it.

Mr. Speaker, at a congressional hearing I chaired in 2002—and I chaired about 18 such hearings on combating anti-Semitism—Dr. Shimon Samuels of the Wiesenthal Center said: "The Holocaust for 30 years after the war acted as a protective Teflon against blatant anti-Semitic expression, especially in Europe. That Teflon has eroded, and what was considered distasteful and politically incorrect is becoming simply an opinion." He warned ominously, saying, "cocktail chatter at fine

English dinners can end as Molotov cocktails against synagogues."

Mr. Speaker, Abraham Lincoln once said that "to sin by silence when they should protest makes cowards of men." Silence is not an option. And, I would equally say, nor is inaction.

If our fight is to succeed, we need government officials at all levels to not just denounce but to act without hesitation or delay whenever and wherever anti-Semitic acts occur. There are no exceptions. The purveyors of hate never take a holiday or grow weary, nor should we.

H. Res. 354 is a best practices resolution designed to seriously inspire and challenge the governments of Europe, especially law enforcement and their homeland security agencies, to partner with their respective Jewish communities to mitigate and hopefully end and eradicate anti-Semitism in all of its ugly manifestations.

□ 1945

United States law enforcement, Department of Homeland Security, the Justice Department, the FBI, as well as State Homeland Security agencies, including in my own State of New Jersey, have been robust and aggressive in combating anti-Semitism here. We need to replicate this and encourage others to follow our lead and that of the UK, and I do hope we will do that.

This resolution is broadly bipartisan. I want to thank Nathaniel Hurd, on our staff, for his tremendous work on this resolution, working with all of his respective staffers and Members, of course, to bring this about. And I want to thank the leadership for bringing it to the floor this evening.

I urge a "yea" vote.

I yield back the balance of my time.

Mr. MURPHY of Florida. Mr. Speaker, I strongly support this resolution regarding the safety and security of Jewish communities in Europe. Seventy years after the Holocaust, we are seeing an alarming spike in anti-Semitic activity and violence targeting Jews throughout Europe. In the past year alone, there have been hundreds of violent acts targeting the Jewish community, including deadly attacks at a kosher supermarket in Paris and the Great Synagogue in Copenhagen.

As a world leader, the United States must make every effort to work with our European partners to keep the Jewish community safe and secure. This resolution does just that by encouraging the United States to work with European governments to create partnerships with Jewish community groups to improve preparedness and responsiveness to anti-Semitic attacks, create open lines of communication to share information about potential threats, expand relationships with local law enforcement, and to help develop baseline security standards for Jewish organizations and facilities. It also urges European allies to appoint senior officials to coordinate efforts to combat anti-Semitism and hold law enforcement accountable for training to monitor and respond to anti-Semitic violence. Additionally, this resolution commends the work of the United States

Special Envoy to Monitor and Combat Anti-Semitism and its efforts in promoting religious freedom around the world.

As a member of the Intelligence Committee and the Bipartisan Task Force on Combating Anti-Semitism, I understand how crucial it is to the stabilization of communities in Europe that we forcefully stand up to anti-Semitism. Anti-Semitism does not just impact the Jewish community. When this hatred flourishes, it affects all ethnic, religious, and other minority groups.

Given the urgency of addressing this growing threat, I am proud to have prioritized working to combat the rise in anti-Semitism, leading my colleagues in writing to the Special Envoy calling for the U.S. to continue to be a global leader in combating all forms of hate. My colleagues also joined me in encouraging the United Nations to work with member states to curb anti-Semitism by enacting strong hate crime laws, expanding education on diversity and tolerance in their own countries, and encouraging heads of state to forcefully speak out about the dangers of anti-Semitism.

This resolution furthers these efforts by highlighting the safety and security needs of Jewish communities across Europe and the role our European partners have to play in combatting anti-Semitism. I urge my colleagues in the House to join me in passing this urgent resolution.

Ms. JACKSON LEE. Mr. Speaker, I stand in support of H. Res. 354, regarding the safety and security of Jewish communities across Europe.

I continue to support the safety of Israeli people across the globe.

Indeed, last week, I signed on to the Royce-Engel letter to President Mahmoud Abbas of the Palestinian National Authority to express my deep concern over the recent wave of violence in Israel and the West Bank.

It is imperative that political leaders across the globe help to set the tone for peace by advocating non-violence.

Numerous attacks on so many innocent lives in Europe alone is so much cause for alarm: Anti-Semitic rhetoric and acts, according to FBI reports involved 870 incidents in 2012 with anti-Jewish bias motivation, including 13 violent incidents, and 625 incidents in 2013 attributed to anti-Jewish bias; an increase in violent attacks on people and places of worship; and an escalation of frequency, variety and severity of the various attacks.

Anti-Semitic attacks are threats to the fundamental rights we hold so dear in our nation.

Security and diversity of all citizens, societies and countries are sacrosanct in our nation.

This is why the United States joined forces with France and the United Kingdom in recognition of the importance of partnership, training and information sharing between government entities and the Jewish community security groups with the eye towards the safety and security of Jewish communities.

As a senior member of the House Homeland Security Committee, information sharing initiatives such as our national "If You See Something, Say Something" campaign implemented by our nation's Department of Homeland Security is a critical initiative that will en-

able prevention of anti-Semitic violent attacks on individuals and communities.

This bill is also critical because it urges the United States Government, the Secretary of State, Secretary of Homeland Security, the Attorney General, Director of the FBI to engage their European counterparts to partner in the protection of the Jewish community in Europe.

This Bill reaffirms the very important U.S. support for the United States Special Envoy to Monitor and Combat anti-Semitism with the eye towards fostering and facilitating international religious freedom.

Mr. Speaker, I strongly support H.R. 354 because it supports an end to the dramatic increase of the number of violent anti-Semitic attacks in some European countries.

These attacks, increasingly targeting places of ordinary daily life like market places and places of worship must stop.

Thus, I support and urge enhanced partnerships between governments and Jewish community groups—which are critical to helping keep Jewish communities secure.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 354, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

THE E-FREE ACT

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, can you imagine such debilitating pain, fatigue, and depression that you feel as if your children have lost you as a parent?

For women impacted by the medical device Essure and its documented damaging side effects, this unimaginable situation is a stark reality.

Since it appeared on the market in 2002, Essure, a permanent sterilization device for women, has triggered over 5,000 formal complaints to the FDA, including reported symptoms of pelvic and abdominal pain, internal bleeding, autoimmune reactions, loss of teeth and hair, and even metal breaking and migrating throughout the body.

On top of that, Essure has been proven responsible for the deaths of four women and five unborn children.

Yet, in the face of all these facts, today Essure remains on the market, certified with FDA's stamp of approval. That is unacceptable to me and the tens of thousands of women who are living with this device's effects.

That is why this week I will introduce the E-Free Act, legislation to remove this device from the market before it can hurt any other women. This is a women's issue, a safety issue, a regulatory issue, an issue with faces and names.

I urge my colleagues to support this legislation and join me and the thousands of women across the Nation in this fight.

HONORING THE LIFE AND SERVICE OF THE LATE SENATOR FRED THOMPSON

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, I rise today to honor a great American who passed away yesterday, former United States Senator Fred Thompson.

Fred Thompson represented the State of Tennessee in the United States Senate from 1995 until 2003. He had been a staffer on the Watergate Committee and kind of made a name for himself there when he asked such good, probing questions and did such a marvelous job.

He later went on to be an outstanding attorney before he became a United States Senator and an actor and a leader in our country who crossed party aisles and was known to sometimes deviate from everybody to do what he thought was right.

I was a State senator and a Democrat. Fred Thompson, a Republican, encouraged me to get involved, stay involved, and shoot for the top in politics.

He worked with Democrats in the Senate, and he was awarded the National Conference of State Legislators Keeping Federalism Alive Award because of his lone vote, a single bill that has kept the policy of federalism. It wasn't politics for Fred Thompson. It was philosophy.

He was a great leader. He will be missed. I send my condolences to his family. I thank him for his service to my State and our country.

THE FIVE-STAR AMERICAN GAS STATION IN AFGHANISTAN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, thanks to the American taxpayers, what might be the world's most expensive gas station was built in Afghanistan. A mysterious Department of Defense special task force spent \$43 million on a gas station in Afghanistan.

Mr. Speaker, that must be a humdinger of a truck stop. What should have only cost \$500,000 cost 140 times that amount, charged to the taxpayers' credit card. Yet, there are no answers or explanations.

Mr. Speaker, it has now since been reported that Afghans don't even use the gas station because of the cost of the gas.

No one has been held accountable for such wasteful government spending, not surprisingly. This is getting to be normal for government "spendocrats."

Time for no more Washington spending-sprees on the taxpayers' dime. People need to be held personally responsible for such wasteful spending.

The American people deserve an explanation. After all, it is their money that is funding \$43 million gas stations in other countries.

Mr. Speaker, why are we building a five-star gas station in Afghanistan anyway?

And that is just the way it is.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 22, HIRE MORE HEROES ACT OF 2015; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM NOVEMBER 6, 2015, THROUGH NOVEMBER 13, 2015; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WOODALL from the Committee on Rules submitted a privileged report (Rept. No. 114-325) on the resolution (H. Res. 507) providing for consideration of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; providing for proceedings during the period from November 6, 2015, through November 13, 2015; and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Illinois (Ms. KELLY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. KELLY of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. KELLY of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is my honor and privilege to lead tonight's Congressional Black Caucus Special Order hour, where we will have the opportunity to speak directly to the American people.

But before we get to business, I do want to take a second, even though it feels like an eternity, to congratulate my dear friend and colleague, our CBC chairman for the 112th Congress, the Honorable EMANUEL CLEAVER of Kansas City, for his hometown Kansas City Royals victory in last night's World Series game.

I am an Illinoisan by way of New York. So I had a little stake in this one. But, again, my congratulations to the city of Kansas City and to Congressman CLEAVER.

Mr. Speaker, I truly do believe that it is an honor and a privilege to host the Congressional Black Caucus Special Order hour. So I speak to you this evening very much concerned and severely disappointed that we are even having tonight's topic under such circumstances.

Tonight we are here to address saving our communities, where our focus for this hour will be on key legislative priorities that this Congress, this year's Congressional Black Caucus, and our Nation must confront in order to help make this union more perfect for our next generation.

Mr. Speaker, this year there have been a lot of tragic episodes that may make one shake their head and ask what is going on.

We have covered a number of these topics in the course of this year, whether it be the issue of criminal justice reform, gun violence, economic investment as an antidote to violence, community policing, or the value of Black lives in America.

Mr. Speaker, the issues that I will cover this evening aren't Black Caucus issues. I know that most in this Congress and most across this great country would acknowledge that they are American issues.

Falling short as a Nation on these fronts only divides us and only serves as a barrier to our boundless possibilities as an American people.

Over the past few weeks, we heard a lot about the need to clean out the barn before the baton was passed from Speaker to Speaker. I think we made some progress in clearing out the barn last week as we passed a bipartisan budget agreement, which President Obama signed into law earlier today.

But, Mr. Speaker, as the baton has been passed from Speaker BOEHNER to Speaker RYAN, we must keep in mind that there is still much that needs to be cleaned out of the barn when it comes to criminal justice reform, creating opportunity in vulnerable communities, addressing inequities in the justice system, valuing all lives, regardless of race, religion or sexual ori-

entation, making sure that good cops can do their job in keeping communities safe, and making sure that bad cops don't get to be the Nation's norm.

We must have a culture where bad cops don't have a safe haven, where they can't get away with violations of the public trust in communities they were sworn to protect, and where they aren't in a position to spoil the whole bunch of good cops we have protecting American communities.

Mr. Speaker, tonight we will have a long and overdue conversation about saving our communities.

At this time, I yield to the chair of the Congressional Black Caucus, my colleague from North Carolina, Representative G. K. BUTTERFIELD.

Mr. BUTTERFIELD. Let me first thank you, Congresswoman ROBIN KELLY, for yielding time to me tonight. Thank you for your willingness to stay on the floor tonight, even though this suspension bill was placed in front of us tonight. We certainly understand that has that happen from time to time. But thank you so very much for staying on the floor to manage the time this evening.

I also want to thank you, Ms. KELLY, for your extraordinary leadership. Thank you for what you do for the Congressional Black Caucus. Thank you for what you do for your constituents in Illinois. Most importantly, thank you for what you do for our country. It is certainly appreciated.

I will certainly join you, Ms. KELLY, in congratulating the Kansas City Royals on their well-deserved victory. I did not watch the entire World Series, but I watched enough of it to know that this team was much deserving of this victory. And so congratulations not only to Mr. CLEAVER, who is so proud of Kansas City and talks about his hometown all of the time, but congratulations to all of those fans of that great team.

Tonight we are talking about the urgent need to save our communities. What an appropriate topic, Ms. KELLY, because communities all across the country are in crisis.

I travel quite a bit across the country and visit many different communities not only in my State, but in many other States. I can tell you firsthand that communities all across our country are facing crises. They are facing crises in so many different respects.

They are facing the whole issue of pervasive poverty. Poverty in America is real. We have more than 400 counties in the United States of America that have poverty rates that exceed 20 percent, and all of these have had poverty rates for more than 30 years greater than 20 percent. So poverty is a critical issue in our country, and communities are feeling the effect of it in a significant way.

Joblessness. Joblessness. I continue to say that the unemployment rate is

unacceptably high. Even though we have made a great improvement in the unemployment rate since the recession, it is still too high. For African American workers, it is hovering somewhere around 10 percent. That is unacceptable.

We all talk from time to time and we see it all over the news today about police misconduct. Police misconduct is continuing to be a pervasive problem in so many communities.

I'm sure tonight Mr. BOBBY SCOTT from Virginia, who is very passionate about the whole issue of criminal justice reform, is going to talk about mass incarceration in the United States of America.

Certainly that is a real problem, and there are many Members in this body who are working every day to try to craft together legislation to try to address the whole question of mass incarceration.

Also, we have crumbling schools and infrastructure and highways and tunnels and ports. Our whole infrastructure in this country needs to be addressed. Hopefully, we will be able to pass a transportation bill before the end of the year.

Hopefully, my friends on the other side of the aisle will not try to load up the transportation bill with any Ex-Im Bank riders that will be a poison pill that would slow down or even defeat the transportation bill.

□ 2000

So the point is, Ms. KELLY, that we do have an urgent need to save our communities. We need all hands on deck as we take on this challenge.

We consistently see, Ms. KELLY, an over-criminalization of African Americans, specifically our youth. We see, for example, minor infractions that occur in the context of a classroom—yes, we have seen that on television over the last few days—a minor infraction in a classroom that escalates into an arrestable offense.

Students, particularly those who are African American and Hispanic, are too frequently funneled into the justice system as a result of overly punitive school discipline policies and poorly defined roles for law enforcement in educational settings.

Unfortunately, the school-to-prison pipeline is still a reality. When I first came to Congress 11 years ago, we were talking about the school-to-prison pipeline, and we continue to talk about it today. It is a reality. So we must work together to remedy this problem.

We, as members of the Congressional Black Caucus, do not at all endorse what some people over the last few days have started to call the “Ferguson Effect.” Let me just elaborate on that for a moment.

We have heard some high-ranking officials in our country refer to the “Ferguson Effect.” They are suggesting in

some way that an uptick in crime can be attributable to police inaction because of their fears of the “Ferguson Effect.”

That is so erroneous. That is so disingenuous. I wish we would concentrate on the problem and not try to get sidetracked on the so-called “Ferguson Effect.”

The deaths of so many unarmed Black men like Michael Brown, Eric Garner, and Freddie Gray are all a result of a number of issues, including the overcriminalization of minorities and a lack of effective community policing practices.

Let us seize this opportunity that we have before us to gain significant ground on several legislative areas which are not only CBC priorities, but are also in the strategic interests of our Nation. Criminal justice reform is one such area.

Mr. Speaker and Ms. KELLY, any criminal justice reform, any legislation that we consider, must guarantee a substantial reduction in the prison population for Federal prisoners. We are, as a country, 5 percent of the world's population; yet, we incarcerate 25 percent of those who are incarcerated in the world. There is something is wrong with that, Mr. Speaker.

We must make sure that our laws and our criminal laws in this country are fair and that they are not disproportionate and overburdensome in some areas.

We have Members of this body on both sides of the aisle who acknowledge the inadequacies in our criminal justice system and see reform as a key priority. The political will—the political will—for criminal justice reform is here today.

The President was in Newark, New Jersey, today talking about criminal justice reform. Some of my Republican colleagues are talking about it, and my Democratic colleagues are talking about it.

The leadership on both sides of the aisle have had meaningful conversations on this issue. We believe that a bipartisan legislative accomplishment can be achieved in this session.

I know that there are several bills that are pending, and I hope Mr. SCOTT will talk extensively about it when he makes his remarks in just a moment.

But criminal justice reform can take place in the 114th Congress, and I believe we can reach a bipartisan compromise that can get this bill to the President's desk by the end of this term.

Thank you, Ms. KELLY, for yielding time.

Ms. KELLY of Illinois. Thank you, my colleague from North Carolina, for your outstanding remarks on this topic of saving our community. I really, really appreciate it, and so do the American people.

At this time, I would like to introduce my other colleague, Representa-

tive BOBBY SCOTT from the great State of Virginia.

Mr. SCOTT of Virginia. I thank the gentlewoman for organizing this Special Order so that we can talk about many aspects of the criminal justice system.

You have asked us to talk about the militarization of communities, also what we can do to improve policing and the problem of mass incarceration. On the term of militarizing the communities, there was an amendment offered a few months ago that would have prevented the Department of Defense from giving local police departments certain military equipment.

I think it is important to read what was actually in the legislation because some thought that handguns and ammunition was what we were talking about. Actually, the amendment goes into great length specifically about what would be prohibited if that amendment passed to help reduce the militarization of our communities.

The Department of Defense has a program where they will give surplus equipment to local communities, and the limitation was that none of these transfers could include aircraft, including drones; armored vehicles; grenade launchers; silencers; toxicological agents, including chemical agents and biological agents; launch vehicles; guided missiles; ballistic missiles; rockets; torpedoes; bombs; mines; or nuclear weapons.

Those are the only things that would be barred if this amendment had passed, not handguns and ammunition or other things that local police departments could actually use. But what local police department needs nuclear weapons or torpedoes?

We are not talking about the large, sophisticated police forces. This is the kind of stuff that was being given to police departments that you might think of when you think of Andy Griffith and Barney Fife. What do they need with a tank?

In one of the local incidents when they had a tank come out, it was pointed out that the people trying to drive the tank hadn't been trained on the tank. Can you just imagine hearing from inside, “Where are the brakes? Where are the brakes?”

If you need a military response, the appropriate thing to do would be to call in the National Guard. Then you have the military performing the military functions. I think there is a lot that we can do to restrict this kind of equipment going to our local police departments.

A lot has been said about policing. We can discuss the problem of policing. We all know that the vast, overwhelming majority of police officers risk their lives on our behalf and do an excellent job.

But whenever you get to describe what the problem is, we know what the

solution is going to be, and that is to make sure that there is a consensus growing that we need body cameras so we can know exactly what happened and police training so that police can be properly trained on things like how to avoid profiling, how to avoid discrimination, and treating one group different from the other. Implicit bias is what it is called. There is a lot you can do in training, and we need to make sure we have funding for that training.

But in terms of mass incarceration, that is where we really need a lot of work. As the chairman mentioned, we have 5 percent of the world's population and 25 percent of the world's prisoners. In most countries, for every 100,000 population, they lock up 50 to 200 people per 100,000. The United States locks up over 700 per 100,000. We are well into the first place. There is nobody close.

That number is particularly egregious because there have been recent studies that have suggested that anything over 500 per 100,000 is actually counterproductive.

You have got so many people in jail. You have so many families being raised with their parents in prison. Young people are being raised without their parents. You have so many people with felony records having trouble finding jobs.

You are wasting so much money that anything over about 500 per 100,000 is counterproductive. We are at 700 and some per 100,000. The African American incarceration rate is in the thousands. That is just wasted money.

That is what Texas found when they were looking a few years ago at an appropriations request of \$2 billion needed to keep up with all the slogans and sound bites that they had codified in terms of keeping up with the mass incarceration in Texas, \$2 billion in construction.

And somebody said, "Well, if you actually make a better choice, if you invested some of that money in prevention, early intervention, and rehabilitation, you might not have to spend all \$2 billion."

That is what they did. They intelligently invested in evidence-based programs, programs studied and known to reduce crime, not just sound like they reduce crime, but actually known to reduce crime, evidence-based policies of prevention, early intervention, and rehabilitation, and they found that they didn't need to build any new prisons.

In fact, they were able to close some of the prisons that they had. Over 30 States have figured out that they can reduce crime and save money by reducing mass incarceration. On the other hand, Mr. Speaker, there are people that think slogans and sound bites are good, and that is how we got in the mess we are in now.

The chairman mentioned the school-to-prison pipeline. I like to refer to it as the Children's Defense Fund does, as the cradle-to-prison pipeline, because that suggests that there are things all the way along the line that we are not doing that help construct this pipeline that ends up with—at present estimates, one out of three African American boys born today will end up in prison.

We can do better than that if we make the appropriate investments all the way through from early childhood education to after-school programs, a continuum of services, to make sure that they create the cradle-to-college-and-career pipeline and not the cradle-to-prison pipeline. That includes investments that have been studied, evidence based, and we know they work.

There is a lot you can do in terms of criminal justice reform, but if you do it right, it has to be comprehensive. That means you start with prevention and early intervention, make sure you are making those investments so fewer young people are getting in trouble. Then you have to do police training. We know that good police training can improve policing and, also, reduce crime. Body cameras can eliminate a lot of problems.

Last year we passed the Death in Custody Reporting Act, which requires reporting from local police of anybody that dies in their custody in prison, in jail, or in the process of arrest, so we know what is going on around the country. As you have the debate, you can debate from a point of view of facts, not just in allegations when people don't know exactly what the facts are.

We can make sure that the police training is there. You can have diversion to make sure that people who are arrested might not have to spend—the only people you need pretrial in jail are those that need to be in jail. You don't want to have unnecessary people serving time and losing their jobs in the process.

You need a continuum of services, drug courts which can address the underlying problem rather than just convict them, lock them up, they come back, same thing, come back, back and forth.

If you deal with the underlying problem in a drug court, you can have a situation where they are diverted from prison and, also, much less likely to commit a crime in the future.

One of the major factors in over-incarceration are the mandatory minimums. We need to have significant reductions in mandatory minimum sentencing to make sure they only apply to a small portion of real, legitimate kingpins, not to girlfriends and people on the periphery that may have gotten caught up in a conspiracy.

Once you get into prison, make sure that it is for rehabilitation, not for

just warehousing, so you are much less likely to commit a crime when you come out. You have to fund the second chance programs.

All of this is part of the SAFE Justice Act, which has the added benefit that, because of the significant reductions in mandatory minimums, there will be savings. The Department of Justice is able to redirect the savings into the prevention, early intervention programs, the drug courts, the body cameras and everything else. So everything in the program is paid for by reducing incarceration.

This legislation has the support of a lot of different organizations, liberal and conservative, because everybody knows that, if it is enacted, we will reduce crime and save money.

So we know what to do. It is just a matter of making sure we have the political will to do the right thing, to deal with mass incarceration by making the right choice, not the slogans and sound bites, but the evidence-based approach that will actually reduce crime and save money.

We can do it. There is legislation pending. There are a lot of different bills, but we need to make sure that the comprehensive approach is reflected in whatever comes to the floor.

So I want to thank the gentlewoman from Illinois for bringing us together so we can discuss the militarization of our communities, the solutions for policing, which would include training and body cameras and how we can effectively reduce mass incarceration. We know what to do, and the solutions save more money than they cost.

So thank you very much for the opportunity to present that.

Ms. KELLY of Illinois. Thank you so much for your important remarks. I know this topic is one that you have been researching and studying, trying to come up with solutions for a long time.

One thing that is a little disconcerting is you say that the SAFE Justice Act is widely supported, but it still doesn't move.

Mr. SCOTT of Virginia. Well, it doesn't matter which bill moves. The question is whatever moves ought to have the elements of prevention and early intervention, ought to have diversion, and if you only deal with sentencing in the Federal system, you are not dealing with mass incarceration in the United States.

The Federal system only has 10 percent of the prisoners. So if you just eliminated the Federal system, you are only talking about 10 percent reduction in incarceration. You have to do something about mass incarceration at the State level.

□ 2015

So when you just talk about sentencing reform, if you reduce a mandatory minimum for 25 to 15 years, the

first 15 years, that has no effect, because they will serve the first 15 years, then gradually you will have an effect. If you want an effect, you need to have prevention programs so fewer people are coming into prison, diversion programs so those who are arrested can be diverted from prison, dealt with effectively in drug court so they are much less likely to commit a crime again so that you can reduce crime and save money.

You have to make sure you have meaningful mandatory minimum reforms because that is one of the major drivers of the overincarceration. When people are in prison, you have to make sure you have the funding for the programs to make sure they don't come back. And once in the community, the second chance programs that have been very effective need to be funded.

We know what to do; it is just a matter of getting it done. It doesn't matter whose bill passes; it is just whatever passes ought to have those elements.

Ms. KELLY of Illinois. Is there any particular State that you think does a better job that we can hold up as a role model?

Mr. SCOTT of Virginia. There are 30 States that have reduced crime and saved money. Texas was one of the first because they were looking at a \$2 billion appropriation request to keep up with the slogans and sound bites that they had enacted in mass incarceration. At the rate they were going, they needed \$2 billion in prison construction.

They decided instead to invest it in prevention programs so fewer kids were getting in trouble; early intervention programs so that once people got in a little trouble, they wouldn't get in worse trouble; and rehabilitation in prisons so that as people got out, they were less likely to come back. They found that they not only didn't have to spend any of the \$2 billion building prisons, they were able to close some of the prisons they had.

Texas is a red State, and they called their initiative "Right on Crime." Using the word "right" in both words is correct, and from the political right. So you had conservatives investing their money appropriately, reducing crime, and saving money.

Ms. KELLY of Illinois. That is fantastic.

I know in my district, we have held some roundtables, and some of my employers, manufacturers, they shared that they did hire people who were in prison and were some of their best employees because they are so grateful that someone gave them a chance. We really need to promote that and highlight those things.

Mr. SCOTT of Virginia. The second chance idea is that people who get out of prison ought to be supported. The little money you spend on support pales in consideration to what usually

happens. They get out, they can't find a job, they can't do anything, and they are right back into prison at \$30,000, \$40,000, \$50,000 a year. If you spend a little bit of money supporting them, they might not come back.

One of the elements the President talked about today is the "ban the box." When you fill out an application, there is a little box, "Have you ever been convicted of a felony?" If you check the box, that is the end of the interview.

What the ban the box is suggesting is don't talk about the criminal record at first. Go through the process so you can present your credentials. Then, at the end of the process, they can discuss criminal record, but not at the beginning.

You will find that many people, the conviction is so far past. Studies have shown that after a few years, if you have got a clean record, the chance of you committing a crime isn't any higher than the general population. So if it is a 15-year-old nonviolent offense, well, maybe it is not relevant; and maybe your credentials are so much better than everybody else's that you are the right person for the job, but you never would have had the opportunity to present your credentials if you had to check the box.

So all around the country, cities, States, and businesses are eliminating that box to check, talking to people and seeing if they are actually qualified for the job, and those that are qualified can get the job. Obviously, some violations, if you have got an embezzlement charge and you are trying to get a job in a bank, or child molestation at a daycare center, you know, but a lot of them, if it is a 20-year-old marijuana possession charge or something like that, compared to your credentials, compared to everybody else head and shoulders, well, people can overlook a 20-year-old conviction. You never would have gotten to that point if you had to check the box. That is why the ban the box campaign is so important.

Ms. KELLY of Illinois. That is a good idea we have now in Illinois.

Thank you, Representative. I really appreciate you taking the time and sharing your vast knowledge about this topic.

Mr. Speaker, many of the families that we represent believe that the only and right way to save our communities and secure our better future is to enact laws that actually understand the needs of American families, regardless of circumstance, and invest in their future.

This Congress must have a frank conversation about what those investments are and vote for policies that will truly save our communities. And this conversation has to be a bipartisan conversation, not just a Congressional Black Caucus or Democratic conversation.

Mr. Speaker, I am reminded that today our colleague, the Honorable DONALD PAYNE, Jr., of New Jersey could not be here because he was asked to be with the President. President Obama visited Congressman PAYNE's district to discuss criminal justice reform, as you heard a little bit about already.

As many of you know, earlier today, President Obama spoke of his intent to make significant reforms in the criminal justice space; and in keeping with the message of "saving our communities," the reforms the President is championing are necessary. I thank the President for his efforts.

I want to take just a moment to say that I appreciate the fact that over on the other side of the Hill, a bipartisan coalition of Senators, led by my Congressional Black Caucus colleague, Senator CORY BOOKER, as well as my home State Senator, the Honorable DICK DURBIN, and men willing to cross the aisle, like Senator MIKE LEE of Utah, were able to come together to introduce comprehensive legislation aimed at recalibrating prison sentences for certain drug offenders, targeting violent criminals, and granting judges greater discretion at sentencing for low-level drug crimes. Their sentencing reform legislation helps to curve recidivism by helping prisoners successfully reenter society.

These are just small components of an overall strategy to help save communities, but they are critical ones nonetheless.

Here are the facts. More than half a million people leave U.S. prisons each year with jobs, housing, and mental health services scarce. Many are soon to be back behind bars.

Like the President said, many of us in the Congressional Black Caucus are calling on community stakeholders to break the cycle of incarceration by helping former inmates successfully reenter society.

So tonight's Special Order hour is an opportunity that comes on the heels of the President's New Jersey visit, a visit where he toured a drug treatment center called the Integrity House, and recognized its work in helping former inmates secure housing, jobs, and skills needed to transition to life outside of prison. I have a place like that in Illinois called the Safer Foundation that does much of the same work.

As the President noted, everyone has a role to play in criminal justice reform and reintegrating those who have served time in prison back into society. From businesses that are hiring ex-offenders to philanthropies that are supporting education and training programs, we have to get to work getting ex-offenders back on their feet so they can help build up their communities.

Mr. Speaker, this Congress has to have the astuteness and manpower in its ranks to recognize that we must do

more, that it will take a village, and it takes real leadership to improve the plight of America's communities. This means we need jobs legislation that offers opportunity. This means we need safe streets free of violence. This means we need community policing that brings us peace of mind and comfort.

I feel compelled in this conversation about communities to say that, as a representative of the Chicagoland area and as a co-chair of the House Gun Violence Prevention Task Force, Congress must get over its fear of talking about violence in America. We have to do more than hold moments of silence when tragedies occur. We have to stop being silent and start acting. We don't have to be enemies on this subject.

The issues of gun violence and police violence in our communities are real. It is how we respond to the problems that exist in these areas that will show our strength as a country. Right now, the tragic occurrences that exist with respect to these issues only serve as barriers to our growth as a nation.

When I talk about gun violence, I always start out by reminding folks of a few things.

First, it is important to realize that gun violence isn't just an urban problem; it is an American problem. In the last 50 years, more than 1 million people have been killed by guns in America.

Since 1968, more Americans have died from gunfire than died in all the wars of this country's history.

A young Black man is nearly 5 times more likely to be killed by a gun than a young White man, and 13 times more than an Asian American man.

If a Black person is killed by a gun, it is judged a homicide 82 percent of the time.

And keep in mind, from metal detectors in buildings to shooting safety drills at schools and movie theaters, gun violence has affected all of our communities, not only in terms of how we live, but whether we live at all.

And the irony is that, even with all this death and tragedy, this Congress can't even put a background check bill on the House floor, even with an NRA membership that is in 80 percent agreement that we need expanded background checks. Last Congress, even with about 190 cosponsors, the bill never came to the floor.

When I talk about saving our communities and discussing the actions of the police, I often remind people of this: the police are not our enemy. I won't ever say that because that simply is not the case.

To make our communities safer, we need the support of families, leaders, and our local law enforcement. I come from a family of law enforcement officers and know that our police ranks are filled with brave, well-intentioned, civic-minded heroes. Sadly, too many

in the Black community don't have the same family experience that I have had with law enforcement and fear the police. I have a 31-year-old son, and even though the same police are in his family, he hasn't had the same experiences.

And, unfortunately, there are still too many police officers who harbor a level of fear when it comes to dealing with the Black community.

Mr. Speaker, we have discussed the aftermath of a few high-profile police events. I will repeat what I often say: we must hold our law enforcement officials to the highest professional standards and provide them with the training they need to effectively police diverse communities. This training must address the biases and stereotypes that influence decisions in the field and that create obstacles to mutual understanding. In working to achieve that understanding, we can strive toward a justice system that treats all Americans fairly and values all American lives equally.

Before I end, I just want to give my colleague the opportunity to share a few more words.

Mr. SCOTT of Virginia. Mr. Speaker, I would like to thank the gentlewoman from Illinois for all of her strong work in criminal justice. She has been fighting since she first got here. That is certainly appreciated and has made quite a difference.

As you have indicated, this is a moment when adversarial groups and Members of Congress, liberal and conservative, have come to a consensus that we need to reform the criminal justice system. The Safe Justice Act that I mentioned is led by JIM SENSENBRENNER from Wisconsin, a Republican, and has Republican and Democratic support. There are bills in the House and the Senate with bipartisan support. If we are going to have this moment where everyone is in agreement, we need to make sure that we do everything we possibly can.

I thank you for organizing this Special Order so that we can make criminal justice reform a reality.

Ms. KELLY of Illinois. Thank you.

I thank my colleagues for lending their voices for this important conversation about saving our communities, and I will be submitting some other work from other colleagues not here tonight.

I yield back the balance of my time.

Ms. FUDGE. Mr. Speaker, I rise today with my colleagues from the Congressional Black Caucus because last week our nation was reminded, yet again, Black lives have no value. But this time, the reminder was different.

It did not come from law enforcement in response to a shooting, traffic stop, or 911 call. Nor did it come from inside a jail cell or a court room. This time, the reminder came from the use of excessive force in a place where most of us would expect it never to happen: our schools.

Schools should be safe havens for our nation's children. Unfortunately, actions of Spring Valley school resource officer, Ben Fields, caught on video have proven that they are not. Instead of preparing young minds across the country to tackle our nation's most complex issues, some of our schools are fostering fear and mistrust.

And, this is what my young constituents have told me. On October 16, I held a listening session with more than 400 high school students from Northeast Ohio.

I was surprised to hear that nearly all of them felt there was no one they could talk to—in their schools or communities—if they felt unsafe. Today, I am not so shocked. With incidents like the one captured in the Spring Valley video, who could blame them?

What messages are acts like these sending our youth? Are they to think this behavior is acceptable and that they matter less, if at all?

The over criminalization of African-American youth and young adults is already a growing issue in our communities. The number of African-American men in jail continues to rise. African-American and Latino boys and men tend to receive harsher sentences than their peers of other races.

Further, the school-to-prison pipeline is as strong as ever, with our African-American students suspended at three times the rate of their White peers. In this case, criminal charges were even filed against the young Spring Valley female student after she was subjected to egregious force by a "resource officer."

As a nation, we must stop this vicious cycle. It is time to change the narrative and save our communities for generations to come.

I call on my colleagues in Congress to work together to pass policies that tell our children their lives have value. We must pass criminal justice reform and support policies that create a safe, nurturing environment in our schools. The future of our communities depends on it.

Mr. CONYERS. Mr. Speaker, as many of you know, the promotion of best practices and oversight of state and local law enforcement have been legislative priorities during my tenure as a Judiciary Committee member. My Pattern And Practice statute, passed as part of the 1994 crime bill, has served as the dominant tool used by the Department of Justice to address the myriad of policing controversies dating back the LAPD, New Orleans and most recently Seattle, Cleveland and Ferguson, Missouri police departments.

Over the past two decades, tensions between police and communities of color have grown as allegations of bias-based policing by law enforcement agents, sometimes supported by data collection efforts and video evidence, have increased in number and frequency.

Recent events in the wake of Ferguson, Missouri demonstrate that racial profiling and bias-based policing remain divisive issues in communities across the nation that strikes at the very foundation of our democracy.

The deaths of Walter L. Scott—arising from a traffic stop—Michael Brown, Eric Garner, and Antonio Zambrano-Montes—all at the hands of police officers—highlight the links between the issues of race and reasonable suspicion of criminal conduct. Ultimately, these men are tragic examples of the risk of being

victimized by a perception of criminality simply because of their race, ethnicity, religion or national origin.

Despite the fact that the majority of law enforcement officers perform their duties professionally and without bias, the relationship between the police and some of minority communities has deteriorated to such a degree that federal action is required to begin addressing the issue. With recent Washington Post reports of almost 400 police-involved shooting fatalities in the first five months of 2015, all should agree that the time for bipartisan action is long overdue.

In 2001, I welcomed President Bush's invitation to draft legislation that would end the practice of unlawful police profiling, with bipartisan Congressional support. In April, I reintroduced the End Racial Profiling Act in the hope that Congress and the Obama Administration can come together to pass legislation that sends the signal that the Federal government is committed to ensuring that its law enforcement agencies conduct their activities free from bias.

In May, the Judiciary Committee, where I am former Chairman and current Ranking Member, held a hearing on Police accountability, where we heard from expert witnesses on police practices and discussed policy options to restoring the relationship between the police and communities of color.

In June, I followed up on this effort to address fair policing practices by reintroducing the Law Enforcement Trust and Integrity Act. That bill is designed to provide incentives for local police organizations to voluntarily adopt performance-based standards to ensure that incidents of deadly force or misconduct will be minimized through appropriate management and training protocols and properly investigated, should they occur.

The bill authorizes the Department of Justice to work cooperatively with independent accreditation, law enforcement and community-based organizations to further develop and refine accreditation standards, and further authorizes the Attorney General to make grants to law enforcement agencies for the purpose of obtaining accreditation from certified law enforcement accreditation organizations.

Currently, there are no federally recognized minimum standards for operating a law enforcement agency. The ad hoc nature of police management has accordingly left many officers and agencies in the dark about how to cope with changes in their communities. That is the real reason police officers and department feel so adrift in the current post-Ferguson environment—not the Black Lives Matter Movement. There is a vacuum of leadership in policing that can only be filled by leadership at the federal level.

Beyond the human toll created by law enforcement accountability issues, there remains the fiscal impact created by the high cost of litigation settlements for police abuse claims. While most cities fail to systematically track the cost of litigation, the cost reports for major cities have proven staggering. In New York City alone, during Mayor Michael Bloomberg's three term tenure, NYPD payouts were in excess of \$1 billion dollars for policing claims. For small departments, the cost of a single

high profile incident could prove crippling in its impact on public safety.

While the Department of Justice has a range of criminal and civil authority to address policing issues, the Civil Rights Division will never have the resources necessary to investigate more than a small fraction of those departments engaged in unconstitutional conduct, even with the enhanced funding and task force authority granted by this legislation.

Through the support of a robust accreditation regime, like that existing in healthcare, Congress can ensure that all communities have the best trained and managed police departments. Only by establishing acceptable police operations standards can we begin to preemptively address issues like use of force and heal the rifts within our communities.

Media reports from Baltimore and other cities depicting confrontations between protestors and their police departments illustrate the current divide between law enforcement and the communities they police. In the past years, cities from New York to Cincinnati and Miami to Los Angeles have experienced unrest following controversial use of force incidents by their police. Absent a climate of trust and accountability, community needs are not served and the jobs of the police officers become more difficult and dangerous.

The energies of Congress should be focused on the adoption of legislative priorities that address the substance of law enforcement management and strengthen the current battery of tools available to sanction misconduct. As a Congress we have been enthusiastic about supporting programs designed to get officers on the street.

We must be just as willing to support programs designed to train and manage them after they get there. The current national climate requires decisive action to implement solutions. Out of respect for all who have lost their lives over the last nine months—both law enforcement and civilian—I hope you will join me in supporting legislation that initiates the reforms necessary to restore public trust and accountability to law enforcement.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to join my colleagues in speaking on the critically important issue of criminal-justice reform.

Just last week, an African-American girl at Spring Valley High School in Columbia, South Carolina was violently arrested by the school's resource officer. This is a disturbing example of a law enforcement officer using excessive force when interacting with a person of color and a perfect illustration of an alarming trend in our schools. We need to have a substantive dialogue around how to empower administrators, teachers, and staff to deal with school disciplinary issues so that students aren't being criminalized for behavioral issues.

According to the Department of Education, black females enrolled in New York City and Boston schools are disciplined 10.5 times more on average than their white counterparts.

African Americans seem to face undue scrutiny by police officers throughout our communities. Black Americans are more than twice as likely to be unarmed when killed during encounters with police when compared to Caucasians. States and Congress must set higher

standards for the use of deadly force and must hold police officers accountable if they violate these standards. This is the first of many steps to begin the process of mending the delicate relationship between law enforcement and people of color.

This disparity is increasingly evident when looking at the composition of the U.S. prison population. The Coalition for Public Safety argues that more than 60 percent of our prison population is composed of racial and ethnic minorities. That is why I have supported H.R. 3713, a comprehensive sentencing reform effort with bipartisan support that aims to overhaul the current system which disproportionately affects minorities.

I strongly believe that addressing the disparate treatment of people of color at the hands of police is a fundamental step toward creating an equitable society. As one of the first black women to be publically elected from Dallas, I spent my entire career championing equity for communities of color and fighting on behalf of African Americans for social justice. It is clear that there are fundamental problems in police and justice systems across the nation that needs to be addressed. As a former Chairwoman of the Congressional Black Caucus, these issues are of the utmost importance to me and I am personally committed to finding long term solutions.

We must act now to remedy the culture and system of violence against people of color. Our nation has endured this disparity for far too long and I encourage my colleagues to not only speak out on this issue, but also take swift and immediate action.

Ms. LEE. Mr. Speaker, I rise today as a proud member of the Congressional Black Caucus to participate in this special order hour on "Saving Our Communities" and to discuss how we can work together to address the militarization of law enforcement, the high rate of arrest of our African American youth in our school systems, and the importance of criminal justice reform.

First, let me thank my colleague Congresswoman ROBIN KELLY, for organizing this special order and for her continued leadership on so many issues, especially as chair of the CBC's Health Braintrust. Her leadership is so critical for these important discussions.

Mr. Speaker, I rise tonight to speak about our broken criminal justice system and how its institutional biases overwhelmingly and negatively affect African Americans. Black bodies are criminalized, our police forces are becoming more and more militarized and we see astronomical arrest rates amongst African American youth.

From the East Bay to New York City, we see a common story of African Americans living in a different version of America. Their version is one filled with fear, distrust, and vicious cycles of incarceration, unemployment, poverty and recidivism.

Mass incarceration and a lack of reintegration policies have greatly hurt African American communities and I am frankly tired of waiting for "the people's" house to act.

For too long, we have ignored issues affecting African American communities. It is time to do the good work needed to save our communities. Let's pass criminal justice reform, end the militarization of our police forces, and work

so that no student will have to go through what that young woman in South Carolina went through.

I applaud the President for his announcement today, and his bold and continued leadership to advance criminal justice reform. Yet much work remains to be done.

The cycle of incarceration and recidivism start early for African American students. The school to prison pipeline is very real and it pushes young people into prisons before they even have a chance.

While black students represent just 18 percent of preschool enrollment, they account for 42 percent of preschool student expulsions. We are talking about kids that are 2–5 years old—these kids don't even get a start, let alone a head start.

This carries over to high-school. Look at the incident at Spring Valley High school in South Carolina—it speaks to issues around black criminalization and the unnecessary escalation of discipline for African American students.

Having a phone out in class does not warrant a police call, and it certainly does not justify a student—a child, really—from being thrown out of a chair and dragged across a classroom floor.

Yet we see today that young African American girls are disciplined 10.5 times more than their white counterparts. Black girls are expelled and suspended at higher rates as well—what is going on?

We live in a country where black and brown youth are punished more often and more severely than their white counterparts. Yet few seem to raise an eyebrow at these gross disparities—disparities that have landed thousands of young people in jail, without hope and without a future.

As the mother of black men and the grandmother of two black boys, I find statistics like that troubling. For African Americans, we have allowed our school system to be turned into a prison pipeline. We must act now to stop it.

The sad thing about the Spring Valley incident is that this is not the first time we have seen students be brutalized at school. And while I commend the police department for firing this out of line officer and applaud the Justice Department for investigating, more must be done to prevent these miscarriages of justice.

We must address the systemic issues facing our education and criminal justice systems.

Nationwide, our local police forces have become increasingly militarized. Images from the unrest in Ferguson caused an outcry as we saw citizens being repelled by police officers in tanks. It looked like a scene from a battlefield than the streets of a suburban Missouri town.

For too long excess military equipment has been sent to local jurisdictions with the obliga-

tion to use them within one year. Weapons of war have no place on Main Street.

That is why I am a proud co-sponsor of the Stop Militarizing Law Enforcement Act (H.R. 1232) a bipartisan bill that reins in the transfer of military equipment to civilian law enforcement agencies.

Instead of finding ways to arm our police forces, let's find ways to provide them with greater racial sensitivity training and work to build greater trust between law enforcement and the communities in which they serve.

That is why I introduced H. Res. 262, a resolution supporting community-oriented policing and encouraging greater diversity in law enforcement hiring and retention.

Our local law enforcement agencies must reflect the communities they serve.

Finally Mr. Speaker, it is past time that we tackle criminal justice reform. The President made some bold announcements today but Congress must act.

Let us ban the box, implement policies that increase integration, and address issues of income inequality and poverty that keep too many people and families trapped in a cycle of mass incarceration, unemployment, poverty and recidivism.

Systemic and institutional racial biases have broken our criminal justice system and eroded trust between law enforcement and the communities that they serve.

Thoughtful criminal justice reform is what is necessary to mend these relationships and work to "save our community" from the inside and out.

I am proud to be a member of the CBC's Ferguson Task Force that is putting forth real, actionable legislation that should come forward for an immediate vote—

Legislation like the Police Accountability Act (H.R. 1102) and the Grand Jury Reform Act (H.R. 429, which together would ensure that deadly force cases are heard by a judge and ensure police accountability by expanding the DOJ's power to persecute cases.

Let's work to save these communities. Let's end excessive force in our schools, work to stop the decriminalization of black bodies, and find effective solutions to the end the school to prison pipeline.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of official business.

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today and November 3 on account of official business in district.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1731. An act to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes; to the Committee on Veterans' Affairs.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. MESSER, on Monday, November 2, 2015:

H.R. 623. An act to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes.

H.R. 1314. An act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 29, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 3819. To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

ADJOURNMENT

Ms. KELLY of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 29 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, November 3, 2015, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the third quarter of 2015, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GERMANY, EGYPT, AND GREECE, EXPENDED BETWEEN SEPT. 19 AND SEPT. 23, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Steve Scalise	9/19	9/19	Germany				(³)				
Hon. Henry Cuellar	9/19	9/19	Germany				(³)				
Hon. Lynn Westmoreland	9/19	9/19	Germany				(³)				
Hon. Patrick Meehan	9/19	9/19	Germany				(³)				
Hon. Kristi Noem	9/19	9/19	Germany				(³)				
Hon. Martha Roby	9/19	9/19	Germany				(³)				
Hon. Mike Bishop	9/19	9/19	Germany				(³)				
Lynnel Ruckert	9/19	9/19	Germany				(³)				
Charles Henry	9/19	9/19	Germany				(³)				
Eric Zulkosky	9/19	9/19	Germany				(³)				
TJ Tatum	9/19	9/19	Germany				(³)				
Megan Becker	9/19	9/19	Germany				(³)				
Hon. Steve Scalise	9/19	9/20	Egypt		267.00		(³)				267.00
Hon. Henry Cuellar	9/19	9/20	Egypt		267.00		(³)				267.00
Hon. Lynn Westmoreland	9/19	9/20	Egypt		267.00		(³)				267.00
Hon. Patrick Meehan	9/19	9/20	Egypt		267.00		(³)				267.00
Hon. Kristi Noem	9/19	9/20	Egypt		267.00		(³)				267.00
Hon. Martha Roby	9/19	9/20	Egypt		267.00		(³)				267.00
Hon. Mike Bishop	9/19	9/20	Egypt		267.00		(³)				267.00
Lynnel Ruckert	9/19	9/20	Egypt		267.00		(³)				267.00
Charles Henry	9/19	9/20	Egypt		267.00		(³)				267.00
Eric Zulkosky	9/19	9/20	Egypt		267.00		(³)				267.00
TJ Tatum	9/19	9/20	Egypt		267.00		(³)				267.00
Megan Becker	9/19	9/20	Egypt		267.00		(³)				267.00
Hon. Steve Scalise	9/20	9/23	Greece		883.00		(³)				883.00
Hon. Henry Cuellar	9/20	9/23	Greece		883.00		(³)				883.00
Hon. Lynn Westmoreland	9/20	9/23	Greece		883.00		(³)				883.00
Hon. Patrick Meehan	9/20	9/23	Greece		883.00		(³)				883.00
Hon. Kristi Noem	9/20	9/23	Greece		883.00		(³)				883.00
Hon. Martha Roby	9/20	9/23	Greece		883.00		(³)				883.00
Hon. Mike Bishop	9/20	9/23	Greece		883.00		(³)				883.00
Lynnel Ruckert	9/20	9/23	Greece		883.00		(³)				883.00
Charles Henry	9/20	9/23	Greece		883.00		(³)				883.00
Eric Zulkosky	9/20	9/23	Greece		883.00		(³)				883.00
TJ Tatum	9/20	9/23	Greece		883.00		(³)				883.00
Megan Becker	9/20	9/23	Greece		883.00		(³)				883.00
Committee total					10,596.00		(³)				10,596.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. STEVE SCALISE, Oct. 14, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Frederica Wilson	7/31	8/4	Nigeria		1,259.31		17,057.30				18,316.61
Committee total					1,259.31		17,057.30				18,316.61

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN KLINE, Chairman, Oct. 6, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHARLES W. DENT, Chairman, Oct. 22, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MICHAEL T. McCAUL, Chairman, Oct. 20, 2015.

November 2, 2015

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REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND
SEPT. 30, 2015 *

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. André Carson	6/27	6/30	S. America		205.00						205.00
	6/30	7/3	N. America		1,086.00				59.00		1,145.00
Commercial airfare							2,152.47				2,152.47
Linda Cohen	6/27	6/30	S. America		205.00						205.00
	6/30	7/3	N. America		1,086.00				59.00		1,145.00
Commercial airfare							2,152.47				2,152.47
Hon. Frank LoBiondo	6/28	6/30	Africa		1,255.00						1,255.00
	6/30	7/1	Africa		90.00						90.00
	7/1	7/2	Africa		527.02						527.02
Commercial airfare							13,631.30				13,631.30
Andrew Peterson	6/28	6/30	Africa		1,255.00						1,255.00
	6/30	7/1	Africa		90.00						90.00
	7/1	7/2	Africa		327.01						327.01
Commercial airfare							13,631.30				13,631.30
Hon. Eric Swalwell	6/27	6/28	Asia		75.00				742.64		817.64
	6/28	6/30	Europe		1,147.00		250.50		87.00		1,484.50
	6/30	7/3	Europe		1,110.00						1,110.00
Commercial airfare							14,520.50				14,520.50
Lisa Major	6/27	6/28	Asia		75.00				742.64		817.64
	6/28	6/30	Europe		1,147.00		250.50		87.00		1,484.50
	6/30	7/3	Europe		1,110.00						1,110.00
Commercial airfare							11,483.50				11,483.50
William Flanigan	6/27	6/28	Asia		75.00						75.00
	6/28	6/30	Europe		1,147.00		250.50		87.00		1,484.50
	6/30	7/3	Europe		1,110.00						1,110.00
Commercial airfare							11,483.50				11,483.50
Carly Blake	6/27	6/28	Asia		75.00						75.00
	6/28	6/30	Europe		1,147.00		250.50		87.00		1,484.50
	6/30	7/3	Europe		1,110.00						1,110.00
Commercial airfare							11,483.00				11,483.00
Douglas Presley	7/6	7/9	Europe		292.93						292.93
	7/9	7/11	Europe		1,506.31						1,506.31
	7/11	7/13	Europe		452.00				36.25		488.25
Commercial airfare							4,164.10				4,164.10
Michael Ellis	7/6	7/9	Europe		292.93						292.93
	7/9	7/11	Europe		1,506.31						1,506.31
	7/11	7/13	Europe		452.00				36.25		488.25
Commercial airfare							4,164.10				4,164.10
Shannon Stuart	7/6	7/9	Europe		292.93						292.93
	7/9	7/11	Europe		1,506.31						1,506.31
	7/11	7/13	Europe		452.00				36.25		488.25
Commercial airfare							4,164.10				4,164.10
Hon. Michael Pompeo	7/16	7/19	Europe		318.76		775.40				1,094.16
	7/19	7/21	Europe		1,685.75				339.28		2,025.03
Commercial airfare							11,895.80				11,895.80
Geoffrey Kahn	7/16	7/19	Europe		318.76		775.40				1,094.16
	7/19	7/21	Europe		1,685.75				339.28		2,025.03
Commercial airfare							2,267.80				2,267.80
Hon. Devin Nunes	8/2	8/9	Australasia		1,311.00				1,059.50		2,370.50
	8/9	8/11	Asia		699.00						699.00
	8/11	8/13	Asia		544.31				9.92		554.23
	8/13	8/14	Asia		212.00		37.00		15.66		264.66
	8/14	8/15	Asia		236.00				152.35		388.35
	8/16	8/18	Europe		768.44				192.37		960.81
Commercial airfare							32,260.00				32,260.00
Damon Nelson	8/2	8/9	Australasia		1,311.00				1,059.50		2,370.50
	8/9	8/11	Asia		699.00						699.00
	8/11	8/13	Asia		544.31				9.92		554.23
	8/13	8/14	Asia		212.00		37.00		15.66		264.66
	8/14	8/18	Asia		236.00				152.35		388.35
	8/16	8/18	Europe		768.44				192.37		960.81
Commercial airfare							24,527.30				24,527.30
Hon. Frank LoBiondo	8/11	8/13	Asia		544.31				9.92		554.23
	8/13	8/14	Asia		212.00		37.00		15.66		264.66
Commercial airfare							18,121.10				18,121.10
Hon. Patrick Murphy	8/5	8/10	Asia		1,075.42						1,075.42
	8/10	8/13	Asia		738.00				317.12		1,055.12
Commercial airfare							13,237.00				13,237.00
Robert Minehart	8/5	8/10	Asia		1,075.42						1,075.41
	8/10	8/13	Asia		738.00				317.12		1,055.12
Commercial airfare							14,808.40				14,808.40
Hon. K. Michael Conaway	8/7	8/9	Europe		876.00						876.00
	8/9	8/11	Europe		563.69						563.69
	8/11	8/12	Europe		327.18						327.18
	8/12	8/14	Europe		711.00				632.00		1,343.00
Commercial airfare							22,391.00				22,391.00
Lisa Major	8/7	8/9	Europe		876.00						876.00
	8/9	8/11	Europe		563.69						563.69
	8/11	8/12	Europe		327.18						327.18
	8/12	8/14	Europe		710.00				632.00		1,342.00
	8/14	8/16	Europe		306.18				25.84		332.02
Commercial airfare							11,077.20				11,077.20
William Flanigan	8/7	8/9	Europe		876.00						876.00
	8/9	8/11	Europe		560.01						560.01
	8/11	8/12	Europe		327.18						327.18
	8/12	8/14	Europe		710.00				632.00		1,342.00
	8/14	8/16	Europe		306.18				25.84		332.02
Commercial airfare							11,077.20				11,077.20
Lisa Major	8/7	8/9	Europe		876.00						876.00
	8/9	8/11	Europe		563.69						563.69
	8/11	8/12	Europe		327.18						327.18
	8/12	8/14	Europe		710.00				632.00		1,342.00
	8/14	8/16	Europe		306.18				25.84		332.02
Commercial airfare							11,077.20				11,077.20
William Flanigan	8/7	8/9	Europe		876.00						876.00
	8/9	8/11	Europe		560.01						560.01
	8/11	8/12	Europe		327.18						327.18
	8/12	8/14	Europe		710.00				632.00		1,342.00
	8/14	8/16	Europe		306.18				25.84		332.02
Commercial airfare							11,077.20				11,077.20
Carly Blake	8/7	8/9	Europe		876.00						876.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015 *—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
	8/9	8/11	Europe		560.01						560.01
	8/11	8/12	Europe		327.18						327.18
	8/12	8/14	Europe		710.00				632.00		1,342.00
	8/14	8/16	Europe		306.18				25.84		332.02
Commercial airfare							11,077.20				11,077.20
Chelsey Campbell	8/7	8/16	Asia		1,218.00						1,218.40
Commercial airfare							9,468.40				9,468.40
Jacob Crisp	8/7	8/16	Asia		1,218.00						1,218.00
Commercial airfare							9,468.40				9,468.40
Hon. Lynn Westmoreland	8/16	8/19	Europe		1,489.32				909.63		2,398.95
	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
							(³)				
Hon. James Himes	8/16	8/19	Europe		1,489.31				909.63		2,398.95
	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
							(³)				
Hon. Jackie Speier	8/16	8/19	Europe		1,489.32				909.63		2,398.95
	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
							(³)				
Hon. Terri Sewell	8/16	8/19	Europe		1,489.32				909.63		2,398.95
	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
							(³)				
Hon. André Carson	8/16	8/19	Europe		1,489.32				909.63		2,398.95
	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
							(³)				
Hon. Eric Swalwell	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
Commercial airfare							3,554.30				3,554.30
							(³)				
Andrew House	8/16	8/19	Europe		1,489.32				909.63		2,398.95
	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
							(³)				
Shannon Stuart	8/16	8/19	Europe		1,489.32				909.63		2,398.95
	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
							(³)				
Allison Getty	8/16	8/19	Europe		1,489.32				909.63		2,398.95
	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
							(³)				
Rheanne Wirkkala	8/16	8/19	Europe		1,489.32				909.63		2,398.95
	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
							(³)				
Kristin Jepson	8/16	8/19	Europe		1,489.32				909.63		2,398.95
	8/19	8/20	Europe		238.92		62.25		175.86		477.03
	8/20	8/22	Europe		749.71				291.55		1,041.26
							(³)				
Hon. Michael Quigley	8/24	8/26	Asia		700.00				124.74		824.74
	8/26	8/29	Asia		668.00						668.00
Commercial airfare							15,173.00				15,173.00
Linda Cohen	8/24	8/26	Asia		700.00				124.74		824.74
	8/26	8/29	Asia		668.00						668.00
Commercial airfare							9,577.80				9,577.80
Hon. Adam Schiff	8/23	8/27	Europe		1,755.92				656.32		2,412.24
Commercial airfare							1,032.10				1,032.10
Michael Bahar	8/23	8/27	Europe		989.28				656.32		1,645.60
Commercial airfare							1,032.10				1,032.10
Hon. Christopher Stewart	8/24	8/25	Asia		460.05				785.78		1,245.83
	8/25	8/28	Asia								
	8/28	8/30	Asia		460.05						460.05
Commercial airfare							18,645.70				18,645.70
Hon. Eric Swalwell	8/25	8/28	Asia								
	8/28	8/30	Asia		460.05						460.05
Commercial airfare							22,159.70				22,159.70
Michael Ellis	8/25	8/28	Asia								
	8/28	8/30	Asia		460.05						460.05
Commercial airfare							15,062.00				15,062.00
Geoffrey Kahn	8/25	8/28	Asia								
	8/25	8/28	Asia		460.05						460.05
Commercial airfare							15,062.00				15,062.00
Rheanne Wirkkala	8/25	8/28	Asia								
	8/28	8/30	Asia		460.05						460.05
Commercial airfare							15,062.00				15,062.00
Jeffrey Shockey	8/30	9/1	Asia		828.39						828.39
	9/1	9/3	Africa		1,230.00						1,230.00
Commercial airfare							13,375.10				13,375.10
Chelsey Campbell	8/30	9/1	Asia		828.39						828.39
	9/1	9/3	Africa		1,230.00						1,230.00
Commercial airfare							11,508.30				11,508.30
Hon. Terrycina Sewell	8/29	9/1	Asia				2,700.00				2,700.00
Commercial airfare							11,446.90				11,446.90
Linda Cohen	8/29	9/1	Asia				2,700.00				2,700.00
Commercial airfare							13,184.90				13,184.90
Committee total					95,494.39		506,174.39		26,739.08		628,407.86

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation. In accordance with title 22, United States Code, Section 1754(b)(2), information as would identify the foreign countries in which Committee Members and staff have traveled is omitted.

HON. DEVIN NUNES, Chairman, Oct. 23, 2015.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3332. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Rimsulfuron; Pesticide Tolerances [EPA-HQ-OPP-2013-0035; FRL-9912-31] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3333. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Nicosulfuron; Pesticide Tolerances [EPA-HQ-OPP-2013-0034; FRL-9912-40] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3334. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's adoption of revised guides — Guides for the Use of Environmental Marketing Claims received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3335. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Requirements Relating to Supply Chain Risk (DFARS Case 2012-D050) [Docket No.: DARS 2013-0052] (RIN: 0750-AH96) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Armed Services.

3336. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Designated Countries — Montenegro and New Zealand (DFARS Case 2015-D033) [Docket DARS-2015-0049] (RIN: 0750-AI71) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Armed Services.

3337. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Philadelphia County, PA, et al. [Docket ID: FEMA-2015-0001] [Internal Agency Docket No.: FEMA-8405] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3338. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; Methods for Assuring Access to Covered Medicaid Services [CMS-2328-FC] (RIN: 0938-AQ54) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3339. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Metaflumizone; Pesticide Tolerance [EPA-HQ-OPP-2014-0607; FRL-9934-88] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3340. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Oklahoma [EPA-R06-OAR-2011-0034; FRL-9936-37-Region 6] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3341. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality State Implementation Plans (SIP); State of Iowa; Infrastructure SIP Requirements for the 2008 Lead National Ambient Air Quality Standard (NAAQS) [EPA-R07-OAR-2015-0394; FRL-9936-33-Region 7] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3342. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; WY; Update to Materials Incorporated by Reference [EPA-R08-OAR-2015-0428; FRL-9932-61-Region 8] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3343. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Volatile Organic Compound Emissions from Large Aboveground Storage Tanks [EPA-R01-OAR-2015-0546; A-1-FRL-9933-89-Region 1] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3344. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina; Conflict of Interest Infrastructure Requirements [EPA-R04-OAR-2015-0440; FRL-9936-35-Region 4] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3345. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Diethofencarb; Pesticide Tolerance [EPA-HQ-OPP-2014-0695; FRL-9934-05] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3346. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Refinements to Policies and Procedures for Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities [Docket No.: RM14-14-000; Order No.: 816] received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3347. A letter from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority for the Export Administration Regulations to Include Continuation of Emergency Declared in Executive Order 13224 [Docket No.: 150928889-5889-01] (RIN: 0694-AG75) received October 29, 2015, pursuant to

5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

3348. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Government of Thailand, Transmittal No. 15-61, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3349. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed item to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to Sec. 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Pub. L. 105-261), as amended by Sec. 146 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for Fiscal Year 1999 (Pub. L. 105-277), and the President's September 29, 2009 delegation of authority [74 Fed. Reg. 50, 913 (Oct. 2, 2009)]; to the Committee on Foreign Affairs.

3350. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Interview Waiver Authority (RIN: 1400-AD80) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

3351. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a notification, effective September 6, 2015, that the danger pay allowance was determined for specific areas in Haiti and Turkey, pursuant to Sec. 131 of the Department of State Authorization Act, Fiscal Years 1984 and 1985; to the Committee on Foreign Affairs.

3352. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a notification, effective September 6, 2015, that the posts listed no longer qualify for the danger pay allowance, pursuant to Sec. 131 of the Department of State Authorization Act, Fiscal Years 1984 and 1985; to the Committee on Foreign Affairs.

3353. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting agreements prepared by the Department of State concerning international agreements, other than treaties entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, 1 U.S.C. 112b; to the Committee on Foreign Affairs.

3354. A letter from the Executive Analyst (Political), Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3355. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees Health Benefits Program: Enrollment Options Following the Termination of a Plan or Plan Option (RIN: 3206-AN07) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

3356. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations (RIN: 3206-AM68) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121,

Sec. 251; to the Committee on Oversight and Government Reform.

3357. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Final Rule To List the Dusky Sea Snake and Three Foreign Corals Under the Endangered Species Act [Docket No.: 140707555-5880-02] (RIN: 0648-XD370) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3358. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2015 Recreational Accountability Measure and Closure for Red Grouper [Docket No.: 100217095-2081-04] (RIN: 0648-XE217) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3359. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting the Department's final rule — Disposition of Unclaimed Human Remains, Funerary Objects, Sacred Objects, or Objects of Cultural Patrimony [NPS-WASO-NAGPRA-19087; PPWOCRADN0-PCU00RP14.R50000] (RIN: 1024-AE00) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3360. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Removal of Cuba from the List of State Sponsors of Terrorism (DFARS 2015-D032) (RIN: 0750-AI67) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3361. A letter from the General Counsel, National Transportation Safety Board, transmitting the Board's final rule — Organization and Functions of the Board and Delegations of Authority [Docket No.: NTSB-GC-2012-0002] (RIN: 3147-AA03) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3362. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of the Expiration Date for State Disability Examiner Authority To Make Fully Favorable Quick Disability Determinations and Compassionate Allowance Determinations [Docket No.: SSA-2015-0011] (RIN: 0960-AH77) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3363. A letter from the Deputy Director, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Final Waivers in Connection With the Shared Savings Program [CMS-1439-F] (RIN: 0938-AR30) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1575. A bill to amend title 38, United States Code, to make permanent the pilot program on counseling in retreat settings for women veterans newly separated from service in the Armed Forces (Rept. 114-319). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3144. A bill to require consultation with the Aviation Security Advisory Committee regarding modifications to the prohibited item list, require a report on the Transportation Security Oversight Board, and for other purposes; with an amendment (Rept. 114-320). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3361. A bill to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes; with an amendment (Rept. 114-321). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3503. A bill to require an assessment of fusion center personnel needs, and for other purposes; with an amendment (Rept. 114-322). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3505. A bill to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes (Rept. 114-323). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3598. A bill to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes; with an amendment (Rept. 114-324). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 507. Resolution providing for consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; providing for proceedings during the period from November 6, 2015, through November 13, 2015; and providing for consideration of motions to suspend the rules (Rept. 114-325). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MULVANEY:

H.R. 3868. A bill to amend the Investment Company Act of 1940 to remove certain restrictions on the ability of business development companies to own securities of invest-

ment advisers and certain financial companies, to change certain requirements relating to the capital structure of business development companies, to direct the Securities and Exchange Commission to revise certain rules relating to business development companies, and for other purposes; to the Committee on Financial Services.

By Mr. HURD of Texas (for himself and Mr. RATCLIFFE):

H.R. 3869. A bill to amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes; to the Committee on Homeland Security.

By Mr. TAKAI:

H.R. 3870. A bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. CHAFFETZ (for himself, Mr. CONYERS, and Mr. WELCH):

H.R. 3871. A bill to amend title 18, United States Code, to regulate the use of cell-site simulators, and for other purposes; to the Committee on the Judiciary.

By Ms. KELLY of Illinois:

H.R. 3872. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize public safety and community policing grants to be used to make grants to institutions of higher education, with priority given to Predominantly Black Institutions and other similar institutions, to support majors related to criminal justice, for the purpose of increasing the racial diversity of law enforcement agencies, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL:

H.R. 3873. A bill to require the Secretary of State to produce a comprehensive strategy relating to United States international policy with regard to cyberspace, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MCCAUL:

H.R. 3874. A bill to amend the State Department Basic Authorities Act of 1956 to require reports on the Rewards for Justice program, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MCCAUL (for himself, Ms. MCSALLY, Mr. RATCLIFFE, and Ms. JACKSON LEE):

H.R. 3875. A bill to amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes; to the Committee on Homeland Security.

By Ms. MENG:

H.R. 3876. A bill to protect consumer privacy during the development and use of autonomous vehicle technologies; to the Committee on Transportation and Infrastructure.

By Mr. SABLAN (for himself and Mrs. RADEWAGEN):

H.R. 3877. A bill to amend title 23, United States Code, with respect to the territorial highway program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. TORRES:

H.R. 3878. A bill to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIMES (for himself, Mr. RUSH, Mr. CONYERS, Mr. QUIGLEY, Mr. MOULTON, Ms. KAPTUR, Mr. PASCRELL, Mr. CARSON of Indiana, Mr. KILMER, Ms. CLARKE of New York, Ms. SCHAKOWSKY, Ms. ESTY, Mr. MCDERMOTT, Mr. ELLISON, Miss RICE of New York, Mr. CARNEY, Mr. TED LIEU of California, Mr. HONDA, Mr. FOSTER, Ms. JACKSON LEE, Mr. MCGOVERN, and Mr. POCAN):

H. Res. 508. A resolution expressing the sense of the House of Representatives that the President of the United States should use the full authority of his office to convene international negotiations intended to stop the civil war in Syria; to the Committee on Foreign Affairs.

By Mr. KINZINGER of Illinois:

H. Res. 509. A resolution expressing support for the efforts of the Republic of Turkey, the Hashemite Kingdom of Jordan, and the Lebanese Republic to provide housing, educational opportunities, health care, and other forms of humanitarian assistance to individuals and families displaced by the conflict in Syria; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MULVANEY:

H.R. 3868.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. HURD of Texas:

H.R. 3869.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof.

By Mr. TAKAI:

H.R. 3870.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII of the United States Constitution

By Mr. CHAFFETZ:

H.R. 3871.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 3, and the 4th and 14th Amendment to the U.S. Constitution.

By Ms. KELLY of Illinois:

H.R. 3872.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Art. I, Sec. 8, Cl. 1 ("The Congress shall have Power To . . . provide for the common Defen[s]e and general Welfare of the United States[.]") (This bill would amend the COPS program at the Department of Justice to include institutions of higher education as eligible COPS grants recipients, with priority given to minority serving institutions, to fund criminal justice related majors to improve and diversify candidates entering police forces—advancing and promoting the nation's common defense and general welfare by increasing racially diversity in police forces, and thereby reducing incidents of police brutality).

By Mr. MCCAUL:

H.R. 3873.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. MCCAUL:

H.R. 3874.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 10,

By Mr. MCCAUL:

H.R. 3875.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof.

By Ms. MENG:

H.R. 3876.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States of America.

By Mr. SABLAN:

H.R. 3877.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically Clause 1 (related to laying and collecting taxes, and providing for the general welfare of the United States), and Clause 7 (related to establishment of Post Offices and Post Roads).

By Mrs. TORRES:

H.R. 3878.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. HARRIS and Mr. SESSIONS.

H.R. 29: Mrs. ELLMERS of North Carolina.

H.R. 31: Mrs. ELLMERS of North Carolina.

H.R. 32: Mrs. ELLMERS of North Carolina.

H.R. 67: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 69: Mr. SCHIFF.

H.R. 73: Mr. RYAN of Ohio and Mr. JOHNSON of Georgia.

H.R. 188: Mr. JEFFRIES and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 191: Mr. HUDSON.

H.R. 223: Mr. UPTON.

H.R. 224: Ms. MCCOLLUM, Mr. MCNERNEY, Ms. MICHELLE LUJAN GRISHAM of New Mex-

ico, Mr. KILDEE, Mr. TAKAI, Mr. SCHIFF, Miss RICE of New York, Ms. BASS, Mrs. LOWEY, Mr. CLEAVER, Ms. KUSTER, Ms. BROWN of Florida, Mr. CLAY, Mr. CROWLEY, Mrs. DINGELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ESHOO, Ms. KAPTUR, Ms. LOFGREN, Mr. NOLAN, Mr. PERLMUTTER, Mr. POLIS, Mr. TAKANO, Mrs. TORRES, Ms. WILSON of Florida, Mr. LIPINSKI, and Mr. HUFFMAN.

H.R. 226: Ms. MCCOLLUM.

H.R. 227: Mrs. ELLMERS of North Carolina.

H.R. 228: Mr. CURBELO of Florida and Mr. JOYCE.

H.R. 250: Ms. GABBARD.

H.R. 344: Mr. MURPHY of Florida.

H.R. 347: Mr. CAPUANO.

H.R. 402: Ms. HERRERA BEUTLER.

H.R. 429: Mrs. WATSON COLEMAN and Mr. HASTINGS.

H.R. 452: Mrs. KIRKPATRICK.

H.R. 478: Mr. DESAULNIER.

H.R. 494: Mr. TOM PRICE of Georgia.

H.R. 539: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SEWELL of Alabama, and Mr. PAYNE.

H.R. 563: Mr. FATTAH.

H.R. 583: Mr. CULBERSON.

H.R. 592: Mr. TAKAI, Mr. SMITH of Washington, Mr. BOUSTANY, Ms. KAPTUR, and Ms. GRAHAM.

H.R. 604: Mr. ROE of Tennessee.

H.R. 613: Mr. LARSEN of Washington.

H.R. 625: Mr. GARAMENDI.

H.R. 711: Mr. BARR, Mr. RATCLIFFE, and Mr. RYAN of Ohio.

H.R. 775: Mr. LAMALFA, Mr. HINOJOSA, and Mr. NUNES.

H.R. 793: Ms. CLARKE of New York, Mr. BISHOP of Georgia, and Mr. WILLIAMS.

H.R. 814: Mr. KING of New York and Mr. COLE.

H.R. 816: Mr. GUTHRIE.

H.R. 837: Ms. DEGETTE.

H.R. 842: Ms. LORETTA SANCHEZ of California.

H.R. 845: Mrs. LOVE.

H.R. 868: Mr. CLAWSON of Florida and Ms. DUCKWORTH.

H.R. 870: Mr. MURPHY of Florida.

H.R. 887: Mr. SMITH of Missouri and Mr. SALMON.

H.R. 921: Mr. WILLIAMS and Mr. CURBELO of Florida.

H.R. 969: Mr. HURT of Virginia and Mr. BILIRAKIS.

H.R. 970: Mr. WOMACK and Mr. TOM PRICE of Georgia.

H.R. 973: Mr. PASCRELL and Mr. THOMPSON of Pennsylvania.

H.R. 1062: Mr. CULBERSON.

H.R. 1086: Mr. CULBERSON.

H.R. 1102: Mr. HASTINGS, Mr. CONYERS, and Mrs. WATSON COLEMAN.

H.R. 1218: Mr. KELLY of Pennsylvania, Mr. HUIZENGA of Michigan, and Mr. DENHAM.

H.R. 1221: Mr. GIBSON.

H.R. 1224: Mr. MURPHY of Florida.

H.R. 1232: Mrs. WATSON COLEMAN.

H.R. 1258: Mr. LEVIN, Mr. FOSTER, and Mr. COSTA.

H.R. 1309: Mr. CRENSHAW, Mr. ROSKAM, Mr. HANNA, Mr. WITTMAN, Mr. COFFMAN, and Mr. KINZINGER of Illinois.

H.R. 1336: Mr. FITZPATRICK and Mr. PASCRELL.

H.R. 1387: Mr. HUDSON.

H.R. 1427: Mr. WEBER of Texas.

H.R. 1431: Mr. WESTMORELAND.

H.R. 1432: Mr. WESTMORELAND.

H.R. 1441: Mr. LEVIN.

H.R. 1453: Mr. NUGENT.

H.R. 1457: Mr. RANGEL.

H.R. 1460: Mrs. WATSON COLEMAN.

H.R. 1475: Mr. COURTNEY, Mr. GRAVES of Louisiana, Ms. FRANKEL of Florida, Mr. PAULSEN, Mr. CHABOT, and Mr. POLIS.

- H.R. 1479: Mr. BENISHEK and Mrs. HARTZLER.
H.R. 1526: Mr. MASSIE.
H.R. 1545: Mr. RYAN of Ohio and Mr. COLE.
H.R. 1548: Mr. MCGOVERN.
H.R. 1550: Mr. ROYCE, Mr. TIPTON, and Mr. EMMER of Minnesota.
H.R. 1581: Ms. ESTY.
H.R. 1603: Ms. JACKSON LEE.
H.R. 1608: Mr. WELCH and Mr. HARDY.
H.R. 1671: Mr. ROUZER.
H.R. 1728: Ms. NORTON, Mr. SERRANO, Mr. POCAN, Ms. TSONGAS, Mr. THOMPSON of Pennsylvania, Mr. FOSTER, and Mr. PAYNE.
H.R. 1751: Ms. NORTON, Mr. POCAN, and Mr. SABLAN.
H.R. 1769: Ms. STEFANIK, Mr. THOMPSON of California, Mr. MEEHAN, and Mr. BRADY of Pennsylvania.
H.R. 1786: Ms. PELOSI, Mr. SHUSTER, Mr. BISHOP of Michigan, Mr. ROSS, and Mr. VALADAO.
H.R. 1799: Mr. GRAYSON.
H.R. 1810: Mr. JOHNSON of Georgia.
H.R. 1814: Ms. SEWELL of Alabama, Mr. O'ROURKE, Mr. CARSON of Indiana, and Mr. JEFFRIES.
H.R. 1853: Mr. LUETKEMEYER, Ms. WILSON of Florida, Mr. WILSON of South Carolina, Mr. KING of Iowa, Mr. HARDY, Mr. COFFMAN, and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1854: Ms. FRANKEL of Florida and Mr. ROSS.
H.R. 1877: Ms. ROYBAL-ALLARD.
H.R. 1945: Mrs. KIRKPATRICK.
H.R. 1961: Mr. TAKAI.
H.R. 1964: Mr. COLE.
H.R. 2058: Mr. BLUM.
H.R. 2114: Mr. CONYERS.
H.R. 2156: Mr. GARAMENDI.
H.R. 2224: Mr. RYAN of Ohio, Mr. SMITH of Washington, Mr. THOMPSON of California, and Mr. HIGGINS.
H.R. 2293: Ms. LINDA T. SÁNCHEZ of California, Mr. BUCK, Ms. SPEIER, Mr. ROTHFUS, Mr. CONYERS, Mr. McDERMOTT, and Mr. ROSS.
H.R. 2341: Mrs. LOVE.
H.R. 2382: Mr. THOMPSON of Pennsylvania.
H.R. 2404: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2434: Mr. TED LIEU of California.
H.R. 2449: Ms. LEE.
H.R. 2470: Mr. MEEKS, Mr. VAN HOLLEN, Mr. POCAN, Mr. CÁRDENAS, Mr. TED LIEU of California, and Ms. SCHAKOWSKY.
H.R. 2493: Mr. SWALWELL of California.
H.R. 2494: Mr. REICHERT, Mr. HOLDING, Mr. DUNCAN of Tennessee, Mr. BEN RAY LUJÁN of New Mexico, Mrs. KIRKPATRICK, and Mr. PIERLUISI.
H.R. 2515: Ms. WASSERMAN SCHULTZ and Mr. LOEBSACK.
H.R. 2530: Ms. WILSON of Florida and Mr. PRICE of North Carolina.
H.R. 2546: Mr. ENGEL.
H.R. 2590: Ms. KAPTUR.
H.R. 2612: Ms. ESHOO.
H.R. 2646: Mr. SHIMKUS, Mr. DEUTCH, Mr. LUETKEMEYER, and Mr. COHEN.
H.R. 2671: Mr. PERLMUTTER and Ms. BROWNLEY of California.
H.R. 2672: Mr. PERLMUTTER and Ms. BROWNLEY of California.
H.R. 2673: Mr. PERLMUTTER and Ms. BROWNLEY of California.
H.R. 2674: Mr. PERLMUTTER and Ms. BROWNLEY of California.
H.R. 2710: Mr. GIBSON.
H.R. 2711: Mr. HARRIS and Mr. STIVERS.
H.R. 2712: Mr. SMITH of Texas and Mr. DUNCAN of South Carolina.
H.R. 2713: Mr. SCHIFF.
H.R. 2715: Ms. EDWARDS, Ms. NORTON, Mr. McDERMOTT, and Mrs. KIRKPATRICK.
H.R. 2726: Mr. MARINO.
H.R. 2799: Mr. LANCE.
H.R. 2847: Mr. BLUMENAUER, Mr. DOGGETT, Ms. KAPTUR, Mr. CONNOLLY, Miss RICE of New York, Mr. COSTELLO of Pennsylvania, Mr. QUIGLEY, and Ms. GABBARD.
H.R. 2849: Mr. SMITH of Washington and Mr. SWALWELL of California.
H.R. 2858: Mr. McDERMOTT and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2867: Mr. CLEAVER, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mrs. WATSON COLEMAN, Ms. FUDGE, Mr. JEFFRIES, Mr. PAYNE, Mr. THOMPSON of Mississippi, Mr. RUSH, Mr. SCOTT of Virginia, and Mr. RANGEL.
H.R. 2878: Mrs. BLACKBURN.
H.R. 2880: Mr. CARSON of Indiana, Miss RICE of New York, Mr. AL GREEN of Texas, and Mr. GALLEGO.
H.R. 2896: Mr. FITZPATRICK and Mr. STIVERS.
H.R. 2903: Mr. BISHOP of Georgia, Mr. HURD of Texas, and Mr. YOUNG of Alaska.
H.R. 2911: Mr. ROSKAM, Mr. COSTA, Ms. STEFANIK, Mrs. KIRKPATRICK, Mrs. WALORSKI, Mr. KIND, and Mr. KATKO.
H.R. 2917: Mrs. LOWEY.
H.R. 2920: Mrs. CAROLYN B. MALONEY of New York.
H.R. 2944: Mr. MASSIE and Ms. DUCKWORTH.
H.R. 2948: Ms. SEWELL of Alabama, Ms. WILSON of Florida, and Mr. KILMER.
H.R. 2957: Ms. BORDALLO.
H.R. 2972: Mr. GRAYSON, Mr. TAKAI, and Mr. TAKANO.
H.R. 2994: Ms. ESHOO and Mrs. LOWEY.
H.R. 3014: Mrs. BLACKBURN.
H.R. 3046: Mr. HONDA and Ms. NORTON.
H.R. 3068: Mr. SWALWELL of California and Mr. MOULTON.
H.R. 3099: Mr. GIBSON.
H.R. 3119: Mr. LANCE and Mr. DEUTCH.
H.R. 3137: Mr. LOWENTHAL.
H.R. 3150: Mr. HUFFMAN.
H.R. 3179: Mr. KEATING.
H.R. 3190: Ms. ADAMS.
H.R. 3229: Ms. DELAURO and Ms. BROWN of Florida.
H.R. 3249: Mr. THOMPSON of Mississippi.
H.R. 3290: Ms. WILSON of Florida and Mr. DAVID SCOTT of Georgia.
H.R. 3314: Mr. GIBBS and Mr. MARCHANT.
H.R. 3316: Mr. GRAYSON, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. TED LIEU of California, Mr. QUIGLEY, and Ms. DELAURO.
H.R. 3326: Mrs. COMSTOCK and Mr. ROUZER.
H.R. 3339: Ms. CLARK of Massachusetts, Mrs. BLACK, and Mr. LANCE.
H.R. 3340: Mr. FINCHER, Mr. MESSER, and Mr. ROSS.
H.R. 3355: Mr. COHEN and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 3356: Ms. MATSUI.
H.R. 3366: Mr. POCAN.
H.R. 3378: Ms. PINGREE.
H.R. 3381: Mr. MEEKS, Mr. RODNEY DAVIS of Illinois, Ms. NORTON, Mr. FATTAH, and Ms. TSONGAS.
H.R. 3397: Ms. ESTY.
H.R. 3411: Mr. HONDA.
H.R. 3422: Mrs. BROOKS of Indiana.
H.R. 3426: Ms. CASTOR of Florida and Mr. TED LIEU of California.
H.R. 3427: Ms. PINGREE, Mrs. WATSON COLEMAN, Mr. GRAYSON, Mr. AL GREEN of Texas, and Mr. CARSON of Indiana.
H.R. 3455: Mrs. LOWEY and Ms. ESHOO.
H.R. 3463: Mr. YOUNG of Iowa.
H.R. 3466: Mr. COHEN and Mr. TAKAI.
H.R. 3471: Mrs. RADEWAGEN, Mrs. BROOKS of Indiana, and Mr. ROSKAM.
H.R. 3473: Mrs. HARTZLER.
H.R. 3488: Mr. FORBES and Mr. ZINKE.
H.R. 3497: Mrs. CAROLYN B. MALONEY of New York.
H.R. 3514: Mr. LEVIN and Mr. CARSON of Indiana.
H.R. 3516: Mr. WALBERG, Mr. BURGESS, and Mr. HILL.
H.R. 3518: Mr. COHEN and Mr. POCAN.
H.R. 3546: Mr. BLUMENAUER, Mr. HIMES, Mr. DEFazio, and Mr. QUIGLEY.
H.R. 3556: Mr. CAPUANO, Mr. FARR, Ms. MCCOLLUM, Mr. TAKAI, and Mr. MCGOVERN.
H.R. 3557: Mr. EMMER of Minnesota and Mr. FINCHER.
H.R. 3566: Mr. FORBES.
H.R. 3587: Mr. GRAYSON.
H.R. 3588: Mr. COHEN.
H.R. 3608: Ms. WILSON of Florida and Mr. GRAVES of Missouri.
H.R. 3632: Mrs. CAPPS and Mr. RANGEL.
H.R. 3634: Mr. HONDA and Mr. COHEN.
H.R. 3637: Mrs. DINGELL.
H.R. 3679: Ms. FRANKEL of Florida.
H.R. 3687: Mr. RANGEL.
H.R. 3690: Ms. LEE.
H.R. 3696: Ms. WILSON of Florida, Mrs. LOWEY, Mr. KEATING, Mr. SMITH of Washington and Ms. JUDY CHU of California.
H.R. 3700: Mr. ROTHFUS and Mr. CAPUANO.
H.R. 3705: Mr. BARR and Mr. EMMER of Minnesota.
H.R. 3706: Ms. DELBENE and Mr. STEWART.
H.R. 3720: Mr. TAKAI.
H.R. 3721: Mr. O'ROURKE and Mr. HASTINGS.
H.R. 3722: Mr. HASTINGS.
H.R. 3733: Mr. TAKAI.
H.R. 3742: Mr. GRAYSON, Mr. GRIFFITH, and Mr. CONNOLLY.
H.R. 3746: Mr. HECK of Washington.
H.R. 3756: Mr. SMITH of Washington and Ms. CASTOR of Florida.
H.R. 3760: Mr. GRIJALVA.
H.R. 3761: Mr. DESAULNIER, Mr. KILDEE, Mr. LARSEN of Washington, and Mr. SARBANES.
H.R. 3765: Mr. NUNES.
H.R. 3776: Mr. SANFORD.
H.R. 3785: Mrs. LOWEY, Ms. FUDGE, Mr. SCOTT of Virginia, Ms. MENG, Ms. MOORE, and Mr. HUFFMAN.
H.R. 3793: Ms. FRANKEL of Florida and Mr. GRIJALVA.
H.R. 3799: Mr. RIBBLE, Mr. MARCHANT, Mr. ZINKE, and Mr. CRAMER.
H.R. 3802: Mr. SAM JOHNSON of Texas, Mr. CRAMER, and Mr. JORDAN.
H.R. 3805: Mr. TONKO and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3806: Mr. LARSEN of Washington and Mr. KILMER.
H.R. 3811: Mr. SHERMAN.
H.R. 3812: Mr. SHERMAN.
H.R. 3832: Mr. MARCHANT, Mr. McDERMOTT, and Mr. RIBBLE.
H.R. 3834: Ms. JACKSON LEE, Ms. MOORE, and Mr. HASTINGS.
H.R. 3849: Ms. KUSTER, Ms. HAHN, and Ms. PINGREE.
H.R. 3856: Mr. MARCHANT.
H.R. 3862: Mrs. KIRKPATRICK, Ms. BORDALLO, Ms. KAPTUR, Mr. WELCH, Ms. BONAMICI, Ms. WILSON of Florida, Mr. MEEKS, Mr. KEATING, Ms. JACKSON LEE, Ms. JUDY CHU of California, Mr. POLIS, and Mr. CÁRDENAS.
H.J. Res. 70: Mr. PALMER.
H.J. Res. 71: Mr. BILIRAKIS, Mr. ZINKE, Mr. SAM JOHNSON of Texas, Mr. BOUSTANY, Mr. LOUDERMILK, Mr. JOHNSON of Ohio, Mr. PEARCE, Mr. MURPHY of Pennsylvania, Mr. BRIDENSTINE, Mr. ROTHFUS, Mr. RATCLIFFE, Mr. SIMPSON, Mr. JENKINS of West Virginia, Mr. GOSAR, Mr. JONES, Mr. ROUZER, Mrs.

BROOKS of Indiana, and Mr. SMITH of Nebraska.

H. J. Res. 72: Mr. BILIRAKIS, Mr. ZINKE, Mr. SAM JOHNSON of Texas, Mr. BOUSTANY, Mr. LOUDERMILK, Mr. JOHNSON of Ohio, Mr. PEARCE, Mr. MURPHY of Pennsylvania, Mr. BRIDENSTINE, Mr. ROTHFUS, Mr. RATCLIFFE, Mr. SIMPSON, Mr. JENKINS of West Virginia, Mr. GOSAR, Mr. JONES, Mr. ROUZER, Mrs. BROOKS of Indiana, and Mr. SMITH of Nebraska.

H. Con. Res. 17: Mr. DELANEY.

H. Res. 32: Mr. HIGGINS, Ms. LEE, Mr. HASTINGS, Mr. PALLONE, Mr. SEAN PATRICK MALONEY of New York, Ms. JUDY CHU of California, and Mr. KENNEDY.

H. Res. 82: Mrs. BROOKS of Indiana.

H. Res. 145: Ms. MOORE and Mr. HONDA.

H. Res. 210: Mr. ISSA.

H. Res. 230: Ms. WILSON of Florida.

H. Res. 289: Ms. TSONGAS.

H. Res. 290: Mr. CÁRDENAS.

H. Res. 293: Mr. KLINE, Mr. MURPHY of Florida, Mr. CALVERT, Mrs. CAROLYN B. MALONEY of New York, Mr. DOLD, and Mr. NADLER.

H. Res. 394: Mr. RIBBLE.

H. Res. 415: Mr. RANGEL.

H. Res. 416: Ms. ROYBAL-ALLARD.

H. Res. 424: Mr. REED.

H. Res. 432: Mr. ROE of Tennessee.

H. Res. 451: Ms. SCHAKOWSKY and Mr. SALMON.

H. Res. 467: Ms. WILSON of Florida, Ms. ESHOO, and Ms. CLARKE of New York.

H. Res. 469: Mr. MOULTON.

H. Res. 472: Mr. SMITH of Washington.

H. Res. 498: Mr. MACARTHUR and Mr. COHEN.

H. Res. 499: Ms. PLASKETT.

H. Res. 500: Mr. SAM JOHNSON of Texas.

H. Res. 502: Mr. BEYER, Ms. CLARKE of New York, Ms. JACKSON LEE, Ms. MATSUI, Mr. McDERMOTT, Mr. MCGOVERN, Ms. NORTON, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. HASTINGS, and Mr. MOULTON.

H. Res. 506: Mr. VISCLOSKEY, Mr. NOLAN, and Mr. LEVIN.

EXTENSIONS OF REMARKS

HONORING THE 50TH WEDDING ANNIVERSARY OF JOHN AND CONNIE RUMBAUGH

HON. BRAD ASHFORD

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. ASHFORD. Mr. Speaker, today, I recognize and congratulate two of my constituents, John and Connie Rumbaugh, who this past Friday celebrated their 50th wedding anniversary.

Both come from small towns, John from Bassett, Nebraska, and Connie from Hinton, Iowa. John served in the Army, including in Korea following the war, and later worked for Boeing in Seattle before moving to Omaha in 1958. Connie came to Omaha in 1960 to attend business school. They met in 1962, and three years later—or 50 years ago Friday—they married.

The next year they built their own home as part of the burgeoning west Omaha development of the times, and as newlyweds moved into the home in Millard where they still live today. In that home, they raised three children, Marti, Tracy and Kevin.

I want to honor today their great accomplishment together, which to me represents one of the best qualities of the people I represent here in Congress.

20TH ANNIVERSARY OF THE EUREKA MAIN LIBRARY

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today to honor the 20th anniversary of the Eureka Main Library in Humboldt, which is a community centerpiece for learning.

In 1988, then California 2nd District State Senator Barry Keene sponsored the Construction and Renovation Bond Act, which approved \$75 million for library construction in the state. Between 1988 and 1991, the Library Construction Committee and the Friends of the Redwood Libraries raised more than \$1.5 million locally to match state funds.

The Humboldt County Board of Supervisors pledged funds in 1989 toward funding of a new library. In 1991, Humboldt County's project was one of only 16 grant applications chosen by the state for approval. From the bond act, the county received 65 percent of the funds needed to construct the Eureka Main Library. In September 2013, groundbreaking ceremonies were held for the Eureka Main Library at 1313 Third Street in Eureka.

The Library Construction Advisory Committee has demonstrated to all Californians its

dedication, perseverance and commitment to the greater good of the community. I urge my colleagues to join me in acknowledging and celebrating the 20th anniversary of the Eureka Main Library's construction.

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. VISCLOSKY. Mr. Speaker, on October 28, 2015, I was absent from the House and missed Roll Call Vote 577 and Roll Call Vote 578.

Had I been present for Roll Call Vote 577, on ordering the previous question, I would have voted "Yes."

Had I been present for Roll Call Vote 578, on agreeing to the resolution, H. Res. 495, providing for consideration of the Senate amendment to H.R. 1314, I would have voted "Yes."

CELEBRATING 200 YEARS OF THE CONNECTICUT BUSINESS AND INDUSTRY ASSOCIATION

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Ms. ESTY. Mr. Speaker, I rise today to celebrate 200 years of the Connecticut Business and Industry Association (CBIA).

Today, we recognize CBIA for serving as an advocate for businesses in Connecticut. For two hundred years, CBIA has tirelessly worked to promote policies and provide services to support businesses—both large and small—in our state. Today, CBIA continues to act as a strong advocate for local businesses in the 5th Congressional District and throughout Connecticut.

The State of Connecticut boasts a highly-skilled workforce, a strong tradition of manufacturing, and good old-fashioned Yankee ingenuity. These qualities make Connecticut an ideal place for innovation and entrepreneurship.

Joe Brennan began his tenure at CBIA in 1988 as a staff attorney. Since 2014, he has led the organization as its President and CEO. Throughout his time at CBIA, he has maintained his focus on CBIA members, and he continues to strive to promote a sound business environment and improve workforce readiness in Connecticut.

Congratulations to Mr. Brennan, the Board of Directors, staff, and members of the Connecticut Business and Industry Association on the organization's 200th anniversary. I look

forward to many more years of your continued dedication to our state.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE MICHIGAN ADVOCACY PROGRAM

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to congratulate the Michigan Advocacy Program on their 50th anniversary.

Since 1965, the Michigan Advocacy Program has worked to make legal representation and aid accessible to low income individuals across Michigan. Every single day they are fighting to keep people in their homes, pushing back against unfair workforce practices, and working to ensure the safety for women and children across the state of Michigan. Each year they provide free representation for over ten thousand low income individuals that would not otherwise have been able to afford a lawyer and could have been denied access to the courts.

Through their focus and dedication, the Michigan Advocacy Program has given a voice to low income families by providing free civil legal representation. Over the past 50 years, we have had the pleasure of watching the Michigan Advocacy Program grow from the Legal Services of South Central Michigan into a flourishing organization that works to support families across the state of Michigan.

Equal access to our system of justice and the judicial system is a key tenet of our democracy. Courts and the legal system should not be reserved only for those who have the most resources. The Michigan Advocacy Program has helped promote fairness and equality in our society by increasing access to legal aid and representation to low income individuals across Michigan. They have an incredibly successful track record and years of hard work is certainly worthy of our praise.

Mr. Speaker, I ask my colleagues to join me today to honor the Michigan Advocacy Program on their 50th Anniversary and wish them many more years of success.

THE CRYSTAL GLOBE AWARDS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. VISCLOSKY. Mr. Speaker, it is with sincere admiration that I recognize the Asian American Medical Association, which will host its 39th Annual Gala on Saturday, November 14, 2015, at Avalon Manor in Hobart, Indiana.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Each year, the Asian American Medical Association pays tribute to prominent, outstanding citizens and organizations for their contributions to the community. In recognition of their efforts, these honorees are awarded the prestigious Crystal Globe Award.

The Asian American Medical Association has been a tremendous asset to Northwest Indiana. Its members have selflessly dedicated themselves to providing quality medical services to the residents of Northwest Indiana and have served their communities through many cultural, scholastic, and charitable endeavors.

At this year's Annual Gala, the Asian American Medical Association will present the Crystal Globe Award to one of Northwest Indiana's finest citizens and my dear friend, David Bochnowski. Dave serves as Chairman and Chief Executive Officer of the Northwest Indiana Bancorp, and its operating subsidiary, Peoples Bank. For his exceptional leadership and his outstanding contributions to his country, state, and community, he is worthy of the highest praise.

Dave received his undergraduate and law degrees from Georgetown University and earned a master's degree from Howard University. Additionally, he is a Vietnam veteran and earned the Bronze Star during his time of service to our country. Prior to his banking career, Dave served as a Special Assistant to Senator Birch Bayh and was a law clerk for United States District Court Judge James Noland.

Throughout his illustrious career, Mr. Bochnowski has been a leader in state and national banking associations, testifying before Congress, the Federal Reserve, and the Securities Exchange Commission (SEC) on issues related to banking and small business. Since 1981, Dave has been the Chairman and Chief Executive Officer of the Northwest Indiana Bancorp and Peoples Bank, which is headquartered in Munster, Indiana, and operates sixteen locations throughout Lake and Porter counties. Under Dave's leadership, Peoples Bank continues to provide exceptional customer service, following the same principles his grandfather implemented when he founded the bank in 1910. Peoples Bank has consistently thrived and has been listed among the top 200 community banks in America by US Banker magazine, from 2007 through 2015, based on a key banking industry performance indicator.

Additionally, Mr. Bochnowski has selflessly served his community through his involvement in various organizations and civic activities, including the Legacy Foundation, Quality of Life Council, Purdue University Technology Center, Gary YWCA, and the Community Hospital System. He also serves as a member of One Region and the SEC Advisory Committee for Small and Emerging Companies and is a past board member of the Gary/Chicago International Airport Authority. Due to his outstanding leadership and dedication to his community, in 2001, Dave was appointed Chairman of the Indiana Department of Financial Institutions by Governor Frank O'Bannon. In addition, he has been inducted into the Northwest Indiana Business and Industry Hall of Fame and is a recipient of the Sagamore of the Wabash, Indiana's highest citizen award.

Dave's excellence in his field and commitment to charitable endeavors throughout the

community is exceeded only by his devotion to his amazing family. Dave and his wife, Ann, have four beloved children: Benjamin, Julia, James, and John.

My father has always stressed that it takes a strong man to be a gentleman. David Bochnowski is that gentleman. A gentleman whose strength of character, wish to leave the world improved, and sense of service, are traits we should all attempt to emulate. I've been blessed to have Dave as a friend, but we have all been blessed to know him. To quote Homer: "He [is] a friend to man."

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending the members of the Asian American Medical Association, as well as this year's Crystal Globe Award recipient, David Bochnowski, for their outstanding contributions to their community and beyond. Their unwavering commitment to improving the quality of life for the people of Northwest Indiana is truly inspirational, and I am proud to serve as their representative in Washington, D.C.

HONORING THE SERVICE OF MAJOR GENERAL EDWARD W. TONINI

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. BARR. Mr. Speaker, I rise to honor the service of a very distinguished Kentuckian, Major General Edward Tonini. He currently serves the Commonwealth as the 51st Adjutant General and retires in 2015.

General Tonini's career began as an enlisted member of the 123rd Tactical Reconnaissance Wing of the Kentucky Air National Guard. He received a direct commission as a Second Lieutenant in the Guard in 1970. He earned many awards and decorations for his service in the Air National Guard, including the Air Force Distinguished Service Medal, the Legion of Merit, Meritorious Service Medal (with 1 Bronze Oak Leaf Cluster), and an Air Force Commendation Medal. He rose through the ranks to become Chief of Staff of the Kentucky Air National Guard. In 2001, he went on to serve as Director of Your Guardians of Freedom at the Pentagon and later served at the Air Force Personnel Center in Denver, Colorado.

Tonini was appointed by Governor Steve Beshear as Adjutant General of the Commonwealth of Kentucky on December 11, 2007. As the Adjutant General, he serves as the Commanding General of both the Kentucky Army and Air National Guard and as the Executive Director of the Department of Military Affairs. He is responsible for Federal and State missions, including responding in times of emergency. He serves on the Governor's cabinet and is the Governor's advisor on all military matters.

General Tonini has served the Commonwealth of Kentucky and this nation with honor. He is to be commended on his long and distinguished military career and his life of service and sacrifice. Major General Edward Tonini is an outstanding American, a true pa-

triot, and a hero to us all. Along with a grateful nation, I honor him for his service.

HONORING THE LIFE AND LEGACY OF NORTHWEST FLORIDA'S BE- LOVED DAVE DAUGHTRY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. MILLER of Florida. Mr. Speaker, it is with profound sadness that I rise to honor the life and legacy of Northwest Florida's beloved Dave Daughtry. For over thirty years, Dave dedicated his broadcasting career to serving the people of the Gulf Coast community, and Northwest Florida mourns his passing.

From what began at a small radio station in Andalusia, Alabama, Dave's successful broadcasting career and love of writing would take him to Huntsville, Alabama; Nashville, Knoxville, and Memphis, Tennessee; and Washington, D.C. before making his way to Pensacola, Florida—a community that would welcome him with open arms, and remain his home until his passing.

Dave quickly became a known figure over the local television airwaves as news anchor at WEAR-TV in Pensacola and then as reporter-anchor with WALA-TV in Mobile, Alabama. According to Denise, his bride of 26 years, radio was what he loved most, however, and it is radio where he dedicated his career for the last 14 years of his life. This love was demonstrated by the fact that he would arrive at 5 a.m. every morning to host the WEBY-AM morning show, "Wake up with Dave."

To many, Dave will be remembered and appreciated for his company and entertainment on their morning commute; however, to those closest to him, including his dogs Peaches and Pal, Dave will be remembered as a loving husband, father, and grandfather and will greatly be missed.

Mr. Speaker, on behalf of my constituents in Florida's First Congressional District, I am proud to honor and commemorate the life and legacy of Dave Daughtry. Vicki and I offer his entire family, especially his wife, Denise; children, Bonnie, Michael, and Patrick; seven grandchildren, Lindsey, Shannon, Evan, Patrick, Amanda, Shelby, and Benjamin; and the entire Daughtry family our deepest condolences and prayers. May God continue to bless them all during this difficult time.

TRIBUTE TO THOMAS HARR

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. VAN HOLLEN. Mr. Speaker, I proudly rise to salute my constituent, Thomas E. Harr, as he steps down as Executive Director of Family Services, Inc.

Under Mr. Harr's visionary leadership, FSI, which is based in Gaithersburg, Maryland, has developed into an agency that cares for vulnerable clients from cradle to grave, becoming, in essence, a caring, secondary family—

giving true meaning to the organization's name. FSI provides high-quality service to foster health and well-being in the home, school and community as it serves more than 25,000 residents in Montgomery and Prince George's Counties. Mr. Harr has overseen this organization through a period of extraordinary growth, enabling the organization to be an effective safety net for the most vulnerable members of our community.

Mr. Harr's tenure has been distinguished by his tireless efforts to make Family Services treat the "whole" person throughout their entire lifespan. His vision encompasses a holistic philosophy of human services. Long an opponent of fragmented silos of care and the lack of coordination between them, he encouraged his mental health clinic to integrate mental health, substance abuse and primary care services, including the treatment and management of co-occurring conditions. He spearheaded the partnership of his organization with a primary care provider and a reproductive health specialty clinic to address the then-unappreciated somatic consequences of having a mental illness. He reached out to another historic provider, GUIDE, which later merged with Family Services and brought with it an impressive array of youth services. The Family Services of today encompasses 31 programs and touches every sector of vulnerable residents in Montgomery County. Its excellence has recently been recognized by its receiving the first CARF accreditation in the County.

Under Mr. Harr's leadership, FSI has seen the addition of a new child development center in 2000, an outpatient mental health clinic in 2001, a family multi-service center in 2002, and a hospital neonatal screening program in 2004, to name a few major projects. In addition, Mr. Harr oversaw the doubling of the agency's Head Start program, the opening of an additional child care center in another region of the County, and the creation of one of the County's first integrated care clinics.

Mr. Harr has also been deeply involved with the needs of our vulnerable elderly population. Under his leadership, FSI opened a medical day program, an outpatient substance abuse clinic, an adolescent recovery club house, expansion of the adult psychiatric day program, and a school mental health and social service program. And, finally, he facilitated FSI's assuming a major role in the County's implementation of the Affordable Care Act, accepting a contract to run our region's health insurance navigator program.

Prior to joining FSI, Mr. Harr served as the Chief of Mental Health and Substance Abuse Services in Montgomery County's Department of Health and Human Services and Deputy Director of the Department of Addiction, Victim and Mental Health Services. Mr. Harr also had distinguished service in the United States Air Force.

Mr. Speaker, Thom Harr is an extraordinary and exceptional leader whose pioneering spirit, passion and drive led him to fight for those who are unable to fight for themselves. His influence in our region is profound. I ask my colleagues to join me in expressing our deepest gratitude and appreciation to him for his outstanding service to our community. He has truly made a difference in the lives of count-

less individuals and families, and his impact will be felt, with grateful appreciation, for many years to come.

SUGAR LAND MIDDLE SCHOOL TURNS 40

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to celebrate Sugar Land Middle School in my hometown of Sugar Land, Texas on its 40th anniversary.

This year marks 40 years of educating, learning, and helping our children succeed. A lot has changed since this school opened its doors in 1975 but one thing has remained the same—Sugar Land Middle School's commitment to excellence. It has remained a great place for our future leaders to learn and grow. Thank you to the many teachers and faculty members who've worked so hard to make SLMS great throughout the years. Without a dedicated team, our Sugar Land Titans wouldn't be thriving like they are today.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Sugar Land Middle School on 40 successful years of educating our leaders of tomorrow.

HONORING ED SARFATY

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. DEUTCH. Mr. Speaker, I rise today to recognize Edmond Sarfaty, a dear friend who served with my late father Bernard Deutch during World War II. Their 84th Infantry Division fought valiantly at the Battle of the Bulge, where Mr. Sarfaty was wounded three times.

I am privileged to represent a district that is home to a large number of World War II veterans, veterans to whom I am tremendously grateful for their heroic service. The legacy of service and self-sacrifice from this generation of Americans, exemplified by Mr. Sarfaty and so many others, is humbling. Our country owes all servicemembers an enormous debt of gratitude. It is also vital that we recognize and remember the outstanding sacrifices of their families. Their invaluable support is a gift to our Nation, and one that is too often overlooked.

Throughout his life, Ed Sarfaty has been defined by his dedication, willingness to serve, and patriotism. From his military service during World War II to his endless community involvement in Florida today, Mr. Sarfaty has exemplified selflessness and patriotism. I am grateful for the continued friendship of Ed and his wife, Sydelle. I am proud to join the Lake Worth West Democratic Club in honoring Mr. Sarfaty and in thanking him and all those who gave so much to ensure our freedom.

HONORING MS. TEOLA SANDERS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life and service of Ms. Teola Sanders, and I commend her fifty years of impassioned leadership and unyielding volunteerism to the East Bay community. Ms. Sanders' dedication to Bay Area women's rights, horticulture, arts and humanities, reflects the lasting legacy of her service.

Ms. Sanders was born in Mansfield, Louisiana in 1931 and was the oldest of four children. In 1938, the family relocated to Oakland, California. Ms. Sanders attended Oakland Public Schools and was a proud graduate of Oakland Technical High School. In 1951, she met Jeff Sanders and from this union three children were born: Tori, Andre, and Jay.

Ms. Sanders completed community college courses before obtaining her Real Estate License. For 27 years, she worked for the Shorenstein Company (formerly Milton Meyer and Company), one of the country's oldest and most respected real estate organizations. Her tremendous leadership led to her appointment as the company's lead organizer for political and humanitarian events throughout the San Francisco Bay Area.

Extremely passionate about local politics, Ms. Sanders was a founding member of Black Women Organized for Political Action (BWOPA). One of BWOPA's first major successes was helping elect Ronald V. Dellums to the United States Congress in 1971. Ms. Sanders' passion for political activism continued and she was appointed to serve on numerous boards, including the Commission of the Deputy Chief of Protocol by Oakland Mayor Elihu Harris, and the Horticultural Commission by Governor Jerry Brown. She was also the Founding President of Today's Women, Inc., and a founding member of the Black Filmmakers Hall of Fame.

Ms. Sanders' life was dedicated to the service of others. She generously donated her time to the Oakland Museum, the Oakland Symphony, the African American Museum and Library Coalition, the American Red Cross and many other humanitarian organizations.

Ultimately, Ms. Sanders was blessed to live a full life with no regrets. A loving mother, grandmother, great-grandmother, and friend, Ms. Sanders will truly be missed. But we can rest assured knowing her lasting memory of love and wisdom will continue to guide all those who knew and loved her.

Today, California's 13th Congressional District salutes the legacy of Ms. Teola Sanders, and her contributions which have truly impacted countless lives throughout the Bay Area. I join all of Ms. Sanders' loved ones in celebrating her incredible life and offer my most sincere condolences.

RECOGNIZING THE SERVICE OF
DANIEL R. JENSEN

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. COSTA. Mr. Speaker, I rise today to recognize the service of Daniel R. Jensen. As president of DNC Parks & Resorts at Yosemite, Dan Jensen has been responsible for overseeing lodging, food service, retail, transportation and guest services for Yosemite's 4+ million visitors each year. Representing the single largest concession contract in the National Park System, the Yosemite operation includes such diverse locations as The Ahwahnee and the High Sierra Camps, and activities from Nordic and downhill skiing at Badger Pass to interpretative services.

Dan returned to Yosemite in 2006 after having worked for Yosemite Park & Curry Co. from 1979 to 1992. In addition to his 22 years of Yosemite experience, he has served as a consultant/owner engaged in development of themed concepts domestically and internationally. He also has an extensive career in theme parks, serving as Executive Vice President and Chief Operating Officer of Universal Studios Japan. Prior to joining Universal Studios Japan, Dan served as Executive Vice President of Universal Orlando.

Dan began his career with Price Waterhouse, headquartered in Los Angeles, where he had a large number of Fortune 500 clients and spent part of his career in South Africa. Dan holds an MBA from UCLA and a BA in Economics from UC Riverside, where he was elected to Phi Beta Kappa.

He is on the Board of Trustees and the Council of the Yosemite Conservancy, president of the Yosemite/Mariposa Tourism Bureau, a member of the UC Merced Board of Trustees, an active supporter of NatureBridge and a frequent participant in board meetings and other activities and a member of numerous partner groups in support of Yosemite.

Dan and his wife Suzanne were born and raised in the central California town of Visalia. They have a lifelong attachment to Yosemite that they share with their two children, having raised them in Yosemite before moving to Orlando, FL in 1992. Dan's enthusiasm for Yosemite has been a recurring theme throughout his career and his interest in park challenges insures an insightful and compassionate voice on issues affecting Yosemite's visitors and the people who serve them.

Mr. Speaker, I ask my colleagues to join me in recognizing Daniel R. Jensen in the celebration of his hard work and achievements. It is with great pride that I thank him for his service and lasting contributions to Yosemite National Park.

HONORING THE LA VERNE/SAN
DIMAS VFW POST 12034

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mrs. NAPOLITANO. Mr. Speaker, I rise today to salute the dedicated and selfless

work of the distinguished La Verne/San Dimas Veterans of Foreign Wars Post 12034. VFW Post 12034, known as the "Band of Brothers," provides Honor Guard service for Veterans Day, Memorial Day, Fourth of July, and other civic ceremonies in my district.

Post 12034's Honor Guard helps us to recognize and pay solemn tribute to our veterans by providing Honor Guard for over one hundred military funerals every year. VFW Post 12034's Honor Guard has travelled thousands of miles to honor the sacrifice of service-members—men and women—who preserved the freedoms we too often take for granted.

Because of VFW 12034 Band of Brothers' enduring service and sacrifice to honor a debt we can never fully repay, but a debt we must honor, these distinguished patriots have been recognized as an "All-State" and an "All-American" Veterans of Foreign Wars Post.

Mr. Speaker, I ask my colleagues today to join me and the residents of the 32nd District of California in acknowledging and thanking VFW Post 12034 for their commitment to the values that drive our brave men and women in uniform—the noble values of honor, respect, courage, and selflessness.

MISSOURI CITY MIDDLE SCHOOL
TURNS 40

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to celebrate Missouri City Middle School, a great Texas school, on its 40th anniversary.

This year marks 40 years of educating, learning, and helping our children succeed. A lot has changed since this school opened its doors in 1975 but one thing has remained the same—Missouri City Middle School's commitment to excellence. It has remained a great place for our future leaders to learn and grow. Thank you to the many teachers and faculty members who've worked so hard to make MCMS great throughout the years. Without a dedicated team, our Missouri City Cougars wouldn't be thriving like they are today.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Missouri City Middle School on 40 successful years of educating our leaders of tomorrow.

THE EXPORT-IMPORT BANK RE-
FORM AND REAUTHORIZATION
ACT (H.R. 597)

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong support of the Export-Import Bank Reform and Reauthorization Act, and I applaud the triumph of democracy over ideology that it represents.

The Export-Import Bank is, and always has been, about jobs. It's about the ability of U.S. companies of all sizes to grow their business

by exporting their products, and to compete on a level playing field with their foreign competitors in global markets—many of whom continue to receive export financing from any one of the 85 foreign export credit agencies still operating around the world. The only companies hurt by the far right's crusade against the Export-Import Bank are our own companies, employing American workers, manufacturing products stamped "Made in the USA."

That didn't make sense in July, when the Export-Import Bank's charter was allowed to expire—and it doesn't make sense now. Which is why I am very pleased that a bipartisan majority in the House of Representatives is at long last saying "enough is enough." I'm proud to be a part of that bipartisan majority, and I call on the Senate to reauthorize the Export-Import Bank without delay.

IN HONOR OF NOW-NYC'S 35TH AN-
NUAL SUSAN B. ANTHONY
AWARDS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to pay tribute to the women who are receiving the 2015 Susan B. Anthony award from the New York City chapter of the National Organization for Women (NOW-NYC) for their efforts in promoting equal rights for women. Each year, NOW-NYC recognizes grassroots activists who have worked to improve the lives of women and girls in New York City. This year's honorees are Kimberlé Williams Crenshaw, Krystal C., and Tamar Kraft-Stolar.

Committed to giving women a voice, NOW-NYC strives to promote reproductive rights, empower women economically, and end the violence and discrimination that women face. The organization provides a myriad of resources for issues relating to housing, police misconduct, and child-custody. NOW-NYC is a leading advocate of women's rights and a force for justice. Among other things, their volunteers escort women to reproductive health clinics, advocate for legislation such as anti-trafficking provisions and lead open discussions on the status of women in politics today. As the largest NOW chapter in the country, NOW-NYC plays a fundamental role in shaping the local and national debate on women's issues.

Kimberlé Williams Crenshaw, author of four groundbreaking reports on African American women and the unique struggles they face in America, has received national acclaim for the attention she draws to the challenges women of color face. Professor Crenshaw, a law professor at UCLA and Columbia, is a leading theorist on Black feminism and civil rights. An advocate for a gender-inclusive approach to racial justice, she is also the co-founder and Executive Director of the African American Policy Forum, a gender and racial justice think tank. Professor Crenshaw is co-author of the groundbreaking reports, Black Girls Matter: Pushed Out, Overpoliced and Underprotected, and Say Her Name: Resisting Police Brutality Against Black Women.

Former New York Jets cheerleader turned women's rights activist, Krystal C., is taking a stand against unfair wage practices by professional football teams. As a Jets cheerleader, she was paid just \$150 per game and \$100 per special event, and was not compensated for practice time, training camp and other appearances. Based on hours actually worked, she was receiving only \$3.77 an hour, significantly below the state's minimum wage. She was also required to incur out-of-pocket expenses for motivational gifts, uniform maintenance and hair straightening. Krystal filed a class action lawsuit against the Jets.

Tamar Kraft-Stolar, Co-Director of the Women and Justice Project (WJP), is committed to advocating on behalf of women who are imprisoned. WJP is dedicated to ending the mass incarceration of women. Before joining WJP, she managed the Correctional Association of New York's Women in Prison Project for over a decade. As a leader on incarceration reform, Ms. Kraft-Stolar spearheaded the very successful campaign to pass legislation ending the shackling of incarcerated women during childbirth.

Additionally Miyhosi Benton, Bridgette Gibbs, Ursulina Miranda, Tina Tinen, and Maria Ventura are being recognized for their efforts to end the inhumane practice of shackling incarcerated pregnant women in New York.

Mr. Speaker, I ask my colleagues to join me in honoring NOW-NYC and the 2015 Susan B. Anthony Award recipients for their perseverance and advocacy in the fight to end injustice and ensure equality for women.

HONORING THE SERVICE OF JUAN FELIPE HERRERA

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. COSTA. Mr. Speaker, I rise today to honor the work and celebrate the achievements of United States Poet Laureate, Juan Felipe Herrera. Mr. Herrera is a California native and the first Latino in history to become a Poet Laureate. He took up his duties of Poet Laureate this fall by opening Hispanic Heritage Month at the Library of Congress with a reading of one of his works.

Mr. Herrera succeeds Charles Wright as the 21st Poet Laureate and joins a long line of distinguished poets who have served in the position, including the late Philip Levine who was a Fresno native and former professor at the California State University, Fresno. Mr. Herrera was previously appointed as California Poet Laureate by Governor Jerry Brown and served from 2012–2015.

Born in Fowler, California in 1948 to migrant farmworker parents, Mr. Herrera spent his early life living in tents and trailers with his family throughout the San Joaquin Valley and the Salinas Valley following the seasonal crops. His experience as a campesino has strongly influenced his works. Traveling from the San Joaquin Valley to San Diego's Logan Heights and San Francisco's Mission District

gave him three distinct California experiences, which is where he draws his inspiration from. Growing up in the '60s and attending college in the '70s during the Chicano Movement inspired Mr. Herrera and his writing style, which fuses wide-ranging experimentalism with reflections on Mexican-American identity.

Mr. Herrera graduated from San Diego High School in 1967 and was one of the first waves of Latinos to receive the Educational Opportunity Program scholarship to attend the University of California, Los Angeles (UCLA). He received a Bachelor's degree in Social Anthropology from UCLA, a Master's degree in Social Anthropology from Stanford University, and a Master's of Fine Arts degree at the University of Iowa Writer's Workshop. He has worked as a poet for over 40 years throughout California at various colleges, universities, migrant camps, continuation high schools, juvenile halls, and prisons.

Among his many works Mr. Herrera is the author of 28 books of poetry, novels for young adults, and collections for children. He published his first collection of poems, *Rebozos of Love* in 1974 and some of his subsequent work includes *Exiles of Desire* (1985), *Border-Crosser with a Lamorghini Dream* (1999), and *Senegal Taxi* (2013). Mr. Herrera has also published 11 young adult and children's books, including *The Upside Down Boy* (2000), which was adopted into a musical and most recently *Portraits of Hispanic American Heroes* (2014), a picture book showcasing inspiring Hispanic and Latino Americans.

Mr. Herrera's honors include fellowships from the Guggenheim Foundation and the National Endowment for the Arts, two Latino Hall of Fame Poetry Awards, and a PEN Open Book Award. He has also received the PEN USA National Poetry Award, PEN Oakland Josephine Miles Award, two Américas Awards, two Pura Belpré Author Honor Awards, the Independent Publisher Book Award, the Ezra Jack Keats Award, and fellowships from the Bread Loaf Writers' Conference and the Stanford University Chicano Fellows.

Among his writing and social activism, Mr. Herrera also served as Chancellor for the Academy of American Poets in 2011. He has served as the Chair of the Chicano and Latin American Studies Department at California State University, Fresno, and also held the Tomás Rivera Endowed Chair in the Creative Writing Department at the University of California, Riverside, where he taught until retiring in 2015.

Since his retirement, Mr. Herrera has become a visiting professor in the Department of American Ethnic Studies at the University of Washington-Seattle. He currently resides in Fresno, with his five children and his partner, fellow poet, and performance artist, Margarita Robles.

Mr. Speaker, it is with great pleasure that I ask my colleagues in the House of Representatives to join me as we honor and celebrate Juan Felipe Herrera for his dedication to poetry, his community, and education.

QUAIL VALLEY ELEMENTARY SCHOOL TURNS 40

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to celebrate Quail Valley Elementary School in Missouri City, Texas on its 40th anniversary.

This year marks 40 years of educating, learning, and helping our children succeed. A lot has changed since this school opened its doors in 1975 but one thing has remained the same—Quail Valley Elementary School's commitment to excellence. It has remained a great place for our future leaders to learn and grow. Thank you to the many teachers and faculty members who've worked so hard to make QVE great throughout the years. Without a dedicated team, our Quail Valley Eagles wouldn't be thriving like they are today.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Quail Valley Elementary School on 40 successful years of educating our leaders of tomorrow.

HONORING MR. CONNIE ENGLISH, JR.

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. VEASEY. Mr. Speaker, I rise today to honor Mr. Connie English, Jr. for his service to the labor movement as the State Legislative Director for the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART) and Vice President of Texas AFL-CIO. Mr. English's retirement comes after a thirty-three year tenure in organized labor. For the last three decades, Mr. English has dedicated his work to the labor movement, ensuring that railroad, bus, and transit workers' needs are being recognized.

During his years of work with the labor movement, Mr. English has made a direct impact on his community through his numerous roles at SMART, formerly known as the United Transportation Union, and with the Texas AFL-CIO. Mr. English began his labor career in 1982, where he served as Legislative Representative from 1982–1999, Delegate from 1984–1994, Local Chairman from 1984–1996, Vice General from 1985–1996, Secretary to the UTU Texas Legislative Board from 1986–1996, and Assistant State Legislative Director from 1996–1999.

Aside from his work with SMART and AFL-CIO, English continued to be a community leader as a member on the Bexar County Rail District Board. Mr. English is also a well-known advocate for transportation workers, working to organize statewide support on legislative issues and fighting for working people against tough odds, by serving as a labor caucus leader on numerous Texas campaigns. Mr. English has been happily married to his wife, Donna, for forty-nine years, and together they have two children, six grandchildren, and two great grandchildren.

In honor of Mr. English's retirement and his dedication and leadership within the public service community, this statement is submitted.

IN RECOGNITION OF OCTOBER AS
NATIONAL DOWN SYNDROME
AWARENESS MONTH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of October as National Down Syndrome Awareness Month.

During the month of October, we celebrate the abilities of the more than 400,000 Americans who have Down syndrome and raise awareness of their accomplishments. We also recognize the difficulties that their families often face and the many opportunities that exist to support them.

Individuals born with Down syndrome face more natural and societal challenges than others, including barriers in access to quality education. We, as Americans, have made great strides over the years in better understanding the difficulties these individuals, and their families, face. Given that 1 in every 691 babies in this country is born with Down syndrome, it is imperative we continue our efforts.

Good work is being done all across this country to improve the health and quality of life for people with Down syndrome, but I want to give special attention to the efforts of the Massachusetts Down Syndrome Congress. The MDSC is an organization I have had the honor and pleasure of working with in recent years, and can attest that it has worked tirelessly for over thirty years to improve the educational and employment opportunities for children and adults with Down syndrome. To this end, I want to highlight the MDSC's annual Buddy Walk in Falmouth, which this past July brought people from all over the Commonwealth to advocate for heightened awareness, inclusion, and acceptance of people with Down syndrome. MDSC also held its annual National Buddy Walk on Washington, bringing over 150 people from more than 25 states together to Capitol Hill to advocate for legislation that positively impacts the lives of people with Down syndrome.

Mr. Speaker, I urge my colleagues to join me in continuing our efforts by recognizing October as National Down Syndrome Awareness Month. There is much work yet to be done. But, as our steadfast Massachusetts and national partners have demonstrated, together, we can make a difference for people with Down syndrome.

HONORING THE TOWN OF
KINGSTON SPRINGS

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. COOPER. Mr. Speaker, I rise today to pay tribute to the town of Kingston Springs on its 50th anniversary.

In December of 1965, a group of residents sought to incorporate and form a new municipality for this tight-knit community in Cheatham County, Tennessee. The original town serviced 290 residents with an annual budget of just over \$2,000. The very first election produced the town's first group of commissioners, Raymond Mays, John Frey and Terry Moore—who remained public servants in the community for decades to come.

Today, Kingston Springs is home to 2,771 residents and is thriving. With a walkable and historic downtown, 173 acres of parks and trails, a vibrant business community, adventurous outdoor recreation and a highly-rated fire protection service, its charm and character appeal to both residents and the entire Middle Tennessee community. In fact, Kingston Springs was recently named one of the safest cities in Tennessee and one of the top Nashville suburbs.

It's a privilege to represent the people of Kingston Springs. I congratulate the entire community on a successful 50 years, and wish them even more success to come.

HONORING THE GREATEST
GENERATION

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to honor Paul Shinsky of Alvin, Texas for bravely serving the United States during World War II.

Mr. Shinsky valiantly served in the Army Air Corps as a co-pilot of a B-17 in the 384th Bomber Group during World War II. During the war, Mr. Shinsky's plane was taken down by German fire and he became a German prisoner of war. He says he survived his two years as a POW through God's grace and praying the Rosary. Recently, members from the 384th BG NexGen's veterans signing project came to Mr. Shinsky and asked him to sign a wing from an original B-17. This wing, with the signatures of Mr. Shinsky and other living members of the 384th Bomber Group, will be put in the Hill Aerospace Museum at Hill Air Force Base near Ogden, Utah. As a former Navy pilot, I am humbled by Paul's noble service to our country. He truly embodies the Greatest Generation.

On behalf of the Twenty-Second Congressional District of Texas and all the brave men and women who have served our country, we thank Paul for his service.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,152,590,112,385.69. We've added \$7,525,713,063,472.61 to our debt in 6

years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO RIVERSIDE COUNTY'S
RECIPIENTS OF OPERATION RECOGNITION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a group of individuals—heroes—who are receiving the recognition and honor they deserve for their service to our country. Operation Recognition is operated by the Riverside County Office of Education with assistance from the Riverside County Department of Veterans' Services. The program awards high school diplomas to veterans who missed completing high school due to military service in World War II, the Korean War, or the Vietnam War, or for those who were interned in WWII Japanese-American relocation camps.

A recognition ceremony will be held on November 10, 2015, for the following individuals who received their high school diplomas through Operation Recognition:

David Beaudoin; Robert Michael Coe; Benjamin John Cusumano; Harvey Robert Harris; James Esco Lenon, Jr; Joe Pena, Jr; Juan Pena, Jr; Ruben Martinez Peters; Richard Rosenthal; Jacinto Reyes Salinas; Ralph Hamilton Wolfe, Jr.

Our country owes a debt of gratitude to all the above recipients for their service and sacrifice. I salute all of these individuals and congratulate them on receiving their high school diploma.

HONORING MILITARY VETERANS
FROM NASSAU COUNTY, FLORIDA

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. CRENSHAW. Mr. Speaker, I rise today to honor eighty-eight military veterans who reside in my Congressional District in Nassau County, Florida and recognize them with a special medal in honor of their military service and in gratitude of our country. The veterans' ceremony carries special significance as it falls during Northeast Florida's Week of Valor and in light of the fact that brave American military members continue to serve across the globe.

Veterans in Nassau County have always taken part in our Nation's battles dating back to the Seminole-Indian Wars, Civil War, World War I and II, Korea, Vietnam and operations in the Middle East. These citizens have served with distinction and courage no matter their assignments. Each veteran accepted the call to serve and take his or her turn on the watch. The secret of our outstanding military is the citizens from communities, like Nassau County, stepping forward to serve. The faces of

America's military can be found right here in Bryceville, Callahan, Fernandina Beach, Hilliard and Yulee, Florida.

The veterans we honor were nurses, doctors and aircraft mechanics. During World War II, one sat in a ball turret as a gunner; one was a P-17 pilot. In Korea, they called in air strikes as forward air controllers and worked in MASH units. In Vietnam, they were on the ground as infantrymen or in the air in helicopters. One of them helped develop the assault amphibious vehicle still used by the Marine Corps today. Some saw fierce combat in Iraq and worked counter drug operations in South and Central America. Several earned Bronze Stars and other service medals. Some wear Purple Hearts. All of them served with distinction, dedication and devotion to our country.

Over the years I have had the honor of recognizing over two thousand veterans in Florida's Fourth Congressional District. This year, I am honored to commend the following men and women for their service to our country and to salute them for a job well done: John W. Ashmead; Emily Jo Baumgartner; George P. "Pat" Beamer; Ula E. Bennett; John S. Billings; Thomas Blackwelder; Robert S. Bolan, Jr.; Joseph H. Bottoni; Harry E. Bowman; Paul Henry Brown; Stanley R. Bunch; Gerald B. Burford, M.D.; G. Kyle Burford; Robert R. Capps; Edward M. Coop; William Larry Cravey; Noah S. Crawford; Steven John Crouse; Andrew J. Curtin; Cara A. Curtin; Robert J. De Angelo; Harry Duccilli, Jr., M.D.; Samuel O. Entriiken; M. Daniel Fullwood; Erving Gilyard; Thomas J. Gora; Leo Green; Eugene Rawson Griffin, III; John Halliday; James W. Hendricks; Walter A. Hickey; Thomas J. Higginbotham; Henry L. Hines, Jr.; Roy Holland; Darryl J. Hooper; Roger L. Horton; James II. Jones; Gordon E. Jonsrud; Edward Lee Kaywork; Conrad Kohlman; Gene A. Kyzer; Erik Larsen; Joseph R. Laspinia; Andreea E.I. Latza-Meires; Leonard L. Lyons; Susan L. Marden; William J. Marsh; Paul N. Massing; William G. McKeown; Patrick A. Meires; Gerald R. Miller; Presley K. Mitchell; W. Patrick Monaghan; Victor X. Monroy; Alva Barry Moody; Cynthia J. Morley; John D. Morley; Albert F. Nelson; Mary A. Nuttall; Alice Faye Overstreet; Kenneth B. Overstreet; Albert D. Owens; LeRoy Owens; Kenneth W. Pennington; George T. Pippin III; Gordon A. Plugge, Jr.; John D. Pruitt; Francis R. Quattrene; Josef I. Reece; Charles E. Revels; Sylvester Ross; Henry M. Rothschild; John W. Scherer; Eddie W. Shepherd; Edwin C. Sherer; Cleo F. Smith; John W. Stephens, Jr.; Dale C. Stickrath; Rick Traum; Jerry A. Tyner; James Bruce Underwood; Dumas J. Vines, Jr.; Willie F. Watson; Ralph L. Wickson; Thomas T. Workman; Jesse L. Wright; Edward A. Zack; and Nello R. Zortea.

ALAA ALY RECEIVES THE GIRL SCOUT GOLD AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Alaa Aly, for earning the Girl

Scouts of the USA Gold Award, their most prestigious honor.

Alaa, a graduate of Cinco Ranch High School, was recognized for her extraordinary leadership and efforts to raise Alzheimer's awareness. She volunteered with the Cinco Ranch Alzheimer's Center and Foundations Academy, a preschool and after school program, where she hosted an entertainment drive. Alaa has been a member of the San Jacinto Council since she was in second grade and previously earned the Girl Scout Bronze and Silver Awards for her other contributions to her community. What an accomplished young woman.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Alaa Aly for receiving the Girl Scouts of the USA Gold Award.

HONORING OZARK ACTION

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Ozark Action for the 50 years of outstanding service that they have provided to Missourians. Ozark Action is a non-profit community action agency whose impact stretches across six counties in Missouri by providing life-saving services for people in need.

Ozark Action was formed in 1965 to ensure that people had their basic needs met, including food and clothing. The agency is led by executive director Bryan Adcock and contains three main departments and ranges of services. Angie Berry directs the community services department, which conducts a range of important activities to provide direct assistance to our citizens. The Head Start program, led by Kathleen Simonson, is an integral component of Ozark Action that provides a preschool experience to children from low-income families and children with disabilities. The Housing and Weather Department is supervised by Terry Sanders, whose staff has assisted numerous people in our area to find affordable housing and improve the cost efficiency of their homes.

It is my pleasure to recognize Ozark Action before the United States House of Representatives for improving the lives of others throughout Missouri.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and

any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the Congressional Record on Monday and Wednesday of each week.

Meetings scheduled for Monday, November 2, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 3

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the future of warfare.

SD-G50

Committee on Foreign Relations

To hold hearings to examine the nominations of Deborah R. Malac, of Virginia, to be Ambassador to the Republic of Uganda, Lisa J. Peterson, of Virginia, to be Ambassador to the Kingdom of Swaziland, and H. Dean Pittman, of the District of Columbia, to be Ambassador to the Republic of Mozambique, all of the Department of State.

SD-419

2:30 p.m.

Committee on Banking, Housing, and Urban Affairs

Business meeting to consider the nomination of Adam J. Szubin, of the District of Columbia, to be Under Secretary for Terrorism and Financial Crimes, Department of the Treasury.

SD-538

Committee on Foreign Relations

Subcommittee on Europe and Regional Security Cooperation

To hold hearings to examine Putin's invasion of Ukraine and the propaganda in Europe.

SD-419

Committee on the Judiciary

Subcommittee on Privacy, Technology and the Law

To hold hearings to examine data brokers, focusing on whether consumers' information is secure.

SD-226

NOVEMBER 4

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine how gagging honest reviews harms consumers and the economy.

SR-253

Committee on Foreign Relations

To hold hearings to examine United States policy in North Africa.

SD-419

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the value of education choices for low-income families, focusing on reauthorizing the D.C. Opportunity Scholarship Program.

SD-342

Committee on the Judiciary

To hold hearings to examine the nomination of Stuart F. Delery, of the District of Columbia, to be Associate Attorney General, Department of Justice.

SD-226

10:30 a.m.

Committee on the Budget

To hold hearings to examine reforming the Federal budget process, focusing on a biennial approach to better budgeting.

SD-608

2 p.m.

Committee on the Judiciary

Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts

To hold hearings to examine the American victims of Iranian and Palestinian terrorism.

SH-216

2:30 p.m.

Joint Economic Committee

To hold hearings to examine ensuring success for the Social Security Disability Insurance program and its beneficiaries.

SD-106

NOVEMBER 5

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine agency progress in retrospective review of existing regulations.

SD-342

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine wildfire, focusing on stakeholder perspectives on budgetary impacts and threats to natural resources on Federal, state, and private lands.

SR-328A

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine the rule of law and civil society in Azerbaijan.

CHOB-311

NOVEMBER 17

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine past wildfire seasons to inform and improve future Federal wildland fire management strategies.

SD-366

NOVEMBER 19

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine the Well Control Rule and other regulations related to offshore oil and gas production.

SD-366

SENATE—Tuesday, November 3, 2015

The Senate met at 10 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Father Patrick J. Conroy, the Chaplain of the U.S. House of Representatives.

The guest Chaplain offered the following prayer:

Let us pray.

Loving God, we give You thanks for giving us another day. We thank You for Your ongoing presence and sustaining grace in us all and Your concern for our Nation.

Continue to bless and inspire the men and women who serve in the Senate. May they be encouraged by any movement that has occurred and may the hopes and prayers of the American people, and indeed the world, for healthy and productive legislation be met with results inspired by Your Spirit.

Forgive our failures, our lack of faith. May the good intentions of all acting in this Chamber be rewarded by solutions to our struggles that benefit our Nation.

May all that is done be for Your greater honor and glory. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 3, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

FEDERAL WATER QUALITY PROTECTION BILL

Mr. MCCONNELL. Mr. President, two Federal courts have already found that the Obama administration's plan to regulate the land around nearly every pothole and ditch is illegal. It is hardly a surprise. The administration's so-called waters of the United States regulation is a cynical and overbearing power grab dressed awkwardly as some clean water measure. It is not. Many argue it actually violates the Clean Water Act.

The true aim of this massive regulatory overreach is pretty clear. After all, if you are looking for an excuse to extend the reach of the Federal bureaucracy as widely and intrusively as possible, why not just issue a regulation giving bureaucrats dominion over land that has touched a pothole or a ditch or a puddle at some point? That would seem to be pretty much everything, and that is why the waters of the United States regulation is so worrying. It would force Americans who live near potholes and ditches and puddles to ask bureaucrats for permission to do just about anything on their own property.

Want to spray some weeds? Fill out a permit. Want to put a small pond in your back yard? Ask Uncle Sam. Want to build a barn or just about anything else on the land you own? Good luck getting approval from the Feds on that.

One court said that this regulation was so ridiculous it had to be the result "of a process that is inexplicable, arbitrary, and devoid of a reasoned process." That sounds about right. It certainly wasn't a process that appropriately involved the untold number of stakeholders sure to be affected by such a wide-ranging regulation. Let me read you something I received from a constituent in West Liberty, KY. Here is what he wrote:

I'm disappointed [that] small businesses like mine were not considered in this rule making process. Government regulations, like the proposed rule, are complicated, expensive to navigate and a real obstacle to growing my business. This change, and its ridiculous overreach and restrictions could decrease land value and hinder my ability to expand, develop and use my own private land.

"Please," he said, "support S. 1140, the Federal Water Quality Protection Act."

I have good news for this Kentuckian and for the many Americans who feel the same way. I do support the Federal Water Quality Protection Act. I actually worked with Senator BARRASSO to introduce it and will take a vote to move the bipartisan bill forward this afternoon.

A bipartisan majority of the Senate supports the Federal Water Quality Protection Act. What it says is pretty simple. If the administration is actually serious about protecting waterways and not just cynically using this regulation as a ploy to extend the bureaucracy's reach, then it should follow the proper process to get to a balanced outcome. It should appropriately consult with the Americans who would be the most affected by the regulation, especially farmers, ranchers, and small businesses, not to mention the homebuilders, manufacturers, mine operators, and utility providers that would be particularly impacted in my State. It should appropriately consult with the States. It should actually conduct the regulatory impact analyses required of it.

In short, what this bipartisan bill would do is require the administration to actually follow the balanced approach it should have followed in the first place. It is commonsense, bipartisan legislation that would protect our waterways while protecting the American people from a heavy-handed regulation that threatens their property rights and their very livelihoods. A similar bill has already passed the House with bipartisan support.

Americans in places like Eastern Kentucky have suffered enough from this administration's regulatory onslaught already. This latest regulation threatens to turn the screws even tighter for almost no benefit at all.

I call on every colleague to join me in standing up for the middle class instead of defending cynical, job-crushing regulations. I ask them to join me in supporting the bipartisan Federal Water Quality Protection Act this afternoon.

I thank my colleague from Iowa for her hard work on this issue. She has introduced a measure that would allow Congress to overturn this massive regulation in its entirety. It is another avenue the Senate can pursue as we seek to protect the middle class from this unfair regulatory attack.

I know the Senator from Iowa is actually with us on the floor right now. She is here for a different reason, which is the subject that I am turning to right now.

CONGRATULATING SENATOR GRASSLEY ON CASTING HIS 12,000TH VOTE

Mr. McCONNELL. Mr. President, last week the Senate marked two milestones. First, our colleague from Vermont cast vote No. 15,000. We all noted it at the time. And then our colleague from Iowa cast vote No. 12,000, and that is what we would like to note now.

It is true that Senator GRASSLEY still has some catching up to do if he wants to overtake the Senator from Vermont, but there is more to this story than the top-line number. Out of those 12,000 votes our colleague has taken, the last 7,474 of them were taken consecutively. He hasn't missed a single vote since 1993. He has the second-longest consecutive voting record in Senate history, second place out of 1,963 Senators. That is pretty impressive.

Even so, we know our colleague never likes to settle for second. It is good for him, then, that he will soon grab gold in a different way. He is just a few months out from becoming the longest serving Senator in Iowa history, and yet he is one of the most energetic guys around here—a runner in every sense of the term.

He has a lot of fans in Iowa too. I don't think it is any great mystery why the people of Iowa keep sending him here. This is a Senator with a deep love for his State and a simple philosophy. When he is here in Washington, he is voting. When he is back in Iowa, he is out meeting Iowans. He makes a point to hold townhall-type events in each of Iowa's 99 counties every single year. He hasn't missed a single county in over three decades. No wonder he began his ascent into Twitter legend with four simple words: "Attending events in Iowa." That tweet is hardly as infamous as "assume deer dead" or "staff has now informed me of what a Kardashian is, I'm only left with more questions." It captures our colleague perfectly in less than 140 characters.

Here is something that captures him in at least that many calories. At the end of every annual 99-county swing, Senator GRASSLEY has a ritual. He gets a Blizzard from Dairy Queen—sometimes chocolate, sometimes vanilla, but always, always swirled with Snickers. This year, he got to DQ so early he had to wait in the parking lot for it to open, and of course since this is the senior Senator from Iowa, he tweeted about it. Here is what he said: "I'm at the Jefferson Iowa DairyQueen," he wrote, doing "you know what!!!" That is some tweet. But in this Dairy Queen story, you have the perfect metaphor for our colleague from Iowa—early riser, driven, devoted to tradition, open to change, and never afraid to mix it up. For this lover of dairy and devotee of his home State, it makes perfect sense. The people of Iowa are lucky to have him here fighting on their behalf.

Here is to another 99 counties. Here is to the 12,000-vote milestone the Senator from Iowa crossed last week.

REMEMBERING FRED THOMPSON

Mr. McCONNELL. Finally, Mr. President, on an entirely different and sad matter, there was never any doubt when our colleague from Tennessee was nearby—6 feet 6 inches tall, deep, booming voice, and a magnetic personality that lit up any room he was in. Fred Thompson may have towered over the Senate in a very literal sense, but he was one of the most down-to-earth guys you will ever meet. He was a true gentleman with a kind heart.

This Senator, who lived life to the very fullest, the first in his family to ever attend college, never forgot where he came from.

Now, in a weird twist of fate, it turns out that Fred and I actually came from the same place. We were both born in what was then known as the Colbert County Hospital in Sheffield, AL. But getting back to Fred's humility, how many successful actors can you say that about? You see, Senator Thompson hardly fit the Hollywood stereotype. Senator Thompson didn't fit the political stereotype either. He was just Fred. He had one of the most interesting careers you could ever imagine—Senate colleague, Watergate lawyer, Presidential candidate, and radio personality. And he was an icon of the silver and small screen alike, one who didn't just take on criminals as an actor but as a real-life prosecutor as well. That was Fred Thompson. That was the man many of us had the pleasure to serve with.

I am reminded of some words shared recently by Fred's friend of 50 years, a friend who succeeded him here in the Senate. "Very few people could light up a room the way that Fred Thompson did," he said. "I will miss him greatly."

I join the senior Senator from Tennessee in the same sentiment. I know the entire Senate does as well, just as the Senate joins together in sending condolences to Fred's loved ones, Jeri and his children, in particular, in this very difficult time.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

PAID FAMILY LEAVE

Mr. REID. Mr. President, for many decades the American people have heard that their elected officials and political hopefuls taught family values, but right now we need more than talk. We need Members of Congress to step

up to the plate to help working families.

Our country has fallen well behind the rest of the world when it comes to paid family leave. We are the only developed country in the world that does not mandate paid medical leave for workers. Think about that. The most industrialized and successful country in the history of the world mandates less paid and protected family leave than Malta, Slovakia, and Estonia. What does this mean for working American families? It means parents can't stay home and take care of their sick children. It means mothers need to rush back to work after giving birth to a child. It means working Americans have to choose between a paycheck and their family responsibilities.

Right now the United States provides paid family leave for only 12 percent of its private sector workforce. We are one of three nations without paid maternity leave: Papua New Guinea, Oman, and the United States. Those are the three nations without paid maternity leave: America, Oman, and New Guinea. That is really unfair, and it doesn't qualify as family values.

I was pleased recently to learn that the new Speaker, PAUL RYAN, told House Republicans his family is off-limits. I don't know if that means Friday afternoons or just Saturday and Sunday. He wants to spend more time with his family, and I applaud him for that. There were some people who mocked Congressman RYAN for that, and they are wrong. All parents should work to protect that time with their families.

Here is the problem. For millions of Americans, the concept of work-family life balance is nothing more than a fantasy. For far too many Americans, more time at work and less time with family is the only way to put food on the table and a roof over their heads. Still, these hard-working families are falling behind. An unpaid day off is out of the question.

Contrast that with the Senate. The Republican-controlled Senate doesn't work 5-day weeks. Yet millions of Americans can't get a day off when a loved one dies or a child is confined to a hospital bed. If you play baseball, the average salary is more than \$2 million a year. If your wife has a baby, you take off. But they make millions of dollars a year. Middle-class Americans don't make that.

While Speaker RYAN insists on a family-friendly work schedule for himself, he is blocking legislation that would give the bare minimum in paid leave for hard-working Americans. Before we worry about ourselves, we should worry about the millions of Americans who can't get a day off work to care for a sick child—can't get a half day off work. That would be real family values.

DRINKING WATER PROTECTIONS

Mr. REID. Mr. President, this week the Senate will vote on two pieces of legislation that will nullify drinking water protections for 117 million Americans.

The Obama administration's clean water rule will restore important safeguards to protect American water sources from pollution and contamination. This landmark rule from the Obama administration will finally resolve years of confusion and provide regulatory certainty for businesses, farmers, local governments, and communities without creating any new permitting requirements and maintaining all previous exemptions and exclusions.

The Republicans in Congress are intent on undermining these important protections. The Republican leader and his colleagues unfortunately are forcing the Senate to vote on legislation to roll back President Obama's clean water rule. This legislation will fail, of course, and Republicans know it will fail.

Last week, the junior Senator from Texas said this:

[N]ext week we will have a show vote on the waters of the United States. Leadership is very happy. We will have a show vote. We will get to vote, and it will fail.

Perhaps the junior Senator is right; this is another Republican charade. I hope not. If these bills were to pass, President Obama will veto them. Yet Republicans are content to waste the Senate's time just so they can launch another attack on the environment. This is the first of a series of environmental attacks we expect this month from Republicans. They are also preparing to nullify the President's rules to address climate change. They have no solutions and no plan to keep our water clean or address climate change. They are wasting valuable Senate time on these show votes.

CONGRATULATING SENATOR GRASSLEY ON CASTING HIS 12,000TH VOTE

Mr. REID. Mr. President, every year in the Senate we are sent to this distinguished body for one reason: to represent the people of our State and the people of this country. Our constituents expect us to legislate. They expect us to be here on the Senate floor voting and representing their interests. In the Senate, there is no one better at upholding that responsibility than the senior Senator from Iowa.

Last Thursday, CHARLES GRASSLEY cast his 12,000th vote as a U.S. Senator. As remarkable as that is, as my friend the senior Senator from Kentucky said, it is even more impressive that he has cast almost 7,500 consecutive votes on the Senate floor. He hasn't missed a vote since July 14, 1993. He holds the second longest consecutive vote streak

in Senate history, behind our colleague Senator William Proxmire of Wisconsin. That is a lot of votes.

Senator GRASSLEY's constancy and unwavering work ethic comes as no surprise to those of us who have known him and are acquainted with his background. CHUCK GRASSLEY is a farmer. He is proud of that. He got started in politics when he was elected to the Iowa House in 1959. He served for 15 years. In 1974, he ran for Congress and served three terms in the House of Representatives.

He was elected to the Senate in 1980. Thirty-six years, 12,000 votes—that is remarkable, as is 7,474 consecutive votes. So I say congratulations to my friend CHUCK GRASSLEY on those incredible milestones.

REMEMBERING FRED THOMPSON

Mr. REID. Mr. President, over the weekend, the people of Tennessee lost a member of their family. Senator Fred Thompson, whom my friend the Republican leader has talked about, died after a recurring battle with lymphoma.

Those of us who served with him remember that wonderful voice. His voice was so good that many people said he should be an actor. Well, he was. He was an actor. He had a beautiful voice that projected so very well, but he was good wherever he was—the floor of the Senate, movie studio, the town square of his home.

He was a statesman in every sense of the word. His dedication to responsible public service fueled his commitment to bipartisanship and compromise. Fred Thompson was known for his courageous heart and straightforward approach to public service.

I will miss him a great deal. He was always very kind and thoughtful and friendly to me, and the Senate is a better place for having had him here.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

FEDERAL WATER QUALITY PROTECTION ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1140, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 153, S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States," and for other purposes.

The PRESIDENT pro tempore. Under the previous order, the time until 12:30

p.m. will be equally divided between the two leaders or their designees.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTE TO SENATOR CHARLES GRASSLEY'S 12,000TH VOTE

Mr. LEAHY. Mr. President, I have had the privilege of serving with several hundred Senators in this body over the years I have been here, and Senator GRASSLEY has been a very special friend during that time. He has represented the voices of Iowans for nearly three and a half decades. I think we have been friends for that three and a half decades.

When I think of Senator GRASSLEY—12,000 votes, hundreds of hearings, countless tweets, and probably four dozen sweater vests later—he is the same down to earth Iowa farmer who visits every one of the State's 99 counties every year. He is also the Iowa farmer who, when Vermont was hit with terrible flooding a few years back, was the first person to contact me to say, "Vermont stood with Iowa when we were hit with a natural disaster. Iowa now stands with Vermont."

He and I have worked together, and we have had a productive relationship that spans those decades. On the Judiciary Committee, we take our leadership responsibilities seriously. We have both made sure that, both as chairman and ranking members, that every Senator has a chance to be heard. We have found ways to come together on meaningful legislation. We enjoy each other's company. We are able to kid each other, as I did on his recent birthday. But more importantly, we do what I was told to do when I first came to the Senate, and I am sure what Senator GRASSLEY was told when he did—we keep our word. We have always kept our word to each other.

It also helps that we both married above ourselves. His wonderful wife, Barbara, and my wife, Marcelle, are very close friends. They sometimes say that they belong to that special club that nobody wants to join, that of cancer survivors.

Senator GRASSLEY's willingness to listen and hard work was most recently on display in the Judiciary Committee, as we hammered out an important compromise on sentencing reform which brought the left and the right together—both parties together. I think every single Senator complimented his leadership.

And I must admit I was grateful for Senator GRASSLEY's comments last week when I, too, crossed a voting milestone. He said we have been good friends and hoped we could cast many more votes together. I share that hope and congratulate my friend on this achievement.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mrs. ERNST. Mr. President, I rise today to congratulate my friend, colleague, and Iowa's outstanding senior Senator on casting his 12,000th vote in the wee early hours of this last Friday morning. In fact, there are only 17 other Senators in history who have cast more votes than Senator CHUCK GRASSLEY. On top of that, he has the longest existing voting streak in Congress.

This farmer from Iowa serves as the chairman of the Senate Judiciary Committee and is one of the highest ranking members in the Senate. But that has not gone to his head—not for CHUCK GRASSLEY. Back home in Iowa, he travels all 99 counties every single year, and he has done this every year for 35 wonderful years. Today his travels across the State to all 99 counties have a name. It is called “the full Grassley.” It is something that now our elected officials and even the Presidential candidates who visit Iowa try to complete as well. Senator GRASSLEY has set a high bar, and I am very glad that he has.

Over the years I have learned quite a bit about my friend Senator CHUCK GRASSLEY. He is extremely thrifty. Because of that, he is always looking out for our taxpayer dollars. He fights tirelessly for accountability and transparency in Washington. I can always count on Senator GRASSLEY to stop by my office for doughnuts and coffee and to meet all of our wonderful Iowa constituents who happen to be visiting Washington, DC. He says he comes to visit the constituents. I actually think it is for the free doughnuts, but we are glad he stops by.

Senator GRASSLEY is the epitome of the Iowa way, and he has faithfully upheld these values in the Senate. He is a workhorse and has dedicated his entire career to serving Iowans. Iowa has no greater friend than Senator CHUCK GRASSLEY.

Congratulations, Senator, on your 12,000th vote. Congratulations to Barbara, also. Get your Twitter ready because at noon we are going to celebrate.

I thank the Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank all my colleagues, in particular my colleague from Iowa but also the people who are very senior leaders of this body: Senator MCCONNELL, Senator REID, and my friend on the Judiciary Committee, Senator LEAHY, whom I have served with for 35 years. I thank them for their kind words and for what they said about my service to the people of Iowa as an elected representative.

I have interacted with tens of thousands of Iowans as their Senator, so I

have a feeling that I know each Iowan personally at this point. Of course, I don't. I know that is technically impossible, but one of the benefits of a State that is not especially big geographically is that I have enough planning that I can get to every county every year, as has been said several times by my colleagues.

Every year, Iowans in each county host me at a question-and-answer session at their factories, schools, or their service clubs. Most of these are my own town meetings that I set up. At each stop, I might get a dozen or so questions on any topic under the sun, and that is as it should be in representative government because that is a two-way street. The electorate's job is to ask the questions and my job is to answer them. If people are satisfied that I have answered their questions or that at least I have tried to answer them, then I hope I have demonstrated how much their participation means to the process of representative government and to casting my votes in Washington because I bring the benefits of every comment, question, and criticism heard from Iowans to that vote.

With these 12,000 votes, I think of the many conversations and pieces of correspondence behind each vote. Whether I am meeting with Iowans in the Hart Building in Washington or at the University of Northern Iowa volleyball matches near my farm in New Hartford, the time that people take to visit with me is well spent for me, and I hope they consider it a time well spent for them.

People ask me if I have any hobbies. I cannot say that I do, at least not in the way people usually think of hobbies. Spending time with the people of Iowa is part of my work. I get paid to listen and make sure that is what I do. It is my pleasure to spend time with Iowans. When someone stops me at the Village Inn in Cedar Falls, where I go for Sunday brunch after church, to talk about cyber security or sentencing reform, I am glad to do it.

What is important to the people of Iowa is my vocation. I am grateful for the opportunity to cast 12,000 votes. Thanks to the people of Iowa, thanks to my wife Barbara and the rest of my family who share my regard for what is important, representing the people of Iowa.

Mr. ALEXANDER. Mr. President, I thank the people of Iowa for sending us CHUCK GRASSLEY and want to say he does not just represent Iowa, he personifies it. I know of no Senator who better personifies his State than the Senator from Iowa.

Mr. President, I ask unanimous consent that I be recognized to say a few words about our departed colleague Fred Thompson and that following my remarks Senator CORKER be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING FRED THOMPSON

Mr. ALEXANDER. Mr. President, it is my sad duty, as was mentioned by our leaders this morning, to report that Fred Dalton Thompson, who served in this body from 1995 to 2003, representing our State of Tennessee, died in Nashville on Sunday. My wife, Honey, and I and the members of our family—every one of whom valued our friendship with Fred—as well as Members of the Senate, express to Fred's family—his wife Jeri, their children, Hayden and Sammy, and his sons by his earlier marriage to Sarah, Tony and Dan, and his brother Ken—our pride in Fred's life and our sympathy for his death.

Very few people can light up the room the way Fred Thompson did. The truth is, most public figures have always been a little jealous of Fred Thompson. His personality had a streak of magic that none of the rest of us have. That magic was on display when he was minority counsel to the Senate Watergate Committee in 1973, asking former White House aide Alexander Butterfield the famous question: “Mr. Butterfield, are you aware of the installation of any listening devices in the Oval Office of the President?” thereby publicly revealing the existence of tape-recorded conversations within the White House. National Public Radio later called that session and the discovery of the Watergate tapes “a turning point in the investigation.”

The Thompson magic was evident again in 1985, when Fred was asked to play himself in the movie “Marie.” In real life, Fred had been the attorney for Marie Ragghianti, the truth-telling chairman of the Tennessee Pardon and Parole Board during a scandal in our State when pardons were sold for cash.

After that, Fred was cast in a number of movie roles as CIA Director, the head of Dulles Airport, an admiral, the President of NASCAR, three Presidents of the United States, and District Attorney Arthur Branch in the television series “Law and Order.” That same magic served him well when he ran for the United States Senate in 1994 for the last 2 years of Vice President Gore's unexpired term. It was a good Republican year and Fred's red pickup truck attracted attention, but he defeated a strong opponent by more than 20 percentage points, mostly because when he appeared on television, Tennesseans liked him, trusted him, and voted for him. Fred took on some big assignments during his time in the Senate, but sometimes he would become impatient with some of the foolishness around here. A Washington reporter once asked him if he missed making movies: “Yes,” he said, “Sometimes I miss the sincerity of Hollywood.”

People ask me sometimes: How could an actor accomplish so much? In addition to those things I have already mentioned, during the 1980s Fred was

invited twice to be special counsel to Senate investigative committees. When he retired from the Senate, he took over Paul Harvey's radio show. In 2008, he was a frontrunner for the Presidency of the United States. For the last several years, it has been hard to turn on the television without seeing Fred Thompson urging you to buy a reverse mortgage.

I believe there are three reasons his career was so extraordinary and so diverse. First, he was authentic, genuine, and bona fide. So far as I know, he never had an acting lesson. As he did in "Marie" and as he did in most of his movie roles, he played himself. There was no pretense in Fred Thompson on or off the stage. Second, he was purposeful. In 1992, when I was Education Secretary, I invited Fred to lunch in the White House lunchroom. For years I had urged him to be a candidate for public office. I hoped he might run in 1994. What struck me during our entire luncheon conversation was that not once did he raise any political concerns. His only question was: If I were to be elected, what do you suppose I could accomplish?

When he was elected, he was serious and principled. He was a strict Federalist, never a fan of Washington telling Americans what to do, even if he thought it was something Americans should be doing. He was not afraid to cast votes that were unpopular with his constituents if he was convinced he was right. The third reason for Fred Thompson's success was he worked hard. Saying that will come as something of a surprise to many.

He was notoriously easygoing. He grew up in modest circumstances in Lawrenceburg, Tennessee. His father Fletch was a car salesman. He was a double major in philosophy and political science at the University of Memphis. He did well enough to earn scholarships to Tulane and Vanderbilt law schools. To pay for school he worked at a bicycle plant, a post office, and a motel.

Before he was Watergate counsel, he was assistant U.S. attorney. The remainder of his busy life was filled with law practice, stage, and radio shows, counsel to Senate investigating committees, more than 20 movies, television commercials, and 8 years as a Senator. I have attended a number of memorial services for prominent figures. As a result, I have added a rule to "Lamar Alexander's Little Plaid Book." It is this: "When invited to speak at a funeral, be sure to mention the deceased as often as yourself."

I mentioned this rule last year when I spoke at Howard Baker's funeral because there came a point in my remarks when I could not continue without mentioning my relationship with Senator Baker, and I therefore had to break my own rule. The same is true with Fred Thompson. We were friends for nearly 50 years.

In the late 1960s, both of us fresh out of law school were inspired by Senator Howard Baker to help build a two-party political system in Tennessee. Fred's political debut was campaign manager for John Williams for Congress, against Ray Blanton in 1968. My first political foray was Howard Baker's successful Senate campaign in 1966.

When Senator Baker ran for reelection in 1972, I recruited Fred to be the Senator's Middle Tennessee campaign manager. In 1973, Senator Baker asked me to be minority counsel to the Watergate Committee. I suggested he ask Fred instead because as a former U.S. attorney Fred was much better equipped for the job. When I lost the Governor's race in 1974, the Thompsons were one of two couples Honey and I invited to go to Florida to lick our wounds.

When I was sworn in as Governor in 1979, even without asking him, I announced that Fred Thompson would fly back to Nashville from Washington, DC, to review more than 60 pardons and paroles that had allegedly been issued because someone had paid cash for them. I wanted the celebrated Watergate personality to help restore confidence in Tennessee's system of justice. In the spring of 2002, Fred telephoned to say he would not run for reelection. So I sought and won the Senate seat both he and Howard Baker had held. I have the same phone number today that both of them had when they were here.

During my general election campaign in 2002, an opponent said: "Why, Fred and Lamar are both in Howard Baker's stable." Fred replied: "Stable hell, we are in the same stall."

Several times I got a dose of Fred Thompson's magic during those humbling experiences when I asked him to campaign with me. Campaigning with Fred Thompson was a little like going to Dollywood with Dolly Parton. You can be sure no one is there to see you.

We have a tradition of scratching our names in the drawers of the desks that we occupy on the floor of the Senate. When I arrived in 2003, I searched high and low until I found what I wanted: a desk occupied by two predecessors, my friend Fred Thompson and our mentor Howard Baker. During one of those late-night Senate budget sessions a few years ago, I scratched my name after theirs. I am proud it will remain there as long as this desk does: Baker, Thompson, ALEXANDER.

Tennesseans and our country have been fortunate that public service attracted Fred Dalton Thompson. We will miss his common sense, his conservative principles, and his big booming voice. We have lost one of our most able and attractive public servants, and my wife Honey and I have lost a dear friend.

The PRESIDING OFFICER. The Senator from Tennessee

Mr. CORKER. Mr. President, I rise to share my voice with LAMAR ALEXANDER's at the loss of a great Tennessean and a great American. I appreciate so much Senator ALEXANDER's chronologically going through much of the great Senator Thompson's life and talking about the personal experiences. Elizabeth and I, too, want to share our condolences with Jeri, Hayden, and Sammy, along with Tony and Dan, his sons by his first marriage with Sarah, and his brother Ken.

I was able to talk to Tony last week as Fred was in hospice care. As you would expect, with Fred being the kind of person he was, never forgetting where he came from, they wanted to spend those last days together in quiet and didn't want a lot of phone calls or a lot happening to make people aware of what was happening. Fred had reached his end. No doubt, again, Tennessee has lost a great son as has our Nation.

Fred was one of those people, as LAMAR just mentioned, who had extraordinary talent. To me, what was so unique about him having that extraordinary talent is he also had the gift of knowing when and how to use it, from his extraordinary ability as a lawyer, as has been chronicled, to his ability when faced with a case that became something of national notoriety, to himself becoming an actor and playing a role that in this case he was in real life, and then to serving in the Senate in the way that he did.

I, too, had the extraordinary privilege to also know Fred, as I have had in knowing someone like LAMAR ALEXANDER, who I think is one of the great public servants of our State, and Howard Baker, who has been a mentor to all of us and had such an impact on me, LAMAR, and Fred. Back in 1994, as I was telling some Tennesseans earlier today, I was also running for the Senate in a race that no one remembers because of the results. As LAMAR mentioned, everywhere you went, people wanted to see Fred.

Fred had this extraordinary ability to capture people's imaginations. Fred was unabashedly proud of our Nation and never an apologist for what our Nation has done around the world to make the world a better place. I was able to drive around and see hordes of people gather around Fred. People would pat Bill Frist, me, and the other folks running in the other primary on the head and say: Someday you, too, might be a Senator.

Fred was somewhat criticized that year because of the way he was going about the race. Again, it reminds me of how much talent he had and his ability to know how to use it. He told people: Look, the first time I run a television ad, this race will be over.

He did, and it was. As LAMAR mentioned, he went on to win by 20 points because of the way the people felt

about him, not only around our State but around our country.

Fred was very impatient with serving in the Senate, and I had multiple conversations with him about that. Actually, serving here, one can understand with someone like Fred, who constantly wanted to make something happen, how that was a frustration. But I know for a fact from watching his early days—coming in, heading the homeland security committee, and doing the many things he did—that he affected our State and country in a very positive way, which is something all of us would hope to emulate.

We will miss him. He was a rare talent. He was one of those people who made you want to do better when you were around him.

I thank him for his tremendous service to our country, I thank him for the tremendous and deep friendships he created all around our State, and I thank him for causing all of us to constantly remember where we came from.

With that, I join Senator ALEXANDER in again expressing our deep condolences to his family and all who were around him, especially when the end came.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Mr. President, first, I ask unanimous consent that Senator CARDIN manage our side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I am going to make a statement about S. 1140, which is before us.

Senator BARRASSO, may I make my statement, due to a hectic schedule? I won't go very long. Is that all right with you.

Thank you, my friend.

I thank Senator BARRASSO.

It is kind of commonplace here that it is another day and another attack on the environment. Today is no exception. Today it is an attack on the Clean Water Act. That is what I believe S. 1140 does.

The name of this bill is the Federal Water Quality Protection Act. I tell you, if we could sue for false advertising, we would have a great case because this bill doesn't protect anything. It allows for pollution of many bodies of water that provide drinking water to 117 million Americans, 1 in 3 Americans. Their drinking water will be at risk if my friend's bill passes. That is why I feel so strongly about it.

We see it on this poster: 117 million Americans are served by public drinking water systems. That is 94 percent of public drinking water systems that rely on these headwater streams. It affects 1 in 3 Americans in 48 States.

We are talking about a bill that is called the Federal Water Quality Protection Act, but it is about pollution,

not protection. In a way, when we name these bills the opposite of what they are—remember, this is called the Federal Water Quality Protection Act when in fact it is going to lead to contamination of waterways. It reminds me of the book “1984” in which the government is making sure people believe different things, and they have slogans like “war is peace,” and you think about it, and finally you cannot tell the difference between war and peace.

Pollution is not protection, and this bill will lead to pollution because S. 1140 blocks the final clean water rule that clearly protects these waters while exempting ditches and storm water collection and treatment systems, artificial ponds, water-filled depressions, puddles, and recycled water facilities.

What you will hear from the other side is, oh, the Obama administration has written a rule that is protecting puddles. That is nonsense. The fact is, the clean water rule is going to bring certainty to the Clean Water Act, and it is going to protect the drinking water of 117 million Americans. Yet my Republican friends want to stop it. The exemptions that are in there would be gone, not only the exemption from ditches, storm water collection, artificial ponds, water-filled depressions, and recycled water facilities, but also the exemptions for agriculture and forestry. So we are going to have a situation where there is more chaos surrounding our water laws. It is going to lead to confusion for businesses and landowners, and it is going to take us back to square one to figure out a whole other rule. Following two Supreme Court decisions, we shouldn't pass legislation that would create even more uncertainty and invite years of new litigation.

The other thing you hear from the other side is, oh, this clean water rule the Obama administration wrote—they didn't listen to the public. Well, more than 1 million comments were received during a comment period that lasted over 200 days, and over 400 outreach meetings with stakeholders and State and local governments were conducted. So this bill—by sending us back to square one—ignores this robust outreach, and it will wind up wasting millions of taxpayer dollars, forcing EPA to go right back to square one. How many more comments do these friends of mine on the other side of the aisle want? My God, there were 400 outreach meetings over 200 days and more than 1 million comments. It makes no sense to me.

Nothing is more important than protecting the lives of the American people, and when we weaken the Clean Water Act, that is what we do.

I will show a photograph. This was the Cuyahoga River in Cleveland, OH, decades ago. It caught on fire. It

caught on fire because there was no regulation and there were all kinds of toxic substances on the waterway. Our lakes were dying. And this one—when the people saw it on fire, they said enough is enough. They demanded the Clean Water Act. We passed it—I wasn't here then; it was 1972—by an overwhelmingly bipartisan majority. We have made tremendous progress. Today our rivers, lakes, and streams are far cleaner than they were, and the Clean Water Act has been one of our most successful laws.

Let's look at the support for the Clean Water Act. This is unbelievable, when you see this. This is overwhelming public support for the clean water rule that my friends on the other side of the aisle, the Republicans, want to stop in its tracks.

Seventy-nine percent of voters think Congress should allow the clean water rule to move forward, and 80 percent of small business owners support protections for upstream headwaters in the EPA's new clean water rule. So somebody has to explain to me—and I am sure my friends will try to, and I look forward to hearing their reasoning—why they are going against 79 percent of the voters and 80 percent of small businesses. It makes no sense.

The bill takes us in the wrong direction. That is why over 80 scientists with expertise in the importance of streams and wetlands, as well as the Society for Freshwater Science, oppose this bill. I have received opposition letters from so many groups, I am going to read them to you. And think about these groups. These are objective groups. These are nonpartisan groups.

Under public health, there is the American Public Health Association, the Physicians for Social Responsibility, and the Trust for America's Health.

Under scientists and legal experts, there are 82 scientists, 44 law professors, and the American Fisheries Society.

Under business, there is the American Sustainable Business Council representing 200,000 businesses that oppose this bill, and there are 35 U.S. breweries. That is kind of interesting. The breweries count on clean water. They are very upset about the Barrasso bill. They oppose it.

Under sportsmen, there is the American Fly Fishing Trade Association. I thought my Republican friends support outdoor recreation. The Backcountry Hunters and Anglers, the Illinois Council of Trout Unlimited, the International Federation of Fly Fishers, the Izaak Walton League of America, the Florida Wildlife Federation, the National Wildlife Federation, the Theodore Roosevelt Conservation Partnership, and Trout Unlimited oppose this bill.

Under environmental, there is the Alliance for the Great Lakes, American

Canoe Association, American Rivers, and the BlueGreen Alliance.

Mr. President, I am not going to go on that much longer. I am just going to finish reading this list because when I speak—OK, you know I am a strong environmentalist. I am wearing my green today on purpose. These groups are very concerned about the Barrasso bill, as are 79 percent of voters.

Here are the other groups that weighed in: BlueStream Communications, California River Watch, and Central Ohio Watershed Council. They know because they have algae blooms coming to their lakes. Continuing, there is Clean Water Action, Clean Up the River Environment, Coastal Environmental Rights Foundation, Defenders of Wildlife, Earthjustice, Endangered Habitats League, Environment America, Evangelical Environmental Network. Do you want to know why the Evangelical Environmental Network is here? Because they believe that with this bill we are harming God's creation. That is why they are involved. Continuing, Greenpeace, Gulf Restoration Network, Kentucky Waterways Alliance, Lake Champlain International, League of Conservation Voters, Massachusetts River Alliance, National Parks Conservation Association, Natural Resources Defense Council, Nature Coast Conservation, New Jersey Audubon Society, Northwest Environmental Advocates, Ohio Environmental Council, Ohio River Foundation, Prairie Rivers Network, River Network, Roots & Shoots, University of Tampa, Sierra Club, Southern Environmental Law Center, Surfrider Foundation.

Under rural development, there is the Center for Rural Affairs.

There are reasons all these groups—scientists and biologists—have come together. They want to protect the waterways of the United States of America. This bill will take us back to square one. This bill goes against the most incredible group of opponents. This bill ignores the will of the people. So I am very hopeful that we will have enough votes to stop the special interests that want to keep dumping toxic material and dangerous material into our waterways.

I know Senator BARRASSO and Senator INHOFE would like time.

With that, I yield the floor.

Mr. President, I ask unanimous consent that when the first Republican speaker is done, it goes back to a Democrat, then back to a Republican, if that is OK with everybody.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I wish to do three things quickly. One is a request, one is an apology, and one is the truth. The privileges of the floor request will appear in another section of the RECORD.

Secondly, I have an apology. I am very fortunate I have had the same staff for 21 years in the Senate. They have never made a mistake. My staff never made a mistake until last Friday. Last Friday I was informed by my staff that we had two votes starting at 1 o'clock in the morning—two votes, and yet there were three. So I am the guy who came down, thinking I had already voted. So I apologize to the leader, I apologize to the staff who was working, and more than anything else, I apologize to the young people on the front row, our pages, who had to stay up another 15 minutes at 4 o'clock in the morning because of me. I apologize.

On the truth side, first, let me put in the RECORD—my good friend from California was talking about all of the groups. I have five times as many groups now on record, many of which are from the State of California. I have a long list. I wish to make those 44 groups from California a part of the RECORD. And then there are the 480 very thoughtful groups nationally that are opposed to this rule.

I ask unanimous consent to have printed in the RECORD the two lists of supporters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CALIFORNIA ENTITIES SUPPORTING S. 1140

California Cattlemen's Association; California Chamber of Commerce; California Cotton Ginners Association; California Farm Bureau; Camarillo Chamber of Commerce; Central California Golf Course Superintendents Association; Chambers of Commerce Alliance of Ventura & Santa Barbara Counties; Corona Chamber of Commerce; County of San Joaquin, California; Elk Grove Chamber of Commerce; Fresno Chamber of Commerce; Fullerton Chamber of Commerce; Goleta Valley Chamber of Commerce.

Golf Course Superintendents Association of Southern California; Greater Bakersfield Chamber of Commerce; Greater Conejo Valley Chamber of Commerce; Greater Grass Valley Chamber of Commerce; Hi-Lo Desert Golf Course Superintendent Association; Inland Empire Golf Course Superintendents Association; Inland Empire Regional Chamber of Commerce; Long Beach Area Chamber of Commerce; Los Angeles Area Chamber of Commerce; Murrieta Chamber of Commerce; Oceanside Chamber of Commerce; Orange County Business Council; Oxnard Chamber of Commerce.

Rancho Cordova Chamber of Commerce; Redondo Beach Chamber of Commerce; Roseville Chamber of Commerce; Rural County Representatives of California; Sacramento Metropolitan Chamber of Commerce; San Diego Regional Chamber of Commerce; San Gabriel Valley Economic Partnership; San Joaquin Valley Quality Cotton Growers Association; Santa Clara Chamber of Commerce and Convention-Visitors Bureau; Santa Clarita Valley Chamber of Commerce; Santa Maria Valley Chamber of Commerce; South Bay Association of Chambers of Commerce; South Orange County Economic Coalition; Torrance Area Chamber of Commerce; Trinity Expanded Shale & Clay; Tuolumne County Chamber of Commerce; Western Agricultural Processors Association; Willows Chamber of Commerce.

SUPPORTERS OF THE FEDERAL WATER QUALITY PROTECTION ACT

U.S. Conference of Mayors; National Association of Counties; National League of Cities; National Association of Regional Councils; Patrick Morrisey, West Virginia Attorney General; Doug Peterson, Nebraska Attorney General; Tim Fox, Montana Attorney General; Wayne Stenehjem, North Dakota Attorney General; Scott Pruitt, Oklahoma Attorney General; Michael DeWine, Ohio Attorney General; Peter Michael, Wyoming Attorney General; Alan Wilson, South Carolina Attorney General; Luther Strange, Alabama Attorney General; Brad Schimel, Wisconsin Attorney General; Mark Brnovich, Arizona Attorney General; Terry Branstad, Iowa Governor; Leslie Rutledge, Arkansas Attorney General; Phil Bryant, Mississippi Governor; Agricultural Council of Arkansas; Agricultural Retailers Association; Agri-Mark, Inc.; Alabama Cattlemen's Association; Alabama Chapter of Golf Course Superintendents Association; Alaska; Alaska State Chamber of Commerce; Albany-Colonie Regional Chamber of Commerce; American Agri-Women.

American Exploration & Mining Association; American Farm Bureau Federation; American Forest & Paper Association; American Gas Association; American Horse Council; American Petroleum Institute; American Public Power Association; American Public Works Association; American Road & Transportation Builders Association; American Society of Golf Course Architects; American Soybean Association; American Sugar Alliance; AmericanHort; Ames Chamber of Commerce; Annapolis and Anne Arundel County Chamber of Commerce; Arctic Slope Regional Corporation; Area Development Partnership—Greater Hattiesburg; Arizona Cattle Feeders' Association; Arizona Cattle Growers' Association; Arizona Chamber of Commerce and Industry; Arizona Farm Bureau Federation; Arizona Mining Association; Arizona Rock Products Association; Arkansas Cattlemen's Association; Arkansas Pork Producers Association; Arkansas State Chamber of Commerce; Associated Builders & Contractors Associated Builders & Contractors Delaware Chapter.

Associated Builders & Contractors Empire State Chapter; Associated Builders & Contractors Florida East Coast Chapter; Associated Builders & Contractors Heart of America Chapter; Associated Builders & Contractors Illinois Chapter; Associated Builders & Contractors Mississippi Chapter; Associated Builders & Contractors New Orleans/Bayou Chapter; Associated Builders & Contractors Pelican Chapter; Associated Builders & Contractors Rocky Mountain Chapter; Associated Builders & Contractors Western Michigan Chapter; Associated Builders and Contractors; Associated Industries of Arkansas, Inc.; Association of American Railroads; Association of American Railroads; Association of Equipment Manufacturers (AEM); Association of Oil Pipe Lines; Association of Texas Soil and Water; Baltimore Washington Corridor Chamber; Billings Chamber of Commerce; Birmingham Business Alliance; Bismarck-Mandan Chamber of Commerce; Buckeye Valley Chamber of Commerce; Buffalo Niagara Partnership; Bullhead Area Chamber of Commerce; Business Council of Alabama; Cactus & Pine Golf Course Superintendents Association; California Cattlemen's Association; California Chamber of Commerce.

California Cotton Ginners Association; California Farm Bureau; Calusa Golf Course Superintendents Association; Camarillo

Chamber of Commerce; Carson Valley Chamber of Commerce; Central California Golf Course Superintendents Association; Central Delaware Chamber of Commerce; Central Florida Golf Course Superintendents Association; Central New York Golf Course Superintendents Association; Chamber of Reno, Sparks, and Northern Nevada; Chamber Southwest Louisiana; Chambers of Commerce Alliance of Ventura & Santa Barbara Counties; Chicago Southland Chamber of Commerce; Cincinnati USA Regional Chamber; City of Central Chamber of Commerce; Cleveland-Bolivar County Chamber of Commerce; Club Managers Association of America; Coeur d'Alene Chamber of Commerce; Colorado Association of Commerce & Industry; Colorado Cattlemen's Association; Colorado Competitive Council; Colorado Livestock Association; Colorado Nursery and Greenhouse Association; Colorado Pork Producers Council.

Columbia County Chamber of Commerce; Connecticut Association of Golf Superintendents; Conservation Districts; Corn Refiners Association; Corona Chamber of Commerce; County of San Joaquin, California; CropLife America; Crowley Chamber of Commerce; Dairy Producers of New Mexico; Dairy Producers of Utah; Dakota County Regional Chamber of Commerce; Darke County Chamber of Commerce; Dauphin Island Chamber of Commerce; Delaware State Chamber of Commerce; Delta Council; Denver Metro Chamber of Commerce; Development Association; Distribution Contractors Association; Dubuque Area Chamber of Commerce; Durango Chamber of Commerce; Earthmoving Contractors Association of Texas; Economic Progress (FEPP); Edison Electric Institute; Elk Grove Chamber of Commerce; Energy Piping Systems Division; Everglades Golf Course Superintendents Association; Exotic Wildlife Association.

Fall River Area Chamber of Commerce & Industry; Federal Forest Resources Coalition; Florida Cattlemen's Association; Florida Chamber of Commerce; Florida Golf Course Superintendents Association; Florida Sugar Cane League; Florida West Coast Golf Course Superintendents Association; Fort Collins Area Chamber of Commerce; Foundation for Environmental and; Fred Weber, Inc.; Fresno Chamber of Commerce; Fullerton Chamber of Commerce; Georgia Agribusiness Council; Georgia Cattlemen's Association; Georgia Chamber of Commerce; Georgia Cotton Commission; Georgia Golf Course Superintendents Association; Georgia Green Industry Association; Georgia Pork Producers Association; Glendale Chamber of Commerce; Goleta Valley Chamber of Commerce; Golf Course Builders Association of America; Golf Course Superintendents Association of America.

Golf Course Superintendents Association of Cape Cod; Golf Course Superintendents Association of New Jersey; Golf Course Superintendents Association of Southern California; Grand Junction Area Chamber of Commerce; Grand Rapids Area Chamber of Commerce; Grant County Chamber of Commerce & Tourism; Greater Bakersfield Chamber of Commerce; Greater Casa Grande Chamber of Commerce; Greater Cedar Valley Alliance & Chamber; Greater Conejo Valley Chamber of Commerce; Greater Elkhart Chamber of Commerce; Greater Fairbanks Chamber of Commerce; Greater Flagstaff Chamber of Commerce; Greater Grass Valley Chamber of Commerce; Greater Hall Chamber of Commerce; Greater Hernando County Chamber of Commerce; Greater Hyde County Chamber of Commerce; Greater Louisville

Inc.; Greater North Dakota Chamber of Commerce; Greater Oak Brook Chamber of Commerce and Economic Development Partnership; Greater Oklahoma City Chamber.

Greater Omaha Chamber of Commerce; Greater Phoenix Chamber of Commerce; Greater Raleigh Chamber of Commerce; Greater Rome Chamber of Commerce; Green Valley Sahuarita Chamber of Commerce & Visitor Center; GROWMARK, Inc. Gulf County Chamber of Commerce; Hastings Area Chamber of Commerce; Hawaii Cattlemen's Council; Heart of America Golf Course Superintendents Association; Hi-Lo Desert Golf Course Superintendent Association; Holmes County Development Commission; Horseshoe Bend Area Chamber of Commerce; Houma-Terrebonne Chamber of Commerce; Idaho Association of Commerce & Industry; Idaho Cattle Association; Idaho Dairymen's Association; Idaho Golf Course Superintendents Association; Illinois Association of Aggregate Producers; Illinois Beef Association; Illinois Chamber of Commerce; Illinois Pork Producers Association; Independent Cattlemen's Association of Texas; Indiana Beef Cattle Association.

Indiana Chamber of Commerce; Indiana Pork Producers Association; Indianapolis Chamber of Commerce; Industrial Minerals Association—North America; Inland Empire Golf Course Superintendents Association; Inland Empire Regional Chamber of Commerce; International Council of Shopping Centers; International Council of Shopping Centers (ICSC); International Liquid Terminals Association (ILTA); Interstate Natural Gas Association of America (INGAA); Iowa Association of Business and Industry; Iowa Cattlemen's Association; Iowa Cattlemen's Association; Iowa Chamber Alliance; Iowa Golf Course Superintendent Association; Iowa Pork Producers Association; Iowa Seed Association; Irrigation Association; JAX Chamber; Jeff Davis Chamber of Commerce; Juneau Chamber of Commerce; Kalispell Chamber of Commerce; Kansas Agribusiness Retailers Association; Kansas Chamber of Commerce.

Kansas Farm Bureau; Kansas Grain and Feed Association; Kansas Livestock Association; Kansas Livestock Association; Kansas Pork Association; Kentucky Cattlemen's Association; Kentucky Chamber of Commerce; Kentucky Pork Producers Association; Lafourche Chamber of Commerce; Lake Havasu Area Chamber of Commerce; Leading Builders of America; Lima/Allen County Chamber of Commerce; Lincoln Chamber of Commerce; Litchfield Area Chamber of Commerce; Long Beach Area Chamber of Commerce; Los Angeles Area Chamber of Commerce; Louisiana Association of Business and Industry; Louisiana Cattlemen's Association; Louisiana/Mississippi; Louisiana/Mississippi Golf Course Superintendents Association; Maine Arborist Association; Maine Landscape & Nursery Association; Marana Chamber of Commerce; McLean County Chamber of Commerce.

Mesa Chamber of Commerce; Metro Atlanta Chamber of Commerce; Metro Denver Economic Development Corporation; Michigan Cattlemen's Association; Michigan Cattlemen's Association; Michigan Chamber of Commerce; Michigan Golf Course Superintendents Association; Michigan Pork Producers Association; Mid-Atlantic Association of Golf Course Superintendents; MidJersey Chamber of Commerce; Milk Producers Council; Minden-South Webster Chamber of Commerce; Minnesota AgriGrowth Council; Minnesota AgriWomen; Minnesota Crop Production Retail-

ers; Minnesota Golf Course Superintendents Association; Minnesota Pork Producers Association; Minnesota State Cattlemen's Association; Minnesota State Cattlemen's Association; Mississippi Cattlemen's Association; Missouri Agribusiness Association; Missouri Cattlemen's Association; Missouri Cattlemen's Association; Missouri Cattlemen's Association.

Missouri Corn Growers Association; Missouri Dairy Association; Missouri Pork Association; Missouri Soybean Association; Mobile Area Chamber of Commerce; Molokai Chamber of Commerce; Monroe County Chamber of Commerce; Montana Chamber of Commerce; Montana Stockgrowers Association; Morris County Chamber of Commerce; Moultrie-Colquitt County Chamber of Commerce; Mulzer Crushed Stone, Inc.; Municipal and Industrial Division; Murrieta Chamber of Commerce; NAIOF, the Commercial Real Estate; Naperville Chamber of Commerce; Natchitoches Area Chamber of Commerce; National All-Jersey; National Association of Home Builders; National Association of Manufacturers; National Association of REALTORS®; National Association of State Departments of Agriculture; National Association of Wheat Growers; National Black Chamber of Commerce; National Cattlemen's Beef Association.

National Chicken Council; National Club Association; National Corn Growers Association; National Cotton Council; National Council of Farmer Cooperatives; National Federation of Independent Business; National Golf Course Owners Association of America; National Industrial Sand Association; National Mining Association; National Multifamily Housing Council; National Oilseed Processors Association; National Pork Producers Council; National Rural Electric Cooperative Association; National Sorghum Producers; National Stone, Sand and Gravel Association (NSSGA); National Turkey Federation; National Water Resources Association; Nebraska Cattlemen; Nebraska Cattlemen Association; Nebraska Chamber of Commerce and Industry; Nebraska Golf Course Superintendents Association; Nebraska Pork Producers Association, Inc.; Nevada Cattlemen's Association; New Hampshire Business and Industry Association; New Jersey State Chamber of Commerce.

New Mexico Association of Commerce & Industry; New Mexico Cattle Growers Association; New York Beef Producers' Association; New York State Turfgrass Association; Norfolk Area Chamber of Commerce; North Carolina Aggregates Association; North Carolina Cattlemen's Association; North Carolina Cattlemen's Association; North Carolina Chamber; North Carolina Pork Council; North Country Chamber of Commerce; North Dakota Stockmen's Association; North Dakota Stockmen's Association; North Florida Golf Course Superintendents Association; North Western Illinois Course Superintendents Association; Northeast Dairy Farmers Cooperatives; Northeastern Golf Course Superintendents Association; Northern Colorado Legislative Alliance; Northern Kentucky Chamber of Commerce; Northern Ohio Golf Course Superintendents Association; Oceanside Chamber of Commerce; Ohio Aggregates & Industrial Minerals Association; Ohio AgriBusiness Association.

Ohio Cattlemen's Association; Ohio Cattlemen's Association; Ohio Chamber of Commerce; Oklahoma Cattlemen's Association; Oklahoma Farm Bureau; Oklahoma Pork Council; Olive Branch Chamber of Commerce; Opelika Chamber of Commerce; Orange County Business Council; Oregon

Cattlemen's Association; Oregon Dairy Farmer's Association; Orlando Regional Chamber of Commerce; Ottawa Area Chamber of Commerce; Oxnard Chamber of Commerce; Palm Beach Golf Course Superintendents Association; Peaks & Prairies Golf Course Superintendents Association; Pennsylvania Cattlemen's Association; Pike County Chamber of Commerce; Plastic Pipe Institute; Pocatello-Chubbuck Chamber of Commerce Illinois; Portland Cement Association; Power and Communications Contractors Association; Public Lands Council; Quad Cities Chamber of Commerce.

Rancho Cordova Chamber of Commerce; Redondo Beach Chamber of Commerce; Rehoboth Beach-Dewey Beach Chamber of Commerce Florida; Responsible Industry for a Sound Environment (RISE); Richland Chamber of Commerce; Ridge Golf Course Superintendents Association; Riverside & Landowners Protection Coalition; Roanoke Valley Chamber of Commerce; Rochester Area Chamber of Commerce; Rochester Business Alliance; Rocky Mountain Golf Course Superintendents Association; Rogers-Lowell Area Chamber of Commerce; Roseville Chamber of Commerce; Sacramento Metropolitan Chamber of Commerce; San Diego Regional Chamber of Commerce; San Gabriel Valley Economic Partnership; San Joaquin Valley Quality Cotton Growers Association; Santa Clara Chamber of Commerce and Convention-Visitors Bureau; Santa Clarita Valley Chamber of Commerce; Santa Maria Valley Chamber of Commerce; Savannah Area Chamber of Commerce; Scottsdale Area Chamber of Commerce.

Select Milk Producers, Inc.; Shoals Chamber of Commerce; Silver City Grant County Chamber of Commerce; South Baldwin Chamber of Commerce; South Bay Association of Chambers of Commerce; South Carolina Cattlemen's Association; South Dakota Cattlemen's Association; South Dakota Pork Producers Council; South East Dairy Farmers Association; South Florida Golf Course Superintendents Association; South Orange County Economic Coalition; South Texans' Property Rights Association; South Texas Cotton & Grain Association; Southeastern Lumber Manufacturers Association; Southern Cotton Growers, Inc.; Southern Crop Production Association; Southwest Council of Agribusiness; Southwest Indiana Chamber; Sports Turf Managers Association; Springer Chamber of Commerce; Springfield Area Chamber of Commerce; St. Albans Cooperative Creamery Inc.; St. Johns County Chamber of Commerce.

St. Joseph Chamber of Commerce; St. Joseph County Chamber of Commerce; Sugar Cane Growers Cooperative of Florida; Suncoast Golf Course Superintendents Association; Tempe Chamber of Commerce; Tennessee Cattlemen's Association; Texas & Southwestern Cattle Raisers Association; Texas Cattle Feeders Association; Texas Cattle Feeders Association; Texas Forestry Association; Texas Pork Producers Association; Texas Pork Producers Association; Texas Poultry Federation; Texas Seed Trade Association; Texas Sheep & Goat Raisers Association; Texas Wheat Producers Association; Texas Wildlife Association; Texas Wine and Grape Growers; The Associated General Contractors of America; The Business Council of New York State; The Fertilizer Institute; The Independent Petroleum Association of America (IPAA); Thompson Contractors, Inc.; Torrance Area Chamber of Commerce.

Treasure Coast Golf Course Superintendents Association; Treated Wood Council;

Trinity Expanded Shale & Clay; Tucson Metro Chamber; Tuolumne County Chamber of Commerce; Tuscola Stone Co.; U.S. Cattlemen's Association; U.S. Chamber of Commerce; U.S. Poultry & Egg Association; United Egg Producers; USA Rice Federation; Utah Cattlemen's Association; Virginia Agribusiness Council; Virginia Cattlemen's Association; Virginia Pork Council, Inc.; Virginia Poultry Federation; Virginia State Dairymen's Association; Vocational Agriculture Teachers Association; Wabash County Chamber of Commerce; Washington Cattle Feeders Association; Washington Cattlemen's Association; Washington State Dairy Federation; Weldon Materials; West Virginia Cattlemen's Association; Western Agricultural Processors Association; Western DuPage Chamber of Commerce; Western Peanut Growers Association.

Western United Dairymen; White Pine Chamber of Commerce; Wickenburg Chamber of Commerce; Willoughby Western Lake County Chamber of Commerce; Willows Chamber of Commerce; Wilmington Chamber of Commerce; Wisconsin Cattlemen's Association; Wisconsin Pork Association; Wyoming Ag-Business Association; Wyoming Crop Improvement Association; Wyoming Stock Growers Association; Wyoming Wheat Growers Association; Yuma County Chamber of Commerce.

Mr. INHOFE. Now, the waters of the United States rule is not just another example of regulatory overreach. I chair the Committee on Environment and Public Works. We have jurisdiction over the EPA, yet they do not want to even come in and testify when requested, and that is something I don't think has ever happened before.

This rule we are talking about now is illegal. It is not supported by the science, it is not supported by the technical experience of the Corps of Engineers, and it is a political power grab. Thirty-one States—here is the chart—filed lawsuits against the WOTUS rule. If we don't act to send this rule back, States, local governments, farmers, and landowners could face years of abuse by the EPA until the courts inevitably strike the rule down.

Believe me, it is inevitable that the rule will be overturned. I think we know that. That is not just my opinion. This is the conclusion of the two courts that have looked at this rule so far.

On August 27, Judge Erickson of the District of North Dakota issued an injunction that prevented the WOTUS rule from going into effect in 13 States. Oklahoma, my State, was not one of the 13 States. According to Judge Erickson—and this is her court—"the rule allows EPA regulation of waters that do not bear any effect on the 'chemical, physical and biological integrity' of any navigable-in-fact water."

As a result, Judge Erickson concluded this rule is "likely arbitrary and capricious." That means it violates the law. That is what the judge said.

Now, on October 9, the Sixth Circuit Court of Appeals reached the same conclusion and issued a nationwide stay on the WOTUS rule.

My committee has conducted a lot of oversight. I believe we have had six hearings so far. We have memoranda from the Army Corps of Engineers that document the fact that EPA is claiming the authority to assert Federal control wherever they want no matter what the science says or what the technical or legal experts of the Corps say. So what we have is a rule that is not developed based on science or technical expertise. Instead, it is based on a political goal to call everything a water of the United States.

If we look at the chart that is set up right now, it is imperative we have to act right away. This is what we have right now around the country.

Let me make this comment. I am very much concerned about this. The ones who want this the most are the farmers and the ranchers, and a lot of other people too, but my State of Oklahoma is a farm State, and I can remember not too long a guy named Tom Buchanan. He was the chairman of the Oklahoma Farm Bureau. He said that, historically, it has not been this way. But as it is right now, the major problem farmers and ranchers have in my State of Oklahoma is not anything that is found in the farm bill, it is the overregulation of the EPA. Of all of the regulations of the EPA that are overregulating and putting farmers out of business, the one that is the worst is the waters of the United States rule.

Let me share this with you, Mr. President. Five years ago, the liberals—those who want all the power in Washington—made an effort to take the word innavigable out. Historically, this has always been in the jurisdiction of the States, except for navigable waters. I understand that, and everyone else does too. So Senator Feingold from the Senate and Congressman Oberstar from the House got together and introduced a bill to take the word navigable out and give all the power to the Federal Government. Not only did we defeat their legislation, but they were both defeated in the next election.

So this is a huge issue. It is one of regulation. It is one we need to go ahead with, since the courts have decided what is going to happen eventually. We need to go ahead and pass this legislation or we are going to be working in a direction that is contrary to our court system.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. Mr. President, let me make it clear what this legislation would do. It is true it would stop the final rule on the waters of the United States that has been issued, but it would also change the underlying criteria in the Clean Water Act. So it not only blocks the rule from going forward, it weakens the Clean Water Act. So let me talk a little about both.

The final rule on the waters of the United States that has been issued restores clarity to the enforcement of the Clean Water Act. It restores it to what was commonly understood before a series of Supreme Court cases that really raised questions as to which water bodies, in fact, can be regulated under the Clean Water Act. The worst possible outcome is the lack of clarity because you don't know. You don't know what the rules are.

The final rule that has been proposed, and that now is final, would restore that clarity to what was generally understood to be waters of the United States. To say it in laymen's terms, it is waters that lead to, in effect, the water qualities of our streams and our waters and our lakes in America. It affects public health. It affects public health directly by the health of our waters of the United States, as well as providing the source for safe drinking waters.

So what is at risk? If this final rule is blocked and does not become law, over half of our Nation's stream miles are at risk of not being regulated under the Clean Water Act. Twenty million acres of wetlands are at risk of not being adequately regulated under the Clean Water Act. The drinking source for water for one out of three Americans would be at risk.

So this legislation would not only block the implementation of the final rule, it would also weaken the Clean Water Act. It would drastically narrow the historic scope of the Clean Water Act, arbitrarily putting in nonscientific standards for how the rules would be developed.

Mr. President, since the enactment of the Clean Water Act, every Congress has tried to strengthen the Clean Water Act, not weaken it. The Clean Water Act was a piece of bipartisan legislation passed in 1972. As Senator BOXER pointed out, it was in response to rivers literally catching fire and dead zones being found in our lakes.

In the Chesapeake Bay we had the first marine dead zone that we were trying to respond to. In San Francisco Bay we had PCBs at unacceptably high levels. That is why we passed the Clean Water Act. The legacy of every Congress should be to strengthen the Clean Water Act, to make sure we do have clean waters in the United States. If this legislation were to become law, the legacy of this Congress would be to weaken the Clean Water Act. I don't think we want to do that.

As I pointed out, this legislation not only rescinds the final clean water rule, but it really changes the goal of the Clean Water Act. Currently, the goal is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." That is science based. Instead, it would be changed to protect traditional navigable waters from pollution, which is a

far different standard than dealing with the health issues of the waters of the United States.

The arbiter of this would be the Department of Agriculture on the hydrological science. They are not qualified to do that. It is not their field. As I will point out in detail, the regulatory structure for agriculture is not changed under this final Clean Water Act. And the bill would ignore hydrological science by requiring a continuous flow of water to be regulated, ignoring the fact that there are seasonal variations where you can have water flows that dry up for a period of time but which are still critically important to the supply of clean water in the United States. It ignores the nexus test, which has been referred to in Supreme Court cases, using adjacent water—next to navigable waters—without any definition of what "next to" means. It puts public health at risk.

For all of those reasons, we don't want to jeopardize and move backwards on the Clean Water Act of 1972. We want to add to that. This piece of legislation would, in fact, move us in the wrong direction.

I just want to, for one moment, talk about the Chesapeake Bay. The people of Maryland and the people of our region know how important it is for our economy—the watermen who make their living off it and the recreational use of the bay. Millions of people every year depend upon the bay for their recreation. It is a way of life for our State and for our region. It is a national treasure—the largest estuary in our hemisphere. And it depends upon receiving clean water supplies that come in from other States, not just Maryland. You can't regulate the clean water of the Chesapeake Bay without having a national commitment to it because it knows no State boundary. That is why we need a strong Clean Water Act.

I have heard my colleagues talk about agricultural farmers being against this. Well, farmers will not be harmed by the EPA's final clean water rule. In fact, it actually is good for farmers because it provides certainty and clarity. In developing the rule, the EPA and the Army Corps of Engineers listened carefully to input from the agricultural community, the U.S. Department of Agriculture, and the State departments of agriculture. As Senator BOXER pointed out, there were over 400 meetings with stakeholders across the country.

The act requires a permit if a protected water is going to be polluted or destroyed. However, agricultural activities such as planting, harvesting, and moving stock across streams have long been excluded from permitting, and that won't change under the rule. In other words, farmers and ranchers won't need a permit for normal agricultural activities to happen in or around those waters.

The rule does preserve agricultural exemptions from permitting, including normal farming, silviculture and ranching practices. Those activities include plowing, seeding, cultivating minor drainage, and harvesting for production of food, fiber, and forest products. Soil and water conservation practices in dry land are preserved. As to agricultural storm water discharges, there are no changes. Return flows from irrigated agriculture, construction, and maintenance of farm and stock ponds or irrigation ditches on dry land are not regulated under this bill. Maintenance of drainage ditches is not regulated. Construction or maintenance of farm, forest, and temporary mining roads are not regulated. It ensures that fields flooded for rice are exempt and can be used for water storage and bird habitat.

The rule also does preserve and expand commonsense exclusions from jurisdiction, including—this is excluded—prior converted croplands, waste treatment systems, artificially irrigated areas that are otherwise dry land, artificial lakes or ponds constructed in dry land, water-filled depressions created as a result of construction activities, and the list goes on and on.

The rule does not—does not—protect any types of waters that have not historically been covered under the Clean Water Act. It does not add any new requirements for agriculture. It does not interfere with or change private property rights. It does not change policy on irrigation or water transfers. It does not address land use. It does not cover erosional features, such as gullies, rills, and nonwetland swells.

In other words, we have maintained the historic exemptions for agriculture from the Clean Water Act. They are not expanded under this rule.

So let me just cite a couple of quotes from people who are directly impacted by what is being done under the clean water rule and, of course, would be affected by the legislation before us.

As to the small business community, I quote from David Levine, who is the CEO of the American Sustainable Business Council:

The Clean Water Rule will give the business community more confidence that streams and rivers will be protected. This is good for the economy and vital for businesses that rely on clean water for their success. . . . Business owners want a consistent regulatory system based on sound science. That's what this rule provides.

Ben Rainbolt, executive director of the Rocky Mountain Farmers Union:

Water is critical to the livelihood of family farms and ranches. The rule employs a commonsense rationale for both clarifying what bodies of water and activities should fall under the Clean Water Act, as well as maintaining the existing exemptions for agriculture. This rule will result in cleaner, safer water for agriculture, rural communities, and all who count on healthy streams and rivers.

Andrew Lemley, government affairs representative, New Belgium Brewing:

Our brewery and our communities depend on clean water. Beer is, after all, over 90 percent water and if something happens to our source water the negative affect on our business is almost unthinkable. . . . We all rely on responsible regulations that limit pollution and protect water at its source. Over the past 23 years we've learned that when smart regulations and clean water exists for all, business thrives.

I particularly like that one because we have all seen the ads on television about clean water. It affects small businesses. It affects all of our businesses.

I will conclude with those who depend upon recreation, who strongly support the clean water rule and oppose the legislation that is before us.

I will quote from Andy Kurkulis, owner of Chicago Fly Fishing Outfitters and DuPage Fly Fishing Company:

Anyone who has ever swam in our beautiful Great Lakes, or fished or boated on our abundant rivers and waters has benefited immeasurably. Now is the time to raise our voices in support of clean water—our economy, and future generations of hunters and anglers, depend on it.

I think the verdict is clear. The rule which has been proposed will add to the protections the public deserves for public health and their drinking water. It is a sensible regulation. It is clearly under the authority of the Clean Water Act.

I urge my colleagues to reject this legislation and certainly the cloture motion so that we don't reject the rule and weaken the Clean Water Act.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I appreciate the opportunity today to move this legislation. It is bipartisan, and it protects our environment and helps small businesses all across the country.

S. 1140, the Federal Water Quality Protection Act, is legislation I introduced, along with a number of Democratic Senators—Senators DONNELLY, HEITKAMP, and MANCHIN—and many other Senators.

The Senator from California previously spoke. I would point out that the California Chamber of Commerce supports my legislation and the California Farm Bureau supports my legislation because this legislation will protect our Nation's navigable waters and the streams and wetlands that help our navigable waters stay clean. This bill is a testament to the hard work both sides of the aisle have done in achieving an agreement on an environmental protection bill.

Our rivers, our lakes, our wetlands, and all other waterways are among America's most treasured resources. In my home State of Wyoming, we have some of the most beautiful rivers in the world—the Snake River, the Wind River, and dozens of others. People

from around the world come to Wyoming to visit because we have an environmental landscape that is second to none. Anyone who has come to my State and experienced Yellowstone National Park, Grand Teton, and the Big Horn Mountains comes away with a sense that Wyoming is a pristine and beautiful place. It is what Wyoming sells, and it is what makes Wyoming so unique.

The people of Wyoming are devoted to keeping our waterways safe. We want to preserve the water for our children and grandchildren. We understand there is a right way and a wrong way to do it.

It is possible to have reasonable regulations to help preserve our waterways while respecting the difference between State waters and Federal waters. This is the environmental legacy that my constituents want, and it is a legacy they have earned for their decades of sound management. It is the people of Wyoming who have kept Wyoming's waterways pristine and beautiful.

The EPA has now released new rules. The new rule is called the waters of the United States rule, WOTUS. This rule doesn't work for the people of Wyoming. It most likely doesn't work for any of your constituents, either—certainly not for those who have to put a shovel in the ground to make a living.

The courts have begun to weigh in with their concerns about this WOTUS rule, and they have actually given Congress and stakeholders a necessary pause. That is why we are here today.

In August of this year, Judge Erickson of the District of North Dakota issued an injunction that blocked the waters of the United States rule in 13 States. He did it because the rule-making record was, in the judge's words, "inexplicable, arbitrary, and devoid of a reasoned process." With regard to the rationale behind the EPA's threshold for what is and is not Federal water, he stated: "On the record before the court, it appears that the standard is the right standard only because the Agencies say it is."

The U.S. Sixth Circuit Court of Appeals then put a nationwide stay on the rule on October 9 of this year. In granting the stay, the court said, "The sheer breadth of the ripple effects caused by the Rule's definitional changes counsel strongly in favor of maintaining the status quo for the time being." So keep it as it is for the time being. The court added that "a stay temporarily silences the whirlwind of confusion that springs from uncertainty about the requirements of the new Rule and whether they will survive legal testing."

So what the courts have basically done is said: Let Congress have time to act.

We don't have to sit on the sidelines and watch this rule slowly crumble under legal scrutiny. Contrary to some activist groups' rhetoric, we are not

facing an immediate environmental water pollution crisis. In fact, in granting the stay, the Sixth Court stated that "neither is there any indication that the integrity of the nation's water will suffer imminent injury if the new scheme is not immediately implemented and enforced." They even called it a "scheme."

We now have the opportunity to do better, and to do better, we must act now. That is why we must take this opportunity to pass the legislation before us that will have EPA do a new rule under a specific set of principles outlined by Congress. These are principles that protect navigable waters and adjacent wetlands, as well as farmers, ranchers, and other landowners.

I know some Senators gave the administration the benefit of the doubt with this rule despite concerns they heard from their constituents, and those Senators waited for the final result before making a judgment to see if those concerns would be addressed. I am here to say that whatever concessions the EPA says they made to address some of these serious problems raised by their proposed rule, the EPA added new provisions in the final rule that greatly expand their authority. This is disappointing because I believe the great majority of Senators voiced concerns in the process, and those concerns fell on deaf ears. The EPA has produced a final rule worse than the one originally proposed.

Here is an example. Instead of clarifying the difference between a stream and an erosion on the land, the rule defines "tributaries" to include anyplace where EPA thinks—where EPA thinks—it sees an "ordinary high-water mark." What looks like, not what is; what looks like, what they think is this ordinary high-water mark. Even worse, EPA proposes to make those decisions from sitting at their desks using aerial photographs, laser-generated images, claiming that a visit to the location is not necessary.

Under the rule, the Environmental Protection Agency also has the power to regulate something as "waters of the United States" if it falls within a 100-year floodplain or if it is within 4,000 feet of a navigable water or a tributary and the EPA claims there is a "significant nexus." What is a significant nexus? Under this rule, a "significant nexus" can mean a water feature that provides "life cycle dependent aquatic habitat" for a species. So if you are drawing 4,000-foot circles around anything the EPA defines or identifies as a tributary—remember, 4,000 feet, so we are talking over 13 football fields long, and everywhere there is a potential aquatic habitat. So essentially almost the entire United States, according to this, would be underwater. Actually, 100 percent of the State of Virginia is under this jurisdiction and 99.7 percent of the State of

Missouri falls within this area—underwater, if you will, according to the EPA guidelines.

I would like to take a moment to talk about puddles because one of the previous speakers on the other side of the aisle talked about puddles. People know what they think about when they think about a puddle—like when it rains. The final rule does exempt puddles defined as “very small, shallow, and highly transitory pools of water that forms on pavement or uplands during or immediately after a rainstorm or similar precipitation event.” I guess that would mean like when the snow melts. The rule specifically does take control over other pools of water created by rain, like those we have all around Wyoming—prairie potholes, vernal pools—even if the land where these pools of water form is far away from any navigable water or even a tributary. Under this new regulation, nearly all of these pools of water created by rain will now be considered “waters of the United States,” giving the Environmental Protection Agency the power to regulate what you do on that land. These provisions are sweeping and will create uncertainty in communities all across the country.

There is plenty that I have already outlined in the waters of the United States rule that is bad for agriculture, with the many methods it provides for federalizing previously State-controlled water. The States have made these decisions in the past. Now we are adding another level of government bureaucracy.

This rule is bad for agriculture, for those people who produce our food. Farmers, ranchers, and others are used to working with their States to protect their land and water under their own stewardship.

We heard from the Senator from California about groups opposing this, but 480 different groups support this bill, and they are major national groups: the American Farm Bureau, the Agricultural Retailers Association, the American Soybean Association, the American Sugar Alliance, the Milk Producers Council, the National Association of Wheat Growers, the National Cattlemen's Beef Association, the National Chicken Council, the National Corn Growers Association, the National Council of Farmer Cooperatives, the National Pork Producers Council, the National Turkey Federation, the U.S. Poultry and Egg Association, the United Egg Producers, the USA Rice Federation. I could go on and on. These are the food producers of America. They support the legislation in front of the Senate today.

The point is, not one State, not a single State in this country is out there that doesn't have a strong agriculture presence. We all do. So I urge all Senators to make sure, as they prepare to vote on this motion to proceed, that they check with their folks at home.

I would also note that many industries outside of agriculture are concerned with the rule as well. These include manufacturers, homebuilders, small businesses—you name it. They are all very concerned with this rule, and they want Congress to act now.

Action could mean Congress can pass a Congressional Review Act resolution, which will be considered possibly later in the process, but that would eliminate the WOTUS rule and prevent a substantially similar rule from being proposed. That would allow for a new rule as long as it was not substantially similar to the existing rule. We need to vote on this resolution.

I believe S. 1140 is a better route, the one we have here today. This is a bipartisan compromise. This is the bill that has a number of Senators from the Democratic side of the aisle cosponsoring the legislation. Most importantly, this piece of legislation on the floor today allows for Congress to establish the principles—Congress to establish the principles—of what the new EPA would look like.

I know a number of Democrats have ideas to improve the legislation that is on the floor today specific for their own States. If my colleagues vote to proceed to the motion to proceed at 2:30 this afternoon, we will have an open amendment process that would allow Members to improve S. 1140 in a bipartisan way. We are willing to work with anyone who wants to improve this rule in a bipartisan way. But let's not sit on the sidelines anymore.

Rather than support an EPA final rule that actually makes it worse and was worse than the proposed rule—a rule that will likely not survive legal scrutiny based on what we saw from the courts, a rule that doesn't represent the interests of our farmers, ranchers, families, small businesses, and communities—let's move forward with the bipartisan Federal Water Quality Protection Act to ensure the public that we hear and we understand their concerns.

At the same time, let's give EPA and the Army Corps the certainty they need to confidently move forward with a new rule—a rule that truly reflects the needs of the constituents we represent. Let's protect our Nation's waterways for the long term.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE: Mr. President, the famous Republican Senator from Rhode Island John Chafee, who was one of the authors of the Clean Water Act, would be sorry to see what has become of his party today and what is being done to the Clean Water Act that so many Republicans worked so hard on for over so many years. The pretense is that some evil bureaucratic force at the EPA has leapt out to take over American farmers and ranchers. That is not what has happened.

The Supreme Court made decisions about what the Clean Water Act says, defining the navigable waters of the United States, and the EPA had to follow the Supreme Court's guidance, which they did. I believe they have been faithful to that Supreme Court guidance. They went through more than 1,000 peer-reviewed scientific publications. They did 400 public meetings. They had over 1 million comments on the proposed rule. Guess what. The vast majority of those comments were in support of the rule.

What we have here is not some DC bureaucratic evil presence against ranchers and farmers across the country. What we have here is a fight between upstream and downstream.

As Senator BARRASSO very plainly said a moment ago, the big players in this are the big special interests in agriculture, the big pork producers with their ginormous manure lagoons, and the big commercial AG conglomerates. If you want to be with them fine, but let's not pretend this is about protecting little ranchers and farmers.

This is about upstream versus downstream. I come from Rhode Island. I am from a downstream State. I have to say that if I were in big agriculture and I saw this rule, instead of coming in here and whining and complaining and yanking people's chains in order to get changes made, I would grab this rule and run like a bank robber because this bill does so much for upstream agriculture at the expense of downstream fishermen, downstream aquaculture, and the downstream health of our rivers and bays. All agricultural exemptions and exclusions from Clean Water Act requirements that have existed for nearly 40 years have been retained. We have learned a little bit since then about what goes on.

One place I recently went to was Ohio. I spent the weekend in Ohio doing one of my climate tours of the difficult States of the Union. In Ohio, I went to Port Clinton on Lake Erie. I was taken by the folks from Stone Laboratory and from some of the leading charter captains in this area off to the Bass Islands just offshore. They told me about the algal bloom that took place in the Toledo area. Technically, this was not an algal bloom. Technically, it was cyanotic bacteria; it was a bacterial bloom. It was so thick that the fishing captains described how their boats slowed down in the muck. It was like running a powerboat through pudding.

Toledo had to stop providing freshwater to its citizens and spent millions of dollars having to import freshwater and provide bottled water. Lake Erie is 2 percent of the water of all the Great Lakes with 50 percent of the fish. Two percent of the water and 50 percent of the fish in the Great Lakes are in Lake Erie. It has a robust fishing economy for walleyes and perch. The folks who

go out and make this their livelihood don't think it is very funny because this whole watershed feeds down into Lake Erie.

Because of climate change, phosphorous has driven rain bursts. The rains have powered up in this area. So the phosphorous is washing off the farmers' fields and is coming down, and that is what is creating the cyanotic bacterial bloom in Lake Erie.

This upstream stuff makes a big difference to people who are downstream. Wyoming doesn't have a lot of downstream. Wyoming is a landlocked State, so I appreciate why the Senator is so enthusiastic about this. But for those of us who are downstream, this is a rule that, frankly, is too weak. The fact that we have to stand here and fight it from getting even weaker—from putting our rivers and our bays at even more risk—is very unfortunate. It is not just phosphorous. Phosphorous is what happens to drive the bacteria growth in Lake Erie. It is insecticides, it is nitrogen, and they are doing immense damage in our waterways.

I will conclude where I began. If you are Big Agriculture and this is your special interest bill, you ought to run for it. Don't waste your time on this. Grab this existing Clean Water Act bill, and go for it like a bank robber with his money because you got away with being able to continue to do immense damage to downstream resources without any regulation at all. To now be here complaining—it is really amazing to those of us who are representing downstream States, downstream interests, downstream fisheries, downstream bays, and all the catchment areas such as Lake Erie that get clobbered as a result of pollutants that flow into our waters.

I yield the floor.

Ms. MIKULSKI. Mr. President, I wish to join my colleagues in support of the clean water rule issued by the Environmental Protection Agency and the Army Corps of Engineers and in opposition to efforts to derail this critical rule.

Clean water is the lifeblood of our society and the basic foundation of good public health. Our rivers, streams, and wetlands connect communities near and far through a common resource. For decades, the Clean Water Act has protected our waters from pollution so that Americans can rely on safe drinking water, can enjoy outdoor recreation, and can live in an environment that supports wildlife and a healthy ecosystem.

However, for the last 15 years uncertainty has muddled the Clean Water Act. The lack of clarity for which bodies of water are federally regulated has led the Army Corps of Engineers to a backlog of 18,000 requests from landowners seeking help in complying with the Clean Water Act. The new clean water rule resolves this uncertainty for

our local governments, our businesses, and our farmers by clarifying which waters should be protected so that all Americans can rely on clean water. The rule restores historic coverage of the Clean Water Act for streams and wetlands that provide drinking water for one-third of Americans.

As one who has experienced the many benefits of the Chesapeake Bay my whole life, I know just how important it is to preserve and protect the world around us for future generations. The clean water rule would restore protections for more than half of Maryland's streams and many of its wetlands. Clean water means healthy families, healthy marine life to support Maryland watermen, and a healthy environment. The clean water rule is crucial to the health of the Chesapeake Bay and to countless other bodies of water in the United States. Let's stand up for our Nation's clean water and reject these attempts to derail the clean water rule.

Mr. REED. Mr. President, today I join many of my colleagues in opposing S. 1140 and S.J. Res. 22.

These measures would block or nullify the clean water rule, which seeks to safeguard our water and restore protections to drinking water sources for one in three Americans, according to the EPA, under the authority of the Clean Water Act.

The clean water rule helps to clarify ambiguities stemming from the 2001 and 2006 Supreme Court decisions that made the scope of the Clean Water Act uncertain.

This lack of protection has taken its toll, especially for wetlands and intermittent and headwater streams, slowing permitting decisions for responsible development, and reducing protections for drinking water supplies and critical habitat.

According to the National Parks Conservation Association, over 117 million Americans, including many visitors to national parks, get their drinking water from surface waters.

This includes many Rhode Islanders who get their drinking water from sources that rely on small streams that are protected by the clean water rule.

If Congress blocks the clean water rule, Rhode Island's streams and millions of acres of wetlands nationwide will again be at risk from pollution and degradation or destruction from development, oil and gas production, and other industrial activities.

Blocking this rule would potentially imperil drinking water sources, as well as the small businesses and communities that rely on clean water.

Thousands of acres of wetlands that provide flood protection, recharge groundwater supplies, filter pollution, and provide essential wildlife habitat are safeguarded under the clean water rule, including many of Rhode Island's streams, wetlands, waterways, and the bay.

Additionally, the clean water rule seeks to protect small streams and wetlands that support fish, wildlife, and recreational areas.

We depend on clean water to drink, and our economy depends on clean water from manufacturing to farming to tourism to recreation to energy production and more to function and flourish.

We must make clean water a priority throughout the nation.

I urge my colleagues to support the clean water rule and vote "no" on both S. 1140 and S.J. Res. 22.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise today in support of bipartisan legislation to fix intrusive regulation that will hurt job growth and that threatens to place a large share of our Nation's farmers, ranchers, and small businesses in the regulatory grip of the EPA. This burdensome regulation is the EPA and Army Corps' final rule on the waters of the United States. The bill to fix it is called the Federal Water Quality Protection Act. That is the bill we are seeking to proceed to today so that we can debate it, amend it, and pass it to deal with this onerous regulation.

The burdensome regulation we are talking about, of course, is the EPA and Army Corps' final rule on waters of the United States. The Federal Water Quality Protection Act is legislation to address it. It was authored by my good friend from Wyoming Senator BARRASSO, and I cosponsored this legislation, along with many others on our side of the aisle. This is also a bipartisan bill with our colleagues from across the aisle as well. This is bipartisan legislation. It has had bipartisan input, and I encourage Members on both sides of the aisle to proceed to this legislation. Let's have this very important debate on behalf of our farmers, ranchers, and so many other job creators across this country. As I say, let's offer amendments and have our votes, but we need to deal with this very important legislation for the benefit of the American people.

This waters of the United States final rule greatly expands the scope of the Clean Water Act regulation over America's streams and wetlands. It is a real power grab by the EPA, and it exceeds the statutory authority of the EPA. The Supreme Court has found that Federal jurisdiction under the Clean Water Act extends the "navigable waters." I don't think anyone is arguing about the EPA's ability to regulate navigable bodies of water like the Missouri River, in my State, but the Supreme Court has also made clear that not all bodies of water are under the EPA's jurisdiction. Yet, under the administration's final rule, all water located within 4,000 feet of any other water, or within the 100-year flood plain, is considered a water of the

United States as long as the EPA or the Army Corps of Engineers decides it has a "significant nexus" to that navigable water in the opinion of either the Corps or the EPA.

These agencies define significant nexus so that almost any body of water qualifies. For instance, if an area can hold rainwater or has water that can seep into ground water, which is almost any water anywhere, then there is significant nexus, according to the EPA or the Army Corps of Engineers, not to mention the fact that areas like the Prairie Pothole region in my State of North Dakota are specifically targeted as waters of the United States. The result is that the vast majority of the Nation's water features are located within 4,000 feet of a covered body of water.

If this expansive rule sounds out of bounds to you, you are not alone. In fact, the waters of the United States rule is such an overreach by the EPA and the Corps that 31 States are suing to overturn it, including my State of North Dakota, which has led a lawsuit brought by 13 of those 31 States.

When granting a preliminary injunction against this rule, the North Dakota Federal District Court stated that "the rule allows EPA regulation of waters that do not bear any effect on the 'chemical, physical and biological integrity' of any navigable-in-fact water." It went further to state that "the rule asserts jurisdiction over waters that are remote and intermittent waters. No evidence actually points to how these intermittent and remote wetlands have any nexus to navigable-in-fact water."

Meanwhile, the Sixth Circuit Court in Cincinnati, OH, issued a nationwide stay of the rule, citing that the EPA and the Corps did not identify "specific scientific support substantiating the reasonableness of the bright-line standards they ultimately chose."

This waters of the United States rule is clearly flawed from a legal perspective, but I think it is even more important to take a look at how this rule, if allowed to be implemented, will affect hard-working Americans with excessive regulation.

For those of you who haven't had the opportunity to visit with a farmer from my State of North Dakota, know that dealing with excess water is a common issue, a daily issue, to say the least. Those farmers can tell you that if there is water in a ditch or a field one week, it doesn't mean there will be water there the next week. It certainly doesn't make that water worthy of being treated the same as a river.

A field with a low spot that has standing water during a rainy week and happens to be located near a ditch does not warrant Clean Water Act regulation from a legal or, more importantly, from a simple commonsense standpoint.

The Corps and EPA have responded to these concerns by saying they are exempting dozens of conservation practices, but these exemptions cover farmers and ranchers only for changes made before 1977 or for changes that don't disturb any water or land now considered to be a water of the United States. In other words, if you need a new Clean Water Act permit, you are not going to qualify for the EPA's exemption under this rule. Moreover, the exemption does not cover all Clean Water Act permits.

Because of this rule, the farmer with the low spot in the field next to a ditch, described above, may now be sued under the Clean Water Act's Section 402 National Pollutant Discharge Elimination System. This farmer now faces the risk of litigation costs for the United States of everyday weed control and fertilizer applicants, among other essential farming activities.

Farmers and ranchers are far from the only job creators who will suffer under this rule. In fact, the Small Business Administration Office of Advocacy has expressed concern about the impact it will have on other small businesses as well.

I am so concerned about this rule that I have led the effort on our Appropriations Committee to stop the rule in its tracks. We were successful in including language in the committee-passed Interior-EPA Appropriations bill to do just that. The Federal Water Quality Protection Act, however, offers a long-term solution by vacating the waters of the United States rule and sending the EPA and the Corps back to the drawing board to develop a new rule with instructions to consult with States, local governments, and small businesses.

America's farmers, ranchers, and entrepreneurs go to work every day to build a stronger nation. Thanks to these hard-working men and women, we live in a country where there is affordable food at the grocery store and where a dynamic private sector offers Americans the opportunity to achieve a brighter future. The Federal Government should be doing all it can to empower those who grow our food and create jobs. Yet, instead, regulators are stifling growth with burdensome regulations that generate cost and uncertainty. The final rule on the waters of the United States produced by the EPA and the Corps to regulate virtually every body of water—pretty much water anywhere in the United States—is not the way to go. Let's stop this regulation. Please join me in voting to proceed to the Federal Water Quality Protection Act.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BARASSO). The Senator from Arizona.

Mr. FLAKE. Mr. President, I come before the Senate to talk about the waters of the United States rule and

the legislation pending before us, S. 1140. I hope we can proceed to the bill. This is an important issue. Obviously, the definition of the waters of the United States sets the rules of the game of who is covered under the Clean Water Act. As has been stated, several Supreme Court decisions over the past decade and a half have created a lot of uncertainty for landowners and those who work the land who aren't sure whether they will be regulated. Regulated entities need a rule that is consistent and that has some predictability. That is not what we are getting with this rule.

The rule issued on June 29 defines jurisdiction very broadly, as we heard, especially when it comes to streams that don't flow year round, intermittent, ephemeral streams, of which Arizona has many. Several scientists who have been involved in the rulemaking process have told my staff that there is a disagreement between what the science says and what this rule says. Science says that some streams are strongly connected and others are not. There is a so-called spectrum of connectivity, but this rule assumes they are all strongly connected.

Let me show a picture of a stream. This is Dan Bell, a rancher in southern Arizona, near the border of Santa Cruz County, standing on a streambed or a dry wash or arroyo that will likely be covered under this rule. Like Dan, I grew up on a ranch in northern Arizona. My whole life I have ridden through a 7-mile draw, a 9-mile wash. The topography of the land was named for some of these dry washes, but they only had water after a good rain which lasted a few minutes and that was it. Those will likely, under the definition of this new rule, be defined as waters of the United States.

If you can imagine what ranchers and other agricultural users are feeling right now, thinking that the Federal Government, in regulating what goes on with these streambeds or these dry washes, is going to step in on other State regulations that already exist.

On August 27, a Federal district court judge blocked the implementation in 13 States, including Arizona, saying that "it appears likely that the EPA has violated its congressional grant of authority in its promulgation of the rule at issue." As we know, on October 9 the Sixth Circuit Court of Appeals stayed the rule nationwide. There is not consensus, obviously, on what this rule does or does not do.

In internal memos, the Army Corps of Engineers assistant chief counsel of environmental and regulatory programs highlighted a number of "serious areas of concern" with the rule, including the "assertion of jurisdiction over every stream bed," which would have "the effect of asserting Clean Water Act jurisdiction over many thousands of miles of dry washes and arroyos in the desert southwest."

When you hear people stand and say that it will not affect dry washes, that is not what the rule says. We need clarification. We need to pass this legislation. We need to actually invoke cloture so we can debate it and ultimately pass it. This is a bipartisan measure that will address this issue and will ultimately provide a new rule that has the consistency and uniformity that those who work the land really need. Arizona will benefit from it, and the entire country will benefit from it.

With that, I yield back.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from South Dakota.

Mr. THUNE. Mr. President, Americans have had a tough time during the Obama administration with a sluggish economic recovery that is barely worthy of the name, stagnant wages for middle-class families, a health care law that ripped away millions of Americans' preferred health care plans, and burdensome regulations that have made it more challenging for businesses, large and small, to grow and create jobs.

One Agency has done more than its fair share to make things difficult for Americans, and that is the Obama EPA. During the course of the Obama administration, this Agency has implemented one damaging rule after another—from a massive national backdoor energy tax that threatens hundreds of thousands of jobs to unrealistic new ozone standards that have the potential to devastate State economies. Reputed rebukes from various Federal courts have done little to check the EPA's enthusiasm for crippling, job-destroying regulations.

This week, the Senate is taking up legislation introduced by my colleague from Wyoming Senator BARRASSO to address one of the EPA's biggest overreaches—the so-called waters of the United States regulation. The EPA has long had authority under the Clean Water Act to regulate “navigable waters,” such as rivers, lakes, and major waterways. The inclusion of the term “navigable” in the Clean Water Act was deliberate. It was deliberate. The reason it was put there is because Congress intended to put limits—real limits—on the Federal Government's authority to regulate water and to leave the regulation of smaller bodies of water to the States. Defining the waters to be regulated as navigable waters ensured that the Federal Government's authority would be limited to bodies of water of substantial size and would not infringe on minor bodies of water on private land, but over the last few years it became clear the EPA was eager to expand its reach.

The waters of the United States regulation, which the EPA finalized this year, expands the EPA's regulatory authority to waters such as small wetlands, creeks, stock ponds, and

ditches—bodies of water that certainly don't fit the definition of “navigable.” It specifically targets the prairie pothole region, which covers five States, including nearly all of eastern South Dakota.

If we look at this chart, this is something that is a very normal landscape in South Dakota. It is a field that one would see in South Dakota, and of course when it gets some rain, some of the low-lying areas get a little water in them, but this is basically a puddle. If we look at what the regulation would do to the way in which farmers and ranchers manage and are able to use their lands for production agriculture, it has some profound impacts.

We are not talking about lakes and rivers. We are talking about small, isolated ponds that ranchers use to water their cattle or prairie potholes that are dry for most of the year but do collect some water after heavy rains and snows along the lines of what we see in this photo. Under this regulation, even dry creekbeds could be subject to the EPA's regulatory authority. That is how far-reaching this regulation is.

Let me talk about that authority for just a minute. When we talk about a body of water coming under the EPA's regulatory authority, we are not talking about having to follow a couple of basic rules and regulations. Waters that come under the EPA's jurisdiction under the Clean Water Act are subject to a complex array of expensive and burdensome regulatory requirements, including permitting and reporting requirements, enforcement, mitigation, and citizen suits. Fines for failing to comply with any of these requirements and regulations, such as the one that is now being filed by the EPA, can accumulate at the rate of \$37,500 per day.

Under the EPA's new waters of the United States rule, creeks and ditches would be subject to this complex array of regulations. The irrigation ditches in a farmer's cornfield, for example—ditches where the water level rarely exceeds a couple of inches—would be subject to extensive regulatory requirements, including costly permits and time-consuming reports. Needless to say, these kinds of requirements will hit farmers and ranchers hard. Agriculture is a time-sensitive business, and these types of requirements would strain a farmer's ability to fertilize, plant, and irrigate their crops when the seasons and weather conditions dictate.

Farmers can't afford to wait for a Federal permit before carrying out basic land and resource management decisions. I have received numerous letters from South Dakota farmers and ranchers, as well as local governments, expressing their concern with the EPA's new rule. One constituent writes:

We live in Deuel County, South Dakota, where we raise cattle and plant wheat, al-

falfa, corn, and soybeans. . . . Our land consists of rolling hills and many shallow low spots. . . . According to the new rules, our entire farm would be under the jurisdiction of the EPA. . . .

That same constituent goes on to say:

Mandatory laws by the EPA are just wrong and are often written and enforced by someone who has never lived or worked on a farm and doesn't understand how the forces of nature cannot be dictated. The weather is often extreme, and we must work with it. . . . Under this rule, it will be more difficult to farm and ranch, or make changes to the land even if those changes would benefit the environment.

That is from a constituent from my State of South Dakota.

Another constituent, also from my home State, said:

[O]ur business is going to be put into acute peril if the EPA is not stopped. . . . By removing the word “navigable” from the Clean Water Act, they will be in control of EVERY drop of water in the United States, which is disastrous for those of us engaged in farming and ranching.

This is from the Pennington County Board of Commissioners in South Dakota. Pennington County is the second largest county and home to our second largest city, Rapid City. They wrote:

In addition to tourism, agriculture is a critical piece of our local economy. . . . This proposal would cause significant hardships to local farmers and ranchers by taking away local control of the land uses. The costs to the local agricultural community would be enormous. This would lead to food and cattle prices increasing significantly.

The board also warned:

If stormwater costs significantly increased due to this proposed rule, not only will it impact our ability to focus our available resources on real, priority water quality issues, but it may also require funds to be diverted from other government services that we are required to provide such as law enforcement, fire protection services, etc.

I have received letter after letter like these from farmers, ranchers, business owners, and local governments across my State, and they are not alone. Concern is high across all of the United States. That is why 31 States have filed lawsuits against the EPA's regulations, as have a number of industry groups. The courts have already granted them some temporary relief. Last month, the Sixth Circuit Court of Appeals expanded an earlier injunction and blocked implementation of the EPA's rule in all 50 States, but a final decision of the courts could be years away.

To protect Americans affected by this rule from years of litigation and uncertainty, this week the Senate is taking up the Federal Water Quality Protection Act, introduced by Senator BARRASSO, which would require the EPA to return to the drawing board and write a new waters of the United States rule in consultation with States, local governments, agricultural producers, and small businesses. It seems only fitting that you actually

ought to consult with the people who are impacted by this. If that had happened, maybe there wouldn't be 31 States that have already filed lawsuits against the Federal Government, and maybe we wouldn't have all of these local governments, agricultural producers, small businesses, homeowners, and developers that are mortified about the impact this will have on them.

In my time in Washington, I have never seen an issue that has so galvanized opposition all across the country. Sometimes there might be an issue that might affect a specific area or industry sector in our economy, such as agriculture. We talk a lot about those issues in my State because this is our No. 1 industry, but there is rarely an issue which generates opposition from so many sectors of our economy. That is how far-reaching this regulation is. Arguably, this is the largest Federal land grab in our Nation's history.

What the legislation also does is explicitly prohibits the EPA from counting things like ditches, isolated ponds, and storm water as navigable waters that it can regulate under the Clean Water Act. It takes away these things we are talking about—the stock ponds, ditches, and frankly the puddles—from areas that the EPA can assert its jurisdiction in and regulate.

Everybody agrees on the importance of clean water. Farmers in my State depend on it, and the legislation we are considering today will ensure that the EPA retains the authority to make sure our lakes and rivers are clean and pollutant-free. Members of both parties should be able to agree that allowing the EPA to regulate what frequently amounts to seasonal puddles is taking things a step too far. The cost of this rule will be steep, and its burdens will be significant, impacting those who have an inherent interest in properly managing their water to protect their livelihoods and health.

Back in March, a bipartisan group of 59 Senators voted to limit the EPA's waters of the United States power grab, and 3 Democratic Senators are cosponsors of the legislation before us today. It is my hope that more will join us to protect farmers, ranchers, small businesses, and homeowners from the consequences of the EPA's dangerous new rule.

Americans have suffered enough under the Obama EPA. It is time to start reining in this out-of-control bureaucracy. I hope we will have a big bipartisan vote today in support of the legislation before the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, whether you are a farmer or a small business owner, a Republican, a Democrat or someone who works at the EPA, we all want clean water. If we are

going to ensure that our clean water protections are effective, we need to work together and we need to use the feedback from the people who work with the land every single day. Unfortunately, the EPA's waters of the United States rule was written without sufficient collaboration with some of the people who care about this rule the most—our farmers, our small business owners, our cities and States. As a result, the U.S. Court of Appeals for the Sixth Circuit has blocked the implementation of the waters of the United States rule, known as WOTUS, nationwide.

This ruling was in line with the concerns we have raised all along. When you write a rule without significant input from all of those impacted, including our farmers, ranchers, small business owners, and local governments, legal challenges are inevitable. Instead of further lengthy and costly court battles, Congress should act to clarify the coverage of the Clean Water Act or the courts will do that job instead of us. It is time to roll up our sleeves and provide to our ag producers, conservationists, and county and local governments the regulatory certainty they need to continue efforts to improve water quality.

That is why I was proud to help author and introduce the Federal Water Quality Protection Act with a bipartisan group of Senators, including Senator JOHN BARRASSO, a Republican from Wyoming, Senator HEIDI HEITKAMP, a Democrat from North Dakota, and Senate Majority Leader MITCH MCCONNELL, a Republican from Kentucky.

Most Hoosiers believe we can get more accomplished when we work together, and I have worked across the aisle on what I believe is a very responsible solution. I hope today we will continue this debate. It will be difficult, but we have the ability to get this right. If Congress fails to act, our ag community will be faced with continued confusion and uncertainty, and we will not have strengthened our efforts to protect the waters of this country.

The WOTUS rule is a perfect example of the disconnect between Washington and the Hoosier ag community, farmers and ranchers around our country, small businesses, and our families. No one wants cleaner water or healthier land more than the families who live on those farms and who work on our farms every single day right next to those waters—the same waters their children play and swim in and with which they work every day. That is why countless Hoosier farmers are frustrated that Washington bureaucrats are calling the shots rather than working together with our ag community and our families to develop sensible environmental protection. This can be done if it is done the right way.

In Indiana we are already leading in many agricultural conservation and environmental protection efforts. We have more farmers than ever before doing things such as planting cover crops and using no-till farming techniques that keep soil in the fields and keep the inputs in the fields. We are leading the Nation in cover crop efforts. It is voluntary, and it is part of a program to make sure our waters—our rivers and streams—are cleaner. This is being done by people, not by bureaucrats.

Let's have some faith and confidence in the people of this country and in the wisdom of our ag community in Indiana and in every other State. If we work with our friends and our neighbors, we can do even more to improve water quality.

Listen to farmers such as Mike Shuter and Mark Legan. Mike is an Indiana Corn Growers Association member from Frankton, IN, who won the National Corn Growers Association Good Steward Award this year for sustainable corn farming practices. Mike said:

I want clean drinking water for my wife, kids, and grandkids. We work hard to reduce the amount of pesticides, insecticides, and fertilizer on our farm. The EPA is going too far by attempting to unilaterally claim jurisdiction over my farmland.

Mark Legan is a farmer who received the American Soybean Association's Conservation Legacy Award in 2013. Here is what he had to say:

Farmers have been good stewards of the land for generations. We have found ways to produce more while using less pesticides and fertilizers. Waters of the U.S. gives the EPA one-sided jurisdiction over our ditches and fields, makes it more difficult to grow crops, and makes it harder to feed the world.

After hearing these frustrations from Hoosier ag producers and from local and county governments about this rule, and because I am the hired help not only for Indiana but for our country, we wrote the Federal Water Quality Protection Act. The intention is to strike a reasonable, bipartisan compromise—what a unique concept. It is the concept that our country has been built on. The legislation is simple: Focus on common science principles to shape a final rule and to require straightforward procedures that the EPA skipped the first time. These are steps the EPA should have done in the first place, such as reviewing economic and small business impacts.

The bill is not designed to destroy or delay the rule. In fact, our bill asks the EPA to complete its rule by December 31 of next year. There is no long hide-the-ball game being played here. We want to have this done by the end of next year.

The legislation includes explicit protections for waters that almost everyone agrees should be covered. If a body of water impacts the quality of the Wabash or Kankakee Rivers, the Great

Lakes or anything similar, our bill protects those waters. It protects commonsense exemptions for isolated ponds and agricultural or roadside ditches—most of which the EPA has indicated they never intended to cover.

We require consultation with stakeholders such as States and the ag community, including soil and water conservation districts. Giving the EPA principles, procedure, and a clear deadline this bipartisan effort is meant to be constructive.

I urge my colleagues, Republican and Democrat, to allow us to consider the bipartisan Federal Water Quality Protection Act. It is our obligation to debate this important issue. I am confident a bipartisan majority of my Senate colleagues will support this commonsense bipartisan bill.

This much I promise: I will continue to push Congress to pass a permanent solution. We will never stop advocating on behalf of Indiana's farmers and families, ranchers and small businesses, and those of the entire country.

I yield back my time.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all I want to thank my colleague, who has been working so hard on this. It affects Indiana, West Virginia, and every State in the Union. I hope people realize what is going on. This isn't a partisan issue. This is definitely a bipartisan issue, and it affects everybody in our State.

I want to thank Senator MARKEY for allowing me to speak for a few minutes. I have a funeral in Arlington to attend for one of our dear soldiers.

I have spoken on the Senate floor many times before about the burdens the EPA has continued to impose on hard-working families and hard-working people in West Virginia. Today, however, I am not speaking about the mining jobs I have spoken about so much. I am speaking about everyday West Virginians. If you have any property whatsoever, if you have a small business or a large business, if you come from any walk of life, if you are in agriculture or are a small farmer or are in large agriculture, this affects you. This allows the overreach of the government, as we have talked about so many times.

If you are a government agency, if you are a city, a small town, if you are a county, any decisions you make will be affected or could be affected. If imposed, the agency's waters of the United States rule, known as WOTUS, would have a harmful impact all over this great country. Again, the WOTUS rule will not just impact certain industries; it impacts everybody. The EPA wrote these rules without consulting some of the people who care about clean water the most—everyday West Virginians and Americans all across this great country. The WOTUS rule

would impose heavy financial penalties on all of us, including our small business owners, farmers, manufacturers, and property owners.

If you have ever seen the terrain of West Virginia, we are the most mountainous State east of the Mississippi. There is very little flat land whatsoever. So anything can be affected and everybody will be affected. Whether you build a home, have a small business or are a little city or community, you are going to be affected. If they can show on an aerial map that there used to be a river or stream of any kind, that comes under their jurisdiction. If anyone thinks differently—that it is not going to happen—this is exactly what is going to happen. That is why all of these small towns and the counties in rural America are totally opposed to this.

There is nobody I know of who doesn't want clean drinking water. With that, we are not saying that the Federal Government shouldn't have oversight on all of our waters that are for drinking, are navigable and/or recreational. In fact, I live on the water, so I know what it is to have the clean waters in our streams and rivers. This is not what we are talking about.

As my good friend from Indiana and my good friend from North Dakota are going to be talking about, this affects everybody. It affects every puddle, ditch, and every runoff—you name it; it affects it—and that means it affects all of our lives. They are going to say: Don't worry. We are not going to do all that. We are going to exempt it.

We have heard that one before—until it is something they don't like, until basically it gives them a chance to shut down something. I have farmers who are concerned about basically the crops they grow, the wildlife, the poultry and the livestock they have to care for. All of this could be affected. We fought this before.

The Supreme Court instruction is to clarify the Clean Water Act jurisdiction over bodies of water in use. This proposal goes too far. In fact, the Supreme Court has already ruled that not all bodies of water fall under the Clean Water Act regulations. So why are they expanding it? If they have already ruled on it, why are they expanding these rules? Why do they believe they can grab this?

They claim they were not required to consult with local governments under the federalism Executive order, arguing the rule did not impact them. The EPA claims that even though it did not comply with the Executive order, it still reached out to local governments. That is not true. That is not true in West Virginia. I can tell you that.

The EPA claims it addressed the concerns of local governments by providing exemptions for public safety ditches and storm water control systems. That is not true either. So that

being said, I can only tell you what my citizens, my communities, business owners, and local governments are being affected by and why they are concerned.

The bottom line is it is completely unreasonable that our country's ditches, puddles, and otherwise unnavigable waters be subjected to the same regulations of our greatest lakes and rivers. On that we all agree.

The WOTUS rule exempts ditches only if the local government can prove that no part of the entire length of a ditch is located in an area where there used to be a stream. The WOTUS rule exempts storm water management systems only if they were built on dry land. The WOTUS rule says EPA can rely on historical maps and historical aerial photographs to determine where the streams used to be—not where they are now.

These provisions of the WOTUS rules should strike terror in the heart of every mayor, county commissioner, and manager of a city that was founded before the last century. This is how asinine this is. It is unbelievable that with a sweep of the pen, the EPA is trying to take us back to the days of Lewis and Clark. According to a memo written in April, not even the Corps of Engineers knows how it will determine which ditches are exempt and which are former streams. This is our own government.

Morgantown, WV, was founded in 1785. Wheeling, WV, was established in 1795. To go back in time to determine where streams used to be would be near impossible. I don't want West Virginia cities to have to worry about the status of their municipal infrastructure.

There is no question that with the additional permitting and regulatory requirements, the implementation of this rule will place a significant burden on West Virginia's economy, which is already hurting very badly. That includes businesses, manufacturing, housing, and energy production. Many in my home State are already struggling to make ends meet. We are one of the highest unemployment States, have been hit harder than any other State. We are fighting like the dickens. We will continue to fight and persevere.

The new financial and regulatory burdens will set people up for failure in an already unstable economic climate which in large part is caused by harmful regulations the EPA and the administration have established. We all want to drink clean water and breathe clean air, but we can achieve this without regulating hard-working Americans out of business.

This rule represents broad overreach that has the force of law without congressional approval. I would say you cannot regulate what has not been legislated. Why are we here? Why are we elected to represent the people when

we cannot even do it, when we have to fight our own government to do the job we have been charged with doing?

I urge my colleagues to support this motion to proceed to S. 1140.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, Boston's sports teams have had their share of great moments. After a win, you can hear the crowd celebrating by singing a song by the Standells that goes like this:

Yeah, down by the river,
Down by the banks of the river Charles.
Well I love that dirty water,
Oh, Boston, you're my home.

While dirty water signals a win for a Boston team when that is sung, the real victory has been beating the pollution in the Charles River and Boston Harbor since the passage of the Clean Water Act. That victory is thanks to the implementation of that law, which protects sources of our drinking water from pollution and restores dirty waters back to health.

We need to keep the Clean Water Act's winning streak alive. Unfortunately, the bill the Senate may consider today could end the record of wins for the Clean Water Act. Its history of success has made the Clean Water Act one of the greatest American success stories. Before the Clean Water Act, there was no Federal authority to limit dumping, set national water quality standards, or enforce pollution rules. City and household waste flowed untreated into rivers and harmful chemicals were poured into wetlands and streams from factories and powerplants. Back then, we were all on the honor system. Water supplies were managed by a patchwork of State laws and an appeal to the common good. The result: mass pollution on a historic scale, oozing rivers so toxic that they could ignite into flames, fish dead by the thousands. America's riversides became a theater of public hazards and chemical death.

In short, before the Clean Water Act and the Federal involvement that was necessary, America's waterways were its sewers. Then, in 1969, a public firestorm was touched off by a Time magazine photo of the Cuyahoga River on fire in Ohio. With full-throated support from the public, Congress mobilized and produced the Clean Water Act, one of the most important pieces of environmental law in the history of the United States. The ultimate goal of the Clean Water Act—making waterways safe for the public and wildlife—was so popular that in 1972 a bipartisan Congress overrode a veto by Richard Nixon.

The successes and the benefits yielded by the pursuit of the goal of clean waterways would prove tremendous in the years ahead.

The Clean Water Act guards the Nation's natural sources of drinking

water by guiding how we use them. It protects the wetlands, the streams, and other surface waters that ultimately provide us with drinking water.

The Clean Water Act has slowed the loss of wetlands, known as the "kidneys of the landscape" because of their ability to remove pollution from the water. They do this for free, making wetlands the most fiscally responsible water system in the world. The only alternative to this free service is to put our waters on dialysis by constructing filtration plants for billions of dollars in long-term maintenance and building costs. Our wetlands support the \$6.6 trillion coastal economy of the United States, which comprises about half of the Nation's entire gross domestic production and includes our nearly \$7 billion annual fishery industry and \$2.3 billion recreational industry.

The Clean Water Act has doubled the number of swimmable and fishable rivers in the United States. It has saved billions of tons of fertile soil from being washed off of our farms. It has fostered State and Federal collaboration, giving States a key role in managing poisonous runoffs from cities and farms. It established a permitting system to control what gets dumped into America's waterways. It developed fair and objective technology-based pollution control standards to help industries plan their compliance investments in advance. It sets science-based water quality standards and requires well-thought-out plans to meet them. Its environmental monitoring requirements prevent rehabilitated waterways from backsliding into unusable condition. It provides \$2 billion annually in critical funding to States for water quality and infrastructure improvements. Among its most important contributions, it empowers citizens to enforce its provisions and actively guard the health of their families.

For all of its benefits and successes, however, the Clean Water Act has still not reached its goal. One-third of our rivers still have too much pollution. When these drain into coastal waters, they add to the problems being caused by ocean acidification and warming. The pollution can cause dead zones off of our coasts and in the Great Lakes, putting drinking water supplies at risk and threatening sea life. While the act has slowed their loss, wetlands continue to disappear, and gone with them are millions of wetland-dependent creatures, such as ducks and turtles and most of the species of fish we find on our plates.

Clearly, clean water must be preserved for the health of the public, the environment, and the economy. That is why the Environmental Protection Agency and the Army Corps have spent so much time developing the recently finalized clean water rule. The clean water rule clears up confusion caused by two U.S. Supreme Court rulings on

the reach of Federal water pollution laws and restores protections that were eliminated for thousands of wetlands by President George W. Bush in his administration.

Specifically, the rule revises the definition of "waters of the United States," a term that identifies which waters and wetlands are protected under the Clean Water Act. The rule was written in response to requests for increased predictability and consistency of Clean Water Act permitting programs made by stakeholders such as the National Association of Home Builders and the National Stone, Sand & Gravel Association.

The clean water rule restores clear protections to 60 percent of the Nation's streams and millions of acres of wetlands that were stripped away under the previous Republican administration. The EPA estimates that returning the clean water protections will provide roughly half a billion dollars in annual public benefits, including reducing flooding damage, filtering pollution, supporting over 6 million jobs in the over half-a-trillion-dollar outdoor recreation industry.

The rule protects public health by closing pollution loopholes that threaten drinking water supplies to one-third of Americans. In Massachusetts, the drinking water of nearly 3 in 4 people will now be protected.

The rule enjoys broad support from local governments, small businesses, scientists, and the general public, who submitted over 800,000 favorable public comments. Eighty percent of Americans support the clean water rule, and when asked if Congress should allow it to go forward, they responded with a resounding yes.

Despite public support for clean water and this commonsense rule, the Republicans want to bring a bill to the floor that would undermine the national goals and policy written by the Clean Water Act. If enacted, this water-polluting bill would undermine the legal framework that protects our water. It would once again leave one-third of the Nation's drinking water vulnerable to dangerous contamination. It would set up a fight over technical details that would prevent us from protecting the public health by preventing the dumping of toxic chemicals into natural public drinking water sources.

The critics falsely claim that the clean water rule overreaches because it enables broader Federal jurisdiction than is consistent with law and science.

So, ladies and gentlemen, I support the work the EPA and the Army Corps have done in putting together the clean water rule. It will continue the string of victories our Nation has enjoyed under the Clean Water Act. I urge my colleagues to oppose any legislative efforts to overturn the clean water rule.

We need to keep the Clean Water Act working for all of America.

I want to make sure that the only place in Massachusetts people are talking about dirty water is after one of our great Boston sports teams have chalked up another victory. That is the only time we should be singing about dirty water because otherwise the health and well-being not just of people in Massachusetts but all across our country will be harmed.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, listening to this, you would think that people who want some commonsense regulation don't believe in clean water. You would think that if we do this, somehow the Charles River or the Cuyahoga River, having been navigable the whole while here under the Clean Water Act jurisdiction, would suddenly not be navigable. That is not the case. That is not the case. I think it is really important that we ratchet down the emotion and we start looking at the facts.

Let's start with where we are right now with this idea of what are, in fact, jurisdictional waters under the Clean Water Act. This has been a debate for 40 years. It has been in and out of the courts for 40 years. In 1985 the Court made a ruling. In 2001 the Court made a ruling. In 2006 the Court decided a case called *Rapanos*. What *Rapanos* said is—four Justices said EPA is right, four Justices said EPA is wrong, and one Justice said EPA may be right. As a result, we have created a system that has caused great uncertainty in America today as it relates to how we use land. Acting on that uncertainty, EPA promulgated a rule. That rule is inconsistent, in my opinion, with the direction they were given by the Court. That rule has created an incredible amount of uncertainty.

To suggest that all the major groups, all the groups that are out there, including the Association of Counties, including many of the Governors, are all wrong and they all love dirty water is absolutely insulting as we kind of move forward on this discussion.

I am going to show you why North Dakota is concerned about this regulation. This is an aerial picture of my State. You may not think there is a lot of water in North Dakota. This is a picture of my State and Devils Lake in the Devils Lake area. You might say: Oh she picked a picture that looks like this.

I ask and invite any of you to come to North Dakota and I will fly you anywhere in North Dakota. This is what North Dakota looks like. You see all this water here and you see all this water here and you see this. Do you see that? That is a pothole, what we call a prairie pothole. It used to be and sea-

sonally is full of water. Sometimes it is farm, sometimes it is not. Is this waters of the United States? It is not connected to any navigable stream. It is not adjacent to any kind of navigable water, moving water. None of this is connected with any kind of cross-land connection.

I will tell you under the rule that we have and under the interpretations of the Corps of Engineers—which we always forget when we are talking about this—the Corps of Engineers and EPA, what they would say is: We don't know. We would have to send biologists to take a look at this. We would have to spend hundreds of thousands of dollars, of taxpayer dollars, to determine whether in fact there is substantial nexus.

We asked for a simple rule. First, just as a point of view, when the statute says navigable water, that water ought to be moving someplace other than into the ground. All water in the world is interconnected. We know that. That is a matter of hydrology. That is a matter of science. Scientists would say there is no such thing as a discrete separation.

But you know what. Legally there is. It did not say every drop of water is controlled by the Environmental Protection Agency under the Clean Water Act, it said navigable water, and we have been in this fight for a lot of years, including 2006.

Mr. President, I know we are in excess of the time. I ask unanimous consent for just a little more time to conclude my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HEITKAMP. I want to make this point because it really is a question. The Senators who have come to the floor and talked about this rule talk about: Look, we are making progress. What they haven't told you is that rule has absolutely no legal effect anywhere in this country today. Do you know why? Because the courts of the United States have stayed it. It is not in effect while we litigate yet another case.

So when we looked at this problem and we looked at trying to give certainty to farmers who own this land—by the way, this land is not owned by the people of this country. This land is owned by farmers who need certainty, who need to know. So we looked at this and we said: It is time for Congress to do what Congress ought to do, which is to legislate, which is to actually make a decision—to not just get on either side of a regulatory agency and yell about whether they are right or wrong but actually engage in a dialogue.

That is why Senator DONNELLY, Senator BARRASSO, Senator INHOFE, and I sat down and said: Look, this will continue in perpetuity. We will spend millions of dollars litigating this and never get an answer because chances are we are back to 441, and that is not an answer.

So we put together a piece of legislation looking at how can we as legislators, as Congress provide some parameters on what this means. People who will vote no on a motion to proceed will tell you we want EPA to decide. I am telling you that people in this country expect Congress to decide. They expect Congress to make this decision, to step up, and resolve this controversy because 40 years and millions and millions of dollars spent in litigation is not a path forward.

As we look at this legislation simply on a motion to proceed on one of the most controversial issues in America today—which is waters of the United States—not voting to debate this issue, not voting to proceed on this issue is the wrong path forward.

I urge my colleagues to open the debate and let's talk about this map—not the Charles River and not the Cuyahoga River because I will concede that they are navigable water. I want to know in what world is this navigable water of the United States, what world should EPA have jurisdiction over this pond, and in what world—when you are the farmer who owns it—do you think you have any certainty as we move forward?

We are trying to give certainty to the American taxpayer. We are trying to give certainty to people who build roads and bridges. We are trying to actually have a debate on an important issue of our time.

I urge my colleagues to vote yes on the motion to proceed so we can have an open debate—it could be fun—as we talk about this issue.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent to speak for up to 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President we will have a chance at 2:15 p.m., I believe, for 15 minutes to close the debate, and at 2:30 p.m. we are going to have a vote on a cloture motion. I urge my colleagues to vote against the cloture motion.

I agree with my friend Senator HEITKAMP that we need certainty. We have been debating this issue for a long time since the court cases. If this bill were to become law, you are not going to have certainty. It is going to be litigated. Whatever is done, it is going to be litigated. We know that. We have seen the litigious nature of what has happened over the course of the issues.

Yes, I want Congress to speak on this. Congress has spoken on this. Congress has said very clearly that we want the test of the Clean Water Act to be to restore and maintain the chemical, physical, and biological integrity of our Nation's waters.

I don't want Congress to say: No, we don't want that. We now want a pragmatic test that could very well jeopardize the Clean Water Act. The bottom line is each Congress should want to strengthen the Clean Water Act, not weaken it. This bill would weaken the Clean Water Act and prevent a rule that has been debated for a long time from becoming law.

I urge my colleagues to reject the motion for cloture, and we will have a little bit more to say about this at 2:15 p.m.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII be waived with respect to the cloture vote on the motion to proceed to S. 1140.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:37 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

FEDERAL WATER QUALITY PROTECTION ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be equally divided in the usual form.

The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise today as the Senate considers an issue that is critically—critically—important to agriculture and to rural America.

It is my hope the Senate will advance landmark legislation that I, along with a bipartisan group of colleagues, have introduced in response to the U.S. Environmental Protection Agency's final rule that redefines waters of the United States—commonly referred to in farm country as WOTUS, among other acronyms—under the Clean Water Act. I am proud to be an original cosponsor of S. 1140 and represent agriculture and rural America's charge in pushing back against EPA's egregious Federal overregulation.

EPA's final WOTUS rule would adversely impact a vast cross-section of industries, including agriculture. As I have said before, I fear the sheer number of regulations imposed by this ad-

ministration is causing the public to lose faith in our government. Too often I hear from my constituents that they feel "ruled" and not "governed." S. 1140 is in response to exactly that sentiment.

As chairman of the Committee on Agriculture, Nutrition, and Forestry, I have heard directly from farmers, ranchers, State agency officials, and various industries in Kansas and all throughout our country that ultimately would be subject to these new burdensome and costly Federal requirements. The message is unanimous and clear. This is the wrong approach and the wrong rule for agriculture, rural America, and our small communities.

According to the Kansas Department of Agriculture, EPA's final rule would expand the number of water bodies in Kansas classified as "waters of the United States," subject to all—subject to all—Clean Water Act programs and requirements by 460 percent, totaling 170,000 stream miles. This is just incredible. The expanded scope will further exacerbate the burden of duplicative pesticide permitting requirements and the other overregulation by this administration. This simply is not going to work and makes zero sense, especially in places such as arid western Kansas. Furthermore, the final rule undercuts a State's sovereign ability as the primary regulator of water resources, which administers and carries out Clean Water Act programs.

Even more troubling, in recent months it has become apparent through the release of internal government documents between the EPA and the U.S. Army Corps of Engineers that there are serious concerns and questions with regard to the legality of the EPA's role and actions during the famous or infamous public comment period to garner support for the final rule. The tactics employed by the EPA throughout this rulemaking process completely undermines the integrity of the interagency review process and the public's trust.

The EPA claims they have listened to farmers and ranchers about the concerns they have raised. EPA not only stacked the deck against farmers and ranchers, but EPA deliberately ignored them. This bill requires the EPA and the Army Corps of Engineers to withdraw the final rule and craft a new rule in meaningful consultation with stakeholders, State partners, and regulated entities, which are ready and waiting to work with EPA—if we can.

All of us want to protect clean water. No one here—especially agriculture—wants to threaten such a valuable and integral natural resource that sustains our livelihood. It is our water. It is time the administration listened and developed a rule that is effective for farmers, ranchers, and rural America.

This WOTUS regulation is the No. 1 concern I hear about in farm country—

that the Committee on Agriculture, Nutrition, and Forestry hears about—and over 90 agriculture groups—90—have signed a letter in support of this legislation. Additionally, the ongoing litigation, which involves 31 States challenging the final rule, only adds further confusion about the implementation and applicability of the final rule across the rest of the country.

It is time for Congress to intervene. I thank my colleagues who have joined me in this effort, especially the Senator from Wyoming, and I urge all of my colleagues to support S. 1140 and vote yes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I yield 3 minutes to a real champion of clean water in the United States, Senator BOXER.

Mrs. BOXER. Mr. President, I thank very much my colleague and subcommittee ranking member, Senator BEN CARDIN, for taking the lead today on this opposition we are expressing to a very radical bill that will essentially, in my view, in many ways repeal the heart of the Clean Water Act.

The Clean Water Act came about because the Cuyahoga River in Ohio went up in flames because there was so much pollution and there were so many toxins in the water there, and people recognized—this was in the 1970s—that we were endangering our families and the health of our families. So the Clean Water Act was written, and it basically said that if a river or a stream or a body of water found its way into a source of drinking water or a recreational body of water, the people who were dumping this stuff into this natural environment had to get a permit and had to show us that it was safe. It is as simple as that.

That is why we have overwhelming support. I had a chart, and now I don't have it, reflecting 79 percent in support across this Nation for moving ahead with the clean water rule. Then comes the Barrasso bill, which has a beautiful name—protecting the waters of the United States—and it reminds me of the book "1984": War is peace, love is hate, and the rest. Big government is telling you what to think.

Really, this is not a bill that protects our water. It is not. It is a bill that essentially protects polluters and endangers 117 million people who want to drink clean water. This is a right in our country. You don't want to be frightened when your child swims in a stream or drinks water that might make him or her sick.

So what we do with this bill, what Senator BARRASSO, my friend—and he is my really good friend—does here is essentially to take the Clean Water Act and stands it on its head. He says we are not going to worry about all of these bodies of water that feed into the

Nation's drinking water supply for 117 million people, and we are going to say you are free to dump into that water everything you want.

In closing, I have often said that when I go home, people come right up to me and say: BARBARA, you need to do this; and, BARBARA, you have to fight for that. Never, in all my years in elected life—40 years since I started, which is hard to believe—has anyone come up to me and said: The water is too pure. The water is too clean. My drinking water is perfect, don't make it safer. My air is pristine; don't pass any more laws. It is the opposite.

So what this would do today is take us back, back, back—back to the days when rivers caught on fire, back to the days when you worried a lot about drinking water. And as a person who wrote the law on protecting the quality of drinking water for children, this is a step backward. It is all about the farm bureau. And I get it, but I don't think they really understand the rule that is coming out, where millions of people actually commented on the rule, where they had hundreds of meetings. This is an EPA that wants to work with the people.

So I hope we will reject this and that we can move on and let this clean water rule work its way through the courts and become the law of the land.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, with this vote on the motion to proceed to S. 1140, the Federal Water Quality Protection Act, the Senate really has a unique opportunity today to pass a strong bipartisan bill—a bill that will direct the EPA to write a reasonable rule to protect our navigable waterways.

As I mentioned before, I introduced this legislation with my Democratic colleagues Senators DONNELLY, HEITKAMP, and MANCHIN, as well as many of my Republican colleagues. I appreciate all my colleagues who spoke out in favor of this legislation.

Let me just conclude this discussion with these thoughts. Our beautiful rivers and lakes deserve protection, and this bill does nothing to block legitimate efforts to safeguard the waters of the United States. By striking the right balance, we will restore Washington's attention to the country's traditional waterways, protecting these cherished natural resources. At the same time, we will give certainty to farmers, ranchers, and small business owners that they can use their property reasonably without fear of constant Washington intervention.

The existing rule on waters of the United States is the poster child of EPA overreach. The courts have already begun to weigh in with their concerns and have stayed the rule nationally. There is a great legal uncertainty

about whether this waters of the United States rule will survive these legal challenges. These challenges could take years. Meanwhile, a long-term viable solution to protecting our waterways will not be in place.

Now, many of my colleagues, both Democratic and Republican—and particularly those from rural States—have talked about their concern with this rule, so I urge them to join with us today by showing their constituents they are ready to do something about it. I urge them to vote for this motion to proceed to S. 1140 and to work with me through an open amendment process to create an even better bill—a better bipartisan bill and a bill that gives the EPA the certainty they need to craft a rule to protect our Nation's waterways for the long term.

I urge a "yes" vote on the motion to proceed to S. 1140.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, this legislation does two things. First, it stops the final rule on the waters of the United States, and second, it weakens the underlying Clean Water Act, something I would hope none of us would want to do. I urge my colleagues to reject the motion to proceed.

Let me tell you what is at risk here. What is at risk is about one-half of our Nation's stream miles from being protected under the Clean Water Act. Their water supply would not be protected. What is at stake here? Twenty million acres of wetlands could go unprotected because of being denied protection under the Clean Water Act. What is at risk here? The water supply for 117 million Americans—1 out of every 3 Americans. The source of their water could very well come from unregulated supplies being exempt from the Clean Water Act. I don't think we want to do that.

I agree with my colleagues that we want to have certainty. That is why we want the rule to move forward. But it does more than that—the underlying bill. It also changes the standard that would be judged in deciding what is to be regulated waters. The current law says it is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters."

In other words, it is science-based. If we need to regulate in order to protect our water supply, we can regulate. That is what we are trying to achieve—regulating waters that end up in our streams, waters that end up in our water supply. If, on the other hand, we take what is being done under this legislation to protect traditional navigable waters from pollution, we are exempting so many of the waters that are critically important. I mentioned a little earlier that it has to have a continuous flow. Well, there are seasonal variations of what enters into our

water supply in this country. That would be exempt.

I want to dispel two things. First, this bill would remove certainty, not give certainty. The Supreme Court cases caused us to lose our traditional definitions of what was covered under the Clean Water Act. We need that. It returns certainty, which I think is in everyone's interest. The last point is—and I have said it many times, and the Department has confirmed this—this final rule on waters of the United States does not change the regulatory structure for permitting for agriculture. There are no additional requirements. They are exempt. The exemptions that exist today will continue to be exempt. The agency responded to the concerns of the agricultural community as they should.

The bottom line is that clean water and agriculture go together, and we all need to work together in that regard. So I urge my colleagues to allow this rule to go forward. I urge my colleagues not to have a legacy of weakening our protections for clean water in America, and that is what this bill would do.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 153, S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States," and for other purposes.

Mitch McConnell, Dean Heller, Jeff Flake, Steve Daines, Johnny Isakson, Mike Rounds, Ben Sasse, Roy Blunt, Daniel Coats, John Cornyn, John Boozman, Richard Burr, Cory Gardner, Shelley Moore Capito, Richard C. Shelby, David Perdue, John Barrasso.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States," and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Utah (Mr. HATCH).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 41, as follows:

[Rollcall Vote No. 295 Leg.]

YEAS—57

Alexander	Ernst	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Heitkamp	Roberts
Cassidy	Heller	Rounds
Coats	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	Kirk	Shelby
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Manchin	Tillis
Daines	McCain	Toomey
Donnelly	McCaskill	Vitter
Enzi	McConnell	Wicker

NAYS—41

Baldwin	Heinrich	Reed
Bennet	Hirono	Reid
Blumenthal	Kaine	Sanders
Booker	King	Schatz
Boxer	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Markey	Stabenow
Carper	Menendez	Tester
Casey	Merkley	Udall
Coons	Mikulski	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Franken	Nelson	Wyden
Gillibrand	Peters	

NOT VOTING—2

Brown	Hatch
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The PRESIDING OFFICER. On this vote, the yeas are 57, the nays are 41.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Mr. President, I withdraw the motion to proceed to S. 1140.

The PRESIDING OFFICER. The motion is withdrawn.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 118, H.R. 2685.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 118, H.R. 2685, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 2685, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, James M. Inhofe, John Hoeven, John Thune, Lamar Alexander, Richard Burr, Jerry Moran, John Cornyn, James E. Risch, Mike Crapo, Steve Daines, Jeff Flake, Cory Gardner, John Boozman, Thad Cochran, Pat Roberts, David Perdue.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nebraska is recognized for his inaugural address.

SENATE CULTURE

Mr. SASSE. Mr. President, I rise to speak from the floor for the first time. I have never been in politics before, and I intentionally waited to speak here.

I wish to talk about the historic purposes and uses of the Senate, about the decades-long decline of the legislature relative to the executive branch, and about what baby steps toward institutional recovery might look like.

Before doing so, let me explain briefly why I chose to wait a year since election day before beginning to fully engage in floor debate. I have done two things in my adult work life. I am a historian by training and a strategy guy by vocation. Before becoming a college president, I helped over a dozen organizations through some very ugly strategic crises, and one important lesson I have learned again and again when you walk into any broken organization is that there is a very delicate balance between expressing human empathy on the one hand and not becoming willing to passively sweep hard truths under the rug on the other. It is essential to listen first, to ask questions first, and to learn how a broken institution got to where it is because there are reasons. People very rarely try to break special institutions that they inherit. Things fray and break for reasons.

Still, empathy cannot change the reality that a bankrupt company is costing more to produce its products than customers are willing to pay for them, that a college that has too few students is out not only of money but out of spirit. This is the two-part posture I have tried to adopt during my rookie year here. Because of this goal of empathetic listening first and interviewing first and because of a pledge I made to Nebraskans—in deference to an old Senate decision—last year I have waited.

Please do not misunderstand. Do not confuse a deliberate approach with passivity. I ran because I think the public is right that we are not confronting the generational challenges we face. We do not have a foreign policy strategy for the age of jihad and cyber war, and our entitlement budgeting is entirely fake. We are entering an age where work and jobs will be more fundamentally disrupted than at any point in human history since hunter-gatherers first settled in agrarian villages, and yet we do not have many plans. I think the public is right that the Congress is not adequately shepherding our Nation into the serious debates we should be having about the future of this great Nation.

I will outline the key observations from my interviews with many of my Senate colleagues in summary form on another day, but for now let me flag just the painful top-line takeaway. I don't think anyone in this body truly believes we are laser-focused on the greatest challenges our Nation faces—no one. Some of us lament this fact, some of us are angered by this fact, some of us are resigned to it, some try to dispassionately explain how we got to the place where we are, but I don't think anyone actually disputes it.

If I can be brutally honest for a moment, I am home basically every weekend, and what I hear every weekend, I think, are most of the same things most all of my colleagues hear every weekend, which is some version of this: a pox on both parties and all of your houses. We don't believe that the politicians are even trying to solve the great problems we face—the generational problems.

To the Republicans, those of us who would claim that the new majority is leading the way, few people believe it. To the grandstanders who would try to use this institution chiefly just as a platform for outside pursuits, few believe that the country's needs are as important to you as your own ambitions.

To the Democrats who did this body great harm through nuclear tactics, few believe that bare-knuckled politics are a substitute for principled governing.

Who among us doubts that many—both on the right and on the left—are now salivating for more of these radical tactics? The people despise us all.

Why is this? Because we are not doing our job. We are not doing the primary things that the people sent us here to do. We are not tackling the great national problems that worry our bosses at home. I therefore propose a thought experiment. If the Senate isn't going to be the venue for addressing our biggest national problems, where should we tell people that venue is? Where should they look for long-term national prioritization if it doesn't

happen on this floor? To ask it more directly of ourselves, Would anything really be lost if the Senate didn't exist?

To be clear, this is a thought experiment, and I think that many great things would be lost if the Senate didn't exist, if our Federal Government didn't have the benefit of this body, but game out with me the question of why. What precisely would be lost if we only had a House of Representatives, a simple majoritarian body instead of both bodies? The growth of the administrative state, the fourth branch of government, is increasingly hollowing out the Senate and the entire article I branch, the legislature. Oddly, many in the Congress have been complicit in this hollowing out of our own powers. Would anything really be lost if we doubled down on Woodrow Wilson's obsession and inclination toward greater efficiency in government, his desire to remove more of the clunkiness of the legislative process? What would be lost? We could approach this thought experiment from the inside out and ask: What is unique about the Senate? What can this body do particularly well? What are the essential characteristics of just this place, which has often been called the gem of the Founders' structure. What was the Senate built for? Let's consider its attributes.

We have 6-year terms, not 2-year terms, and the Founders actually deliberated about whether Senators should have lifetime appointments. We have proportional representation of States, not of census counts, reflecting a Federalist concern that we would always maintain a distinction between perhaps agreeing that government has a responsibility to address certain problems and yet guarding against a routinized assumption that only a centralized, nationalized, one-size-fits-all government could tackle X or Y.

Third, we have rules designed to empower individual Senators, not to the end of obstruction but for the purpose of ensuring full debate and engagement with dissenting points of views, for the Founders didn't share Wilson's concern with governmental efficiency, they were preoccupied with protecting minority rights and culturally unpopular views in this big and diverse Nation.

Fourth, we didn't even have any rules in this body that recognized political parties until the 1970s. There was merely an early 20th century convention that gave right of first recognition in floor debate to the leaders of the two largest voting blocks. We have explicit constitutional duties related to providing the Executive with advice—it is a pretty nebulous thing—about building his or her human capital team and about the long-term foreign policy trajectory of this Nation. Six-year terms, representation of States, not census counts, nearly limitless debate to protect dissenting views,

almost no formal rules for political parties, what does all this add up to? What is the best answer to the question, What is the Senate for?

Probably the best shorthand is this: to shield lawmakers from obsession with short-term popularity so we can focus on the biggest long-term challenges we face.

Why does the Senate's character matter? Precisely because the Senate is built to insulate us from "short-termism." That is the point of the Senate. This is a place built to insulate us from opinion fads and from the bickering of 24-hour news cycles. That is the point of the Senate. The Senate is a place to focus on the biggest stuff. The Senate was built to be the antidote to sound bites.

I have asked many of you what you think is wrong with the Senate. What is wrong with us? As in most struggling organizations, in private it is amazing how much common agreement there actually is. There is so much common agreement about what around here incentivizes short-term thinking and behavior over long-term thinking, behaving, and planning.

The incessant fundraising, the ubiquity of cameras everywhere that we talk, the normalization over the last decade of using many Senate rules as just shirts-and-skins exercises, the constant travel—again, fundraising—meaning, sadly, many families around here get ripped up. That is one of the things we hear about most in private in this body. This is not to suggest that there is unanimity among you in these private conversations. The divergence is actually most pronounced at the question of what comes next and whether permanent institutional decline is inevitable in this body. Some of you are hopeful for a recovery of a vibrant institutional culture, but I think the majority of you, from my conversations, are pessimistic. The most common framing of this question or this worry is this: OK. So maybe this isn't the high moment in the history of the Senate, but isn't the dysfunction in here merely an echo of the broader political polarization out there? It is an important question. Isn't the Senate broken merely because of a larger shattered consensus of shared belief across 320 million people in this land? Surely that is part of the story, but there is much more to say.

First, the political polarization beyond Washington is so often overstated. We could talk about the election of 1800, the runup to the Civil War, the response to Catholic immigration waves at the beginning of the last century, the bloodiest summers of the Civil Rights movement, the experience of troops returning from Vietnam, if you want to mark some really high-water marks of political polarization in American life.

Second, civic disengagement is arguably a much larger problem than polit-

ical polarization. It isn't so much that most regular folks we run into back home are really locked into predictably Republican and predictably Democratic positions on every issue, it is that they tuned us out altogether. Despite the echo chambers of those of us who have these jobs, are we aware that according to the Pew Research Center, the 24-hour viewership of CNN, FOX, and MSNBC is about 2 million. That is it.

Third, one of our jobs is to flesh out competing views with such seriousness and respect that we, the 100 of us, should be mitigating, not exacerbating, the polarization that does exist. This is one of the reasons we have a representative rather than a direct democracy.

Fourth, surveys reveal that the public is actually much more dissatisfied with us than they are even scared about the intractability of the big problems we face. Consider the contrast. Somewhere between two-thirds and three-quarters of the country think the Nation is on a bad track; that the experiences of their kids and grandkids will be less than the experience of their parents and grandparents. That is bad. Consider this: Only 1-in-10 of them is comforted that we are here doing these jobs.

Let's be very clear what this means. If the American people were actually given a choice to decide whether to fire all 100 of us and all 535 people in the Congress, do any of us doubt at all what they would do?

There are good and bad reasons to be unpopular. A good reason would be to suffer for waging an honorable fight for the long term that has near-term political downsides, like telling seniors the truth that the amount they have paid in for Social Security and Medicare is far less than they think and far less than they are currently receiving. That would be a good reason to be unpopular, but deep down we all know the real reason the political class is unpopular is not because of our relentless truth-telling but because of politicians' habit of regularized pandering to those who most easily already agree with us.

The sound-bite culture, whether in our standups for 90-second TV in the Russell rotunda or our press releases or what we all experienced on our campaigns—both for and against—the sound-bite culture is everywhere around us. We understand that, but do we also understand and affirm in this body that this place was built expressly to combat that kind of reductionism, that short-termism?

The Senate is a word with two meanings. It is the 100 of us as a community, as a group, as a body—that is an important metaphor—and it is this room. This is the Chamber where we assemble supposedly to debate the really big things. What happens in this Chamber now is what is most disheartening to a newbie like me. As our constituents

know, something is awry here. We, in recent decades—again, this is a body and not just us but what we have inherited—have allowed short-termism and the sound-bite culture to invade this Chamber and to reduce so many of our debates to fact-free zones.

I mentioned that I have done two kinds of work before coming here. I was a historian/college president and crisis turnaround guy. Although they sound very different, they actually have a lot of similarities because they are both driven by a kind of deliberation, a Socratic speech.

Good history is good storytelling, and good storytelling demands empathy. It requires understanding different actors, differing motivations, and competing goals. Reducing everything immediately to good versus evil is bad history—not only because it isn't true and because it is unpersuasive but because it is really boring. Good history, on the other hand, demands that one be able to talk Socratically so you can present alternate viewpoints, not straw-man arguments, and explain how people got to where they are.

Similarly, can you imagine a business strategist who presents just one idea and immediately announces that it is the only right idea, the only plausible idea, and every other idea is both stupid and wicked? How would companies respond to such a strategist? They would fire him. A good strategist, by contrast, puts the best construction on a whole range of scenarios, outlines the best criticisms of each option, especially including the option you plan to argue for most passionately, and then you assume that your competitors will upgrade their game in response to your opening moves. This is a kind of Socratic speech. But bizarrely, we don't do that very much around here. We don't have many actual debates.

This is a place that would be difficult today to describe as the greatest deliberative body in the world, something that was true through much of our history. Socrates said it is dishonorable to make the lesser argument appear the greater or to take someone else's argument and distort it so that you don't have to engage their strongest points. Yet here, on this floor, we regularly devolve into a bizarre politician speech. We hear the robotic recitation of talking points.

Well, guess what. Normal people don't talk like this. They don't like that we do, and more important than whether or not they like us, they don't trust our government because we do.

It is weird, because one-on-one, when the cameras are off, hardly anyone around here really thinks the Senators from the other party are evil or stupid or bribed. There is actually a great deal of human affection around here, but again, it is private, when the cameras aren't on.

Perhaps I should pause and acknowledge that I am really uncomfortable

with this as an opening speech. It is awkward, and I recognize that talking honestly about the recovery of more honest Socratic debate runs the risk of being written off as being overly romantic and naively idealistic. To add to the discomfort, I am brand new to politics, 99th in seniority, and occasionally mistaken for a page. But talking bluntly about what is not working in the Senate in recent decades—not just this year or last year—but talking bluntly about what is not working around here is not naive idealism; it is aspirational realism. Here is why. I think that a cultural recovery inside this body is a partial prerequisite for a national recovery.

I don't think that generational problems such as the absence of a long-term strategy for combatting jihad and cyber war, such as telling the truth about entitlement overpromising, and such as developing new human capital and job retraining strategies for an era of much more rapid job change than our Nation has ever known—I don't think that long-term problems such as these are solvable without a functioning Senate. And a functioning Senate is a place that rejects short-termism, both in substance and in tone.

The Senate has always had problems. This is a body made up of sinful human beings, but we haven't always had today's problems. There have been glorious high points in the Senate. There have been times when this place has flourished, and I believe a healthier Senate is possible again. But it will require models and guides.

To that end, I have been reflecting on three towering figures over the last half-century who used this floor quite differently than we usually use it today, and who thereby have much to teach us. Before naming them, let me clarify my purpose. I don't think there is a magic bullet to the restoration of the Senate. My purpose in speaking today is really just to move into public conversations I have been having with lots of you in private as I try to define a personal strategy for how to use the floor. I want advice, and I am opening a conversation on how to contribute to the broader theme. There are many of you here who want an upgrading of our debate, of the culture, of the prioritization, and of our seriousness of what are truly the biggest long-term challenges we face.

Two weeks ago, in a discussion with one of you about these problems, I was asked: So you are going to admit our institutional brokenness and issue a call for more civility? No. While I am in favor of more civility, my actual call here is for more substance. This is not a call for less fighting. This is a call for more meaningful fighting. This is a call for bringing our A game to the biggest debates about the biggest issues facing our people and with much

less regard for 24-month election cycles and 24-hour news cycles. This is a call to be for things that are big enough that you might risk your reelection over.

So let's name the three folks who have something on which to instruct us because they brought a larger approach to the floor.

First, I sit quite intentionally at Daniel Patrick Moynihan's desk. The New Yorker who cast a big shadow around here for a quarter century famously cautioned that each of us is entitled to our own opinions, but we are most certainly not entitled to our own set of facts. He read social science prolifically and sought constantly to bring data to bear on the debates in this Chamber. Like any genuinely curious person, he asked a lot of questions. So you couldn't automatically know what policy he might ultimately advocate for because he asked hard questions of everyone. He had the capacity to surprise people. We should do that.

Second, in a time when circling partisan wagons and castigating the opposing party feels reflexively easy, we can all benefit from reading again Margaret Chase Smith's heroic "Declaration of Conscience" speech on this floor in June of 1950. The junior Senator from Maine was a committed anti-Communist. She was also called the first female cold warrior in the Nation. For her, that meant not knee-jerk opposition to competing views but rather the full-throated defense of what she called "Americanism." She defined it as "the right to criticize; the right to hold unpopular beliefs; the right to protest; and the right of independent thought." Senator Smith was rightly worried about Alger Hiss and the infiltration of the State Department by actual Communist spies. This was actually happening. So for her, grandstanding and lazy character smearing were not only dishonest, they were distracting and therefore inherently dangerous. Thus, the freshman Senator—at this point she was the only woman in the body—came to the floor to demand publicly what she repeatedly sought unsuccessfully in private from Joe McCarthy. Was there any evidence for all of these scandalous claims? Think of that. As a committed truth-teller, she was willing to challenge someone not just in her own party but someone with whom she had lots of ideological alignment. She wanted to reject straw-man arguments and disingenuous attacks. Because of that moment, 4 years later the Senate would censure McCarthy and banish McCarthyist tactics from this floor.

Finally, and for my purposes today most importantly, I would like us to recall Robert Byrd, one of the larger figures in the two-and-a-half-century history of this body. As a historian, I have long been a student of the West Virginian, troubled though he was.

We sometimes conceive of our role today here as merely policy advocates—as those who argue for our respective party's position on short-term policy fights, and that is sometimes important, but that is only one of our roles, for we don't have a parliamentary system and we don't have one on purpose. With Moynihan and Margaret Chase Smith, we also need to contextualize our debates about our largest national challenges with facts and data. We need to agree on what problems we are trying to solve before we bicker about which programs would be more or less effective toward those ends. We need to challenge those in our own party not to construct straw-men arguments with those we are debating. But there is something else we need as well.

Beyond policy advocating and policy clarifying, we need an overarching shared narrative of what America means. We need to pause to regularly recall the larger American principles that bind us together—our constitutional creed, our shared stories, and our exceptional American commitment to a dream of life, liberty, and the pursuit of happiness for all 320 million of our country men and women.

We all know in our marriages that sometimes the only way around a small disagreement is to pause to embrace again our larger shared commitments and our history. We need more of that here. We need to be able to more often agree on some big things before we get to the work of honorably disagreeing about smaller things.

One of the important legacies of Senator Byrd—and again this is no commentary on other aspects of his messy past—but one of the important legacies of Senator Byrd is that he forced this Senate to grapple with our history, with the 100 of our specific duties, and with the unique place in the architecture of Madisonian separation of powers that this body and this body alone sets.

To return to our thought experiment, do we think the Founders would have regarded a 9-percent congressional approval rating—a stunning level of distrust in representative government—do we think they would have regarded that as an existential crisis? Is it conceivable we can get away with just drifting along like this or must we fix it? Count me emphatically among those who think we need to fix it. We should not be OK with this.

If we are going to restore this place, part of it will center on recovering the executive-legislative distinction. The American people should be demanding more of us as legislators, and they should be demanding more of the next President as a competent administrator of the laws that we pass. This is possible only if we again recover a sense of our identity that has some connection not just to Republican and

Democrat but to the Constitution's article I legislative duties and some tension on purpose with the duties of the article II executive branch. Everything cannot be simply Republican versus Democrat. We need Democrats who will stand up to a Democratic President who exceeds his or her power, and I promise you that I plan to speak up the next time a President of my party seeks to exceed his or her legitimate constitutional powers.

Despite all of his other failings, Robert Byrd labored hard to mark these nonpartisan lines, and we should too. To that end, in the coming months I plan a series of floor speeches on the historic growth of the administrative state. This will not be a partisan effort. It will not be a Republican Senator criticizing the current administration because it is Democratic. Rather, it will be a constructive attempt to try to understand how we got to the place where so much legislating now happens inside the executive branch. Our Founders wouldn't be able to make sense of the system we are living right now.

This kind of executive overreach came about partly because of a symbiotic legislative underreach. Republicans and Democrats are both to blame for grabbing more power when they have the Presidency. Republicans and Democrats are both to blame in this legislature for not wanting to take on hard issues and to lead through hard votes but rather to sit back and let successive Presidents gobble up more and more power. We can and we must do better than this.

A century-long look at the growth of executive branch legislating over the next many months will be an attempt to contribute to the efforts of all here, both Republicans and Democrats, who want to see the Senate recover some of its authorities and to recover some of its trustworthiness in the eyes of the people for whom we work.

Each of us has an obligation to be able to answer this question: Why doesn't Congress work and what is your plan for fixing the Senate? If your only answer to this question is to blame the other party, then you don't get it, and the American people think you are part of the problem, not part of the solution.

This institution wasn't built for the two political parties, and this institution wasn't built just to advocate policy X versus new policy Y for next month. We must serve as a forum for helping our Nation understand and navigate the hardest generational debates before us. Our ways of speaking should mitigate, not exacerbate, the polarization that does exist. As was well said around here last week:

We will not always agree—not all of us, not all of the time. But we should not hide our disagreements. We should embrace them. We have nothing to fear from honest differences

honestly stated . . . [for] I believe a greater clarity between us can lead to greater charity among us.

Again, saying that we should be reducing polarization doesn't mean we should be watering down our convictions. I mean quite the contrary. We do not need fewer conviction politicians around here; we need more. We don't need more compromising of principles; we need a clearer articulation and understanding of the competing principles so that we can actually make things work better and not merely paper over the deficits of vision that everyone in the country knows exist.

We should be bored by lazy politician speech. We should be bored by knee-jerk certainties on every small issue. We should primarily be doing the harder work of trying to understand competing positions on the larger issues.

Good teachers don't shut down debate; they try to model Socratic seriousness by putting the best construction on their arguments, even and especially to those on which they don't agree. Our goal should not be to attack straw men but rather to strengthen and clarify meaningful contests of ideas for the American people.

Representative government will require civic reengagement. Our people need to know that we in this body are up to the task of leading during a time of nearly universal angst about whether this Nation is on a path of decline.

A 6-year term is a terrible thing to waste. A 2-year term requires hamster-wheel frenzy; our jobs do not. I think we can do better, and I pledge to work with all of those who want to figure out how.

Thank you, Mr. President.

(Applause, Senators rising.)

The PRESIDING OFFICER (Mr. LANKFORD). The majority leader.

CONGRATULATING SENATOR SASSE

Mr. MCCONNELL. Mr. President, I would like to congratulate our new colleague, Senator SASSE. There was a good deal of suspense attached to wondering what the junior Senator from Nebraska would have to say, as he chose to wait until the end of the year and to listen and begin to study the institution. I expect most people would not have predicted that the best lesson we were to hear about what is wrong with the Senate and what needs to change would come from somebody who just got here.

I think the fact that there were so many Senators on the floor to listen was a tribute to the great work the Senator has done here and the study he has put into this institution and what needs to be done on all of our parts to make it work better.

On behalf of all of the Senate, I congratulate the junior Senator from Nebraska on an extraordinary maiden speech.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, that was a wise speech. It was a speech that made me think of the comment someone once said—that the Senate was the one authentic piece of genius in the American political system. What Senator SASSE has done is put fresh eyes on a subject, and sometimes fresh eyes are the best eyes.

What he has reminded us is to remember what a privilege it is to serve here and that if we are temporarily entrusted with the responsibility and opportunity to give real meaning to the idea that this is the one authentic piece of genius in the American political system, we have some work to do.

I am delighted he is here. I am delighted he took the time to wait, study, listen, and make his comments. I listened very carefully. I hope every single Member of the Senate did. I pledge to work with him toward the goal he set out. I look forward to serving with him for a long time.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, for the information of all Senators, we should expect a rollcall vote around 4 o'clock on the motion to proceed to S.J. Res. 22, which is the Congressional Review Act on the waters of the United States.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. ERNST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATERS OF THE UNITED STATES RULE

Mrs. ERNST. Mr. President, I rise today to talk about this ill-conceived and harmful waters of the United States rule—better known as WOTUS—and how its implementation threatens the livelihoods of many of my fellow Iowans.

As the Presiding Officer knows, recent court decisions have forced this rule—EPA's latest power grab—to come to a screeching halt across the country because of the likelihood that EPA has overstepped its authority. To be clear, it is not just me saying that; it is the court.

As my colleague and friend, the senior Senator from Iowa, CHUCK GRASSLEY, often says, Washington is an island surrounded by reality. There is not a more perfect phrase to describe how the events and processes have unfolded surrounding this confusing rule. Only in Washington do unelected bureaucrats take 300 pages to simplify and provide clarity. This rule is so complex and so ambiguous that folks in my State are concerned that any low spot on a farmer's field or a ditch or a puddle after a rainstorm may now fall under the EPA's watch.

We all want clean water and clean air. That is not disputable. Time and again, I have emphasized that the air we breathe and the water we drink need to be clean and safe. Statements suggesting otherwise cannot be further from the truth. It is unfortunate that the EPA continues to fuel that line of false attack through their election-style tactics and controversial lobbying efforts on social media.

This rule and this debate are not about clean water. The heart of this debate is about how much authority the Federal Government and unelected bureaucrats should have to regulate what is done on private land.

You can see the map behind me. Look at my State of Iowa. This rule would give the EPA extensive power to regulate water on 97 percent of the land in the State of Iowa—97 percent. If you compare that to Iowa's Federal land percentage in acreage of 0.3 percent, it is quite a shift in the current makeup of Federal authority over the land in Iowa.

I spent the weekend going back through letters my fellow Iowans have sent me on this issue. So many of them are frustrated with the lack of common sense coming out of Washington. They are taking this issue personally because their livelihood depends on it. Many of the letters I get are from farmers who spend their days working land that has been in their families for generations, some going back over 100 years. They have an incentive to take care of their land and conserve it for future generations. Caring for the land and conserving is a way of life in the heartland. It is as if the EPA turns a blind eye to that fact.

One Iowan wrote:

This proposed rule is so vague, long, and very unclear, that I feel they are wanting farmers to fail so a large fine can be assessed. Why am I taking this so personal? Because for me and my family, we live off this land. If we don't take care of it, it will not take care of us. So I will do whatever I can to protect this land and water for my children. My family lives on well water. My cattle drink from the same wells. I don't want either to get sick.

That is what one Iowan wrote. I believe the same exactly.

This rule would give EPA the authority to expand its power over family farms, small businesses, ranches, and other landowners in our rural community. Iowans are so concerned about this rule because they know it will actually create a negative impact on conservation and it is contradictory to the commonsense and voluntary work that is taking place in communities across Iowa today.

In Iowa, we have had a State-level clean water initiative in place for several years now. It is a partnership between the State legislature, the Department of Natural Resources, the Iowa Department of Agriculture and Land Stewardship, Iowa State Univer-

sity, and a myriad of stakeholders across the State.

The voluntary Nutrient Reduction Strategy is based on extensive research and provides a path forward for conservation efforts that individual farmers can pursue with matching funds from the State. This science-based approach provides incentives for farmers and other landowners to make sustainable decisions on their own land rather than be forced to adhere to a one-size-fits-all regulation that would do far more harm than good. A farm in Iowa is not the same as one in Montana, and the rolling plains of Texas are very different from the hills and valleys of Pennsylvania. This is simply one more reason this WOTUS rule is the wrong approach. A one-size-fits-all solution from inside the beltway could have disastrous effects nationwide.

As I mentioned, I have heard from constituents across the State of Iowa who have grave concerns with the ambiguity of this rule. They are holding off on making conservation improvements to their land for fear of being later found out of compliance with this WOTUS rule and facing significant fines. Maybe it is because we are so "Iowa nice" that we are inclined to work together collaboratively rather than simply issuing more onerous regulations.

Take the Middle Cedar Partnership, for example. This project in Eastern Iowa uses local dollars and State funding, coupled with Federal grants from the USDA, to organize and advocate for land practices that improve water quality downstream. The coalition is made up of city, county, and State officials, businesspeople, farmers, environmentalists, and other concerned citizens. Together they are making meaningful progress on multiple watershed projects within the Cedar River basin and sharing what they have learned. This approach is now being adopted by other municipalities within the State.

Contrary to what some claim, Iowa has done all of this on its own, not at the behest of the EPA. In fact, the EPA has asked the leaders of Iowa's efforts to come to DC and explain how they are able to get such grassroots buy-in on voluntary conservation projects and programs. The other States in the Mississippi River Basin look to Iowa as a leader on water quality and are modeling their own State-level efforts after ours in the State of Iowa. While there are clear indications that this WOTUS rule is illegal and likely to be scrapped by the courts, that process could take years to play out—and all at the expense of the average American.

Let's not wait around for the inevitable and force our small farmers and businesses to operate in the dark while they wait. Let's fix this now and give American families the certainty they deserve. We can do that by passing the legislation before us.

I have led the charge in the Senate on this joint resolution of disapproval which would scrap the rule entirely. My legislation is the necessary next step in pushing back against this blatant power grab by the EPA. We will send this to the President, and he will be forced to decide between the livelihood of our rural communities nationwide and his unchecked Federal agency.

I also voted for S. 1140, which provides the EPA with clear principles and directions on how best to craft a waters of the United States rule. It spells out steps they should have taken prior to finalizing this rule to guarantee they can take into consideration the thoughtful comments from folks such as farmers, ranchers, small businesses, and manufacturers. Congress is acting because it is evident that the EPA did not seriously consider the comments and perspective from those whom this rule will directly impact, and it is clear they are far outside the bounds of the congressional intent of the Clean Water Act.

Iowa is bounded by rivers. The very shape of our State is dictated by the mighty Mississippi and Missouri Rivers. Take one look at commerce and recreation happening on them, and it is easy to see why these are considered navigable waters. When Congress passed the Clean Water Act, this was the type of water it intended to protect, not a grass waterway running across a farmer's field or a ditch bordering it. This rule ignores congressional intent and is nothing more than a power grab by the EPA.

The EPA continues to run roughshod over Iowans, acting as if they are a legislative body—something they have no business doing. It is no wonder they have lost the trust of the American people and many in Congress. Every community wants clean water and to protect our Nation's waterways, but we simply cannot allow mounting, unnecessary regulations to overwhelm the commonsense voice of hard-working Americans, especially when they are not based on sound science. Again, it is not just me saying that, the courts and the Army Corps have both called the EPA on their shaky data, or lack thereof. Yet unelected bureaucrats remained committed to making a political decision instead of the right decision.

As Iowa's U.S. Senator, it is my responsibility to speak for the folks I represent and hold the Federal Government accountable when it is clear they have gone too far. And make no mistake—they have here.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I rise in strong support of this effort to turn back this rule. The rule has been well explained by the Senator from Iowa.

Her efforts are about all that Congress can currently do. Frankly, I would hope that we can figure out how to go further so that the Congress has to approve every rule that is issued by every agency of government that has significant economic impact.

It is, frankly, hard to imagine a rule that has a more wide-ranging impact or more economic impact than this one does. As has been well pointed out, the authority given to the EPA under the Clean Water Act was very consistent with Federal discussions and debates for 170 years. I think 1846 was the first time the term "navigable waters" was used in Federal law, in a bill that James Knox Polk—President Polk actually vetoed the bill, but the term was understood, and it quickly came back into Federal law, and it meant exactly what it said: navigable waters of the United States.

Why would that be a Federal responsibility? Because "navigable" means you can move something on it. "Moving something on it" means commerce, and one of the principal reasons for the Constitution was to regulate interstate commerce. So this is a long-established principle. Yes, there is some Federal responsibility for those avenues of commerce in the country—areas, rivers, waterways you can navigate. But, of course, that is not good enough for the EPA—170 years of Federal law, total and complete understanding around the country and, it appears, even on the part of Federal judges of what "navigable" means.

There is a way to get expanded jurisdiction if the EPA wanted expanded jurisdiction, and that is to come to Congress and say: Give us not just responsibility over navigable waters but all the water that can run into all of the water that can run into any water that can run into navigable waters.

If the EPA got this jurisdiction, you wouldn't be able to come up with enough Federal bureaucrats to oversee this level of jurisdiction. In a map that is not nearly as large as the map we have on the poster but a map that the Missouri Farm Bureau put out in our State, this is how much of the State of Missouri would be under the jurisdiction of the EPA under this law.

Even if you are standing very close to this map, you can't see the non-red areas. The red area is the new Federal jurisdiction. The non-red area is three-tenths of 1 percent of the State. So anything that goes on in 99.7 percent of our State is really founded on the basis of the rivers that cut through the middle of it, that bind it on the east, and would be, obviously, waters that are in most cases navigable and inarguably navigable, but all the water that runs into any water that could ever run into any water that runs into that water is clearly not navigable.

That is why county commissioners all over our State are calling and say-

ing: If this passes, what does it mean? Can we mow the right-of-way without a Federal permit?

There is no question that if this passes, every roadside ditch in the entire State of Missouri would be navigable waters. There is nowhere outside the offices of the EPA and the most extreme among us where anybody would want to argue that every ditch along every road and highway is navigable waters. The EPA wants jurisdiction they couldn't exercise.

This is a moment when Congress can stand and say: We do not want this rule to go into effect. We are going to pass a resolution that puts this on the President's desk, and if the President is going to be for this no matter what the courts say, no matter what the Corps of Engineers says, no matter what the Congress says, the President has to take a position on this rule. It is his EPA; it is out of control on this rule.

I hope my colleagues join the Senator from Iowa and me and many others in saying we don't want this rule to go into effect.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, pursuant to the provisions of the Congressional Review Act, I move to proceed to S.J. Res. 22, a joint resolution providing the congressional disapproval of the rule submitted by the Corps of Engineers and the EPA relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 286, S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

Mr. McCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) is necessarily absent.

The PRESIDING OFFICER (Ms. AYOTTE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 296 Leg.]

YEAS—55

Alexander	Fischer	Paul
Ayotte	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heitkamp	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Kirk	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McCain	Vitter
Donnelly	McConnell	Wicker
Enzi	Moran	
Ernst	Murkowski	

NAYS—43

Baldwin	Heinrich	Reed
Bennet	Hirono	Reid
Blumenthal	Kaine	Sanders
Booker	King	Schatz
Boxer	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Markey	Stabenow
Carper	McCaskill	Tester
Casey	Menendez	Udall
Collins	Merkley	Warner
Coons	Mikulski	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Franken	Nelson	
Gillibrand	Peters	

NOT VOTING—2

Brown
Graham

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 22) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of “waters of the United States” under the Federal Water Pollution Control Act.

The PRESIDING OFFICER. Pursuant to 5 USC 802(d)(2), there is 10 hours of debate, equally divided, on the joint resolution.

The Senator from Iowa.

Mrs. ERNST. Madam President, I wish to take a quick moment and

thank my friends, my colleagues for supporting this effort, and I look forward to some lively discussion on the EPA’s overreach and this WOTUS rule. I encourage my fellow Republicans and my fellow Democrats to carefully consider what this overreach by the EPA does to their home States. Just as it does in Iowa—it covers 97 percent of our land. I encourage them to listen to their constituents very carefully as we move forward on this debate and this vote.

Again, I thank my colleagues for supporting this effort.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I wish to congratulate our friend and colleague, the Senator from Iowa, on this strong vote on the motion to proceed to this congressional resolution of disapproval of this overreaching regulation issued by the Environmental Protection Agency. I want to talk a little bit about this rule, but I also want to talk about how symptomatic this is of the overreach we are seeing coming from the executive branch, particularly when it involves rulemaking.

This rule is a response to a Supreme Court decision and a number of other decisions by the lower courts which held previously that the Federal Government had overreached when it comes to trying to regulate so-called navigable waters of the United States.

I think there is no real question in anybody’s mind that under the interstate commerce provisions of the U.S. Constitution, the Federal Government has a responsibility when it comes to navigable waters, but, as the Sixth Circuit Court of Appeals said in a decision it handed down on October 9, the plaintiffs in the case against the Environmental Protection Agency and this particular rule established a substantial possibility of success on the merits of their claims where they said that the rule’s treatment of tributaries, adjacent waters, and waters having a significant nexus to navigable waters is at odds with the Supreme Court’s decision in the Rapanos case, which was handed down in 2006. It said also that the provisions of the rule make it unclear as to the distance limitations, whether it is harmonious with the decisions of the Supreme Court. So, for example, if you could say the tributary that feeds another body of water that feeds another body of water that then feeds another body of water that eventually gets into navigable water is subject to the rule-making authority of the Environmental Protection Agency is in conflict with the decision in the Rapanos case, and I don’t believe it would ever withstand constitutional scrutiny.

Moreover, the Sixth Circuit Court of Appeals said the rulemaking process by which the so-called distance limitations were adopted is suspect. They said it did not include any proposed

distance limitation in use of the terms such as “adjacent waters” or “significant nexus.” So under the opinion of the Sixth Circuit Court of Appeals, a body of water could be far removed from that navigable water and still be determined as an adjacent water or have a significant nexus and be subject to the far-reaching provisions of the rule.

The Sixth Circuit Court of Appeals also said that there was no scientific support for the distance limitations that were included in the final rule.

The plaintiffs contended and the Sixth Circuit agreed that this rule is not the product of reasoned decision-making and is vulnerable to attack as impermissibly arbitrary or capricious under the Administrative Procedure Act.

Ordinarily, the Court of Appeals for the Sixth Circuit said, they would not issue a stay pending the resolution of the challenge to the rule, but they said the sheer breadth of the ripple effect caused by the rule’s definitional changes counsel strongly in favor of maintaining the status quo for the time being. They also noted that the rule had already been stayed in 13 different States where previous litigation had been filed and decided. So, as a result, on October 9, the Sixth Circuit Court of Appeals issued a nationwide stay for the very rule that is the subject of this Congressional Review Act vote that we just had and that we will have after 10 hours of debate.

But beyond the arcane provisions of the Administrative Procedure Act and what is navigable water and what is adjacent water, what has a sufficient nexus and the like, I think what we need to recognize is that this rule represents the single largest private property grab perhaps in American history because it claims as Federal jurisdiction private property that previously had not been thought of as having any nexus or connection with Federal authority or even interstate commerce—potholes, drainage ditches, culverts, stock ponds, things such as that that are arguably now within the ambit of this rule, and that cannot be the case.

That is why so many of us have heard not just from our farmers, cattle raisers, and agriculture producers, but we have heard from people in the construction business, people who are concerned about this private property grab, and they said this cannot be the case. As I said, farmers and ranchers, homebuilders, manufacturers, utilities, the concrete industry—any entity that builds or develops on real estate will likely be impacted.

I am very happy that under the leadership of the Senator from Iowa, we have gotten this far on this congressional resolution of disapproval, and I hope that after this debate—perhaps tomorrow—we will be in a position to send this to the President of the United

States stating views of the U.S. Senate and Congress that this rule simply is too broad and cannot stand.

The Sixth Circuit Court's opinion is not a substitute for what we do under the Congressional Review Act. It is part of our responsibility as Members of the U.S. Congress.

In my State, as, I am sure, in other places around the country, farming and ranching is more than a job. It is a way of life. It is part of our culture and very definitely a family affair. In fact, about 98 percent of all farms and ranches in Texas are family-owned. When I am back home and have the chance to visit with those who provide the food and the fiber to feed and clothe us, they are very concerned about this legislation—as they should be—because it not only represents a threat to their way of life and their ability to provide for their families and for our States and our country, it is a power grab unprecedented in U.S. history.

In May, the Environmental Protection Agency released the final rule that is supposed to protect our water. Who could be opposed to that? Well, nobody if they had done it within the Constitution and within the law. That sounds innocuous enough. But in reality, it acts as a Federal land grab, one which would add significant costs to our farmers and ranchers and which has the potential to greatly intrude on the private property of landowners.

While we all can agree that clean water is a priority, the Obama administration has overstepped that goal and pitted the EPA and the Army Corps of Engineers against the hard-working farmers and ranchers in Texas and across the country. But it is not just the agriculture sector, as I mentioned a moment ago. I have been hearing from a lot of stakeholders back home who are incredibly concerned about the negative potential impact this rule will have on their business. This rule is such a vast expansion of Federal jurisdiction that multiple sectors of our economy could be adversely affected—as I said, homebuilders, the oil and gas industry, mining companies, and manufacturers.

This rule is not just some simple, straightforward provision to protect water; it is a veiled threat against the private sector and a blueprint for stifling economic growth in our country.

In 2014 the economy in my State grew roughly 5.2 percent. We were among the most fortunate States in the Nation to see a lot of job growth and opportunity. That is why people are moving to Texas—because that is where the jobs are. Conversely, in 2014 we saw across the country our economy grow at roughly 2.2 percent.

While we have been encouraged to see the unemployment rate tick down little by little, the truth is that when you start getting into the numbers, you re-

alize that the labor participation rate—the percentage of people actually looking for work—is at a 30-year low, thus making that lower unemployment rate look better than it really is.

This is an important piece of legislation, and I know a lot of people are paying attention to it back home and across the country because of its impact. I am frustrated we weren't able to move the earlier legislation forward due to a filibuster by the minority, in this case, who are clearly trying to do everything they can to protect this administration and its overreach, but of course all of us are going to be held accountable at the ballot box, as we should be. Anyone who has voted against proceeding with this common-sense legislation to rein in an out-of-control Federal agency, I believe, will live to regret that decision.

CONGRATULATING SENATOR GRASSLEY ON
CASTING HIS 12,000TH VOTE

Madam President, I just have one other thing to say on a different topic. It has sort of been the quiet after we celebrated the 15,000th vote by the Senator from Vermont very publicly the other day. Our more reticent, and perhaps even occasionally shy, Mr. CHUCK GRASSLEY, the senior Senator from Iowa, celebrated his 12,000th vote in the Senate.

Senator GRASSLEY is well known for his consistency and steadfast commitment to the people of Iowa. I have to say, I don't know of any Senator who works harder to get and to keep the trust and confidence of the people he represents. This 12,000th vote should come as no surprise. He actually hasn't even missed a vote since 1993. Every year for more than 30 years, Senator GRASSLEY has demonstrated his commitment to the people of Iowa by visiting every one of the State's 99 counties.

I know he keeps his colleague, the junior Senator from Iowa, Mrs. ERNST, running just trying to keep up with him. That is an impressive record for anyone, and one that many—including our Presidential candidates—sometimes need to try to duplicate.

I will speak, for just a second, beyond statistics about Senator GRASSLEY because I have the honor of serving with him on both the Finance and Judiciary Committees. He has worked tirelessly, not just for the people of Iowa but for all Americans. Indeed, my colleague shares my concern for creating a more open and transparent government. As somebody who is conservative by ideology and by nature, I was not sent by my constituents in Texas to pass more rules and regulations. I am here to hold the government, and particularly the bureaucracy, accountable. One way we can do that, without adding additional regulations, rules, and costs to the taxpayer, is by encouraging an open and more transparent government because with that comes accountability.

Senator GRASSLEY has used his role as chairman of the Judiciary Committee to advance these values and to hold government and the bureaucracy accountable for the benefit of not just Iowans but for the benefit of the American people.

I thank the Senator from Iowa for the great example he sets for the rest of us and applaud him for casting his 12,000th vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Madam President, I rise to speak in support of the CRA, Congressional Review Act amendment on the waters of the United States, of my colleague from Iowa. West Virginia is no stranger to the crushing consequences of harmful regulations. Our unemployment rate is the largest in the Nation. Layoff notices keep coming and declining revenues from coal severance taxes are eroding our State's budget. I read an article earlier today saying that this far into the fiscal year in the State of West Virginia we have a deficit of \$91 million.

The EPA and the Army Corps of Engineers waters of the United States rule, known as the WOTUS rule, is just the latest example of a regulatory environment that threatens to put West Virginians and other Americans out of business. Everyone can agree—and the Senator from Texas just talked about this and I know the Senator from Iowa has talked about it frequently—that we must protect our drinking water resources, and we also must protect our precious natural resources, but a rule that subjects puddles and ditches to regulations just goes too far. The EPA's unprecedented expansion of Federal authority has very serious consequences, both in the State I represent, West Virginia, and throughout the rest of the country.

In my State of West Virginia, the steep mountainous terrain means that the EPA would have oversight over any land located in the valley or low-lying area. If you have been to West Virginia, you know you are either on a mountain or in a valley in a low-lying area. There is very little flat land.

The West Virginia Coal Association pointed out that the WOTUS rule would trigger “an alphabet soup of statutes, regulatory programs and federal regulatory agencies” involved in traditionally nonregulated activities. Something as simple as digging a ditch on a farm or building a home on privately owned property could be under the purview of the EPA and a failure to comply with that rule could result in fines as high as \$37,500 a day.

A county commissioner from Monongalia County recently wrote to my office expressing concerns that this WOTUS rule would impede the county's attempt to create developable tracks of land needed to attract large employers in West Virginia.

I will remind everyone that developable land in a State like mine is very difficult to create because it is not natural and it would create a lot of those low-lying areas, ditches, and puddles that this regulation goes way beyond to regulate.

A small business owner in Scott Depot, WV, shared her concern that small businesses were not adequately considered in the WOTUS rule. She said:

Government regulations, like the proposed rule, are complicated, expensive to navigate, and a real obstacle to my growing business. This change, and its ridiculous overreach and restrictions could decrease land value and hinder my ability to expand, develop and use my own private land.

We talk a lot about creating jobs in this country. This is a quote from a small business owner who is concerned about her ability to control her own destiny with her own small business on her own privately owned land. I think this is the reason that 31 States, including West Virginia, are suing to overturn this misguided rule, and two courts have already found it likely illegal.

Rather than incorporating thoughts from Congress and concerned Americans, this misguided rule doubles down on overreach and threatens to impede small businesses, agriculture, manufacturing, coal, natural gas production, and many other vital sectors of the economy as the Senator from Texas just talked about.

The decision by the Sixth Circuit Court of Appeals to block the implementation of the WOTUS rule nationwide confirms that WOTUS was the wrong approach to protecting our water resources and reinforces the need to rein in this administration's unprecedented and overreaching regulations.

Along with colleagues on both sides of the aisle—just this afternoon at 2:30 p.m.—I proudly supported Senator BARRASSO's Federal Water Quality Protection Act, which would have directed the EPA and the Corps of Engineers to withdraw this rule, go back to the drawing board, and issue an alternative approach that is crafted in consultation with State and local governments and small businesses.

The bill we voted on earlier today received bipartisan support from 57 Senators but only partisan opposition. Both Republicans and Democrats supported moving forward on the Federal Water Quality Protection Act because we wanted to offer a real solution that would bring clarity and common sense to the protection of our Nation's waters.

This legislation would have provided certainty to farmers, manufacturers, energy producers, State and local governments, and anyone seeking to do virtually anything on private land. Unfortunately, 41 Democrats stopped a bipartisan majority from considering

this bill. We must now consider other options to block the misguided WOTUS regulation issued by the EPA and Corps of Engineers.

I am glad we will have the opportunity to vote on a Congressional Review Act resolution of disapproval offered by the Senator from Iowa. This resolution would protect hard-working West Virginia families, small businesses, energy producers, and others across the country who would be unfairly burdened by this onerous and deeply flawed WOTUS rule. The WOTUS rule would lead to a massive expansion, again, of costly permitting requirements and hinder our already struggling economy, an outcome West Virginia and the Nation simply cannot afford.

I urge my colleagues to join with me and the Senator from Iowa, who is leading the charge in such an admirable way in supporting this important effort to block the harmful WOTUS rule.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Nebraska.

FEDERAL WATER QUALITY PROTECTION BILL

Mrs. FISCHER. Madam President, I rise not only in support of the critical bipartisan legislation that was before the Senate earlier today but also in support of the proposal of the Senator from Iowa that is before us now. While the measure failed to secure the necessary votes earlier today, the fight is not over.

The Federal Water Quality Protection Act would have enabled American citizens to maintain control over their water resources, and it would have stopped the administration's WOTUS rule. Congress has already limited the Federal Government's regulatory authority under the Clean Water Act to only navigable waterways, but instead of following the law, this administration has broadened the definition of "waters of the United States" and extended Federal authority far beyond the law's original intent.

The rule, which is commonly referred to as WOTUS, exponentially expands Federal jurisdiction over all water—from prairie potholes to ditches and everything in between. Ultimately, this rule prevents State and local agencies from effectively regulating our water by placing control in the hands of Washington bureaucrats.

I am proud to have worked with my colleagues on a bipartisan effort to overturn this dangerous rule and force both the EPA and the Army Corps of Engineers to go back to the drawing board. Our legislation, known as the Federal Water Quality Protection Act, would have required the administration to consult with States and local stakeholders before imposing the Federal regulations on our State-owned water resources. Additionally, the bill would have ensured a thorough economic analysis to make sure that was

conducted before restricting States from managing their own natural resources.

The importance of allowing our States to manage these resources hit home during a Senate Environment and Public Works Committee field hearing that I chaired in Lincoln, NE, this past March. At the hearing, a wide variety of Nebraska stakeholders provided personal accounts of how this will affect families, businesses, and communities all across our State.

One witness from the Nebraska State Home Builders Association noted that 25 percent of the current cost associated with building a new home are due to existing regulations. Adding more Federal rules and regulations will only put that American dream of owning a home out of reach for most of us. That is not right, and that is not the kind of government people want.

Additionally, the Common Sense Nebraska Coalition noted that the sweeping impact of this rule would affect everyone, from county officials trying to build a road to farmers trying to manage that rainwater runoff.

The WOTUS rule affects much more than rural America. Our municipalities are charged with wastewater, storm water, and flood control systems, as well as providing drinking water, electricity, and natural gas to our citizens. Taxpayers will shoulder these added costs. We are going to pay more for road construction. We will pay more for levees that protect our drinking water. We will pay more for wastewater improvements, and that will cost our families. Those higher taxes will hurt our families.

With the expanded definition of "navigable water" under this rule and our extensive aquifer system, the Federal Government can assert control over nearly all the water in the State of Nebraska. Nebraskans take their role in protecting and conserving our natural resources very seriously. Responsible resource management, including the careful stewardship of our water, is the cornerstone of my State's economy.

We all also understand that the people closest to a resource are the ones who manage it best. That is a principle that is shared across this country. That is why I am committed to working with my colleagues to manage responsibly our Nation's water for our current and future generations. I don't believe the Federal Government should focus on ways to make life harder for people. That is not what we were sent to do. Instead we need to explore policy options that will promote growth and conservation.

I am proud to be an original cosponsor of the Federal Water Quality Protection Act. This important bipartisan legislation would have set clear limits on the Federal regulation of water. I am disappointed the Obama administration would force this irresponsible,

overreaching rule on hard-working Americans. We have a duty to roll back this rule. We have a duty to prevent the harm it will inflict.

I encourage all of my colleagues to come together on this so we can ensure that job creators, communities, and families from across the country can continue to prosper.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GARDNER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GARDNER. Madam President, there is a saying by Thomas Hornsby Ferrill engraved on the walls of the Colorado State Capitol that reads, "Here is a land where life is written in water. . . ." I come to the floor to talk about the most precious natural resource in the West; that is, of course, our water. Water in the West has helped shape communities, agriculture, tourism, and industry. The management of that water has been traditionally controlled at the State and local level, not the Federal Government.

Colorado is the State of origin for four major river basins: The Colorado, the Arkansas, the Platte, and the Rio Grande. These water basins help make for a robust agricultural economy throughout the State. According to the Colorado Department of Agriculture, this industry contributes nearly \$41 billion to the State economy and employs nearly 173,000 people. Colorado has more than 35,000 farms and ranches and more than 31 million acres for farming and ranching.

The State ranks in the top five nationwide for production of products ranging from potatoes and cantaloupes to sunflowers and wheat. Unfortunately, the Environmental Protection Agency has decided to put forth a rule that would endanger many of these farms as well as the jobs and local economies they help support. The waters of the United States rule, known as WOTUS, would significantly expand the definition of navigable waters under the Clean Water Act. With this rule, the EPA and the Army Corps of Engineers have unilaterally decided that isolated ponds and irrigation ditches may be subject to the same Federal oversight as the Mississippi River. They are doing all of this based on authority passed by Congress more than 40 years ago.

Instead, this rule could have significant negative impacts on agriculture, industry, local utilities, and water districts, merely by the uncertainty it creates with local entities trying to determine if their water is subject to Federal oversight.

According to the Colorado Farm Bureau, an additional 1.3 million acres of land and an additional 170,000 stream miles in Colorado alone could be subject to Federal Government jurisdiction. It is important to point out that Colorado is a lower 48 State, one of the only lower 48 States that has all water flowing out of it and no water flowing into it. Farmers and ranchers would likely be subjected to increased permitting requirements under Section 404 of the Clean Water Act to canals and ditches on their own land. Even if their land is exempted, as some would have you believe from the WOTUS rule under the proposed exclusions, there is already an air of uncertainty for these farmers and ranchers who will have to try and navigate the Federal bureaucracy to determine if they have to apply for the increased permitting requirements.

It is no secret that the Environmental Protection Agency often works very slowly in the regulatory and permitting process. Two water projects in Colorado with bipartisan support, the Northern Integrated Supply Project and Gross Reservoir Expansion, have languished in the regulatory process for more than a decade. The waters of the United States rule is simply not the answer.

The Federal Government should not be passing expansive new laws without the consent of Congress to regulate every drop of water. The EPA wants you to believe that the proposed WOTUS rule is not a major expansion of power and that this rule does not add any new requirements for agriculture or interfere with private property rights or include the regulation of most irrigation ditches.

Fortunately, our Nation maintains a separation of power. On October 9, the U.S. Court of Appeals for the Sixth Circuit issued a nationwide stay for the waters of the United States rule after a lawsuit was filed by 18 States, including the State of Colorado. The order of stay specifically states that the rule effectively redraws the jurisdictional lines over our Nation's waters and that the States and others would be harmed if the justice system did not act.

I applaud the Sixth Circuit for their action and for the 18 States that moved forward to protect control of the water within their boundaries. Now I believe it is time for Congress to act. Unfortunately, yesterday we watched as a strictly partisan minority blocked S. 1140, the Federal Water Quality Protection Act authored by Senator BARASSO of Wyoming.

This legislation, which had moved through the Senate under regular order and in a bipartisan fashion, would seek to have the EPA and others make significant revisions to the WOTUS rule and would throw out the current rule. It calls for significant consultations with State and local governments who

actually control the water. I believe this consultation process is a significant step forward.

I have heard from many water districts and utilities throughout Colorado. They all have major concerns with the WOTUS rule in its current form and the unintended consequences of the rule. But because of this partisan minority of Senators blocking the legislative vehicle to try to address the many shortcomings of the WOTUS rule, I believe we have no other choice but to move forward in disapproving of the rule in its entirety. I applaud my friend and colleague Senator ERNST of Iowa for her work in introducing S.J. Res. 22, which provides for Congressional disapproval of the waters of the United States rule.

That is why I have come to the floor today, to urge a "yes" vote on S.J. Res. 22 because in Colorado, we know that we have to stick up for our water rights. In Colorado, we know we have to stand up for our water law. In Colorado, we know that we have to keep the Feds' hands off our water rights. I urge the adoption of this measure.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, I am here to actually address some of the recent developments on the Keystone XL Pipeline. Before going into that, I would like to take a minute, though, and mention the Congressional Review Act that is before us now and how important it is that we pass it.

I want to commend Senator ERNST for her diligence on this very important matter. The waters of the United States is a regulation issued by the EPA that goes far beyond their statutory authority, far beyond the statutory authority that Congress has given them under a legal theory referred to as "significant nexus." It is something I have worked on for a long time. In fact, I have included a bill that would defund the regulation as part of the EPA appropriations bill in our appropriations, both at the subcommittee and the full committee level.

So I certainly hope and feel that the good Senator from Iowa will be successful in this CRA effort, as far as getting it through Congress. I think it will go through in strong fashion in both the Senate and the House, thanks to her good work and, of course, the underlying importance of the issue.

Of course, our challenge will be with the administration. I hope the administration will look at the strong support here in Congress and listen to the people of this great country, the farmers and ranchers across our country, and

the small business people across the country who know so well that WOTUS is a serious problem for them. I hope the President will consider them and not veto the legislation, but I am concerned that he will veto it. And if he does, then we will continue to work through the appropriations process to defund this legislation.

Again, even if we are not able to deauthorize it through the CRA process, we will work to defund it. Of course, the disadvantage with defunding is that only goes for a year, but obviously that would take us through most of the balance of the Obama administration and hopefully get us to a fresh start.

I think the key point, though, is that we rescind this onerous regulation. That can be through deauthorizing it, it can be through defunding it, and, in fact, it can be through litigation. I think in excess of 30 States have joined in litigation across the country pushing back on this onerous regulation. In fact, the Federal district court in North Dakota stayed the regulation. That stay was upheld, that injunction was upheld by the Sixth Circuit Court of Appeals in Cincinnati, OH. So right now there is a national stay on this regulation, which I think just goes to show that we are on the right track here because we are coming at it from so many angles with so many people who are saying: Look, this is common sense. This is a big-time overreach by EPA. It adversely affects farmers, ranchers, small businesses, and property rights. In fact, in this great country, it adversely affects property rights. So through deauthorization, defunding, and the legal process, we will work to rescind it.

Again, I wish to echo the strong comments of my esteemed colleague from the great State of Colorado and also acknowledge and commend the good Senator from the State of Iowa on her efforts to lead the charge.

KEYSTONE XL PIPELINE

Mr. President, I wish to speak, as I said, for up to 10 minutes as in morning business on the subject of the Keystone XL Pipeline.

Yesterday, after 7 years—7 years starting in September of 2008—the TransCanada company asked the U.S. State Department to pause or suspend its application to build the Keystone XL Pipeline. The company asked for that pause because it is working through an application process for route approval by the Public Service Commission in Nebraska. The Governor and the legislature in Nebraska actually approved the route for the pipeline in Nebraska, but after many lawsuits in the State of Nebraska and demonstrations, often led by movie stars and other celebrities, the company has chosen what I would call a belt-and-suspenders approach. Essentially, they have decided that in spite of the fact that they have received ap-

proval from the Governor, the legislature, and that that decision has been upheld by the Nebraska Supreme Court, they are going back and they are going through the process with the Nebraska Public Service Commission. So that is why I say it is really a belt-and-suspenders approach. Now they are going back, and in addition to the approvals they have already received, in addition to the decision by the Nebraska Supreme Court, now they are going back through the Public Service Commission process in Nebraska as well. The thing about that is it will take about a year to do it.

So now TransCanada is asking for forbearance from the Obama administration—not because the company hasn't met all the legal and regulatory requirements. It has. It has met all of them and it spent millions of dollars doing so. But, rather, TransCanada is asking for forbearance on the project because the company is once again going through all of the requirements, all the regulations, and all the redtape to get every approval—State, local, and ultimately Federal—for the project. That is why I call it, as I said, the belt-and-suspenders approach.

Now we will see what the Obama administration does with TransCanada's request. Will they now hold off or wait on their denial decision, which the Obama administration obviously wants to make based on their environmental agenda, or will they honor TransCanada's request to pause or suspend the project, just as they have made TransCanada wait now for 7 years pending all of the administration's requirements, including the Obama administration's adamant concern that the process in Nebraska be fully completed before the administration render a decision. Remember, this administration made a big deal about waiting until the Nebraska process was fully completed before the administration would make a decision. So let's see what they do. As I have just outlined, that process would probably take another year.

So will they forbear on making a decision now after they held the process up 7 years? Will they honor the request by TransCanada to pause while the company completes this process in Nebraska or will they say no, in spite of their concern that that be fully completed? Will they go ahead and in essence reverse themselves on process and deny the project? Well, we will see. We will see what they do. But if they don't grant this pause or suspend the application pending completion of the project in Nebraska, it seems to me like a double standard. On the one hand, they hold up the project for 7 years and they say the company must go fully through the process in Nebraska. So for them now to say "No, we are not going to provide the time to do that" seems, in fact, very much like a double standard.

As I have talked about in this Chamber before and as I think the administration is very well aware—and I think that is part of the reason they have held up on making a decision rather than turning down the project—this is a project which is overwhelmingly supported by the American people. In poll after poll, there is 65 percent to 70 percent support by the American people. Also, it is supported by Congress. It passed overwhelmingly with more than 60 votes in this Chamber. It passed with a big bipartisan majority in the House.

Another consideration obviously now for the administration is, what about the new administration in Canada? The Trudeau administration is coming in, and the new Prime Minister in Canada supports the project. So what is the message to Canada if the administration says "No, we are not going to honor that company's request for a stay or a pause or an extension on the project now" and instead goes ahead and turns it down?

The administration's own Quadrennial Energy Review dedicates a whole chapter to the benefits of integrating North American energy markets. The administration states that "energy system integration is in the long term interest of the United States, Canada, and Mexico, as it expands the size of energy markets, creates economies of scale to attract private investment, lowers capital costs, and reduces energy costs for consumers." That is right out of their own Quadrennial Energy Review, prepared by their own Department of Energy, which says we need to work with Canada on energy.

So what will they do? In spite of all of that, will they turn down the project now or will they treat the company fairly and give them due process?

Well, regardless of the decision the Obama administration makes, I think in the final analysis the project will be approved. It might take a year, it might take a little over a year, but I think in the final analysis this project will be approved. It should be approved because the people of this country overwhelmingly support it and recognize that it is in their interest and to their benefit. But what it really comes down to is the merits. In the final analysis, a project should be approved or disapproved on the merits, right? And the merits are these, very simple: To build the kind of energy plan that we want for this country, where we are energy secure—meaning we produce more energy than we consume—we have to build the energy infrastructure we need to move that energy safely and efficiently from where it is produced to where it is consumed. That means we need pipelines, we need transmission lines, we need rail, and we need road to move that energy as safely and cost-effectively as possible.

If you think about it, that doesn't mean just oil and gas; that means all

types of energy. That means renewables too, right, to move those electrons through transmission lines. We need the energy infrastructure for the right kind of energy plan for this country—energy from sources, traditional and renewable, to move that energy as safely and as cost-effectively as possible.

So what is the message here? The message is very simple: If we want companies to step up and invest the hundreds of millions and billions of dollars it takes to build that infrastructure, then we have to have a legal and regulatory process where they know that if they go through it and they meet all the requirements, they can then get approval for the hundreds of millions that they invest to get that done and to build these projects.

That is energy infrastructure we need to build so that we don't continue to rely on OPEC or let Russia dominate the energy markets or rely on countries such as Venezuela, and ultimately, that is what the American people want. That energy security, that energy independence, if you will, working with our closest friend and ally, like Canada, and developing energy in this country, is what the American people want. That is what the American people want because it makes us strong and secure.

This is just one project, but it is about all of the projects we need to build to make this Nation energy secure. That is why ultimately this project will be approved on the merits.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

THE BUDGET

Mr. TOOMEY. Mr. President, I wish to speak this evening a little bit about the budget deal that was recently enacted. There are three parts of that I wish to address. One is the spending increases, another is the debt ceiling, and finally there is the Crime Victims Fund, which—I am very upset about this.

Starting with spending, it shouldn't be controversial—but of course it is—that we spend too much money here. We spend way too much money. There are any number of metrics that would confirm and demonstrate how much we overspend, but I think the most compelling is the size of the deficit that all this spending is creating, with record revenue. I want to underscore that. The Federal Treasury is taking in record amounts of tax revenue. So with alltime-record levels of revenue, we are still spending so much above and beyond that that this year we are going to run about a \$450 billion deficit.

There are some people in this town who practically sprained their arms patting themselves on their backs because it used to be a \$1 trillion deficit. That is true, but \$450 billion is still way too much. We have too much debt

now, and a \$450 billion deficit this year is going to add \$450 billion to a debt level that is already too big. And guess what. All forecasts, everybody's forecasts—liberal, conservative, Democrat, Republican, CBO, private sector—everybody agrees the deficits are on path to get worse. So we are spending too much. Our deficits are too big. They are adding to a debt that is already too high, already doing damage to our economy, our ability to create jobs, because of all the uncertainty and the risk that all this debt creates. And what happens? The only spending discipline we have been able to achieve in recent years—the spending caps that were enacted in 2011—the President insists we have to bust them.

Many of us believe we should be spending more on defense. If we are going to do that—I think part of our job is to prioritize spending. National security, defending our country, should be our No. 1 priority, and since we need to spend more there, you offset that with spending reductions somewhere else. That would be the prudent thing to do. But that is not what the President insisted on. The President insisted that if we were going to spend anything more on defense, we had to match that dollar-for-dollar with increased spending elsewhere. So not only were we not offsetting the increase in defense spending, but we were compounding the spending by increasing the nondefense spending. So this deal busts the spending caps, and, in fact, the deficits will be larger than they otherwise would be.

That leads me to the second point, and that is the debt ceiling. Let's think about the context of where we are. When President Obama took office, the total amount of debt owed to the public—the amount of money the Treasury had borrowed because of previous deficits was less than \$6 trillion. It was a very big number, but it was less than \$6 trillion. By the end of next year, it is going to be over \$13 trillion. So this President, by the time he leaves office, will have more than doubled the total amount of debt we have borrowed to fund these deficits. Another way to think about it is that this President will have added to our debt burden by an amount greater than the sum total of every single one of his predecessors combined, from George Washington to George W. Bush. This is a staggering amount of debt that we have imposed on ourselves, our kids, our grandkids, our economy, and on our ability to be a productive country.

And what did the President say in response to all this debt? Give me the authority to borrow more with no conditions. We are not even going to have a discussion or a negotiation about the underlying problem that is causing all of this debt.

I think that is, frankly, outrageous, and it is extremely unusual because for

decades now American Presidents have met with Congress, and when we have had discussions in the past about the level of debt and what we are going to do about it—when the Presidents have said we need to increase our debt ceiling so that we can borrow more money—that has very typically included a discussion about dealing with the underlying problems.

There are many examples of this. Back in 1985, during the Reagan administration, it was in the context of a debt ceiling debate that we passed the Gramm-Rudman-Hollings measure, which was about limiting our deficits and reducing the amount of debt we would incur going forward. In 1990 George Herbert Walker Bush negotiated with Congress the Budget Enforcement Act, which again was related to a debt ceiling increase at the time and which adopted measures to deal with the deficits of that day. In 1997, William Jefferson Clinton—President Clinton—with a Republican Congress sat down and negotiated a balanced budget agreement. And you know what happened? They balanced the budget. So President Clinton decided to work with Republicans in Congress to deal with this underlying problem, and within a few years we actually had balanced budgets.

Then in 2011, in the context of the debt ceiling increase that was discussed at the time and eventually raised, these spending caps were established as a way to at least do something about this runaway spending and these excessive deficits and the debt. But this time the President had a different view. His view was that he would not even have a discussion. There would be no negotiations, no consideration. We are not even going to talk about the underlying problem. He wanted to have unlimited authority to borrow more money through the end of his Presidency, and that is what is in this deal.

So what can we expect? We can expect a whole lot more debt. That is exactly what is going to happen. By the way, contrary to what some in the administration like to say, this has nothing to do with paying for past bills. We have paid for those bills. This is to enable excessive spending going forward—the deficits we are going to incur because this President is insisting on this overspending.

Let me get to the last point I wanted to stress today, which is one of the really disturbing things about this budget deal and what it has done with the Crime Victims Fund. By way of background, the Crime Victims Fund was a fund established in 1984. It consists exclusively of monies that are assessed to convicted criminals—corporate or individuals. As part of their punishment, they are made to pay a fine, and the fine goes into an account with the Federal Government. It actually is quite substantial. Year in and

year out this ends up being actually billions of dollars.

The statute requires, first of all, that all this money go to victims of crimes and their advocates, and specifically, it requires a priority for victims of child abuse, sexual assault, and domestic violence and that those three categories of crimes be given a special priority. There are organizations that do wonderful work across Pennsylvania and across the country in helping people who are victims of these terrible, terrible crimes that are so difficult to recover from. There are groups of people who do great work in helping these victims to recover.

The whole idea of the Crime Victims Fund is to take these dollars from the criminals—not a penny of tax dollars—and give it to the victims of crimes and the people who are advocates for them. But what this budget deal does is it takes \$1.5 billion out of the Crime Victims Fund and it spends it on other things.

I think this is outrageous. This is not taxpayer money in the first place. It is not as though we don't have victims of crimes anymore. Obviously, we still do. And we have organizations that can do great work if they had the resources. But in the absence of resources, it means that children who are victims of child abuse don't get the counseling and the care they need. It means a victim of domestic violence doesn't have a place to stay when she needs protection from an abusing spouse. It means people who really need these services are going to go without because we are diverting this money that is supposed to be going to crime victims and we are spending it somewhere else.

The most important thing I want to say tonight is that it is not too late to fix this. What the Congress passed and the President signed last week paves the way to misallocate this money from the Crime Victims Fund, but it doesn't require that to happen. So I have a bill that will fix this problem. I have a bill called the Fairness for Crime Victims Act, and what it will do is it will require that the money go to the victims, as it was always intended.

By the way, the idea that we should not be diverting the Crime Victims Fund to these other miscellaneous spending categories is a bipartisan idea. There is broad bipartisan support for the idea that the money in the Crime Victims Fund should go to victims of crime. The Wall Street Journal ran an article on Sunday, and they quoted a crime advocate describing the budget deal saying, this deal "violates the integrity of a decades-old program that funds safe havens for domestic violence victims, counseling for abused children and financial aid for murder victims' families, among other programs."

Josh Shapiro is the chairman of the Pennsylvania Commission on Crime

and Delinquency, and he wrote about this provision in the budget deal. He said that it "puts in danger our commitment to victims of crime throughout our country." Democratic members of the Pennsylvania State House agree with me that this money should not be diverted this way. They sent a letter, among other things, saying that the budget deal increases spending to "the detriment of current and future crime victims" and that this constitutes "a terrible precedent."

I couldn't agree more, and that is why I hope we will pass my legislation, the Fairness for Crime Victims Act. It ends this injustice. Here is the way it works. It is very simple. It simply requires that Congress allocate to crime victims and their advocates an amount equal to the sum of the previous 3-year average that went into the fund. So the short way to think about it is that it means we are going to send to crime victims the money that comes in for crime victims, and we are not going to send it somewhere else.

This means that victims of crime and their advocates are going to see a big increase in this funding, because for years Congress has refused to allocate all of the money that has been coming in. In the past, they just refused to allocate it. There are budgetary gimmickry reasons for doing that, and this needs to come to end. We certainly can't continue diverting this fund for other purposes.

We have had colleagues—Members of this body—come to the floor and make the point that we shouldn't use Medicare and Social Security funds as an ATM to fund other programs. I agree. We also shouldn't use the Crime Victims Fund, which is not a single dime of taxpayer money. We shouldn't use that to fund other programs either. It is not too late to do the right thing for victims of some of the most heinous crimes that are committed anywhere.

I urge my colleagues to help pass this piece of legislation. This was reported out of the Committee on the Budget unanimously. There was very broad bipartisan support. What happened in this budget deal is an illustration of why my legislation is necessary. Money that is left around in a pot somewhere in this town gets spent pretty quickly by someone for something. This money needs to go to crime victims. If we pass my legislation, that is where it will go.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I want to talk about what we have been debating today on the Senate floor, the waters of the United States rule, and legislation that has received bipartisan support so far. We think it needs a lot more support on why this is so important for the country.

I was a cosponsor of Senator BARASSO's bill. Unfortunately, that bill

didn't get the 60 votes necessary, but Senator ERNST has a resolution that I think is going to be very important to pass that would stop this rule from being enacted by the EPA. Hopefully, we will see if the President, once this is put on his desk, has the common sense to sign it rather than veto it.

I want to put this rule in a much broader context, to put the debate we are having on the waters of the United States rule into the broader context of actually what is happening in our country and how the EPA's waters of the United States rule is actually a symbol for much broader problems that I think the vast majority of Americans recognize.

The other night I went to a premiere of a short film on the Trans-Alaska Pipeline system, what we call in Alaska TAPS. It is Alaska's 800-mile artery of steel that was done in the most responsible manner, in terms of the environment, that brings much energy to our country. When it was built, it was actually one of the biggest private sector construction projects ever in the history of our great Nation, and literally directly and indirectly employed tens of thousands of Americans. It has carried almost 17 billion barrels of American oil to energy-thirsty American markets and continues to provide thousands and thousands of jobs, not only in Alaska but throughout the country. It is certainly a technological and environmental marvel. Here is the thing: That kind of huge project was built in 3 years.

Think about that, 800 miles of steel pipeline, crossing 3 mountain ranges, more than 30 major rivers and streams, and it took Americans 3 years to build it. Go to Alaska and it is functioning incredibly well today. We are reminded of how, when this Nation puts its mind to something, we can get great things done. In many ways, Congress played a critical role in making sure that incredible energy infrastructure system happened.

We are a great nation, but I must admit when I was watching this movie last week with a bunch of Alaskans—Senator MURKOWSKI, DON YOUNG, and others—I did feel a sense of unease, almost a little nostalgia, when we were watching this film about this great project that Americans came together from all over the country to build. We all know we used to do great things here and built great things. Let me give a few examples.

In Alaska is what is called the Alcan Highway, the Alaska-Canada Highway, through some of the world's most rugged terrain, 1,700 miles, built in under 1 year. We built the Empire State Building in 410 days. We built the Pentagon in 16 months, the Hoover Dam, the Interstate Highway System, putting a man on the Moon—I could go on and on and on. When we look at the history of this country, it is a history

of getting big things done, and it is not just getting big things done. These projects were a symbol of American pride, of American greatness, and they also created tens of thousands of jobs—great jobs, middle-class jobs, which gave workers a sense that what they were doing was very important in their daily lives and very important to their country.

In Alaska still, when you talk to someone who worked on TAPS, who constructed this—for the country—they talk about it in terms of pride, in terms of what they were doing for their State but also what they were doing for America and how everybody came together to build this.

Here is a sad fact: These kind of projects are not being built today. Instead, we have become a redtape Nation. Instead of symbols of technological wonder, national pride, and American ingenuity, we now hear story after story—and we have all heard them in the Senate—of delay and discord and disappointment, all of which symbolizes a country that can't get things done. The main culprit—the main culprit—is right here: Washington, DC, the “Capital of Dysfunction.” Whether it is the Keystone Pipeline, transmission lines in California or bridges or highways or runways across the country, killing crucial development in infrastructure projects through permitting and regulatory delay and Federal agency overreach with new rules upon new rules—and all they do is stop development—this certainly has been a hallmark of the Obama administration. The WOTUS rule—the EPA's waters of the United States rule—is just the latest manifestation of this. As we know, this is happening all over the country.

Frequently, because of the political risks, the President and members of his administration, like Gina McCarthy, will not openly oppose economic development projects. Instead, they will wrap them in redtape until they delay them to death. Let me give some examples.

In 2008, Shell acquired leases in the Arctic Ocean off the coast of Alaska for over \$2 billion. That is a company going to the Federal Government. The Federal Government is saying: We want to lease this land to you. A company says: We will give you billions in return—the Federal Government; that money has already been spent, the billions—to develop natural resources. Of course, this was big news in Alaska. New production of oil would have filled up three-quarters of TAPS, which I talked about earlier. It would have created jobs, some estimates are in the tens of thousands of jobs, direct and indirect jobs, and provided much needed State and local revenue and energy security for our country.

So what happened? Remember, the Federal Government is inviting a pri-

vate sector company to do this. It didn't take long for this project to run into a maddening array of often conflicting and confusing permitting challenges, drilling moratoriums, new regulations, environmental lawsuits, permitting confusions, that year after year kept the drill bit above the ground.

Now, jump to 2015. What had once been a very robust exploration program has resulted in what happened this summer: The permission, finally, to drill one exploration well off the coast of Alaska where hundreds of wells have already been drilled safely. We have been doing this safely in Alaska for decades.

Let me sum it up. It took 7 years, \$7 billion, to get permission to drill one exploration well in 100 feet of water; 7 years, \$7 billion, to finally get the Federal Government's permission to drill one single exploration well in 100 feet of water. No company in the world can endure that. This was a project that was meant to be delayed, delayed, delayed until it was killed.

Some of my colleagues have been celebrating this—celebrating this. I think that is sad because what they are really celebrating is the loss of very good jobs for Americans throughout the country. In many ways they are celebrating what is a symbol of America's decline.

These resources in the Arctic are going to be developed one way or the other, and it is either going to be by countries like us who have the highest, most responsible standards on the environment or countries like Russia and China who don't. So the Russians and Chinese are now going to be in charge. They are going to be producing the energy, they are going to be getting the jobs, and they are not going to care at all about the environment. So instead of a win-win-win for the United States, this is a lose-lose-lose. Yet we have Members of this body celebrating this. Again, this is not a problem confined to my State or energy programs in terms of the delay, delay, delay. Let me provide a few examples.

We had a recent Senate commerce committee hearing on aviation infrastructure. Everybody thinks aviation infrastructure is important. I certainly do. The manager of the Seattle airport was testifying. As part of his role as CEO of the American Association of Airport Executives, he talked about how it took almost 4 years to build the Seattle airport's new runway. It seems like a fair amount of time. Maybe a construction project like that takes a fair amount of time. I had a question for him, which I didn't know the answer to. I asked him: How long did it take to get the Federal permits, to go through the Federal permitting system to build this additional runway at the Seattle airport?

His answer: 15 years—15 years to get the Federal permits to build a runway.

You could have heard—well, you did hear the whole committee, the whole audience. They gasped. Then he said: They built the Great Pyramids of Egypt faster than that.

This is what is going on in our country, and this town is to blame. It is happening all over the country. Americans need to know this. It only took 9 years to permit a desalinization plan, which would provide much needed fresh water to drought-stricken California. Simply razing a bridge in New York—not building a new bridge, razing one—took 5 years and 20,000 pages of Federal permitting requirements.

The average time it now takes in America to get Federal approval for a major highway project is more than 6 years—again, not to build a highway but to get the Federal permission. It took almost 20 years, if you include the litigation, to get Federal permission to build a single gold mine in Alaska—20 years. We had to take that all the way to the U.S. Supreme Court because the Federal Government was not supporting us. Now the Kensington mine employs over 300 people at an average wage of \$100,000 per person. Those are great jobs. We have a Federal Government that wants to delay, delay, delay.

Let's talk about the Keystone Pipeline. We had a debate here—7 years and counting to build a pipeline in terms of the Federal permits. Who is hurt by this? Our friends on the other side talk a lot about the companies and everything—TransCanada. The people who are hurt by this are American families, middle-class workers, union members.

One of the most surprising things I saw as a freshman this year when we were debating the override of the Keystone Pipeline—the State Department had predicted this would create as many as 30,000 jobs. These are good jobs—construction jobs, real jobs, real Americans working to build something important. I was presiding in the Chair like you, Mr. President, and some of the Members on the other side of the aisle started arguing that these aren't real jobs because they are temporary, that this isn't going to create 30,000 jobs because they are temporary jobs. I about fell out of my chair. Construction jobs aren't real jobs? Since when is that the case?

According to the President's own Small Business Administration, the regulatory costs on small businesses in the United States are close to \$2 trillion per year. That is \$15,000 per family. The bottom line is, we know we can do better. We have to do better if we want to grow this country and create jobs.

I believe there is a silver lining. I believe things have gotten so bad that this delay is happening everywhere on projects that matter to us as a nation. Projects that are so weighted down under redtape are making Americans, regardless of party, start to take note.

I have seen a silver lining here. Both Democrats and Republicans are starting to demand change. They are demanding bold and serious regulatory reform.

I have had conversations with Members of both sides of the aisle here about how important this is for our economy, how important it is for jobs. That is why this debate today on the waters of the United States is so important.

Unfortunately, we didn't get the number of bills. We did have a pretty strong bipartisan group. I think we would have gotten to 59—1 vote short to move forward. It is unfortunate that the other side couldn't see the merits of this. But this rule will not help grow our economy. This rule will continue to stifle growth. This rule will certainly continue to kill jobs. It takes what we all want—certainly, the whole idea of protecting our water, clean water. In my State of Alaska we have the cleanest water of any State in the country. We win awards every year for our clean, pristine water. It is not because the EPA is making that happen; it is because Alaskans are making that happen. But it takes the Clean Water Act and somehow, through a rule that the EPA itself has devised, it gives the EPA the power to regulate not major rivers but water in our backyards, literally.

Almost certainly this rule doesn't comport with Federal law. We have now had two courts say that. There is a stay on it nationally. The Sixth Circuit has put a stay on this rule. Over 30 States have sued to stop this rule—a bipartisan coalition of States—because it is almost certainly not legal.

I asked Administrator McCarthy about the legal opinion, the legal basis they had for this rule. I have never gotten an answer from the EPA Administrator. I am not sure they even care. In the last two Supreme Court terms, the EPA has lost two big cases in the U.S. Supreme Court. They have lost the Sixth Circuit case for now. Unfortunately, we had the Administrator of the EPA on TV a few months ago, on the eve of this Supreme Court case—EPA vs. Michigan. When asked if she was going to win the case, she said: We think we are going to win, but ultimately it doesn't really matter because the companies have already had to comply with hundreds of millions of dollars. Think about that. Think about what she said.

This rule is going to have a huge, profound impact on my State. Alaska has more waters under the jurisdiction of the Clean Water Act than any other State in the country. Over 50 percent of America's wetlands are located in Alaska.

I held multiple field hearings as a chairman of the subcommittee on fisheries, water, and wildlife on the waters of the United States rule. It is clear to

me that Alaskans of vastly different backgrounds, ideologies, and different parts of the State are opposed to this rule. One group in my State said the rule would "straitjacket any development." Another said that it would have negative impacts on "virtually any economic development project" in Alaska.

One project we are very focused on in Alaska—we are having a special session right now in our State legislature—is the Alaska LNG Project, a very large-scale LNG project that, like TAPS, will be great for the country and create thousands of jobs and energy security for Americans and our allies. This rule, if left in its present form, will very negatively impact the cost and timeline of that project.

Simply put, the waters of the United States is one of the largest land grabs in history, and it is an example of the kind of challenges we need to address here to get our economy moving again, to create good jobs for Americans. It is why this debate we are having is so important.

These are problems we can fix. We know we can fix them. Americans sent us here to fix these problems, and we need to start by stopping rules like the waters of the United States that undermine our country's future and the jobs that we need throughout this country.

Mr. President, I yield the floor.

Mr. WHITEHOUSE. Mr. President, I see a number of Senators on the floor. I don't know if there is an order at this point that has been established. What is our manner of proceeding? Senator ISAKSON is here.

The PRESIDING OFFICER. There is no time agreement.

Mr. ISAKSON. I ask unanimous consent that the Chair recognize Senator WHITEHOUSE from Rhode Island, followed by Senator ISAKSON, and then Senator DAINES.

The PRESIDING OFFICER. Is there objection?

Mr. WHITEHOUSE. Before that matter is settled, reserving the right to object, I will be speaking for about 15 minutes. If one of you is going to be quicker than that, particularly significantly quicker—not 14 minutes—I would be happy to yield and let somebody go first.

Mr. ISAKSON. The Senator from Montana is going to preside at 6:30 p.m., so I think he is the one who will need to go, and I will go after the Senator from Rhode Island.

Mr. WHITEHOUSE. Why doesn't the Senator from Montana proceed with his remarks.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Chair recognize the Senator from Montana, Mr. DAINES, followed by Senator WHITEHOUSE, followed by Senator ISAKSON.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Montana.

Mr. DAINES. Mr. President, today the Senate came a few votes shy of passing legislation to protect our farmers, ranchers, and small business owners from major new costs and regulatory burdens. I appreciate the bipartisan support demonstrated today by four key Senate Democrats. I have to say, I am disappointed that others chose instead to put loyalty to President Obama before the concerns of the constituents, the concerns of those people they represent.

Montanans know that this power grab has more to do with controlling Montanans' land-use decisions than ensuring access to clean water as the Clean Water Act intended. This is an ill-conceived rule that provides the EPA unprecedented power to regulate virtually any spot across Montana that is occasionally wet. This could have a devastating impact on Montana jobs, on Montana's natural resources and ag industries, and on Montanans' property rights.

Don't just take my word for it. POLITICO recently described it as having the potential to "give bureaucrats carte blanche to swoop in and penalize landowners every time a cow walks through a ditch." The EPA's own estimates show this rule will cost Americans between \$158 million and \$465 million a year.

The New York Times describes how harrowing this situation is for Montana farmers: "Farmers fear that the rule could impose major new costs and burdens, requiring them to pay fees for environmental assessments and obtain permits just to till the soil near gullies, ditches, or dry streambeds where water flows only when it rains."

In Montana, this rule has received a severe rebuke from our farmers, our ranchers, and our small businesses who simply can't afford this overreach. The Montana chamber president and CEO, Webb Brown, said:

If this rule stands, there will be tremendous cost to our states, our economies, and our employers, and their employees' families. Under this unprecedented extension of federal power, land and water use decisions will be made in Washington, D.C., far from the affected local communities.

Here is what Gene Curry of Valier, MT, from the Montana Stockgrowers Association says: "This rule is an unwise and unwarranted expansion of EPA's regulatory authority over Montana's waters, and would have a significant detrimental impact on Montana's ranchers."

Listen to Charlie Bumgarner, president of the Montana Grain Growers. I met with Charlie a week ago in Montana. Charlie says this: "If implemented, the final WOTUS rule would have a devastating impact on grain growers across the state."

Listen to Dustin Stewart with the Montana Homebuilders Association. I

grew up in the home building industry. My dad is a home builder. Here is what Dustin had to say: "The EPA's waters of the U.S. regulation is an incurably flawed rule. . . ."

Dave Galt, the executive director of the Montana Petroleum Association, said:

The EPA's new water rule is an unnecessary expansion of jurisdiction for the Federal Government. The EPA's rule will negatively impact all land-use industries including agriculture and energy production.

Yet, despite this broad opposition, President Obama is moving forward with yet another out-of-touch Washington, DC, regulation. But already two Federal courts have issued a stay on this misguided rule, demonstrating the questionable legal ground this regulation stands on. This is a rule issued by the same Federal Agency that has continued to perpetuate a war on American energy. In fact, earlier this year we saw the Supreme Court issue a severe rebuke of the EPA's mercury and air toxic standards which would have a direct and lasting impact on our economy in Montana. This MATS rule, just like WOTUS, is just one of the new, burdensome regulations cooked up by the Obama administration and has the potential to eliminate good-paying jobs and devastate the livelihoods of hard-working Montana families and hard-working American families.

Throughout my home State of Montana, we have tremendous opportunities to develop our State's natural resources and create new jobs, and that is a good thing. Rather than hitting pause on our energy production, we need to encourage it. But the Obama administration is doing exactly the opposite.

President Obama's full assault on American energy independence has most recently resulted in TransCanada's decision to suspend its application to build the commonsense Keystone XL Pipeline, which, by the way, first enters Montana from Canada. This pipeline would have created new opportunities for good-paying jobs, helped advance American energy independence, and lowered American energy prices.

Well, the suspension on Keystone is bad news, but it is not the end of the line. We are going to keep fighting for this job-creating project that has the overwhelming bipartisan approval of Congress as well as the support of the American people because America can and America should power the world. But the Obama administration's relentless attacks on affordable energy and good-paying union jobs, as well as tribal jobs, through this so-called Clean Power Plan continue to hinder innovation. Under the final so-called Clean Power Plan, the Colstrip powerplant in Montana will likely be shuttered, putting thousands of jobs at risk.

Our farmers, ranchers, and local business owners should be empowered to drive local land use decisions, not a bunch of Washington, DC, bureaucrats who can't even find Montana on a map. We can only do it if the Obama administration steps back from its extreme overreach and allows American innovation to thrive once again.

I look forward to casting my vote tomorrow to permanently stop this misguided waters of the United States rule. It is time to ditch this rule.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLEAN POWER PLAN

Mr. WHITEHOUSE. Mr. President, I guess in the order proceeding here, I am here to bring the opposing views. Every week we are here, I remind this body of the damage carbon pollution is doing to our atmosphere and to our oceans. I have traveled to Senator ISAKSON's State to see what the University of Georgia is measuring off of Sapelo Island, and I hope to have the chance to go west to continue this.

We have to wake up to climate change, and we have to move toward a clean-energy economy and the jobs and innovation that support it. Clear measurements exist of the harm that is already happening: climbing sea levels, we measure; climbing global temperatures, we measure; acidifying oceans, we measure.

Virtually every respected scientific and academic institution agrees that climate change is happening and that human activities—specifically carbon emissions—are driving it. Carbon pollution is affecting our economy, it is affecting agriculture and wildfires, and it is affecting storms and insurance costs.

There are so many people—doctors and health professionals, military and security leaders, insurance and reinsurance industry folks, our major utilities, American corporations, and our faith leaders all agree that climate change is a serious challenge and an important priority. Yet here, despite the growing chorus around the country calling for climate action, we hear congressional Republicans, such as the majority leader, claim they are here to stand up for our people by blocking the President's Clean Power Plan.

As carbon pollution piles up in the atmosphere, who are they standing up for? Certainly not the American people. Eighty-three percent of Americans, including 6 in 10 Republicans, want action to reduce carbon emissions. The Clean Power Plan delivers.

For the first time, we have a national plan to reduce carbon pollution from the largest source of U.S. carbon emissions, which is powerplants. The 50 dirtiest coal plants in America together emit more carbon pollution than all of South Korea and more than all of Canada. Are we going to do nothing about that?

Too often we hear on the Republican side folks who trumpet these industry-

backed, one-sided reports that point only to the cost of action. They don't even measure or consider the cost of inaction. If you were an accountant and did the books that way, you would go to jail. Well, if you look at both sides of the ledger, the EPA shows that the projected health benefits of the Clean Power Plan will avoid 300,000 missed work and school days, 1,700 heart attacks, 90,000 asthma attacks, and 3,600 premature deaths every year. Every dollar invested through the Clean Power Plan will keep up to \$4 in American families' pockets. The savings are also passed on to electricity consumers, with the average American family projected to save almost \$85 per year on their electric bill by 2030.

I am from New England. We have the Regional Greenhouse Gas Initiative, RGGI, and it is proving that States grow their economies at the same time that they cut emissions. Putting a price on carbon and plowing that money back into clean energy products is saving us billions of dollars and helping to reduce carbon pollution.

The EPA put the States in the driver's seat to come up with plans that suit them. An analysis from the Union of Concerned Scientists shows that "31 States are already on track to be more than halfway toward meeting their 2022 Clean Power Plan benchmarks." These States include both cap-and-trade States, such as California and the Northeast RGGI States, and coal-heavy States, such as Ohio and Kentucky.

"We can meet it," says Kentucky energy and environment secretary Leonard Peters about the plan. "We can meet it." In fact, Dr. Peters praised the EPA for working with States like Kentucky to build this rule. "The outreach they've done, I think, is incredible," he said. The EPA had an "open door policy. You could call them, talk to them, meet with them."

The Kentucky experience was echoed around the country, as EPA listens closely to hundreds of concerns, holds hundreds of public meetings, and the final rule includes significant adjustments to accommodate individual State's concerns.

Even with all of this, the majority leader, the senior Senator from Kentucky, will brook no serious conversation about climate change. We just never have that come up as a subject. The Republican leader, in a modern, massive resistance effort, wrote to all 50 Governors urging defiance of Federal regulation, calling the regulations "extremely burdensome and costly." That might have been a more credible allegation about the regulations if he had not reached it months before the regulations were even finalized.

The Clean Power Plan, says the majority leader, is the latest battle in a great "War on Coal." He says, "[W]e

have a depression in central Appalachia created because of the President's zeal to have an impact worldwide on the issue of climate." It seems that the head of one of his region's biggest electric utilities doesn't agree. Appalachian Power president and CEO Charles Patton told a meeting of energy executives last week that coal can no longer compete against cheaper alternatives such as natural gas and wind power. Coal, he said, will continue to decline with or without the Clean Power Plan. It has nothing to do with the President. "If we believe we can just change administrations and this issue is going to go away," Patton said, "we're making a terrible mistake."

Mr. President, I ask unanimous consent that the article titled "Coal not coming back, Appalachian Power president says" and editorial titled "Reality check on coal, future" be printed in the RECORD at the conclusion of my remarks.

It says:

With or without the Clean Power Plan, the economics of alternatives to fossil-based fuels are making end roads in the utility plan, companies are making decisions today where they are moving away from coal-fired generation. The debate largely at this time has been lost.

Mr. Patton is not alone. In September, financial giant Goldman Sachs released several bleak reports on the future of the global coal market. The latest report was in September, where they drew the conclusion that "[t]he industry does not require a new investment given the ability of existing assets to satisfy flat demand, so prices will remain under pressure as the deflationary cycle continues." In plain English, market forces are driving coal's decline. I seriously doubt that any colleague would think Goldman Sachs is a bunch of liberal greenies who launched a war on coal. This is their clear economic thought.

Since the clean power rule was finalized in August, the massive resistance the majority leader sought has not ensued.

Kentucky Governor Steve Beshear has so far not heeded the majority leader's call to rebel.

Oklahoma Governor Mary Fallin, the first to publicly pledge to resist the President's plan, recently hinted that Oklahoma would submit a compliance plan after all.

Indeed, even while West Virginia leads the multistate lawsuit against EPA, Governor Earl Tomblin announced last week that his administration will begin working on a compliance plan. In the heart of coal country, in Charleston, WV, the newspaper, *Gazette-Mail*, praised the Governor's move, writing on its editorial page:

It is the right thing to do—both to decrease emissions that contribute to human-caused climate change—

Here is a newspaper in the heart of coal country conceding that emissions

contribute to human-caused climate change, and I don't know why we can't get over that in the Senate—and as the governor says, to make sure West Virginia's interests are best represented in how the plan is carried out.

They described Kentucky Senator MITCH MCCONNELL's urge to rebel against the rule as petulant and foolish. That is from the heart of coal country.

The coal industry, like an aging ship at sea, is taking on water. Between the costs of old, dirty powerplants and the competitive advantage of cheaper natural gas, coal is struggling to stay afloat. As Mr. Patton from Appalachian Power pointed out, those circumstances have nothing to do with whoever is sitting in the Oval office.

For States that have relied on coal for generations, the Clean Power Plan is actually a lifeboat. It is a chance to kick-start new industries and innovative technologies and to choose the path forward that is best for your State and your citizens. It is a way off a sinking ship.

Recognizing the costs of carbon pollution is another lifeboat. I know this sounds strange to my colleagues, but please bear with me. You can't build the carbon capture plants that could keep coal plants operating if they are free to pollute. There is no economic value to a carbon capture plant if it is free to pollute. The truculent insistence on this market failure by Big Coal is ironically coal's own undoing. Yet congressional Republicans won't engage. They waste time with the useless Gingrich-era Congressional Review Act efforts to block carbon pollution controls on powerplants—controls that Americans overwhelmingly support.

Beyond that, our Republican friends simply have no plan—nothing. There is no plan B to the President's Clean Power Plan. If you have something else, please bring it forward. We can debate which is better, but you can't just pretend this isn't a problem. They have no plan to deal with climate change, no plan to help coal-reliant communities find safe passage to a more sustainable economic future.

I ask my colleagues to please read what the CEO of Appalachian Power said. Please take it to heart. Please read the *Charleston Gazette-Mail* editorial. Please engage with us while we can still do some good because when the market completely collapses, when there is nothing left to do, when coal is priced out by solar and wind and natural gas and other fuels, then it is too late to come back and say: Now we need help. When the market has acted and someone suffers as a result, they don't get any sympathy in this building.

Now is the time when people who want to make this a smooth transition for coal economies need to come forward in the interests of their own peo-

ple, in the interests of their own miners who need their pensions filled and fixed, in the interests of communities that need transitions, in the interests of their economy.

I thank the distinguished Senator from Georgia for his patience.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the *Charleston Gazette-Mail*,
Oct. 27, 2015]

COAL NOT COMING BACK, APPALACHIAN POWER
PRESIDENT SAYS
(By David Gutman)

ROANOKE.—Coal consumption is not likely to increase, regardless of whether new federal regulations on power plants go into effect, and, from coal's perspective, the national debate on coal and climate change has largely been lost, the president of West Virginia's largest electric utility told a roomful of energy executives Tuesday.

The Clean Power Plan, the Obama administration's proposal to regulate greenhouse gas emissions from power plants, would cut coal consumption—but even if the regulations are blocked, coal consumption will not increase, Appalachian Power President Charles Patton said at the state Energy Summit at the Stonewall Resort.

"You just can't go with new coal [plants] at this point in time," Patton said. "It is just not economically feasible to do so."

Patton acknowledged that entire communities, particularly across Southern West Virginia, are being decimated by coal's decline. However, he laid out a series of stark economic realities.

By 2026, Patton said, Appalachian Power expects its use of coal power to be down 26 percent, with or without the Clean Power Plan.

That's because of cheaper alternatives and already-imposed environmental regulations that make coal uncompetitive, Patton said.

The cost of natural gas electricity, including construction of power plants and infrastructure, is about \$73 per megawatt hour, Patton said. For a conventional coal plant, it's \$95 per megawatt hour.

Even wind power, which is less dependable than coal, is still significantly cheaper, at \$73 per megawatt hour, when a longstanding tax credit for wind energy production is factored in.

An advanced coal power plant, with carbon capture and storage to lower emissions, costs nearly twice as much, at \$144 per megawatt hour, Patton said.

"With or without the Clean Power Plan, the economics of alternatives to fossil-based fuels are making inroads in the utility plan," Patton said. "Companies are making decisions today where they are moving away from coal-fired generation."

What's more, the debate over the "war on coal," which sucks up so much of the political air in West Virginia, has largely been settled in other states, Patton said.

He said 72 percent of Americans believe the earth is getting warmer and that man-made causes are partly attributable. Nearly two-thirds of Americans favor stricter emissions limits on greenhouse gases, Patton said, with even larger majorities among young people.

"Americans believe there is a problem, and while we in West Virginia believe that's ludicrous and we have our view on coal, it's really important to understand, if you're not in

a coal-producing state, your affinity for coal is not there," Patton said. "The debate largely, at this point in time, has been lost."

Patton reminded the audience that the closest the United States ever came to a carbon tax was the cap-and-trade bill pushed by Sens. Joe Lieberman and John McCain. "I don't see John McCain as a flaming liberal," Patton said.

He said he opposes the Clean Power Plan and said West Virginia should continue its lawsuit to block it. However, Gov. Earl Ray Tomblin said Tuesday that West Virginia will submit a plan to comply with the Clean Power Plan—despite Republican calls to boycott it—while those lawsuits play out.

Patton said the federal regulations, intended to help stave off the worst effects of climate change, would cause a reduction in coal use, but even defeating the regulations won't make the push to address climate change disappear.

He urged the crowd to "think globally" and work to advance cleaner-burning coal technologies.

"If we believe that we can just change administrations and this issue is going to go away," Patton said, "we're making a terrible mistake."

[From the Charleston Gazette-Mail,
Oct. 30, 2015]

GAZETTE EDITORIAL: REALITY CHECK ON COAL, FUTURE

To his credit, Gov. Earl Ray Tomblin says West Virginia will participate in the federal Clean Power Plan by submitting its own proposal for cutting greenhouse gas emissions. He may be doing it with an air of resignation and distaste, but then again, no one likes the fact that West Virginians are struggling as market forces undercut an industry that has employed generations of people.

It is the right thing to do—both to decrease emissions that contribute to human-caused climate change, and as the governor says, to make sure West Virginia's interests are best represented in how the plan is carried out. States that choose not to come up with their own plan, as Kentucky's Sen. Mitch McConnell has petulantly and foolishly urged, will be handed one by the federal government. Gov. Tomblin is right. Better to have a say in how drastic changes will play out in your own state.

Arguments against trying to head off the worst effects of climate change are hollow. Some elected officials (and their fossil fuel industry promoters) seem to think that because China is a big polluter, for example, the United States should just shrug and give up. That is no way to be a world leader. That is no way to stimulate new technological developments and industries.

Indeed, the Clean Power Plan is part of the reason why China has committed to limiting its own carbon dioxide emissions. Where the United States goes, the world follows.

The War on Coal public relations campaign has been a smashing success, convincing the most vulnerable working people and retirees that if only they could get the nasty federal government off their backs, all would right itself to some vague and misty perfection, circa 1955. West Virginians, in turn, convince their elected leaders to defend the status quo at all costs.

Senators Joe Manchin and Shelley Moore Capito are steady on the job, clinging to the past, signing on to a resolution that seeks to block the Clean Power Plan.

Of course, defeating efforts to further clean up the air locally won't bring coal back. The people pushing the campaign know it. The rest of the country knows it.

Appalachian Power CEO Charles Patton, who buys more coal than anyone, knows it. Also speaking at the state Energy Summit at the Stonewall Resort this week, he reiterated a message he has shared before: Coal isn't coming back, even without the Clean Power Plan, because of price. Coal is more expensive than wind or natural gas, partly because of existing environmental regulations, partly because natural gas is so cheap.

The goal now is to manage this change, to help people into new livelihoods and meaningful work, to minimize the predictable suffering of families and communities. West Virginia has wasted enough time.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Georgia.

Mr. ISAKSON. Mr. President, I appreciate the words of the distinguished Senator from Rhode Island, and I always enjoy his speeches, whether I am on the floor or watching him back in my office. He is an articulate spokesman for what he believes, which is one of the things that make this Senate an important body. While from time to time I differ in terms of carbon emissions because of nuclear energy, that is part of the solution to the problems of the future, and I will speak about that on another day.

Mr. WHITEHOUSE. Mr. President, I would be glad to speak with the Senator from Georgia about that because he may find we agree more than we disagree.

Mr. ISAKSON. I think we probably would, and that is why I brought it up, and I look forward to that.

We are hear to talk about the rule for the waters of the United States undertaken by the EPA.

When I started working this afternoon and preparing myself for what I would say to try to make my point and express myself, I listened at 3 p.m. to the speech by Senator BEN SASSE from Nebraska. Today he made his maiden speech on the floor of the Senate. Because I had an important appointment to get to, I do know exactly how long he spoke. He spoke for 27 minutes—because that is how late I was for my appointment. But his speech was so good and so important and it affected so much this rule of the waters of the United States that I wanted to include it in my remarks tonight.

What Senator SASSE said very simply is this: In his 1 year in the U.S. Senate, observing the Senate and how it operates, how we all operate, he went back to his constituents and spoke to them. One thing he talked about is how we are moving more and more toward the government of an executive branch and a judicial branch and moving away from the legislative branch. We have administrations like the current administration which is trying to enforce the law through administrative rules and executive orders, not through legislation. He didn't just point out that being a Democratic situation, it is Republican as well.

If we look over the last 35 years, there has been a growth in the number

of edicts that have come down regulatory-wise rather than legislatively. It is important for us to return the legislative branch of government to its appropriate place so we have a balance between legislative, executive, and judicial.

I use the waters of the U.S.A. rule to explain to my colleagues why that is so important. This is a horrible rule. It is a rule that is going to be litigated in court for the next 30 to 40 years. Why? Because the clean water bill, which is its predecessor, has been litigated for 30 or 40 years, and eventually we have come to good water policies—not because that is where we started, it is because that is where we ended.

I wish to take a few experiences that I had working on the Clean Water Act in the 1970s, 1980s, and 1990s to make the point of why the waters of the United States bill is so dangerous.

The Clean Water Act passed with almost unanimous support. There was some opposition. Almost everybody said: I can't be against clean water; everybody wants clean water. But then there is the word "promulgate." We passed a law that expressed the intent of Congress, and then we said it is up to the agencies responsible for promulgating the laws, the rules, and regulations necessary to carry out the intent of the law. Therein lies the problem because agencies like the EPA start promulgating rules which take the force and effect of the law, which cause the wrong thing to happen.

Let me tell my colleagues what is going to happen with the waters of the U.S.A. if it becomes a rule. We are going to give the power to the EPA that we have given under eminent domain to cities and counties and States in the United States. Eminent domain is the way the government was allowed under the Constitution to take property but reimburse the owner of the property for the damage done by the government in the taking for road rights-of-way, sewer lines, water projects, and things of that nature. This is a grant for eminent domain to an agency without any requirement to compensate the person from whom they have taken the land or restricted the use of the land.

The Presiding Officer mentioned that his father and family were in the homebuilding industry. I was in the homebuilding industry too and the land development industry. What we do is we add value to the land. We add value to its resources. We improve its drainage and use of water. But if we have a regulatory agency that makes it too expensive to develop the land, we go out of business and the community goes out of business because there is no new housing. The effect of the rule is it shuts down the economy, growth, and opportunity; it doesn't add to it.

So it is very important to understand that when somebody says "We are

going to pass a waters of the U.S.A. rule that is going to improve the quality of our water, and we are going to do so by delegating to the EPA—an unelected appointment agency—the power to tell you what you have to do,” they are in effect saying that they are giving the power of eminent domain to the EPA without a requirement that you as a landowner be compensated.

The reason America is different from every other country on the face of this Earth is because we are a nation of individual landowners. We own our country, and we are still good stewards of our land, and we appreciate that opportunity. In most countries around the world, people don't have the opportunity to own the land and have private ownership. They lease their little place in life and that is where they go. America is different, and that is what made us different. But if we are landowners and we come under a waters of the U.S.A. rule and the EPA provides edicts that have the force and effect of law without the requirement to be compensated by an unjust agency that is enforcing a rule or regulation, we are becoming nothing better than a European country or, worse than that, a country that no longer has the benefit of private ownership of land.

So it is very important that we understand that the quality of water is important, protecting our water is important, but it is a balance, and it is a balance between the user, the landowner, and the government. What we need to do is come together to develop policies that are necessary to see to it that we have a good quality of water and we have good use of our water but not a dictatorial agency in the Federal Government given the total priority to control our land and its use.

I love this country. I love the opportunity it has given to me and the opportunity to serve in the U.S. Senate, to take my life experiences and try to add to the quality of legislation we pass here. I hope we will pass the Ernst legislation and stop the growth of the waters of the U.S.A. rule and get everybody—all the users—to come to the table and talk about positive ways to protect the quality of our water and the use and the management of our water but not the confiscation of our property and the dictates of an agency rather than an elected body.

We do not need America to become a dictatorial country. We need to continue to be a country of participation and negotiation, where everybody at the table has a stake and where in the end we work for the best interests of all, not just the interests of an agency or, worse than that, a central belief within that agency.

This rule is a rule that is bad for farmers, developers, landowners, cities, counties, water authorities, wastewater authorities, sewer treatment

plants, and anybody else who has water.

I want to read what the EPA's coverage is in this bill. It says:

The flawed rule of the EPA to regulate nearly all water includes manmade water management systems, water that infiltrates into the ground or moves over land, and any other water the EPA decides has a significant nexus to downstream water based on the use by animals, insects, birds, and on water storage considerations.

There is no other provision in there. It includes all water. It is the authority for EPA to regulate it.

We have a farm bureau in Georgia that came up with the right slogan. They just simply said, after talking about the rule, after talking about waters in the U.S.A., there is only one thing we need to do: We need to ditch the rule.

It is time tonight for the Senate to adopt the Ernst provision, ditch the rule, and go back to the table and pass laws that are partnership laws between landowners, land developers, the local communities, local city councils, local county commissions, the local States. Let's not be a nation that edicts from the top down, but let's have solutions from the bottom up that always protect land ownership and land distribution and never take control of the water out of the hands of the States and move it to Washington, DC, where there is no accountability.

Last but not least, do not give the power of eminent domain—by that name or any other name—to the U.S. Government and take away the right to compensate because if you do, you become no better than a third-world nation, and it would be no good for the United States of America.

I see the majority leader has come to the floor, and I am anxious to hear his remarks because I know his name was invoked a few moments ago, so I will yield back my time. I am sure the majority leader would like to speak.

MORNING BUSINESS

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING JOHN DAVID GOODLETTE

Mr. MCCONNELL. Mr. President, I wish to pay tribute to a distinguished Kentuckian who is being honored by the Commonwealth and by the many people who know and respect his life's work. The late John David Goodlette came from small town beginnings: he was born in Hazard, KY, in 1925 to Dudley and Lillian Goodlette. He would go on to become a highly respected rocket

engineer who was instrumental in the Viking missions to land American spacecraft on the surface of the planet Mars.

From a young age, John had a passion for flight and aircraft. He would assemble model aircraft as a hobby, and this hobby soon grew to include piloting gliders and small aircraft. John's interest in flight led him to study engineering, and after graduating from Hazard High School in 1943, he would enroll at the University of Kentucky, where he studied mechanical engineering. His studies were interrupted by his service in the U.S. Army during World War II, when John served as a tugboat captain in the South Pacific. After resuming his studies at UK, he graduated in 1949.

The majority of John's professional career was spent at the Martin Marietta Corp., now known as Lockheed Martin, where he worked for 39 years. His research initially focused on jet propulsion, heat transfer, and thermodynamics, but he soon found himself immersed in developing rocket programs for the company.

In 1956, John was selected to lead Martin Marietta's Titan intercontinental ballistic missile project. The project led him to increase his familiarity with nuclear physics, high-speed gas dynamics, and electrical engineering.

Then came the project that would be the highlight of John's career: the Viking project. John served as chief engineer on this project for 10 years, which culminated with the successful landing of two Viking spacecraft on the surface of Mars in July and September of 1976.

“The Viking was one of those heart-in-the-mouth things,” John has been quoted as saying. “We never knew for sure it was going to work. That kept us going at a fever pitch to make sure all went right.”

The Viking program was the most expensive and ambitious mission to Mars to that point and resulted in the bulk of our knowledge of the Red Planet for the next several decades. They were highly successful missions for which John Goodlette rightfully deserves a large share of the credit.

John is being inducted into the Kentucky Aviation Hall of Fame for his pioneering role in aviation and space exploration. Students and aviation enthusiasts from all over the Commonwealth, but especially from Hazard, can be proud of what this son of Kentucky accomplished in a brilliant career devoted to technology and science.

John also serves as an inspiration at the Challenger Learning Center of Kentucky, which uses space exploration as a tool to excite and inspire students to learn science, technology, engineering, and mathematics. The Center is located in Hazard, John's hometown.

John would go on to serve as a vice president of Martin Marietta and retire

in 1991 after 39 years with the company. He has sadly passed on now and is unable to witness this historic occasion in his honor, but members of his family will be present at the Kentucky Aviation Hall of Fame induction ceremony.

I know John's three children, Sarah, David, and Alice, must be proud of all their father accomplished in his remarkable career. John not only served his country in uniform, he also added greatly to the sum total of knowledge in the universe for the benefit of his country and all of mankind.

On behalf of the Commonwealth of Kentucky, I want to thank the Goodlette family and express my admiration and respect for John David Goodlette's life and work. We are truly grateful for his passion to exploration and his service.

RECOGNIZING THE 125TH ANNIVERSARY OF THE ESTABLISHMENT OF YOSEMITE NATIONAL PARK

Mrs. BOXER. Mr. President, I ask my colleagues to join me in celebrating the 125th anniversary of Yosemite National Park, a California treasure nestled against the stunning backdrop of the Sierra Nevada mountain range.

In 1864, President Abraham Lincoln signed the Yosemite Grant Act, a landmark bill granting 39,000 acres of Yosemite Valley and the Mariposa Big Tree Grove to the State of California. This was the first time the United States had ever set aside land to protect it for the public to enjoy. Three decades later, Yosemite became the Nation's third national park—1,500 square miles of stunning waterfalls, magnificent sequoia trees, breathtaking mountain peaks, and portions of ancestral homeland for several American Indian tribes and groups.

Over the years, Yosemite National Park has been a leader, becoming the first national park to hire a female law enforcement ranger, open a museum, and establish partnerships to help preserve Yosemite for future generations. Yosemite has also championed efforts to reduce waste and pollution by establishing recycling programs in the 1970s and operating a fleet of hybrid electric shuttle buses.

Since its earliest days, Yosemite National Park has provided sanctuary, comfort, and inspiration to millions of visitors from across the globe who come to experience its natural splendor, rich geologic history, and abundant wildlife. The timeless beauty of Yosemite National Park is a testament to the vision and commitment of countless dedicated people and institutions over the past 125 years. I want to express my deep gratitude to the staff, volunteers, and friends of Yosemite for all they do to protect this natural wonder, and I am pleased to join in honoring this special anniversary occasion.

OBSERVING ADOPTION AWARENESS MONTH

Mr. KING. Mr. President, each November we celebrate National Adoption Awareness Month to recognize the families that choose to adopt and the organizations that support them. During this month, we honor those who welcome these children into their homes and hearts, help them to grow to their full potential, and give them a better future. Today I would like to draw attention to the importance of adoption and raise awareness about youth in foster care programs, especially in Maine.

There are over 400,000 children in the foster care system, many of them waiting and hoping that the right family will come to adopt them. While many of these children are successfully returned to their birth parents and relatives, almost half are left in the system to fend for themselves. The absence of a stable family structure can be disastrous for children who are still developing psychologically and are trying to find their way in the world.

This issue has very real impacts on the future of these children and our society as a whole. Young adults who age out of the foster care system before being placed with a family are at a significantly higher risk for homelessness, incarceration, and unemployment. Alternatively, children who are adopted from foster care are more likely to achieve academic success and emotional security than their counterparts who remain in foster care. Nearly 80 percent of Americans, myself included, believe that more should be done to encourage adoption; yet, each year, tens of thousands of available children remain in the system, without families. Every child deserves to grow up in a permanent, safe, and loving home. This month, as we thank all those who have opened their hearts and homes to these children, we must acknowledge that there is still much work ahead of us.

I am proud of the important roles Maine citizens have played in promoting adoption awareness. Adoptive & Foster Families of Maine, Inc., AFFM, has been instrumental in helping children find the security they deserve and in providing support to the families who welcome them into their homes. Fostering or adopting a child can be an emotional process, and AFFM offers many services to all Maine adoptive families, including support groups, resource mentors, material goods, and a referral database for legal matters and mental health support. The adoption process is an emotional, transformative, and sometimes even stressful time for children and for their new families; therefore, the services provided by AFFM are an integral aspect of cultivating safe, joyful adoptions across the State. I have witnessed their hard work in action, and I am proud of all they have done for families and children across Maine.

My wife, Mary, and I have been blessed with two adoptions. I know firsthand what an amazing process adoption can be. Our experience would not have been possible without the loving support of our family, friends and community. Mary and I have been so fortunate with the joy all of our children bring to our lives every day, and I am proud to celebrate National Adoption Awareness Month.

I would like to recognize and thank Adoptive & Foster Families of Maine, Inc., and all others who facilitate adoptions throughout the country and make it possible for children in foster care to find their forever homes. Selfless, caring individuals and programs like AFFM help bring children one step closer to their dreams. They offer the hope of love and security to future generations, and for that, they deserve our immense gratitude.

RECOGNIZING COWBOYS AGAINST CANCER

Mr. BARRASSO. Mr. President, today I come to the floor to recognize one of Wyoming's most generous groups, Cowboys Against Cancer. Founded in 1994 by cancer survivor Margaret Parry, Cowboys Against Cancer raises funds for residents of Sweetwater County who have been diagnosed with cancer. Touched by those who aided and encouraged her during her own battle with cancer, Margaret created Cowboys Against Cancer in order to provide the same comfort to those battling this awful disease. Margaret's mission—and that of Cowboys Against Cancer—is one of compassion and support. From offering the comfort of a shoulder to lean on to awarding grants to support overburdened individuals and families, Cowboys Against Cancer has waged a tireless battle against cancer.

As a nonprofit volunteer organization, Cowboys Against Cancer is a proud group devoted exclusively to charity. The organization's volunteers work without compensation, and Cowboys Against Cancer employs no staff members. Without staff on the payroll, no office space, and very little overhead, the majority of the profits generated are donated directly to those in need. Since the organization's inception, Cowboys Against Cancer has given hundreds of grants to local cancer patients, including more than 150 grants in 2015 alone. In addition to these grants, the group has also worked to fund the development of cancer treatment infrastructure throughout Sweetwater County to better serve the regional population.

This year marks the 21st and final Cowboys Against Cancer Annual Benefit and Banquet. Over 1,000 people will gather to both celebrate the memories of those who are no longer with us and recognize the exemplary courage and

determination exhibited by cancer survivors. Including the donations raised from this capstone gala, Cowboys Against Cancer estimates that they will have awarded a total of \$5 million of grants to folks in Wyoming. This is a remarkable achievement.

Margaret has a tremendous team of volunteers who have helped her make this dream a reality. Over the years, dozens upon dozens of folks have worked for this great organization. I would like to recognize the current board of directors and the people who have volunteered for 10 years or more. The Cowboys Against Cancer board of directors are: Margaret Parry, president and founder; George Lemich, vice president and auction officer; Cindy Petersen, historian; Kristi Parry, secretary; Erika Kosher, banquet; Anita Punders, treasurer; Terry Warren, grant disbursements; Kathy Devoy, invitations and tickets; Cindy Rodriguez, advertising; and Geannie Berg, auction item data base.

The kind, generous, and energetic volunteers who have lent a hand for over 10 years are Sandra DaRif, Danella "Prune" Devries, Pat Devoy, Debbie Gunn, Mary Hardy, Beth Ice, Mary Juel, Veldon Kraft, Don Melvin, Vance Petersen, Kyle and Patsy Rossetti, Becky Sanchez, Kelly Shablo, Bess Stevenson, Liz Strannigan, Tim Warren, and Donald Wigen. Students from Western Wyoming Community College, Rock Springs High School, and Green River High School have always been generous with their time. And, finally, a special note of thanks to Al Harris who serves as the event's master of ceremonies.

Please join me in offering my heartfelt congratulations to Margaret Parry and her Cowboys Against Cancer team for their efforts toward creating a cancer-free world. This organization has exemplified the nature of the cowboy spirit: tough, but neighborly. Sweetwater County—and Wyoming—are better, thanks to the selfless contributions of Margaret Parry and Cowboys Against Cancer.

ADDITIONAL STATEMENTS

TRIBUTE TO ASHLEY MITCHELL

• Mr. CASSIDY. Mr. President, I wish to celebrate and congratulate the recent accomplishments of Ms. Ashley Mitchell. At only 4-foot-9-inches tall and 94 pounds, Ashley holds the title of Weight Lifting World Champion.

The daughter of Anticia S. Mitchell and a native of Alexandria, LA, Ashley is a hard-working honor roll senior with a 3.0 GPA at Alexandria Senior High School, ASH. In addition to her academic triumphs, Ashley is also a dynamic athlete. During Ashley's freshman year of high school, ASH powerlifting coach Duane Urbina intro-

duced her to the sport. With her mother's encouragement to take a risk and to try something new, Ashley embraced the opportunity wholeheartedly.

Ashley has achieved several impressive titles as a result of her hard work. Ashley is a three-time first place North Regional Champion, as well as the North Regional Most Outstanding Lifter on the light-weight platform. Additionally, Ashley broke the bench and deadlift records at North Regionals. Moreover, Ashley is a three-time first place Louisiana State Champion. Ashley has earned the Billy Jack Talton Award for Best Lifter in the State of Louisiana and has placed second at both the national meet in Killeen, TX, for 2013-2014 and the national meet in Milwaukee, WI, for 2014-2015.

On May 15, 2015, Ashley earned first place at the Men's and Women's Powerlifting National Meet in San Antonio, TX; Ashley's first place award qualified her to join TEAM USA and to compete at the International Powerlifting Federation, IPF, Championship held in Prague, Czech Republic, on August 28-September 6, 2015.

Talented competitors from 28 nations competed at the IPF Championship. Ashley rose to the challenge, receiving the gold medal in the 94.5 pound weight class for the Sub-Junior and Junior USA Team. Ashley earned the second place silver medal for squatting 275 pounds, the first place gold medal for benching 159.5 pounds, and the first place gold medal for deadlifting 326.5 pounds. Each lift event included three attempts. On Ashley's second attempt for the deadlift, she broke the world record by lifting 309.1 pounds; Ashley immediately broke this record on her third attempt by lifting 326.5 pounds, now the new world record. Ashley also set the new world record for total weight lifted, by lifting a combined 761 pounds during the squat, bench, and deadlift events.

Powerlifting is both physically and mentally demanding, but not insurmountable for Ashley, who finds support in God, her family, her coach, and her powerlifting team. Through blood, sweat, and tears, Ashley welcomes the challenges and celebrates how the sport teaches her about how to overcome life's obstacles.

Ashley Mitchell makes our community, State, and country very proud. Today I join my colleagues in honoring this young woman's tremendous effort and dedication.●

RECOGNIZING THE 366TH FIGHTER WING

• Mr. CRAPO. Mr. President, I wish to honor Mountain Home Air Force Base's 366th Fighter Wing, which recently earned the Air Force Outstanding Unit Award. Congratulations to the skilled and dedicated men and women who

serve in the 366th Fighter Wing for their outstanding service to our Nation.

The Outstanding Unit Award was created 61 years ago. According to the Air Force Personnel Center, it is awarded by the Secretary of the Air Force to units that "distinguished themselves by exceptionally meritorious service or outstanding achievement."

The 366th FW earned the award for the period of June 1, 2014, to May 31, 2015, and is credited with 9,200 hours spent in the air. When making the nomination, U.S. Air Force Lt. Gen. Mark C. Nowland cited the fighter wing's "determination and relentless pursuit of excellence." He noted a number of the wing's accomplishments: the successful use of airpower during Republic of Korea theater security package operations; the Gunfighters expanded their airspace by 25 percent, supporting seven military branches from five countries during five major exercises; and the achievement of an impeccable personal training pass rate. Lieutenant General Nowland wrote, "Whether at home training for current and future contingencies or sending Airmen downrange to complete combat operations, the Gunfighters exemplify the Fly, Fight and Win ethos."

The more than 4,680 military and civilian members and approximately 4,590 family members of the 366th FW have a long history of excellence. It has been awarded the Air Force Outstanding Unit Award 17 times, dating back to its accomplishments in 1966 and as recent as 2012. The work of the wing's servicemembers also earned Meritorious Unit Awards in both 2008 and 2009. These are just a few of its recognitions.

Various divisions of the wing have also received numerous awards. The wing's maintenance group was acknowledged as "Outstanding Maintenance Unit" for their efforts during a massive aerial combat training exercise at Nellis Air Force Base in Nevada. The 366th Security Forces Squadron was also named "Most Outstanding Security Forces Medium Unit in Air Combat Command." The 366th Force Support Squadron was selected as the best force support squadron in Air Combat Command, ACC, and the base's medical group is the top rated in ACC.

The commitment and dedication of the thousands of courageous and accomplished Americans who call Idaho home is beyond impressive. We are blessed to have many knowledgeable and brave individuals and their families protecting our Nation. I congratulate the 366th Fighter Wing on its many successes.●

TRIBUTE TO DR. DONALD WILLIAMSON

• Mr. SESSIONS. Mr. President, it is with great pleasure and the highest regard that I speak on the accomplishments of my valued constituent and friend, Dr. Donald Williamson. On October 31, 2015, Dr. Williamson concluded 23 years as Alabama's State health officer and 29 years of service in the Department of Public Health.

Dr. Williamson has served the public health community for more than 30 years, first in his home State of Mississippi and in Alabama since 1986. He began his career in Alabama as the director of the Division of Disease Control from 1986 to 1988. He then served as the director of the Bureau of Preventative Health Services from 1988 to 1992, when he was appointed as the State health officer and director of the Alabama Department of Public Health.

Dr. Williamson received his medical degree, cum laude, from the University of Mississippi School of Medicine and completed a residency in internal medicine at the University of Virginia Hospital.

His devotion to health and public service has been recognized on numerous occasions. He received the 2011 Nathan Davis Award from the AMA for outstanding public service by a career public servant at the State level; the 2009 Wallace Alexander Clyde Award from Children's Hospital; the 2000 Arthur T. McCormack Award from the Association of State and Territorial Health Officials for dedication and excellence in public health; the 1999 Theodore R. Ervin Award from the Public Health Foundation; and the 1999 Child Health Advocate Award from the American Academy of Pediatrics. He also was the recipient of the 1997 D.G. Gill Award from the Alabama Public Health Association for outstanding contribution to public health in Alabama and the 1998 Internist of the Year Award from the Alabama Society of Internal Medicine. In addition, he has held leadership roles in several national and State organizations, including the Association of State and Territorial Health Officials.

For the last 3 years, Dr. Williamson has held two of the largest jobs in State government, serving both as health officer and chairman of the Alabama Medicaid Transition Taskforce. Governor Robert Bentley appointed Dr. Williamson to serve as chairman of the transition taskforce at a time when the Medicaid Program was on the brink of failing.

During his tenure, All Kids, Alabama's public health insurance for children, was recognized nationally for its success in reducing the number of uninsured children. As the chairman of the Medicaid transition taskforce, he helped rescue the Alabama Medicaid Agency and restructured the Medicaid Program. Under his direction, the Med-

icaid Program will be transformed into Regional Care Organizations and Patient Care Networks. This new structure represents a shift from treating an illness or injury to focusing on overall health and well-being and will lead to improved health outcomes for many Alabamians.

Dr. Williamson has demonstrated the ability to find solutions for seemingly insurmountable challenges and has been a calm, strong voice of reason and common sense in the most difficult of times. Throughout his career, he continued to find new ways of making Medicaid work for its patients and the physicians who treat them.

However, it is good to note that this is not the end of Dr. Williamson's healthcare service. He will become the CEO and president of the Alabama Hospital Association in November. His tremendous knowledge of health care will continue to be a valuable resource to Alabama and to this critically important organization.

I have known this able, energetic leader for many years. I share the views of the great majority of health professionals that he is a treasure for Alabama and the Nation. No one was surprised and all were pleased when Governor Bentley asked him to take over as chairman of the Medicaid transition taskforce at a truly critical time. His reputation throughout the State, the awards he has received, and the sustained effort he has given for the betterment of the health of all Alabamians, especially the poor, truly sets him apart and makes him worthy of the highest accolades.

In light of these and all of his many accomplishments, I want to congratulate him on his outstanding career and to wish him the very best in his next important and challenging endeavor.●

RECOGNIZING DONG PHUONG BAKERY & RESTAURANT

• Mr. VITTER. Mr. President, Louisianians share a long history of triumph and resilience over hardship, and as a result, folks from all backgrounds pursue the American Dream with dedication and commitment. This is particularly true of the Vietnamese community and local small businesses in southeast Louisiana who came together to rebuild New Orleans East after Hurricane Katrina. In honor of National Women's Small Business Month, I am proud to recognize Dong Phuong Bakery & Restaurant of New Orleans, LA, as this week's Small Business of the Week.

Amidst an intense postwar political climate following the end of the Vietnam war, De and Huong Tran immigrated to the United States in 1980 in search of a more peaceful life and greater opportunities for their young family. The Trans and their three young children settled in an area with

a fast-growing Vietnamese presence, the Versailles neighborhood of New Orleans. Shortly after settling into their new community, De enrolled at the University of New Orleans and found work at a local grocery store. Given De's busy class and work schedule, Huong cared for the young Tran children as they adjusted to their new home and culture. Searching for ways to reconnect with her beloved Vietnamese culture and provide extra income for her young family, Huong drew from her past working in her father's bakery in Vietnam and began baking a variety of Vietnamese delicacies, selling them to friends, family, and local shops in her community. Realizing they had a hit, Huong and De opened the Dong Phuong Oriental Bakery in 1981, selling traditional Vietnamese pastries and items with a French flair.

During the rebuilding process after Hurricane Katrina, De and Huong Tran provided support and hope to their community, and today the Dong Phuong Bakery & Restaurant remains in their original location in the Vietnamese neighborhood of Versailles, operating out of a 4,000-square-foot restaurant space. Now under the ownership of Huong Tran and Linh Tran Garza, the bakery continues to prepare and sell traditional French-Vietnamese cuisine, as well as their beloved fresh French bread to restaurants and customers across south Louisiana.

Congratulations again to Dong Phuong Bakery & Restaurant for being Small Business of The Week and to Huong and Linh for their praiseworthy entrepreneurial spirit and for setting an example for women entrepreneurs across the Nation.●

TRIBUTE TO JOSEPH J. COX

• Mr. WHITEHOUSE. Mr. President, it is with gratitude and appreciation that I congratulate Joseph J. Cox of Virginia on his retirement as president and chief executive officer of the Chamber of Shipping of America.

Upon graduating from the U.S. Merchant Marine Academy in 1967, Mr. Cox served honorably as a deck officer on commercial ships in the Vietnam war. He worked for 8 years at the U.S. Department of Labor in the Marine Standards Office. In 1981, he joined the Chamber of Shipping of America, the association of American ship owners, operators, and charterers. He rose to president and CEO and led the organization from 1997 until his retirement earlier this year.

Mr. Cox is widely respected as a valued representative of the American maritime community. He has actively advocated for domestic legislation and regulation to advance the interests of the shipping and maritime industry. He has participated in the development of transnational treaties at the International Maritime Organization and the International Labor Organization.

At the helm of the Chamber of Shipping of America, he elevated the nearly 100-year-old association to its respected status in the global maritime community. He will continue to serve as an adviser to the organization.

I thank Joe Cox for his decades of service to his country and to the marine trades, and I wish him and his family smooth sailing on the next leg of their voyage.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neimann, one of his secretaries.

PRESIDENTIAL MESSAGE

NOTIFICATION OF THE PRESIDENT'S INTENT TO TERMINATE THE DESIGNATION OF THE REPUBLIC OF BURUNDI AS A BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT (AGOA), RECEIVED DURING ADJOURNMENT OF THE SENATE ON OCTOBER 30, 2015—PM 31

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was referred to the Committee on Finance:

To the Congress of the United States:

In accordance with section 506A(a)(3)(B) of the African Growth and Opportunity Act, as amended (AGOA) (19 U.S.C. 2466a(a)(3)(B)), I am providing notification of my intent to terminate the designation of the Republic of Burundi (Burundi) as a beneficiary sub-Saharan African country under AGOA.

I am taking this step because I have determined that the Government of Burundi has not established or is not making continual progress toward establishing the rule of law and political pluralism, as required by the AGOA eligibility requirements outlined in section 104 of the AGOA (19 U.S.C. 3703). In particular, the continuing crackdown on opposition members, which has included assassinations, extra-judicial killings, arbitrary arrests, and torture, have worsened significantly during the election campaign that returned President Nkurunziza to power earlier this year. In addition, the Government of Burundi has blocked opposing parties from holding organizational meetings and campaigning throughout the electoral process. Police and armed youth militias with links to the ruling party have intimidated the opposition, contributing to nearly 200,000 refugees fleeing the country since April 2015. Accordingly, I intend to terminate the designation of Burundi as a beneficiary

sub-Saharan African country under AGOA as of January 1, 2016.

BARACK OBAMA.
THE WHITE HOUSE, October 30, 2015.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on November 2, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. MESSER) had signed the following enrolled bills:

H.R. 623. An act to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes.

H.R. 1314. An act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on November 2, 2015, during the adjournment of the Senate, by the Acting President pro tempore (Mr. COCHRAN).

MESSAGE FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1853. An act to direct the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

H.R. 2494. An act to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes.

H.R. 3361. An act to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes.

H.R. 3503. An act to require an assessment of fusion center personnel needs, and for other purposes.

H.R. 3505. An act to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes.

H.R. 3598. An act to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1853. An act to direct the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Po-

lice Organization, and for other purposes; to the Committee on Foreign Relations.

H.R. 2494. An act to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes; to the Committee on Foreign Relations.

H.R. 3361. An act to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3503. An act to require an assessment of fusion center personnel needs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3505. An act to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3598. An act to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2232. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3403. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Teflubenzuron; Pesticide Tolerances" (FRL No. 9933-25) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3404. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Methoxyfenozide; Pesticide Tolerances" (FRL No. 9934-14) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3405. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Agriculture Priorities and Allocations System" (RIN0560-AH68) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3406. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Long Range Strike Bomber (LRS-B) system or program (OSS-2015-1699); to the Committee on Armed Services.

EC-3407. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: New Designated Countries—Montenegro and New Zealand" ((RIN0750-A171) (DFARS Case 2015-0049)) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Armed Services.

EC-3408. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Removal of Cuba from the List of State Sponsors of Terrorism" ((RIN0750-A167) (DFARS 2015-D032)) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Armed Services.

EC-3409. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Requirements Relating to Supply Chain Risk" ((RIN0750-AH96) (DFARS Case 2012-D050)) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Armed Services.

EC-3410. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2015-0001)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3411. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Protection System, Automatic Reclosing, and Sudden Pressure Relaying Maintenance Reliability Standard" (Docket No. RM15-9-000) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Energy and Natural Resources.

EC-3412. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to Air Plan; Arizona; Stationary Sources; New Source Review" (FRL No. 9930-43-Region 9) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Environment and Public Works.

EC-3413. A communication from the Associate Administrator, Office of Congressional and Intergovernmental Relations, Environmental Protection Agency, transmitting, pursuant to law, a report entitled "2015 Report to the U.S. Environmental Protection Agency Administrator"; to the Committee on Environment and Public Works.

EC-3414. A communication from the General Counsel, National Science Foundation, transmitting draft legislation entitled "Antarctic Environmental Liability Act of 2015"; to the Committee on Environment and Public Works.

EC-3415. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Programs; Methods for Assuring Access to Covered Medicaid Services" (RIN0938-AQ54) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Finance.

EC-3416. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Programs; Final Waivers in Connection With the Shared Savings Program" (RIN0938-AR30) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Finance.

EC-3417. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending December 31, 2014"; to the Committee on Foreign Relations.

EC-3418. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-098); to the Committee on Foreign Relations.

EC-3419. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period June 1, 2015 through July 31, 2015; to the Committee on Foreign Relations.

EC-3420. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015-0117–2015-0133); to the Committee on Foreign Relations.

EC-3421. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Performance Report of the Food and Drug Administration's Office of Combination Products for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-3422. A communication from the Principal Deputy Chief Financial Officer, Office of the Chief Financial Officer, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Administrative Wage Garnishment Procedures" (RIN1290-AA27) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3423. A communication from the Acting Director, Merit System Accountability and Compliance, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations" (RIN3206-AM68) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3424. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees Health Benefits Program: Enrollment Options Following the Termination of a Plan or Plan Option" (RIN3206-AN07) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3425. A communication from the Deputy Assistant Administrator, Drug Enforce-

ment Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Nasal Decongestant Inhaler/Vapor Inhaler" ((RIN1117-ZA30) (Docket No. DEA-409)) received in the Office of the President of the Senate on October 27, 2015; to the Committee on the Judiciary.

EC-3426. A communication from the Deputy Assistant Administrator, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Vicks VapoInhaler" ((RIN1117-AB39) (Docket No. DEA-367)) received in the Office of the President of the Senate on October 27, 2015; to the Committee on the Judiciary.

EC-3427. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Rule to List the Dusky Sea Snake and Three Foreign Corals Under the Endangered Species Act" (RIN0648-XD370) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3428. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fishery Management Council Freedom of Information Act Requests Regulations; Technical Amendments to Regulations" (RIN0648-BE73) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3429. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Effort and Catch Limits and Other Restrictions and Requirements" (RIN0648-BE84) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3430. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015-2016 Biennial Specifications and Management Measures; Amendment 24; Correction" (RIN0648-BE27) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3431. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Pacific Tuna Fisheries; Establishment of Tuna Vessel Monitoring System in the Eastern Pacific Ocean" (RIN0648-BD54) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3432. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; State Waters Exemption" (RIN0648-BF20) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3433. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Quotas" (RIN0648-BE81) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3434. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Regulatory Amendment 22" (RIN0648-BE76) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3435. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE223) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3436. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Reef Fish Fishery of the Gulf of Mexico; 2015 Recreational Accountability Measures and Closure for Gulf of Mexico Greater Amberjack" (RIN0648-XE182) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3437. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Mexico" (RIN0648-XE168) received in the Office of the President of the Senate on October 27, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-102. A resolution adopted by the House of Representatives of the State of Michigan urging the President of the United States and the United States Congress to take action to halt the illegal dumping of foreign steel into the U.S. market; to the Committee on Finance.

HOUSE RESOLUTION No. 87

Whereas, Steel is the backbone of the modern economy, and it contributes to every

level of daily life. It supports our bridges, takes our buildings to new heights, and can be found in the everyday appliances in our homes. Michigan's strong manufacturing sector, particularly our automotive industry, relies extensively on the metal, as does the energy sector's domestic oil and gas extraction efforts. In fact, in 2014, Michigan and Minnesota shipped 93 percent of usable iron ore products in the United States; and

Whereas, Iron ore mining and manufacturing has been significantly undermined by low-price steel imports from foreign nations. Companies in places like China, South Korea, India, the Philippines, Vietnam, Thailand, Taiwan, and Saudi Arabia are selling their products in the United States at predatory prices. Some estimates state that certain Chinese steel firms retail their products in the United States at 75 percent of the domestic cost of production. A South Korean firm recently retailed its products even lower at 48 percent of the domestic cost of production. This unfair trade puts American mills, and the mines that feed them, at risk; and

Whereas, The economic consequences of steel dumping have begun and will have a lasting detrimental impact on the Michigan economy and the entire nation. Across the Midwest, thousands of steelworkers have already been laid off in recent years, and as mills continue to operate well below their operational capacity, more steelworkers and miners are at risk. As the percentage of foreign steel used in the United States increases, the impacts on American manufacturing will only increase. This could lead to the erosion of enterprises that are critical to our economy and national defense; and

Whereas, The dumping of foreign steel into the United States is a violation of international trade agreements and must be halted, Article VI of the General Agreement on Tariffs and Trade 1994 states that products from another country shall not be introduced into the commerce of another country at a value less than the product's normal price in the destination country. The Department of Commerce has used the provisions of this article to investigate and take anti-dumping measures against nations in the past. However, this process is slow. So, while nations and companies are being identified, investigated, and punished, American workers are being laid off. Action must be taken to more aggressively identify those violating international trade agreements and punish them accordingly: Now, therefore, be it

Resolved by the House of Representatives, That we urge the President and Congress of the United States to take action to halt the illegal dumping of foreign steel into the U.S. market; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-103. A joint resolution adopted by the Legislature of the State of California urging the President of the United States and the United States Congress to enact S. 664, the Foster Care Tax Credit Act, which would provide tax relief to short-term foster parents by helping to cover the actual costs of caring for a foster child; to the Committee on Finance.

ASSEMBLY JOINT RESOLUTION No. 17

Whereas, Foster parents make a positive and tremendous difference in the lives of so many vulnerable children by opening their

hearts and homes, and yet California faces constant challenges in recruiting and retaining enough foster families to ensure each child is placed in a family-like setting; and

Whereas, Caring for a child in foster care can be more expensive than caring for one's own biological children. Children placed into foster care often have experienced significant emotional and physical trauma and have higher incidences of medical and behavioral health issues, resulting in additional costs to foster parents. On average, current foster care rates would have to increase almost 40 percent nationwide to provide for basic care; and

Whereas, Foster parents do not always begin full-time foster parenting immediately. It is not uncommon for foster parents to first provide shorter-term respite or emergency care before "graduating" into more full-time foster parenthood. Likewise, foster parents may intend to be full-time; however, children placed with them may be reunified with their biological families after short lengths of time. Foster parents may have multiple placements for three to four months at a time. According to the Public Policy Institute of California, in California in 2010, 31 percent of children left foster care within three months; and

Whereas, The shortage of foster homes has been widely reported. According to the Los Angeles Times in 2015, "Demand for foster beds exceeds supply by more than 30% nationally. Forty percent of parents withdraw during their first year, and an additional 20% say they want out, national studies show. Those families that remain are often stuck in deep poverty themselves"; and

Whereas, Encouraging individuals to become foster parents can contribute to a greater number of children being adopted from foster care. According to the United States Department of Health and Human Services, of the children adopted from foster care in 2012, 54 percent were adopted by former foster parents. In 2012, that would have equated to 27,358 children adopted by former foster parents; and

Whereas, Senate Bill 664 of the 114th United States Congress, known as the federal Foster Care Tax Credit Act, would seek to help the many families who care for foster children for six months or less, who unlike longer term foster families, are not eligible for tax credit assistance under the federal Child Tax Credit, to cover the actual cost of caring for foster children; and

Whereas, The Foster Care Tax Credit Act provides tax relief to short-term foster parents and helps cover the actual costs of caring for a foster child by establishing an inflation-adjusted, refundable tax credit of up to \$1,000 per year, per foster child, which is prorated by the number of months a foster child is in a family's care; Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That because foster parents make significant and meaningful contributions to the lives of so many vulnerable children by opening their hearts and homes, the Legislature urges the President and the Congress of the United States to enact Senate Bill 664 of the 114th United States Congress, known as the Foster Care Tax Credit Act, which would provide tax relief to short term foster parents by helping to cover the actual costs of caring for a foster child; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker and Minority Leader of the House of Representatives, the

Majority Leader and Minority Leader of the Senate, and each member of the California delegation to the United States Congress.

POM-104. A resolution adopted by the Senate of the State of Michigan urging the United States Congress to reject the U.S.-led nuclear agreement with Iran and press for a new agreement that will prevent all pathways to an Iranian nuclear weapon; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 104

Whereas, On July 14, 2015, a six-member coalition of nations, including the governments of Great Britain, France, Russia, China, and Germany and led by the United States, reached an agreement with the Islamic Republic of Iran. This agreement, formally known as the Joint Comprehensive Plan of Action, seeks to limit Iran's capacity to refine, store, and use weapons-grade nuclear material and develop nuclear weapons in exchange for international sanctions relief; and

Whereas, The Joint Comprehensive Plan of Action, commonly referred to as the Iranian nuclear agreement, is not in the strategic interest of the United States and its allies. With the notable exception of the Arak heavy-water nuclear facility, this agreement leaves in place much of Iran's nuclear infrastructure, including 5,060 centrifuges. Moreover, this deal allows Iran to continue researching and developing advanced centrifuges capable of refining weapons-grade nuclear material for use in intercontinental ballistic missiles that can strike the United States and short-range missiles capable of hitting targets throughout the Middle East. This creates a direct threat to our national security at home and the national security interests of Israel and other allies; and

Whereas, The Iranian nuclear agreement legitimizes Iran's nuclear program and does not definitively block a path to a nuclear weapon. While the agreement restricts the amount of nuclear material Iran may store and allows for international inspections, these provisions will slow—but not halt—the advancement of Iran's weapons program. The inspections also do not meet the “anytime, anywhere” standard needed in this case, but rather uses the “managed access” approach that is insufficient to ensure Iran is not developing or hiding nuclear weaponry and weapon components. Given Iran's history of deceiving the International Atomic Energy Agency and its refusal to recognize its nuclear program's military dimension, the international community will be challenged keeping Iran's nuclear weapons program in line with the agreement. With some of the toughest restrictions ending in ten years, Iran is 15 years from manufacturing a nuclear arsenal, which could sink the Middle East into a nuclear arms race; and

Whereas, International sanctions relief would allow Iran to further support terrorist organizations. The Joint Comprehensive Plan of Action, if enacted, would unfreeze an estimated \$150 billion in assets currently isolated in foreign banks almost immediately. These assets, alongside additional revenue from sanctions relief, could be redirected by the Iranian government to more substantially support terrorist organizations in Iraq, Syria, Yemen, Lebanon, Palestine, and others. Sanctions relief could also allow more money to support a domestic military buildup that could be used against area nations, like Israel, which Iran has long committed to destroying. This emboldens the autocratic state to continue its conflict with the United States, destabilize the region, and marginalize Iranian moderates; and

Whereas, The Joint Comprehensive Plan of Action is not the best agreement for the United States, the Middle East, and the world. The agreement fails to set free imprisoned Michigan resident and former Marine Amir Hekmati and other Americans. It fails to address Iran's human rights situation, a situation that, according to a 2015 State Department report, continues to deteriorate. The agreement does not allow the inspection of Iranian military installations, which are needed to ensure secret research is not conducted and weaponry and components are not hidden; and

Whereas, Israel's support of the Iranian nuclear agreement is crucial to reaching long-term peace. However, the agreement does not have the support necessary to reach that goal. Repeated Israeli public opinion polls have shown a broad consensus, seemingly traversing conventional political divides, against the Iranian nuclear deal: Now, therefore, be it

Resolved by the Senate, That we to urge the Congress of the United States to reject the U.S.-led nuclear agreement with Iran and press for a new agreement that will prevent all pathways to an Iranian nuclear weapon; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-105. A petition by a citizen from the State of Texas urging the United States Congress to propose an amendment to the United States Constitution which would require both houses of Congress approve, by a three-fifths vote of all members elected and serving in each body, any declaration of martial law, or suspension of the writ of habeas corpus, by the President of the United States, and further providing that such Congressionally-approved martial law declaration, or suspension of the writ of habeas corpus, not exceed 30 days duration, and clearly describe the geographic territory covered by such declaration or suspension; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1550. A bill to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes (Rept. No. 114-162).

By Mr. ISAKSON, from the Committee on Veterans' Affairs:

Report to accompany S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes (Rept. No. 114-163).

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with amendments:

S. 2138. A bill to amend the Small Business Act to improve the review and acceptance of subcontracting plans, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. AYOTTE (for herself, Mr. WHITEHOUSE, Mrs. CAPITO, and Ms. KLOBUCHAR):

S. 2226. A bill to amend the Public Health Service Act to reauthorize the residential treatment programs for pregnant and postpartum women and to establish a pilot program to provide grants to State substance abuse agencies to promote innovative service delivery models for such women; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MANCHIN (for himself and Mr. WICKER):

S. 2227. A bill to amend the National Telecommunications and Information Administration Organization Act to permit the National Telecommunications and Information Administration to authorize Federal agencies to accept certain payments related to spectrum efficiency and reallocation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. CORNYN, and Mr. SCHUMER):

S. 2228. A bill to amend title XVIII of the Social Security Act to permit review of certain Medicare payment determinations for disproportionate share hospitals, and for other purposes; to the Committee on Finance.

By Mrs. SHAHEEN:

S. 2229. A bill to require the Comptroller General of the United States to conduct audits relating to the timely access of veterans to hospital care, medical services, and other health care from the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. CRUZ:

S. 2230. A bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes; to the Committee on Foreign Relations.

By Mr. LEAHY (for himself, Mr. DURBIN, Mr. MURPHY, Mr. MCCAIN, Mr. REED, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. PETERS, Mr. RUBIO, Mr. MENENDEZ, Mr. CARDIN, Mr. COONS, Mr. MARKEY, and Mrs. FEINSTEIN):

S. 2231. A bill to express the sense of Congress that the Government of the Maldives should immediately release former President Mohamed Nasheed from prison and release all other political prisoners in the country, as well as guarantee due process for and respect the human rights of all of the people of the Maldives; to the Committee on Foreign Relations.

By Mr. PAUL (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mrs. CAPITO, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. GARDNER, Mr. GRASSLEY, Mr. HELLER, Mr. ISAKSON, Mr. LEE, Mr. MCCONNELL, Mr. PORTMAN, Mr. RISCH, Mr. RUBIO, Mr. TOOMEY, Mr. VITTER, Mr. CORNYN, and Mr. SCOTT):

S. 2232. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes; read the first time.

By Mr. VITTER:

S. 2233. A bill to amend section 3716 of title 31, United States Code, to reestablish the period of limitations for claims of the United States that may be collected by garnishing payments received from the Government; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUMENTHAL (for himself, Ms. AYOTTE, Mr. WYDEN, Mr. GRAHAM, Mr. BENNET, Mr. KIRK, Mrs. MURRAY, Mr. RUBIO, Mr. SCHUMER, Mr. CORNYN, Mrs. GILLIBRAND, Ms. MURKOWSKI, Mr. CARDIN, Mr. TOOMEY, Mr. PORTMAN, and Mr. HELLER):

S. Res. 302. A resolution expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks; to the Committee on Foreign Relations.

By Mr. ALEXANDER (for himself and Mr. MERKLEY):

S. Res. 303. A resolution designating the week beginning November 8, 2015, as "National Nurse-Managed Health Clinic Week"; to the Committee on the Judiciary.

By Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. RISCH, Mr. COONS, Mr. RUBIO, Mr. MARKEY, Mrs. FISCHER, Mr. PETERS, Ms. AYOTTE, Mr. CARDIN, Mr. ENZI, Ms. CANTWELL, Mr. GARDNER, Mr. BOOKER, Mr. SCOTT, Ms. HIRONO, Mrs. ERNST, Mr. SCHATZ, Mr. BOOZMAN, Mr. HOEVEN, Mr. UDALL, Ms. HEITKAMP, Mr. KING, Mr. CRAPO, Mr. DAINES, Mr. INHOFE, Ms. MIKULSKI, Mrs. MURRAY, Mr. TESTER, Mr. PORTMAN, Mr. WYDEN, Mr. ROBERTS, Mr. ISAKSON, and Mr. MANCHIN):

S. Res. 304. A resolution recognizing November 28, 2015, as "Small Business Saturday" and supporting efforts to increase awareness of the value of locally owned small businesses; considered and agreed to.

ADDITIONAL COSPONSORS

S. 123

At the request of Mr. RUBIO, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 123, a bill to prevent a taxpayer bailout of health insurance issuers.

S. 183

At the request of Mr. BARRASSO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 183, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 264

At the request of Mr. PAUL, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 264, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 265

At the request of Mr. SCOTT, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 265, a bill to expand opportunity through greater choice in education, and for other purposes.

S. 271

At the request of Mr. REID, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 334

At the request of Mr. PORTMAN, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Montana (Mr. DAINES), the Senator from Missouri (Mr. BLUNT), the Senator from Texas (Mr. CORNYN), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 334, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 352

At the request of Ms. AYOTTE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 352, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 366

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 366, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 368

At the request of Mr. TOOMEY, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 368, a bill to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes.

S. 391

At the request of Mr. PAUL, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 391, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 481

At the request of Mr. HATCH, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 481, a bill to amend the Controlled Substances Act and the Federal Food, Drug, and Cosmetic Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing, and for other purposes.

S. 488

At the request of Mr. SCHUMER, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 488, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 540

At the request of Ms. COLLINS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 540, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes.

S. 569

At the request of Mr. LEAHY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 569, a bill to reauthorize the farm to school program, and for other purposes.

S. 578

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 586

At the request of Mrs. SHAHEEN, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from Iowa (Mrs. ERNST) were added as cosponsors of S. 586, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

S. 624

At the request of Mr. BLUMENTHAL, his name was added as a cosponsor of

S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 624, *supra*.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 804

At the request of Ms. COLLINS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 862

At the request of Ms. MIKULSKI, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 862, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 865

At the request of Mr. TESTER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 865, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 898

At the request of Mr. KIRK, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 898, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from Nebraska (Mrs. FISCHER) were added as

cosponsors of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 1079

At the request of Mr. CARDIN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1079, a bill to amend titles XI and XVIII of the Social Security Act and title XXVII of the Public Health Service Act to improve coverage for colorectal screening tests under Medicare and private health insurance coverage, and for other purposes.

S. 1082

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 1140

At the request of Mr. DONNELLY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States", and for other purposes.

S. 1149

At the request of Mr. VITTER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1149, a bill to amend title XVIII of the Social Security Act to require reporting of certain data by providers and suppliers of air ambulance services for purposes of reforming reimbursements for such services under the Medicare program, and for other purposes.

S. 1169

At the request of Mr. WHITEHOUSE, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the names of the Senator from Alaska (Mr. SULLIVAN), the Senator from Oregon (Mr. WYDEN), the Senator from Minnesota (Mr. FRANKEN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from New York

(Mrs. GILLIBRAND) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1711

At the request of Mr. SCOTT, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 1711, a bill to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 1798

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1798, a bill to reauthorize the United States Commission on International Religious Freedom, and for other purposes.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1883

At the request of Mr. REED, the names of the Senator from California (Mrs. BOXER) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1883, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 1885

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1885, a bill to amend title 38, United States Code, to improve the provision of assistance and benefits to veterans who are homeless, at risk of becoming homeless, or occupying temporary housing, and for other purposes.

S. 1926

At the request of Ms. MIKULSKI, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1926, a bill to ensure access to screening mammography services.

S. 1942

At the request of Mr. GARDNER, the name of the Senator from Colorado

(Mr. BENNET) was added as a cosponsor of S. 1942, a bill to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes.

S. 1970

At the request of Mr. SANDERS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1970, a bill to establish national procedures for automatic voter registration for elections for Federal Office.

S. 1982

At the request of Mr. CARDIN, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2042

At the request of Mrs. MURRAY, the names of the Senator from California (Mrs. BOXER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2042, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2044

At the request of Mr. THUNE, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 2044, a bill to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

S. 2067

At the request of Mr. WICKER, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2103

At the request of Mr. DONNELLY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2103, a bill to modify a provision relating to adjustments of certain State apportionments for Federal highway programs, and for other purposes.

S. 2137

At the request of Mr. BLUNT, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2137, a bill to amend title 10, United States Code, to provide a period for the relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station in order to ease and facilitate the relocation of military families.

S. 2144

At the request of Mr. GARDNER, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 2144, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

S. 2145

At the request of Mr. LEAHY, the names of the Senator from Delaware (Mr. COONS), the Senator from Oregon (Mr. MERKLEY) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 2145, a bill to make supplemental appropriations for fiscal year 2016.

S. 2175

At the request of Mr. TESTER, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2175, a bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes.

S. 2220

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 2220, a bill to amend title XXVII of the Public Health Service Act to provide for a special enrollment period for pregnant women, and for other purposes.

S. 2221

At the request of Mr. ROBERTS, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 2221, a bill to preserve the companionship services exemption for minimum wage and overtime pay, and the live-in domestic services exemption for overtime pay, under the Fair Labor Standards Act of 1938.

S. 2223

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2223, a bill to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes.

S. RES. 282

At the request of Mrs. SHAHEEN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Res. 282, a resolution supporting the goals and ideals of American Diabetes Month.

S. RES. 299

At the request of Mrs. FEINSTEIN, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Colorado (Mr. BENNET), the Senator from Massachusetts (Mr. MARKEY), the Senator from Ohio (Mr. BROWN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Mrs. MURRAY), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. Res. 299, a resolution honoring the life, legacy, and example of former Israeli Prime Minister Yitzhak Rabin on the twentieth anniversary of his death.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. DURBIN, Mr. MURPHY, Mr. MCCAIN, Mr. REED, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. PETERS, Mr. RUBIO, Mr. MENENDEZ, Mr. CARDIN, Mr. COONS, Mr. MARKEY, and Mrs. FEINSTEIN):

S. 2231. A bill to express the sense of Congress that the Government of the Maldives should immediately release former President Mohamed Nasheed from prison and release all other political prisoners in the country, as well as guarantee due process for and respect the human rights of all of the people of the Maldives; to the Committee on Foreign Relations.

Mr. LEAHY. Mr. President, since January 2015, President Abdulla Yameen of the Maldives has increasingly cracked down on dissent within his own party and the political opposition, presided over the erosion of judicial impartiality, and put increasing pressure on civil society. The arrest of former president Mohamed Nasheed, who was convicted in a widely condemned trial that UN High Commissioner for Human Rights Zeid Ra'ad described as containing "flagrant irregularities", and who remains imprisoned today, is indicative of the current situation.

That is why today I am introducing, together with a bipartisan coalition of 13 other Senators, a bill expressing the sense of Congress that the Government of the Maldives should immediately release former president Nasheed and all other political prisoners in the country, and guarantee due process for, and respect the human rights of, all of the people of the Maldives.

The United States and the Maldives have common interests in maritime security, commerce, and addressing climate change. But we also expect our partners to respect the fundamental rights of their people, including those who disagree with the government's

policies, and to uphold the basic principles of justice. I thank the cosponsors of this legislation for their support.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 302—EXPRESSING THE SENSE OF THE SENATE IN SUPPORT OF ISRAEL AND IN CONDEMNATION OF PALESTINIAN TERROR ATTACKS

Mr. BLUMENTHAL (for himself, Ms. AYOTTE, Mr. WYDEN, Mr. GRAHAM, Mr. BENNET, Mr. KIRK, Mrs. MURRAY, Mr. RUBIO, Mr. SCHUMER, Mr. CORNYN, Mrs. GILLIBRAND, Ms. MURKOWSKI, Mr. CARDIN, Mr. TOOMEY, Mr. PORTMAN, and Mr. HELLER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 302

Whereas Israel is a democratic ally and major strategic partner of the United States, as codified by the United States-Israel Strategic Partnership Act of 2014 (Public Law 113-296), and cooperation between Israel and the United States continues to increase in importance with a swiftly shifting security situation in the Middle East and North Africa;

Whereas Jerusalem is an undivided city, eternal capital of Israel, holiest city for the Jewish people, central to the worship of three monotheistic religions, and unique in the Middle East region as a city of religious tolerance where Israel guarantees access, security, and respect for the three monotheistic religions to worship in peace at holy sites;

Whereas, upon Israel securing control of Jerusalem in 1967, it has maintained a policy of keeping the Haram Al Sharif specifically open for Muslim prayer, welcoming over 3,500,000 regular worshippers annually;

Whereas the Government of Israel upholds the 1994 Treaty of Peace Between the State of Israel and the Hashemite Kingdom of Jordan, which states in Article Nine that each party "will provide freedom of access to places of religious and historical significance," as well as "act together to promote interfaith relations among the three monotheistic religions, with the aim of working toward religious understanding, moral commitment, freedom of religious worship, and tolerance and peace";

Whereas Yasser Arafat, Chairman of the Palestine Liberation Organization (PLO), committed in his exchange of letters with Israeli Prime Minister Yitzhak Rabin on September 9, 1993, that "the PLO renounces the use of terrorism and other acts of violence and will assume responsibility over all PLO elements and personnel in order to assure their compliance," and under the subsequent 1995 Oslo II Accord, the Palestinians pledged to "abstain from incitement, including hostile propaganda . . . [and to] take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction";

Whereas the President of the Palestinian Authority, Mahmoud Abbas, wrongly announced during the tenth anniversary of Yasser Arafat's death in November 2014 that Israel has no claim to Jerusalem, that the Temple Mount will not be allowed to be "contaminated" by Jews, and that Jewish prayer on the Temple Mount would lead to a "devastating religious war";

Whereas President Abbas falsely claimed during his address to the United Nations General Assembly in September 2015 that the Government of Israel has used "brutal force to impose its plans to undermine the Islamic and Christian sanctities in Jerusalem" and announced that the Palestinian Authority is no longer bound by the Oslo Accords;

Whereas Israel has in recent weeks been subjected to an alarming wave of terrorism directed against innocent civilians by Palestinians armed with knives, meat cleavers, guns, and cars;

Whereas there have been approximately 69 such attacks since the beginning of October 2015, leaving 11 Israelis dead and another 145 wounded;

Whereas United States citizens have lost their lives as a result of these terrorist attacks, including Richard Lakin and Eitam Henkin;

Whereas these random, gruesome attacks are intended to instill a sense of fear among the people of Israel leading their normal lives, and also destabilize security for both Palestinians and Israelis;

Whereas Israel, Jordan, and the United States have reached an agreement regarding the installation of surveillance cameras on the Temple Mount in accordance with the respective responsibilities of the Israeli authorities and the Jordanian Waqf.

Whereas President Abbas has helped to fuel the current violence in recent weeks by falsely casting Israel as the brutal aggressor in multiple public speeches, refusing to condemn the lethal terror attacks, and failing to acknowledge Israel's right to self-defense;

Whereas President Abbas' statements are part of a pattern of incitement among Palestinian leaders that includes denial of the Jewish heritage of Jerusalem, paying monthly salaries to the families of imprisoned Palestinian terrorists, praising slain terrorists as martyrs, demonizing Jews in official Palestinian Authority media, and encouraging attacks on social media; and

Whereas Palestinian leaders have repeatedly threatened to suspend cooperation and further encouraged violence by blaming Israel for killing Palestinian perpetrators of these heinous crimes: Now, therefore, be it

Resolved, That the Senate—

(1) condemns these brutal attacks in the harshest terms possible;

(2) welcomes Israel's commitment to the continued maintenance of the status quo on the Temple Mount;

(3) urges the President and the international community to join in forcefully condemning these Palestinian terror attacks;

(4) clarifies that there is no justification for these types of attacks and that there is a direct correlation between the recent upsurge in violence and Arab incitement regarding the Temple Mount;

(5) stands with the people of Israel during these difficult days;

(6) supports Israel's right to self-defense and rejects any suggestion of the moral equivalence of Israeli security personnel protecting its citizens from senseless violence and terrorists intent to deliberately take innocent lives;

(7) supports the agreement reached to install surveillance cameras on the Temple Mount according to the arrangements to be determined between the parties;

(8) calls upon President Abbas to stop all incitement by Palestinian officials and by Palestinian media, to strongly and unequivocally demand an end to the violence, and to take all steps necessary to halt these attacks;

(9) expresses support and admiration for individuals and organizations working to encourage cooperation between Israelis and Palestinians;

(10) encourages President Abbas to continue strengthening and maintaining security cooperation with Israel;

(11) reiterates that Palestinian political goals will never be achieved through violence; and

(12) calls on all parties to return to the negotiating table immediately and without preconditions, as direct discussions remain the best avenue to ending the Israeli-Palestinian conflict.

SENATE RESOLUTION 303—DESIGNATING THE WEEK BEGINNING NOVEMBER 8, 2015, AS "NATIONAL NURSE-MANAGED HEALTH CLINIC WEEK"

Mr. ALEXANDER (for himself and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 303

Whereas a nurse-managed health clinic is a nonprofit community-based health care site that offers primary care and wellness services based on the nursing model;

Whereas the nursing model emphasizes—

(1) protection, promotion, and optimization of health;

(2) prevention of illness;

(3) alleviation of suffering; and

(4) diagnosis and treatment of illness;

Whereas an advanced practice nurse leads each nurse-managed health clinic and an interdisciplinary team of highly qualified health care professionals staffs each nurse-managed health clinic;

Whereas each nurse-managed health clinic offers a broad scope of services, including—

(1) treatment for acute and chronic illnesses;

(2) routine physical exams;

(3) immunizations for adults and children;

(4) disease screenings;

(5) health education;

(6) prenatal care;

(7) dental care; and

(8) drug and alcohol treatment;

Whereas, as of September 2015, approximately 500 nurse-managed health clinics—

(1) provided care in the United States; and

(2) recorded more than 2,500,000 patient encounters annually;

Whereas nurse-managed health clinics serve a unique, dual role as healthcare safety net access points and health workforce development sites, because the majority of nurse-managed health clinics—

(1) are affiliated with schools of nursing; and

(2) serve as clinical education sites for students entering the health profession;

Whereas nurse-managed health clinics strengthen the healthcare safety net by expanding access to primary care and chronic disease management services for vulnerable and medically underserved populations in diverse rural, urban, and suburban communities;

Whereas research has shown that—

(1) nurse-managed health clinics experience high rates of—

(A) patient retention; and

(B) patient satisfaction; and

(2) nurse-managed health clinic patients, compared to patients of other similar safety net providers, experience—

(A) higher rates of generic medication fills; and

(B) lower hospitalization rates;

Whereas the 2013 Health Affairs article, "Nurse-Managed Health Centers And Patient-Centered Medical Homes Could Mitigate Expected Primary Care Physician Shortage", highlights the ability of each nurse-managed health clinic to bring high-quality care to individuals who may not otherwise receive needed services; and

Whereas each nurse-managed health clinic that offers primary care and wellness services provides quality care in a cost-effective manner: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning November 8, 2015, as "National Nurse-Managed Health Clinic Week";

(2) supports the ideals and goals of National Nurse-Managed Health Clinic Week; and

(3) encourages the continued support of nurse-managed health clinics so that nurse-managed health clinics may continue to serve as healthcare workforce development sites for the next generation of primary care providers.

SENATE RESOLUTION 304—RECOGNIZING NOVEMBER 28, 2015, AS "SMALL BUSINESS SATURDAY" AND SUPPORTING EFFORTS TO INCREASE AWARENESS OF THE VALUE OF LOCALLY OWNED SMALL BUSINESSES

Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. RISCH, Mr. COONS, Mr. RUBIO, Mr. MARKEY, Mrs. FISCHER, Mr. PETERS, Ms. AYOTTE, Mr. CARDIN, Mr. ENZI, Ms. CANTWELL, Mr. GARDNER, Mr. BOOKER, Mr. SCOTT, Ms. HIRONO, Mrs. ERNST, Mr. SCHATZ, Mr. BOOZMAN, Mr. HOEVEN, Mr. UDALL, Ms. HEITKAMP, Mr. KING, Mr. CRAPO, Mr. DAINES, Mr. INHOFE, Ms. MIKULSKI, Mrs. MURRAY, Mr. TESTER, Mr. PORTMAN, Mr. WYDEN, Mr. ROBERTS, Mr. ISAKSON, and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 304

Whereas there are 28,443,856 small businesses in the United States;

Whereas small businesses represent 99.7 percent of all businesses with employees in the United States;

Whereas small businesses employ over 48.5 percent of the employees in the private sector in the United States;

Whereas small businesses pay over 42 percent of the total payroll of the employees in the private sector in the United States;

Whereas small businesses constitute 97.7 percent of firms exporting goods;

Whereas small businesses are responsible for more than 46 percent of private sector output;

Whereas small businesses generated 63 percent of net new jobs created over the past 20 years;

Whereas 87 percent of consumers in the United States agree that the success of small businesses is critical to the overall economic health of the United States;

Whereas 89 percent of consumers in the United States agree that small businesses contribute positively to local communities by supplying jobs and generating tax revenue;

Whereas 93 percent of consumers in the United States agree that it is important to support the small businesses in their communities; and

Whereas November 28, 2015 is an appropriate day to recognize "Small Business Saturday": Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and encourages the observance of "Small Business Saturday" on November 28, 2015; and

(2) supports efforts—

(A) to encourage consumers to shop locally; and

(B) to increase awareness of the value of locally owned small businesses and the impact of locally owned small businesses on the economy of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2762. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1140, to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States", and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2762. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1140, to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States", and for other purposes; which was ordered to lie on the table; as follows:

Strike section 5 and insert the following:

SEC. 5. SUPPLEMENTAL SCIENTIFIC REVIEW AND ADVISORY COMMITTEE.

(a) SUPPLEMENTAL SCIENTIFIC REVIEW PANEL.—

(1) **ESTABLISHMENT.**—The Secretary and the Administrator shall establish a panel, to be known as the "Supplemental Scientific Review Panel" (referred to in this subsection as the "Panel"), to submit to the Secretary and the Administrator recommendations regarding metrics, based on the best available scientific information, to quantify the degree of connectivity between any body of water or wetland and a traditionally navigable water.

(2) MEMBERSHIP.—

(A) **IN GENERAL.**—The Panel shall be composed of 9 members, of whom—

(i) 2 shall be appointed by the Majority Leader of the Senate;

(ii) 2 shall be appointed by the Minority Leader of the Senate;

(iii) 2 shall be appointed by the Speaker of the House of Representatives;

(iv) 2 shall be appointed by the Minority Leader of the House of Representatives; and

(v) 1 shall be appointed by the President of the National Academy of Engineering.

(B) **DATE OF APPOINTMENTS.**—The appointment of a member of the Panel shall be made not later than 45 days after the date of enactment of this Act.

(C) **QUALIFICATIONS.**—Each member of the Panel shall be appointed from among individuals who possess—

(i) expertise in a field of the biogeosciences, such as hydrology, ecology, or geomorphology;

(ii) (I) academic excellence, as determined in accordance with criteria including peer-reviewed journal publications and invited academic conference presentations; or

(II) practical expertise demonstrated by a record of employment as a professional with equivalent experience as an academic scientist; and

(iii) experience regarding collecting and interpreting field measurements of streams and wetlands.

(D) **REQUIREMENT.**—In appointing members of the Panel, each appointing officer referred to in subparagraph (A) shall ensure that the Panel includes balanced representation of research expertise across all Level I ecoregions (as defined in section III of the 1997 publication of the Commission for Environmental Cooperation publication entitled "Ecological Regions of North America Toward a Common Perspective").

(E) **CHAIRPERSON.**—At the first meeting of the Panel, a majority of the members of the Panel present and voting shall elect the Chairperson of the Panel from among the members of the Panel.

(F) **VACANCIES.**—A vacancy on the Panel—

(i) shall not affect the powers of the Panel; and

(ii) shall be filled in the same manner as the original appointment was made.

(G) COMPENSATION.—

(i) **IN GENERAL.**—A member of the Panel—

(I) shall not be considered to be a Federal employee for any purpose by reason of service on the Panel; and

(II) shall serve without pay.

(ii) **TRAVEL EXPENSES.**—A member of the Panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Panel.

(H) **INITIAL MEETING.**—The Panel shall hold the initial meeting of the Panel by not later than 90 days after the date of enactment of this Act.

(I) **MEETINGS.**—The Panel shall meet at the call of a majority of the members of the Panel.

(J) **QUORUM.**—Of the members of the Panel, 5 shall constitute a quorum.

(K) **RULES OF PROCEDURE.**—The Panel may establish rules for the conduct of business of the Panel, subject to the condition that those rules shall not be inconsistent with this Act or any other applicable law.

(3) DUTIES.—The Panel shall—

(A) recommend metrics, based on the best available scientific information and considering the duration, magnitude, and frequency of flows, to quantify the degree of connectivity between any body of water or wetland and a traditionally navigable water;

(B) ensure the recommended metrics account for regional variability in all types of waterbodies and across all States, the District of Columbia, Puerto Rico, and other territories and possessions of the United States; and

(C) not later than 1 year after the date on which the Panel first convenes, submit to the Secretary and Administrator a report describing each recommendation of the Panel to which not fewer than 6 members have agreed.

(4) ADMINISTRATIVE SUPPORT.—

(A) **IN GENERAL.**—The Secretary and the Administrator shall provide to the Panel such staff and administrative services as may be necessary and appropriate for the

Panel to perform the duties under paragraph (3).

(B) **DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.**—

(i) **IN GENERAL.**—An employee of the Federal Government may be detailed to the Panel without reimbursement.

(ii) **CIVIL SERVICE STATUS.**—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(5) **FUNDING.**—The Secretary and the Administrator shall provide to the Panel such funds as the Secretary and the Administrator determine to be appropriate from amounts made available to the Secretary and the Administrator in appropriations Acts.

(6) **TERMINATION.**—The Panel shall terminate on the earlier of—

(A) the date that is 180 days after the date on which the report is submitted under paragraph (3)(C); and

(B) the date that is 2 years after the date of enactment of this Act.

(7) **APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—

(A) **IN GENERAL.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Panel.

(B) **PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.**—The Panel shall—

(i) hold public hearings and meetings to the extent appropriate; and

(ii) release public versions of the report required under paragraph (3)(C).

(C) **PUBLIC HEARINGS.**—Any public hearings of the Panel shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Panel as required by any applicable law, regulation, or Executive order.

(b) **EPHEMERAL AND INTERMITTENT STREAMS ADVISORY COMMISSION.**—

(1) **ESTABLISHMENT.**—The Secretary and the Administrator shall establish a commission, to be known as the “Ephemeral and Intermittent Streams Advisory Commission” (referred to in this subsection as the “Commission”), to develop criteria to define whether a waterbody or wetland has a significant nexus to a traditional navigable water using the metrics developed by the Panel.

(2) **MEMBERSHIP.**—

(A) **IN GENERAL.**—The Commission shall be composed of 15 members, of whom—

(i) 2 shall be appointed by the Majority Leader of the Senate;

(ii) 2 shall be appointed by the Minority Leader of the Senate;

(iii) 2 shall be appointed by the Speaker of the House of Representatives;

(iv) 2 shall be appointed by the Minority Leader of the House of Representatives; and

(v) 7 shall be appointed jointly by the Administrator and the Secretary.

(B) **DATE OF APPOINTMENTS.**—The appointment of a member of the Commission shall be made not later than the date that is 45 days after the date on which the report of the Panel is submitted under subsection (a)(3)(C).

(C) **QUALIFICATIONS.**—Each member of the Commission shall be appointed from among individuals who possess—

(i) experience regarding the permitting process under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(ii) experience serving on the Panel; or

(iii)(I) expertise in a field of the biogeosciences, such as hydrology, ecology, or geomorphology; and

(II) academic excellence, as determined in accordance with criteria including peer-re-

viewed journal publications and invited academic conference presentations.

(D) **REQUIREMENTS.**—In appointing members of the Commission, each appointing officer referred to in subparagraph (A) shall ensure that the Commission includes—

(i) balanced representation of research expertise across all Level I ecoregions (as defined in section III of the 1997 publication of the Commission for Environmental Cooperation publication entitled “Ecological Regions of North America Toward a Common Perspective”); and

(ii) equal representation of the following groups:

(I) Individuals who represent—

(aa) the interests of builders and developers;

(bb) agricultural interests;

(cc) energy and mineral development; or

(dd) the commercial timber industry.

(II) Individuals who represent—

(aa) nationally or regionally recognized environmental organizations;

(bb) sport, recreational, and commercial fishing interests;

(cc) sportsman’s organizations; or

(dd) municipal water supply interests.

(III) Individuals who—

(aa) hold a State, county, or local elected office;

(bb) are employed by a State agency responsible for the management of the environment or natural interests; or

(cc) represent the affected public at-large.

(E) **CHAIRPERSON.**—At the first meeting of the Commission, a majority of the members of the Commission present and voting shall elect the Chairperson of the Commission from among the members of the Commission.

(F) **VACANCIES.**—A vacancy on the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled in the same manner as the original appointment was made.

(G) **COMPENSATION.**—

(i) **IN GENERAL.**—A member of the Commission—

(I) shall not be considered to be a Federal employee for any purpose by reason of service on the Commission; and

(II) shall serve without pay.

(ii) **TRAVEL EXPENSES.**—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(H) **INITIAL MEETING.**—The Commission shall hold the initial meeting of the Commission not earlier than the date on which the report of the Panel is submitted under subsection (a)(3)(C).

(I) **MEETINGS.**—The Commission shall meet at the call of a majority of the members of the Commission.

(J) **QUORUM.**—Of the members of the Commission, 9 shall constitute a quorum.

(K) **RULES OF PROCEDURE.**—The Commission may establish rules for the conduct of business of the Commission, subject to the condition that those rules shall not be inconsistent with this Act or any other applicable law.

(3) **DUTIES.**—The Commission shall—

(A) develop criteria to define whether a waterbody or wetland has a significant nexus to traditional navigable water using the metrics developed by the Panel, including

the measures of flow described in paragraphs (2)(C) and (3)(E) of section 4(b);

(B) ensure those criteria account for regional variability in all types of waterbodies and wetlands and across all States, the District of Columbia, Puerto Rico, and other territories and possessions of the United States;

(C) not later than 180 days after the date on which the Commission holds the initial meeting under paragraph (2)(H), submit to the Secretary and the Administrator a draft report that—

(i) describes the criteria developed by the Commission; and

(ii) is subject to a 60-day period for public comment; and

(D) after addressing the comments received during the 60-day comment period under subparagraph (C)(ii), submit to the Secretary and the Administrator a final report.

(4) **ADMINISTRATIVE SUPPORT.**—

(A) **IN GENERAL.**—The Secretary and the Administrator shall provide to the Commission such staff and administrative services as may be necessary and appropriate for the Commission to perform the duties under paragraph (3).

(B) **DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.**—

(i) **IN GENERAL.**—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(ii) **CIVIL SERVICE STATUS.**—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(5) **FUNDING.**—The Secretary and the Administrator shall provide to the Commission such funds as the Secretary and the Administrator determine to be appropriate from amounts made available to the Secretary and the Administrator in appropriations Acts.

(6) **TERMINATION.**—The Commission shall terminate on the earlier of—

(A) the date that is 180 days after the date on which the final report is submitted under paragraph (3)(D); and

(B) the date that is 3 years after the date of enactment of this Act.

(7) **APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—

(A) **IN GENERAL.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(B) **PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.**—The Commission shall—

(i) hold public hearings and meetings to the extent appropriate; and

(ii) release public versions of the reports required under subparagraphs (C) and (D) of paragraph (3).

(C) **PUBLIC HEARINGS.**—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable law, regulation, or Executive order.

(c) **REVISED DEFINITION.**—A revision to or guidance on a regulatory definition described in section 4(a) shall have no force or effect until after the Secretary and the Administrator carry out each action described in this section.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the

Senate on November 3, 2015, at 9:30 A.M.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on November 3, 2015, at 2:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 3, 2015, at 9:30 a.m., to conduct a hearing entitled "Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 3, 2015, at 2:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EUROPE AND REGIONAL SECURITY COOPERATION

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Europe and Regional Security Cooperation be authorized to meet during the session of the Senate on November 3, 2015, at 2:30 p.m., to conduct a hearing entitled "Putin's Invasion of Ukraine and the Propaganda that Threatens Europe."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PRIVACY, TECHNOLOGY, AND THE LAW

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Privacy, Technology, and the Law be authorized to meet during the session of the Senate on November 3, 2015, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Data Brokers—Is Consumers' Information Secure?"

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. INHOFE. Mr. President, I ask unanimous consent that Chuck Podolack, a legislative fellow in Senator FLAKE's office, be granted floor privileges for the remainder of this year.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Amy Crane,

an intern in my office, be granted floor privileges for the duration of today's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The majority leader.

SMALL BUSINESS SATURDAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 304, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 304) recognizing November 28, 2015, as "Small Business Saturday" and supporting efforts to increase awareness of the value of locally owned small businesses.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 304) was agreed to.

The preamble was agreed to.
(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 2232

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 2232) to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, NOVEMBER 4, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, November 4; that following the prayer and

pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate then resume consideration of S.J. Res. 22, with the time until 12 noon equally divided in the usual form; finally, that at 12 noon, the Senate vote on passage of S.J. Res. 22.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator PORTMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

TAX CODE REFORM

Mr. PORTMAN. Mr. President, I rise this evening to talk about an issue that is critical to keeping jobs here in America and keeping investment in this country and not driving it overseas.

We had another reminder just last week of just how broken our Tax Code is when a huge company, Pfizer, a pharmaceutical company, decided it could no longer compete as a U.S. corporation. Instead it is seeking a merger with an Irish-based drugmaker called Allergan. They want to move their corporate headquarters to Ireland. It is another in a long line of companies that have made this decision because our Tax Code is broken.

Unfortunately, these kinds of transactions are called inversions, where a U.S. company buys a smaller company overseas and merges with them to become a foreign company. That is just the tip of the iceberg. It is actually bigger than these inversions. It also has to do with foreign companies buying U.S. companies because they can do so because they have a higher aftertax profit and pay a premium. These kinds of transactions are causing our jobs and investments to go overseas.

Yesterday we had another indication of that. It was announced that the Irish drug company Shire is going to buy the Massachusetts-based biotech company Dyax for \$6.5 billion. By the way, this isn't the first acquisition Shire has made this year. In January they acquired a New Jersey-based company NPS Pharmaceuticals, and in August they bought a privately held company called Foresight Biotherapeutics.

A foreign company coming in and buying U.S. companies and moving the headquarters overseas is an example of why what the Obama administration is doing to counter this is not working,

because their solution to this is not to reform the Tax Code but rather to change the way the tax laws are interpreted and put out regulations they called a tax notice that tries to block these so-called inversions. This very company we are talking about, Shire, was the subject of an inversion. It is true that AbbVie, a company in Illinois, was going to merge with them and do one of these inversions. They chose not to because of the administration's new tax notice—these new regulations. What happened instead, Shire said: Fine, we will not merge with this U.S. company through an inversion. We will just buy U.S. companies—and they bought three this year. So this is only going to be solved if we actually reform the Tax Code.

Interestingly, we have also seen this with another pharmaceutical company. It is called Salex. Salex wanted to do a merger—one of these inversions—and they were blocked from doing it by the regulations, so then they decided to become a target for a foreign takeover. Sure enough, a Canadian company, Valeant, which had already moved from the United States to Canada in a merger, in an inversion, came to the United States and bought, in this case, Salex, which is a North Carolina company. This is happening just about every week we are hearing about another company that is leaving our shores because of our Tax Code. To the administration's credit they haven't just put out these regulations saying let's slow down on inversions, they have just said we do need to reform the Tax Code. That is the truth.

This town is not doing its work. We are not doing what the people have elected us to do, which is to fix problems like this. We are letting this fester. Again, every week we have another example of this. It is no secret why this is happening. At a combined 39-percent tax rate, the United States now has the highest business tax rate of any of the industrialized countries. It is a No. 1 that you don't want to be.

Second, we don't let companies that are American companies bring their profits back here without paying that prohibitively high tax, so they have locked up their profits overseas. You probably heard this, but they say there is about \$2.5 trillion in earnings that are locked up overseas that could come back to create jobs right here, expanding plants and equipment and adding more employees. Instead, because of our Tax Code, it is not coming back—\$2.5 trillion.

Importantly, the burden of this falls on American workers—think about it—No. 1, because these companies in America are not as competitive as they should be because of our Tax Code. According to the studies, wages are lower, benefits are lower, U.S. workers are caught. This is one reason among others that we have wage stagnation in

this country, because our Tax Code is so out of date. Just by fixing the Tax Code we could give the economy a shot in the arm and help lift up those wages. Instead, so many workers in my home State of Ohio and around this country are working hard, playing by the rules, and doing everything right. Yet their wages are flat—even, on average, declining.

This is a new phenomenon for us in this country, but in the last 6 years wages have gone down, on average, not just stayed flat. By the way, expenses are up: health care, thanks to ObamaCare, tuition costs, energy costs, electricity bills, food costs. It is called the middle-class squeeze—flat wages, higher expenses. One way to fix that is to put forward pro-growth policies that can actually make a difference in getting this economy moving. Specifically, we have an example where if we had a better Tax Code based on the economic analysis, it would result not just in more jobs but better jobs. It is a way we can help, not just to bring back the jobs but to bring back better jobs.

Almost all of our competitors—think of the UK, Japan—have lowered their rates, and they have also gone to a competitive international tax code where their companies can bring their earnings back to invest in their country. So they are beating us. America is falling behind because of this problem.

American companies are much more valuable as foreign headquarters than they are in the hands of U.S. owners. It is the primary reason, by the way, that last year the number of acquisitions of U.S. companies by foreign companies doubled.

Let me say that again. Last year there were twice as many foreign takeovers as there was the year before—twice as many. Something is happening here. By the way, this year the \$275 billion worth of takeovers we saw last year is likely to go to over \$400 billion, we are told. So it is not quite a doubling this year but pretty darn close. Again, there is something happening.

My concern is, if we don't do something about this, we are going to look back 4 or 5 years from now and say what happened, all these great U.S. companies have gone overseas. It is not just pharmaceutical companies, it is across the board. It is all kinds of industries. Try to buy an American beer. The largest U.S. beer companies are now Sam Adams, with about 1.4 percent market share, and Yuengling, with about the same market share. All the rest are foreign-owned—all of them—because of our Tax Code. Anheuser-Busch went overseas. Miller is overseas. Coors is overseas. You go right down the line of American businesses that are affected by this, and it is thousands and thousands of jobs.

We did a little investigation of this in the subcommittee that I had, called

the Permanent Subcommittee on Investigations. I cochair it with CLAIRE McCASKILL, who is a Democrat from Missouri. We looked into these issues, did some research, and said it was worth having a hearing to bring some of these facts to light. We did this a couple of months ago. This is what we found out. Having reviewed more than a dozen foreign acquisitions of U.S. companies and mergers where the headquarters end up being overseas, we found out that jobs are being lost, investments are being lost—not a surprise. It is not just the headquarters that move, it is the people, the money.

One prominent case study we looked at was the acquisition of this Valeant pharmaceutical company that I talked about earlier. Valeant is now a company in Quebec. They merged with a company in Canada. When they went up there they decided: You know what. We are now going to start buying U.S. companies because we have such an advantage. We can pay a premium. They have now managed to acquire more than a dozen U.S. companies worth more than \$30 billion.

We reviewed some of the key deal documents to understand how the tax advantages affected these acquisitions, specifically. How did it affect them? We were able to look at the 2013 sale of the New York-based eye care firm, Bausch & Lomb. Anybody who wears contact lenses has probably heard of them. We looked at the 2015 sale of this North Carolina company called Salex that I talked about a moment ago. In those two acquisitions alone, Valeant determined they could shave more than \$3 billion off the tax bill just by integrating these companies into their Canadian-based operations. Think about that.

What do these deals mean to the American worker? Well, the three recent Valeant acquisitions we studied resulted in the loss of about 2,300 U.S. jobs, plus a loss of about \$16 million per year of contract manufacturing that was moved from the United States to Canada—additional jobs being lost. Again, this is happening as we talk tonight. There are companies considering leaving our shores because our Tax Code is so outdated and so antiquated.

We talked about the beer industry. The subcommittee took testimony from a guy named Jim Cook. Jim Cook is the founder and chairman of the Boston Beer Company. You might know him as the maker of Sam Adams. The market share is about 1.4 percent. Mr. Cook testified that if we fail to reform our Tax Code, his company could be next. He explained that he regularly gets offers from investment bankers to facilitate a sale. He comes back to his office after being away for a week and what does he find in his inbox, a bunch of proposals from investment banking firms saying: Why don't you go overseas? We will show you how to do it. We

will save you all kinds of money. Become a foreign corporation. This is happening all over the country.

Mr. Cook, to his credit, is a real patriot. He doesn't want to become a foreign company. He has declined all these offers, but he also informed us that when he is gone he believes that company will be driven by financial pressure to become an overseas company. He owns a majority of the company's voting shares. He is fortunate. Not all CEOs are in that position, of course. They can't afford—because they have a fiduciary responsibility to their shareholders—to be able to withstand this pressure to go overseas.

So in our subcommittee hearing and in some of the dialogue on the floor and elsewhere, we heard a lot of criticism of these companies that have gone overseas. I will say the plain truth, which is, if there is any villain in this story, it is not those companies. I wish they would stay here, but it is not those companies. It is our Tax Code and it is Washington.

Just another example, along with regulatory relief, as we talked about earlier tonight, along with expanding exporting and being sure imports are fairly traded, along with dealing with our education system and our worker retraining system at the Federal level that is not working—all of these things need to be changed. Our energy approach to have a one-size-fits-all policy, that is Washington that can and should do that.

There are so many issues that we are not addressing in terms of the debt and the deficit, economic issues. This is another one and this one is just so obvious.

Mr. Cook is famous today, the founder and chairman of Boston Beer Company Sam Adams, because he was in a Wall Street Journal editorial. I commend that editorial to you. It talks about exactly what I mentioned earlier, which is because the aftertax profit is greater for a foreign company, they can pay a premium. It talks about the fact that as compared to being able to bring a dollar back from overseas as a U.S. company and having 39 percent of it taxed, with a foreign entity—for instance, what could happen with Pfizer—they can go overseas, become an Irish company, and only pay 12 percent. They can bring 88 cents of that dollar back to this country. What an irony. They can invest more in America by being a foreign company. We would like them to be able to be an American company, bring that money back that is overseas, and build investments, jobs, plants, equipment, and people.

The Wall Street Journal editorial was wrong in one regard; that is, they said Jim Cook is a bearded brewer. He doesn't have a beard, but he is a brewer. They also said this is an issue that divides Democrats and Republicans. I

would say with respect, as a Republican on this side of the aisle, it is not that simple. There are Democrats who actually think we should be reforming the Tax Code. There are a lot of Republicans who think that too. In the Presidential debate you can see a lot of Republicans talking about it. Hillary Clinton, on the other hand, doesn't seem much interested in it. She wants to punish these companies that go overseas. That is not going to help. That will cause more companies to go overseas. They will vote with their feet, but I don't believe this is a partisan issue.

I actually believe there are people of good will on both sides of the aisle who get this.

Senator SCHUMER and I did a report after a working group that we were asked to chair by our leadership where we came up with the conclusion that we had to fix this system. Senator SCHUMER is a Democrat and I am a Republican. We don't agree on a lot of things. But we agreed on this because after hearing testimony from people, including CEOs of companies that were struggling with this decision, we realized we had to deal with it. We have to deal with it. I believe ultimately that what we have to do is to overhaul our entire Tax Code. We should deal with the individual side of the code, we should lower that rate and broaden the base, in other words, get rid of a lot of the preferences and loopholes.

On the corporate side, we should do the same thing and get the corporate rate so it is competitive. A 25-percent rate rather than a 35-percent rate would make a big difference.

The overhaul is necessary for us to be able to give the economy the real shot in the arm it deserves. But in the short term, we have a President who refuses to reform the taxes on the individual side without raising significant new revenues—in other words, increasing taxes dramatically, a couple of trillion dollars in his budget. We are not going to do that because that would hurt the economy too much. But even with a President who believes that on the individual side, there does seem to be more consensus on this business issue—what to do with the business tax code—particularly as it relates to the international tax code we talked about. So my feeling is, let's take a first step. Let's do what we can do on a bipartisan basis. Let's build on that consensus that we have reached—that we have to fix this problem now or we are going to see more and more companies and jobs and investment go overseas. Let's come up with something that addresses that specific problem.

In July, in this report that Senator SCHUMER and I released, we suggested three things where we can find a consensus. One, let's move to that international tax system where we can allow people to bring their earnings

home. Let's not lock those earnings up overseas. Let's have what you would call a permanent repatriation and allow that money to come back. By the way, that money could be used for all kinds of things, including infrastructure. So it could be tied to the highway bill. But it is important for me that we change the system to allow those funds to come back here and create jobs and opportunity in America. There is \$2.5 trillion locked up overseas.

Second, we said we ought to have incentives to be able to keep intellectual property, which is highly mobile, here in America, because a lot of countries around the world now are setting up what they call patent boxes or innovation boxes, and they are attracting our best and brightest. They are creating now a nexus between the lower rate you get if you move that intellectual property overseas and the researchers. In other words, they will give you a low tax rate, but you have to move the expertise there too.

Again, we are going to look back a few years from now if we don't deal with this and say: What happened? Some of our best researchers, some of our best colleges and universities here are now not doing the work anymore because it is being done overseas, because they are providing the inventive and we are not.

Third, we agree we do need to have some sensible base erosion protections that would discourage companies from shifting their income to low-tax jurisdictions, to tax havens, just for that purpose. By the way, the businesses that we talked to around the country agree with that. They would like to see a lower tax rate also. That is incredibly important. That is the obvious next step. But I do think there is an opportunity for us to act and to act now to be able to help give the economy a shot in the arm, to bring back the trillions of dollars from overseas, and to help us stop this exodus of jobs and investment in U.S. companies overseas.

I also believe we could act this year on this. We know what to do. There have been plenty of reports and studies. There is actually a tax proposal introduced by Dave Camp, who was the chairman of the Ways and Means Committee prior to PAUL RYAN. PAUL RYAN, who is now Speaker of the House, is very interested in this. He has done a lot of good work on this. The Ways and Means Committee and the Finance Committee have held literally dozens of hearings. We know what to do. It is a question of political will to get it done.

As we do that, we should also be sure to address the annual tax extenders. These are provisions for the Tax Code that are only in place for a short period of time. Right now they have already expired. The idea is that at the end of the year we might once again retroactively extend these tax provisions.

Think of the R&D tax credit, for instance, or the research and development tax credit. That is very important.

We think we should make those extenders that are good policy permanent. If we did that and we did this tax reform we talked about earlier, which by the way would be revenue neutral, this is the one area where the President of the United States and other Democrats are willing to say: Let's not try to wring more taxes out of the system; let's try to do this on a revenue-neutral basis.

By the way, it is going to be so pro-growth that it will result in more revenue coming in, not because you raise taxes, but because it is the right thing to do to encourage jobs, investment, and opportunity. But if you did these tax extenders along with it, you would be making the policies permanent, which would provide a huge boost to the economy. The Joint Committee on Taxation found that the short-term extenders that were passed by the Senate Finance Committee last month—this is just a short-term one for a 2-year extension, would create \$10.4 billion in

new tax revenue over the next 10 years. Think about that. That is just a short-term extension. Imagine the growth if those were made permanent.

So we do have the opportunity here to do something good for our country, for our companies, and, most importantly, for American workers, and one that is going to result in growth in the economy and, therefore, in revenue through growth, not through higher taxes but in fact by getting the tax rates down and having a competitive international tax system.

The last thing we want to do is to look back a few years from now and say: We had this opportunity. In this area, at least, we have a President willing to work with us. We have some Democrats and Republicans willing to join hands and get something done. We missed the opportunity. Now we are seeing this unfortunate movement of more and more of our great American companies overseas. We are seeing the American tax base being eroded. We are seeing something that would take away the opportunity for us to help get this economy back on track for every-

body, for the shared prosperity that we all seek.

If that happens, we will have no one to blame but ourselves here in this town. So I would encourage my colleagues again: Look at what is happening. Look at what happened with Pfizer last week, with Shire this week, and with yet another company I am sure next week. We need to wake up and realize that if we don't act—and we alone can act because this requires a change in tax policy. It cannot happen through more regulations. It has to happen by changing the law. If we don't act, we are not doing our duty to those who sent us here to represent them.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

THE PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:18 p.m., adjourned until Wednesday, November 4, 2015, at 10 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, November 3, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. KELLY of Mississippi).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 3, 2015.

I hereby appoint the Honorable TRENT KELLY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

ADA EDUCATION AND REFORM ACT OF 2015

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, Doughnuts to Go is a small, family-owned shop in California managed by Lee Ky. Like any small business, its success depends on the hard work and grit of the folks who own it.

Lee's success was threatened in 2012 when Doughnuts to Go was sued by ADA trolls for alleged violations of the Americans with Disabilities Act. The lawsuit alleged minute violations, including—get this—a mislabeled table, door handles that were off by a few centimeters, and the trash can in the bathroom was in the wrong place.

Lee was surprised by this lawsuit, especially because she is disabled herself. Lee is confined to a wheelchair and runs her store that she believes is ADA compliant. Lee was targeted by a serial plaintiff who never set foot in the store and who also sued nearly 80 other businesses in the area.

Unfortunately, Lee's not alone. Mr. Speaker, there is a whole industry made up of people who prey on and

strong-arm small businesses in order to make money off of ADA lawsuits. To these trolls, it is about making money, not helping the disabled get access to businesses.

In 1990, the Americans with Disabilities Act was signed into law. Now, after 25 years of progress and advancement, the integrity of this landmark legislation is being threatened by a handful of lawyers and plaintiffs.

The vast majority of businesses strive to serve their customers to the best of their ability, relying on the ADA as another tool to help ensure that customers with disabilities can enjoy the services they provide. Most of these businessowners believe they are compliant with the ADA. Their businesses have even passed local and State inspections. However, despite their best attempts, certain attorneys and their pool of serial plaintiffs look for minor, easily correctible ADA infractions so they can file a lawsuit and make some cash off, I believe, the disabled.

Faced with the threat of a lawsuit for minor infractions, small-business owners find themselves in a dilemma. They have few choices: settle out of court or spend time and money to go through the legal process. This becomes a lose-lose situation.

At face value, these drive-by lawsuits are an easy way for both greedy plaintiffs and attorneys to make a quick buck. In many cases, a single plaintiff signs onto multiple cases, alleging violations at businesses and properties where the plaintiff has never set foot. In California, for example, one serial plaintiff filed over 250 separate lawsuits. Another individual filed more than 800, and a third nearly 1,000. Some of these lawsuits are filed by plaintiffs that never have been in the business or even live in the State. The abuse is obvious.

Unfortunately, these lawsuits are on the rise nationwide. In 2014 alone, there was a 63 percent increase in ADA lawsuits for businesses open to the public, with more than 4,000 individual cases making their way to Federal courts.

What's more is that local and State courts across the country are finding themselves inundated by these drive-by lawsuits, and some have created special rules to deal with the sheer volume of these cases. Because of this, State legislatures have begun to take action.

The Texas State Legislature has already filed steps to curtail these practices. The ADA, however, is Federal law, and as such, Congress must rem-

edy this harmful practice of drive-by lawsuits targeting small businesses.

This is why I am introducing the ADA Education and Reform Act of 2015, H.R. 3765. This legislation will provide businessowners with an opportunity to remedy the alleged ADA infractions before being saddled with legal fees. Businessowners will have a 120-day window when given notice by the plaintiff to make any necessary public accommodation corrections and update their business. If the businessowner fails to correct the infractions, the plaintiff retains all of their rights to pursue legal action under ADA. This legislation restores the purpose of the ADA, which is to provide access and accommodation to disabled Americans, not to fatten the wallets of ADA trolls.

So I recommend to the House of Representatives that they sign onto this legislation, because the goal of this legislation is to make all businesses comply with the ADA, Mr. Speaker, not to be a cash cow for litigants that have never set foot in a Doughnuts to Go.

And that is just the way it is.

TRANSPORTATION BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I started last week in Dallas, Texas, working with people across the country, but especially from Texas, dealing with transportation needs and their requirements for balanced transportation by pedestrians, streetcar, and especially light rail. Dallas has the most extensive light-rail system in the country. I ended my week in New York City, in Brooklyn, where this vast sprawling economic engine, home to 20 million people in the metropolitan area, was dealing with their transportation needs.

Virtually all of these people, whether from Brooklyn, Texas, or around the country, are in agreement with what they need going forward, an important part of which is a renewal and strengthening of the Federal transportation partnership.

I was pleased to see that we are moving ahead with discussion of the basic framework produced by our friends on the Transportation and Infrastructure Committee. I commend Mr. SHUSTER and Mr. DEFazio for producing a bill that is quite strong under these difficult circumstances. It does preserve

the basic framework and continue to make improvements not just around the edges. There are potential breakthrough provisions in technology in transportation that could truly be transformational.

It is disappointing, however, that the bill flatlines important bike and pedestrian funding, something that is vitally needed in Houston, Indianapolis, Seattle, here in our Nation's Capital, in suburban Maryland, and communities all across the country.

The lack of balance in this transportation funding is unfortunate. But I am hoping, through the amendment process and the work between the two Chambers, if it proceeds, that we will be able to correct it.

The basic problem is, of course, we continue to tiptoe around the obvious solution to our transportation funding crisis. Our transportation partnership is compromised with our State, local, and private sector partners because we pretend that we can meet 2015 transportation needs with 1993 dollars, the last time we raised the gas tax. The refusal to do what Ronald Reagan did in 1982 and the refusal to do what six red Republican States have already done this year—Idaho, Utah, Nebraska, Iowa, South Dakota, Georgia—raising the gas tax, creates unnecessary difficulties.

The majority of States have raised their revenues over the last 4 years for transportation, and a review of the politicians involved with making these decisions found that those who voted for the revenue increases were actually reelected at a higher percentage than those who voted “no.”

This bill is a well-intended statement with good structure and innovation; but until we have meaningful, long-term, predictable funding, it is only a well-intended statement. We continue the uncertainty that bedevils people at the State and local levels; and the big projects—multistate, multimodal, multiyear projects—need certainty.

The minor cost increase of a few cents per day for families would be offset by the dramatic plunge in gasoline prices and offset even more through the cost to families for damage to their vehicles of over \$500 a year now because of poor road conditions and almost \$1,000 a year lost due to congestion. These are real costs that we are inflicting on American families every day unnecessarily.

Raising the gas tax and providing stable, meaningful funding for transportation will create millions of family-wage jobs all across the country while we get America unstuck and strengthen communities large and small.

Mr. Speaker, one of the positive elements in this bill that we are discussing is Vision Zero, which asks us to plan for a world where there are no traffic fatalities, a goal that is so im-

portant to strive for as we continue to kill 32,000 people a year on our highways and countless more who are injured.

Setting our goal high with Vision Zero is the sort of bold step we need, but we should not have a Vision Zero for new revenue. That is not bold. That is not courageous. That doesn't get the job done.

I look forward to this debate over the next couple of days. I look forward to having Members of Congress consider their alternatives. What are they going to do to make sure we can rebuild and renew this great country?

This used to be an area of tremendous bipartisan cooperation, leadership, and accomplishment for Congress. I hope it can be so again as we turn to transportation this week. The American public would welcome such a development, and certainly they deserve it.

WASTE OF TAXPAYER MONEY

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, I continue to be amazed and disappointed that the Republican Party wants to keep putting money in a black hole. The black hole is known as Afghanistan.

The story broke yesterday that the Pentagon spent \$43 million on a single natural gas station in Afghanistan when it should have cost no more than \$300,000. The Pentagon spent over \$30 million in overhead costs to build this one gas station, and the gas station was set up to service a kind of car that a huge majority of Afghans cannot afford. The Pentagon also will not answer any questions about this ridiculous waste of money.

The \$43 million gas station is one of the hundreds of examples of the waste of the taxpayers' money in Afghanistan. John Sopko has repeatedly written about the waste in Afghanistan. I don't know why Congress has continued to fund the waste and fraud in Afghanistan.

Instead, last week, Congress passed a budget deal that increased defense spending over the next 2 years by over \$80 billion a year. I did not vote for this bill. We already have a national debt of over \$18 trillion, and I cannot, in good conscience, vote to add \$1.5 trillion to the debt.

The budget deal also puts \$59 million into the Overseas Contingency Operation fund, which is a slush fund for spending money in unauthorized wars in the Middle East. I am for rebuilding our military, but I am not in favor of the waste in Afghanistan.

Mr. Speaker, enough is enough. President Obama signed us up for 9 more years in Afghanistan when he signed the bilateral security agreement

last year. On Friday, he announced that he is putting American troops on the ground in Syria in an open-ended mission. This is a waste of money and a waste of lives. It needs to stop, and Congress has the power to stop it; but we will not use our constitutional authority to even debate what he is doing in the Middle East.

Mr. Speaker, I bring with me posters from time to time. I look at the deaths of so many men and women in Iraq and Afghanistan who serve our Nation, and it breaks my heart.

So to make my point before I close, Mr. Speaker, we still have Americans dying in Afghanistan, but it doesn't make the papers anymore. We had a soldier from Fort Bragg—which is not in my district, but it is in North Carolina—who was killed in Iraq last week.

Mr. Speaker, I bring this poster today because it tells the story much better than my words could ever tell the story about war. It is a lady holding her little girl's hand. The little girl has her finger in her mouth, and she is wondering why her daddy is in a flag-draped coffin. I don't know what to tell that little girl. All I can tell that little girl is that Congress is indifferent to sending our young men and women to die in the Middle East.

It is time for Congress to meet its constitutional responsibility and have a debate and a vote on the floor of the House.

□ 1015

HONDURAS MUST END CORRUPTION AND IMPUNITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. McGOVERN) for 5 minutes.

Mr. McGOVERN. Mr. Speaker, in September I visited Honduras as part of a delegation organized by the Washington Office on Latin America. Last month I spoke about the violence and extreme poverty that force families and young people to flee the country. Today I want to focus on another urgent issue, namely, how to confront the pervasive corruption in Honduras.

We heard about the problem of corruption everywhere, from the U.N., the President of Honduras, and the U.S. Ambassador, to community leaders and NGOs with expertise in justice and human rights. Everyone wanted to talk about the seemingly intractable problem of endemic corruption in Honduras.

The roots of corruption in Honduras are deep and longstanding. They encompass state actors, criminal networks, and powerful political and economic interests. But after a scandal revealed that government officials had stolen more than \$350 million from the country's Social Security fund, which provides public health services as well

as old age pensions, and that some of the money had gone to the electoral campaign of the President's political party, there has been a huge public outcry, demanding action to end widespread corruption.

Tens of thousands of Hondurans have marched in the streets over the past months, calling for an international independent commission to investigate corruption and impunity, based on the model of the CIGIG in Guatemala, but tailored to Honduran reality. This unprecedented movement is led by young people, organized on social media, and called the Indignados.

Our delegation met with some of these young leaders. They are thoughtful, politically diverse, and united in their desire to see their country rid of corruption. They now face threats for what they are doing, and I hope that the Honduran Government is doing all it can to ensure their safety and their freedom of association and not turning a blind eye to the threats targeting them and their families.

When we met with President Hernandez, he argued that he had taken significant steps to go after corruption. I take the President seriously, and I look forward to seeing concrete results from the actions he has already announced. I also met with NGOs, including the Association of Judges for Democracy, that work on judicial, legal, and transparency issues, who unanimously felt much more must be done.

At the height of the protest movement, President Hernandez called for a national dialogue on how to address the problem of corruption, asking the United Nations and the Organization of American States to help facilitate the process and develop a consensus of what needed to be done.

So I was disappointed to learn that the dialogue process was not as inclusive as it could have been. The U.N. was sidelined, while the OAS carried out a quick series of discussions before developing a proposal for the President. Many were concerned not only that the OAS hadn't consulted widely enough, but that its actions fell short of the thoughtful and impartial mediation needed to generate confidence in any forthcoming proposal.

On September 28, the OAS presented its proposal to President Hernandez. After studying this proposal, I have concluded that it is woefully inadequate to addressing corruption and impunity, and reforming the weak judicial institutions of Honduras. This is not just my opinion.

Last week, on October 28, a broad coalition of Honduran civil society, the Coalition Against Impunity, issued a statement declaring that the mission proposed by the OAS and the government is, itself, an obstacle to creating a genuine independent commission that can truly tackle the rampant corruption and impunity in Honduras.

Earlier, on October 4, the Indignados issued a similar critique, pointing out the weaknesses of the OAS proposal to independently investigate crimes of corruption and ensure their prosecution.

It is clear from my discussions in Honduras and recent statements by Honduran civil society that any such commission must be wholly independent from the government politically and financially, that it must have the mandate and staffing to carry out investigations of crimes of corruption and impunity and the freedom to pursue those investigations wherever the evidence warrants. It must also have the mandate and ability to work independently with state prosecutors and investigators to bring such crimes to justice.

Honduras does not need one more round of judicial studies and technical assistance or a board of international mentors, as proposed by the OAS. Such a limited proposal not only lacks the broad support and confidence of Honduran civil society, but it also falls far short of what is required to break the culture of impunity in Honduras.

I hope the OAS proposal can be modified and strengthened and its mandate expanded to establish an effective and truly independent mechanism that can fully investigate corruption and have a role in prosecutions or an alternative advanced that can meet these requirements. I hope that a new proposal includes close cooperation with the U.N.

I further believe that U.S. and international aid needs to be carefully calibrated to link assistance to progress on human rights and ending corruption, including a truly independent commission with the full power of investigation into corruption and impunity and the ability to be part of the prosecution of those charged with such crimes.

RELIGIOUS LIBERTIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to share a growing concern in our country, which is that one of our founding principles, our freedom of religion, is being taken away.

I have here a beautiful picture of the Constitutional Convention, the signing of the Constitution at Independence Hall in Philadelphia on September 17, 1787. The very First Amendment to that Constitution, the very first one, our Founding Fathers solidified our citizens' right to freedom of religion.

The amendment says: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to as-

semble, and to petition the government for a redress of grievances."

Despite this freedom being explicitly laid out in our Constitution, we have seen Federal, State, and local governments continue to violate our founding principles.

One of the most notorious violations of religious liberty was recently re-highlighted by His Eminence Pope Francis. The Little Sisters of the Poor have been fighting an ongoing battle against ObamaCare's contraception mandate. These Catholic nuns are forced under ObamaCare to provide contraception to their employees, even though their faith tells them that this is morally wrong.

It is outrageous and offensive to force these nuns to violate their religious liberties to comply with the will of the President and his allies. These are Catholic nuns trying to take care of poor people, and the government is getting in their way and imposing on their religious values.

Another example is Kelvin Cochran, a resident of the city of Atlanta. Chief Cochran was appointed by President Obama in 2009 as the U.S. Fire Administrator for the United States Fire Administration before returning to become the fire chief of Atlanta. He came under attack for his Christian beliefs.

Chief Cochran is also a deacon at Elizabeth Baptist Church, where he leads a men's Bible study. His faith inspired him to write the book called "Who Told You That You Were Naked?", a book that explains and examines the state of man since the fall of Adam.

In his book, Chief Cochran briefly discusses the clear biblical teaching that sex is reserved for marriage between a man and a woman. Kelvin had 30 years of distinguished service, including under the Obama administration, when he was fired for sharing his faith.

Sadly, these types of religious freedom violations are happening in my own district in the State of West Virginia.

Almost a year ago, a high school student who is a Christian, in Buckhannon, West Virginia, was forced by his teachers in his public high school to attend a lesbian, gay, bisexual, transgender club, and then he was punished for expressing that he did not want to attend the club on the grounds that it went against his religious beliefs.

The hypocrisy of those who claim to promote tolerance, yet display such an intolerance towards those with traditional religious values, is stunning. These are just a few examples. These attacks know no boundaries. They are not based on political party, race, sex, or ethnicity. These attacks go after everyone in America.

Mr. Speaker, we need to let the citizens of our great country know that we

disapprove of these continued infringements on our religious freedom.

I strongly urge my colleagues to join me in signing on to my resolution, which I plan to introduce tomorrow, to express the sense of the House of Representatives that Federal, State, and local governments should not infringe on the ability of citizens to act in accordance with their sincerely held religious beliefs.

CELEBRATING VETERANS DAY AND VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, next week Americans throughout the country will celebrate Veterans Day. In cities and towns and hamlets, which all of us come from, we will take the time to thank and to honor those men and women who have served our Nation so nobly, to protect our freedoms and to keep this country safe, safe from all harm, foreign and domestic.

Americans take a great deal of pride in their service to our country, and we must also remember those men and women who are today serving in Active Duty in harm's way throughout the world.

I want to take this opportunity to honor two veterans who passed away this last September, who I worked with closely and who were community leaders, Charlie Waters and Earl Watson, both gentlemen who exemplified what is the best and the brightest our Nation has to offer.

Earl Watson, or as many like to call him, "Earl, the Pearl," was a World War II veteran. After the war, he moved to Los Angeles, where he worked as a doorman in the famous Hotel Knickerbocker. During a difficult time in our Nation's history, during World War II, when segregation was still in many places the law of the land, Earl was most proud that he could serve his Nation. He wrote a biography titled "Earl 'The Pearl' Watson: Doorman to the Stars." But what he was most proud of was his service to our Nation.

Earl loved people. He had a big smile, a friendly demeanor, and an eagerness to help those in need. Anytime a veteran ever came to him or a veterans organization had a problem, he was there to be helpful. Earl told me, when we were able to retrieve his medals that he had earned during his service to our country, that the proudest moment of all the many things he had done in his life was his service to our country.

Earl is survived by his wife of 71 years, Melba; his children, Alan and Coleen; and grandchildren, Eric, Ashley, and Jonathan, who he was so, so very proud of.

Another veterans' advocate who we all miss in the San Joaquin Valley is

Charlie Waters, who served in the United States Marine Corps during the Korean war. Charlie, as he was affectionately known by all, never ever stopped fighting on behalf of veterans. I worked closely with him for many years, from working to get recognition for Hmong veterans to advocating for the funding of the opening of the veterans home that we successfully did that provides residence to those who deserve it. As a matter of fact, in Charlie's last days, he was able to stay there.

He was a true champion of veterans not only throughout the Valley, but the Nation. But he did not stop there: supporting the Veterans Administration Hospital in Fresno and providing support for their efforts; organizing and helping continue the Veterans Day parade, which is one of the largest veterans parades in the entire nation that is shown on Armed Services Television; and individuals. No problem was too big or too small, as long as a veteran was there who needed Charlie's help.

Therefore, we miss both Charlie and Earl very much for all that they have done and all that they exemplified in terms of honor, duty, and service to country. Charlie is survived by his wife, Cathy; and children, Charlie Waters, III, Karen, and Jennifer.

Mr. Speaker, we want to take this time to recognize those leaders, those leaders who made a difference during their lives in serving our country. They are both shining examples of those who always—always—cared first and foremost for our Nation.

As we celebrate Veterans Day next week around the country, in towns and hamlets and cities throughout the Nation, we should think about all these veterans. We should think about the men and women who have served our Nation today in Active Duty. Never ever forget to say thank you for their service to a grateful Nation.

□ 1030

COOPERATIVE MANAGEMENT OF MINERAL RIGHTS ACT OF 2015

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, since first being elected to serve the citizens of Pennsylvania's Fifth Congressional District, I have had the honor to represent both the Allegheny National Forest and Pennsylvania's historic Oil Region, where the commercial oil industry began in 1859. This region of north central Pennsylvania was built on our natural resources, and this legacy remains a deep part of our heritage.

The Oil Region designation came about because of the city of Titusville, which has been aptly nicknamed "the

valley that changed the world." It was there in 1859 that Colonel Edwin Drake drilled the world's first commercial oil well, which set the wheels in motion for the worldwide commercial use of petroleum. Some 60 years following Colonel Drake's historic well, the Allegheny National Forest was created in nearby Warren, Elk, Forest, and McKean Counties.

Like so many areas of the West, this national forest is intrinsically connected to the prosperity of our communities. A mixed use of oil and gas production, timbering, hardwood research, recreation, and tourism make the Allegheny National Forest unique to the East Coast and truly a treasure for the mid-Atlantic region.

In the Allegheny, more than 90 percent of the mineral rights are owned by the private sector. With the long history in oil and gas development in the region, private landowners had the foresight to reserve their mineral rights when the Federal Government acquired these surface lands.

You see, Mr. Speaker, there is not a national government-run oil company. There has long been an understanding in our great country that, when it comes to resources, and specifically energy development, the private sector does it better. For generations, this arrangement successfully operated with oil and gas development taking place in the Allegheny National Forest.

Unfortunately, over the past decade, some opponents of production made attempts to mandate new regulations or limit access to the private mineral rights through numerous lawsuits. After years of litigation, a Federal court rightfully ruled in favor of the private landowners maintaining reasonable access to their property.

Federal courts have consistently ruled that the United States Forest Service lacks regulatory authority over these private mineral rights. Similar rulings and new regulations that would seek to limit production have also been issued.

Today, I am introducing the Cooperative Management of Mineral Rights Act of 2015, and I ask my colleagues who believe in the importance of private property and private property rights to join me as cosponsors. We need to provide clarity and continue to respect the longstanding importance of private property rights in our country. This legislation will set the tone for addressing other cases dealing with these rights.

I urge my colleagues to join me in protecting private property and private property rights by cosponsoring the Cooperative Management of Mineral Rights Act of 2015.

LONG RANGE STRIKE BOMBER

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. KNIGHT) for 5 minutes.

Mr. KNIGHT. Mr. Speaker, today, I would like to address an issue of critical importance to our Nation's security: the Long Range Strike Bomber.

Since World War II, our defense has relied on the ability to respond quickly to any threats to our national security anywhere in the world. The bedrock of this strategy has always been the strategic bomber.

This past week, it was announced that Northrop Grumman would be producing our next strategic bomber for future generations. Potential adversaries are deterred because only the United States possesses the capability to strike any target in the world with precision weapons within 24 hours.

Last week, the Secretary of Defense and the Secretary of the Air Force made the announcement that Northrop Grumman won the contract to build the Long Range Strike Bomber. This bomber will be produced in my district. The B-1, the B-2, and now the Long Range Strike Bomber will all follow in the same role of being built in the Antelope Valley in southern California.

Congratulations to the Air Force and the men and women of Northrop Grumman on this contract. I have seen firsthand the work that Northrop Grumman employees do in support of our men and women in uniform at Plant 42 in my district. I am here to congratulate them on the opportunity to bring the expertise and commitment to the Long Range Strike Bomber.

This means thousands of jobs to this country. It means thousands of jobs to southern California, in a much-needed area in my district where jobs are very scarce. Both Plant 42 and the many surrounding small businesses Northrop Grumman will have a contract with will have support in this area.

The road that led to Tuesday's announcement was a long one paved with hard work by many people in our community and State. The Antelope Valley has long since been the home to the aerospace industry and has built B-1s, B-2s, all of the space shuttles, and currently builds the F-35. Naturally, it would be a good selection for the next bomber being built there.

On any given day, the F-22, F-35, the F-16, B-1, or B-2 will be flying over the Antelope Valley in their test missions. I am confident that the Long Range Strike Bomber will help us continue this legacy, and I thank everyone who has helped bring its production to our community.

The Air Force has called the Long Range Strike Bomber a top modernization priority, and there are sobering facts behind that. Today, only 10 percent of our Nation's bomber force is capable of penetrating sophisticated adversary air defense systems. The average age of our bomber fleet is 32 years old, with most of our bombers more than 45 years old. Only the B-2 stealth bomber, proudly built, maintained, and

modernized in my district, can penetrate advanced air defenses; however, we only have 20 B-2s.

Given Northrop Grumman's 35 years of expertise designing, building, delivering, and modernizing the B-2 stealth bomber at Plant 42, I know the men and women who work there are incredibly qualified to build our Nation's next long-range strike aircraft.

WATERS OF THE UNITED STATES

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LAMALFA) for 5 minutes.

Mr. LAMALFA. Mr. Speaker, after a wave of strong bipartisan opposition, after being stayed by two Federal courts, the administration is still pushing its flawed waters of the United States regulatory expansion. However, this week, the Senate will finally consider rejecting this regulatory overreach.

While the administration describes their plan as a minor clarification, it is, in fact, the most sweeping expansion of Federal regulatory authority in our Nation's history.

Mr. Speaker, this map of my home State of California demonstrates exactly how far the EPA's proposal would reach. Fully 95 percent of California, depicted in black, would fall under EPA's jurisdiction, though you will notice that the city of San Francisco, in white, does not. That is because San Francisco, the source of so much of this excessive regulatory mindset, long ago paved over every waterway in the city, and who knows what is in the runoff rainwater flowing off the streets of that city.

It isn't just farms that would be hurt by the EPA's plan. Virtually every business and homeowner in the State would be faced with regulation at the whim of Federal bureaucrats under a rule written to ensure that the EPA has any jurisdiction anytime it wants.

Do we really believe the Federal Government should play a role in local land use decisions, even down to whether individual homes could be expanded? This is exactly the power the EPA claims that it needs. Dry streambeds, manmade ditches, even temporary puddles which exist only during rainstorms are all locations over which the EPA wishes to claim jurisdiction. Even Imperial County, a desert with virtually no natural waterways, would fall under the EPA's control with this plan.

Perhaps the most concerning isn't just that the EPA is seeking to expand its authority. That is the nature of any bureaucracy, and it is to be expected from this administration. Most concerning is that we can't even trust the EPA with authority to regulate navigable waterways it already has or to respect exemptions included in the Clean Water Act.

In my northern California district, residents have experienced regulatory actions so ludicrous that we can't make them up. In Tehama County, a farmer was fined for planting wheat in a manner that the government claimed damaged so-called navigable waters, which begs the question anyway: What is or what should be determined to be a navigable waterway? Is it a puddle or is it something you can actually run a boat up and down?

Never mind that the farm I mentioned has been recognized as a wheat allotment by the USDA for decades or that the farmer had simply been continuing to farm the land exactly as it has been farmed for generations. Instead, government bureaucrats wanted this activity stopped, and they used their power to prevent this farming activity.

In another instance, the government used the Clean Water Act to attack a family farm for shifting to a more efficient irrigation system—yes, for shifting to more efficient irrigation system. One might think that is a laudable goal, especially during a drought period in California in the West, but the government claimed this activity would negatively impact the Sacramento River, which is a full 7 miles away from this farm and unconnected to that farm by any waterway.

Of course, in both of these instances, the government sanctioned farmers for activities that are clearly exempt under the Clean Water Act as specified by Congress, who makes the laws. Even in the EPA's only early draft, they exempted mud puddles, but they just couldn't quite leave them out. They had to include them as well in their regulation.

The ongoing efforts of the administration to ignore exemptions for normal farming activities like planting crops and maintaining irrigation systems are in clear violation of the Clean Water Act, as written by Congress. In fact, language I sponsored to defund this sort of regulation of exempt activities was passed by both Houses last year and signed into law in December, yet the EPA persists in its illegal activities.

Mr. Speaker, when Congress can't trust Federal agencies to judiciously use authority they already hold, when we can't trust agencies to follow clear congressional direction, how can we possibly consider granting or allowing them even more power?

It is time the Senate joined the House in rolling back this proposal and remind this administration that Congress writes the law, not bureaucrats.

HONORING MAJOR JUSTIN FITCH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. DUFFY) for 5 minutes.

Mr. DUFFY. Mr. Speaker, today, I rise to remember Major Justin Fitch.

A son of Hayward, Wisconsin, and a decorated Army officer, colon cancer took Justin's life far too soon, but not before he made an incredible mark on his community and his fellow veterans.

While serving in Iraq in 2007, Justin suffered thoughts of suicide. He actually went so far as to put an M-4 rifle in his mouth. But, thank God, he never pulled the trigger.

When he returned home, he claimed victory over his suicidal thoughts, but another battle was just beginning for Justin. He was diagnosed with colon cancer. He waged a 3-year battle fighting that disease. Despite a grim prognosis, he used his attention to shed light on a mounting issue that he knew all too well. At the time, on average, 22 veterans were committing suicide a day. That is about 8,000 a year.

Justin knew that something had to be done. And so in between his chemotherapy treatments and surgeries, he took part in long ruck marches. He teamed up with veteran prevention organizations and freely gave out his number to any soldier who approached him who also had thoughts of suicide. Major Fitch, fighting the battle of his life with cancer, was also giving his time to help save other veterans who were suffering with suicidal thoughts.

Major Fitch passed away in his hometown of Pleasant Prairie, Wisconsin, on October 3. He was 33 years old. His personal battle may be over, but his fight marches on. As Justin would say: "It's okay to seek help. You can get help. Look at me."

And so, to Major Fitch, on behalf of a grateful Nation, we are thankful for your service and your sacrifice and your commitment to our veterans. May God bless you.

GREATER MIAMI JEWISH FEDERATION KRISTALLNACHT EVENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, this Monday, November 9, marks the 77th anniversary of Kristallnacht, the Night of Broken Glass.

The Greater Miami Jewish Federation will be commemorating this tragic and horrible event with a community rally on Sunday, November 15, at 4 p.m., at the Holocaust Memorial Miami Beach.

Kristallnacht marked the beginning of one of humanity's darkest periods: the Holocaust. It serves as a solemn reminder of what can happen when people allow anti-Semitism, incitement to violence, and hatred to carry on unabated.

□ 1045

What happened on Kristallnacht, the Night of Broken Glass? 267 synagogues were destroyed. 7,500 Jewish opened

businesses were looted and were vandalized. Up to 30,000 Jews were arrested. Almost 100 Jews were killed, not to mention the untold number of violent attacks that took place that night.

And the brutality and inhumanity only got worse from there, as Nazis would go on to murder 6 million Jews over the next few years because they were members of the Jewish faith.

I plan on joining the Greater Miami Jewish Federation on Sunday, November 15, to stand united with our community to vow never again.

HONORING THE DEPRESSION AND BIPOLAR SUPPORT ALLIANCE OF KENDALL AND CORAL GABLES

Ms. ROS-LEHTINEN. Mr. Speaker, today I would like to honor the Depression and Bipolar Support Alliance of Kendall and Coral Gables for supporting individuals who are suffering from these diseases in South Florida.

The stigma that surrounds depression and bipolar disorder is not only unfair, but it discourages people from seeking the help that they so desperately need.

In the United States alone, depression impacts 21 million adults. It costs \$23 billion in lost work productivity. Depression impacts our families, our coworkers, our neighbors, our friends.

The Depression and Bipolar Support Alliance of Kendall and Coral Gables is a unique, peer-directed organization that pairs those afflicted with depression with role models who have been down that road before to help them regain stability and focus.

I want to thank everyone involved with the Depression and Bipolar Support Alliance of Kendall and Coral Gables for being valuable members of our community and for the important and inspiring work that each staff member and professional does.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 47 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

We thank You for Your ongoing presence and sustaining grace in us all, and

Your concern for our Nation. Continue to bless and inspire the men and women who serve in the people's House.

May they be encouraged by any movement that has occurred, and may the hopes and prayers of the American people, and indeed the world, for healthy and productive legislation be met with results inspired by Your spirit.

Forgive our failures, our lack of faith. May the good intentions of all acting in this Chamber be rewarded by solutions to our struggles that benefit our Nation.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. SAM JOHNSON) come forward and lead the House in the Pledge of Allegiance.

Mr. SAM JOHNSON of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

CONGRESSIONAL VETERANS COMMENDATION CEREMONY

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, as Veterans Day approaches, it is my privilege to announce that, on Saturday, November 14, I will be hosting my annual Congressional Veterans Commendation Ceremony.

At this special event, 12 Collin County veterans will be recognized for their wartime sacrifices and peacetime community involvement. These veterans were nominated by their peers and chosen by a selection board. Their stories will be passed on to future generations.

The event starts around 1 p.m., and our keynote speaker is Major Heather Penney. She is one of two Air Force pilots who took to the skies on September 11, 2001, on orders to take down Flight 93 with her own aircraft before

the terrorism reached Washington, D.C.

I encourage folks to come out and show all our veterans how much we care in a tangible and personal way. I hope to see you all there. God bless America.

EX-IM BANK REAUTHORIZATION

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Mr. Speaker, last week the House finally came to its senses and overwhelmingly passed the reauthorization of the Export-Import Bank. I am encouraged to see that it has been included in the long-term highway bill we will be considering this week.

We know the Ex-Im Bank helps American businesses gain access to critical markets overseas and is a vital piece of our export strategy. But thanks to the vocal minority, the Bank's charter expired for the first time in its history on July 1.

This doesn't just hurt the likes of Boeing or GE. It hurts small businesses, many of which are minority- and women-owned.

Last year nearly 90 percent of the Ex-Im transactions directly supported small businesses without costing taxpayers a penny. That is why I urge all 313 Members who voted for Ex-Im reauthorization to oppose any attempts in the highway bill that significantly weaken or eliminate the Bank.

Now is the time for supporters to stop standing on the sidelines and start standing up for American workers and exporters.

NOVEMBER IS DIABETES AWARENESS MONTH

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today as a member of the Diabetes Caucus to recognize November as Diabetes Awareness Month.

Approximately 29 million Americans suffer from diabetes. This disease is the seventh-leading cause of death in the United States.

It is critically important that we help educate people to understand their risk factors and that we educate people on how to prevent the disease by living healthier lives.

Although there are many treatments for diabetes, there is no cure. I was proud to help introduce the 21st Century Cures Act, which provides critical funding to the National Institutes of Health so that they can continue their innovative research into diabetes and other diseases. Mr. Speaker, we spend \$330 billion each and every year treating diabetes. We need to find a cure.

I am also proud to be a cosponsor of the Treat and Reduce Obesity Act, which will help seniors manage obesity, one of the leading causes of type 2 diabetes. I look forward to working with my colleagues on both sides of the aisle and advocates across the country to continue helping patients fight this disease.

VETERANS AND CONSUMER PROTECTIONS

(Ms. BONAMICI asked and was given permission to address the House for 1 minute.)

Ms. BONAMICI. Mr. Speaker, next Wednesday is Veterans Day, and we will recognize and thank the millions of men and women who have put their lives on the line for our freedom.

One way to honor those who have served is to make certain that our veterans—and all Americans—are protected from predatory payday lenders, who leave them saddled with insurmountable debt. That is why I am speaking out today to urge the Consumer Financial Protection Bureau to pass strong rules that protect veterans and all Americans from these harmful practices.

In Oregon and around the country, predatory lenders prey on consumers who have fallen on hard times. When consumers cannot pay back the loans, with fees and interest rates that can dwarf the amount of the underlying loan, they find themselves in financial ruin.

The CFPB must act quickly to develop rules to protect veterans and all Americans.

THANK YOU TO THE FRANKLIN FAMILY

(Mr. ABRAHAM asked and was given permission to address the House for 1 minute.)

Mr. ABRAHAM. Mr. Speaker, I rise today to thank an incredible American family in my district. The Franklin family of Richland Parish made a generous donation to our Nation's heroes. The family has given 50 acres of land to develop the Northeast Louisiana Veterans Cemetery.

George Franklin, the patriarch of the family, was a veteran himself, a member of the Greatest Generation. In World War II, George served in the Eighth Air Force, European Theater. He was a tail gunner. He flew over 35 missions in a B-17. He earned six air medals, four battle stars, and a Presidential citation.

The Franklin family represents a true American commitment to serve, and this gift from their family to the veterans is yet just another example of that service. The cemetery will officially open next week—on time—with the first internment on Veterans Day.

The Franklin family has given so much to Louisiana. I commend them

for this honorable contribution to those who gave so much for us.

CHILD ABUSE IN MILITARY FAMILIES

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, Talia Williams was just 5 years old when she was beaten to death by her own father after suffering months of abuse at home. Despite multiple reports to officials at the Army base in Hawaii where Talia and her father lived, the system failed to protect her.

Talia's tragic story is just one of over 29,000 cases of child abuse and neglect in military homes over the last decade. This is a problem that demands better protections for our children in military families who are being abused and better support for military families facing the stresses of war, multiple deployments, and economic hardship.

I have introduced Talia's Law today, joined by Representative MARK TAKAI, which requires military officials to immediately report suspected cases of abuse to State child protective services. We owe it to our servicemembers, their families, and thousands of children like Talia to disrupt the status quo and stop another decade of preventable child abuse.

CONGRATULATIONS TO THE NEWMAN-COWETA CHAMBER OF COMMERCE

(Mr. WESTMORELAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTMORELAND. Mr. Speaker, I come today to honor the Newman-Coweta Chamber of Commerce on being named the Nation's Chamber of the Year by the Association of Chamber of Commerce Executives.

The members, volunteers, leaders, and friends of this chamber are what makes this organization so successful and, in turn, allow our small businesses to continue to be successful.

Because of this partnership, Coweta County is fortunate to have many businessowners who have achieved the American Dream by opening their own business.

Our businesses are also examples of how investing in our local community and economy can have great impact throughout the area. And I mean not just the store owners, but the loyal customers who buy and source local goods and services. Healthy small businesses mean a healthy local economy and stable jobs for our community.

I thank the Newman-Coweta Chamber for providing guidance, advocacy, and encouragement to our businesses as we fight our way out of a struggling economy and back onto a path for prosperity.

So, again, congratulations to the Newnan-Coweta Chamber on being the number one chamber of commerce as named by the ACCE's Chamber of the Year, and I wish you the best for continued success.

U.N. CLIMATE CHANGE CONFERENCE

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, I rise today to express my support and optimism for the U.N. Climate Change Conference, or COP 21, which will be held in Paris next month.

In advance of the negotiations, 146 parties submitted Intended Nationally Determined Contributions, laying out the actions they intend to take to reduce greenhouse gas emissions. These pledges cover 86 percent of global emissions.

We have seen major commitments from the United States, the European Union, China, and other major developing nations. We have also seen incredible support from the private sector.

Many companies, including dozens of Fortune 500 companies, have made commitments to the American Business Act on Climate Pledge. Many businesses recognize that acting on climate change is not only the morally right thing to do, but the economically right thing to do, also.

An agreement in Paris would be an incredible first step that could be built upon with even more ambitious goals in the coming years because the bottom line in climate change is too big to tackle alone.

We need global cooperation from governments and businesses, and the United States must be a leader, demanding bold action to take on the very real threats we face.

An agreement in Paris is good for our national security, our economy, and our environment. I wish good luck to our negotiating team.

CONGRATULATIONS TO THE MASON HIGH SCHOOL MARCHING BAND

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, I rise today to congratulate the Mason High School marching band, which was selected to participate in the Rose Bowl parade on New Year's Day. Only 20 high school bands are selected from across the country each year to participate in this highly prestigious event.

The Mason High School band has won four consecutive titles as the top high school band in all of Ohio. They also finished fifth in the national competi-

tion, becoming only the second band from southwest Ohio to ever play in the Rose Bowl parade.

I know that the students in the band have put in a lot of hard work for this once-in-a-lifetime opportunity, and I have no doubt that they will perform magnificently.

The Rose Bowl parade is televised around the world in 115 countries. So this is a great opportunity to show the world the talented students from southwest Ohio.

Mr. Speaker, I want to wish the students, the parents, the teachers, and all of Mason High School the best as they travel and perform and make our community proud. Go, Comets.

CELEBRATING DIWALI

(Mr. BERA asked and was given permission to address the House for 1 minute.)

Mr. BERA. Mr. Speaker, next week is Diwali. The annual festival of lights is celebrated by more than 2 million Indian Americans and more than 1 billion people worldwide.

Tomorrow more than a thousand Indian Americans will descend on Capitol Hill to celebrate Diwali. It is an opportunity to celebrate the accomplishments of the South Asian community, accomplishments in business, technology, health care, and academics.

All across this Nation, in communities small and large, you will see those small-business owners, those academics, those doctors. It is a chance to give back to a country that has provided so much opportunity to immigrants over the generations, including the Indian American community.

For a community that has benefited so much, it is great to see them participating in the political process, celebrating those accomplishments, and giving back to a country that means so much to us.

Mr. Speaker, let's celebrate. Let's celebrate who we are as Americans. Let's celebrate a dynasty of immigrants, one successive generation after another, moving this country forward.

□ 1215

CONGRATULATIONS TO EDINA GIRLS TENNIS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, if it is fall, it means it is time for another Edina High School girls tennis State title. For the 19th year in a row, the Hornets won the Minnesota State championship. This year concluded with a very hard-fought victory over Prior Lake.

Despite Edina's previous success, this year's title was never a sure thing, as

the team needed to rebound from an early season loss. Led by strong performances in singles by Sophia Reddy and in doubles by Katie Engelking and Nicole Copeland, the Hornets came out with a 5-2 victory.

Mr. Speaker, it is exciting to see the commitment from these athletes as they compete at a high level year in and year out while still excelling in school and setting aside time for family and other commitments. The parents, family members, friends, fans, and coaches are all very proud of what they have accomplished.

Congratulations, again, to the Edina High School girls tennis team for winning the State championship.

HONORING THE LIFE OF ROBERT E. STARR

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to honor the life of a beloved Fort Worth educator, veteran, and civil rights activist, Mr. Robert E. Starr.

Mr. Starr attended I.M. Terrell High School and was the first in his family to attend college. While he was in college, he was drafted into the military and served as a medic during World War II, a time when the Army was still segregated. There were two Armies: one Black and one White. Mr. Starr saw some things that he shared with us that I will never forget.

After he completed his education at Texas College in Tyler, he got his master's degree at Texas Southern University. He worked in the Fort Worth schools. He became known as a civil rights activist that was passionate about issues in the community. Mr. Starr was also employed at the FAA as a diversity manager, worked for the City of Fort Worth as an affirmative action manager, and worked as an investigator for the Equal Employment Opportunity Commission. Mr. Starr was also dedicated to the NAACP.

Mr. Starr was a proud member of the Shiloh Missionary Baptist Church on the north side of Fort Worth. He was also a very proud resident of the north side of Fort Worth.

Mr. Starr was preceded in death by his wife and daughter. He and his wife had a daughter that was severely disabled, and they were 100 percent dedicated to her. She died a few years ago.

Mr. Starr will be sorely missed in the community. He was at every event and did so much for everyone. He was literally a friend to everybody that he ever met.

HONORING WOODY WOODSIDE

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Woody

Woodside for his outstanding service with the Brunswick-Golden Isles Chamber of Commerce.

Over the last 30 years as president of the chamber of commerce, Woody has dedicated his life to the success of Brunswick and the Golden Isles, making countless trips to Washington, D.C., for the benefit of southeast Georgia. But his service and leadership go far beyond his chamber presidency.

Woody graduated from The Citadel in 1970 and is a retired officer with 23 years of service to the Georgia National Guard. In addition, he served as a congressional staff member for 14 years to two of my predecessors, Congressman "Bo" Ginn and Congressman Lindsay Thomas.

Woody has devoted his life to serving his country and his community. I am very lucky to call him a constituent, but I am luckier to call him a friend.

I would like to thank Woody for his service to the Golden Isles, the First Congressional District of Georgia, the great State of Georgia, and our country.

VETERANS DAY AND MERCHANT MARINERS

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, next week, Americans will celebrate Veterans Day and honor the sacrifices of the men and women who have served this Nation, but one group of veterans has gone unrecognized far too long.

In World War II, more than 200,000 merchant mariners braved troubled seas to deliver supplies to the battlefields of Europe and the Pacific. They faced enemy attack and suffered a casualty rate higher than any other uniformed service.

Unfortunately, the World War II Merchant Marine veterans were never eligible for benefits under the GI Bill and were long excluded even from Veterans Day celebrations. Many of these merchant mariners are now well into their eighties and nineties and have yet to receive the honor and appreciation they deserve.

As Veterans Day approaches, I am calling once again on my colleagues to pass H.R. 563, legislation that will provide the fewer than 5,000 surviving World War II Merchant Marine veterans with a one-time \$25,000 payment as a token of this Nation's appreciation.

When my colleagues are home in their districts celebrating Veterans Day, I hope that what I have said today will prick their conscience. Despite their sacrifice, despite their patriotism, one group of veterans has not been celebrated. Our merchant mariners deserve so much more. It is time to pass H.R. 563.

HONORING THE LIFE OF FRED THOMPSON

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, today, I stand to remember a much-loved Tennessean.

Though Fred Thompson's roots were in Tennessee, his service spanned far past the borders of our State and into the lives and homes of all Americans. To my family and to many in middle Tennessee, Fred Thompson was a neighbor, a friend, and a trusted political voice.

His passing brings great sadness to all, especially those in his hometown of Lawrenceburg, Tennessee, a town he never forgot, a town and her people that he credited with teaching him life lessons and giving him the perspective he carried with him throughout life. Those small-town Tennessee lessons helped mold him into the incredible man that he was, with a legacy that will never be forgotten. I appreciate all he did on behalf of our State, our Nation, and the cause of freedom.

My thoughts and prayers are with his wife, Jeri, and all the Thompson family. He will be missed.

VETERANS SMALL BUSINESS WEEK

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, yesterday, I joined Lackawanna Mayor Geoff Szymanski, a United States Navy veteran, to recognize Veterans Small Business Week and promote startup workshops for veterans, hosted by the Small Business Administration.

Every year, more than 200,000 servicemembers transition to the civilian workforce, and our Nation must make that transition as smooth as possible, not only out of gratitude, but because our veterans are some of the most industrious and determined citizens, which gives them the ability to make an outsized contribution to our economy.

That is why I support Helmets to Hardhats, which connects veterans with apprenticeships in the building and construction trades; and that is why Congress must remove the expiration dates for GI Bill education benefits so that veterans can receive the career training they earned and deserve.

BREAST CANCER AWARENESS MONTH

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, October was Breast Cancer Awareness Month,

and millions of Americans joined our fight against a disease that strikes one out of every eight women in our country.

This issue is personal to me and the thousands of Granite Staters who have family and friends suffering from breast cancer, or who suffer from it themselves. My mother is a breast cancer survivor. Her courageous battle is my inspiration in Congress.

I joined more than 180 Members to cosponsor legislation that would encourage the government and private sector to work together to find a cure. Thanks to the hard work of Nancy Ryan and the New Hampshire Breast Cancer Coalition, which recently marked its 20th anniversary, that cure is even closer today.

Breast cancer is the second leading cause of death among women in the United States. Every October, we honor and remember those who have died and those who are living with breast cancer. We acknowledge the hard work of the medical professionals and caregivers, and we recommit ourselves to finding a solution that will save lives.

APPRENTICESHIP WEEK

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I am pleased to speak in recognition of the first National Apprenticeship Week. As always, it is an honor to join my good friend and colleague, Representative G.T. THOMPSON from Pennsylvania, who will be speaking next. I want to thank him for his bipartisan leadership on career and technical education issues. As co-chairs of the bipartisan Career and Technical Education Caucus, G.T. and I are committed to expanding apprenticeships so that every American has the skills necessary to succeed in their chosen career.

While apprenticeships have been slow to grow in the United States, Germany and Switzerland have long been recognized as global leaders in this field. Last month, I convened a CTE Caucus field hearing in Rhode Island, bringing experts from German industry and education to help spread the best practices of a robust apprenticeship model.

I look forward to working with my colleague from Pennsylvania and all of my colleagues in the House to expand these options for all students, not just in my home State, but across the entire country.

NATIONAL APPRENTICESHIP WEEK

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I would like to thank my

good friend, co-chair of the Career and Technical Education Caucus, Mr. LANGEVIN from Rhode Island, for his leadership and his remarks. I also rise in recognition of National Apprenticeship Week, which runs through this Saturday.

Training and support for those looking to enter vocational fields is something that is very important to me, as co-chairman of the bipartisan Career and Technical Education Caucus. It is essential that we give our workers the training and resources that they need to secure family-supporting jobs.

Apprenticeships are a vital part of this effort to help workers prepare for the jobs of tomorrow, along with the in-demand positions that are currently going unfilled. According to the Bureau of Labor Statistics, the industries which rely on apprenticeship training are in demand, including a huge need for certified electricians, construction workers, and those in the health technology fields. More than 430,000 Americans are currently participating in an apprenticeship program, gaining the knowledge to rise to the demands of today's workforce.

Mr. Speaker, these programs give workers hands-on experience and lead to much higher lifetime earnings for those that participate.

VOTING RIGHTS ADVANCEMENT ACT

(Mr. CLYBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLYBURN. Mr. Speaker, the right to cast an unfettered vote is central to our democracy.

When the United States Supreme Court invalidated key provisions of the 1965 Voting Rights Act, it invited Congress to update the formula that determines which jurisdictions should be covered. Unfortunately, while Congress has failed to act, we have seen jurisdiction after jurisdiction all across this country attempting to erect impediments to the right to vote.

The Voting Rights Advancement Act, introduced in this body and the body across the Hall, responds to the Supreme Court's invitation. That is why we have labeled our legislative outreach strategy #restorethevote; and because elections are held on Tuesdays, today we are launching #restorationtuesday to organize Member activities online, on the House floor, and throughout our communities.

□ 1230

HONORING OUR NATION'S VETERANS

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, in advance of Veterans Day, I rise to honor all of those who have served in the defense of our great Nation.

The 24th District of Texas is home to over 38,000 veterans. They come from many walks of life, but they all have one thing in common, they answered the call to serve when our Nation was in need.

As part of my office's commitment to serving north Texas veterans and their families, we will host our Fourth Annual Veterans Fair this Saturday in Grapevine, Texas.

This event is dedicated to informing veterans about the programs and services that are available to assist them and their families. It is also an opportunity for our community to come together and honor our Nation's heroes.

Thank you to all of our veterans and active military who have put the safety of this Nation before their own. We are forever grateful for your service and sacrifice.

HONORING OUR VETERANS ON VETERANS DAY

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, next Wednesday is Veterans Day, a day when we honor the brave men and women who served our great Nation.

North Carolina is home to more than 800,000 veterans, and I have the privilege of representing more than 37,000 of them who live in the 12th Congressional District.

I am the proud daughter, granddaughter, niece, and sister of veterans, so I understand the sacrifices that our veterans and their families make.

No veteran should have to jump unnecessary hurdles to receive the benefits promised to them. That is why I introduced the Veterans Benefits Network Act. In the coming days, I will also be introducing legislation to help veterans get closer to achieving the American Dream of entrepreneurship.

Our veterans risk their lives to protect our freedom and our democracy, and we must all remain committed to make sure that they have the resources needed to make a successful transition into civilian life.

Access to quality health care, affordable education, and good-paying jobs should be guaranteed to all who serve honorably in our Armed Forces.

This Veterans Day and every day, we honor the selfless service and sacrifices made by our veterans. It is my honor to be a voice for veterans in this Congress.

NATIONAL FARM TO SCHOOL MONTH

(Ms. STEFANIK asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, I rise today to celebrate and recognize National Farm to School Month.

The USDA Farm to School Program fosters lifelong learning and community building, while providing school children with fresh, healthy foods from local food producers.

Just this year Watertown City School District and the Saranac Lake Central School District in the North Country were awarded grants for their Farm to School projects. These projects will encourage investment during the academic year on locally sourced foods, which will, in turn, support our North Country farmers. I trust their projects will be a success, like so many others across Upstate New York and the country.

We need to empower our Nation's children and their families to make healthy food choices through education that not only introduces fresh produce, but also teaches children about the importance of our agricultural communities.

WEAR RED WEDNESDAY

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, tomorrow is Wear Red Wednesday to bring back our girls.

Boko Haram, notorious for kidnapping nearly 300 Chibok girls almost 570 days ago, has used heinous tactics to displace 2.2 million Nigerians and kill 15,000 people in the region.

While our government has condemned these acts and offered noncombat support to the multinational joint tasks force fighting Boko Haram, we must do more.

Mr. Speaker, that is why I have introduced H.R. 3833, to require the U.S. Government to develop a regional strategy to assist the multinational joint task force and address security issues for Nigerian school children, especially girls.

I urge my colleagues to join me as cosponsors to this important legislation.

Mr. Speaker, this bill was already passed in the Senate by Senator COLLINS, S. 1632, and we now need to pass it in the House.

Until these precious Chibok girls are returned, we will continue to wear red on Wednesdays, continue to tweet, tweet, tweet, #bringbackourgirls, #joinrepwilson.

CONGRATULATING PARK MAGNET SCHOOL

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Mr. Speaker, I rise today to congratulate Park Magnet School of Hot Springs, Arkansas, for being named by the U.S. Department of Education as a 2015 National Blue Ribbon School.

This highest of educational honors is awarded yearly to both private and public elementary, middle, and high schools demonstrating overall academic excellence or progress in closing students achievement gaps.

Park Magnet School is 1 of only 5 schools in Arkansas and only 335 in the Nation to be selected this year. Receipt of this award marks the second time that Park Magnet has been named a National Blue Ribbon School, the first time being in 2009.

These achievements acknowledge and validate the hard work of students like Grace Shelor, faculty like Mrs. Carmen Binns, as well as families and communities in creating a culture of excellence wherein students may reach their full, God-given potential.

It is with great pride that I congratulate Park Magnet School on their success today.

OBAMACARE MUST BE REPEALED AND REPLACED

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, this week I read a story in the Houston Chronicle about Martha Gardenier. Martha is 59. She is a CPA. Two years ago, her bone marrow disease became leukemia. Her doctor said she should start end-of-life care.

The best cancer center in our world, M.D. Anderson, put her into an experimental trial. Her cancer regressed to grade 1. Her drug cocktail costs \$10,000 per month. In September, she was told that her insurance plan was dropping her because of ObamaCare.

President Obama told every American that "if you like your healthcare plan, you can keep it." Martha liked her healthcare plan, and she may die because she can't keep it, another example of why ObamaCare must be repealed and replaced without broken promises and putting patients like Martha first.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 22, HIRE MORE HEROES ACT OF 2015; PROVIDING FOR PRO- CEEDINGS DURING THE PERIOD FROM NOVEMBER 6, 2015, THROUGH NOVEMBER 13, 2015; AND PROVIDING FOR CONSIDER- ATION OF MOTIONS TO SUSPEND THE RULES

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 507 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 507

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the Senate amendment to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act. All points of order against consideration of the Senate amendment are waived. General debate shall be confined to the Senate amendment and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate, the Senate amendment shall be considered for amendment under the five-minute rule. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole.

SEC. 2. (a) No further amendment to the Senate amendment, as amended, shall be in order except for an amendment consisting of the text of Rules Committee Print 114-32, which shall be considered as pending, shall be considered as read, shall not be debatable, shall not be subject to amendment except as specified in subsection (b), and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(b) No amendment to the further amendment referred to in subsection (a) shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

(c) All points of order against amendments referred to in subsections (a) and (b) are waived.

SEC. 3. At the conclusion of consideration of the amendments referred to in section 2(b) of this resolution, the Committee of the Whole shall rise without motion. No further consideration of the Senate amendment, as amended, shall be in order except pursuant to a subsequent order of the House.

SEC. 4. On any legislative day during the period from November 6, 2015, through November 13, 2015—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

SEC. 6. It shall be in order at any time on the legislative day of November 5, 2015, for

the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV, relating to a measure authorizing appropriations for fiscal year 2016 for the Department of Defense.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Massachusetts (Mr. McGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 507 is a structured rule for the consideration of H.R. 22. It provides an hour of general debate, and it makes in order 29 amendments.

Now, you might say, Mr. Speaker, that 29 amendments seems like that ought to be the end of the conversation. But my friend from Massachusetts and I are not done with 29 amendments. There have been well over 250 amendments submitted for this legislation. We have included 29 in this base text, and we are going to come back and include more.

This is the very first rule to come out of PAUL RYAN, Speaker, U.S. House of Representatives.

When Speaker RYAN was speaking to the House last week, when he took the Speaker's gavel into his hands, he said, "We need to let every Member contribute—not once they have earned their stripes, but right now."

He said, "I come at this job as a two-time committee chair. The committees should retake the lead in drafting all major legislation. If you know the issue, you should write the bill. We must open up the process. Let people participate. In other words, we need to return to regular order."

Mr. Speaker, I won't tell it to you any way but straight. I am not sure what folks mean when they say a return to regular order in this House.

I love a free and spirited debate process. We are going to go deep into the night tonight, deep into the night tomorrow night, and well into the late hours on Thursday. I hope my colleagues are still going to be as enthusiastic about regular order when we are done as they are before we get started.

But regular order doesn't necessarily mean that you can use dilatory tactics to slow the House down. It doesn't necessarily mean we need to see the same amendment 25 different times.

What my friend from Massachusetts and I are doing in the Rules Committee, Mr. Speaker, is going through

those amendments to make sure that the ideas and the recommendations brought by individual Members of this House have a chance to be heard, but heard once, not heard six different times.

We are going to have a robust debate in the spirit of regular order over these next 3 days. But that will be from a pot of more than 260 amendments winnowed down into those issues that need to be discussed, have an opportunity to be discussed, on the floor of this House.

□ 1245

Mr. Speaker, the transportation system in this country is over 4 million miles, 600,000 bridges, and 270,000 public transit route miles. The scope of the transportation system in this country is vast, and its importance is even more so. There is not a mayor in this country, Mr. Speaker, who doesn't know that as goes their education infrastructure and as goes their transportation infrastructure, so goes the economy of their community.

Now, we are working on the Elementary and Secondary Education Reauthorization Act, Mr. Speaker, but that is not for today. Today is not education day. Today is transportation day, where we are bringing forward the first 6-year transportation reauthorization that this country has seen in more than a decade. We have been trying. It is not from a lack of trying, Mr. Speaker.

The ranking member, Mr. DEFAZIO, on the Transportation Committee and the chairman, Mr. SHUSTER, on the Transportation Committee have been working diligently not for days, not for weeks, and not for months, but for years to try to bring this piece of legislation to the floor. This rule today gives us that opportunity.

Mr. Speaker, there are those items in the U.S. Constitution that are put upon the United States Government as responsibilities that we must achieve together. Postal roads are among those responsibilities. There are those who say that Republicans are the party of no government. I say nonsense. I say Republicans are the party of good government. In fact, I don't even think that should be a partisan issue. I think that should be a nonpartisan issue, something that we can all agree on, as Americans, as this body.

This bill doesn't just allocate the necessary dollars to the projects; it changes the process that allocates those dollars so that we get more value out of each and every one.

I will tell you a story from back home, Mr. Speaker. In fact, it is going on this week. This week a year ago would have been election week. I represent only two counties in the great State of Georgia. One of them is the single most conservative county in the State.

They turned out on election day last year, Mr. Speaker; and while they had

rejected Federal tax increases in the past and while they had rejected State tax increases in the past, they got together a year ago this week and voted to tax themselves—this small county in the great State of Georgia—to the tune of \$200 million so they could expand the major highway going through that county. They didn't trust the government here in Washington to get a dollar's worth of value out of a dollar's worth of taxes. They didn't trust the State government to get a dollar's worth of value out of a dollar's worth of taxes. They trusted the locality to get a dollar's worth of value out of a dollar's worth of taxes. And here, this week, it will have been 1 year from election day and groundbreaking begins.

Groundbreaking begins this week, just 1 year after the decision to move forward on a project. That is unheard of in Federal circles, Mr. Speaker, but this bill takes not bipartisan steps, but nonpartisan steps to improve upon that process.

Mr. Speaker, I happen to serve on both the Rules Committee and the Transportation Committee. I am very proud of the base product that the Transportation Committee in this House reported. We didn't just consider that bill for a day or for a week. We worked on that bill for months as well. We passed it out of committee on a voice vote, Mr. Speaker. We passed it out of committee unanimously. In fact, we passed the rule out of the Rules Committee last night on a voice vote to bring this resolution to the floor.

This is an opportunity, Mr. Speaker, to show the American people what is best about this House. What is best about this House is not that we all agree on everything, because we don't. What is best about this House is not that we all represent the same kinds of values and constituencies back home, because we don't. What is best about this House is that we have an opportunity to come together, express all of those issues, and let the chips fall where they may.

If you look in these 29 amendments, Mr. Speaker, you will see most of them are bipartisan or nonpartisan amendments. But we have amendments made in order that are just brought by Republicans, and we have amendments made in order that are just brought by Democrats. The Rules Committee has the power to do whatever the Rules Committee would like to do. We are not using that power today to shut the voices out, Mr. Speaker. We are using the power today to bring the voices together.

I am very proud to bring this rule. I think it is worthy of all the Members' support.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Georgia

(Mr. WOODALL) for the customary 30 minutes.

I yield myself such time as I may consume.

Mr. Speaker, before I get into the subject matter that we are here to discuss, I do want to respond to my friend from Georgia about Speaker RYAN's call for regular order, which I think many on our side welcome. But we are not going to get too excited yet because that same pledge was made when Speaker Boehner became Speaker of the House, and that pledge was broken over and over and over again. In fact, he presided over the most closed Congress in the history of our country, more closed rules than any other Congress in history.

When my friend asked the question, "What does regular order mean?" well, it means that we don't bypass committees of jurisdiction. We let them do their work, and then we bring that bill to the Rules Committee, as opposed to having some committee staff write a bill in the back room someplace in the Capitol, present it, and then have the Rules Committee give it a closed rule. It means allowing for all sides to be heard.

The Rules Committee has routinely blocked out amendments on legitimate issues because the Republican leadership didn't want to deal with it. They didn't want to have that debate.

So it means a more open and transparent process. It means a process that is more fair and more respectful of all Members, not just Democrats, but to Republicans as well. I hope that when Speaker RYAN made that pledge, it is more than just words; that we will see, in the coming weeks and months, something different around here.

I would also just say that I don't mean to pick on Speaker Boehner because we do have people on the Rules Committee on the Republican side who have routinely voted to shut this process down. I hope that there is a change of attitude in the Rules Committee, as well, for a more open and a more transparent process.

So having said that, Mr. Speaker, today's rule provides for the consideration of the Surface Transportation Reauthorization and Reform Act, a 6-year highway bill. After 35 short-term extensions—35 short-term extensions—this is a welcome step to providing the kind of certainty that our State and our local officials need. In fact, they have been clamoring for this for a very, very long time.

Of the 284 amendments submitted to the Rules Committee for consideration, the rule we are talking about right now makes in order 29. We expect the committee to meet later today to consider the remaining amendments.

I want to thank Chairman SHUSTER, Ranking Member DEFAZIO, and Subcommittee on Highways and Transit Chairman SAM GRAVES and Ranking

Member ELEANOR HOLMES NORTON for all of their hard work to get us to this point.

This isn't the highway bill that I would have written, but the bottom line is that we need a long-term surface transportation authorization bill. States need to be able to count on Federal funding for more than a month at a time. Large-scale infrastructure projects take years to complete. States need certainty, and this bill is a step forward in that direction.

Mr. Speaker, our roads and our bridges are already in need of massive repairs. I tell my colleagues all the time that we have bridges in Massachusetts that are older than most of your States. The underlying bill provides \$325 billion in contract authority from the highway trust fund over 6 years for highway, transit, and safety programs. It would allow for automatic adjustments if more money comes into the highway trust fund.

I am pleased to see that among the provisions in this bill is a reauthorization of the Export-Import Bank, which is the same language that the House passed with strong bipartisan support last week, notwithstanding the fact that we had to use a discharge petition because the way this place operates, the will of the majority was not respected. But we should vote against any amendments—any and all amendments—that would jeopardize this provision.

Not only will a long-term highway bill help our economy, but it will create and sustain thousands of American jobs, particularly in the construction and manufacturing industries that were hardest hit by the Great Recession.

In all candor, I can't say that I am enamored with everything in this bill. I wish that it provided more robust funding levels. I am sorry to see that we are continuing to use guarantee fees as a pay-for on an unrelated transportation bill. G-fees should be used to protect taxpayers from mortgage losses, not as an offset on a highway bill.

I also have serious concerns about the use of private debt collection as an offset in this bill. Instead of raising money, if history is any indication, it is likely the use of private debt collection agencies would result in the Federal Government losing revenue. We know that because that has happened in the past.

Moving forward, I would strongly, strongly caution against loading this bill up with controversial provisions. This rule makes in order an amendment by Congressman RIBBLE of Wisconsin to permit States to allow bigger and heavier trucks on our interstate highways, and I understand that several other amendments have been offered to increase truck size and truck weights. I think passing these kinds of

amendments is one of the most dangerous things that we can do, and I believe it would seriously threaten this carefully crafted compromise.

Despite what some in the trucking industry might have you believe, bigger trucks have never resulted in fewer trucks on our road. Since 1982, when Congress last increased the gross vehicle weight limit, truck registrations have increased 90 percent.

Now, some say if we allow bigger and heavier trucks on our Federal Interstate Highway System, we can somehow alleviate their presence on local roads. That is a false argument because trucks still need to make deliveries and pickups at warehouses and businesses, and local roads are the way they get there. So all the Ribble amendment would do is make more of our roads less safe.

By the way, on the Interstate Highway System, these bigger and heavier trucks can drive faster, thereby endangering more and more of the others who are driving on these highways. Bigger truck crashes kill nearly 4,000 people every year, and the reality is that most of those fatalities are those in passenger vehicles, not the trucker. Big trucks pay only a fraction of the true cost of the wear and tear they cause on our roads and bridges. State budgets are stretched to the brink as it is and can't afford to make up for the multibillion-dollar underpayments.

Mr. Speaker, Americans have said loud and clear over and over again that they don't want bigger trucks. A January 2015 nationwide survey by Harper Polling found that 76 percent of respondents oppose longer, heavier trucks, and a May 2013 public opinion poll by Lake Research Partners found that 68 percent of Americans opposed heavier trucks. That should be enough to give people who want to put bigger and heavier trucks on our roads some pause. But as I have learned serving in this Congress, usually this place does the opposite of what the American people want.

Let me remind my colleagues that in MAP-21, the most recent long-term highway bill, Congress directed the Department of Transportation to conduct a comprehensive study on truck size and weight laws. After 2 years of careful study, DOT concluded that the current data limitations were so profound that no changes in truck size and weight laws in regulations should be considered until these data limitations could be overcome. So we asked DOT to do a study, and that is their recommendation. Yet there are all these amendments to try to get around that.

I would just say to my friends who are thinking of voting for some of these amendments to allow bigger, heavier, and more dangerous trucks on the road and on our Interstate Highway System to talk to some of the families of the victims. I have, on a regular

basis, talked to people who have lost their husbands, their wives, their kids, and their best friends to these senseless crashes. Think about them before you just go along with whatever particular special interest asks you to do.

By the way, those who drive these trucks are opposed to this. They are opposed to this. Yet here we are with an attempt to try to kind of make our roads less safe.

So loading this bill up with all kinds of exemptions to truck size and weight laws I think would be a huge mistake and would jeopardize the passage of the underlying bill. I urge my colleagues to reject the Ribble amendment and all these other amendments that may be made in order to put bigger, heavier, and more dangerous trucks on the road.

Mr. Speaker, I reserve the balance of my time.

□ 1300

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when we talk about the return to regular order and all of the amendments that we are going to consider today, it is not lost on me that just here in the Rules Committee debate, my friend from Massachusetts was able to talk about truck size and weight for longer than regular order would have allowed the proponent of an amendment to talk about that. Under the 5-minute rule, which is what we have here to conduct these issues, it is hard to grapple with some of these big issues in an amendment process.

Some of these issues, as my friend from Massachusetts suggested, should be hashed out in committee, where there is no time limit, where we can work on these, where we can consider all of the studies, where we can go through all of the work.

There is a role for the Rules Committee to pick and choose amendments, those that have been considered enough, those that can be considered in a short period of time, and those that need to remain in committee and be hashed out there.

As we grapple with what regular order means, I hope my colleagues will come down on the side of reserving the biggest of these issues for committee work and the more minor changes for here on the floor of the House.

While I prefer to agree with my friend from Massachusetts, Mr. Speaker, I have to disagree with him about the track record we put together in this body over the last 4½ years.

I came to Congress at the exact same time that John Boehner became Speaker of the House. My first experience here in this Chamber, Mr. Speaker, was when John Boehner brought H.R. 1 to the floor. It turns out the Democratic Congress had not finished the budgeting process the year before.

So here we were. We were in the middle of the fiscal year. No budget had

been passed. No appropriations bills had been passed. This brand-new Congress comes in, the biggest freshman class in American history. It was an exciting, exciting time, Mr. Speaker, as you will recall.

One of the first bills out of the gate was a bill to fund \$3.5 trillion worth of Federal Government. All these new Members here have all been sent with a mandate from their constituents back home.

While history would have suggested that a Speaker would have closed down that process, said this is too important to put before the entire House, what Speaker John Boehner said is: Bring the bill to the floor and we will debate it for as long as it takes.

Mr. Speaker, do you remember that? It was all night long, day in, day out, until we finished the job. Every Member on this floor had their voice.

We can't always do that, Mr. Speaker. There is not enough daylight or darkness in the year to do that with every bill that comes to the floor of the House. But I cannot let it be said that Speaker Boehner presided over the most closed Congress in history. In fact, the opposite is true.

If you track down my Democratic friends, they will tell you they offered more amendments in a John Boehner Speakership than they ever had a chance to offer in a Speaker PELOSI Speakership. I am not faulting the previous Speaker, Mr. Speaker. I am only saying that openness is something you have to believe because it is hard. It is complicated.

I listened to my friend from Massachusetts. He said: I want an open process. I just want to defeat all the amendments I don't like that come to the floor of the House.

Sometimes that is just the way it is. Sometimes you have to come down here to the floor of the House, you have to have the difficult debate, and you have to win on the merits.

Mr. Speaker, we did ask the Department of Transportation to consider truck weights. We absolutely did. And we passed it in a bipartisan way. It was signed by the President of the United States. The date the report was due back to this Congress was last year.

Last year is when this body spoke and said: You have to have this study back to us by the winter of 2014.

The Department of Transportation said: Whatever. Whatever. We are working on it. It is really hard. I know Congress told us to. I know they are the boss. But whatever. We will get there.

Here we are a year later and we still don't have the report, Mr. Speaker. Don't let it be said that we are succeeding here at the Federal level.

What does my friend from Wisconsin (Mr. RIBBLE) do? This is radical. I want to redescribe the radical amendment that my friend from Massachusetts

just spoke about. The radical idea that my friend from Wisconsin has is: Let's let the State governments decide for themselves about what the truck weights should be on Federal highways in their system.

I don't dispute for a moment that there are going to be States that say: This is too dangerous. We don't want heavier trucks on our road. I don't doubt that for a minute.

But don't you doubt for a minute, Mr. Speaker, that there will be States that say: Today we allow those heavier trucks on our small two-lane curvy roads through north Georgia.

If you really care about families that have been harmed by truck accidents, then you want those trucks off of those dangerous two-lane roads and you want them on the finest highway system known to man: the United States interstate system.

I trust States to make those decisions, Mr. Speaker. Don't think for a moment—don't think for a moment—that the collective wisdom of 435 people in this body is a good substitute for folks who sit back home in the great State of Georgia. I promise you, our judgment, the way we love on one another in Georgia is superior to anything this body could craft.

That is the radical idea from my friend from Wisconsin (Mr. RIBBLE). Let States decide. Let the local people who have to deal with the consequences of action or inaction—let them decide.

It feels right to me, Mr. Speaker. That is what is wonderful about this body. We are going to make these amendments in order. We are going to bring them to the floor of the House. We are going to have the debate. And then, lo and behold, at the end of the process, you are going to have to stick your card in the slot and vote "yes" or "no."

Mr. Speaker, this is the way it is supposed to be. I don't want a body where we all agree on everything all the time. I want a body where we are able to talk about those things that divide us and where we are able to unite around those things that unite us.

One of those things, Mr. Speaker, is what my friend from Massachusetts said. We have been in a short-term extension process for far too long. It has been a short-term extension process that has gone through both Republican and Democratic leaderships, Mr. Speaker. This is not a partisan problem. This is an American problem.

Today the Transportation Committee has crafted an American solution that, if we pass this rule, we will be able to consider.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am now really worried about what Speaker RYAN meant when he said that we were going to return to

regular order, based on what my colleague, Mr. WOODALL, just said as he defended the Boehner Congress, which, by the way, is the most closed Congress in the history of our Congress—more closed rules, over 180 closed rules. If you want to defend that process, fine.

Not only the closed rules, but on major amendments, important issues were not even allowed to be brought up. We tried to debate the war—we are at war—and the Rules Committee, with the blessing of the leadership, wouldn't even allow us to bring that to the House floor. Important issues are routinely denied here.

If your idea of regular order is still "your way or the highway," then I don't think that much is going to be changed, just maybe the same menu, a different waiter, I guess. That is about what we can expect. I hope that is not the case.

I think the record, not only how the Republicans have treated the minority with regard to important bills, but also to a lot of people on your own side, has been lousy. It has been a bad record.

I am hoping that the new Speaker understands that and believes that this place could be better served if we have a more inclusive process, more regular order, and we respected our committees.

By the way, speaking of committees, the Transportation Committee didn't see fit to put in a provision for bigger truck sizes and heavier trucks. That is the committee of jurisdiction. They didn't do that.

Mr. RIBBLE has the right to bring his amendment. These other people have the right to bring their amendment. Members will have a whole 10 minutes to debate this.

I would also say that not all amendments are created equally. Some are more important than others. I think this is an amendment that is more important than some of the sense of Congress language that we are going to be debating in terms of amendments later.

But a whole 10 minutes and we are going to let the States decide. That is the retort from my colleague from Georgia. I get it.

There are people in this House, especially on the Republican side, who think the States should control everything; that when it comes to civil rights or voting rights, let the States decide, and the Federal Government should have no role in guaranteeing that everybody in this country has their voting rights protected or their civil rights protected. I disagree with that.

On this issue, it is an issue of safety. When the gentleman says that we are just trying to take these big trucks off these side roads, that is not true. These trucks still have to go on those small roads to do their deliveries.

That is not going to change. They will still have to utilize those roads. On

those side roads, I wish there weren't these big trucks, but at least they are going slower than they will on an interstate highway.

Mr. Speaker, I include in the RECORD a letter from Andrew Matthews, chairman of the National Troopers Coalition, representing 45,000 members, asking us to oppose any amendment forcing States to allow heavier and longer trucks on our Nation's highway.

Every one of us here is saying please don't do this, please don't do this. We will have a whole 5 minutes to make the case against that amendment.

NATIONAL TROOPERS COALITION,
September 23, 2015.

Hon. BILL SHUSTER,
House of Representatives,
Washington, DC.

Hon. PETER DEFAZIO,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN SHUSTER AND RANKING MEMBER DEFAZIO: On behalf of the National Troopers Coalition's 45,000 members, we ask that you oppose any amendment forcing states to allow heavier and longer trucks on our nation's highways when you consider the transportation reauthorization. Specifically, we urge you to vote against any amendments allowing the operation of 91,000 pound single tractor-trailers or double 33-foot tractor-trailers, replacing the twin 28-foot trailers in operation today.

Troopers, every day, see the dangers these longer and heavier rigs pose to the motoring public and our officers. With heavier trucks, stopping distances increase threatening the motoring public and our Trooper members. And if "Twin 33s" become legal, this could ultimately replace 53-foot singles as one of the most commonly used configurations, adding a dangerous 17 feet in length to our already crowded highways.

The transportation reauthorization bill should not include such a far-reaching policy change, especially following the release of the long-awaited USDOT truck size and weight study, which largely concluded that not enough data exists to make a clear recommendation on changing any existing truck size and weight laws.

The bottom line is bigger and heavier trucks make our roads and highways are unsafe due to, among other things, greater stopping distances and higher risk of rollover. The National Troopers Coalition opposes any changes to current truck size and weight laws and urges you to do the same. Should you have any questions or need any additional information, I can be reached.

Thank you for your consideration.

Sincerely,

ANDREW MATTHEWS, Esq.,
Chairman.

Mr. MCGOVERN. Mr. Speaker, the Teamsters Union, which most of these truck drivers are Teamsters, sent us a letter strongly urging us to oppose the Ribble amendment. Law enforcement, the drivers, all these safety coalitions say no; but a special interest comes in here and says they would like an exemption, and everybody Clambers to try to help them out. Know what you are voting for before you vote for this.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, I rise to call attention to an important safety provision in the Senate-passed DRIVE Act being considered by the House this week.

I am pleased the House is working in a bipartisan manner to fix our Nation's critical highway infrastructure needs. I want to bring attention to a key provision which is included in the DRIVE Act that passed the Senate earlier this year.

In 2004, two young sisters, Raechel and Jacqueline Houck, were killed just outside my district when their rented Chrysler PT Cruiser caught fire and crashed due to a defective steering component. The vehicle was not grounded or fixed before it was rented to the Houck sisters, despite having a safety recall notice issued a month before the tragic accident.

While today Federal law prohibits car dealers from selling new cars subject to a recall, there is no similar law prohibiting rental car companies from renting out vehicles under a safety recall.

That is why I am so pleased the Senate included the text of my bill, H.R. 2198, the Raechel and Jacqueline Houck Safe Rental Car Act, into the DRIVE Act.

This legislation is nothing more than a commonsense fix. It modifies existing law to prohibit rental car companies from renting a vehicle under recall until it has been fixed. Pure and simple, consumers must be protected from renting cars that are subject to a safety recall.

This key provision does not only have bipartisan support in the House, but it is also supported by the rental car industry, consumer safety groups, the National Highway Traffic Safety Administration, General Motors, and Honda.

Furthermore, a change.org petition calling for passage of this bill was started by Raechel and Jacqueline's mother, Cally Houck. It has received signatures from over 180,000 consumers nationwide.

I am disappointed that there may be attempts to strike this critical vehicle safety language from this final highway bill. I believe such actions are misguided and would seriously undermine the tireless effort by Cally Houck and the families who have lost loved ones due to this clear defect in our safety laws.

Therefore, as the House debates the highway bill this week, I urge my colleagues to oppose any amendments to weaken or undermine this important bipartisan language.

Let us honor the lives of Raechel and Jacqueline Houck by working together to enact a simple, yet meaningful solution that will surely save lives in the future.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I certainly agree with my friend from Massachusetts that folks ought to know what they are talking about before they come and vote on amendments. In fact, I think folks ought to know what they talk about when they even come down and talk about amendments. I think that ought to be part of the thing. There is no point of order to stipulate that, but I believe it is an important provision.

I serve on the Transportation Committee, Mr. Speaker. So I have a vested interest in this. I have kind of a pride of authorship. We worked very hard on this.

In my friend from Massachusetts' opening statement, he thanked the chairman and the ranking member of the full committee and of the subcommittee. They call them the Big Four on that committee, Mr. Speaker, the Big Four.

If you can get the Big Four to have an agreement, then you feel like you can get your amendment across the finish line because being a committee chairman means something.

□ 1315

Among the many amendments that we considered in committee were truck weight amendments, Mr. Speaker. I know this because I serve on that committee.

Did you know, today, Mr. Speaker, that we have first responder vehicles—fire trucks, for example—that are prohibited from getting on Federal highways because of this system? If you are in a crisis—if you are in a first responder crisis—because of the wisdom of the Federal Government, the wisdom of this body, we have said: Do you know what? You probably shouldn't get on the fastest and most direct route to respond to the crisis. We really need you to stay on the local roads. No interstate travel for you.

That is just nonsense. That is absolute nonsense.

Good news, Mr. Speaker. We have folks here in this body who care about ferreting out the nonsense and putting a stop to it. So we considered that amendment in committee, and we passed that amendment in committee. If we pass this rule today, Mr. Speaker, we can change the law of the land to make that difference for people.

This is a new day in terms of House leadership, Mr. Speaker. It is a new day. I am going to be interested to see whether we spend more time litigating the past or planning for the future. I am about looking forward. I am optimistic about tomorrow. I know it is going to be better than yesterday no matter how good yesterday was. This is the opportunity we have here together.

Unanimous out of committee. Voiced out of the Rules Committee. This is the bill. I don't want anybody to be confused. There is no civil rights legislation in this bill today. This is a transportation bill. I don't want anybody to

be confused. We are not rolling back anything for anyone here today. This is a bipartisan—even better, non-partisan—transportation funding bill. I don't want anybody to be confused today. This is something that Democrats failed to get done when they ran the show, and it is something Republicans failed to get done when they ran the show. Now we are all here together, getting it done. I think that is worth celebrating.

I urge all of my colleagues to pass this rule so we can get to it and then support the underlying bill as well.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I am going to urge that we defeat the previous question. If we do, I will offer an amendment to the rule to bring up legislation that will restore and strengthen the Voting Rights Act of 1965.

We need to recommit ourselves to voter equality. This legislation would require Federal approval in some States for changes to voting practices that could be discriminatory.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, you will notice many of us are wearing "Restore the Vote" pins here today because we are, quite frankly, appalled by what is going on in certain States in terms of taking away people's right to vote. We find that offensive, and we think that there is a Federal obligation to guarantee that right, that we just can't leave it up to the States. All of us in this country should have equal protections under the law when it comes to voting.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, I rise today in support of voting rights for all Americans. I was proud to stand alongside my fellow colleagues this morning to launch the Restore the Vote legislative strategy.

This national effort will help mobilize support for H.R. 2867, the Voting Rights Advancement Act of 2015, a bill that I sponsored with Representatives JUDY CHU and LINDA SÁNCHEZ in order to restore critical Federal oversight to jurisdictions which have a recent history of voter discrimination.

Since elections are held on Tuesdays, every Tuesday that Congress is in session, we will declare it to be "Restoration Tuesday." Members of Congress will wear a "Restore the Vote" ribbon pin and will speak on the House floor

about the importance of restoring and protecting voting rights for all Americans. Today is the first Restoration Tuesday, and I am honored to speak on behalf of H.R. 2867, the Voting Rights Advancement Act.

Two years ago, Mr. Speaker, the Supreme Court in the Shelby case struck down the Federal preclearance. The Supreme Court issued a challenge to Congress to develop a modern-day coverage formula that looks at current discriminatory acts by States and political jurisdiction. The Voting Rights Advancement Act answers that challenge.

The bill restores and advances the Voting Rights Act of 1965 by looking at recent voter discrimination practices since 1990. An entire State can be covered by preclearance if 15 or more voting violations occur in a State in the most recent 25-year period. This updated coverage formula ensures that 13 States, including my home State of Alabama, are required to obtain preclearance for changes in voting practices and laws. The 13 States that will be covered under this new formula include Alabama, Mississippi, Louisiana, Georgia, Florida, South Carolina, North Carolina, Arkansas, Arizona, Texas, New York, California, and Virginia. The bill also provides greater transparency in Federal elections by ensuring that voters get notice of changes in locations and of changes in voting practices.

Put simply, the Voting Rights Advancement Act offers more voter protection to more people in more States.

Mr. Speaker, old battles have become new again. Since the Shelby decision, 33 States across this Nation have issued photo I.D. laws that have made it harder for vulnerable communities to vote, like our senior citizens, our young people, and the disabled.

As a daughter of Selma, I am painfully aware that the injustices suffered on the Edmund Pettus Bridge 50 years ago have not been fully vindicated. Just recently, my constituents were dealt a very devastating blow when Alabama closed 31 DMVs—that's right, driver's license offices—a State that had recently adopted one of the Nation's harsher photo I.D. laws. This decision is completely unacceptable. These closures render it almost impossible for so many of my constituents to get the most popular form of photo I.D., which is a driver's license.

This DMV closure decision is just one example of modern-day barriers to voting. While we no longer have to count marbles in a jar or recite the names of all of the counties, there are still laws and decisions that make it harder for people to vote. "Injustice anywhere is a threat to justice everywhere," Martin Luther King once said.

On March 7, 2015, I welcomed President and Mrs. Obama as well as President Bush and Mrs. Bush, along with 100 Members of the House and the Sen-

ate, to my hometown of Selma, Alabama, to commemorate the 50th anniversary of the voting rights march from Selma to Montgomery. Mr. Speaker, it was a "kumbaya" moment when Republicans and Democrats gathered together in recognition of how far our Nation had come in living up to its ideals of justice and equality for all.

The 50th commemoration of the marches from Selma to Montgomery must be so much more than just one day of reflection, Mr. Speaker. A single moment filled with colorful language and wonderful speeches is nice, and walking hand in hand across the Edmund Pettus Bridge is nice; but gone should be the days of "feel good" moments that, in and of themselves, lead to no clear path to action. The Voting Rights Advancement Act is that action.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman an additional 1 minute.

Ms. SEWELL of Alabama. Mr. Speaker, we are asking our colleagues, Democrats and Republicans, to join with us in supporting the Voting Rights Advancement Act as Congress must act now to protect the rights of all Americans.

The fate of our democracy depends upon its citizens having the unfettered right to vote. Our vote is our voice, and no voices should be silenced. We are asking everyone to join us in our efforts to make sure that we restore the vote to the voices of the excluded. To restrict the ability of any American to vote is an assault on all Americans' rights to participate equally in the electoral process.

I ask my colleagues to support H.R. 2867, the Voting Rights Advancement Act.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

It is easy on a big bill like this to get confused about what is in it and what is not in it. I would refer folks to transport.house.gov. That is not just for Members of Congress, Mr. Speaker. Anybody across the country can access that.

What you are going to find—and, again, what is an extraordinary success story that we have on the floor today—are all of these national priorities that we share. The bill refocuses funding on national priorities. It gets us back to the core of the original highway trust fund. It reforms the program, again, in a bipartisan—even nonpartisan—way to get the dollars on the ground faster to make a difference in people's lives.

Time is money, Mr. Speaker, whether you are shipping goods or whether you are sitting in traffic. It promotes innovation to bring some new ideas into the transportation infrastructure. We are getting ready for next generation roads, and that language is here: roads and bridges, public transportation,

driver safety, truck and bus safety, hazardous materials. It is all in here.

There are those bills in Congress where the more you read them, the more you think: "Man, what were those guys thinking?" This is one of those bills where the more you read it, you think: "How in the world did those guys get it done?" This is a success story, Mr. Speaker. It is worthy of all of my colleagues' support.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

We need to pursue this in the manner we are doing it because, again, important issues like this don't ever see the light of day in this House. We can't talk about voting rights or vote on a bill to protect voting rights. We can't vote on immigration reform because my friends are slaves to this majority rule on their side of the aisle. These are important issues, and we shouldn't just leave them to the States in which people's voting rights are being denied.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, August 6 marked the 50th anniversary of the passage of the bipartisan Voting Rights Act of 1965, historic legislation that prevented State and local governments from denying any citizen the right to vote based on his race, ensuring equal voting rights for all.

In 2013, the Supreme Court struck down a major provision of this law, severely limiting the Federal oversight of State voting laws. My home State of North Carolina passed the most egregious voting law in the Nation immediately after that decision, which slashed early voting, implemented strict voter I.D. requirements, and ended pre voter registration programs. Other States across the country followed suit and also implemented election laws that disenfranchised voters.

All voters should be able to make their voices heard and elect leaders of their choice, and I am proud to join my colleagues today in renewing our call to repair America's broken election system.

I cosponsored the Voting Rights Advancement Act to help restore Federal oversight to jurisdictions which have a recent history of voter discrimination. This bill updates the coverage formula to ensure that States like North Carolina are required to obtain preclearance for changes to voting practices and procedures. It reaffirms our commitment to voter equality, and it creates additional pathways for voter access. Simply put, this bill protects the right to vote.

I urge my colleagues to support this important piece of legislation because every American deserves to have his voice heard. Every American deserves equal access to the ballot box, and every American deserves the right to vote.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mrs. BEATTY).

Mrs. BEATTY. I thank the gentleman for yielding.

Mr. Speaker, it is election day in Ohio. Right now, my constituents are casting ballots to decide their next local, State, and judicial elected officials. Participating in our democratic process is not only a right, but it is a duty. Unfortunately, again, for many Americans, voting recently became more difficult in 2013.

As you have heard my colleagues mention, Mr. Speaker, that is when the Supreme Court struck down key provisions of the Voting Rights Act of 1965 in its *Shelby v. Holder* decision, making it easier for States and localities to disenfranchise voters in areas that have a history of voter suppression.

We shouldn't roll back voting rights protections. Instead, we should honor the progress our country has made to ensure equal rights and equal treatment.

Congress should immediately bring H.R. 2867, the Voting Rights Advancement Act of 2015, to the floor so all Americans may cast ballots to choose their leaders and their public servants. I am a cosponsor—no. Let me say I am a proud cosponsor of this bill, and it enjoys bipartisan support and leadership support in both the House and the Senate.

Mr. Speaker, voting rights restoration should happen now. On Tuesdays, I will proudly wear my pin for restoring the vote. Mr. Speaker, again, that is restoring the vote.

□ 1330

Mr. WOODALL. Mr. Speaker, I would ask my colleague if he has any further speakers remaining.

Mr. MCGOVERN. I am ready to close for our side.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in a few moments, I am going to offer an amendment to the rule. It has been worked out collaboratively with the minority. I said when I began that we were making almost 30 amendments in order, but we were nowhere close to done. In fact, this amendment wants to make another 16 amendments in order right now.

We are still going to go back to the Rules Committee and meet at 3 p.m. We are still going to make even more amendments in order, but this amendment will make an additional 16 amendments in order under this rule. It will make more time available for debate, Mr. Speaker.

We want to make a technical fix to dispense with the reading of the Senate bill so that we can get directly into amendments. That is a standard procedure, but it was not in the base rule.

Mr. Speaker, this is only going to make this rule better. I look forward to offering that amendment here in just a few moments.

I reserve the balance of my time.

Mr. MCGOVERN. How much time do I have left, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Massachusetts has 3½ minutes remaining.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me begin by reiterating our call for Members to vote "no" on the previous question so that we can restore the vote.

Only in this Republican-controlled House of Representatives is the notion of protecting everybody's right to vote a radical idea. We see voter suppression efforts all across this country, and it is a Federal responsibility. It is a Federal responsibility, and we have got to live up to that responsibility. So I hope that my colleagues will vote "no," so we can have this debate and we can have an up-or-down vote on this.

Quite frankly, the committees of jurisdiction should have ruled this bill to the floor, and we should be having that debate. But I guess for political reasons my colleagues don't see the benefit in moving this important legislation to the floor. We have an opportunity to do that today.

Secondly, Mr. Speaker, I again want to commend Chairman SHUSTER, Ranking Member DEFAZIO, and their entire team for bringing us here today with a carefully crafted compromise, 6-year highway bill, which, I think, is absolutely imperative. Our States, our cities, and our towns have been demanding this for a long, long time, and we are very close to making some progress.

I would urge, like I did in my opening statement, we ought not to screw it up with a whole bunch of controversial amendments because some special interest PAC thinks it is a good idea.

I will again reiterate my strong opposition, not only to the Ribble amendment, but to a whole bunch of other amendments that will allow bigger and heavier trucks on our Federal Interstate Highway System. These are Federal highways. Yes, it is a Federal responsibility. It is a Federal responsibility.

I would just remind my colleagues that the people who agree with me on this include the National Troopers Association, the National Sheriffs' Association, the International Association of Chiefs of Police, the National Association of Police Organizations, AAA, the National League of Cities, the National Association of Towns and Townships, the American Public Works Association, The U.S. Conference of Mayors, Citizens for Reliable and Safe Highways, Road Safe America, Brain Injury Association of America, Parents Against Tired Truckers, Advocates for

Auto Safety, Trucking Alliance, the Teamsters, and the AFL-CIO. I can go on and on and on.

The overwhelming opinion on this is that we should not go down the road of bigger and heavier trucks; yet we have got a special interest out there that says we should do it, and so all of a sudden Members are clamoring to do it. It would be a mistake. It would make our roads more dangerous. It will threaten the safety of passengers on our highways. It is a bad idea.

Certainly, people ought to pay attention to what they are voting on before they come here and vote for this. Unfortunately, we are not going to have the time to debate it because it is going to be 5 minutes on each side. I think it would be a threat to this bill, and I think that would be a huge mistake.

Let us respect the great work that has been done by the Transportation Committee. Let's not load it up with a bunch of controversial provisions. This is about safety on our highways, first and foremost. If my colleagues don't believe that, they ought to talk to the families who have lost loved ones in accidents due to bigger and heavier trucks. They ought to talk to the drivers. They ought to talk to people who know what they are talking about and not rely on a particular special interest.

Mr. Speaker, again, I urge my colleagues to vote "no" on the previous question so we can have this debate and a vote on protecting voting rights in this country to restore the vote.

Let's respect the work that the committee of jurisdiction has done here, but let's vote "no" on these efforts to allow bigger and heavier trucks on our roads. For the sake of our constituents, for their safety, let us do the right thing and vote "no" on those amendments.

I yield back the balance of my time. Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is one of those days where I don't think it is a rare moment of agreement; I think it is a typical moment of agreement. There are issues that divide us, and there are issues that unite us. Focusing on America's infrastructure is one of those issues that unites us.

I agreed with my friend from Massachusetts, Mr. Speaker, when he said he hoped in the new administration here in this House that we focused on fairness and respect. I think that is absolutely right. I think that is what the American people ask of us back home.

I don't particularly think that suggesting that there are folks in this body who are moving amendments to the floor based on the bidding of special interests moves us in the direction of respect. In fact, I think it moves us in the opposite direction, Mr. Speaker. I don't think suggesting there are

those in this body who care about the individual safety of families in our district and those who don't moves us in the direction of fairness or respect, Mr. Speaker. I think it moves us in the opposite direction. That is the challenge that our new Speaker has. We are trying to get to regular order, trying to have all the voices heard, Mr. Speaker, but you have seen the complexity of that just here today.

On the one hand, you have heard a passionate speech for why we shouldn't be considering trucking amendments in a trucking bill; that there couldn't possibly be enough time to discuss trucking while dealing with trucks, why we shouldn't possibly have an opportunity to bring experts together who have just passed a trucking bill to deal with more trucking issues. On the other hand, you heard a very passionate plea of why we should bring a Judiciary Committee legislative bill into the transportation bill.

This bipartisan bill, this bill that has been worked out, this bill that has succeeded where Congress after Congress after Congress has failed, you have heard a very passionate pitch to say, you know what, let's take that transportation bill and let's drop in a giant judiciary issue on top of it because that is regular order. It is not regular order.

I don't dispute that there is frustration in this body for the pace at which legislation moves. I share it. Mr. Speaker, I instigate it for Pete's sake. I came here in the class of 2010. I want to get things done. As soon as we come together and get this done, by golly, we can go back to poking or kicking or talking or whatever it is that folks need to get done, but that is not this bill.

This bill is a success. This process is a success. The openness of this process is something that we can all be proud of. It doesn't just happen because Chairman SESSIONS and Ranking Member SLAUGHTER come together in the Rules Committee, Mr. Speaker. It happens because Chairman SHUSTER and Ranking Member DEFAZIO came together in the Transportation Committee. This is one of those moments that brings us together, not as a body, but as a nation, getting about the business that our constituents sent us here to do.

AMENDMENT OFFERED BY MR. WOODALL

Mr. WOODALL. Mr. Speaker, I would like to offer an amendment to the resolution.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 11, insert after the period: "The first reading of the Senate amendment shall be dispensed with."

At the end of the first section, add the following: "The Senate amendment, as amended, shall be considered as read."

At the end of the resolution, add the following:

"SEC. 7. The amendments specified in Rules Committee Print 114-33 shall be considered as though printed in part B of House Report 114-325."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia.

Mr. WOODALL. Mr. Speaker, that is 35 amendments now. There are 35 amendments made in order by this rule. We will still go back at 3 o'clock this afternoon to find even more. That is the collaborative process that I am representing on the floor here today.

With that, Mr. Speaker, I urge strong support for the amendment, I urge strong support for the rule, and I urge strong support for the underlying resolution.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 507 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 7. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2867) to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 8. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2867.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the

opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question on the amendment and on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the

previous question will be followed by 5-minute votes on:

Adoption of the amendment to House Resolution 507, if ordered;

Adoption of House Resolution 507, if ordered; and

The motion to suspend the rules on House Resolution 354.

The vote was taken by electronic device, and there were—yeas 241, nays 178, not voting 14, as follows:

[Roll No. 583]

YEAS—241

Abraham	Graves (LA)	Noem
Aderholt	Graves (MO)	Nugent
Allen	Griffith	Nunes
Amash	Grothman	Olson
Amodei	Guinta	Palazzo
Babin	Guthrie	Palmer
Barletta	Hanna	Paulsen
Barr	Hardy	Pearce
Barton	Harper	Perry
Benishek	Harris	Pittenger
Bilirakis	Hartzler	Pitts
Bishop (MI)	Heck (NV)	Poe (TX)
Bishop (UT)	Hensarling	Poliquin
Black	Herrera Beutler	Pompeo
Blackburn	Hice, Jody B.	Posey
Blum	Hill	Price, Tom
Bost	Holding	Ratcliffe
Boustany	Hudson	Reed
Brady (TX)	Huelskamp	Reichert
Brat	Huizenga (MI)	Renacci
Bridenstine	Hultgren	Ribble
Brooks (AL)	Hunter	Rice (SC)
Brooks (IN)	Hurd (TX)	Rigell
Buchanan	Hurt (VA)	Roby
Buck	Issa	Roe (TN)
Bucshon	Jenkins (KS)	Rogers (AL)
Burgess	Jenkins (WV)	Rogers (KY)
Byrne	Johnson (OH)	Rohrabacher
Calvert	Johnson, Sam	Rokita
Carter (GA)	Jolly	Rooney (FL)
Carter (TX)	Jordan	Ros-Lehtinen
Chabot	Joyce	Roskam
Chaffetz	Katko	Ross
Clawson (FL)	Kelly (MS)	Rothfus
Coffman	Kelly (PA)	Rouzer
Cole	King (IA)	Royce
Collins (GA)	King (NY)	Russell
Collins (NY)	Kinzinger (IL)	Salmon
Comstock	Kline	Sanford
Conaway	Knight	Scalise
Cook	Labrador	Schweikert
Costello (PA)	LaHood	Scott, Austin
Cramer	LaMalfa	Sensenbrenner
Crawford	Lamborn	Sessions
Crenshaw	Lance	Shimkus
Culberson	Latta	Shuster
Curbelo (FL)	LoBiondo	Simpson
Davis, Rodney	Long	Smith (MO)
Denham	Loudermilk	Smith (NE)
Dent	Love	Smith (NJ)
DeSantis	Lucas	Smith (TX)
DesJarlais	Luetkemeyer	Stefanik
Diaz-Balart	Lummis	Stewart
Dold	MacArthur	Stivers
Donovan	Marchant	Stutzman
Duffy	Marino	Thompson (PA)
Duncan (SC)	Massie	Thornberry
Duncan (TN)	McCarthy	Tiberi
Emmer (MN)	McCaul	Tipton
Farenthold	McClintock	Trott
Fincher	McHenry	Turner
Fitzpatrick	McKinley	Upton
Fleischmann	McMorris	Valadao
Fleming	Rodgers	Wagner
Flores	McSally	Walberg
Forbes	Meadows	Walden
Fortenberry	Meehan	Walker
Fox	Messer	Walorski
Franks (AZ)	Mica	Walters, Mimi
Frelinghuysen	Miller (FL)	Weber (TX)
Garrett	Miller (MI)	Webster (FL)
Gibbs	Moolenaar	Wenstrup
Gibson	Mooney (WV)	Westerman
Goodlatte	Mullin	Westmoreland
Gosar	Mulvaney	Whitfield
Gowdy	Murphy (PA)	Williams
Granger	Neugebauer	Wilson (SC)
Graves (GA)	Newhouse	Wittman

Womack	Young (AK)	Zeldin
Woodall	Young (IA)	Zinke
Yoho	Young (IN)	

NAYS—178

Adams	Fudge	Napolitano
Aguilar	Gabbard	Neal
Ashford	Galleo	Nolan
Bass	Garamendi	Norcross
Beatty	Graham	O'Rourke
Becerra	Grayson	Pallone
Bera	Green, Al	Pascrell
Beyer	Green, Gene	Payne
Bishop (GA)	Grijalva	Pelosi
Blumenauer	Gutierrez	Perlmutter
Bonamici	Hahn	Peters
Boyle, Brendan	Hastings	Peterson
F.	Heck (WA)	Pingree
Brown (FL)	Higgins	Pocan
Brownley (CA)	Himes	Polis
Bustos	Hinojosa	Price (NC)
Butterfield	Honda	Quigley
Capps	Hoyer	Rangel
Capuano	Huffman	Rice (NY)
Cárdenas	Israel	Roybal-Allard
Carney	Jeffries	Ruiz
Carson (IN)	Johnson (GA)	Ruppersberger
Cartwright	Johnson, E. B.	Rush
Castor (FL)	Kaptur	Ryan (OH)
Castro (TX)	Keating	Sánchez, Linda
Chu, Judy	Kelly (IL)	T.
Ciциlline	Kennedy	Sanchez, Loretta
Clark (MA)	Kildee	Sarbanes
Clarke (NY)	Kilmer	Schakowsky
Clay	Kind	Schiff
Cleaver	Kirkpatrick	Schrader
Clyburn	Kuster	Scott (VA)
Cohen	Langevin	Scott, David
Connolly	Larsen (WA)	Serrano
Cooper	Lawrence	Sewell (AL)
Costa	Lee	Sherman
Courtney	Levin	Sinema
Crowley	Lewis	Sires
Cuellar	Lieu, Ted	Slaughter
Cummings	Lipinski	Smith (WA)
Davis (CA)	Loebach	Swalwell (CA)
Davis, Danny	Lofgren	Takano
DeFazio	Lowenthal	Thompson (CA)
DeGette	Lowey	Thompson (MS)
Delaney	Lujan Grisham	Titus
DeLauro	(NM)	Tonko
DelBene	Lujan, Ben Ray	Torres
DeSaulnier	(NM)	Tsongas
Deutch	Lynch	Van Hollen
Dingell	Maloney,	Vargas
Doggett	Carolyn	Veasey
Doyle, Michael	Maloney, Sean	Vela
F.	Matsui	Velázquez
Duckworth	McCollum	Visclosky
Edwards	McDermott	Walz
Ellison	McGovern	Wasserman
Engel	McNerney	Schultz
Eshoo	Meng	Waters, Maxine
Esty	Moore	Watson Coleman
Farr	Moulton	Welch
Foster	Murphy (FL)	Wilson (FL)
Frankel (FL)	Nadler	

NOT VOTING—14

□ 1410

Mrs. TORRES changed her vote from "yea" to "nay."

Messrs. LAMALFA and JODY B. HICE of Georgia changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WOODALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 248, nays 171, not voting 14, as follows:

[Roll No. 584]

YEAS—248

Abraham	Granger	Mullin
Aderholt	Graves (GA)	Mulvaney
Allen	Graves (LA)	Murphy (PA)
Amash	Graves (MO)	Newhouse
Amodei	Green, Gene	Noem
Babin	Griffith	Nugent
Barletta	Grothman	Nunes
Barr	Guinta	Olson
Barton	Guthrie	Palazzo
Benishek	Hanna	Palmer
Bilirakis	Hardy	Paulsen
Bishop (MI)	Harper	Pearce
Bishop (UT)	Harris	Perry
Black	Hartzler	Pittenger
Blackburn	Heck (NV)	Pitts
Blum	Hensarling	Poe (TX)
Bost	Herrera Beutler	Poliquin
Boustany	Hice, Jody B.	Pompeo
Brady (TX)	Hill	Posey
Brat	Holding	Price, Tom
Bridenstine	Hudson	Ratcliffe
Brooks (AL)	Huelskamp	Reed
Brooks (IN)	Huizenga (MI)	Reichert
Buchanan	Hultgren	Renacci
Buck	Hunter	Ribble
Bucshon	Hurd (TX)	Rice (NY)
Burgess	Hurt (VA)	Rice (SC)
Byrne	Issa	Rigell
Calvert	Jenkins (KS)	Roby
Carter (GA)	Jenkins (WV)	Roe (TN)
Carter (TX)	Johnson (OH)	Rogers (AL)
Chabot	Johnson, Sam	Rogers (KY)
Chaffetz	Jolly	Rohrabacher
Chu, Judy	Jordan	Rokita
Clawson (FL)	Joyce	Rooney (FL)
Coffman	Katko	Ros-Lehtinen
Cole	Kelly (MS)	Roskam
Collins (GA)	Kelly (PA)	Ross
Collins (NY)	King (IA)	Rothfus
Comstock	King (NY)	Rouzer
Conaway	Kinzinger (IL)	Royce
Cook	Kline	Ruiz
Cooper	Knight	Russell
Costello (PA)	Labrador	Salmon
Cramer	LaHood	Sanford
Crawford	LaMalfa	Scalise
Crenshaw	Lamborn	Schweikert
Culberson	Lance	Scott, Austin
Curbelo (FL)	Latta	Sensenbrenner
Davis, Rodney	LoBiondo	Sessions
Denham	Long	Shimkus
Dent	Loudermilk	Shuster
DeSantis	Love	Simpson
DesJarlais	Lucas	Sinema
Diaz-Balart	Luetkemeyer	Smith (MO)
Dold	Lummis	Smith (NE)
Donovan	MacArthur	Smith (NJ)
Duffy	Maloney,	Smith (TX)
Duncan (SC)	Carolyn	Stefanik
Duncan (TN)	Marchant	Stewart
Emmer (MN)	Marino	Stivers
Farenthold	Massie	Stutzman
Fincher	McCarthy	Thompson (PA)
Fitzpatrick	McCaul	Thornberry
Fleischmann	McClintock	Tiberi
Fleming	McHenry	Tipton
Flores	McKinley	Trott
Forbes	McMorris	Turner
Fortenberry	Rodgers	Upson
Fox	McSally	Valadao
Franks (AZ)	Meadows	Wagner
Frelinghuysen	Meehan	Walberg
Garrett	Messer	Walden
Gibbs	Mica	Walker
Gibson	Miller (FL)	Walorski
Goodlatte	Miller (MI)	Walters, Mimi
Gosar	Moolenaar	Waters, Maxine
Gowdy	Mooney (WV)	Weber (TX)

Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams

Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)

Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—171

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.

Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.

Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Jackson Lee

Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.

Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebbeck
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
Ellison
McGovern
McNerney
Meng
Moore
Moulton

NOT VOTING—14

Jones
Larson (CT)
Meeks
Neugebauer
Richmond

□ 1419

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF THE HOUSE REGARDING SAFETY AND SECURITY OF EUROPEAN JEWISH COMMUNITIES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to

the resolution (H. Res. 354) expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 15, as follows:

[Roll No. 585]

YEAS—418

Abraham	Collins (GA)	Gibbs
Adams	Collins (NY)	Gibson
Aderholt	Comstock	Goodlatte
Aguilar	Conaway	Gosar
Allen	Connolly	Gowdy
Amash	Conyers	Graham
Amodei	Cook	Granger
Ashford	Cooper	Graves (GA)
Babin	Costa	Graves (LA)
Barletta	Costello (PA)	Graves (MO)
Barr	Courtney	Grayson
Barton	Cramer	Green, Al
Bass	Crawford	Green, Gene
Beatty	Crenshaw	Griffith
Becerra	Crowley	Grijalva
Benishek	Cuellar	Grothman
Bera	Culberson	Guinta
Beyer	Cummings	Guthrie
Bilirakis	Curbelo (FL)	Gutiérrez
Bishop (GA)	Davis (CA)	Hahn
Bishop (MI)	Davis, Danny	Hanna
Bishop (UT)	Davis, Rodney	Hardy
Black	DeFazio	Harper
Blackburn	DeGette	Harris
Blum	Delaney	Hartzler
Blumenauer	DeLauro	Hastings
Bonamici	DelBene	Heck (NV)
Bost	Denham	Heck (WA)
Boustany	Dent	Hensarling
Boyle, Brendan	DeSantis	Herrera Beutler
F.	DeSaulnier	Hice, Jody B.
Brady (TX)	DesJarlais	Higgins
Brat	Deutch	Hill
Bridenstine	Diaz-Balart	Himes
Brooks (AL)	Dingell	Hinojosa
Brooks (IN)	Doggett	Holding
Brown (FL)	Dold	Honda
Brownley (CA)	Donovan	Hoyer
Buchanan	Doyle, Michael	Hudson
Buck	F.	Huelskamp
Bucshon	Duckworth	Huffman
Burgess	Duffy	Hultgren
Bustos	Duncan (SC)	Hunter
Butterfield	Duncan (TN)	Hurd (TX)
Byrne	Edwards	Hurt (VA)
Calvert	Ellison	Israel
Capps	Emmer (MN)	Issa
Capuano	Engel	Jeffries
Cárdenas	Eshoo	Jenkins (KS)
Carney	Esty	Jenkins (WV)
Carson (IN)	Farenthold	Johnson (GA)
Carter (GA)	Farr	Johnson (OH)
Carter (TX)	Fincher	Johnson, E. B.
Cartwright	Fitzpatrick	Johnson, Sam
Castor (FL)	Fleischmann	Jolly
Castro (TX)	Fleming	Jones
Chabot	Flores	Jordan
Chaffetz	Forbes	Joyce
Chu, Judy	Fortenberry	Kaptur
Cicilline	Foster	Katko
Clark (MA)	Fox	Keating
Clarke (NY)	Frankel (FL)	Kelly (IL)
Clawson (FL)	Franks (AZ)	Kelly (MS)
Clay	Frelinghuysen	Kelly (PA)
Cleaver	Fudge	Kennedy
Clyburn	Gabbard	Kildee
Coffman	Gallego	Kilmer
Cohen	Garamendi	Kind
Cole	Garrett	King (IA)

King (NY)	Neal	Scott, Austin
Kinzinger (IL)	Newhouse	Scott, David
Kirkpatrick	Noem	Sensenbrenner
Kline	Nolan	Serrano
Knight	Norcross	Sessions
Kuster	Nugent	Sewell (AL)
Labrador	Nunes	Sherman
LaHood	O'Rourke	Shimkus
LaMalfa	Olson	Shuster
Lamborn	Palazzo	Simpson
Lance	Pallone	Sinema
Langevin	Palmer	Sires
Larsen (WA)	Pascrell	Slaughter
Latta	Paulsen	Smith (MO)
Lawrence	Payne	Smith (NJ)
Lee	Pearce	Smith (TX)
Levin	Pelosi	Smith (WA)
Lewis	Perlmutter	Stefanik
Lieu, Ted	Perry	Stewart
Lipinski	Peters	Stivers
LoBiondo	Peterson	Stutzman
Loebuck	Pingree	Swalwell (CA)
Lofgren	Pittenger	Takano
Long	Pitts	Thompson (CA)
Loudermilk	Pocan	Thompson (MS)
Love	Poe (TX)	Thompson (PA)
Lowenthal	Poliquin	Thornberry
Lowe	Polis	Tiberi
Lucas	Pompeo	Tipton
Luetkemeyer	Posey	Titus
Lujan Grisham	Price (NC)	Tonko
(NM)	Price, Tom	Torres
Luján, Ben Ray	Quigley	Trott
(NM)	Rangel	Tsongas
Lummis	Ratcliffe	Turner
Lynch	Reed	Upton
MacArthur	Reichert	Valadao
Maloney,	Renacci	Van Hollen
Carolyn	Ribble	Vargas
Maloney, Sean	Rice (NY)	Veasey
Marchant	Rice (SC)	Vela
Marino	Rigell	Velázquez
Massie	Roby	Visclosky
Matsui	Roe (TN)	Wagner
McCarthy	Rogers (AL)	Walberg
McCaul	Rogers (KY)	Walden
McClintock	Rohrabacher	Walker
McCollum	Rokita	Walorski
McDermott	Rooney (FL)	Walters, Mimi
McGovern	Ros-Lehtinen	Walz
McHenry	Roskam	Wasserman
McKinley	Ross	Schultz
McMorris	Rothfus	Waters, Maxine
Rodgers	Rouzer	Watson Coleman
McNerney	Roybal-Allard	Weber (TX)
McSally	Royce	Webster (FL)
Meadows	Ruiz	Welch
Meehan	Ruppersberger	Wenstrup
Meng	Rush	Westerman
Messer	Russell	Westmoreland
Mica	Ryan (OH)	Whitfield
Miller (FL)	Salmon	Williams
Miller (MI)	Sánchez, Linda	Wilson (FL)
Moolenaar	T.	Wilson (SC)
Mooney (WV)	Sanchez, Loretta	Wittman
Moore	Sanford	Womack
Moulton	Sarbanes	Woodall
Mullin	Scalise	Yoho
Mulvaney	Schakowsky	Young (AK)
Murphy (FL)	Schiff	Young (IA)
Murphy (PA)	Schrader	Young (IN)
Nadler	Schweikert	Zeldin
Napolitano	Scott (VA)	Zinke

NOT VOTING—15

Brady (PA)	Jackson Lee	Smith (NE)
Ellmers (NC)	Larson (CT)	Speier
Fattah	Meeks	Takai
Gohmert	Neugebauer	Yarmuth
Huelskamp (MI)	Richmond	Yoder

□ 1427

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HIRE MORE HEROES ACT OF 2015

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the House amendment to the Senate amendment to H.R. 22.

The SPEAKER pro tempore (Mr. HARDY). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 507 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the Senate amendments to the bill, H.R. 22.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1429

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the Senate amendment is considered read the first time.

The gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 1430

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Today is an exciting day for me because when I became chairman almost 3 years ago of the Transportation and Infrastructure Committee, one of my highest priorities was passing a multiyear bill to improve our Nation's road, bridges, and transit systems. So I am very pleased that today the House is considering the Surface Transportation Reauthorization and Reform Act of 2015, the STRR Act.

I want to thank Chairman SAM GRAVES and our Democratic counterparts, Ranking Members DEFAZIO and NORTON, for helping to develop this bipartisan bill. Thanks in part to their hard work and willingness to work together, our committee unanimously approved the STRR Act 2 weeks ago.

This bill is absolutely critical to America and our economy. Transportation, in particular our surface transportation system, has a direct impact on our day-to-day quality of life. It affects how we get to work, how we get our kids home from school, and how much time we can spend with our families and friends instead of sitting in traffic. Transportation allows our country and our businesses to be competitive. Transportation is about supply chain, raw materials getting to the factories, products getting to markets, and what we pay for goods; and it is fundamentally what the STRR Act is all about.

To help put this legislation together, Mr. Chairman, our committee traveled to communities across this country and talked to transportation and business leaders about the need for this bill. What we heard is that our States and communities all have a variety of needs and that certainty over multiple years is necessary to address those needs. The STRR Act is a multiyear bill that provides that certainty for States and local governments. This bill helps improve our Nation's infrastructure and maintains a strong commitment to safety, but it also provides important reforms that will help us continue to do the job more effectively.

Key provisions in this bill will refocus—and that is important—our transportation programs on national priorities, promote innovation to make our surface transportation system and programs work better, provide greater flexibility for State and local governments to address their needs, streamline the Federal bureaucracy, accelerate the project approval process, and facilitate the flow of freight and commerce. The STRR Act continues the Federal role in providing a strong national transportation system, enables our country to remain economically competitive, and helps ensure our quality of life.

This bill has widespread support. We have received nearly 300 letters of support from throughout the stakeholder community, including Governors, mayors, cities, counties, AASHTO, Chamber of Commerce, National Association of Manufacturers, agriculture, construction industry, shippers, and many, many others.

Mr. Chairman, I strongly urge my colleagues to support this legislation and look forward to working with the Senate to get a final measure to the President.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

Well, this has been a long time coming, and I congratulate the full committee chairman, the subcommittee chair, my ranking member, ELEANOR HOLMES NORTON, and all the members of the committee for moving forward a good, bipartisan product. None of us got everything we wanted in that bill,

but there is a lot of good policy in there. The funding still leaves a lot to be desired.

It will begin to address the infrastructure crisis in America. Mr. Chairman, 140,000 bridges need substantial repair or replacement, and 40 percent of the road surface on the National Highway System has deteriorated to the point where you have to dig up the roadbed and rebuild the road, not just resurface it, and on our major transit systems, our legacy transit systems, \$84 billion to bring them up to a state of good repair—\$84 billion. It is so bad that they are actually killing people here in Washington, D.C., because of the decrepit nature of the mass transit system.

Mr. Chairman, this bill will begin to deal with those issues. It will give the States a 6-year planning horizon so they can plan longer term projects. Longer term projects mean more bang for the buck and more jobs will be created.

The bill also increases the percentage for Buy America so we will create more jobs here in America in the area of transit. In fact, the strongest Buy America requirements for all Federal procurement—much stronger than the Pentagon—are in transportation. So these dollars recirculate in our economy. They employ Americans, and they subcontract with American small businesses. Those moneys recirculate in our communities and can create real growth and wealth.

But as I mentioned earlier, we are still not certain whether there will be amendments allowed, and a number of Members have contributed to the Rules Committee proposals to increase funding with one form or another of user fee. User fee has been the tradition since Dwight David Eisenhower said that this will be a self-funded program funded by gas tax. The Federal gas tax hasn't gone up since 1993—18.3 cents a gallon. There are many meritorious proposals to change that in different ways, to index it, to have a temporary increase with a commission, a barrel tax, and a straight-up increase in the gas tax to have it catch up with inflation. There is a myriad of them out there, and I hope that some are allowed and that this body is allowed to work its will.

Eight all-red States have raised their gas tax in the last year, and not a single State representative or senator has been recalled or lost their election because of it. The American people get it. If they don't want to blow out their tires and break their rims in potholes, we need to invest. If they don't want to be detoured around closed or weight-limited bridges, we need to invest. If they wonder whether they are going to get there alive or get there at all when they get on a mass transit system, we need to invest at every level.

The investment is not what it should be in this bill, but there are many good

policies. There are new, national, first-time-ever major freight and highway projects of national and regional importance. We need a focus on moving our freight more efficiently in this country. As I mentioned earlier, we are getting an increase in Buy America. We also reform the workforce retraining programs which will create career pathways for minorities, women, veterans, individuals with disabilities, and low-income workers.

It boosts funding for railway-highway grade crossings to save lives and improve safety, motor carrier safety grants, and National Highway Traffic Safety Administration grants. It ensures higher standards for transit safety, protects bus driver safety, and encourages States to provide mental health and substance abuse treatment for DUI offenders.

It improves safety for the transport of hazardous materials and provides critical protections for crude-by-rail shipments. It will provide more information for State emergency responders, and it will require comprehensive—it is amazing we don't have that now—oil spill response plans, and it will increase the safety of oil tank cars by requiring thermal blankets and other improvements.

All in all, there is much, much to commend in this bill. It also looks to the future, and it would put in \$115 million to allow States to test new ways of raising the money necessary to rebuild, maintain, and improve the efficiency of our national transportation system, whether it would be vehicle miles traveled or other, new innovative ideas, and that is what we have got to look toward in the future. We cannot continue just on a gas and diesel tax forever.

So I, again, applaud the chairman, the subcommittee chairman, and my colleagues on the committee. I look forward to a long, robust, and open debate over amendments. Hopefully the bill will come out of that process improved and not damaged and will get broad support here on the floor of the House.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. DENHAM), the subcommittee chairman on Railroads, Pipelines, and Hazardous Materials.

Mr. DENHAM. Mr. Chairman, I thank Mr. DEFAZIO and Mr. CAPUANO for working with us on title VII of this bill, the Hazardous Materials Transportation Safety Improvement Act of 2015.

Hazardous materials are the backbone of our industrial society, and these products are transported by all modes, used in every State, and distributed worldwide. This title will significantly enhance the safety of moving these products.

First, the title will significantly strengthen the safety of crude-by-rail

shipments. After pushing DOT for years to update their regulations to make these train movements safer, DOT finally issued final regulations in May. However, the rule fell short in several areas, and, therefore, we have included several provisions to fix their shortcomings.

We require all new tank cars carrying flammable liquids to have a thermal blanket, something DOT failed to do, something that is new in this bill. We also require the railroads to create oil spill emergency response plans similar to what pipeline operators are required to do. Additionally, we ensure that railroads continue to provide States and local emergency responders with information on crude-by-rail shipments within their States.

Further, we included a provision at markup that fixes a loophole that would allow more than 35,000 legacy DOT-111 tank cars to remain in service in perpetuity. This provision will require those cars be upgraded to increase the safety of our railroads. I believe it will significantly improve the safety of hazardous materials transportation, particularly the crude-by-rail shipments.

Improving safety of crude-by-rail has been one of my top priorities as chairman of the Railroads, Pipelines, and Hazardous Materials Subcommittee, and I am pleased to be moving these provisions forward.

We also make significant improvements to DOT's hazardous materials safety and grant programs. We streamline and speed up the special permits and approvals process to give industry more certainty. We also reform an underutilized grant program to help States train more emergency responders and better plan for incidents.

Separately, this bill includes reforms that I have long championed and is based on legislation I authored, the NEPA Reciprocity Act.

Local governments in States with environmental laws equal to or more stringent than NEPA will have the ability to complete one comprehensive environmental review. This will eliminate duplicative environmental reviews and save millions of dollars and years in project delivery time while still ensuring appropriate steps are taken to mitigate the environmental impact. This reform is bipartisan and supported by the National Association of Counties.

Finally, an amendment I offered in committee is included in this. It encourages the development of pollinator habitat along roadsides and rights-of-way. Pollinators are essential to a vibrant and productive farm industry and for the health and welfare of our Nation's food supply.

Mr. Chairman, I appreciate the good, bipartisan reforms in this legislation. Again, I want to thank Chairman SHUSTER, Ranking Member DEFAZIO, and

Ranking Member CAPUANO for the many improvements to this bill.

Mr. DEFAZIO. Mr. Chairman, I yield 4 minutes to the gentlewoman from the District of Columbia, ELEANOR HOLMES NORTON, the ranking member.

Ms. NORTON. Mr. Chairman, I thank my good friend and—in this enterprise—my partner, along with the informal partnership we made with our Republican chairs. And that is what it has been: an informal partnership with Members and also with staff.

I want to recognize the countless hours of staff time that went into what is really, in many ways, a complicated bill. The four of us are cosponsors, original cosponsors, of this bill, indicating its bipartisan nature.

Because Ranking Member DEFAZIO has gone down many of the important parts of the bill, I want to speak to three or four that I think are of particular significance.

Let's start with funding. We understand that funding is at the core of any transportation, transit, and infrastructure bill. We also understand that there may be barely enough funding to get through 2½ years and that this is a 6-year bill in name and intent only, but it does amount to a 6-year promise, and we must keep that promise.

I appreciate that this bill is on the floor this week because States have so little money that they have virtually ceased beginning major projects, and those are the projects that they most need. The States will be disappointed that the funding is essentially the same as it was in the prior bill, MAP-21, except for inflation, which, of course, has been virtually nonexistent. But they will be grateful for what this bill provides for the immediate future, unlike our short-term reauthorizations.

□ 1445

The shortcomings of this bill should not obscure what makes this bill unique. It is genuinely bipartisan. It was approved unanimously in committee. When does that happen in this Congress? Democrats and Republicans put aside their many differences, giving up much of what they believe they need. I hope this bill will be a model for how to proceed in the future.

Let me say a word about major projects. The administration had a "Projects of National Significance" section in its bill. We have a different major projects section, but it is somewhat comparable. It is meant for transformational investments of the kind that are solely needed throughout the United States: megaprojects. Now States will compete for the funding.

What is also important in this program of national significance is that it includes freight. For the first time, I think, this bill recognizes that whatever we do with transportation and infrastructure, we should have in mind

its intermodal connections, and freight is a very important part of those connections.

I want to mention a 21st-century approach to the highway trust fund, a provision I especially pressed for. I regard this provision as a provision of overriding importance. When I say a 21st-century highway trust fund, I mean a trust fund that lasts or can last for 6 years. We are still in the throes of a 1950s highway trust fund. In the last authorization bill, we did nothing to move forward to update the trust fund.

The CHAIR. The time of the gentlewoman has expired.

Mr. DEFAZIO. I yield the gentlewoman an additional 2 minutes.

Ms. NORTON. I thank my good friend for yielding.

The States have done spade work, however, Oregon, Washington, California. So there is \$20 million to encourage them to do more. We know what some of these experiments are, vehicle miles, et cetera. Think of new ways. We need to encourage this experiment if we are to fund the trust fund in the future.

Another one of my priorities which is relevant to every State is in this bill, and that is the takeover of the DC-MD-VA Metrorail by the Department of Transportation. That was envisioned in MAP-21. It is not very unusual.

In addition, this bill authorizes the so-called minority business contract DBE Program, which is available to racial and ethnic minorities, women and service-disabled veterans. They are the only groups which under the Constitution may obtain this special recognition. The bill enhances Buy America. It has workforce development. It enhances the safety of bus riders and of bus drivers.

There is \$40 million here to encourage State-based efforts to combat racial profiling and we have seen people in the streets for that one. I am so pleased that there was bipartisan support for that and other provisions.

I look forward to the continuation of the bipartisan partnership we have had as we go forward to the Senate to produce a comprehensive bipartisan, bicameral bill.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN), the vice chairman of the full committee and the chair of two critical panels, the P3 panel and the freight movement panel, that developed a lot of what is in this bill. I appreciate his work on that.

Mr. DUNCAN of Tennessee. Mr. Chairman, I thank the chairman for yielding me this time. I want to congratulate and thank Chairman SHUSTER for his great leadership of our committee and especially his hard work on this legislation. I also want to thank my friend, Ranking Member DEFAZIO, for his great work on this bill.

I rise, Mr. Chairman, in strong support of this very important legislation, this major legislation, that will reauthorize our highway and transit programs.

We have spent megabillions rebuilding the Middle East over the last 15 years, and I am so pleased that we are now doing major legislation to help rebuild America.

I want to thank the chairman and ranking member for including a number of provisions in this bill that I have requested and I think are very important.

First, I want to thank them for the environmental streamlining provisions that we have worked on for so long on our committee to try to speed up major projects and bring down their costs so that we can do more good things for this country.

Secondly, I am very pleased that many of the recommendations from the special panels on freight transportation and on public-private partnerships, the panels that the chairman just mentioned that he gave me the privilege of chairing, were included in this bill.

Third, I am pleased that this bill extends the current provisions of law that prevent the use of Federal funds for red light cameras. Many local governments have used these cameras simply as revenue measures without actually making any improvements in safety.

Fourth, this bill directs the Federal Motor Carrier Safety Administration to conduct a study on the waiting times for skills testing for truck drivers after going through truck driving courses.

In some States, these wait times have become very long, and most graduates cannot afford to wait a long time to take these tests. We already have a shortage of truck drivers.

This part of the legislation will help improve or do something about that shortage that the trucking companies have so much difficulty with at this time finding adequate personnel.

Finally, this bill includes provisions of legislation that I have introduced that clarifies hiring standards for freight brokers. I will have a technical amendment to this section later to make sure that small trucking companies are not hurt and that they also will be helped by this provision.

I simply want to close by saying that I support this legislation which will improve the safety of our highways, create thousands of jobs in this country, and help reduce congestion all across this Nation.

Mr. DEFAZIO. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the Surface Transportation Reauthorization bill.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for developing a bipartisan bill that is generally balanced and makes significant improvements in some key areas.

I am concerned that the funding levels in the bill are simply not high enough. We have an almost \$1 trillion backlog on our highways, bridges, rail, and transit system, yet this bill provides flat funding of just \$325 billion over 6 years. Finding bipartisan consensus on revenue is challenging, but I am confident that a majority in Congress would support funding higher-than-baseline levels with small increases for inflation.

Despite the funding challenges, the bill makes a major improvement by creating the Nationally Significant Freight and Highway Projects program, which will provide guaranteed dedicated funding for large-scale multimodal projects critical to our regional and national economy.

This was a key recommendation of the freight panel on which I was ranking member with Mr. DUNCAN as chairman. It is essential that we assist projects that are too big or complex for States to address on their own.

We made some progress in SAFETEA-LU and MAP-21, but this bill finally gets it right and corrects decades of neglect by providing guaranteed funding for multimodal freight projects.

There is an aggregate cap of \$500 million on non-highway projects, which equals about 11 percent of the program. This seems arbitrarily low, given that 25 to 30 percent of the bill is funded through general revenue.

We should let all projects compete and not dilute the selection process with caps and set-asides. But the freight program created in this bill is a groundbreaking achievement. I thank Chairman SHUSTER and Ranking Member DEFAZIO for their commitment.

On transit, there are good provisions in the bill on transit worker safety and workforce development. I oppose dropping the New Starts Federal share from 80 percent to 50 percent. There is a similar provision dropping the Federal share to 50 percent in the freight grant program.

This is a developing trend that is shifting the burden to States and localities and punishing them for our failure to adequately invest in infrastructure. There are provisions restricting the use for various transportation programs for transit projects, which we hope to correct through the amendment process later today.

There are some objectionable provisions regarding environmental streamlining and motor carrier safety, but I am pleased that the bill does not broadly increase truck size or weights. I will oppose any amendments to add such dangerous poison pills.

Overall, this bill is balanced, and I support moving it forward. I thank

Chairman SHUSTER and Ranking Member DEFAZIO for working with us to defend and improve the bill as it moves through the process.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. GRAVES), the subcommittee chairman on Highways and Transit.

Mr. GRAVES of Missouri. Mr. Chairman, I want to commend the chairman and ranking member for their ability and, for that matter, all my colleagues on the committee for our ability to be able to work together and come up with what I think is a truly good bill. I rise in support of the Surface Transportation Reauthorization and Reform Act.

The bill reauthorizes programs within the Federal Highway Administration and provides much-needed investments in our Nation's highways and bridges.

It also focuses existing funding to create a Nationally Significant Freight and Highway Projects program for large-scale projects while making a large number of reforms that will ensure our transportation dollars are put to good use.

These include streamlining the environmental review and permitting process, converting the Surface Transportation Program to a block grant program, maximizing the flexibility for States and local governments, increasing the amount of funding that is distributed to local governments, expanding funding for rural bridges or those bridges that are off the National Highway System, increasing transparency regarding how Federal highway dollars are being spent, increasing the focus on safety programs particularly of rural roads, and encouraging the installation of vehicle-to-infrastructure equipment designed to reduce congestion and improve safety on our roads.

This legislation also reauthorizes Federal public transportation programs and implements reforms that are going to ensure transit systems are safer and more efficient.

The safety of our transportation system must always be at the top of our priority list. By giving States the flexibility to focus on the safety needs unique to each community, we can allow them to take advantage of new technologies that are going to reduce accidents and roadway fatalities across this country. We can maintain a focus on safety without imposing undue and duplicative regulatory burdens on States.

This bill requires the Federal Motor Carrier Safety Administration to review regulations every 5 years to ensure they are current, consistent, and uniformly enforced, allowing us to focus on policies that save lives and abandon those that do not. It also requires FMCSA to look into the effects of raising minimum insurance standards for truck and bus drivers.

I am proud to have been a part of the development of this bipartisan bill. I

look forward to moving forward and going to conference with the Senate.

Mr. DEFAZIO. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, first of all, I want to thank the committee leadership for developing a fair bill that addresses many of the most pressing needs of our country. Particularly, I want to thank Mr. SHUSTER and Mr. DEFAZIO.

This important legislation includes a critical freight grant program, but we need to ensure that all modes of transportation are treated equally in the program and should remove any caps on funding for these entities.

It also continues the Transportation Alternatives Program, TAP, and creates a new non-motorized safety grant program, which is critical to my home State of Florida, where several cities have the highest pedestrian fatality rates in the Nation.

Transportation is the backbone of our country. Unfortunately, without critically needed additional funding, we are robbing Peter to pay Paul and forcing our State and local transportation agencies to pay more.

Like most Members and stakeholders, I miss the past when our committee developed long-term bills with dedicated funding that gave States, local governments, and other transportation stakeholders some stability to plan for future transportation needs and make the investment in equipment and manpower needed to implement these projects.

Transportation and infrastructure funding is absolutely critical to our Nation and, if properly funded, serves as a tremendous economic boost and job creator. In fact, Department of Transportation statistics show that for every billion dollars invested in transportation, it generates 44,000 permanent jobs and \$6.2 billion in economic activity.

We are no longer competing, as States; we are competing with China, Japan, and the European Union, all of whom are spending much more on transportation and infrastructure than the United States. We are the caboose, and they don't even use cabooses anymore.

Sadly, the Republican leadership lacks real vision. Without vision, the people perish. The traveling public is pleading with Congress to make transportation and infrastructure a priority. When this happens, we can put millions of hardworking Americans back to work fixing our Nation's crumbling infrastructure and preparing our country for the future.

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Mr. SHUSTER. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. HANNA), who, I believe, still has his CDL or Operating Engineering License.

Mr. HANNA. I thank the chairman. And I still have my union card.

Mr. Chairman, this long-term bill represents years of work from the Transportation and Infrastructure Committee, and it is a credit to the leadership of both Chairman SHUSTER and Ranking Member DEFAZIO.

Mr. Chairman, I would like to highlight two provisions:

First, this bill restores the ability of States to use up to 10 percent of their funds to capitalize State Infrastructure Banks. These banks free up capital to invest in projects in smaller communities where funding and resources are otherwise unavailable;

Second, it authorizes a pilot program to allow younger CDL holders to drive across State lines.

Every State but Hawaii allows 18-year-olds to obtain a CDL and drive a truck, but Federal law prevents them from crossing State borders. In New York, an 18-year-old can drive nearly 500 miles from Buffalo to Long Island, yet cannot drive the 15 miles across the border from Binghamton to Pennsylvania.

This provision will create opportunities for good-paying jobs, and it supports local economies while keeping our roads safe.

I urge my colleagues to support this bill.

Mr. DEFAZIO. Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 1½ minutes to the gentleman from Nevada (Mr. HARDY).

Mr. HARDY. Mr. Chairman, I stand to address the importance of long-term funding within the transportation sector of our economy.

As a former general contractor who built roads, bridges, and dams, I understand how uncertainty can derail the ability to plan and design.

Transportation planning decisions are not made that cover the timeframe of a month, and transportation planning decisions are not made for the timeframe that cover a year. Transportation and infrastructure planning decisions are made to stretch out over years. I am talking about master planning. These are decisions that reach out to 5, 10, and even 15 years.

This bill addresses the long-term needs of our country. It speaks to the multiyear planners—the States that are planning years in advance for major infrastructure projects. We can't operate on short-term fixes. We can't continue to kick these important decisions down the road. We can't operate on short-term patches. Jobs are not created through interim and stopgap bills. Our country needs this certainty. Our citizens deserve this certainty.

This bill does just that: it plans for the future, and it provides for certainty. It contains many great provisions: from the crucial extension of Interstate 11 from the city of Las

Vegas north to I-80 in northern Nevada, to returning flexibility to all States.

This bill demonstrates the bipartisan nature of this body in Congress. This committee worked across the aisle to form solid language on issues that are, in nature, bipartisan. I hope we can continue this momentum well beyond the debate and bring certainty to this House, to our States, and to our country.

Mr. DEFAZIO. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate my colleague's courtesy in permitting me to speak on this.

Mr. Chairman, I do appreciate what the Transportation and Infrastructure Committee is doing. I feel a bit empty in no longer being on the committee. That is why I try and show up as often as I can when you have things on the floor. There is a soft spot in my heart for the committee, and it is nice to see a SHUSTER again chairing the committee.

I appreciate your moving forward to try and call the question. Yours has been a difficult task because the committee on which I sit, the Ways and Means Committee, has yet to address, in a comprehensive way, the long-term funding. Your job is made much more difficult because you are forced to deal with paying for 2015 infrastructure through 2021 with 1993 dollars, and it doesn't much work.

In a few minutes, I will be offering to the Rules Committee legislation that I have introduced that is supported by the AFL-CIO, the U.S. Chamber of Commerce, truckers, AAA, bicyclists, engineers, local government—the widest array of alliances supporting a major piece of legislation here on Capitol Hill. I am not extremely confident that it will be made in order, but I think it is something that should.

Unless and until we deal with adjusting the user fee, we are going to continue dealing with cats and dogs, short-term fixes, having uncertainty, and destroying the principle of user pays, which has been undergirding transportation finance in this country since Oregon gave you the first gas tax dedicated to transportation in 1919.

I must say that I appreciate the committee looking at transportation for the future. At a time when the number one area of employment for American men is as drivers, we are about to see dramatic changes in technology, in utilization that is going to change the landscape.

I appreciate the committee exploring areas of technological innovation. These are areas in which we must accelerate our work lest we be overcome by circumstances. It is a tremendous opportunity for us to get more value out of the transportation system with more safety, to get more efficient, and

to be able to open up a whole array of economic opportunities. If we don't get ahead of it, it is going to be very disruptive.

I must say I am a little dismayed that the bill proposes flat funding for something near and dear, I think, to the hearts of a number of us in dealing with pedestrian and cycling activities. We can do better than that, and I hope, through the amendment process and the give-and-take between the House and the Senate, particularly if we are able to give you the funding you need, we can remedy that.

The CHAIR. The time of the gentleman has expired.

Mr. DEFAZIO. I yield the gentleman an additional 1 minute.

Mr. BLUMENAUER. In the meantime, I appreciate what has been done, the manner in which it has been approached, and the effort to try and bring people together.

Historically, infrastructure was something that was bipartisan in nature, that made people feel good about the process; and it is, of course, the fastest way to put millions of Americans to work at family-wage jobs while they improve communities from coast to coast. I look forward to working with the committee as it works its way through the process to make it the best that we can for the multiple objectives that we all share.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from upstate New York (Mr. KATKO), a new member of the committee and one of our hardest working members.

Mr. KATKO. I thank the gentleman for yielding.

Mr. Chairman, I am proud to support the Surface Transportation Reform and Reauthorization Act.

This legislation is a product of hard work, done in a bipartisan manner, and it will give State and local governments some funding certainty for the first time in a long time.

The bill makes important reforms that will speed up planning and permitting, that will give State and local governments increased control over transportation funds, that will help deal with freight bottlenecks, and that will provide new avenues to finance projects. After 35 short-term extensions to transportation programs since 2009, this long-term bill is exactly what we need.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for the hard work they have put in to building a bipartisan consensus around this bill on the Transportation and Infrastructure Committee, and I hope the full House will join with us today to move this very important legislation forward.

Mr. DEFAZIO. Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentlewoman from

southern California (Mrs. MIMI WALTERS), another new and hardworking Member.

Mrs. MIMI WALTERS of California. Mr. Chairman, I rise today in support of H.R. 22.

As a member of the House Transportation and Infrastructure Committee, I have had the pleasure of working with Chairman SHUSTER to put forth a fiscally responsible, long-term bill that will fund our Nation's transportation and infrastructure needs.

This bill includes provisions which would make our highway system more efficient, direct more power and flexibility to States and local governments, cut through bureaucratic red tape, and maintain a strong commitment to safety.

The importance of our surface transportation system cannot be overstated. It is an integral part of our economic engine, and it is vital to our Nation's movement of goods. In fact, a significant number of consumer goods move through my congressional district, which provides transportation connectivity between the Ports of Los Angeles and Long Beach and other cities throughout the region. This bill will ensure the safe and efficient movement of freight throughout southern California and the rest of the country.

I am pleased to stand before you today in support of this bill, which will ultimately improve the overall quality of life for all Americans.

Mr. DEFAZIO. Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentlewoman from northern Virginia (Mrs. COMSTOCK).

Mrs. COMSTOCK. I thank the chairman.

I would like to reiterate my thanks to the chairman and to everyone on the committee for working with so many Members on this bipartisan surface transportation reauthorization, which is very important legislation.

Mr. Chairman, included in this bill is a provision that is vital not only to the entire national capital region but also to my district. It contains the text of the Protect Riders of Metrorail Public Transportation Act, which is the product of collaborative efforts between Ms. NORTON, Ms. EDWARDS of Maryland, and me.

The language facilitates a necessary change to the safety oversight structure of the Washington Metrorail system in the wake of recent accidents and incidents, safety problems, and problems in the reliability of the system. It does so by reinforcing and expanding the authority of the Secretary to use the Federal Transit Administration to directly oversee Metro and to provide safety and reliability to our commuters.

Our Metro is the second busiest transit system in the country, and it must be the gold standard in safety as well

as in reliability because it serves our entire Federal workforce as well as our many visitors to this important national capital region.

The CHAIR. The time of the gentlewoman has expired.

Mr. SHUSTER. I yield the gentlewoman an additional 30 seconds.

Mrs. COMSTOCK. Again, I thank the chairman, and I thank everyone involved in this important legislation, of which I am happy to rise in support.

Mr. DEFAZIO. Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. I thank Chairman SHUSTER, Ranking Member DEFAZIO, and the chairmen and ranking members of the subcommittees for their excellent work on this.

Mr. Chairman, I appreciate the certainty, flexibility, and power this legislation gives back to our States, and I look forward to supporting it.

I would like to focus on a voluntary, multiple-use program that is in this bill. It is an innovative way to give States more flexibility that is commensurate with the design of this bill.

Critical commerce corridors, otherwise known as CCCs, use our existing interstate system to provide for the physical separation of passenger vehicles from commercial motor vehicles, dedicated on-and-off ramps, and freight exchange centers for the movement of freight between and among modes of transportation. These lanes are constructed with a physical separation of passenger and commercial motor freight, and they would be structurally enhanced to handle dedicated freight traffic. This promotes a greater level of safety while making the movement of freight traffic more efficient.

Unfortunately, this very definition of "CCC" isn't in the bill's language, although committee staff have been working on it in a very bipartisan manner, and I thank them for it.

Mr. Chairman, you have heard on multiple occasions what CCCs are. Is this program something that you and other leaders who have worked on this bill can support?

I yield to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I look forward to working with the gentleman on this language and moving it to conference.

It sounds to me like you have put a lot of work into it, and I look forward to continuing that work in Congress.

Mr. ROKITA. Reclaiming my time, I appreciate that, Mr. Chairman.

It is important for Congress to give the term "critical commerce corridor" meaning. We have seen the dangers of leaving terms undefined and of relying on the agency to create a definition that could be nowhere near what Congress intended.

Again, I thank the chairman and the ranking member for all of their hard work.

Indiana is known as the Crossroads of America, and the CCC concept actually comes from Indiana and, in part, Purdue Universities. I thank the chairman for his commitment that the critical commerce corridor concept is defined appropriately in the legislation as we go through the process.

Mr. DEFAZIO. Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. I thank the chairman.

Mr. Chairman, first, I would like to acknowledge the difficult and challenging job Chairman SHUSTER and the committee have had in crafting this bill. I commend his leadership and hard work on this critically important bill.

This bill dedicates grant funding to freight and highway projects of national significance. Though this program is of vital importance to projects in our districts, there appears to be a bias on how the vast majority of funds have been awarded by the U.S. Department of Transportation, and suburban projects appear to often be ignored.

For instance, H.R. 3763 converts the Surface Transportation Program, or STP, to a grant program with the intention of allowing States added flexibility in receiving funding for local projects. I ask the chairman to be mindful of the distribution of such funding levels as it pertains to suburban projects.

Understanding the difficult choices the chairman has had to make to get this bill through the House, I would ask that, as this bill moves to conference, we work together to find some level of equitable distribution of Federal funds to suburban areas.

I yield to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I will continue to work with the gentleman on this issue as it moves to conference.

Mr. HULTGREN. Reclaiming my time, I thank the chairman for his response and for his leadership on the committee, and I look forward to working with him on this important issue.

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Mr. DEFAZIO. I reserve the balance of my time.

Mr. SHUSTER. Mr. Chair, I don't believe we have any more speakers left.

How many minutes do we each have?

The CHAIR. The gentleman from Pennsylvania has 9 minutes remaining. The gentleman from Oregon has 10½ minutes remaining.

Mr. SHUSTER. I am ready to close. So I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chair, as I said earlier, this bill at this point is an excellent product policy-wise. We will vigorously debate improvements and potentially problematic amendments over the next 2 days and, hopefully,

have a similar or an improved product in the end. Whether or not we will be allowed to attempt to augment the funding remains to be seen.

With that, we are off to a good start. I look forward to the coming debate.

I yield back the balance of my time.
Mr. SHUSTER. Mr. Chairman, I am sure I can count on the gentleman from Oregon to continue his vigorous debate on the issues we have had for months.

Again, the STRR Act is absolutely critical to America and to our economy. It is a good bipartisan bill that has widespread support.

Mr. Chairman, I encourage all Members to support this bill.

I yield back the balance of my time.
Mr. Chair, I submit the following exchange of letters between myself and Chairman LAMAR SMITH.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, October 30, 2015.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 3763, the Surface Transportation Reauthorization and Reform Act of 2015. I appreciate your willingness to support expediting the consideration of this legislation on the House floor.

I acknowledge that by waiving consideration of this bill, the Committee on Science, Space, and Technology does not waive any future jurisdictional claim to provisions in this or similar legislation. In addition, should a conference on the bill be necessary, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving provisions within this legislation on which the Committee on Science, Space, and Technology has a valid jurisdictional claim.

I will include our letters on H.R. 3763 in the Congressional Record during House floor consideration of the bill. I appreciate your cooperation regarding this legislation, and I look forward to working with the Committee on Science, Space, and Technology as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, October 30, 2015.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding regarding H.R. 3763, the "Surface Transportation Reauthorization and Reform Act of 2015," which your Committee ordered reported on October 23, 2015. H.R. 3763 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. However, in order to expedite floor consideration of this important legislation, the committee waives consideration of the bill.

The Committee on Science, Space, and Technology takes this action only with the understanding that the Committee's jurisdictional interests over this and similar legislation are in no way diminished or altered, and with the understanding that an amend-

ment which includes provisions of H.R. 3585, the Surface Transportation Research and Development Act of 2015, will be supported by you when it is submitted to the Rules Committee and offered on the Floor.

The Committee also reserves the right to seek appointment to any House-Senate conference on this legislation, with the understanding that you will support such a request.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

Ms. ROYBAL-ALLARD. Mr. Chair, I rise in support of the House amendment to the Senate amendment to H.R. 22, the DRIVE Act. I believe many areas of this legislation still need improvement, and I am hopeful this will occur in conference. I will support the legislation in order to move the process forward and help provide greater certainty for the delivery of current and pending transportation projects across the country.

The legislation only provides \$325 billion over the course of six years. The funding level proposed in this legislation will not be sufficient if we truly want to improve our infrastructure and keep our country competitive in the years to come. In addition, this six-year legislation is only paid for through the first three years. Congress needs to pay for all six years to ensure that the federal government can engage in new transportation projects with the states during the final three years of the legislation. As the legislation goes to conference, I will keep fighting to increase its funding.

While I am concerned about several elements in the legislation, I am glad that it includes the reauthorization of the Export-Import Bank, which passed the House with bipartisan support last week. The Export-Import Bank supports millions of dollars in exports by businesses in my district, and helps them to better compete in the global market. The reauthorization of the Export-Import Bank will strengthen American businesses and create American jobs.

I look forward to continuing to work with my House colleagues to resolve the issues of concern in the Surface Transportation Reauthorization. I encourage my colleagues to support this legislation and help to move the process forward, for the sake of our economy and our national infrastructure.

Mr. SHERMAN. Madam Chair, I support the Neugebauer amendment because it will force the Conference Committee to deal with the use of enterprise guarantee fees in the Highway Bill. I do not necessarily oppose the reduction of dividends paid by the Federal Reserve to the largest banks.

Ms. MOORE. Mr. Chair, a driver's license is not only a rite of passage for many youth but also a gateway to employment opportunities and to jobs that are increasingly located far from public transportation.

In my district, the majority of job openings in the Milwaukee area are beyond the bus lines.

Yet, vast disparities exist in access to this critical document needed for the world of

work, especially among minority youth who live in the poorest neighborhoods.

According to a recent report, only 4% of over 6,500 sixteen-year-olds in some of Milwaukee's poorest zip codes have driver's licenses in good standing. In contrast, in wealthier zip codes, over 30% of sixteen-year-olds have driver's licenses in good standing.

Less than 25 percent of the 19,000 black males age 16 to 24 in Milwaukee County had a driver's license in good standing in 2015, compared to nearly half of the 32,000 white males in that age group.

29% of African American females ages 16 to 24 in Milwaukee County have a driver's license in good standing, compared to 57% of the white females in that age cohort.

Only 12% of 17-year-old African American males in Milwaukee County have driver's licenses in good standing.

One reason for this disparity is that in the poorest neighborhoods, there are few families that are able to afford the costs of classroom and behind-the-wheel driving instruction now required for licensing of school-age youth.

My state, Wisconsin, ended state support for driver education in March 2004 after the federal government stopped supporting driver's-ed in schools.

According to NHTSA, in the 1970s in all States and the District of Columbia, about 95 percent of eligible students received driver education coursework, usually in their high schools. Now, there are minimal or no funds available for effective program management in States and jurisdictions and many programs, in whole or in part, have been removed from the schools altogether, or are only offered after school, on weekends, or during summer vacation.

A number of other states have eliminated funding for driver's education in schools even as they are moving to Graduated Driver's licensing requirements that impose additional costs on young people seeking to drive legally.

Graduated Driving License systems often include a learner's permit period, followed by a provision license with nighttime restrictions during late night hours, limitations on the passengers teens may carry, and prohibition of use of any electronic communication device while driving, followed by a period of time when teens may drive unsupervised without crashes or citations. They often include mandated classroom instruction as well as behind the wheel time.

Congress is incentivizing states to adopt GDL systems.

As publicly funded driver's education declines, the only other way to get driver's training is through paying private providers. However, this becomes a barrier for low-income and low-resource teens who still need to comply with increasing GDL requirements.

My amendment would allow the use of teen driving safety funds to support school based driver's education, especially to meet a state's GDL requirements. States that choose to take advantage of this option will help driving safety among this high risk populace, reduce racial and economic disparities that exist between those who hold and do not hold a valid driver's license, and help address lack of employment opportunities for youth (limited by lack of transportation).

Improving access to quality driver's education classes can be an effective way to reduce the crash risk for young drivers by focusing efforts on areas of teen driving that show the most promise for improving safety.

Allowing for the use of federal funds to support school-based driver's education will ensure that more young drivers can meet the new requirements and be safer drivers. It would also help reduce unlicensed driving.

A 2012 report by NHTSA (A Fresh Look at Driver Education in America) found that driver education appears to do a good job in preparing students to pass State licensing examinations and that expanding driver education training beyond the current classroom and behind-the-wheel training by integrating it with graduated driver licensing may have increased traffic safety benefits for young drivers, among other findings.

I also want to talk about another reason for the wide gap in access to driver's licenses for low-income youth; the growing practice by state and local government of suspending licenses for nonpayment of fines that have nothing to do with unsafe driving. My amendment initially addressed this issue but I dropped those provisions. I have introduced a bill, Young Adults Driving Safety Act of 2015 (H.R. 3792) to address this second issue.

Court-ordered suspension of driving privileges for low-income residents of all ages is increasingly being used to collect municipal fines, forfeitures and fees (including violations unrelated to driving).

According to the American Association of Motor Vehicle Administrators, "what was originally intended as a sanction to address poor driving behavior is now used as a mechanism to gain compliance with non-highway safety, or social non-conformance, reasons."

Suspending driver's license mainly to collect outstanding municipal debt rather than for public safety reason disproportionately impacts the poorest neighborhoods.

In my district, a review of four years of failure to pay fines suspensions (from 2008 through 2011) in Milwaukee County for those ages 16 through 19 found 8,700 teens received driver's license suspensions for failure to pay court fines and forfeitures.

Most of them (85% of the total) did not have driver's licenses so a suspension added a two year wait to them becoming eligible for their license unless they pay their outstanding municipal tickets and court fees.

We need to address that issue as well as we work to ensure that more young adults, of every race, gender, and income bracket, have a fair chance to get the skills they need to safely operate a motor vehicle.

Mr. NADLER. Mr. Chair, I rise in support of the Lipinski-Nadler-Dold Amendment to restore the ability of state and local agencies to use various transportation programs for transit projects.

Under current law, highway and transit projects can receive up to 80% in federal funding. When it comes to transit Capital Investment Grants (also known as New Starts and Small Starts), it has become common practice for transit agencies to receive less than 80% from that account. Agencies often receive closer to 50%, in part because New Starts is funded through general revenue in

the appropriations bill, funding is stretched thin, and agencies "overmatch" to submit more competitive applications.

Transit agencies are currently able to use CMAQ, STP, and TIFIA, to help fill the gap between whatever they receive in transit New Start funding and the 80% federal funding allowed under the law.

H.R. 3763 does two things that harm New Starts projects. It codifies a reduction in the transit New Start federal share to 50%, and it prohibits the use of other federal transportation dollars to fill the gap.

Nothing in the bill reduces the amount these states and localities will receive, so this provision does not reduce the cost of the bill, or shift funding from one state to another. It simply ties the hands of local agencies and makes it harder, and potentially more expensive, to complete transit projects.

The amendment we are offering today will restore the ability of local agencies to use CMAQ and TIFIA funding for New Starts. The amendment will also restore an 80% federal share for Small Starts and Core Capacity projects, which can continue to use CMAQ, STP and TIFIA funding toward project costs.

This amendment is a compromise that is the result of Chairman SHUSTER's commitment to work with us after we raised it during markup in committee. Under this compromise, New Starts remain at 50%, and will not be able to use STP funds. We still object to these restrictions, but the use of CMAQ and TIFIA to fill the gap is restored. We will continue to fight in conference to restore STP funding for New Starts, and to ensure that highway and transit projects are treated equally.

I thank the Chairman for working with us on this compromise, and for agreeing to correct at least part of the problem. I urge all of my colleagues to support the amendment, and to join with us in continuing to address this issue in the final product enacted into law.

Mr. GENE GREEN of Texas. Madam Chair, I rise today in support of the amendment.

Today, the United States is awash in domestically produced natural gas.

The Energy Information Agency (ETA) estimates that the U.S. has more than 354 trillion cubic feet of proven natural gas reserves.

In Pennsylvania, Ohio, West Virginia and most importantly, Texas, we increased production by more than 4.2 billion cubic feet per day.

While I am a big supporter of LNG exports, I also firmly believe we should consume as much natural gas here at home as possible.

Natural gas has transformed our power sector.

Today, for the first time in history, we use more natural gas for power production than coal.

Natural gas is expected to fulfill almost 40% of our power needs in the coming decades.

Our producers have become so efficient, Henry Hub prices sit at approximately \$2.89 per BCF.

We should drive demand for natural gas by encouraging natural gas vehicles.

Our corporate and government fleets as well as our public transportation vehicles all run on natural gas but the largest segment of the market resides in personal vehicles.

If we increase demand, we will resolve any environmental issues related to natural gas production.

First, producers will reduce natural gas flaring because that product will have a market.

Second, natural gas burns cleaner than gasoline which reduces carbon emissions.

The EPA is tasked with protecting the environment and natural gas vehicles deserve the same opportunities as electric vehicles.

I urge my colleagues to support this amendment.

Mr. LIPINSKI. Mr. Chair, I would like to thank the Chairman and Ranking Member for accepting two of my amendments in the en bloc amendment to the Senate Amendment to H.R. 22, including an amendment exempting a narrow class of welders from the Federal Motor Carrier Safety Regulations.

The amendment at hand is a bipartisan, compromise effort that clarifies that transit agencies starting New Starts projects can utilize Federal funds, like CMAQ and TIFIA, to match the 50% funding provided by their New Start grant. I appreciate the Chairman's willingness to work with me on this issue and restore the Core Capacity and Small Starts projects Federal match limit back to 80% and allowing local agencies to flex other Federal funds to these projects.

Without these funds, local flexibility would be greatly diminished and agencies would be forced to scrounge for funds locally, delaying many, many projects, including Chicago's Red & Purple Line Modernization. Still, this is a compromise amendment and this bill still restricts the use of STP funds for the remainder of the match and codifies the New Starts grant amount at 50%, both at the request of the majority, and I strongly disagree with this and hope we can work on this in conference. In support of my amendment, I submit letters of support for this amendment from the Chicago Transit Authority, the Regional Transportation Authority, and the American Public Transportation Association.

CHICAGO TRANSIT AUTHORITY,
Chicago, Illinois, November 3, 2015.

Hon. DANIEL LIPINSKI,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN LIPINSKI: I am writing to you in support of the Lipinski-Nadler-Dold Amendment (#110) to Section 3005 of H.R. 3763, the Surface Transportation Reauthorization and Reform Act of 2015. This amendment would strike provisions in the bill that prohibit certain U.S. Department of Transportation (DOT) funding and financing from being paired with Federal Transit Administration (FTA) 5309 Capital Investment Grants to construct New Starts, Small Starts, and Core Capacity Projects. Specifically, provisions in Section 3005 would limit the use of DOT funding from programs such as Congestion Mitigation and Air Quality (CMAQ), Transportation Investment Generating Economic Recovery (TIGER), and the Transportation Infrastructure Finance and Innovation Act (TIFIA) from being utilized on projects such as the CTA's Red-Purple Modernization project or the Red Line Extension to 130th Street.

For decades many transit agencies nationwide have been pairing various DOT funding with FTA Capital Investment Grant funding. This includes flexible funding from the CMAQ program that is allocated at the regional level by the Metropolitan Planning Organization (MPO). Here in Chicago the MPO—known as the Chicago Metropolitan Agency for Planning (CMAP)—has a yearly competitive process for CMAQ funding that

is based on cost-benefit analysis with regard to a decrease in traffic congestion and an improvement in air quality. In 2015 the CTA's Red-Purple Modernization Core Capacity project was allocated \$125 million in multi-year CMAQ funding, but H.R. 3763's provisions would jeopardize that funding from being paired with future FTA funding. So in essence, the provision as currently written takes away local control over federal funding that was already allocated to the region.

The CTA also has a history of successfully tapping low-cost TIFIA loan financing for large projects such as the Your New Blue Program on the CTA's Blue Line from downtown to O'Hare and the 95th Street Red Line Terminal Improvement project. To prohibit CTA from considering TIFIA financing for the aforementioned Red-Purple Modernization Project and Red Line Extension would take away an important and cost-effective tool in the financing toolbox and would lead to higher financing costs for these projects through traditional methods.

Thank you for offering this very important amendment during Committee markup and for floor consideration. The CTA was heartened to hear Chairman SHUSTER offer to work with you and your colleagues during the Committee's consideration of the bill, and the CTA and likely many transit agencies around the region and country will benefit from your efforts should your amendment be adopted into the bill.

Sincerely,

DORVAL R. CARTER, Jr.,
President.

AMERICAN PUBLIC TRANSPORTATION
ASSOCIATION,

WASHINGTON, DC, NOVEMBER 3, 2015.

Hon. DANIEL LIPINSKI,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN LIPINSKI: On behalf of the American Public Transportation Association (APTA) and its more than 1,500 member organizations, we are writing in support of the Lipinski, Nadler, Dold amendment #110 to the transportation provisions of the House Surface Transportation Reauthorization and Reform (STRR) Act, which would restore the 80 percent federal share for core capacity and small starts projects, as well as allow New Starts projects to continue to use congestion mitigation and air quality improvement program funds (CMAQ), transportation infrastructure finance and innovation act (TIFIA) funds, and Transportation Investment Generating Economic Recovery (TIGER) grant funds as a part of the remaining Government share.

While we are disappointed that surface transportation program (STP) funds continue to be restricted for new starts projects only, we recognize that this amendment was compromise language and improves the House bill. However, notwithstanding our support of this compromise position to improve the House bill, we will continue to advocate to preserve the current 80 percent Federal share for New Starts projects and the existing flexibility to use STP for the government share as the final position in a future conference between the House and the Senate.

Thank you again for your leadership on this issue. We look forward to continuing to work with you on restoring the federal share to 80 percent federal share for new starts program as the House bill moves to conference. If you have any questions, please

have your staff contact Brian Tynan of APTA's Government Affairs Department.

Sincerely,

MICHAEL P. MELANIPHY,
President & CEO.

NOVEMBER 4, 2015.

The Regional Transportation Authority (RTA) system provides more than two million rides per weekday. As the agency responsible for fiscal oversight, as well as financial and regional planning for public transit in Northeastern Illinois, I am writing in strong support of amendment #110 to Section 3005 of H.R. 3763, the Surface Transportation Reauthorization and Reform Act of 2015. This amendment would restore the 80 percent federal share for core capacity and small starts projects, as well as allow New Starts projects to continue to use congestion mitigation and air quality improvement program funds (CMAQ), transportation infrastructure finance and innovation act (TIFIA) funds, and Transportation Investment Generating Economic Recovery (TIGER) grant funds as a part of the remaining Government share.

Amendment #110 benefits all three of our region's agencies—CTA, Metra and Pace—by allowing them to pair Capital Investment Grant funds with others federal program funds; a practice that has historically been allowed under federal programs. An example of the importance of this flexibility was seen when the CTA recently used a low-cost TIFIA loan as part of the project matching funds to finance the Your New Blue Program on the Blue Line from downtown to O'Hare and the 95th Street Red Line Terminal Improvement project. To prohibit the CTA from having the flexibility to use TIFIA financing, CMAQ dollars or TIGER funding as part of the local match for these projects would take away important and cost-effective financing and funding tools which could lead to higher costs if only left with other traditional methods.

In an era of scarce funding, the RTA and Service Boards try to creatively pursue all options from state, federal, and local sources for major projects. We appreciate Congress allowing local entities maximum flexibility to continue to do that. If you have any other questions or concerns, please feel free to contact me.

Sincerely,

LEANNE REDDEN,
Executive Director, Regional Transportation
Authority.

Mr. VAN HOLLEN. Mr. Chair, it is a sad commentary on the state of this House that the highway bill we are considering is being called a victory, and that the mere act of bringing a bill to the floor is a major step forward.

As a nation with a D+ grade on infrastructure from the American Society for Civil Engineers, we need an ambitious plan to rebuild and modernize. We need to invest in transit, fix structurally-deficient bridges, connect people to jobs, and move goods across the country. We need to put people to work in every community bringing our transportation system into the 21st century. That's why I introduced a version of the President's GROW America Act that would have invested more in our infrastructure.

Instead, we are considering a very modest proposal. It's a six year bill at current funding levels adjusted for inflation, with only three years of funding. The pay-fors include bad and

inefficient policies like hiring private debt collectors to harass taxpayers. It dramatically cuts the TIFIA loan program and fails to provide adequate funding for transit. And it needlessly erodes environmental and community review of projects.

This bill does have some positive provisions providing resources for major projects, continuing funding for bike-ped and Safe Routes to School, and strengthening Buy American requirements. I appreciate that my amendment to allow communities to protect consumers from predatory towing has been included in the bill. And I strongly support reauthorization of the Export-Import Bank to open up international markets for American goods.

But I am disappointed that this bill does not go farther to improve and transform our transportation networks. As we begin conference negotiations with the Senate, we must significantly boost investments, eliminate problematic offsets, and restore meaningful project review.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the Senate amendment shall be considered for amendment under the 5-minute rule.

The amendment printed in part A of House Report 114-325 is adopted. The Senate amendment, as amended, shall be considered as read.

The text of the Senate amendment, as amended, is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Developing a Reliable and Innovative Vision for the Economy Act" or the "DRIVE Act".

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into 9 divisions as follows:

- (1) Division A—Federal-aid Highways and Highway Safety Construction Programs.
- (2) Division B—Public Transportation.
- (3) Division C—Comprehensive Transportation and Consumer Protection Act of 2015.
- (4) Division D—Freight and Major Projects.
- (5) Division E—Finance.
- (6) Division F—Miscellaneous.
- (7) Division G—Surface Transportation Extension.

- (8) Division H—Budgetary Effects.
- (9) Division I—Export-Import Bank of the United States.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Definitions.

Sec. 4. Effective date.

DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

- Sec. 11001. Authorization of appropriations.
Sec. 11002. Obligation ceiling.
Sec. 11003. Apportionment.
Sec. 11004. Surface transportation program.
Sec. 11005. Metropolitan transportation planning.
Sec. 11006. Statewide and nonmetropolitan transportation planning.
Sec. 11007. Highway use tax evasion projects.

Sec. 11008. Bundling of bridge projects.
 Sec. 11009. Flexibility for certain rural road and bridge projects.
 Sec. 11010. Construction of ferry boats and ferry terminal facilities.
 Sec. 11011. Highway safety improvement program.
 Sec. 11012. Data collection on unpaved public roads.
 Sec. 11013. Congestion mitigation and air quality improvement program.
 Sec. 11014. Transportation alternatives.
 Sec. 11015. Consolidation of programs.
 Sec. 11016. State flexibility for National Highway System modifications.
 Sec. 11017. Toll roads, bridges, tunnels, and ferries.
 Sec. 11018. HOV facilities.
 Sec. 11019. Interstate system reconstruction and rehabilitation pilot program.
 Sec. 11020. Emergency relief for federally owned roads.
 Sec. 11021. Bridges requiring closure or load restrictions.
 Sec. 11022. National electric vehicle charging and natural gas fueling corridors.
 Sec. 11023. Asset management.
 Sec. 11024. Tribal transportation program amendment.
 Sec. 11025. Nationally significant Federal lands and Tribal projects program.
 Sec. 11026. Federal lands programmatic activities.
 Sec. 11027. Federal lands transportation program.
 Sec. 11028. Innovative project delivery.
 Sec. 11029. Obligation and release of funds.
 Subtitle B—Acceleration of Project Delivery
 Sec. 11101. Categorical exclusion for projects of limited Federal assistance.
 Sec. 11102. Programmatic agreement template.
 Sec. 11103. Agency coordination.
 Sec. 11104. Initiation of environmental review process.
 Sec. 11105. Improving collaboration for accelerated decision making.
 Sec. 11106. Accelerated decisionmaking in environmental reviews.
 Sec. 11107. Improving transparency in environmental reviews.
 Sec. 11108. Integration of planning and environmental review.
 Sec. 11109. Use of programmatic mitigation plans.
 Sec. 11110. Adoption of Departmental environmental documents.
 Sec. 11111. Technical assistance for States.
 Sec. 11112. Surface transportation project delivery program.
 Sec. 11113. Categorical exclusions for multimodal projects.
 Sec. 11114. Modernization of the environmental review process.
 Sec. 11115. Service club, charitable association, or religious service signs.
 Sec. 11116. Satisfaction of requirements for certain historic sites.
 Sec. 11117. Bridge exemption from consideration under certain provisions.
 Sec. 11118. Elimination of barriers to improve at-risk bridges.
 Sec. 11119. At-risk project preagreement authority.
 Subtitle C—Miscellaneous
 Sec. 11201. Credits for untaxed transportation fuels.
 Sec. 11202. Justification reports for access points on the Interstate System.
 Sec. 11203. Exemptions.
 Sec. 11204. High priority corridors on the National Highway System.
 Sec. 11205. Repeat intoxicated driver law.
 Sec. 11206. Vehicle-to-infrastructure equipment.

Sec. 11207. Relinquishment.
 Sec. 11208. Transfer and sale of toll credits.
 Sec. 11209. Regional infrastructure accelerator demonstration program.

Sec. 11210. Sonoran Corridor Interstate development.

TITLE II—TRANSPORTATION INNOVATION

Subtitle A—Research

Sec. 12001. Research, technology, and education.
 Sec. 12002. Intelligent transportation systems.
 Sec. 12003. Future interstate study.
 Sec. 12004. Researching surface transportation system funding alternatives.

Subtitle B—Data

Sec. 12101. Tribal data collection.
 Sec. 12102. Performance management data support program.

Subtitle C—Transparency and Best Practices

Sec. 12201. Every Day Counts initiative.
 Sec. 12202. Department of Transportation performance measures.
 Sec. 12203. Grant program for achievement in transportation for performance and innovation.
 Sec. 12204. Highway trust fund transparency and accountability.
 Sec. 12205. Report on highway trust fund administrative expenditures.
 Sec. 12206. Availability of reports.
 Sec. 12207. Performance period adjustment.
 Sec. 12208. Design standards.

TITLE III—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

Sec. 13001. Transportation Infrastructure Finance and Innovation Act of 1998 amendments.

TITLE IV—TECHNICAL CORRECTIONS

Sec. 14001. Technical corrections.

TITLE V—MISCELLANEOUS

Sec. 15001. Appalachian development highway system.
 Sec. 15002. Appalachian regional development program.
 Sec. 15003. Water infrastructure finance and innovation.
 Sec. 15004. Administrative provisions to encourage pollinator habitat and forage on transportation rights-of-way.
 Sec. 15005. Study on performance of bridges.
 Sec. 15006. Sport fish restoration and recreational boating safety.

DIVISION B—PUBLIC TRANSPORTATION

TITLE XXI—FEDERAL PUBLIC TRANSPORTATION ACT

Sec. 21001. Short title.
 Sec. 21002. Definitions.
 Sec. 21003. Metropolitan transportation planning.
 Sec. 21004. Statewide and nonmetropolitan transportation planning.
 Sec. 21005. Urbanized area formula grants.
 Sec. 21006. Fixed guideway capital investment grants.
 Sec. 21007. Mobility of seniors and individuals with disabilities.
 Sec. 21008. Formula grants for rural areas.
 Sec. 21009. Research, development, demonstration, and deployment program.
 Sec. 21010. Private sector participation.
 Sec. 21011. Innovative procurement.
 Sec. 21012. Human resources and training.
 Sec. 21013. General provisions.
 Sec. 21014. Project management oversight.
 Sec. 21015. Public transportation safety program.
 Sec. 21016. State of good repair grants.
 Sec. 21017. Authorizations.
 Sec. 21018. Grants for bus and bus facilities.

Sec. 21019. Salary of Federal Transit Administrator.
 Sec. 21020. Technical and conforming amendments.

DIVISION C—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

Sec. 31001. Short title.
 Sec. 31002. References to title 49, United States Code.
 Sec. 31003. Effective date.

TITLE XXXI—OFFICE OF THE SECRETARY

Subtitle A—Accelerating Project Delivery

Sec. 31101. Delegation of authority.
 Sec. 31102. Infrastructure Permitting Improvement Center.
 Sec. 31103. Accelerated decision-making in environmental reviews.
 Sec. 31104. Environmental review alignment and reform.
 Sec. 31105. Multimodal categorical exclusions.
 Sec. 31106. Improving transparency in environmental reviews.
 Sec. 31107. Local transportation infrastructure program.
 Sec. 31108. Authorization of grants for positive train control.

Subtitle B—Research

Sec. 31201. Findings.
 Sec. 31202. Modal research plans.
 Sec. 31203. Consolidated research prospectus and strategic plan.
 Sec. 31204. Research Ombudsman.
 Sec. 31205. Smart cities transportation planning study.
 Sec. 31206. Bureau of Transportation Statistics independence.
 Sec. 31207. Conforming amendments.
 Sec. 31208. Repeal of obsolete office.

Subtitle C—Port Performance Act

Sec. 31301. Short title.
 Sec. 31302. Findings.
 Sec. 31303. Port performance freight statistics program.

TITLE XXXII—COMMERCIAL MOTOR VEHICLE AND DRIVER PROGRAMS

Subtitle A—Compliance, Safety, and Accountability Reform

Sec. 32001. Correlation study.
 Sec. 32002. Safety improvement metrics.
 Sec. 32003. Data certification.
 Sec. 32004. Data improvement.
 Sec. 32005. Accident report information.
 Sec. 32006. Post-accident report review.
 Sec. 32007. Recognizing excellence in safety.
 Sec. 32008. High risk carrier reviews.

Subtitle B—Transparency and Accountability

Sec. 32201. Petitions for regulatory relief.
 Sec. 32202. Inspector standards.
 Sec. 32203. Technology improvements.

Subtitle C—Trucking Rules Updated by Comprehensive and Key Safety Reform

Sec. 32301. Update on statutory requirements.
 Sec. 32302. Statutory rulemaking.
 Sec. 32303. Guidance reform.
 Sec. 32304. Petitions.
 Sec. 32305. Regulatory reform.

Subtitle D—State Authorities

Sec. 32401. Emergency route working group.
 Sec. 32402. Additional State authority.
 Sec. 32403. Commercial driver access.

Subtitle E—Motor Carrier Safety Grant Consolidation

Sec. 32501. Definitions.
 Sec. 32502. Grants to States.
 Sec. 32503. New entrant safety review program study.
 Sec. 32504. Performance and registration information systems management.

Sec. 32505. Authorization of appropriations.
 Sec. 32506. Commercial driver's license program implementation.
 Sec. 32507. Extension of Federal motor carrier safety programs for fiscal year 2016.
 Sec. 32508. Motor carrier safety assistance program allocation.
 Sec. 32509. Maintenance of effort calculation.
 Subtitle F—Miscellaneous Provisions
 Sec. 32601. Windshield technology.
 Sec. 32602. Electronic logging devices requirements.
 Sec. 32603. Lapse of required financial security; suspension of registration.
 Sec. 32604. Access to National Driver Register.
 Sec. 32605. Study on commercial motor vehicle driver commuting.
 Sec. 32606. Household goods consumer protection working group.
 Sec. 32607. Interstate van operations.
 Sec. 32608. Report on design and implementation of wireless roadside inspection systems.
 Sec. 32609. Motorcoach hours of service study.
 Sec. 32610. GAO Review of school bus safety.
 Sec. 32611. Use of hair testing for preemployment and random controlled substances tests.

TITLE XXXIII—HAZARDOUS MATERIALS

Sec. 33101. Endorsements.
 Sec. 33102. Enhanced reporting.
 Sec. 33103. Hazardous material information.
 Sec. 33104. National emergency and disaster response.

Sec. 33105. Authorization of appropriations.

TITLE XXXIV—HIGHWAY AND MOTOR VEHICLE SAFETY

Subtitle A—Highway Traffic Safety

PART I—HIGHWAY SAFETY

Sec. 34101. Authorization of appropriations.
 Sec. 34102. Highway safety programs.
 Sec. 34103. Grants for alcohol-ignition interlock laws and 24-7 sobriety programs.
 Sec. 34104. Repeat offender criteria.
 Sec. 34105. Study on the national roadside survey of alcohol and drug use by drivers.
 Sec. 34106. Increasing public awareness of the dangers of drug-impaired driving.
 Sec. 34107. Improvement of data collection on child occupants in vehicle crashes.

PART II—STOP MOTORCYCLE CHECKPOINT FUNDING ACT

Sec. 34121. Short title.
 Sec. 34122. Grant restriction.

PART III—IMPROVING DRIVER SAFETY ACT OF 2015

Sec. 34131. Short title.
 Sec. 34132. Distracted driving incentive grants.
 Sec. 34133. Barriers to data collection report.
 Sec. 34134. Minimum requirements for State graduated driver licensing incentive grant program.

PART IV—TECHNICAL AND CONFORMING AMENDMENTS

Sec. 34141. Technical corrections to the Motor Vehicle and Highway Safety Improvement Act of 2012.

Subtitle B—Vehicle Safety

Sec. 34201. Authorization of appropriations.
 Sec. 34202. Inspector General recommendations.
 Sec. 34203. Improvements in availability of recall information.
 Sec. 34204. Recall process.
 Sec. 34205. Pilot grant program for State notification to consumers of motor vehicle recall status.
 Sec. 34206. Recall obligations under bankruptcy.

Sec. 34207. Dealer requirement to check for open recall.

Sec. 34208. Extension of time period for remedy of tire defects.

Sec. 34209. Rental car safety.

Sec. 34210. Increase in civil penalties for violations of motor vehicle safety.

Sec. 34211. Electronic odometer disclosures.

Sec. 34212. Corporate responsibility for NHTSA reports.

Sec. 34213. Direct vehicle notification of recalls.

Sec. 34214. Unattended children warning.

Sec. 34215. Tire pressure monitoring system.

Subtitle C—Research and Development and Vehicle Electronics

Sec. 34301. Report on operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies.

Sec. 34302. Cooperation with foreign governments.

Subtitle D—Miscellaneous Provisions

PART I—DRIVER PRIVACY ACT OF 2015

Sec. 34401. Short title.

Sec. 34402. Limitations on data retrieval from vehicle event data recorders.

Sec. 34403. Vehicle event data recorder study.

PART II—SAFETY THROUGH INFORMED CONSUMERS ACT OF 2015

Sec. 34421. Short title.

Sec. 34422. Passenger motor vehicle information.

PART III—TIRE EFFICIENCY, SAFETY, AND REGISTRATION ACT OF 2015

Sec. 34431. Short title.

Sec. 34432. Tire fuel efficiency minimum performance standards.

Sec. 34433. Tire registration by independent sellers.

Sec. 34434. Tire recall database.

TITLE XXXV—RAILROAD REFORM, ENHANCEMENT, AND EFFICIENCY

Sec. 35001. Short title.

Sec. 35002. Passenger transportation; definitions.

Subtitle A—Authorization of Appropriations

Sec. 35101. Authorization of grants to Amtrak.

Sec. 35102. National infrastructure and safety investments.

Sec. 35103. Authorization of appropriations for National Transportation Safety Board rail investigations.

Sec. 35104. Authorization of appropriations for Amtrak Office of Inspector General.

Sec. 35105. National cooperative rail research program.

Subtitle B—Amtrak Reform

Sec. 35201. Amtrak grant process.

Sec. 35202. 5-year business line and assets plans.

Sec. 35203. State-supported route committee.

Sec. 35204. Route and service planning decisions.

Sec. 35205. Competition.

Sec. 35206. Rolling stock purchases.

Sec. 35207. Food and beverage policy.

Sec. 35208. Local products and promotional events.

Sec. 35209. Right-of-way leveraging.

Sec. 35210. Station development.

Sec. 35211. Amtrak debt.

Sec. 35212. Amtrak pilot program for passengers transporting domesticated cats and dogs.

Sec. 35213. Amtrak board of directors.

Sec. 35214. Amtrak boarding procedures.

Subtitle C—Intercity Passenger Rail Policy

Sec. 35301. Competitive operating grants.

Sec. 35302. Federal-State partnership for state of good repair.

Sec. 35303. Large capital project requirements.

Sec. 35304. Small business participation study.

Sec. 35305. Gulf coast rail service working group.

Sec. 35306. Integrated passenger rail working group.

Sec. 35307. Shared-use study.

Sec. 35308. Northeast Corridor Commission.

Sec. 35309. Northeast Corridor through-ticketing and procurement efficiencies.

Sec. 35310. Data and analysis.

Sec. 35311. Performance-based proposals.

Sec. 35312. Amtrak Inspector General.

Sec. 35313. Miscellaneous provisions.

Subtitle D—Rail Safety

PART I—SAFETY IMPROVEMENT

Sec. 35401. Highway-rail grade crossing safety.

Sec. 35402. Speed limit action plans.

Sec. 35403. Signage.

Sec. 35404. Alerters.

Sec. 35405. Signal protection.

Sec. 35406. Technology implementation plans.

Sec. 35407. Commuter rail track inspections.

Sec. 35408. Emergency response.

Sec. 35409. Private highway-rail grade crossings.

Sec. 35410. Repair and replacement of damaged track inspection equipment.

Sec. 35411. Rail police officers.

Sec. 35412. Operation deep dive; report.

Sec. 35413. Post-accident assessment.

Sec. 35414. Technical and conforming amendments.

Sec. 35415. GAO study on use of locomotive horns at highway-rail grade crossings.

Sec. 35416. Bridge inspection reports.

PART II—CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

Sec. 35421. Consolidated rail infrastructure and safety improvements.

PART III—HAZARDOUS MATERIALS BY RAIL SAFETY AND OTHER SAFETY ENHANCEMENTS

Sec. 35431. Real-time emergency response information.

Sec. 35432. Thermal blankets.

Sec. 35433. Comprehensive oil spill response plans.

Sec. 35434. Hazardous materials by rail liability study.

Sec. 35435. Study and testing of electronically-controlled pneumatic brakes.

Sec. 35436. Recording devices.

Sec. 35437. Rail passenger transportation liability.

Sec. 35438. Modification reporting.

Sec. 35439. Report on crude oil characteristics research study.

PART IV—POSITIVE TRAIN CONTROL

Sec. 35441. Coordination of spectrum.

Sec. 35442. Updated plans.

Sec. 35443. Early adoption and interoperability.

Sec. 35444. Positive train control at grade crossings effectiveness study.

Subtitle E—Project Delivery

Sec. 35501. Short title.

Sec. 35502. Preservation of public lands.

Sec. 35503. Efficient environmental reviews.

Sec. 35504. Advance acquisition.

Sec. 35505. Railroad rights-of-way.

Sec. 35506. Savings clause.

Sec. 35507. Transition.

Subtitle F—Financing

Sec. 35601. Short title; references.

Sec. 35602. Definitions.

Sec. 35603. Eligible applicants.

Sec. 35604. Eligible purposes.

Sec. 35605. Program administration.

Sec. 35606. Loan terms and repayment.

Sec. 35607. Credit risk premiums.

Sec. 35608. Master credit agreements.
 Sec. 35609. Priorities and conditions.
 Sec. 35610. Savings provision.

DIVISION D—FREIGHT AND MAJOR PROJECTS

TITLE XLI—FREIGHT POLICY

Sec. 41001. Establishment of freight chapter.
 Sec. 41002. National multimodal freight policy.
 Sec. 41003. National multimodal freight network.

TITLE XLII—PLANNING

Sec. 42001. National freight strategic plan.
 Sec. 42002. State freight advisory committees.
 Sec. 42003. State freight plans.
 Sec. 42004. Freight data and tools.
 Sec. 42005. Savings provision.

TITLE XLIII—FORMULA FREIGHT PROGRAM

Sec. 43001. National highway freight program.

TITLE XLIV—GRANTS

Sec. 44001. Purpose; definitions; administration.
 Sec. 44002. Grants.

DIVISION E—FINANCE

Sec. 50001. Short title.

TITLE LI—HIGHWAY TRUST FUND AND RELATED TAXES

Subtitle A—Extension of Trust Fund Expenditure Authority and Related Taxes

Sec. 51101. Extension of trust fund expenditure authority.

Sec. 51102. Extension of highway-related taxes.
 Subtitle B—Additional Transfers to Highway Trust Fund

Sec. 51201. Further additional transfers to trust fund.

Sec. 51202. Transfer to Highway Trust Fund of certain motor vehicle safety penalties.

Sec. 51203. Appropriation from Leaking Underground Storage Tank Trust Fund.
 TITLE LII—OFFSETS

Subtitle A—Tax Provisions

Sec. 52101. Consistent basis reporting between estate and person acquiring property from decedent.

Sec. 52102. Revocation or denial of passport in case of certain unpaid taxes.

Sec. 52103. Clarification of 6-year statute of limitations in case of overstatement of basis.

Sec. 52104. Additional information on returns relating to mortgage interest.

Sec. 52105. Return due date modifications.
 Sec. 52106. Reform of rules relating to qualified tax collection contracts.

Sec. 52107. Special compliance personnel program.

Sec. 52108. Transfers of excess pension assets to retiree health accounts.

Subtitle B—Fees and Receipts

Sec. 52201. Extension of deposits of security service fees in the general fund.

Sec. 52202. Adjustment for inflation of fees for certain customs services.

Sec. 52203. Dividends and surplus funds of Reserve banks.

Sec. 52204. Strategic Petroleum Reserve draw-down and sale.

Sec. 52205. Extension of enterprise guarantee fee.

Subtitle C—Outlays

Sec. 52301. Interest on overpayment.

DIVISION F—MISCELLANEOUS

TITLE LXI—FEDERAL PERMITTING IMPROVEMENT

Sec. 61001. Definitions.
 Sec. 61002. Federal Permitting Improvement Council.

Sec. 61003. Permitting process improvement.

Sec. 61004. Interstate compacts.

Sec. 61005. Coordination of required reviews.

Sec. 61006. Delegated State permitting programs.

Sec. 61007. Litigation, judicial review, and savings provision.

Sec. 61008. Report to Congress.

Sec. 61009. Funding for governance, oversight, and processing of environmental reviews and permits.

Sec. 61010. Application.

Sec. 61011. GAO Report.

TITLE LXII—ADDITIONAL PROVISIONS

Sec. 62001. Hire More Heroes.

DIVISION G—SURFACE TRANSPORTATION EXTENSION

Sec. 70001. Short title.

TITLE LXXI—EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS

Sec. 71001. Extension of Federal-aid highway programs.

Sec. 71002. Administrative expenses.

TITLE LXXII—TEMPORARY EXTENSION OF PUBLIC TRANSPORTATION PROGRAMS

Sec. 72001. Formula grants for rural areas.

Sec. 72002. Apportionment of appropriations for formula grants.

Sec. 72003. Authorizations for public transportation.

Sec. 72004. Bus and bus facilities formula grants.

TITLE LXXIII—EXTENSION OF HIGHWAY SAFETY PROGRAMS

Subtitle A—Extension of Highway Safety Programs

Sec. 73101. Extension of National Highway Traffic Safety Administration highway safety programs.

Sec. 73102. Extension of Federal Motor Carrier Safety Administration programs.

Sec. 73103. Dingell-Johnson Sport Fish Restoration Act.

Subtitle B—Hazardous Materials

Sec. 73201. Authorization of appropriations.

TITLE LXXIV—REVENUE PROVISIONS

Sec. 74001. Extension of trust fund expenditure authority.

DIVISION H—BUDGETARY EFFECTS

Sec. 80001. Budgetary effects.

Sec. 80002. Maintenance of highway trust fund cash balance.

Sec. 80003. Prohibition on rescissions of certain contract authority.

DIVISION I—EXPORT-IMPORT BANK OF THE UNITED STATES

Sec. 90001. Short title.

TITLE XCI—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY

Sec. 91001. Reduction in authorized amount of outstanding loans, guarantees, and insurance.

Sec. 91002. Increase in loss reserves.

Sec. 91003. Review of fraud controls.

Sec. 91004. Office of Ethics.

Sec. 91005. Chief Risk Officer.

Sec. 91006. Risk Management Committee.

Sec. 91007. Independent audit of bank portfolio.

Sec. 91008. Pilot program for reinsurance.

TITLE XCII—PROMOTION OF SMALL BUSINESS EXPORTS

Sec. 92001. Increase in small business lending requirements.

Sec. 92002. Report on programs for small and medium-sized businesses.

TITLE XCIII—MODERNIZATION OF OPERATIONS

Sec. 93001. Electronic payments and documents.

Sec. 93002. Reauthorization of information technology updating.

TITLE XCIV—GENERAL PROVISIONS

Sec. 94001. Extension of authority.

Sec. 94002. Certain updated loan terms and amounts.

TITLE XCV—OTHER MATTERS

Sec. 95001. Prohibition on discrimination based on industry.

Sec. 95002. Negotiations to end export credit financing.

Sec. 95003. Study of financing for information and communications technology systems.

SEC. 3. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term “Department” means the Department of Transportation.

(2) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

SEC. 4. EFFECTIVE DATE.

Except as otherwise provided, divisions A, B, C, and D, including the amendments made by those divisions, take effect on October 1, 2015.

DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

SEC. 11001. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, the national freight program under section 167 of that title, the transportation alternatives program under section 213 of that title, and to carry out section 134 of that title—

(A) \$39,579,500,000 for fiscal year 2016;

(B) \$40,771,300,000 for fiscal year 2017;

(C) \$42,127,100,000 for fiscal year 2018;

(D) \$43,476,400,000 for fiscal year 2019;

(E) \$44,570,700,000 for fiscal year 2020; and

(F) \$45,691,900,000 for fiscal year 2021.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code, \$300,000,000 for each of fiscal years 2016 through 2021.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—

(i) \$465,000,000 for fiscal year 2016;

(ii) \$475,000,000 for fiscal year 2017;

(iii) \$485,000,000 for fiscal year 2018;

(iv) \$495,000,000 for fiscal year 2019;

(v) \$505,000,000 for fiscal year 2020; and

(vi) \$515,000,000 for fiscal year 2021.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—

(i) AUTHORIZATION.—For the Federal lands transportation program under section 203 of title 23, United States Code—

(I) \$305,000,000 for fiscal year 2016;

(II) \$310,000,000 for fiscal year 2017;

(III) \$315,000,000 for fiscal year 2018;

(IV) \$320,000,000 for fiscal year 2019;

(V) \$325,000,000 for fiscal year 2020; and

(VI) \$330,000,000 for fiscal year 2021.

(ii) SPECIAL RULE.—

(I) \$240,000,000 of the amount made available for each fiscal year shall be the amount for the National Park Service; and

(II) \$30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(C) **FEDERAL LANDS ACCESS PROGRAM.**—For the Federal lands access program under section 204 of title 23, United States Code—

- (i) \$250,000,000 for fiscal year 2016;
- (ii) \$255,000,000 for fiscal year 2017;
- (iii) \$260,000,000 for fiscal year 2018;
- (iv) \$265,000,000 for fiscal year 2019;
- (v) \$270,000,000 for fiscal year 2020; and
- (vi) \$275,000,000 for fiscal year 2021.

(4) **TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.**—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, \$190,000,000 for each of fiscal years 2016 through 2021.

(5) **ASSISTANCE FOR MAJOR PROJECTS PROGRAM.**—For the assistance for major projects program under section 171 of title 23, United States Code—

- (A) \$250,000,000 for fiscal year 2016;
- (B) \$300,000,000 for fiscal year 2017;
- (C) \$350,000,000 for fiscal year 2018;
- (D) \$400,000,000 for fiscal year 2019;
- (E) \$400,000,000 for fiscal year 2020; and
- (F) \$400,000,000 for fiscal year 2021.

(b) **RESEARCH, TECHNOLOGY, AND EDUCATION AUTHORIZATIONS.**—

(1) **IN GENERAL.**—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(A) **HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.**—To carry out the highway research and development program under section 503(b) of title 23, United States Code, \$130,000,000 for each of fiscal years 2016 through 2021.

(B) **TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.**—To carry out the technology and innovation deployment program under section 503(c) of title 23, United States Code, \$62,500,000 for each of fiscal years 2016 through 2021.

(C) **TRAINING AND EDUCATION.**—To carry out training and education under section 504 of title 23, United States Code, \$24,000,000 for each of fiscal years 2016 through 2021.

(D) **INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.**—To carry out the intelligent transportation systems program under sections 512 through 518 of title 23, United States Code, \$100,000,000 for each of fiscal years 2016 through 2021.

(E) **UNIVERSITY TRANSPORTATION CENTERS PROGRAM.**—To carry out the university transportation centers program under section 5505 of title 49, United States Code, \$72,500,000 for each of fiscal years 2016 through 2021.

(2) **BUREAU OF TRANSPORTATION STATISTICS.**—There are authorized to be appropriated out of the general fund of the Treasury to carry out chapter 63 of title 49, United States Code, \$26,000,000 for each of fiscal years 2016 through 2021.

(3) **ADMINISTRATION.**—The Federal Highway Administration shall administer the programs described in subparagraphs (D) and (E) of paragraph (1).

(4) **APPLICABILITY OF TITLE 23, UNITED STATES CODE.**—Funds authorized to be appropriated by paragraph (1) shall—

(A) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code;

(B) remain available until expended; and

(C) not be transferable.

(c) **DISADVANTAGED BUSINESS ENTERPRISES.**—

(1) **FINDINGS.**—Congress finds that—

(A) while significant progress has occurred due to the establishment of the disadvantaged

business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally assisted surface transportation markets across the United States;

(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;

(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;

(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) **DEFINITIONS.**—In this subsection, the following definitions apply:

(A) **SMALL BUSINESS CONCERN.**—

(i) **IN GENERAL.**—The term “small business concern” means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(ii) **EXCLUSIONS.**—The term “small business concern” does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of \$23,980,000, as adjusted annually by the Secretary for inflation.

(B) **SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.**—The term “socially and economically disadvantaged individuals” has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) **AMOUNTS FOR SMALL BUSINESS CONCERNS.**—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under divisions A and B of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) **ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.**—Each State shall annually—

(A) survey and compile a list of the small business concerns referred to in paragraph (2) in the State, including the location of the small business concerns in the State; and

(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

(i) women;

(ii) socially and economically disadvantaged individuals (other than women); and

(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) **UNIFORM CERTIFICATION.**—

(A) **IN GENERAL.**—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

(B) **INCLUSIONS.**—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

- (i) on-site visits;
- (ii) personal interviews with personnel;
- (iii) issuance or inspection of licenses;
- (iv) analyses of stock ownership;
- (v) listings of equipment;
- (vi) analyses of bonding capacity;
- (vii) listings of work completed;
- (viii) examination of the resumes of principal owners;
- (ix) analyses of financial capacity; and
- (x) analyses of the type of work preferred.

(6) **REPORTING.**—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) **COMPLIANCE WITH COURT ORDERS.**—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under divisions A and B of this Act and section 403 of title 23, United States Code, if the individual or entity is prevented, in whole or in part, from complying with paragraph (2) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (2) is unconstitutional.

(d) **CONFORMING AMENDMENT.**—Section 1101(b) of MAP-21 (Public Law 112-141; 126 Stat. 414) is repealed.

SEC. 11002. OBLIGATION CEILING.

(a) **GENERAL LIMITATION.**—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

- (1) \$41,625,500,000 for fiscal year 2016;
- (2) \$42,896,300,000 for fiscal year 2017;
- (3) \$44,331,100,000 for fiscal year 2018;
- (4) \$45,759,400,000 for fiscal year 2019;
- (5) \$46,882,700,000 for fiscal year 2020; and
- (6) \$48,032,900,000 for fiscal year 2021.

(b) **EXCEPTIONS.**—The limitations under subsection (a) shall not apply to obligations under or for—

- (1) section 125 of title 23, United States Code;
- (2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(9) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(10) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(11) section 1603 of SAFETEA-LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 through 2015, but only in an amount equal to \$639,000,000 for each of those fiscal years); and

(13) section 119 of title 23, United States Code (but, for each of fiscal years 2016 through 2021, only in an amount equal to \$639,000,000 for each of those fiscal years).

(c) **DISTRIBUTION OF OBLIGATION AUTHORITY.**—For each of fiscal years 2016 through 2021, the Secretary shall—

(1) not distribute obligation authority provided by subsection (a) for the fiscal year for—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) determine the proportion that—

(A) an amount equal to the difference between—

(i) the obligation authority provided by subsection (a) for the fiscal year; and

(ii) the aggregate amount not distributed under paragraphs (1) and (2); bears to

(B) an amount equal to the difference between—

(i) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for the fiscal year); and

(ii) the aggregate amount not distributed under paragraphs (1) and (2);

(4) distribute the obligation authority provided by subsection (a), less the aggregate amount not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under section 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) distribute the obligation authority provided by subsection (a), less the aggregate amount not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23,

United States Code, (other than the amounts apportioned for the national highway performance program under section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(d) **REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.**—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2016 through 2021—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP-21 (126 Stat. 405)) and 104 of title 23, United States Code.

(e) **APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under chapter 5 of title 23, United States Code.

(2) **EXCEPTION.**—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(f) **REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2016 through 2021, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) **RATIO.**—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) **AVAILABILITY.**—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 11003. APPORTIONMENT.

(a) **IN GENERAL.**—Section 104 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by striking subparagraphs (A) and (B) and inserting the following:

“(A) \$456,000,000 for fiscal year 2016;

“(B) \$465,000,000 for fiscal year 2017;

“(C) \$474,000,000 for fiscal year 2018;

“(D) \$483,000,000 for fiscal year 2019;

“(E) \$492,000,000 for fiscal year 2020; and

“(F) \$501,000,000 for fiscal year 2021.”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “and the congestion mitigation and air quality improvement program” and inserting “the congestion mitigation and air quality improvement program, the national freight program”;

(B) in each of paragraphs (1), (2), and (3) by striking “paragraphs (4) and (5)” each place it appears and inserting “paragraphs (4), (5), and (6), and section 213(a)”;

(C) in paragraph (1), by striking “63.7 percent” and inserting “65 percent”;

(D) in paragraph (2), by striking “29.3 percent” and inserting “29 percent”;

(E) in paragraph (3), by striking “7 percent” and inserting “6 percent”;

(F) in paragraph (4), in the matter preceding subparagraph (A), by striking “determined for the State under subsection (c)” and inserting “remaining under subsection (c) after making the set-asides in accordance with paragraph (5) and section 213(a)”;

(G) by redesignating paragraph (5) as paragraph (6);

(H) by inserting after paragraph (4) the following:

“(5) **NATIONAL FREIGHT PROGRAM.**—

“(A) **IN GENERAL.**—For the national freight program under section 167, the Secretary shall set aside from the amount determined for a State under subsection (c) an amount determined for the State under subparagraphs (B) and (C).

“(B) **TOTAL AMOUNT.**—The total amount set aside for the national freight program for all States shall be—

“(i) \$1,000,000,000 for fiscal year 2016;

“(ii) \$1,450,000,000 for fiscal year 2017;

“(iii) \$2,000,000,000 for fiscal year 2018;

“(iv) \$2,300,000,000 for fiscal year 2019;

“(v) \$2,400,000,000 for fiscal year 2020; and

“(vi) \$2,500,000,000 for fiscal year 2021.

“(C) **STATE SHARE.**—The Secretary shall distribute among the States the total set-aside amount for the national freight program under subparagraph (B) so that each State receives an amount equal to the proportion that—

“(i) the total apportionment determined under subsection (c) for a State; bears to

“(ii) the total apportionments for all States.

“(D) **METROPOLITAN PLANNING.**—Of the amount set aside under this paragraph for a State, the Secretary shall use to carry out section 134 an amount determined by multiplying the set-aside amount by the proportion that—

“(i) the amount apportioned to the State to carry out section 134 for fiscal year 2009; bears to

“(ii) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2), except for the high priority projects program referred to in section 105(a)(2)(H) (as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141; 126 Stat. 405).”;

(I) in paragraph (6) (as redesignated by subparagraph (G)), in the matter preceding subparagraph (A), by striking “determined for the State under subsection (c)” and inserting “remaining under subsection (c) after making the set-asides in accordance with paragraph (5) and section 213(a)”;

(3) in subsection (c) by adding at the end the following:

“(3) **FOR FISCAL YEARS 2016 THROUGH 2021.**—

“(A) **STATE SHARE.**—For each of fiscal years 2016 through 2021, the amount for each State of combined apportionments for the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section

149, the national freight program under section 167, the transportation alternatives program under section 213, and to carry out section 134, shall be determined as follows:

“(i) **INITIAL AMOUNT.**—The initial amount for each State shall be determined by multiplying the total amount available for apportionment by the share for each State, which shall be equal to the proportion that—

“(I) the amount of apportionments that the State received for fiscal year 2014; bears to

“(II) the amount of those apportionments received by all States for that fiscal year.

“(ii) **ADJUSTMENTS TO AMOUNTS.**—The initial amounts resulting from the calculation under clause (i) shall be adjusted to ensure that, for each State, the amount of combined apportionments for the programs shall not be less than 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

“(B) **STATE APPORTIONMENT.**—For each of fiscal years 2016 through 2021, on October 1, the Secretary shall apportion the sum authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight program under section 167, the transportation alternatives program under section 213, and to carry out section 134 in accordance with subparagraph (A).”.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 104(d)(1)(A) of title 23, United States Code, is amended by striking “subsection (b)(5)” each place it appears and inserting “paragraphs (5)(D) and (6) of subsection (b)”.

(2) Section 120(c)(3) of title 23, United States Code, is amended—

(A) in subparagraph (A), in the matter preceding clause (i), by striking “or (5)” and inserting “(5)(D), or (6)”;

(B) in subparagraph (C)(i), by striking “and (5)” and inserting “(5)(D), and (6)”.

(3) Section 135(i) of title 23, United States Code, is amended by striking “section 104(b)(5)” and inserting “paragraphs (5)(D) and (6) of section 104(b)”.

(4) Section 136(b) of title 23, United States Code, is amended in the first sentence by striking “paragraphs (1) through (5) of section 104(b)” and inserting “paragraphs (1) through (6) of section 104(b)”.

(5) Section 141(b)(2) of title 23, United States Code, is amended by striking “paragraphs (1) through (5) of section 104(b)” and inserting “paragraphs (1) through (6) of section 104(b)”.

(6) Section 505(a) of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking “through (4)” and inserting “through (5)”.

SEC. 11004. SURFACE TRANSPORTATION PROGRAM.

Section 133 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (10), by inserting “, including emergency evacuation plans” after “programs”; and

(B) in paragraph (13), by adding a period at the end;

(2) in subsection (c)—

(A) in paragraph (1), by striking the semicolon at the end and inserting “or for projects described in paragraphs (2), (4), (6), (7), (11), (20), (25), and (26) of subsection (b); and”;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking “50 percent” and inserting “55 percent”; and

(II) in clause (ii), by striking “greater than 5,000” and inserting “of 5,000 or more”; and

(ii) in subparagraph (B), by striking “50 percent” and inserting “45 percent”; and

(B) in paragraph (3)—

(i) by striking “paragraph (1)(A)(ii)” and inserting “paragraph (1)(A)(iii)”;

(ii) by striking “greater than 5,000 and less than 200,000” and inserting “of 5,000 to 200,000”;

(4) in subsection (f)(1)—

(A) by striking “104(b)(3)” and inserting “104(b)(2)”;

(B) by striking “the period of fiscal years 2011 through 2014” and inserting “each fiscal year”;

(5) by redesignating subsection (h) as subsection (i);

(6) in subsection (g)—

(A) by striking the subsection designation and heading and all that follows through paragraph (1) and inserting the following:

“(g) **BRIDGES OFF THE NATIONAL HIGHWAY SYSTEM.**—

“(1) **DEFINITION OF OFF-NHS BRIDGE.**—In this subsection, the term ‘off-NHS bridge’ means a highway bridge located on a public road, other than a bridge on the National Highway System.”; and

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

“(A) **SET-ASIDE.**—Each State shall obligate for replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for off-NHS bridges an amount equal to the greater of—

“(i) 15 percent of the amount apportioned to the State under section 104(b)(2); and

“(ii) an amount equal to at least 110 percent of the amount of funds set aside for bridges not on Federal-aid highways in the State for fiscal year 2014.”;

(ii) in subparagraph (B), by striking “off-system” and inserting “off-NHS”; and

(iii) by adding at the end the following:

“(C) **SET-ASIDE FOR CERTAIN OFF-NHS BRIDGES.**—Each State shall obligate an amount equal to not less than 50 percent of the amount set aside under subparagraph (A) for off-NHS bridges located on public roads that are not Federal-aid highways.”; and

(C) by redesignating paragraph (3) as subsection (h);

(7) in subsection (h) (as so redesignated)—

(A) by striking the heading and inserting “CREDIT FOR BRIDGES NOT ON THE NATIONAL HIGHWAY SYSTEM.”;

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately; and

(C) in the matter preceding paragraph (1) (as so redesignated)—

(i) by striking “the replacement of a bridge or rehabilitation of”; and

(ii) by striking “, and is determined by the Secretary upon completion to be no longer a deficient bridge”;

(8) in subsection (i)(1) (as redesignated by paragraph (5)), by striking “under subsection (d)(1)(A)(iii) for each of fiscal years 2013 through 2014” and inserting “under subsection (d)(1)(A)(ii) for each fiscal year”; and

(9) by adding at the end the following:

“(j) **BORDER STATES.**—

“(1) **IN GENERAL.**—After consultation with relevant transportation planning organizations,

the Governor of a State that shares a land border with Canada or Mexico may designate for each fiscal year not more than 5 percent of funds made available to the State under subsection (d)(1)(B) for border infrastructure projects eligible under section 1303 of SAFETEA-LU (23 U.S.C. 101 note; Public Law 109-59).

“(2) **USE OF FUNDS.**—Funds designated under this subsection shall be available under the requirements of section 1303 of SAFETEA-LU (23 U.S.C. 101 note; Public Law 109-59).

“(3) **CERTIFICATION.**—Before making a designation under paragraph (1), the Governor shall certify that the designation is consistent with transportation planning requirements under this title.

“(4) **NOTIFICATION.**—Not later than 30 days after making a designation under paragraph (1), the Governor shall submit to the relevant transportation planning organizations within the border region a written notification of any suballocated or distributed amount of funds available for obligation by jurisdiction.

“(5) **LIMITATION.**—This subsection applies only to funds apportioned to a State after the date of enactment of the DRIVE Act.

“(6) **DEADLINE FOR DESIGNATION.**—A designation under paragraph (1) shall—

“(A) be submitted to the Secretary not later than 30 days before the beginning of the fiscal year for which the designation is being made; and

“(B) remain in effect for the funds designated under paragraph (1) for a fiscal year until the Governor of the State notifies the Secretary of the termination of the designation.

“(7) **UNOBLIGATED FUNDS AFTER TERMINATION.**—On the date of a termination under paragraph (6)(B), all remaining unobligated funds that were designated under paragraph (1) for the fiscal year for which the designation is being terminated shall be made available to the State for the purposes described in subsection (d)(1)(B).”.

SEC. 11005. METROPOLITAN TRANSPORTATION PLANNING.

Section 134 of title 23, United States Code, is amended—

(1) in subsection (a)(1), by inserting “resilient” before “surface transportation systems”;

(2) in subsection (c)(2), by striking “and bicycle transportation facilities” and inserting “, bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers”;

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

“(3) **REPRESENTATION.**—

“(A) **IN GENERAL.**—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

“(B) **PUBLIC TRANSPORTATION REPRESENTATIVE.**—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

“(C) **POWERS OF CERTAIN OFFICIALS.**—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2)(B).”;

(C) in paragraph (5) (as redesignated by subparagraph (A)), by striking “paragraph (5)” and inserting “paragraph (6)”;

(4) in subsection (e)(4)(B), by striking “subsection (d)(5)” and inserting “subsection (d)(6)”;

(5) in subsection (g)(3)(A), by inserting “natural disaster risk reduction,” after “environmental protection,”;

(6) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking “and” at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(I) improve the resilience and reliability of the transportation system.”; and

(B) in paragraph (2)(A), by striking “and in section 5301(c) of title 49” and inserting “and the general purposes described in section 5301 of title 49”;

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking “transit” and inserting “public transportation facilities, intercity bus facilities”;

(ii) in subparagraph (G)—

(I) by striking “and provide” and inserting “, provide”; and

(II) by inserting “, and reduce vulnerability due to natural disasters of the existing transportation infrastructure” before the period at the end; and

(iii) in subparagraph (H), by inserting “, including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated” before the period at the end;

(B) in paragraph (6)(A)—

(i) by inserting “public ports,” before “freight shippers,”; and

(ii) by inserting “(including intercity bus operators and commuter vanpool providers)” after “private providers of transportation”; and

(C) in paragraph (8), by striking “(2)(C)” each place it appears and inserting “(2)(E)”;

(8) in subsection (j)(5)(A), by striking “subsection (k)(4)” and inserting “subsection (k)(3)”;

(9) in subsection (k)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(10) in subsection (l)—

(A) in paragraph (1), by adding a period at the end; and

(B) in paragraph (2)(D), by striking “of less than 200,000” and inserting “with a population of 200,000 or less”;

(11) by striking subsection (n);

(12) by redesignating subsections (o) through (q) as subsections (n) through (p), respectively;

(13) in subsection (o) (as so redesignated), by striking “set aside under section 104(f)” and inserting “apportioned under paragraphs (5)(D) and (6) of section 104(b)”;

(14) by adding at the end the following:

“(g) TREATMENT OF LAKE TAHOE REGION.—

“(1) DEFINITION OF LAKE TAHOE REGION.—In this subsection, the term ‘Lake Tahoe Region’ has the meaning given the term ‘region’ in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96-551; 94 Stat. 3234).

“(2) TREATMENT.—For the purpose of this title, the Lake Tahoe Region shall be treated as—

“(A) a metropolitan planning organization;

“(B) a transportation management area under subsection (k); and

“(C) an urbanized area, which is comprised of a population of 145,000 in the State of California and a population of 65,000 in the State of Nevada.

“(3) SUBALLOCATED FUNDING.—

“(A) SECTION 133.—When determining the amount under subparagraph (A) of section

133(d)(1) that shall be obligated for a fiscal year in the States of California and Nevada under clauses (i), (ii), and (iii) of that subparagraph, the Secretary shall, for each of those States—

“(i) calculate the population under each of those clauses;

“(ii) decrease the amount under section 133(d)(1)(A)(iii) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State; and

“(iii) increase the amount under section 133(d)(1)(A)(i) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State.

“(B) SECTION 213.—When determining the amount under paragraph (1) of section 213(c) that shall be obligated for a fiscal year in the States of California and Nevada under subparagraphs (A), (B), and (C) of that paragraph, the Secretary shall, for each of those States—

“(i) calculate the population under each of those subparagraphs;

“(ii) decrease the amount under section 213(c)(1)(C) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State; and

“(iii) increase the amount under section 213(c)(1)(A) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State.”.

SEC. 11006. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 135 of title 23, United States Code, is amended—

(1) in subsection (a)(2), by striking “and bicycle transportation facilities” and inserting “, bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers”;

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking “and” at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(I) improve the resilience and reliability of the transportation system.”; and

(B) in paragraph (2)(A), by striking “and in section 5301(c) of title 49” and inserting “and the general purposes described in section 5301 of title 49”;

(3) in subsection (e)(1), by striking “subsection (m)” and inserting “subsection (l)”;

(4) in subsection (f)—

(A) in paragraph (2)(B)(i), by striking “subsection (m)” and inserting “subsection (l)”;

(B) in paragraph (3)(A)—

(i) in clause (i), by striking “subsection (m)” and inserting “subsection (l)”;

(ii) in clause (ii), by inserting “(including intercity bus operators and commuter vanpool providers)” after “private providers of transportation”;

(C) in paragraph (7), in the matter preceding subparagraph (A), by striking “should” and inserting “shall”; and

(D) in paragraph (8), by inserting “, including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated” before the period at the end;

(5) in subsection (g)—

(A) in paragraph (2)(B)(i), by striking “subsection (m)” and inserting “subsection (l)”;

(B) in paragraph (3)—

(i) by inserting “public ports,” before “freight shippers”; and

(ii) by inserting “(including intercity bus operators),” after “private providers of transportation”;

and

(C) in paragraph (6)(A), by striking “subsection (m)” and inserting “subsection (l)”;

(6) by striking subsection (j); and

(7) by redesignating subsections (k) through (m) as subsections (j) through (l), respectively.

(b) CONFORMING AMENDMENTS.—Section 134(b)(5) of title 23, United States Code, is amended by striking “section 135(m)” and inserting “section 135(l)”.

SEC. 11007. HIGHWAY USE TAX EVASION PROJECTS.

Section 143(b) of title 23, United States Code, is amended by striking paragraph (2)(A) and inserting the following:

“(A) IN GENERAL.—From administrative funds made available under section 104(a), the Secretary shall deduct such sums as are necessary, not to exceed \$4,000,000 for each fiscal year, to carry out this section.”.

SEC. 11008. BUNDLING OF BRIDGE PROJECTS.

Section 144 of title 23, United States Code, is amended—

(1) in subsection (c)(2)(A), by striking “the natural condition of the bridge” and inserting “the natural condition of the water”;

(2) by redesignating subsection (j) as subsection (k);

(3) by inserting after subsection (i) the following:

“(j) BUNDLING OF BRIDGE PROJECTS.—

“(1) PURPOSE.—The purpose of this subsection is to save costs and time by encouraging States to bundle multiple bridge projects as 1 project.

“(2) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means an entity eligible to carry out a bridge project under section 119 or 133.

“(3) BUNDLING OF BRIDGE PROJECTS.—An eligible entity may bundle 2 or more similar bridge projects that are—

“(A) eligible projects under section 119 or 133;

“(B) included as a bundled project in a transportation improvement program under section 134(j) or a statewide transportation improvement program under section 135, as applicable; and

“(C) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and an eligible entity.

“(4) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), an eligible bridge project included in a bundle under this subsection may be listed as—

“(A) 1 project for purposes of sections 134 and 135; and

“(B) a single project within the applicable bundle.

“(5) FINANCIAL CHARACTERISTICS.—Projects bundled under this subsection shall have the same financial characteristics, including—

“(A) the same funding category or subcategory; and

“(B) the same Federal share.”; and

(4) in subsection (k)(2) (as redesignated by paragraph (2)), by striking “104(b)(3)” and inserting “104(b)(2)”.

SEC. 11009. FLEXIBILITY FOR CERTAIN RURAL ROAD AND BRIDGE PROJECTS.

(a) AUTHORITY.—With respect to rural road and rural bridge projects eligible for funding under title 23, United States Code, subject to the provisions of this section and on request by a State, the Secretary may—

(1) exercise all existing flexibilities under and exceptions to—

(A) the requirements of title 23, United States Code; and

(B) other requirements administered by the Secretary, in whole or part; and

(2) otherwise provide additional flexibility or expedited processing with respect to the requirements described in paragraph (1).

(b) TYPES OF PROJECTS.—A rural road or rural bridge project under this section shall—

(1) be located in a county that, based on the most recent decennial census—

(A) has a population density of 80 or fewer persons per square mile of land area; or

(B) is the county that has the lowest population density of all counties in the State;

(2) be located within the operational right-of-way (as defined in section 1316(b) of MAP-21 (23 U.S.C. 109 note; 126 Stat. 549)) of an existing road or bridge; and

(3)(A) receive less than \$5,000,000 of Federal funds; or

(B) have a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.

(C) PROCESS TO ASSIST RURAL PROJECTS.—

(1) ASSISTANCE WITH FEDERAL REQUIREMENTS.—

(A) IN GENERAL.—For projects under this section, the Secretary shall seek to provide, to the maximum extent practicable, regulatory relief and flexibility consistent with this section.

(B) EXCEPTIONS, EXEMPTIONS, AND ADDITIONAL FLEXIBILITY.—Exceptions, exemptions, and additional flexibility from regulatory requirements may be granted if, in the opinion of the Secretary—

(i) the project is not expected to have a significant adverse impact on the environment;

(ii) the project is not expected to have an adverse impact on safety; and

(iii) the assistance would be in the public interest for 1 or more reasons, including—

(I) reduced project costs;

(II) expedited construction, particularly in an area where the construction season is relatively short and not granting the waiver or additional flexibility could delay the project to a later construction season; or

(III) improved safety.

(2) MAINTAINING PROTECTIONS.—Nothing in this subsection—

(A) waives the requirements of section 113 or 138 of title 23, United States Code;

(B) supersedes, amends, or modifies—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or

(ii) any requirement of title 23, United States Code; or

(C) affects the responsibility of any Federal officer to comply with or enforce any law or requirement described in this paragraph.

SEC. 11010. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 147 of title 23, United States Code, is amended—

(1) in subsection (a), by striking “IN GENERAL” and inserting “PROGRAM”;

(2) by striking subsections (d) through (g) and inserting the following:

“(d) FORMULA.—Of the amounts allocated under subsection (c)—

“(1) 35 percent shall be allocated among eligible entities in the proportion that—

“(A) the number of ferry passengers, including passengers in vehicles, carried by each ferry system in the most recent calendar year for which data is available; bears to

“(B) the number of ferry passengers, including passengers in vehicles, carried by all ferry systems in the most recent calendar year for which data is available;

“(2) 35 percent shall be allocated among eligible entities in the proportion that—

“(A) the number of vehicles carried by each ferry system in the most recent calendar year for which data is available; bears to

“(B) the number of vehicles carried by all ferry systems in the most recent calendar year for which data is available; and

“(3) 30 percent shall be allocated among eligible entities in the proportion that—

“(A) the total route nautical miles serviced by each ferry system in the most recent calendar year for which data is available; bears to

“(B) the total route nautical miles serviced by all ferry systems in the most recent calendar year for which data is available.

“(e) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

“(1) withdraw amounts allocated to an eligible entity under subsection (c) that remain unobligated by the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

“(2) in the subsequent fiscal year, redistribute the funds referred to in paragraph (1) in accordance with the formula under subsection (d) among eligible entities for which no amounts were withdrawn under paragraph (1).

“(f) MINIMUM AMOUNT.—Notwithstanding subsection (c), a State with an eligible entity that meets the requirements of this section shall receive not less than \$100,000 under this section for a fiscal year.

“(g) IMPLEMENTATION.—

“(1) DATA COLLECTION.—

“(A) NATIONAL FERRY DATABASE.—Amounts made available for a fiscal year under this section shall be allocated using the most recent data available, as collected and imputed in accordance with the national ferry database established under section 1801(e) of SAFETEA-LU (23 U.S.C. 129 note; 119 Stat. 1456).

“(B) ELIGIBILITY FOR FUNDING.—To be eligible to receive funds under subsection (c), data shall have been submitted in the most recent collection of data for the national ferry database under section 1801(e) of SAFETEA-LU (23 U.S.C. 129 note; 119 Stat. 1456) for at least 1 ferry service within the State.

“(2) ADJUSTMENTS.—On review of the data submitted under paragraph (1)(B), the Secretary may make adjustments to the data as the Secretary determines necessary to correct misreported or inconsistent data.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section \$80,000,000 for each of fiscal years 2016 through 2021.

“(i) PERIOD OF AVAILABILITY.—Notwithstanding section 118(b), funds made available to carry out this section shall remain available until expended.

“(j) APPLICABILITY.—All provisions of this chapter that are applicable to the National Highway System, other than provisions relating to apportionment formula and Federal share, shall apply to funds made available to carry out this section, except as determined by the Secretary to be inconsistent with this section.”.

(b) NATIONAL FERRY DATABASE.—Section 1801(e)(4) of SAFETEA-LU (23 U.S.C. 129 note; 119 Stat. 1456) is amended by striking subparagraph (D) and inserting the following:

“(D) make available, from the amounts made available for each fiscal year to carry out chapter 63 of title 49, not more than \$500,000 to maintain the database.”.

(c) CONFORMING AMENDMENTS.—Section 129(c) of title 23, United States Code, is amended—

(1) in paragraph (2), in the first sentence, by inserting “, or on a public transit ferry eligible under chapter 53 of title 49” after “Interstate System”;

(2) in paragraph (3)—

(A) by striking “(3) Such ferry” and inserting “(3)(A) The ferry”; and

(B) by adding at the end the following:

“(B) Any Federal participation shall not involve the construction or purchase, for private ownership, of a ferry boat, ferry terminal facility, or other eligible project under this section.”;

(3) in paragraph (4), by striking “and repair,” and inserting “repair,”; and

(4) by striking paragraph (6) and inserting the following:

“(6) The ferry service shall be maintained in accordance with section 116.

“(7)(A) No ferry boat or ferry terminal with Federal participation under this title may be sold, leased, or otherwise disposed of, except in accordance with part 18 of title 49, Code of Federal Regulations (as in effect on December 18, 2014).

“(B) The Federal share of any proceeds from a disposition referred to in subparagraph (A) shall be used for eligible purposes under this title.”.

SEC. 11011. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

Section 148 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking “includes, but is not limited to,” and inserting “only includes”; and

(ii) by adding at the end the following:

“(xxv) Installation of vehicle-to-infrastructure communication equipment.

“(xxvi) Pedestrian hybrid beacons.

“(xxvii) Roadway improvements that provide separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.

“(xxviii) An infrastructure safety project not described in clauses (i) through (xxvii).”; and

(B) by striking paragraph (10) and redesignating paragraphs (11) through (13) as paragraphs (10) through (12), respectively;

(2) in subsection (c)(1)(A), by striking “subsection (a)(12)” and inserting “subsection (a)(11)”;

(3) in subsection (d)(2)(B)(i), by striking “subsection (a)(12)” and inserting “subsection (a)(11)”;

(4) in subsection (g)(1)—

(A) by striking “increases” and inserting “does not decrease”; and

(B) by inserting “and exceeds the national fatality rate on rural roads,” after “available.”.

SEC. 11012. DATA COLLECTION ON UNPAVED PUBLIC ROADS.

Section 148 of title 23, United States Code, is amended by adding at the end the following:

“(k) DATA COLLECTION ON UNPAVED PUBLIC ROADS.—

“(1) IN GENERAL.—A State may elect not to collect fundamental data elements for the model inventory of roadway elements on public roads that are gravel roads or otherwise unpaved if—

“(A)(i) more than 45 percent of the public roads in the State are gravel roads or otherwise unpaved; and

“(ii) less than 10 percent of fatalities in the State occur on those unpaved public roads; or

“(B)(i) more than 70 percent of the public roads in the State are gravel roads or otherwise unpaved; and

“(ii) less than 25 percent of fatalities in the State occur on those unpaved public roads.

“(2) CALCULATION.—The percentages described in paragraph (1) shall be based on the average for the 5 most recent years for which relevant data is available.

“(3) USE OF FUNDS.—If a State elects not to collect data on a road described in paragraph (1), the State shall not use funds provided to carry out this section for a project on that road until the State completes a collection of the required model inventory of roadway elements for the road.”.

SEC. 11013. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

Section 149 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i)(I), by inserting “in the designated nonattainment area” after “air quality standard”;

(B) in paragraph (3), by inserting “or maintenance” after “likely to contribute to the attainment”;

(C) in paragraph (4), by striking “attainment of” and inserting “attainment or maintenance of the area of”; and

(D) in paragraph (8)(A)(ii)—

(i) in the matter preceding subclause (I), by inserting “or port-related freight operations” after “construction projects”; and

(ii) in subclause (II), by inserting “or chapter 53 of title 49” after “this title”;

(2) in subsection (c)(2), by inserting “(giving priority to corridors designated under section 151)” after “(at any location in the State)”;

(3) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting “would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area or” after “may use for any project that”; and

(II) in clause (i), by striking “(excluding the amount of funds reserved under paragraph (1))”; and

(ii) in subparagraph (B)(i), by striking “MAP-21” and inserting “MAP-21”;

(B) in paragraph (3), by inserting “, in a manner consistent with the approach that was in effect on the day before the date of enactment of MAP-21,” after “the Secretary shall modify”;

(4) in subsection (g)—

(A) in paragraph (2)(B), by striking “not later than” and inserting “not later than”;

(B) in paragraph (3)—

(i) by striking “States and metropolitan” and inserting the following:

“(A) IN GENERAL.—States and metropolitan”;

(ii) by striking “are proven to reduce” and inserting “reduce directly emitted”; and

(iii) by adding at the end the following:

“(B) USE OF PRIORITY FUNDING.—To the maximum extent practicable, PM2.5 priority funding shall be used on the most cost-effective projects and programs that are proven to reduce directly emitted fine particulate matter.”;

(5) in subsection (k)—

(A) in paragraph (1)—

(i) by striking “that has a nonattainment or maintenance area” and inserting “that has 1 or more nonattainment or maintenance areas”;

(ii) by striking “a nonattainment or maintenance area that are” and inserting “the nonattainment or maintenance areas that are”;

(iii) by striking “such area” both places it appears and inserting “such areas”; and

(iv) by striking “such fine particulate” and inserting “directly-emitted fine particulate”;

(B) in paragraph (2), by striking “highway construction” and inserting “transportation construction”; and

(C) by adding at the end the following:

“(3) PM2.5 NONATTAINMENT AND MAINTENANCE IN LOW POPULATION DENSITY STATES.—

“(A) EXCEPTION.—In any State with a population density of 80 or fewer persons per square mile of land area, based on the most recent decennial census, the requirements under subsection (g)(3) and paragraphs (1) and (2) of this subsection shall not apply to a nonattainment or maintenance area in the State if—

“(i) the nonattainment or maintenance area does not have projects that are part of the emissions analysis of a metropolitan transportation plan or transportation improvement program; and

“(ii) regional motor vehicle emissions are an insignificant contributor to the air quality problem for PM2.5 in the nonattainment or maintenance area.

“(B) CALCULATION.—If subparagraph (A) applies to a nonattainment or maintenance area in a State, the percentage of the PM2.5 set-aside

under paragraph (1) shall be reduced for that State proportionately based on the weighted population of the area in fine particulate matter nonattainment.

“(4) PORT-RELATED EQUIPMENT AND VEHICLES.—To meet the requirements under paragraph (1), a State or metropolitan planning organization may elect to obligate funds to the most cost-effective projects to reduce emissions from port-related landside nonroad or on-road equipment that is operated within the boundaries of a PM2.5 nonattainment or maintenance area.”;

(6) in subsection (l)(1)(B), by inserting “air quality and traffic congestion” before “performance targets”; and

(7) in subsection (m), by striking “section 104(b)(2)” and inserting “section 104(b)(4)”.

SEC. 11014. TRANSPORTATION ALTERNATIVES.

(a) IN GENERAL.—Section 213 of title 23, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) RESERVATION OF FUNDS.—

“(1) IN GENERAL.—On October 1 of each fiscal year, the Secretary shall set aside from the amount determined for a State under section 104(c) an amount determined for the State under paragraphs (2) and (3).

“(2) TOTAL AMOUNT.—The total amount set aside for the program under this section shall be \$850,000,000 for each fiscal year.

“(3) STATE SHARE.—The Secretary shall distribute among the States the total set-aside amount under paragraph (2) so that each State receives an amount equal to the proportion that—

“(A) the amount apportioned to the State for the transportation enhancements program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141; 126 Stat. 405); bears to

“(B) the total amount of funds apportioned to all States for that fiscal year for the transportation enhancements program for fiscal year 2009.”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “Of the funds” and all that follows through “shall be obligated under this section” in subparagraph (A) and inserting “Funds reserved in a State under this section shall be obligated”;

(ii) by striking subparagraph (B);

(iii) by redesignating clauses (i) through (iii) as subparagraphs (A) through (C), respectively;

(iv) in subparagraph (B) (as so redesignated), by striking “greater than 5,000” and inserting “of 5,000 or more”; and

(v) in subparagraph (C) (as so redesignated), by striking “; and” and inserting a period;

(B) in paragraph (2), by striking “paragraph (1)(A)(i)” and inserting “paragraph (1)(A)”;

(C) in paragraph (3)(A)—

(i) by striking “Except as provided in paragraph (1)(B), the” and inserting “The”; and

(ii) by striking “paragraph (1)(A)(i)” both places it appears and inserting “paragraph (1)(A)”;

(D) in paragraph (4)(B)—

(i) in clause (vi), by striking “and” at the end;

(ii) by redesignating clause (vii) as clause (viii); and

(iii) by inserting after clause (vi) the following:

“(vii) a nonprofit entity responsible for the administration of local transportation safety programs; and”;

(E) in paragraph (5)—

(i) by striking “For funds reserved” and inserting the following:

“(A) IN GENERAL.—For funds reserved”;

(ii) by striking “paragraph (1)(A)(i)” and inserting “paragraph (1)(A)”;

(iii) by adding at the end the following:

“(B) NO RESTRICTION ON SUBALLOCATION.—Nothing in this section prevents a metropolitan planning organization from further suballocating funds within the boundaries of the metropolitan planning area if a competitive process is implemented for the award of the suballocated funds.”; and

(3) by adding at the end the following:

“(h) ANNUAL REPORTS.—

“(1) IN GENERAL.—Each State or metropolitan planning organization responsible for carrying out the requirements of this section shall submit to the Secretary an annual report that describes—

“(A) the number of project applications received for each fiscal year, including—

“(i) the aggregate cost of the projects for which applications are received; and

“(ii) the types of project to be carried out (as described in subsection (b)), expressed as percentages of the total apportionment of the State under subsection (a); and

“(B) the number of projects selected for funding for each fiscal year, including the aggregate cost and location of projects selected.

“(2) PUBLIC AVAILABILITY.—The Secretary shall make available to the public, in a user-friendly format on the website of the Department, a copy of each annual report submitted under paragraph (1).

“(i) EXPEDITING INFRASTRUCTURE PROJECTS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall develop regulations or guidance relating to the implementation of this section that encourages the use of the programmatic approaches to environmental reviews, expedited procurement techniques, and other best practices to facilitate productive and timely expenditure for projects that are small, low-impact, and constructed within an existing built environment.

“(2) STATE PROCESSES.—The Secretary shall work with State departments of transportation to ensure that any regulation or guidance developed under paragraph (1) is consistently implemented by States and the Federal Highway Administration to avoid unnecessary delays in implementing projects and to ensure the effective use of Federal dollars.”.

(b) CONFORMING AMENDMENT.—Section 126(b) of title 23, United States Code, is amended—

(1) by striking “SET-ASIDES.” and all that follows through “Funds that” in paragraph (1) and inserting “SET-ASIDES.—Funds that”;

(2) by striking “sections 104(d) and 133(d)” and inserting “sections 104(d), 133(d), and 213(c)”;

(3) by striking paragraph (2).

SEC. 11015. CONSOLIDATION OF PROGRAMS.

Section 1519(a) of MAP-21 (Public Law 112-141; 126 Stat. 574) is amended in the matter preceding paragraph (1) by striking “fiscal years 2013 and 2014” and inserting “fiscal years 2013 through 2021”.

SEC. 11016. STATE FLEXIBILITY FOR NATIONAL HIGHWAY SYSTEM MODIFICATIONS.

(a) NATIONAL HIGHWAY SYSTEM FLEXIBILITY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance relating to working with State departments of transportation that request assistance from the division offices of the Federal Highway Administration—

(1) to review roads classified as principal arterials in the State that were added to the National Highway System as of October 1, 2012, so as to comply with section 103 of title 23, United States Code; and

(2) to identify any necessary functional classification changes to rural and urban principal arterials.

(b) **ADMINISTRATIVE ACTIONS.**—The Secretary shall direct the division offices of the Federal Highway Administration to work with the applicable State department of transportation that requests assistance under this section—

(1) to assist in the review of roads in accordance with guidance issued under subsection (a);

(2) to expeditiously review and facilitate requests from States to reclassify roads classified as principal arterials; and

(3) in the case of a State that requests the withdrawal of reclassified roads from the National Highway System under section 103(b)(3) of title 23, United States Code, to carry out that withdrawal if the inclusion of the reclassified road in the National Highway System is not consistent with the needs and priorities of the community or region in which the reclassified road is located.

(c) **NATIONAL HIGHWAY SYSTEM MODIFICATION REGULATIONS.**—The Secretary shall—

(1) review the National Highway System modification process described in appendix D of part 470 of title 23, Code of Federal Regulations (or successor regulations); and

(2) take any action necessary to ensure that a State may submit to the Secretary a request to modify the National Highway System by withdrawing a road from the National Highway System.

(d) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes a description of—

(1) each request for reclassification of National Highway System roads;

(2) the status of each request; and

(3) if applicable, the justification for the denial by the Secretary of a request.

(e) **MODIFICATIONS TO THE NATIONAL HIGHWAY SYSTEM.**—Section 103(b)(3)(A) of title 23, United States Code, is amended—

(1) in the matter preceding clause (i)—

(A) by striking “, including any modification consisting of a connector to a major intermodal terminal.”; and

(B) by inserting “, including any modification consisting of a connector to a major intermodal terminal or the withdrawal of a road from that system,” after “the National Highway System”; and

(2) in clause (ii)—

(A) by striking “(ii) enhances” and inserting “(ii)(I) enhances”;

(B) by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(II) in the case of the withdrawal of a road, is reasonable and appropriate.”.

SEC. 11017. TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES.

Section 129(a) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)—

(i) by striking “(other than a highway on the Interstate System)”;

(ii) by inserting “non-HOV” after “toll-free” each place it appears;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraphs (D) through (I) as subparagraphs (C) through (H), respectively;

(2) by striking paragraph (4) and paragraph (6);

(3) by redesignating paragraphs (5), (7), (8), (9), and (10) as paragraphs (4), (5), (6), (7), and (9), respectively;

(4) in paragraph (4)(B) (as so redesignated), by striking “the Federal-aid system” and inserting “Federal-aid highways”; and

(5) by inserting after paragraph (7) (as so redesignated) the following:

“(8) **EQUAL ACCESS FOR MOTORCOACHES.**—A private motorcoach that serves the public shall be provided access to a toll facility under the same rates, terms, and conditions as public transportation buses in the State.”.

SEC. 11018. HOV FACILITIES.

Section 166 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) by striking paragraph (4) and inserting the following:

“(4) **HIGH OCCUPANCY TOLL VEHICLES.**—

“(A) **IN GENERAL.**—The State agency may allow vehicles not otherwise exempt under this subsection to use the HOV facility if the operators of the vehicles pay a toll charged by the agency for use of the facility and the agency—

“(i) establishes a program that addresses how motorists can enroll and participate in the toll program;

“(ii) in the case of a high occupancy vehicle facility that affects a metropolitan area, submits to the Secretary a written statement that the metropolitan planning organization designated under section 134 for the area has been consulted concerning the placement and amount of tolls on the converted facility;

“(iii) develops, manages, and maintains a system that will automatically collect the toll; and

“(iv) establishes policies and procedures—

“(I) to manage the demand to use the facility by varying the toll amount that is charged;

“(II) to enforce violations of the use of the facility; and

“(III) to ensure that private motorcoaches that serve the public are provided access to the facility under the same rates, terms, and conditions, as public transportation buses in the State.

“(B) **EXEMPTION FROM TOLLS.**—In levying a toll on a facility under subparagraph (A), a State agency may—

“(i) designate classes of vehicles that are exempt from the toll; and

“(ii) charge different toll rates for different classes of vehicles.”;

(B) in paragraph (5), by striking subparagraph (A) and inserting the following:

“(A) **INHERENTLY LOW EMISSION VEHICLE.**—If a State agency establishes procedures for enforcing the restrictions on the use of a HOV facility by vehicles described in clauses (i) and (ii), the State agency may allow the use of the HOV facility by—

“(i) alternative fuel vehicles; and

“(ii) any motor vehicle described in section 30D(d)(1) of the Internal Revenue Code of 1986.”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “Tolls” and inserting “Notwithstanding section 301, tolls”; and

(ii) by striking “notwithstanding section 301 and, except as provided in paragraphs (2) and (3)”;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)(1), by striking subparagraphs (D) and (E) and inserting the following:

“(D) **MAINTENANCE OF OPERATING PERFORMANCE.**—

“(i) **SUBMISSION OF PLAN.**—Not later than 180 days after the date on which a facility is degraded under paragraph (2), the State agency with jurisdiction over the facility shall submit to the Secretary for approval a plan that details the actions the State agency will take to bring the facility into compliance with the minimum average operating speed performance standard through changes to operation of the facility, including—

“(I) increasing the occupancy requirement for HOV lanes;

“(II) varying the toll charged to vehicles allowed under subsection (b) to reduce demand;

“(III) discontinuing allowing non-HOV vehicles to use HOV lanes under subsection (b); or

“(IV) increasing the available capacity of the HOV facility.

“(ii) **NOTICE OF APPROVAL OR DISAPPROVAL.**—Not later than 60 days after the date of receipt of a plan under clause (i), the Secretary shall provide to the State agency a written notice indicating whether the Secretary has approved or disapproved the plan based on a determination of whether the implementation of the plan will bring the HOV facility into compliance.

“(iii) **BIANNUAL PROGRESS UPDATES.**—Until the date on which the Secretary determines that the State agency has brought the HOV facility into compliance with this subsection, the State agency shall submit biannual updates that describe—

“(I) the actions taken to bring the HOV facility into compliance; and

“(II) the progress made by those actions.

“(E) **COMPLIANCE.**—The Secretary shall subject the State to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded, if—

“(i) the State agency fails to submit an approved action plan under subparagraph (D) to bring a degraded facility into compliance; or

“(ii) after the State submits and the Secretary approves an action plan under subparagraph (D), the Secretary determines that, on a date that is not earlier than 1 year after the approval of the action plan, the State agency is not making significant progress toward bringing the HOV facility into compliance with the minimum average operating speed performance standard.”; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by inserting “solely” before “operating”.

SEC. 11019. INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.

Section 1216(b) of the Transportation Equity Act for the 21st Century (Public Law 105-178; 112 Stat. 212) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking “the age, condition, and intensity of use of the facility” and inserting “an analysis demonstrating that the facility has a significant age, condition, or intensity of use to require expedited reconstruction or rehabilitation”;

(B) in subparagraph (D)(iii), by inserting “, and that demonstrates the capability of that agency to perform or oversee the building, operation, and maintenance of a toll expressway system meeting criteria for the Interstate System” before the semicolon at the end; and

(C) by adding at the end the following:

“(E) An analysis showing how the State plan for implementing tolls on the facility takes into account the interests and use of local, regional, and interstate travelers.

“(F) An explanation of how the State will collect tolls using electronic toll collection, including at highway speeds, if practicable.

“(G) A plan describing the proposed location for the collection of tolls on the facility, including any locations in proximity to a State border.

“(H) Approved documentation that the project—

“(i) has received a categorical exclusion, a finding of no significant impact, or a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) complies with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).”;

(2) by striking paragraphs (4) and (6);
 (3) by redesignating paragraph (5) as paragraph (4);

(4) in paragraph (4) (as so redesignated)—
 (A) in the matter preceding subparagraph (A), by striking “Before the Secretary may permit” and inserting “As a condition of permitting”;

(B) in subparagraph (A)—
 (i) in the matter preceding clause (i), by striking “for—” and inserting “for permissible uses described in section 129(a)(3) of title 23, United States Code; and”; and

(ii) by striking clauses (i) through (iii);
 (5) by inserting after paragraph (4) (as so redesignated) the following:

“(5) APPLICATION PROCESSING PROCEDURE.—

“(A) IN GENERAL.—Not later than 60 days after receipt of an application under this subsection, the Secretary shall provide to the applicant a written notice informing the applicant whether—

“(i) the application is complete and meets all requirements under this subsection; or

“(ii) additional information or materials are needed—

“(I) to complete the application; or

“(II) to meet the eligibility requirements under paragraph (3).

“(B) ADDITIONAL INFORMATION OR MATERIALS.—

“(i) IN GENERAL.—Not later than 60 days after receipt of an application, the Secretary shall—

“(I) identify any additional information or materials that are needed under subparagraph (A)(ii); and

“(II) provide to the applicant written notice specifying the details of the additional required information or materials.

“(ii) AMENDED APPLICATION.—Not later than 60 days after receipt of the additional information under clause (i), the Secretary shall determine if the amended application is complete and meets all requirements under this subsection.

“(C) TECHNICAL ASSISTANCE.—On the request of a State, the Secretary shall provide technical assistance to facilitate the development of a complete application under this paragraph that is likely to satisfy the eligibility criteria under paragraph (3).

“(D) APPROVAL OF APPLICATION.—On written notice by the Secretary that the application is complete and meets all requirements of this subsection, the project is considered approved and shall be permitted to participate in the program under this subsection.

“(E) LIMITATION ON APPROVED APPLICATION.—

“(i) IN GENERAL.—For an application received under this subsection on or after the date of enactment of the DRIVE Act for the reconstruction or rehabilitation of a facility, a State shall—

“(I) not later than 1 year after the date on which the application is approved, issue a solicitation for a contract to provide for the reconstruction or rehabilitation of the facility; and

“(II) not later than 2 years after the date on which the application is approved, execute a contract for the reconstruction or rehabilitation of the facility.

“(ii) PRIOR APPLICATIONS.—For an application that received a conditional provisional approval under this subsection before the date of enactment of the DRIVE Act, for the reconstruction or rehabilitation of a facility, a State shall—

“(I) not later than 1 year after the date of enactment of the DRIVE Act, issue a solicitation for a contract to provide for the reconstruction or rehabilitation of the facility; and

“(II) not later than 2 years after the date of enactment of the DRIVE Act, execute a contract for the reconstruction or rehabilitation of the facility.

“(iii) CANCELLATION OR EXTENSION.—If an applicable deadline under clause (i) or (ii) is not met, the Secretary shall—

“(I) cancel the application approval; or

“(II) grant an extension of not more than 1 year for the applicable deadline, on the condition that—

“(aa) there has been demonstrable progress toward meeting the applicable requirements; and

“(bb) the requirements are likely to be met within 1 year.

“(6) LIMITATION ON THE USE OF NATIONAL HIGHWAY PERFORMANCE PROGRAM FUNDS.—During the term of the pilot program, funds apportioned for the national highway performance program under section 104(b)(1) of title 23, United States Code, may not be used for a facility for which tolls are being collected under the pilot program unless the funds are used for a maintenance purpose, as defined in section 101(a) of title 23, United States Code.”;

(6) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively;

(7) by inserting after paragraph (6) the following:

“(7) WITHDRAWAL.—A State may elect to withdraw participation of the State in the pilot program at any time.”; and

(8) in paragraph (8) (as redesignated by paragraph (6)), by inserting “after the date of enactment of the DRIVE Act” after “10 years”.

SEC. 11020. EMERGENCY RELIEF FOR FEDERALLY OWNED ROADS.

(a) ELIGIBILITY.—Section 125(d)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) projects eligible for assistance under this section located on tribal transportation facilities, Federal lands transportation facilities, or other federally owned roads that are open to public travel (as defined in subsection (e)(1)).”.

(b) DEFINITION.—Section 125(e) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

“(1) DEFINITIONS.—In this subsection:

“(A) OPEN TO PUBLIC TRAVEL.—The term ‘open to public travel’ means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—

“(i) is maintained;

“(ii) is open to the general public; and

“(iii) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

“(B) STANDARD PASSENGER VEHICLE.—The term ‘standard passenger vehicle’ means a vehicle with 6 inches of clearance from the lowest point of the frame, body, suspension, or differential to the ground.”.

SEC. 11021. BRIDGES REQUIRING CLOSURE OR LOAD RESTRICTIONS.

Section 144(h) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(2) by inserting after paragraph (5) the following:

“(6) BRIDGES REQUIRING CLOSURE OR LOAD RESTRICTIONS.—

“(A) BRIDGES OWNED BY FEDERAL AGENCIES OR TRIBAL GOVERNMENTS.—If a Federal agency or tribal government fails to ensure that any highway bridge that is open to public travel and located in the jurisdiction of the Federal agency or tribal government is properly closed or restricted to loads that the bridge can carry safely, the Secretary—

“(i) shall, on learning of the need to close or restrict loads on the bridge, require the Federal agency or tribal government to take action necessary—

“(I) to close the bridge within 48 hours; or

“(II) within 30 days, to restrict public travel on the bridge to loads that the bridge can carry safely; and

“(ii) may, if the Federal agency or tribal government fails to take action required under clause (i), withhold all funding authorized under this title for the Federal agency or tribal government.”.

“(B) OTHER BRIDGES.—If a State fails to ensure that any highway bridge, other than a bridge described in subparagraph (A), that is open to public travel and is located within the boundaries of the State is properly closed or restricted to loads the bridge can carry safely, the Secretary—

“(i) shall, on learning of the need to close or restrict loads on the bridge, require the State to take action necessary—

“(I) to close the bridge within 48 hours; or

“(II) within 30 days, to restrict public travel on the bridge to loads that the bridge can carry safely; and

“(ii) may, if the State fails to take action required under clause (i), withhold approval for Federal-aid projects in that State.”; and

(3) in paragraph (8) (as redesignated by paragraph (1)), by striking “(6)” and inserting “(7)”.

SEC. 11022. NATIONAL ELECTRIC VEHICLE CHARGING AND NATURAL GAS FUELING CORRIDORS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 150 the following:

“§ 151. National electric vehicle charging and natural gas fueling corridors

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary shall designate national electric vehicle charging and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric and natural gas fueling technologies across the United States.

“(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

“(1) solicit nominations from State and local officials for facilities to be included in the corridors;

“(2) incorporate existing electric vehicle charging and natural gas fueling corridors designated by a State or group of States; and

“(3) consider the demand for, and location of, existing electric vehicle charging and natural gas fueling infrastructure.

“(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

“(1) the heads of other Federal agencies;

“(2) State and local officials;

“(3) representatives of—

“(A) energy utilities;

“(B) the electric and natural gas vehicle industries;

“(C) the freight and shipping industry;

“(D) clean technology firms;

“(E) the hospitality industry;

“(F) the restaurant industry; and

“(G) highway rest stop vendors; and

“(4) such other stakeholders as the Secretary determines to be necessary.

“(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.

“(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—

“(1) identifies electric vehicle charging and natural gas fueling infrastructure and standardization needs for electricity providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and

“(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging and natural gas fueling infrastructure in those corridors by the end of fiscal year 2021.”.

(b) CONFORMING AMENDMENT.—The analysis of chapter 1 of title 23, United States Code, is amended by striking the item relating to section 151 and inserting the following:

“151. National Electric Vehicle Charging and Natural Gas Fueling Corridors.”.

SEC. 11023. ASSET MANAGEMENT.

(a) Section 119 of title 23, United States Code, is amended—

(1) in subsection (f)(2)—

(A) in subparagraph (A), by striking “structurally deficient” and inserting “being in poor condition”; and

(B) in subparagraph (B), by striking “structurally deficient” and inserting “being in poor condition”; and

(2) by adding at the end the following:

“(h) CRITICAL INFRASTRUCTURE.—

“(1) DEFINITION OF CRITICAL INFRASTRUCTURE.—In this subsection, the term ‘critical infrastructure’ means those facilities the incapacity or failure of which would have a debilitating impact on national or regional economic security, national or regional energy security, national or regional public health or safety, or any combination of those matters.

“(2) DESIGNATION.—The asset management plan of a State developed pursuant to subsection (e) may include a designation of a critical infrastructure network of facilities from among those facilities in the State that are eligible under subsection (c).

“(3) RISK REDUCTION.—A State may use funds apportioned under this section for projects intended to reduce the risk of failure of facilities designated as being on the critical infrastructure network of the State.”.

(b) Section 144 of title 23, United States Code, is amended—

(1) in subsection (a)(1)(B), by striking “deficient”; and

(2) in subsection (b)(5), by striking “each structurally deficient bridge” and inserting “each bridge in poor condition”.

(c) Section 202(d) of title 23, United States Code, is amended—

(1) in paragraph (1), by striking “deficient”; and

(2) in paragraph (2)(B), by striking “deficient”; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking the semicolon at the end and inserting “; and”; and

(B) in subparagraph (B), by striking “; and” at the end and inserting a period; and

(C) by striking subparagraph (C).

SEC. 11024. TRIBAL TRANSPORTATION PROGRAM AMENDMENT.

Section 202 of title 23, United States Code, is amended—

(1) in subsection (a)(6), by striking “6 percent” and inserting “5 percent”; and

(2) in subsection (d)(2), in the matter preceding subparagraph (A) by striking “2 percent” and inserting “3 percent”.

SEC. 11025. NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.

(a) PURPOSE.—The Secretary shall establish a nationally significant Federal lands and tribal projects program (referred to in this section as the “program”) to provide funding to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects.

(b) ELIGIBLE APPLICANTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), entities eligible to receive funds under sections 201, 202, 203, and 204 of title 23, United States Code, may apply for funding under the program.

(2) SPECIAL RULE.—A State, county, or unit of local government may only apply for funding under the program if sponsored by an eligible Federal land management agency or Indian tribe.

(c) ELIGIBLE PROJECTS.—An eligible project under the program shall be a single continuous project—

(1) on a Federal lands transportation facility, a Federal lands access transportation facility, or a Tribal transportation facility (as those terms are defined in section 101 of title 23, United States Code), except that such facility is not required to be included on an inventory described in sections 202 or 203 of title 23, United States Code;

(2) for which completion of activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been demonstrated through—

(A) a record of decision with respect to the project;

(B) a finding that the project has no significant impact; or

(C) a determination that the project is categorically excluded; and

(3) having an estimated cost, based on the results of preliminary engineering, equal to or exceeding \$25,000,000, with priority consideration given to projects with an estimated cost equal to or exceeding \$50,000,000.

(d) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Subject to paragraph (2), an eligible applicant receiving funds under the program may only use the funds for construction, reconstruction, and rehabilitation activities.

(2) INELIGIBLE ACTIVITIES.—An eligible applicant may not use funds received under the program for activities relating to project design.

(e) APPLICATIONS.—Eligible applicants shall submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may require.

(f) SELECTION CRITERIA.—In selecting a project to receive funds under the program, the Secretary shall consider the extent to which the project—

(1) furthers the goals of the Department, including state of good repair, environmental sustainability, economic competitiveness, quality of life, and safety;

(2) improves the condition of critical multimodal transportation facilities;

(3) needs construction, reconstruction, or rehabilitation;

(4) is included in or eligible for inclusion in the National Register of Historic Places;

(5) enhances environmental ecosystems;

(6) uses new technologies and innovations that enhance the efficiency of the project;

(7) is supported by funds, other than the funds received under the program, to construct, maintain, and operate the facility;

(8) spans 2 or more States; and

(9) serves land owned by multiple Federal agencies or Indian tribes.

(g) FEDERAL SHARE.—The Federal share of the cost of a project shall be 95 percent.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$150,000,000 for each of fiscal years 2016 through 2021, to remain available for a period of 3 fiscal years following the fiscal year for which the amounts were appropriated.

SEC. 11026. FEDERAL LANDS PROGRAMMATIC ACTIVITIES.

Section 201(c) of title 23, United States Code, is amended—

(1) in paragraph (6)(A)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(B) in the matter preceding subclause (I) (as so redesignated), by striking “The Secretaries” and inserting the following:

“(i) IN GENERAL.—The Secretaries”;

(C) by inserting a period after “tribal transportation program”; and

(D) by striking “in accordance with” and all that follows through “including—” and inserting the following:

“(ii) REQUIREMENT.—Data collected to implement the tribal transportation program shall be in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

“(iii) INCLUSIONS.—Data collected under this paragraph includes—”; and

(2) by striking paragraph (7) and inserting the following—

“(7) COOPERATIVE RESEARCH AND TECHNOLOGY DEPLOYMENT.—The Secretary may conduct cooperative research and technology deployment in coordination with Federal land management agencies, as determined appropriate by the Secretary.

“(8) FUNDING.—

“(A) IN GENERAL.—To carry out the activities described in this subsection for Federal lands transportation facilities, Federal lands access transportation facilities, and other federally owned roads open to public travel (as that term is defined in section 125(e)), the Secretary shall combine and use not greater than 5 percent for each fiscal year of the funds authorized for programs under sections 203 and 204.

“(B) OTHER ACTIVITIES.—In addition to the activities described in subparagraph (A), funds described under that subparagraph may be used for—

“(i) bridge inspections on any federally owned bridge even if that bridge is not included on the inventory described under section 203; and

“(ii) transportation planning activities carried out by Federal land management agencies eligible for funding under this chapter.”.

SEC. 11027. FEDERAL LANDS TRANSPORTATION PROGRAM.

Section 203 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking “operation” and inserting “capital, operations,”; and

(B) in subparagraph (D), by striking “subparagraph (A)(iv)” and inserting “subparagraph (A)(iv)(I)”;

(2) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (iv), by striking “and” at the end;

(ii) in clause (v), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(vi) the Bureau of Reclamation; and

“(vii) independent Federal agencies with natural resource and land management responsibilities.”; and

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting “performance management, including” after “support”; and

(3) in subsection (c)(2)(B), by adding at the end the following:

“(vi) The Bureau of Reclamation.”.

SEC. 11028. INNOVATIVE PROJECT DELIVERY.

Section 120(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(ii)—

(A) by inserting “engineering or design approaches,” after “technologies,”; and

(B) by striking “or contracting” and inserting “or contracting or project delivery”; and

(2) in subparagraph (B)(iii), by inserting “and alternative bidding” before the semicolon at the end.

SEC. 11029. OBLIGATION AND RELEASE OF FUNDS.

Section 118(c)(2) of title 23, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “Any funds” and inserting the following:

“(A) IN GENERAL.—Any funds”;

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately; and

(3) by adding at the end the following:

“(B) SAME CLASS OF FUNDS NO LONGER AUTHORIZED.—If the same class of funds described in subparagraph (A)(i) is no longer authorized in the most recent authorizing law, the funds may be credited to a similar class of funds, as determined by the Secretary.”.

Subtitle B—Acceleration of Project Delivery**SEC. 11101. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.**

Section 1317 of MAP-21 (23 U.S.C. 109 note; Public Law 112-141) is amended—

(1) in the matter preceding paragraph (1), by striking “Not later than” and inserting the following:

“(a) IN GENERAL.—Not later than”;

(2) by adding at the end the following:

“(b) INFLATIONARY ADJUSTMENT.—The dollar amounts described in subsection (a) shall be adjusted for inflation—

“(1) effective October 1, 2015, to reflect changes since July 1, 2012, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor; and

“(2) effective October 1, 2016, and each succeeding October 1, to reflect changes for the preceding 12-month period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”.

SEC. 11102. PROGRAMMATIC AGREEMENT TEMPLATE.

(a) IN GENERAL.—Section 1318 of MAP-21 (23 U.S.C. 109 note; Public Law 112-141) is amended by adding at the end the following:

“(e) PROGRAMMATIC AGREEMENT TEMPLATE.—

“(1) IN GENERAL.—The Secretary shall develop a template programmatic agreement described in subsection (d) that provides for efficient and adequate procedures for evaluating Federal actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

“(2) USE OF TEMPLATE.—The Secretary—

“(A) on receipt of a request from a State, shall use the template programmatic agreement developed under paragraph (1) in carrying out this section; and

“(B) on consent of the applicable State, may modify the template as necessary to address the unique needs and characteristics of the State.

“(3) OUTCOME MEASUREMENTS.—The Secretary shall establish a method to verify that actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection), are evaluated and documented in a consistent manner by the State that uses the template programmatic agreement under this subsection.”.

(b) CATEGORICAL EXCLUSION DETERMINATIONS.—Not later than 30 days after the date of enactment of this Act, the Secretary shall revise section 771.117(g) of title 23, Code of Federal Regulations, to allow a programmatic agreement under this section to include responsibility for making categorical exclusion determinations—

(1) for actions described in subsections (c) and (d) of section 771.117 of title 23, Code of Federal Regulations; and

(2) that meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of

Federal Regulations (as in effect on the date of enactment of this Act), and are identified in the programmatic agreement.

SEC. 11103. AGENCY COORDINATION.

(a) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—Section 139(c)(6) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) to consider and respond to comments received from participating agencies on matters within the special expertise or jurisdiction of the participating agencies.”.

(b) PARTICIPATING AGENCY RESPONSIBILITIES.—Section 139(d) of title 23, United States Code, is amended by adding at the end the following:

“(8) PARTICIPATING AGENCY RESPONSIBILITIES.—An agency participating in the collaborative environmental review process under this section shall—

“(A) provide comments, responses, studies, or methodologies on those areas within the special expertise or jurisdiction of the Federal participating or cooperating agency; and

“(B) use the process to address any environmental issues of concern to the participating or cooperating agency.”.

SEC. 11104. INITIATION OF ENVIRONMENTAL REVIEW PROCESS.

Section 139 of title 23, United States Code, is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

“(6) PROJECT.—

“(A) IN GENERAL.—The term ‘project’ means any highway project, public transportation capital project, or multimodal project that, if implemented as proposed by the project sponsor, would require approval by any operating administration or secretarial office within the Department.

“(B) CONSIDERATIONS.—For purposes of this paragraph, the Secretary shall take into account, if known, any sources of Federal funding or financing identified by the project sponsor, including discretionary grant, loan, and loan guarantee programs administered by the Department.”.

(2) in subsection (e)—

(A) in paragraph (1), by inserting “(including any additional information that the project sponsor considers to be important to initiate the process for the proposed project)” after “location of the proposed project”; and

(B) by adding at the end the following:

“(3) REVIEW OF APPLICATION.—Not later than 45 days after the date on which an application is received by the Secretary under this subsection, the Secretary shall provide to the project sponsor a written response that, as applicable—

“(A) describes the determination of the Secretary—

“(i) to initiate the environmental review process, including a timeline and an expected date for the publication in the Federal Register of the relevant notice of intent; or

“(ii) to decline the application, including an explanation of the reasons for that decision; or

“(B) requests additional information, and provides to the project sponsor an accounting, regarding what is necessary to initiate the environmental review process.

“(4) REQUEST TO DESIGNATE A LEAD AGENCY.—

“(A) IN GENERAL.—Any project sponsor may submit a request to the Secretary to designate a specific operating administration or secretarial office within the Department of Transportation to serve as the Federal lead agency for a project.

“(B) PROPOSED SCHEDULE.—A request under subparagraph (A) may include a proposed

schedule for completing the environmental review process.

“(C) SECRETARIAL ACTION.—

“(i) IN GENERAL.—If a request under subparagraph (A) is received, the Secretary shall respond to the request not later than 45 days after the date of receipt.

“(ii) REQUIREMENTS.—The response shall—

“(I) approve the request;

“(II) deny the request, with an explanation of the reasons; or

“(III) require the submission of additional information.

“(iii) ADDITIONAL INFORMATION.—If additional information is submitted in accordance with clause (ii)(III), the Secretary shall respond to that submission not later than 45 days after the date of receipt.”; and

(3) in subsection (f)(4), by adding at the end the following:

“(E) REDUCTION OF DUPLICATION.—

“(i) IN GENERAL.—In carrying out this paragraph, the lead agency shall reduce duplication, to the maximum extent practicable, between—

“(I) the evaluation of alternatives under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(II) the evaluation of alternatives in the metropolitan transportation planning process under section 134 of title 23, United States Code, or an environmental review process carried out under State law (referred to in this subparagraph as a ‘State environmental review process’).

“(ii) CONSIDERATION OF ALTERNATIVES.—The lead agency may eliminate from detailed consideration an alternative proposed in an environmental impact statement regarding a project if, as determined by the lead agency—

“(I) the alternative was considered in a metropolitan planning process or a State environmental review process by a metropolitan planning organization or a State or local transportation agency, as applicable;

“(II) the lead agency provided guidance to the metropolitan planning organization or State or local transportation agency, as applicable, regarding analysis of alternatives in the metropolitan planning process or State environmental review process, including guidance on the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other requirements of Federal law necessary for approval of the project;

“(III) the applicable metropolitan planning process or State environmental review process included an opportunity for public review and comment;

“(IV) the applicable metropolitan planning organization or State or local transportation agency rejected the alternative after considering public comments;

“(V) the Federal lead agency independently reviewed the alternative evaluation approved by the applicable metropolitan planning organization or State or local transportation agency; and

“(VI) the Federal lead agency has determined—

“(aa) in consultation with Federal participating or cooperating agencies, that the alternative to be eliminated from consideration is not necessary for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

“(bb) with the concurrence of Federal agencies with jurisdiction over a permit or approval required for a project, that the alternative to be eliminated from consideration is not necessary for any permit or approval under any other Federal law.”.

SEC. 11105. IMPROVING COLLABORATION FOR ACCELERATED DECISION MAKING.

(a) COORDINATION AND SCHEDULING.—Section 139(g)(1)(B)(i) of title 23, United States Code, is amended—

(1) by striking “The lead agency” and inserting “For a project requiring an environmental impact statement or environmental assessment, the lead agency”; and

(2) by striking “may” and inserting “shall”.

(b) **ISSUE IDENTIFICATION AND RESOLUTION.**—Section 139(h) of title 23, United States Code, is amended—

(1) in paragraph (4)(C), by striking “paragraph (5) and” and inserting “paragraph (5)”; (2) in paragraph (5)(A)(ii)(I), by inserting “, including modifications to the project schedule” after “review process”; and

(3) in paragraph (6)(B), by striking clause (ii) and inserting the following:

“(ii) **DESCRIPTION OF DATE.**—The date referred to in clause (i) is 1 of the following:

“(I) The date that is 30 days after the date for rendering a decision as described in the project schedule established pursuant to subsection (g)(1)(B).

“(II) If no schedule exists, the later of—

“(aa) the date that is 180 days after the date on which an application for the permit, license or approval is complete; or

“(bb) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(III) A modified date consistent with subsection (g)(1)(D).”.

SEC. 11106. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.

(a) **IN GENERAL.**—Section 139 of title 23, United States Code, is amended by adding at the end the following:

“(n) **ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.**—

“(1) **IN GENERAL.**—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations regarding why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets shall—

“(A) cite the sources, authorities, or reasons that support the position of the lead agency; and

“(B) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

“(2) **INCORPORATION.**—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

“(A) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

“(B) there are significant new circumstances or information that—

“(i) are relevant to environmental concerns; and

“(ii) bear on the proposed action or the impacts of the proposed action.”.

(b) **REPEAL.**—Section 1319 of MAP-21 (42 U.S.C. 4332a) is repealed.

SEC. 11107. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

Section 139 of title 23, United States Code (as amended by section 11106(a)), is amended by adding at the end the following:

“(o) **REVIEWS, APPROVALS, AND PERMITTING PLATFORM.**—

“(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this subsection, the Secretary shall establish an online platform

and, in coordination with agencies described in paragraph (2), issue reporting standards to make publicly available the status of reviews, approvals, and permits required for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or other applicable Federal laws for projects and activities requiring an environmental assessment or an environmental impact statement.

“(2) **FEDERAL AGENCY PARTICIPATION.**—A Federal agency of jurisdiction over a review, approval, or permit described in paragraph (1) shall provide status information in accordance with the standards established by the Secretary under paragraph (1).

“(3) **STATE RESPONSIBILITIES.**—A State that is assigned and assumes responsibilities under section 326 or 327 shall provide applicable status information in accordance with standards established by the Secretary under paragraph (1).”.

SEC. 11108. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

Section 168 of title 23, United States Code, is amended to read as follows:

“**§168. Integration of planning and environmental review**

“(a) **DEFINITIONS.**—In this section, the following definitions apply:

“(1) **ENVIRONMENTAL REVIEW PROCESS.**—The term ‘environmental review process’ means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) **LEAD AGENCY.**—The term ‘lead agency’ has the meaning given the term in section 139(a).

“(3) **PLANNING PRODUCT.**—The term ‘planning product’ means a decision, analysis, study, or other documented information that is the result of an evaluation or decisionmaking process carried out by a metropolitan planning organization or a State, as appropriate, during metropolitan or statewide transportation planning under section 134 or 135, respectively.

“(4) **PROJECT.**—The term ‘project’ has the meaning given the term in section 139(a).

“(b) **ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.**—

“(1) **IN GENERAL.**—Subject to subsection (d), the Federal lead agency for a project may adopt and use a planning product in proceedings relating to any class of action in the environmental review process of the project.

“(2) **IDENTIFICATION.**—If the Federal lead agency makes a determination to adopt and use a planning product, the Federal lead agency shall identify the agencies that participated in the development of the planning products.

“(3) **PARTIAL ADOPTION OF PLANNING PRODUCTS.**—The Federal lead agency may—

“(A) adopt an entire planning product under paragraph (1); or

“(B) select portions of a planning product under paragraph (1) for adoption.

“(4) **TIMING.**—A determination under paragraph (1) with respect to the adoption of a planning product may—

“(A) be made at the time the lead agencies decide the appropriate scope of environmental review for the project; or

“(B) occur later in the environmental review process, as appropriate.

“(c) **APPLICABILITY.**—

“(1) **PLANNING DECISIONS.**—The lead agency in the environmental review process may adopt decisions from a planning product, including—

“(A) whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

“(B) a decision with respect to general travel corridor or modal choice, including a decision to implement corridor or subarea study recom-

mendations to advance different modal solutions as separate projects with independent utility;

“(C) the purpose and the need for the proposed action;

“(D) preliminary screening of alternatives and elimination of unreasonable alternatives;

“(E) a basic description of the environmental setting;

“(F) a decision with respect to methodologies for analysis; and

“(G) an identification of programmatic level mitigation for potential impacts of transportation projects, including—

“(i) measures to avoid, minimize, and mitigate impacts at a regional or national scale;

“(ii) investments in regional ecosystem and water resources; and

“(iii) a programmatic mitigation plan developed in accordance with section 169.

“(2) **PLANNING ANALYSES.**—The lead agency in the environmental review process may adopt analyses from a planning product, including—

“(A) travel demands;

“(B) regional development and growth;

“(C) local land use, growth management, and development;

“(D) population and employment;

“(E) natural and built environmental conditions;

“(F) environmental resources and environmentally sensitive areas;

“(G) potential environmental effects, including the identification of resources of concern and potential indirect and cumulative effects on those resources; and

“(H) mitigation needs for a proposed action, or for programmatic level mitigation, for potential effects that the Federal lead agency determines are most effectively addressed at a regional or national program level.

“(d) **CONDITIONS.**—The lead agency in the environmental review process may adopt and use a planning product under this section if the lead agency determines, with the concurrence of other participating agencies with relevant expertise and project sponsors, as appropriate, that the following conditions have been met:

“(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

“(2) The planning product was developed in consultation with appropriate Federal and State resource agencies and Indian tribes.

“(3) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

“(4) The planning process included public notice that the planning products produced in the planning process may be adopted during a subsequent environmental review process in accordance with this section.

“(5) During the environmental review process, the lead agency has—

“(A) made the planning documents available for public review and comment;

“(B) provided notice of the intention of the lead agency to adopt the planning product; and

“(C) considered any resulting comments.

“(6) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

“(7) The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

“(8) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

“(9) The planning product is appropriate for adoption and use in the environmental review

process for the project and is incorporated in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1502.21 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the DRIVE Act).

“(e) EFFECT OF ADOPTION.—Any planning product adopted by the Federal lead agency in accordance with this section may be—

“(1) incorporated directly into an environmental review process document or other environmental document; and

“(2) relied on and used by other Federal agencies in carrying out reviews of the project.

“(f) RULES OF CONSTRUCTION.—

“(1) IN GENERAL.—This section does not make the environmental review process applicable to the transportation planning process conducted under this title and chapter 53 of title 49.

“(2) TRANSPORTATION PLANNING ACTIVITIES.—Initiation of the environmental review process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the environmental review process.

“(3) PLANNING PRODUCTS.—This section does not affect the use of planning products in the environmental review process pursuant to other authorities under any other provision of law or restrict the initiation of the environmental review process during planning.”.

SEC. 11109. USE OF PROGRAMMATIC MITIGATION PLANS.

Section 169(f) of title 23, United States Code, is amended—

(1) by striking “may use” and inserting “shall consider”; and

(2) by inserting “or other Federal environmental law” before the period at the end.

SEC. 11110. ADOPTION OF DEPARTMENTAL ENVIRONMENTAL DOCUMENTS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 306 the following:

“§307. Adoption of Departmental environmental documents

“(a) IN GENERAL.—An operating administration or secretarial office within the Department may adopt any draft environmental impact statement, final environmental impact statement, environmental assessment, or any other document issued under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by another operating administration or secretarial office within the Department—

“(1) without recirculating the document (except that a final environmental impact statement shall be recirculated prior to adoption); and

“(2) if the operating administration or secretarial office adopting the document certifies that the project is substantially the same as the project reviewed under the document to be adopted.

“(b) COOPERATING AGENCY.—An adopting operating administration or secretarial office that was a cooperating agency and certifies that the project is substantially the same as the project reviewed under the document to be adopted and that its comments and suggestions have been addressed may adopt a document described in subsection (a) without recirculating the document.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by striking the item relating to section 307 and inserting the following:

“Sec. 307. Adoption of Departmental environmental documents.”.

SEC. 11111. TECHNICAL ASSISTANCE FOR STATES.

Section 326 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) ASSISTANCE TO STATES.—On request of a Governor of a State, the Secretary shall provide to the State technical assistance, training, or other support relating to—

“(A) assuming responsibility under subsection (a);

“(B) developing a memorandum of understanding under this subsection; or

“(C) addressing a responsibility in need of corrective action under subsection (d)(1)(B).”; and

(2) in subsection (d), by striking paragraph (1) and inserting the following:

“(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program, if—

“(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

“(B) the Secretary provides to the State—

“(i) a notification of the determination of noncompliance;

“(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

“(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

“(C) the State, after the notification and period described in clauses (i) and (ii) of subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.”.

SEC. 11112. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

Section 327(j) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

“(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program if—

“(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

“(B) the Secretary provides to the State—

“(i) a notification of the determination of noncompliance;

“(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

“(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

“(C) the State, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.”.

SEC. 11113. CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.

(a) MULTIMODAL PROJECT DEFINED.—Section 139(a) of title 23, United States Code, is amended by striking paragraph (5) and inserting the following:

“(5) MULTIMODAL PROJECT.—The term ‘multimodal project’ means a project that requires approval by more than 1 Department of Transportation operating administration or secretarial office.”.

(b) APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.—Section 304 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “operating authority that is not the lead authority with respect to a project” and inserting “operating administration or secretarial office that has exper-

tise but is not the lead authority with respect to a proposed multimodal project”; and

(B) by striking paragraph (2) and inserting the following:

“(2) LEAD AUTHORITY.—The term ‘lead authority’ means a Department of Transportation operating administration or secretarial office that has the lead responsibility for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a proposed multimodal project.”;

(2) in subsection (b), by striking “under this title” and inserting “by the Secretary of Transportation”; and

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking “a categorical exclusion designated under the implementing regulations or” and inserting “a categorical exclusion designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing regulations or”; and

(ii) by striking “other components of the” and inserting “a proposed multimodal”; and

(B) by striking paragraphs (1) through (5) and inserting the following:

“(1) the lead authority makes a determination, in consultation with the cooperating authority, on the applicability of a categorical exclusion to a proposed multimodal project;

“(2) the cooperating authority does not object to the determination of the lead authority of the applicability of a categorical exclusion;

“(3) the lead authority determines that the component of the proposed multimodal project to be covered by the categorical exclusion of the cooperating authority has independent utility; and

“(4) the lead authority determines that—

“(A) the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

“(B) extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”; and

(4) by striking subsection (d) and inserting the following:

“(d) COOPERATIVE AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.”.

SEC. 11114. MODERNIZATION OF THE ENVIRONMENTAL REVIEW PROCESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall examine ways to modernize, simplify, and improve the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the Department.

(b) INCLUSIONS.—In carrying out subsection (a), the Secretary shall consider—

(1) the use of technology in the process, such as—

(A) searchable databases;

(B) geographic information system mapping tools;

(C) integration of those tools with fiscal management systems to provide more detailed data; and

(D) other innovative technologies;

(2) ways to prioritize use of programmatic environmental impact statements;

(3) methods to encourage cooperating agencies to present analyses in a concise format; and

(4) any other improvements that can be made to modernize process implementation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of

the House of Representatives a report describing the results of the review carried out under subsection (a).

SEC. 11115. SERVICE CLUB, CHARITABLE ASSOCIATION, OR RELIGIOUS SERVICE SIGNS.

Notwithstanding section 131 of title 23, United States Code, and part 750 of title 23, Code of Federal Regulations (or successor regulations), a State may allow the maintenance of a sign of a service club, charitable association, or religious service that was erected as of the date of enactment of this Act, the area of which is less than or equal to 32 square feet, if the State notifies the Federal Highway Administration.

SEC. 11116. SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.

(a) **HIGHWAYS.**—Section 138 of title 23, United States Code, is amended by adding at the end the following:

“(c) **SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.**—

“(1) **IN GENERAL.**—The Secretary shall—

“(A) align, to the maximum extent practicable, with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

“(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the ‘Council’) to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

“(2) **AVOIDANCE ALTERNATIVE ANALYSIS.**—

“(A) **IN GENERAL.**—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of an historic site, the Secretary may—

“(i) include the determination of the Secretary in the analysis required under that Act;

“(ii) provide a notice of the determination to—

“(I) each applicable State historic preservation officer and tribal historic preservation officer;

“(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

“(III) the Secretary of the Interior; and

“(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (a)(1).

“(B) **CONCURRENCE.**—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

“(C) **PUBLICATION.**—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

“(i) included in the record of decision or finding of no significant impact of the Secretary; and

“(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

“(3) **ALIGNING HISTORICAL REVIEWS.**—

“(A) **IN GENERAL.**—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of

subsection (a)(2) through the consultation requirements of section 306108 of title 54.

“(B) **SATISFACTION OF CONDITIONS.**—To satisfy the requirements of subsection (a)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.”

(b) **PUBLIC TRANSPORTATION.**—Section 303 of title 49, United States Code, is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking “subsection (d)” and inserting “subsections (d) and (e)”; and

(2) by adding at the end the following:

“(e) **SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.**—

“(1) **IN GENERAL.**—The Secretary shall—

“(A) align, to the maximum extent practicable, the requirements of this section with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

“(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the ‘Council’) to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

“(2) **AVOIDANCE ALTERNATIVE ANALYSIS.**—

“(A) **IN GENERAL.**—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of an historic site, the Secretary may—

“(i) include the determination of the Secretary in the analysis required under that Act;

“(ii) provide a notice of the determination to—

“(I) each applicable State historic preservation officer and tribal historic preservation officer;

“(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

“(III) the Secretary of the Interior; and

“(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (c)(1).

“(B) **CONCURRENCE.**—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

“(C) **PUBLICATION.**—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

“(i) included in the record of decision or finding of no significant impact of the Secretary; and

“(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

“(3) **ALIGNING HISTORICAL REVIEWS.**—

“(A) **IN GENERAL.**—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (c)(2) through the consultation requirements of section 306108 of title 54.

“(B) **SATISFACTION OF CONDITIONS.**—To satisfy the requirements of subsection (c)(2), the appli-

cable preservation officer, the Council, and the Secretary of the Interior shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.”

SEC. 11117. BRIDGE EXEMPTION FROM CONSIDERATION UNDER CERTAIN PROVISIONS.

(a) **PRESERVATION OF PARKLANDS.**—Section 138 of title 23, United States Code, as amended by section 11116, is amended by adding at the end the following:

“(d) **BRIDGE EXEMPTION FROM CONSIDERATION.**—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54, United States Code, shall be exempt from consideration under this section.”

(b) **POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.**—Section 303 of title 49, United States Code, as amended by section 11116, is amended by adding at the end the following:

“(f) **BRIDGE EXEMPTION FROM CONSIDERATION.**—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54, United States Code, shall be exempt from consideration under this section.”

SEC. 11118. ELIMINATION OF BARRIERS TO IMPROVE AT-RISK BRIDGES.

(a) **TEMPORARY AUTHORIZATION.**—

(1) **IN GENERAL.**—Until the Secretary of the Interior takes the action described in subsection (b), the take of nesting swallows to facilitate a construction project on a bridge eligible for funding under title 23, United States Code, with any component condition rating of 3 or less (as defined by the National Bridge Inventory General Condition Guidance issued by the Federal Highway Administration) is authorized under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) between April 1 and August 31.

(2) **MEASURES TO MINIMIZE IMPACTS.**—

(A) **NOTIFICATION BEFORE TAKING.**—Prior to the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains—

(i) the name of the person acting under the authority of paragraph (1) to take nesting swallows;

(ii) a list of practicable measures that will be undertaken to minimize or mitigate significant adverse impacts on the population of that species;

(iii) the time period during which activities will be carried out that will result in the taking of that species; and

(iv) an estimate of the number of birds, by species, to be taken in the proposed action.

(B) **NOTIFICATION AFTER TAKING.**—Not later than 60 days after the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains the number of birds, by species, taken in the action.

(b) **AUTHORIZATION OF TAKE.**—

(1) **IN GENERAL.**—The Secretary of the Interior, in consultation with the Secretary, shall promulgate a regulation under the authority of section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) authorizing the take of nesting swallows to facilitate bridge repair, maintenance, or construction—

(A) without individual permit requirements; and

(B) under terms and conditions determined to be consistent with treaties relating to migratory birds that protect swallow species occurring in the United States.

(2) **TERMINATION.**—On the effective date of a final rule under this subsection by the Secretary of the Interior, subsection (a) shall have no force or effect.

(c) **SUSPENSION OR WITHDRAWAL OF TAKE AUTHORIZATION.**—If the Secretary of the Interior, in consultation with the Secretary, determines that taking of nesting swallows carried out under the authority provided in subsection (a)(1) is having a significant adverse impact on swallow populations, the Secretary of the Interior may suspend that authority through publication in the Federal Register.

SEC. 11119. AT-RISK PROJECT PREAGREEMENT AUTHORITY.

(a) **DEFINITION OF PRELIMINARY ENGINEERING.**—In this section, the term “preliminary engineering” means allowable preconstruction project development and engineering costs.

(b) **AT-RISK PROJECT PREAGREEMENT AUTHORITY.**—A recipient or subrecipient of Federal-aid funds under title 23, United States Code, may—

(1) incur preliminary engineering costs for an eligible project under title 23, United States Code, before receiving project authorization from the State, in the case of a subrecipient, and the Secretary to proceed with the project; and

(2) request reimbursement of applicable Federal funds after the project authorization is received.

(c) **ELIGIBILITY.**—The Secretary may reimburse preliminary engineering costs incurred by a recipient or subrecipient under subsection (b)—

(1) if the costs meet all applicable requirements under title 23, United States Code, at the time the costs are incurred and the Secretary concurs that the requirements have been met;

(2) in the case of a project located within a designated nonattainment or maintenance area for air quality, if the conformity requirements of the Clean Air Act (42 U.S.C. 7401 et seq.) have been met; and

(3) if the costs would have been allowable if incurred after the date of the project authorization by the Department.

(d) **AT-RISK.**—A recipient or subrecipient that elects to use the authority provided under this section shall—

(1) assume all risk for preliminary engineering costs incurred prior to project authorization; and

(2) be responsible for ensuring and demonstrating to the Secretary that all applicable cost eligibility conditions are met after the authorization is received.

(e) **RESTRICTIONS.**—Nothing in this section—

(1) allows a recipient or subrecipient to use the authority under this section to advance a project beyond preliminary engineering prior to the completion of the environmental review process;

(2) waives the applicability of Federal requirements to a project other than the reimbursement of preliminary engineering costs incurred prior to an authorization to proceed in accordance with this section; or

(3) guarantees Federal funding of the project or the eligibility of the project for future Federal-aid highway funding.

Subtitle C—Miscellaneous

SEC. 11201. CREDITS FOR UNTAXED TRANSPORTATION FUELS.

(a) **DEFINITION OF QUALIFIED REVENUES.**—In this section, the term “qualified revenues” means any amounts—

(1) collected by a State—

(A) for the registration of a vehicle that operates solely on a fuel that is not subject to a Federal tax; and

(B) not sooner than the second registration period following the purchase of the vehicle; and

(2) that do not exceed, for a vehicle described in paragraph (1), an annual amount determined by the Secretary to be equal to the annual amount paid for Federal motor fuels taxes on the fuel used by an average passenger car fueled solely by gasoline.

(b) **CREDIT.**—

(1) **IN GENERAL.**—Subject to paragraph (2), if a State contributes qualified revenues to cover not less than 5 percent of the total cost of a project eligible for assistance under this title, the Federal share payable for the project under this section may be increased by an amount that is—

(A) equal to the percent of the total cost of the project from contributed qualified revenues; but

(B) not more than 5 percent of the total cost of the project.

(2) **EXPIRATION.**—The authorization of an increased Federal share for a project pursuant to paragraph (1) expires on September 30, 2023.

(c) **STUDY.**—

(1) **IN GENERAL.**—Before the expiration date of the credit under subsection (b)(2), the Secretary, in coordination with other appropriate Federal agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the most efficient and equitable means of taxing motor vehicle fuels not subject to a Federal tax as of the date of submission of the report.

(2) **REQUIREMENT.**—The means described in the report under paragraph (1) shall parallel, as closely as practicable, the structure of other Federal taxes on motor fuels.

SEC. 11202. JUSTIFICATION REPORTS FOR ACCESS POINTS ON THE INTERSTATE SYSTEM.

Section 111(e) of title 23, United States Code, is amended by inserting “(including new or modified freeway-to-crossroad interchanges inside a transportation management area)” after “the Interstate System”.

SEC. 11203. EXEMPTIONS.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(m) **NATURAL GAS VEHICLES.**—A vehicle, if operated by an engine fueled primarily by natural gas, may exceed any vehicle weight limit (up to a maximum gross vehicle weight of 82,000 pounds) under this section by an amount that is equal to the difference between—

“(1) the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and

“(2) the weight of a comparable diesel tank and fueling system.

“(n) **EMERGENCY VEHICLES.**—

“(1) **DEFINITION OF EMERGENCY VEHICLE.**—In this subsection, the term ‘emergency vehicle’ means a vehicle designed to be used under emergency conditions—

“(A) to transport personnel and equipment; and

“(B) to support the suppression of fires and mitigation of other hazardous situations.

“(2) **EMERGENCY VEHICLE WEIGHT LIMIT.**—Notwithstanding subsection (a), a State shall not enforce against an emergency vehicle a vehicle weight limit (up to a maximum gross vehicle weight of 86,000 pounds) of less than—

“(A) 24,000 pounds on a single steering axle;

“(B) 33,500 pounds on a single drive axle;

“(C) 62,000 pounds on a tandem axle; or

“(D) 52,000 pounds on a tandem rear drive steer axle.

“(o) **OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.**—If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System—

“(1) a vehicle that could legally operate on the segment before the date of the designation at

the posted speed limit may continue to operate on that segment; and

“(2) a vehicle that can only travel below the posted speed limit on the segment that could otherwise legally operate on the segment before the date of the designation may continue to operate on that segment during daylight hours.”.

SEC. 11204. HIGH PRIORITY CORRIDORS ON THE NATIONAL HIGHWAY SYSTEM.

Section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031) is amended—

(1) in subsection (c) (105 Stat. 2032; 112 Stat. 190; 119 Stat. 1213)—

(A) by striking paragraph (13) and inserting the following:

“(13) Raleigh-Norfolk Corridor from Raleigh, North Carolina, through Rocky Mount, Williamston and Elizabeth City, North Carolina, to Norfolk, Virginia.”;

(B) in paragraph (18)(D)—

(i) in clause (ii), by striking “and” at the end;

(ii) in clause (iii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iv) include Texas State Highway 44 from United States Route 59 at Freer, Texas, to Texas State Highway 358.”; and

(C) by striking paragraph (68) and inserting the following:

“(68) The Washoe County Corridor and the Intermountain West Corridor shall generally follow:

“(A) in the case of the Washoe County Corridor, along Interstate Route 580/United States Route 95/United States Route 95A, from Reno, Nevada, to Las Vegas, Nevada; and

“(B) in the case of the Intermountain West Corridor, from the vicinity of Las Vegas extending north along United States Route 95, terminating at Interstate Route 80.”; and

(D) by adding at the end the following:

“(81) United States Route 117/Interstate Route 795 from United States Route 70 in Goldsboro, Wayne County, North Carolina, to Interstate Route 40 west of Faison, Sampson County, North Carolina.

“(82) United States Route 70 from its intersection with Interstate Route 40 in Garner, Wake County, North Carolina, to the Port at Morehead City, Carteret County, North Carolina.

“(83) The Central Texas Corridor commencing at the logical terminus of Interstate 10, and generally following portions of United States Route 190 eastward passing in the vicinity Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, Woodville, and to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing.”;

(2) in subsection (e)(5)—

(A) in subparagraph (A) (109 Stat. 597; 118 Stat. 293; 119 Stat. 1213), in the first sentence—

(i) by inserting “subsection (c)(13),” after “subsection (c)(9),”; and

(ii) by striking “subsections (c)(18)” and all that follows through “(c)(36)” and inserting “subsection (c)(18), subsection (c)(20), subparagraphs (A) and (B)(i) of subsection (c)(26), subsection (c)(36)”;

(iii) by striking “and subsection (c)(57)” and inserting “subsection (c)(57), subsection (c)(68)(B), subsection (c)(81), and subsection (c)(82)”;

(B) in subparagraph (C)(i) (109 Stat. 598; 126 Stat. 427), by striking the last sentence and inserting “The routes referred to in subparagraphs (A) and (B)(i) of subsection (c)(26) and in subsection (c)(68)(B) are designated as Interstate Route I-11.”.

SEC. 11205. REPEAT INTOXICATED DRIVER LAW.

Section 164(a)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by inserting “or combination of laws” after “means a State law”.

SEC. 11206. VEHICLE-TO-INFRASTRUCTURE EQUIPMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119(d)(2)(L) of title 23, United States Code, is amended by inserting “, including the installation of interoperable vehicle-to-infrastructure communication equipment” after “capital improvements”.

(b) SURFACE TRANSPORTATION PROGRAM.—Section 133(b)(16) of title 23, United States Code, by inserting “, including the installation of interoperable vehicle-to-infrastructure communication equipment” after “capital improvements”.

SEC. 11207. RELINQUISHMENT.

A State transportation agency may relinquish park-and-ride lot facilities or portions of park-and-ride lot facilities to a local government agency for highway purposes if authorized to do so under State law.

SEC. 11208. TRANSFER AND SALE OF TOLL CREDITS.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ELIGIBLE STATE.—The term “eligible State” means a State that—

(A) is eligible to use a credit under section 120(i) of title 23, United States Code; and

(B) has been selected by the Secretary under subsection (d)(2).

(2) RECIPIENT STATE.—The term “recipient State” means a State that receives a credit by transfer or by sale under this section from an eligible State.

(b) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 1 year after the date of the establishment of a nationwide toll credit monitoring and tracking system under subsection (g), the Secretary shall establish and implement a toll credit marketplace pilot program in accordance with this section.

(c) PURPOSES.—The purposes of the pilot program established under subsection (b) are—

(1) to identify whether a monetary value can be assigned to toll credits;

(2) to identify the discounted rate of toll credits for cash;

(3) to determine if the purchase of toll credits by States provides the purchasing State budget flexibility to deal with funding issues, including off-system needs, transit systems with high operating costs, or cash flow issues; and

(4) to test the feasibility of expanding the toll credit market to allow all States to participate on a permanent basis.

(d) SELECTION OF ELIGIBLE STATES.—

(1) APPLICATION TO SECRETARY.—In order to participate in the pilot program established under subsection (b), a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) SELECTION.—Of the States that submit an application under paragraph (1), the Secretary may select not more than 10 States to be designated as an eligible State.

(e) TRANSFER OR SALE OF CREDITS.—

(1) IN GENERAL.—In carrying out the pilot program established under subsection (b), the Secretary shall provide that an eligible State may transfer or sell to a recipient State a credit not used by the eligible State under section 120(i) of title 23, United States Code.

(2) USE OF CREDITS BY TRANSFEREE OR PURCHASER.—A recipient State may use a credit received under paragraph (1) toward the non-Federal share requirement for any funds made available to carry out title 23 or chapter 53 of title 49, United States Code.

(3) CONDITION ON TRANSFER OR SALE OF CREDITS.—To receive a credit under paragraph (1), a recipient State shall enter into an agreement with the Secretary described in section 120(i) of title 23, United States Code.

(f) USE OF PROCEEDS FROM SALE OF CREDITS.—An eligible State shall use the proceeds from the sale of a credit under subsection (e)(1) for any project in the eligible State that is eligible under the surface transportation program established under section 133 of title 23, United States Code.

(g) TOLL CREDIT MONITORING AND TRACKING.—Not later than 180 days after the enactment of this section, the Secretary shall establish a nationwide toll credit monitoring and tracking system that functions as a real-time database on the inventory and use of toll credits among all States (as defined in section 101(a) of title 23, United States Code).

(h) NOTIFICATION.—Not later than 30 days after the date on which a credit is transferred or sold under subsection (e)(1), the eligible State shall submit to the Secretary in writing a notification of the transfer or sale.

(i) REPORTING REQUIREMENTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of establishment of the pilot program under subsection (b), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress of the pilot program.

(2) STATE REPORT.—

(A) REPORT BY ELIGIBLE STATE.—Not later than 30 days after a purchase or sale under subsection (e)(1), an eligible State shall submit to the Secretary a report that describes—

(i) information on the transaction;

(ii) the amount of cash received and the value of toll credits sold;

(iii) the intended use of the cash; and

(iv) an update on the remaining toll credit balance of the State.

(B) REPORT BY RECIPIENT STATE.—Not later than 30 days after a purchase or sale under subsection (e)(1), a recipient State shall submit to the Secretary a report that describes—

(i) the value of toll credits purchased;

(ii) the anticipated use of the toll credits; and

(iii) plans for maintaining maintenance of effort for spending on Federal-aid highways projects.

(3) ANNUAL REPORT.—Not later than 1 year after the date on which the pilot program under subsection (b) is established and each year thereafter that the pilot program is in effect, the Secretary shall—

(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(i) determines whether a toll credit marketplace is viable;

(ii) describes the buying and selling activities of the pilot program;

(iii) describes the monetary value of toll credits;

(iv) determines whether the pilot program could be expanded to more States or all States; and

(v) provides updated information on the toll credit balance accumulated by each State; and

(B) make the report described in subparagraph (A) publicly available on the website of the Department.

(j) TERMINATION.—The Secretary may terminate the program established under this section or the participation of any State in the program if the Secretary determines that the program is not serving a public benefit.

SEC. 11209. REGIONAL INFRASTRUCTURE ACCELERATOR DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a regional infrastructure demonstration program (referred to in this section as the “program”) to assist entities in developing improved

infrastructure priorities and financing strategies for the accelerated development of a project that is eligible for funding under the TIFIA program under chapter 6 of title 23, United States Code.

(b) DESIGNATION OF REGIONAL INFRASTRUCTURE ACCELERATORS.—In carrying out the program, the Secretary may designate regional infrastructure accelerators that will—

(1) serve a defined geographic area; and

(2) act as a resource in the geographic area to qualified entities in accordance with this section.

(c) APPLICATION.—To be eligible for a designation under subsection (b), a proposed regional infrastructure accelerator shall submit to the Secretary a proposal at such time, in such manner, and containing such information as the Secretary may require.

(d) CRITERIA.—In evaluating a proposal submitted under subsection (c), the Secretary shall consider—

(1) the need for geographic diversity among regional infrastructure accelerators; and

(2) the ability of the proposal to promote investment in covered infrastructure projects, which shall include a plan—

(A) to evaluate and promote innovative financing methods for local projects, including the use of the TIFIA program under chapter 6 of title 23, United States Code;

(B) to build capacity of State, local, and tribal governments to evaluate and structure projects involving the investment of private capital;

(C) to provide technical assistance and information on best practices with respect to financing the projects;

(D) to increase transparency with respect to infrastructure project analysis and using innovative financing for public infrastructure projects;

(E) to deploy predevelopment capital programs designed to facilitate the creation of a pipeline of infrastructure projects available for investment;

(F) to bundle smaller-scale and rural projects into larger proposals that may be more attractive for investment; and

(G) to reduce transaction costs for public project sponsors.

(e) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to Congress a report that describes the findings and effectiveness of the program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program \$12,000,000, of which the Secretary shall use—

(1) \$11,750,000 for initial grants to regional infrastructure accelerators under subsection (b); and

(2) \$250,000 for administrative costs of carrying out the program.

SEC. 11210. SONORAN CORRIDOR INTERSTATE DEVELOPMENT.

(a) FINDINGS.—Congress finds that the designation of the Sonoran Corridor Interstate connecting Interstate 19 to Interstate 10 south of the Tucson International Airport as a future part of the Interstate System would—

(1) enhance direct linkage between major trading routes connecting growing ports, agricultural regions, infrastructure and manufacturing centers, and existing high priority corridors of the National Highway System; and

(2) significantly improve connectivity on the future Interstate 11 and the CANAMEX Corridor, a route directly linking the United States with Mexico and Canada.

(b) HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1210) (as amended by section 11204) is amended by adding at the end the following:

“(84) State Route 410, the Sonoran Corridor connecting Interstate 19 to Interstate 10 south of the Tucson International Airport.”.

(c) FUTURE PARTS OF INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2033; 119 Stat. 1213) (as amended by section 11204) is amended in the first sentence by striking “and subsection (c)(82)” and inserting “subsection (c)(82), and subsection (c)(84)”.

TITLE II—TRANSPORTATION INNOVATION

Subtitle A—Research

SEC. 12001. RESEARCH, TECHNOLOGY, AND EDUCATION.

(a) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—Section 503(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (C)—

(A) in clause (xviii), by striking “and” at the end;

(B) in clause (xix), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(xx) accelerated mobile, highway-speed, bridge inspection methods that provide quantitative data-driven decisionmaking capabilities without requiring lane closures; and

“(xxi) innovative segmental wall technology for soil bank stabilization and roadway sound attenuation, and articulated technology for hydraulic shear-resistant erosion control.”; and

(2) in subparagraph (D)(i), by inserting “and section 119(e)” after “this subparagraph”.

(b) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—Section 503(c) of title 23, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “carry out” and inserting “establish and implement”;

(2) in paragraph (2)—

(A) in subparagraph (B), by striking clause (i) and inserting the following:

“(i) use not less than 50 percent of the funds authorized to carry out this subsection to make grants to, and enter into cooperative agreements and contracts with, States, other Federal agencies, local governments, metropolitan planning organizations, institutions of higher education, private sector entities, and nonprofit organizations to carry out demonstration programs that will accelerate the deployment and adoption of transportation research activities;”;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

“(C) INNOVATION GRANTS.—

“(i) IN GENERAL.—In carrying out the program established under subparagraph (B)(i), the Secretary shall establish a transparent competitive process in which entities described in subparagraph (B)(i) may submit an application to receive a grant under this subsection.

“(ii) PUBLICATION OF APPLICATION PROCESS.—A description of the application process established by the Secretary shall—

“(I) be posted on a public website;

“(II) identify the information required to be included in the application; and

“(III) identify the criteria by which the Secretary shall select grant recipients.

“(iii) SUBMISSION OF APPLICATION.—To receive a grant under this paragraph, an entity described in subparagraph (B)(i) shall submit an application to the Secretary.

“(iv) SELECTION AND APPROVAL.—The Secretary shall select and approve an application submitted under clause (iii) based on whether the project described in the application meets the goals of the program described in paragraph (1).”; and

(3) in paragraph (3)(C), by striking “each of fiscal years 2013 through 2014” and inserting “each fiscal year”.

(c) CONFORMING AMENDMENT.—Section 505(c)(1) of title 23, United States Code, is amended by striking “section 503(c)(2)(C)” and inserting “section 503 (c)(2)(D)”.

SEC. 12002. INTELLIGENT TRANSPORTATION SYSTEMS.

(a) INTELLIGENT TRANSPORTATION SYSTEMS DEPLOYMENT.—Section 513 of title 23, United States Code, is amended by adding at the end the following:

“(d) SYSTEM OPERATIONS AND ITS DEPLOYMENT GRANT PROGRAM.—

“(1) ESTABLISHMENT.—The Secretary shall establish a competitive grant program to accelerate the deployment, operation, systems management, intermodal integration, and interoperability of the ITS program and ITS-enabled operational strategies—

“(A) to measure and improve the performance of the surface transportation system;

“(B) to reduce traffic congestion and the economic and environmental impacts of traffic congestion;

“(C) to minimize fatalities and injuries;

“(D) to enhance mobility of people and goods;

“(E) to improve traveler information and services; and

“(F) to optimize existing roadway capacity.

“(2) APPLICATION.—To be eligible for a grant under this subsection, an eligible entity shall submit an application to the Secretary that includes—

“(A) a plan to deploy and provide for the long-term operation and maintenance of intelligent transportation systems to improve safety, efficiency, system performance, and return on investment, such as—

“(i) autonomous vehicle communication technologies;

“(ii) vehicle-to-vehicle or vehicle-to-infrastructure communication technologies;

“(iii) real-time integrated traffic, transit, and multimodal transportation information;

“(iv) advanced traffic, freight, parking, and incident management systems;

“(v) advanced technologies to improve transit and commercial vehicle operations;

“(vi) synchronized, adaptive, and transit preferential traffic signals;

“(vii) advanced infrastructure condition assessment technologies; and

“(viii) other technologies to improve system operations, including ITS applications necessary for multimodal systems integration and for achieving performance goals;

“(B) quantifiable system performance improvements, including—

“(i) reductions in traffic-related crashes, congestion, and costs;

“(ii) optimization of system efficiency; and

“(iii) improvement of access to transportation services;

“(C) quantifiable safety, mobility, and environmental benefit projections, including data-driven estimates of the manner in which the project will improve the efficiency of the transportation system and reduce traffic congestion in the region;

“(D) a plan for partnering with the private sector, including telecommunications industries and public service utilities, public agencies (including multimodal and multijurisdictional entities), research institutions, organizations representing transportation and technology leaders, and other transportation stakeholders;

“(E) a plan to leverage and optimize existing local and regional ITS investments; and

“(F) a plan to ensure interoperability of deployed technologies with other tolling, traffic management, and intelligent transportation systems.

“(3) SELECTION.—

“(A) IN GENERAL.—Effective beginning not later than 1 year after the date of enactment of

the DRIVE Act, the Secretary may provide grants to eligible entities under this subsection.

“(B) GEOGRAPHIC DIVERSITY.—In awarding a grant under this subsection, the Secretary shall ensure, to the maximum extent practicable, that grant recipients represent diverse geographical areas of the United States, including urban, suburban, and rural areas.

“(C) NON-FEDERAL SHARE.—In awarding a grant under the subsection, the Secretary shall give priority to grant recipients that demonstrate an ability to contribute a significant non-Federal share to the cost of carrying out the project for which the grant is received.

“(4) ELIGIBLE USES.—Projects for which grants awarded under this subsection may be used include—

“(A) the deployment of autonomous vehicle communication technologies;

“(B) the deployment of vehicle-to-vehicle or vehicle-to-infrastructure communication technologies;

“(C) the establishment and implementation of ITS and ITS-enabled operations strategies that improve performance in the areas of—

“(i) traffic operations;

“(ii) emergency response to surface transportation incidents;

“(iii) incident management;

“(iv) transit and commercial vehicle operations improvements;

“(v) weather event response management by State and local authorities;

“(vi) surface transportation network and facility management;

“(vii) construction and work zone management;

“(viii) traffic flow information;

“(ix) freight management; and

“(x) congestion management;

“(D) carrying out activities that support the creation of networks that link metropolitan and rural surface transportation systems into an integrated data network, capable of collecting, sharing, and archiving transportation system traffic condition and performance information;

“(E) the implementation of intelligent transportation systems and technologies that improve highway safety through information and communications systems linking vehicles, infrastructure, mobile devices, transportation users, and emergency responders;

“(F) the provision of services necessary to ensure the efficient operation and management of ITS infrastructure, including costs associated with communications, utilities, rent, hardware, software, labor, administrative costs, training, and technical services;

“(G) the provision of support for the establishment and maintenance of institutional relationships between transportation agencies, police, emergency medical services, private emergency operators, freight operators, shippers, public service utilities, and telecommunications providers;

“(H) carrying out multimodal and cross-jurisdictional planning and deployment of regional transportation systems operations and management approaches; and

“(I) performing project evaluations to determine the costs, benefits, lessons learned, and future deployment strategies associated with the deployment of intelligent transportation systems.

“(5) REPORT TO SECRETARY.—For each fiscal year that an eligible entity receives a grant under this subsection, not later than 1 year after receiving the grant, each recipient shall submit to the Secretary a report that describes how the project has met the expectations projected in the deployment plan submitted with the application, including information on—

“(A) how the program has helped reduce traffic crashes, congestion, costs, and other benefits of the deployed systems;

“(B) the effect of measuring and improving transportation system performance through the deployment of advanced technologies;

“(C) the effectiveness of providing real-time integrated traffic, transit, and multimodal transportation information to the public that allows the public to make informed travel decisions; and

“(D) lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.

“(6) REPORT TO CONGRESS.—Not later than 2 years after the date on which the first grant is awarded under this subsection and annually thereafter for each fiscal year for which grants are awarded under this subsection, the Secretary shall submit to Congress a report that describes the effectiveness of the grant recipients in meeting the projected deployment plan goals, including data on how the grant program has—

“(A) reduced traffic-related fatalities and injuries;

“(B) reduced traffic congestion and improved travel-time reliability;

“(C) reduced transportation-related emissions;

“(D) optimized multimodal system performance;

“(E) improved access to transportation alternatives;

“(F) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;

“(G) provided cost savings to transportation agencies, businesses, and the traveling public; and

“(H) provided other benefits to transportation users and the general public.

“(7) ADDITIONAL GRANTS.—If the Secretary determines, based on a report submitted under paragraph (5), that a grant recipient is not complying with the established grant criteria, the Secretary may—

“(A) cease payment to the recipient of any remaining grant amounts; and

“(B) redistribute any remaining amounts to other eligible entities under this section.

“(8) NON-FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is provided under this subsection shall not exceed 50 percent of the cost of the project.

“(9) FUNDING.—Of the funds made available each fiscal year to carry out the intelligent transportation system program under sections 512 through 518, not less than \$30,000,000 shall be used to carry out this subsection.”.

(b) INTELLIGENT TRANSPORTATION SYSTEMS GOALS AND PURPOSES.—Section 514(a) of title 23, United States Code, is amended—

(1) in paragraph (4), by striking “and” at the end; and

(2) by striking paragraph (5) and inserting the following:

“(5) improvement of the ability of the United States to respond to security-related or other manmade emergencies and natural disasters; and

“(6) enhancement of the freight system of the United States and support to freight policy goals by conducting heavy duty vehicle demonstration activities and accelerating adoption of ITS applications in freight operations.”.

(c) ITS ADVISORY COMMITTEE REPORT.—Section 515(h)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by striking “February 1 of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012” and inserting “May 1 of each year”.

SEC. 12003. FUTURE INTERSTATE STUDY.

(a) FINDINGS.—Congress finds that—

(1) a well-developed system of transportation infrastructure is critical to the economic well-

being, health, and welfare of the people of the United States;

(2) the 47,000-mile national Interstate System is the backbone to that transportation infrastructure system; and

(3) as of the date of enactment of this Act—

(A) many segments of the approximately 60-year-old Interstate System are well beyond the 50-year design life of the System and yet these aging facilities are central to the transportation infrastructure system, carrying 25 percent of the vehicle traffic of the United States on just 1 percent of the total public roadway mileage;

(B) the need for ongoing maintenance, preservation, and reconstruction of the Interstate System has grown due to increasing and changing travel demands; and

(C) simple maintenance of the current condition and configuration of the Interstate System is insufficient for the System to fully serve the transportation needs of the United States for the next 50 years.

(b) FUTURE INTERSTATE SYSTEM STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study on the actions needed to upgrade and restore the Dwight D. Eisenhower National System of Interstate and Defense Highways to its role as a premier system network that meets the growing and shifting demands of the 21st century and for the next 50 years (referred to in this section as the “study”).

(c) METHODOLOGIES.—In conducting the study, the Transportation Research Board shall build on the methodologies examined and recommended in the report prepared for the American Association of State Highway and Transportation Officials entitled “National Cooperative Highway Research Program Project 20–24(79): Specifications for a National Study of the Future 3R, 4R, and Capacity Needs of the Interstate System” and dated December 2013.

(d) RECOMMENDATIONS.—The study—

(1) shall include specific recommendations regarding the features, standards, capacity needs, application of technologies, and intergovernmental roles to upgrade the Interstate System, including any revisions to law (including regulations) that the Transportation Research Board determines appropriate to achieve the goals; and

(2) is encouraged to build on the robust institutional knowledge in the highway industry in applying the techniques involved in implementing the study.

(e) CONSIDERATIONS.—In carrying out the study, the Transportation Research Board shall determine the need for reconstruction and improvement of the Interstate System by considering—

(1) future demands on transportation infrastructure determined for national planning purposes, including commercial and private traffic flows to serve future economic activity and growth;

(2) the expected condition of the current Interstate System over the next 50 years, including long-term deterioration and reconstruction needs;

(3) those National Highway System routes that should be added to the existing Interstate System to more efficiently serve national traffic flows;

(4) features that would take advantage of technological capabilities to address modern standards of construction, maintenance, and operations, for purposes of safety, and system management, taking into further consideration system performance and cost; and

(5) the resources necessary to maintain and improve the Interstate System, including the resources required to upgrade those National

Highway System routes identified in paragraph (3) to Interstate standards.

(f) CONSULTATION.—In carrying out the study, the Transportation Research Board—

(1) shall convene and consult with a panel of national experts including current and future owners, operators, and users of the Interstate System and private sector stakeholders; and

(2) is encouraged to consult with—

(A) the Federal Highway Administration;

(B) States;

(C) planning agencies at the metropolitan, State, and regional levels;

(D) the motor carrier industry;

(E) freight shippers;

(F) highway safety groups; and

(G) other appropriate entities.

(g) REPORT.—Not later than 3 years after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study conducted under this section.

(h) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Secretary shall use up to \$5,000,000 for fiscal year 2016 to carry out this section.

SEC. 12004. RESEARCHING SURFACE TRANSPORTATION SYSTEM FUNDING ALTERNATIVES.

(a) IN GENERAL.—The Secretary shall promote the research of user-based alternative revenue mechanisms that preserve a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

(b) OBJECTIVES.—The objectives of the research described in subsection (a) shall be—

(1) to study uncertainties relating to the design, acceptance, and implementation of 2 or more future user-based alternative revenue mechanisms;

(2) to define the functionality of those user-based alternative revenue mechanisms;

(3) to conduct or promote research activities to demonstrate and test those user-based alternative revenue mechanisms, including by conducting field trials, by partnering with individual States, groups of States, or other appropriate entities to conduct the research activities;

(4) to conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and provide information on possible approaches;

(5) to provide recommendations regarding adoption and implementation of those user-based alternative revenue mechanisms; and

(6) to minimize the administrative cost of any potential user-based alternative revenue mechanisms.

(c) GRANTS.—The Secretary shall provide grants to individual States, groups of States, or other appropriate entities to conduct research that addresses—

(1) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of a user-based alternative revenue mechanism;

(2) the protection of personal privacy;

(3) the use of independent and private third-party vendors to collect fees and operate the user-based alternative revenue mechanism;

(4) equity concerns, including the impacts of the user-based alternative revenue mechanism on differing income groups, various geographic areas, and the relative burdens on rural and urban drivers;

(5) ease of compliance for different users of the transportation system;

(6) the reliability and security of technology used to implement the user-based alternative revenue mechanism;

(7) the flexibility and choices of user-based alternative revenue mechanisms, including the ability of users to select from various technology and payment options;

(8) the cost of administering the user-based alternative revenue mechanism; and

(9) the ability of the administering entity to audit and enforce user compliance.

(d) **ADVISORY COUNCIL.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, shall establish and lead a Surface Transportation Revenue Alternatives Advisory Council (referred to in this subsection as the “Council”) to inform the selection and evaluation of user-based alternative revenue mechanisms.

(2) **MEMBERSHIP.**—

(A) **IN GENERAL.**—The members of the Council shall—

(i) be appointed by the Secretary; and

(ii) include, at a minimum—

(I) representatives with experience in user-based alternative revenue mechanisms, of which—

(aa) not fewer than 1 shall be from the Department;

(bb) not fewer than 1 shall be from the Department of the Treasury; and

(cc) not fewer than 2 shall be from State departments of transportation;

(II) representatives from applicable users of the surface transportation system; and

(III) appropriate technology and public privacy experts.

(B) **GEOGRAPHIC CONSIDERATIONS.**—The Secretary shall consider geographic diversity when selecting members under this paragraph.

(3) **FUNCTIONS.**—Not later than 1 year after the date on which the Council is established, the Council shall, at a minimum—

(A) define the functionality of 2 or more user-based alternative revenue mechanisms;

(B) identify technological, administrative, institutional, privacy, and other issues that—

(i) are associated with the user-based alternative revenue mechanisms; and

(ii) may be researched through research activities;

(C) conduct public outreach to identify and assess questions and concerns about the user-based alternative revenue mechanisms for future evaluation through research activities; and

(D) provide recommendations to the Secretary on the process and criteria used for selecting research activities under subsection (c).

(4) **EVALUATIONS.**—The Council shall conduct periodic evaluations of the research activities that have received assistance from the Secretary under this section.

(5) **APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Council shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **BIENNIAL REPORTS.**—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until the completion of the research activities under this section, the Secretary shall submit to the Secretary of the Treasury, the Committee on Finance and the Committee on Environment and Public Works of the Senate, and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the progress of the research activities.

(f) **FINAL REPORT.**—On the completion of the research activities under this section, the Secretary and the Secretary of the Treasury, acting jointly, shall submit to the Committee on Finance and the Committee on Environment and Public Works of the Senate and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House

of Representatives a report describing the results of the research activities and any recommendations.

(g) **FUNDING.**—Of the funds authorized to carry out section 503(b) of title 23, United States Code—

(1) \$15,000,000 shall be used to carry out this section in fiscal year 2016; and

(2) \$20,000,000 shall be used to carry out this section in each of fiscal years 2017 through 2021.

Subtitle B—Data

SEC. 12101. TRIBAL DATA COLLECTION.

Section 201(c)(6) of title 23, United States Code, is amended by adding at the end the following:

“(C) **TRIBAL DATA COLLECTION.**—In addition to the data to be collected under subparagraph (A), not later than 90 days after the end of each fiscal year, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

“(i) The names of projects or activities carried out by the entity under the tribal transportation program during the preceding fiscal year.

“(ii) A description of the projects or activities identified under clause (i).

“(iii) The current status of the projects or activities identified under clause (i).

“(iv) An estimate of the number of jobs created and the number of jobs retained by the projects or activities identified under clause (i).”.

SEC. 12102. PERFORMANCE MANAGEMENT DATA SUPPORT PROGRAM.

(a) **PERFORMANCE MANAGEMENT DATA SUPPORT.**—The Administrator of the Federal Highway Administration shall develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations, States, and the Federal Highway Administration in carrying out performance management analyses (including the performance management requirements under section 150 of title 23, United States Code).

(b) **INCLUSIONS.**—The data analysis activities authorized under subsection (a) may include—

(1) collecting and distributing vehicle probe data describing traffic on Federal-aid highways;

(2) collecting household travel behavior data to assess local and cross-jurisdictional travel, including to accommodate external and through travel;

(3) enhancing existing data collection and analysis tools to accommodate performance measures, targets, and related data, so as to better understand trip origin and destination, trip time, and mode;

(4) enhancing existing data analysis tools to improve performance predictions and travel models in reports described in section 150(e) of title 23, United States Code; and

(5) developing tools—

(A) to improve performance analysis; and

(B) to evaluate the effects of project investments on performance.

(c) **FUNDING.**—From amounts authorized to carry out the Highway Research and Development Program, the Administrator may use up to \$10,000,000 for each of fiscal years 2016 through 2021 to carry out this section.

Subtitle C—Transparency and Best Practices

SEC. 12201. EVERY DAY COUNTS INITIATIVE.

(a) **IN GENERAL.**—It is in the national interest for the Department, State departments of transportation, and all other recipients of Federal transportation funds—

(1) to identify, accelerate, and deploy innovation aimed at shortening project delivery, enhancing the safety of the roadways of the United States, and protecting the environment;

(2) to ensure that the planning, design, engineering, construction, and financing of transportation projects is done in an efficient and effective manner;

(3) to promote the rapid deployment of proven solutions that provide greater accountability for public investments and encourage greater private sector involvement; and

(4) to create a culture of innovation within the highway community.

(b) **EVERY DAY COUNTS INITIATIVE.**—To advance the policy described in subsection (a), the Administrator of the Federal Highway Administration (referred to in this section as the “Administrator”) shall continue the Every Day Counts initiative to work with States, local transportation agencies, and industry stakeholders to identify and deploy proven innovative practices and products that—

(1) accelerate innovation deployment;

(2) shorten the project delivery process;

(3) improve environmental sustainability;

(4) enhance roadway safety; and

(5) reduce congestion.

(c) **INNOVATION DEPLOYMENT.**—

(1) **IN GENERAL.**—At least every 2 years, the Administrator shall work collaboratively with stakeholders to identify a new collection of innovations, best practices, and data to be deployed to highway stakeholders through case studies, webinars, and demonstration projects.

(2) **REQUIREMENTS.**—In identifying a collection described in paragraph (1), the Secretary shall take into account market readiness, impacts, benefits, and ease of adoption of the innovation or practice.

(d) **PUBLICATION.**—Each collection identified under subsection (c) shall be published by the Administrator on a publicly available website.

SEC. 12202. DEPARTMENT OF TRANSPORTATION PERFORMANCE MEASURES.

(a) **PERFORMANCE MEASURES.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the heads of other Federal agencies with responsibility for the review and approval of projects funded under title 23, United States Code, shall measure and report on—

(1) the progress made toward aligning Federal reviews of projects funded under title 23, United States Code, and the improvement of project delivery associated with those projects; and

(2) as applicable, the effectiveness of the Department in achieving the goals described in section 150(b) of title 23, United States Code, through discretionary programs.

(b) **REPORT.**—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

(c) **INSPECTOR GENERAL REPORT.**—Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

SEC. 12203. GRANT PROGRAM FOR ACHIEVEMENT IN TRANSPORTATION FOR PERFORMANCE AND INNOVATION.

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE ENTITY.**—The term “eligible entity” includes—

(A) a State;

(B) a unit of local government;

(C) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)); and

(d) a metropolitan planning organization.

(2) STATE.—The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory (as defined in section 165(c)(1) of title 23, United States Code).

(b) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a competitive grant program to reward—

(1) achievement in transportation performance management; and

(2) the implementation of strategies that achieve innovation and efficiency in surface transportation.

(c) PURPOSE.—The purpose of the program under this section shall be to reward entities for the implementation of policies and procedures that—

(1) support performance-based management of the surface transportation system and improve transportation outcomes; or

(2) use innovative technologies and practices that improve the efficiency and performance of the surface transportation system.

(d) APPLICATION.—

(1) IN GENERAL.—An eligible entity may submit to the Secretary an application for a grant under this section.

(2) CONTENTS.—An application under paragraph (1) shall indicate the means by which the eligible entity has met the requirements and purpose of the program under this section, including by—

(A) establishing, and making progress toward achieving, performance targets that exceed the requirements of title 23, United States Code;

(B) using innovative techniques and practices that enhance the effective movement of people, goods, and services, such as technologies that reduce construction time, improve operational efficiencies, and extend the service life of highways and bridges; and

(C) employing transportation planning tools and procedures that improve transparency and the development of transportation investment strategies within the jurisdiction of the eligible entity.

(e) EVALUATION CRITERIA.—In awarding a grant under this section, the Secretary shall take into consideration the extent to which the application of the applicable eligible entity under subsection (d)—

(1) demonstrates performance in meeting the requirements of subsection (c); and

(2) promotes the national goals described in section 150(b) of title 23, United States Code.

(f) ELIGIBLE ACTIVITIES.—Amounts made available to carry out this section shall be used for projects eligible for funding under—

(1) title 23, United States Code; or

(2) chapter 53 of title 49, United States Code.

(g) LIMITATION.—The amount of a grant under this section shall be not more than \$15,000,000.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated out of the general fund of the Treasury to carry out this section \$150,000,000 for each of fiscal years 2016 through 2021, to remain available until expended.

(2) ADMINISTRATIVE COSTS.—The Secretary shall withhold a reasonable amount of funds made available under paragraph (1) for administration of the program under this section, not to exceed 3 percent of the amount appropriated for each applicable fiscal year.

(i) APPLICABILITY OF REQUIREMENTS.—Amounts made available under this section shall be administered as if the funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 12204. HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

“(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORT.—

“(1) PUBLICLY AVAILABLE REPORT.—Not later than 180 days after the date of enactment of the DRIVE Act and quarterly thereafter, the Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway program funds made available under this title.

“(2) REQUIREMENTS.—The Secretary shall ensure that the reports required under this subsection are made available in a user-friendly manner on the public website of the Department of Transportation and can be searched and downloaded by users of the website.

“(3) CONTENTS OF REPORT.—

“(A) APPORTIONED AND ALLOCATED PROGRAMS.—For each fiscal year, the report shall include comprehensive data for each program, organized by State, that includes—

“(i) the total amount of funds available for obligation, identifying the unobligated balance of funds available at the end of the preceding fiscal year and new funding available for the current fiscal year;

“(ii) the total amount of funding obligated during the current fiscal year;

“(iii) the remaining amount of funds available for obligation;

“(iv) changes in the obligated, unexpended balance during the current fiscal year, including the obligated, unexpended balance at the end of the preceding fiscal year and current fiscal year expenditures; and

“(v) the percentage of the total amount of obligations for the current fiscal year used for construction and the total amount obligated during the current fiscal year for rehabilitation.

“(B) PROJECT DATA.—To the maximum extent practicable, the report shall include project-specific data, including data describing—

“(i) the specific location of a project;

“(ii) whether the project is located in an area of the State with a population of—

“(I) less than 5,000 individuals;

“(II) 5,000 or more individuals but less than 50,000 individuals; or

“(III) 50,000 or more individuals;

“(iii) the total cost of the project;

“(iv) the amount of Federal funding being used on the project;

“(v) the 1 or more programs from which Federal funds are obligated on the project;

“(vi) the type of improvement being made, such as categorizing the project as—

“(I) a road reconstruction project;

“(II) a new road construction project;

“(III) a new bridge construction project;

“(IV) a bridge rehabilitation project; or

“(V) a bridge replacement project; and

“(vii) the ownership of the highway or bridge.

“(C) TRANSFERS BETWEEN PROGRAMS.—The report shall include a description of the amount of funds transferred between programs by each State under section 126.”.

(b) CONFORMING AMENDMENT.—Section 1503 of MAP-21 (23 U.S.C. 104 note; Public Law 112-141) is amended by striking subsection (c).

SEC. 12205. REPORT ON HIGHWAY TRUST FUND ADMINISTRATIVE EXPENDITURES.

(a) INITIAL REPORT.—Not later than 150 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing the administrative expenses of the Federal Highway Administration funded from the Highway Trust Fund during the 3 most recent fiscal years.

(b) UPDATES.—Not later than 5 years after the date on which the report is submitted under subsection (a) and every 5 years thereafter, the Comptroller General shall submit to Congress a report that updates the information provided in the report under that subsection for the preceding 5-year period.

(c) INCLUSIONS.—Each report submitted under subsection (a) or (b) shall include a description of the—

(1) types of administrative expenses of programs and offices funded by the Highway Trust Fund;

(2) tracking and monitoring of administrative expenses;

(3) controls in place to ensure that funding for administrative expenses is used as efficiently as practicable; and

(4) flexibility of the Department to reallocate amounts from the Highway Trust Fund between full-time equivalent employees and other functions.

SEC. 12206. AVAILABILITY OF REPORTS.

(a) IN GENERAL.—The Secretary shall make available to the public on the website of the Department any report required to be submitted by the Secretary to Congress after the date of enactment of this Act.

(b) DEADLINE.—Each report described in subsection (a) shall be made available on the website not later than 30 days after the report is submitted to Congress.

SEC. 12207. PERFORMANCE PERIOD ADJUSTMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119 of title 23, United States Code, is amended—

(1) in subsection (e)(7), by striking “for 2 consecutive reports submitted under this paragraph shall include in the next report submitted” and inserting “shall include as part of the performance target report under section 150(e)”; and

(2) in subsection (f)(1)(A), by striking “If, during 2 consecutive reporting periods, the condition of the Interstate System, excluding bridges on the Interstate System, in a State falls” and inserting “If a State reports that the condition of the Interstate System, excluding bridges on the Interstate System, has fallen”.

(b) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—Section 148(i) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “performance targets of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets” and inserting “safety performance targets of the State established under section 150(d)”; and

(2) in paragraphs (1) and (2), by inserting “safety” before “performance targets” each place it appears.

SEC. 12208. DESIGN STANDARDS.

(a) IN GENERAL.—Section 109 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “may take into account” and inserting “shall consider”; and

(ii) in subparagraph (C), by striking “access for” and inserting “access and safety for”; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking “and” at the end;

(ii) by redesignating subparagraph (D) as subparagraph (F); and

(iii) by inserting after subparagraph (C) the following:

“(D) the publication entitled ‘Highway Safety Manual’ of the American Association of State Highway and Transportation Officials;

“(E) the publication entitled ‘Urban Street Design Guide’ of the National Association of City Transportation Officials; and”;

(2) in subsection (f), by inserting “pedestrian walkways,” after “bikeways,”; and

(3) by adding at the end the following:

“(s) SAFETY FOR MOTORIZED AND NON-MOTORIZED USERS.—

“(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this subsection, the

Secretary shall establish standards to ensure that the design of Federal surface transportation projects provides for the safe and adequate accommodation (as determined by the State or other direct recipient of funds), in all phases of project planning, development, and operation, of all users of the transportation network, including motorized and nonmotorized users.

“(2) **WAIVER FOR STATE LAW OR POLICY.**—The Secretary may waive the application of standards established under paragraph (1) to a State that has adopted a law or policy that provides for the safe and adequate accommodation (as determined by the State or other direct recipient of funds), in all phases of project planning and development, of users of the transportation network on federally funded surface transportation projects.

“(3) **COMPLIANCE.**—

“(A) **IN GENERAL.**—Each State department of transportation shall submit a report to the Secretary, at such time, in such manner, and containing such information as the Secretary shall require, that describes measures implemented by the State to comply with this subsection.

“(B) **DETERMINATION BY SECRETARY.**—Upon the receipt of a report from a State under subparagraph (A), the Secretary shall determine whether the State is in compliance with this section.”

(b) **DESIGN STANDARD FLEXIBILITY.**—Notwithstanding section 109(o) of title 23, United States Code, a local jurisdiction may use a roadway design guide that is different from the roadway design guide used by the State in which the local jurisdiction is located for the design of projects on all roadways under the ownership of the local jurisdiction (other than a highway on the Interstate System) if—

(1) the local jurisdiction is the project sponsor;

(2) the roadway design guide—

(A) is recognized by the Federal Highway Administration; and

(B) is adopted by the local jurisdiction; and

(3) the design complies with all other applicable Federal laws.

TITLE III—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

SEC. 13001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.

(a) **DEFINITIONS.**—Section 601(a) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “In this chapter, the” and inserting “The”; and

(B) by inserting “to sections 601 through 609” after “apply”;

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) capitalizing a rural projects fund using the proceeds of a secured loan made to a State infrastructure bank in accordance with sections 602 and 603, for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.”;

(3) in paragraph (3), by striking “this chapter” and inserting “the TIFIA program”;

(4) in paragraph (10)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting “related” before “projects”;

(ii) by striking “(which shall receive an investment grade rating from a rating agency)”;

(B) in subparagraph (A), by striking “subject to the availability of future funds being made available to carry out this chapter;” and inserting “subject to—

“(i) the availability of future funds being made available to carry out the TIFIA program; and

“(ii) the satisfaction of all of the conditions for the provision of credit assistance under the TIFIA program, including section 603(b)(1);”;

and

(C) in subparagraph (D)—

(i) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(ii) by inserting after clause (i) the following:

“(ii) receiving an investment grade rating from a rating agency.”;

(iii) in clause (iii) (as so redesignated), by striking “section 602(c)” and inserting “including sections 602(c) and 603(b)(1)”;

and

(iv) in clause (iv) (as so redesignated), by striking “this chapter” and inserting “the TIFIA program”;

(5) in paragraph (12)—

(A) in subparagraph (D)(iv), by striking the period at the end and inserting “; and”; and

(B) by adding at the end the following:

“(E) a project to improve or construct public infrastructure that is located within walking distance of, and accessible to, a fixed guideway transit facility, passenger rail station, intercity bus station, or intermodal facility, including a transportation, public utility, and capital project described in section 5302(3)(G)(v) of title 49, and related infrastructure;

“(F) a project for the acquisition of plant and wildlife habitat pursuant to a conservation plan that—

“(i) has been approved by the Secretary of the Interior pursuant to section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539); and

“(ii) as determined by the Secretary of the Interior, would mitigate the environmental impacts of transportation infrastructure projects otherwise eligible for assistance under the TIFIA program; and

“(G) the capitalization of a rural projects fund by a State infrastructure bank with the proceeds of a secured loan made in accordance with sections 602 and 603, for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.”;

(6) in paragraph (15), by striking “means” and all that follows through the period at the end and inserting “means a surface transportation infrastructure project located in an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.”;

(7) by redesignating paragraphs (16), (17), (18), (19), and (20) as paragraphs (17), (18), (20), (21), and (22), respectively;

(8) by inserting after paragraph (15) the following:

“(16) **RURAL PROJECTS FUND.**—The term “rural projects fund” means a fund—

“(A) established by a State infrastructure bank in accordance with section 610(d)(4);

“(B) capitalized with the proceeds of a secured loan made to the bank in accordance with sections 602 and 603; and

“(C) for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.”;

(9) by inserting after paragraph (18) (as redesignated) the following:

“(19) **STATE INFRASTRUCTURE BANK.**—The term “State infrastructure bank” means an infrastructure bank established under section 610.”;

(10) in paragraph (22) (as redesignated), by inserting “established under sections 602 through 609” after “Department”.

(b) **DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.**—Section 602 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “this chapter” and inserting “the TIFIA program”;

(B) in paragraph (2)(A), by striking “this chapter” and inserting “the TIFIA program”;

(C) in paragraph (3), by striking “this chapter” and inserting “the TIFIA program”;

(D) in paragraph (5)—

(i) by striking the heading and inserting “ELIGIBLE PROJECT COST PARAMETERS.”;

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking “subparagraph (B), to be eligible for assistance under this chapter, a project” and inserting “subparagraphs (B) and (C), a project under the TIFIA program”;

(II) by striking clause (i) and inserting the following:

“(i) \$50,000,000; and”; and

(III) in clause (ii), by striking “assistance”; and

(iii) in subparagraph (B)—

(I) by striking the subparagraph designation and heading and all that follows through “In the case” and inserting the following:

“(B) **EXCEPTIONS.**—

“(i) **INTELLIGENT TRANSPORTATION SYSTEMS.**—In the case”; and

(II) by adding at the end the following:

“(ii) **TRANSIT-ORIENTED DEVELOPMENT PROJECTS.**—In the case of a project described in section 601(a)(12)(E), eligible project costs shall be reasonably anticipated to equal or exceed \$10,000,000.

“(iii) **RURAL PROJECTS.**—In the case of a rural infrastructure project or a project capitalizing a rural projects fund, eligible project costs shall be reasonably anticipated to equal or exceed \$10,000,000, but not to exceed \$100,000,000.

“(iv) **LOCAL INFRASTRUCTURE PROJECTS.**—Eligible project costs shall be reasonably anticipated to equal or exceed \$10,000,000 in the case of projects or programs of projects—

“(I) in which the applicant is a local government, public authority, or instrumentality of local government;

“(II) located on a facility owned by a local government; or

“(III) for which the Secretary determines that a local government is substantially involved in the development of the project.”;

(E) in paragraph (9), in the matter preceding subparagraph (A), by striking “this chapter” and inserting “the TIFIA program”;

and

(F) in paragraph (10)—

(i) by striking “To be eligible” and inserting the following:

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), to be eligible”;

(ii) by striking “this chapter” each place it appears and inserting “the TIFIA program”;

(iii) by striking “not later than” and inserting “no later than”; and

(iv) by adding at the end the following:

“(B) **RURAL PROJECTS FUND.**—In the case of a project capitalizing a rural projects fund, the State infrastructure bank shall demonstrate, not later than 2 years after the date on which a secured loan is obligated for the project under the TIFIA program, that the bank has executed a loan agreement with a borrower for a rural infrastructure project in accordance with section 610. After the demonstration is made, the bank may draw upon the secured loan. At the end of the 2-year period, to the extent the bank has not used the loan commitment, the Secretary may extend the term of the loan or withdraw the loan commitment.”;

(2) in subsection (b), by striking paragraph (2) and inserting the following:

“(2) **MASTER CREDIT AGREEMENTS.**—

“(A) **PROGRAM OF RELATED PROJECTS.**—The Secretary may enter into a master credit agreement for a program of related projects secured by a common security pledge on terms acceptable to the Secretary.

“(B) **ADQUATE FUNDING NOT AVAILABLE.**—If the Secretary fully obligates funding to eligible

projects for a fiscal year and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait to execute a credit instrument until the fiscal year for which additional funds are available to receive credit assistance.”;

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking “this chapter” and inserting “the TIFIA program”; and

(4) in subsection (e), by striking “this chapter” and inserting “the TIFIA program”.

(c) SECURED LOAN TERMS AND LIMITATIONS.—Section 603(b) of title 23, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking “The amount of” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of”; and

(B) by adding at the end the following:

“(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the maximum amount of a secured loan made to a State infrastructure bank shall be determined in accordance with section 602(a)(5)(B)(iii).”;

(2) in paragraph (3)(A)(i)—

(A) in subclause (III), by striking “or” at the end;

(B) in subclause (IV), by striking “and” at the end and inserting “or”; and

(C) by adding at the end the following:

“(V) in the case of a secured loan for a project capitalizing a rural projects fund, any other dedicated revenue sources available to a State infrastructure bank, including repayments from loans made by the bank for rural infrastructure projects; and”;

(3) in paragraph (4)(B)—

(A) in clause (i), by striking “under this chapter” and inserting “or a rural projects fund under the TIFIA program”; and

(B) in clause (ii), by inserting “and rural project funds” after “rural infrastructure projects”;

(4) in paragraph (5)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A), by striking “The final” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the final”; and

(C) by adding at the end the following:

“(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the final maturity date of the secured loan shall not exceed 35 years after the date on which the secured loan is obligated.”;

(5) in paragraph (8), by striking “this chapter” and inserting “the TIFIA program”; and

(6) in paragraph (9)—

(A) by striking “The total Federal assistance provided on a project receiving a loan under this chapter” and inserting the following:

“(A) IN GENERAL.—The total Federal assistance provided for a project receiving a loan under the TIFIA program”; and

(B) by adding at the end the following:

“(B) RURAL PROJECTS FUND.—A project capitalizing a rural projects fund shall satisfy clause (i) through compliance with the Federal share requirement described in section 610(e)(3)(B).”.

(d) PROGRAM ADMINISTRATION.—Section 605 of title 23, United States Code, is amended—

(1) by striking “this chapter” each place it appears and inserting “the TIFIA program”; and

(2) by adding at the end the following:

“(f) ASSISTANCE TO SMALL PROJECTS.—

“(1) RESERVATION OF FUNDS.—Of the funds made available to carry out the TIFIA program

for each fiscal year, and after the set-aside under section 608(a)(6), not less than \$2,000,000 shall be made available for the Secretary to use in lieu of fees collected under subsection (b) for projects under the TIFIA program having eligible project costs that are reasonably anticipated not to equal or exceed \$75,000,000.

“(2) RELEASE OF FUNDS.—Any funds not used under paragraph (1) shall be made available on October 1 of the following fiscal year to provide credit assistance to any project under the TIFIA program.”.

(e) STATE AND LOCAL PERMITS.—Section 606 of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking “this chapter” and inserting “the TIFIA program”.

(f) REGULATIONS.—Section 607 of title 23, United States Code, is amended by striking “this chapter” and inserting “the TIFIA program”.

(g) FUNDING.—Section 608 of title 23, United States Code, is amended—

(1) by striking “this chapter” each place it appears and inserting “the TIFIA program”; and

(2) in subsection (a)—

(A) in paragraph (2), by inserting “of” after “504(f)”; and

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting “or rural projects funds” after “rural infrastructure projects”; and

(ii) in subparagraph (B), by inserting “or rural projects funds” after “rural infrastructure projects”;

(C) by striking paragraph (4) and redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively; and

(D) in paragraph (5) (as so redesignated), by striking “0.50 percent” and inserting “1.5 percent”.

(h) REPORTS TO CONGRESS.—Section 609 of title 23, United States Code, is amended by striking “this chapter (other than section 610)” each place it appears and inserting “the TIFIA program”.

(i) STATE INFRASTRUCTURE BANK PROGRAM.—Section 610 of title 23, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

“(11) RURAL INFRASTRUCTURE PROJECT.—The term ‘rural infrastructure project’ has the meaning given the term in section 601.

“(12) RURAL PROJECTS FUND.—The term ‘rural projects fund’ has the meaning given the term in section 601.”;

(2) in subsection (d)—

(A) in paragraph (1)(A), by striking “each of fiscal years” and all that follows through the end of subparagraph (A) and inserting “each fiscal year under each of paragraphs (1), (2), and (5) of section 104(b); and”;

(B) in paragraph (2), by striking “in each of fiscal years 2005 through 2009” and inserting “in each fiscal year”;

(C) in paragraph (3), by striking “in each of fiscal years 2005 through 2009” and inserting “in each fiscal year”;

(D) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively;

(E) by inserting after paragraph (3) the following:

“(4) RURAL PROJECTS FUND.—Subject to subsection (j), the Secretary may permit a State entering into a cooperative agreement under this section to establish a State infrastructure bank to deposit into the rural projects fund of the bank the proceeds of a secured loan made to the bank in accordance with section 602 and 603.”; and

(F) in paragraph (6) (as redesignated), by striking “section 133(d)(3)” and inserting “section 133(d)(1)(A)(i)”;

(3) by striking subsection (e) and inserting the following:

“(e) FORMS OF ASSISTANCE FROM STATE INFRASTRUCTURE BANKS.—

“(1) IN GENERAL.—A State infrastructure bank established under this section may—

“(A) with funds deposited into the highway account, transit account, or rail account of the bank, make loans or provide other forms of credit assistance to a public or private entity to carry out a project eligible for assistance under this section; and

“(B) with funds deposited into the rural projects fund, make loans to a public or private entity to carry out a rural infrastructure project.

“(2) SUBORDINATION OF LOAN.—The amount of a loan or other form of credit assistance provided for a project described in paragraph (1) may be subordinated to any other debt financing for the project.

“(3) MAXIMUM AMOUNT OF ASSISTANCE.—A State infrastructure bank established under this section may—

“(A) with funds deposited into the highway account, transit account, or rail account, make loans or provide other forms of credit assistance to a public or private entity in an amount up to 100 percent of the cost of carrying out a project eligible for assistance under this section; and

“(B) with funds deposited into the rural projects fund, make loans to a public or private entity in an amount not to exceed 80 percent of the cost of carrying out a rural infrastructure project.

“(4) INITIAL ASSISTANCE.—Initial assistance provided with respect to a project from Federal funds deposited into a State infrastructure bank under this section may not be made in the form of a grant.”;

(4) in subsection (g)—

(A) in paragraph (1), by striking “each account” and inserting “the highway account, the transit account, and the rail account”; and

(B) in paragraph (4), by inserting “, except that any loan funded from the rural projects fund of the bank shall bear interest at or below the interest rate charged for the TIFIA loan provided to the bank under section 603” after “feasible”; and

(5) in subsection (k), by striking “For each of fiscal years 2005 through 2009” and inserting “For each fiscal year”.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 14001. TECHNICAL CORRECTIONS.

(a) Section 101(a)(29) of title 23, United States Code, is amended—

(1) in subparagraph (B), by inserting a comma after “disabilities”; and

(2) in subparagraph (F)(i), by striking “133(b)(11)” and inserting “133(b)(14)”.

(b) Section 119(d)(1)(A) of title 23, United States Code, is amended by striking “mobility,” and inserting “congestion reduction, system reliability,”.

(c) Section 126(b) of title 23, United States Code (as amended by section 11014(b)), is amended by striking “133(d)” and inserting “133(d)(1)(A)”.

(d) Section 127(a)(3) of title 23, United States Code, is amended by striking “118(b)(2) of this title” and inserting “118(b)”.

(e) Section 150(c)(3)(B) of title 23, United States Code, is amended by striking the semicolon at the end and inserting a period.

(f) Section 153(h)(2) of title 23, United States Code, is amended by striking “paragraphs (1) through (3)” and inserting “paragraphs (1), (2), and (4)”.

(g) Section 163(f)(2) of title 23, United States Code, is amended by striking “118(b)(2)” and inserting “118(b)”.

(h) Section 165(c)(7) of title 23, United States Code, is amended by striking “paragraphs (2), (4), (7), (8), (14), and (19)” and inserting “paragraphs (2), (4), (6), (7), and (14)”.

(i) Section 202(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(i), in the matter preceding subclause (I), by inserting “(a)(6),” after “subsections”; and

(2) in subparagraph (C)(ii)(IV), by striking “(III).j” and inserting “(III).”.

(j) Section 217(a) of title 23, United States Code, is amended by striking “104(b)(3)” and inserting “104(b)(4)”.

(k) Section 327(a)(2)(B)(iii) of title 23, United States Code, is amended by striking “(42 U.S.C. 13 4321 et seq.)” and inserting “(42 U.S.C. 4321 et seq.)”.

(l) Section 504(a)(4) of title 23, United States Code, is amended by striking “104(b)(3)” and inserting “104(b)(2)”.

(m) Section 515 of title 23, United States Code, is amended by striking “this chapter” each place it appears and inserting “sections 512 through 518”.

(n) Section 518(a) of title 23, United States Code, is amended by inserting “a report” after “House of Representatives”.

(o) Section 6302(b)(3)(B)(vi)(III) of title 49, United States Code, is amended by striking “6310” and inserting “6309”.

(p) Section 1301(l)(3) of SAFETEA-LU (23 U.S.C. 101 note; Public Law 109-59) is amended—

(1) in subparagraph (A)(i), by striking “compiled” and inserting “compiled”; and

(2) in subparagraph (B), by striking “paragraph (1)” and inserting “subparagraph (A)”.

(q) Section 4407 of SAFETEA-LU (Public Law 109-59; 119 Stat. 1777), is amended by striking “hereby enacted into law” and inserting “granted”.

(r) Section 51001(a)(1) of the Transportation Research and Innovative Technology Act of 2012 (126 Stat. 864) is amended by striking “sections 503(b), 503(d), and 509” and inserting “section 503(b)”.

TITLE V—MISCELLANEOUS

SEC. 15001. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

Section 1528 of MAP-21 (40 U.S.C. 14501 note; Public Law 112-141) is amended—

(1) by striking “2021” each place it appears and inserting “2050”; and

(2) by striking “shall be 100 percent” each place it appears and inserting “shall be up to 100 percent, as determined by the State”.

SEC. 15002. APPALACHIAN REGIONAL DEVELOPMENT PROGRAM.

(a) HIGH-SPEED BROADBAND DEVELOPMENT INITIATIVE.—

(1) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

“§ 14509. High-speed broadband deployment initiative

“(a) IN GENERAL.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities—

“(1) to increase affordable access to broadband networks throughout the Appalachian region;

“(2) to conduct research, analysis, and training to increase broadband adoption efforts in the Appalachian region;

“(3) to provide technology assets, including computers, smartboards, and video projectors to educational systems throughout the Appalachian region;

“(4) to increase distance learning opportunities throughout the Appalachian region;

“(5) to increase the use of telehealth technologies in the Appalachian region; and

“(6) to promote e-commerce applications in the Appalachian region.

“(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section—

“(1) not more than 50 percent may be provided from amounts appropriated to carry out this section; and

“(2) notwithstanding paragraph (1)—

“(A) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts appropriated to carry out this section; and

“(B) in the case of a project to be carried out in a county for which an at-risk designation is in effect under section 14526, not more than 70 percent may be provided from amounts appropriated to carry out this section.

“(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), a grant provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available—

“(1) under any other Federal program; or

“(2) from any other source.

“(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.”.

(2) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14508 the following:

“14509. High-speed broadband deployment initiative.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 14703 of title 40, United States Code, is amended—

(1) in subsection (a)(5), by striking “fiscal year 2012” and inserting “each of fiscal years 2012 through 2021”; and

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following:

“(c) HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.—Of the amounts made available under subsection (a), \$10,000,000 shall be used to carry out section 14509 for each of fiscal years 2016 through 2021.”.

(c) TERMINATION.—Section 14704 of title 40, United States Code, is amended by striking “2012” and inserting “2021”.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2015.

SEC. 15003. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

Section 3907(a) of title 33, United States Code, is amended—

(1) by striking paragraph (5); and

(2) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.

SEC. 15004. ADMINISTRATIVE PROVISIONS TO ENCOURAGE POLLINATOR HABITAT AND FORAGE ON TRANSPORTATION RIGHTS-OF-WAY.

(a) IN GENERAL.—Section 319 of title 23, United States Code, is amended—

(1) in subsection (a), by inserting “(including the enhancement of habitat and forage for pollinators)” before “adjacent”; and

(2) by adding at the end the following:

“(c) ENCOURAGEMENT OF POLLINATOR HABITAT AND FORAGE DEVELOPMENT AND PROTECTION ON TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any program administered by the Secretary under this title, the Secretary shall, in conjunction with willing States, as appropriate—

“(1) encourage integrated vegetation management practices on roadsides and other transpor-

tation rights-of-way, including reduced mowing; and

“(2) encourage the development of habitat and forage for Monarch butterflies, other native pollinators, and honey bees through plantings of native forbs and grasses, including noninvasive, native milkweed species that can serve as migratory way stations for butterflies and facilitate migrations of other pollinators.”.

(b) PROVISION OF HABITAT, FORAGE, AND MIGRATORY WAY STATIONS FOR MONARCH BUTTERFLIES, OTHER NATIVE POLLINATORS, AND HONEY BEES.—Section 329(a)(1) of title 23, United States Code, is amended by inserting “provision of habitat, forage, and migratory way stations for Monarch butterflies, other native pollinators, and honey bees,” before “and aesthetic enhancement”.

SEC. 15005. STUDY ON PERFORMANCE OF BRIDGES.

(a) IN GENERAL.—Subject to subsection (c), the Administrator of the Federal Highway Administration (referred to in this section as the “Administrator”) shall commission the Transportation Research Board of the National Academy of Sciences to conduct a study on the performance of bridges that received funding under the innovative bridge research and construction program (referred to in this section as the “program”) under section 503(b) of title 23, United States Code (as in effect on the day before the date of enactment of SAFETEA-LU (Public Law 109-59; 119 Stat. 1144)) in meeting the goals of that program, which included—

(1) the development of new, cost-effective innovative material highway bridge applications;

(2) the reduction of maintenance costs and lifecycle costs of bridges, including the costs of new construction, replacement, or rehabilitation of deficient bridges;

(3) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

(4) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;

(5) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;

(6) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and

(7) the development of new nondestructive bridge evaluation technologies and techniques.

(b) CONTENTS.—The study commissioned under subsection (a) shall include—

(1) an analysis of the performance of bridges that received funding under the program in meeting the goals described in paragraphs (1) through (7) of subsection (a);

(2) an analysis of the utility, compared to conventional materials and technologies, of each of the innovative materials and technologies used in projects for bridges under the program in meeting the needs of the United States in 2015 and in the future for a sustainable and low lifecycle cost transportation system;

(3) recommendations to Congress on how the installed and lifecycle costs of bridges could be reduced through the use of innovative materials and technologies, including, as appropriate, any changes in the design and construction of bridges needed to maximize the cost reductions; and

(4) a summary of any additional research that may be needed to further evaluate innovative approaches to reducing the installed and lifecycle costs of highway bridges.

(c) PUBLIC COMMENT.—Before commissioning the study under subsection (a), the Administrator shall provide an opportunity for public comment on the study proposal.

(d) DATA FROM STATES.—Each State that received funds under the program shall provide to

the Transportation Research Board any relevant data needed to carry out the study commissioned under subsection (a).

(e) **DEADLINE.**—The Administrator shall submit to Congress the study commissioned under subsection (a) not later than 3 years after the date of enactment of this Act.

SEC. 15006. SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c), as amended by section 73103, is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking “2015” and inserting “2021”; and

(2) in subsection (b)(1)(A) by striking “2015” and inserting “2021”.

**DIVISION B—PUBLIC TRANSPORTATION
TITLE XXI—FEDERAL PUBLIC
TRANSPORTATION ACT**

SEC. 21001. SHORT TITLE.

This title may be cited as the “Federal Public Transportation Act of 2015”.

SEC. 21002. DEFINITIONS.

Section 5302 of title 49, United States Code, is amended—

(1) in paragraph (1)(E), by striking “bicycle storage facilities and installing equipment” and inserting “bicycle storage shelters and parking facilities and the installation of equipment”;

(2) in paragraph (3)—

(A) by striking subparagraph (F) and inserting the following:

“(F) leasing equipment or a facility for use in public transportation;”;

(B) in subparagraph (G)—

(i) in clause (iv), by adding “and” at the end;

(ii) in clause (v), by striking “and” at the end; and

(iii) by striking clause (vi);

(C) in subparagraph (K), by striking “or” at the end;

(D) in subparagraph (L), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

“(M) associated transit improvements; or

“(N) technological changes or innovations to modify low or no emission vehicles (as defined in section 5339(e)) or facilities.”; and

(3) by adding at the end the following:

“(24) **VALUE CAPTURE.**—The term ‘value capture’ means recovering the increased value to property located near public transportation resulting from investments in public transportation.”.

SEC. 21003. METROPOLITAN TRANSPORTATION PLANNING.

Section 5303 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by inserting “resilient” after “development of”;

(2) in subsection (c)(2), by striking “and bicycle transportation facilities” and inserting “, bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers”;

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

“(3) **REPRESENTATION.**—

“(A) **IN GENERAL.**—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

“(B) **PUBLIC TRANSPORTATION REPRESENTATIVE.**—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

“(C) **POWERS OF CERTAIN OFFICIALS.**—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2)(B).”;

(C) in paragraph (5), as so redesignated, by striking “paragraph (5)” and inserting “paragraph (6)”;

(4) in subsection (e)(4)(B), by striking “subsection (d)(5)” and inserting “subsection (d)(6)”;

(5) in subsection (g)(3)(A), by inserting “natural disaster risk reduction,” after “environmental protection,”;

(6) in subsection (h)(1)—

(A) in subparagraph (G), by striking “and” at the end;

(B) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(I) improve the resilience and reliability of the transportation system.”;

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking “transit” and inserting “public transportation facilities, intercity bus facilities”; and

(ii) in subparagraph (G)—

(I) by striking “and provide” and inserting “, provide”; and

(II) by inserting before the period at the end the following: “, and reduce vulnerability due to natural disasters of the existing transportation infrastructure”; and

(iii) in subparagraph (H), by inserting before the period at the end the following: “, including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated”;

(B) in paragraph (6)(A)—

(i) by inserting “public ports,” before “freight shippers”; and

(ii) by inserting “(including intercity bus operators and commuter vanpool providers)” after “private providers of transportation”; and

(C) in paragraph (8), by striking “paragraph (2)(C)” each place that term appears and inserting “paragraph (2)(E)”;

(8) in subsection (j)(5)(A), by striking “subsection (k)(4)” and inserting “subsection (k)(3)”;

(9) in subsection (k)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(10) in subsection (l)—

(A) in paragraph (1), by adding a period at the end; and

(B) in paragraph (2)(D), by striking “of less than 200,000” and inserting “with a population of 200,000 or less”;

(11) by striking subsection (n);

(12) by redesignating subsections (o), (p), and (q) as subsections (n), (o), and (p), respectively;

(13) in subsection (o), as so redesignated, by striking “set aside under section 104(f) of title 23” and inserting “apportioned under paragraphs (5)(D) and (6) of section 104(b) of title 23”; and

(14) by adding at the end the following:

“(q) **TREATMENT OF LAKE TAHOE REGION.**—

“(1) **DEFINITION OF LAKE TAHOE REGION.**—In this subsection, the term ‘Lake Tahoe Region’ has the meaning given the term ‘region’ in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96-551; 94 Stat. 3234).

“(2) **TREATMENT.**—For purposes of this title, the Lake Tahoe Region shall be treated as—

“(A) a metropolitan planning organization;

“(B) a transportation management area under subsection (k); and

“(C) an urbanized area, which is comprised of—

“(i) a population of 145,000 and 25 square miles of land area in the State of California; and

“(ii) a population of 65,000 and 12 square miles of land area in the State of Nevada.”.

SEC. 21004. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) **IN GENERAL.**—Section 5304 of title 49, United States Code, is amended—

(1) in subsection (a)(2), by striking “and bicycle transportation facilities” and inserting “, bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers”; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking “and” at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(I) improve the resilience and reliability of the transportation system.”; and

(B) in paragraph (2)—

(i) in subparagraph (B)(ii), by striking “urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and” and inserting “areas”; and

(ii) in subparagraph (C)—

(I) by striking “title 23” and inserting “this chapter”; and

(II) by striking “urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and” and inserting “areas”;

(3) in subsection (e)(1)—

(A) by striking “In” and inserting “In”; and

(B) by striking “subsection (l)” and inserting “subsection (k)”;

(4) in subsection (f)—

(A) in paragraph (2)(B)(i), by striking “subsection (l)” and inserting “subsection (k)”;

(B) in paragraph (3)(A)—

(i) in clause (i), by striking “subsection (l)” and inserting “subsection (k)”;

(ii) in clause (ii), by inserting “(including intercity bus operators and commuter vanpool providers)” after “private providers of transportation”;

(C) in paragraph (7), in the matter preceding subparagraph (A), by striking “should” and inserting “shall”; and

(D) in paragraph (8), by inserting “, including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated” before the period at the end;

(5) in subsection (g)—

(A) in paragraph (2)(B)(i), by striking “subsection (l)” and inserting “subsection (k)”;

(B) in paragraph (3)—

(i) by inserting “public ports,” before “freight shippers”; and

(ii) by inserting “(including intercity bus operators)” after “private providers of transportation”; and

(C) in paragraph (6)(A), by striking “subsection (l)” and inserting “subsection (k)”;

(6) by striking subsection (i); and

(7) by redesignating subsections (j), (k), and (l) as subsections (i), (j), and (k), respectively.

(b) **CONFORMING AMENDMENT.**—Section 5303(b)(5) of title 49, United States Code, is amended by striking “section 5304(l)” and inserting “section 5304(k)”.

SEC. 21005. URBANIZED AREA FORMULA GRANTS.

Section 5307 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting “or general public demand response service” before “during” each place that term appears; and

(B) by adding at the end the following:

“(3) **EXCEPTION TO SPECIAL RULE.**—Notwithstanding paragraph (2), if a public transportation system described in that paragraph executes a written agreement with 1 or more other public transportation systems within the urbanized area to allocate funds for the purposes described in that paragraph by a method other than by measuring vehicle revenue hours, each public transportation system that is a party to the written agreement may follow the terms of the written agreement without regard to measured vehicle revenue hours referred to in that paragraph.

“(4) **TEMPORARY AND TARGETED ASSISTANCE.**—

“(A) **ELIGIBILITY.**—The Secretary may make a grant under this section to finance the operating cost of equipment and facilities to a recipient for use in public transportation in an area that the Secretary determines has—

“(i) a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census; and

“(ii) a 3-month unemployment rate, as reported by the Bureau of Labor Statistics, that is—

“(I) greater than 7 percent; and

“(II) at least 2 percentage points greater than the lowest 3-month unemployment rate for the area during the 5-year period preceding the date of the determination.

“(B) **AWARD OF GRANT.**—

“(i) **IN GENERAL.**—Except as otherwise provided in this subparagraph, the Secretary may make a grant under this paragraph for not more than 2 consecutive fiscal years.

“(ii) **ADDITIONAL YEAR.**—If, at the end of the second fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, the Secretary determines that the 3-month unemployment rate for the area is at least 2 percentage points greater than the unemployment rate for the area at the time the Secretary made the determination under subparagraph (A), the Secretary may make a grant to a recipient in the area for 1 additional consecutive fiscal year.

“(iii) **EXCLUSION PERIOD.**—Beginning on the last day of the last consecutive fiscal year for which a recipient receives a grant under this paragraph, the Secretary may not make a subsequent grant under this paragraph to the recipient for a number of fiscal years equal to the number of consecutive fiscal years in which the recipient received a grant under this paragraph.

“(C) **LIMITATION.**—

“(i) **FIRST FISCAL YEAR.**—For the first fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, not more than 25 percent of the amount apportioned to a designated recipient under section 5336 for the fiscal year shall be available for operating assistance for the area.

“(ii) **SECOND AND THIRD FISCAL YEARS.**—For the second and third fiscal years following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, not more than 20 percent of the amount apportioned to a designated recipient under section 5336 for the fiscal year shall be available for operating assistance for the area.

“(D) **PERIOD OF AVAILABILITY FOR OPERATING ASSISTANCE.**—Operating assistance awarded under this paragraph shall be available for expenditure to a recipient in an area until the end of the second fiscal year following the date on

which the Secretary makes a determination under subparagraph (A) with respect to the area, after which time any unexpended funds shall be available to the recipient for other eligible activities under this section.

“(E) **CERTIFICATION.**—The Secretary may make a grant for operating assistance under this paragraph for a fiscal year only if the recipient certifies that—

“(i) the recipient will maintain public transportation service levels at or above the current service level, which shall be demonstrated by providing an equal or greater number of vehicle hours of service in the fiscal year than the number of vehicle hours of service provided in the preceding fiscal year;

“(ii) any non-Federal entity that provides funding to the recipient, including a State or local governmental entity, will maintain the tax rate or rate of allocations dedicated to public transportation at or above the rate for the preceding fiscal year;

“(iii) the recipient has allocated the maximum amount of funding under this section for preventive maintenance costs eligible as a capital expense necessary to maintain the level and quality of service provided in the preceding fiscal year; and

“(iv) the recipient will not use funding under this section for new capital assets except as necessary for the existing system to maintain or achieve a state of good repair, assure safety, or replace obsolete technology.”; and

(2) in subsection (c)(1)—

(A) in subparagraph (C), by inserting “in a state of good repair” after “equipment and facilities”;

(B) in subparagraph (J), by adding “and” at the end;

(C) by striking subparagraph (K); and

(D) by redesignating subparagraph (L) as subparagraph (K).

SEC. 21006. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.

(a) **IN GENERAL.**—Section 5309 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking “and weekend days”;

(B) in paragraph (6)—

(i) in subparagraph (A), by inserting “, small start projects,” after “new fixed guideway capital projects”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.”; and

(C) in paragraph (7)—

(i) in subparagraph (A), by striking “\$75,000,000” and inserting “\$100,000,000”; and

(ii) in subparagraph (B), by striking “\$250,000,000” and inserting “\$300,000,000”;

(2) in subsection (d)—

(A) in paragraph (1)(B), by striking “, policies and land use patterns that promote public transportation,”; and

(B) in paragraph (2)(A)—

(i) in clause (iii), by adding “and” at the end;

(ii) by striking clause (iv); and

(iii) by redesignating clause (v) as clause (iv);

(3) in subsection (g)(2)(A)(i), by striking “, the policies and land use patterns that support public transportation,”;

(4) in subsection (i)—

(A) in paragraph (1), by striking “subsection (d) or (e)” and inserting “subsection (d), (e), or (h)”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “new fixed guideway capital project or core capacity improvement” after “federally funded”;

(ii) by striking subparagraph (D) and inserting the following:

“(D) the program of interrelated projects, when evaluated as a whole—

“(i) meets the requirements of subsection (d)(2), subsection (e)(2), or paragraphs (3) and (4) of subsection (h), as applicable, if the program is comprised entirely of—

“(I) new fixed guideway capital projects;

“(II) core capacity improvement projects; or

“(III) small start projects; or

“(ii) meets the requirements of subsection (d)(2) if the program is comprised of any combination of new fixed guideway projects, small start projects, and core capacity improvement projects.”; and

(iii) in subparagraph (F), by inserting “or (h)(5), as applicable” after “subsection (f)”;

(C) in paragraph (3), by striking subparagraph (A) and inserting the following:

“(A) **PROJECT ADVANCEMENT.**—A project receiving a grant under this section that is part of a program of interrelated projects may not advance—

“(i) in the case of a small start project, from the project development phase to the construction phase unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements; or

“(ii) in the case of a new fixed guideway capital project or a core capacity improvement project, from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.”; and

(5) by adding at the end the following:

“(p) **JOINT PUBLIC TRANSPORTATION AND INTERCITY PASSENGER RAIL PROJECTS.**—

“(1) **IN GENERAL.**—The Secretary may make grants for new fixed guideway capital projects and core capacity improvement projects that provide both public transportation and intercity passenger rail service.

“(2) **ELIGIBLE COSTS.**—Eligible costs for a project under this subsection shall be limited to the net capital costs of the public transportation costs attributable to the project based on projected use of the new segment or expanded capacity of the project corridor, not including project elements designed to achieve or maintain a state of good repair, as determined by the Secretary under paragraph (4).

“(3) **PROJECT JUSTIFICATION AND LOCAL FINANCIAL COMMITMENT.**—A project under this subsection shall be evaluated for project justification and local financial commitment under subsections (d), (e), (f), and (h), as applicable to the project, based on—

“(A) the net capital costs of the public transportation costs attributable to the project as determined under paragraph (4); and

“(B) the share of funds dedicated to the project from sources other than this section included in the unified finance plan for the project.

“(4) **CALCULATION OF NET CAPITAL PROJECT COST.**—The Secretary shall estimate the net capital costs of a project under this subsection based on—

“(A) engineering studies;

“(B) studies of economic feasibility;

“(C) the expected use of equipment or facilities; and

“(D) the public transportation costs attributable to the project.

“(5) **GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.**—

“(A) GOVERNMENT SHARE.—The Government share shall not exceed 80 percent of the net capital cost attributable to the public transportation costs of a project under this subsection as determined under paragraph (4).

“(B) NON-GOVERNMENT SHARE.—The remainder of the net capital cost attributable to the public transportation costs of a project under this subsection shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.”.

(b) EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.—

(1) DEFINITIONS.—In this subsection, the following definitions shall apply:

(A) APPLICANT.—The term “applicant” means a State or local governmental authority that applies for a grant under this subsection.

(B) CAPITAL PROJECT; FIXED GUIDEWAY; LOCAL GOVERNMENTAL AUTHORITY; PUBLIC TRANSPORTATION; STATE; STATE OF GOOD REPAIR.—The terms “capital project”, “fixed guideway”, “local governmental authority”, “public transportation”, “State”, and “state of good repair” have the meanings given those terms in section 5302 of title 49, United States Code.

(C) CORE CAPACITY IMPROVEMENT PROJECT.—The term “core capacity improvement project”—

(i) means a substantial corridor-based capital investment in an existing fixed guideway system that increases the capacity of a corridor by not less than 10 percent; and

(ii) may include project elements designed to aid the existing fixed guideway system in making substantial progress towards achieving a state of good repair.

(D) CORRIDOR-BASED BUS RAPID TRANSIT PROJECT.—The term “corridor-based bus rapid transit project” means a small start project utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems—

(i) including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays; and

(IV) any other features the Secretary may determine support a long-term corridor investment; and

(ii) the majority of which does not operate in a separated right-of-way dedicated for public transportation use during peak periods.

(E) ELIGIBLE PROJECT.—The term “eligible project” means a new fixed guideway capital project, a small start project, or a core capacity improvement project that has not entered into a full funding grant agreement with the Federal Transit Administration before the date of enactment of this Act.

(F) FIXED GUIDEWAY BUS RAPID TRANSIT PROJECT.—The term “fixed guideway bus rapid transit project” means a bus capital project—

(i) in which the majority of the project operates in a separated right-of-way dedicated for public transportation use during peak periods;

(ii) that represents a substantial investment in a single route in a defined corridor or subarea; and

(iii) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays and weekend days; and

(IV) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the

services provided by rail fixed guideway public transportation systems.

(G) NEW FIXED GUIDEWAY CAPITAL PROJECT.—The term “new fixed guideway capital project” means—

(i) a fixed guideway project that is a minimum operable segment or extension to an existing fixed guideway system; or

(ii) a fixed guideway bus rapid transit project that is a minimum operable segment or an extension to an existing bus rapid transit system.

(H) RECIPIENT.—The term “recipient” means a recipient of funding under chapter 53 of title 49, United States Code.

(I) SMALL START PROJECT.—The term “small start project” means a new fixed guideway capital project, a fixed guideway bus rapid transit project, or a corridor-based bus rapid transit project for which—

(i) the Federal assistance provided or to be provided under this subsection is less than \$75,000,000; and

(ii) the total estimated net capital cost is less than \$300,000,000.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to States and local governmental authorities to assist in financing—

(A) new fixed guideway capital projects or small start projects, including the acquisition of real property, the initial acquisition of rolling stock for the system, the acquisition of rights-of-way, and relocation, for projects in the advanced stages of planning and design; and

(B) core capacity improvement projects, including the acquisition of real property, the acquisition of rights-of-way, double tracking, signalization improvements, electrification, expanding system platforms, acquisition of rolling stock associated with corridor improvements increasing capacity, construction of infill stations, and such other capacity improvement projects as the Secretary determines are appropriate to increase the capacity of an existing fixed guideway system corridor by not less than 10 percent. Core capacity improvement projects do not include elements to improve general station facilities or parking, or acquisition of rolling stock alone.

(3) GRANT REQUIREMENTS.—

(A) IN GENERAL.—The Secretary may make not more than 10 grants under this subsection for an eligible project if the Secretary determines that—

(i) the eligible project is part of an approved transportation plan required under sections 5303 and 5304 of title 49, United States Code;

(ii) the applicant has, or will have—

(I) the legal, financial, and technical capacity to carry out the eligible project, including the safety and security aspects of the eligible project;

(II) satisfactory continuing control over the use of the equipment or facilities;

(III) the technical and financial capacity to maintain new and existing equipment and facilities; and

(IV) advisors providing guidance to the applicant on the terms and structure of the project that are independent from investors in the project;

(iii) the eligible project is supported, or will be supported, in part, through a public-private partnership, provided such support is determined by local policies, criteria, and decision-making under section 5306(a) of title 49, United States Code;

(iv) the eligible project is justified based on findings presented by the project sponsor to the Secretary, including—

(I) mobility improvements attributable to the project;

(II) environmental benefits associated with the project;

(III) congestion relief associated with the project;

(IV) economic development effects derived as a result of the project; and

(V) estimated ridership projections; and

(v) the eligible project is supported by an acceptable degree of local financial commitment (including evidence of stable and dependable financing sources).

(B) CERTIFICATION.—An applicant that has submitted the certifications required under subparagraphs (A), (B), (C), and (H) of section 5307(c)(1) of title 49, United States Code, shall be deemed to have provided sufficient information upon which the Secretary may make the determinations required under this paragraph.

(C) TECHNICAL CAPACITY.—The Secretary shall use an expedited technical capacity review process for applicants that have recently and successfully completed not less than 1 new fixed guideway capital project, small start project, or core capacity improvement project, if—

(i) the applicant achieved budget, cost, and ridership outcomes for the project that are consistent with or better than projections; and

(ii) the applicant demonstrates that the applicant continues to have the staff expertise and other resources necessary to implement a new project.

(D) FINANCIAL COMMITMENT.—

(i) REQUIREMENTS.—In determining whether an eligible project is supported by an acceptable degree of local financial commitment and shows evidence of stable and dependable financing sources for purposes of subparagraph (A)(v), the Secretary shall require that—

(I) each proposed source of capital and operating financing is stable, reliable, and available within the proposed eligible project timetable; and

(II) resources are available to recapitalize, maintain, and operate the overall existing and proposed public transportation system, including essential feeder bus and other services necessary, without degradation to the existing level of public transportation services.

(ii) CONSIDERATIONS.—In assessing the stability, reliability, and availability of proposed sources of financing under clause (i), the Secretary shall consider—

(I) the reliability of the forecasting methods used to estimate costs and revenues made by the applicant and the contractors to the applicant;

(II) existing grant commitments;

(III) the degree to which financing sources are dedicated to the proposed eligible project;

(IV) any debt obligation that exists or is proposed by the applicant, for the proposed eligible project or other public transportation purpose; and

(V) private contributions to the eligible project, including cost-effective project delivery, management or transfer of project risks, expedited project schedule, financial partnering, and other public-private partnership strategies.

(E) LABOR STANDARDS.—The requirements under section 5333 of title 49, United States Code, shall apply to each recipient of a grant under this subsection.

(4) PROJECT ADVANCEMENT.—An applicant that desires a grant under this subsection and meets the requirements of paragraph (3) shall submit to the Secretary, and the Secretary shall approve for advancement, a grant request that contains—

(A) identification of an eligible project;

(B) a schedule and finance plan for the construction and operation of the eligible project;

(C) an analysis of the efficiencies of the proposed eligible project development and delivery methods and innovative financing arrangement for the eligible project, including any documents related to the—

(i) public-private partnership required under paragraph (3)(A)(iii); and

(ii) project justification required under paragraph (3)(A)(iv); and

(D) a certification that the existing public transportation system of the applicant or, in the event that the applicant does not operate a public transportation system, the public transportation system to which the proposed project will be attached, is in a state of good repair.

(5) WRITTEN NOTICE FROM THE SECRETARY.—

(A) IN GENERAL.—Not later than 120 days after the date on which the Secretary receives a grant request of an applicant under paragraph (4), the Secretary shall provide written notice to the applicant—

(i) of approval of the grant request; or

(ii) if the grant request does not meet the requirements under paragraph (4), of disapproval of the grant request, including a detailed explanation of the reasons for the disapproval.

(B) CONCURRENT NOTICE.—The Secretary shall provide concurrent notice of an approval or disapproval of a grant request under subparagraph (A) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(6) WAIVER.—The Secretary may grant a waiver to an applicant that does not comply with paragraph (4)(D) if—

(A) the eligible project meets the definition of a core capacity improvement project; and

(B) the Secretary certifies that the eligible project will allow the applicant to make substantial progress in achieving a state of good repair.

(7) SELECTION CRITERIA.—The Secretary may enter into a full funding grant agreement with an applicant under this subsection for an eligible project for which an application has been submitted and approved for advancement by the Secretary under paragraph (4), only if the applicant has completed the planning and activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(8) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—

(A) LETTERS OF INTENT.—

(i) AMOUNTS INTENDED TO BE OBLIGATED.—The Secretary may issue a letter of intent to an applicant announcing an intention to obligate, for an eligible project under this subsection, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the eligible project. When a letter is issued for an eligible project under this subsection, the amount shall be sufficient to complete at least an operable segment.

(ii) TREATMENT.—The issuance of a letter under clause (i) is deemed not to be an obligation under section 1108(c), 1501, or 1502(a) of title 31, United States Code, or an administrative commitment.

(B) FULL FUNDING GRANT AGREEMENTS.—

(i) IN GENERAL.—Except as provided in clause (v), an eligible project shall be carried out under this subsection through a full funding grant agreement.

(ii) CRITERIA.—The Secretary shall enter into a full funding grant agreement, based the requirements of this subparagraph, with each applicant receiving assistance for an eligible project that has received a written notice of approval under paragraph (5)(A)(i).

(iii) TERMS.—A full funding grant agreement shall—

(I) establish the terms of participation by the Federal Government in the eligible project;

(II) establish the maximum amount of Federal financial assistance for the eligible project;

(III) include the period of time for completing construction of the eligible project, consistent with the terms of the public-private partnership agreement, even if that period extends beyond the period of an authorization; and

(IV) make timely and efficient management of the eligible project easier according to the law of the United States.

(iv) SPECIAL FINANCIAL RULES.—

(I) IN GENERAL.—A full funding grant agreement under this subparagraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for commitments under this subparagraph, to obligate an additional amount from future available budget authority specified in law.

(II) STATEMENT OF CONTINGENT COMMITMENT.—A full funding grant agreement shall state that the contingent commitment is not an obligation of the Federal Government.

(III) INTEREST AND OTHER FINANCING COSTS.—Interest and other financing costs of efficiently carrying out a part of the eligible project within a reasonable time are a cost of carrying out the eligible project under a full funding grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the eligible project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

(IV) COMPLETION OF OPERABLE SEGMENT.—The amount stipulated in an agreement under this subparagraph for a new fixed guideway capital project, core capacity improvement project, or small start project shall be sufficient to complete at least an operable segment.

(v) EXCEPTION.—

(I) IN GENERAL.—The Secretary, to the maximum extent practicable, shall provide Federal assistance under this subsection for a small start project in a single grant. If the Secretary cannot provide such a single grant, the Secretary may execute an expedited grant agreement in order to include a commitment on the part of the Secretary to provide funding for the project in future fiscal years.

(II) TERMS OF EXPEDITED GRANT AGREEMENTS.—In executing an expedited grant agreement under this clause, the Secretary may include in the agreement terms similar to those established under clause (iii).

(C) LIMITATION ON AMOUNTS.—

(i) IN GENERAL.—The Secretary may enter into full funding grant agreements under this paragraph for eligible projects that contain contingent commitments to incur obligations in such amounts as the Secretary determines are appropriate.

(ii) APPROPRIATION REQUIRED.—An obligation may be made under this paragraph only when amounts are appropriated for obligation.

(D) NOTIFICATION TO CONGRESS.—

(i) IN GENERAL.—Not later than 30 days before the date on which the Secretary issues a letter of intent or enters into a full funding grant agreement for an eligible project under this paragraph, the Secretary shall notify, in writing, the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter of intent or full funding grant agreement.

(ii) CONTENTS.—The written notification under clause (i) shall include a copy of the proposed letter of intent or full funding grant agreement for the eligible project.

(9) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

(A) IN GENERAL.—A grant for an eligible project shall not exceed 25 percent of the net capital project cost.

(B) REMAINDER OF NET CAPITAL PROJECT COST.—The remainder of the net capital project

cost shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.

(C) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed as authorizing the Secretary to require a non-Federal financial commitment for a project that is more than 75 percent of the net capital project cost.

(D) SPECIAL RULE FOR ROLLING STOCK COSTS.—In addition to amounts allowed pursuant to subparagraph (A), a planned extension to a fixed guideway system may include the cost of rolling stock previously purchased if the applicant satisfies the Secretary that only amounts other than amounts provided by the Federal Government were used and that the purchase was made for use on the extension. A refund or reduction of the remainder may be made only if a refund of a proportional amount of the grant of the Federal Government is made at the same time.

(E) FAILURE TO CARRY OUT PROJECT.—If an applicant does not carry out an eligible project for reasons within the control of the applicant, the applicant shall repay all Federal funds awarded for the eligible project from all Federal funding sources, for all eligible project activities, facilities, and equipment, plus reasonable interest and penalty charges allowable by law.

(F) CREDITING OF FUNDS RECEIVED.—Any funds received by the Federal Government under this paragraph, other than interest and penalty charges, shall be credited to the appropriation account from which the funds were originally derived.

(10) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—An amount made available for an eligible project shall remain available to that eligible project for 5 fiscal years, including the fiscal year in which the amount is made available. Any amounts that are unobligated to the eligible project at the end of the 5-fiscal-year period may be used by the Secretary for any purpose under this subsection.

(B) USE OF DEOBLIGATED AMOUNTS.—An amount available under this subsection that is deobligated may be used for any purpose under this subsection.

(11) ANNUAL REPORT ON EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes a proposed amount to be available to finance grants for anticipated projects under this subsection.

(12) BEFORE AND AFTER STUDY AND REPORT.—

(A) STUDY REQUIRED.—Each recipient shall conduct a study that—

(i) describes and analyzes the impacts of the eligible project on public transportation services and public transportation ridership;

(ii) describes and analyzes the consistency of predicted and actual benefits and costs of the innovative project development and delivery methods or innovative financing for the eligible project; and

(iii) identifies reasons for any differences between predicted and actual outcomes for the eligible project.

(B) SUBMISSION OF REPORT.—Not later than 2 years after an eligible project that is selected under this subsection begins revenue operations, the recipient shall submit to the Secretary a report on the results of the study conducted under subparagraph (A).

(13) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) require the privatization of the operation or maintenance of any project for which an applicant seeks funding under this subsection;

(B) revise the determinations by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;

(C) alter the requirements for locally developed, coordinated, and implemented transportation plans under sections 5303 and 5304 of title 49, United States Code; or

(D) alter the eligibilities or priorities for assistance under this subsection or section 5309 of title 49, United States Code.

SEC. 21007. MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.

(a) COORDINATION OF PUBLIC TRANSPORTATION SERVICES WITH OTHER FEDERALLY ASSISTED LOCAL TRANSPORTATION SERVICES.—

(1) DEFINITIONS.—In this subsection—

(A) the term “allocated cost model” means a method of determining the cost of trips by allocating the cost to each trip purpose served by a transportation provider in a manner that is proportional to the level of transportation service that the transportation provider delivers for each trip purpose, to the extent permitted by applicable Federal requirements; and

(B) the term “Council” means the Interagency Transportation Coordinating Council on Access and Mobility established under Executive Order 13330 (49 U.S.C. 101 note).

(2) COORDINATING COUNCIL ON ACCESS AND MOBILITY STRATEGIC PLAN.—Not later than 2 years after the date of enactment of this Act, the Council shall publish a strategic plan for the Council that—

(A) outlines the role and responsibilities of each Federal agency with respect to local transportation coordination, including non-emergency medical transportation;

(B) identifies a strategy to strengthen interagency collaboration;

(C) addresses any outstanding recommendations made by the Council in the 2005 Report to the President relating to the implementation of Executive Order 13330, including—

(i) a cost-sharing policy endorsed by the Council; and

(ii) recommendations to increase participation by recipients of Federal grants in locally developed, coordinated planning processes; and

(D) to the extent feasible, addresses recommendations by the Comptroller General of the United States concerning local coordination of transportation services.

(3) DEVELOPMENT OF COST-SHARING POLICY IN COMPLIANCE WITH APPLICABLE FEDERAL REQUIREMENTS.—In establishing the cost-sharing policy required under paragraph (2), the Council may consider, to the extent practicable—

(A) the development of recommended strategies for grantees of programs funded by members of the Council, including strategies for grantees of programs that fund non-emergency medical transportation, to use the cost-sharing policy in a manner that does not violate applicable Federal requirements; and

(B) optional incorporation of an allocated cost model to facilitate local coordination efforts that comply with applicable requirements of programs funded by members of the Council, such as—

- (i) eligibility requirements;
- (ii) service delivery requirements; and
- (iii) reimbursement requirements.

(b) PILOT PROGRAM FOR INNOVATIVE COORDINATED ACCESS AND MOBILITY.—

(1) DEFINITIONS.—In this subsection—

(A) the term “eligible project” has the meaning given the term “capital project” in section 5302 of title 49, United States Code; and

(B) the term “eligible recipient” means a recipient or subrecipient, as those terms are defined in section 5310 of title 49, United States Code.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to eligible re-

cipients to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation services, including—

(A) the deployment of coordination technology;

(B) projects that create or increase access to community One-Call/One-Click Centers; and

(C) such other projects as determined by the Secretary.

(3) APPLICATION.—An eligible recipient shall submit to the Secretary an application that, at a minimum, contains—

(A) a detailed description of the eligible project;

(B) an identification of all eligible project partners and their specific role in the eligible project, including—

(i) private entities engaged in the coordination of non-emergency medical transportation services for the transportation disadvantaged; or

(ii) nonprofit entities engaged in the coordination of non-emergency medical transportation services for the transportation disadvantaged;

(C) a description of how the eligible project would—

(i) improve local coordination or access to coordinated transportation services;

(ii) reduce duplication of service, if applicable; and

(iii) provide innovative solutions in the State or community; and

(D) specific performance measures the eligible project will use to quantify actual outcomes against expected outcomes.

(4) GOVERNMENT SHARE OF COSTS.—

(A) IN GENERAL.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.

(5) RULE OF CONSTRUCTION.—For purposes of this subsection, non-emergency medical transportation services shall be limited to services eligible under Federal programs other than programs authorized under chapter 53 of title 49, United States Code.

(c) TECHNICAL CORRECTION.—Section 5310(a) of title 49, United States Code, is amended by striking paragraph (1) and inserting the following:

“(1) RECIPIENT.—The term ‘recipient’ means—

“(A) a designated recipient or a State that receives a grant under this section directly; or

“(B) a State or local governmental entity that operates a public transportation service.”.

SEC. 21008. FORMULA GRANTS FOR RURAL AREAS.

Section 5311 of title 49, United States Code, is amended—

(1) in subsection (c)(1), as amended by division G, by striking subparagraphs (A) and (B) and inserting the following:

“(A) \$5,000,000 for each fiscal year shall be distributed on a competitive basis by the Secretary.

“(B) \$30,000,000 for each fiscal year shall be apportioned as formula grants, as provided in subsection (f).”; and

(2) in subsection (j)(1)—

(A) in subparagraph (A)(iii), by striking “(as defined by the Bureau of the Census)” and inserting “(American Indian Areas, Alaska Native Areas, and Hawaiian Home Lands, as defined by the Bureau of the Census)”; and

(B) by adding at the end the following:

“(E) ALLOCATION BETWEEN MULTIPLE INDIAN TRIBES.—If more than 1 Indian tribe provides public transportation service on tribal lands in a single Tribal Statistical Area, and the Indian tribes do not determine how to allocate the funds apportioned under clause (iii) of subpara-

graph (A) between the Indian tribes, the Secretary shall allocate the funds such that each Indian tribe shall receive an amount equal to the total amount apportioned under such clause (iii) multiplied by the ratio of the number of annual unlinked passenger trips provided by each Indian tribe, as reported to the National Transit Database, to the total unlinked passenger trips provided by all the Indian tribes in the Tribal Statistical Area.”.

SEC. 21009. RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.

(a) IN GENERAL.—Section 5312 of title 49, United States Code, is amended—

(1) in the section heading, by striking “projects” and inserting “program”;

(2) in subsection (a), in the subsection heading, by striking “PROJECTS” and inserting “PROGRAM”;

(3) in subsection (d)—

(A) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting “demonstration, deployment, or evaluation” before “project that”;

(ii) in subparagraph (A), by striking “and” at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(iv) by adding at the end the following:

“(C) the deployment of low or no emission vehicles, zero emission vehicles, or associated advanced technology.”; and

(B) by striking paragraph (5) and inserting the following:

“(5) PROHIBITION.—The Secretary may not make grants under this subsection for the demonstration, deployment, or evaluation of a vehicle that is in revenue service unless the Secretary determines that the project makes significant technological advancements in the vehicle.

“(6) DEFINITIONS.—In this subsection—

“(A) the term ‘direct carbon emissions’ means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

“(B) the term ‘low or no emission vehicle’ means—

“(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

“(ii) a zero emission vehicle used to provide public transportation; and

“(C) the term ‘zero emission vehicle’ means a low or no emission vehicle that produces no carbon or particulate matter.”;

(4) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(5) by inserting after subsection (d) the following:

“(e) LOW OR NO EMISSION VEHICLE COMPONENT ASSESSMENT.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘covered institution of higher education’ means an institution of higher education with which the Secretary enters into a contract or cooperative agreement, or to which the Secretary makes a grant, under paragraph (2)(B) to operate a facility designated under paragraph (2)(A);

“(B) the terms ‘direct carbon emissions’ and ‘low or no emission vehicle’ have the meanings given those terms in subsection (d)(6);

“(C) the term ‘institution of higher education’ has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

“(D) the term ‘low or no emission vehicle component’ means an item that is separately installed in and removable from a low or no emission vehicle.

“(2) ASSESSING LOW OR NO EMISSION VEHICLE COMPONENTS.—

“(A) IN GENERAL.—The Secretary shall designate not more than 2 facilities to conduct testing, evaluation, and analysis of low or no emission vehicle components intended for use in low or no emission vehicles.

“(B) OPERATION AND MAINTENANCE.—

“(i) IN GENERAL.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, not more than 2 institutions of higher education to each operate and maintain a facility designated under subparagraph (A).

“(ii) REQUIREMENTS.—An institution of higher education described in clause (i) shall have—

“(I) previous experience with transportation-related advanced component and vehicle evaluation;

“(II) laboratories capable of testing and evaluation;

“(III) direct access to or a partnership with a testing facility capable of emulating real-world circumstances in order to test low or no emission vehicle components installed on the intended vehicle;

“(IV) extensive knowledge of public-private partnerships in the transportation sector, with emphasis on development and evaluation of materials, products, and components;

“(V) the ability to reduce costs to partners by leveraging existing programs to provide complementary research, development, testing, and evaluation; and

“(VI) the means to conduct performance assessments on low or no emission vehicle components based on industry standards.

“(C) FEES.—A covered institution of higher education shall establish and collect fees, which shall be approved by the Secretary, for the assessment of low or no emission components at the applicable facility designated under subparagraph (A).

“(D) AVAILABILITY OF AMOUNTS TO PAY FOR ASSESSMENT.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, each covered institution of higher education under which—

“(i) the Secretary shall pay 50 percent of the cost of assessing a low or no emission vehicle component at the applicable facility designated under subparagraph (A) from amounts made available to carry out this section; and

“(ii) the remaining 50 percent of such cost shall be paid from amounts recovered through the fees established and collected pursuant to subparagraph (C).

“(E) VOLUNTARY TESTING.—A manufacturer of a low or no emission vehicle component is not required to assess the low or no emission vehicle component at a facility designated under subparagraph (A).

“(F) COMPLIANCE WITH SECTION 5318.—Notwithstanding whether a low or no emission vehicle component is assessed at a facility designated under subparagraph (A), each new bus model shall comply with the requirements under section 5318.

“(G) SEPARATE FACILITY.—Each facility designated under subparagraph (A) shall be separate and distinct from the facility operated and maintained under section 5318.

“(3) LOW OR NO EMISSION VEHICLE COMPONENT PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2015, and annually thereafter, the Secretary shall issue a report on low or no emission vehicle component assessments conducted at each facility designated under paragraph (2)(A), which shall include information related to the maintainability, reliability, performance, structural integrity, efficiency, and noise of those low or no emission vehicle components.

“(4) PUBLIC AVAILABILITY OF ASSESSMENTS.—Each assessment conducted at a facility designated under paragraph (2)(A) shall be made publically available, including to affected industries.

“(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require—

“(A) a low or no emission vehicle component to be tested at a facility designated under paragraph (2)(A); or

“(B) the development or disclosure of a privately funded component assessment.”;

(6) in subsection (f), as so redesignated—
(A) in paragraph (2), by striking “and” at the end;

(B) by redesignating paragraph (3) as paragraph (4);

(C) by inserting after paragraph (2) the following:

“(3) a list of any projects that returned negative results in the preceding fiscal year and an analysis of such results; and”;

(D) in paragraph (4), as so redesignated, by inserting before the period at the end the following: “based on projects in the pipeline, ongoing projects, and anticipated research efforts necessary to advance certain projects to a subsequent research phase”;

(7) by adding at the end the following:

“(h) COOPERATIVE RESEARCH PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish—

“(A) a public transportation cooperative research program under this subsection; and

“(B) an independent governing board for the program, which shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

“(2) FEDERAL ASSISTANCE.—The Secretary may make grants to, and cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary determines appropriate.

“(3) GOVERNMENT SHARE.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this section, the Secretary shall establish a Government share consistent with that benefit.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 49.—Chapter 53 of title 49, United States Code, is amended by striking section 5313.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the items relating to sections 5312 and 5313 and inserting the following:

“5312. Research, development, demonstration, and deployment program.

“[5313. Repealed.]”.

SEC. 21010. PRIVATE SECTOR PARTICIPATION.

(a) IN GENERAL.—Section 5315 of title 49, United States Code, is amended by adding at the end the following:

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter—

“(1) the eligibilities, requirements, or priority for assistance provided under this chapter; or

“(2) the requirements of section 5306(a).”.

(b) MAP-21 TECHNICAL CORRECTION.—Section 20013(d) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141; 126 Stat. 694) is amended by striking “5307(c)” and inserting “5307(b)”.

SEC. 21011. INNOVATIVE PROCUREMENT.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5315 the following:

“§5316. Innovative procurement

“(a) DEFINITION.—In this section, the term ‘grantee’ means a recipient or subrecipient of assistance under this chapter.

“(b) COOPERATIVE PROCUREMENT.—

“(1) DEFINITIONS; GENERAL RULES.—

“(A) DEFINITIONS.—In this subsection—

“(i) the term ‘cooperative procurement contract’ means a contract—

“(I) entered into between a State government or eligible nonprofit and 1 or more vendors; and

“(II) under which the vendors agree to provide an option to purchase rolling stock and related equipment to multiple participants;

“(ii) the term ‘eligible nonprofit entity’ means—

“(I) a nonprofit entity that is not a grantee; or

“(II) a consortium of entities described in subclause (I);

“(iii) the terms ‘lead nonprofit entity’ and ‘lead procurement agency’ mean an eligible nonprofit entity or a State government, respectively, that acts in an administrative capacity on behalf of each participant in a cooperative procurement contract;

“(iv) the term ‘participant’ means a grantee that participates in a cooperative procurement contract; and

“(v) the term ‘participate’ means to purchase rolling stock and related equipment under a cooperative procurement contract using assistance provided under this chapter.

“(B) GENERAL RULES.—

“(i) PROCUREMENT NOT LIMITED TO INTRA-STATE PARTICIPANTS.—A grantee may participate in a cooperative procurement contract without regard to whether the grantee is located in the same State as the parties to the contract.

“(ii) VOLUNTARY PARTICIPATION.—Participation by grantees in a cooperative procurement contract shall be voluntary.

“(iii) CONTRACT TERMS.—The lead procurement agency or lead nonprofit entity for a cooperative procurement contract shall develop the terms of the contract.

“(iv) DURATION.—A cooperative procurement contract—

“(I) subject to subclauses (II) and (III), may be for an initial term of not more than 2 years;

“(II) may include not more than 3 optional extensions for terms of not more than 1 year each; and

“(III) may be in effect for a total period of not more than 5 years, including each extension authorized under subclause (II).

“(v) ADMINISTRATIVE EXPENSES.—A lead procurement agency or lead nonprofit entity, as applicable, that enters into a cooperative procurement contract—

“(I) may charge the participants in the contract for the cost of administering, planning, and providing technical assistance for the contract in an amount that is not more than 1 percent of the total value of the contract; and

“(II) with respect to the cost described in subclause (I), may incorporate the cost into the price of the contract or directly charge the participants for the cost, but not both.

“(2) STATE COOPERATIVE PROCUREMENT SCHEDULES.—

“(A) AUTHORITY.—A State government may enter into a cooperative procurement contract with 1 or more vendors if—

“(i) the vendors agree to provide an option to purchase rolling stock and related equipment to the State government and any other participant; and

“(ii) the State government acts throughout the term of the contract as the lead procurement agency.

“(B) APPLICABILITY OF POLICIES AND PROCEDURES.—In procuring rolling stock and related equipment under a cooperative procurement contract under this subsection, a State government shall comply with the policies and procedures that apply to procurement by the State government when using non-Federal funds, to

the extent that the policies and procedures are in conformance with applicable Federal law.

“(3) PILOT PROGRAM FOR NONPROFIT COOPERATIVE PROCUREMENTS.—

“(A) ESTABLISHMENT.—The Secretary shall establish and carry out a pilot program to demonstrate the effectiveness of cooperative procurement contracts administered by nonprofit entities.

“(B) DESIGNATION.—In carrying out the program under this paragraph, the Secretary shall designate not less than 1 eligible nonprofit entity to enter into a cooperative procurement contract under which the nonprofit entity acts throughout the term of the contract as the lead nonprofit entity.

“(C) NUMBER OF ENTITIES.—The Secretary may designate not more than 3 geographically diverse eligible nonprofit entities under subparagraph (B).

“(D) NOTICE OF INTENT TO PARTICIPATE.—At a time determined appropriate by the lead nonprofit entity, each participant in a cooperative procurement contract under this paragraph shall submit to the lead nonprofit entity a non-binding notice of intent to participate.

“(C) LEASING ARRANGEMENTS.—

“(1) CAPITAL LEASE DEFINED.—

“(A) IN GENERAL.—In this subsection, the term ‘capital lease’ means any agreement under which a grantee acquires the right to use rolling stock or related equipment for a specified period of time, in exchange for a periodic payment.

“(B) MAINTENANCE.—A capital lease may require that the lessor provide maintenance of the rolling stock or related equipment covered by the lease.

“(2) PROGRAM TO SUPPORT INNOVATIVE LEASING ARRANGEMENTS.—

“(A) AUTHORITY.—A grantee may use assistance provided under this chapter to enter into a capital lease if—

“(i) the rolling stock or related equipment covered under the lease is eligible for capital assistance under this chapter; and

“(ii) there is or will be no Federal interest in the rolling stock or related equipment covered under the lease as of the date on which the lease takes effect.

“(B) GRANTEE REQUIREMENTS.—A grantee that enters into a capital lease shall—

“(i) maintain an inventory of the rolling stock or related equipment acquired under the lease; and

“(ii) maintain on the accounting records of the grantee the liability of the grantee under the lease.

“(C) ELIGIBLE LEASE COSTS.—The costs for which a grantee may use assistance under this chapter, with respect to a capital lease, include—

“(i) the cost of the rolling stock or related equipment;

“(ii) associated financing costs, including interest, legal fees, and financial advisor fees;

“(iii) ancillary costs such as delivery and installation charges; and

“(iv) maintenance costs.

“(D) TERMS.—A grantee shall negotiate the terms of any lease agreement that the grantee enters into.

“(E) APPLICABILITY OF PROCUREMENT REQUIREMENTS.—

“(i) LEASE REQUIREMENTS.—Part 639 of title 49, Code of Federal Regulations, or any successor regulation, and implementing guidance applicable to leasing shall not apply to a capital lease.

“(ii) BUY AMERICA.—The requirements under section 5323(j) shall apply to a capital lease.

“(3) INCENTIVE PROGRAM FOR CAPITAL LEASING OF ROLLING STOCK.—

“(A) AUTHORITY.—The Secretary shall carry out an incentive program for capital leasing of

rolling stock (referred to in this paragraph as the ‘program’).

“(B) SELECTION OF PARTICIPANTS.—

“(i) IN GENERAL.—The Secretary shall select not less than 6 grantees to participate in the program, which shall be—

“(I) geographically diverse; and

“(II) evenly distributed among grantees in accordance with clause (ii).

“(ii) POPULATION SIZE.—In selecting an even distribution of grantees under clause (i)(II), the Secretary shall select not less than—

“(I) 2 grantees that serve rural areas;

“(II) 2 grantees that serve urbanized areas with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census; and

“(III) 2 grantees that serve urbanized areas with a population of 200,000 or more individuals, as determined by the Bureau of the Census.

“(iii) WAIVER.—The Secretary may waive a requirement under clause (ii) if an insufficient number of eligible grantees of a particular population size apply to participate in the program.

“(C) PARTICIPANT REQUIREMENTS.—

“(i) IN GENERAL.—A grantee that participates in the program shall—

“(I) enter into a capital lease for a period of not less than 5 years; and

“(II) replace not less than ¼ of the grantee’s fleet through the capital lease.

“(ii) VEHICLE REQUIREMENTS.—The vehicles replaced under clause (i)(II), with respect to the fleet as constituted on the day before the date on which the capital lease is entered into, shall—

“(I) be the oldest vehicles in the fleet; or

“(II) produce the highest quantity of direct greenhouse gas emissions relative to the other vehicles in the fleet, as determined by the Administrator of the Environmental Protection Agency.

“(iii) WAIVER OF FEDERAL INTEREST REQUIREMENTS.—If a grantee participating in the program seeks to replace vehicles that have a remaining Federal interest, the Secretary shall—

“(I) evaluate the economic and environmental benefits of waiving the Federal interest, as demonstrated by the grantee;

“(II) if the grantee demonstrates a net economic or environmental benefit, grant an early disposition of the vehicles; and

“(III) publish each evaluation and final determination of the Secretary under this clause in a conspicuous location on the website of the Federal Transit Administration.

“(D) PARTICIPANT BENEFIT.—During the period during which a capital lease described in subparagraph (C)(i)(I), entered into by a grantee participating in the program, is in effect, the limit on the Government share of operating expenses under subsection (d)(2) of section 5307, subsection (d)(2) of section 5310, or subsection (g)(2) of section 5311 shall not apply with respect to any grant awarded to the grantee under the applicable section.

“(E) REPORTING REQUIREMENT.—Not later than 3 years after the date on which a grantee enters into a capital lease under the program, the grantee shall submit to the Secretary a report that contains—

“(i) an evaluation of the overall costs and benefits of leasing rolling stock;

“(ii) a cost comparison of leasing versus buying rolling stock;

“(iii) a comparison of the expected short-term and long-term maintenance costs of leasing versus buying rolling stock; and

“(iv) a projected budget showing the changes in overall operating and capital expenses due to the capital lease that the grantee entered into under the program.

“(4) INCENTIVE PROGRAM FOR CAPITAL LEASING OF CERTAIN ZERO EMISSION VEHICLE COMPONENTS.—

“(A) DEFINITIONS.—In this paragraph—

“(i) the term ‘removable power source’—

“(I) means a power source that is separately installed in, and removable from, a zero emission vehicle; and

“(II) may include a battery, a fuel cell, an ultra-capacitor, or other advanced power source used in a zero emission vehicle; and

“(ii) the term ‘zero emission vehicle’ has the meaning given the term in section 5339(c).

“(B) LEASED POWER SOURCES.—Notwithstanding any other provision of law, for purposes of this subsection, the cost of a removable power source that is necessary for the operation of a zero emission vehicle shall not be treated as part of the cost of the vehicle if the removable power source is acquired using a capital lease.

“(C) ELIGIBLE CAPITAL LEASE.—A grantee may acquire a removable power source by itself through a capital lease.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 53 of title 49, United States Code, is amended by inserting after the item relating to section 5315 the following:

“5316. Innovative procurement.”.

(2) CONFORMING AMENDMENT.—Section 5325(e)(2) of title 49, United States Code, is amended by inserting after “this subsection” the following: “, section 5316.”.

SEC. 21012. HUMAN RESOURCES AND TRAINING.

Section 5322 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the paragraph heading, by striking “PROGRAM ESTABLISHED” and inserting “IN GENERAL”;

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

“(2) PROGRAMS.—A program eligible for assistance under subsection (a) shall—

“(A) provide skills training, on-the-job training, and work-based learning;

“(B) offer career pathways that support the movement from initial or short-term employment opportunities to sustainable careers;

“(C) address current or projected workforce shortages;

“(D) replicate successful workforce development models; or

“(E) respond to such other workforce needs as the Secretary determines appropriate.”;

(D) in paragraph (3), as so redesignated—

(i) in subparagraph (G), by striking “and” at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(I) give priority to minorities, women, individuals with disabilities, veterans, low-income populations, and other underserved populations.”; and

(E) by adding at the end the following:

“(4) COORDINATION.—A recipient of assistance under this subsection shall—

“(A) identify the workforce needs and commensurate training needs at the local level in coordination with entities such as local employers, local public transportation operators, labor union organizations, workforce development boards, State workforce agencies, State apprenticeship agencies (where applicable), university transportation centers, community colleges, and community-based organizations representing minorities, women, disabled individuals, veterans, and low-income populations; and

“(B) to the extent practicable, conduct local training programs in coordination with existing local training programs supported by the Secretary, the Department of Labor (including registered apprenticeship programs), and the Department of Education.

“(5) PROGRAM OUTCOMES.—A recipient of assistance under this subsection shall demonstrate outcomes for any program that includes skills training, on-the-job training, and work-based learning, including—

“(A) the impact on reducing public transportation workforce shortages in the area served;

“(B) the diversity of training participants;

“(C) the number of participants obtaining certifications or credentials required for specific types of employment;

“(D) employment outcomes, including job placement, job retention, and wages, using performance metrics established in consultation with the Secretary and the Secretary of Labor and consistent with metrics used by programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and

“(E) to the extent practical, evidence that the program did not preclude workers who are participating in skills training, on-the-job training, and work-based learning from being referred to, or hired on, projects funded under this chapter without regard to the length of time of their participation in the program.”; and

(2) in subsection (d), by striking paragraph (4) and inserting the following:

“(4) USE FOR TECHNICAL ASSISTANCE.—The Secretary may use not more than 1 percent of the amounts made available to carry out this section to provide technical assistance for activities and programs developed, conducted, and overseen under this subsection.

“(5) AVAILABILITY OF AMOUNTS.—

“(A) IN GENERAL.—Not more than 0.5 percent of the amounts made available to a recipient under sections 5307, 5337, and 5339 is available for expenditure by the recipient, with the approval of the Secretary, to pay not more than 80 percent of the cost of eligible activities under this subsection.

“(B) EXISTING PROGRAMS.—A recipient may use amounts made available under paragraph (A) to carry out existing local education and training programs for public transportation employees supported by the Secretary, the Department of Labor, or the Department of Education.”.

SEC. 21013. GENERAL PROVISIONS.

Section 5323 of title 49, United States Code, is amended—

(1) in subsection (j)—

(A) in paragraph (2), by striking subparagraph (C) and inserting the following:

“(C) when procuring rolling stock (including train control, communication, and traction power equipment, and rolling stock prototypes) under this chapter—

“(i) the cost of components and subcomponents produced in the United States—

“(I) for fiscal years 2016 and 2017, is more than 60 percent of the cost of all components of the rolling stock;

“(II) for fiscal years 2018 and 2019, is more than 65 percent of the cost of all components of the rolling stock; and

“(III) for fiscal year 2020 and each fiscal year thereafter, is more than 70 percent of the cost of all components of the rolling stock; and

“(ii) final assembly of the rolling stock has occurred in the United States; or”;

(B) by redesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively;

(C) by inserting after paragraph (4) the following:

“(5) ROLLING STOCK FRAMES OR CAR SHELLS.—In carrying out paragraph (2)(C) in the case of a rolling stock procurement receiving assistance under this chapter in which the average cost of a rolling stock vehicle in the procurement is more than \$300,000, if rolling stock frames or car shells are not produced in the United States, the Secretary shall include in the calculation of the domestic content of the rolling stock the cost of

steel or iron used in the rolling stock frames or car shells if—

“(A) all manufacturing processes for the steel or iron occur in the United States; and

“(B) the amount of steel or iron used in the rolling stock frames or car shells is significant.

“(6) CERTIFICATION OF DOMESTIC SUPPLY AND DISCLOSURE.—

“(A) CERTIFICATION OF DOMESTIC SUPPLY.—If the Secretary denies an application for a waiver under paragraph (2), the Secretary shall provide to the applicant a written certification that—

“(i) the steel, iron, or manufactured goods, as applicable, (referred to in this subparagraph as the ‘item’) is produced in the United States in a sufficient and reasonably available amount;

“(ii) the item produced in the United States is of a satisfactory quality; and

“(iii) includes a list of known manufacturers in the United States from which the item can be obtained.

“(B) DISCLOSURE.—The Secretary shall disclose the waiver denial and the written certification to the public in an easily identifiable location on the website of the Department of Transportation.”;

(D) in paragraph (8), as so redesignated, by striking “Federal Public Transportation Act of 2012” and inserting “Federal Public Transportation Act of 2015”; and

(E) by inserting after paragraph (11), as so redesignated, the following:

“(12) PRODUCTION IN UNITED STATES.—For purposes of this subsection, steel and iron may be considered produced in the United States if all the manufacturing processes, except metallurgical processes involving refinement of steel additives, took place in the United States.

“(13) DEFINITION OF SMALL PURCHASE.—For purposes of determining whether a purchase qualifies for a general public interest waiver under paragraph (2)(A) of this subsection, including under any regulation promulgated under that paragraph, the term ‘small purchase’ means a purchase of not more than \$150,000.”;

(2) in subsection (q)(1), by striking the second sentence; and

(3) by adding at the end the following:

“(s) VALUE CAPTURE REVENUE ELIGIBLE FOR LOCAL SHARE.—Notwithstanding any other provision of law, a recipient of assistance under this chapter may use the revenue generated from value capture financing mechanisms as local matching funds for capital projects and operating costs eligible under this chapter.

“(t) VALUE ENGINEERING.—Nothing in this chapter shall be construed to authorize the Secretary to mandate the use of value engineering in projects funded under this chapter.”.

SEC. 21014. PROJECT MANAGEMENT OVERSIGHT.

Section 5327 of title 49, United States Code, is amended—

(1) in subsection (c), by striking “section 5338(i)” and inserting “section 5338(h)”;

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “section 5338(i)” and inserting “section 5338(h)”;

(ii) by striking “and” at the end; and

(B) by striking paragraph (2) and inserting the following:

“(2) a requirement that oversight—

“(A) begin during the project development phase of a project, unless the Secretary finds it more appropriate to begin the oversight during another phase of the project, to maximize the transportation benefits and cost savings associated with project management oversight; and

“(B) be limited to quarterly reviews of compliance by the recipient with the project management plan approved under subsection (b) unless the Secretary finds that the recipient requires more frequent oversight because the recipient has, for 2 consecutive quarterly reviews, failed

to meet the requirements of such plan and the project is at risk of going over budget or becoming behind schedule; and

“(3) a process for recipients that the Secretary has found require more frequent oversight to return to quarterly reviews for purposes of paragraph (2)(B).”.

SEC. 21015. PUBLIC TRANSPORTATION SAFETY PROGRAM.

(a) IN GENERAL.—Section 5329 of title 49, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C), by striking “and” at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

“(D) minimum safety standards to ensure the safe operation of public transportation systems that—

“(i) are not related to performance standards for public transportation vehicles developed under subparagraph (C); and

“(ii) to the extent practicable, take into consideration—

“(I) relevant recommendations of the National Transportation Safety Board;

“(II) best practices standards developed by the public transportation industry;

“(III) any minimum safety standards or performance criteria being implemented across the public transportation industry; and

“(IV) any additional information that the Secretary determines necessary and appropriate; and”;

(2) in subsection (f)(2), by inserting after “public transportation system of a recipient” the following: “or the public transportation industry generally”; and

(3) in subsection (g)(1), in the matter preceding subparagraph (A), by striking “an eligible State, as defined in subsection (e),” and inserting “a recipient”.

(b) REVIEW OF PUBLIC TRANSPORTATION SAFETY STANDARDS.—

(1) REVIEW REQUIRED.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall commence a review of the safety standards and protocols used in rail fixed guideway public transportation systems in the United States that examines the efficacy of existing standards and protocols.

(B) CONTENTS OF REVIEW.—In conducting the review under this paragraph, the Secretary shall review—

(i) minimum safety performance standards developed by the public transportation industry;

(ii) safety performance standards, practices, or protocols in use by rail fixed guideway public transportation systems, including—

(I) written emergency plans and procedures for passenger evacuations;

(II) training programs to ensure public transportation personnel compliance and readiness in emergency situations;

(III) coordination plans with local emergency responders having jurisdiction over a rail fixed guideway public transportation system, including—

(aa) emergency preparedness training, drills, and familiarization programs for those first responders; and

(bb) the scheduling of regular field exercises to ensure appropriate response and effective radio and public safety communications;

(IV) maintenance, testing, and inspection programs to ensure the proper functioning of—

(aa) tunnel, station, and vehicle ventilation systems;

(bb) signal and train control systems, track, mechanical systems, and other infrastructure; and

(cc) other systems as necessary;
 (V) certification requirements for train and bus operators and control center employees;
 (VI) consensus-based standards, practices, or protocols available to the public transportation industry; and

(VII) any other standards, practices, or protocols the Secretary determines appropriate; and
 (iii) vehicle safety standards, practices, or protocols in use by public transportation systems, concerning—

(I) bus design and the workstation of bus operators, as it relates to—

(aa) the reduction of blindspots that contribute to accidents involving pedestrians; and
 (bb) protecting bus operators from the risk of assault; and

(II) scheduling fixed route bus service with adequate time and access for operators to use restroom facilities.

(2) **EVALUATION.**—After conducting the review under paragraph (1), the Secretary shall, in consultation with representatives of the public transportation industry, evaluate the need to establish Federal minimum public transportation safety standards, including—

(A) standards governing worker safety;

(B) standards for the operation of signals, track, on-track equipment, mechanical systems, and control systems; and

(C) any other areas the Secretary, in consultation with the public transportation industry, determines require further evaluation.

(3) **REPORT.**—Upon completing the review and evaluation required under paragraphs (1) and (2), respectively, and not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) findings based on the review conducted under paragraph (1);

(B) the outcome of the evaluation conducted under paragraph (2);

(C) a comprehensive set of recommendations to improve the safety of the public transportation industry, including recommendations for legislative changes where applicable; and

(D) actions that the Secretary will take to address the recommendations provided under subparagraph (C), including, if necessary, the establishment of Federal minimum public transportation safety standards.

SEC. 21016. STATE OF GOOD REPAIR GRANTS.

Section 5337 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—Of the amount authorized or made available for a fiscal year under section 5338(a)(2)(L)—

“(A) \$100,000,000 shall be made available in accordance with this subsection; and

“(B) 97.15 percent of the remainder shall be apportioned to recipients in accordance with this subsection.”; and

(B) in paragraph (2)(B), by inserting “the provisions of” before “section 5336(b)(1)”; and

(2) in subsection (d)—

(A) in paragraph (2), by striking “section 5338(a)(2)(I), 2.85 percent” and inserting “section 5338(a)(2)(L), the remainder after the application of subsection (c)(1)”; and

(B) by adding at the end the following:

“(5) **USE OF FUNDS.**—Amounts apportioned under this subsection may be used for any project that is an eligible project under subsection (b)(1).”; and

(3) by adding at the end the following:

“(e) **GOVERNMENT SHARE OF COSTS.**—

“(1) **CAPITAL PROJECTS.**—A grant for a capital project under this section shall be for 80 percent

of the net project cost of the project. The recipient may provide additional local matching amounts.

“(2) **REMAINING COSTS.**—The remainder of the net project costs shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.”.

SEC. 21017. AUTHORIZATIONS.

Section 5338 of title 49, United States Code, as amended by division G, is amended to read as follows:

“§5338. Authorizations

“(a) **GRANTS.**—

“(1) **IN GENERAL.**—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5322(b), 5322(d), 5335, 5337, 5339, and 5340, section 20005(b) of the Federal Public Transportation Act of 2012, and section 21007(b) of the Federal Public Transportation Act of 2015—

“(A) \$9,184,747,400 for fiscal year 2016;

“(B) \$9,380,039,349 for fiscal year 2017;

“(C) \$9,685,745,744 for fiscal year 2018;

“(D) \$10,101,051,238 for fiscal year 2019;

“(E) \$10,351,763,806 for fiscal year 2020; and

“(F) \$10,609,442,553 for fiscal year 2021.

“(2) **ALLOCATION OF FUNDS.**—Of the amounts made available under paragraph (1)—

“(A) \$132,020,000 for fiscal year 2016, \$134,934,342 for fiscal year 2017, \$138,004,098 for fiscal year 2018, \$141,328,616 for fiscal year 2019, \$144,893,631 for fiscal year 2020, and \$148,557,701 for fiscal year 2021 shall be available to carry out section 5305;

“(B) \$10,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 20005(b) of the Federal Public Transportation Act of 2012;

“(C) \$4,538,905,700 for fiscal year 2016, \$4,639,102,043 for fiscal year 2017, \$4,794,641,615 for fiscal year 2018, \$4,975,879,158 for fiscal year 2019, \$5,101,395,710 for fiscal year 2020, and \$5,230,399,804 for fiscal year 2021 shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307;

“(D) \$263,466,000 for fiscal year 2016, \$269,282,012 for fiscal year 2017, \$275,408,178 for fiscal year 2018, \$288,264,292 for fiscal year 2019, \$295,535,759 for fiscal year 2020, and \$303,009,267 for fiscal year 2021 shall be available to provide financial assistance for services for the enhanced mobility of seniors and individuals with disabilities under section 5310;

“(E) \$2,000,000 for each of fiscal years 2016 through 2021 shall be available for the pilot program for innovative coordinated access and mobility under section 21007(b) of the Federal Public Transportation Act of 2015;

“(F) \$619,956,000 for fiscal year 2016, \$633,641,529 for fiscal year 2017, \$648,056,873 for fiscal year 2018, \$678,308,311 for fiscal year 2019, \$695,418,638 for fiscal year 2020, and \$713,004,385 for fiscal year 2021 shall be available to provide financial assistance for rural areas under section 5311, of which not less than—

“(i) \$35,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5311(c)(1); and

“(ii) \$20,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5311(c)(2);

“(G) \$30,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312, of which—

“(i) \$5,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312(e); and

“(ii) \$5,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312(h);

“(H) \$4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5314;

“(I) \$3,000,000 for each of fiscal years 2016 through 2021 shall be available for bus testing under section 5318;

“(J) \$5,000,000 for each of fiscal years 2016 through 2021 shall be available for the national transit institute under section 5322(d);

“(K) \$4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5335;

“(L) \$2,428,342,500 for fiscal year 2016, \$2,479,740,661 for fiscal year 2017, \$2,533,879,761 for fiscal year 2018, \$2,592,511,924 for fiscal year 2019, \$2,655,385,537 for fiscal year 2020, and \$2,720,006,127 for fiscal year 2021 shall be available to carry out section 5337;

“(M) \$430,794,600 for fiscal year 2016, \$440,304,391 for fiscal year 2017, \$495,321,316 for fiscal year 2018, \$585,851,498 for fiscal year 2019, \$605,422,352 for fiscal year 2020, and \$625,536,993 for fiscal year 2021 shall be available for the bus and bus facilities program under section 5339(a);

“(N) \$180,000,000 for each of fiscal years 2016 and 2017, \$185,000,000 for fiscal year 2018, and \$190,000,000 for each of fiscal years 2019 through 2021 shall be available for bus and bus facilities competitive grants under section 5339(b) and no or low emission grants under section 5339(c), of which \$55,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5339(c);

“(O) \$533,262,600 for fiscal year 2016, \$545,034,372 for fiscal year 2017, \$557,433,904 for fiscal year 2018, \$586,907,438 for fiscal year 2019, \$601,712,178 for fiscal year 2020, and \$616,928,276 for fiscal year 2021 shall be allocated in accordance with section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311; and

“(P) \$4,000,000 for each of fiscal years 2019 through 2021 shall be available to carry out section 5322(b).

“(b) **RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.**—There are authorized to be appropriated to carry out section 5312, other than subsections (e) and (h) of that section, \$20,000,000 for each of fiscal years 2016 through 2021.

“(c) **TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.**—There are authorized to be appropriated to carry out section 5314, \$7,000,000 for each of fiscal years 2016 through 2021.

“(d) **HUMAN RESOURCES AND TRAINING.**—There are authorized to be appropriated to carry out subsections (a), (b), (c), and (e) of section 5322, \$5,000,000 for each of fiscal years 2016 through 2021.

“(e) **EMERGENCY RELIEF PROGRAM.**—There are authorized to be appropriated such sums as are necessary to carry out section 5324.

“(f) **CAPITAL INVESTMENT GRANTS.**—There are authorized to be appropriated to carry out section 5309 of this title and section 21006(b) of the Federal Public Transportation Act of 2015, \$2,301,785,760 for fiscal year 2016, \$2,352,597,681 for fiscal year 2017, \$2,406,119,278 for fiscal year 2018, \$2,464,082,691 for fiscal year 2019, \$2,526,239,177 for fiscal year 2020, and \$2,590,122,713 for fiscal year 2021, of which \$276,214,291 for fiscal year 2016, \$282,311,722 for fiscal year 2017, \$288,734,313 for fiscal year 2018, \$295,689,923 for fiscal year 2019, \$303,148,701 for fiscal year 2020, and \$310,814,726 for fiscal year 2021 shall be available to carry out section 21006(b) of the Federal Public Transportation Act of 2015.

“(g) **ADMINISTRATION.**—

“(1) **IN GENERAL.**—There are authorized to be appropriated to carry out section 5334, \$115,016,543 for fiscal year 2016, \$117,555,533 for fiscal year 2017, \$120,229,921 for fiscal year 2018, \$123,126,260 for fiscal year 2019, \$126,232,120 for fiscal year 2020, and \$129,424,278 for fiscal year 2021.

“(2) **SECTION 5329.**—Of the amounts authorized to be appropriated under paragraph (1), not less

than \$8,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5329.

“(3) SECTION 5326.—Of the amounts made available under paragraph (2), not less than \$2,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5326.

“(h) OVERSIGHT.—

“(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):

“(A) 0.5 percent of amounts made available to carry out section 5305.

“(B) 0.75 percent of amounts made available to carry out section 5307.

“(C) 1 percent of amounts made available to carry out section 5309.

“(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 126 Stat. 4968).

“(E) 0.5 percent of amounts made available to carry out section 5310.

“(F) 0.5 percent of amounts made available to carry out section 5311.

“(G) 1 percent of amounts made available to carry out section 5337, of which not less than 0.25 percent shall be available to carry out section 5329.

“(H) 0.75 percent of amounts made available to carry out section 5339.

“(2) ACTIVITIES.—The activities described in this paragraph are as follows:

“(A) Activities to oversee the construction of a major capital project.

“(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

“(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

“(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

“(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.

“(i) GRANTS AS CONTRACTUAL OBLIGATIONS.—

“(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

“(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

“(j) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.”.

SEC. 21018. GRANTS FOR BUS AND BUS FACILITIES.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, as amended by division G, is amended by striking section 5339 and inserting the following:

“§5339. Grants for bus and bus facilities

“(a) FORMULA GRANTS.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘low or no emission vehicle’ has the meaning given that term in subsection (c)(1);

“(B) the term ‘State’ means a State of the United States; and

“(C) the term ‘territory’ means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.

“(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to assist eligible recipients described in paragraph (4)(A) in financing capital projects—

“(A) to replace, rehabilitate, and purchase buses and related equipment, including technological changes or innovations to modify low or no emissions vehicles or facilities; and

“(B) to construct bus-related facilities.

“(3) GRANT REQUIREMENTS.—The requirements of—

“(A) section 5307 shall apply to recipients of grants made in urbanized areas under this subsection; and

“(B) section 5311 shall apply to recipients of grants made in rural areas under this subsection.

“(4) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—

“(A) RECIPIENTS.—Eligible recipients under this subsection are—

“(i) designated recipients that allocate funds to fixed route bus operators; or

“(ii) State or local governmental entities that operate fixed route bus service.

“(B) SUBRECIPIENTS.—A recipient that receives a grant under this subsection may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

“(5) DISTRIBUTION OF GRANT FUNDS.—Funds allocated under section 5338(a)(2)(M) shall be distributed as follows:

“(A) NATIONAL DISTRIBUTION.—\$103,000,000 for each of fiscal years 2016 through 2021 shall be allocated to all States and territories, with each State receiving \$2,000,000 for each such fiscal year and each territory receiving \$500,000 for each such fiscal year.

“(B) DISTRIBUTION USING POPULATION AND SERVICE FACTORS.—The remainder of the funds not otherwise distributed under subparagraph (A) shall be allocated pursuant to the formula set forth in section 5336 other than subsection (b).

“(6) TRANSFERS OF APPORTIONMENTS.—

“(A) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—The Governor of a State may transfer any part of the State’s apportionment under paragraph (5)(A) to supplement amounts apportioned to the State under section 5311(c) of this title or amounts apportioned to urbanized areas under subsections (a) and (c) of section 5336 of this title.

“(B) TRANSFER FLEXIBILITY FOR POPULATION AND SERVICE FACTORS FUNDS.—The Governor of a State may expend in an urbanized area with a population of less than 200,000 any amounts apportioned under paragraph (5)(B) that are not allocated to designated recipients in urbanized areas with a population of 200,000 or more.

“(7) GOVERNMENT SHARE OF COSTS.—

“(A) CAPITAL PROJECTS.—A grant for a capital project under this subsection shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this subsection may provide additional local matching amounts.

“(B) REMAINING COSTS.—The remainder of the net project cost shall be provided—

“(i) in cash from non-Government sources other than revenues from providing public transportation services;

“(ii) from revenues derived from the sale of advertising and concessions;

“(iii) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital;

“(iv) from amounts received under a service agreement with a State or local social service agency or private social service organization; or

“(v) from revenues generated from value capture financing mechanisms.

“(8) PERIOD OF AVAILABILITY TO RECIPIENTS.—Amounts made available under this subsection may be obligated by a recipient for 3 fiscal years after the fiscal year in which the amount is apportioned. Not later than 30 days after the end of the 3-fiscal-year period described in the preceding sentence, any amount that is not obligated on the last day of that period shall be added to the amount that may be apportioned under this subsection in the next fiscal year.

“(b) BUS AND BUS FACILITIES COMPETITIVE GRANTS.—

“(1) IN GENERAL.—The Secretary may make grants under this subsection to designated recipients to assist in the financing of bus and bus facilities capital projects, including—

“(A) replacing, rehabilitating, purchasing, or leasing buses or related equipment; and

“(B) rehabilitating, purchasing, constructing, or leasing bus-related facilities.

“(2) GRANT CONSIDERATIONS.—In making grants under this subsection, the Secretary shall consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities.

“(3) STATEWIDE APPLICATIONS.—A State may submit a statewide application on behalf of a public agency or private nonprofit organization engaged in public transportation in rural areas or other areas for which the State allocates funds. The submission of a statewide application shall not preclude the submission and consideration of any application under this subsection from other eligible recipients in an urbanized area in a State.

“(4) REQUIREMENTS FOR THE SECRETARY.—The Secretary shall—

“(A) disclose all metrics and evaluation procedures to be used in considering grant applications under this subsection upon issuance of the notice of funding availability in the Federal Register; and

“(B) publish a summary of final scores for selected projects, metrics, and other evaluations used in awarding grants under this subsection in the Federal Register.

“(5) RURAL PROJECTS.—Not less 10 percent of the amounts made available under this subsection in a fiscal year shall be distributed to projects in rural areas.

“(6) GRANT REQUIREMENTS.—

“(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of—

“(i) section 5307 for recipients of grants made in urbanized areas; and

“(ii) section 5311 for recipients of grants made in rural areas.

“(B) GOVERNMENT SHARE OF COSTS.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

“(7) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

“(A) shall remain available for 2 fiscal years after the fiscal year for which the amount is made available; and

“(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

“(8) LIMITATION.—Of the amounts made available under this subsection, not more than 15 percent may be awarded to a single grantee.

“(c) LOW OR NO EMISSION GRANTS.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘direct carbon emissions’ means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

“(B) the term ‘eligible project’ means a project or program of projects in an eligible area for—

“(i) acquiring low or no emission vehicles;

“(ii) leasing low or no emission vehicles;
 “(iii) acquiring low or no emission vehicles with a leased power source;
 “(iv) constructing facilities and related equipment for low or no emission vehicles;
 “(v) leasing facilities and related equipment for low or no emission vehicles;
 “(vi) constructing new public transportation facilities to accommodate low or no emission vehicles; or
 “(vii) rehabilitating or improving existing public transportation facilities to accommodate low or no emission vehicles;
 “(C) the term ‘leased power source’ means a removable power source, as defined in paragraph (4)(A) of section 5316(c), that is made available through a capital lease under that section;
 “(D) the term ‘low or no emission bus’ means a bus that is a low or no emission vehicle;
 “(E) the term ‘low or no emission vehicle’ means—
 “(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or
 “(ii) a zero emission vehicle used to provide public transportation;
 “(F) the term ‘recipient’ means a designated recipient, a local governmental authority, or a State that receives a grant under this subsection for an eligible project; and
 “(G) the term ‘zero emission vehicle’ means a low or no emission vehicle that produces no carbon or particulate matter.
 “(2) GENERAL AUTHORITY.—The Secretary may make grants to recipients to finance eligible projects under this subsection.
 “(3) GRANT REQUIREMENTS.—
 “(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of section 5307.
 “(B) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—Section 5323(i) applies to eligible projects carried out under this subsection, unless the recipient requests a lower grant percentage.
 “(C) COMBINATION OF FUNDING SOURCES.—
 “(i) COMBINATION PERMITTED.—An eligible project carried out under this subsection may receive funding under section 5307 or any other provision of law.
 “(ii) GOVERNMENT SHARE.—Nothing in this subparagraph shall be construed to alter the Government share required under paragraph (7), section 5307, or any other provision of law.
 “(4) COMPETITIVE PROCESS.—The Secretary shall—
 “(A) not later than 30 days after the date on which amounts are made available for obligation under this subsection for a full fiscal year, solicit grant applications for eligible projects on a competitive basis; and
 “(B) award a grant under this subsection based on the solicitation under subparagraph (A) not later than the earlier of—
 “(i) 75 days after the date on which the solicitation expires; or
 “(ii) the end of the fiscal year in which the Secretary solicited the grant applications.
 “(5) CONSIDERATION.—In awarding grants under this subsection, the Secretary shall only consider eligible projects relating to the acquisition or leasing of low or no emission buses that—
 “(A) make greater reductions in energy consumption and harmful emissions, including direct carbon emissions, than comparable standard buses or other low or no emission buses; and
 “(B) are part of a long-term integrated fleet management plan for the recipient.
 “(6) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

“(A) shall remain available to an eligible project for 2 fiscal years after the fiscal year for which the amount is made available; and
 “(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.
 “(7) GOVERNMENT SHARE OF COSTS.—
 “(A) IN GENERAL.—The Federal share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.
 “(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.”.
 (b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5339 and inserting the following:
 “5339. Grants for bus and bus facilities.”.
SEC. 21019. SALARY OF FEDERAL TRANSIT ADMINISTRATOR.
 (a) IN GENERAL.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:
 “Federal Transit Administrator.”.
 (b) CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by striking “Federal Transit Administrator.”.
 (c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first pay period beginning on or after the first day of the first fiscal year beginning after the date of enactment of this Act.
SEC. 21020. TECHNICAL AND CONFORMING AMENDMENTS.
 (a) CHAPTER 53 OF TITLE 49, UNITED STATES CODE.—
 (1) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended—
 (A) by striking section 5319;
 (B) in section 5325—
 (i) in subsection (e)(2), by striking “at least two”; and
 (ii) in subsection (h), by striking “Federal Public Transportation Act of 2012” and inserting “Federal Public Transportation Act of 2015”;
 (C) in section 5336—
 (i) in subsection (a), by striking “subsection (h)(4)” and inserting “subsection (h)(5)”; and
 (ii) in subsection (h), as amended by division G—
 (I) by striking paragraph (1) and inserting the following:
 “(1) \$30,000,000 for each fiscal year shall be set aside to carry out section 5307(h);” and
 (II) in paragraph (3), by striking “1.5 percent” and inserting “2 percent”; and
 (D) in section 5340(b), by striking “section 5338(b)(2)(M)” and inserting “section 5338(a)(2)(O)”.
 (2) TABLE OF SECTIONS.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5319 and inserting the following:
 “[5319. Repealed.]”.
 (b) CHAPTER 105 OF TITLE 49, UNITED STATES CODE.—Section 10501(c) of title 49, United States Code, is amended—
 (1) in paragraph (1)—
 (A) in subparagraph (A)(i), by striking “section 5302(a)” and inserting “section 5302”; and
 (B) in subparagraph (B)—
 (i) by striking “mass transportation” and inserting “public transportation”; and
 (ii) by striking “section 5302(a)” and inserting “section 5302”; and
 (2) in paragraph (2)(A), by striking “mass transportation” and inserting “public transportation”.

DIVISION C—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

SEC. 31001. SHORT TITLE.

This division may be cited as the “Comprehensive Transportation and Consumer Protection Act of 2015.”

SEC. 31002. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 31003. EFFECTIVE DATE.

Subtitle A of title XXXII, sections 33103, 34101(g), 34105, 34106, 34107, 34133, 34141, 34202, 34203, 34204, 34205, 34206, 34207, 34208, 34211, 34212, 34213, 34214, 34215, subtitles C and D of title XXXIV, and title XXXV take effect on the date of enactment of this Act.

TITLE XXXI—OFFICE OF THE SECRETARY

Subtitle A—Accelerating Project Delivery

SEC. 31101. DELEGATION OF AUTHORITY.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following:

“§ 116. Administrations; acting officers

“No person designated to serve as the acting head of an administration in the department of transportation under section 3345 of title 5 may continue to perform the functions and duties of the office if the time limitations in section 3346 of that title would prevent the person from continuing to serve in a formal acting capacity.”.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 1 is amended by inserting after the item relating to section 115 the following:

“116. Administrations; acting officers.”.

(c) APPLICATION.—The amendment under subsection (a) shall apply to any applicable office with a position designated for a Senate confirmed official.

SEC. 31102. INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER.

(a) IN GENERAL.—Subchapter I of chapter 3, as amended by sections 31104 and 31106 of this Act, is further amended by adding after section 311 the following:

“§ 312. Interagency Infrastructure Permitting Improvement Center

“(a) IN GENERAL.—There is established in the Office of the Secretary an Interagency Infrastructure Permitting Improvement Center (referred to in this section as the ‘Center’).
 “(b) ROLES AND RESPONSIBILITIES.—
 “(1) GOVERNANCE.—The Center shall report to the chair of the Steering Committee described in paragraph (2) to ensure that the perspectives of all member agencies are represented.
 “(2) INFRASTRUCTURE PERMITTING STEERING COMMITTEE.—An Infrastructure Permitting Steering Committee (referred to in this section as the ‘Steering Committee’) is established to oversee the work of the Center. The Steering Committee shall be chaired by the Federal Chief Performance Officer in consultation with the Chair of the Council on Environmental Quality and shall be comprised of Deputy-level representatives from the following departments and agencies:

“(A) The Department of Defense.

“(B) The Department of the Interior.

“(C) The Department of Agriculture.

“(D) The Department of Commerce.

“(E) The Department of Transportation.

“(F) The Department of Energy.

“(G) The Department of Homeland Security.

“(H) The Environmental Protection Agency.

“(I) The Advisory Council on Historic Preservation.

“(J) The Department of the Army.

“(K) The Department of Housing and Urban Development.

“(L) Other agencies the Chair of the Steering Committee invites to participate.

“(3) ACTIVITIES.—The Center shall support the Chair of the Steering Committee and undertake the following:

“(A) Coordinate and support implementation of priority reform actions for Federal agency permitting and reviews for areas as defined and identified by the Steering Committee.

“(B) Support modernization efforts at Federal agencies and interagency pilots for innovative approaches to the permitting and review of infrastructure projects.

“(C) Provide technical assistance and training to field and headquarters staff of Federal agencies on policy changes, innovative approaches to project delivery, and other topics as appropriate.

“(D) Identify, develop, and track metrics for timeliness of permit reviews, permit decisions, and project outcomes.

“(E) Administer and expand the use of online transparency tools providing for—

“(i) tracking and reporting of metrics;

“(ii) development and posting of schedules for permit reviews and permit decisions; and

“(iii) sharing of best practices related to efficient project permitting and reviews.

“(F) Provide reporting to the President on progress toward achieving greater efficiency in permitting decisions and review of infrastructure projects and progress toward achieving better outcomes for communities and the environment.

“(G) Meet not less frequently than annually with groups or individuals representing State, Tribal, and local governments that are engaged in the infrastructure permitting process.

“(4) INFRASTRUCTURE SECTORS COVERED.—The Center shall support process improvements in the permitting and review of infrastructure projects in the following sectors:

“(A) Surface transportation.

“(B) Aviation.

“(C) Ports and waterways.

“(D) Water resource projects.

“(E) Renewable energy generation.

“(F) Electricity transmission.

“(G) Broadband.

“(H) Pipelines.

“(I) Other sectors, as determined by the Steering Committee.

“(c) PERFORMANCE MEASURES.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary, in coordination with the heads of other Federal agencies on the Steering Committee with responsibility for the review and approval of infrastructure projects sectors described in subsection (b)(4), shall evaluate and report on—

“(A) the progress made toward aligning Federal reviews of such projects and the improvement of project delivery associated with those projects; and

“(B) the effectiveness of the Center in achieving reduction of permitting time and project delivery time.

“(2) PERFORMANCE TARGETS.—Not later than 180 days after the date on which the Secretary of Transportation establishes performance measures in accordance with paragraph (1), the Secretary shall establish performance targets relating to each of the measures and standards described in subparagraphs (A) and (B) of paragraph (1).

“(3) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of the Com-

prehensive Transportation and Consumer Protection Act of 2015 and biennially thereafter, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

“(A) the results of the evaluation conducted under paragraph (1); and

“(B) the progress towards achieving the targets established under paragraph (2).

“(4) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Inspector General of the Department of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

“(A) the results of the evaluation conducted under paragraph (1); and

“(B) the progress towards achieving the targets established under paragraph (2).”.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 3, as amended by sections 31104 and 31106 of this Act, is further amended by inserting after the item relating to section 311 the following:

“312. Interagency Infrastructure Permitting Improvement Center.”.

SEC. 31103. ACCELERATED DECISION-MAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Subchapter I of chapter 3 is amended by inserting after section 304 the following:

“§304a. Accelerated decision-making in environmental reviews

“(a) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the Department of Transportation, when acting as lead agency, modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional Departmental response, the Department may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

“(1) cite the sources, authorities, or reasons that support the position of the Department; and

“(2) if appropriate, indicate the circumstances that would trigger Departmental reappraisal or further response.

“(b) INCORPORATION.—To the maximum extent practicable, the Department shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

“(1) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

“(2) there are significant new circumstances or information relevant to environmental concerns and that bear on the proposed action or the impacts of the proposed action.”.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 3 is amended by inserting after the item relating to section 304 the following:

“304a. Accelerated decision-making in environmental reviews.”.

SEC. 31104. ENVIRONMENTAL REVIEW ALIGNMENT AND REFORM.

(a) IN GENERAL.—Subchapter I of chapter 3 is amended by inserting after section 309 the following:

“§310. Aligning Federal environmental reviews

“(a) COORDINATED AND CONCURRENT ENVIRONMENTAL REVIEWS.—Not later than 1 year

after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Department of Transportation, in coordination with the Steering Committee described in section 312 of this title, shall develop a coordinated and concurrent environmental review and permitting process for transportation projects when initiating an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (referred to in this section as ‘NEPA’). The coordinated and concurrent environmental review and permitting process shall—

“(1) ensure that the Department of Transportation and Federal agencies of jurisdiction possess sufficient information early in the review process to determine a statement of a transportation project’s purpose and need and range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely upon for concurrent environmental reviews and permitting decisions required for the proposed project;

“(2) achieve early concurrence or issue resolution during the NEPA scoping process on the Department of Transportation’s statement of a project’s purpose and need and during development of the environmental impact statement on the range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely upon for concurrent environmental reviews and permitting decisions required for the proposed project absent circumstances that require reconsideration in order to meet an agency of jurisdiction’s legal obligations; and

“(3) achieve concurrence or issue resolution in an expedited manner if circumstances arise that require a reconsideration of the purpose and need or range of alternatives considered during any Federal agency’s environmental or permitting review in order to meet an agency of jurisdiction’s legal obligations.

“(b) ENVIRONMENTAL CHECKLIST.—The Secretary of Transportation and Federal agencies of jurisdiction likely to have substantive review or approval responsibilities on transportation projects, not later than 90 days after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, shall jointly develop a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of a proposed project. The purpose of the checklist is—

“(1) to identify agencies of jurisdiction and cooperating agencies,

“(2) to develop the information needed for the purpose and need and alternatives for analysis; and

“(3) to improve interagency collaboration to help expedite the permitting process for the lead agency and Federal agencies of jurisdiction.

“(c) INTERAGENCY COLLABORATION.—Consistent with Federal environmental statutes and the priority reform actions for Federal agency permitting and reviews defined and identified by the Steering Committee established under section 312, the Secretary shall facilitate annual interagency collaboration sessions at the appropriate jurisdictional level to coordinate business plans and facilitate coordination of workload planning and workforce management. This engagement shall ensure agency staff is fully engaged and utilizing the flexibility of existing regulations, policies, and guidance and identifying additional actions to facilitate high quality, efficient, and targeted environmental reviews and permitting decisions. The sessions and the interagency collaborations they generate shall focus on how to work with State and local transportation entities to improve project planning, siting, and application quality and how to consult and coordinate with relevant stakeholders and Federal, tribal, State, and local representatives early in permitting processes.

“(d) **PERFORMANCE MEASUREMENT.**—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary of Transportation, in coordination with the Steering Committee established under section 312 of this title, shall establish a program to measure and report on progress towards aligning Federal reviews as outlined in this section.”.

(b) **CONFORMING AMENDMENT.**—The table of contents of subchapter I of chapter 3 is amended by inserting after the item relating to section 309 the following:

“310. Aligning Federal environmental reviews.”.

SEC. 31105. MULTIMODAL CATEGORICAL EXCLUSIONS.

Section 304 is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “operating authority” and inserting “operating administration or secretarial office”;

(ii) by inserting “has expertise but” before “is not the lead”; and

(iii) by inserting “proposed multimodal” before “project”;

(B) by amending paragraph (2) to read as follows:

“(2) **LEAD AUTHORITY.**—The term ‘lead authority’ means a Department of Transportation operating administration or secretarial office that has the lead responsibility for a proposed multimodal project.”; and

(C) in paragraph (3), by striking “has the meaning given the term in section 139(a) of title 23” and inserting “means an action by the Department of Transportation that involves expertise of 1 or more Department of Transportation operating administrations or secretarial offices”;

(2) in subsection (b), by striking “under this title” and inserting “by the Secretary of Transportation”;

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking “a categorical exclusion designated under the implementing regulations or” and inserting “categorical exclusions designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing”; and

(ii) by striking “other components of the” and inserting “a proposed multimodal”;

(B) by amending paragraphs (1) and (2) to read as follows:

“(1) the lead authority makes a preliminary determination on the applicability of a categorical exclusion to a proposed multimodal project and notifies the cooperating authority of its intent to apply the cooperating authority categorical exclusion;

“(2) the cooperating authority does not object to the lead authority’s preliminary determination of its applicability;”;

(C) in paragraph (3)—

(i) by inserting “the lead authority determines that” before “the component of”; and

(ii) by inserting “proposed multimodal” before “project to be covered”; and

(D) by amending paragraph (4) to read as follows:

“(4) the lead authority, with the concurrence of the cooperating authority—

“(A) follows implementing regulations or procedures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(B) determines that the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

“(C) determines that extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”;

(4) by amending subsection (d) to read as follows:

“(d) **COOPERATING AUTHORITY EXPERTISE.**—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.”.

SEC. 31106. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

(a) **IN GENERAL.**—Subchapter I of chapter 3, as amended by section 31104 of this Act, is further amended by inserting after section 310 the following:

“**§311. Improving transparency in environmental reviews**

“(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary of Transportation shall establish an online platform and, in coordination with Federal agencies described in subsection (b), issue reporting standards to make publicly available the status and progress with respect to compliance with applicable requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal approval required under applicable laws for projects and activities requiring an environmental assessment or an environmental impact statement.

“(b) **FEDERAL AGENCY PARTICIPATION.**—A Federal agency of jurisdiction over an approval required for a project under applicable laws shall provide information regarding the status and progress of the approval to the online platform, consistent with the standards established under subsection (a).

“(c) **ASSIGNMENT OF RESPONSIBILITIES.**—An entity with assigned authority for responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), under section 326 or section 327 of title 23 shall be responsible for supplying project development and compliance status for all applicable projects.”.

(b) **CONFORMING AMENDMENT.**—The table of contents of subchapter I of chapter 3, as amended by section 31104 of this Act, is further amended by inserting after the item relating to section 310, the following:

“311. Improving transparency in environmental reviews.”.

SEC. 31107. LOCAL TRANSPORTATION INFRASTRUCTURE PROGRAM.

Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

“(A) 10 percent of the funds apportioned to the State for each of fiscal years 2016 through 2021 under each of sections 104(b)(1), 104(b)(2), and 144; and”;

(B) in paragraph (2), by striking “2005 through 2009” and inserting “2016 through 2021”;

(C) in paragraph (3), by striking “2005 through 2009” and inserting “2016 through 2021”; and

(D) in paragraph (5), by striking “section 133(d)(3)” and inserting “section 133(d)(4)”; and

(2) in subsection (k), by striking “2005 through 2009” and inserting “2016 through 2021”.

SEC. 31108. AUTHORIZATION OF GRANTS FOR POSITIVE TRAIN CONTROL.

(a) **IN GENERAL.**—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out this section \$199,000,000 for fiscal year 2016 to assist in financing the installation of positive train control systems.

(b) **PROGRAMS.**—The amounts made available under subsection (a) of this section may be used to assist in financing the installation of positive train control systems through—

(1) grants made under the rail safety technology grants program under section 20158 of title 49, United States Code;

(2) grants made under the consolidated rail infrastructure and safety improvements program under section 24408 of title 49, United States Code; and

(3) funding the cost, including the subsidy cost or cost of credit risk premiums, of direct loans and loan guarantees under sections 502 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.).

(c) **ELIGIBLE RECIPIENTS.**—The amounts made available under subsection (a) of this section may be used only to assist a recipient of funds under chapter 53 of title 49, United States Code, through the programs described in subsection (b).

(d) **PROJECT MANAGEMENT OVERSIGHT.**—The Secretary may withhold up to 1 percent from the amounts made available under subsection (a) of this section for the costs of project management oversight of grants authorized under that subsection.

(e) **SAVINGS CLAUSE.**—Nothing in this section may be construed as authorizing the amounts appropriated under subsection (a) to be used for any purpose other than financing the installation of positive train control systems.

(f) **GRANTS FINANCED FROM HIGHWAY TRUST FUND.**—A grant, contract, direct loan, or loan guarantee that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund under this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

(g) **AVAILABILITY OF AMOUNTS.**—Notwithstanding subsection (h), amounts made available under this section shall remain available until expended.

(h) **SUNSET.**—The Secretary of Transportation shall provide the grants, direct loans, and loan guarantees under subsection (b) by September 30, 2017.

Subtitle B—Research

SEC. 31201. FINDINGS.

Congress makes the followings findings:

(1) Federal transportation research planning and coordination—

(A) should occur within the Office of the Secretary; and

(B) should be, to the extent practicable, multimodal and not occur solely within the subagencies of the Department of Transportation.

(2) Managing a multi-modal research portfolio within the Office of the Secretary will—

(A) help identify opportunities where research could be applied across modes; and

(B) prevent duplication of efforts and waste of limited Federal resources.

(3) An ombudsman for research at the Department of Transportation will—

(A) give stakeholders a formal opportunity to address concerns;

(B) ensure unbiased research; and

(C) improve the overall research products of the Department.

(4) Increasing transparency of transportation research efforts will—

(A) build stakeholder confidence in the final product; and

(B) lead to the improved implementation of research findings.

SEC. 31202. MODAL RESEARCH PLANS.

(a) **IN GENERAL.**—Not later than June 15 of the year preceding the research fiscal year, the head of each modal administration and joint program office of the Department of Transportation shall submit a comprehensive annual modal research plan to the Assistant Secretary for Research and Technology of the Department of Transportation (referred to in this subtitle as the “Assistant Secretary”).

(b) REVIEW.—

(1) *IN GENERAL.*—Not later than October 1 of each year, the Assistant Secretary, for each plan submitted pursuant to subsection (a), shall—

- (A) review the scope of the research; and
- (B)(i) approve the plan; or
- (ii) request that the plan be revised.

(2) *PUBLICATIONS.*—Not later than January 30 of each year, the Secretary shall publish each plan that has been approved under paragraph (1)(B)(i) on a public website.

(3) *REJECTION OF DUPLICATIVE RESEARCH EFFORTS.*—The Assistant Secretary may not approve any plan submitted by the head of a modal administration or joint program office pursuant to subsection (a) if such plan duplicates the research efforts of any other modal administration.

(c) *FUNDING LIMITATIONS.*—No funds may be expended by the Department of Transportation on research that has not previously been approved as part of a modal research plan approved by the Assistant Secretary unless—

- (1) such research is required by an Act of Congress;
- (2) such research was part of a contract that was funded before the date of enactment of this Act; or
- (3) the Secretary of Transportation certifies to Congress that such research is necessary before the approval of a modal research plan.

(d) *DUPLICATIVE RESEARCH.*—

(1) *IN GENERAL.*—Except as provided in paragraph (2), no funds may be expended by the Department of Transportation on research projects that the Secretary identifies as duplicative under subsection (b)(3).

(2) *EXCEPTIONS.*—Paragraph (1) shall not apply to—

- (A) updates to previously commissioned research;
- (B) research commissioned to carry out an Act of Congress; or
- (C) research commissioned before the date of enactment of this Act.

(e) *CERTIFICATION.*—

(1) *IN GENERAL.*—The Secretary shall annually certify to Congress that—

- (A) each modal research plan has been reviewed; and
- (B) there is no duplication of study for research directed, commissioned, or conducted by the Department of Transportation.

(2) *CORRECTIVE ACTION PLAN.*—If the Secretary, after submitting a certification under paragraph (1), identifies duplication of research within the Department of Transportation, the Secretary shall—

- (A) notify Congress of the duplicative research; and
- (B) submit a corrective action plan to Congress that will eliminate such duplicative research.

SEC. 31203. CONSOLIDATED RESEARCH PROSPECTUS AND STRATEGIC PLAN.(a) *PROSPECTUS.*—

(1) *IN GENERAL.*—The Secretary shall annually publish, on a public website, a comprehensive prospectus on all research projects conducted by the Department of Transportation, including, to the extent practicable, research funded through University Transportation Centers.

(2) *CONTENTS.*—The prospectus published under paragraph (1) shall—

- (A) include the consolidated modal research plans approved under section 1302;
- (B) describe the research objectives, progress, and allocated funds for each research project;
- (C) identify research projects with multi-modal applications;
- (D) specify how relevant modal administrations have assisted, will contribute to, or plan to

use the findings from the research projects identified under paragraph (1);

(E) identify areas in which multiple modal administrations are conducting research projects on similar subjects or subjects which have bearing on multiple modes;

(F) describe the interagency and cross modal communication and coordination that has occurred to prevent duplication of research efforts within the Department of Transportation;

(G) indicate how research is being disseminated to improve the efficiency and safety of transportation systems;

(H) describe how agencies developed their research plans; and

(I) describe the opportunities for public and stakeholder input.

(b) *FUNDING REPORT.*—In conjunction with each of the President's annual budget requests under section 1105 of title 31, United States Code, the Secretary shall submit a report to appropriate committees of Congress that describes—

- (1) the amount spent in the last completed fiscal year on transportation research and development; and
- (2) the amount proposed in the current budget for transportation research and development.

(c) *PERFORMANCE PLANS AND REPORTS.*—In the plans and reports submitted under sections 1115 and 1116 of title 31, United States Code, the Secretary shall include—

- (1) a summary of the Federal transportation research and development activities for the previous fiscal year in each topic area;
- (2) the amount spent in each topic area;
- (3) a description of the extent to which the research and development is meeting the expectations set forth in subsection (d)(3)(A); and
- (4) any amendments to the strategic plan developed under subsection (d).

(d) *TRANSPORTATION RESEARCH AND DEVELOPMENT STRATEGIC PLAN.*—

(1) *IN GENERAL.*—The Secretary shall develop a 5-year transportation research and development strategic plan to guide future Federal transportation research and development activities.

(2) *CONSISTENCY.*—The strategic plan developed under paragraph (1) shall be consistent with—

- (A) section 306 of title 5, United States Code;
- (B) sections 1115 and 1116 of title 31, United States Code; and
- (C) any other research and development plan within the Department of Transportation.

(3) *CONTENTS.*—The strategic plan developed under paragraph (1) shall—

(A) describe the primary purposes of the transportation research and development program, which shall include—

- (i) promoting safety;
- (ii) reducing congestion;
- (iii) improving mobility;
- (iv) preserving the existing transportation system;
- (v) improving the durability and extending the life of transportation infrastructure; and
- (vi) improving goods movement;

(B) for each of the purposes referred to in subparagraph (A), list the primary research and development topics that the Department of Transportation intends to pursue to accomplish that purpose, which may include—

- (i) fundamental research in the physical and natural sciences;
- (ii) applied research;
- (iii) technology research; and
- (iv) social science research intended for each topic; and

(C) for each research and development topic—

- (i) identify the anticipated annual funding levels for the period covered by the strategic plan; and

(ii) include any additional information the Department of Transportation expects to discover at the end of the period covered by the strategic plan as a result of the research and development in that topic area.

(4) *CONSIDERATIONS.*—The Secretary shall ensure that the strategic plan developed under this section—

- (A) reflects input from a wide range of stakeholders;
- (B) includes and integrates the research and development programs of all the Department of Transportation's modal administrations, including aviation, transit, rail, and maritime; and
- (C) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions—

- (i) contributes to the achievement of the purposes identified under paragraph (3)(A); and
- (ii) avoids unnecessary duplication of such efforts.

(e) *TECHNICAL AND CONFORMING AMENDMENTS.*—

(1) *CHAPTER 5 OF TITLE 23.*—Chapter 5 of title 23, United States Code, is amended—

- (A) by striking section 508;
- (B) in the table of contents, by striking the item relating to section 508;
- (C) in section 502—

(i) in subsection (a)(9), by striking “transportation research and technology development strategic plan developed under section 508” and inserting “transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015”; and

(ii) in subsection (b)(4), by striking “transportation research and development strategic plan of the Secretary developed under section 508” and inserting “transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015”; and

(D) in section 512(b), by striking “as part of the transportation research and development strategic plan developed under section 508”.

(2) *INTELLIGENT TRANSPORTATION SYSTEMS.*—Section 5205 of the Intelligent Transportation Systems Act of 1998 (23 U.S.C. 502 note) is amended—

(A) in subsection (b), by striking “as part of the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23, United States Code” and inserting “as part of the transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015”; and

(B) in subsection (e)(2)(A), by striking “or the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23, United States Code” and inserting “or the transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015”.

(3) *INTELLIGENT TRANSPORTATION SYSTEM RESEARCH.*—Subtitle C of title V of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 512 note) is amended—

(A) in section 5305(h)(3)(A), by striking “the strategic plan under section 508 of title 23, United States Code” and inserting “the 5-year transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015”; and

(B) in section 5307(c)(2)(A), by striking “or the surface transportation research and development strategic plan developed under section 508 of title 23, United States Code” and inserting “or the 5-year transportation research and development strategic plan under section 31203 of

the Comprehensive Transportation and Consumer Protection Act of 2015”.

SEC. 31204. RESEARCH OMBUDSMAN.

(a) IN GENERAL.—Subtitle III is amended by inserting after chapter 63 the following:

“CHAPTER 65—RESEARCH OMBUDSMAN

“Sec.

“6501. Research ombudsman.

“§6501. Research ombudsman

“(a) ESTABLISHMENT.—The Assistant Secretary for Research and Technology shall appoint a career Federal employee to serve as Research Ombudsman. This appointment shall not diminish the authority of peer review of research.

“(b) QUALIFICATIONS.—The Research Ombudsman appointed under subsection (a), to the extent practicable—

“(1) shall have a background in academic research and a strong understanding of sound study design;

“(2) shall develop a working knowledge of the stakeholder communities and research needs of the transportation field; and

“(3) shall not have served as a political appointee of the Department.

“(c) RESPONSIBILITIES.—

“(1) ADDRESSING COMPLAINTS AND QUESTIONS.—The Research Ombudsman shall—

“(A) receive complaints and questions about—

“(i) significant alleged omissions, improprieties, and systemic problems; and

“(ii) excessive delays of, or within, a specific research project; and

“(B) evaluate and address the complaints and questions described in subparagraph (A).

“(2) PETITIONS.—

“(A) REVIEW.—The Research Ombudsman shall review petitions relating to—

“(i) conflicts of interest;

“(ii) the study design and methodology;

“(iii) assumptions and potential bias;

“(iv) the length of the study; and

“(v) the composition of any data sampled.

“(B) RESPONSE TO PETITIONS.—The Research Ombudsman shall—

“(i) respond to relevant petitions within a reasonable period;

“(ii) identify deficiencies in the petition’s study design; and

“(iii) propose a remedy for such deficiencies to the administrator of the modal administration responsible for completing the research project.

“(C) RESPONSE TO PROPOSED REMEDY.—The administrator of the modal administration charged with completing the research project shall respond to the proposed research remedy.

“(3) REQUIRED REVIEWS.—The Research Ombudsman shall evaluate the study plan for all statutorily required studies and reports before the commencement of such studies to ensure that the research plan has an appropriate sample size and composition to address the stated purpose of the study.

“(d) REPORTS.—

“(1) IN GENERAL.—Upon the completion of each review under subsection (c), the Research Ombudsman shall—

“(A) submit a report containing the results of such review to—

“(i) the Secretary;

“(ii) the head of the relevant modal administration; and

“(iii) the study or research leader; and

“(B) publish such results on a public website, with the modal administration response required under subsection (c)(2)(C).

“(2) INDEPENDENCE.—Each report required under this section shall be provided directly to the individuals described in paragraph (1) without any comment or amendment from the Secretary, the Deputy Secretary of Transportation, the head of any modal administration of the De-

partment, or any other officer or employee of the Department or the Office of Management and Budget.

“(e) REPORT TO INSPECTOR GENERAL.—The Research Ombudsman shall submit any evidence of misfeasance, malfeasance, waste, fraud, or abuse uncovered during a review under this section to the Inspector General for further review.

“(f) REMOVAL.—The Research Ombudsman shall be subject to adverse employment action for misconduct or good cause in accordance with the procedures and grounds set forth in chapter 75 of title 5.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle III is amended by inserting after the item relating to chapter 63 the following:

“65. Research ombudsman 6501”.

SEC. 31205. SMART CITIES TRANSPORTATION PLANNING STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of digital technologies and information technologies, including shared mobility, data, transportation network companies, and on-demand transportation services—

(1) to understand the degree to which cities are adopting these technologies;

(2) to assess future planning, infrastructure and investment needs; and

(3) to provide best practices to plan for smart cities in which information and technology are used—

(A) to improve city operations;

(B) to grow the local economy;

(C) to improve response in times of emergencies and natural disasters; and

(D) to improve the lives of city residents.

(b) COMPONENTS.—The study conducted under subsection (a) shall—

(1) identify broad issues that influence the ability of the United States to plan for and invest in smart cities, including barriers to collaboration and access to scientific information; and

(2) review how the expanded use of digital technologies, mobile devices, and information may—

(A) enhance the efficiency and effectiveness of existing transportation networks;

(B) optimize demand management services;

(C) impact low-income and other disadvantaged communities;

(D) assess opportunities to share, collect, and use data;

(E) change current planning and investment strategies; and

(F) provide opportunities for enhanced coordination and planning.

(c) REPORTING.—Not later than 18 months after the date of enactment of this Act, the Secretary shall publish the report containing the results of the study required under subsection (a) to a public website.

SEC. 31206. BUREAU OF TRANSPORTATION STATISTICS INDEPENDENCE.

Section 6302 is amended by adding at the end the following:

“(d) INDEPENDENCE OF BUREAU.—

“(1) IN GENERAL.—The Director shall not be required—

“(A) to obtain the approval of any other officer or employee of the Department with respect to the collection or analysis of any information; or

“(B) prior to publication, to obtain the approval of any other officer or employee of the United States Government with respect to the substance of any statistical technical reports or press releases lawfully prepared by the Director.

“(2) BUDGET AUTHORITY.—The Director shall have a significant role in the disposition and allocation of the Bureau’s authorized budget, including—

“(A) all hiring, grants, cooperative agreements, and contracts awarded by the Bureau to carry out this section; and

“(B) the disposition and allocation of amounts paid to the Bureau for cost-reimbursable projects.

“(3) EXCEPTIONS.—The Secretary shall direct external support functions, such as the coordination of activities involving multiple modal administrations.

“(4) INFORMATION TECHNOLOGY.—The Department Chief Information Officer shall consult with the Director to ensure decisions related to information technology guarantee the protection of the confidentiality of information provided solely for statistical purposes, in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note).”.

SEC. 31207. CONFORMING AMENDMENTS.

(a) TITLE 49 AMENDMENTS.—

(1) ASSISTANT SECRETARIES; GENERAL COUNSEL.—Section 102(e) is amended—

(A) in paragraph (1), by striking “5” and inserting “6”; and

(B) in paragraph (1)(A), by inserting “an Assistant Secretary for Research and Technology,” before “and an Assistant Secretary”.

(2) OFFICE OF THE ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY OF THE DEPARTMENT OF TRANSPORTATION.—Section 112 is repealed.

(3) TABLE OF CONTENTS.—The table of contents of chapter 1 is amended by striking the item relating to section 112.

(4) RESEARCH CONTRACTS.—Section 330 is amended—

(A) in the section heading, by striking “contracts” and inserting “activities”;

(B) in subsection (a), by inserting “IN GENERAL.—” before “The Secretary”;

(C) in subsection (b), by inserting “RESPONSIBILITIES.—” before “In carrying out”;

(D) in subsection (c), by inserting “PUBLICATIONS.—” before “The Secretary”; and

(E) by adding at the end the following:

“(d) DUTIES.—The Secretary shall provide for the following:

“(1) Coordination, facilitation, and review of the Department’s research and development programs and activities.

“(2) Advancement, and research and development, of innovative technologies, including intelligent transportation systems.

“(3) Comprehensive transportation statistics research, analysis, and reporting.

“(4) Education and training in transportation and transportation-related fields.

“(5) Activities of the Volpe National Transportation Systems Center.

“(e) ADDITIONAL AUTHORITIES.—The Secretary may—

“(1) enter into grants and cooperative agreements with Federal agencies, State and local government agencies, other public entities, private organizations, and other persons—

“(A) to conduct research into transportation service and infrastructure assurance; and

“(B) to carry out other research activities of the Department;

“(2) carry out, on a cost-shared basis, collaborative research and development to encourage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology with—

“(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;

“(B) Federal laboratories; and

“(C) other Federal agencies; and

“(3) directly initiate contracts, grants, cooperative research and development agreements (as defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a)), and other agreements to fund, and accept funds from, the Transportation Research

Board of the National Research Council of the National Academy of Sciences, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.

“(f) **FEDERAL SHARE.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), the Federal share of the cost of an activity carried out under subsection (e)(3) shall not exceed 50 percent.

“(2) **EXCEPTION.**—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.

“(3) **NON-FEDERAL SHARE.**—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in paragraph (1).

“(g) **PROGRAM EVALUATION AND OVERSIGHT.**—For fiscal years 2016 through 2021, the Secretary is authorized to expend not more than 1 and a half percent of the amounts authorized to be appropriated for necessary expenses for administration and operations of the Office of the Assistant Secretary for Research and Technology for the coordination, evaluation, and oversight of the programs administered under this section.

“(h) **USE OF TECHNOLOGY.**—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this section, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

“(i) **WAIVER OF ADVERTISING REQUIREMENTS.**—Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.”.

(5) **TABLE OF CONTENTS.**—The item relating to section 330 in the table of contents of chapter 3 is amended by striking “Contracts” and inserting “Activities”.

(6) **BUREAU OF TRANSPORTATION STATISTICS.**—Section 6302(a) is amended to read as follows:

“(a) **IN GENERAL.**—There shall be within the Department the Bureau of Transportation Statistics.”.

(b) **TITLE 5 AMENDMENTS.**—

(1) **POSITIONS AT LEVEL II.**—Section 5313 of title 5, United States Code, is amended by striking “Under Secretary of Transportation for Security.”.

(2) **POSITIONS AT LEVEL III.**—Section 5314 of title 5, United States Code, is amended by striking “Administrator, Research and Innovative Technology Administration.”.

(3) **POSITIONS AT LEVEL IV.**—Section 5315 of title 5, United States Code, is amended by striking “(4)” in the undesignated item relating to Assistant Secretaries of Transportation and inserting “(5)”.

(4) **POSITIONS AT LEVEL V.**—Section 5316 is amended by striking “Associate Deputy Secretary, Department of Transportation.”.

SEC. 31208. REPEAL OF OBSOLETE OFFICE.

(a) **IN GENERAL.**—Section 5503 is repealed.

(b) **TABLE OF CONTENTS.**—The table of contents of chapter 55 is amended by striking the item relating to section 5503.

Subtitle C—Port Performance Act

SEC. 31301. SHORT TITLE.

This subtitle may be cited as the “Port Performance Act”.

SEC. 31302. FINDINGS.

Congress finds the following:

(1) America’s ports play a critical role in the Nation’s transportation supply chain network.

(2) Reliable and efficient movement of goods through the Nation’s ports ensures that Amer-

ican goods are available to customers throughout the world.

(3) Breakdowns in the transportation supply chain network, particularly at the Nation’s ports, can result in tremendous economic losses for agriculture, businesses, and retailers that rely on timely shipments.

(4) A clear understanding of terminal and port productivity and throughput should help—

(A) to identify freight bottlenecks;

(B) to indicate performance and trends over time; and

(C) to inform investment decisions.

SEC. 31303. PORT PERFORMANCE FREIGHT STATISTICS PROGRAM.

(a) **IN GENERAL.**—Chapter 63 is amended by adding at the end the following:

“§6314. Port performance freight statistics program

“(a) **IN GENERAL.**—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

“(1) the Nation’s top 25 ports by tonnage;

“(2) the Nation’s top 25 ports by 20-foot equivalent unit; and

“(3) the Nation’s top 25 ports by dry bulk.

“(b) **ANNUAL REPORTS.**—

“(1) **PORT CAPACITY AND THROUGHPUT.**—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

“(2) **PORT PERFORMANCE MEASURES.**—The Director shall collect monthly port performance measures for each of the United States ports referred to in subsection (a) that receives Federal assistance or is subject to Federal regulation to submit an annual report to the Bureau of Transportation Statistics that includes monthly statistics on capacity and throughput as applicable to the specific configuration of the port.

“(A) **MONTHLY MEASURES.**—The Director shall collect monthly measures, including—

“(i) the average number of lifts per hour of containers by crane;

“(ii) the average vessel turn time by vessel type;

“(iii) the average cargo or container dwell time;

“(iv) the average truck time at ports;

“(v) the average rail time at ports; and

“(vi) any additional metrics, as determined by the Director after receiving recommendations from the working group established under subsection (c).

“(B) **MODIFICATIONS.**—The Director may consider a modification to a metric under subparagraph (A) if the modification meets the intent of the section.

“(c) **RECOMMENDATIONS.**—

“(1) **IN GENERAL.**—The Director shall obtain recommendations for—

“(A) specifications and data measurements for the port performance measures listed in subsection (b)(2);

“(B) additionally needed data elements for measuring port performance; and

“(C) a process for the Department of Transportation to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

“(2) **WORKING GROUP.**—Not later than 60 days after the date of the enactment of the Port Performance Act, the Director shall commission a working group composed of—

“(A) operating administrations of the Department of Transportation;

“(B) the Coast Guard;

“(C) the Federal Maritime Commission;

“(D) U.S. Customs and Border Protection;

“(E) the Marine Transportation System National Advisory Council;

“(F) the Army Corps of Engineers;

“(G) the Saint Lawrence Seaway Development Corporation;

“(H) the Advisory Committee on Supply Chain Competitiveness;

“(I) 1 representative from the rail industry;

“(J) 1 representative from the trucking industry;

“(K) 1 representative from the maritime shipping industry;

“(L) 1 representative from a labor organization for each industry described in subparagraphs (I) through (K);

“(M) 1 representative from a port authority;

“(N) 1 representative from a terminal operator;

“(O) representatives of the National Freight Advisory Committee of the Department; and

“(P) representatives of the Transportation Research Board of the National Academies.

“(3) **RECOMMENDATIONS.**—Not later than 1 year after the date of the enactment of the Port Performance Act, the working group commissioned under this subsection shall submit its recommendations to the Director.

“(d) **ACCESS TO DATA.**—The Director shall ensure that the statistics compiled under this section are readily accessible to the public, consistent with applicable security constraints and confidentiality interests.”.

(b) **PROHIBITION ON CERTAIN DISCLOSURES.**—Section 6307(b)(1) is amended by inserting “or section 6314(b)” after “section 6302(b)(3)(B)” each place it appears.

(c) **COPIES OF REPORTS.**—Section 6307(b)(2)(A) is amended by inserting “or section 6314(b)” after “section 6302(b)(3)(B)”.

(d) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of contents for chapter 63 is amended by adding at the end the following:

“6314. Port performance freight statistics program.”.

TITLE XXXII—COMMERCIAL MOTOR VEHICLE AND DRIVER PROGRAMS

Subtitle A—Compliance, Safety, and Accountability Reform

SEC. 32001. CORRELATION STUDY.

(a) **IN GENERAL.**—The Administrator of the Federal Motor Carrier Safety Administration (referred to in this subtitle as the “Administrator”) shall commission the National Research Council of the National Academies to conduct a study of—

(1) the Safety Measurement System (referred to in this subtitle as “SMS”); and

(2) the Compliance, Safety, Accountability program (referred to in this subtitle as the “CSA program”).

(b) **SCOPE OF STUDY.**—In carrying out the study commissioned pursuant to subsection (a), the National Research Council—

(1) shall analyze—

(A) the accuracy with which the Behavior Analysis and Safety Improvement Categories (referred to in this subtitle as “BASIC”) safety measures used by SMS—

(i) identify high risk drivers and carriers; and

(ii) predict or be correlated with future crash risk, crash severity, or other safety indicators for individual drivers, motor carriers, and the highest risk carriers;

(B) the methodology used to calculate BASIC percentiles and identify carriers for enforcement, including the weights assigned to particular violations, and the tie between crash risk and specific regulatory violations, in order to accurately identify and predict future crash risk for motor carriers;

(C) the relative value of inspection information and roadside enforcement data;

(D) any data collection gaps or data sufficiency problems that may exist and the impact of those data gaps and insufficiencies on the efficacy of the CSA program; and

(E) the accuracy of data processing; and
(2) should consider—

(A) whether the current SMS provides comparable precision and confidence for SMS alerts and percentiles for the relative crash risk of individual large and small motor carriers;

(B) whether alternative systems would identify high risk carriers or identify high risk drivers and motor carriers more accurately; and

(C) the recommendations and findings of the Comptroller General of the United States and the Inspector General, and independent review team reports issued before the date of the enactment of this Act.

(c) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report containing the results of the completed study to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Inspector General of the Department of Transportation; and

(4) the Comptroller General of the United States.

(d) **CORRECTIVE ACTION PLAN.**—

(1) **IN GENERAL.**—Not later than 120 days after the Administrator submits a report under subsection (c) that identifies a deficiency or opportunity for improvement in the CSA program or in any element of SMS, the Administrator shall submit a corrective action plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(A) responds to the concerns highlighted by the report;

(B) identifies how the Federal Motor Carrier Safety Administration will address such concerns; and

(C) provides an estimate of the cost, including changes in staffing, enforcement, and data collection necessary to implement the recommendations.

(2) **PROGRAM REFORMS.**—The corrective action plan submitted under paragraph (1) shall include an implementation plan that—

(A) includes benchmarks;

(B) includes programmatic reforms, revisions to regulations, or proposals for legislation; and

(C) shall be considered in any rulemaking by the Department of Transportation that relates to the CSA program, including the SMS data sets or analysis.

(e) **INSPECTOR GENERAL REVIEW.**—Not later than 120 days after the Administrator issues a corrective action plan under subsection (d), the Inspector General of the Department of Transportation shall—

(1) review the extent to which such plan implements—

(A) recommendations contained in the report submitted under subsection (c); and

(B) recommendations issued by the Comptroller General or the Inspector General before the date of enactment of this Act; and

(2) submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the responsiveness of the corrective action plan to the recommendations described in paragraph (1).

(f) **FISCAL LIMITATION.**—The Administrator shall carry out the study required under this section using amounts appropriated to the Federal Motor Carrier Safety Administration and available for obligation and expenditure as of the date of the enactment of this Act.

SEC. 32002. SAFETY IMPROVEMENT METRICS.

(a) **IN GENERAL.**—The Administrator shall incorporate a methodology into the CSA program

or establish a third-party process to allow recognition, including credit, improved score, or by establishing a safety BASIC in SMS for safety technology, tools, programs, and systems approved by the Administrator through the qualification process developed under subsection (b) that exceed regulatory requirements or are used to enhance safety performance, including—

(1) the installation of qualifying advanced safety equipment, such as—

(A) collision mitigation systems;

(B) lane departure warnings;

(C) speed limiters;

(D) electronic logging devices;

(E) electronic stability control;

(F) critical event recorders; and

(G) strengthening rear guards and sideguards for underride protection;

(2) the use of enhanced driver fitness measures that exceed current regulatory requirements, such as—

(A) additional new driver training;

(B) enhanced and ongoing driver training; and

(C) remedial driver training to address specific deficiencies as identified in roadside inspection or enforcement reports;

(3) the adoption of qualifying administrative fleet safety management tools technologies, driver performance and behavior management technologies, and programs; and

(4) technologies and measures identified through the process described in subsection (c).

(b) **QUALIFICATION.**—The Administrator, through a notice and comment process, shall develop technical or other performance standards for technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems used by motor carriers that will qualify for credit under this section.

(c) **ADDITIONAL REQUIREMENTS.**—In modifying the CSA program under subsection (a), the Administrator, through notice and comment, shall develop a process for identifying and reviewing other technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems used by motor carriers to improve safety performance that—

(1) provides for a petition for reviewing technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems;

(2) seeks input and participation from industry stakeholders, including drivers, technology manufacturers, vehicle manufacturers, motor carriers, enforcement communities, and safety advocates, and the Motor Carrier Safety Advisory Committee; and

(3) includes technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems with a date certain for future statutory or regulatory implementation.

(d) **SAFETY IMPROVEMENT METRICS USE AND VERIFICATION.**—The Administrator, through notice and comment process, shall develop a process for—

(1) providing recognition or credit within a motor carrier's SMS score for the installation and use of measures in paragraphs (1) through (4) of subsection (a);

(2) ensuring that the safety improvement metrics developed under this section are presented with other SMS data;

(3) verifying the installation or use of such technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems;

(4) modifying or removing recognition or credit upon verification of noncompliance with this section;

(5) ensuring that the credits or recognition referred to in paragraph (1) reflect the safety improvement anticipated as a result of the instal-

lation or use of the specific technology, advanced safety equipment, enhanced driver fitness measure, tool, program, or system;

(6) verifying the deployment and use of qualifying equipment or management systems by a motor carrier through a certification from the vehicle manufacturer, the system or service provider, the insurance carrier, or through documents submitted by the motor carrier to the Department of Transportation;

(7) annually reviewing the list of qualifying safety technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems; and

(8) removing systems mandated by law or regulation, or if such systems demonstrate a lack of efficacy, from the list of qualifying technologies, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems eligible for credit under the CSA program.

(e) **DISSEMINATION OF INFORMATION.**—The Administrator shall maintain a public website that contains information regarding—

(1) the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems eligible for credit and improved scores;

(2) any petitions for study of the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems; and

(3) statistics and information relating to the use of such technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems.

(f) **PUBLIC REPORT.**—Not later than 1 year after the establishment of the Safety Improvement Metrics System (referred to in this section as “SIMS”) under this section, and annually thereafter, the Administrator shall publish, on a public website, a report that identifies—

(1) the types of technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems that are eligible for credit;

(2) the number of instances in which each technology, advanced safety equipment, enhanced driver fitness measure, tool, program, or system is used;

(3) the number of motor carriers, and a description of the carrier's fleet size, that received recognition or credit under the modified CSA program; and

(4) the pre- and post-adoption safety performance of the motor carriers described in paragraph (3).

(g) **IMPLEMENTATION AND OVERSIGHT RESPONSIBILITY.**—The Administrator shall ensure that the activities described in subsections (a) through (f) of this section are not required under section 31102 of title 49, United States Code, as amended by this Act.

(h) **EVALUATION.**—

(1) **IN GENERAL.**—Not later than 2 years after the implementation of SIMS under this section, the Administrator shall conduct an evaluation of the effectiveness of SIMS by reviewing the impacts of SIMS on—

(A) law enforcement, commercial drivers and motor carriers, and motor carrier safety; and

(B) safety and adoption of new technologies.

(2) **REPORT.**—Not later than 30 months after the implementation of the program, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(A) the results of the evaluation conducted under paragraph (1); and

(B) the actions the Federal Motor Carrier Safety Administration plans to take to modify the demonstration program based on such results.

(i) **USE OF ESTIMATES OF SAFETY EFFECTS.**—In conducting regulatory impact analyses for

rulemakings relating to the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems selected for credit under the CSA program, the Administrator, to the extent practicable, shall use the data gathered under this section and appropriate statistical methodology, including sufficient sample sizes, composition, and appropriate comparison groups, including representative motor carriers of all sizes, to estimate the effects on safety performance and reduction in the number and severity of accidents with qualifying technology, advanced safety equipment, tools, programs, and systems.

(j) SAVINGS PROVISION.—Nothing in this section may be construed to provide the Administrator with additional authority to change the requirements for the operation of a commercial motor vehicle.

SEC. 32003. DATA CERTIFICATION.

(a) LIMITATION.—Beginning not later than 1 day after the date of enactment of this Act, none of the analysis of violation information, enforcement prioritization, not-at-fault crashes, alerts, or the relative percentile for each Behavioral Analysis and Safety Improvement Category developed through the CSA program may be made available to the general public, but violation and inspection information submitted by the States may be presented, until the Inspector General of the Department of Transportation certifies that—

(1) any deficiencies identified in the correlation study required under section 32001 have been addressed;

(2) the corrective action plan has been implemented and the concerns raised by the correlation study under section 32001 have been addressed;

(3) the Administrator has fully implemented or satisfactorily addressed the issues raised in the February 2014 GAO report entitled “Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers” (GAO–14–114), which called into question the accuracy and completeness of safety performance calculations;

(4) the study required under section 32001 has been published on a public website; and

(5) the CSA program has been modified in accordance with section 32002.

(b) LIMITATION ON USE OF CSA ANALYSIS.—The enforcement prioritization, alerts, or the relative percentile for each Behavioral Analysis and Safety Improvement Category developed through the CSA program within the SMS system may not be used for safety fitness determinations until the requirements under subsection (a) have been satisfied.

(c) CONTINUED PUBLIC AVAILABILITY OF DATA.—Inspection and violation information submitted to the Federal Motor Carrier Safety Administration by commercial motor vehicle inspectors and qualified law enforcement officials shall remain available for public viewing.

(d) EXCEPTIONS.—

(1) IN GENERAL.—Notwithstanding the limitations set forth in subsections (a) and (b)—

(A) the Federal Motor Carrier Safety Administration and State and local commercial motor vehicle enforcement agencies may only use the information referred to in subsection (a) for purposes of investigation and enforcement prioritization;

(B) motor carriers and commercial motor vehicle drivers may access information referred to in subsection (a) that relates directly to the motor carrier or driver, respectively; and

(C) the data analysis of motorcoach operators may be provided online, with a notation indicating that the ratings or alerts listed are not intended to imply any Federal safety rating of the carrier.

(2) NOTATION.—The notation described under paragraph (1)(C) shall include: “Readers should

not draw conclusions about a carrier’s overall safety condition simply based on the data displayed in this system. Unless a motor carrier has received an UNSATISFACTORY safety rating under part 385 of title 49, Code of Federal Regulations, or has otherwise been ordered to discontinue operations by the Federal Motor Carrier Safety Administration, it is authorized to operate on the Nation’s roadways.”.

(3) LIMITATION.—Nothing in subparagraphs (A) and (B) of paragraph (1) may be construed to restrict the official use by State enforcement agencies of the data collected by State enforcement personnel.

(e) CERTIFICATION.—The certification process described in subsection (a) shall occur concurrently with the implementation of SIMS under section 32002.

(f) COMPLETION.—The Secretary shall modify the CSA program in accordance with section 32002 not later than 1 year after the date of completion of the report described in section 32001(c).

SEC. 32004. DATA IMPROVEMENT.

(a) FUNCTIONAL SPECIFICATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop functional specifications to ensure the consistent and accurate input of data into systems and databases relating to the CSA program.

(b) FUNCTIONALITY.—The specifications developed pursuant to subsection (a)—

(1) shall provide for the hardcoding and smart logic functionality for roadside inspection data collection systems and databases; and

(2) shall be made available to public and private sector developers.

(c) EFFECTIVE DATA MANAGEMENT.—The Administrator shall ensure that internal systems and databases accept and effectively manage data using uniform standards.

(d) CONSULTATION WITH THE STATES.—Before implementing the functional specifications described in subsection (a) or the standards described in subsection (c), the Administrator shall seek input from the State agencies responsible for enforcing section 31102 of title 49, United States Code.

SEC. 32005. ACCIDENT REPORT INFORMATION.

(a) REVIEW.—The Administrator shall initiate a demonstration program that allows motor carriers and drivers to request a review of crashes, and the removal of crash data for use in the Federal Motor Carrier Safety Administration’s safety measurement system of crashes, and removal from any weighting, or carrier safety analysis, if the commercial motor vehicle was operated legally and another motorist in connection with the crash is found—

(1) to have been driving under the influence;

(2) to have been driving the wrong direction on a roadway;

(3) to have struck the commercial motor vehicle in the rear;

(4) to have struck the commercial motor vehicle which was legally stopped;

(5) by the investigating officer or agency to have been responsible for the crash; or

(6) to have committed other violations determined by the Administrator.

(b) DOCUMENTS.—As part of a request for review under subsection (a), the motor carrier or driver shall submit a copy of available police reports, crash investigations, judicial actions, insurance claim information, and any related court actions submitted by each party involved in the accident.

(c) SOLICITATION OF OTHER INFORMATION.—Following a notice and comment period, the Administrator may solicit other types of information to be collected under subsection (b) to facilitate appropriate reviews under this section.

(d) EVALUATION.—The Federal Motor Carrier Safety Administration shall review the information submitted under subsections (b) and (c).

(e) RESULTS.—Subject to subsection (h)(2), the results of the review under subsection (a)—

(1) shall be used to recalculate the motor carrier’s crash BASIC percentile;

(2) if the carrier is determined not to be responsible for the crash incident, such information, shall be reflected on the website of the Federal Motor Carrier Safety Administration; and

(3) shall not be admitted as evidence or otherwise used in a civil action.

(f) FEE SYSTEM.—

(1) ESTABLISHMENT.—The Administrator may establish a fee system, in accordance with section 9701 of title 31, United States Code, in which a motor carrier is charged a fee for each review of a crash requested by such motor carrier under this section.

(2) DISPOSITION OF FEES.—Fees collected under this section—

(A) may be credited to the Department of Transportation appropriations account for purpose of carrying out this section; and

(B) shall be used to fully fund the operation of the review program authorized under this section.

(g) REVIEW AND REPORT.—Not earlier than 2 years after the establishment of the demonstration program under this section, the Administrator shall—

(1) conduct a review of the internal crash review program to determine if other crash types should be included; and

(2) submit a report to Congress that describes—

(A) the number of crashes reviewed;

(B) the number of crashes for which the commercial motor vehicle operator was determined not to be at fault; and

(C) relevant information relating to the program, including the cost to operate the program and the fee structure established.

(h) IMPLEMENTATION AND OVERSIGHT RESPONSIBILITY.—

(1) IN GENERAL.—The Administrator shall ensure that the activities described in subsections (a) through (d) of this section are not required under section 31102 of title 49, United States Code, as amended by this Act.

(2) REVIEWS INVOLVING FATALITIES.—If a review under subsection (a) involves a fatality, the Inspector General of the Department of Transportation shall audit and certify the review prior to making any changes under subsection (e).

SEC. 32006. POST-ACCIDENT REPORT REVIEW.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall convene a working group—

(1) to review the data elements of post-accident reports, for tow-away accidents involving commercial motor vehicles, that are reported to the Federal Government; and

(2) to report to the Secretary its findings and any recommendations, including best practices for State post-accident reports to achieve the data elements described in subsection (c).

(b) COMPOSITION.—Not less than 51 percent of the working group should be composed of individuals representing the States or State law enforcement officials. The remaining members of the working group shall represent industry, labor, safety advocates, and other interested parties.

(c) CONSIDERATIONS.—The working group shall consider requiring additional data elements, including—

(1) the primary cause of the accident, if the primary cause can be determined;

(2) the physical characteristics of the commercial motor vehicle and any other vehicle involved in the accident, including—

(A) the vehicle configuration;

(B) the gross vehicle weight if the weight can be readily determined;

(C) the number of axles; and
(D) the distance between axles, if the distance can be readily determined; and

(3) any data elements that could contribute to the appropriate consideration of requests under section 32005.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review the findings of the working group;
(2) identify the best practices for State post-accident reports that are reported to the Federal Government, including identifying the data elements that should be collected following a tow-away commercial motor vehicle accident; and

(3) recommend to the States the adoption of new data elements to be collected following reportable commercial motor vehicle accidents.

SEC. 32007. RECOGNIZING EXCELLENCE IN SAFETY.

(a) IN GENERAL.—The Administrator shall establish a program to publicly recognize motor carriers and drivers whose safety records and programs exceed compliance with the Federal Motor Carrier Safety Administration's safety regulations and demonstrate clear and outstanding safety practices.

(b) RESTRICTION.—The program established under subsection (a) may not be deemed to be an endorsement of, or a preference for, motor carriers or drivers recognized under the program.

SEC. 32008. HIGH RISK CARRIER REVIEWS.

(a) IN GENERAL.—After the completion of the certification under section 32003 of this Act, and the establishment of the Safety Fitness Determination program, the Secretary shall ensure that a review is completed on each motor carrier that demonstrates through performance data that it poses the highest safety risk. At a minimum, a review shall be conducted whenever a motor carrier is among the highest risk carriers for 4 consecutive months.

(b) REPORT.—Not later than 180 days after the completion of the certification under section 32003 of this Act and the establishment of the Safety Fitness Determination program, the Secretary shall post on a public website a report on the actions the Secretary has taken to comply with this section, including the number of high risk carriers identified and the high risk carriers reviewed.

(c) CONFORMING AMENDMENT.—Section 4138 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (49 U.S.C. 31144 note) is repealed.

Subtitle B—Transparency and Accountability

SEC. 32201. PETITIONS FOR REGULATORY RELIEF.

(a) APPLICATIONS FOR REGULATORY RELIEF.—Notwithstanding subpart C of part 381 of title 49, Code of Federal Regulations, the Secretary shall allow an applicant representing a class or group of motor carriers to apply for a specific exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, for commercial motor vehicle drivers.

(b) REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary shall establish the procedures for the application for and the review of an exemption under subsection (a).

(2) PUBLICATION.—Not later than 30 days after the date of receipt of an application for an exemption, the Secretary shall publish the application in the Federal Register and provide the public with an opportunity to comment.

(3) PUBLIC COMMENT.—

(A) IN GENERAL.—Each application shall be available for public comment for a 30-day period, but the Secretary may extend the opportunity for public comment for up to 60 days if it is a significant or complex request.

(B) REVIEW.—Beginning on the date that the public comment period under subparagraph (A) ends, the Secretary shall have 60 days to review all of the comments received.

(4) DETERMINATION.—At the end of the 60-day period under paragraph (3)(B), the Secretary shall publish a determination in the Federal Register, including—

(A) the reason for granting or denying the application; and

(B) if the application is granted—

(i) the specific class of persons eligible for the exemption;

(ii) each provision of the regulations to which the exemption applies; and

(iii) any conditions or limitations applied to the exemption.

(5) CONSIDERATIONS.—In making a determination whether to grant or deny an application for an exemption, the Secretary shall consider the safety impacts of the request and may provide appropriate conditions or limitations on the use of the exemption.

(c) OPPORTUNITY FOR RESUBMISSION.—If an application is denied and the applicant can reasonably address the reason for the denial, the Secretary may allow the applicant to resubmit the application.

(d) PERIOD OF APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2) of this subsection and subsection (f), each exemption granted under this section shall be valid for a period of 5 years unless the Secretary identifies a compelling reason for a shorter exemption period.

(2) RENEWAL.—At the end of the 5-year period under paragraph (1)—

(A) the Secretary, at the Secretary's discretion, may renew the exemption for an additional 5-year period; or

(B) an applicant may apply under subsection (a) for a permanent exemption from each applicable provision of the regulations.

(e) LIMITATION.—No exemption under this section may be granted to or used by any motor carrier that has an unsatisfactory or conditional safety fitness determination.

(f) PERMANENT EXEMPTIONS.—

(1) IN GENERAL.—The Secretary shall make permanent the following limited exceptions:

(A) Department of Defense Military Surface Deployment and Distribution Command transport of weapons, munitions, and sensitive classified cargo as published in the Federal Register Volume 80 on April 16, 2015 (80 Fed. Reg. 20556).

(B) Department of Energy transport of security-sensitive radioactive materials as published in the Federal Register Volume 80 on June 22, 2015 (80 Fed. Reg. 35703).

(C) Motor carriers that transport hazardous materials shipments requiring security plans under regulations of the Pipeline and Hazardous Materials Safety Administration as published in the Federal Register Volume 80 on May 1, 2015 (80 Fed. Reg. 25004).

(D) Perishable construction products as published in the Federal Register Volume 80 on April 2, 2015 (80 Fed. Reg. 17819).

(E) Passenger vehicle record of duty status change as published in the Federal Register Volume 80 on June 4, 2015 (80 Fed. Reg. 31961).

(F) Transport of commercial bee hives as published in the Federal Register Volume 80 on June 19, 2018. (80 Fed. Reg. 35425).

(G) Specialized carriers and drivers responsible for transporting loads requiring special permits as published in the Federal Register Volume 80 on June 18, 2015 (80 Fed. Reg. 34957).

(H) Safe transport of livestock as published in the Federal Register Volume 80 on June 12, 2015 (80 Fed. Reg. 33584).

(2) ADDITIONAL EXEMPTIONS.—The Secretary may make any temporary exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, for commercial motor vehicle drivers that is in effect on the date of enactment of this Act permanent if the Secretary determines that the permanent ex-

emption will not degrade safety. The Secretary shall provide public notice and comment on a list of the additional temporary exemptions to be made permanent under this paragraph.

(3) REVOCATION OF EXEMPTIONS.—The Secretary may revoke an exemption issued under this section if the Secretary can demonstrate that the exemption has had a negative impact on safety.

SEC. 32202. INSPECTOR STANDARDS.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall revise the regulations under part 385 of title 49, Code of Federal Regulations, as necessary, to incorporate by reference the certification standards for roadside inspectors issued by the Commercial Vehicle Safety Alliance.

SEC. 32203. TECHNOLOGY IMPROVEMENTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Government Accountability Office shall conduct a comprehensive analysis on the Federal Motor Carrier Safety Administration's information technology and data collection and management systems.

(b) REQUIREMENTS.—The study conducted under subsection (a) shall—

(1) evaluate the efficacy of the existing information technology, data collection, processing systems, and data management systems and programs, including their interaction with each other and their efficacy in meeting user needs;

(2) identify any redundancies among the systems and programs described in paragraph (1);

(3) explore the feasibility of consolidating data collection and processing systems;

(4) evaluate the ability of the systems and programs described in paragraph (1) to meet the needs of—

(A) the Federal Motor Carrier Safety Administration, at both the headquarters and State level;

(B) the State agencies that implement the Motor Carrier Safety Assistance Program under section 31102 of title 49, United States Code; and

(C) other users;

(5) evaluate the adaptability of the systems and programs described in paragraph (1), in order to make necessary future changes to ensure user needs are met in an easier, timely, and more cost efficient manner;

(6) investigate and make recommendations regarding—

(A) deficiencies in existing data sets impacting program effectiveness; and

(B) methods to improve any and all user interfaces; and

(7) evaluate the appropriate role the Federal Motor Carrier Safety Administration should take with respect to software and information systems design, development, and maintenance for the purpose of improving the efficacy of the systems and programs described in paragraph (1).

Subtitle C—Trucking Rules Updated by Comprehensive and Key Safety Reform

SEC. 32301. UPDATE ON STATUTORY REQUIREMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until a final rule has been issued for each of the requirements described under paragraphs (1) through (5), the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of a final rule for—

(1) the minimum entry-level training requirements for an individual operating a commercial motor vehicle under section 31305(c) of title 49, United States Code;

(2) motor carrier safety fitness determinations;
 (3) visibility of agricultural equipment under section 31601 of division C of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note);

(4) regulations to require commercial motor vehicles in interstate commerce and operated by a driver subject to the hours of service and record of duty status requirements under part 395 of title 49, Code of Federal Regulations, be equipped with an electronic control module capable of limiting the maximum speed of the vehicle; and

(5) any outstanding commercial motor vehicle safety regulation required by law and incomplete for more than 2 years.

(b) **CONTENTS.**—Each report under subsection (a) shall include a description of the work plan, an updated rulemaking timeline, current staff allocations, any resource constraints, and any other details associated with the development of the rulemaking.

SEC. 32302. STATUTORY RULEMAKING.

The Administrator of the Federal Motor Carrier Safety Administration shall prioritize the use of Federal Motor Carrier Safety Administration resources for the completion of each outstanding statutory requirement for a rulemaking before beginning any new rulemaking unless the Secretary certifies to Congress that there is a significant need to move forward with a new rulemaking.

SEC. 32303. GUIDANCE REFORM.

(a) **GUIDANCE.**—

(1) **POINT OF CONTACT.**—Each guidance document, other than a regulatory action, issued by the Federal Motor Carrier Safety Administration shall have a date of publication or a date of revision, as applicable, and the name and contact information of a point of contact at the Federal Motor Carrier Safety Administration who can respond to questions regarding the general applicability of the guidance.

(2) **PUBLIC ACCESSIBILITY.**—

(A) **IN GENERAL.**—Each guidance document and interpretation issued by the Federal Motor Carrier Safety Administration shall be published on the Department of Transportation's public website on the date of issuance.

(B) **REDACTION.**—The Administrator of the Federal Motor Carrier Safety Administration may redact from a guidance document or interpretation under subparagraph (A) any information that would reveal investigative techniques that would compromise Federal Motor Carrier Safety Administration enforcement efforts.

(3) **RULEMAKING.**—Not later than 5 years after the date that a guidance document is published under paragraph (2) or during the comprehensive review under subsection (c), whichever is earlier, the Secretary, in consultation with the Administrator, shall revise the applicable regulations to incorporate the guidance document to the extent practicable.

(4) **REISSUANCE.**—If a guidance document is not incorporated into the applicable regulations under paragraph (3), the Secretary shall—

(A) reissue an updated guidance document; and

(B) review and reissue an updated guidance document every 5 years during the comprehensive review process under subsection (c) until the date that the guidance document is removed or incorporated into the applicable regulations under paragraph (3) of this subsection.

(b) **UPDATE.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall review regulations, guidance, and enforcement policies published on the Department of Transportation's public website to ensure the regulations, guidance, and enforcement policies are current, readily accessible to the public, and meet the standards under subsection (c)(1).

(c) **REVIEW.**—

(1) **IN GENERAL.**—Subject to paragraph (2), not less than once every 5 years, the Administrator of the Federal Motor Carrier Safety Administration shall conduct a comprehensive review of its guidance and enforcement policies to determine whether—

(A) the guidance and enforcement policies are consistent and clear;

(B) the guidance is uniformly and consistently enforceable; and

(C) the guidance is still necessary.

(2) **NOTICE AND COMMENT.**—Prior to beginning the review, the Administrator shall publish in the Federal Register a notice and request for comment soliciting input from stakeholders on which regulations should be updated or eliminated.

(3) **PRIORITIZATION OF OUTSTANDING PETITIONS.**—As part of the review under paragraph (1), the Administrator shall prioritize consideration of each outstanding petition (as defined in section 32304(b) of this Act) submitted by a stakeholder for rulemaking.

(4) **REPORT.**—

(A) **IN GENERAL.**—Not later than 60 days after the date that a review under paragraph (1) is complete, the Administrator shall publish on the Department of Transportation's public website a report detailing the review and a full inventory of guidance and enforcement policies.

(B) **INCLUSIONS.**—The report under subparagraph (A) of this paragraph shall include a summary of the response of the Federal Motor Carrier Safety Administration to each comment received under paragraph (2) indicating each request the Federal Motor Carrier Safety Administration is granting.

SEC. 32304. PETITIONS.

(a) **IN GENERAL.**—The Administrator of the Federal Motor Carrier Safety Administration shall—

(1) publish on the Department of Transportation's public website all petitions for regulatory action submitted;

(2) prioritize stakeholder petitions based on the likelihood of providing safety improvements;

(3) formally respond to each petition by indicating whether the Administrator will accept, deny, or further review, the petition not later than 180 days after the date the petition is published under paragraph (1);

(4) prioritize resulting actions consistent with an action's potential to reduce crashes, improve enforcement, and reduce unnecessary burdens; and

(5) not later than 60 days after the date of receipt, publish, and update as necessary, on the Department of Transportation's public website an inventory of the petitions described in paragraph (1), including any applicable disposition information for that petition.

(b) **DEFINITION OF PETITION.**—In this section, the term "petition" means a request for new regulations, regulatory interpretations or clarifications, or retrospective review of regulations to eliminate or modify obsolete, ineffective, or overly-burdensome rules.

SEC. 32305. REGULATORY REFORM.

(a) **REGULATORY IMPACT ANALYSIS.**—

(1) **IN GENERAL.**—Within each regulatory impact analysis of a proposed or final rule issued by the Federal Motor Carrier Safety Administration, the Secretary shall whenever practicable—

(A) consider effects of the proposed or final rule on a carrier with differing characteristics; and

(B) formulate estimates and findings on the best available science.

(2) **SCOPE.**—To the extent feasible and appropriate, and consistent with law, the analysis described in paragraph (1) shall—

(A) use data generated from a representative sample of commercial vehicle operators, motor carriers, or both, that will be covered under the proposed or final rule; and

(B) consider effects on commercial truck and bus carriers of various sizes and types.

(b) **PUBLIC PARTICIPATION.**—

(1) **IN GENERAL.**—Before promulgating a proposed rule under part B of subtitle VI of title 49, United States Code, if the proposed rule is likely to lead to the promulgation of a major rule the Secretary shall—

(A) issue an advance notice of proposed rulemaking; or

(B) determine to proceed with a negotiated rulemaking.

(2) **REQUIREMENTS.**—Each advance notice of proposed rulemaking issued under paragraph (1) shall—

(A) identify the compelling public concern for a potential regulatory action, such as failures of private markets to protect or improve the safety of the public, the environment, or the well-being of the American people;

(B) identify and request public comment on the best available science or technical information on the need for regulatory action and on the potential regulatory alternatives;

(C) request public comment on the benefits and costs of potential regulatory alternatives reasonably likely to be included or analyzed as part of the notice of proposed rulemaking; and

(D) request public comment on the available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior.

(3) **WAIVER.**—This subsection shall not apply when the Secretary, for good cause, finds (and incorporates the finding and a brief statement of reasons for such finding in the proposed or final rule) an advance notice of proposed rulemaking impracticable, unnecessary, or contrary to the public interest.

(c) **SAVINGS CLAUSE.**—Nothing in this section may be construed to limit the contents of any Advance Notice of Proposed Rulemaking.

Subtitle D—State Authorities

SEC. 32401. EMERGENCY ROUTE WORKING GROUP.

(a) **IN GENERAL.**—

(1) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to determine best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) **MEMBERS.**—The working group shall include representatives from—

(A) State highway transportation departments or agencies;

(B) relevant modal agencies within the Department of Transportation;

(C) emergency response or recovery experts;

(D) relevant safety groups; and

(E) persons affected by special permit restrictions during emergency response and recovery efforts.

(b) **CONSIDERATIONS.**—In determining best practices under subsection (a), the working group shall consider whether—

(1) hurdles currently exist that prevent the expeditious State approval for special permits for vehicles involved in emergency response and recovery;

(2) it is possible to pre-identify and establish emergency routes between States through which infrastructure repair materials could be delivered following a natural disaster or an emergency;

(3) a State could pre-designate an emergency route identified under paragraph (1) as a certified emergency route if a motor vehicle that exceeds the otherwise applicable Federal and State truck length or width limits may safely operate along such route during period of emergency recovery; and

(4) an online map could be created to identify each pre-designated emergency route under

paragraph (2), including information on specific limitations, obligations, and notification requirements along that route.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the working group shall submit to the Secretary a report of its findings under this section and any recommendations for the implementation of the best practices for expeditious State approval of special permits for vehicles involved in emergency recovery. Upon receipt, the Secretary shall publish the report on a public website.

(d) **FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this section.

SEC. 32402. ADDITIONAL STATE AUTHORITY.

Notwithstanding any other provision of law, not later than 180 days after the date of enactment of this Act, any State impacted by section 4006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 2148) shall be provided the option to update the routes listed in the final list as long as the update shifts routes to divided highways or does not increase centerline miles by more than 5 percent and the change is expected to increase safety performance.

SEC. 32403. COMMERCIAL DRIVER ACCESS.

(a) **INTERSTATE COMPACT PILOT PROGRAM.**—

(1) **IN GENERAL.**—The Administrator of the Federal Motor Carrier Safety Administration may establish a 6-year pilot program to study the feasibility, benefits, and safety impacts of allowing a licensed driver between the ages of 18 and 21 to operate a commercial motor vehicle in interstate commerce.

(2) **INTERSTATE COMPACTS.**—The Secretary shall allow States, including the District of Columbia, to enter into an interstate compact with contiguous States to allow a licensed driver between the ages of 18 and 21 to operate a motor vehicle across the applicable State lines. The Secretary shall approve as many as 3 interstate compacts, with no more than 4 States per compact participating in each interstate compact.

(3) **MUTUAL RECOGNITION OF LICENSES.**—A valid intrastate commercial driver's licenses issued by a State participating in an interstate compact under paragraph (2) shall be recognized as valid not more than 100 air miles from the border of the driver's State of licensure in each State that is participating in that interstate compact.

(4) **STANDARDS.**—In developing an interstate compact under this subsection, participating States shall provide for minimum licensure standards acceptable for interstate travel under this section, which may include, for a licensed driver between the ages of 18 and 21 participating in the pilot program—

(A) age restrictions;

(B) distance from origin (measured in air miles);

(C) reporting requirements; or

(D) additional hours of service restrictions.

(5) **LIMITATIONS.**—An interstate compact under paragraph (2) may not permit special configuration or hazardous cargo operations to be transported by a licensed driver under the age of 21.

(6) **ADDITIONAL REQUIREMENTS.**—The Secretary may—

(A) prescribe such additional requirements, including training, for a licensed driver between the ages of 18 and 21 participating in the pilot program as the Secretary considers necessary; and

(B) provide risk mitigation restrictions and limitations.

(b) **APPROVAL.**—An interstate compact under subsection (a)(2) may not go into effect until it has been approved by the governor of each State (or the Mayor of the District of Columbia, if ap-

plicable) that is a party to the interstate compact, after consultation with the Secretary of Transportation and the Administrator of the Federal Motor Carrier Safety Administration.

(c) **DATA COLLECTION.**—The Secretary shall collect and analyze data relating to accidents (as defined in section 390.5 of title 49, Code of Federal Regulations) in which a driver under the age of 21 participating in the pilot program is involved.

(d) **REPORT.**—Beginning 3 years after the date the first compact is established and approved, the Secretary shall submit to Congress a report containing the data collection and findings of the pilot program, a determination of whether a licensed driver between the ages of 18 and 21 can operate a commercial motor vehicle in interstate commerce with an equivalent level of safety, and the reasons for that determination. The Secretary may extend the air mileage requirements under subsection (a)(3) to expand operation areas and gather additional data for analysis.

(e) **TERMINATION.**—The Secretary may terminate the pilot program if the data collected under subsection (c) indicates that drivers under the age of 21 do not operate in interstate commerce with an equivalent level of safety of those drivers age 21 and over.

Subtitle E—Motor Carrier Safety Grant Consolidation

SEC. 32501. DEFINITIONS.

(a) **IN GENERAL.**—Section 31101 is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

“(4) ‘Secretary’ means the Secretary of Transportation.”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—Section 31101, as amended by subsection (a), is amended—

(1) in paragraph (1)(B), by inserting a comma after “passengers”; and

(2) in paragraph (1)(C), by striking “of Transportation”.

SEC. 32502. GRANTS TO STATES.

(a) **MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.**—Section 31102 is amended to read as follows:

“§31102. Motor Carrier Safety Assistance Program

“(a) **IN GENERAL.**—The Secretary shall administer a motor carrier safety assistance program funded under section 31104.

“(b) **GOAL.**—The goal of the program is to ensure that the Secretary, States, local governments, other political jurisdictions, federally-recognized Indian tribes, and other persons work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient surface transportation system—

“(1) by making targeted investments to promote safe commercial motor vehicle transportation, including the transportation of passengers and hazardous materials;

“(2) by investing in activities likely to generate maximum reductions in the number and severity of commercial motor vehicle crashes and fatalities resulting from such crashes;

“(3) by adopting and enforcing effective motor carrier, commercial motor vehicle, and driver safety regulations and practices consistent with Federal requirements; and

“(4) by assessing and improving statewide performance by setting program goals and meeting performance standards, measures, and benchmarks.

“(c) **STATE PLANS.**—

“(1) **IN GENERAL.**—The Secretary shall prescribe procedures for a State to submit a multiple-year plan, and annual updates thereto,

under which the State agrees to assume responsibility for improving motor carrier safety, adopting and enforcing compatible regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.

“(2) **CONTENTS.**—The Secretary shall approve a plan if the Secretary determines that the plan is adequate to comply with the requirements of this section, and the plan—

“(A) implements performance-based activities, including deployment and maintenance of technology to enhance the efficiency and effectiveness of commercial motor vehicle safety programs;

“(B) designates a lead State commercial motor vehicle safety agency responsible for administering the plan throughout the State;

“(C) contains satisfactory assurances that the lead State commercial motor vehicle safety agency has or will have the legal authority, resources, and qualified personnel necessary to enforce the regulations, standards, and orders;

“(D) contains satisfactory assurances that the State will devote adequate resources to the administration of the plan and enforcement of the regulations, standards, and orders;

“(E) provides a right of entry and inspection to carry out the plan;

“(F) provides that all reports required under this section be available to the Secretary on request;

“(G) provides that the lead State commercial motor vehicle safety agency will adopt the reporting requirements and use the forms for recordkeeping, inspections, and investigations that the Secretary prescribes;

“(H) requires all registrants of commercial motor vehicles to demonstrate knowledge of applicable safety regulations, standards, and orders of the Federal Government and the State;

“(I) provides that the State will grant maximum reciprocity for inspections conducted under the North American Inspection Standards through the use of a nationally-accepted system that allows ready identification of previously inspected commercial motor vehicles;

“(J) ensures that activities described in subsection (h), if financed through grants to the State made under this section, will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, commercial motor vehicle, and driver safety as described in subsection (b);

“(K) ensures that the lead State commercial motor vehicle safety agency will coordinate the plan, data collection, and information systems with the State highway safety improvement program required under section 148(c) of title 23;

“(L) ensures participation in appropriate Federal Motor Carrier Safety Administration information technology and data systems and other information systems by all appropriate jurisdictions receiving Motor Carrier Safety Assistance Program funding;

“(M) ensures that information is exchanged among the States in a timely manner;

“(N) provides satisfactory assurances that the State will undertake efforts that will emphasize and improve enforcement of State and local traffic safety laws and regulations related to commercial motor vehicle safety;

“(O) provides satisfactory assurances in the plan that the State will address national priorities and performance goals, including—

“(i) activities aimed at removing impaired commercial motor vehicle drivers from the highways of the United States through adequate enforcement of regulations on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment;

“(ii) activities aimed at providing an appropriate level of training to State motor carrier

safety assistance program officers and employees on recognizing drivers impaired by alcohol or controlled substances; and

“(iii) when conducted with an appropriate commercial motor vehicle inspection, criminal interdiction activities, and appropriate strategies for carrying out those interdiction activities, including interdiction activities that affect the transportation of controlled substances (as defined under section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802) and listed in part 1308 of title 21, Code of Federal Regulations, as updated and republished from time to time) by any occupant of a commercial motor vehicle;

“(P) provides that the State has established and dedicated sufficient resources to a program to ensure that—

“(i) the State collects and reports to the Secretary accurate, complete, and timely motor carrier safety data; and

“(ii) the State participates in a national motor carrier safety data correction system prescribed by the Secretary;

“(Q) ensures that the State will cooperate in the enforcement of financial responsibility requirements under sections 13906, 31138, and 31139 of this title, and regulations issued under these sections;

“(R) ensures consistent, effective, and reasonable sanctions;

“(S) ensures that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel;

“(T) provides that the State will include in the training manuals for the licensing examination to drive both noncommercial motor vehicles and commercial motor vehicles information on best practices for driving safely in the vicinity of noncommercial and commercial motor vehicles;

“(U) provides that the State will enforce the registration requirements of sections 13902 and 31134 of this title by prohibiting the operation of any vehicle discovered to be operated by a motor carrier without a registration issued under those sections or to be operated beyond the scope of the motor carrier's registration;

“(V) provides that the State will conduct comprehensive and highly visible traffic enforcement and commercial motor vehicle safety inspection programs in high-risk locations and corridors;

“(W) except in the case of an imminent hazard or obvious safety hazard, ensures that an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a station, terminal, border crossing, maintenance facility, destination, or other location where adequate food, shelter, and sanitation facilities are available for passengers, and reasonable accommodations are available for passengers with disabilities;

“(X) ensures that the State will transmit to its roadside inspectors the notice of each Federal exemption granted under section 31315(b) of this title and sections 390.23 and 390.25 of title 49 of the Code of Federal Regulations and provided to the State by the Secretary, including the name of the person granted the exemption and any terms and conditions that apply to the exemption;

“(Y) except as provided in subsection (d), provides that the State—

“(i) will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under section 31144(g) of this title; and

“(ii) if the State authorizes a third party to conduct safety audits under section 31144(g) on its behalf, the State verifies the quality of the work conducted and remains solely responsible for the management and oversight of the activities;

“(Z) provides that the State agrees to fully participate in the performance and registration information system management under section 31106(b) not later than October 1, 2020, by complying with the conditions for participation under paragraph (3) of that section;

“(AA) provides that a State that shares a land border with another country—

“(i) will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects; or

“(ii) will forfeit all funds calculated by the Secretary based on border-related activities if the State declines to conduct the program described in clause (i) in its plan; and

“(BB) provides that a State that meets the other requirements of this section and agrees to comply with the requirements established in subsection (l)(3) may fund operation and maintenance costs associated with innovative technology deployment under subsection (l)(3) with Motor Carrier Safety Assistance Program funds authorized under section 31104(a)(1).

“(3) PUBLICATION.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall publish each approved State multiple-year plan, and each annual update thereto, on the Department of Transportation's public website not later than 30 days after the date the Secretary approves the plan or update.

“(B) LIMITATION.—Before posting an approved State multiple-year plan or annual update under subparagraph (A), the Secretary shall redact any information identified by the State that, if disclosed—

“(i) would reasonably be expected to interfere with enforcement proceedings; or

“(ii) would reveal enforcement techniques or procedures that would reasonably be expected to risk circumvention of the law.

“(d) EXCLUSION OF U.S. TERRITORIES.—The requirement that a State conduct safety audits of new entrant motor carriers under subsection (c)(2)(Y) does not apply to a territory of the United States unless required by the Secretary.

“(e) INTRASTATE COMPATIBILITY.—The Secretary shall prescribe regulations specifying tolerance guidelines and standards for ensuring compatibility of intrastate commercial motor vehicle safety laws, including regulations, with Federal motor carrier safety regulations to be enforced under subsections (b) and (c). To the extent practicable, the guidelines and standards shall allow for maximum flexibility while ensuring a degree of uniformity that will not diminish motor vehicle safety.

“(f) MAINTENANCE OF EFFORT.—

“(1) BASELINE.—Except as provided under paragraphs (2) and (3) and in accordance with section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015, a State plan under subsection (c) shall provide that the total expenditure of amounts of the lead State commercial motor vehicle safety agency responsible for administering the plan will be maintained at a level each fiscal year at least equal to—

“(A) the average level of that expenditure for fiscal years 2004 and 2005; or

“(B) the level of that expenditure for the year in which the Secretary implements a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015.

“(2) ADJUSTED BASELINE AFTER FISCAL YEAR 2017.—At the request of a State, the Secretary may evaluate additional documentation related to the maintenance of effort and may make reasonable adjustments to the maintenance of effort baseline after the year in which the Secretary implements a new allocation formula under section 32508 of the Comprehensive Trans-

portation and Consumer Protection Act of 2015, and this adjusted baseline will replace the maintenance of effort requirement under paragraph (1).

“(3) WAIVERS.—At the request of a State, the Secretary may waive or modify the requirements of this subsection for 1 fiscal year if the Secretary determines that a waiver or modification is reasonable, based on circumstances described by the State, to ensure the continuation of commercial motor vehicle enforcement activities in the State.

“(4) LEVEL OF STATE EXPENDITURES.—In estimating the average level of State expenditure under paragraph (1), the Secretary—

“(A) may allow the State to exclude State expenditures for Federally-sponsored demonstration and pilot programs and strike forces;

“(B) may allow the State to exclude expenditures for activities related to border enforcement and new entrant safety audits; and

“(C) shall require the State to exclude State matching amounts used to receive Federal financing under section 31104.

“(g) USE OF UNIFIED CARRIER REGISTRATION FEES AGREEMENT.—Amounts generated under section 14504a of this title and received by a State and used for motor carrier safety purposes may be included as part of the State's match required under section 31104 of this title or maintenance of effort required by subsection (f) of this section.

“(h) USE OF GRANTS TO ENFORCE OTHER LAWS.—When approved in the States' plan under subsection (c), a State may use Motor Carrier Safety Assistance Program funds received under this section—

“(1) if the activities are carried out in conjunction with an appropriate inspection of a commercial motor vehicle to enforce Federal or State commercial motor vehicle safety regulations, for—

“(A) enforcement of commercial motor vehicle size and weight limitations at locations, excluding fixed weight facilities, such as near steep grades or mountainous terrains, where the weight of a commercial motor vehicle can significantly affect the safe operation of the vehicle, or at ports where intermodal shipping containers enter and leave the United States; and

“(B) detection of and enforcement actions taken as a result of criminal activity, including the trafficking of human beings, in a commercial motor vehicle or by any occupant, including the operator, of the commercial motor vehicle;

“(2) for documented enforcement of State traffic laws and regulations designed to promote the safe operation of commercial motor vehicles, including documented enforcement of such laws and regulations relating to noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles, if—

“(A) the number of motor carrier safety activities, including roadside safety inspections, conducted in the State is maintained at a level at least equal to the average level of such activities conducted in the State in fiscal years 2004 and 2005; and

“(B) the State does not use more than 10 percent of the basic amount the State receives under a grant awarded under section 31104(a)(1) for enforcement activities relating to noncommercial motor vehicles necessary to promote the safe operation of commercial motor vehicles unless the Secretary determines that a higher percentage will result in significant increases in commercial motor vehicle safety; and

“(3) for the enforcement of household goods regulations on intrastate and interstate carriers if the State has adopted laws or regulations compatible with the Federal household goods regulations.

“(i) EVALUATION OF PLANS AND AWARD OF GRANTS.—

“(1) AWARDS.—The Secretary shall establish criteria for the application, evaluation, and approval of State plans under this section. Subject to subsection (j), the Secretary may allocate the amounts made available under section 31104(a)(1) among the States.

“(2) OPPORTUNITY TO CURE.—If the Secretary disapproves a plan under this section, the Secretary shall give the State a written explanation of the reasons for disapproval and allow the State to modify and resubmit the plan for approval.

“(j) ALLOCATION OF FUNDS.—

“(1) IN GENERAL.—The Secretary, by regulation, shall prescribe allocation criteria for funds made available under section 31104(a)(1).

“(2) ANNUAL ALLOCATIONS.—On October 1 of each fiscal year, or as soon as practicable thereafter, and after making a deduction under section 31104(c), the Secretary shall allocate amounts made available in section 31104(a)(1) to carry out this section for the fiscal year among the States with plans approved under this section in accordance with the criteria under paragraph (1).

“(3) ELECTIVE ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary to calculate the annual allocation amounts, after the creation of a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015 the Secretary may not make elective adjustments to the allocation formula that decrease a State's Federal funding levels by more than 3 percent in a fiscal year. The 3 percent limit shall not apply to the withholding provisions of subsection (k).

“(k) PLAN MONITORING.—

“(1) IN GENERAL.—On the basis of reports submitted by the lead State agency responsible for administering an approved State plan and an investigation by the Secretary, the Secretary shall periodically evaluate State implementation of and compliance with the State plan.

“(2) WITHHOLDING OF FUNDS.—

“(A) DISAPPROVAL.—If, after notice and an opportunity to be heard, the Secretary finds that the State plan previously approved is not being followed or has become inadequate to ensure enforcement of the regulations, standards, or orders, or the State is otherwise not in compliance with the requirements of this section, the Secretary may withdraw approval of the plan and notify the State. The plan is no longer in effect once the State receives notice, and the Secretary shall withhold all funding under this section.

“(B) NONCOMPLIANCE WITHHOLDING.—In lieu of withdrawing approval of the plan, the Secretary may, after providing notice and an opportunity to be heard, withhold funding from the State to which the State would otherwise be entitled under this section for the period of the State's noncompliance. In exercising this option, the Secretary may withhold—

“(i) up to 5 percent of funds during the fiscal year that the Secretary notifies the State of its noncompliance;

“(ii) up to 10 percent of funds for the first full fiscal year of noncompliance;

“(iii) up to 25 percent of funds for the second full fiscal year of noncompliance; and

“(iv) not more than 50 percent of funds for the third and any subsequent full fiscal year of noncompliance.

“(3) JUDICIAL REVIEW.—A State adversely affected by a determination under paragraph (2) may seek judicial review under chapter 7 of title 5. Notwithstanding the disapproval of a State plan under paragraph (2)(A) or the withholding under paragraph (2)(B), the State may retain jurisdiction in an administrative or a judicial proceeding that commenced before the notice of

disapproval or withholding if the issues involved are not related directly to the reasons for the disapproval or withholding.

“(l) HIGH PRIORITY FINANCIAL ASSISTANCE PROGRAM.—

“(1) IN GENERAL.—The Secretary shall administer a high priority financial assistance program funded under section 31104 for the purposes described in paragraphs (2) and (3).

“(2) ACTIVITIES RELATED TO MOTOR CARRIER SAFETY.—The purpose of this paragraph is to make discretionary grants to and cooperative agreements with States, local governments, federally-recognized Indian tribes, other political jurisdictions as necessary, and any person to carry out high priority activities and projects that augment motor carrier safety activities and projects planned in accordance with subsections (b) and (c), including activities and projects that—

“(A) increase public awareness and education on commercial motor vehicle safety;

“(B) target unsafe driving of commercial motor vehicles and non-commercial motor vehicles in areas identified as high risk crash corridors;

“(C) support the enforcement of State household goods regulations on intrastate and interstate carriers if the State has adopted laws or regulations compatible with the Federal household good laws;

“(D) improve the safe and secure movement of hazardous materials;

“(E) improve safe transportation of goods and persons in foreign commerce;

“(F) demonstrate new technologies to improve commercial motor vehicle safety;

“(G) support participation in performance and registration information systems management under section 31106(b)—

“(i) for entities not responsible for submitting the plan under subsection (c); or

“(ii) for entities responsible for submitting the plan under subsection (c)—

“(I) before October 1, 2020, to achieve compliance with the requirements of participation; and

“(II) beginning on October 1, 2020, or once compliance is achieved, whichever is sooner, for special initiatives or projects that exceed routine operations required for participation;

“(H) conduct safety data improvement projects—

“(i) that complete or exceed the requirements under subsection (c)(2)(P) for entities not responsible for submitting the plan under subsection (c); or

“(ii) that exceed the requirements under subsection (c)(2)(P) for entities responsible for submitting the plan under subsection (c); and

“(I) otherwise improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations.

“(3) INNOVATIVE TECHNOLOGY DEPLOYMENT GRANT PROGRAM.—

“(A) IN GENERAL.—The Secretary shall establish an innovative technology deployment grant program to make discretionary grants funded under section 31104(a)(2) to eligible States for the innovative technology deployment of commercial motor vehicle information systems and networks.

“(B) PURPOSES.—The purposes of the program shall be—

“(i) to advance the technological capability and promote the deployment of intelligent transportation system applications for commercial motor vehicle operations, including commercial motor vehicle, commercial driver, and carrier-specific information systems and networks; and

“(ii) to support and maintain commercial motor vehicle information systems and networks—

“(I) to link Federal motor carrier safety information systems with State commercial motor vehicle systems;

“(II) to improve the safety and productivity of commercial motor vehicles and drivers; and

“(III) to reduce costs associated with commercial motor vehicle operations and Federal and State commercial vehicle regulatory requirements.

“(C) ELIGIBILITY.—To be eligible for a grant under this paragraph, a State shall—

“(i) have a commercial motor vehicle information systems and networks program plan approved by the Secretary that describes the various systems and networks at the State level that need to be refined, revised, upgraded, or built to accomplish deployment of commercial motor vehicle information systems and networks capabilities;

“(ii) certify to the Secretary that its commercial motor vehicle information systems and networks deployment activities, including hardware procurement, software and system development, and infrastructure modifications—

“(I) are consistent with the national intelligent transportation systems and commercial motor vehicle information systems and networks architectures and available standards; and

“(II) promote interoperability and efficiency to the extent practicable; and

“(iii) agree to execute interoperability tests developed by the Federal Motor Carrier Safety Administration to verify that its systems conform with the national intelligent transportation systems architecture, applicable standards, and protocols for commercial motor vehicle information systems and networks.

“(D) USE OF FUNDS.—Grant funds may be used—

“(i) for deployment activities and activities to develop new and innovative advanced technology solutions that support commercial motor vehicle information systems and networks;

“(ii) for planning activities, including the development or updating of program or top level design plans in order to become eligible or maintain eligibility under subparagraph (C); and

“(iii) for the operation and maintenance costs associated with innovative technology.

“(E) SECRETARY AUTHORIZATION.—The Secretary is authorized to award a State funding for the operation, and maintenance costs associated with innovative technology deployment with funds made available under both sections 31104(a)(1) and 31104(a)(2) of this title.”.

(b) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—Section 31103 is amended to read as follows:

“§31103. Commercial Motor Vehicle Operators Grant Program

“(a) IN GENERAL.—The Secretary shall administer a commercial motor vehicle operators grant program funded under section 31104.

“(b) PURPOSE.—The purpose of the grant program is to train individuals in the safe operation of commercial motor vehicles (as defined in section 31301).”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 31104 is amended to read as follows:

“§31104. Authorization of appropriations

“(a) FINANCIAL ASSISTANCE PROGRAMS.—The following sums are authorized to be appropriated from the Highway Trust Fund for the following Federal Motor Carrier Safety Administration Financial Assistance Programs:

“(1) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Subject to paragraph (2) of this subsection and subsection (c) of this section, to carry out section 31102—

“(A) \$295,636,000 for fiscal year 2017;

“(B) \$301,845,000 for fiscal year 2018;

“(C) \$308,183,000 for fiscal year 2019;

“(D) \$314,655,000 for fiscal year 2020; and

“(E) \$321,263,000 for fiscal year 2021.

“(2) HIGH PRIORITY ACTIVITIES FINANCIAL ASSISTANCE PROGRAM.—Subject to subsection (c),

to make grants and cooperative agreements under section 31102(l) of this title, the Secretary may set aside from amounts made available under paragraph (1) of this subsection up to—

- “(A) \$42,323,000 for fiscal year 2017;
- “(B) \$43,212,000 for fiscal year 2018;
- “(C) \$44,119,000 for fiscal year 2019;
- “(D) \$45,046,000 for fiscal year 2020; and
- “(E) \$45,992,000 for fiscal year 2021.

“(3) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—To carry out section 31103—

- “(A) \$1,000,000 for fiscal year 2017;
- “(B) \$1,000,000 for fiscal year 2018;
- “(C) \$1,000,000 for fiscal year 2019;
- “(D) \$1,000,000 for fiscal year 2020; and
- “(E) \$1,000,000 for fiscal year 2021.

“(4) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION FINANCIAL ASSISTANCE PROGRAM.—Subject to subsection (c), to carry out section 31133—

- “(A) \$31,273,000 for fiscal year 2017;
- “(B) \$31,930,000 for fiscal year 2018;
- “(C) \$32,600,000 for fiscal year 2019;
- “(D) \$33,285,000 for fiscal year 2020; and
- “(E) \$33,984,000 for fiscal year 2021.

“(b) REIMBURSEMENT AND PAYMENT TO RECIPIENTS FOR GOVERNMENT SHARE OF COSTS.—

“(1) IN GENERAL.—Amounts made available under subsection (a) shall be used to reimburse financial assistance recipients proportionally for the Federal Government's share of the costs incurred.

“(2) REIMBURSEMENT AMOUNTS.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102, 31103, or 31133, an amount that is at least 85 percent of the costs incurred by the recipient in a fiscal year in developing and implementing programs under these sections. The Secretary shall pay the recipient an amount not more than the Federal Government share of the total costs approved by the Federal Government in the financial assistance agreement. The Secretary shall include a recipient's in-kind contributions in determining the reimbursement.

“(3) VOUCHERS.—Each recipient shall submit vouchers at least quarterly for costs the recipient incurs in developing and implementing programs under section 31102, 31103, or 31133.

“(c) DEDUCTIONS FOR PARTNER TRAINING AND PROGRAM SUPPORT.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (4) of subsection (a) for that fiscal year not more than 1.50 percent of those amounts for partner training and program support in that fiscal year. The Secretary shall use at least 75 percent of those deducted amounts to train non-Federal Government employees and to develop related training materials in carrying out these programs.

“(d) GRANTS AND COOPERATIVE AGREEMENTS AS CONTRACTUAL OBLIGATIONS.—The approval of a financial assistance agreement by the Secretary under section 31102, 31103, or 31133 is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs in carrying out the provisions of the grant or cooperative agreement.

“(e) ELIGIBLE ACTIVITIES.—The Secretary shall establish criteria for eligible activities to be funded with financial assistance agreements under this section and publish those criteria in a notice of funding availability before the financial assistance program application period.

“(f) PERIOD OF AVAILABILITY OF FINANCIAL ASSISTANCE AGREEMENT FUNDS FOR RECIPIENT EXPENDITURES.—

“(1) IN GENERAL.—The period of availability for a recipient to expend a grant or cooperative agreement authorized under subsection (a) is as follows:

“(A) For grants made for carrying out section 31102, other than section 31102(l), for the fiscal year in which it is obligated and for the next fiscal year.

“(B) For grants or cooperative agreements made for carrying out section 31102(l)(2), for the fiscal year in which it is obligated and for the next 2 fiscal years.

“(C) For grants made for carrying out section 31102(l)(3), for the fiscal year in which it is obligated and for the next 4 fiscal years.

“(D) For grants made for carrying out section 31103, for the fiscal year in which it is obligated and for the next fiscal year.

“(E) For grants or cooperative agreements made for carrying out 31133, for the fiscal year in which it is obligated and for the next 4 fiscal years.

“(2) REOBLIGATION.—Amounts not expended by a recipient during the period of availability shall be released back to the Secretary for re-obligation for any purpose under sections 31102, 31103, 31104, and 31133 in accordance with subsection (i) of this section.

“(g) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

“(h) AVAILABILITY OF FUNDING.—Amounts made available under this section shall remain available until expended.

“(i) TRANSFER OF OBLIGATION AUTHORITY.—

“(1) IN GENERAL.—Of the contract authority authorized for motor carrier safety grants, the Secretary shall have authority to transfer available unobligated contract authority and associated liquidating cash within or between Federal financial assistance programs authorized under this section and make new Federal financial assistance awards under this section.

“(2) COST ESTIMATES.—Of the funds transferred, the contract authority and associated liquidating cash or obligations and expenditures stemming from Federal financial assistance awards made with this contract authority shall not be scored as new obligations by the Office of Management and Budget or by the Secretary.

“(3) NO LIMITATION ON TOTAL OF OBLIGATIONS.—Notwithstanding any other provision of law, no limitation on the total of obligations for Federal financial assistance programs carried out by the Federal Motor Carrier Safety Administration under this section shall apply to unobligated funds transferred under this subsection.”.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SAFETY FITNESS OF OWNERS AND OPERATOR; SAFETY REVIEWS OF NEW OPERATORS.—Section 31144(g) is amended by striking paragraph (5).

(2) INFORMATION SYSTEMS; PERFORMANCE AND REGISTRATION INFORMATION PROGRAM.—Section 31106(b) is amended by striking paragraph (4).

(3) BORDER ENFORCEMENT GRANTS.—Section 31107 is repealed.

(4) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT.—Section 31109 is repealed.

(5) TABLE OF CONTENTS.—The table of contents of chapter 311 is amended—

(A) by striking the items relating to 31107 and 31109; and

(B) by striking the items relating to sections 31102, 31103, and 31104 and inserting the following:

“31102. Motor Carrier Safety Assistance Program.

“31103. Commercial Motor Vehicle Operators Grant Program.

“31104. Authorization of appropriations.”.

(6) GRANTS FOR COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.—Section 31133(a),

as amended by section 32506 of this Act, is further amended by striking “The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2)” and inserting “The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation funded under section 31104 of this title for the purposes described in paragraphs (1) and (2)”.

(7) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—Section 4126 of SAFETEA-LU (49 U.S.C. 31106 note) is repealed.

(8) SAFETY DATA IMPROVEMENT PROGRAM.—Section 4128 of SAFETEA-LU (49 U.S.C. 31100 note) is repealed.

(9) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134 of SAFETEA-LU (49 U.S.C. 31301 note) is repealed.

(10) WINTER HOME HEATING OIL DELIVERY STATE FLEXIBILITY PROGRAM.—Section 346 of National Highway System Designation Act of 1995 (49 U.S.C. 31166 note) is repealed.

(11) MAINTENANCE OF EFFORT AS CONDITION ON GRANTS TO STATES.—Section 103(c) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(12) STATE COMPLIANCE WITH CDL REQUIREMENTS.—Section 103(e) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(13) BORDER STAFFING STANDARDS.—Section 218(d) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31133 note) is amended—

(A) in paragraph (1), by striking “under section 31104(f)(2)(B) of title 49, United States Code” and inserting “section 31104(a)(1) of title 49, United States Code”; and

(B) by striking paragraph (3).

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

(f) TRANSITION.—Notwithstanding the amendments made by this section, the Secretary shall carry out sections 31102, 31103, 31104 of title 49, United States Code, and any sections repealed under subsection (d) of this section, as necessary, as those sections were in effect on the day before October 1, 2016, with respect to applications for grants, cooperative agreements, or contracts under those sections submitted before October 1, 2016.

SEC. 32503. NEW ENTRANT SAFETY REVIEW PROGRAM STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Office of Inspector General of the Department of Transportation shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives on its assessment of the new operator safety review program, required under section 31144(g) of title 49, United States Code, including the program's effectiveness in reducing commercial motor vehicles involved in crashes, fatalities, and injuries, and in improving commercial motor vehicle safety.

(b) REPORT.—Not later than 90 days after completion of the report under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives a report on the actions the Secretary will take to address any recommendations included in the study under subsection (a).

(c) PAPERWORK REDUCTION ACT OF 1995; EXEMPTION.—The study and the Office of the Inspector General assessment shall not be subject to section 3506 or section 3507 of title 44, United States Code.

SEC. 32504. PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT.

Section 31106(b) is amended in the heading by striking “PROGRAM” and inserting “SYSTEMS MANAGEMENT”.

SEC. 32505. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subchapter I of chapter 311 is amended by adding at the end the following:

“§31110. Authorization of appropriations

“(a) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

“(1) \$264,439,000 for fiscal year 2016;

“(2) \$269,992,000 for fiscal year 2017;

“(3) \$275,662,000 for fiscal year 2018;

“(4) \$281,451,000 for fiscal year 2019;

“(5) \$287,361,000 for fiscal year 2020; and

“(6) \$293,396,000 for fiscal year 2021.

“(b) USE OF FUNDS.—The funds authorized by this section shall be used—

“(1) for personnel costs;

“(2) for administrative infrastructure;

“(3) for rent;

“(4) for information technology;

“(5) for programs for research and technology, information management, regulatory development, the administration of the performance and registration information systems management;

“(6) for programs for outreach and education under subsection (d);

“(7) to fund the motor carrier safety facility working capital fund established under subsection (c);

“(8) for other operating expenses;

“(9) to conduct safety reviews of new operators; and

“(10) for such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.

“(c) MOTOR CARRIER SAFETY FACILITY WORKING CAPITAL FUND.—

“(1) IN GENERAL.—The Secretary may establish a motor carrier safety facility working capital fund.

“(2) PURPOSE.—Amounts in the fund shall be available for modernization, construction, leases, and expenses related to vacating, occupying, maintaining, and expanding motor carrier safety facilities, and associated activities.

“(3) AVAILABILITY.—Amounts in the fund shall be available without regard to fiscal year limitation.

“(4) FUNDING.—Amounts may be appropriated to the fund from the amounts made available in subsection (a).

“(5) FUND TRANSFERS.—The Secretary may transfer funds to the working capital fund from the amounts made available in subsection (a) or from other funds as identified by the Secretary.

“(d) OUTREACH AND EDUCATION PROGRAM.—

“(1) IN GENERAL.—The Secretary may conduct, through any combination of grants, contracts, cooperative agreements, or other activities, an internal and external outreach and education program to be administered by the Administrator of the Federal Motor Carrier Safety Administration.

“(2) FEDERAL SHARE.—The Federal share of an outreach and education program for which a grant, contract, or cooperative agreement is made under this subsection may be up to 100 percent of the cost of the grant, contract, or cooperative agreement.

“(3) FUNDING.—From amounts made available in subsection (a), the Secretary shall make available such sums as are necessary to carry out this subsection each fiscal year.

“(e) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

“(f) FUNDING AVAILABILITY.—Amounts made available under this section shall remain available until expended.

“(g) CONTRACTUAL OBLIGATION.—The approval of funds by the Secretary under this section is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE EXPENSES; AUTHORIZATION OF APPROPRIATIONS.—Section 31104 is amended—

(A) by striking subsection (i); and

(B) by redesignating subsections (j) and (k) and subsections (i) and (j), respectively.

(2) USE OF AMOUNTS MADE AVAILABLE UNDER SUBSECTION (D).—Section 416(d) of SAFETEA-LU (49 U.S.C. 31104 note) is amended by striking “section 31104(i)” and inserting “section 31110”.

(3) INTERNAL COOPERATION.—Section 31161 is amended by striking “31104(i)” and inserting “31110”.

(4) SAFETEA-LU; OUTREACH AND EDUCATION.—Section 4127 of SAFETEA-LU (119 Stat. 1741; Public Law 109–59) is repealed.

(5) TABLE OF CONTENTS.—The table of contents of subchapter I of chapter 311 is amended by adding at the end the following:

“31110. Authorization of appropriations.”.

SEC. 32506. COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.

(a) IN GENERAL.—Section 31313 is amended to read as follows:

“§31313. Commercial driver's license program implementation financial assistance program

“(a) IN GENERAL.—The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2).

“(1) STATE COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION GRANTS.—The Secretary of Transportation may make a grant to a State agency in a fiscal year—

“(A) to comply with the requirements of section 31311;

“(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of section 31311, to improve its implementation of its commercial driver's license program, including expenses—

“(i) for computer hardware and software;

“(ii) for publications, testing, personnel, training, and quality control;

“(iii) for commercial driver's license program coordinators; and

“(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator's commercial driver's license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (49 U.S.C. 31304 note).

“(2) PRIORITY ACTIVITIES.—The Secretary may make a grant or cooperative agreement in a fiscal year to a State agency, local government, or any person for research, development or testing, demonstration projects, public education, or other special activities and projects relating to commercial driver's licensing and motor vehicle safety that—

“(A) benefit all jurisdictions of the United States;

“(B) address national safety concerns and circumstances;

“(C) address emerging issues relating to commercial driver's license improvements;

“(D) support innovative ideas and solutions to commercial driver's license program issues; or

“(E) address other commercial driver's license issues, as determined by the Secretary.

“(b) PROHIBITIONS.—A recipient may not use financial assistance funds awarded under this section to rent, lease, or buy land or buildings.

“(c) REPORT.—The Secretary shall issue an annual report on the activities carried out under this section.

“(d) APPORTIONMENT.—All amounts made available to carry out this section for a fiscal year shall be apportioned to a State or recipient described in subsection (a)(2) according to criteria prescribed by the Secretary.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents of chapter 313 is amended by striking the item relating to section 31313 and inserting the following:

“31313. Commercial driver's license program implementation financial assistance program.”.

SEC. 32507. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY PROGRAMS FOR FISCAL YEAR 2016.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT EXTENSION.—Section 31104(a) is amended—

(1) in the matter preceding paragraph (1), by inserting “and, for fiscal year 2016, sections 31102, 31107, and 31109 of this title and section 4128 of SAFETEA-LU (49 U.S.C. 31100 note)” after “31102”;

(2) in paragraph (9), by striking “and” at the end; and

(3) by striking paragraph (10) and inserting the following:

“(10) \$218,000,000 for fiscal year 2015; and

“(11) \$259,000,000 for fiscal year 2016.”.

(b) EXTENSION OF GRANT PROGRAMS.—Section 4101(c) SAFETEA-LU (119 Stat. 1715; Public Law 109–59), is amended to read as follows:

“(c) GRANT PROGRAMS FUNDING.—There are authorized to be appropriated from the Highway Trust Fund the following sums for the following Federal Motor Carrier Safety Administration programs:

“(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—For carrying out the commercial driver's license program improvement grants program under section 31313 of title 49, United States Code, \$30,000,000 for fiscal year 2016.

“(2) BORDER ENFORCEMENT GRANTS.—From amounts made available under section 31104(a) of title 49, United States Code, for border enforcement grants under section 31107 of that title, \$32,000,000 for fiscal year 2016.

“(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT GRANT PROGRAMS.—From amounts made available under section 31104(a) of title 49, United States Code, for the performance and registration information systems management grant program under section 31109 of that title, \$5,000,000 for fiscal year 2016.

“(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—For carrying out the commercial vehicle information systems and networks deployment program under section 4126 of this Act (the innovative technology deployment program), \$25,000,000, for fiscal year 2016.

“(5) SAFETY DATA IMPROVEMENT GRANTS.—From amounts made available under section 31104(a) of title 49, United States Code, for safety data improvement grants under section 4128 of this Act, \$3,000,000 for fiscal year 2016.”.

(c) HIGH-PRIORITY ACTIVITIES.—Section 31104(j)(2), as redesignated by section 32505 of this Act is amended by striking “2015” and inserting “2016”.

(d) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) is amended to read as follows:

“(B) SET ASIDE.—The Secretary shall set aside from amounts made available by section 31104(a) up to \$32,000,000 for fiscal year 2016 for audits of new entrant motor carriers conducted under this paragraph.”.

(e) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (49 U.S.C. 31301 note) is amended to read as follows:

“(c) FUNDING.—From amounts made available under section 31110 of title 49, United States Code, the Secretary shall make available, \$1,000,000 for fiscal year 2016 to carry out the commercial motor vehicle operators grant program.”.

(f) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—

(1) IN GENERAL.—Section 4126 of SAFETEA-LU (49 U.S.C. 31106 note; 119 Stat. 1738; Public Law 109–59) is amended—

(A) in subsection (c)—

(i) in paragraph (2), by adding at the end the following: “Funds deobligated by the Secretary from previous year grants shall not be counted towards the \$2,500,000 maximum aggregate amount for core deployment.”; and

(ii) in paragraph (3), by adding at the end the following: “Funds may also be used for planning activities, including the development or updating of program or top level design plans.”; and

(B) in subsection (d)(4), by adding at the end the following: “Funds may also be used for planning activities, including the development or updating of program or top level design plans.”.

(2) INNOVATIVE TECHNOLOGY DEPLOYMENT PROGRAM.—For fiscal year 2016, the commercial vehicle information systems and networks deployment program under section 4126 of SAFETEA-LU (119 Stat. 1738; Public Law 109–59) may also be referred to as the innovative technology deployment program.

SEC. 32508. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM ALLOCATION.

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a motor carrier safety assistance program formula working group (referred to in this section as the “working group”).

(2) MEMBERSHIP.—

(A) IN GENERAL.—Subject to subparagraph (B), the working group shall consist of representatives of the following:

(i) The Federal Motor Carrier Safety Administration.

(ii) The lead State commercial motor vehicle safety agencies responsible for administering the plan required by section 31102 of title 49, United States Code.

(iii) An organization representing State agencies responsible for enforcing a program for inspection of commercial motor vehicles.

(iv) Such other persons as the Secretary considers necessary.

(B) COMPOSITION.—Representatives of State commercial motor vehicle safety agencies shall comprise at least 51 percent of the membership.

(3) NEW ALLOCATION FORMULA.—The working group shall analyze requirements and factors for a new motor carrier safety assistance program allocation formula.

(4) RECOMMENDATION.—Not later than 1 year after the date the working group is established under paragraph (1), the working group shall make a recommendation to the Secretary regarding a new Motor Carrier Safety Assistance Program allocation formula.

(5) FACA EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(6) PUBLICATION.—The Administrator of the Federal Motor Carrier Safety Administration shall publish on a public website summaries of its meetings, and the final recommendation provided to the Secretary.

(b) NOTICE OF PROPOSED RULEMAKING.—After receiving the recommendation under subsection (a)(4), the Secretary shall publish in the Federal Register a notice seeking public comment on a new allocation formula for the motor carrier safety assistance program under section 31102 of title 49, United States Code.

(c) BASIS FOR FORMULA.—The Secretary shall ensure that the new allocation formula is based on factors that reflect, at a minimum—

(1) the relative needs of the States to comply with section 31102 of title 49, United States Code;

(2) the relative administrative capacities of and challenges faced by States in complying with section 31102 of title 49, United States Code;

(3) the average of each State's new entrant motor carrier inventory for the 3-year period prior to the date of enactment of this Act;

(4) the number of international border inspection facilities and border crossings by commercial vehicles in each State; and

(5) any other factors the Secretary considers appropriate.

(d) FUNDING AMOUNTS PRIOR TO DEVELOPMENT OF A NEW ALLOCATION FORMULA.—

(1) INTERIM FORMULA.—Prior to the development of the new allocation formula, the Secretary may calculate the interim funding amounts for the motor carrier safety assistance program in fiscal year 2017 (and later fiscal years, as necessary) under section 31104(a)(1) of title 49, United States Code, as amended by section 32502 of this Act, by the following methodology:

(A) The Secretary shall calculate the funding amount using the allocation formula the Secretary used to award motor carrier safety assistance program funding in fiscal year 2016 under section 2507 of this Act.

(B) The Secretary shall average the funding awarded or other equitable amounts to a State in fiscal years 2013, 2014, and 2015 for border enforcement grants awarded under section 32603(c) of MAP-21 (126 Stat. 807; Public Law 112–141) and new entrant audit grants awarded under that section, or other equitable amounts.

(C) The Secretary shall add the amounts calculated in subparagraphs (A) and (B).

(2) ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary, the initial amounts resulting from the calculation described in paragraph (1) shall be adjusted to ensure that, for each State, the amount shall not be less than 97 percent of the average amount of funding received or other equitable amounts in fiscal years 2013, 2014, and 2015 for—

(A) motor carrier safety assistance program funds awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141);

(B) border enforcement grants awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141); and

(C) new entrant audit grants awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141).

(3) IMMEDIATE RELIEF.—In developing the new allocation formula, the Secretary shall provide immediate relief for at least 3 fiscal years to all States currently subject to the withholding provisions of Motor Carrier Safety Assistance Program funds for matters of noncompliance.

(4) FUTURE WITHHOLDINGS.—Beginning on the date that the new allocation formula is implemented, the Secretary shall impose all future withholdings in accordance with section 31102(k) of title 49, United States Code, as amended by section 32502 of this Act.

(e) TERMINATION OF EFFECTIVENESS.—This section expires upon the implementation of a new Motor Carrier Safety Assistance Program Allocation Formula.

SEC. 32509. MAINTENANCE OF EFFORT CALCULATION.

(a) BEFORE NEW ALLOCATION FORMULA.—

(1) FISCAL YEAR 2017.—If a new allocation formula has not been established for fiscal year 2017, then, for fiscal year 2017, the Secretary of Transportation shall calculate the maintenance of effort required under section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act, by averaging the expenditures for fiscal years 2004 and 2005 required by section 32601(a)(5) of MAP-21 (Public Law 112–141), as that section was in effect on the day before the date of enactment of this Act.

(2) SUBSEQUENT FISCAL YEARS.—The Secretary may use the methodology for calculating the maintenance of effort for fiscal year 2017 and each fiscal year thereafter if a new allocation formula has not been established.

(b) BEGINNING WITH NEW ALLOCATION FORMULA.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3)(B), beginning on the date that a new allocation formula is established under section 2508, upon the request of a State, the Secretary may modify the baseline maintenance of effort required by section 31102(e) of title 49, United States Code, as amended by section 32502 of this Act, for the purpose of establishing a new baseline maintenance of effort if the Secretary determines that a waiver or modification—

(A) is equitable due to reasonable circumstances;

(B) will ensure the continuation of commercial motor vehicle enforcement activities in the State; and

(C) is necessary to ensure that the total amount of State maintenance of effort and matching expenditures required under sections 31102 and 31104 of title 49, United States Code, as amended by section 32502 of this Act, does not exceed a sum greater than the average of the total amount of State maintenance of effort and matching expenditures for the 3 fiscal years prior to the date of enactment of this Act.

(2) ADJUSTMENT METHODOLOGY.—If requested by a State, the Secretary may modify the maintenance of effort baseline according to the following methodology:

(A) The Secretary shall establish the maintenance of effort using the average of fiscal years 2004 and 2005, as required by section 32601(a)(5) of MAP-21 (Public Law 112–141).

(B) The Secretary shall calculate the average required match by a lead State commercial motor vehicle safety agency for fiscal years 2013, 2014, and 2015 for motor carrier safety assistance grants established at 20 percent by section 31103 of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(C) The Secretary shall calculate the estimated match required under section 31104(b) of title 49, United States Code, as amended by section 32502 of this Act.

(D) The Secretary will subtract the amount in subparagraph (B) from the amount in subparagraph (C) and—

(i) if the number is greater than 0, then the Secretary shall subtract the number from the amount in subparagraph (A); or

(ii) if the number is not greater than 0, then the Secretary shall calculate the maintenance of effort using the methodology in subparagraph (A).

(3) MAINTENANCE OF EFFORT AMOUNT.—

(A) IN GENERAL.—The Secretary shall use the amount calculated in paragraph (2) as the baseline maintenance of effort required in section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act.

(B) **DEADLINE.**—If a State does not request a waiver or modification under this subsection before September 30 during the first fiscal year that the Secretary implements the new allocation formula under section 32508, the Secretary shall calculate the maintenance of effort using the methodology in paragraph (2)(A) of this subsection.

(4) **MAINTENANCE OF EFFORT DESCRIBED.**—The maintenance of effort calculated under this section is the amount required under section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act.

(c) **TERMINATION OF EFFECTIVENESS.**—The authority under this section terminates effective on the date that the new maintenance of effort is calculated based on the new allocation formula implemented under section 32508.

Subtitle F—Miscellaneous Provisions

SEC. 32601. WINDSHIELD TECHNOLOGY.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the regulations in section 393.60(e) of title 49, Code of Federal Regulations (relating to the prohibition on obstructions to the driver's field of view) to exempt from that section the voluntary mounting on a windshield of vehicle safety technology likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent the exemption.

(b) **DEFINITION OF VEHICLE SAFETY TECHNOLOGY.**—In this section, “vehicle safety technology” includes fleet-related incident management system, performance or behavior management system, speed management system, lane departure warning system, forward collision warning or mitigation system, active cruise control system, and any other technology that the Secretary considers applicable.

(c) **RULE OF CONSTRUCTION.**—For purposes of this section, any windshield mounted technology with a short term exemption under part 381 of title 49, Code of Federal Regulations, on the day before the date of enactment of this Act, shall be considered likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent an exemption under subsection (a).

SEC. 32602. ELECTRONIC LOGGING DEVICES REQUIREMENTS.

Section 31137(b) is amended—

(1) in paragraph (1)(C), by striking “apply to” and inserting “except as provided in paragraph (3), apply to”; and

(2) by adding at the end the following:

“(3) **EXCEPTION.**—A motor carrier, when transporting a motor home or recreation vehicle trailer within the definition of ‘driveaway-towaway operation’ (as defined in section 390.5 of title 49, Code of Federal Regulations) may comply with the hours of service requirements by requiring each driver to use—

“(A) a paper record of duty status form; or

“(B) an electronic logging device.”.

SEC. 32603. LAPSE OF REQUIRED FINANCIAL SECURITY; SUSPENSION OF REGISTRATION.

Section 13906(e) is amended by inserting “or suspend” after “revoke”.

SEC. 32604. ACCESS TO NATIONAL DRIVER REGISTERS.

Section 30305(b) is amended by adding at the end the following:

“(13) The Administrator of the Federal Motor Carrier Safety Administration may request the chief driver licensing official of a State to provide information under subsection (a) of this section about an individual in connection with a safety investigation under the Administrator's jurisdiction.”.

SEC. 32605. STUDY ON COMMERCIAL MOTOR VEHICLE DRIVER COMMUTING.

(a) **EFFECTS OF COMMUTING.**—The Administrator of the Federal Motor Carrier Safety Ad-

ministration shall conduct a study of the effects of motor carrier operator commutes exceeding 150 minutes commuting time on safety and commercial motor vehicle driver fatigue.

(b) **STUDY.**—In conducting the study, the Administrator shall consider—

(1) the prevalence of driver commuting in the commercial motor vehicle industry, including the number and percentage of drivers who commute;

(2) the distances traveled, time zones crossed, time spent commuting, and methods of transportation used;

(3) research on the impact of excessive commuting on safety and commercial motor vehicle driver fatigue;

(4) the commuting practices of commercial motor vehicle drivers and policies of motor carriers;

(5) the Federal Motor Carrier Safety Administration regulations, policies, and guidance regarding driver commuting; and

(6) any other matters the Administrator considers appropriate.

(c) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the findings under the study and any recommendations for legislative action concerning driver commuting.

SEC. 32606. HOUSEHOLD GOODS CONSUMER PROTECTION WORKING GROUP.

(a) **WORKING GROUP.**—The Secretary shall establish a working group for the purpose of developing recommendations on how to best convey to inexperienced consumers the information such consumers need to know with respect to the Federal laws concerning the interstate transportation of household goods by motor carrier.

(b) **MEMBERSHIP.**—The Secretary shall ensure that the working group is comprised of individuals with expertise in consumer affairs, educators with expertise in how people learn most effectively, and representatives of the household goods moving industry.

(c) **RECOMMENDATIONS.**—

(1) **CONTENTS.**—The recommendations developed by the working group shall include, at a minimum, recommendations on—

(A) condensing publication ESA 03005 of the Federal Motor Carrier Safety Administration into a format that is more easily used by consumers;

(B) using state-of-the-art education techniques and technologies, including optimizing the use of the Internet as an educational tool; and

(C) reducing and simplifying the paperwork required of motor carriers and shippers in interstate transportation.

(2) **DEADLINE.**—Not later than one year after the date of enactment of this Act, the working group shall make the recommendations described in paragraph (1) which the Secretary shall publish on a public website.

(d) **REPORT.**—Not later than 1 year after the date on which the working group makes its recommendations, the Secretary shall issue a report to Congress on the implementation of such recommendations.

(e) **FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this section.

(f) **TERMINATION.**—The working group shall terminate 2 years after the date of enactment of this Act.

SEC. 32607. INTERSTATE VAN OPERATIONS.

Section 4136 of SAFETEA-LU (Public Law 109-59; 119 Stat. 1745; 49 U.S.C. 3116 note) is amended by inserting “with the exception of commuter vanpool operations, which shall remain exempt” before the period at the end.

SEC. 32608. REPORT ON DESIGN AND IMPLEMENTATION OF WIRELESS ROADSIDE INSPECTION SYSTEMS.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the design, development, testing, and implementation of wireless roadside inspection systems.

(b) **ELEMENTS.**—The report required under subsection (a) shall include a determination as to whether wireless roadside inspection systems—

(1) conflict with existing non-Federal electronic screening systems, or create capabilities already available;

(2) require additional statutory authority to incorporate generated inspection data into the safety measurement system or the safety fitness determinations program; and

(3) provide appropriate restrictions to specifically address privacy concerns of affected motor carriers and operators.

SEC. 32609. MOTORCOACH HOURS OF SERVICE STUDY.

(a) **REQUIREMENT BEFORE IMPLEMENTING NEW RULES.**—

(1) **IN GENERAL.**—The Secretary may not amend, adjust, or revise the driver hours of service regulations for motor carriers of passengers, by rulemaking or any other means, until the Secretary conducts a formal study that properly accounts for operational differences and variances in crash data for drivers in intercity motorcoach service and interstate property carrier operations and between segments of the intercity motorcoach industry.

(2) **CONTENTS.**—The study required under paragraph (1) shall include—

(A) the impact of the current hours of service regulations for motor carriers of passengers on fostering safe operation of intercity motorcoaches;

(B) the separation of the failures of the current passenger carrier hours-of-service regulations and the lack of enforcement of the current regulations by Federal and State agencies;

(C) the correlation of noncompliance with current passenger carrier hours of service rule to passenger carrier accidents using data from 2000 through 2013; and

(D) how passenger carrier crashes could have been mitigated by any changes to passenger carrier hours of service rules.

(b) **EMERGENCY REGULATIONS.**—Nothing in this section may be construed to affect the Secretary's existing authority to provide relief from the hours of service regulations in the event of an emergency under section 390.232 of title 49, Code of Federal Regulations.

SEC. 32610. GAO REVIEW OF SCHOOL BUS SAFETY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a review of the following:

(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.

(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title 49, Code of Federal Regulations, and each of the following:

(A) A failure by those same operators of State or local safety inspections.

(B) The average age or odometer readings of the school buses in the fleets of such operators.

(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.

(D) Violations of State or local law relating to illegal passing of a school bus.

(3) A regulatory framework comparison of public and private school bus operations.

(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.

SEC. 32611. USE OF HAIR TESTING FOR PRE-EMPLOYMENT AND RANDOM CONTROLLED SUBSTANCES TESTS.

(a) **SHORT TITLE.**—This section may be cited as the “Drug Free Commercial Driver Act of 2015”.

(b) **AUTHORIZATION OF HAIR TESTING AS AN ACCEPTABLE PROCEDURE FOR PREEMPLOYMENT AND RANDOM CONTROLLED SUBSTANCE TESTS.**—Section 31306 is amended—

(1) in subsection (b)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) in subparagraph (A), by striking “The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.” and inserting the following:

“(B) The regulations prescribed under subparagraph (A) shall permit motor carriers—

“(i) to conduct preemployment testing of commercial motor vehicle operators for the use of alcohol; and

“(ii) to use hair testing as an acceptable alternative to urinalysis—

“(I) in conducting preemployment screening for the use of a controlled substance; and

“(II) in conducting random screening for the use of a controlled substance by individuals who were subject to preemployment screening.”; and

(2) in subsection (c)(2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by inserting “and” after the semicolon; and

(C) by adding at the end the following:

“(D) laboratory protocols and cut-off levels for hair testing to detect the use of a controlled substance.”.

(c) **EXEMPTION FROM MANDATORY URINALYSIS.**—

(1) **IN GENERAL.**—Any motor carrier that demonstrates, to the satisfaction of the Administrator of the Federal Motor Carrier Safety Administration, in consultation with the Department of Health and Human Services, that it can carry out an applicable hair testing program, consistent with generally accepted industry standards, to detect the use of a controlled substance by commercial motor vehicle operators, may apply to the Administrator for an exemption from the mandatory urinalysis testing requirements set forth in subpart C of part 382 of title 49, Code of Federal Regulations until a final rule is issued implementing the amendments made by subsection (b).

(2) **EVALUATION OF APPLICATIONS.**—

(A) **IN GENERAL.**—In evaluating applications for an exemption under paragraph (1), the Administrator, in consultation with the Depart-

ment of Health and Human Services, shall determine if the applicant’s testing program employs procedures and protections similar to fleets that have carried out hair testing programs for at least 1 year.

(B) **REQUIREMENTS.**—A testing program may not receive an exemption under paragraph (1) unless the applicable testing laboratories—

(i) have obtained laboratory accreditation specific to hair testing from an accrediting body, compliant with international or other Federal standards, as appropriate, such as the College of American Pathologists; and

(ii) utilize hair testing assays that have been cleared by the Food and Drug Administration under section 510(k) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 360(k)).

(3) **DEADLINE FOR DECISIONS.**—Not later than 90 days after receiving an application from a motor carrier under this subsection, the Administrator, in consultation with the Secretary of Health and Human Services, shall determine whether the motor carrier is exempt from the testing requirements described in paragraph (1).

(4) **REPORTING REQUIREMENT.**—Any motor carrier that is granted an exemption under paragraph (1) shall submit records to the national clearinghouse established under section 31306a of title 49, United States Code, relating to all positive test results and test refusals from the hair testing program described in that paragraph.

(d) **GUIDELINES FOR HAIR TESTING.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance for purposes of section 31306 of title 49, United States Code, as amended by subsection (b). When issuing the scientific and technical guidelines, the Secretary of Health and Human Services may consider differentiating between exposure to, and usage of, various controlled substances.

(e) **ANNUAL REPORT TO CONGRESS.**—The Secretary shall submit an annual report to Congress that—

(1) summarizes the results of preemployment and random drug testing using both hair testing and urinalysis;

(2) evaluates the efficacy of each method; and

(3) determines which method provides the most accurate means of detecting the use of controlled substances over time.

TITLE XXXIII—HAZARDOUS MATERIALS

SEC. 33101. ENDORSEMENTS.

(a) **EXCLUSIONS.**—Section 5117(d)(1) is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(D) a service vehicle (as defined in section 33101 of the Comprehensive Transportation and Consumer Protection Act of 2015) carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less that is—

“(i) driven by a class A commercial driver’s license holder who is a custom harvester, an agricultural retailer, an agricultural business employee, an agricultural cooperative employee, or an agricultural producer; and

“(ii) clearly marked with a placard reading ‘Diesel Fuel’.”.

(b) **HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.**—The Secretary shall exempt all class A commercial driver’s license holders who are custom harvesters, agricultural retailers, agricultural business employees, agricultural cooperative employees, or agricultural producers from the requirement to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, while operating a

service vehicle carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less if the tank containing such fuel is clearly marked with a placard reading “Diesel Fuel”.

(c) **DEFINITION OF SERVICE VEHICLE.**—In this section, the term “service vehicle” means a vehicle carrying diesel fuel that will be deductible as a profit-seeking activity—

(1) under section 162 of the Internal Revenue Code of 1986 as a business expense; or

(2) under section 212 of the Internal Revenue Code of 1986 as a production of income expense.

SEC. 33102. ENHANCED REPORTING.

Section 5121(h) is amended by striking “transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate” and inserting “post on the Department of Transportation public website”.

SEC. 33103. HAZARDOUS MATERIAL INFORMATION.

(a) **DERAILMENT DATA.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the form for reporting a rail equipment accident or incident under section 225.21 of title 49, Code of Federal Regulations (Form FRA F 6180.54, Rail Equipment Accident/Incident Report), including to its instructions, to require additional data concerning rail cars carrying crude oil or ethanol that are involved in a reportable rail equipment accident or incident under part 225 of that title.

(2) **CONTENTS.**—The data under subsection (a) shall include—

(A) the number of rail cars carrying crude oil or ethanol;

(B) the number of rail cars carrying crude oil or ethanol damaged or derailed; and

(C) the number of rail cars releasing crude oil or ethanol.

(3) **DIFFERENTIATION.**—The data described in paragraph (2) shall be reported separately for crude oil and for ethanol.

(b) **DATABASE CONNECTIVITY.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall implement information management practices to ensure that the Pipeline and Hazardous Materials Safety Administration Hazardous Materials Incident Reports Database (referred to in this section as “Incident Reports Database”) and the Federal Railroad Administration Railroad Safety Information System contain accurate and consistent data on a reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations, involving the release of hazardous materials.

(2) **IDENTIFIERS.**—The Secretary shall ensure that the Incident Reports Database uses a searchable Federal Railroad Administration report number, or other applicable unique identifier that is linked to the Federal Railroad Safety Information System, for each reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations, involving the release of hazardous materials.

(c) **EVALUATION.**—

(1) **IN GENERAL.**—The Department of Transportation Inspector General shall—

(A) evaluate the accuracy of information in the Incident Reports Database, including determining whether any inaccuracies exist in—

(i) the type of hazardous materials released;

(ii) the quantity of hazardous materials released;

(iii) the location of hazardous materials released;

(iv) the damages or effects of hazardous materials released; and

(v) any other data contained in the database; and

(B) considering the requirements in subsection (b), evaluate the consistency and accuracy of

data involving accidents or incidents reportable to both the Pipeline and Hazardous Materials Safety Administration and the Federal Railroad Administration, including whether the Incident Reports Database uses a searchable identifier described in subsection (b)(2).

(2) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Department of Transportation Inspector General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings under subparagraphs (A) and (B) of paragraph (1) and recommendations for resolving any inconsistencies or inaccuracies.

(d) **SAVINGS CLAUSE.**—Nothing in this section may be construed to prohibit the Secretary from requiring other commodity-specific information for any reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations.

SEC. 33104. NATIONAL EMERGENCY AND DISASTER RESPONSE.

(a) **PURPOSE.**—Section 5101 is amended by inserting and “and to facilitate the safe movement of hazardous materials during national emergencies” after “commerce”.

(b) **GENERAL REGULATORY AUTHORITY.**—Section 5103 is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

“(c) **FEDERALLY DECLARED DISASTER AND EMERGENCY AREAS.**—The Secretary, in consultation with the Secretary of Homeland Security, may prescribe standards to facilitate the safe movement of hazardous materials into, from, and within a federally declared disaster area or a national emergency area.”.

SEC. 33105. AUTHORIZATION OF APPROPRIATIONS.

Section 5128 is amended to read as follows:

“§5128. Authorization of appropriations

“(a) **IN GENERAL.**—There are authorized to be appropriated to the Secretary to carry out this chapter (except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—

“(1) \$43,660,000 for fiscal year 2016;

“(2) \$44,577,000 for fiscal year 2017;

“(3) \$45,513,000 for fiscal year 2018;

“(4) \$46,469,000 for fiscal year 2019;

“(5) \$47,445,000 for fiscal year 2020; and

“(6) \$48,441,000 for fiscal year 2021.

“(b) **HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.**—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend, during each of fiscal years 2016 through 2021—

“(1) \$188,000 to carry out section 5115;

“(2) \$21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than \$13,650,000 shall be available to carry out section 5116(b);

“(3) \$150,000 to carry out section 5116(f);

“(4) \$625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

“(5) \$1,000,000 to carry out section 5116(j).

“(c) **HAZARDOUS MATERIALS TRAINING GRANTS.**—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(i), the Secretary may expend \$4,000,000 for each of the fiscal years 2016 through 2021 to carry out section 5107(e).

“(d) **CREDITS TO APPROPRIATIONS.**—

“(1) **EXPENSES.**—In addition to amounts otherwise made available to carry out this chapter, the Secretary may credit amounts received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, authority, or entity.

“(2) **AVAILABILITY OF AMOUNTS.**—Amounts made available under this section shall remain available until expended.”.

TITLE XXXIV—HIGHWAY AND MOTOR VEHICLE SAFETY

Subtitle A—Highway Traffic Safety

PART I—HIGHWAY SAFETY

SEC. 34101. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) **HIGHWAY SAFETY PROGRAMS.**—For carrying out section 402 of title 23, United States Code—

(A) \$243,526,500 for fiscal year 2016;

(B) \$252,267,972 for fiscal year 2017;

(C) \$261,229,288 for fiscal year 2018;

(D) \$270,415,429 for fiscal year 2019;

(E) \$279,831,482 for fiscal year 2020; and

(F) \$289,482,646 for fiscal year 2021.

(2) **HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.**—For carrying out section 403 of title 23, United States Code—

(A) \$137,835,000 for fiscal year 2016;

(B) \$140,729,535 for fiscal year 2017;

(C) \$143,684,855 for fiscal year 2018;

(D) \$146,702,237 for fiscal year 2019;

(E) \$149,782,984 for fiscal year 2020; and

(F) \$152,928,427 for fiscal year 2021.

(3) **NATIONAL PRIORITY SAFETY PROGRAMS.**—For carrying out section 405 of title 23, United States Code—

(A) \$274,720,000 for fiscal year 2016;

(B) \$277,467,200 for fiscal year 2017;

(C) \$280,241,872 for fiscal year 2018;

(D) \$283,044,291 for fiscal year 2019;

(E) \$285,874,734 for fiscal year 2020; and

(F) \$288,733,481 for fiscal year 2021.

(4) **NATIONAL DRIVER REGISTER.**—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—

(A) \$5,105,000 for fiscal year 2016;

(B) \$5,212,205 for fiscal year 2017;

(C) \$5,321,661 for fiscal year 2018;

(D) \$5,433,416 for fiscal year 2019;

(E) \$5,547,518 for fiscal year 2020; and

(F) \$5,664,016 for fiscal year 2021.

(5) **HIGH VISIBILITY ENFORCEMENT PROGRAM.**—For carrying out section 2009 of SAFETEA-LU (23 U.S.C. 402 note)—

(A) \$29,290,000 for fiscal year 2016;

(B) \$29,582,900 for fiscal year 2017;

(C) \$29,878,729 for fiscal year 2018;

(D) \$30,177,516 for fiscal year 2019;

(E) \$30,479,291 for fiscal year 2020; and

(F) \$30,784,084 for fiscal year 2021.

(6) **ADMINISTRATIVE EXPENSES.**—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this subtitle—

(A) \$25,755,000 for fiscal year 2016;

(B) \$26,012,550 for fiscal year 2017;

(C) \$26,272,676 for fiscal year 2018;

(D) \$26,535,402 for fiscal year 2019;

(E) \$26,800,756 for fiscal year 2020; and

(F) \$27,068,764 for fiscal year 2021.

(b) **PROHIBITION ON OTHER USES.**—Except as otherwise provided in chapter 4 of title 23, United States Code, in this subtitle, and in the amendments made by this subtitle, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapter—

(1) shall only be used to carry out such program; and

(2) may not be used by States or local governments for construction purposes.

(c) **APPLICABILITY OF TITLE 23.**—Except as otherwise provided in chapter 4 of title 23, United States Code, and in this subtitle,

amounts made available under subsection (a) for fiscal years 2016 through 2021 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(d) **REGULATORY AUTHORITY.**—Grants awarded under this subtitle shall be in accordance with regulations issued by the Secretary.

(e) **STATE MATCHING REQUIREMENTS.**—If a grant awarded under this subtitle requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during any fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any project under this subtitle (other than planning or administration) without regard to whether such expenditures were actually made in connection with such project.

(f) **GRANT APPLICATION AND DEADLINE.**—To receive a grant under this subtitle, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

(g) **TRANSFERS.**—Section 405(a)(1)(G) of title 23, United States Code, is amended to read as follows:

“(G) **TRANSFERS.**—Notwithstanding subparagraphs (A) through (F), the Secretary shall reallocate, before the last day of any fiscal year, any amounts remaining available of the amounts allocated to carry out any of the activities described in subsections (b) through (g) to increase the amount made available to carry out section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.”.

SEC. 34102. HIGHWAY SAFETY PROGRAMS.

(a) **RESTRICTION.**—Section 402(g) of title 23, United States Code, is amended to read as follows:

“(g) **RESTRICTION.**—Nothing in this section may be construed to authorize the appropriation or expenditure of funds for highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines).”.

(b) **USE OF FUNDS.**—

(1) **HIGHWAY SAFETY PROGRAMS.**—Section 402(c)(2) of title 23, United States Code, is amended by inserting “A State may provide the funds apportioned under this section to a political subdivision of a State, including Indian tribal governments.” after “neighboring States.”.

(2) **NATIONAL PRIORITY SAFETY PROGRAMS.**—Section 405(a)(1) is amended by adding at the end the following:

“(I) **POLITICAL SUBDIVISIONS.**—A State may provide the funds awarded under this section to a political subdivision of a State, including Indian tribal governments.”.

(c) **TRACKING PROCESS.**—Section 412 of title 23, United States Code, is amended by adding at the end the following:

“(f) **TRACKING PROCESS.**—The Secretary shall develop a process to identify and mitigate possible systemic issues across States and regional offices by reviewing oversight findings and recommended actions identified in triennial State management reviews.”.

(d) **HIGHWAY SAFETY PLANS.**—Section 402(k)(5)(A) of title 23, United States Code, is amended by striking “60” and inserting “45”.

(e) **MAINTENANCE OF EFFORT.**—Section 405(a)(1)(H) of title 23, United States Code, is amended to read as follows:

“(H) **MAINTENANCE OF EFFORT CERTIFICATION.**—As part of the grant application required in section 402(k)(3)(F), a State receiving

a grant in any fiscal year under subsection (b), subsection (c), or subsection (d) of this section shall provide certification that the lead State agency responsible for programs described in any of those sections is maintaining aggregate expenditures at or above the average level of such expenditures in the 2 fiscal years prior to the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015.”.

SEC. 34103. GRANTS FOR ALCOHOL-IGNITION INTERLOCK LAWS AND 24-7 SOBRIETY PROGRAMS.

Section 405(d) of title 23, United States Code, is amended—

(1) in paragraph (6)—
(A) by amending the heading to read as follows: “ADDITIONAL GRANTS.—”;

(B) in subparagraph (A), by amending the heading to read as follows: “GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—”;

(C) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively;

(D) by inserting after subparagraph (A), the following:

“(B) GRANTS TO STATES WITH 24-7 SOBRIETY PROGRAMS.—The Secretary shall make a separate grant under this subsection to each State that—

“(i) adopts and is enforcing a law that requires all individuals convicted of driving under the influence of alcohol or of driving while intoxicated to receive a restriction on driving privileges; and

“(ii) provides a 24-7 sobriety program.”;

(E) in subparagraph (C), as redesignated, by inserting “and subparagraph (B)” after “subparagraph (A)”;

(F) in subparagraph (D), as redesignated, by inserting “and subparagraph (B)” after “subparagraph (A)”;

(G) by amending subparagraph (E), as redesignated, to read as follows:

“(E) FUNDING.—

“(i) FUNDING FOR GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—Not more than 12 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (A).

“(ii) FUNDING FOR GRANTS TO STATES WITH 24-7 SOBRIETY PROGRAMS.—Not more than 3 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (B).”; and

(H) by adding at the end the following:

“(F) EXCEPTIONS.—A State alcohol-ignition interlock law under subparagraph (A) may include exceptions for the following circumstances:

“(i) The individual is required to operate an employer’s motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

“(ii) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.”; and

(2) in paragraph (7)(A)—

(A) in the matter preceding clause (i)—
(i) by striking “or a State agency” and inserting “or an agency with jurisdiction”; and

(ii) by inserting “bond,” before “sentence”;

(B) in clause (i), by striking “who plead guilty or” and inserting “who was arrested, plead guilty, or”; and

(C) in clause (ii), by inserting “at a testing location” after “per day”.

SEC. 34104. REPEAT OFFENDER CRITERIA.

Section 164(a) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(2) by inserting before paragraph (2), as redesignated, the following:

“(1) 24-7 SOBRIETY PROGRAM.—The term ‘24-7 sobriety program’ has the meaning given the term in section 405(d)(7)(A).”;

(3) in paragraph (5), as redesignated—

(A) in the matter preceding subparagraph (A), by inserting “or combination of laws or programs” after “State law”; and

(B) by amending subparagraph (A) to read as follows:

“(A) receive, for a period of not less than 1 year—

“(i) a suspension of all driving privileges;
“(ii) a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock device installed, unless a special exception applies;
“(iii) a restriction on driving privileges that limits the individual to operating motor vehicles only if participating in, and complying with, a 24-7 sobriety program; or

“(iv) any combination of clauses (i) through (iii).”;

(C) by striking subparagraph (B);

(D) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(E) in subparagraph (C), as redesignated—

(i) in clause (i)—

(I) in subclause (I), by striking “; or” and inserting a semicolon;

(II) in subclause (II), by striking “; and”; and inserting “; or”; and

(III) by adding at the end the following:

“(III) The State certifies that the general practice is that such an individual will be incarcerated; and”;

(ii) in clause (ii)—

(I) in subclause (I), by striking “; or” and inserting a semicolon;

(II) in subclause (II), by striking “; and”; and inserting “; or”; and

(III) by adding at the end the following:

“(III) The State certifies that the general practice is that such an individual will receive approximately 10 days of incarceration.”; and

(4) by adding at the end—

“(6) SPECIAL EXCEPTION.—The term ‘special exception’ means an exception under a State alcohol-ignition interlock law for the following circumstances:

“(A) The individual is required to operate an employer’s motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

“(B) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.”.

SEC. 34105. STUDY ON THE NATIONAL ROADSIDE SURVEY OF ALCOHOL AND DRUG USE BY DRIVERS.

Not later than 180 days after the date that the Comptroller General reviews and reports on the overall value of the National Roadside Survey to researchers and other public safety stakeholders, the differences between a National Roadside Survey site and typical law enforcement checkpoints, and the effectiveness of the National Roadside Survey methodology at protecting the privacy of the driving public, as requested by the Committee on Appropriations of the Senate on June 5, 2014 (Senate Report 113–182), the Secretary shall report to Congress on the National Highway Traffic Safety Administration’s progress toward reviewing that report and implementing any recommendations made in that report.

SEC. 34106. INCREASING PUBLIC AWARENESS OF THE DANGERS OF DRUG-IMPAIRED DRIVING.

(a) ADDITIONAL ACTIONS.—The Administrator of the National Highway Traffic Safety Admin-

istration, in consultation with the White House Office of National Drug Control Policy, the Secretary of Health and Human Services, State highway safety offices, and other interested parties, as determined by the Administrator, shall identify and carry out additional actions that should be undertaken by the Administration to assist States in their efforts to increase public awareness of the dangers of drug-impaired driving, including the dangers of driving while under the influence of heroin or prescription opioids.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the additional actions undertaken by the Administration pursuant to subsection (a).

SEC. 34107. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

PART II—STOP MOTORCYCLE CHECKPOINT FUNDING ACT

SEC. 34121. SHORT TITLE.

This part may be cited as the “Stop Motorcycle Checkpoint Funding Act”.

SEC. 34122. GRANT RESTRICTION.

Notwithstanding section 153 of title 23, United States Code, the Secretary may not provide a grant or any funds to a State, county, town, township, Indian tribe, municipality, or other local government that may be used for any program—

(1) to check helmet usage; or

(2) to create checkpoints that specifically target motorcycle operators or motorcycle passengers.

PART III—IMPROVING DRIVER SAFETY ACT OF 2015

SEC. 34131. SHORT TITLE.

This part may be cited as the “Improving Driver Safety Act of 2015”.

SEC. 34132. DISTRACTED DRIVING INCENTIVE GRANTS.

Section 405(e) of title 23, United States Code, is amended—

(1) in paragraph (1), by inserting “includes distracted driving issues as part of the State’s

driver's license examination and" after "any State that";

(2) in paragraph (2)—

(A) in subparagraph (B), by striking "and" at the end;

(B) by amending subparagraph (C) to read as follows:

"(C) establishes a minimum fine for a violation of the statute; and"; and

(C) by adding at the end the following:

"(D) does not provide for an exception that specifically allows a driver to use a personal wireless communications device for texting while stopped in traffic.";

(3) in paragraph (3)—

(A) by amending subparagraph (A) to read as follows:

"(A) prohibits the use of a personal wireless communications device while driving for drivers—

"(i) younger than 18 years of age; or

"(ii) in the learner's permit and intermediate license stages;"; and

(B) by striking subparagraphs (C) and (D) and inserting the following:

"(C) establishes a minimum fine for a violation of the statute; and

"(D) does not provide for an exception that specifically allows a driver to text through a personal wireless communications device while stopped in traffic.";

(4) in paragraph (4)—

(A) in subparagraph (B)(ii), by striking "and" at the end;

(B) in subparagraph (C)—

(i) by striking "section 31152" and inserting "section 31136"; and

(ii) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(D) any additional exceptions determined by the Secretary through the rulemaking process.";

(5) by amending paragraph (6) to read as follows:

"(6) ADDITIONAL DISTRACTED DRIVING GRANTS.—

"(A) IN GENERAL.—Notwithstanding paragraph (1), the Secretary shall use up to 50 percent of the amounts available for grants under this subsection to award grants to any State that—

"(i) in fiscal year 2017—

"(I) certifies that it has enacted a basic text messaging statute that—

"(aa) is applicable to drivers of all ages; and

"(bb) makes violation of the basic text messaging statute a primary offense or secondary enforcement action as allowed by State statute; and

"(II) is otherwise ineligible for a grant under this subsection; and

"(ii) in fiscal year 2018—

"(I) meets the requirements under clause (i);

"(II) imposes fines for violations; and

"(III) has a statute that prohibits drivers who are younger than 18 years of age from using a personal wireless communications device while driving.

"(B) USE OF GRANT FUNDS.—

"(i) IN GENERAL.—Notwithstanding paragraph (5) and subject to clauses (ii) and (iii) of this subparagraph, amounts received by a State under subparagraph (A) may be used for activities related to the enforcement of distracted driving laws, including for public information and awareness purposes.

"(ii) FISCAL YEAR 2017.—In fiscal year 2017, up to 15 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.

"(iii) FISCAL YEAR 2018.—In fiscal year 2018, up to 25 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.";

(6) in paragraph (9)(A)(i), by striking ", including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise".

SEC. 34133. BARRIERS TO DATA COLLECTION REPORT.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) identifies any legal and technical barriers to capturing adequate data on the prevalence of the use of wireless communications devices while driving; and

(2) provides recommendations on how to address such barriers.

SEC. 34134. MINIMUM REQUIREMENTS FOR STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT PROGRAM.

Section 405(g)(2) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking "21" and inserting "18"; and

(2) by amending subparagraph (B) to read as follows:

"(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State's driver's license laws include—

"(i) a learner's permit stage that—

"(I) is at least 6 months in duration;

"(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

"(III) requires applicants to successfully pass a vision and knowledge assessment prior to receiving a learner's permit;

"(IV) requires that the driver be accompanied and supervised at all times while the driver is operating a motor vehicle by a licensed driver who is at least 21 years of age or is a State-certified driving instructor;

"(V) has a requirement that the driver—

"(aa) complete a State-certified driver education or training course; or

"(bb) obtain at least 50 hours of behind-the-wheel training, with at least 10 hours at night, with a licensed driver;

"(VI) remains in effect until the driver—

"(aa) reaches 16 years of age and enters the intermediate stage; or

"(bb) reaches 18 years of age;

"(ii) an intermediate stage that—

"(I) commences immediately after the expiration of the learner's permit stage and successful completion of a driving skills assessment;

"(II) is at least 6 months in duration;

"(III) prohibits the driver from using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

"(IV) for the first 6 month of the intermediate stage, restricts driving at night between the hours of 10:00 p.m. and 5:00 a.m. when not supervised by a licensed driver 21 years of age or older, excluding transportation to work, school, religious activities, or emergencies;

"(V) prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

"(VI) remains in effect until the driver reaches 17 years of age; and

"(iii) a learner's permit and intermediate stage that require, in addition to any other penalties imposed by State law, the granting of an unrestricted driver's license be automatically delayed for any individual who, during the learner's permit or intermediate stage, is convicted of a driving-related offense during the first 6 months, including—

"(I) driving while intoxicated;

"(II) misrepresentation of the individual's age;

"(III) reckless driving;

"(IV) driving without wearing a seat belt;

"(V) speeding; or

"(VI) any other driving-related offense, as determined by the Secretary.".

PART IV—TECHNICAL AND CONFORMING AMENDMENTS

SEC. 34141. TECHNICAL CORRECTIONS TO THE MOTOR VEHICLE AND HIGHWAY SAFETY IMPROVEMENT ACT OF 2012.

(a) HIGHWAY SAFETY PROGRAMS.—Section 402 of title 23, United States Code is amended—

(1) in subsection (b)(1)(C), by striking "except as provided in paragraph (3),";

(2) in subsection (b)(1)(E)—

(A) by striking "in which a State" and inserting "for which a State"; and

(B) by striking "subsection (f)" and inserting "subsection (k)"; and

(3) in subsection (k)(4), by striking "paragraph (2)(A)" and inserting "paragraph (3)(A)".

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 403(e) of title 23, United States Code is amended by inserting "of title 49" after "chapter 301".

(c) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 405 of title 23, United States Code is amended—

(1) in subsection (d)(5), by striking "section 402(c)" and inserting "section 402"; and

(2) in subsection (f)(4)(A)(iv), by striking "developed under subsection (g)".

Subtitle B—Vehicle Safety

SEC. 34201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there is authorized to be appropriated to the Secretary to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, amounts as follows:

(1) \$132,730,000 for fiscal year 2016.

(2) \$135,517,330 for fiscal year 2017.

(3) \$138,363,194 for fiscal year 2018.

(4) \$141,268,821 for fiscal year 2019.

(5) \$144,235,466 for fiscal year 2020.

(6) \$147,264,411 for fiscal year 2021.

(b) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS IF A CERTIFICATION IS MADE.—

(1) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a) to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, if the certification described in paragraph (2) is made during a fiscal year there is authorized to be appropriated to the Secretary for that purpose for that fiscal year and subsequent fiscal years an additional amount as follows:

(A) \$46,270,000 for fiscal year 2016.

(B) \$51,537,670 for fiscal year 2017.

(C) \$57,296,336 for fiscal year 2018.

(D) \$62,999,728 for fiscal year 2019.

(E) \$69,837,974 for fiscal year 2020.

(F) \$76,656,407 for fiscal year 2021.

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification made by the Secretary and submitted to Congress that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST-2015-063). As part of the certification, the Secretary shall review the actions the National

Highway Traffic Safety Administration has taken to implement the recommendations and issue a report to Congress detailing how the recommendations were implemented. The Secretary shall not delegate or assign the responsibility under this paragraph.

SEC. 34202. INSPECTOR GENERAL RECOMMENDATIONS.

(a) *IN GENERAL.*—Not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, the Department of Transportation Inspector General shall report to the appropriate committees of Congress on whether and what progress has been made to implement the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063).

(b) *IMPLEMENTATION PROGRESS.*—The Administrator of the National Highway Traffic Safety Administration shall—

(1) not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, provide a briefing to the appropriate committees of Congress on the actions the Administrator has taken to implement the recommendations in the audit report described in subsection (a), including a plan for implementing any remaining recommendations; and

(2) not later than 1 year after the date of enactment of this Act, issue a final report to the appropriate committees of Congress on the implementation of all of the recommendations in the audit report described in subsection (a).

(c) *DEFINITIONS.*—In this section:

(1) *APPROPRIATE COMMITTEES OF CONGRESS.*—The term “appropriate committees of Congress” means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(2) *COMPLETION DATE.*—The term “completion date” means the date that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063).

SEC. 34203. IMPROVEMENTS IN AVAILABILITY OF RECALL INFORMATION.

(a) *VEHICLE RECALL INFORMATION.*—Not later than 2 years after the date of enactment of this Act, the Secretary shall implement current information technology, web design trends, and best practices that will help ensure that motor vehicle safety recall information available to the public on the Federal website is readily accessible and easy to use, including—

(1) by improving the organization, availability, readability, and functionality of the website;

(2) by accommodating high-traffic volume; and

(3) by establishing best practices for scheduling routine website maintenance.

(b) *GOVERNMENT ACCOUNTABILITY OFFICE PUBLIC AWARENESS REPORT.*—

(1) *IN GENERAL.*—The Comptroller General shall study the current use by consumers, dealers, and manufacturers of the safety recall information made available to the public, including the usability and content of the Federal and manufacturers’ websites and the National Highway Traffic Safety Administration’s efforts to publicize and educate consumers about safety recall information.

(2) *REPORT.*—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall issue a report with the findings of the study under paragraph (1), including recommending any actions the Secretary can take to improve public awareness and use of the websites for safety recall information.

(c) *PROMOTION OF PUBLIC AWARENESS.*—Section 31301(c) of the Moving Ahead for Progress

in the 21st Century Act (49 U.S.C. 30166 note) is amended to read as follows:

“(c) *PROMOTION OF PUBLIC AWARENESS.*—The Secretary shall improve public awareness of safety recall information made publicly available by periodically updating the method of conveying that information to consumers, dealers, and manufacturers, such as through public service announcements.”

(d) *CONSUMER GUIDANCE.*—Not later than 1 year after the date of enactment of this Act, the Secretary shall make available to the public on the Internet detailed guidance for consumers submitting safety complaints, including—

(1) a detailed explanation of what information a consumer should include in a complaint; and

(2) a detailed explanation of the possible actions the National Highway Traffic Safety Administration can take to address a complaint and respond to the consumer, including information on—

(A) the consumer records, such as photographs and police reports, that could assist with an investigation; and

(B) the length of time a consumer should retain the records described in subparagraph (A).

(e) *VIN SEARCH.*—

(1) *IN GENERAL.*—The Secretary, in coordination with industry, including manufacturers and dealers, shall study—

(A) the feasibility of searching multiple vehicle identification numbers at a time to retrieve motor vehicle safety recall information; and

(B) the feasibility of making the search mechanism described under subparagraph (A) publicly available.

(2) *CONSIDERATIONS.*—In conducting the study under paragraph (1), the Secretary shall consider the potential costs, and potential risks to privacy and security in implementing such a search mechanism.

SEC. 34204. RECALL PROCESS.

(a) *NOTIFICATION IMPROVEMENT.*—

(1) *IN GENERAL.*—Not later than 270 days after the date of enactment of this Act, the Secretary shall prescribe a final rule revising the regulations under section 577.7 of title 49, Code of Federal Regulations, to include notification by electronic means in addition to notification by first class mail.

(2) *DEFINITION OF ELECTRONIC MEANS.*—In this subsection, the term “electronic means” includes electronic mail and may include such other means of electronic notification, such as social media or targeted online campaigns, as determined by the Secretary.

(b) *NOTIFICATION BY MANUFACTURER.*—Section 30118(c) is amended by inserting “or electronic mail” after “certified mail”.

(c) *RECALL COMPLETION RATES REPORT.*—

(1) *IN GENERAL.*—Not later than 1 year after the date of enactment of this Act, and biennially thereafter for 4 years, the Secretary shall—

(A) conduct an analysis of vehicle safety recall completion rates to assess potential actions by the National Highway Traffic Safety Administration to improve vehicle safety recall completion rates; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the analysis.

(2) *CONTENTS.*—Each report shall include—

(A) the annual recall completion rate by manufacturer, model year, component (such as brakes, fuel systems, and air bags), and vehicle type (passenger car, sport utility vehicle, passenger van, and pick-up truck) for each of the 5 years before the year the report is submitted;

(B) the methods by which the Secretary has conducted analyses of these recall completion rates to determine trends and identify risk factors associated with lower recall rates; and

(C) the actions the Secretary has planned to improve recall completion rates based on the results of this data analysis.

(d) *INSPECTOR GENERAL AUDIT OF VEHICLE RECALLS.*—

(1) *IN GENERAL.*—The Department of Transportation Inspector General shall conduct an audit of the National Highway Traffic Safety Administration’s management of vehicle safety recalls.

(2) *CONTENTS.*—The audit shall include a determination of whether the National Highway Traffic Safety Administration—

(A) appropriately monitors recalls to ensure the appropriateness of scope and adequacy of recall completion rates and remedies;

(B) ensures manufacturers provide safe remedies, at no cost to consumers;

(C) is capable of coordinating recall remedies and processes; and

(D) can improve its policy on consumer notice to combat effects of recall fatigue.

SEC. 34205. PILOT GRANT PROGRAM FOR STATE NOTIFICATION TO CONSUMERS OF MOTOR VEHICLE RECALL STATUS.

(a) *IN GENERAL.*—Not later than October 1, 2016, the Secretary shall implement a 2-year pilot program to evaluate the feasibility and effectiveness of a State process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration in the State.

(b) *GRANTS.*—To carry out this program, the Secretary may make a grant to each eligible State, but not more than 6 eligible States in total, that agrees to comply with the requirements under subsection (c). Funds made available to a State under this section shall be used by the State for the pilot program described in subsection (a).

(c) *ELIGIBILITY.*—To be eligible for a grant, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) agree to notify, at the time of registration, each owner or lessee of a motor vehicle presented for registration in the State of any open recall on that vehicle;

(3) provide the open motor vehicle recall information at no cost to each owner or lessee of a motor vehicle presented for registration in the State; and

(4) provide such other information as the Secretary may require.

(d) *AWARDS.*—In selecting an applicant for an award under this section, the Secretary shall consider the State’s methodology for determining open recalls on a motor vehicle, for informing consumers of the open recalls, and for determining performance.

(e) *PERFORMANCE PERIOD.*—Each grant awarded under this section shall require a 2-year performance period.

(f) *REPORT.*—Not later than 90 days after the completion of the performance period under subsection (e), a grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which open recalls have been remedied.

(g) *EVALUATION.*—Not later than 180 days after the completion of the pilot program, the Secretary shall evaluate the extent to which open recalls identified have been remedied.

(h) *DEFINITIONS.*—In this section:

(1) *CONSUMER.*—The term “consumer” includes owner and lessee.

(2) *MOTOR VEHICLE.*—The term “motor vehicle” has the meaning given the term under section 30102(a) of title 49, United States Code.

(3) *OPEN RECALL.*—The term “open recall” means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

(4) **REGISTRATION.**—The term “registration” means the process for registering motor vehicles in the State.

(5) **STATE.**—The term “State” has the meaning given the term under section 101(a) of title 23, United States Code.

SEC. 34206. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A is amended by striking “chapter 11 of title 11,” and inserting “chapter 7 or chapter 11 of title 11”.

SEC. 34207. DEALER REQUIREMENT TO CHECK FOR OPEN RECALL.

Section 30120(f) is amended—

(1) by inserting “(1) **IN GENERAL.**—” before “A manufacturer” and indenting appropriately;

(2) in paragraph (1), as redesignated, by striking the period at the end and inserting the following: “if—

“(A) at the time of providing service for each of the manufacturer’s motor vehicles it services, the dealer notifies the owner or the individual requesting the service of any open recall; and

“(B) the notification requirement under subparagraph (A) is specified in a franchise, operating, or other agreement between the dealer and the manufacturer.”; and

(3) by adding at the end the following:

“(2) **DEFINITION OF OPEN RECALL.**—In this subsection, the term ‘open recall’ means a recall for which a notification by a manufacturer has been provided under section 30119 and that has not been remedied under this section.”.

SEC. 34208. EXTENSION OF TIME PERIOD FOR REMEDY OF TIRE DEFECTS.

Section 30120(b) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking “60 days” and inserting “180 days”; and

(2) in paragraph (2), by striking “60-day” each place it appears and inserting “180-day”.

SEC. 34209. RENTAL CAR SAFETY.

(a) **SHORT TITLE.**—This section may be cited as the “Raechel and Jacqueline Houck Safe Rental Car Act of 2015”.

(b) **DEFINITIONS.**—Section 30102(a) is amended—

(1) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively;

(2) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

“(1) ‘covered rental vehicle’ means a motor vehicle that—

“(A) has a gross vehicle weight rating of 10,000 pounds or less;

“(B) is rented without a driver for an initial term of less than 4 months; and

“(C) is part of a motor vehicle fleet of 5 or more motor vehicles that are used for rental purposes by a rental company.”; and

(4) by inserting after paragraph (10), as redesignated, the following:

“(11) ‘rental company’ means a person who—

“(A) is engaged in the business of renting covered rental vehicles; and

“(B) uses for rental purposes a motor vehicle fleet of 5 or more covered rental vehicles.”.

(c) **REMEDIES FOR DEFECTS AND NONCOMPLIANCE.**—Section 30120(i) is amended—

(1) in the subsection heading, by adding “, OR RENTAL” at the end;

(2) in paragraph (1)—

(A) by striking “(1) If notification” and inserting the following:

“(1) **IN GENERAL.**—If notification”;

(B) by indenting subparagraphs (A) and (B) four ems from the left margin;

(C) by inserting “or the manufacturer has provided to a rental company notification about a covered rental vehicle in the company’s possession at the time of notification” after “time of notification”;

(D) by striking “the dealer may sell or lease,” and inserting “the dealer or rental company may sell, lease, or rent”; and

(E) in subparagraph (A), by striking “sale or lease” and inserting “sale, lease, or rental agreement”;

(3) by amending paragraph (2) to read as follows:

“(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection may be construed to prohibit a dealer or rental company from offering the vehicle or equipment for sale, lease, or rent.”; and

(4) by adding at the end the following:

“(3) **SPECIFIC RULES FOR RENTAL COMPANIES.**—

“(A) **IN GENERAL.**—Except as otherwise provided under this paragraph, a rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 24 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

“(B) **SPECIAL RULE FOR LARGE VEHICLE FLEETS.**—Notwithstanding subparagraph (A), if a rental company receives a notice to owner covering more than 5,000 motor vehicles in its fleet, the rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 48 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

“(C) **SPECIAL RULE FOR WHEN REMEDIES NOT IMMEDIATELY AVAILABLE.**—If a notification required under subsection (b) or (c) of section 30118 indicates that the remedy for the defect or noncompliance is not immediately available and specifies actions to temporarily alter the vehicle that eliminate the safety risk posed by the defect or noncompliance, the rental company, after causing the specified actions to be performed, may rent (but may not sell or lease) the motor vehicle. Once the remedy for the rental vehicle becomes available to the rental company, the rental company may not rent the vehicle until the vehicle has been remedied, as provided in subsection (a).

“(D) **INAPPLICABILITY TO JUNK AUTOMOBILES.**—Notwithstanding paragraph (1), this subsection does not prohibit a rental company from selling a covered rental vehicle if such vehicle—

“(i) meets the definition of a junk automobile under section 201 of the Anti-Car Theft Act of 1992 (49 U.S.C. 30501);

“(ii) is retitled as a junk automobile pursuant to applicable State law; and

“(iii) is reported to the National Motor Vehicle Information System, if required under section 204 of such Act (49 U.S.C. 30504).”.

(d) **MAKING SAFETY DEVICES AND ELEMENTS INOPERATIVE.**—Section 30122(b) is amended by inserting “rental company,” after “dealer,” each place such term appears.

(e) **INSPECTIONS, INVESTIGATIONS, AND RECORDS.**—Section 30166 is amended—

(1) in subsection (c)(2), by striking “or dealer” each place such term appears and inserting “dealer, or rental company”;

(2) in subsection (e), by striking “or dealer” each place such term appears and inserting “dealer, or rental company”;

(3) in subsection (f), by striking “or to owners” and inserting “, rental companies, or other owners”.

(f) **RESEARCH AUTHORITY.**—The Secretary of Transportation may conduct a study of—

(1) the effectiveness of the amendments made by this section; and

(2) other activities of rental companies (as defined in section 30102(a)(11) of title 49, United States Code) related to their use and disposition of motor vehicles that are the subject of a notification required under section 30118 of title 49, United States Code.

(g) **STUDY.**—

(1) **ADDITIONAL REQUIREMENT.**—Section 32206(b)(2) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141; 126 Stat. 785) is amended—

(A) in subparagraph (E), by striking “and” at the end;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

“(F) evaluate the completion of safety recall remedies on rental trucks; and”.

(2) **REPORT.**—Section 32206(c) of such Act is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by striking “REPORT.—Not later” and inserting the following:

“(c) **REPORTS.**—

“(1) **INITIAL REPORT.**—Not later”;

(C) in paragraph (1), by striking “subsection (b)” and inserting “subparagraphs (A) through (E) and (G) of subsection (b)(2)”;

(D) by adding at the end the following:

“(2) **SAFETY RECALL REMEDY REPORT.**—Not later than 1 year after the date of the enactment of the ‘Raechel and Jacqueline Houck Safe Rental Car Act of 2015’, the Secretary shall submit a report to the congressional committees set forth in paragraph (1) that contains—

“(A) the findings of the study conducted pursuant to subsection (b)(2)(F); and

“(B) any recommendations for legislation that the Secretary determines to be appropriate.”.

(h) **PUBLIC COMMENTS.**—The Secretary shall solicit comments regarding the implementation of this section from members of the public, including rental companies, consumer organizations, automobile manufacturers, and automobile dealers.

(i) **RULE OF CONSTRUCTION.**—Nothing in this section or the amendments made by this section—

(1) may be construed to create or increase any liability, including for loss of use, for a manufacturer as a result of having manufactured or imported a motor vehicle subject to a notification of defect or noncompliance under subsection (b) or (c) of section 30118 of title 49, United States Code; or

(2) shall supersede or otherwise affect the contractual obligations, if any, between such a manufacturer and a rental company (as defined in section 30102(a) of title 49, United States Code).

(j) **RULEMAKING.**—The Secretary may promulgate rules, as appropriate, to implement this section and the amendments made by this section.

(k) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date that is 180 days after the date of enactment of this Act.

SEC. 34210. INCREASE IN CIVIL PENALTIES FOR VIOLATIONS OF MOTOR VEHICLE SAFETY.

(a) **INCREASE IN CIVIL PENALTIES.**—Section 30165(a) is amended—

(1) in paragraph (1)—

(A) by striking “\$5,000” and inserting “\$21,000”; and

(B) by striking “\$35,000,000” and inserting “\$105,000,000”; and

(2) in paragraph (3)—

(A) by striking “\$5,000” and inserting “\$21,000”; and

(B) by striking “\$35,000,000” and inserting “\$105,000,000”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) of this section take effect on the date that the Secretary certifies to Congress that the National Highway Traffic Safety Administration has issued the final rule required by section 31203(b) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 758; 49 U.S.C. 30165 note).

(c) **PUBLICATION OF EFFECTIVE DATE.**—The Secretary shall publish notice of the effective date under subsection (b) of this section in the Federal Register.

SEC. 34211. ELECTRONIC ODOMETER DISCLOSURES.

Section 32705(g) is amended—

(1) by inserting “(1)” before “Not later than” and indenting appropriately; and

(2) by adding at the end the following:

“(2) Notwithstanding paragraph (1) and subsection to paragraph (3), a State, without approval from the Secretary under subsection (d), may allow for written disclosures or notices and related matters to be provided electronically if—

“(A) in compliance with—

“(i) the requirements of subchapter 1 of chapter 96 of title 15; or

“(ii) the requirements of a State law under section 7002(a) of title 15; and

“(B) the disclosures or notices otherwise meet the requirements under this section, including appropriate authentication and security measures.

“(3) Paragraph (2) ceases to be effective on the date the regulations under paragraph (1) become effective.”.

SEC. 34212. CORPORATE RESPONSIBILITY FOR NHTSA REPORTS.

Section 30166(o) is amended—

(1) in paragraph (1), by striking “may” and inserting “shall”; and

(2) by adding at the end the following:

“(3) **DEADLINE.**—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary shall issue a final rule under paragraph (1).”.

SEC. 34213. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) **RECALL NOTIFICATION REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a report on the feasibility of a technical system that would operate in each new motor vehicle to indicate when the vehicle is subject to an open recall.

(b) **DEFINITION OF OPEN RECALL.**—In this section the term “open recall” means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

SEC. 34214. UNATTENDED CHILDREN WARNING.

Section 31504(a) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note) is amended by striking “may” and inserting “shall”.

SEC. 34215. TIRE PRESSURE MONITORING SYSTEM.

(a) **PROPOSED RULE.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish a proposed rule that updates the standards pertaining to tire pressure monitoring systems to ensure that a tire pressure monitoring system that is installed in a new motor vehicle after the effective date of the revised standards cannot, to a level other than a safe pressure level, be—

- (1) overridden;
- (2) reset; or
- (3) recalibrated.

(b) **SAFE PRESSURE LEVEL.**—For the purposes of subsection (a), the term “safe pressure level” shall mean a pressure level consistent with the TPMS detection requirements contained in S4.2(a) of section 571.138 of title 49, Code of Fed-

eral Regulations, or any corresponding similar regulation or ruling.

(c) **FINAL RULE.**—Not later than 2 years after the date of enactment of this Act, after providing the public with sufficient opportunity for notice and comment on the proposed rule published under subsection (a), the Secretary shall issue a final rule on the subject described in subsection (a).

Subtitle C—Research and Development and Vehicle Electronics

SEC. 34301. REPORT ON OPERATIONS OF THE COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies established under section 31401 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 105 note). The report shall include information about the accomplishments of the Council, the role of the Council in integrating and aggregating electronic and emerging technologies expertise across the National Highway Traffic Safety Administration, the role of the Council in coordinating with other Federal agencies, and the priorities of the Council over the next 5 years.

SEC. 34302. COOPERATION WITH FOREIGN GOVERNMENTS.

(a) **TITLE 49 AMENDMENT.**—Section 30182(b) is amended—

(1) in paragraph (4), by striking “; and” and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (5) the following:

“(6) in coordination with Department of State, enter into cooperative agreements and collaborative research and development agreements with foreign governments.”.

(b) **TITLE 23 AMENDMENT.**—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(C), by inserting “foreign government (in coordination with the Department of State)” after “institution,”; and

(2) in subsection (c)(1)(A), by inserting “foreign governments,” after “local governments,”.

(c) **AUDIT.**—The Department of Transportation Inspector General shall conduct an audit of the Secretary of Transportation’s management and oversight of cooperative agreements and collaborative research and development agreements, including any cooperative agreements between the Secretary of Transportation and foreign governments under section 30182(b)(6) of title 49, United States Code, and subsections (b)(2)(C) and (c)(1)(A) of title 23, United States Code.

Subtitle D—Miscellaneous Provisions

PART I—DRIVER PRIVACY ACT OF 2015

SEC. 34401. SHORT TITLE.

This part may be cited as the “Driver Privacy Act of 2015”.

SEC. 34402. LIMITATIONS ON DATA RETRIEVAL FROM VEHICLE EVENT DATA RECORDERS.

(a) **OWNERSHIP OF DATA.**—Any data retained by an event data recorder (as defined in section 563.5 of title 49, Code of Federal Regulations), regardless of when the motor vehicle in which it is installed was manufactured, is the property of the owner, or, in the case of a leased vehicle, the lessee of the motor vehicle in which the event data recorder is installed.

(b) **PRIVACY.**—Data recorded or transmitted by an event data recorder described in subsection

(a) may not be accessed by a person other than an owner or a lessee of the motor vehicle in which the event data recorder is installed unless—

(1) a court or other judicial or administrative authority having jurisdiction—

(A) authorizes the retrieval of the data; and

(B) to the extent that there is retrieved data, the data is subject to the standards for admission into evidence required by that court or other administrative authority;

(2) an owner or a lessee of the motor vehicle provides written, electronic, or recorded audio consent to the retrieval of the data for any purpose, including the purpose of diagnosing, servicing, or repairing the motor vehicle, or by agreeing to a subscription that describes how data will be retrieved and used;

(3) the data is retrieved pursuant to an investigation or inspection authorized under section 1131(a) or 30166 of title 49, United States Code, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data, except that the vehicle identification number may be disclosed to the certifying manufacturer;

(4) the data is retrieved for the purpose of determining the need for, or facilitating, emergency medical response in response to a motor vehicle crash; or

(5) the data is retrieved for traffic safety research, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data.

SEC. 34403. VEHICLE EVENT DATA RECORDER STUDY.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit to Congress a report that contains the results of a study conducted by the Administrator to determine the amount of time event data recorders installed in passenger motor vehicles should capture and record for retrieval vehicle-related data in conjunction with an event in order to provide sufficient information to investigate the cause of motor vehicle crashes.

(b) **RULEMAKING.**—Not later than 2 years after submitting the report required under subsection (a), the Administrator of the National Highway Traffic Safety Administration shall promulgate regulations to establish the appropriate period during which event data recorders installed in passenger motor vehicles may capture and record for retrieval vehicle-related data to the time necessary to provide accident investigators with vehicle-related information pertinent to crashes involving such motor vehicles.

PART II—SAFETY THROUGH INFORMED CONSUMERS ACT OF 2015

SEC. 34421. SHORT TITLE.

This part may be cited as the “Safety Through Informed Consumers Act of 2015”.

SEC. 34422. PASSENGER MOTOR VEHICLE INFORMATION.

Section 32302 is amended by inserting after subsection (b) the following:

“(c) **CRASH AVOIDANCE.**—Not later than 1 year after the date of enactment of the Safety Through Informed Consumers Act of 2015, the Secretary shall promulgate a rule to ensure that crash avoidance information is indicated next to crashworthiness information on stickers placed on motor vehicles by their manufacturers.”.

PART III—TIRE EFFICIENCY, SAFETY, AND REGISTRATION ACT OF 2015

SEC. 34431. SHORT TITLE.

This part may be cited as the “Tire Efficiency, Safety, and Registration Act of 2015” or the “TESR Act”.

SEC. 34432. TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.

Section 32304A is amended—

(1) in the section heading, by inserting “**AND STANDARDS**” after “**CONSUMER TIRE INFORMATION**”;

(2) in subsection (a)—

(A) in the heading, by striking “**RULE-MAKING**” and inserting “**CONSUMER TIRE INFORMATION**”; and

(B) in paragraph (1), by inserting “(referred to in this section as the ‘Secretary’)” after “Secretary of Transportation”;

(3) by redesignating subsections (b) through (e) as subsections (e) through (h), respectively; and

(4) by inserting after subsection (a) the following:

“(b) **PROMULGATION OF REGULATIONS FOR TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.**—

“(1) **IN GENERAL.**—The Secretary, after consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall promulgate regulations for tire fuel efficiency minimum performance standards for—

“(A) passenger car tires with a maximum speed capability equal to or less than 149 miles per hour or 240 kilometers per hour; and

“(B) passenger car tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

“(2) **TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.**—

“(A) **STANDARD BASIS AND TEST PROCEDURES.**—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of the rolling resistance coefficient measured using the test procedure specified in section 575.106 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

“(B) **NO DISPARATE EFFECT ON HIGH PERFORMANCE TIRES.**—The Secretary shall ensure that the minimum performance standards promulgated under paragraph (1) will not have a disproportionate effect on passenger car high performance tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

“(C) **APPLICABILITY.**—

“(i) **IN GENERAL.**—This subsection applies to new pneumatic tires for use on passenger cars.

“(ii) **EXCEPTIONS.**—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

“(c) **PROMULGATION OF REGULATIONS FOR TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.**—

“(1) **IN GENERAL.**—The Secretary shall promulgate regulations for tire wet traction minimum performance standards to ensure that passenger tire wet traction capability is not reduced to achieve improved tire fuel efficiency.

“(2) **TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.**—

“(A) **BASIS OF STANDARD.**—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of peak coefficient of friction.

“(B) **TEST PROCEDURES.**—Any test procedure promulgated under this subsection shall be consistent with any test procedure promulgated under subsection (a).

“(C) **BENCHMARKING.**—The Secretary shall conduct testing to benchmark the wet traction performance of tire models available for sale in the United States as of the date of enactment of this Act to ensure that the minimum performance standards promulgated under paragraph (1) are tailored to—

“(i) tires sold in the United States; and

“(ii) the needs of consumers in the United States.

“(D) **APPLICABILITY.**—

“(i) **IN GENERAL.**—This subsection applies to new pneumatic tires for use on passenger cars.

“(ii) **EXCEPTIONS.**—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

“(d) **COORDINATION AMONG REGULATIONS.**—

“(1) **COMPATIBILITY.**—The Secretary shall ensure that the test procedures and requirements promulgated under subsections (a), (b), and (c) are compatible and consistent.

“(2) **COMBINED EFFECT OF RULES.**—The Secretary shall evaluate the regulations promulgated under subsections (b) and (c) to ensure that compliance with the minimum performance standards promulgated under subsection (b) will not diminish wet traction performance of affected tires.

“(3) **RULEMAKING DEADLINES.**—The Secretary shall promulgate—

“(A) the regulations under subsections (b) and (c) not later than 24 months after the date of enactment of this Act; and

“(B) the regulations under subsection (c) not later than the date of promulgation of the regulations under subsection (b).”.

SEC. 34433. TIRE REGISTRATION BY INDEPENDENT SELLERS.

Section 30117(b) is amended by striking paragraph (3) and inserting the following:

“(3) **RULEMAKING.**—

“(A) **IN GENERAL.**—The Secretary shall initiate a rulemaking to require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to maintain records of—

“(i) the name and address of tire purchasers and lessors and information identifying the tire that was purchased or leased; and

“(ii) any additional records the Secretary considers appropriate.

“(B) **ELECTRONIC TRANSMISSION.**—The rulemaking carried out under subparagraph (A) shall require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to electronically transmit the records described in clauses (i) and (ii) of subparagraph (A) to the manufacturer of the tires or the designee of the manufacturer by secure means at no cost to tire purchasers or lessors.

“(C) **SATISFACTION OF REQUIREMENTS.**—A regulation promulgated under subparagraph (A) may be considered to satisfy the requirements of paragraph (2)(B).”.

SEC. 34434. TIRE RECALL DATABASE.

(a) **IN GENERAL.**—The Secretary shall establish a publicly available and searchable electronic database of tire recall information that is reported to the Administrator of the National Highway Traffic Safety Administration.

(b) **TIRE IDENTIFICATION NUMBER.**—The database established under subsection (a) shall be searchable by Tire Identification Number (TIN) and any other criteria that assists consumers in determining whether a tire is subject to a recall.

TITLE XXXV—RAILROAD REFORM, ENHANCEMENT, AND EFFICIENCY**SEC. 35001. SHORT TITLE.**

This title may be cited as the “Railroad Reform, Enhancement, and Efficiency Act”.

SEC. 35002. PASSENGER TRANSPORTATION; DEFINITIONS.

Section 24102 is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively;

(2) by inserting after paragraph (4), the following:

“(5) ‘long-distance route’ means a route described in paragraph (6)(C).”;

(3) by amending paragraph (6)(A), as redesignated, to read as follows:

“(A) the Northeast Corridor main line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia, and the facilities and services used to operate and maintain that line.”;

(4) in paragraph (7), as redesignated, by striking the period at the end and inserting “, except that the term ‘Northeast Corridor’ for the purposes of chapter 243 means the main line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia, and the facilities and services used to operate and maintain that line.”; and

(5) by adding at the end the following:

“(11) ‘state-of-good-repair’ means a condition in which physical assets, both individually and as a system, are—

“(A) performing at a level at least equal to that called for in their as-built or as-modified design specification during any period when the life cycle cost of maintaining the assets is lower than the cost of replacing them; and

“(B) sustained through regular maintenance and replacement programs.

“(12) ‘State-supported route’ means a route described in paragraph (6)(B) or paragraph (6)(D), or in section 24702(a).”.

Subtitle A—Authorization of Appropriations**SEC. 35101. AUTHORIZATION OF GRANTS TO AMTRAK.**

(a) **IN GENERAL.**—There are authorized to be appropriated to the Secretary for the use of Amtrak for deposit into the accounts established under section 24319(a) of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, \$1,450,000,000.

(2) For fiscal year 2017, \$1,550,000,000.

(3) For fiscal year 2018, \$1,700,000,000.

(4) For fiscal year 2019, \$1,900,000,000.

(b) **PROJECT MANAGEMENT OVERSIGHT.**—The Secretary may withhold up to one half of 1 percent of the amount appropriated under subsection (a) for the costs of management oversight of Amtrak.

(c) **COMPETITION.**—In administering grants to Amtrak under section 24318 of title 49, United States Code, the Secretary may withhold, from amounts that would otherwise be made available to Amtrak, such sums as are necessary from the amount appropriated under subsection (a) of this section to cover the operating subsidy described in section 24711(b)(1)(E)(ii) of title 49, United States Code.

(d) **STATE-SUPPORTED ROUTE COMMITTEE.**—The Secretary may withhold up to \$2,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the State-Supported Route Committee established under section 24712 of title 49, United States Code.

(e) **NORTHEAST CORRIDOR COMMISSION.**—The Secretary may withhold up to \$5,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

SEC. 35102. NATIONAL INFRASTRUCTURE AND SAFETY INVESTMENTS.

(a) **IN GENERAL.**—There are authorized to be appropriated to the Secretary for grants under chapter 244 of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, \$350,000,000.

(2) For fiscal year 2017, \$430,000,000.

(3) For fiscal year 2018, \$600,000,000.

(4) For fiscal year 2019, \$900,000,000.

(b) **PROJECT MANAGEMENT OVERSIGHT.**—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under chapter 244 of title 49, United States Code.

SEC. 35103. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL TRANSPORTATION SAFETY BOARD RAIL INVESTIGATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, there are authorized to be appropriated to the National Transportation Safety Board to carry out railroad accident investigations under section 1131(a)(1)(C) of title 49, United States Code, the following amounts:

- (1) For fiscal year 2016, \$6,300,000.
- (2) For fiscal year 2017, \$6,400,000.
- (3) For fiscal year 2018, \$6,500,000.
- (4) For fiscal year 2019, \$6,600,000.

(b) INVESTIGATION PERSONNEL.—Amounts appropriated under subsection (a) of this section shall be available to the National Transportation Safety Board for personnel, in regional offices and in Washington, DC, whose duties involve railroad accident investigations.

SEC. 35104. AUTHORIZATION OF APPROPRIATIONS FOR AMTRAK OFFICE OF INSPECTOR GENERAL.

There are authorized to be appropriated to the Office of Inspector General of Amtrak the following amounts:

- (1) For fiscal year 2016, \$20,000,000.
- (2) For fiscal year 2017, \$20,500,000.
- (3) For fiscal year 2018, \$21,000,000.
- (4) For fiscal year 2019, \$21,500,000.

SEC. 35105. NATIONAL COOPERATIVE RAIL RESEARCH PROGRAM.

(a) IN GENERAL.—Section 24910 is amended—

- (1) in subsection (b)—
- (A) in paragraph (12), by striking “and”;
- (B) in paragraph (13), by striking the period at the end and inserting “; and”;
- (C) by adding at the end the following:

“(14) to improve the overall safety of intercity passenger and freight rail operations.”; and
- (2) by amending subsection (e) to read as follows:

“(e) ALLOCATION.—At least \$5,000,000 of the amounts appropriated to the Secretary for a fiscal year to carry out railroad research and development programs shall be available to carry out this section.”.

Subtitle B—Amtrak Reform

SEC. 35201. AMTRAK GRANT PROCESS.

(a) REQUIREMENTS AND PROCEDURES.—Chapter 243 is amended by adding at the end the following:

“§24317. Costs and revenues

“(a) ALLOCATION.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall establish and maintain internal controls to ensure Amtrak’s costs, revenues, and other compensation are appropriately and proportionally allocated to its Northeast Corridor train services or infrastructure, its State-supported routes, its long-distance routes, and its other national network activities.

“(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of Amtrak to enter into an agreement with 1 or more States to allocate operating and capital costs under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

“§24318. Grant process

“(a) PROCEDURES FOR GRANT REQUESTS.—Not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall establish and transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives substantive and procedural requirements, including schedules, for grant requests under this section.

“(b) GRANT REQUESTS.—Amtrak shall transmit grant requests for Federal funds appropriated to the Secretary of Transportation for the use of Amtrak to—

- “(1) the Secretary; and
- “(2) the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives.

“(c) CONTENTS.—A grant request under subsection (d) shall—

- “(1) describe projected operating and capital costs for the upcoming fiscal year for Northeast Corridor train services and infrastructure, Amtrak’s State-supported routes, and Amtrak’s long-distance routes, and Amtrak’s other national network activities, as applicable, in comparison to prior fiscal year actual financial performance;
- “(2) describe the capital projects to be funded, with cost estimates and an estimated timetable for completion of the projects covered by the request;
- “(3) assess Amtrak’s financial condition;
- “(4) be displayed on Amtrak’s Web site within a reasonable timeframe following its transmission under subsection (b); and
- “(5) describe how the funding requested in a grant will be allocated to the accounts established under section 24319(a), considering the projected operating losses or capital costs for services and activities associated with such accounts over the time period intended to be covered by the grants.

“(d) REVIEW AND APPROVAL.—

“(1) THIRTY-DAY APPROVAL PROCESS.—

“(A) IN GENERAL.—Not later than 30 days after the date that Amtrak submits a grant request under this section, the Secretary of Transportation shall complete a review of the request and provide notice to Amtrak that—

- “(i) the request is approved; or
- “(ii) the request is disapproved, including the reason for the disapproval and an explanation of any incomplete or deficient items.

“(B) GRANT AGREEMENT.—If a grant request is approved, the Secretary shall enter into a grant agreement with Amtrak that allocates the grant funding to 1 of the 4 accounts established under section 24319(a).

“(2) FIFTEEN-DAY MODIFICATION PERIOD.—Not later than 15 days after the date of the notice under paragraph (1)(A)(ii), Amtrak shall submit a modified request for the Secretary’s review.

“(3) MODIFIED REQUESTS.—Not later than 15 days after the date that Amtrak submits a modified request under paragraph (2), the Secretary shall either approve the modified request, or, if the Secretary finds that the request is still incomplete or deficient, the Secretary shall identify in writing to the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives the remaining deficiencies and recommend a process for resolving the outstanding portions of the request.

“(e) PAYMENTS TO AMTRAK.—

“(1) IN GENERAL.—A grant agreement entered into under subsection (d) shall specify the operations, services, and other activities to be funded by the grant. The grant agreement shall include provisions, consistent with the requirements of this chapter, to measure Amtrak’s performance and ensure accountability in delivering the operations, services, or activities to be funded by the grant.

“(2) SCHEDULE.—Except as provided in paragraph (3), in each fiscal year for which amounts

are appropriated to the Secretary for the use of Amtrak, and for which the Secretary and Amtrak have entered into a grant agreement under subsection (d), the Secretary shall disburse grant funds to Amtrak on the following schedule:

- “(A) 50 percent on October 1.
- “(B) 25 percent on January 1.
- “(C) 25 percent on April 1.

“(3) EXCEPTIONS.—The Secretary may make a payment to Amtrak of appropriated funds—

“(A) more frequently than the schedule under paragraph (2) if Amtrak, for good cause, requests more frequent payment before the end of a payment period; or

“(B) with a different frequency or in different percentage allocations in the event of a continuing resolution or in the absence of an appropriations Act for the duration of a fiscal year.

“(f) AVAILABILITY OF AMOUNTS AND EARLY APPROPRIATIONS.—Amounts appropriated to the Secretary for the use of Amtrak shall remain available until expended. Amounts for capital acquisitions and improvements may be appropriated for a fiscal year before the fiscal year in which the amounts will be obligated.

“(g) LIMITATIONS ON USE.—Amounts appropriated to the Secretary for the use of Amtrak may not be used to cross-subsidize operating losses or capital costs of commuter rail passenger or freight rail transportation.

“§24319. Accounts

“(a) ESTABLISHMENT OF ACCOUNTS.—Beginning not later than October 1, 2016, Amtrak, in consultation with the Secretary of Transportation, shall define and establish—

- “(1) a Northeast Corridor investment account, including subaccounts for Amtrak train services and infrastructure;
- “(2) a State-supported account;
- “(3) a long-distance account; and
- “(4) an other national network activities account.

“(b) NORTHEAST CORRIDOR INVESTMENT ACCOUNT.—

“(1) DEPOSITS.—Amtrak shall deposit in the Northeast Corridor investment account established under subsection (a)(1)—

“(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

“(B) any compensation received from commuter rail passenger transportation providers for such providers’ share of capital costs on the Northeast Corridor provided to Amtrak under section 24905(c);

“(C) any operating surplus of the Northeast Corridor train services or infrastructure, as allocated under section 24317; and

“(D) any other net revenue received in association with the Northeast Corridor, including freight access fees, electric propulsion, and commercial development.

“(2) USE OF NORTHEAST CORRIDOR INVESTMENT ACCOUNT.—Except as provided in subsection (f), amounts deposited in the Northeast Corridor investment account shall be made available for the use of Amtrak for its share of—

“(A) capital projects described in section 24904(a)(2)(E)(i), and developed under the planning process established under that section, to bring Northeast Corridor infrastructure to a state-of-good-repair;

“(B) capital projects described in clauses (ii) and (iv) of section 24904(a)(2)(E) that are developed under the planning process established under that section intended to increase corridor capacity, improve service reliability, and reduce travel time on the Northeast Corridor;

“(C) capital projects to improve safety and security;

“(D) capital projects to improve customer service and amenities;

“(E) acquiring, rehabilitating, manufacturing, remanufacturing, overhauling, or improving equipment and associated facilities used for intercity rail passenger transportation by Northeast Corridor train services;

“(F) retirement of principal and payment of interest on loans for capital projects described in this paragraph or for capital leases for equipment and related to the Northeast Corridor;

“(G) participation in public-private partnerships, joint ventures, and other mechanisms or arrangements that result in the completion of capital projects described in this paragraph; and

“(H) indirect, common, corporate, or other costs directly incurred by or allocated to the Northeast Corridor.

“(c) STATE-SUPPORTED ACCOUNT.—

“(1) DEPOSITS.—Amtrak shall deposit in the State-supported account established under subsection (a)(2)—

“(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

“(B) any compensation received from States provided to Amtrak under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (42 U.S.C. 24101 note); and

“(C) any operating surplus from its State-supported routes, as allocated under section 24317.

“(2) USE OF STATE-SUPPORTED ACCOUNT.—Except as provided in subsection (f), amounts deposited in the State-supported account shall be made available for the use of Amtrak for capital expenses and operating costs, including indirect, common, corporate, or other costs directly incurred by or allocated to State-supported routes, of its State-supported routes and retirement of principal and payment of interest on loans or capital leases attributable to its State-supported routes.

“(d) LONG-DISTANCE ACCOUNT.—

“(1) DEPOSITS.—Amtrak shall deposit in the long-distance account established under subsection (a)(3)—

“(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

“(B) any compensation received from States provided to Amtrak for costs associated with its long-distance routes; and

“(C) any operating surplus from its long-distance routes, as allocated under section 24317.

“(2) USE OF LONG-DISTANCE ACCOUNT.—Except as provided in subsection (f), amounts deposited in the long-distance account shall be made available for the use of Amtrak for capital expenses and operating costs, including indirect, common, corporate, or other costs directly incurred by or allocated to long-distance routes, of its long-distance routes and retirement of principal and payment of interest on loans or capital leases attributable to the long-distance routes.

“(e) OTHER NATIONAL NETWORK ACTIVITIES ACCOUNT.—

“(1) DEPOSITS.—Amtrak shall deposit in the other national network activities account established under subsection (a)(4)—

“(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act ap-

propriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

“(B) any compensation received from States provided to Amtrak for costs associated with its other national network activities; and

“(C) any operating surplus from its other national network activities.

“(2) USE OF OTHER NATIONAL NETWORK ACTIVITIES ACCOUNT.—Except as provided in subsection (f), amounts deposited into the other national network activities account shall be made available for the use of Amtrak for capital and operating costs not allocated to the Northeast Corridor investment account, State-supported account, or long-distance account, and retirement of principal and payment of interest on loans or capital leases attributable to other national network activities.

“(f) TRANSFER AUTHORITY.—

“(1) AUTHORITY.—Amtrak may transfer any funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak for deposit into the accounts described in that section, or any surplus generated by operations, between the Northeast Corridor, State-supported, long-distance, and other national network activities accounts—

“(A) upon the expiration of 10 days after the date that Amtrak notifies the Amtrak Board of Directors, including the Secretary, of the planned transfer; and

“(B) with the approval of the Secretary.

“(2) REPORT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes—

“(A) the amount of the transfer; and

“(B) a detailed explanation of the reason for the transfer, including—

“(i) the effects on Amtrak services funded by the account from which the transfer is drawn, in comparison to a scenario in which no transfer was made; and

“(ii) the effects on Amtrak services funded by the account receiving the transfer, in comparison to a scenario in which no transfer was made.

“(3) NOTIFICATIONS.—

“(A) STATE-SUPPORTED ACCOUNT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1) of funds to or from the State-supported account, Amtrak shall transmit to each State that sponsors a State-supported route a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

“(B) NORTHEAST CORRIDOR ACCOUNT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1) of funds to or from the Northeast Corridor account, Amtrak shall transmit to the Northeast Corridor Commission a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

“(g) ENFORCEMENT.—The Secretary shall enforce the provisions of each grant agreement under section 24318(d), including any deposit into an account under this section.

“(h) LETTERS OF INTENT.—

“(1) REQUIREMENT.—The Secretary may issue a letter of intent to Amtrak announcing an intention to obligate, for a major capital project described in clauses (ii) and (iv) of section

24904(a)(2)(E), an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project.

“(2) NOTICE TO CONGRESS.—At least 30 days before issuing a letter under paragraph (1), the Secretary shall notify in writing the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter. The Secretary shall include with the notice a copy of the proposed letter, the criteria used for selecting the project for a grant award, and a description of how the project meets the criteria under this section.

“(3) CONTINGENT NATURE OF OBLIGATION OR COMMITMENT.—An obligation or administrative commitment may be made only when amounts are appropriated. The letter of intent shall state that the contingent commitment is not an obligation of the Federal Government, and is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.”

(b) CONFORMING AMENDMENTS.—The table of contents for chapter 243 is amended by adding at the end the following:

“24317. Costs and revenues.

“24318. Grant process.

“24319. Accounts.”

(c) REPEALS.—

(1) ESTABLISHMENT OF GRANT PROCESS.—Section 206 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) and the item relating to that section in the table of contents of that Act are repealed.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 24104 and the item relating to that section in the table of contents of chapter 241 are repealed.

SEC. 35202. 5-YEAR BUSINESS LINE AND ASSETS PLANS.

(a) AMTRAK 5-YEAR BUSINESS LINE AND ASSET PLANS.—Chapter 243, as amended by section 35201 of this Act, is further amended by inserting after section 24319 the following:

“§24320. Amtrak 5-year business line and asset plans

“(a) IN GENERAL.—

“(1) FINAL PLANS.—Not later than February 15 of each year, Amtrak shall submit to Congress and the Secretary final 5-year business line plans and 5-year asset plans prepared in accordance with this section. These final plans shall form the basis for Amtrak’s general and legislative annual report to the President and Congress required by section 24315(b).

“(2) FISCAL CONSTRAINT.—Each plan prepared under this section shall be based on funding levels authorized or otherwise available to Amtrak in a fiscal year. In the absence of an authorization or appropriation of funds for a fiscal year, the plans shall be based on the amount of funding available in the previous fiscal year, plus inflation. Amtrak may include an appendix to the asset plan required in subsection (c) that describes any capital funding requirements in excess of amounts authorized or otherwise available to Amtrak in a fiscal year for capital investment.

“(b) AMTRAK 5-YEAR BUSINESS LINE PLANS.—

“(1) AMTRAK BUSINESS LINES.—Amtrak shall prepare a 5-year business line plan for each of the following business lines and services:

“(A) Northeast Corridor train services.

“(B) State-supported routes operated by Amtrak.

“(C) Long-distance routes operated by Amtrak.

“(D) Ancillary services operated by Amtrak, including commuter operations and other revenue generating activities as determined by the Secretary in consultation with Amtrak.

“(2) CONTENTS OF 5-YEAR BUSINESS LINE PLANS.—The 5-year business line plan for each business line shall include, at a minimum—

“(A) a statement of Amtrak’s vision, goals, and service plan for the business line, coordinated with any entities that are contributing capital or operating funding to support passenger rail services within those business lines, and aligned with Amtrak’s Strategic Plan and 5-year asset plans under subsection (c);

“(B) all projected revenues and expenditures for the business line, including identification of revenues and expenditures incurred by—

“(i) passenger operations;

“(ii) non-passenger operations that are directly related to the business line; and

“(iii) governmental funding sources, including revenues and other funding received from States;

“(C) projected ridership levels for all passenger operations;

“(D) estimates of long-term and short-term debt and associated principal and interest payments (both current and forecasts);

“(E) annual profit and loss statements and forecasts and balance sheets;

“(F) annual cash flow forecasts;

“(G) a statement describing the methodologies and significant assumptions underlying estimates and forecasts;

“(H) specific performance measures that demonstrate year over year changes in the results of Amtrak’s operations;

“(I) financial performance for each route within each business line, including descriptions of the cash operating loss or contribution and labor productivity for each route;

“(J) specific costs and savings estimates resulting from reform initiatives;

“(K) prior fiscal year and projected equipment reliability statistics; and

“(L) an identification and explanation of any major adjustments made from previously-approved plans.

“(3) 5-YEAR BUSINESS LINE PLANS PROCESS.—In meeting the requirements of this section, Amtrak shall—

“(A) coordinate the development of the business line plans with the Secretary;

“(B) for the Northeast Corridor business line plan, coordinate with the Northeast Corridor Commission and transmit to the Commission the final plan under subsection (a)(1), and consult with other entities, as appropriate;

“(C) for the State-supported route business line plan, coordinate with the State-Supported Route Committee established under section 24712;

“(D) for the long-distance route business line plan, coordinate with any States or Interstate Compacts that provide funding for such routes, as appropriate;

“(E) ensure that Amtrak’s annual budget request to Congress is consistent with the information in the 5-year business line plans; and

“(F) identify the appropriate Amtrak officials that are responsible for each business line.

“(4) STANDARDS TO PROMOTE FINANCIAL STABILITY.—In meeting the requirements under this subsection, Amtrak shall use the categories specified in the financial accounting and reporting system developed under section 203 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) when preparing its 5-year business line plans.

“(c) AMTRAK 5-YEAR ASSET PLANS.—

“(1) ASSET CATEGORIES.—Amtrak shall prepare a 5-year asset plan for each of the following asset categories:

“(A) Infrastructure, including all Amtrak-controlled Northeast Corridor assets and other Amtrak-owned infrastructure, and the associated facilities that support the operation, maintenance, and improvement of those assets.

“(B) Passenger rail equipment, including all Amtrak-controlled rolling stock, locomotives, and mechanical shop facilities that are used to overhaul equipment.

“(C) Stations, including all Amtrak-controlled passenger rail stations and elements of other stations for which Amtrak has legal responsibility or intends to make capital investments.

“(D) National assets, including national reservations, security, training and training centers, and other assets associated with Amtrak’s national passenger rail transportation system.

“(2) CONTENTS OF 5-YEAR ASSET PLANS.—Each asset plan shall include, at a minimum—

“(A) a summary of Amtrak’s 5-year strategic plan for each asset category, including goals, objectives, any relevant performance metrics, and statutory or regulatory actions affecting the assets;

“(B) an inventory of existing Amtrak capital assets, to the extent practicable, including information regarding shared use or ownership, if applicable;

“(C) a prioritized list of proposed capital investments that—

“(i) categorizes each capital project as being primarily associated with—

“(I) normalized capital replacement;

“(II) backlog capital replacement;

“(III) improvements to support service enhancements or growth;

“(IV) strategic initiatives that will improve overall operational performance, lower costs, or otherwise improve Amtrak’s corporate efficiency; or

“(V) statutory, regulatory, or other legal mandates;

“(ii) identifies each project or program that is associated with more than 1 category described in clause (i); and

“(iii) describes the anticipated business outcome of each project or program identified under this subparagraph, including an assessment of—

“(I) the potential effect on passenger operations, safety, reliability, and resilience;

“(II) the potential effect on Amtrak’s ability to meet regulatory requirements if the project or program is not funded; and

“(III) the benefits and costs; and

“(D) annual profit and loss statements and forecasts and balance sheets for each asset category.

“(3) 5-YEAR ASSET PLAN PROCESS.—In meeting the requirements of this subsection, Amtrak shall—

“(A) coordinate with each business line described in subsection (b)(1) in the preparation of each 5-year asset plan and ensure integration of each 5-year asset plan with the 5-year business line plans;

“(B) as applicable, coordinate with the Northeast Corridor Commission, the State-Supported Route Committee, and owners of assets affected by 5-year asset plans; and

“(C) identify the appropriate Amtrak officials that are responsible for each asset category.

“(4) EVALUATION OF NATIONAL ASSETS COSTS.—The Secretary shall—

“(A) evaluate the costs and scope of all national assets; and

“(B) determine the activities and costs that are—

“(i) required in order to ensure the efficient operations of a national passenger rail system;

“(ii) appropriate for allocation to 1 of the other Amtrak business lines; and

“(iii) extraneous to providing an efficient national passenger rail system or are too costly relative to the benefits or performance outcomes they provide.

“(5) DEFINITION OF NATIONAL ASSETS.—In this section, the term ‘national assets’ means the Nation’s core rail assets shared among Amtrak services, including national reservations, secu-

rity, training and training centers, and other assets associated with Amtrak’s national passenger rail transportation system.

“(6) RESTRUCTURING OF NATIONAL ASSETS.—Not later than 1 year after the date of completion of the evaluation under paragraph (4), the Administrator of the Federal Railroad Administration, in consultation with the Amtrak Board of Directors, the governors of each relevant State, and the Mayor of the District of Columbia, or their designees, shall restructure or reallocate, or both, the national assets costs in accordance with the determination under that section, including making appropriate updates to Amtrak’s cost accounting methodology and system.”.

(b) EFFECTIVE DATE.—The requirements for Amtrak to submit final 5-year business line plans and 5-year asset plans under section 24320 of title 49, United States Code, shall take effect 1 year after the date of enactment of this Act.

(c) CONFORMING AMENDMENTS.—The table of contents for chapter 243, as amended by section 35201 of this Act, is further amended by adding at the end the following:

“24320. Amtrak 5-year business line and asset plans.”.

(d) REPEAL OF 5-YEAR FINANCIAL PLAN.—Section 204 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note), and the item relating to that section in the table of contents of that Act, are repealed.

(e) IDENTIFICATION OF DUPLICATIVE REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review existing Amtrak reporting requirements and identify where the existing requirements are duplicative with the business line and capital plans required by section 24320 of title 49, United States Code;

(2) if the duplicative reporting requirements are administrative, the Secretary shall eliminate the duplicative requirements; and

(3) submit to Congress a report with any recommendations for repealing any other duplicative Amtrak reporting requirements.

SEC. 35203. STATE-SUPPORTED ROUTE COMMITTEE.

(a) AMENDMENT.—Chapter 247 is amended by adding at the end the following:

“§24712. State-supported routes operated by Amtrak

“(a) STATE-SUPPORTED ROUTE COMMITTEE.—

“(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall establish the State-Supported Route Committee (referred to in this section as the ‘Committee’) to promote mutual cooperation and planning pertaining to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-supported routes and to further implement section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The Committee shall consist of—

“(i) members representing Amtrak;

“(ii) members representing the Department of Transportation, including the Federal Railroad Administration; and

“(iii) members representing States.

“(B) NON-VOTING MEMBERS.—The Committee may invite and accept other non-voting members to participate in Committee activities, as appropriate.

“(3) DECISIONMAKING.—The Committee shall establish a bloc voting system under which, at a minimum—

“(A) there are 3 separate voting blocs to represent the Committee’s voting members, including—

“(i) 1 voting bloc to represent the members described in paragraph (2)(A)(i);

“(ii) 1 voting bloc to represent the members described in paragraph (2)(A)(ii); and

“(iii) 1 voting bloc to represent the members described in paragraph (2)(A)(iii);

“(B) each voting bloc has 1 vote;

“(C) the vote of the voting bloc representing the members described in paragraph (2)(A)(iii) requires the support of at least two-thirds of that voting bloc's members; and

“(D) the Committee makes decisions by unanimous consent of the 3 voting blocs.

“(4) MEETINGS; RULES AND PROCEDURES.—The Committee shall convene a meeting and shall define and implement the rules and procedures governing the Committee's proceedings not later than 180 days after the date of establishment of the Committee by the Secretary. The rules and procedures shall—

“(A) incorporate and further describe the decisionmaking procedures to be used in accordance with paragraph (3); and

“(B) be adopted in accordance with such decisionmaking procedures.

“(5) COMMITTEE DECISIONS.—Decisions made by the Committee in accordance with the Committee's rules and procedures, once established, are binding on all Committee members.

“(6) COST ALLOCATION METHODOLOGY.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Committee may amend the cost allocation methodology required and previously approved under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

“(B) PROCEDURES FOR CHANGING METHODOLOGY.—The rules and procedures implemented under paragraph (4) shall include procedures for changing the cost allocation methodology.

“(C) REQUIREMENTS.—The cost allocation methodology shall—

“(i) ensure equal treatment in the provision of like services of all States and groups of States; and

“(ii) allocate to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 route.

“(b) INVOICES AND REPORTS.—Not later than February 15, 2016, and monthly thereafter, Amtrak shall provide to each State that sponsors a State-supported route a monthly invoice of the cost of operating such route, including fixed costs and third-party costs. The Committee shall determine the frequency and contents of the financial and performance reports that Amtrak shall provide to the States, as well as the planning and demand reports that the States shall provide to Amtrak.

“(c) DISPUTE RESOLUTION.—

“(1) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with respect to the rules and procedures implemented under subsection (a)(4), an invoice or a report provided under subsection (b), implementation or compliance with the cost allocation methodology developed under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) or amended under subsection (a)(6) of this section, either Amtrak or the State may request that the Surface Transportation Board conduct dispute resolution under this subsection.

“(2) PROCEDURES.—The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this subsection, which may include provision of professional mediation services.

“(3) BINDING EFFECT.—A decision of the Surface Transportation Board under this subsection shall be binding on the parties to the dispute.

“(4) OBLIGATION.—Nothing in this subsection shall affect the obligation of a State to pay an amount not in dispute.

“(d) ASSISTANCE.—

“(1) IN GENERAL.—The Secretary may provide assistance to the parties in the course of negotiations for a contract for operation of a State-supported route.

“(2) FINANCIAL ASSISTANCE.—From among available funds, the Secretary shall—

“(A) provide financial assistance to Amtrak or 1 or more States to perform requested independent technical analysis of issues before the Committee; and

“(B) reimburse Members for travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5.

“(e) PERFORMANCE METRICS.—In negotiating a contract for operation of a State-supported route, Amtrak and the State or States that sponsor the route shall consider including provisions that provide penalties and incentives for performance.

“(f) STATEMENT OF GOALS AND OBJECTIVES.—

“(1) IN GENERAL.—The Committee shall develop a statement of goals, objectives, and associated recommendations concerning the future of State-supported routes operated by Amtrak. The statement shall identify the roles and responsibilities of Committee members and any other relevant entities, such as host railroads, in meeting the identified goals and objectives, or carrying out the recommendations. The Committee may consult with such relevant entities, as the Committee considers appropriate, when developing the statement.

“(2) TRANSMISSION OF STATEMENT OF GOALS AND OBJECTIVES.—Not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act the Committee shall transmit the statement developed under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(g) RULE OF CONSTRUCTION.—The decisions of the Committee—

“(1) shall pertain to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-sponsored routes; and

“(2) shall not pertain to the rail operations or related activities of services operated by other rail passenger carriers on State-supported routes.

“(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

“(i) DEFINITION OF STATE.—In this section, the term ‘State’ means any of the 50 States, the District of Columbia, or a public entity that sponsor the operation of trains by Amtrak on a State-supported route.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 247 is amended by adding at the end the following:

“24712. State-supported routes operated by Amtrak.”

SEC. 35204. ROUTE AND SERVICE PLANNING DECISIONS.

Section 208 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended to read as follows:

“SEC. 208. METHODOLOGIES FOR AMTRAK ROUTE AND SERVICE PLANNING DECISIONS.

“(a) METHODOLOGY DEVELOPMENT.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, as a condition of receiving a grant under section 101 of that Act, Amtrak shall obtain the services of an independent entity to develop and recommend objective methodologies for Amtrak to use in determining what intercity rail passenger transportation routes and services it should provide, including the establishment of new routes, the elimination of existing routes, and the contraction or expansion of services or frequencies over such routes.

“(b) CONSIDERATIONS.—Amtrak shall require the independent entity, in developing the methodologies described in subsection (a), to consider—

“(1) the current and expected performance and service quality of intercity rail passenger transportation operations, including cost recovery, on-time performance, ridership, on-board services, stations, facilities, equipment, and other services;

“(2) the connectivity of a route with other routes;

“(3) the transportation needs of communities and populations that are not well served by intercity rail passenger transportation service or by other forms of intercity transportation;

“(4) the methodologies of Amtrak and major intercity rail passenger transportation service providers in other countries for determining intercity passenger rail routes and services;

“(5) the financial and operational effects on the overall network, including the effects on indirect costs;

“(6) the views of States and the recommendations described in State rail plans, rail carriers that own infrastructure over which Amtrak operates, Interstate Compacts established by Congress and States, Amtrak employee representatives, stakeholder organizations, and other interested parties; and

“(7) the funding levels that will be available under authorization levels that have been enacted into law.

“(c) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives recommendations developed by the independent entity under subsection (a).

“(d) CONSIDERATION OF RECOMMENDATIONS.—Not later than 90 days after the date the recommendations are transmitted under subsection (c), Amtrak shall consider the adoption of each recommendation and transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining the reasons for adopting or not adopting each recommendation.”

SEC. 35205. COMPETITION.

(a) ALTERNATE PASSENGER RAIL SERVICE PILOT PROGRAM.—Section 24711 is amended to read as follows:

“§24711. Alternate passenger rail service pilot program

“(a) IN GENERAL.—Not later than 18 months after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall promulgate a rule to implement a pilot program for competitive selection of rail carriers for long-distance routes (as defined in section 24102).

“(b) PILOT PROGRAM REQUIREMENTS.—

“(1) IN GENERAL.—The pilot program shall—

“(A) allow a party described in paragraph (2) to petition the Secretary to provide intercity rail passenger transportation over a long-distance route in lieu of Amtrak for an operations period of 4 years from the date of commencement of service by the winning bidder and, at the option of the Secretary, consistent with the rule promulgated under subsection (a), allow the contract to be renewed for an additional operations period of 4 years, but not to exceed a total of 3 operations periods;

“(B) require the Secretary to—

“(i) notify the petitioner and Amtrak of receipt of the petition under subparagraph (A) and to publish in the Federal Register a notice of receipt not later than 30 days after the date of receipt; and

“(ii) establish a deadline, of not more than 120 days after the notice of receipt is published in the Federal Register under clause (i), by which both the petitioner and Amtrak, if Amtrak chooses to do so, would be required to submit a complete bid to provide intercity rail passenger transportation over the applicable route;

“(C) require that each bid—

“(i) describe the capital needs, financial projections, and operational plans, including staffing plans, for the service, and such other factors as the Secretary considers appropriate; and

“(ii) be made available by the winning bidder to the public after the bid award;

“(D) for a route that receives funding from a State or States, require that for each bid received from a party described in paragraph (2), other than a State, the Secretary have the concurrence of the State or States that provide funding for that route;

“(E) for a winning bidder that is not or does not include Amtrak, require the Secretary to execute a contract not later than 270 days after the deadline established under subparagraph (B)(ii) and award to the winning bidder—

“(i) subject to paragraphs (3) and (4), the right and obligation to provide intercity rail passenger transportation over that route subject to such performance standards as the Secretary may require; and

“(ii) an operating subsidy, as determined by the Secretary, for—

“(I) the first year at a level that does not exceed 90 percent of the level in effect for that specific route during the fiscal year preceding the fiscal year in which the petition was received, adjusted for inflation; and

“(II) any subsequent years at the level calculated under subclause (I), adjusted for inflation; and

“(F) for a winning bidder that is or includes Amtrak, award to that bidder an operating subsidy, as determined by the Secretary, over the applicable route that will not change during the fiscal year in which the bid was submitted solely as a result of the winning bid.

“(2) ELIGIBLE PETITIONERS.—The following parties are eligible to submit petitions under paragraph (1):

“(A) A rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route.

“(B) A rail passenger carrier with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

“(C) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

“(D) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation and a rail passenger carrier with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

“(3) PERFORMANCE STANDARDS.—If the winning bidder under paragraph (1)(E)(i) is not or does not include Amtrak, the performance standards shall be consistent with the performance required of or achieved by Amtrak on the applicable route during the last fiscal year.

“(4) AGREEMENT GOVERNING ACCESS ISSUES.—Unless the winning bidder already has applica-

ble access agreements in place or includes a rail carrier that owns the infrastructure used in the operation of the route, the winning bidder under paragraph (1)(E)(i) shall enter into a written agreement governing access issues between the winning bidder and the rail carrier or rail carriers that own the infrastructure over which the winning bidder would operate and that host or would host the intercity rail passenger transportation.

“(c) ACCESS TO FACILITIES; EMPLOYEES.—If the Secretary awards the right and obligation to provide rail passenger transportation over a route under this section to an entity in lieu of Amtrak—

“(1) the Secretary shall require Amtrak to provide access to the Amtrak-owned reservation system, stations, and facilities directly related to operations of the awarded routes to the rail passenger carrier awarded a contract under this section, in accordance with subsection (g), as necessary to carry out the purposes of this section;

“(2) an employee of any person, except for a freight railroad or a person employed or contracted by a freight railroad, used by such rail passenger carrier in the operation of a route under this section shall be considered an employee of that rail passenger carrier and subject to the applicable Federal laws and regulations governing similar crafts or classes of employees of Amtrak; and

“(3) the winning bidder shall provide hiring preference to qualified Amtrak employees displaced by the award of the bid, consistent with the staffing plan submitted by the bidder, and shall be subject to the grant conditions under section 24405.

“(d) CESSATION OF SERVICE.—If a rail passenger carrier awarded a route under this section ceases to operate the service or fails to fulfill an obligation under the contract required under subsection (b)(1)(E), the Secretary shall take any necessary action consistent with this title to enforce the contract and ensure the continued provision of service, including—

“(1) the installment of an interim rail passenger carrier;

“(2) providing to the interim rail passenger carrier under paragraph (1) an operating subsidy necessary to provide service; and

“(3) rebidding the contract to operate the rail passenger transportation.

“(e) BUDGET AUTHORITY.—

“(1) IN GENERAL.—The Secretary shall provide to a winning bidder that is not or does not include Amtrak and that is selected under this section any appropriations withheld under section 35101(c) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent appropriation for the same purpose, necessary to cover the operating subsidy described in subsection (b)(1)(E)(ii).

“(2) AMTRAK.—If the Secretary selects a winning bidder that is not or does not include Amtrak, the Secretary may provide to Amtrak an appropriate portion of the appropriations under section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent appropriation for the same purpose, to cover any cost directly attributable to the termination of Amtrak service on the route and any indirect costs to Amtrak imposed on other Amtrak routes as a result of losing service on the route operated by the winning bidder. Any amount provided by the Secretary to Amtrak under this paragraph shall not be deducted from or have any effect on the operating subsidy described in subsection (b)(1)(E)(ii).

“(f) DEADLINE.—If the Secretary does not promulgate the final rule and implement the program before the deadline under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the

Senate and the Committee on Transportation and Infrastructure of the House of Representatives a letter, signed by the Secretary and Administrator of the Federal Railroad Administration, each month until the rule is complete, including—

“(1) the reasons why the rule has not been issued;

“(2) an updated staffing plan for completing the rule as soon as feasible;

“(3) the contact information of the official that will be overseeing the execution of the staffing plan; and

“(4) the estimated date of completion of the rule.

“(g) DISPUTES.—If Amtrak and the rail passenger carrier awarded a route under this section cannot agree upon terms to carry out subsection (c)(1), and the Surface Transportation Board finds that access to Amtrak's facilities or equipment, or the provision of services by Amtrak, is necessary under subsection (c)(1) and that the operation of Amtrak's other services will not be impaired thereby, the Surface Transportation Board shall issue an order that the facilities and equipment be made available, and that services be provided, by Amtrak, and shall determine reasonable compensation, liability, and other terms for use of the facilities and equipment and provision of the services.

“(h) LIMITATION.—Not more than 3 long-distance routes may be selected under this section for operation by a winning bidder that is not or does not include Amtrak.

“(i) PRESERVATION OF RIGHT TO COMPETITION ON STATE-SUPPORTED ROUTES.—Nothing in this section shall be construed as prohibiting a State from introducing competition for intercity rail passenger transportation or services on its State-supported route or routes.”

(b) REPORT.—Not later than 4 years after the date of implementation of the pilot program under section 24711 of title 49, United States Code, and quadrennially thereafter until the pilot program is discontinued, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results on the pilot program to date and any recommendations for further action.

SEC. 35206. ROLLING STOCK PURCHASES.

(a) IN GENERAL.—Prior to entering into any contract in excess of \$100,000,000 for rolling stock and locomotive procurements Amtrak shall submit a business case analysis to the Secretary, the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, on the utility of such procurements.

(b) CONTENTS.—The business case analysis shall—

(1) include a cost and benefit comparison that describes the total lifecycle costs and the anticipated benefits related to revenue, operational efficiency, reliability, and other factors;

(2) set forth the total payments by fiscal year;

(3) identify the specific source and amounts of funding for each payment, including Federal funds, State funds, Amtrak profits, Federal, State, or private loans or loan guarantees, and other funding;

(4) include an explanation of whether any payment under the contract will increase Amtrak's grant request, as required under section 24318 of title 49, United States Code, in that particular fiscal year; and

(5) describe how Amtrak will adjust the procurement if future funding is not available.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring Amtrak

to disclose confidential information regarding a potential vendor's proposed pricing or other sensitive business information prior to contract execution.

SEC. 35207. FOOD AND BEVERAGE POLICY.

(a) IN GENERAL.—Chapter 243, as amended in section 35202 of this Act, is further amended by adding after section 24320 the following:

“§24321. Food and beverage reform

“(a) PLAN.—Not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall develop and begin implementing a plan to eliminate, not later than 4 years after the date of enactment of that Act, the operating loss associated with providing food and beverage service on board Amtrak trains.

“(b) CONSIDERATIONS.—In developing and implementing the plan under subsection (a), Amtrak shall consider a combination of cost management and revenue generation initiatives, including—

- “(1) scheduling optimization;
- “(2) onboard logistics;
- “(3) product development and supply chain efficiency;
- “(4) training, awards, and accountability;
- “(5) technology enhancements and process improvements; and
- “(6) ticket revenue allocation.

“(c) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee holding a position as of the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act is involuntarily separated because of—

- “(1) the development and implementation of the plan required under subsection (a); or
- “(2) any other action taken by Amtrak to implement this section.

“(d) NO FEDERAL FUNDING FOR OPERATING LOSSES.—Beginning on the date that is 4 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, no Federal funds may be used to cover any operating loss associated with providing food and beverage service on a route operated by Amtrak or an alternative passenger rail service provider that operates a route in lieu of Amtrak under section 24711.

“(e) REPORT.—Not later than 120 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, and annually thereafter for a period of 4 years, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the plan developed under subsection (a) and a description of progress in the implementation of the plan.”.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 243, as amended in section 35202 of this Act, is amended by adding at the end the following:

“24321. Food and beverage reform.”.

SEC. 35208. LOCAL PRODUCTS AND PROMOTIONAL EVENTS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, Amtrak shall establish a pilot program for a State or States that sponsor a State-supported route operated by Amtrak to facilitate—

- (1) onboard purchase and sale of local food and beverage products; and
- (2) partnerships with local entities to hold promotional events on trains or in stations.

(b) PROGRAM DESIGN.—The pilot program under paragraph (1) shall allow a State or States—

- (1) to nominate and select a local food and beverage products supplier or suppliers or local promotional event partner;
- (2) to charge a reasonable price or fee for local food and beverage products or promotional

events and related activities to help defray the costs of program administration and State-supported routes; and

(3) a mechanism to ensure that State products can effectively be handled and integrated into existing food and beverage services, including compliance with all applicable regulations and standards governing such services.

(c) PROGRAM ADMINISTRATION.—The pilot program shall—

(1) for local food and beverage products, ensure the products are integrated into existing food and beverage services, including compliance with all applicable regulations and standards;

(2) for promotional events, ensure the events are held in compliance with all applicable regulations and standards, including terms to address insurance requirements; and

(3) require an annual report that documents revenues and costs and indicates whether the products or events resulted in a reduction in the financial contribution of a State or States to the applicable State-supported route.

(d) REPORT.—Not later than 4 years after the date of establishment of the pilot programs under this section, Amtrak shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on which States have participated in the pilot programs under this section. The report shall summarize the financial and operational outcomes of the pilot programs.

(e) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as limiting Amtrak's ability to operate special trains in accordance with section 216 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24308 note).

SEC. 35209. RIGHT-OF-WAY LEVERAGING.

(a) REQUEST FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall issue a Request for Proposals seeking qualified persons or entities to utilize right-of-way and real estate owned, controlled, or managed by Amtrak for telecommunications systems, energy distribution systems, and other activities considered appropriate by Amtrak.

(2) CONTENTS.—The Request for Proposals shall provide sufficient information on the right-of-way and real estate assets to enable respondents to propose an arrangement that will monetize or generate additional revenue from such assets through revenue sharing or leasing agreements with Amtrak, to the extent possible.

(b) CONSIDERATION OF PROPOSALS.—Not later than 180 days following the deadline for the receipt of proposals under subsection (a), Amtrak shall review and consider each qualified proposal. Amtrak may enter into such agreements as are necessary to implement any qualified proposal.

(c) REPORT.—Not later than 270 days following the deadline for the receipt of proposals under subsection (a), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals required by this section, including summary information of any proposals submitted to Amtrak and any proposals accepted by Amtrak.

(d) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to utilize right-of-way or real estate assets that it currently owns, controls, or manages or constrain Amtrak's ability to enter into agreements with other parties to utilize such assets.

SEC. 35210. STATION DEVELOPMENT.

(a) REPORT ON DEVELOPMENT OPTIONS.—Not later than 1 year after the date of the enactment

of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) options to enhance economic development and accessibility of and around Amtrak stations and terminals, for the purposes of—

(A) improving station condition, functionality, capacity, and customer amenities;

(B) generating additional investment capital and development-related revenue streams;

(C) increasing ridership and revenue;

(D) complying with the applicable sections of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); and

(E) strengthening multimodal connections, including transit, intercity buses, roll-on and roll-off bicycles, and airports, as appropriate; and

(2) options for additional Amtrak stops that would have a positive incremental financial impact to Amtrak, based on Amtrak feasibility studies that demonstrate a financial benefit to Amtrak by generating additional revenue that exceeds any incremental costs.

(b) REQUEST FOR INFORMATION.—Not later than 90 days after the date the report is transmitted under subsection (a), Amtrak shall issue a Request of Information for 1 or more owners of stations served by Amtrak to formally express an interest in completing the requirements of this section.

(c) PROPOSALS.—

(1) REQUEST FOR PROPOSALS.—Not later than 180 days after the date the Request for Information is issued under subsection (a), Amtrak shall issue a Request for Proposals from qualified persons, including small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses, to lead, participate, or partner with Amtrak, a station owner that responded under subsection (b), and other entities in enhancing development in and around such stations and terminals using applicable options identified under subsection (a) at facilities selected by Amtrak.

(2) CONSIDERATION OF PROPOSALS.—Not later than 1 year after the date the Request for Proposals are issued under paragraph (1), Amtrak shall review and consider qualified proposals submitted under paragraph (1). Amtrak or a station owner that responded under subsection (b) may enter into such agreements as are necessary to implement any qualified proposal.

(d) REPORT.—Not later than 3 years after the date of enactment of this Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals process required under this section, including summary information of any qualified proposals submitted to Amtrak and any proposals acted upon by Amtrak or a station owner that responded under subsection (b).

(e) DEFINITIONS.—In this section, the terms “small business concern”, “socially and economically disadvantaged individual”, and “veteran-owned small business” have the meanings given the terms in section 304(c) of this Act.

(f) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to develop its stations, terminals, or other assets, to constrain Amtrak's ability to enter into and carry out agreements with other parties to enhance development at or around Amtrak stations or terminals, or to affect any station development initiatives ongoing as of the date of enactment of this Act.

SEC. 35211. AMTRAK DEBT.

Section 205 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—

(1) by striking “as of the date of enactment of this Act” each place it appears;

(2) in subsection (a)—

(A) by inserting “, to the extent provided in advance in appropriations Acts” after “Amtrak’s indebtedness”; and

(B) by striking the second sentence;

(3) in subsection (b), by striking “The Secretary of the Treasury, in consultation” and inserting “To the extent amounts are provided in advance in appropriations Acts, the Secretary of the Treasury, in consultation”;

(4) in subsection (d), by inserting “, to the extent provided in advance in appropriations Acts” after “as appropriate”;

(5) in subsection (e)—

(A) in paragraph (1), by striking “by section 102 of this division”; and

(B) in paragraph (2), by striking “by section 102” and inserting “for Amtrak”;

(6) in subsection (g), by inserting “, unless that debt receives credit assistance, including direct loans and loan guarantees, under chapter 6 of title 23, United States Code or title V of the Railroad Revitalization and Regulatory Act of 1976 (45 U.S.C. 821 et seq.)” after “Secretary”; and

(7) by striking subsection (h).

SEC. 35212. AMTRAK PILOT PROGRAM FOR PASSENGERS TRANSPORTING DOMESTICATED CATS AND DOGS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, Amtrak shall develop a pilot program that allows passengers to transport domesticated cats or dogs on certain trains operated by Amtrak.

(b) **PET POLICY.**—In developing the pilot program required under subsection (a), Amtrak shall—

(1) in the case of a passenger train that is comprised of more than 1 car, designate, where feasible, at least 1 car in which a ticketed passenger may transport a domesticated cat or dog in the same manner as carry-on baggage if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(6) of title 49, United States Code; and

(D) the passenger pays a fee described in paragraph (3);

(2) allow a ticketed passenger to transport a domesticated cat or dog on a train in the same manner as cargo if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel is stowed in accordance with Amtrak requirements for cargo stowage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(6) of title 49, United States Code;

(D) the cargo area is temperature controlled in a manner protective of cat and dog safety and health; and

(E) the passenger pays a fee described in paragraph (3); and

(3) collect fees for each cat or dog transported by a ticketed passenger in an amount that, in the aggregate and at a minimum, covers the full costs of the pilot program.

(c) **REPORT.**—Not later than 1 year after the pilot program required under subsection (a) is first implemented, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing an evaluation of the pilot program.

(d) **LIMITATION ON STATUTORY CONSTRUCTION.**—

(1) **SERVICE ANIMALS.**—The pilot program under subsection (a) shall be separate from and in addition to the policy governing Amtrak passengers traveling with service animals. Nothing in this section may be interpreted to limit or waive the rights of passengers to transport service animals.

(2) **ADDITIONAL TRAIN CARS.**—Nothing in this section may be interpreted to require Amtrak to add additional train cars or modify existing train cars.

(3) **FEDERAL FUNDS.**—No Federal funds may be used to implement the pilot program required under this section.

SEC. 35213. AMTRAK BOARD OF DIRECTORS.

(a) **IN GENERAL.**—Section 24302(a) is amended to read as follows:

“(a) **COMPOSITION AND TERMS.**—

“(1) **IN GENERAL.**—The Amtrak Board of Directors (referred to in this section as the ‘Board’) is composed of the following 9 directors, each of whom must be a citizen of the United States:

“(A) The Secretary of Transportation.

“(B) The President of Amtrak.

“(C) 7 individuals appointed by the President of the United States, by and with the advice and consent of the Senate, with general business and financial experience, experience or qualifications in transportation, freight and passenger rail transportation, travel, hospitality, or passenger air transportation businesses, or representatives of employees or users of passenger rail transportation or a State government.

“(2) **SELECTION.**—In selecting individuals described in paragraph (1)(C) for nominations for appointments to the Board, the President shall consult with the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate. The individuals appointed to the Board under paragraph (1)(C) shall be composed of the following:

“(A) 2 individuals from the Northeast Corridor.

“(B) 4 individuals from regions of the country outside of the Northeast Corridor and geographically distributed with—

“(i) 2 individuals from States with long-distance routes operated by Amtrak; and

“(ii) 2 individuals from States with State-supported routes operated by Amtrak.

“(C) 1 individual from the Northeast Corridor or a State with long-distance or State-supported routes.

“(3) **TERM.**—An individual appointed under paragraph (1)(C) shall be appointed for a term of 5 years. The term may be extended until the individual’s successor is appointed and qualified. Not more than 4 individuals appointed under paragraph (1)(C) may be members of the same political party.

“(4) **CHAIRPERSON AND VICE CHAIRPERSON.**—The Board shall elect a chairperson and vice chairperson, other than the President of Amtrak, from among its membership. The vice chairperson shall serve as chairperson in the absence of the chairperson.

“(5) **SECRETARY’S DESIGNEE.**—The Secretary may be represented at Board meetings by the Secretary’s designee.”

(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as affecting the term of any director serving on the Amtrak Board of Directors under section 24302(a)(1)(C) of title 49, United States Code, on the day preceding the date of enactment of this Act.

SEC. 35214. AMTRAK BOARDING PROCEDURES.

(a) **REPORT.**—Not later than 6 months after the date of enactment of this Act, the Amtrak Office of Inspector General shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee

on Transportation and Infrastructure of the House of Representatives that—

(1) evaluates Amtrak’s boarding procedures for passengers, including passengers using or transporting nonmotorized transportation, such as wheelchairs and bicycles, at its 15 stations through which the most people pass;

(2) compares Amtrak’s boarding procedures to—

(A) commuter railroad boarding procedures at stations shared with Amtrak;

(B) international intercity passenger rail boarding procedures; and

(C) fixed guideway transit boarding procedures; and

(3) makes recommendations, as appropriate, in consultation with the Transportation Security Administration, to improve Amtrak’s boarding procedures, including recommendations regarding the queuing of passengers and free-flow of all station users and facility improvements needed to achieve the recommendations.

(b) **CONSIDERATION OF RECOMMENDATIONS.**—Not later than 6 months after the report is submitted under subsection (a), Amtrak shall consider each recommendation provided under subsection (a)(3) for implementation at appropriate locations across the Amtrak system.

Subtitle C—Intercity Passenger Rail Policy

SEC. 35301. COMPETITIVE OPERATING GRANTS.

(a) **IN GENERAL.**—Chapter 244 is amended—

(1) by striking section 24406; and

(2) by inserting after section 24405 the following:

“§24406. Competitive operating grants

“(a) **APPLICANT DEFINED.**—In this section, the term ‘applicant’ means—

“(1) a State;

“(2) a group of States;

“(3) an Interstate Compact;

“(4) a public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger transportation or commuter rail passenger transportation;

“(5) a political subdivision of a State;

“(6) Amtrak or another rail passenger carrier that provides intercity rail passenger transportation;

“(7) Any rail carrier in partnership with at least 1 of the entities described in paragraphs (1) through (5); and

“(8) any combination of the entities described in paragraphs (1) through (7).

“(b) **GRANTS AUTHORIZED.**—The Secretary of Transportation shall develop and implement a program for issuing 3-year operating assistance grants to applicants, on a competitive basis, for the purpose of initiating, restoring, or enhancing intercity rail passenger service.

“(c) **APPLICATION.**—An applicant for a grant under this section shall submit to the Secretary—

“(1) a capital and mobilization plan that—

“(A) describes any capital investments, service planning actions (such as environmental reviews), and mobilization actions (such as qualification of train crews) required for initiation of service; and

“(B) includes the timeline for undertaking and completing each of the investments and actions referred to in subparagraph (A);

“(2) an operating plan that describes the planned operation of the service, including—

“(A) the identity and qualifications of the train operator;

“(B) the identity and qualifications of any other service providers;

“(C) service frequency;

“(D) the planned routes and schedules;

“(E) the station facilities that will be utilized;

“(F) projected ridership, revenues, and costs;

“(G) descriptions of how the projections under subparagraph (F) were developed;

“(H) the equipment that will be utilized, how such equipment will be acquired or refurbished, and where such equipment will be maintained; and

“(I) a plan for ensuring safe operations and compliance with applicable safety regulations;

“(3) a funding plan that—

“(A) describes the funding of initial capital costs and operating costs for the first 3 years of operation;

“(B) includes a commitment by the applicant to provide the funds described in subparagraph (A) to the extent not covered by Federal grants and revenues; and

“(C) describes the funding of operating costs and capital costs, to the extent necessary, after the first 3 years of operation; and

“(4) a description of the status of negotiations and agreements with—

“(A) each of the railroads or regional transportation authorities whose tracks or facilities would be utilized by the service;

“(B) the anticipated rail passenger carrier, if such entity is not part of the applicant group; and

“(C) any other service providers or entities expected to provide services or facilities that will be used by the service, including any required access to Amtrak systems, stations, and facilities if Amtrak is not part of the applicant group.

“(d) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to applications—

“(1) for which planning, design, any environmental reviews, negotiation of agreements, acquisition of equipment, construction, and other actions necessary for initiation of service have been completed or nearly completed;

“(2) that would restore service over routes formerly operated by Amtrak, including routes with international connections;

“(3) that would provide daily or daytime service over routes where such service did not previously exist;

“(4) that include private funding (including funding from railroads), and funding or other significant participation by State, local, and regional governmental and private entities;

“(5) that include a funding plan that demonstrates the intercity rail passenger service will be financially sustainable beyond the 3-year grant period;

“(6) that would provide service to regions and communities that are underserved or not served by other intercity public transportation;

“(7) that would foster economic development, particularly in rural communities and for disadvantaged populations;

“(8) that would provide other non-transportation benefits; and

“(9) that would enhance connectivity and geographic coverage of the existing national network of intercity passenger rail service.

“(e) LIMITATIONS.—

“(1) DURATION.—Federal operating assistance grants authorized under this section for any individual intercity rail passenger transportation route may not provide funding for more than 3 years and may not be renewed.

“(2) LIMITATION.—Not more than 6 of the operating assistance grants awarded pursuant to subsection (b) may be simultaneously active.

“(3) MAXIMUM FUNDING.—Grants described in paragraph (1) may not exceed—

“(A) 80 percent of the projected net operating costs for the first year of service;

“(B) 60 percent of the projected net operating costs for the second year of service; and

“(C) 40 percent of the projected net operating costs for the third year of service.

“(f) USE WITH CAPITAL GRANTS AND OTHER FEDERAL FUNDING.—A recipient of an operating assistance grant under subsection (b) may use that grant in combination with other grants

awarded under this chapter or any other Federal funding that would benefit the applicable service.

“(g) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

“(h) COORDINATION WITH AMTRAK.—If the Secretary awards a grant under this section to a rail passenger carrier other than Amtrak, Amtrak may be required under section 24711(c)(1) of this title to provide access to its reservation system, stations, and facilities that are directly related to operations to such carrier, to the extent necessary to carry out the purposes of this section. The Secretary may award an appropriate portion of the grant to Amtrak as compensation for this access.

“(i) CONDITIONS.—

“(1) GRANT AGREEMENT.—The Secretary shall require grant recipients under this section to enter into a grant agreement that requires them to provide similar information regarding the route performance, financial, and ridership projections, and capital and business plans that Amtrak is required to provide, and such other data and information as the Secretary deems necessary.

“(2) INSTALLMENTS; TERMINATION.—The Secretary may—

“(A) award grants under this section in installments, as the Secretary considers appropriate; and

“(B) terminate any grant agreement upon—

“(i) the cessation of service; or

“(ii) the violation of any other term of the grant agreement.

“(3) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements under this chapter.

“(j) REPORT.—Not later than 4 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary, after consultation with grant recipients under this section, shall submit a report to Congress that describes—

“(1) the implementation of this section;

“(2) the status of the investments and operations funded by such grants;

“(3) the performance of the routes funded by such grants;

“(4) the plans of grant recipients for continued operation and funding of such routes; and

“(5) any legislative recommendations.”

(b) CONFORMING AMENDMENTS.—Chapter 244 is amended—

(1) in the table of contents, by inserting after the item relating to section 24405 the following: “24406. Competitive operating grants.”;

(2) in the chapter title, by striking “**INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL**” and inserting “**RAIL CAPITAL AND OPERATING**”;

(3) in section 24401, by striking paragraph (1);

(4) in section 24402, by striking subsection (j) and inserting the following:

“(j) APPLICANT DEFINED.—In this section, the term ‘applicant’ means a State (including the District of Columbia), a group of States, an Interstate Compact, a public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger transportation, or a political subdivision of a State.”; and

(5) in section 24405—

(A) in subsection (b)—

(i) by inserting “, or for which an operating grant is issued under section 24406,” after “chapter”; and

(ii) in paragraph (2), by striking “(43)” and inserting “(45)”;

(B) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting “or un-

less Amtrak ceased providing intercity passenger railroad transportation over the affected route more than 3 years before the commencement of new service” after “unless such service was provided solely by Amtrak to another entity”;

(C) in subsection (f), by striking “under this chapter for commuter rail passenger transportation, as defined in section 24012(4) of this title.” and inserting “under this chapter for commuter rail passenger transportation (as defined in section 24102(3)).”; and

(D) by adding at the end the following:

“(g) SPECIAL TRANSPORTATION CIRCUMSTANCES.—In carrying out this chapter, the Secretary shall allocate an appropriate portion of the amounts available under this chapter to provide grants to States—

“(1) in which there is no intercity passenger rail service, for the purpose of funding freight rail capital projects that are on a State rail plan developed under chapter 227 that provide public benefits (as defined in chapter 227), as determined by the Secretary; or

“(2) in which the rail transportation system is not physically connected to rail systems in the continental United States or may not otherwise qualify for a grant under this section due to the unique characteristics of the geography of that State or other relevant considerations, for the purpose of funding transportation-related capital projects.”.

SEC. 35302. FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR.

(a) AMENDMENT.—Chapter 244 is amended by inserting after section 24406, as added by section 5301 of this Act, the following:

“§24407. Federal-State partnership for state of good repair

“(a) DEFINITIONS.—In this section:

“(1) APPLICANT.—The term ‘applicant’ means—

“(A) a State (including the District of Columbia);

“(B) a group of States;

“(C) an Interstate Compact;

“(D) a public agency or publicly chartered authority established by 1 or more States that has responsibility for providing intercity rail passenger transportation or commuter rail passenger transportation;

“(E) a political subdivision of a State;

“(F) Amtrak, acting on its own behalf or under a cooperative agreement with 1 or more States; or

“(G) any combination of the entities described in subparagraphs (A) through (F).

“(2) CAPITAL PROJECT.—The term ‘capital project’ means—

“(A) a project primarily intended to replace, rehabilitate, or repair major infrastructure assets utilized for providing intercity passenger rail service, including tunnels, bridges, stations, and other assets, as determined by the Secretary; or

“(B) a project primarily intended to improve intercity passenger rail performance, including reduced trip times, increased train frequencies, higher operating speeds, and other improvements, as determined by the Secretary.

“(3) NORTHEAST CORRIDOR.—The term ‘Northeast Corridor’ means—

“(A) the main rail line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia; and

“(B) the branch rail lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York.

“(4) QUALIFIED RAILROAD ASSET.—The term ‘qualified railroad asset’ means infrastructure, equipment, or a facility that—

“(A) is owned or controlled by an eligible applicant; and

“(B) was not in a state of good repair on the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act.

“(b) **GRANT PROGRAM AUTHORIZED.**—The Secretary of Transportation shall develop and implement a program for issuing grants to applicants, on a competitive basis, to fund capital projects that reduce the state of good repair backlog on qualified railroad assets.

“(c) **ELIGIBLE PROJECTS.**—Projects eligible for grants under this section include capital projects to replace or rehabilitate qualified railroad assets, including—

“(1) capital projects to replace existing assets in-kind;

“(2) capital projects to replace existing assets with assets that increase capacity or provide a higher level of service; and

“(3) capital projects to ensure that service can be maintained while existing assets are brought to a state of good repair.

“(d) **PROJECT SELECTION CRITERIA.**—In selecting an applicant for a grant under this section, the Secretary shall—

“(1) give preference to eligible projects—

“(A) that are consistent with the goals, objectives, and policies defined in any regional rail planning document that is applicable to a project proposal; and

“(B) for which the proposed Federal share of total project costs does not exceed 50 percent; and

“(2) take into account—

“(A) the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project, including—

“(i) effects on system and service performance;

“(ii) effects on safety, competitiveness, reliability, trip or transit time, and resilience;

“(iii) efficiencies from improved integration with other modes; and

“(iv) ability to meet existing or anticipated demand;

“(B) the degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the proposed project;

“(C) the applicant's past performance in developing and delivering similar projects, and previous financial contributions;

“(D) whether the applicant has, or will have—

“(i) the legal, financial, and technical capacity to carry out the project;

“(ii) satisfactory continuing control over the use of the equipment or facilities; and

“(iii) the capability and willingness to maintain the equipment or facilities;

“(E) if applicable, the consistency of the project with planning guidance and documents set forth by the Secretary or required by law; and

“(F) any other relevant factors, as determined by the Secretary.

“(e) **PLANNING REQUIREMENTS.**—A project is not eligible for a grant under this section unless the project is specifically identified—

“(1) on a State rail plan prepared in accordance with chapter 227; or

“(2) if the project is located on the Northeast Corridor, on the Northeast Corridor Capital Investment Plan developed pursuant to section 24904(a).

“(f) **NORTHEAST CORRIDOR PROJECTS.**—

“(1) **COMPLIANCE WITH USAGE AGREEMENTS.**—Grant funds may not be provided under this section to an eligible recipient for an eligible project located on the Northeast Corridor unless Amtrak and the public authorities providing commuter rail passenger transportation on the Northeast Corridor are in compliance with section 24905(c)(2).

“(2) **CAPITAL INVESTMENT PLAN.**—When selecting projects located on the Northeast Corridor, the Secretary shall consider the appropriate sequence and phasing of projects as contained in

the Northeast Corridor Capital Investment Plan developed pursuant to section 24904(a).

“(g) **FEDERAL SHARE OF TOTAL PROJECT COSTS.**—

“(1) **TOTAL PROJECT COST.**—The Secretary shall estimate the total cost of a project under this section based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

“(2) **FEDERAL SHARE.**—The Federal share of total costs for a project under this subsection shall not exceed 80 percent.

“(3) **TREATMENT OF AMTRAK REVENUE.**—If Amtrak or another rail passenger carrier is an applicant under this section, Amtrak or the other rail passenger carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

“(h) **LETTERS OF INTENT.**—

“(1) **IN GENERAL.**—The Secretary may issue a letter of intent to a grantee under this section that—

“(A) announces an intention to obligate, for a major capital project under this section, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project; and

“(B) states that the contingent commitment—

“(i) is not an obligation of the Federal Government; and

“(ii) is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.

“(2) **CONGRESSIONAL NOTIFICATION.**—

“(A) **IN GENERAL.**—Not later than 30 days before issuing a letter under paragraph (1), the Secretary shall submit written notification to—

“(i) the Committee on Commerce, Science, and Transportation of the Senate;

“(ii) the Committee on Appropriations of the Senate;

“(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

“(iv) the Committee on Appropriations of the House of Representatives.

“(B) **CONTENTS.**—The notification submitted pursuant to subparagraph (A) shall include—

“(i) a copy of the proposed letter or agreement;

“(ii) the criteria used under subsection (d) for selecting the project for a grant award; and

“(iii) a description of how the project meets such criteria.

“(3) **APPROPRIATIONS REQUIRED.**—An obligation or administrative commitment may be made under this section only when amounts are appropriated for such purpose.

“(i) **AVAILABILITY.**—Amounts appropriated for carrying out this section shall remain available until expended.

“(j) **GRANT CONDITIONS.**—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements under this chapter.”.

(b) **CONFORMING AMENDMENT.**—The table of contents for chapter 244 is amended by inserting after the item relating to section 24406 the following:

“24407. Federal-State partnership for state of good repair.”.

SEC. 35303. LARGE CAPITAL PROJECT REQUIREMENTS.

Section 24402 is amended by adding at the end the following:

“(m) **LARGE CAPITAL PROJECT REQUIREMENTS.**—

“(1) **IN GENERAL.**—For a grant awarded under this chapter for an amount in excess of

\$1,000,000,000, the following conditions shall apply:

“(A) The Secretary of Transportation may not obligate any funding unless the applicant demonstrates, to the satisfaction of the Secretary, that the applicant has committed, and will be able to fulfill, the non-Federal share required for the grant within the applicant's proposed project completion timetable.

“(B) The Secretary may not obligate any funding for work activities that occur after the completion of final design unless—

“(i) the applicant submits a financial plan to the Secretary that generally identifies the sources of the non-Federal funding required for any subsequent segments or phases of the corridor service development program covering the project for which the grant is awarded;

“(ii) the grant will result in a useable segment, a transportation facility, or equipment, that has operational independence or is financially sustainable; and

“(iii) the intercity passenger rail benefits anticipated to result from the grant, such as increased speed, improved on-time performance, reduced trip time, increased frequencies, new service, safety improvements, improved accessibility, or other significant enhancements, are detailed by the grantee and approved by the Secretary.

“(C)(i) The Secretary shall ensure that the project is maintained to the level of utility that is necessary to support the benefits approved under subparagraph (B)(iii) for a period of 20 years from the date on which the useable segment, transportation facility, or equipment described in subparagraph (B)(ii) is placed in service.

“(ii) If the project property is not maintained as required under clause (i) for a 12-month period, the grant recipient shall refund a pro-rata share of the Federal contribution, based upon the percentage remaining of the 20-year period that commenced when the project property was placed in service.

“(2) **EARLY WORK.**—The Secretary may allow a grantee subject to this subsection to engage in at-risk work activities subsequent to the conclusion of final design if the Secretary determines that such work activities are reasonable and necessary.”.

SEC. 35304. SMALL BUSINESS PARTICIPATION STUDY.

(a) **STUDY.**—The Secretary shall conduct a nationwide disparity and availability study on the availability and use of small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses in publicly funded intercity passenger rail service projects.

(b) **REPORT.**—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study conducted under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(c) **DEFINITIONS.**—In this section:

(1) **SMALL BUSINESS CONCERN.**—The term “small business concern” has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632), except that the term does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of \$22,410,000, as adjusted annually by the Secretary for inflation.

(2) **SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.**—The term “socially and economically disadvantaged individual” has the meaning given such term in section 8(d) of the

Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to such Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this section.

(3) **VETERAN-OWNED SMALL BUSINESS.**—The term “veteran-owned small business” has the meaning given the term “small business concern owned and controlled by veterans” in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)), except that the term does not include any concern or group of concerns controlled by the same veterans that have average annual gross receipts during the preceding 3 fiscal years in excess of \$22,410,000, as adjusted annually by the Secretary for inflation.

SEC. 35305. GULF COAST RAIL SERVICE WORKING GROUP.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall convene a working group to evaluate the restoration of intercity rail passenger service in the Gulf Coast region between New Orleans, Louisiana, and Orlando, Florida.

(b) **MEMBERSHIP.**—The working group convened pursuant to subsection (a) shall consist of representatives of—

(1) the Federal Railroad Administration, which shall serve as chair of the working group;

(2) Amtrak;

(3) the States along the proposed route or routes;

(4) regional transportation planning organizations and metropolitan planning organizations, municipalities, and communities along the proposed route or routes, which shall be selected by the Administrator;

(5) the Southern Rail Commission;

(6) freight railroad carriers whose tracks may be used for such service; and

(7) other entities determined appropriate by the Secretary, which may include independent passenger rail operators that express an interest in Gulf Coast service.

(c) **RESPONSIBILITIES.**—The working group shall—

(1) evaluate all options for restoring intercity rail passenger service in the Gulf Coast region, including options outlined in the report transmitted to Congress pursuant to section 226 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432);

(2) select a preferred option for restoring such service;

(3) develop a prioritized inventory of capital projects and other actions required to restore such service and cost estimates for such projects or actions; and

(4) identify Federal and non-Federal funding sources required to restore such service, including options for entering into public-private partnerships to restore such service.

(d) **REPORT.**—Not later than 9 months after the date of enactment of this Act, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(1) the preferred option selected under subsection (c)(2) and the reasons for selecting such option;

(2) the information described in subsection (c)(3);

(3) the funding sources identified under subsection (c)(4);

(4) the costs and benefits of restoring intercity rail passenger transportation in the region; and

(5) any other information the working group determines appropriate.

SEC. 35306. INTEGRATED PASSENGER RAIL WORKING GROUP.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Sec-

retary shall convene a working group to review issues relating to—

(1) the potential operation of State-supported routes by rail passenger carriers other than Amtrak; and

(2) their role in establishing an integrated intercity passenger rail network in the United States.

(b) **MEMBERSHIP.**—The working group shall consist of a balanced representation of—

(1) the Federal Railroad Administration, who shall chair the Working Group;

(2) States that fund State-sponsored routes;

(3) independent passenger rail operators, including those that carry at least 5,000,000 passengers annually in United States or international rail service;

(4) Amtrak;

(5) railroads that host intercity State-supported routes;

(6) employee representatives from railroad unions and building trade unions with substantial engagement in railroad rights of way construction and maintenance; and

(7) other entities determined appropriate by the Secretary.

(c) **RESPONSIBILITIES.**—The working group shall evaluate options for improving State-supported routes and may make recommendations, as appropriate, regarding—

(1) best practices for State or State authority governance of State-supported routes;

(2) future sources of Federal and non-Federal funding sources for State-supported routes;

(3) best practices in obtaining passenger rail operations and services on a competitive basis with the objective of creating the highest quality service at the lowest cost to the taxpayer;

(4) ensuring potential interoperability of State-supported routes as a part of a national network with multiple providers providing integrated services including ticketing, scheduling, and route planning; and

(5) the interface between State-supported routes and connecting commuter rail operations, including maximized intra-modal and inter-modal connections and common sources of funding for capital projects.

(d) **MEETINGS.**—Not later than 60 days after the establishment of the working group by the Secretary under subsection (a), the working group shall convene an organizational meeting outside of the District of Columbia and shall define the rules and procedures governing the proceedings of the working group. The working group shall hold at least 3 meetings per year in States that fund State-supported routes.

(e) **REPORTS.**—

(1) **PRELIMINARY REPORT.**—Not later than 1 year after the date the working group is established, the working group shall submit a preliminary report to the Secretary, the Governors of States funding State-supported routes, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(A) administrative recommendations that can be implemented by a State and State authority or by the Secretary; and

(B) preliminary legislative recommendations.

(2) **FINAL LEGISLATIVE RECOMMENDATIONS.**—Not later than 2 years after the date the working group is established, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes final legislative recommendations.

SEC. 35307. SHARED-USE STUDY.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with Amtrak, commuter rail authorities, and other passenger rail operators,

railroad carriers that own rail infrastructure over which both passenger and freight trains operate, States, the Surface Transportation Board, the Northeast Corridor Commission established under section 24905, the State-Supported Route Committee established under section 24712, and groups representing rail passengers and customers, as appropriate, shall complete a study that evaluates—

(1) the shared use of right-of-way by passenger and freight rail systems; and

(2) the operational, institutional, and legal structures that would best support improvements to the systems referred to in paragraph (1).

(b) **AREAS OF STUDY.**—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the access and use of railroad right-of-way by a rail carrier that does not own the right-of-way, such as passenger rail services that operate over privately-owned right-of-way, including an analysis of—

(A) access agreements;

(B) costs of access; and

(C) the resolution of disputes relating to such access or costs;

(2) the effectiveness of existing contractual, statutory, and regulatory mechanisms for establishing, measuring, and enforcing train performance standards, including—

(A) the manner in which passenger train delays are recorded;

(B) the assignment of responsibility for such delays; and

(C) the use of incentives and penalties for performance;

(3) strengths and weaknesses in the existing mechanisms described in paragraph (2) and possible approaches to address the weaknesses;

(4) mechanisms for measuring and maintaining public benefits resulting from publicly funded freight or passenger rail improvements, including improvements directed towards shared-use right-of-way by passenger and freight rail;

(5) approaches to operations, capacity, and cost estimation modeling that—

(A) allows for transparent decisionmaking; and

(B) protects the proprietary interests of all parties;

(6) liability requirements and arrangements, including—

(A) whether to expand statutory liability limits to additional parties;

(B) whether to revise the current statutory liability limits;

(C) whether current insurance levels of passenger rail operators are adequate and whether to establish minimum insurance requirements for such passenger rail operators; and

(D) whether to establish a liability regime modeled after section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210);

(7) the effect on rail passenger services, operations, liability limits and insurance levels of the assertion of sovereign immunity by a State; and

(8) other issues identified by the Secretary.

(c) **REPORT.**—Not later than 60 days after the study under subsection (a) is complete, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) the results of the study; and

(2) any recommendations for further action, including any legislative proposals consistent with such recommendations.

(d) **IMPLEMENTATION.**—The Secretary shall integrate the recommendations submitted under subsection (c) into its financial assistance programs under subtitle V of title 49, United States Code, and section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822), as appropriate.

SEC. 35308. NORTHEAST CORRIDOR COMMISSION.

(a) **COMPOSITION.**—Section 24905(a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting “, infrastructure investments,” after “rail operations”;

(B) by amending subparagraph (B) to read as follows:

“(B) members representing the Department of Transportation, including the Office of the Secretary, the Federal Railroad Administration, and the Federal Transit Administration;” and

(C) in subparagraph (D) by inserting “and commuter” after “freight”; and

(2) by amending paragraph (6) to read as follows:

“(6) The members of the Commission shall elect co-chairs consisting of 1 member described in paragraph (1)(B) and 1 member described in paragraph (1)(C).”

(b) **STATEMENT OF GOALS AND RECOMMENDATIONS.**—Section 24905(b) is amended—

(1) in paragraph (1), by inserting “and periodically update” after “develop”;

(2) in paragraph (2)(A), by striking “beyond those specified in the state of good repair plan under section 211 of the Passenger Rail Investment and Improvement Act of 2008”; and

(3) by adding at the end the following:

“(3) **SUBMISSION OF STATEMENT OF GOALS, RECOMMENDATIONS, AND PERFORMANCE REPORTS.**—The Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

“(A) any updates made to the statement of goals developed under paragraph (1) not later than 60 days after such updates are made; and

“(B) annual performance reports and recommendations for improvements, as appropriate, issued not later than March 31 of each year, for the prior fiscal year, which summarize—

“(i) the operations and performance of commuter, intercity, and freight rail transportation along the Northeast Corridor; and

“(ii) the delivery of the capital plan described in section 24904.”

(c) **COST ALLOCATION POLICY.**—Section 24905(c) is amended—

(1) in the subsection heading, by striking “ACCESS COSTS” and inserting “ALLOCATION OF COSTS”;

(2) in paragraph (1)—

(A) in the paragraph heading, by striking “FORMULA” and inserting “POLICY”;

(B) in the matter preceding subparagraph (A), by striking “Within 2 years after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, the Commission” and inserting “The Commission”;

(C) in subparagraph (A), by striking “formula” and inserting “policy”; and

(D) by striking subparagraph (B) through (D) and inserting the following:

“(B) develop a proposed timetable for implementing the policy;

“(C) submit the policy and timetable developed under subparagraph (B) to the Surface Transportation Board, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives;

“(D) not later than October 1, 2015, adopt and implement the policy in accordance with the timetable; and

“(E) with the consent of a majority of its members, the Commission may petition the Surface Transportation Board to appoint a mediator to assist the Commission members through nonbinding mediation to reach an agreement under this section.”;

(3) in paragraph (2)—

(A) by striking “formula proposed in” and inserting “policy developed under”; and

(B) in the second sentence—

(i) by striking “the timetable, the Commission shall petition the Surface Transportation Board to” and inserting “paragraph (1)(D) or fail to comply with the policy thereafter, the Surface Transportation Board shall”; and

(ii) by striking “amounts for such services in accordance with section 24904(c) of this title” and inserting “for such usage in accordance with the procedures and procedural schedule applicable to a proceeding under section 24903(c), after taking into consideration the policy developed under paragraph (1)(A), as applicable”;

(4) in paragraph (3), by striking “formula” and inserting “policy”; and

(5) by adding at the end the following:

“(4) **REQUEST FOR DISPUTE RESOLUTION.**—If a dispute arises with the implementation of, or compliance with, the policy developed under paragraph (1), the Commission, Amtrak, or public authorities providing commuter rail passenger transportation on the Northeast Corridor may request that the Surface Transportation Board conduct dispute resolution. The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this paragraph, which may include the provision of professional mediation services.”.

(d) **CONFORMING AMENDMENTS.**—Section 24905 is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(3) in subsection (d), as redesignated, by striking “to the Commission such sums as may be necessary for the period encompassing fiscal years 2009 through 2013 to carry out this section” and inserting “to the Secretary for the use of the Commission and the Northeast Corridor Safety Committee such sums as may be necessary to carry out this section during fiscal year 2016 through 2019, in addition to amounts withheld under section 35101(e) of the Railroad Reform, Enhancement, and Efficiency Act”; and

(4) in subsection (e)(2), as redesignated, by striking “on the main line.” and inserting “on the main line and meet annually with the Commission on the topic of Northeast Corridor safety and security.”.

(e) **NORTHEAST CORRIDOR PLANNING.**—

(1) **AMENDMENT.**—Chapter 249 is amended—

(A) by redesignating section 24904 as section 24903; and

(B) by inserting after section 24903, as redesignated, the following:

“§24904. Northeast Corridor planning

“(a) **NORTHEAST CORRIDOR CAPITAL INVESTMENT PLAN.**—

“(1) **REQUIREMENT.**—Not later than May 1 of each year, the Northeast Corridor Commission established under section 24905 (referred to in this section as the ‘Commission’) shall—

“(A) develop a capital investment plan for the Northeast Corridor main line between Boston, Massachusetts, and the Virginia Avenue interlocking in the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines; and

“(B) submit the capital investment plan to the Secretary of Transportation and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(2) **CONTENTS.**—The capital investment plan shall—

“(A) reflect coordination and network optimization across the entire Northeast Corridor;

“(B) integrate the individual capital and service plans developed by each operator using the methods described in the cost allocation policy developed under section 24905(c);

“(C) cover a period of 5 fiscal years, beginning with the first fiscal year after the date on which the plan is completed;

“(D) notwithstanding section 24902(b), identify, prioritize, and phase the implementation of projects and programs to achieve the service outcomes identified in the Northeast Corridor service development plan and the asset condition needs identified in the Northeast Corridor asset management plans, once available, and consider—

“(i) the benefits and costs of capital investments in the plan;

“(ii) project and program readiness;

“(iii) the operational impacts; and

“(iv) funding availability;

“(E) categorize capital projects and programs as primarily associated with;

“(i) normalized capital replacement and basic infrastructure renewals;

“(ii) replacement or rehabilitation of major Northeast Corridor infrastructure assets, including tunnels, bridges, stations, and other assets;

“(iii) statutory, regulatory, or other legal mandates;

“(iv) improvements to support service enhancements or growth; or

“(v) strategic initiatives that will improve overall operational performance or lower costs;

“(F) identify capital projects and programs that are associated with more than 1 category described in subparagraph (E);

“(G) describe the anticipated outcomes of each project or program, including an assessment of—

“(i) the potential effect on passenger accessibility, operations, safety, reliability, and resiliency;

“(ii) the ability of infrastructure owners and operators to meet regulatory requirements if the project or program is not funded; and

“(iii) the benefits and costs; and

“(H) include a financial plan.

“(3) **FINANCIAL PLAN.**—The financial plan under paragraph (2)(H) shall—

“(A) identify funding sources and financing methods;

“(B) identify the expected allocated shares of costs pursuant to the cost allocation policy developed under section 24905(c);

“(C) identify the projects and programs that the Commission expects will receive Federal financial assistance; and

“(D) identify the eligible entity or entities that the Commission expects will receive the Federal financial assistance described under subparagraph (C).

“(b) **FAILURE TO DEVELOP A CAPITAL INVESTMENT PLAN.**—If a capital investment plan has not been developed by the Commission for a given fiscal year, then the funds assigned to the account established under section 24319(b) for that fiscal year may be spent only on—

“(1) capital projects described in clause (i) or (iii) of subsection (a)(2)(E) of this section; or

“(2) capital projects described in subsection (a)(2)(E)(iv) of this section that are for the sole benefit of Amtrak.

“(c) **NORTHEAST CORRIDOR ASSET MANAGEMENT.**—

“(1) **CONTENTS.**—With regard to its infrastructure, Amtrak and each State and public transportation entity that owns infrastructure that supports or provides for intercity rail passenger transportation on the Northeast Corridor shall develop an asset management system and develop and update, as necessary, a Northeast Corridor asset management plan for each service territory described in subsection (a) that—

“(A) are consistent with the Federal Transit Administration process, as authorized under section 5326, when implemented; and

“(B) include, at a minimum—

“(i) an inventory of all capital assets owned by the developer of the asset management plan;

“(ii) an assessment of asset condition;

“(iii) a description of the resources and processes necessary to bring or maintain those assets in a state of good repair, including decision-support tools and investment prioritization methods; and

“(iv) a description of changes in asset condition since the previous version of the plan.

“(2) TRANSMITTAL.—Each entity described in paragraph (1) shall transmit to the Commission—

“(A) not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, its Northeast Corridor asset management plan developed under paragraph (1); and

“(B) at least biennial thereafter, an update to its Northeast Corridor asset management plan.

“(d) NORTHEAST CORRIDOR SERVICE DEVELOPMENT PLAN UPDATES.—Not less frequently than once every 10 years, the Commission shall update the Northeast Corridor service development plan.”.

(2) CONFORMING AMENDMENTS.—

(A) NOTE AND MORTGAGE.—Section 24907(a) is amended by striking “section 24904 of this title” and inserting “section 24903”.

(B) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 249 is amended—

(i) by redesignating the item relating to section 24904 as relating to section 24903; and

(ii) by inserting after the item relating to section 24903, as redesignated, the following:

“24904. Northeast Corridor planning.”.

(3) REPEAL.—Section 211 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432; 49 U.S.C. 24902 note) is repealed.

SEC. 35309. NORTHEAST CORRIDOR THROUGH-TICKETING AND PROCUREMENT EFFICIENCIES.

(a) THROUGH-TICKETING STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Northeast Corridor Commission established under section 24905(a) of title 49, United States Code (referred to in this section as the “Commission”), in consultation with Amtrak and the commuter rail passenger transportation providers along the Northeast Corridor shall complete a study on the feasibility of and options for permitting through-ticketing between Amtrak service and commuter rail services on the Northeast Corridor.

(2) CONTENTS.—In completing the study under paragraph (1), the Northeast Corridor Commission shall—

(A) examine the current state of intercity and commuter rail ticketing technologies, policies, and other relevant aspects on the Northeast Corridor;

(B) consider and recommend technology, process, policy, or other options that would permit through-ticketing to allow intercity and commuter rail passengers to purchase, in a single transaction, travel that utilizes Amtrak and connecting commuter rail services;

(C) consider options to expand through-ticketing to include local transit services;

(D) summarize costs, benefits, opportunities, and impediments to developing such through-ticketing options; and

(E) develop a proposed methodology, including cost and schedule estimates, for carrying out a pilot program on through-ticketing on the Northeast Corridor.

(3) REPORT.—Not later than 60 days after the date the study under paragraph (1) is complete, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transpor-

tation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(b) JOINT PROCUREMENT STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in cooperation with the Commission, Amtrak, and commuter rail transportation authorities on the Northeast Corridor shall complete a study of the potential benefits resulting from Amtrak and such authorities undertaking select joint procurements for common materials, assets, and equipment when expending Federal funds for such purchases.

(2) CONTENTS.—In completing the study under paragraph (1), the Secretary shall consider—

(A) the types of materials, assets, and equipment that are regularly purchased by Amtrak and such authorities that are similar and could be jointly procured;

(B) the potential benefits of such joint procurements, including lower procurement costs, better pricing, greater market relevancy, and other efficiencies;

(C) the potential costs of such joint procurements;

(D) any significant impediments to undertaking joint procurements, including any necessary harmonization and reconciliation of Federal and State procurement or safety regulations or standards and other requirements; and

(E) whether to create Federal incentives or requirements relating to considering or carrying out joint procurements when expending Federal funds.

(3) TRANSMISSION.—Not later than 60 days after completing the study required under this subsection, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(c) NORTHEAST CORRIDOR.—In this section, the term “Northeast Corridor” means the Northeast Corridor main line between Boston, Massachusetts, and the Virginia Avenue interlocking in the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines.

SEC. 35310. DATA AND ANALYSIS.

(a) DATA.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Surface Transportation Board, Amtrak, freight railroads, State and local governments, and regional business, tourism and economic development agencies shall conduct a data needs assessment—

(1) to support the development of an efficient and effective intercity passenger rail network;

(2) to identify the data needed to conduct cost-effective modeling and analysis for intercity passenger rail development programs;

(3) to determine limitations to the data used for inputs;

(4) to develop a strategy to address such limitations;

(5) to identify barriers to accessing existing data;

(6) to develop recommendations regarding whether the authorization of additional data collection for intercity passenger rail travel is warranted; and

(7) to determine which entities will be responsible for generating or collecting needed data.

(b) BENEFIT-COST ANALYSIS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enhance the usefulness of assessments of benefits and costs, for intercity passenger rail and freight rail projects—

(1) by providing ongoing guidance and training on developing benefit and cost information for rail projects;

(2) by providing more direct and consistent requirements for assessing benefits and costs across transportation funding programs, including the appropriate use of discount rates;

(3) by requiring applicants to clearly communicate the methodology used to calculate the project benefits and costs, including non-proprietary information on—

(A) assumptions underlying calculations;

(B) strengths and limitations of data used; and

(C) the level of uncertainty in estimates of project benefits and costs; and

(4) by ensuring that applicants receive clear and consistent guidance on values to apply for key assumptions used to estimate potential project benefits and costs.

(c) CONFIDENTIAL DATA.—The Secretary shall protect sensitive or confidential to the greatest extent permitted by law. Nothing in this section shall require any entity to provide information to the Secretary in the absence of a voluntary agreement.

SEC. 35311. PERFORMANCE-BASED PROPOSALS.

(a) SOLICITATION OF PROPOSALS.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for projects for the financing, design, construction, operation, and maintenance of an intercity passenger rail system, including—

(A) the Northeast Corridor;

(B) the California Corridor;

(C) the Empire Corridor;

(D) the Pacific Northwest Corridor;

(E) the South Central Corridor;

(F) the Gulf Coast Corridor;

(G) the Chicago Hub Network;

(H) the Florida Corridor;

(I) the Keystone Corridor;

(J) the Northern New England Corridor; and

(K) the Southeast Corridor.

(2) SUBMISSION.—Proposals shall be submitted to the Secretary not later than 180 days after the publication of such request for proposals under paragraph (1).

(3) PERFORMANCE STANDARD.—Proposals submitted under paragraph (2) shall meet any standards established by the Secretary. For corridors with existing intercity passenger rail service, proposals shall also be designed to achieve a reduction of existing minimum intercity rail service trip times between the main corridor city pairs by a minimum of 25 percent. In the case of a proposal submitted with respect to paragraph (1)(A), the proposal shall be designed to achieve a 2-hour or less express service between Washington, District of Columbia, and New York City, New York.

(4) CONTENTS.—A proposal submitted under this subsection shall include—

(A) the names and qualifications of the persons submitting the proposal and the entities proposed to finance, design, construct, operate, and maintain the railroad, railroad equipment, and related facilities, stations, and infrastructure;

(B) a detailed description of the proposed rail service, including possible routes, required infrastructure investments and improvements, equipment needs and type, train frequencies, peak and average operating speeds, and trip times;

(C) a description of how the project would comply with all applicable Federal rail safety and security laws, orders, and regulations;

(D) the locations of proposed stations, which maximize the usage of existing infrastructure to the extent possible, and the populations such stations are intended to serve;

(E) the type of equipment to be used, including any technologies, to achieve trip time goals;

(F) a description of any proposed legislation needed to facilitate all aspects of the project;

(G) a financing plan identifying—

(i) projected revenue, and sources thereof;

(ii) the amount of any requested public contribution toward the project, and proposed sources;

(iii) projected annual ridership projections for the first 10 years of operations;

(iv) annual operations and capital costs;

(v) the projected levels of capital investments required both initially and in subsequent years to maintain a state-of-good-repair necessary to provide the initially proposed level of service or higher levels of service;

(vi) projected levels of private investment and sources thereof, including the identity of any person or entity that has made or is expected to make a commitment to provide or secure funding and the amount of such commitment; and

(vii) projected funding for the full fair market compensation for any asset, property right or interest, or service acquired from, owned, or held by a private person or Federal entity that would be acquired, impaired, or diminished in value as a result of a project, except as otherwise agreed to by the private person or entity;

(H) a description of how the project would contribute to the development of the intercity passenger rail system and an intermodal plan describing how the system will facilitate convenient travel connections with other transportation services;

(I) a description of how the project will ensure compliance with Federal laws governing the rights and status of employees associated with the route and service, including those specified in section 24405 of title 49, United States Code;

(J) a description of how the design, construction, implementation, and operation of the project will accommodate and allow for future growth of existing and projected intercity, commuter, and freight rail service;

(K) a description of how the project would comply with Federal and State environmental laws and regulations, of what environmental impacts would result from the project, and of how any adverse impacts would be mitigated; and

(L) a description of the project's impacts on highway and aviation congestion, energy consumption, land use, and economic development in the service area.

(b) DETERMINATION AND ESTABLISHMENT OF COMMISSIONS.—Not later than 90 days after receipt of the proposals under subsection (a), the Secretary shall—

(1) make a determination as to whether any such proposals—

(A) contain the information required under paragraphs (3) and (4) of subsection (a);

(B) are sufficiently credible to warrant further consideration;

(C) are likely to result in a positive impact on the Nation's transportation system; and

(D) are cost-effective and in the public interest;

(2) establish a commission under subsection (c) for each corridor with 1 or more proposals that the Secretary determines satisfy the requirements of paragraph (1); and

(3) forward to each commission established under paragraph (2) the applicable proposals for review and consideration.

(c) COMMISSIONS.—

(1) MEMBERS.—Each commission established under subsection (b)(2) shall include—

(A) the governors of the affected States, or their respective designees;

(B) mayors of appropriate municipalities with stops along the proposed corridor, or their respective designees;

(C) a representative from each freight railroad carrier using the relevant corridor, if applicable;

(D) a representative from each transit authority using the relevant corridor, if applicable;

(E) representatives of nonprofit employee labor organizations representing affected railroad employees; and

(F) the President of Amtrak or his or her designee.

(2) APPOINTMENT AND SELECTION.—The Secretary shall appoint the members under paragraph (1). In selecting each commission's members to fulfill the requirements under subparagraphs (B) and (E) of paragraph (1), the Secretary shall consult with the Chairperson and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and of the Committee on Transportation and Infrastructure of the House of Representatives.

(3) CHAIRPERSON AND VICE-CHAIRPERSON SELECTION.—The Chairperson and Vice-Chairperson shall be elected from among members of each commission.

(4) QUORUM AND VACANCY.—

(A) QUORUM.—A majority of the members of each commission shall constitute a quorum.

(B) VACANCY.—Any vacancy in each commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

(5) APPLICATION OF LAW.—Except where otherwise provided by this section, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to each commission created under this section.

(d) COMMISSION CONSIDERATION.—

(1) IN GENERAL.—Each commission established under subsection (b)(2) shall be responsible for reviewing the proposal or proposals forwarded to it under that subsection and not later than 90 days after the establishment of the commission, shall transmit to the Secretary a report, including—

(A) a summary of each proposal received;

(B) services to be provided under each proposal, including projected ridership, revenues, and costs;

(C) proposed public and private contributions for each proposal;

(D) the advantages offered by the proposal over existing intercity passenger rail services;

(E) public operating subsidies or assets needed for the proposed project;

(F) possible risks to the public associated with the proposal, including risks associated with project financing, implementation, completion, safety, and security;

(G) a ranked list of the proposals recommended for further consideration under subsection (e) in accordance with each proposal's projected positive impact on the Nation's transportation system;

(H) an identification of any proposed Federal legislation that would facilitate implementation of the projects and Federal legislation that would be required to implement the projects; and

(I) any other recommendations by the commission concerning the proposed projects.

(2) VERBAL PRESENTATION.—Proposers shall be given an opportunity to make a verbal presentation to the commission to explain their proposals.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for the use of each commission established under subsection (b)(2) such sums as are necessary to carry out this section.

(e) SELECTION BY SECRETARY.—

(1) IN GENERAL.—Not later than 60 days after receiving the recommended proposals of the commissions established under subsection (b)(2), the Secretary shall—

(A) review such proposals and select any proposal that provides substantial benefits to the public and the national transportation system, is cost-effective, offers significant advantages

over existing services, and meets other relevant factors determined appropriate by the Secretary; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subsection (a)(1)(A) that is selected by the Secretary under subparagraph (A) of this paragraph, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(2) SUBSEQUENT REPORT.—Following the submission of the report under paragraph (1)(B), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subparagraphs (B) through (K) of subsection (a)(1) that are selected by the Secretary under paragraph (1) of this subsection, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(3) LIMITATION ON REPORT SUBMISSION.—The report required under paragraph (2) shall not be submitted by the Secretary until the report submitted under paragraph (1)(B) has been considered through a hearing by the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the report submitted under paragraph (1)(B).

(f) NO ACTIONS WITHOUT ADDITIONAL AUTHORITY.—No Federal agency may take any action to implement, establish, facilitate, or otherwise act upon any proposal submitted under this section, other than those actions specifically authorized by this section, without explicit statutory authority enacted after the date of enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) INTERCITY PASSENGER RAIL.—The term "intercity passenger rail" means intercity rail passenger transportation as defined in section 24102 of title 49, United States Code.

(2) STATE.—The term "State" means any of the 50 States or the District of Columbia.

SEC. 35312. AMTRAK INSPECTOR GENERAL.

(a) AUTHORITY.—

(1) IN GENERAL.—The Inspector General of Amtrak shall have the authority available to other Inspectors General, as necessary in carrying out the duties specified in the Inspector General Act of 1978 (5 U.S.C. App.), to investigate any alleged violation of sections 286, 287, 371, 641, 1001, 1002 and 1516 of title 18, United States Code.

(2) AGENCY.—For purposes of sections 286, 287, 371, 641, 1001, 1002, and 1516 of title 18, United States Code, Amtrak and the Amtrak Office of Inspector General, shall be considered a corporation in which the United States has a proprietary interest as set forth in section 6 of that title.

(b) ASSESSMENT.—The Inspector General of Amtrak shall—

(1) not later than 60 days after the date of enactment of this Act, initiate an assessment to determine whether current expenditures or procurements involving Amtrak's fulfillment of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) utilize competitive, market-driven provisions that are applicable throughout the entire term of such related expenditures or procurements; and

(2) not later than 6 months after the date of enactment of this Act, transmit to the Committee on Commerce, Science, and Transportation of

the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the assessment under paragraph (1).

(c) **LIMITATION.**—The authority provided by subsections (a) and (b) shall be effective only with respect to a fiscal year for which Amtrak receives a Federal subsidy.

SEC. 35313. MISCELLANEOUS PROVISIONS.

(a) **TITLE 49 AMENDMENTS.**—

(1) **CONTINGENT INTEREST RECOVERIES.**—Section 22106(b) is amended by striking “interest thereof” and inserting “interest thereon”.

(2) **AUTHORITY.**—Section 22702(b)(4) is amended by striking “5 years for reapproval by the Secretary” and inserting “4 years for acceptance by the Secretary”.

(3) **CONTENTS OF STATE RAIL PLANS.**—Section 22705(a) is amended by striking paragraph (12).

(4) **MISSION.**—Section 24101(b) is amended by striking “of subsection (d)” and inserting “set forth in subsection (c)”.

(5) **TABLE OF CONTENTS AMENDMENT.**—The table of contents for chapter 243 is amended by striking the item relating to section 24316 and inserting the following:

“24316. Plans to address the needs of families of passengers involved in rail passenger accidents.”.

(6) **UPDATE.**—Section 24305(f)(3) is amended by striking “\$1,000,000” and inserting “\$5,000,000”.

(7) **AMTRAK.**—Chapter 247 is amended—

(A) in section 24702(a), by striking “not included in the national rail passenger transportation system”;

(B) in section 24706—

(i) in subsection (a)—

(I) in paragraph (1), by striking “a discontinuance under section 24704 or or”; and

(II) in paragraph (2), by striking “section 24704 or”; and

(ii) in subsection (b), by striking “section 24704 or”; and

(C) in section 24709, by striking “The Secretary of the Treasury and the Attorney General,” and inserting “The Secretary of Homeland Security.”.

(b) **PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT AMENDMENTS.**—Section 305(a) of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended by inserting “nonprofit organizations representing employees who perform overhaul and maintenance of passenger railroad equipment,” after “equipment manufacturers.”.

Subtitle D—Rail Safety

PART I—SAFETY IMPROVEMENT

SEC. 35401. HIGHWAY-RAIL GRADE CROSSING SAFETY.

(a) **MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a model of a State-specific highway-rail grade crossing action plan and distribute the model plan to each State.

(2) **CONTENTS.**—The plan developed under paragraph (1) shall include—

(A) methodologies, tools, and data sources for identifying and evaluating highway-rail grade crossing safety risks, including the public safety risks posed by blocked highway-rail grade crossings due to idling trains;

(B) best practices to reduce the risk of highway-rail grade crossing accidents or incidents and to alleviate the blockage of highway-rail grade crossings due to idling trains, including strategies for—

(i) education, including model stakeholder engagement plans or tools;

(ii) engineering, including the benefits and costs of different designs and technologies used to mitigate highway-rail grade crossing safety risks; and

(iii) enforcement, including the strengths and weaknesses associated with different enforcement methods;

(C) for each State, a customized list and data set of the highway-rail grade crossing accidents or incidents in that State over the past 3 years, including the location, number of deaths, and number of injuries for each accident or incident; and

(D) contact information of a Department of Transportation safety official available to assist the State in adapting the model plan to satisfy the requirements under subsection (b).

(b) **STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS.**—

(1) **REQUIREMENTS.**—Not later than 18 months after the Secretary develops and distributes the model plan under subsection (a), the Secretary shall promulgate a rule that requires—

(A) each State, except the 10 States identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to develop and implement a State highway-rail grade crossing action plan; and

(B) each State that was identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to update its State action plan under that section and submit to the Secretary the updated State action plan and a report describing what the State did to implement its previous State action plan under that section and how it will continue to reduce highway-rail grade crossing safety risks.

(2) **CONTENTS.**—Each State plan required under this subsection shall—

(A) identify highway-rail grade crossings that have experienced recent highway-rail grade crossing accidents or incidents, or are at high-risk for accidents or incidents;

(B) identify specific strategies for improving safety at highway-rail grade crossings, including highway-rail grade crossing closures or grade separations; and

(C) designate a State official responsible for managing implementation of the State plan under subparagraph (A) or (B) of paragraph (1), as applicable.

(3) **ASSISTANCE.**—The Secretary shall provide assistance to each State in developing and carrying out, as appropriate, the State plan under this subsection.

(4) **PUBLIC AVAILABILITY.**—Each State shall submit its final State plan under this subsection to the Secretary for publication. The Secretary shall make each approved State plan publicly available on an official Internet Web site.

(5) **CONDITIONS.**—The Secretary may condition the awarding of a grant to a State under chapter 244 of title 49, United States Code, on that State submitting an acceptable State plan under this subsection.

(6) **REVIEW OF ACTION PLANS.**—Not later than 60 days after the date of receipt of a State plan under this subsection, the Secretary shall—

(A) if the State plan is approved, notify the State and publish the State plan under paragraph (4); and

(B) if the State plan is incomplete or deficient, notify the State of the specific areas in which the plan is deficient and allow the State to complete the plan or correct the deficiencies and resubmit the plan under paragraph (1).

(7) **DEADLINE.**—Not later than 60 days after the date of a notice under paragraph (6)(B), a State shall complete the plan or correct the deficiencies and resubmit the plan.

(8) **FAILURE TO COMPLETE OR CORRECT PLAN.**—If a State fails to meet the deadline under paragraph (7), the Secretary shall post on the Web site under paragraph (4) a notice that the State has an incomplete or deficient highway-rail grade crossing action plan.

(c) **RAILWAY-HIGHWAY CROSSINGS FUNDS.**—The Secretary may use funds made available to

carry out section 130 of title 23, United States Code, to provide States with funds to develop a State highway-rail grade crossing action plan under subsection (b)(1)(A) of this section or to update a State action plan under subsection (b)(1)(B) of this section.

(d) **DEFINITIONS.**—In this section:

(1) **HIGHWAY-RAIL GRADE CROSSING.**—The term “highway-rail grade crossing” means a location within a State, other than a location where 1 or more railroad tracks cross 1 or more railroad tracks at grade, where—

(A) a public highway, road, or street, or a private roadway, including associated sidewalks and pathways, crosses 1 or more railroad tracks either at grade or grade-separated; or

(B) a pathway explicitly authorized by a public authority or a railroad carrier that is dedicated for the use of non-vehicular traffic, including pedestrians, bicyclists, and others, that is not associated with a public highway, road, or street, or a private roadway, crosses 1 or more railroad tracks either at grade or grade-separated.

(2) **STATE.**—The term “State” means a State of the United States or the District of Columbia.

SEC. 35402. SPEED LIMIT ACTION PLANS.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, shall survey its entire system and identify each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge.

(b) **ACTION PLANS.**—Not later than 120 days after the date that the survey under subsection (a) is complete, a rail passenger carrier shall submit to the Secretary an action plan that—

(1) identifies each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge;

(2) describes appropriate actions, including modification to automatic train control systems, if applicable, other signal systems, increased crew size, improved signage, or other practices, including increased crew communication, to enable warning and enforcement of the maximum authorized speed for passenger trains at each location identified under paragraph (1);

(3) contains milestones and target dates for implementing each appropriate action described under paragraph (2); and

(4) ensures compliance with the maximum authorized speed at each location identified under paragraph (1).

(c) **APPROVAL.**—Not later than 90 days after the date an action plan is submitted under subsection (a), the Secretary shall approve, approve with conditions, or disapprove the action plan.

(d) **ALTERNATIVE SAFETY MEASURES.**—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

(e) **REPORT.**—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) the actions the railroad carriers have taken in response to Safety Advisory 2013–08,

entitled “Operational Tests and Inspections for Compliance With Maximum Authorized Train Speeds and Other Speed Restrictions”;

(2) the actions the railroad carriers have taken in response to Safety Advisory 2015-03, entitled “Operational and Signal Modifications for Compliance with Maximum Authorized Passenger Train Speeds and Other Speed Restrictions”; and

(3) the actions the Federal Railroad Administration has taken to evaluate or incorporate the information and findings arising from the safety advisories referred to in paragraphs (1) and (2) into the development of regulatory action and oversight activities.

(f) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from applying the requirements of this section to other segments of track at high risk of overspeed derailment.

SEC. 35403. SIGNAGE.

(a) IN GENERAL.—The Secretary shall promulgate such regulations as the Secretary considers necessary to require each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, to install signs to warn train crews before the train approaches a location that the Secretary identifies as having high risk of overspeed derailment.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

SEC. 35404. ALERTERS.

(a) IN GENERAL.—The Secretary shall promulgate a rule to require a working alerter in the controlling locomotive of each passenger train in intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code) or commuter rail passenger transportation (as defined in section 24102 of title 49, United States Code).

(b) RULEMAKING.—

(1) IN GENERAL.—The Secretary may promulgate a rule to specify the essential functionalities of a working alerter, including the manner in which the alerter can be reset.

(2) ALTERNATE PRACTICE OR TECHNOLOGY.—The Secretary may require or allow a technology or practice in lieu of a working alerter if the Secretary determines that the technology or practice would achieve an equivalent or greater level of safety in enhancing or ensuring appropriate locomotive control.

SEC. 35405. SIGNAL PROTECTION.

(a) IN GENERAL.—The Secretary shall promulgate regulations to require, not later than 18 months after the date of the enactment of this Act, that on-track safety regulations, whenever practicable and consistent with other safety requirements and operational considerations, include requiring implementation of redundant signal protection, such as shunting or other practices and technologies that achieve an equivalent or greater level of safety, for maintenance-of-way work crews who depend on a train dispatcher to provide signal protection.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in providing additional signal protection.

SEC. 35406. TECHNOLOGY IMPLEMENTATION PLANS.

Section 20156(e) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking “and” at the end; and

(B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(2) by adding at the end the following:

“(C) each railroad carrier required to submit such a plan, until the implementation of a positive train control system by the railroad carrier, shall analyze and, as appropriate, prioritize technologies and practices to mitigate the risk of overspeed derailments.”.

SEC. 35407. COMMUTER RAIL TRACK INSPECTIONS.

(a) IN GENERAL.—The Secretary shall evaluate track inspection regulations to determine if a railroad carrier providing commuter rail passenger transportation on high density commuter railroad lines should be required to inspect the lines in the same manner as currently required for other commuter railroad lines.

(b) RULEMAKING.—Considering safety, including railroad carrier employee and contractor safety, and system capacity, the Secretary may promulgate a rule for high density commuter railroad lines. If, after the evaluation under subsection (a), the Secretary determines that it is necessary to promulgate a rule, the Secretary shall specifically consider the following regulatory requirements for high density commuter railroad lines:

(1) At least once every 2 weeks—

(A) traverse each main line by vehicle; or

(B) inspect each main line on foot.

(2) At least once each month, traverse and inspect each siding by vehicle or by foot.

(c) REPORT.—If, after the evaluation under subsection (a), the Secretary determines it is not necessary to revise the regulations under this section, the Secretary, not later than 18 months after the date of enactment of this Act, shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives explaining the reasons for not revising the regulations.

(d) CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Secretary to promulgate regulations or issue orders under any other law.

SEC. 35408. EMERGENCY RESPONSE.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study to determine whether limitations or weaknesses exist in the emergency response information carried by train crews transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate the differences between the emergency response information carried by train crews transporting hazardous materials and the emergency response guidance provided in the Emergency Response Guidebook issued by the Department of Transportation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study under subsection (a) and any recommendations for legislative action.

SEC. 35409. PRIVATE HIGHWAY-RAIL GRADE CROSSINGS.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study—

(1) to determine whether limitations or weaknesses exist regarding the availability and usefulness for safety purposes of data on private highway-rail grade crossings; and

(2) to evaluate existing engineering practices on private highway-rail grade crossings.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall make recommendations as necessary to improve—

(1) the utility of the data on private highway-rail grade crossings; and

(2) the implementation of private highway-rail crossing safety measures, including signage and warning systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study and any recommendations for further action.

SEC. 35410. REPAIR AND REPLACEMENT OF DAMAGED TRACK INSPECTION EQUIPMENT.

(a) IN GENERAL.—Subchapter I of chapter 201 is amended by inserting after section 20120 the following:

“§20121. Repair and replacement of damaged track inspection equipment

“The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Railroad Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation, and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.”.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter I of chapter 201 is amended by adding after section 21020 the following:

“20121. Repair and replacement of damaged track inspection equipment.”.

SEC. 35411. RAIL POLICE OFFICERS.

(a) IN GENERAL.—Section 28101 is amended—

(1) by striking “employed by” each place it appears and inserting “directly employed by or contracted by”; and

(2) in subsection (b), by inserting “or agent, as applicable,” after “an employee”; and

(3) by adding at the end the following:

“(c) TRANSFERS.—

“(1) IN GENERAL.—If a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State transfers primary employment or residence from the certifying or commissioning State to another State or jurisdiction, the railroad police officer, not later than 1 year after the date of transfer, shall apply to be certified or commissioned as a police officer under the laws of the State of new primary employment or residence.

“(2) INTERIM PERIOD.—During the period beginning on the date of transfer and ending 1 year after the date of transfer, a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State may enforce the laws of the new jurisdiction in which the railroad police officer resides, to the same extent as provided in subsection (a).

“(d) TRAINING.—

“(1) IN GENERAL.—A State shall recognize as meeting that State’s basic police officer certification or commissioning requirements for qualification as a rail police officer under this section any individual who successfully completes a program at a State-recognized police training

academy in another State or at a Federal law enforcement training center and who is certified or commissioned as a police officer by that other State.

“(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed as superseding or affecting any unique State training requirements related to criminal law, criminal procedure, motor vehicle code, or State-mandated comparative or annual in-service training academy or Federal law enforcement training center.”.

(b) **REGULATIONS.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the regulations in part 207 of title 49, Code of Federal Regulations (relating to railroad police officers), to permit a railroad to designate an individual, who is commissioned in the individual's State of legal residence or State of primary employment and directly employed by or contracted by a railroad to enforce State laws for the protection of railroad property, personnel, passengers, and cargo, to serve in the States in which the railroad owns property.

(c) **CONFORMING AMENDMENTS.**—

(1) **AMTRAK RAIL POLICE.**—Section 24305(e) is amended—

(A) by striking “may employ” and inserting “may directly employ or contract with”;

(B) by striking “employed by” and inserting “directly employed by or contracted by”;

(C) by striking “employed without” and inserting “directly employed or contracted without”.

(2) **SECURE GUN STORAGE OR SAFETY DEVICE; EXCEPTIONS.**—Section 922(z)(2)(B) of title 18 is amended by striking “employed by” and inserting “directly employed by or contracted by”.

SEC. 35412. OPERATION DEEP DIVE; REPORT.

(a) **PROGRESS REPORTS.**—Not later than 60 days after the date of the enactment of this Act, and quarterly thereafter until the completion date, the Administrator of the Federal Railroad Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the progress of Metro-North Commuter Railroad in implementing the directives and recommendations issued by the Federal Railroad Administration in its March 2014 report to Congress titled “Operation Deep Dive Metro-North Commuter Railroad Safety Assessment”.

(b) **FINAL REPORT.**—Not later than 30 days after the completion date, the Administrator of the Federal Railroad Administration shall submit a final report on the directives and recommendations to Congress.

(c) **DEFINED TERM.**—In this section, the term “completion date” means the date on which Metro-North Commuter Railroad has completed all of the directives and recommendations referred to in subsection (a).

SEC. 35413. POST-ACCIDENT ASSESSMENT.

(a) **IN GENERAL.**—The Secretary of Transportation, in cooperation with the National Transportation Safety Board and the National Railroad Passenger Corporation (referred to in this section as “Amtrak”), shall conduct a post-accident assessment of the Amtrak Northeast Regional Train #188 crash on May 12, 2015.

(b) **ELEMENTS.**—The assessment conducted pursuant to subsection (a) shall include—

(1) a review of Amtrak's compliance with the plan for addressing the needs of the families of passengers involved in any rail passenger accident, which was submitted pursuant to section 24316 of title 49, United States Code;

(2) a review of Amtrak's compliance with the emergency preparedness plan required under section 239.101(a) of title 49, Code of Federal Regulations;

(3) a determination of any additional action items that should be included in the plans re-

ferred to in paragraphs (1) and (2) to meet the needs of the passengers involved in the crash and their families, including—

(A) notification of emergency contacts;

(B) dedicated and trained staff to manage family assistance;

(C) the establishment of a family assistance center at the accident locale or other appropriate location;

(D) a system for identifying and recovering items belonging to passengers that were lost in the crash; and

(E) the establishment of a single customer service entity within Amtrak to coordinate the response to the needs of the passengers involved in the crash and their families;

(4) recommendations for any additional training needed by Amtrak staff to better implement the plans referred to in paragraphs (1) and (2), including the establishment of a regular schedule for training drills and exercises.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) its plan to achieve the recommendations referred to in subsection (b)(4); and

(2) steps that have been taken to address any deficiencies identified through the assessment.

SEC. 35414. TECHNICAL AND CONFORMING AMENDMENTS.

(a) **ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.**—Section 1139 is amended—

(1) in subsection (a)(1), by striking “phone number” and inserting “telephone number”;

(2) in subsection (a)(2), by striking “post trauma communication with families” and inserting “post-trauma communication with families”;

(3) in subsection (j), by striking “railroad passenger accident” each place it appears and inserting “rail passenger accident”.

(b) **SOLID WASTE RAIL TRANSFER FACILITY LAND-USE EXEMPTION.**—Section 10909 is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “Clean Railroad Act of 2008” and inserting “Clean Railroads Act of 2008”;

(2) in subsection (e), by striking “Upon the granting of petition from the State” and inserting “Upon the granting of a petition from the State”.

(c) **RULEMAKING PROCESS.**—Section 20116 is amended—

(1) by inserting “(2)” before “the code, rule, standard, requirement, or practice has been subject to notice and comment under a rule or order issued under this part.” and indenting accordingly;

(2) by inserting “(1)” before “unless” and indenting accordingly;

(3) in paragraph (1), as redesignated, by striking “order, or” and inserting “order”; and

(4) in the matter preceding paragraph (1), as redesignated, by striking “unless” and inserting “unless—”.

(d) **ENFORCEMENT REPORT.**—Section 20120(a) is amended—

(1) in the matter preceding paragraph (1), by striking “website” and inserting “Web site”;

(2) in paragraph (1), by striking “accident and incidence reporting” and inserting “accident and incident reporting”;

(3) in paragraph (2)(G), by inserting “and” at the end; and

(4) in paragraph (5)(B), by striking “Administrative Hearing Officer or Administrative Law Judge” and inserting “administrative hearing officer or administrative law judge”.

(e) **RAILROAD SAFETY RISK REDUCTION PROGRAM.**—Section 20156 is amended—

(1) in subsection (c), by inserting a comma after “In developing its railroad safety risk reduction program”; and

(2) in subsection (g)(1)—

(A) by inserting a comma after “good faith”; and

(B) by striking “non-profit” and inserting “nonprofit”.

(f) **ROADWAY USER SIGHT DISTANCE AT HIGHWAY-RAIL GRADE CROSSINGS.**—Section 20159 is amended by striking “the Secretary” and inserting “the Secretary of Transportation”.

(g) **NATIONAL CROSSING INVENTORY.**—Section 20160 is amended—

(1) in subsection (a)(1), by striking “concerning each previously unreported crossing through which it operates or with respect to the trackage over which it operates” and inserting “concerning each previously unreported crossing through which it operates with respect to the trackage over which it operates”; and

(2) in subsection (b)(1)(A), by striking “concerning each crossing through which it operates or with respect to the trackage over which it operates” and inserting “concerning each crossing through which it operates with respect to the trackage over which it operates”.

(h) **MINIMUM TRAINING STANDARDS AND PLANS.**—Section 20162(a)(3) is amended by striking “railroad compliance with Federal standards” and inserting “railroad carrier compliance with Federal standards”.

(i) **DEVELOPMENT AND USE OF RAIL SAFETY TECHNOLOGY.**—Section 20164(a) is amended by striking “after enactment of the Railroad Safety Enhancement Act of 2008” and inserting “after the date of enactment of the Rail Safety Improvement Act of 2008”.

(j) **RAIL SAFETY IMPROVEMENT ACT OF 2008.**—(1) **TABLE OF CONTENTS.**—Section 1(b) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110-432; 122 Stat. 4848) is amended—

(A) in the item relating to section 307, by striking “website” and inserting “Web site”;

(B) in the item relating to title VI, by striking “solid waste facilities” and inserting “solid waste rail transfer facilities”;

(C) in the item relating to section 602, by striking “solid waste transfer facilities” and inserting “solid waste rail transfer facilities”.

(2) **DEFINITIONS.**—Section 2(a)(1) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110-432; 122 Stat. 4849) is amended in the matter preceding subparagraph (A), by inserting a comma after “at grade”.

(3) **RAILROAD SAFETY STRATEGY.**—Section 102(a)(6) of title I of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20101 note) is amended by striking “Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic failures and other bridge and tunnel failures.” and inserting “Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic and other failures of such infrastructure.”.

(4) **OPERATION LIFESAVER.**—Section 206(a) of title II of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note) is amended by striking “Public Service Announcements” and inserting “public service announcements”.

(5) **UPDATE OF FEDERAL RAILROAD ADMINISTRATION'S WEB SITE.**—Section 307 of title III of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 103 note) is amended—

(A) in the heading by striking “**FEDERAL RAILROAD ADMINISTRATION'S WEBSITE**” and inserting “Federal Railroad Administration Web site”;

(B) by striking “website” each place it appears and inserting “Web site”; and

(C) by striking “websites” and inserting “Web site’s”.

(6) **ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR MAINTENANCE-OF-WAY EMPLOYEES.**—Section 412 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20140 note) is amended by striking “Secretary of Transportation” and inserting “Secretary”.

(7) **TUNNEL INFORMATION.**—Section 414 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(A) by striking “parts 171.8, 173.115” and inserting “sections 171.8, 173.115”; and

(B) by striking “part 1520.5” and inserting “section 1520.5”.

(8) **SAFETY INSPECTIONS IN MEXICO.**—Section 416 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20107 note) is amended—

(A) in the matter preceding paragraph (1), by striking “Secretary of Transportation” and inserting “Secretary”; and

(B) in paragraph (4), by striking “subsection” and inserting “section”.

(9) **HEADING OF TITLE VI.**—The heading of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking “**SOLID WASTE FACILITIES**” and inserting “**SOLID WASTE RAIL TRANSFER FACILITIES**”.

(10) **HEADING OF SECTION 602.**—Section 602 of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking “**SOLID WASTE TRANSFER FACILITIES**” and inserting “**SOLID WASTE RAIL TRANSFER FACILITIES**”.

SEC. 35415. GAO STUDY ON USE OF LOCOMOTIVE HORNS AT HIGHWAY-RAIL GRADE CROSSINGS.

The Comptroller General of the United States shall submit a report to Congress containing the results of a study evaluating the effectiveness of the Federal Railroad Administration’s final rule on the use of locomotive horns at highway-rail grade crossings, which was published in the Federal Register on August 17, 2006 (71 Fed. Reg. 47614).

SEC. 35416. BRIDGE INSPECTION REPORTS.

Section 417(d) of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) **IN GENERAL.**—The Secretary”; and

(2) by adding at the end the following:

“(2) **AVAILABILITY OF BRIDGE INSPECTION REPORTS.**—The Administrator of the Federal Railroad Administration shall—

“(A) maintain a copy of the most recent bridge inspection reports prepared in accordance with section (b)(5); and

“(B) provide copies of the reports described in subparagraph (A) to appropriate State and local government transportation officials, upon request.”.

PART II—CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

SEC. 35421. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.

(a) **IN GENERAL.**—Chapter 244, as amended by section 35302 of this Act, is further amended by adding at the end the following:

“§24408. Consolidated rail infrastructure and safety improvements

“(a) **GENERAL AUTHORITY.**—The Secretary may make grants under this section to an eligible recipient to assist in financing the cost of improving passenger and freight rail transportation systems in terms of safety, efficiency, or reliability.

“(b) **ELIGIBLE RECIPIENTS.**—The following entities are eligible to receive a grant under this section:

“(1) A State.

“(2) A group of States.

“(3) An Interstate Compact.

“(4) A public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger, commuter rail passenger, or freight rail transportation service.

“(5) A political subdivision of a State.

“(6) Amtrak or another rail passenger carrier that provides intercity rail passenger transportation (as defined in section 24102) or commuter rail passenger transportation (as defined in section 24102).

“(7) A Class II railroad or Class III railroad (as those terms are defined in section 20102).

“(8) Any rail carrier or rail equipment manufacturer in partnership with at least 1 of the entities described in paragraphs (1) through (5).

“(9) Any entity established to procure, manage, or maintain passenger rail equipment under section 305 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

“(10) An organization that is actively involved in the development of operational and safety-related standards for rail equipment and operations or the implementation of safety-related programs.

“(11) The Transportation Research Board and any entity with which it contracts in the development of rail-related research, including cooperative research programs.

“(12) A University transportation center actively engaged in rail-related research.

“(13) A non-profit labor organization representing a class or craft of employees of railroad carriers or railroad carrier contractors.

“(c) **ELIGIBLE PROJECTS.**—The following projects are eligible to receive grants under this section:

“(1) Deployment of railroad safety technology, including positive train control and rail integrity inspection systems.

“(2) A capital project as defined in section 24401, except that a project shall not be required to be in a State rail plan developed under chapter 227.

“(3) A capital project identified by the Secretary as being necessary to address congestion challenges affecting rail service.

“(4) A highway-rail grade crossing improvement, including grade separations, private highway-rail grade crossing improvements, and safety engineering improvements to reduce risk in quiet zones or potential quiet zones.

“(5) A rail line relocation project.

“(6) A capital project to improve short-line or regional railroad infrastructure.

“(7) Development of public education, awareness, and targeted law enforcement activities to reduce violations of traffic laws at highway-rail grade crossings and to help prevent and reduce injuries and fatalities along railroad rights-of-way.

“(8) The preparation of regional rail and corridor service development plans and corresponding environmental analyses.

“(9) Any project that the Secretary considers necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity rail passenger transportation and intercity bus service.

“(10) The development of rail-related capital, operations, and safety standards.

“(11) The implementation and operation of a safety program or institute designed to improve rail safety culture and rail safety performance.

“(12) Any research that the Secretary considers necessary to advance any particular aspect of rail-related capital, operations, or safety improvements.

“(13) Workforce development activities, coordinated to the extent practicable with the ex-

isting local training programs supported by the Department of Transportation, Department of Labor, and Department of Education.

“(d) **APPLICATION PROCESS.**—The Secretary shall prescribe the form and manner of filing an application under this section.

“(e) **PROJECT SELECTION CRITERIA.**—

“(1) **IN GENERAL.**—In selecting a recipient of a grant for an eligible project, the Secretary shall—

“(A) give preference to a proposed project for which the proposed Federal share of total project costs does not exceed 50 percent; and

“(B) after factoring in preference to projects under subparagraph (A), select projects that will maximize the net benefits of the funds appropriated for use under this section, considering the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project and factoring in the other considerations described in paragraph (2).

“(2) **OTHER CONSIDERATIONS.**—The Secretary shall also consider the following:

“(A) The degree to which the proposed project’s business plan considers potential private sector participation in the financing, construction, or operation of the project;

“(B) The recipient’s past performance in developing and delivering similar projects, and previous financial contributions;

“(C) Whether the recipient has or will have the legal, financial, and technical capacity to carry out the proposed project, satisfactory continuing control over the use of the equipment or facilities, and the capability and willingness to maintain the equipment or facilities;

“(D) If applicable, the consistency of the proposed project with planning guidance and documents set forth by the Secretary or required by law or State rail plans developed under chapter 227;

“(E) If applicable, any technical evaluation ratings that proposed project received under previous competitive grant programs administered by the Secretary; and

“(F) Such other factors as the Secretary considers relevant to the successful delivery of the project.

“(3) **BENEFITS.**—The benefits described in paragraph (1)(B) may include the effects on system and service performance, including measures such as improved safety, competitiveness, reliability, trip or transit time, resilience, efficiencies from improved integration with other modes, and ability to meet existing or anticipated demand.

“(f) **PERFORMANCE MEASURES.**—The Secretary shall establish performance measures for each grant recipient to assess progress in achieving strategic goals and objectives. The Secretary may require a grant recipient to periodically report information related to such performance measures.

“(g) **RURAL AREAS.**—

“(1) **IN GENERAL.**—Of the amounts appropriated under this section, at least 25 percent shall be available for projects in rural areas. The Secretary shall consider a project to be in a rural area if all or the majority of the project (determined by the geographic location or locations where the majority of the project funds will be spent) is located in a rural area.

“(2) **DEFINITION OF RURAL AREA.**—In this subsection, the term ‘rural area’ means any area not in an urbanized area, as defined by the Census Bureau.

“(h) **FEDERAL SHARE OF TOTAL PROJECT COSTS.**—

“(1) **TOTAL PROJECT COSTS.**—The Secretary shall estimate the total costs of a project under this subsection based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses,

and information on the expected use of equipment or facilities.

“(2) **FEDERAL SHARE.**—The Federal share of total project costs under this subsection shall not exceed 80 percent.

“(3) **TREATMENT OF PASSENGER RAIL REVENUE.**—If Amtrak or another rail passenger carrier is an applicant under this section, Amtrak or the other rail passenger carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

“(i) **APPLICABILITY.**—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements of this chapter.

“(j) **AVAILABILITY.**—Amounts appropriated for carrying out this section shall remain available until expended.”.

(b) **CONFORMING AMENDMENT.**—The table of contents of chapter 244, as amended by section 35302 of this Act, is amended by adding after the item relating to section 24407 the following:

“24408. Consolidated rail infrastructure and safety improvements.”.

PART III—HAZARDOUS MATERIALS BY RAIL SAFETY AND OTHER SAFETY ENHANCEMENTS

SEC. 35431. REAL-TIME EMERGENCY RESPONSE INFORMATION.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security, shall promulgate regulations—

(1) to require a Class I railroad transporting hazardous materials—

(A) to generate accurate, real-time, and electronic train consist information, including—

(i) the identity, quantity, and location of hazardous materials on a train;

(ii) the point of origin and destination of the train;

(iii) any emergency response information or resources required by the Secretary; and

(iv) an emergency response point of contact designated by the Class I railroad; and

(B) to enter into a memorandum of understanding with each applicable fusion center to provide that fusion center with secure and confidential access to the electronic train consist information described in subparagraph (A) for each train transporting hazardous materials in that fusion center's jurisdiction;

(2) to require each applicable fusion center to provide the electronic train consist information described in paragraph (1)(A) to first responders, emergency response officials, and law enforcement personnel that are involved in the response to or investigation of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials and that request such electronic train consist information;

(3) upon the request of each State, political subdivision of a State, or public agency responsible for emergency response or law enforcement, to require each applicable fusion center to provide advance notice for each high-hazard flammable train traveling through the jurisdiction of each State, political subdivision of a State, or public agency, which notice shall include the electronic train consist information described in paragraph (1)(A) for the high-hazard flammable train, and to the extent practicable, for requesting States, political subdivisions, or public agencies, to ensure that the fusion center shall provide at least 12 hours of advance notice for a high-hazard flammable train that will be traveling through the jurisdiction of the State, political subdivision of a State, or public agency, and include within the notice its best estimate of the time the train will enter the jurisdiction;

(4) to prohibit any railroad, employee, or agent from withholding, or causing to be with-

held the train consist information from first responders, emergency response officials, and law enforcement personnel described in paragraph (2) in the event of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials;

(5) to establish security and confidentiality protections to prevent the release of the electronic train consist information to unauthorized persons; and

(6) to allow each Class I railroad to enter into a memorandum of understanding with any Class II or Class III railroad that operates trains over the Class I railroad's line to incorporate the Class II or Class III railroad's train consist information within the existing framework described in paragraph (1).

(b) **DEFINITIONS.**—In this section:

(1) **APPLICABLE FUSION CENTER.**—The term “applicable fusion center” means a fusion center with responsibility for a geographic area in which a Class I railroad operates.

(2) **CLASS I RAILROAD.**—The term “Class I railroad” has the meaning given the term in section 20102 of title 49, United States Code.

(3) **FUSION CENTER.**—The term “fusion center” has the meaning given the term in section 124h(j) of title 6, United States Code.

(4) **HAZARDOUS MATERIALS.**—The term “hazardous materials” means material designated as hazardous by the Secretary of Transportation under chapter 51 of the United States Code.

(5) **HIGH-HAZARD FLAMMABLE TRAIN.**—The term “high-hazard flammable train” means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

(6) **TRAIN CONSIST.**—The term “train consist” includes, with regard to a specific train, the number of rail cars and the commodity transported by each rail car.

(c) **SAVINGS CLAUSE.**—

(1) Nothing in this section may be construed to prohibit a Class I railroad from voluntarily entering into a memorandum of understanding, as described in subsection (a)(1)(B), with a State emergency response commission or an entity representing or including first responders, emergency response officials, and law enforcement personnel.

(2) Nothing in this section may be construed to amend any requirement for a railroad to provide a State Emergency Response Commission, for each State in which it operates trains transporting 1,000,000 gallons or more of Bakken crude oil, notification regarding the expected movement of such trains through the counties in the State.

SEC. 35432. THERMAL BLANKETS.

(a) **REQUIREMENTS.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to require each tank car built to meet the DOT-117 specification and each non-jacketed tank car modified to meet the DOT-117R specification—

(1) to be equipped with a thermal blanket; or

(2) to have sufficient thermal resistance so that there will be no release of any lading within the tank car, except release through the pressure relief device, when subjected to a pool fire for 200 minutes and a torch fire for 30 minutes.

(b) **DEFINITION OF THERMAL BLANKET.**—In this section, the term “thermal blanket” means an insulating blanket that is applied between the outer surface of a tank car tank and the inner surface of a tank car jacket and that has thermal conductivity no greater than 2.65 Btu per inch, per hour, per square foot, and per degree Fahrenheit at a temperature of 2000 degrees Fahrenheit, plus or minus 100 degrees Fahrenheit.

(c) **SAVINGS CLAUSE.**—

(1) **PRESSURE RELIEF DEVICES.**—Nothing in this section may be construed to affect or prohibit any requirement to equip with appropriately sized pressure relief devices a tank car built to meet the DOT-117 specification or a non-jacketed tank car modified to meet the DOT-117R specification.

(2) **HARMONIZATION.**—Nothing in this section may be construed to require or allow the Secretary to prescribe an implementation deadline or authorization end date for the requirement under subsection (a) that is earlier than the applicable implementation deadline or authorization end date for other tank car modifications necessary to meet the DOT-117R specification.

SEC. 35433. COMPREHENSIVE OIL SPILL RESPONSE PLANS.

(a) **REQUIREMENTS.**—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue a notice of proposed rulemaking to require each railroad carrier transporting a Class 3 flammable liquid to maintain a comprehensive oil spill response plan.

(b) **CONTENTS.**—The regulations under subsection (a) shall require each rail carrier described in that subsection—

(1) to include in the comprehensive oil spill response plan procedures and resources for responding, to the maximum extent practicable, to a worst-case discharge;

(2) to ensure the comprehensive oil spill response plan is consistent with the National Contingency Plan and each applicable Area Contingency Plan;

(3) to include in the comprehensive oil spill response plan appropriate notification and training procedures;

(4) to review and update its comprehensive oil spill response plan as appropriate; and

(5) to provide the comprehensive oil spill response plan for acceptance by the Secretary.

(c) **SAVINGS CLAUSE.**—Nothing in the section may be construed as prohibiting the Secretary from promulgating different comprehensive oil response plan standards for Class I, Class II, and Class III railroads.

(d) **DEFINITIONS.**—In this section:

(1) **AREA CONTINGENCY PLAN.**—The term “Area Contingency Plan” has the meaning given the term in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(2) **CLASS 3 FLAMMABLE LIQUID.**—The term “Class 3 flammable liquid” has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(3) **CLASS I RAILROAD, CLASS II RAILROAD, AND CLASS III RAILROAD.**—The terms “Class I railroad”, “Class II railroad” and “Class III railroad” have the meanings given the terms in section 20102 of title 49, United States Code.

(4) **NATIONAL CONTINGENCY PLAN.**—The term “National Contingency Plan” has the meaning given the term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

(5) **RAILROAD CARRIER.**—The term “railroad carrier” has the meaning given the term in section 20102 of title 49, United States Code.

(6) **WORST-CASE DISCHARGE.**—The term “worst-case discharge” means a railroad carrier's calculation of its largest foreseeable discharge in the event of an accident or incident.

SEC. 35434. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.

(a) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels and structure of insurance for a railroad carrier transporting hazardous materials.

(b) **CONTENTS.**—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for

damages arising from an accident or incident involving a train transporting hazardous materials;

(2) the level and structure of insurance that would be necessary and appropriate—

(A) to efficiently allocate risk and financial responsibility for claims; and

(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident;

(3) the potential applicability to trains transporting hazardous materials of—

(A) a liability regime modeled after section 170 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2210); and

(B) a liability regime modeled after subtitle 2 of title XXI of the Public Health Service Act (42 U.S.C. 300aa–10 et seq.).

(c) **REPORT.**—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) **DEFINITIONS.**—In this section:

(1) **HAZARDOUS MATERIAL.**—The term “hazardous material” means a substance or material the Secretary designates under section 5103(a) of title 49, United States Code.

(2) **RAILROAD CARRIER.**—The term “railroad carrier” has the meaning given the term in section 20102 of title 49, United States Code.

SEC. 35435. STUDY AND TESTING OF ELECTRONICALLY-CONTROLLED PNEUMATIC BRAKES.

(a) **GOVERNMENT ACCOUNTABILITY OFFICE STUDY.**—

(1) **IN GENERAL.**—The Government Accountability Office shall complete an independent evaluation of ECP brake systems pilot program data and the Department of Transportation’s research and analysis on the effects of ECP brake systems.

(2) **STUDY ELEMENTS.**—In completing the independent evaluation under paragraph (1), the Government Accountability Office shall examine the following issues related to ECP brake systems:

(A) Data and modeling results on safety benefits relative to conventional brakes and to other braking technologies or systems, such as distributed power and 2-way end-of-train devices.

(B) Data and modeling results on business benefits, including the effects of dynamic braking.

(C) Data on costs, including up-front capital costs and on-going maintenance costs.

(D) Analysis of potential operational challenges, including the effects of potential locomotive and car segregation, technical reliability issues, and network disruptions.

(E) Analysis of potential implementation challenges, including installation time, positive train control integration complexities, component availability issues, and tank car shop capabilities.

(F) Analysis of international experiences with the use of advanced braking technologies.

(3) **DEADLINE.**—Not later than 18 months after the date of enactment of this Act, the Government Accountability Office shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the independent evaluation under paragraph (1).

(b) **EMERGENCY BRAKING APPLICATION TESTING.**—

(1) **IN GENERAL.**—The Secretary of Transportation shall enter into an agreement with the NCCRRP Board—

(A) to complete testing of ECP brake systems during emergency braking application, including more than 1 scenario involving the uncoupling of a train with 70 or more DOT–117-specification or DOT–117R-specification tank cars; and

(B) to transmit, not later than 18 months after the date of enactment of this Act, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the testing.

(2) **INDEPENDENT EXPERTS.**—In completing the testing under paragraph (1), the NCCRRP Board may contract with 1 or more engineering or rail experts, as appropriate, with relevant experience in conducting railroad safety technology tests or similar crash tests.

(3) **TESTING FRAMEWORK.**—In completing the testing under paragraph (1), the NCCRRP Board and each contractor described in paragraph (2) shall ensure that the testing objectively, accurately, and reliably measures the performance of ECP brake systems relative to other braking technologies or systems, such as distributed power and 2-way end-of-train devices, including differences in—

(A) the number of cars derailed;

(B) the number of cars punctured;

(C) the measures of in-train forces; and

(D) the stopping distance.

(4) **FUNDING.**—The Secretary shall require, as part of the agreement under paragraph (1), that the NCCRRP Board fund the testing required under this section—

(A) using such sums made available under section 24910 of title 49, United States Code; and

(B) to the extent funding under subparagraph (A) is insufficient or unavailable to fund the testing required under this section, using such sums as are necessary from the amounts appropriated to the Office of the Secretary.

(5) **EQUIPMENT.**—The NCCRRP Board and each contractor described in paragraph (2) may receive or use rolling stock, track, and other equipment or infrastructure from a private entity for the purposes of conducting the testing required under this section.

(c) **EVIDENCE-BASED APPROACH.**—

(1) **ANALYSIS.**—The Secretary shall—

(A) not later than 90 days after the report date, fully incorporate and reflect the findings from both reports into a draft updated regulatory impact analysis of the effects of the applicable ECP brake system requirements;

(B) as soon as practicable after completion of the draft updated analysis under subparagraph (A), solicit public comment on the analysis for a period of not more than 30 days; and

(C) not later than 60 days after the end of the public comment period, post the final updated regulatory impact analysis on the Department of Transportation Web site.

(2) **DETERMINATION.**—Not later than 180 days after the report date, the Secretary shall—

(A) determine, based on whether the final regulatory impact analysis described in paragraph (1)(C) demonstrates that the benefits, including safety benefits, of the applicable ECP brake system requirements exceed their costs, whether the applicable ECP brake system requirements are justified; and

(B)(i) if the applicable ECP brake system requirements are justified, publish in the Federal Register the determination with the reasons for it; or

(ii) if the Secretary does not publish the determination under clause (i), repeal the applicable ECP brake system requirements.

(d) **DEFINITIONS.**—In this section:

(1) **APPLICABLE ECP BRAKE SYSTEM REQUIREMENTS.**—The term “applicable brake system requirements” means sections 174.310(a)(3)(ii),

174.310(a)(3)(iii), 174.310(a)(5)(v), 179.102–10, 179.202–12(g), and 179.202–13(i) of title 49, Code of Federal Regulations, and any other regulation in effect on the date of enactment of this Act requiring the installation of ECP brakes or operation in ECP brake mode.

(2) **CLASS 3 FLAMMABLE LIQUID.**—The term “Class 3 flammable liquid” has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(3) **ECP.**—The term “ECP” means electronically-controlled pneumatic when applied to a brake or brakes.

(4) **ECP BRAKE MODE.**—The term “ECP brake mode” includes any operation of a rail car or an entire train using an ECP brake system.

(5) **ECP BRAKE SYSTEM.**—

(A) **IN GENERAL.**—The term “ECP brake system” means a train power braking system actuated by compressed air and controlled by electronic signals from the locomotive or an ECP–EOT to the cars in the consist for service and emergency applications in which the brake pipe is used to provide a constant supply of compressed air to the reservoirs on each car but does not convey braking signals to the car.

(B) **INCLUSIONS.**—The term “ECP brake system” includes dual mode and stand-alone ECP brake systems.

(6) **HIGH-HAZARD FLAMMABLE UNIT TRAIN.**—The term “high-hazard flammable unit train” means a single train transporting 70 or more loaded tank cars containing Class 3 flammable liquid.

(7) **NCCRRP BOARD.**—The term “NCCRRP Board” means the independent governing board of the National Cooperative Rail Research Program.

(8) **RAILROAD CARRIER.**—The term “railroad carrier” has the meaning given the term in section 20102 of title 49, United States Code.

(9) **REPORT DATE.**—The term “report date” means the date that both the report under subsection (a)(3) and the report under subsection (b)(1)(B) have been transmitted under those subsections.

SEC. 35436. RECORDING DEVICES.

(a) **IN GENERAL.**—Subchapter II of chapter 201 is amended by adding after section 20167 the following:

“§20168. Installation of audio and image recording devices

“(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall promulgate regulations to require each rail carrier that provides regularly scheduled intercity rail passenger or commuter rail passenger transportation to the public to install inward- and outward-facing image recording devices in all controlling locomotive cabs and cab car operating compartments in such passenger trains.

“(b) **DEVICE STANDARDS.**—Each inward- and outward-facing image recording device shall—

“(1) have a minimum 12-hour continuous recording capability;

“(2) have crash and fire protections for any in-cab image recordings that are stored only within a controlling locomotive cab or cab car operating compartment; and

“(3) have recordings accessible for review during an accident investigation.

“(c) **REVIEW.**—The Secretary shall establish a process to review and approve or disapprove an inward- or outward-facing recording device for compliance with the standards described in subsection (b).

“(d) **USES.**—A rail carrier that has installed an inward- or outward-facing image recording device approved under subsection (c) may use recordings from that inward- or outward-facing image recording device for the following purposes:

“(1) Verifying that train crew actions are in accordance with applicable safety laws and the rail carrier’s operating rules and procedures.

“(2) Assisting in an investigation into the causation of a reportable accident or incident.

“(3) Carrying out efficiency testing and system-wide performance monitoring programs.

“(4) Documenting a criminal act or monitoring unauthorized occupancy of the controlling locomotive cab or car operating compartment.

“(5) Other purposes that the Secretary considers appropriate.

“(e) VOLUNTARY IMPLEMENTATION.—

“(1) IN GENERAL.—Each rail carrier operating freight rail service may implement any inward- or outward-facing image recording devices approved under subsection (c).

“(2) AUTHORIZED USES.—Notwithstanding any other provision of law, each rail carrier may use recordings from an inward- or outward-facing image recording device approved under subsection (c) for any of the purposes described in subsection (d).

“(f) DISCRETION.—

“(1) IN GENERAL.—The Secretary may—

“(A) require in-cab audio recording devices for the purposes described in subsection (d); and

“(B) define in appropriate technical detail the essential features of the devices required under subparagraph (A).

“(2) EXEMPTIONS.—The Secretary may exempt any rail passenger carrier or any part of a rail passenger carrier’s operations from the requirements under subsection (a) if the Secretary determines that the rail passenger carrier has implemented an alternative technology or practice that provides an equivalent or greater safety benefit or is better suited to the risks of the operation.

“(g) TAMPERING.—A rail carrier may take appropriate enforcement or administrative action against any employee that tampers with or disables an audio or inward- or outward-facing image recording device installed by the rail carrier.

“(h) PRESERVATION OF DATA.—Each rail passenger carrier subject to the requirements of subsection (a) shall preserve recording device data for 1 year after the date of a reportable accident or incident.

“(i) INFORMATION PROTECTIONS.—The Secretary may not disclose publicly any part of an in-cab audio or image recording or transcript of oral communications by or among train employees or other operating employees responsible for the movement and direction of the train, or between such operating employees and company communication centers, related to an accident investigated by the Secretary. However, the Secretary shall make public any part of a transcript or any written depiction of visual information that the Secretary decides is relevant to the accident at the time a majority of the other factual reports on the accident are released to the public.

“(j) PROHIBITED USE.—An in-cab audio or image recording obtained by a rail carrier under this section may not be used to retaliate against an employee.

“(k) SAVINGS CLAUSE.—Nothing in this section may be construed as requiring a rail carrier to cease or restrict operations upon a technical failure of an inward- or outward-facing image recording device. Such rail carrier shall repair or replace the failed inward- or outward-facing image recording device as soon as practicable.”.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter II of chapter 201 is amended by adding at the end the following:

“20168. Installation of audio and image recording devices.”.

SEC. 35437. RAIL PASSENGER TRANSPORTATION LIABILITY.

(a) LIMITATIONS.—Section 28103(a) is amended—

(1) in paragraph (2), by striking “\$200,000,000” and inserting “\$295,000,000, except as provided in paragraph (3).”; and

(2) by adding at the end the following:

“(3) The liability cap under paragraph (2) shall be adjusted every 5 years by the Secretary of Transportation to reflect changes in the Consumer Price Index-All Urban Consumers.

“(4) The Federal Government shall have no financial responsibility for any claims described in paragraph (2).”.

(b) DEFINITION OF RAIL PASSENGER TRANSPORTATION.—Section 28103(e) is amended—

(1) in the heading, by striking “DEFINITION.—” and inserting “DEFINITIONS.—”;

(2) in paragraph (2), by striking “; and” and inserting a semicolon;

(3) in paragraph (3), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(4) the term ‘rail passenger transportation’ includes commuter rail passenger transportation (as defined in section 24102).”.

(c) PROHIBITION.—No Federal funds may be appropriated for the purpose of paying for the portion of an insurance premium attributable to the increase in allowable awards under the amendments made by subsection (a).

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective for any passenger rail accident or incident occurring on or after May 12, 2015.

SEC. 35438. MODIFICATION REPORTING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall implement a reporting requirement to monitor industry-wide progress toward modifying tank cars used in high-hazard flammable train service by the applicable deadlines or authorization end dates set in regulation.

(b) TANK CAR DATA.—The Secretary shall collect data from shippers and tank car owners on—

(1) the total number of tank cars modified to meet the DOT-117R specification, or equivalent, specifying—

(A) the type or specification of each tank car before it was modified, including non-jacketed DOT-111, jacketed DOT-111, non-jacketed DOT-111 meeting the CPC-1232 standard, or jacketed DOT-111 meeting the CPC-1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year;

(2) the total number of tank cars built to meet the DOT-117 specification, or equivalent; and

(3) the total number of tank cars used or likely to be used in high-hazard flammable train service that have not been modified, specifying—

(A) the type or specification of each tank car not modified, including the non-jacketed DOT-111, jacketed DOT-111, non-jacketed DOT-111 meeting the CPC-1232 standard, or jacketed DOT-111 meeting the CPC-1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year.

(c) TANK CAR SHOP DATA.—The Secretary shall conduct a survey of tank car facilities modifying tank cars to the DOT-117R specification, or equivalent, or building new tank cars to the DOT-117 specification, or equivalent, to generate statistically-valid estimates of the expected number of tank cars those facilities expect to modify to DOT-117R specification, or equivalent, or build to the DOT-117 specification, or equivalent.

(d) FREQUENCY.—The Secretary shall collect the data under subsection (b) and conduct the survey under subsection (c) annually until May 1, 2025.

(e) INFORMATION PROTECTIONS.—

(1) IN GENERAL.—The Secretary shall only report data in industry-wide totals and shall treat company-specific information as confidential business information.

(2) LEVEL OF CONFIDENTIALITY.—The Secretary shall ensure the data collected under subsection (b) and the survey data under subsection (c) have the same level of confidentiality as contained in the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), as administered by the Bureau of Transportation Statistics.

(3) DESIGNEE.—The Secretary may designate the Director of the Bureau of Transportation Statistics to collect data under subsection (b) and the survey data under subsection (c) and direct the Director to ensure the confidentiality of company-specific information to the maximum extent permitted by law.

(f) REPORT.—Each year, not later than 60 days after the date that both the collection of the data under subsection (b) and the survey under subsection (c) are complete, the Secretary shall report on the aggregate results, without company-specific information, to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(g) DEFINITIONS.—In this section:

(1) CLASS 3 FLAMMABLE LIQUID.—The term “Class 3 flammable liquid” has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(2) HIGH-HAZARD FLAMMABLE TRAIN.—The term “high-hazard flammable train” means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

SEC. 35439. REPORT ON CRUDE OIL CHARACTERISTICS RESEARCH STUDY.

Not later than 180 days after the research completion of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment (SAE) Plan study at Sandia National Laboratories, the Secretary of Energy, in cooperation with the Secretary of Transportation, shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives that contains—

(1) the results of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment (SAE) Plan study; and

(2) recommendations, based on the findings of the study, for—

(A) regulations that should be prescribed by the Secretary of Transportation or the Secretary of Energy to improve the safe transport of crude oil; and

(B) statutes that should be enacted by Congress to improve the safe transport of crude oil.

PART IV—POSITIVE TRAIN CONTROL

SEC. 35441. COORDINATION OF SPECTRUM.

(a) ASSESSMENT.—The Secretary, in coordination with the Chairman of the Federal Communications Commission, shall assess spectrum needs and availability for implementing positive train control systems (as defined in section 20157(i)(3) of title 49, United States Code). The Secretary and the Chairman may consult with external stakeholders in carrying out this section.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and

Infrastructure of the House of Representatives that contains the results of the assessment conducted under subsection (a).

SEC. 35442. UPDATED PLANS.

(a) **IMPLEMENTATION.**—Section 20157(a) is amended to read as follows:

“(a) **IMPLEMENTATION.**—

“(1) **PLAN REQUIRED.**—Each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation shall develop and submit to the Secretary of Transportation a plan for implementing a positive train control system by December 31, 2015, governing operations on—

“(A) its main line over which intercity rail passenger transportation or commuter rail passenger transportation (as defined in section 24102) is regularly provided;

“(B) its main line over which poison- or toxic-by-inhalation hazardous materials (as defined in sections 171.8, 173.115, and 173.132 of title 49, Code of Federal Regulations) are transported; and

“(C) such other tracks as the Secretary may prescribe by regulation or order.

“(2) **INTEROPERABILITY AND PRIORITIZATION.**—The plan shall describe how the railroad carrier or other entity subject to paragraph (1) will provide for interoperability of the positive train control systems with movements of trains of other railroad carriers over its lines and shall, to the extent practical, implement the positive train control systems in a manner that addresses areas of greater risk before areas of lesser risk.

“(3) **SECRETARIAL REVIEW OF UPDATED PLANS.**—

“(A) **SUBMISSION OF UPDATED PLANS.**—Notwithstanding the deadline set forth in paragraph (1), not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, each Class I railroad carrier or other entity subject to paragraph (1) may submit to the Secretary an updated plan that amends the plan submitted under paragraph (1) with an updated implementation schedule (as described in paragraph (4)(B)) and milestones or metrics (as described in paragraph (4)(A)) that demonstrate that the railroad carrier or other entity will implement a positive train control system as soon as practicable, if implementing in accordance with the updated plan will not introduce operational challenges or risks to full, successful, and safe implementation.

“(B) **REVIEW OF UPDATED PLANS.**—Not later than 150 days after receiving an updated plan under subparagraph (A), the Secretary shall review the updated plan and approve or disapprove it. In determining whether to approve or disapprove the updated plan, the Secretary shall consider whether the railroad carrier or other entity submitting the plan—

“(i)(I) has encountered technical or programmatic challenges identified by the Secretary in the 2012 report transmitted to Congress pursuant to subsection (d); and

“(II) the challenges referred to in subclause (I) have negatively affected the successful implementation of positive train control systems;

“(ii) has demonstrated due diligence in its effort to implement a positive train control system;

“(iii) has included in its plan milestones or metrics that demonstrate the railroad carrier or other entity will implement a positive train control system as soon as practicable, if implementing in accordance with the milestones or metrics will not introduce operational challenges or risks to full, successful, and safe implementation; and

“(iv) has set an implementation schedule in its plan that shows the railroad will comply with paragraph (7), if implementing in accordance with the implementation schedule will not introduce operational challenges or risks to full, successful, and safe implementation.

“(C) **MODIFICATION OF UPDATED PLANS.**—(i) If the Secretary has not approved an updated plan under subparagraph (B) within 60 days of receiving the updated plan under subparagraph (A), the Secretary shall immediately—

“(I) provide a written response to the railroad carrier or other entity that identifies the reason for not approving the updated plan and explains any incomplete or deficient items;

“(II) allow the railroad carrier or other entity to submit, within 30 days of receiving the written response under subclause (I), a modified version of the updated plan for the Secretary's review; and

“(III) approve or issue final disapproval for a modified version of the updated plan submitted under subclause (II) not later than 60 days after receipt.

“(ii) During the 60-day period described in clause (i)(III), the railroad or other entity that has submitted a modified version of the updated plan under clause (i)(II) may make additional modifications, if requested by the Secretary, for the purposes of correcting incomplete or deficient items to receive approval.

“(D) **PUBLIC AVAILABILITY.**—Not later than 30 days after approving an updated plan under this paragraph, the Secretary shall make the updated plan available on the website of the Federal Railroad Administration.

“(E) **PENDING REVIEWS.**—For an applicant that submits an updated plan under subparagraph (A), the Secretary shall extend the deadline for implementing a positive train control system at least until the date the Secretary approves or issues final disapproval for the updated plan with an updated implementation schedule (as described in paragraph (4)(B)).

“(F) **DISAPPROVAL.**—A railroad carrier or other entity that has its modified version of its updated plan disapproved by the Secretary under subparagraph (C)(i)(III), and that has not implemented a positive train control system by the deadline in subsection (a)(1), is subject to enforcement action authorized under subsection (e).

“(4) **CONTENTS OF UPDATED PLAN.**—

“(A) **MILESTONES OR METRICS.**—Each updated plan submitted under paragraph (3) shall describe the following milestones or metrics:

“(i) The total number of components that will be installed with positive train control by the end of each calendar year until positive train control is fully implemented, with totals separated by each component category.

“(ii) The number of employees that will receive the training, as required under the applicable positive train control system regulations, by the end of each calendar year until positive train control is fully implemented.

“(iii) The calendar year or years in which spectrum will be acquired and will be available for use in all areas that it is needed for positive train control implementation, if such spectrum is not already acquired and ready for use.

“(B) **IMPLEMENTATION SCHEDULE.**—Each updated plan submitted under paragraph (3) shall include an implementation schedule that identifies the dates by which the railroad carrier or other entity will—

“(i) fully implement a positive train control system;

“(ii) complete all component installation, consistent with the milestones or metrics described in subparagraph (A)(i);

“(iii) complete all employee training required under the applicable positive train control system regulations, consistent with the milestones or metrics described in subparagraph (A)(ii);

“(iv) acquire all necessary spectrum, consistent with the milestones or metrics in subparagraph (A)(iii); and

“(v) activate its positive train control system.

“(C) **ADDITIONAL INFORMATION.**—Each updated plan submitted under paragraph (3) shall include—

“(i) the total number of positive train control components required for implementation, with totals separated by each major component category;

“(ii) the total number of employees requiring training under the applicable positive train control system regulations;

“(iii) a summary of the remaining challenges to positive train control system implementation, including—

“(I) testing issues;

“(II) interoperability challenges;

“(III) permitting issues; and

“(IV) certification challenges.

“(D) **DEFINED TERM.**—In this paragraph, the term ‘component’ means a locomotive apparatus, a wayside interface unit (including any associated legacy signal system replacements), back office system hardware, a base station radio, a wayside radio, or a locomotive radio.

“(5) **PLAN IMPLEMENTATION.**—The Class I railroad carrier or other entity subject to paragraph (1) shall implement a positive train control system in accordance with its plan, including any amendments made to the plan by its updated plan approved by the Secretary under paragraph (3), and subject to section 35443 of the Railroad Reform, Enhancement, and Efficiency Act.

“(6) **PROGRESS REPORT.**—Each Class I railroad carrier or other entity with an approved updated plan shall submit an annual report to the Secretary that describes the progress made on positive train control implementation, including—

“(A) the extent to which the railroad carrier or other entity met or exceeded the metrics or milestones described in paragraph (4)(A);

“(B) the extent to which the railroad carrier or other entity complied with its implementation schedule under paragraph (4)(B); and

“(C) any update to the information provided under paragraph (4)(C).

“(7) **CONSTRAINT.**—Each updated plan shall reflect that the railroad carrier or other entity subject to paragraph (1) will, not later than December 31, 2018—

“(A) complete component installation and spectrum acquisition; and

“(B) activate its positive train control system without undue delay.”.

(b) **ENFORCEMENT.**—Section 20157(e) is amended to read as follows:

“(e) **ENFORCEMENT.**—The Secretary is authorized to assess civil penalties pursuant to chapter 213 for the failure to submit or comply with a plan for implementing positive train control under subsection (a), including any amendments to the plan made by an updated plan (including milestones or metrics and an updated implementation schedule) approved by the Secretary under paragraph (3) of such subsection, subject to section 35443 of the Railroad Reform, Enhancement, and Efficiency Act.”.

(c) **DEFINITIONS.**—Section 20157(i) is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively; and

(2) by inserting before paragraph (2), as redesignated, the following:

“(1) **ACTIVATE.**—The term ‘activate’ means to initiate the use of a positive train control system in every subdivision or district where the railroad carrier or other entity is prepared to do so safely, reliably, and successfully, and proceed with revenue service demonstration as necessary for system testing and certification, prior to full implementation.”.

(d) **CONFORMING AMENDMENT.**—Section 20157(g) is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) **IN GENERAL.**—The Secretary”; and

(2) by adding at the end the following:

“(2) CONFORMING REGULATORY AMENDMENTS.—Immediately after the date of the enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary—

“(A) shall remove or revise any references to specified dates in the regulations or orders implementing this section to the extent necessary to conform with the amendments made by such Act; and

“(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the amendments made by such Act.”.

(e) SAVINGS PROVISIONS.—

(1) RESUBMISSION OF INFORMATION.—Nothing in the amendments made by this section may be construed to require a Class I railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, to resubmit in its updated plan information from its initial implementation plan that is not changed or affected by the updated plan. The Secretary shall consider an updated plan submitted pursuant to paragraph (3) of that section to be an addendum that makes amendments to the initial implementation plan.

(2) SUBMISSION OF NEW PLAN.—Nothing in the amendments made by this section may be construed to require a Class I railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, to submit a new implementation plan pursuant to the deadline set forth in that section.

(3) APPROVAL.—A railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, that has its updated plan, including a modified version of the updated plan, approved by the Secretary under subparagraph (B) or subparagraph (C) of paragraph (3) of that section shall not be required to implement a positive train control system by the deadline under paragraph (1) of that section.

SEC. 35443. EARLY ADOPTION AND INTEROPERABILITY.

(a) EARLY ADOPTION.—During the 1-year period beginning on the date on which the last railroad carrier's or other entity's positive train control system, subject to section 20157(a) of title 49, United States Code, is certified by the Secretary under subsection (h) of such section and implemented on all of that railroad carrier's or other entity's lines required to have operations governed by a positive train control system, any railroad carrier or other entity shall not be subject to the operational restrictions set forth in subpart I of part 236 of title 49, Code of Federal Regulations, that would otherwise apply in the event of a positive train control system component failure.

(b) INTEROPERABILITY PROCEDURE.—If multiple railroad carriers operate on a single railroad line through a trackage or haulage agreement, each railroad carrier operating on the railroad line shall not be subject to the operating restrictions set forth in subpart I of part 236 of title 49, Code of Federal Regulations, with respect to the railroad line, until the Secretary certifies that—

(1) each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation that operates on the railroad line is in compliance with its positive train control requirements under section 20157(a) of title 49, United States Code;

(2) each Class II or Class III railroad that operates on the railroad line is in compliance with the applicable regulatory requirements to equip locomotives operating in positive train control territory; and

(3) the implementation of any and all positive train control systems are interoperable and operational on the railroad line in conformance with each approved implementation plan so that each freight and passenger railroad can operate

on the line with that freight or passenger railroad's positive train control equipment.

(c) SMALL RAILROADS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall amend section 236.1006(b)(4)(iii)(B) of title 49, Code of Federal Regulations (relating to equipping locomotives for applicable Class II and Class III railroads operating in positive train control territory) to extend each deadline by 3 years.

(d) ENFORCEMENT.—

(1) IN GENERAL.—Subject to paragraph (2), nothing in subsection (a) may be construed to prohibit the Secretary from enforcing the metrics and milestones under section 20157(a)(4)(A) of title 49, United States Code, as amended by section 35442 of this Act.

(2) ACTIVATION.—Beginning on the date in which a railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, as amended by section 35442 of this Act, has activated its positive train control system, the railroad carrier or other entity shall not be in violation of its plan, including its updated plan, approved under this Act if implementing such plan introduces operational challenges or risks to full, successful, and safe implementation.

SEC. 35444. POSITIVE TRAIN CONTROL AT GRADE CROSSINGS EFFECTIVENESS STUDY.

(a) STUDY.—After the Secretary certifies that each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation is in compliance with the positive train control requirements under section 20157(a) of title 49, United States Code, the Secretary shall enter into an agreement with the National Cooperative Rail Research Program Board—

(1) to conduct a study of the possible effectiveness of positive train control and related technologies on reducing collisions at highway-rail grade crossings; and

(2) to submit a report containing the results of the study conducted under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(b) FUNDING.—The Secretary may require, as part of the agreement under subsection (a), that the National Cooperative Rail Research Program Board fund the study required under this section using such sums as may be necessary out of the amounts made available under section 24910 of title 49, United States Code.

Subtitle E—Project Delivery

SEC. 35501. SHORT TITLE.

This subtitle may be cited as the “Track, Railroad, and Infrastructure Network Act”.

SEC. 35502. PRESERVATION OF PUBLIC LANDS.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(A)(i), by inserting “, taking into consideration any avoidance, minimization, and mitigation or enhancement measures incorporated into the program or project” after “historic site”; and

(2) by adding at the end the following:

“(c) RAIL AND TRANSIT.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements of such lines, with the exception of stations, that are in use or were historically used for the transportation of goods or passengers, shall not be considered a use of an historic site under subsection (a), regardless of whether the railroad or rail transit line or element of such line is listed on, or eligible for listing on, the National Register of Historic Places.”.

(b) TRANSPORTATION PROJECTS.—Section 303 is amended—

(1) in subsection (c), by striking “subsection (d)” and inserting “subsections (d) and (e)”; and

(2) in subsection (d)(2)(A)(i), by inserting “, taking into consideration any avoidance, minimization, and mitigation or enhancement measures incorporated into the program or project” after “historic site”; and

(3) by adding at the end the following:

“(e) RAIL AND TRANSIT.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements of such lines, with the exception of stations, that are in use or were historically used for the transportation of goods or passengers, shall not be considered a use of an historic site under subsection (c), regardless of whether the railroad or rail transit line or element of such line is listed on, or eligible for listing on, the National Register of Historic Places.”.

SEC. 35503. EFFICIENT ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Section 304 is amended—

(1) in the heading, by striking “for multimodal projects” and inserting “and increasing the efficiency of environmental reviews”; and

(2) by adding at the end the following:

“(e) EFFICIENT ENVIRONMENTAL REVIEWS.—

“(1) IN GENERAL.—The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23, United States Code, to any rail project that requires the approval of the Secretary of Transportation under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) REGULATIONS AND PROCEDURES.—The Secretary of Transportation shall incorporate such project development procedures into the agency regulations and procedures pertaining to rail projects.

“(f) APPLICABILITY OF NEPA DECISIONS.—

“(1) IN GENERAL.—A Department of Transportation operating administration may apply a categorical exclusion designated by another Department of Transportation operating administration under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) FINDINGS.—A Department of Transportation operating administration may adopt, in whole or in part, another Department of Transportation operating administration's Record of Decision, Finding of No Significant Impact, and any associated evaluations, determinations, or findings demonstrating compliance with any law related to environmental review or historic preservation.”.

SEC. 35504. ADVANCE ACQUISITION.

(a) IN GENERAL.—Chapter 241 is amended by inserting after section 24105 the following—

“§24106. Advance acquisition

“(a) RAIL CORRIDOR PRESERVATION.—The Secretary may assist a recipient of funding in acquiring right-of-way and adjacent real property interests before or during the completion of the environmental reviews for any project receiving funding under subtitle V of title 49, United States Code, that may use such property interests if the acquisition is otherwise permitted under Federal law, and the recipient requesting Federal funding for the acquisition certifies, with the concurrence of the Secretary, that—

“(1) the recipient has authority to acquire the right-of-way or adjacent real property interest; and

“(2) the acquisition of the right-of-way or adjacent real property interest—

“(A) is for a transportation or transportation-related purpose;

“(B) will not cause significant adverse environmental impact;

“(C) will not limit the choice of reasonable alternatives for the proposed project or otherwise influence the decision of the Secretary on any approval required for the proposed project;

“(D) does not prevent the lead agency for the review process from making an impartial decision as to whether to accept an alternative that is being considered;

“(E) complies with other applicable Federal law, including regulations;

“(F) will be acquired through negotiation and without the threat of condemnation; and

“(G) will not result in the elimination or reduction of benefits or assistance to a displaced person under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

“(b) ENVIRONMENTAL REVIEWS.—

“(1) **COMPLETION OF NEPA REVIEW.**—Before authorizing any Federal funding for the acquisition of a real property interest that is the subject of a grant or other funding under this subtitle, the Secretary shall complete, if required, the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the acquisition.

“(2) **COMPLETION OF SECTION 106.**—An acquisition of a real property interest involving an historic site shall not occur unless the section 106 process, if required, under the National Historic Preservation Act (54 U.S.C. 306108) is complete.

“(3) **TIMING OF ACQUISITIONS.**—A real property interest acquired under subsection (a) may not be developed in anticipation of the proposed project until all required environmental reviews for the project have been completed.”.

(b) **CONFORMING AMENDMENT.**—The table of contents of chapter 241 is amended by inserting after the item relating to section 24105 the following:

“24106. Advance acquisition.”.

SEC. 35505. RAILROAD RIGHTS-OF-WAY.

Section 306108 of title 54, United States Code, is amended—

(1) by inserting “(b) **OPPORTUNITY TO COMMENT.**—” before “The head of the Federal agency shall afford” and indenting accordingly;

(2) in the matter before subsection (b), by inserting “(a) **IN GENERAL.**—” before “The head of any Federal agency having direct” and indenting accordingly; and

(3) by adding at the end the following:

“(c) **EXEMPTION FOR RAILROAD RIGHTS-OF-WAY.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of the Track, Railroad, and Infrastructure Network Act, the Secretary of Transportation shall submit a proposed exemption of railroad rights-of-way from the review under this chapter to the Council for its consideration, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).

“(2) **FINAL EXEMPTION.**—Not later than 180 days after the date that the Secretary submits the proposed exemption under paragraph (1) to the Council, the Council shall issue a final exemption of railroad rights-of-way from review under this chapter, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).”.

SEC. 35506. SAVINGS CLAUSE.

Nothing in this title, or any amendment made by this title, shall be construed as superceding, amending, or modifying the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or affect the responsibility of any Federal officer to comply with or enforce any such statute.

SEC. 35507. TRANSITION.

Nothing in this title, or any amendment made by this title, shall affect any existing environmental review process, program, agreement, or funding arrangement approved by the Secretary under title 49, United States Code, as that title was in effect on the day preceding the date of enactment of this subtitle.

Subtitle F—Financing

SEC. 35601. SHORT TITLE; REFERENCES.

(a) **SHORT TITLE.**—This subtitle may be cited as the “Railroad Infrastructure Financing Improvement Act”.

(b) **REFERENCES TO THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976.**—Except as otherwise expressly provided, wherever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 801 et seq.).

SEC. 35602. DEFINITIONS.

Section 501 (45 U.S.C. 821) is amended—

(1) by redesignating paragraph (8) as paragraph (10);

(2) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(3) by inserting after paragraph (5) the following:

“(6) The term ‘investment-grade rating’ means a rating of BBB minus, Baa 3, bbb minus, BBB(low), or higher assigned by a rating agency.”;

(4) by inserting after paragraph (8), as redesignated, the following:

“(9) The term ‘master credit agreement’ means an agreement to make 1 or more direct loans or loan guarantees at future dates for a program of related projects on terms acceptable to the Secretary.”; and

(5) by adding at the end the following:

“(11) The term ‘project obligation’ means a note, bond, debenture, or other debt obligation issued by a borrower in connection with the financing of a project, other than a direct loan or loan guarantee under this title.

“(12) The term ‘railroad’ has the meaning given the term ‘railroad carrier’ in section 20102 of title 49, United States Code.

“(13) The term ‘rating agency’ means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

“(14) The term ‘substantial completion’ means—

“(A) the opening of a project to passenger or freight traffic; or

“(B) a comparable event, as determined by the Secretary and specified in the direct loan.”.

SEC. 35603. ELIGIBLE APPLICANTS.

Section 502(a) (45 U.S.C. 822(a)) is amended—

(1) in paragraph (5), by striking “one railroad; and” and inserting “1 of the entities described in paragraph (1), (2), (3), (4), or (6);”;

(2) by amending paragraph (6) to read as follows:

“(6) solely for the purpose of constructing a rail connection between a plant or facility and a rail carrier, limited option freight shippers that own or operate a plant or other facility; and”.

SEC. 35604. ELIGIBLE PURPOSES.

Section 502(b)(1) (45 U.S.C. 822(b)(1)) is amended—

(1) in subparagraph (A), by inserting “, and costs related to these activities, including pre-construction costs” after “shops”;

(2) in subparagraph (B), by striking “subparagraph (A); or” and inserting “subparagraph (A) or (C);”;

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(D) reimburse planning and design expenses relating to projects described in subparagraph (A) or (C).”.

SEC. 35605. PROGRAM ADMINISTRATION.

(a) **APPLICATION PROCESSING PROCEDURES.**—Section 502(i) (45 U.S.C. 822(i)) is amended to read as follows:

“(i) **APPLICATION PROCESSING PROCEDURES.**—

“(1) **APPLICATION STATUS NOTICES.**—Not later than 30 days after the date that the Secretary receives an application under this section, the Secretary shall provide the applicant written notice as to whether the application is complete or incomplete.

“(2) **INCOMPLETE APPLICATIONS.**—If the Secretary determines that an application is incomplete, the Secretary shall—

“(A) provide the applicant with a description of all of the specific information or material that is needed to complete the application; and

“(B) allow the applicant to resubmit the information and material described under subparagraph (A) to complete the application.

“(3) **APPLICATION APPROVALS AND DISAPPROVALS.**—

“(A) **IN GENERAL.**—Not later than 60 days after the date the Secretary notifies an applicant that an application is complete under paragraph (1), the Secretary shall provide the applicant written notice as to whether the Secretary has approved or disapproved the application.

“(B) **ACTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.**—In order to enable compliance with the time limit under subparagraph (A), the Office of Management and Budget shall take any action required with respect to the application within that 60-day period.

“(4) **EXPEDITED PROCESSING.**—The Secretary shall implement procedures and measures to economize the time and cost involved in obtaining an approval or a disapproval of credit assistance under this title.

“(5) **DASHBOARD.**—The Secretary shall post on the Department of Transportation’s public Web site a monthly report that includes for each application—

“(A) the name of the applicant or applicants;

“(B) the location of the project;

“(C) a brief description of the project, including its purpose;

“(D) the requested direct loan or loan guarantee amount;

“(E) the date on which the Secretary provided application status notice under paragraph (1); and

“(F) the date that the Secretary provided notice of approval or disapproval under paragraph (3).”.

(b) **ADMINISTRATION OF DIRECT LOANS AND LOAN GUARANTEES.**—Section 503 (45 U.S.C. 823) is amended—

(1) in subsection (a), by striking the period at the end and inserting “, including a program guide and standard term sheet and specific time-tables.”;

(2) by redesignating subsections (c) through (l) as subsections (d) through (m), respectively;

(3) by striking “(b) **ASSIGNMENT OF LOAN GUARANTEES.**—” and inserting “(c) **ASSIGNMENT OF LOAN GUARANTEES.**—”;

(4) in subsection (d), as redesignated—

(A) in paragraph (1), by striking “; and” and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(3) the modification cost has been covered under section 502(f).”;

(5) by amending subsection (l), as redesignated, to read as follows:

“(l) **CHARGES AND LOAN SERVICING.**—

“(1) **PURPOSES.**—The Secretary may collect and spend from each applicant, obligor, or loan party a reasonable charge for—

“(A) the cost of evaluating the application, amendments, modifications, and waivers, including for evaluating project viability, applicant creditworthiness, and the appraisal of the

value of the equipment or facilities for which the direct loan or loan guarantee is sought, and for making necessary determinations and findings;

“(B) the cost of award management and project management oversight;

“(C) the cost of services from expert firms, including counsel, and independent financial advisors to assist in the underwriting, auditing, servicing, and exercise of rights with respect to direct loans and loan guarantees; and

“(D) the cost of all other expenses incurred as a result of a breach of any term or condition or any event of default on a direct loan or loan guarantee.

“(2) STANDARDS.—The Secretary may charge different amounts under this subsection based on the different costs incurred under paragraph (1).

“(3) SERVICER.—

“(A) IN GENERAL.—The Secretary may appoint a financial entity to assist the Secretary in servicing a direct loan or loan guarantee under this section.

“(B) DUTIES.—A servicer appointed under subparagraph (A) shall act as the agent of the Secretary in serving a direct loan or loan guarantee under this section.

“(C) FEES.—A servicer appointed under subparagraph (A) shall receive a servicing fee from the obligor or other loan party, subject to approval by the Secretary.

“(4) SAFETY AND OPERATIONS ACCOUNT.—Amounts collected under this subsection shall—

“(A) be credited directly to the Safety and Operations account of the Federal Railroad Administration; and

“(B) remain available until expended to pay for the costs described in this subsection.”.

SEC. 35606. LOAN TERMS AND REPAYMENT.

(a) PREREQUISITES FOR ASSISTANCE.—Section 502(g)(1) (45 U.S.C. 822(g)(1)) is amended by striking “35 years from the date of its execution” and inserting “the lesser of 35 years after the date of substantial completion of the project or the estimated useful life of the rail equipment or facilities to be acquired, rehabilitated, improved, developed, or established”.

(b) REPAYMENT SCHEDULES.—Section 502(j) (45 U.S.C. 822(j)) is amended—

(1) in paragraph (1), by striking “the sixth anniversary date of the original loan disbursement” and inserting “5 years after the date of substantial completion”; and

(2) by adding at the end the following:

“(3) DEFERRED PAYMENTS.—

“(A) IN GENERAL.—If at any time after the date of substantial completion the project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the direct loan, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate time of 1 year over the duration of the direct loan, the obligor to add unpaid principal and interest to the outstanding balance of the direct loan.

“(B) INTEREST.—A payment deferred under subparagraph (A) shall—

“(i) continue to accrue interest under paragraph (2) until the loan is fully repaid; and

“(ii) be scheduled to be amortized over the remaining term of the loan.

“(4) PREPAYMENTS.—

“(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the direct loan without penalty.

“(B) USE OF PROCEEDS OF REFINANCING.—The direct loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.”.

(c) SALE OF DIRECT LOANS.—Section 502 (45 U.S.C. 822) is amended by adding at the end the following:

“(k) SALE OF DIRECT LOANS.—

“(1) IN GENERAL.—Subject to paragraph (2) and as soon as practicable after substantial completion of a project, the Secretary, after notifying the obligor, may sell to another entity or reoffer into the capital markets a direct loan for the project if the Secretary determines that the sale or reoffering has a high probability of being made on favorable terms.

“(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the original terms and conditions of the secured loan without the prior written consent of the obligor”.

(d) NONSUBORDINATION.—Section 502 (45 U.S.C. 822), as amended in subsection (c), is further amended by adding at the end the following:

“(1) NONSUBORDINATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2)(B), a direct loan shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

“(2) PREEXISTING INDENTURES.—

“(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1) for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture if—

“(i) the direct loan is rated in the A category or higher;

“(ii) the direct loan is secured and payable from pledged revenues not affected by project performance, such as a tax-based revenue pledge or a system-backed pledge of project revenues; and

“(iii) the program share, under this title, of eligible project costs is 50 percent or less.

“(B) LIMITATION.—The Secretary may impose limitations for the waiver of the nonsubordination requirement under this paragraph if the Secretary determines that such limitations would be in the financial interest of the Federal Government.”.

SEC. 35607. CREDIT RISK PREMIUMS.

Section 502(f) (45 U.S.C. 822(f)) is amended—

(1) in paragraph (1), by amending the first sentence to read as follows: “In lieu of or in combination with appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)(1)), including the cost of a modification thereof, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source, including a State or local government or agency or public benefit corporation or public authority thereof, to fund in whole or in part credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification.”;

(2) in paragraph (2)—

(A) in subparagraph (D), by adding “and” after the semicolon;

(B) by striking subparagraph (E); and

(C) by redesignating subparagraph (F) as subparagraph (E);

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

“(3) CREDITWORTHINESS.—An applicant may propose and the Secretary may accept as a basis for determining the amount of the credit risk premium under paragraph (2) any of the following in addition to the value of any tangible asset:

“(A) The net present value of a future stream of State or local subsidy income or other dedi-

cated revenues to secure the direct loan or loan guarantee.

“(B) Adequate coverage requirements to ensure repayment, on a non-recourse basis, from cash flows generated by the project or any other dedicated revenue source, including—

“(i) tolls;

“(ii) user fees; or

“(iii) payments owing to the obligor under a public-private partnership.

“(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, except that if the total amount of the direct loan or loan guarantee is greater than \$75,000,000, the applicant shall have an investment-grade rating from at least 2 rating agencies on the direct loan or loan guarantee.”; and

(6) in paragraph (4), as redesignated, by striking “amounts” and inserting “amounts (and in the case of a modification, before the modification is executed), to the extent appropriations are not available to the Secretary to meet the costs of direct loans and loan guarantees, including costs of modifications thereof”.

SEC. 35608. MASTER CREDIT AGREEMENTS.

Section 502 (45 U.S.C. 822), as amended by subsections (c) and (d) of section 35606 of this Act, is further amended by adding at the end the following:

“(m) MASTER CREDIT AGREEMENTS.—

“(1) IN GENERAL.—Subject to section 502(d) and paragraph (2) of this subsection, the Secretary may enter into a master credit agreement that is contingent on all of the conditions for the provision of a direct loan or loan guarantee, as applicable, under this title and other applicable requirements being satisfied prior to the issuance of the direct loan or loan guarantee.

“(2) CONDITIONS.—Each master credit agreement shall—

“(A) establish the maximum amount and general terms and conditions of each applicable direct loan or loan guarantee;

“(B) identify 1 or more dedicated non-Federal revenue sources that will secure the repayment of each applicable direct loan or loan guarantee;

“(C) provide for the obligation of funds for the direct loans or loan guarantees contingent on and after all requirements have been met for the projects subject to the master credit agreement; and

“(D) provide 1 or more dates, as determined by the Secretary, before which the master credit agreement results in each of the direct loans or loan guarantees or in the release of the master credit agreement.”.

SEC. 35609. PRIORITIES AND CONDITIONS.

(a) PRIORITY PROJECTS.—Section 502(c) (45 U.S.C. 822(c)) is amended—

(1) in paragraph (1), by inserting “, including projects for the installation of a positive train control system (as defined in section 20157(i) of title 49, United States Code)” after “public safety”;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (2), respectively;

(3) in paragraph (5), by inserting “or chapter 227 of title 49” after “section 135 of title 23”;

(4) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(5) by inserting after paragraph (5) the following:

“(6) improve railroad stations and passenger facilities and increase transit-oriented development.”.

(b) CONDITIONS OF ASSISTANCE.—Section 502(h) (45 U.S.C. 822(h)) is amended in paragraph (2), by inserting “, if applicable” after “project”.

SEC. 35610. SAVINGS PROVISION.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle, and the amendments

made by this subtitle, shall not affect any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act. Any such transaction entered into before the date of enactment of this Act shall be administered until completion under its terms as if this Act were not enacted.

(b) **MODIFICATION COSTS.**—At the discretion of the Secretary, the authority to accept modification costs on behalf of an applicant under section 502(f) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)), as amended by section 35607 of this Act, may apply with respect to any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act.

DIVISION D—FREIGHT AND MAJOR PROJECTS

TITLE XLI—FREIGHT POLICY

SEC. 41001. ESTABLISHMENT OF FREIGHT CHAPTER.

(a) **FREIGHT.**—Subtitle III of title 49, United States Code, is amended by inserting after chapter 53 the following:

“CHAPTER 54—FREIGHT

“5401. Definitions.

“5402. National multimodal freight policy.

“5403. National multimodal freight network.

“5404. National freight strategic plan.

“5405. State freight advisory committees.

“5406. State freight plans.

“5407. Transportation investment planning and data tools.

“5408. Savings provision.

“5409. Assistance for freight projects.

“§5401. Definitions

“In this chapter:

“(1) **ECONOMIC COMPETITIVENESS.**—The term ‘economic competitiveness’ means the ability of the economy to efficiently move freight and people, produce goods, and deliver services, including—

“(A) reductions in the travel time of freight;

“(B) reductions in the congestion caused by the movement of freight;

“(C) improvements to freight travel time reliability; and

“(D) reductions in freight transportation costs due to congestion and insufficient infrastructure.

“(2) **FREIGHT.**—The term ‘freight’ means the commercial transportation of cargo, including agricultural, manufactured, retail, or other goods by vessel, vehicle, pipeline, or rail.

“(3) **FREIGHT TRANSPORTATION MODES.**—The term ‘freight transportation modes’ means—

“(A) the infrastructure supporting any mode of transportation that moves freight, including highways, ports, waterways, rail facilities, and pipelines; and

“(B) any vehicles or equipment transporting goods on such infrastructure.

“(4) **NATIONAL HIGHWAY FREIGHT NETWORK.**—The term ‘national highway freight network’ means the network established under section 167 of title 23.

“(5) **NATIONAL MULTIMODAL FREIGHT NETWORK.**—The term ‘national multimodal freight network’ means the network established under section 5403.

“(6) **NATIONAL MULTIMODAL FREIGHT STRATEGIC PLAN.**—The term ‘national multimodal freight strategic plan’ means the strategic plan developed under section 5404.

“(7) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Transportation.

“(8) **STATE.**—The term ‘State’ means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam,

American Samoa, and the United States Virgin Islands.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of chapters for subtitle III of title 49, United States Code, is amended by inserting after the item relating to chapter 53 the following:

“54. Freight 5401”.

SEC. 41002. NATIONAL MULTIMODAL FREIGHT POLICY.

Chapter 54 of subtitle III of title 49, United States Code, as added by section 41001, is amended by adding after section 5401 the following:

“§5402. National multimodal freight policy

“(a) **POLICY.**—It is the policy of the United States—

“(1) to support investment to maintain and improve the condition and performance of the national multimodal freight network;

“(2) to ensure that the United States maximizes its competitiveness in the global economy by increasing the overall productivity and connectivity of the national freight system; and

“(3) to pursue the goals described in subsection (b).

“(b) **GOALS.**—The national multimodal freight policy has the following goals:

“(1) To enhance the economic competitiveness of the United States by investing in infrastructure improvements and implementing operational improvements on the freight network of the United States that achieve 1 or more of the following:

“(A) Strengthen the contribution of the national freight network to the economic competitiveness of the United States.

“(B) Reduce congestion and relieve bottlenecks in the freight transportation system.

“(C) Reduce the cost of freight transportation.

“(D) Improve the reliability of freight transportation.

“(E) Increase productivity, particularly for domestic industries and businesses that create jobs.

“(2) To improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas.

“(3) To improve the condition of the national freight network.

“(4) To use advanced technology to improve the safety and efficiency of the national freight network.

“(5) To incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national freight network.

“(6) To improve the efficiency and productivity of the national freight network.

“(7) To pursue these goals in a manner that is not burdensome to State and local governments.

“(c) **STRATEGIES.**—The United States may achieve the goals described in subsection (b) by—

“(1) providing funding to maintain and improve freight infrastructure facilities;

“(2) implementing appropriate safety, environmental, energy and other transportation policies;

“(3) utilizing advanced technology and innovation;

“(4) promoting workforce development; and

“(5) using performance management activities.

“(d) **IMPLEMENTATION.**—The Under Secretary for Policy, who shall be responsible for the oversight and implementation of the national multimodal freight policy, shall—

“(1) assist with the coordination of modal freight planning;

“(2) ensure consistent, expedited review of multimodal freight projects;

“(3) review the project planning and approval processes at each modal administration to identify modeling and metric inconsistencies, ap-

provals, and terminology differences that could hamper multimodal project approval;

“(4) identify interagency data sharing opportunities to promote freight planning and coordination;

“(5) identify multimodal efforts and connections;

“(6) designate the lead agency for multimodal freight projects;

“(7) develop recommendations for State incentives for multimodal planning efforts, which may include—

“(A) reducing the State cost share; or

“(B) expediting the review of agreements for multimodal or freight specific projects;

“(8) explore opportunities within existing legal authorities to reduce project delays by issuing categorical exclusions or allowing self-certifications of right-of-way acquisitions for freight projects; and

“(9) submit a report to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that identifies required reports, statutory requirements, and other limitations on efficient freight project delivery that could be streamlined or consolidated.”.

SEC. 41003. NATIONAL MULTIMODAL FREIGHT NETWORK.

Chapter 54 of subtitle III of title 49, United States Code, as amended by section 41002, is amended by adding after section 5402 the following:

“§5403. National multimodal freight network

“(a) **IN GENERAL.**—The Secretary shall establish a national freight network, in accordance with this section—

“(1) to assist States in strategically directing resources toward improved system performance for the efficient movement of freight on transportation networks;

“(2) to inform freight transportation planning;

“(3) to assist in the prioritization of Federal investment; and

“(4) to assess and support Federal investments to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23.

“(b) **NETWORK COMPONENTS.**—The national multimodal freight network established under this section shall consist of all connectors, corridors, and facilities in all freight transportation modes that are the most critical to the current and future movement of freight, including the national highway freight network, to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23.

“(c) **INITIAL DESIGNATION OF PRIMARY FREIGHT SYSTEM.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary, after soliciting input from stakeholders, including multimodal freight system users, transport providers, metropolitan planning organizations, local governments, ports, airports, railroads, and States, through a public process to identify critical freight facilities and corridors that are vital to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23, and after providing notice and opportunity for comment on a draft system, shall designate a primary freight system with the goal of—

“(A) improving network and intermodal connectivity; and

“(B) using measurable data as part of the assessment of the significance of freight movement, including the consideration of points of origin, destination, and linking components of domestic and international supply chains.

“(2) **FACTORS.**—In designating or redesignating a primary freight system, the Secretary shall consider—

“(A) origins and destinations of freight movement within, to, and from the United States;

“(B) volume, value, tonnage, and the strategic importance of freight;

“(C) access to border crossings, airports, seaports, and pipelines;

“(D) economic factors, including balance of trade;

“(E) access to major areas for manufacturing, agriculture, or natural resources;

“(F) access to energy exploration, development, installation, and production areas;

“(G) intermodal links and intersections that promote connectivity;

“(H) freight choke points and other impediments contributing to significant measurable congestion, delay in freight movement, or inefficient modal connections;

“(I) impacts on all freight transportation modes and modes that share significant freight infrastructure;

“(J) elements and transportation corridors identified by a multi-State coalition, a State, a State advisory committee, or a metropolitan planning organization, using national or local data, as having critical freight importance to the region;

“(K) intermodal connectors, major distribution centers, inland intermodal facilities, and first- and last-mile facilities;

“(L) the annual average daily truck traffic on principal arterials; and

“(M) the significance of goods movement, including consideration of global and domestic supply chains.

“(3) **REQUIREMENTS FOR DESIGNATION.**—A designation may be made under this subsection if the freight transportation facility or infrastructure being considered—

“(A) is in an urbanized area, regardless of population;

“(B) has been designated under subsection (d) as a critical rural freight corridor;

“(C) connects an intermodal facility to—

“(i) the primary freight network; or

“(ii) an intermodal freight facility;

“(D)(i) is located within a corridor of a route on the primary freight network; and

“(ii) provides an alternative option important to goods movement;

“(E) serves a major freight generator, logistic center, agricultural region, or manufacturing, warehouse, or industrial land; or

“(F) is important to the movement of freight within a State or metropolitan region, as determined by the State or the metropolitan planning organization.

“(4) **CONSIDERATIONS.**—In designating or redesignating the primary freight system under subsection (e), the Secretary shall—

“(A) use, to the extent practicable, measurable data to assess the significance of goods movement, including the consideration of points of origin, destination, and linking components of the United States global and domestic supply chains;

“(B) consider—

“(i) the factors described in subsection (c)(2); and

“(ii) any changes in the economy or freight transportation network demand; and

“(C) provide the States with an opportunity to submit proposed designations in accordance with paragraph (5).

“(5) **STATE INPUT.**—

“(A) **IN GENERAL.**—Each State that proposes increased designations on the primary freight system shall—

“(i) consider nominations for additional designations from metropolitan planning organizations and State freight advisory committees within the State;

“(ii) consider nominations for the additional designations from owners and operators of port, rail, pipeline, and airport facilities; and

“(iii) ensure that additional designations are consistent with the State Transportation Improvement Program or freight plan.

“(B) **REVISIONS.**—States may revise routes certified under section 4006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 2148) to conform with the designated freight system under this section.

“(C) **SUBMISSION AND CERTIFICATION.**—Each State shall submit to the Secretary—

“(i) a list of the additional designations added under this subsection; and

“(ii) certification that—

“(I) the State has satisfied the requirements under subparagraph (A); and

“(II) the designations referred to in clause (i) address the factors for redesignation described in subsection (c)(3).

“(d) **CRITICAL RURAL FREIGHT CORRIDORS.**—A State may designate freight transportation infrastructure or facilities within the borders of the State as a critical rural freight corridor if the public road or facility—

“(1) is a rural principal arterial roadway or facility;

“(2) provides access or service to energy exploration, development, installation, or production areas;

“(3) provides access or service to—

“(A) a grain elevator;

“(B) an agricultural facility;

“(C) a mining facility;

“(D) a forestry facility; or

“(E) an intermodal facility;

“(4) connects to an international port of entry;

“(5) provides access to significant air, rail, water, or other freight facilities in the State; or

“(6) has been determined by the State to be vital to improving the efficient movement of freight of importance to the economy of the State.

“(e) **REDESIGNATION OF PRIMARY FREIGHT SYSTEM.**—Beginning on the date that is 5 years after the initial designation under subsection (c), and every 5 years thereafter, the Secretary, using the designation factors described in subsection (c)(3), shall redesignate the primary freight system.”

TITLE XLII—PLANNING

SEC. 42001. NATIONAL FREIGHT STRATEGIC PLAN.

Chapter 54 of subtitle III of title 49, United States Code (as amended by title XLI), is amended by adding at the end the following:

“§5404. National freight strategic plan

“(a) **INITIAL DEVELOPMENT OF NATIONAL FREIGHT STRATEGIC PLAN.**—Not later than 3 years after the date of enactment of the DRIVE Act, the Secretary, in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders, shall develop, after providing opportunity for notice and comment on a draft national freight strategic plan, and post on the public website of the Department of Transportation a national freight strategic plan that includes—

“(1) an assessment of the condition and performance of the national multimodal freight network;

“(2) an identification of bottlenecks on the national multimodal freight network that create significant freight congestion based on a quantitative methodology developed by the Secretary, which shall, at a minimum, include—

“(A) information from the Freight Analysis Framework of the Federal Highway Administration; and

“(B) to the maximum extent practicable, an estimate of the cost of addressing each bottle-

neck and any operational improvements that could be implemented;

“(3) a forecast of freight volumes, based on the most recent data available, for—

“(A) the 5-year period beginning in the year during which the plan is issued; and

“(B) if practicable, for the 10- and 20-year period beginning in the year during which the plan is issued;

“(4) an identification of major trade gateways and national freight corridors that connect major economic corridors, population centers, trade gateways, and other major freight generators for current and forecasted traffic and freight volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

“(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance (including opportunities for overcoming the barriers);

“(6) an identification of routes providing access to energy exploration, development, installation, or production areas;

“(7) routes for providing access to major areas for manufacturing, agriculture, or natural resources;

“(8) best practices for improving the performance of the national freight network;

“(9) best practices to mitigate the impacts of freight movement on communities;

“(10) a process for addressing multistate projects and encouraging jurisdictions to collaborate on multistate projects;

“(11) identification of locations or areas with congestion involving freight traffic, and strategies to address those issues;

“(12) strategies to improve freight intermodal connectivity; and

“(13) best practices for improving the performance of the national multimodal freight network and rural and urban access to critical freight corridors.

“(b) **UPDATES TO NATIONAL FREIGHT STRATEGIC PLAN.**—Not later than 5 years after the date of completion of the first national multimodal freight strategic plan under subsection (a) and every 5 years thereafter, the Secretary shall update and repost on the public website of the Department of Transportation a revised national freight strategic plan.”

SEC. 42002. STATE FREIGHT ADVISORY COMMITTEES.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42001), is amended by adding at the end the following:

“§5405. State freight advisory committees

“(a) **IN GENERAL.**—Each State shall establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, third party logistics providers, shippers, carriers, freight-related associations, the freight industry workforce, the transportation department of the State, and local governments.

“(b) **ROLE OF COMMITTEE.**—A freight advisory committee of a State described in subsection (a) shall—

“(1) advise the State on freight-related priorities, issues, projects, and funding needs;

“(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

“(3) communicate and coordinate regional priorities with other organizations;

“(4) promote the sharing of information between the private and public sectors on freight issues; and

“(5) participate in the development of the freight plan of the State described in section 5406.”

SEC. 42003. STATE FREIGHT PLANS.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42002), is amended by adding at the end the following:

“§5406. State freight plans

“(a) *IN GENERAL.*—Each State shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

“(b) *PLAN CONTENTS.*—A freight plan described in subsection (a) shall include, at a minimum—

“(1) an identification of significant freight system trends, needs, and issues with respect to the State;

“(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

“(3) when applicable, a listing of critical rural and urban freight corridors designated within the State under section 5403 of this title or section 167 of title 23;

“(4) a description of how the plan will improve the ability of the State to meet the national freight goals established under section 5402(b) of this title and section 150(b) of title 23;

“(5) a description of how innovative technologies and operational strategies, including freight intelligent transportation systems, that improve the safety and efficiency of freight movement, were considered;

“(6) in the case of roadways on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of roadways, a description of improvements that may be required to reduce or impede the deterioration;

“(7) an inventory of facilities with freight mobility issues, such as bottlenecks, within the State, and where the facilities are State owned or operated, a description of the strategies the State is employing to address those freight mobility issues;

“(8) consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay; and

“(9) a freight investment plan that, subject to subsection (c)(2), includes a list of priority projects and describes how funds made available to carry out section 167 of title 23 would be invested and matched.

“(c) *RELATIONSHIP TO LONG-RANGE PLAN.*—

“(1) *INCORPORATION.*—A State freight plan described in subsection (a) may be developed separately from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23.

“(2) *FISCAL CONSTRAINT.*—The freight investment plan component of a freight plan shall include a project, or an identified phase of a project, only if funding for completion of the project can reasonably be anticipated to be available for the project within the time period identified in the freight investment plan.

“(d) *PLANNING PERIOD.*—The freight plan shall address a 5-year forecast period.

“(e) *UPDATES.*—

“(1) *IN GENERAL.*—A State shall update the freight plan not less frequently than once every 5 years.

“(2) *FREIGHT INVESTMENT PLAN.*—A State may update the freight investment plan more frequently than is required under paragraph (1).”.

SEC. 42004. FREIGHT DATA AND TOOLS.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42003), is amended by adding at the end the following:

“§5407. Transportation investment data and planning tools

“(a) *IN GENERAL.*—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary shall—

“(1) begin development of new tools and improvement of existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

“(A) methodologies for systematic analysis of benefits and costs on a national or regional basis;

“(B) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, urban and rural access, environmental sustainability, and system condition in the project selection process;

“(C) improved methods for data collection and trend analysis;

“(D) encouragement of public-private partnerships to carry out data sharing activities while maintaining the confidentiality of all proprietary data; and

“(E) other tools to assist in effective transportation planning;

“(2) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

“(3) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

“(b) *CONSULTATION.*—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data described in subsection (a).”.

SEC. 42005. SAVINGS PROVISION.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42004), is amended by adding at the end the following:

“§5408. Savings provision

“Nothing in this chapter provides additional authority to regulate or direct private activity on freight networks designated by this chapter.”.

TITLE XLIII—FORMULA FREIGHT PROGRAM**SEC. 43001. NATIONAL HIGHWAY FREIGHT PROGRAM.**

(a) *IN GENERAL.*—Section 167 of title 23, United States Code, is amended to read as follows:

“§167. National highway freight program

“(a) *ESTABLISHMENT.*—

“(1) *IN GENERAL.*—It is the policy of the United States to improve the condition and performance of the national highway freight network to ensure that the national freight network provides the foundation for the United States to compete in the global economy and achieve each goal described in subsection (b).

“(2) *ESTABLISHMENT.*—In support of the goals described in subsection (b), the Federal Highway Administrator (referred to in this section as the ‘Administrator’) shall establish a national highway freight program in accordance with this section to improve the efficient movement of freight on the national highway freight network.

“(b) *GOALS.*—The goals of the national highway freight program are—

“(1) to invest in infrastructure improvements and to implement operational improvements on the highways of the United States that—

“(A) strengthen the contribution of the national highway freight network to the economic competitiveness of the United States;

“(B) reduce congestion and relieve bottlenecks in the freight transportation system;

“(C) reduce the cost of freight transportation;

“(D) improve the reliability of freight transportation; and

“(E) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

“(2) to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;

“(3) to improve the state of good repair of the national highway freight network;

“(4) to use advanced technology to improve the safety and efficiency of the national highway freight network;

“(5) to incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national highway freight network;

“(6) to improve the efficiency and productivity of the national highway freight network; and

“(7) to reduce the environmental impacts of freight movement.

“(c) *ESTABLISHMENT OF A NATIONAL HIGHWAY FREIGHT NETWORK.*—

“(1) *IN GENERAL.*—The Administrator shall establish a national highway freight network in accordance with this section to assist States in strategically directing resources toward improved system performance for efficient movement of freight on highways.

“(2) *NETWORK COMPONENTS.*—The national highway freight network shall consist of—

“(A) the primary highway freight system, as designated under subsection (d);

“(B) critical rural freight corridors established under subsection (e);

“(C) critical urban freight corridors established under subsection (f); and

“(D) the portions of the Interstate System not designated as part of the primary highway freight system, including designated future Interstate System routes as of the date of enactment of the DRIVE Act.

“(d) *DESIGNATION AND REDESIGNATION OF THE PRIMARY HIGHWAY FREIGHT SYSTEM.*—

“(1) *INITIAL DESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.*—The initial designation of the primary highway freight system shall be—

“(A) the network designated by the Secretary under section 167(d) of title 23, United States Code, as in effect on the day before the date of enactment of the DRIVE Act; and

“(B) all National Highway System freight intermodal connectors.

“(2) *REDESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.*—

“(A) *IN GENERAL.*—Beginning on the date that is 1 year after the date of enactment of the DRIVE Act and every 5 years thereafter, using the designation factors described in subparagraph (E), the Administrator shall redesignate the primary highway freight system (including any additional mileage added to the primary highway freight system under this paragraph as of the date on which the redesignation process is effective).

“(B) *MILEAGE.*—

“(i) *FIRST REDESIGNATION.*—In redesignating the primary highway freight system on the date that is 1 year after the date of enactment of the DRIVE Act, the Administrator shall limit the system to 30,000 centerline miles, without regard to the connectivity of the primary highway freight system.

“(ii) *SUBSEQUENT REDESIGNATIONS.*—Each redesignation after the redesignation described in clause (i), the Administrator may increase the primary highway freight system by up to 5 percent of the total mileage of the system, without regard to the connectivity of the primary highway freight system.

“(C) CONSIDERATIONS.—

“(i) IN GENERAL.—In redesignating the primary highway freight system, to the maximum extent practicable, the Administrator shall use measurable data to assess the significance of goods movement, including consideration of points of origin, destination, and linking components of the United States global and domestic supply chains.

“(ii) INTERMODAL CONNECTORS.—In redesignating the primary highway freight system, the Administrator shall include all National Highway System freight intermodal connectors.

“(D) INPUT.—In addition to the process provided to State freight advisory committees under paragraph (3), in redesignating the primary highway freight system, the Administrator shall provide an opportunity for State freight advisory committees to submit additional miles for consideration.

“(E) FACTORS FOR REDESIGNATION.—In redesignating the primary highway freight system, the Administrator shall consider—

“(i) the origins and destinations of freight movement in, to, and from the United States;

“(ii) land and water ports of entry;

“(iii) access to energy exploration, development, installation, or production areas;

“(iv) proximity of access to other freight intermodal facilities, including rail, air, water, and pipelines;

“(v) the total freight tonnage and value moved via highways;

“(vi) significant freight bottlenecks, as identified by the Administrator;

“(vii) the annual average daily truck traffic on principal arterials; and

“(viii) the significance of goods movement on principal arterials, including consideration of global and domestic supply chains.

“(3) STATE FLEXIBILITY FOR ADDITIONAL MILES ON PRIMARY HIGHWAY FREIGHT SYSTEM.—

“(A) IN GENERAL.—Not later than 1 year after each redesignation conducted by the Administrator under paragraph (2), each State, under the advisement of the State freight advisory committee, as developed and carried out in accordance with subsection (1), may increase the number of miles designated as part of the primary highway freight system in that State by not more than 10 percent of the miles designated in that State under this subsection if the additional miles—

“(i) close gaps between primary highway freight system segments;

“(ii) establish connections of the primary highway freight system critical to the efficient movement of goods, including ports, international border crossings, airports, intermodal facilities, logistics centers, warehouses, and agricultural facilities; or

“(iii) designate critical emerging freight routes.

“(B) CONSIDERATIONS.—Each State, under the advisement of the State freight advisory committee that increases the number of miles on the primary highway freight system under subparagraph (A) shall—

“(i) consider nominations for the additional miles from metropolitan planning organizations within the State;

“(ii) ensure that the additional miles are consistent with the freight plan of the State; and

“(iii) review the primary highway freight system of the State designated under paragraph (1) and redesignate miles in a manner that is consistent with paragraph (2).

“(C) SUBMISSION.—Each State, under the advisement of the State freight advisory committee shall—

“(i) submit to the Administrator a list of the additional miles added under this subsection; and

“(ii) certify that—

“(I) the additional miles meet the requirements of subparagraph (A); and

“(II) the State, under the advisement of the State freight advisory committee, has satisfied the requirements of subparagraph (B).

“(e) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate a public road within the borders of the State as a critical rural freight corridor if the public road—

“(1) is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (Federal Highway Administration vehicle class 8 to 13);

“(2) provides access to energy exploration, development, installation, or production areas;

“(3) connects the primary highway freight system, a roadway described in paragraph (1) or (2), or the Interstate System to facilities that handle more than—

“(A) 50,000 20-foot equivalent units per year; or

“(B) 500,000 tons per year of bulk commodities;

“(4) provides access to—

“(A) a grain elevator;

“(B) an agricultural facility;

“(C) a mining facility;

“(D) a forestry facility; or

“(E) an intermodal facility;

“(5) connects to an international port of entry;

“(6) provides access to significant air, rail, water, or other freight facilities in the State; or

“(7) is, in the determination of the State, vital to improving the efficient movement of freight of importance to the economy of the State.

“(f) CRITICAL URBAN FREIGHT CORRIDORS.—

“(1) URBANIZED AREA WITH POPULATION OF 500,000 OR MORE.—In an urbanized area with a population of 500,000 or more individuals, the representative metropolitan planning organization, in consultation with the State, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

“(2) URBANIZED AREA WITH A POPULATION LESS THAN 500,000.—In an urbanized area with a population of less than 500,000 individuals, the State, in consultation with the representative metropolitan planning organization, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

“(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under paragraphs (1) or (2) if the public road—

“(A) is in an urbanized area, regardless of population; and

“(B)(i) connects an intermodal facility to—

“(I) the primary highway freight network;

“(II) the Interstate System; or

“(III) an intermodal freight facility;

“(ii) is located within a corridor of a route on the primary highway freight network and provides an alternative highway option important to goods movement;

“(iii) serves a major freight generator, logistic center, or manufacturing and warehouse industrial land; or

“(iv) is important to the movement of freight within the region, as determined by the metropolitan planning organization or the State.

“(g) DESIGNATION AND CERTIFICATION.—

“(1) DESIGNATION.—States and metropolitan planning organizations may designate corridors under subsections (e) and (f) and submit the designated corridors to the Administrator on a rolling basis.

“(2) CERTIFICATION.—Each State or metropolitan planning organization that designates a corridor under subsection (e) or (f) shall certify to the Administrator that the designated cor-

ridor meets the requirements of the applicable subsection.

“(h) HIGHWAY FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the DRIVE Act and biennially thereafter, the Administrator shall prepare and submit to Congress a report that describes the conditions and performance of the national highway freight network in the United States.

“(i) USE OF APPORTIONED FUNDS.—

“(1) IN GENERAL.—A State shall obligate funds apportioned to the State under section 104(b)(5) to improve the movement of freight on the national highway freight network.

“(2) FORMULA.—The Administrator shall calculate for each State the proportion that—

“(A) the total mileage in the State designated as part of the primary highway freight system; bears to

“(B) the total mileage of the primary highway freight system in all States.

“(3) USE OF FUNDS.—

“(A) STATES WITH HIGH PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is greater than or equal to 3 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on—

“(i) the primary highway freight system;

“(ii) critical rural freight corridors; and

“(iii) critical urban freight corridors.

“(B) STATES WITH LOW PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is less than 3 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on any component of the national highway freight network.

“(4) FREIGHT PLANNING.—Notwithstanding any other provision of law, effective beginning 2 years after the date of enactment of the DRIVE Act, a State may not obligate funds apportioned to the State under section 104(b)(5) unless the State has—

“(A) established a freight advisory committee in accordance with section 5405 of title 49; and

“(B) developed a freight plan in accordance with section 5406 of title 49, except that the multimodal component of the plan may be incomplete before an obligation may be made under this section.

“(5) ELIGIBILITY.—

“(A) IN GENERAL.—Except as provided in this subsection, for a project to be eligible for funding under this section the project shall—

“(i) contribute to the efficient movement of freight on the national highway freight network; and

“(ii) be consistent with a freight investment plan included in a freight plan of the State that is in effect.

“(B) OTHER PROJECTS.—A State may obligate not more than 10 percent of the total apportionment of the State under section 104(b)(5) for projects—

“(i) within the boundaries of public and private freight rail, water facilities (including ports), and intermodal facilities; and

“(ii) that provide surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into and out of the facility.

“(C) ELIGIBLE PROJECTS.—Funds apportioned to the State under section 104(b)(5) for the national highway freight program may be obligated to carry out 1 or more of the following:

“(i) Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.

“(ii) Construction, reconstruction, rehabilitation, acquisition of real property (including

land relating to the project and improvements to land), construction contingencies, acquisition of equipment, and operational improvements directly relating to improving system performance.

“(iii) Intelligent transportation systems and other technology to improve the flow of freight, including intelligent freight transportation systems.

“(iv) Efforts to reduce the environmental impacts of freight movement.

“(v) Environmental and community mitigation of freight movement.

“(vi) Railway-highway grade separation.

“(vii) Geometric improvements to interchanges and ramps.

“(viii) Truck-only lanes.

“(ix) Climbing and runaway truck lanes.

“(x) Adding or widening of shoulders.

“(xi) Truck parking facilities eligible for funding under section 1401 of MAP-21 (23 U.S.C. 137 note; Public Law 112-141).

“(xii) Real-time traffic, truck parking, roadway condition, and multimodal transportation information systems.

“(xiii) Electronic screening and credentialing systems for vehicles, including weigh-in-motion truck inspection technologies.

“(xiv) Traffic signal optimization, including synchronized and adaptive signals.

“(xv) Work zone management and information systems.

“(xvi) Highway ramp metering.

“(xvii) Electronic cargo and border security technologies that improve truck freight movement.

“(xviii) Intelligent transportation systems that would increase truck freight efficiencies inside the boundaries of intermodal facilities.

“(xix) Additional road capacity to address highway freight bottlenecks.

“(xx) A highway project, other than a project described in clauses (i) through (xix), to improve the flow of freight on the national highway freight network.

“(xxi) Any other surface transportation project to improve the flow of freight into and out of a facility described in subparagraph (B).

“(6) OTHER ELIGIBLE COSTS.—In addition to the eligible projects identified in paragraph (5), a State may use funds apportioned under section 104(b)(5) for—

“(A) carrying out diesel retrofit or alternative fuel projects under section 149 for class 8 vehicles; and

“(B) the necessary costs of—

“(i) conducting analyses and data collection related to the national highway freight program;

“(ii) developing and updating performance targets to carry out this section; and

“(iii) reporting to the Administrator to comply with section 150.

“(7) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

“(j) STATE PERFORMANCE TARGETS.—If the Administrator determines that a State has not met or made significant progress toward meeting the performance targets related to freight movement of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets, until the date on which the Administrator determines that the State has met or has made significant progress towards meeting the performance targets, the State shall submit to the Administrator, on a biennial basis, a freight performance improvement plan that includes—

“(1) an identification of significant freight system trends, needs, and issues within the State;

“(2) a description of the freight policies and strategies that will guide the freight-related transportation investments of the State;

“(3) an inventory of freight bottlenecks within the State and a description of the ways in which the State is allocating the national highway freight program funds to improve those bottlenecks; and

“(4) a description of the actions the State will undertake to meet the performance targets of the State.

“(k) STUDY OF MULTIMODAL PROJECTS.—Not later than 2 years after the date of enactment of the DRIVE Act, the Administrator shall submit to Congress a report that contains—

“(1) a study of freight projects identified in State freight plans under section 5406 of title 49; and

“(2) an evaluation of multimodal freight projects included in the State freight plans, or otherwise identified by States, that are subject to the limitation of funding for such projects under this section.

“(l) STATE FREIGHT ADVISORY COMMITTEES.—A State freight advisory committee shall be carried out as described in section 5405 of title 49.

“(m) STATE FREIGHT PLANS.—A State freight plan shall be carried out as described in section 5406 of title 49.

“(n) INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—

“(1) DEFINITION OF INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—In this section, the term ‘intelligent freight transportation system’ means—

“(A) an innovative or intelligent technological transportation system, infrastructure, or facilities, including electronic roads, driverless trucks, elevated freight transportation facilities, and other intelligent freight transportation systems; and

“(B) a communications or information processing system used singly or in combination for dedicated intelligent freight lanes and conveyances that improve the efficiency, security, or safety of freight on the Federal-aid highway system or that operate to convey freight or improve existing freight movements.

“(2) LOCATION.—An intelligent freight transportation system shall be located—

“(A)(i) along existing Federal-aid highways; or

“(ii) in a manner that connects ports-of-entry to existing Federal-aid highways; and

“(B) in proximity to, or within, an existing right-of-way on a Federal-aid highway.

“(3) OPERATING STANDARDS.—The Administrator of the Federal Highway Administration shall determine the need for establishing operating standards for intelligent freight transportation systems.

“(o) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project were on a Federal-aid highway.”

(b) CONFORMING AMENDMENTS.—

(1) The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

“167. National highway freight program.”

(2) Sections 1116, 1117, and 1118 of MAP-21 (23 U.S.C. 167 note; Public Law 112-141) are repealed.

TITLE XLIV—GRANTS

SEC. 44001. PURPOSE; DEFINITIONS; ADMINISTRATION.

(a) IN GENERAL.—The purpose of the grants described in the amendments made by section 44002 is to assist in funding critical high-cost transportation infrastructure projects that—

(1) are difficult to complete with existing Federal, State, local, and private funds; and

(2) will achieve 1 or more of—

(A) generation of national or regional economic benefits and an increase in the global economic competitiveness of the United States;

(B) reduction of congestion and the impacts of congestion;

(C) improvement of facilities vital to agriculture, manufacturing, or national energy security;

(D) improvement of the efficiency, reliability, and affordability of the movement of freight;

(E) improvement of transportation safety;

(F) improvement of existing and designated future Interstate System routes; or

(G) improvement of the movement of people through improving rural connectivity and metropolitan accessibility.

(b) DEFINITIONS.—In this section and for purposes of the grant programs established under the amendments made by section 44002:

(1) ELIGIBLE APPLICANT.—The term ‘eligible applicant’ means—

(A) a State (or a group of States);

(B) a local government (or a group of local governments);

(C) a tribal government (or a consortium of tribal governments);

(D) a transit agency (or a group of transit agencies);

(E) a special purpose district or a public authority with a transportation function;

(F) a port authority (or a group of port authorities);

(G) a political subdivision of a State or local government;

(H) a Federal land management agency, jointly with the applicable State; or

(I) a multistate or multijurisdictional group of entities described in subparagraphs (A) through (H).

(2) RURAL AREA.—The term ‘rural area’ means an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.

(3) RURAL STATE.—The term ‘rural State’ means a State that has a population density of 80 or fewer persons per square mile, based on the most recent decennial census.

(c) APPLICATIONS.—

(1) IN GENERAL.—An eligible applicant shall submit to the Secretary or the Federal Highway Administrator (referred to in this section as the ‘Administrator’), as appropriate, an application in such form and containing such information as the Secretary or Administrator, as appropriate, determines necessary, including the total amount of the grant requested.

(2) CONTENTS.—Each application submitted under this paragraph shall include data on the most recent system performance, to the extent practicable, and estimated system improvements that will result from completion of the eligible project, including projections for improvements 5 and 10 years after completion of the project.

(3) RESUBMISSION OF APPLICATIONS.—An eligible applicant whose project is not selected may resubmit an application in a subsequent solicitation with an addendum indicating changes to the project application.

(d) ACCOUNTABILITY MEASURES.—The Secretary and the Administrator shall establish accountability measures for the management of the grants described in this section—

(1) to establish clear procedures for addressing late-arriving applications;

(2) to publicly communicate decisions to accept or reject applications; and

(3) to document major decisions in the application evaluation and project selection process through a decision memorandum or similar mechanism that provides a clear rationale for decisions.

(e) GEOGRAPHIC DISTRIBUTION.—In awarding grants, the Secretary or Administrator, as appropriate, shall take measures to ensure, to the maximum extent practicable—

(1) an equitable geographic distribution of amounts; and

(2) an appropriate balance in addressing the needs of rural and urban communities.

(f) REPORTS.—

(1) IN GENERAL.—The Secretary or the Administrator, as appropriate, shall make available on the website of the Department at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this section during that fiscal year.

(2) COMPTROLLER GENERAL.—

(A) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the administrative establishment, solicitation, selection, and justification process with respect to the funding of grants described in this title.

(B) REPORT.—Not later than 1 year after the initial awarding of grants described in this section, the Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

- (i) the adequacy and fairness of the process by which each project was selected, if applicable;
- (ii) the justification and criteria used for the selection of each project, if applicable.

SEC. 44002. GRANTS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

“§ 171. Assistance for major projects program

“(a) PURPOSE OF PROGRAM.—The purpose of the assistance for major projects program shall be the purpose described in section 44001 of the DRIVE Act.

“(b) DEFINITIONS.—In this section—

“(1) the terms defined in section 44001 of the DRIVE Act shall apply; and

“(2) the following definitions shall apply:

“(A) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Highway Administration.

“(B) ELIGIBLE PROJECT.—

“(i) IN GENERAL.—The term ‘eligible project’ means a surface transportation project, or a program of integrated surface transportation projects closely related in the function the projects perform, that—

“(I) is a capital project that is eligible for Federal financial assistance under—

“(aa) this title; or

“(bb) chapter 53 of title 49; and

“(II) except as provided in clause (ii), has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

“(aa) \$350,000,000; and

“(bb)(AA) for a project located in a single State, 25 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year;

“(BB) for a project located in a single rural State with a population density of 80 or fewer persons per square mile based on the most recent decennial census, 10 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year; or

“(CC) for a project located in more than 1 State, 75 percent of the amount of Federal-aid highway funds apportioned to the participating State that has the largest apportionment for the most recently completed fiscal year.

“(ii) FEDERAL LAND TRANSPORTATION FACILITY.—In the case of a Federal land transportation facility, the term ‘eligible project’ means a Federal land transportation facility that has eligible project costs that are reasonably anticipated to equal or exceed \$150,000,000.

“(C) ELIGIBLE PROJECT COSTS.—The term ‘eligible project costs’ means the costs of—

“(i) development phase activities, including planning, feasibility analysis, revenue fore-

casting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

“(ii) construction, reconstruction, rehabilitation, and acquisition of real property (including land related to the project and improvements to land), environmental mitigation, construction contingencies, acquisition of equipment directly related to improving system performance, and operational improvements.

“(c) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program in accordance with this section to provide grants for projects that will have a significant impact on a region or the Nation.

“(d) SOLICITATIONS AND APPLICATIONS.—

“(1) GRANT SOLICITATIONS.—The Administrator shall conduct a transparent and competitive national solicitation process to review eligible projects for funding under this section.

“(2) APPLICATIONS.—An eligible applicant shall submit an application to the Administrator in such form as described in and in accordance with section 44001 of the DRIVE Act.

“(e) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

“(1) IN GENERAL.—The Administrator may select a project for funding under this section only if the Administrator determines that the project—

“(A) is consistent with the national goals described in section 150(b);

“(B) will significantly improve the performance of the national surface transportation network, nationally or regionally;

“(C) is based on the results of preliminary engineering;

“(D) is consistent with the long-range statewide transportation plan;

“(E) cannot be readily and efficiently completed without Federal financial assistance;

“(F) is justified based on the ability of the project to achieve 1 or more of—

“(i) generation of national economic benefits that reasonably exceed the costs of the project;

“(ii) reduction of long-term congestion, including impacts on a national, regional, and statewide basis;

“(iii) an increase in the speed, reliability, and accessibility of the movement of people or freight; or

“(iv) improvement of transportation safety, including reducing transportation accident and serious injuries and fatalities; and

“(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

“(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Administrator shall consider the extent to which the project—

“(A) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

“(B) is able to begin construction by the date that is not later than 18 months after the date on which the project is selected;

“(C) incorporates innovative project delivery and financing to the maximum extent practicable;

“(D) helps maintain or protect the environment;

“(E) improves roadways vital to national energy security;

“(F) improves or upgrades designated future Interstate System routes;

“(G) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

“(H) helps to improve mobility and accessibility; and

“(I) address the impact of population growth on the movement of people and freight.

“(f) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Administrator shall take measures as described in section 44001 of the DRIVE Act.

“(g) FUNDING REQUIREMENTS.—

“(1) IN GENERAL.—Except in the case of projects described in paragraph (2), the amount of a grant under this section shall be at least \$50,000,000.

“(2) RURAL PROJECTS.—The amounts made available for a fiscal year under this section for eligible projects located in rural areas or in rural States shall not be—

“(A) less than 20 percent of the amount made available for the fiscal year under this section; and

“(B) subject to paragraph (1).

“(3) LIMITATION OF FUNDS.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section shall be allocated for projects eligible under section 167(i)(5)(B) or chapter 53 of title 49.

“(4) STATE CAP.—

“(A) IN GENERAL.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section may be awarded to projects in a single State.

“(B) EXCEPTION FOR MULTISTATE PROJECTS.—For purposes of the limitation described in subparagraph (A), funds awarded for a multistate project shall be considered to be distributed evenly to each State.

“(5) TIFIA PROGRAM.—On the request of an eligible applicant under this section, the Administrator may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.

“(h) GRANT REQUIREMENTS.—

“(1) APPLICABILITY OF PLANNING REQUIREMENTS.—The programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

“(2) DETERMINATION OF APPLICABLE MODAL REQUIREMENTS.—If an eligible project that receives a grant under this section has a crossmodal component, the Administrator—

“(A) shall determine the predominant modal component of the project; and

“(B) may apply the applicable requirements of that predominant modal component to the project.

“(i) REPORT TO THE ADMINISTRATOR.—For each project funded under this section, the project sponsor shall evaluate system performance and submit to the Administrator a report not later than 5, 10, and 20 years after completion of the project to assess whether the project outcomes have met preconstruction projections.

“(j) ADMINISTRATIVE SELECTION.—The Administrator shall award grants to eligible projects in a fiscal year based on the criteria described in subsection (e).

“(k) REPORTS.—

“(1) IN GENERAL.—The Administrator shall provide an annual report as described in section 44001 of the DRIVE Act.

“(2) COMPTROLLER GENERAL.—The Comptroller General of the United States shall conduct an assessment as described in section 44001 of the DRIVE Act.”

(b) ASSISTANCE FOR FREIGHT PROJECTS.—Chapter 54 of subtitle III of title 49, United States Code, as amended by section 42005, is amended by adding after section 5408 the following:

“§ 5409. Assistance for freight projects

“(a) ESTABLISHMENT.—The Secretary shall establish and implement an assistance for freight projects grant program for capital investments

in major freight transportation infrastructure projects to improve the movement of goods through the transportation network of the United States.

“(b) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

“(1) IN GENERAL.—The Secretary may select a project for funding under this section only if the Secretary determines that the project—

“(A) is consistent with the goals described in section 5402(b);

“(B) will significantly improve the national or regional performance of the freight transportation network;

“(C) is based on the results of preliminary engineering;

“(D) is consistent with the long-range statewide transportation plan;

“(E) cannot be readily and efficiently completed without Federal financial assistance;

“(F) is justified based on the ability of the project—

“(i) to generate national economic benefits that reasonably exceed the costs of the project;

“(ii) to reduce long-term congestion, including impacts on a regional and statewide basis; or

“(iii) to increase the speed, reliability, and accessibility of the movement of freight; and

“(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

“(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Secretary shall consider the extent to which the project—

“(A) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

“(B) is able to begin construction by the date that is not later than 1 year after the date on which the project is selected;

“(C) incorporates innovative project delivery and financing to the maximum extent practicable;

“(D) improves freight facilities vital to agricultural or national energy security;

“(E) improves or upgrades current or designated future Interstate System routes;

“(F) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

“(G) helps to improve mobility and accessibility; and

“(H) improves transportation safety, including reducing transportation accident and serious injuries and fatalities.

“(c) ELIGIBLE PROJECTS.—

“(1) IN GENERAL.—A project is eligible for a grant under this section if the project—

“(A) is difficult to complete with existing Federal, State, local, and private funds;

“(B)(i) enhances the economic competitiveness of the United States; or

“(ii) improves the flow of freight or reduces bottlenecks in the freight infrastructure of the United States; and

“(C) will advance 1 or more of the following objectives:

“(i) Generate regional or national economic benefits and an increase in the global economic competitiveness of the United States.

“(ii) Improve transportation resources vital to agriculture or national energy security.

“(iii) Improve the efficiency, reliability, and affordability of the movement of freight.

“(iv) Improve existing freight infrastructure projects.

“(v) Improve the movement of people by improving rural and metropolitan freight routes.

“(2) EXAMPLES.—Eligible projects for grant funding under this section shall include—

“(A) a freight intermodal facility, including—

“(i) an intermodal facility serving a seaport;

“(ii) an intermodal or cargo access facility serving an airport;

“(iii) an intermodal facility serving a port on the inland waterways;

“(iv) a bulk intermodal/transload facility; or

“(v) a highway/rail intermodal facility;

“(B) a highway or bridge project eligible under title 23;

“(C) a public transportation project that reduces congestion on freight corridors and is eligible under chapter 53;

“(D) a freight rail transportation project (including rail-grade separations); and

“(E) a port infrastructure investment (including inland port infrastructure).

“(d) REQUIREMENTS.—

“(1) CONSIDERATIONS.—In selecting projects to receive grant funding under this section, the Secretary shall—

“(A) consider—

“(i) projected freight volumes; and

“(ii) how projects will enhance economic efficiency, productivity, and competitiveness;

“(iii) population growth and the impact on freight demand; and

“(B) give priority to projects dedicated to—

“(i) improving freight infrastructure facilities;

“(ii) reducing travel time for freight projects;

“(iii) reducing freight transportation costs; and

“(iv) reducing congestion caused by rapid population growth on freight corridors.

“(2) MULTIMODAL DISTRIBUTION OF FUNDS.—In distributing funding for grants under this section, the Secretary shall take such measures as the Secretary determines necessary to ensure the investment in a variety of transportation modes.

“(3) AMOUNT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B)(i), a grant under this section shall be in an amount that is not less than \$10,000,000 and not greater than \$100,000,000.

“(B) PROJECTS IN RURAL AREAS.—If a grant awarded under this section is for a project located in a rural area—

“(i) the amount of the grant shall be at least \$1,000,000; and

“(ii) the Secretary may increase the Federal share of costs to greater than 80 percent.

“(4) FEDERAL SHARE.—Except as provided under paragraph (3)(B)(ii), the Federal share of the costs for a project receiving a grant under this section shall be up to 80 percent.

“(5) PRIORITY.—The Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package.

“(6) RURAL AREAS.—Not less than 25 percent of the funding provided under this section shall be used to make grants for projects located in rural areas.

“(7) NEW COMPETITION.—The Secretary shall conduct a new competition each fiscal year to select the grants and credit assistance awarded under this section.

“(e) CONSULTATION.—The Secretary shall consult with the Secretary of Energy when considering projects that facilitate the movement of energy resources.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated from the general fund of the Treasury, \$200,000,000 for each of fiscal years 2016 through 2021 to carry out this section.

“(2) ADMINISTRATIVE AND OVERSIGHT COSTS.—The Secretary may retain up to 0.5 percent of the amounts appropriated pursuant to paragraph (1)—

“(A) to administer the assistance for freight projects grant program; and

“(B) to oversee eligible projects funded under this section.

“(3) ADMINISTRATION OF FUNDS.—Amounts appropriated pursuant to this subsection shall be available for obligation until expended.

“(g) CONGRESSIONAL NOTIFICATION.—Not later than 72 hours before public notification of a grant awarded under this section, the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Environment and Public Works of the Senate, the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Appropriations of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives of such award.

“(h) ACCOUNTABILITY MEASURES.—The Secretary shall provide to Congress documentation of major decisions in the application evaluation and project selection process, which shall include a clear rationale for decisions—

“(1) to advance for senior review applications other than those rated as highly recommended;

“(2) to not advance applications rated as highly recommended; and

“(3) to change the technical evaluation rating of an application.”.

(c) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

“171. Assistance for major projects program.”.

DIVISION E—FINANCE

SEC. 50001. SHORT TITLE.

This division may be cited as the “Transportation Funding Act of 2015”.

TITLE LI—HIGHWAY TRUST FUND AND RELATED TAXES

Subtitle A—Extension of Trust Fund Expenditure Authority and Related Taxes

SEC. 51101. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986, as amended by division G, is amended—

(1) by striking “November 21, 2015” in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting “October 1, 2021”, and

(2) by striking “Surface Transportation Extension Act of 2015” in subsections (c)(1) and (e)(3) and inserting “Surface Transportation Reauthorization and Reform Act of 2015”.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986 is amended—

(1) by striking “Surface Transportation Extension Act of 2015” each place it appears in subsection (b)(2) and inserting “Surface Transportation Reauthorization and Reform Act of 2015”, and

(2) by striking “November 21, 2015” in subsection (d)(2) and inserting “October 1, 2021”.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Section 9508(e)(2) of the Internal Revenue Code of 1986 is amended by striking “November 21, 2015” and inserting “October 1, 2021”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on November 21, 2015.

SEC. 51102. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking “September 30, 2016” and inserting “September 30, 2023”:

(A) Section 4041(a)(1)(C)(iii)(I).

(B) Section 4041(m)(1)(B).

(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking “October 1, 2016” and inserting “October 1, 2023”:

(A) Section 4041(m)(1)(A).

(B) Section 4051(c).
(C) Section 4071(d).
(D) Section 4081(d)(3).

(b) EXTENSION OF TAX, ETC., ON USE OF CERTAIN HEAVY VEHICLES.—Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking “2017” each place it appears and inserting “2024”:

(1) Section 4481(f).

(2) Subsections (c)(4) and (d) of section 4482.

(c) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking “October 1, 2016” each place it appears and inserting “October 1, 2023”,

(2) by striking “March 31, 2017” each place it appears and inserting “March 31, 2024”, and

(3) by striking “January 1, 2017” and inserting “January 1, 2024”.

(d) EXTENSION OF CERTAIN EXEMPTIONS.—

(1) Section 4221(a) of the Internal Revenue Code of 1986 is amended by striking “October 1, 2016” and inserting “October 1, 2023”.

(2) Section 4483(i) of such Code is amended by striking “October 1, 2017” and inserting “October 1, 2024”.

(e) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (b)—

(i) by striking “October 1, 2016” each place it appears in paragraphs (1) and (2) and inserting “October 1, 2023”,

(ii) by striking “OCTOBER 1, 2016” in the heading of paragraph (2) and inserting “OCTOBER 1, 2023”,

(iii) by striking “September 30, 2016” in paragraph (2) and inserting “September 30, 2023”, and

(iv) by striking “July 1, 2017” in paragraph (2) and inserting “July 1, 2024”, and

(B) in subsection (c)(2), by striking “July 1, 2017” and inserting “July 1, 2024”.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking “October 1, 2016” and inserting “October 1, 2023”.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 200310 of title 54, United States Code, is amended—

(i) by striking “October 1, 2017” each place it appears and inserting “October 1, 2024”, and

(ii) by striking “October 1, 2016” and inserting “October 1, 2023”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

Subtitle B—Additional Transfers to Highway Trust Fund

SEC. 51201. FURTHER ADDITIONAL TRANSFERS TO TRUST FUND.

Subsection (f) of section 9503 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (8) as paragraph (10) and inserting after paragraph (7) the following new paragraphs:

“(8) FURTHER TRANSFERS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

“(A) \$25,976,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

“(B) \$9,000,000,000 to the Mass Transit Account in the Highway Trust Fund.

“(9) ADDITIONAL INCREASE IN FUND BALANCE.—There is hereby transferred to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund amounts appropriated from the Leaking Underground Storage Tank Trust Fund under section 9508(c)(4).”.

SEC. 51202. TRANSFER TO HIGHWAY TRUST FUND OF CERTAIN MOTOR VEHICLE SAFETY PENALTIES.

(a) IN GENERAL.—Paragraph (5) of section 9503(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking “There are hereby” and inserting the following:

“(A) IN GENERAL.—There are hereby”, and

(2) by adding at the end the following new paragraph:

“(B) PENALTIES RELATED TO MOTOR VEHICLE SAFETY.—

“(i) IN GENERAL.—There are hereby appropriated to the Highway Trust Fund amounts equivalent to covered motor vehicle safety penalty collections.

“(ii) COVERED MOTOR VEHICLE SAFETY PENALTY COLLECTIONS.—For purposes of this subparagraph, the term ‘covered motor vehicle safety penalty collections’ means any amount collected in connection with a civil penalty under section 30165 of title 49, United States Code, reduced by any award authorized by the Secretary of Transportation to be paid to any person in connection with information provided by such person related to a violation of chapter 301 of such title which is a predicate to such civil penalty.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts collected after the date of the enactment of this Act.

SEC. 51203. APPROPRIATION FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND.

(a) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(4) ADDITIONAL TRANSFER TO HIGHWAY TRUST FUND.—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated—

“(A) on the date of the enactment of the DRIVE Act, \$100,000,000,

“(B) on October 1, 2016, \$100,000,000, and

“(C) on October 1, 2017, \$100,000,000,

to be transferred under section 9503(f)(9) to the Highway Account (as defined in section 9503(e)(5)(B)) in the Highway Trust Fund.”.

(b) CONFORMING AMENDMENT.—Section 9508(c)(1) of the Internal Revenue Code of 1986 is amended by striking “paragraphs (2) and (3)” and inserting “paragraphs (2), (3), and (4)”.

TITLE LII—OFFSETS

Subtitle A—Tax Provisions

SEC. 52102. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

“(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of \$50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 52102(d) of the Transportation Funding Act of 2015.

“(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term ‘seriously delinquent tax debt’ means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

“(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

“(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

“(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—

“(1) such dollar amount, multiplied by

“(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2015’ for ‘calendar year 1992’ in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of \$1,000, such amount shall be rounded to the next highest multiple of \$1,000.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.”.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

“(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

“(i) the taxpayer identity information with respect to such taxpayer, and

“(ii) the amount of such seriously delinquent tax debt.

“(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 52102(d) of the Transportation Funding Act of 2015.”.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking “or (22)” each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting “(22), or (23)”.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) **HOLD HARMLESS.**—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) **REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.**—

(1) **DENIAL.**—

(A) **IN GENERAL.**—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) **EMERGENCY AND HUMANITARIAN SITUATIONS.**—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) **REVOCATION.**—

(A) **IN GENERAL.**—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) **LIMITATION FOR RETURN TO UNITED STATES.**—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) **EFFECTIVE DATE.**—The provisions of, and amendments made by, this section shall take effect on January 1, 2016.

SEC. 52106. REFORM OF RULES RELATING TO QUALIFIED TAX COLLECTION CONTRACTS.

(a) **REQUIREMENT TO COLLECT CERTAIN INACTIVE TAX RECEIVABLES UNDER QUALIFIED TAX COLLECTION CONTRACTS.**—Section 6306 of the Internal Revenue Code of 1986 is amended by redesignating subsections (c) through (f) as subsections (d) through (g), respectively, and by inserting after subsection (b) the following new subsection:

“(c) **COLLECTION OF INACTIVE TAX RECEIVABLES.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary shall enter into one or more qualified tax collection contracts for the collection of all outstanding inactive tax receivables.

“(2) **INACTIVE TAX RECEIVABLES.**—For purposes of this section—

“(A) **IN GENERAL.**—The term ‘inactive tax receivable’ means any tax receivable if—

“(i) at any time after assessment, the Internal Revenue Service removes such receivable from the active inventory for lack of resources or inability to locate the taxpayer,

“(ii) more than $\frac{1}{3}$ of the period of the applicable statute of limitation has lapsed and such receivable has not been assigned for collection to any employee of the Internal Revenue Service, or

“(iii) in the case of a receivable which has been assigned for collection, more than 365 days have passed without interaction with the taxpayer or a third party for purposes of furthering the collection of such receivable.

“(B) **TAX RECEIVABLE.**—The term ‘tax receivable’ means any outstanding assessment which the Internal Revenue Service includes in potentially collectible inventory.”

(b) **CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTION CONTRACTS.**—Section 6306 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by redesignating subsections (d) through (g) as subsections (e) through (h), respectively, and by inserting after subsection (c) the following new subsection:

“(d) **CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTION CONTRACTS.**—A tax receivable shall not be eligible for collection pursuant to a qualified tax collection contract if such receivable—

“(1) is subject to a pending or active offer-in-compromise or installment agreement,

“(2) is classified as an innocent spouse case,

“(3) involves a taxpayer identified by the Secretary as being—

“(A) deceased,

“(B) under the age of 18,

“(C) in a designated combat zone, or

“(D) a victim of tax-related identity theft,

“(4) is currently under examination, litigation, criminal investigation, or levy, or

“(5) is currently subject to a proper exercise of a right of appeal under this title.”

(c) **CONTRACTING PRIORITY.**—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

“(h) **CONTRACTING PRIORITY.**—In contracting for the services of any person under this section, the Secretary shall utilize private collection contractors and debt collection centers on the schedule required under section 3711(g) of title 31, United States Code, including the technology and communications infrastructure established therein, to the extent such private collection contractors and debt collection centers are appropriate to carry out the purposes of this section.”

(d) **DISCLOSURE OF RETURN INFORMATION.**—Section 6103(k) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(1) **QUALIFIED TAX COLLECTION CONTRACTORS.**—Persons providing services pursuant to a qualified tax collection contract under section 6306 may, if speaking to a person who has identified himself or herself as having the name of the taxpayer to which a tax receivable (within the meaning of such section) relates, identify themselves as contractors of the Internal Revenue Service and disclose the business name of the contractor, and the nature, subject, and reason for the contact. Disclosures under this paragraph shall be made only in such situations and under such conditions as have been approved by the Secretary.”

(e) **TAXPAYERS AFFECTED BY FEDERALLY DECLARED DISASTERS.**—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

“(i) **TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.**—The Secretary may prescribe procedures under which a taxpayer determined to be affected by a Federally declared disaster (as defined by section 165(i)(5)) may request—

“(1) relief from immediate collection measures by contractors under this section, and

“(2) a return of the inactive tax receivable to the inventory of the Internal Revenue Service to be collected by an employee thereof.”

(f) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

“(j) **REPORT TO CONGRESS.**—Not later than 90 days after the last day of each fiscal year (beginning with the first such fiscal year ending after the date of the enactment of this subsection), the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report with respect to qualified tax collection contracts under this section which shall include—

“(1) annually, with respect to such fiscal year—

“(A) the total number and amount of tax receivables provided to each contractor for collection under this section,

“(B) the total amounts collected (and amounts of installment agreements entered into under subsection (b)(1)(B)) with respect to each contractor and the collection costs incurred (directly and indirectly) by the Internal Revenue Service with respect to such amounts,

“(C) the impact of such contracts on the total number and amount of unpaid assessments, and on the number and amount of assessments collected by Internal Revenue Service personnel after initial contact by a contractor,

“(D) the amount of fees retained by the Secretary under subsection (e) and a description of the use of such funds, and

“(E) a disclosure safeguard report in a form similar to that required under section 6103(p)(5), and

“(2) biannually (beginning with the second report submitted under this subsection)—

“(A) an independent evaluation of contractor performance, and

“(B) a measurement plan that includes a comparison of the best practices used by the private collectors to the collection techniques used by the Internal Revenue Service and mechanisms to identify and capture information on successful collection techniques used by the contractors that could be adopted by the Internal Revenue Service.”

(2) **REPEAL OF EXISTING REPORTING REQUIREMENTS WITH RESPECT TO QUALIFIED TAX COLLECTION CONTRACTS.**—Section 881 of the American Jobs Creation Act of 2004 is amended by striking subsection (e).

(g) **EFFECTIVE DATES.**—

(1) **IN GENERAL.**—The amendments made by subsections (a) and (b) shall apply to tax receivables identified by the Secretary after the date of the enactment of this Act.

(2) **CONTRACTING PRIORITY.**—The Secretary shall begin entering into contracts and agreements as described in the amendment made by subsection (c) within 3 months after the date of the enactment of this Act.

(3) **DISCLOSURES.**—The amendment made by subsection (d) shall apply to disclosures made after the date of the enactment of this Act.

(4) **PROCEDURES; REPORT TO CONGRESS.**—The amendments made by subsections (e) and (f) shall take effect on the date of the enactment of this Act.

SEC. 52107. SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) **IN GENERAL.**—Subsection (e) of section 6306 of the Internal Revenue Code of 1986, as redesignated by section 52106, is amended by striking “for collection enforcement activities of the Internal Revenue Service” in paragraph (2) and inserting “to fund the special compliance personnel program account under section 6307”.

(b) **SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.**—Subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 6307. SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.

“(a) **ESTABLISHMENT OF A SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.**—The Secretary shall establish an account within the Department for carrying out a program consisting

of the hiring, training, and employment of special compliance personnel, and shall transfer to such account from time to time amounts retained by the Secretary under section 6306(e)(2).

“(b) **RESTRICTIONS.**—The program described in subsection (a) shall be subject to the following restrictions:

“(1) No funds shall be transferred to such account except as described in subsection (a).

“(2) No other funds from any other source shall be expended for special compliance personnel employed under such program, and no funds from such account shall be expended for the hiring of any personnel other than special compliance personnel.

“(3) Notwithstanding any other authority, the Secretary is prohibited from spending funds out of such account for any purpose other than for costs under such program associated with the employment of special compliance personnel and the retraining and reassignment of current non-collections personnel as special compliance personnel, and to reimburse the Internal Revenue Service or other government agencies for the cost of administering qualified tax collection contracts under section 6306.

“(c) **REPORTING.**—Not later than March of each year, the Commissioner of Internal Revenue shall submit a report to the Committees on Finance and Appropriations of the Senate and the Committees on Ways and Means and Appropriations of the House of Representatives consisting of the following:

“(1) For the preceding fiscal year, all funds received in the account established under subsection (a), administrative and program costs for the program described in such subsection, the number of special compliance personnel hired and employed under the program, and the amount of revenue actually collected by such personnel.

“(2) For the current fiscal year, all actual and estimated funds received or to be received in the account, all actual and estimated administrative and program costs, the number of all actual and estimated special compliance personnel hired and employed under the program, and the actual and estimated revenue actually collected or to be collected by such personnel.

“(3) For the following fiscal year, an estimate of all funds to be received in the account, all estimated administrative and program costs, the estimated number of special compliance personnel hired and employed under the program, and the estimated revenue to be collected by such personnel.

“(d) **DEFINITIONS.**—For purposes of this section—

“(1) **SPECIAL COMPLIANCE PERSONNEL.**—The term ‘special compliance personnel’ means individuals employed by the Internal Revenue Service as field function collection officers or in a similar position, or employed to collect taxes using the automated collection system or an equivalent replacement system.

“(2) **PROGRAM COSTS.**—The term ‘program costs’ means—

“(A) total salaries (including locality pay and bonuses), benefits, and employment taxes for special compliance personnel employed or trained under the program described in subsection (a), and

“(B) direct overhead costs, salaries, benefits, and employment taxes relating to support staff, rental payments, office equipment and furniture, travel, data processing services, vehicle costs, utilities, telecommunications, postage, printing and reproduction, supplies and materials, lands and structures, insurance claims, and indemnities for special compliance personnel hired and employed under this section.

For purposes of subparagraph (B), the cost of management and supervision of special compliance personnel shall be taken into account as

direct overhead costs to the extent such costs, when included in total program costs under this paragraph, do not represent more than 10 percent of such total costs.”.

(c) **CLERICAL AMENDMENT.**—The table of sections for subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6306 the following new item:

“Sec. 6307. Special compliance personnel program account.”.

(d) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to amounts collected and retained by the Secretary after the date of the enactment of this Act.

Subtitle B—Fees and Receipts

SEC. 52202. ADJUSTMENT FOR INFLATION OF FEES FOR CERTAIN CUSTOMS SERVICES.

(a) **IN GENERAL.**—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

“(1) **ADJUSTMENT OF FEES FOR INFLATION.**—

“(1) **IN GENERAL.**—The Secretary of the Treasury shall adjust the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), on October 1, 2015, and annually thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2014.

“(2) **SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.**—In adjusting under paragraph (1) the amount of the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), the Secretary—

“(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

“(B) may ignore any such increase of less than 1 percent.

“(3) **CONSUMER PRICE INDEX DEFINED.**—For purposes of this subsection, the term ‘Consumer Price Index’ means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”.

(b) **DEPOSITS INTO CUSTOMS USER FEE ACCOUNT.**—Section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “all fees collected under subsection (a)” and inserting “the amount of fees collected under subsection (a) (determined without regard to any adjustment made under subsection (1))”; and

(2) in paragraph (3)(A), in the matter preceding clause (i)—

(A) by striking “fees collected” and inserting “amount of fees collected”; and

(B) by striking “”, each appropriation” and inserting “”, and determined without regard to any adjustment made under subsection (1)), each appropriation”.

(c) **CONFORMING AMENDMENTS.**—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c), as amended by subsections (a) and (b), is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “(subject to adjustment under subsection (1))” after “following fees”; and

(2) in subsection (b)—

(A) in paragraph (2), by inserting “(subject to adjustment under subsection (1))” after “in fees”; and

(B) in paragraph (3), by inserting “(subject to adjustment under subsection (1))” after “in fees”;

(C) in paragraph (5)(A), by inserting “(subject to adjustment under subsection (1))” after “in fees”;

(D) in paragraph (6), by inserting “(subject to adjustment under subsection (1))” after “in fees”;

(E) in paragraph (8)(A)—

(i) in clause (i), by inserting “or (1)” after “subsection (a)(9)(B)”; and

(ii) in clause (ii), by inserting “(subject to adjustment under subsection (1))” after “\$3”; and

(F) in paragraph (9)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting “and subject to adjustment under subsection (1)” after “Tariff Act of 1930”; and

(II) in clause (ii)(I), by inserting “(subject to adjustment under subsection (1))” after “bill of lading”; and

(ii) in subparagraph (B)(i), by inserting “(subject to adjustment under subsection (1))” after “bill of lading”.

SEC. 52203. DIVIDENDS AND SURPLUS FUNDS OF RESERVE BANKS.

Section 7(a)(1)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(1)(A)) is amended by striking “6 percent” and inserting “6 percent (1.5 percent in the case of a stockholder having total consolidated assets of more than \$1,000,000,000 (determined as of September 30 of the preceding fiscal year))”.

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) **DRAWDOWN AND SALE.**—

(1) **IN GENERAL.**—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsections (b) and (c), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) the quantity of barrels of crude oil that the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers for each of fiscal years 2016 and 2017;

(B) 4,000,000 barrels of crude oil during fiscal year 2018;

(C) 5,000,000 barrels of crude oil during fiscal year 2019;

(D) 8,000,000 barrels of crude oil during fiscal year 2020;

(E) 8,000,000 barrels of crude oil during fiscal year 2021;

(F) 10,000,000 barrels of crude oil during fiscal year 2022;

(G) 16,000,000 barrels of crude oil during fiscal year 2023;

(H) 25,000,000 barrels of crude oil during fiscal year 2024; and

(I) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) **DEPOSIT OF AMOUNTS RECEIVED FROM SALE.**—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) **EMERGENCY PROTECTION.**—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

(c) **INCREASE; LIMITATION.**—

(1) **INCREASE.**—The Secretary of Energy may increase the drawdown and sales under subparagraphs (A) through (I) of subsection (a)(1) as the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers.

(2) **LIMITATION.**—The Secretary of Energy shall not drawdown or conduct sales of crude

oil under this section after the date on which a total of \$9,050,000,000 has been deposited in the general fund of the Treasury from sales authorized under this section.

SEC. 52205. EXTENSION OF ENTERPRISE GUARANTEE FEE.

Section 1327(f) of the Housing and Community Development Act of 1992 (12 U.S.C. 4547(f)) is amended by striking “October 1, 2021” and inserting “October 1, 2025”.

Subtitle C—Outlays

SEC. 52301. INTEREST ON OVERPAYMENT.

Section 111 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721) is amended—

- (1) by striking subsections (h) and (i);
- (2) by redesignating subsections (j) through (l) as subsections (h) through (j), respectively; and
- (3) in subsection (h) (as so redesignated), by striking the fourth sentence.

**DIVISION F—MISCELLANEOUS
TITLE LXI—FEDERAL PERMITTING
IMPROVEMENT**

SEC. 61001. DEFINITIONS.

In this title:

(1) **AGENCY.**—The term “agency” has the meaning given the term in section 551 of title 5, United States Code.

(2) **AGENCY CERPO.**—The term “agency CERPO” means the chief environmental review and permitting officer of an agency, as designated by the head of the agency under section 61002(b)(2)(A)(iii)(I).

(3) **AUTHORIZATION.**—The term “authorization” means any license, permit, approval, finding, determination, or other administrative decision issued by an agency that is required or authorized under Federal law in order to site, construct, reconstruct, or commence operations of a covered project, whether administered by a Federal or State agency.

(4) **COOPERATING AGENCY.**—The term “cooperating agency” means any agency with—

- (A) jurisdiction under Federal law; or
- (B) special expertise as described in section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(5) **COUNCIL.**—The term “Council” means the Federal Infrastructure Permitting Improvement Steering Council established under section 61002(a).

(6) **COVERED PROJECT.**—

(A) **IN GENERAL.**—The term “covered project” means any activity in the United States that requires authorization or environmental review by a Federal agency involving construction of infrastructure for renewable or conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, or any other sector as determined by a majority vote of the Council that—

- (i) (I) is subject to NEPA;
- (II) is likely to require a total investment of more than \$200,000,000; and
- (III) does not qualify for abbreviated authorization or environmental review processes under any applicable law; or
- (ii) is subject to NEPA and the size and complexity of which, in the opinion of the Council, make the project likely to benefit from enhanced oversight and coordination, including a project likely to require—

(I) authorization from or environmental review involving more than 2 Federal agencies; or

(II) the preparation of an environmental impact statement under NEPA.

(B) **EXCLUSION.**—The term “covered project” does not include—

- (i) any project subject to section 139 of title 23, United States Code; or

(ii) any project subject to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348).

(7) **DASHBOARD.**—The term “Dashboard” means the Permitting Dashboard required under section 61003(b).

(8) **ENVIRONMENTAL ASSESSMENT.**—The term “environmental assessment” means a concise public document for which a Federal agency is responsible under section 1508.9 of title 40, Code of Federal Regulations (or successor regulations).

(9) **ENVIRONMENTAL DOCUMENT.**—

(A) **IN GENERAL.**—The term “environmental document” means an environmental assessment, finding of no significant impact, notice of intent, environmental impact statement, or record of decision.

(B) **INCLUSIONS.**—The term “environmental document” includes—

- (i) any document that is a supplement to a document described in subparagraph (A); and
- (ii) a document prepared pursuant to a court order.

(10) **ENVIRONMENTAL IMPACT STATEMENT.**—The term “environmental impact statement” means the detailed written statement required under section 102(2)(C) of NEPA.

(11) **ENVIRONMENTAL REVIEW.**—The term “environmental review” means the agency procedures and processes for applying a categorical exclusion or for preparing an environmental assessment, an environmental impact statement, or other document required under NEPA.

(12) **EXECUTIVE DIRECTOR.**—The term “Executive Director” means the Executive Director appointed by the President under section 61002(b)(1)(A).

(13) **FACILITATING AGENCY.**—The term “facilitating agency” means the agency that receives the initial notification from the project sponsor required under section 61003(a).

(14) **INVENTORY.**—The term “inventory” means the inventory of covered projects established by the Executive Director under section 61002(c)(1)(A).

(15) **LEAD AGENCY.**—The term “lead agency” means the agency with principal responsibility for an environmental review of a covered project under NEPA and parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(16) **NEPA.**—The term “NEPA” means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(17) **PARTICIPATING AGENCY.**—The term “participating agency” means an agency participating in an environmental review or authorization for a covered project in accordance with section 61003.

(18) **PROJECT SPONSOR.**—The term “project sponsor” means an entity, including any private, public, or public-private entity, seeking an authorization for a covered project.

SEC. 61002. FEDERAL PERMITTING IMPROVEMENT COUNCIL.

(a) **ESTABLISHMENT.**—There is established the Federal Permitting Improvement Steering Council.

(b) **COMPOSITION.**—

(1) **CHAIR.**—The Executive Director shall—

- (A) be appointed by the President; and
- (B) serve as Chair of the Council.

(2) **COUNCIL MEMBERS.**—

(A) **IN GENERAL.**—

(i) **DESIGNATION BY HEAD OF AGENCY.**—Each individual listed in subparagraph (B) shall designate a member of the agency in which the individual serves to serve on the Council.

(ii) **QUALIFICATIONS.**—A councilmember described in clause (i) shall hold a position in the agency of deputy secretary (or the equivalent) or higher.

(iii) **SUPPORT.**—

(I) **IN GENERAL.**—Consistent with guidance provided by the Director of the Office of Management and Budget, each individual listed in subparagraph (B) shall designate 1 or more appropriate members of the agency in which the individual serves to serve as an agency CERPO.

(II) **REPORTING.**—In carrying out the duties of the agency CERPO under this title, an agency CERPO shall report directly to a deputy secretary (or the equivalent) or higher.

(B) **HEADS OF AGENCIES.**—The individuals that shall each designate a councilmember under this subparagraph are as follows:

- (i) The Secretary of Agriculture.
- (ii) The Secretary of the Army.
- (iii) The Secretary of Commerce.
- (iv) The Secretary of the Interior.
- (v) The Secretary of Energy.
- (vi) The Secretary of Transportation.
- (vii) The Secretary of Defense.
- (viii) The Administrator of the Environmental Protection Agency.

(ix) The Chairman of the Federal Energy Regulatory Commission.

(x) The Chairman of the Nuclear Regulatory Commission.

(xi) The Secretary of Homeland Security.

(xii) The Secretary of Housing and Urban Development.

(xiii) The Chairman of the Advisory Council on Historic Preservation.

(xiv) Any other head of a Federal agency that the Executive Director may invite to participate as a member of the Council.

(3) **ADDITIONAL MEMBERS.**—In addition to the members listed in paragraphs (1) and (2), the Chairman of the Council on Environmental Quality and the Director of the Office of Management and Budget shall also be members of the Council.

(c) **DUTIES.**—

(1) **EXECUTIVE DIRECTOR.**—

(A) **INVENTORY DEVELOPMENT.**—The Executive Director, in consultation with the Council, shall—

- (i) not later than 180 days after the date of enactment of this Act, establish an inventory of covered projects that are pending the environmental review or authorization of the head of any Federal agency;

(ii) (I) categorize the projects in the inventory as appropriate, based on sector and project type; and

(II) for each category, identify the types of environmental reviews and authorizations most commonly involved; and

(iii) add a covered project to the inventory after receiving a notice described in section 61003(a)(1).

(B) **FACILITATING AGENCY DESIGNATION.**—The Executive Director, in consultation with the Council, shall—

- (i) designate a facilitating agency for each category of covered projects described in subparagraph (A)(ii); and

(ii) publish the list of designated facilitating agencies for each category of projects in the inventory on the Dashboard in an easily accessible format.

(C) **PERFORMANCE SCHEDULES.**—

(i) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Executive Director, in consultation with the Council, shall develop recommended performance schedules, including intermediate and final completion dates, for environmental reviews and authorizations most commonly required for each category of covered projects described in subparagraph (A)(ii).

(ii) **REQUIREMENTS.**—

(I) **IN GENERAL.**—The performance schedules shall reflect employment of the use of the most efficient applicable processes.

(II) **LIMIT.**—

(aa) *IN GENERAL.*—The final completion dates in any performance schedule for the completion of an environmental review or authorization under clause (i) shall not exceed the average time to complete an environmental review or authorization for a project within that category.

(bb) *CALCULATION OF AVERAGE TIME.*—The average time referred to in item (aa) shall be calculated on the basis of data from the preceding 2 calendar years and shall run from the period beginning on the date on which the Executive Director must make a specific entry for the project on the Dashboard under section 61003(b)(2) (except that, for projects initiated before that duty takes effect, the period beginning on the date of filing of a completed application), and ending on the date of the issuance of a record of decision or other final agency action on the review or authorization.

(cc) *COMPLETION DATE.*—Each performance schedule shall specify that any decision by an agency on an environmental review or authorization must be issued not later than 180 days after the date on which all information needed to complete the review or authorization (including any hearing that an agency holds on the matter) is in the possession of the agency.

(iii) *REVIEW AND REVISION.*—Not later than 2 years after the date on which the performance schedules are established under this subparagraph, and not less frequently than once every 2 years thereafter, the Executive Director, in consultation with the Council, shall review and revise the performance schedules.

(D) *GUIDANCE.*—The Executive Director, in consultation with the Council, may recommend to the Director of the Office of Management and Budget or to the Council on Environmental Quality, as appropriate, that guidance be issued as necessary for agencies—

(i) to carry out responsibilities under this title; and

(ii) to effectuate the adoption by agencies of the best practices and recommendations of the Council described in paragraph (2).

(2) *COUNCIL.*—

(A) *RECOMMENDATIONS.*—

(i) *IN GENERAL.*—The Council shall make recommendations to the Executive Director with respect to the designations under paragraph (1)(B) and the performance schedules under paragraph (1)(C).

(ii) *UPDATE.*—The Council may update the recommendations described in clause (i).

(B) *BEST PRACTICES.*—Not later than 1 year after the date of enactment of this Act, and not less frequently than annually thereafter, the Council shall issue recommendations on the best practices for—

(i) enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project;

(ii) ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics;

(iii) improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies;

(iv) increasing transparency;

(v) reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties;

(vi) developing and making available to applicants appropriate geographic information systems and other tools;

(vii) creating and distributing training materials useful to Federal, State, tribal, and local permitting officials; and

(viii) addressing other aspects of infrastructure permitting, as determined by the Council.

(3) *AGENCY CERPOS.*—An agency CERPO shall—

(A) advise the respective agency councilmember on matters related to environmental reviews and authorizations;

(B) provide technical support, when requested to facilitate efficient and timely processes for environmental reviews and authorizations for covered projects under the jurisdictional responsibility of the agency, including supporting timely identification and resolution of potential disputes within the agency or between the agency and other Federal agencies;

(C) analyze agency environmental review and authorization processes, policies, and authorities and make recommendations to the respective agency councilmember for ways to standardize, simplify, and improve the efficiency of the processes, policies, and authorities, including by implementing guidance issued under paragraph (1)(D) and other best practices, including the use of information technology and geographic information system tools within the agency and across agencies, to the extent consistent with existing law; and

(D) review and develop training programs for agency staff that support and conduct environmental reviews or authorizations.

(d) *ADMINISTRATIVE SUPPORT.*—The Director of the Office of Management and Budget shall designate a Federal agency, other than an agency that carries out or provides support for projects that are not covered projects, to provide administrative support for the Executive Director, and the designated agency shall, as reasonably necessary, provide support and staff to enable the Executive Director to fulfill the duties of the Executive Director under this title.

SEC. 61003. PERMITTING PROCESS IMPROVEMENT.

(a) *PROJECT INITIATION AND DESIGNATION OF PARTICIPATING AGENCIES.*—

(1) *NOTICE.*—

(A) *IN GENERAL.*—A project sponsor of a covered project shall submit to the Executive Director and the facilitating agency notice of the initiation of a proposed covered project.

(B) *DEFAULT DESIGNATION.*—If, at the time of submission of the notice under subparagraph (A), the Executive Director has not designated a facilitating agency under section 61002(c)(1)(B) for the categories of projects noticed, the agency that receives the notice under subparagraph (A) shall be designated as the facilitating agency.

(C) *CONTENTS.*—Each notice described in subparagraph (A) shall include—

(i) a statement of the purposes and objectives of the proposed project;

(ii) a concise description, including the general location of the proposed project and a summary of geospatial information, if available, illustrating the project area and the locations, if any, of environmental, cultural, and historic resources;

(iii) a statement regarding the technical and financial ability of the project sponsor to construct the proposed project;

(iv) a statement of any Federal financing, environmental reviews, and authorizations anticipated to be required to complete the proposed project; and

(v) an assessment that the proposed project meets the definition of a covered project under section 61001 and a statement of reasons supporting the assessment.

(2) *INVITATION.*—

(A) *IN GENERAL.*—Not later than 45 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating agency or lead agency, as applicable, shall—

(i) identify all Federal and non-Federal agencies and governmental entities likely to have fi-

nancing, environmental review, authorization, or other responsibilities with respect to the proposed project; and

(ii) invite all Federal agencies identified under clause (i) to become a participating agency or a cooperating agency, as appropriate, in the environmental review and authorization management process described in section 61005.

(B) *DEADLINES.*—Each invitation made under subparagraph (A) shall include a deadline for a response to be submitted to the facilitating or lead agency, as applicable.

(3) *PARTICIPATING AND COOPERATING AGENCIES.*—

(A) *IN GENERAL.*—An agency invited under paragraph (2) shall be designated as a participating or cooperating agency for a covered project, unless the agency informs the facilitating or lead agency, as applicable, in writing before the deadline under paragraph (2)(B) that the agency—

(i) has no jurisdiction or authority with respect to the proposed project; or

(ii) does not intend to exercise authority related to, or submit comments on, the proposed project.

(B) *CHANGED CIRCUMSTANCES.*—On request and a showing of changed circumstances, the Executive Director may designate an agency that has opted out under subparagraph (A)(ii) to be a participating or cooperating agency, as appropriate.

(4) *EFFECT OF DESIGNATION.*—The designation described in paragraph (3) shall not—

(A) give the participating agency authority or jurisdiction over the covered project; or

(B) expand any jurisdiction or authority a cooperating agency may have over the proposed project.

(5) *LEAD AGENCY DESIGNATION.*—

(A) *IN GENERAL.*—On establishment of the lead agency, the lead agency shall assume the responsibilities of the facilitating agency under this title.

(B) *REDESIGNATION OF FACILITATING AGENCY.*—If the lead agency assumes the responsibilities of the facilitating agency under subparagraph (A), the facilitating agency may be designated as a cooperative or participating agency.

(6) *CHANGE OF FACILITATING OR LEAD AGENCY.*—

(A) *IN GENERAL.*—On the request of a participating agency or project sponsor, the Executive Director may designate a different agency as the facilitating or lead agency, as applicable, for a covered project, if the facilitating or lead agency or the Executive Director receives new information regarding the scope or nature of a covered project that indicates that the project should be placed in a different category under section 61002(c)(1)(B).

(B) *RESOLUTION OF DISPUTE.*—The Executive Director shall resolve any dispute over designation of a facilitating or lead agency for a particular covered project.

(b) *PERMITTING DASHBOARD.*—

(1) *REQUIREMENT TO MAINTAIN.*—

(A) *IN GENERAL.*—The Executive Director, in coordination with the Administrator of General Services, shall maintain an online database to be known as the “Permitting Dashboard” to track the status of Federal environmental reviews and authorizations for any covered project in the inventory described in section 61002(c)(1)(A).

(B) *SPECIFIC AND SEARCHABLE ENTRY.*—The Dashboard shall include a specific and searchable entry for each covered project.

(2) *ADDITIONS.*—

(A) *IN GENERAL.*—

(i) *EXISTING PROJECTS.*—Not later than 14 days after the date on which the Executive Director adds a project to the inventory under section 61002(c)(1)(A), the Executive Director shall

create a specific entry on the Dashboard for the covered project.

(ii) **NEW PROJECTS.**—Not later than 14 days after the date on which the Executive Director receives a notice under subsection (a)(1), the Executive Director shall create a specific entry on the Dashboard for the covered project, unless the Executive Director, facilitating agency, or lead agency, as applicable, determines that the project is not a covered project.

(B) **EXPLANATION.**—If the facilitating agency or lead agency, as applicable, determines that the project is not a covered project, the project sponsor may submit a further explanation as to why the project is a covered project not later than 14 days after the date of the determination under subparagraph (A).

(C) **FINAL DETERMINATION.**—Not later than 14 days after receiving an explanation described in subparagraph (B), the Executive Director shall—

(i) make a final and conclusive determination as to whether the project is a covered project; and

(ii) if the Executive Director determines that the project is a covered project, create a specific entry on the Dashboard for the covered project.

(3) **POSTINGS BY AGENCIES.**—

(A) **IN GENERAL.**—For each covered project added to the Dashboard under paragraph (2), the facilitating or lead agency, as applicable, and each cooperating and participating agency shall post to the Dashboard—

(i) a hyperlink that directs to a website that contains, to the extent consistent with applicable law—

(I) the notification submitted under subsection (a)(1);

(II)(aa) where practicable, the application and supporting documents, if applicable, that have been submitted by a project sponsor for any required environmental review or authorization; or

(bb) a notice explaining how the public may obtain access to such documents;

(III) a description of any Federal agency action taken or decision made that materially affects the status of a covered project;

(IV) any significant document that supports the action or decision described in subclause (III); and

(V) a description of the status of any litigation to which the agency is a party that is directly related to the project, including, if practicable, any judicial document made available on an electronic docket maintained by a Federal, State, or local court; and

(ii) any document described in clause (i) that is not available by hyperlink on another website.

(B) **DEADLINE.**—The information described in subparagraph (A) shall be posted to the website made available by hyperlink on the Dashboard not later than 5 business days after the date on which the Federal agency receives the information.

(4) **POSTINGS BY THE EXECUTIVE DIRECTOR.**—The Executive Director shall publish to the Dashboard—

(A) the permitting timetable established under subparagraph (A) or (C) of subsection (c)(2);

(B) the status of the compliance of each agency with the permitting timetable;

(C) any modifications of the permitting timetable;

(D) an explanation of each modification described in subparagraph (C); and

(E) any memorandum of understanding established under subsection (c)(3)(B).

(c) **COORDINATION AND TIMETABLES.**—

(1) **COORDINATED PROJECT PLAN.**—

(A) **IN GENERAL.**—Not later than 60 days after the date on which the Executive Director must make a specific entry for the project on the

Dashboard under subsection (b)(2)(A), the facilitating or lead agency, as applicable, in consultation with each coordinating and participating agency, shall establish a concise plan for coordinating public and agency participation in, and completion of, any required Federal environmental review and authorization for the project.

(B) **REQUIRED INFORMATION.**—The Coordinated Project Plan shall include the following information and be updated by the facilitating or lead agency, as applicable, at least once per quarter:

(i) A list of, and roles and responsibilities for, all entities with environmental review or authorization responsibility for the project.

(ii) A permitting timetable, as described in paragraph (2), setting forth a comprehensive schedule of dates by which all environmental reviews and authorizations, and to the maximum extent practicable, State permits, reviews and approvals must be made.

(iii) A discussion of potential avoidance, minimization, and mitigation strategies, if required by applicable law and known.

(iv) Plans and a schedule for public and tribal outreach and coordination, to the extent required by applicable law.

(C) **MEMORANDUM OF UNDERSTANDING.**—The coordinated project plan described in subparagraph (A) may be incorporated into a memorandum of understanding.

(2) **PERMITTING TIMETABLE.**—

(A) **ESTABLISHMENT.**—

(i) **IN GENERAL.**—As part of the coordination project plan under paragraph (1), the facilitating or lead agency, as applicable, in consultation with each cooperating and participating agency, the project sponsor, and any State in which the project is located, shall establish a permitting timetable that includes intermediate and final completion dates for action by each participating agency on any Federal environmental review or authorization required for the project.

(ii) **CONSENSUS.**—In establishing a permitting timetable under clause (i), each agency shall, to the maximum extent practicable, make efforts to reach a consensus.

(B) **FACTORS FOR CONSIDERATION.**—In establishing the permitting timetable under subparagraph (A), the facilitating or lead agency shall follow the performance schedules established under section 61002(c)(1)(C), but may vary the timetable based on relevant factors, including—

(i) the size and complexity of the covered project;

(ii) the resources available to each participating agency;

(iii) the regional or national economic significance of the project;

(iv) the sensitivity of the natural or historic resources that may be affected by the project;

(v) the financing plan for the project; and

(vi) the extent to which similar projects in geographic proximity to the project were recently subject to environmental review or similar procedures under State law.

(C) **DISPUTE RESOLUTION.**—

(i) **IN GENERAL.**—The Executive Director, in consultation with appropriate agency CERPOs and the project sponsor, shall, as necessary, mediate any disputes regarding the permitting timetable established under subparagraph (A).

(ii) **DISPUTES.**—If a dispute remains unresolved 30 days after the date on which the dispute was submitted to the Executive Director, the Director of the Office of Management and Budget, in consultation with the Chairman of the Council on Environmental Quality, shall facilitate a resolution of the dispute and direct the agencies party to the dispute to resolve the dispute by the end of the 60-day period beginning on the date of submission of the dispute to the Executive Director.

(iii) **FINAL RESOLUTION.**—Any action taken by the Director of the Office of Management and Budget in the resolution of a dispute under clause (ii) shall—

(I) be final and conclusive; and

(II) not be subject to judicial review.

(D) **MODIFICATION AFTER APPROVAL.**—

(i) **IN GENERAL.**—The facilitating or lead agency, as applicable, may modify a permitting timetable established under subparagraph (A) only if—

(I) the facilitating or lead agency, as applicable, and the affected cooperating agencies, after consultation with the participating agencies, agree to a different completion date; and

(II) the facilitating agency or lead agency, as applicable, or the affected cooperating agency provides a written justification for the modification.

(ii) **COMPLETION DATE.**—A completion date in the permitting timetable may not be modified within 30 days of the completion date.

(E) **CONSISTENCY WITH OTHER TIME PERIODS.**—A permitting timetable established under subparagraph (A) shall be consistent with any other relevant time periods established under Federal law and shall not prevent any cooperating or participating agency from discharging any obligation under Federal law in connection with the project.

(F) **CONFORMING TO PERMITTING TIMETABLES.**—

(i) **IN GENERAL.**—Each Federal agency shall conform to the completion dates set forth in the permitting timetable established under subparagraph (A), or with any completion date modified under subparagraph (D).

(ii) **FAILURE TO CONFORM.**—If a Federal agency fails to conform with a completion date for agency action on a covered project or is at significant risk of failing to conform with such a completion date, the agency shall—

(I) promptly submit to the Executive Director for publication on the Dashboard an explanation of the specific reasons for failing or significantly risking failing to conform to the completion date and a proposal for an alternative completion date;

(II) in consultation with the facilitating or lead agency, as applicable, establish an alternative completion date; and

(III) each month thereafter until the agency has taken final action on the delayed authorization or review, submit to the Executive Director for posting on the Dashboard a status report describing any agency activity related to the project.

(G) **ABANDONMENT OF COVERED PROJECT.**—

(i) **IN GENERAL.**—If the facilitating or lead agency, as applicable, has a reasonable basis to doubt the continuing technical or financial ability of the project sponsor to construct the covered project, the facilitating or lead agency may request the project sponsor provide an updated statement regarding the ability of the project sponsor to complete the project.

(ii) **FAILURE TO RESPOND.**—If the project sponsor fails to respond to a request described in clause (i) by the date that is 30 days after receiving the request, the lead or facilitating agency, as applicable, shall notify the Executive Director, who shall publish an appropriate notice on the Dashboard.

(iii) **PUBLICATION TO DASHBOARD.**—On publication of a notice under clause (ii), the completion dates in the permitting timetable shall be tolled and agencies shall be relieved of the obligation to comply with subparagraph (F) until such time as the project sponsor submits to the facilitating or lead agency, as applicable, an updated statement regarding the technical and financial ability of the project sponsor to construct the project.

(3) **COOPERATING STATE, LOCAL, OR TRIBAL GOVERNMENTS.**—

(A) **STATE AUTHORITY.**—If the Federal environmental review is being implemented within the boundaries of a State, the State, consistent with State law, may choose to participate in the environmental review and authorization process under this subsection and to make subject to the process all State agencies that—

(i) have jurisdiction over the covered project;

(ii) are required to conduct or issue a review, analysis, opinion, or statement for the covered project; or

(iii) are required to make a determination on issuing a permit, license, or other approval or decision for the covered project.

(B) **COORDINATION.**—To the maximum extent practicable under applicable law, the facilitating or lead agency, as applicable, shall coordinate the Federal environmental review and authorization processes under this subsection with any State, local, or tribal agency responsible for conducting any separate review or authorization of the covered project to ensure timely and efficient completion of environmental reviews and authorizations.

(C) **MEMORANDUM OF UNDERSTANDING.**—

(i) **IN GENERAL.**—Any coordination plan between the facilitating or lead agency, as applicable, and any State, local, or tribal agency shall, to the maximum extent practicable, be included in a memorandum of understanding.

(ii) **SUBMISSION TO EXECUTIVE DIRECTOR.**—The facilitating or lead agency, as applicable, shall submit to the Executive Director each memorandum of understanding described in clause (i).

(d) **EARLY CONSULTATION.**—The facilitating or lead agency, as applicable, shall provide an expeditious process for project sponsors to confer with each cooperating and participating agency involved and, not later than 60 days after the date on which the project sponsor submits a request under this subsection, to have each such agency provide to the project sponsor information concerning—

(1) the availability of information and tools, including pre-application toolkits, to facilitate early planning efforts;

(2) key issues of concern to each agency and to the public; and

(3) issues that must be addressed before an environmental review or authorization can be completed.

(e) **COOPERATING AGENCY.**—

(i) **IN GENERAL.**—A lead agency may designate a participating agency as a cooperating agency in accordance with part 1501 of title 40, Code of Federal Regulations (or successor regulations).

(2) **EFFECT ON OTHER DESIGNATION.**—The designation described in paragraph (1) shall not affect any designation under subsection (a)(3).

(3) **LIMITATION ON DESIGNATION.**—Any agency not designated as a participating agency under subsection (a)(3) shall not be designated as a cooperating agency under paragraph (1).

(f) **REPORTING STATUS OF OTHER PROJECTS ON DASHBOARD.**—

(i) **IN GENERAL.**—On request of the Executive Director, the Secretary and the Secretary of the Army shall use best efforts to provide information for inclusion on the Dashboard on projects subject to section 139 of title 23, United States Code, and section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) likely to require—

(A) a total investment of more than \$200,000,000; and

(B) an environmental impact statement under NEPA.

(2) **EFFECT OF INCLUSION ON DASHBOARD.**—Inclusion on the Dashboard of information regarding projects subject to section 139 of title 23, United States Code, or section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) shall not subject those projects to any requirements of this title.

SEC. 61004. INTERSTATE COMPACTS.

(a) **IN GENERAL.**—The consent of Congress is given for 3 or more contiguous States to enter into an interstate compact establishing regional infrastructure development agencies to facilitate authorization and review of covered projects, under State law or in the exercise of delegated permitting authority described under section 61006, that will advance infrastructure development, production, and generation within the States that are parties to the compact.

(b) **REGIONAL INFRASTRUCTURE.**—For the purpose of this title, a regional infrastructure development agency referred to in subsection (a) shall have the same authorities and responsibilities of a State agency.

SEC. 61005. COORDINATION OF REQUIRED REVIEWS.

(a) **CONCURRENT REVIEWS.**—To integrate environmental reviews and authorizations, each agency shall, to the maximum extent practicable—

(1) carry out the obligations of the agency with respect to a covered project under any other applicable law concurrently, and in conjunction with, other environmental reviews and authorizations being conducted by other cooperating or participating agencies, including environmental reviews and authorizations required under NEPA, unless the agency determines that doing so would impair the ability of the agency to carry out the statutory obligations of the agency; and

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(b) **ADOPTION, INCORPORATION BY REFERENCE, AND USE OF DOCUMENTS.**—

(1) **STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.**—

(A) **USE OF EXISTING DOCUMENTS.**—

(i) **IN GENERAL.**—On the request of a project sponsor, a lead agency shall consider and, as appropriate, adopt or incorporate by reference, the analysis and documentation that has been prepared for a covered project under State laws and procedures as the documentation, or part of the documentation, required to complete an environmental review for the covered project, if the analysis and documentation were, as determined by the lead agency in consultation with the Council on Environmental Quality, prepared under circumstances that allowed for opportunities for public participation and consideration of alternatives and environmental consequences that are substantially equivalent to what would have been available had the documents and analysis been prepared by a Federal agency pursuant to NEPA.

(ii) **GUIDANCE BY CEQ.**—The Council on Environmental Quality may issue guidance to carry out this subsection.

(B) **NEPA OBLIGATIONS.**—An environmental document adopted under subparagraph (A) or a document that includes documentation incorporated under subparagraph (A) may serve as the documentation required for an environmental review or a supplemental environmental review required to be prepared by a lead agency under NEPA.

(C) **SUPPLEMENTATION OF STATE DOCUMENTS.**—If the lead agency adopts or incorporates analysis and documentation described in subparagraph (A), the lead agency shall prepare and publish a supplemental document if the lead agency determines that during the period after preparation of the analysis and documentation and before the adoption or incorporation—

(i) a significant change has been made to the covered project that is relevant for purposes of environmental review of the project; or

(ii) there has been a significant circumstance or new information has emerged that is relevant to the environmental review for the covered project.

(D) **COMMENTS.**—If a lead agency prepares and publishes a supplemental document under subparagraph (C), the lead agency shall solicit comments from other agencies and the public on the supplemental document for a period of not more than 45 days, beginning on the date on which the supplemental document is published, unless—

(i) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(ii) the lead agency extends the deadline for good cause.

(E) **NOTICE OF OUTCOME OF ENVIRONMENTAL REVIEW.**—A lead agency shall issue a record of decision or finding of no significant impact, as appropriate, based on the document adopted under subparagraph (A) and any supplemental document prepared under subparagraph (C).

(c) **ALTERNATIVES ANALYSIS.**—

(1) **PARTICIPATION.**—As early as practicable during the environmental review, but not later than the commencement of scoping for a project requiring the preparation of an environmental impact statement, the lead agency, in consultation with each cooperating agency, shall determine the range of reasonable alternatives to be considered for a covered project.

(2) **RANGE OF ALTERNATIVES.**—

(A) **IN GENERAL.**—Following participation under paragraph (1) and subject to subparagraph (B), the lead agency shall determine the range of reasonable alternatives for consideration in any document that the lead agency is responsible for preparing for the covered project.

(B) **ALTERNATIVES REQUIRED BY LAW.**—In determining the range of alternatives under subparagraph (A), the lead agency shall include all alternatives required to be considered by law.

(3) **METHODOLOGIES.**—

(A) **IN GENERAL.**—The lead agency shall determine, in collaboration with each cooperating agency at appropriate times during the environmental review, the methodologies to be used and the level of detail required in the analysis of each alternative for a covered project.

(B) **ENVIRONMENTAL REVIEW.**—A cooperating agency shall use the methodologies referred to in subparagraph (A) when conducting any required environmental review, to the extent consistent with existing law.

(4) **PREFERRED ALTERNATIVE.**—With the concurrence of the cooperating agencies with jurisdiction under Federal law and at the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of the higher level of detail will not prevent—

(A) the lead agency from making an impartial decision as to whether to accept another alternative that is being considered in the environmental review; and

(B) the public from commenting on the preferred and other alternatives.

(d) **ENVIRONMENTAL REVIEW COMMENTS.**—

(1) **COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT.**—For comments by an agency or the public on a draft environmental impact statement, the lead agency shall establish a comment period of not less than 45 days and not more than 60 days after the date on which a notice announcing availability of the environmental impact statement is published in the Federal Register, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency, in consultation with each cooperating agency, extends the deadline for good cause.

(2) **OTHER REVIEW AND COMMENT PERIODS.**—For all other review or comment periods in the environmental review process described in parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations), the lead agency shall establish a comment period of not more than 45 days after the date on which the materials on which comment is requested are made available, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency extends the deadline for good cause.

(e) **ISSUE IDENTIFICATION AND RESOLUTION.**—

(1) **COOPERATION.**—The lead agency and each cooperating and participating agency shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of an environmental review or an authorization required for the project under applicable law or result in the denial of any approval under applicable law.

(2) **LEAD AGENCY RESPONSIBILITIES.**—

(A) **IN GENERAL.**—The lead agency shall make information available to each cooperating and participating agency and project sponsor as early as practicable in the environmental review regarding the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) **SOURCES OF INFORMATION.**—The information described in subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) **COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.**—Each cooperating and participating agency shall—

(A) identify, as early as practicable, any issues of concern regarding any potential environmental impacts of the covered project, including any issues that could substantially delay or prevent an agency from completing any environmental review or authorization required for the project; and

(B) communicate any issues described in subparagraph (A) to the project sponsor.

(f) **CATEGORIES OF PROJECTS.**—The authorities granted under this section may be exercised for an individual covered project or a category of covered projects.

SEC. 61006. DELEGATED STATE PERMITTING PROGRAMS.

(a) **IN GENERAL.**—If a Federal statute permits a Federal agency to delegate to or otherwise authorize a State to issue or otherwise administer a permit program in lieu of the Federal agency, the Federal agency with authority to carry out the statute shall—

(1) on publication by the Council of best practices under section 61002(c)(2)(B), initiate a national process, with public participation, to determine whether and the extent to which any of the best practices are generally applicable on a delegation- or authorization-wide basis to permitting under the statute; and

(2) not later than 2 years after the date of enactment of this Act, make model recommendations for State modifications of the applicable permit program to reflect the best practices described in section 61002(c)(2)(B), as appropriate.

(b) **BEST PRACTICES.**—Lead and cooperating agencies may share with State, tribal, and local authorities best practices involved in review of covered projects and invite input from State, tribal, and local authorities regarding best practices.

SEC. 61007. LITIGATION, JUDICIAL REVIEW, AND SAVINGS PROVISION.

(a) **LIMITATIONS ON CLAIMS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of any authorization issued by a Federal agency for a covered project shall be barred unless—

(A) the action is filed not later than 2 years after the date of publication in the Federal Register of the final record of decision or approval or denial of a permit, unless a shorter time is specified in the Federal law under which judicial review is allowed; and

(B) in the case of an action pertaining to an environmental review conducted under NEPA—

(i) the action is filed by a party that submitted a comment during the environmental review or a party that lacked a reasonable opportunity to submit a comment; and

(ii) a party filed a sufficiently detailed comment so as to put the lead agency on notice of the issue on which the party seeks judicial review.

(2) **NEW INFORMATION.**—

(A) **IN GENERAL.**—The head of a lead agency or participating agency shall consider new information received after the close of a comment period if the information satisfies the requirements under regulations implementing NEPA.

(B) **SEPARATE ACTION.**—If Federal law requires the preparation of a supplemental environmental impact statement or other supplemental environmental document, the preparation of such document shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the agency action shall be 2 years after the date on which a notice announcing the final agency action is published in the Federal Register, unless a shorter time is specified in the Federal law under which judicial review is allowed.

(3) **RULE OF CONSTRUCTION.**—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of an authorization.

(b) **PRELIMINARY INJUNCTIVE RELIEF.**—In addition to considering any other applicable equitable factors, in any action seeking a temporary restraining order or preliminary injunction against an agency or a project sponsor in connection with review or authorization of a covered project, the court shall—

(1) consider the effects on public health, safety, and the environment, the potential for significant job losses, and other economic harm resulting from an order or injunction; and

(2) not presume that the harms described in paragraph (1) are reparable.

(c) **JUDICIAL REVIEW.**—Except as provided in subsection (a), nothing in this title affects the reviewability of any final Federal agency action in a court of competent jurisdiction.

(d) **SAVINGS CLAUSE.**—Nothing in this title—

(1) supersedes, amends, or modifies any Federal statute or affects the responsibility of any Federal officer to comply with or enforce any statute; or

(2) creates a presumption that a covered project will be approved or favorably reviewed by any agency.

(e) **LIMITATIONS.**—Nothing in this section preempts, limits, or interferes with—

(1) any practice of seeking, considering, or responding to public comment; or

(2) any power, jurisdiction, responsibility, or authority that a Federal, State, or local governmental agency, metropolitan planning organization, Indian tribe, or project sponsor has with respect to carrying out a project or any other provisions of law applicable to any project, plan, or program.

SEC. 61008. REPORT TO CONGRESS.

(a) **IN GENERAL.**—Not later than April 15 of each year for 10 years beginning on the date of enactment of this Act, the Executive Director shall submit to Congress a report detailing the

progress accomplished under this title during the previous fiscal year.

(b) **CONTENTS.**—The report described in subsection (a) shall assess the performance of each participating agency and lead agency based on the best practices described in section 61002(c)(2)(B).

(c) **OPPORTUNITY TO INCLUDE COMMENTS.**—Each councilmember, with input from the respective agency CERPO, shall have the opportunity to include comments concerning the performance of the agency in the report described in subsection (a).

SEC. 61009. FUNDING FOR GOVERNANCE, OVERSIGHT, AND PROCESSING OF ENVIRONMENTAL REVIEWS AND PERMITS.

(a) **IN GENERAL.**—The heads of agencies listed in section 61002(b)(2)(B), with the guidance of the Director of the Office of Management and Budget and in consultation with the Executive Director, may, after public notice and opportunity for comment, issue regulations establishing a fee structure for project proponents to reimburse the United States for reasonable costs incurred in conducting environmental reviews and authorizations for covered projects.

(b) **REASONABLE COSTS.**—As used in this section, the term “reasonable costs” shall include costs to implement the requirements and authorities required under sections 61002 and 61003, including the costs to agencies and the costs of operating the Council.

(c) **FEE STRUCTURE.**—The fee structure established under subsection (a) shall—

(1) be developed in consultation with affected project proponents, industries, and other stakeholders;

(2) exclude parties for which the fee would impose an undue financial burden or is otherwise determined to be inappropriate; and

(3) be established in a manner that ensures that the aggregate amount of fees collected for a fiscal year is estimated not to exceed 20 percent of the total estimated costs for the fiscal year for the resources allocated for the conduct of the environmental reviews and authorizations covered by this title, as determined by the Director of the Office of Management and Budget.

(d) **ENVIRONMENTAL REVIEW AND PERMITTING IMPROVEMENT FUND.**—

(1) **IN GENERAL.**—All amounts collected pursuant to this section shall be deposited into a separate fund in the Treasury of the United States to be known as the “Environmental Review Improvement Fund” (referred to in this section as the “Fund”).

(2) **AVAILABILITY.**—Amounts in the Fund shall be available to the Executive Director, without appropriation or fiscal year limitation, solely for the purposes of administering, implementing, and enforcing this title, including the expenses of the Council.

(3) **TRANSFER.**—The Executive Director, with the approval of the Director of the Office of Management and Budget, may transfer amounts in the Fund to other agencies to facilitate timely and efficient environmental reviews and authorizations for proposed covered projects.

(e) **EFFECT ON PERMITTING.**—The regulations adopted pursuant to subsection (a) shall ensure that the use of funds accepted under subsection (d) will not impact impartial decision-making with respect to environmental reviews or authorizations, either substantively or procedurally.

(f) **TRANSFER OF APPROPRIATED FUNDS.**—

(1) **IN GENERAL.**—The heads of agencies listed in section 61002(b)(2)(B) shall have the authority to transfer, in accordance with section 1535 of title 31, United States Code, funds appropriated to those agencies and not otherwise obligated to other affected Federal agencies for the purpose of implementing the provisions of this title.

(2) **LIMITATION.**—Appropriations under title 23, United States Code and appropriations for the civil works program of the Army Corps of Engineers shall not be available for transfer under paragraph (1).

SEC. 61010. APPLICATION.

This title applies to any covered project for which—

(1) a notice is filed under section 61003(a)(1); or

(2) an application or other request for a Federal authorization is pending before a Federal agency 90 days after the date of enactment of this Act.

SEC. 61011. GAO REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes an analysis of whether the provisions of this title could be adapted to streamline the Federal permitting process for smaller projects that are not covered projects.

TITLE LXII—ADDITIONAL PROVISIONS DIVISION G—SURFACE TRANSPORTATION EXTENSION

SEC. 70001. SHORT TITLE.

This division may be cited as the “Surface Transportation Extension Act of 2015”.

TITLE LXXI—EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS

SEC. 71001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) **IN GENERAL.**—Section 1001 of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1840; 129 Stat. 219) is amended—

(1) in subsection (a), by striking “July 31, 2015” and inserting “September 30, 2015”;

(2) in subsection (b)(1)—

(A) by striking “July 31, 2015” and inserting “September 30, 2015”; and

(B) by striking “³⁰⁴/₃₆₅” and inserting “³⁶⁵/₃₆₅”; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “July 31, 2015” and inserting “September 30, 2015”; and

(ii) by striking “³⁰⁴/₃₆₅” and inserting “³⁶⁵/₃₆₅”; and

(B) in paragraph (2)(B), by striking “by this subsection”.

(b) **OBLIGATION CEILING.**—Section 1102 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended—

(1) in subsection (a)(3)—

(A) by striking “\$33,528,284,932” and inserting “\$40,256,000,000”; and

(B) by striking “July 31, 2015” and inserting “September 30, 2015”;

(2) in subsection (b)(12)—

(A) by striking “July 31, 2015” and inserting “September 30, 2015”; and

(B) by striking “³⁰⁴/₃₆₅” and inserting “³⁶⁵/₃₆₅”; and

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “July 31, 2015” and inserting “September 30, 2015”; and

(B) in paragraph (2)—

(i) by striking “July 31, 2015” and inserting “September 30, 2015”; and

(ii) by striking “³⁰⁴/₃₆₅” and inserting “³⁶⁵/₃₆₅”; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by striking “July 31, 2015” and inserting “September 30, 2015”.

(c) **TRIBAL HIGH PRIORITY PROJECTS PROGRAM.**—Section 1123(h)(1) of MAP–21 (23 U.S.C. 202 note; Public Law 112–141) is amended—

(1) by striking “\$24,986,301” and inserting “\$30,000,000”; and

(2) by striking “July 31, 2015” and inserting “September 30, 2015”.

SEC. 71002. ADMINISTRATIVE EXPENSES.

(a) **AUTHORIZATION OF CONTRACT AUTHORITY.**—Section 1002(a) of the Highway and

Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended—

(1) by striking “\$366,465,753” and inserting “\$440,000,000”; and

(2) by striking “July 31, 2015” and inserting “September 30, 2015”.

(b) **CONTRACT AUTHORITY.**—Section 1002(b)(2) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended by striking “July 31, 2015” and inserting “September 30, 2015”.

TITLE LXXII—TEMPORARY EXTENSION OF PUBLIC TRANSPORTATION PROGRAMS

SEC. 72001. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A), by striking “ending before” and all that follows through “July 31, 2015,”; and

(2) in subparagraph (B), by striking “ending before” and all that follows through “July 31, 2015,”.

SEC. 72002. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by striking “before October 1, 2014” and all that follows through “July 31, 2015,” and inserting “before October 1, 2015”.

SEC. 72003. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) **FORMULA GRANTS.**—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking “for fiscal year 2014” and all that follows and inserting “for fiscal year 2014, and \$8,595,000,000 for fiscal year 2015.”;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “\$107,274,521 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$128,800,000 for fiscal year 2015”;

(B) in subparagraph (B), by striking “2013 and 2014 and \$8,328,767 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “2013, 2014, and 2015”;

(C) in subparagraph (C), by striking “\$3,713,505,753 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$4,458,650,000 for fiscal year 2015”;

(D) in subparagraph (D), by striking “\$215,132,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$258,300,000 for fiscal year 2015”;

(E) in subparagraph (E)—

(i) by striking “\$506,222,466 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$607,800,000 for fiscal year 2015”;

(ii) by striking “\$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$30,000,000 for fiscal year 2015”; and

(iii) by striking “\$16,657,534 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$20,000,000 for fiscal year 2015”;

(F) in subparagraph (F), by striking “2013 and 2014 and \$2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “2013, 2014, and 2015”;

(G) in subparagraph (G), by striking “2013 and 2014 and \$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “2013, 2014, and 2015”;

(H) in subparagraph (H), by striking “2013 and 2014 and \$3,206,575 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “2013, 2014, and 2015”;

(I) in subparagraph (I), by striking “\$1,803,927,671 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$2,165,900,000 for fiscal year 2015”;

(J) in subparagraph (J), by striking “\$356,304,658 for the period beginning on Octo-

ber 1, 2014, and ending on July 31, 2015,” and inserting “\$427,800,000 for fiscal year 2015”; and (K) in subparagraph (K), by striking “\$438,009,863 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “\$525,900,000 for fiscal year 2015”.

(b) **RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.**—Section 5338(b) of title 49, United States Code, is amended by striking “\$58,301,370 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$70,000,000 for fiscal year 2015”.

(c) **TRANSIT COOPERATIVE RESEARCH PROGRAM.**—Section 5338(c) of title 49, United States Code, is amended by striking “\$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$7,000,000 for fiscal year 2015”.

(d) **TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.**—Section 5338(d) of title 49, United States Code, is amended by striking “\$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$7,000,000 for fiscal year 2015”.

(e) **HUMAN RESOURCES AND TRAINING.**—Section 5338(e) of title 49, United States Code, is amended by striking “\$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$5,000,000 for fiscal year 2015”.

(f) **CAPITAL INVESTMENT GRANTS.**—Section 5338(g) of title 49, United States Code, is amended by striking “\$1,558,295,890 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$1,907,000,000 for fiscal year 2015”.

(g) **ADMINISTRATION.**—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking “\$86,619,178 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “\$104,000,000 for fiscal year 2015”;

(2) in paragraph (2), by striking “2013 and 2014 and not less than \$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “2013, 2014, and 2015”; and

(3) in paragraph (3), by striking “2013 and 2014 and not less than \$832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “2013, 2014, and 2015”.

SEC. 72004. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking “2013 and 2014 and \$54,553,425 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “2013, 2014, and 2015”;

(2) by striking “and \$1,041,096 for such period”; and

(3) by striking “and \$416,438 for such period”.

TITLE LXXIII—EXTENSION OF HIGHWAY SAFETY PROGRAMS

Subtitle A—Extension of Highway Safety Programs

SEC. 73101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) **EXTENSION OF PROGRAMS.**—

(1) **HIGHWAY SAFETY PROGRAMS.**—Section 31101(a)(1)(C) of MAP–21 (126 Stat. 733) is amended to read as follows: “(C) \$235,000,000 for fiscal year 2015.”.

(2) **HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.**—Section 31101(a)(2)(C) of MAP–21 (126 Stat. 733) is amended to read as follows: “(C) \$113,500,000 for fiscal year 2015.”.

(3) **NATIONAL PRIORITY SAFETY PROGRAMS.**—Section 31101(a)(3)(C) of MAP–21 (126 Stat. 733) is amended to read as follows: “(C) \$272,000,000 for fiscal year 2015.”.

(4) **NATIONAL DRIVER REGISTER.**—Section 31101(a)(4)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

“(C) \$5,000,000 for fiscal year 2015.”.

(5) **HIGH VISIBILITY ENFORCEMENT PROGRAM.**—Section 31101(a)(5)(C) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(C) \$29,000,000 for fiscal year 2015.”.

(B) **LAW ENFORCEMENT CAMPAIGNS.**—Section 2009(a) of SAFETEA-LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence, by striking “and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “through 2015”; and

(ii) in the second sentence, by striking “and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “through 2015”.

(6) **ADMINISTRATIVE EXPENSES.**—Section 31101(a)(6)(C) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(C) \$25,500,000 for fiscal year 2015.”.

(b) **COOPERATIVE RESEARCH AND EVALUATION.**—Section 403(f)(1) of title 23, United States Code, is amended by striking “under subsection 402(c) in each fiscal year ending before October 1, 2014, and \$2,082,192 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “under section 402(c) in each fiscal year ending before October 1, 2015.”.

(c) **APPLICABILITY OF TITLE 23.**—Section 31101(c) of MAP-21 (126 Stat. 733) is amended by striking “fiscal years 2013 and 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2013 through 2015”.

SEC. 73102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) **MOTOR CARRIER SAFETY GRANTS.**—Section 31104(a)(10) of title 49, United States Code, is amended to read as follows:

“(10) \$218,000,000 for fiscal year 2015.”.

(b) **ADMINISTRATIVE EXPENSES.**—Section 31104(i)(1)(J) of title 49, United States Code, is amended to read as follows:

“(J) \$259,000,000 for fiscal year 2015.”.

(c) **GRANT PROGRAMS.**—

(1) **COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.**—Section 4101(c)(1) of SAFETEA-LU (119 Stat. 1715) is amended by striking “each of fiscal years 2013 and 2014 and \$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “each of fiscal years 2013 through 2015”.

(2) **BORDER ENFORCEMENT GRANTS.**—Section 4101(c)(2) of SAFETEA-LU (119 Stat. 1715) is amended by striking “each of fiscal years 2013 and 2014 and \$26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “each of fiscal years 2013 through 2015”.

(3) **PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.**—Section 4101(c)(3) of SAFETEA-LU (119 Stat. 1715) is amended by striking “each of fiscal years 2013 and 2014 and \$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “each of fiscal years 2013 through 2015”.

(4) **COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.**—Section 4101(c)(4) of SAFETEA-LU (119 Stat. 1715) is amended by striking “each of fiscal years 2013 and 2014 and \$20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “each of fiscal years 2013 through 2015”.

(5) **SAFETY DATA IMPROVEMENT GRANTS.**—Section 4101(c)(5) of SAFETEA-LU (119 Stat. 1715) is amended by striking “each of fiscal years 2013 and 2014 and \$2,498,630 for the period beginning

on October 1, 2014, and ending on July 31, 2015” and inserting “each of fiscal years 2013 through 2015”.

(d) **HIGH-PRIORITY ACTIVITIES.**—Section 31104(k)(2) of title 49, United States Code, is amended by striking “each of fiscal years 2006 through 2014 and up to \$12,493,151 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2006 through 2015”.

(e) **NEW ENTRANT AUDITS.**—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking “per fiscal year and up to \$26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “per fiscal year”.

(f) **OUTREACH AND EDUCATION.**—Section 4127(e) of SAFETEA-LU (119 Stat. 1741) is amended by striking “each of fiscal years 2013 and 2014 and \$3,331,507 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2013 through 2015”.

(g) **GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.**—Section 4134(c) of SAFETEA-LU (49 U.S.C. 31301 note) is amended by striking “each of fiscal years 2005 through 2014 and \$832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015” and inserting “each of fiscal years 2005 through 2015”.

SEC. 73103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking “each fiscal year through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each fiscal year through 2015”; and

(2) in subsection (b)(1)(A) by striking “for each fiscal year ending before October 1, 2014, and for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “for each fiscal year ending before October 1, 2015”.

Subtitle B—Hazardous Materials

SEC. 73201. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—Section 5128(a)(3) of title 49, United States Code, is amended to read as follows:

“(3) \$42,762,000 for fiscal year 2015.”.

(b) **HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.**—Section 5128(b)(2) of title 49, United States Code, is amended to read as follows:

“(2) **FISCAL YEAR 2015.**—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend during fiscal year 2015—

“(A) \$188,000 to carry out section 5115;

“(B) \$21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than \$13,650,000 shall be available to carry out section 5116(b);

“(C) \$150,000 to carry out section 5116(f);

“(D) \$625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

“(E) \$1,000,000 to carry out section 5116(j).”.

(c) **HAZARDOUS MATERIALS TRAINING GRANTS.**—Section 5128(c) of title 49, United States Code, is amended by striking “each of fiscal years 2013 and 2014 and \$3,331,507 for the period beginning on October 1, 2014, and ending on July 31, 2015,” and inserting “each of fiscal years 2013 through 2015”.

TITLE LXXIV—REVENUE PROVISIONS

DIVISION H—BUDGETARY EFFECTS

SEC. 80001. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-

You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 80002. MAINTENANCE OF HIGHWAY TRUST FUND CASH BALANCE.

(a) **DEFINITIONS.**—In this section:

(1) **HIGHWAY ACCOUNT.**—The term “Highway Account” has the meaning given the term in section 9503(e)(5)(B) of the Internal Revenue Code of 1986.

(2) **HIGHWAY TRUST FUND.**—The term “Highway Trust Fund” means the Highway Trust Fund established by section 9503(a) of the Internal Revenue Code of 1986.

(3) **MASS TRANSIT ACCOUNT.**—The term “Mass Transit Account” means the Mass Transit Account established by section 9503(e)(1) of the Internal Revenue Code of 1986.

(b) **RESTRICTION ON OBLIGATIONS.**—If the Secretary, in consultation with the Secretary of the Treasury, determines under the test or reevaluation described under subsection (c) or (d) that the projected cash balances of either the Highway Account or the Mass Transit Account of the Highway Trust Fund will fall below the levels described in subparagraph (A) or (B) of subsection (c)(2) at any time during the fiscal year for which that determination applies, the Secretary shall not approve any obligation of funds authorized out of the Highway Account or the Mass Transit Account of the Highway Trust Fund during that fiscal year.

(c) **CASH BALANCE TEST.**—On July 15 prior to the beginning of each of fiscal years 2019 through 2021, the Secretary, in consultation with the Secretary of the Treasury, shall—

(1) based on data available for the midsession review described under section 1106 of title 31, United States Code, estimate the projected cash balances of the Highway Account and the Mass Transit Account of the Highway Trust Fund for the upcoming fiscal year; and

(2) determine if those cash balances—

(A) are projected to fall below the amount of \$4,000,000,000 at any time during that upcoming fiscal year in the Highway Account of the Highway Trust Fund; or

(B) are projected to fall below the amount of \$1,000,000,000 at any time during that upcoming fiscal year in the Mass Transit Account of the Highway Trust Fund.

(d) **REEVALUATION.**—The Secretary shall conduct the test described under subsection (c) again during a respective fiscal year—

(1) if a law is enacted that provides additional revenues, deposits, or transfers to the Highway Trust Fund; or

(2) when the President submits to Congress under section 1105(a) of title 31, United States Code, updated outlay estimates or revenue projections related to the Highway Trust Fund.

(e) **NOTIFICATION.**—Not later than 15 days after a determination is made under subsection (c) or (d), the Secretary shall provide notification of the determination to—

(1) the Committee on Environment and Public Works of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Commerce, Science, and Transportation of the Senate; and

(5) State transportation departments and designated recipients.

(f) **EXCEPTIONS.**—Notwithstanding subsection (b), the Secretary shall approve obligations in every fiscal year for—

(1) administrative expenses of the Federal Highway Administration, including any administrative expenses funded under—

(A) section 104(a) of title 23, United States Code;

(B) the tribal transportation program under section 202(a)(6), of title 23, United States Code;

(C) the Federal lands transportation program under section 203 of title 23, United States Code; and

(D) chapter 6 of title 23, United States Code; (2) funds for the national highway performance program under section 119 of title 23, United States Code, that are exempt from the limitation on obligations;

(3) the emergency relief program under section 125 of title 23, United States Code;

(4) the administrative expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code;

(5) the highway safety programs under section 402 of title 23, United States Code, and national priority safety programs under section 405 of title 23, United States Code;

(6) the high visibility enforcement program under section 2009 of SAFETEA-LU (23 U.S.C. 402 note; Public Law 109-59);

(7) the highway safety research and development program under section 403 of title 23, United States Code;

(8) the national driver register under chapter 303 of title 49, United States Code;

(9) the motor carrier safety assistance program under section 31102 of title 49, United States Code;

(10) the administrative expenses of the Federal Motor Carrier Safety Administration under section 31110 of title 49, United States Code; and

(11) the administrative expenses of the Federal Transit Administration funded under section 5338(h) of title 49, United States Code, to carry out section 5329 of title 49, United States Code.

SEC. 80003. PROHIBITION ON RESCISSIONS OF CERTAIN CONTRACT AUTHORITY.

For purposes of the enforcement of a point of order established under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the determination of levels under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) or the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.), and the enforcement of a point of order established under or the determination of levels under a concurrent resolution on the budget, the rescission of contract authority that is provided under this Act or an amendment made by this Act for fiscal year 2019, 2020, or 2021 shall not be counted.

DIVISION I—EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. 90001. SHORT TITLE.

This division may be cited as the “Export-Import Bank Reform and Reauthorization Act of 2015”.

TITLE XCI—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY

SEC. 91001. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by striking paragraph (2) and inserting the following:

“(2) **APPLICABLE AMOUNT DEFINED.**—In this subsection, the term ‘applicable amount’, for each of fiscal years 2015 through 2019, means \$135,000,000,000.

“(3) **FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.**—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the amount of loans, guarantees, and insurance outstanding on the last day of that quarter

until the rate calculated under section 8(g)(1) is less than 2 percent.”.

SEC. 91002. INCREASE IN LOSS RESERVES.

(a) **IN GENERAL.**—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

“(b) **RESERVE REQUIREMENT.**—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 91003. REVIEW OF FRAUD CONTROLS.

Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a-6(b)) is amended to read as follows:

“(b) **REVIEW OF FRAUD CONTROLS.**—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—

“(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and

“(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—

“(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

“(B) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives.”.

SEC. 91004. OFFICE OF ETHICS.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

“(k) **OFFICE OF ETHICS.**—

“(1) **ESTABLISHMENT.**—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.

“(2) **HEAD OF OFFICE.**—

“(A) **IN GENERAL.**—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.

“(B) **APPOINTMENT.**—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—

“(i) appointed by the President of the Bank from among persons—

“(I) with a background in law who have experience in the fields of law and ethics; and

“(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and

“(ii) approved by the Board.

“(C) **DESIGNATED AGENCY ETHICS OFFICIAL.**—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

“(3) **DUTIES.**—The Office of Ethics has jurisdiction over all employees of, and ethics matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—

“(A) recommend administrative actions to establish or enforce standards of official conduct;

“(B) refer to the Office of the Inspector General of the Bank alleged violations of—

“(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;

“(ii) the standards of ethical conduct established by the Chief Ethics Officer; and

“(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;

“(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and

“(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.”.

SEC. 91005. CHIEF RISK OFFICER.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section 91004, is further amended by adding at the end the following:

“(l) **CHIEF RISK OFFICER.**—

“(1) **IN GENERAL.**—There shall be a Chief Risk Officer of the Bank, who shall—

“(A) oversee all issues relating to risk within the Bank; and

“(B) report to the President of the Bank.

“(2) **APPOINTMENT.**—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—

“(A) appointed by the President of the Bank from among persons—

“(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and

“(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and

“(B) approved by the Board.

“(3) **DUTIES.**—The duties of the Chief Risk Officer are—

“(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;

“(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;

“(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;

“(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;

“(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and

“(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.”.

SEC. 91006. RISK MANAGEMENT COMMITTEE.

(a) **IN GENERAL.**—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by sections 91004 and 91005, is further amended by adding at the end the following:

“(m) **RISK MANAGEMENT COMMITTEE.**—

“(1) **ESTABLISHMENT.**—There is established a management committee to be known as the ‘Risk Management Committee’.

“(2) **MEMBERSHIP.**—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.

“(3) **DUTIES.**—The duties of the Risk Management Committee shall be—

“(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—

“(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and

“(ii) the monitoring of industry, geographic, and obligor exposure levels; and

“(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).”.

(b) **TERMINATION OF AUDIT COMMITTEE.**—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.

SEC. 91007. INDEPENDENT AUDIT OF BANK PORTFOLIO.

(a) **AUDIT.**—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(l) of the Export-Import Bank Act of 1945, as amended by section 91005.

(b) **REPORT.**—Not later than one year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).

SEC. 91008. PILOT PROGRAM FOR REINSURANCE.

(a) **IN GENERAL.**—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the “Bank”) may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.

(b) **LIMITATIONS ON AMOUNT OF RISK-SHARING.**—

(1) **PER CONTRACT OR OTHER ARRANGEMENT.**—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed \$1,000,000,000.

(2) **PER YEAR.**—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to contracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed \$10,000,000,000.

(c) **ANNUAL REPORTS.**—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.

(e) **TERMINATION.**—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.

TITLE XCII—PROMOTION OF SMALL BUSINESS EXPORTS

SEC. 92001. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.

(a) **IN GENERAL.**—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking “20 percent” and inserting “25 percent”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

SEC. 92002. REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.

(a) **IN GENERAL.**—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

“(k) **REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.**—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than \$250,000,000 in annual sales.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

TITLE XCIII—MODERNIZATION OF OPERATIONS

SEC. 93001. ELECTRONIC PAYMENTS AND DOCUMENTS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

“(M) Not later than 2 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Bank shall implement policies—

“(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

“(ii) to accept electronic payments in all of its programs.”.

SEC. 93002. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “2012, 2013, and 2014” and inserting “2015 through 2019”;

(2) in paragraph (2)(B), by striking “(I) the funds” and inserting “(i) the funds”; and

(3) in paragraph (3), by striking “2012, 2013, and 2014” and inserting “2015 through 2019”.

TITLE XCIV—GENERAL PROVISIONS

SEC. 94001. EXTENSION OF AUTHORITY.

(a) **IN GENERAL.**—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking “2014” and inserting “2019”.

(b) **DUAL-USE EXPORTS.**—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking “September 30, 2014” and inserting “the date on which the authority of the Export-Import Bank of the United States expires under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)”.

(c) **SUB-SAHARAN AFRICA ADVISORY COMMITTEE.**—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking “September 30, 2014” and inserting “the date on which the authority of the Bank expires under section 7”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the earlier of

the date of the enactment of this Act or June 30, 2015.

SEC. 94002. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.

(a) **LOAN TERMS FOR MEDIUM-TERM FINANCING.**—Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking “; and” and inserting a semicolon; and

(2) by adding at the end the following:

“(iii) with principal amounts of not more than \$25,000,000; and”.

(b) **COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.**—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking “\$10,000,000” and inserting “\$25,000,000”.

(c) **EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.**—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking “\$10,000,000” and inserting “\$25,000,000”.

(d) **CONSIDERATION OF ENVIRONMENTAL EFFECTS.**—Section 11(a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5(a)(1)(A)) is amended by striking “\$10,000,000 or more” and inserting the following: “\$25,000,000 (or, if less than \$25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the ‘Equator Principles’)) or more”.

(e) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

TITLE XCV—OTHER MATTERS

SEC. 95001. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

“(k) **PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.**—

“(1) **IN GENERAL.**—Except as provided in this Act, the Bank may not—

“(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

“(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

“(2) **APPLICABILITY.**—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development, production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.”.

SEC. 95002. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) **IN GENERAL.**—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Treasury (in this section referred to as the ‘Secretary’)” and inserting “President”; and

(B) in paragraph (1)—

(i) by striking “(OECD)” and inserting “(in this section referred to as the ‘OECD’)”; and

(ii) by striking “ultimate goal of eliminating” and inserting “possible goal of eliminating, before the date that is 10 years after the date of

the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015.”;

(2) in subsection (b), by striking “Secretary” each place it appears and inserting “President”;

and

(3) by adding at the end the following:

“(c) **REPORT ON STRATEGY.**—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

“(d) **NEGOTIATIONS WITH NON-OECD MEMBERS.**—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules and limitations on officially supported export credits.

“(e) **ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.**—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).”.

(b) **EFFECTIVE DATE.**—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5(b)) after the date of the enactment of this Act.

SEC. 95003. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.

(a) **ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.**—The Export-Import Bank of the United States (in this section referred to as the “Bank”) shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) **ELEMENTS.**—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of information and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Bank shall submit to Congress a report that contains the results of the study required by subsection (a).

The CHAIR. No further amendment to the Senate amendment, as amended, shall be in order except for an amendment consisting of the text of Rules Committee Print 114–32, which shall be considered as pending, shall be considered as read, shall not be debatable, shall not be subject to amendment except as specified in section 2(b) of House Resolution 507, and shall not be subject to a demand for division of the question.

No amendment to the further amendment referred to in section 2(a) of House Resolution 507 shall be in order except those printed in part B of House Report 114–325. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Pursuant to the rule, an amendment consisting of the text of Rules Committee Print 114–32 is now pending.

The Clerk will designate the amendment.

The text of the House amendment to the Senate amendment, as amended, to the text is as follows;

In the matter proposed to be inserted by the amendment of the Senate to the text of the bill, strike section 1 and all that follows through division B and insert the following:

DIVISION A—SURFACE TRANSPORTATION **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Surface Transportation Reauthorization and Reform Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

DIVISION A—SURFACE TRANSPORTATION

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

Sec. 3. Effective date.

Sec. 4. References.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

Sec. 1101. Authorization of appropriations.
Sec. 1102. Obligation ceiling.
Sec. 1103. Definitions.
Sec. 1104. Apportionment.
Sec. 1105. National highway performance program.
Sec. 1106. Surface transportation block grant program.
Sec. 1107. Railway-highway grade crossings.
Sec. 1108. Highway safety improvement program.
Sec. 1109. Congestion mitigation and air quality improvement program.
Sec. 1110. National highway freight policy.
Sec. 1111. Nationally significant freight and highway projects.
Sec. 1112. Territorial and Puerto Rico highway program.
Sec. 1113. Federal lands and tribal transportation program.
Sec. 1114. Tribal transportation program.
Sec. 1115. Federal lands transportation program.
Sec. 1116. Tribal transportation self-governance program.
Sec. 1117. Emergency relief.
Sec. 1118. Highway use tax evasion projects.
Sec. 1119. Bundling of bridge projects.
Sec. 1120. Tribal High Priority Projects program.
Sec. 1121. Construction of ferry boats and ferry terminal facilities.

Subtitle B—Planning and Performance Management

Sec. 1201. Metropolitan transportation planning.
Sec. 1202. Statewide and nonmetropolitan transportation planning.

Subtitle C—Acceleration of Project Delivery

Sec. 1301. Satisfaction of requirements for certain historic sites.
Sec. 1302. Treatment of improvements to rail and transit under preservation requirements.
Sec. 1303. Clarification of transportation environmental authorities.
Sec. 1304. Treatment of certain bridges under preservation requirements.
Sec. 1305. Efficient environmental reviews for project decisionmaking.
Sec. 1306. Improving transparency in environmental reviews.
Sec. 1307. Integration of planning and environmental review.
Sec. 1308. Development of programmatic mitigation plans.
Sec. 1309. Delegation of authorities.
Sec. 1310. Categorical exclusion for projects of limited Federal assistance.
Sec. 1311. Application of categorical exclusions for multimodal projects.
Sec. 1312. Surface transportation project delivery program.
Sec. 1313. Program for eliminating duplication of environmental reviews.
Sec. 1314. Assessment of progress on accelerating project delivery.
Sec. 1315. Improving State and Federal agency engagement in environmental reviews.
Sec. 1316. Accelerated decisionmaking in environmental reviews.
Sec. 1317. Aligning Federal environmental reviews.

Subtitle D—Miscellaneous

Sec. 1401. Tolling; HOV facilities; Interstate reconstruction and rehabilitation.

Sec. 1402. Prohibition on the use of funds for automated traffic enforcement.

Sec. 1403. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.

Sec. 1404. Highway Trust Fund transparency and accountability.

Sec. 1405. High priority corridors on National Highway System.

Sec. 1406. Flexibility for projects.

Sec. 1407. Productive and timely expenditure of funds.

Sec. 1408. Consolidation of programs.

Sec. 1409. Federal share payable.

Sec. 1410. Elimination or modification of certain reporting requirements.

Sec. 1411. Technical corrections.

Sec. 1412. Safety for users.

Sec. 1413. Design standards.

Sec. 1414. Reserve fund.

Sec. 1415. Adjustments.

Sec. 1416. National electric vehicle charging, hydrogen, and natural gas fueling corridors.

Sec. 1417. Ferries.

Sec. 1418. Study on performance of bridges.

Sec. 1419. Relinquishment of park-and-ride lot facilities.

Sec. 1420. Pilot program.

Sec. 1421. Innovative project delivery examples.

Sec. 1422. Administrative provisions to encourage pollinator habitat and forage on transportation rights-of-way.

Sec. 1423. Milk products.

Sec. 1424. Interstate weight limits for emergency vehicles.

Sec. 1425. Vehicle weight limitations—Interstate System.

Sec. 1426. New national goal, performance measure, and performance target.

Sec. 1427. Service club, charitable association, or religious service signs.

Sec. 1428. Work zone and guard rail safety training.

Sec. 1429. Motorcyclist advisory council.

Sec. 1430. Highway work zones.

TITLE II—INNOVATIVE PROJECT FINANCE

Sec. 2001. Transportation Infrastructure Finance and Innovation Act of 1998 amendments.

Sec. 2002. State infrastructure bank program.

Sec. 2003. Availability payment concession model.

TITLE III—PUBLIC TRANSPORTATION

Sec. 3001. Short title.

Sec. 3002. Definitions.

Sec. 3003. Metropolitan and statewide transportation planning.

Sec. 3004. Urbanized area formula grants.

Sec. 3005. Fixed guideway capital investment grants.

Sec. 3006. Formula grants for enhanced mobility of seniors and individuals with disabilities.

Sec. 3007. Formula grants for rural areas.

Sec. 3008. Public transportation innovation.

Sec. 3009. Technical assistance and workforce development.

Sec. 3010. Bicycle facilities.

Sec. 3011. General provisions.

Sec. 3012. Public transportation safety program.

Sec. 3013. Apportionments.

Sec. 3014. State of good repair grants.

Sec. 3015. Authorizations.

Sec. 3016. Bus and bus facility grants.

Sec. 3017. Obligation ceiling.

Sec. 3018. Innovative procurement.

Sec. 3019. Review of public transportation safety standards.

Sec. 3020. Study on evidentiary protection for public transportation safety program information.

Sec. 3021. Mobility of seniors and individuals with disabilities.

Sec. 3022. Improved transit safety measures.

Sec. 3023. Paratransit system under FTA approved coordinated plan.

TITLE IV—HIGHWAY SAFETY

Sec. 4001. Authorization of appropriations.

Sec. 4002. Highway safety programs.

Sec. 4003. Highway safety research and development.

Sec. 4004. High-visibility enforcement program.

Sec. 4005. National priority safety programs.

Sec. 4006. Prohibition on funds to check helmet usage or create related checkpoints for a motorcycle driver or passenger.

Sec. 4007. Marijuana-impaired driving.

Sec. 4008. National priority safety program grant eligibility.

Sec. 4009. Data collection.

Sec. 4010. Technical corrections.

TITLE V—MOTOR CARRIER SAFETY

Subtitle A—Motor Carrier Safety Grant Consolidation

Sec. 5101. Grants to States.

Sec. 5102. Performance and registration information systems management.

Sec. 5103. Authorization of appropriations.

Sec. 5104. Commercial driver's license program implementation.

Sec. 5105. Extension of Federal motor carrier safety programs for fiscal year 2016.

Sec. 5106. Motor carrier safety assistance program allocation.

Sec. 5107. Maintenance of effort calculation.

Subtitle B—Federal Motor Carrier Safety Administration Reform

PART I—REGULATORY REFORM

Sec. 5201. Notice of cancellation of insurance.

Sec. 5202. Regulations.

Sec. 5203. Guidance.

Sec. 5204. Petitions.

PART II—COMPLIANCE, SAFETY, ACCOUNTABILITY REFORM

Sec. 5221. Correlation study.

Sec. 5222. Beyond compliance.

Sec. 5223. Data certification.

Sec. 5224. Interim hiring standard.

Subtitle C—Commercial Motor Vehicle Safety

Sec. 5301. Implementing safety requirements.

Sec. 5302. Windshield mounted safety technology.

Sec. 5303. Prioritizing statutory rulemaking.

Sec. 5304. Safety reporting system.

Sec. 5305. New entrant safety review program.

Sec. 5306. Ready mixed concrete trucks.

Subtitle D—Commercial Motor Vehicle Drivers

Sec. 5401. Opportunities for veterans.

Sec. 5402. Drug-free commercial drivers.

Sec. 5403. Certified medical examiners.

Sec. 5404. Graduated commercial driver's license pilot program.

Sec. 5405. Veterans expanded trucking opportunities.

Subtitle E—General Provisions

Sec. 5501. Minimum financial responsibility.

Sec. 5502. Delays in goods movement.

Sec. 5503. Report on motor carrier financial responsibility.

Sec. 5504. Emergency route working group.

Sec. 5505. Household goods consumer protection working group.

Sec. 5506. Technology improvements.

Sec. 5507. Notification regarding motor carrier registration.

Sec. 5508. Report on commercial driver's license skills test delays.

Sec. 5509. Covered farm vehicles.

Sec. 5510. Operators of hi-rail vehicles.

Sec. 5511. Electronic logging device requirements.

Sec. 5512. Technical corrections.

Sec. 5513. Automobile transporter.

Sec. 5514. Ready mix concrete delivery vehicles.

TITLE VI—INNOVATION

Sec. 6001. Short title.

Sec. 6002. Authorization of appropriations.

Sec. 6003. Advanced transportation and congestion management technologies deployment.

Sec. 6004. Technology and innovation deployment program.

Sec. 6005. Intelligent transportation system goals.

Sec. 6006. Intelligent transportation system program report.

Sec. 6007. Intelligent transportation system national architecture and standards.

Sec. 6008. Communication systems deployment report.

Sec. 6009. Infrastructure development.

Sec. 6010. Departmental research programs.

Sec. 6011. Research and Innovative Technology Administration.

Sec. 6012. Office of Intermodalism.

Sec. 6013. University transportation centers.

Sec. 6014. Bureau of Transportation Statistics.

Sec. 6015. Surface transportation system funding alternatives.

Sec. 6016. Future interstate study.

Sec. 6017. Highway efficiency.

Sec. 6018. Motorcycle safety.

Sec. 6019. Hazardous materials research and development.

Sec. 6020. Web-based training for emergency responders.

Sec. 6021. Transportation technology policy working group.

Sec. 6022. Collaboration and support.

Sec. 6023. Prize competitions.

Sec. 6024. GAO report.

Sec. 6025. Intelligent transportation system purposes.

Sec. 6026. Infrastructure integrity.

TITLE VII—HAZARDOUS MATERIALS TRANSPORTATION

Sec. 7001. Short title.

Sec. 7002. Authorization of appropriations.

Sec. 7003. National emergency and disaster response.

Sec. 7004. Enhanced reporting.

Sec. 7005. Wetlines.

Sec. 7006. Improving publication of special permits and approvals.

Sec. 7007. GAO study on acceptance of classification examinations.

Sec. 7008. Improving the effectiveness of planning and training grants.

Sec. 7009. Motor carrier safety permits.

Sec. 7010. Thermal blankets.

Sec. 7011. Comprehensive oil spill response plans.

Sec. 7012. Information on high-hazard flammable trains.

Sec. 7013. Study and testing of electronically controlled pneumatic brakes.

- Sec. 7014. Ensuring safe implementation of positive train control systems.
- Sec. 7015. Phase-out of all tank cars used to transport Class 3 flammable liquids.

TITLE VIII—MULTIMODAL FREIGHT TRANSPORTATION

- Sec. 8001. Multimodal freight transportation.

TITLE IX—NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

- Sec. 9001. National Surface Transportation and Innovative Finance Bureau.
- Sec. 9002. Council on Credit and Finance.

TITLE X—SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY

- Sec. 10001. Allocations.
- Sec. 10002. Recreational boating safety.

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) DEPARTMENT.—The term “Department” means the Department of Transportation.

(2) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

SEC. 3. EFFECTIVE DATE.

Except as otherwise provided, this Act, including the amendments made by this Act, takes effect on October 1, 2015.

SEC. 4. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

SEC. 1101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation block grant program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, and to carry out section 134 of that title—

- (A) \$38,419,500,000 for fiscal year 2016;
- (B) \$39,113,500,000 for fiscal year 2017;
- (C) \$39,927,500,000 for fiscal year 2018;
- (D) \$40,764,000,000 for fiscal year 2019;
- (E) \$41,623,000,000 for fiscal year 2020; and
- (F) \$42,483,000,000 for fiscal year 2021.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code, \$200,000,000 for each of fiscal years 2016 through 2021.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—

- (i) \$465,000,000 for fiscal year 2016;
- (ii) \$475,000,000 for fiscal year 2017;
- (iii) \$485,000,000 for fiscal year 2018;
- (iv) \$490,000,000 for fiscal year 2019;
- (v) \$495,000,000 for fiscal year 2020; and
- (vi) \$500,000,000 for fiscal year 2021.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—

(i) IN GENERAL.—For the Federal lands transportation program under section 203 of title 23, United States Code—

- (I) \$325,000,000 for fiscal year 2016;

- (II) \$335,000,000 for fiscal year 2017;
- (III) \$345,000,000 for fiscal year 2018;
- (IV) \$350,000,000 for fiscal year 2019;
- (V) \$375,000,000 for fiscal year 2020; and
- (VI) \$400,000,000 for fiscal year 2021.

(ii) ALLOCATION.—Of the amount made available for a fiscal year under clause (i)—

(I) the amount for the National Park Service is—

- (aa) \$260,000,000 for fiscal year 2016;
- (bb) \$268,000,000 for fiscal year 2017;
- (cc) \$276,000,000 for fiscal year 2018;
- (dd) \$280,000,000 for fiscal year 2019;
- (ee) \$300,000,000 for fiscal year 2020; and
- (ff) \$320,000,000 for fiscal year 2021;

(II) the amount for the United States Fish and Wildlife Service is \$30,000,000 for each of fiscal years 2016 through 2021; and

(III) the amount for the United States Forest Service is—

- (aa) \$15,000,000 for fiscal year 2016;
- (bb) \$16,000,000 for fiscal year 2017;
- (cc) \$17,000,000 for fiscal year 2018;
- (dd) \$18,000,000 for fiscal year 2019;
- (ee) \$19,000,000 for fiscal year 2020; and
- (ff) \$20,000,000 for fiscal year 2021.

(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code—

- (i) \$250,000,000 for fiscal year 2016;
- (ii) \$255,000,000 for fiscal year 2017;
- (iii) \$260,000,000 for fiscal year 2018;
- (iv) \$265,000,000 for fiscal year 2019;
- (v) \$270,000,000 for fiscal year 2020; and
- (vi) \$275,000,000 for fiscal year 2021.

(4) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, \$200,000,000 for each of fiscal years 2016 through 2021.

(5) NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.—For nationally significant freight and highway projects under section 117 of title 23, United States Code—

- (A) \$725,000,000 for fiscal year 2016;
- (B) \$735,000,000 for fiscal year 2017; and
- (C) \$750,000,000 for each of fiscal years 2018 through 2021.

(b) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—

(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally assisted surface transportation markets across the United States;

(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;

(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;

(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—

(i) IN GENERAL.—The term “small business concern” means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(ii) EXCLUSIONS.—The term “small business concern” does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of \$23,980,000, as adjusted annually by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term “socially and economically disadvantaged individuals” has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under titles I, II, III, and VI of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

(A) survey and compile a list of the small business concerns referred to in paragraph (3) in the State, including the location of the small business concerns in the State; and

(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

- (i) women;
- (ii) socially and economically disadvantaged individuals (other than women); and
- (iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) UNIFORM CERTIFICATION.—

(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

- (i) on-site visits;
- (ii) personal interviews with personnel;
- (iii) issuance or inspection of licenses;
- (iv) analyses of stock ownership;
- (v) listings of equipment;
- (vi) analyses of bonding capacity;
- (vii) listings of work completed;
- (viii) examination of the resumes of principal owners;
- (ix) analyses of financial capacity; and
- (x) analyses of the type of work preferred.

(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) **COMPLIANCE WITH COURT ORDERS.**—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under titles I, II, III, and VI of this Act and section 403 of title 23, United States Code, if the entity or person is prevented, in whole or in part, from complying with paragraph (3) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (3) is unconstitutional.

SEC. 1102. OBLIGATION CEILING.

(a) **GENERAL LIMITATION.**—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

- (1) \$40,867,000,000 for fiscal year 2016;
- (2) \$41,599,000,000 for fiscal year 2017;
- (3) \$42,453,000,000 for fiscal year 2018;
- (4) \$43,307,000,000 for fiscal year 2019;
- (5) \$44,201,000,000 for fiscal year 2020; and
- (6) \$45,096,000,000 for fiscal year 2021.

(b) **EXCEPTIONS.**—The limitations under subsection (a) shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA-LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 through 2015, but only in an amount equal to \$639,000,000 for each of those fiscal years); and

(13) section 119 of title 23, United States Code (but, for fiscal years 2016 through 2021, only in an amount equal to \$639,000,000 for each of those fiscal years).

(c) **DISTRIBUTION OF OBLIGATION AUTHORITY.**—For each of fiscal years 2016 through 2021, the Secretary—

(1) shall not distribute obligation authority provided by subsection (a) for the fiscal year for—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) shall not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) shall determine the proportion that—

(A) the obligation authority provided by subsection (a) for the fiscal year, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for the fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the national highway performance program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(d) **REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.**—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2016 through 2021—

(1) revise a distribution of the obligation authority made available under subsection

(c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141)) and 104 of title 23, United States Code.

(e) **APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) title VI of this Act.

(2) **EXCEPTION.**—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(f) **REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2016 through 2021, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) **RATIO.**—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) **AVAILABILITY.**—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 1103. DEFINITIONS.

Section 101(a) of title 23, United States Code, is amended—

(1) by striking paragraph (29);

(2) by redesignating paragraphs (15) through (28) as paragraphs (16) through (29), respectively; and

(3) by inserting after paragraph (14) the following:

“(15) **NATIONAL HIGHWAY FREIGHT NETWORK.**—The term ‘National Highway Freight Network’ means the National Highway Freight Network established under section 167.”

SEC. 1104. APPORTIONMENT.

(a) **ADMINISTRATIVE EXPENSES.**—Section 104(a)(1) of title 23, United States Code, is amended to read as follows:

“(1) **IN GENERAL.**—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to be made available to the Secretary for administrative expenses of the Federal Highway Administration \$440,000,000 for each of fiscal years 2016 through 2021.”

(b) **DIVISION AMONG PROGRAMS OF STATE'S SHARE OF BASE APPORTIONMENT.**—Section

104(b) of title 23, United States Code, is amended—

(1) in the subsection heading by striking “DIVISION OF STATE APPORTIONMENTS AMONG PROGRAMS” and inserting “DIVISION AMONG PROGRAMS OF STATE’S SHARE OF BASE APPORTIONMENT”;

(2) in the matter preceding paragraph (1)—
(A) by inserting “of the base apportionment” after “the amount”; and

(B) by striking “surface transportation program” and inserting “surface transportation block grant program”;

(3) in paragraph (2)—

(A) in the paragraph heading by striking “SURFACE TRANSPORTATION PROGRAM” and inserting “SURFACE TRANSPORTATION BLOCK GRANT PROGRAM”; and

(B) by striking “surface transportation program” and inserting “surface transportation block grant program”; and

(4) in each of paragraphs (4) and (5), in the matter preceding subparagraph (A), by inserting “of the base apportionment” after “the amount”.

(c) CALCULATION OF STATE AMOUNTS.—Section 104(c) of title 23, United States Code, is amended to read as follows:

“(c) CALCULATION OF AMOUNTS.—

“(1) STATE SHARE.—For each of fiscal years 2016 through 2021, the amount for each State shall be determined as follows:

“(A) INITIAL AMOUNTS.—The initial amounts for each State shall be determined by multiplying—

“(i) each of—

“(I) the base apportionment;

“(II) supplemental funds reserved under subsection (h)(1) for the national highway performance program; and

“(III) supplemental funds reserved under subsection (h)(2) for the surface transportation block grant program; by

“(ii) the share for each State, which shall be equal to the proportion that—

“(I) the amount of apportionments that the State received for fiscal year 2015; bears to

“(II) the amount of those apportionments received by all States for that fiscal year.

“(B) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under subparagraph (A) shall be adjusted to ensure that each State receives an aggregate apportionment equal to at least 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

“(2) STATE APPORTIONMENT.—On October 1 of fiscal years 2016 through 2021, the Secretary shall apportion the sums authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, and to carry out section 134 in accordance with paragraph (1).”.

(d) SUPPLEMENTAL FUNDS.—Section 104 of title 23, United States Code, is amended by adding at the end the following:

“(h) SUPPLEMENTAL FUNDS.—

“(1) SUPPLEMENTAL FUNDS FOR NATIONAL HIGHWAY PERFORMANCE PROGRAM.—

“(A) AMOUNT.—Before making an apportionment for a fiscal year under subsection (c), the Secretary shall reserve for the national highway performance program under section 119 for that fiscal year an amount equal to—

“(i) \$53,596,122 for fiscal year 2019;

“(ii) \$66,717,816 for fiscal year 2020; and

“(iii) \$79,847,397 for fiscal year 2021.

“(B) TREATMENT OF FUNDS.—Funds reserved under subparagraph (A) and apportioned to a State under subsection (c) shall be treated as if apportioned under subsection (b)(1), and shall be in addition to amounts apportioned under that subsection.

“(2) SUPPLEMENTAL FUNDS FOR SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.—

“(A) AMOUNT.—Before making an apportionment for a fiscal year under subsection (c), the Secretary shall reserve for the surface transportation block grant program under section 133 for that fiscal year an amount equal to \$819,900,000 pursuant to section 133(h), plus—

“(i) \$70,526,310 for fiscal year 2016;

“(ii) \$104,389,904 for fiscal year 2017;

“(iii) \$148,113,536 for fiscal year 2018;

“(iv) \$160,788,367 for fiscal year 2019;

“(v) \$200,153,448 for fiscal year 2020; and

“(vi) \$239,542,191 for fiscal year 2021.

“(B) TREATMENT OF FUNDS.—Funds reserved under subparagraph (A) and apportioned to a State under subsection (c) shall be treated as if apportioned under subsection (b)(2), and shall be in addition to amounts apportioned under that subsection.

“(i) BASE APPORTIONMENT DEFINED.—In this section, the term ‘base apportionment’ means—

“(1) the combined amount authorized for appropriation for the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, and to carry out section 134; minus

“(2) supplemental funds reserved under subsection (h) for the national highway performance program and the surface transportation block grant program.”.

SEC. 1105. NATIONAL HIGHWAY PERFORMANCE PROGRAM.

Section 119 of title 23, United States Code, is amended—

(1) in subsection (e)(7)—

(A) by striking “this paragraph” and inserting “section 150(e)”; and

(B) by inserting “under section 150(e)” after “the next report submitted”; and

(2) by adding at the end the following:

“(h) TIFIA PROGRAM.—Upon Secretarial approval of credit assistance under chapter 6, the Secretary, at the request of a State, may allow the State to use funds apportioned under section 104(b)(1) to pay subsidy and administrative costs necessary to provide an eligible entity Federal credit assistance under chapter 6 with respect to a project eligible for assistance under this section.

“(i) ADDITIONAL FUNDING ELIGIBILITY FOR CERTAIN BRIDGES.—

“(1) IN GENERAL.—Funds apportioned to a State to carry out the national highway performance program may be obligated for a project for the reconstruction, resurfacing, restoration, rehabilitation, or preservation of a bridge not on the National Highway System, if the bridge is on a Federal-aid highway.

“(2) LIMITATION.—A State required to make obligations under subsection (f) shall ensure such requirements are satisfied in order to use the flexibility under paragraph (1).”.

SEC. 1106. SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.

(a) FINDINGS.—Congress finds that—

(1) the benefits of the surface transportation block grant program accrue prin-

cipally to the residents of each State and municipality where the funds are obligated;

(2) decisions about how funds should be obligated are best determined by the States and municipalities to respond to unique local circumstances and implement the most efficient solutions; and

(3) reforms of the program to promote flexibility will enhance State and local control over transportation decisions.

(b) SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.—Section 133 of title 23, United States Code, is amended—

(1) by striking subsections (a), (b), (c), and (d) and inserting the following:

“(a) ESTABLISHMENT.—The Secretary shall establish a surface transportation block grant program in accordance with this section to provide flexible funding to address State and local transportation needs.

“(b) ELIGIBLE PROJECTS.—Funds apportioned to a State under section 104(b)(2) for the surface transportation block grant program may be obligated for the following:

“(1) Construction of—

“(A) highways, bridges, tunnels, including designated routes of the Appalachian development highway system and local access roads under section 14501 of title 40;

“(B) ferry boats and terminal facilities eligible for funding under section 129(c);

“(C) transit capital projects eligible for assistance under chapter 53 of title 49;

“(D) infrastructure-based intelligent transportation systems capital improvements;

“(E) truck parking facilities eligible for funding under section 1401 of MAP-21 (23 U.S.C. 137 note); and

“(F) border infrastructure projects eligible for funding under section 1303 of SAFETEA-LU (23 U.S.C. 101 note).

“(2) Operational improvements and capital and operating costs for traffic monitoring, management, and control facilities and programs.

“(3) Environmental measures eligible under sections 119(g), 328, and 329 and transportation control measures listed in section 108(f)(1)(A) (other than clause (xvi) of that section) of the Clean Air Act (42 U.S.C. 7408(f)(1)(A)).

“(4) Highway and transit safety infrastructure improvements and programs, including railway-highway grade crossings.

“(5) Fringe and corridor parking facilities and programs in accordance with section 137 and carpool projects in accordance with section 146.

“(6) Recreational trails projects eligible for funding under section 206, pedestrian and bicycle projects in accordance with section 217 (including modifications to comply with accessibility requirements under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)), and the safe routes to school program under section 1404 of SAFETEA-LU (23 U.S.C. 402 note).

“(7) Planning, design, or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

“(8) Development and implementation of a State asset management plan for the National Highway System and a performance-based management program for other public roads.

“(9) Protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for bridges (including approaches to bridges and other elevated structures) and tunnels on public roads, and inspection and evaluation of bridges and tunnels and other highway assets.

“(10) Surface transportation planning programs, highway and transit research and development and technology transfer programs, and workforce development, training, and education under chapter 5 of this title.

“(11) Surface transportation infrastructure modifications to facilitate direct intermodal interchange, transfer, and access into and out of a port terminal.

“(12) Projects and strategies designed to support congestion pricing, including electronic toll collection and travel demand management strategies and programs.

“(13) At the request of a State, and upon Secretarial approval of credit assistance under chapter 6, subsidy and administrative costs necessary to provide an eligible entity Federal credit assistance under chapter 6 with respect to a project eligible for assistance under this section.

“(14) The creation and operation by a State of an office to assist in the design, implementation, and oversight of public-private partnerships eligible to receive funding under this title and chapter 53 of title 49, and the payment of a stipend to unsuccessful private bidders to offset their proposal development costs, if necessary to encourage robust competition in public-private partnership procurements.

“(15) Any type of project eligible under this section as in effect on the day before the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, including projects described under section 101(a)(29) as in effect on such day.

“(c) LOCATION OF PROJECTS.—A surface transportation block grant project may not be undertaken on a road functionally classified as a local road or a rural minor collector unless the road was on a Federal-aid highway system on January 1, 1991, except—

“(1) for a bridge or tunnel project (other than the construction of a new bridge or tunnel at a new location);

“(2) for a project described in paragraphs (4) through (11) of subsection (b);

“(3) for a project described in section 101(a)(29), as in effect on the day before the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015; and

“(4) as approved by the Secretary.

“(d) ALLOCATIONS OF APPORTIONED FUNDS TO AREAS BASED ON POPULATION.—

“(1) CALCULATION.—Of the funds apportioned to a State under section 104(b)(2) (after the reservation of funds under subsection (h))—

“(A) the percentage specified in paragraph (6) for a fiscal year shall be obligated under this section, in proportion to their relative shares of the population of the State—

“(i) in urbanized areas of the State with an urbanized area population of over 200,000;

“(ii) in areas of the State other than urban areas with a population greater than 5,000; and

“(iii) in other areas of the State; and

“(B) the remainder may be obligated in any area of the State.

“(2) METROPOLITAN AREAS.—Funds attributed to an urbanized area under paragraph (1)(A)(i) may be obligated in the metropolitan area established under section 134 that encompasses the urbanized area.

“(3) CONSULTATION WITH REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.—For purposes of paragraph (1)(A)(iii), before obligating funding attributed to an area with a population greater than 5,000 and less than 200,000, a State shall consult with the regional transportation planning organizations that represent the area, if any.

“(4) DISTRIBUTION AMONG URBANIZED AREAS OF OVER 200,000 POPULATION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of funds that a State is required to obligate under paragraph (1)(A)(i) shall be obligated in urbanized areas described in paragraph (1)(A)(i) based on the relative population of the areas.

“(B) OTHER FACTORS.—The State may obligate the funds described in subparagraph (A) based on other factors if the State and the relevant metropolitan planning organizations jointly apply to the Secretary for the permission to base the obligation on other factors and the Secretary grants the request.

“(5) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with sections 134 and 135.

“(6) PERCENTAGE.—The percentage referred to in paragraph (1)(A) is—

“(A) for fiscal year 2016, 51 percent;

“(B) for fiscal year 2017, 52 percent;

“(C) for fiscal year 2018, 53 percent;

“(D) for fiscal year 2019, 54 percent;

“(E) for fiscal year 2020, 55 percent; and

“(F) for fiscal year 2021, 55 percent.”;

(2) by striking the section heading and inserting “**Surface transportation block grant program**”;

(3) by striking subsection (e);

(4) by redesignating subsections (f) through (h) as subsections (e) through (g), respectively;

(5) in subsection (e)(1), as redesignated by this subsection—

(A) by striking “104(b)(3)” and inserting “104(b)(2)”; and

(B) by striking “fiscal years 2011 through 2014” and inserting “fiscal years 2016 through 2021”;

(6) in subsection (g)(1), as redesignated by this subsection, by striking “under subsection (d)(1)(A)(iii) for each of fiscal years 2013 through 2014” and inserting “under subsection (d)(1)(A)(ii) for each of fiscal years 2016 through 2021”; and

(7) by adding at the end the following:

“(h) STP SET-ASIDE.—

“(1) RESERVATION OF FUNDS.—Of the funds apportioned to a State under section 104(b)(2) for each fiscal year, the Secretary shall reserve an amount such that—

“(A) the Secretary reserves a total of \$819,900,000 under this subsection; and

“(B) the State’s share of that total is determined by multiplying the amount under subparagraph (A) by the ratio that—

“(i) the amount apportioned to the State for the transportation enhancements program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of MAP-21; bears to

“(ii) the total amount of funds apportioned to all States for the transportation enhancements program for fiscal year 2009.

“(2) ALLOCATION WITHIN A STATE.—Funds reserved for a State under paragraph (1) shall be obligated within that State in the manner described in subsection (d), except that, for purposes of this paragraph (after funds are made available under paragraph (5))—

“(A) for each fiscal year, the percentage referred to in paragraph (1)(A) of that subsection shall be deemed to be 50 percent; and

“(B) the following provisions shall not apply:

“(i) Paragraph (3) of subsection (d).

“(ii) Subsection (e).

“(3) ELIGIBLE PROJECTS.—Funds reserved under this subsection may be obligated for projects or activities described in section 101(a)(29) or 213, as such provisions were in effect on the day before the date of enact-

ment of the Surface Transportation Reauthorization and Reform Act of 2015.

“(4) ACCESS TO FUNDS.—

“(A) IN GENERAL.—A State or metropolitan planning organization required to obligate funds in accordance with paragraph (2) shall develop a competitive process to allow eligible entities to submit projects for funding that achieve the objectives of this subsection. A metropolitan planning organization for an area described in subsection (d)(1)(A)(i) shall select projects under such process in consultation with the relevant State.

“(B) ELIGIBLE ENTITY DEFINED.—In this paragraph, the term ‘eligible entity’ means—

“(i) a local government;

“(ii) a regional transportation authority;

“(iii) a transit agency;

“(iv) a natural resource or public land agency;

“(v) a school district, local education agency, or school;

“(vi) a tribal government; and

“(vii) any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails (other than a metropolitan planning organization or a State agency) that the State determines to be eligible, consistent with the goals of this subsection.

“(5) CONTINUATION OF CERTAIN RECREATIONAL TRAILS PROJECTS.—For each fiscal year, a State shall—

“(A) obligate an amount of funds reserved under this section equal to the amount of the funds apportioned to the State for fiscal year 2009 under section 104(h)(2), as in effect on the day before the date of enactment of MAP-21, for projects relating to recreational trails under section 206;

“(B) return 1 percent of those funds to the Secretary for the administration of that program; and

“(C) comply with the provisions of the administration of the recreational trails program under section 206, including the use of apportioned funds described in subsection (d)(3)(A) of that section.

“(6) STATE FLEXIBILITY.—

“(A) RECREATIONAL TRAILS.—A State may opt out of the recreational trails program under paragraph (5) if the Governor of the State notifies the Secretary not later than 30 days prior to apportionments being made for any fiscal year.

“(B) LARGE URBANIZED AREAS.—A metropolitan planning area may use not to exceed 50 percent of the funds reserved under this subsection for an urbanized area described in subsection (d)(1)(A)(i) for any purpose eligible under subsection (b).

“(i) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, projects funded under this section (excluding those carried out under subsection (h)(5)) shall be treated as projects on a Federal-aid highway under this chapter.”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 126.—Section 126(b)(2) of title 23, United States Code, is amended—

(A) by striking “section 213” and inserting “section 133(h)”; and

(B) by striking “section 213(c)(1)(B)” and inserting “section 133(h)”.

(2) SECTION 213.—Section 213 of title 23, United States Code, is repealed.

(3) SECTION 322.—Section 322(h)(3) of title 23, United States Code, is amended by striking “surface transportation program” and inserting “surface transportation block grant program”.

(4) SECTION 504.—Section 504(a)(4) of title 23, United States Code, is amended—

(A) by striking “104(b)(3)” and inserting “104(b)(2)”; and

(B) by striking “surface transportation program” and inserting “surface transportation block grant program”.

(5) CHAPTER 1.—Chapter 1 of title 23, United States Code, is amended by striking “surface transportation program” each place it appears and inserting “surface transportation block grant program”.

(6) CHAPTER ANALYSES.—

(A) CHAPTER 1.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 133 and inserting the following:

“133. Surface transportation block grant program.”.

(B) CHAPTER 2.—The item relating to section 213 in the analysis for chapter 2 of title 23, United States Code, is repealed.

(7) OTHER REFERENCES.—Any reference in any other law, regulation, document, paper, or other record of the United States to the surface transportation program under section 133 of title 23, United States Code, shall be deemed to be a reference to the surface transportation block grant program under such section.

SEC. 1107. RAILWAY-HIGHWAY GRADE CROSSINGS.

Section 130(e)(1) of title 23, United States Code, is amended to read as follows:

“(1) IN GENERAL.—

“(A) SET ASIDE.—Before making an apportionment under section 104(b)(3) for a fiscal year, the Secretary shall set aside, from amounts made available to carry out the highway safety improvement program under section 148 for such fiscal year, for the elimination of hazards and the installation of protective devices at railway-highway crossings at least—

- “(i) \$225,000,000 for fiscal year 2016;
- “(ii) \$230,000,000 for fiscal year 2017;
- “(iii) \$235,000,000 for fiscal year 2018;
- “(iv) \$240,000,000 for fiscal year 2019;
- “(v) \$245,000,000 for fiscal year 2020; and
- “(vi) \$250,000,000 for fiscal year 2021.

“(B) INSTALLATION OF PROTECTIVE DEVICES.—At least $\frac{1}{2}$ of the funds set aside each fiscal year under subparagraph (A) shall be available for the installation of protective devices at railway-highway crossings.

“(C) OBLIGATION AVAILABILITY.—Sums set aside each fiscal year under subparagraph (A) shall be available for obligation in the same manner as funds apportioned under section 104(b)(1) of this title.”.

SEC. 1108. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 148(a) of title 23, United States Code, is amended—

(A) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking “includes, but is not limited to,” and inserting “only includes”; and

(ii) by adding at the end the following:

“(xxv) Installation of vehicle-to-infrastructure communication equipment.

“(xxvi) Pedestrian hybrid beacons.

“(xxvii) Roadway improvements that provide separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.

“(xxviii) A physical infrastructure safety project not described in clauses (i) through (xxvii).”.

(B) by striking paragraph (10); and

(C) by redesignating paragraphs (11) through (13) as paragraphs (10) through (12), respectively.

(2) CONFORMING AMENDMENTS.—Section 148 of title 23, United States Code, is amended—

(A) in subsection (c)(1)(A) by striking “subsections (a)(12)” and inserting “subsections (a)(11)”; and

(B) in subsection (d)(2)(B)(i) by striking “subsection (a)(12)” and inserting “subsection (a)(11)”.

(b) DATA COLLECTION.—Section 148(f) of title 23, United States Code, is amended by adding at the end the following:

“(3) PROCESS.—The Secretary shall establish a process to allow a State to cease to collect the subset referred to in paragraph (2)(A) for public roads that are gravel roads or otherwise unpaved if—

“(A) the State does not use funds provided to carry out this section for a project on such roads until the State completes a collection of the required model inventory of roadway elements for the roads; and

“(B) the State demonstrates that the State consulted with affected Indian tribes before ceasing to collect data with respect to such roads that are included in the National Tribal Transportation Facility Inventory.

“(4) RULE OF CONSTRUCTION.—Nothing in paragraph (3) may be construed to allow a State to cease data collection related to serious injuries or fatalities.”.

(c) RURAL ROAD SAFETY.—Section 148(g)(1) of title 23, United States Code, is amended—

(1) by striking “If the fatality rate” and inserting the following:

“(A) IN GENERAL.—If the fatality rate”; and

(2) by adding at the end the following:

“(B) FATALITIES EXCEEDING THE MEDIAN RATE.—If the fatality rate on rural roads in a State, for the most recent 2-year period for which data is available, is more than the median fatality rate for rural roads among all States for such 2-year period, the State shall be required to demonstrate, in the subsequent State strategic highway safety plan of the State, strategies to address fatalities and achieve safety improvements on high risk rural roads.”.

(d) COMMERCIAL MOTOR VEHICLE SAFETY BEST PRACTICES.—

(1) REVIEW.—The Secretary shall conduct a review of best practices with respect to the implementation of roadway safety infrastructure improvements that—

(A) are cost effective; and

(B) reduce the number or severity of accidents involving commercial motor vehicles.

(2) CONSULTATION.—In conducting the review under paragraph (1), the Secretary shall consult with State transportation departments and units of local government.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make available on the public Internet Web site of the Department, a report describing the results of the review conducted under paragraph (1).

SEC. 1109. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

(a) ELIGIBLE PROJECTS.—Section 149(b) of title 23, United States Code, is amended—

(1) in paragraph (7) by striking “or” at the end;

(2) in paragraph (8) by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(9) if the project or program is for the installation of vehicle-to-infrastructure communication equipment.”.

(b) STATES FLEXIBILITY.—Section 149(d) of title 23, United States Code, is amended to read as follows:

“(d) STATES FLEXIBILITY.—

“(1) STATES WITHOUT A NONATTAINMENT AREA.—If a State does not have, and never has had, a nonattainment area designated under the Clean Air Act (42 U.S.C. 7401 et seq.), the State may use funds apportioned to the State under section 104(b)(4) for any project in the State that—

“(A) would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area; or

“(B) is eligible under the surface transportation block grant program under section 133.

“(2) STATES WITH A NONATTAINMENT AREA.—

“(A) IN GENERAL.—If a State has a nonattainment area or maintenance area and received funds in fiscal year 2009 under section 104(b)(2)(D), as in effect on the day before the date of enactment of the MAP-21, above the amount of funds that the State would have received based on the nonattainment and maintenance area population of the State under subparagraphs (B) and (C) of section 104(b)(2), as in effect on the day before the date of enactment of the MAP-21, the State may use, for any project that would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area or is eligible under the surface transportation block grant program under section 133, an amount of funds apportioned to such State under section 104(b)(4) that is equal to the product obtained by multiplying—

“(i) the amount apportioned to such State under section 104(b)(4) (excluding the amounts reserved for obligation under subsection (k)(1)); by

“(ii) the ratio calculated under subparagraph (B).

“(B) RATIO.—For purposes of this paragraph, the ratio shall be calculated as the proportion that—

“(i) the amount for fiscal year 2009 such State was permitted by section 149(c)(2), as in effect on the day before the date of enactment of the MAP-21, to obligate in any area of the State for projects eligible under section 133, as in effect on the day before the date of enactment of the MAP-21; bears to

“(ii) the total apportionment to such State for fiscal year 2009 under section 104(b)(2), as in effect on the day before the date of enactment of the MAP-21.

“(3) CHANGES IN DESIGNATION.—If a new nonattainment area is designated or a previously designated nonattainment area is redesignated as an attainment area in a State under the Clean Air Act (42 U.S.C. 7401 et seq.), the Secretary shall modify, in a manner consistent with the approach that was in effect on the day before the date of enactment of MAP-21, the amount such State is permitted to obligate in any area of the State for projects eligible under section 133.”.

(c) PRIORITY CONSIDERATION.—Section 149(g)(3) of title 23, United States Code, is amended to read as follows:

“(3) PRIORITY CONSIDERATION.—

“(A) IN GENERAL.—In distributing funds received for congestion mitigation and air quality projects and programs from apportionments under section 104(b)(4) in areas designated as nonattainment or maintenance for PM_{2.5} under the Clean Air Act (42 U.S.C. 7401 et seq.) and where regional motor vehicle emissions are not an insignificant contributor to the air quality problem for PM_{2.5}, States and metropolitan planning organizations shall give priority to projects, including diesel retrofits, that are proven to reduce direct emissions of PM_{2.5}.

“(B) USE OF FUNDING.—To the maximum extent practicable, funding used in an area

described in subparagraph (A) shall be used on the most cost-effective projects and programs that are proven to reduce directly emitted fine particulate matter.”.

(d) PRIORITY FOR USE OF FUNDS IN PM2.5 AREAS.—Section 149(k) of title 23, United States Code, is amended—

(1) in paragraph (1) by striking “such fine particulate” and inserting “directly emitted fine particulate”; and

(2) by adding at the end the following:

“(3) PM2.5 NONATTAINMENT AND MAINTENANCE IN LOW POPULATION DENSITY STATES.—

“(A) EXCEPTION.—For any State with a population density of 80 or fewer persons per square mile of land area, based on the most recent decennial census, subsection (g)(3) and paragraphs (1) and (2) of this subsection do not apply to a nonattainment or maintenance area in the State if—

“(i) the nonattainment or maintenance area does not have projects that are part of the emissions analysis of a metropolitan transportation plan or transportation improvement program; and

“(ii) regional motor vehicle emissions are an insignificant contributor to the air quality problem for PM2.5 in the nonattainment or maintenance area.

“(B) CALCULATION.—If subparagraph (A) applies to a nonattainment or maintenance area in a State, the percentage of the PM2.5 set aside under paragraph (1) shall be reduced for that State proportionately based on the weighted population of the area in fine particulate matter nonattainment.”.

(e) PERFORMANCE PLAN.—Section 149(l)(1)(B) of title 23, United States Code, is amended by inserting “emission and congestion reduction” after “achieving the”.

SEC. 1110. NATIONAL HIGHWAY FREIGHT POLICY.

(a) IN GENERAL.—Section 167 of title 23, United States Code, is amended to read as follows:

“§ 167. National highway freight policy

“(a) IN GENERAL.—It is the policy of the United States to improve the condition and performance of the National Highway Freight Network established under this section to ensure that the Network provides a foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).

“(b) GOALS.—The goals of the national highway freight policy are—

“(1) to invest in infrastructure improvements and to implement operational improvements that—

“(A) strengthen the contribution of the National Highway Freight Network to the economic competitiveness of the United States;

“(B) reduce congestion and bottlenecks on the National Highway Freight Network; and

“(C) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

“(2) to improve the safety, security, and resilience of highway freight transportation;

“(3) to improve the state of good repair of the National Highway Freight Network;

“(4) to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Highway Freight Network;

“(5) to improve the economic efficiency of the National Highway Freight Network;

“(6) to improve the short and long distance movement of goods that—

“(A) travel across rural areas between population centers; and

“(B) travel between rural areas and population centers;

“(7) to improve the flexibility of States to support multi-State corridor planning and

the creation of multi-State organizations to increase the ability of States to address highway freight connectivity; and

“(8) to reduce the environmental impacts of freight movement on the National Highway Freight Network.

“(c) ESTABLISHMENT OF NATIONAL HIGHWAY FREIGHT NETWORK.—

“(1) IN GENERAL.—The Secretary shall establish a National Highway Freight Network in accordance with this section to strategically direct Federal resources and policies toward improved performance of the Network.

“(2) NETWORK COMPONENTS.—The National Highway Freight Network shall consist of—

“(A) the Interstate System;

“(B) non-Interstate highway segments on the 41,000-mile comprehensive primary freight network developed by the Secretary under section 167(d) as in effect on the day before the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015; and

“(C) additional non-Interstate highway segments designated by the States under subsection (d).

“(d) STATE ADDITIONS TO NETWORK.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, each State, in consultation with the State freight advisory committee, may increase the number of miles designated as part of the National Highway Freight Network by not more than 10 percent of the miles designated in that State under subparagraphs (A) and (B) of subsection (c)(2) if the additional miles—

“(A) close gaps between segments of the National Highway Freight Network;

“(B) establish connections from the National Highway Freight Network to critical facilities for the efficient movement of freight, including ports, freight railroads, international border crossings, airports, intermodal facilities, warehouse and logistics centers, and agricultural facilities; or

“(C) are part of critical emerging freight corridors or critical commerce corridors.

“(2) SUBMISSION.—Each State shall—

“(A) submit to the Secretary a list of the additional miles added under this subsection; and

“(B) certify that the additional miles meet the requirements of paragraph (1).

“(e) REDESIGNATION.—

“(1) REDESIGNATION BY SECRETARY.—

“(A) IN GENERAL.—Effective beginning 5 years after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, and every 5 years thereafter, the Secretary shall redesignate the highway segments designated by the Secretary under subsection (c)(2)(B) that are on the National Highway Freight Network.

“(B) CONSIDERATIONS.—In redesignating highway segments under subparagraph (A), the Secretary shall consider—

“(i) changes in the origins and destinations of freight movements in the United States;

“(ii) changes in the percentage of annual average daily truck traffic in the annual average daily traffic on principal arterials;

“(iii) changes in the location of key facilities;

“(iv) critical emerging freight corridors; and

“(v) network connectivity.

“(C) LIMITATION.—Each redesignation under subparagraph (A) may increase the mileage on the National Highway Freight Network designated by the Secretary by not more than 3 percent.

“(2) REDESIGNATION BY STATES.—

“(A) IN GENERAL.—Effective beginning 5 years after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, and every 5 years thereafter, each State may, in consultation with the State freight advisory committee, redesignate the highway segments designated by the State under subsection (c)(2)(C) that are on the National Highway Freight Network.

“(B) CONSIDERATIONS.—In redesignating highway segments under subparagraph (A), the State shall consider—

“(i) gaps between segments of the National Highway Freight Network;

“(ii) needed connections from the National Highway Freight Network to critical facilities for the efficient movement of freight, including ports, freight railroads, international border crossings, airports, intermodal facilities, warehouse and logistics centers, and agricultural facilities; and

“(iii) critical emerging freight corridors or critical commerce corridors.

“(C) LIMITATION.—Each redesignation under subparagraph (A) may increase the mileage on the National Highway Freight Network designated by the State by not more than 3 percent.

“(D) RESUBMISSION.—Each State, under the advisement of the State freight advisory committee, shall—

“(i) submit to the Secretary a list of the miles redesignated under this paragraph; and

“(ii) certify that the redesignated miles meet the requirements of subsection (d)(1).”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 167 and inserting the following:

“167. National highway freight policy.”.

SEC. 1111. NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.

(a) IN GENERAL.—Title 23, United States Code, is amended by inserting after section 116 the following:

“§ 117. Nationally significant freight and highway projects

“(a) ESTABLISHMENT.—There is established a nationally significant freight and highway projects program to provide financial assistance for projects of national or regional significance that will—

“(1) improve the safety, efficiency, and reliability of the movement of freight and people;

“(2) generate national or regional economic benefits and an increase in the global economic competitiveness of the United States;

“(3) reduce highway congestion and bottlenecks;

“(4) improve connectivity between modes of freight transportation; or

“(5) enhance the strength, durability, and serviceability of critical highway infrastructure.

“(b) GRANT AUTHORITY.—In carrying out the program established in subsection (a), the Secretary may make grants, on a competitive basis, in accordance with this section.

“(c) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—The Secretary may make a grant under this section to the following:

“(A) A State or group of States.

“(B) A metropolitan planning organization that serves an urbanized area (as defined by the Bureau of the Census) with a population of more than 200,000 individuals.

“(C) A unit of local government.

“(D) A special purpose district or public authority with a transportation function, including a port authority.

“(E) A Federal land management agency that applies jointly with a State or group of States.

“(2) APPLICATIONS.—To be eligible for a grant under this section, an entity specified in paragraph (1) shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary determines is appropriate.

“(d) ELIGIBLE PROJECTS.—

“(1) IN GENERAL.—Except as provided in subsection (h), the Secretary may make a grant under this section only for a project that—

“(A) is—

“(i) a freight project carried out on the National Highway Freight Network established under section 167 of this title;

“(ii) a highway or bridge project carried out on the National Highway System;

“(iii) an intermodal or rail freight project carried out on the National Multimodal Freight Network established under section 70103 of title 49; or

“(iv) a railway-highway grade crossing or grade separation project; and

“(B) has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

“(i) \$100,000,000; or

“(ii) in the case of a project—

“(I) located in 1 State, 30 percent of the amount apportioned under this chapter to the State in the most recently completed fiscal year; or

“(II) located in more than 1 State, 50 percent of the amount apportioned under this chapter to the participating State with the largest apportionment under this chapter in the most recently completed fiscal year.

“(2) LIMITATION.—

“(A) IN GENERAL.—Not more than \$500,000,000 of the amounts made available for grants under this section for fiscal years 2016 through 2021, in the aggregate, may be used to make grants for projects described in paragraph (1)(A)(iii) and such a project may only receive a grant under this section if—

“(i) the project will make a significant improvement to freight movements on the National Highway Freight Network; and

“(ii) the Federal share of the project funds only elements of the project that provide public benefits.

“(B) EXCLUSIONS.—The limitation under subparagraph (A) shall—

“(i) not apply to a railway-highway grade crossing or grade separation project; and

“(ii) with respect to a multimodal project, shall apply only to the non-highway portion or portions of the project.

“(e) ELIGIBLE PROJECT COSTS.—Grant amounts received for a project under this section may be used for—

“(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

“(2) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements.

“(f) PROJECT REQUIREMENTS.—The Secretary may make a grant for a project described under subsection (d) only if the relevant applicant demonstrates that—

“(1) the project will generate national or regional economic, mobility, or safety benefits;

“(2) the project will be cost effective;

“(3) the project will contribute to the accomplishment of 1 or more of the national goals described under section 150 of this title;

“(4) the project is based on the results of preliminary engineering;

“(5) with respect to related non-Federal financial commitments—

“(A) 1 or more stable and dependable sources of funding and financing are available to construct, maintain, and operate the project; and

“(B) contingency amounts are available to cover unanticipated cost increases;

“(6) the project cannot be easily addressed using other funding available to the project sponsor under this chapter; and

“(7) the project is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project.

“(g) ADDITIONAL CONSIDERATIONS.—In making a grant under this section, the Secretary shall consider—

“(1) the extent to which a project utilizes nontraditional financing, innovative design and construction techniques, or innovative technologies;

“(2) the amount and source of non-Federal contributions with respect to the proposed project; and

“(3) the need for geographic diversity among grant recipients, including the need for a balance between the needs of rural and urban communities.

“(h) RESERVED AMOUNTS.—

“(1) IN GENERAL.—The Secretary shall reserve not less than 10 percent of the amounts made available for grants under this section each fiscal year to make grants for projects described in subsection (d)(1)(A)(i) that do not satisfy the minimum threshold under subsection (d)(1)(B).

“(2) GRANT AMOUNT.—Each grant made under this subsection shall be in an amount that is at least \$5,000,000.

“(3) PROJECT SELECTION CONSIDERATIONS.—In addition to other applicable requirements, in making grants under this subsection the Secretary shall consider—

“(A) the cost effectiveness of the proposed project; and

“(B) the effect of the proposed project on mobility in the State and region in which the project is carried out.

“(4) EXCESS FUNDING.—In any fiscal year in which qualified applications for grants under this subsection will not allow for the amount reserved under paragraph (1) to be fully utilized, the Secretary shall use the unutilized amounts to make other grants under this section.

“(5) RURAL AREAS.—The Secretary shall reserve not less than 20 percent of the amounts made available for grants under this section, including the amounts made available under paragraph (1), each fiscal year to make grants for projects located in rural areas.

“(i) FEDERAL SHARE.—

“(1) IN GENERAL.—The Federal share of the cost of a project assisted with a grant under this section may not exceed 50 percent.

“(2) NON-FEDERAL SHARE.—Funds apportioned to a State under section 104(b)(1) or 104(b)(2) may be used to satisfy the non-Federal share of the cost of a project for which a grant is made under this section so long as the total amount of Federal funding for the project does not exceed 80 percent of project costs.

“(j) AGREEMENTS TO COMBINE AMOUNTS.—Two or more entities specified in subsection (c)(1) may combine, pursuant to an agreement entered into by the entities, any part

of the amounts provided to the entities from grants under this section for a project for which the relevant grants were made if—

“(1) the agreement will benefit each entity entering into the agreement; and

“(2) the agreement is not in violation of a law of any such entity.

“(k) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project is located on a Federal-aid highway.

“(l) TIFIA PROGRAM.—At the request of an eligible applicant under this section, the Secretary may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.

“(m) CONGRESSIONAL NOTIFICATION.—

“(1) NOTIFICATION.—At least 60 days before making a grant for a project under this section, the Secretary shall notify, in writing, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of the proposed grant. The notification shall include an evaluation and justification for the project and the amount of the proposed grant award.

“(2) CONGRESSIONAL DISAPPROVAL.—The Secretary may not make a grant or any other obligation or commitment to fund a project under this section if a joint resolution is enacted disapproving funding for the project before the last day of the 60-day period described in paragraph (1).”

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 116 the following:

“117. Nationally significant freight and highway projects.”

(c) REPEAL.—Section 1301 of SAFETEA-LU (23 U.S.C. 101 note), and the item relating to that section in the table of contents in section 1(b) of such Act, are repealed.

SEC. 1112. TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.

Section 165(a) of title 23, United States Code, is amended—

(1) in paragraph (1) by striking “\$150,000,000” and inserting “\$158,000,000”; and

(2) in paragraph (2) by striking “\$40,000,000” and inserting “\$42,000,000”.

SEC. 1113. FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAM.

Section 201(c)(6) of title 23, United States Code, is amended by adding at the end the following:

“(C) TRIBAL DATA COLLECTION.—In addition to the data to be collected under subparagraph (A), not later than 90 days after the last day of each fiscal year, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of the Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

“(i) The names of projects and activities carried out by the entity under the tribal transportation program during the preceding fiscal year.

“(ii) A description of the projects and activities identified under clause (i).

“(iii) The current status of the projects and activities identified under clause (i).

“(iv) An estimate of the number of jobs created and the number of jobs retained by the projects and activities identified under clause (i).”

SEC. 1114. TRIBAL TRANSPORTATION PROGRAM.

Section 202(a)(6) of title 23, United States Code, is amended by striking “6 percent” and inserting “5 percent”.

SEC. 1115. FEDERAL LANDS TRANSPORTATION PROGRAM.

Section 203 of title 23, United States Code, is amended—

(1) in subsection (a)(1)(B) by striking “operation” and inserting “capital, operations,”;

(2) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (iv) by striking “and” at the end;

(ii) in clause (v) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(vi) the Bureau of Reclamation; and

“(vii) independent Federal agencies with natural resource and land management responsibilities.”; and

(B) in paragraph (2)(B)—

(i) in the matter preceding clause (i) by inserting “performance management, including” after “support”; and

(ii) in clause (i)(II) by striking “, and” and inserting “; and”; and

(3) in subsection (c)(2)(B) by adding at the end the following:

“(vi) The Bureau of Reclamation.”.

SEC. 1116. TRIBAL TRANSPORTATION SELF-GOVERNANCE PROGRAM.

(a) IN GENERAL.—Chapter 2 of title 23, United States Code, is amended by inserting after section 206 the following:

“SEC. 207. TRIBAL TRANSPORTATION SELF-GOVERNANCE PROGRAM.

“(a) ESTABLISHMENT.—Subject to the requirements of this section, the Secretary shall establish and carry out a program to be known as the tribal transportation self-governance program. The Secretary may delegate responsibilities for administration of the program as the Secretary determines appropriate.

“(b) ELIGIBILITY.—

“(1) IN GENERAL.—Subject to paragraphs (2) and (3), an Indian tribe shall be eligible to participate in the program if the Indian tribe requests participation in the program by resolution or other official action by the governing body of the Indian tribe, and demonstrates, for the preceding 3 fiscal years, financial stability and financial management capability, and transportation program management capability.

“(2) CRITERIA FOR DETERMINING FINANCIAL STABILITY AND FINANCIAL MANAGEMENT CAPABILITY.—For the purposes of paragraph (1), evidence that, during the preceding 3 fiscal years, an Indian tribe had no uncorrected significant and material audit exceptions in the required annual audit of the Indian tribe’s self-determination contracts or self-governance funding agreements with any Federal agency shall be conclusive evidence of the required financial stability and financial management capability.

“(3) CRITERIA FOR DETERMINING TRANSPORTATION PROGRAM MANAGEMENT CAPABILITY.—The Secretary shall require an Indian tribe to demonstrate transportation program management capability, including the capability to manage and complete projects eligible under this title and projects eligible under chapter 53 of title 49, to gain eligibility for the program.

“(c) COMPACTS.—

“(1) COMPACT REQUIRED.—Upon the request of an eligible Indian tribe, and subject to the requirements of this section, the Secretary shall negotiate and enter into a written compact with the Indian tribe for the purpose of

providing for the participation of the Indian tribe in the program.

“(2) CONTENTS.—A compact entered into under paragraph (1) shall set forth the general terms of the government-to-government relationship between the Indian tribe and the United States under the program and other terms that will continue to apply in future fiscal years.

“(3) AMENDMENTS.—A compact entered into with an Indian tribe under paragraph (1) may be amended only by mutual agreement of the Indian tribe and the Secretary.

“(d) ANNUAL FUNDING AGREEMENTS.—

“(1) FUNDING AGREEMENT REQUIRED.—After entering into a compact with an Indian tribe under subsection (c), the Secretary shall negotiate and enter into a written annual funding agreement with the Indian tribe.

“(2) CONTENTS.—

“(A) IN GENERAL.—

“(i) FORMULA FUNDING AND DISCRETIONARY GRANTS.—A funding agreement entered into with an Indian tribe shall authorize the Indian tribe, as determined by the Indian tribe, to plan, conduct, consolidate, administer, and receive full tribal share funding, tribal transit formula funding, and funding to tribes from discretionary and competitive grants administered by the Department for all programs, services, functions, and activities (or portions thereof) that are made available to Indian tribes to carry out tribal transportation programs and programs, services, functions, and activities (or portions thereof) administered by the Secretary that are otherwise available to Indian tribes.

“(ii) TRANSFERS OF STATE FUNDS.—

“(I) INCLUSION OF TRANSFERRED FUNDS IN FUNDING AGREEMENT.—A funding agreement entered into with an Indian tribe shall include Federal-aid funds apportioned to a State under chapter 1 if the State elects to provide a portion of such funds to the Indian tribe for a project eligible under section 202(a).

“(II) METHOD FOR TRANSFERS.—If a State elects to provide funds described in subclause (I) to an Indian tribe, the State shall transfer the funds back to the Secretary and the Secretary shall transfer the funds to the Indian tribe in accordance with this section.

“(III) RESPONSIBILITY FOR TRANSFERRED FUNDS.—Notwithstanding any other provision of law, if a State provides funds described in subclause (I) to an Indian tribe—

“(aa) the State shall not be responsible for constructing or maintaining a project carried out using the funds or for administering or supervising the project or funds during the applicable statute of limitations period related to the construction of the project; and

“(bb) the Indian tribe shall be responsible for constructing and maintaining a project carried out using the funds and for administering and supervising the project and funds in accordance with this section during the applicable statute of limitations period related to the construction of the project.

“(B) ADMINISTRATION OF TRIBAL SHARES.—The tribal shares referred to in subparagraph (A) shall be provided without regard to the agency or office of the Department within which the program, service, function, or activity (or portion thereof) is performed.

“(C) FLEXIBLE AND INNOVATIVE FINANCING.—

“(i) IN GENERAL.—A funding agreement entered into with an Indian tribe under paragraph (1) shall include provisions pertaining to flexible and innovative financing if agreed upon by the parties.

“(ii) TERMS AND CONDITIONS.—

“(I) AUTHORITY TO ISSUE REGULATIONS.—The Secretary may issue regulations to es-

tablish the terms and conditions relating to the flexible and innovative financing provisions referred to in clause (i).

“(II) TERMS AND CONDITIONS IN ABSENCE OF REGULATIONS.—If the Secretary does not issue regulations under subclause (I), the terms and conditions relating to the flexible and innovative financing provisions referred to in clause (i) shall be consistent with—

“(aa) agreements entered into by the Department under—

“(AA) section 202(b)(7); and

“(BB) section 202(d)(5), as in effect before the date of enactment of MAP-21 (Public Law 112-141); or

“(bb) regulations of the Department of the Interior relating to flexible financing contained in part 170 of title 25, Code of Federal Regulations, as in effect on the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015.

“(3) TERMS.—A funding agreement shall set forth—

“(A) terms that generally identify the programs, services, functions, and activities (or portions thereof) to be performed or administered by the Indian tribe; and

“(B) for items identified in subparagraph (A)—

“(i) the general budget category assigned;

“(ii) the funds to be provided, including those funds to be provided on a recurring basis;

“(iii) the time and method of transfer of the funds;

“(iv) the responsibilities of the Secretary and the Indian tribe; and

“(v) any other provision agreed to by the Indian tribe and the Secretary.

“(4) SUBSEQUENT FUNDING AGREEMENTS.—

“(A) APPLICABILITY OF EXISTING AGREEMENT.—Absent notification from an Indian tribe that the Indian tribe is withdrawing from or retroceding the operation of 1 or more programs, services, functions, or activities (or portions thereof) identified in a funding agreement, or unless otherwise agreed to by the parties, each funding agreement shall remain in full force and effect until a subsequent funding agreement is executed.

“(B) EFFECTIVE DATE OF SUBSEQUENT AGREEMENT.—The terms of the subsequent funding agreement shall be retroactive to the end of the term of the preceding funding agreement.

“(5) CONSENT OF INDIAN TRIBE REQUIRED.—The Secretary shall not revise, amend, or require additional terms in a new or subsequent funding agreement without the consent of the Indian tribe that is subject to the agreement unless such terms are required by Federal law.

“(e) GENERAL PROVISIONS.—

“(1) REDESIGN AND CONSOLIDATION.—

“(A) IN GENERAL.—An Indian tribe, in any manner that the Indian tribe considers to be in the best interest of the Indian community being served, may—

“(i) redesign or consolidate programs, services, functions, and activities (or portions thereof) included in a funding agreement; and

“(ii) reallocate or redirect funds for such programs, services, functions, and activities (or portions thereof), if the funds are—

“(I) expended on projects identified in a transportation improvement program approved by the Secretary; and

“(II) used in accordance with the requirements in—

“(aa) appropriations Acts;

“(bb) this title and chapter 53 of title 49; and

“(cc) any other applicable law.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), if, pursuant to subsection (d), an Indian tribe receives a discretionary or competitive grant from the Secretary or receives State apportioned funds, the Indian tribe shall use the funds for the purpose for which the funds were originally authorized.

“(2) RETROCESSION.—

“(A) IN GENERAL.—

“(i) AUTHORITY OF INDIAN TRIBES.—An Indian tribe may retrocede (fully or partially) to the Secretary programs, services, functions, or activities (or portions thereof) included in a compact or funding agreement.

“(ii) REASSUMPTION OF REMAINING FUNDS.—Following a retrocession described in clause (i), the Secretary may—

“(I) reassume the remaining funding associated with the retroceded programs, functions, services, and activities (or portions thereof) included in the applicable compact or funding agreement;

“(II) out of such remaining funds, transfer funds associated with Department of Interior programs, services, functions, or activities (or portions thereof) to the Secretary of the Interior to carry out transportation services provided by the Secretary of the Interior; and

“(III) distribute funds not transferred under subclause (II) in accordance with applicable law.

“(iii) CORRECTION OF PROGRAMS.—If the Secretary makes a finding under subsection (f)(2)(B) and no funds are available under subsection (f)(2)(A)(ii), the Secretary shall not be required to provide additional funds to complete or correct any programs, functions, services, or activities (or portions thereof).

“(B) EFFECTIVE DATE.—Unless the Indian tribe rescinds a request for retrocession, the retrocession shall become effective within the timeframe specified by the parties in the compact or funding agreement. In the absence of such a specification, the retrocession shall become effective on—

“(i) the earlier of—

“(I) 1 year after the date of submission of the request; or

“(II) the date on which the funding agreement expires; or

“(ii) such date as may be mutually agreed upon by the parties and, with respect to Department of the Interior programs, functions, services, and activities (or portions thereof), the Secretary of the Interior.

“(f) PROVISIONS RELATING TO SECRETARY.—

“(1) DECISIONMAKER.—A decision that relates to an appeal of the rejection of a final offer by the Department shall be made either—

“(A) by an official of the Department who holds a position at a higher organizational level within the Department than the level of the departmental agency in which the decision that is the subject of the appeal was made; or

“(B) by an administrative judge.

“(2) TERMINATION OF COMPACT OR FUNDING AGREEMENT.—

“(A) AUTHORITY TO TERMINATE.—

“(i) PROVISION TO BE INCLUDED IN COMPACT OR FUNDING AGREEMENT.—A compact or funding agreement shall include a provision authorizing the Secretary, if the Secretary makes a finding described in subparagraph (B), to—

“(I) terminate the compact or funding agreement (or a portion thereof); and

“(II) reassume the remaining funding associated with the reassumed programs, functions, services, and activities included in the compact or funding agreement.

“(ii) TRANSFERS OF FUNDS.—Out of any funds reassumed under clause (i)(II), the Secretary may transfer the funds associated with Department of the Interior programs, functions, services, and activities (or portions thereof) to the Secretary of the Interior to provide continued transportation services in accordance with applicable law.

“(B) FINDINGS RESULTING IN TERMINATION.—The finding referred to in subparagraph (A) is a specific finding of—

“(i) imminent jeopardy to a trust asset, natural resources, or public health and safety that is caused by an act or omission of the Indian tribe and that arises out of a failure to carry out the compact or funding agreement, as determined by the Secretary; or

“(ii) gross mismanagement with respect to funds or programs transferred to the Indian tribe under the compact or funding agreement, as determined by the Secretary in consultation with the Inspector General of the Department, as appropriate.

“(C) PROHIBITION.—The Secretary shall not terminate a compact or funding agreement (or portion thereof) unless—

“(i) the Secretary has first provided written notice and a hearing on the record to the Indian tribe that is subject to the compact or funding agreement; and

“(ii) the Indian tribe has not taken corrective action to remedy the mismanagement of funds or programs or the imminent jeopardy to a trust asset, natural resource, or public health and safety.

“(D) EXCEPTION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (C), the Secretary, upon written notification to an Indian tribe that is subject to a compact or funding agreement, may immediately terminate the compact or funding agreement (or portion thereof) if—

“(I) the Secretary makes a finding of imminent substantial and irreparable jeopardy to a trust asset, natural resource, or public health and safety; and

“(II) the jeopardy arises out of a failure to carry out the compact or funding agreement.

“(ii) HEARINGS.—If the Secretary terminates a compact or funding agreement (or portion thereof) under clause (i), the Secretary shall provide the Indian tribe subject to the compact or agreement with a hearing on the record not later than 10 days after the date of such termination.

“(E) BURDEN OF PROOF.—In any hearing or appeal involving a decision to terminate a compact or funding agreement (or portion thereof) under this paragraph, the Secretary shall have the burden of proof in demonstrating by clear and convincing evidence the validity of the grounds for the termination.

“(g) COST PRINCIPLES.—In administering funds received under this section, an Indian tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by section 450j-1 of title 25, other provisions of law, or by any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management and Budget. No other audit or accounting standards shall be required by the Secretary. Any claim by the Federal Government against the Indian tribe relating to funds received under a funding agreement based on any audit conducted pursuant to this subsection shall be subject to the provisions of section 450j-1(f) of title 25.

“(h) TRANSFER OF FUNDS.—The Secretary shall provide funds to an Indian tribe under a funding agreement in an amount equal to—

“(1) the sum of the funding that the Indian tribe would otherwise receive for the pro-

gram, function, service, or activity in accordance with a funding formula or other allocation method established under this title or chapter 53 of title 49; and

“(2) such additional amounts as the Secretary determines equal the amounts that would have been withheld for the costs of the Bureau of Indian Affairs for administration of the program or project.

“(i) CONSTRUCTION PROGRAMS.—

“(1) STANDARDS.—Construction projects carried out under programs administered by an Indian tribe with funds transferred to the Indian tribe pursuant to a funding agreement entered into under this section shall be constructed pursuant to the construction program standards set forth in applicable regulations or as specifically approved by the Secretary (or the Secretary's designee).

“(2) MONITORING.—Construction programs shall be monitored by the Secretary in accordance with applicable regulations.

“(j) FACILITATION.—

“(1) SECRETARIAL INTERPRETATION.—Except as otherwise provided by law, the Secretary shall interpret all Federal laws, Executive orders, and regulations in a manner that will facilitate—

“(A) the inclusion of programs, services, functions, and activities (or portions thereof) and funds associated therewith, in compacts and funding agreements; and

“(B) the implementation of the compacts and funding agreements.

“(2) REGULATION WAIVER.—

“(A) IN GENERAL.—An Indian tribe may submit to the Secretary a written request to waive application of a regulation promulgated under this section with respect to a compact or funding agreement. The request shall identify the regulation sought to be waived and the basis for the request.

“(B) APPROVALS AND DENIALS.—

“(i) IN GENERAL.—Not later than 90 days after the date of receipt of a written request under subparagraph (A), the Secretary shall approve or deny the request in writing.

“(ii) REVIEW.—The Secretary shall review any application by an Indian tribe for a waiver bearing in mind increasing opportunities for using flexible policy approaches at the Indian tribal level.

“(iii) DEEMED APPROVAL.—If the Secretary does not approve or deny a request submitted under subparagraph (A) on or before the last day of the 90-day period referred to in clause (i), the request shall be deemed approved.

“(iv) DENIALS.—If the application for a waiver is not granted, the agency shall provide the applicant with the reasons for the denial as part of the written response required in clause (i).

“(v) FINALITY OF DECISIONS.—A decision by the Secretary under this subparagraph shall be final for the Department.

“(k) DISCLAIMERS.—

“(1) EXISTING AUTHORITY.—Notwithstanding any other provision of law, upon the election of an Indian tribe, the Secretary shall—

“(A) maintain current tribal transportation program funding agreements and program agreements; or

“(B) enter into new agreements under the authority of section 202(b)(7).

“(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed to impair or diminish the authority of the Secretary under section 202(b)(7).

“(l) APPLICABILITY OF INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.—Except to the extent in conflict with this section (as determined by the Secretary), the

following provisions of the Indian Self-Determination and Education Assistance Act shall apply to compact and funding agreements (except that any reference to the Secretary of the Interior or the Secretary of Health and Human Services in such provisions shall be treated as a reference to the Secretary of Transportation):

“(1) Subsections (a), (b), (d), (g), and (h) of section 506 of such Act (25 U.S.C. 458aaa-5), relating to general provisions.

“(2) Subsections (b) through (e) and (g) of section 507 of such Act (25 U.S.C. 458aaa-6), relating to provisions relating to the Secretary of Health and Human Services.

“(3) Subsections (a), (b), (d), (e), (g), (h), (i), and (k) of section 508 of such Act (25 U.S.C. 458aaa-7), relating to transfer of funds.

“(4) Section 510 of such Act (25 U.S.C. 458aaa-9), relating to Federal procurement laws and regulations.

“(5) Section 511 of such Act (25 U.S.C. 458aaa-10), relating to civil actions.

“(6) Subsections (a)(1), (a)(2), and (c) through (f) of section 512 of such Act (25 U.S.C. 458aaa-11), relating to facilitation, except that subsection (c)(1) of that section shall be applied by substituting ‘transportation facilities and other facilities’ for ‘school buildings, hospitals, and other facilities’.

“(7) Subsections (a) and (b) of section 515 of such Act (25 U.S.C. 458aaa-14), relating to disclaimers.

“(8) Subsections (a) and (b) of section 516 of such Act (25 U.S.C. 458aaa-15), relating to application of title I provisions.

“(9) Section 518 of such Act (25 U.S.C. 458aaa-17), relating to appeals.

“(m) DEFINITIONS.—

“(1) IN GENERAL.—In this section, the following definitions apply (except as otherwise expressly provided):

“(A) COMPACT.—The term ‘compact’ means a compact between the Secretary and an Indian tribe entered into under subsection (c).

“(B) DEPARTMENT.—The term ‘Department’ means the Department of Transportation.

“(C) ELIGIBLE INDIAN TRIBE.—The term ‘eligible Indian tribe’ means an Indian tribe that is eligible to participate in the program, as determined under subsection (b).

“(D) FUNDING AGREEMENT.—The term ‘funding agreement’ means a funding agreement between the Secretary and an Indian tribe entered into under subsection (d).

“(E) INDIAN TRIBE.—The term ‘Indian tribe’ means any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a). In any case in which an Indian tribe has authorized another Indian tribe, an intertribal consortium, or a tribal organization to plan for or carry out programs, services, functions, or activities (or portions thereof) on its behalf under this part, the authorized Indian tribe, intertribal consortium, or tribal organization shall have the rights and responsibilities of the authorizing Indian tribe (except as otherwise provided in the authorizing resolution or in this title). In such event, the term ‘Indian tribe’ as used in this part shall include such other authorized Indian tribe, intertribal consortium, or tribal organization.

“(F) PROGRAM.—The term ‘program’ means the tribal transportation self-governance program established under this section.

“(G) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.

“(H) TRANSPORTATION PROGRAMS.—The term ‘transportation programs’ means all

programs administered or financed by the Department under this title and chapter 53 of title 49.

“(2) APPLICABILITY OF OTHER DEFINITIONS.—In this section, the definitions set forth in sections 4 and 505 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b; 458aaa) apply, except as otherwise expressly provided in this section.

“(n) REGULATIONS.—

“(1) IN GENERAL.—

“(A) PROMULGATION.—Not later than 90 days after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5 to negotiate and promulgate such regulations as are necessary to carry out this section.

“(B) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this section shall be published in the Federal Register by the Secretary not later than 21 months after such date of enactment.

“(C) EXPIRATION OF AUTHORITY.—The authority to promulgate regulations under paragraph (1) shall expire 30 months after such date of enactment.

“(D) EXTENSION OF DEADLINES.—A deadline set forth in paragraph (1)(B) or (1)(C) may be extended up to 180 days if the negotiated rulemaking committee referred to in paragraph (2) concludes that the committee cannot meet the deadline and the Secretary so notifies the appropriate committees of Congress.

“(2) COMMITTEE.—

“(A) IN GENERAL.—A negotiated rulemaking committee established pursuant to section 565 of title 5 to carry out this subsection shall have as its members only Federal and tribal government representatives, a majority of whom shall be nominated by and be representatives of Indian tribes with funding agreements under this title.

“(B) REQUIREMENTS.—The committee shall confer with, and accommodate participation by, representatives of Indian tribes, intertribal consortia, tribal organizations, and individual tribal members.

“(C) ADAPTATION OF PROCEDURES.—The Secretary shall adapt the negotiated rulemaking procedures to the unique context of self-governance and the government-to-government relationship between the United States and Indian tribes.

“(3) EFFECT.—The lack of promulgated regulations shall not limit the effect of this section.

“(4) EFFECT OF CIRCULARS, POLICIES, MANUALS, GUIDANCE, AND RULES.—Unless expressly agreed to by the participating Indian tribe in the compact or funding agreement, the participating Indian tribe shall not be subject to any agency circular, policy, manual, guidance, or rule adopted by the Department, except regulations promulgated under this section.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 206 the following:

“207. Tribal transportation self-governance program.”

SEC. 1117. EMERGENCY RELIEF.

(a) ELIGIBILITY.—Section 125(d)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A) by striking “or” at the end;

(2) in subparagraph (B) by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) projects eligible for assistance under this section located on Federal lands trans-

portation facilities or other federally owned roads that are open to public travel (as defined in subsection (e)).”

(b) DEFINITIONS.—Section 125(e) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

“(1) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) OPEN TO PUBLIC TRAVEL.—The term ‘open to public travel’ means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—

“(i) is maintained;

“(ii) is open to the general public; and

“(iii) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

“(B) STANDARD PASSENGER VEHICLE.—The term ‘standard passenger vehicle’ means a vehicle with 6 inches of clearance from the lowest point of the frame, body, suspension, or differential to the ground.”

SEC. 1118. HIGHWAY USE TAX EVASION PROJECTS.

Section 143(b) of title 23, United States Code, is amended—

(1) by striking paragraph (2)(A) and inserting the following:

“(A) IN GENERAL.—From administrative funds made available under section 104(a), the Secretary may deduct such sums as are necessary, not to exceed \$6,000,000 for each of fiscal years 2016 through 2021, to carry out this section.”

(2) in the heading for paragraph (8) by inserting “BLOCK GRANT” after “SURFACE TRANSPORTATION”; and

(3) in paragraph (9) by inserting “, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate” after “the Secretary”.

SEC. 1119. BUNDLING OF BRIDGE PROJECTS.

Section 144 of title 23, United States Code, is amended—

(1) in subsection (c)(2)(A) by striking “the natural condition of the bridge” and inserting “the natural condition of the water”; and

(2) by redesignating subsection (j) as subsection (k);

(3) by inserting after subsection (i) the following:

“(j) BUNDLING OF BRIDGE PROJECTS.—

“(1) PURPOSE.—The purpose of this subsection is to save costs and time by encouraging States to bundle multiple bridge projects as 1 project.

“(2) ELIGIBLE ENTITY DEFINED.—In this subsection, the term ‘eligible entity’ means an entity eligible to carry out a bridge project under section 119 or 133.

“(3) BUNDLING OF BRIDGE PROJECTS.—An eligible entity may bundle 2 or more similar bridge projects that are—

“(A) eligible projects under section 119 or 133;

“(B) included as a bundled project in a transportation improvement program under section 134(j) or a statewide transportation improvement program under section 135, as applicable; and

“(C) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and an eligible entity.

“(4) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), a bundling of bridge projects under this subsection may be listed as—

“(A) 1 project for purposes of sections 134 and 135; and

“(B) a single project within the applicable bundle.

“(5) FINANCIAL CHARACTERISTICS.—Projects bundled under this subsection shall have the same financial characteristics, including—

“(A) the same funding category or subcategory; and

“(B) the same Federal share.

“(6) ENGINEERING COST REIMBURSEMENT.—The provisions of section 102(b) do not apply to projects carried out under this subsection.”; and

(4) in subsection (k)(2), as redesignated by paragraph (2) of this section, by striking “104(b)(3)” and inserting “104(b)(2)”.

SEC. 1120. TRIBAL HIGH PRIORITY PROJECTS PROGRAM.

Section 1123(h)(1) of MAP-21 (23 U.S.C. 202 note) is amended by striking “fiscal years” and all that follows through the period at the end and inserting “fiscal years 2016 through 2021.”.

SEC. 1121. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

Section 147(e) of title 23, United States Code, is amended by striking “2013 and 2014” and inserting “2016 through 2021”.

Subtitle B—Planning and Performance Management

SEC. 1201. METROPOLITAN TRANSPORTATION PLANNING.

Section 134 of title 23, United States Code, is amended—

(1) in subsection (c)(2), by striking “and bicycle transportation facilities” and inserting “, bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities”;

(2) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

“(3) REPRESENTATION.—

“(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

“(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

“(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).”; and

(C) in paragraph (5) as so redesignated by striking “paragraph (5)” and inserting “paragraph (6)”;

(3) in subsection (e)(4)(B), by striking “subsection (d)(5)” and inserting “subsection (d)(6)”;

(4) in subsection (g)(3)(A), by inserting “tourism, natural disaster risk reduction,” after “economic development.”;

(5) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking “and” at the end;

(ii) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(I) improve the resilience and reliability of the transportation system; and

“(J) enhance travel and tourism.”; and

(B) in paragraph (2)(A) by striking “and in section 5301(c) of title 49” and inserting “and the general purposes described in section 5301 of title 49”;

(6) in subsection (i)—

(A) in paragraph (2)(A)(i) by striking “transit,” and inserting “public transportation facilities, intercity bus facilities,”;

(B) in paragraph (6)(A)—

(i) by inserting “public ports,” before “freight shippers,”; and

(ii) by inserting “(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)” after “private providers of transportation”; and

(C) in paragraph (8) by striking “paragraph (2)(C)” and inserting “paragraph (2)(E)” each place it appears;

(7) in subsection (k)(3)—

(A) in subparagraph (A) by inserting “(including intercity bus operators, employer-based commuting programs such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program),” after “private providers of transportation”; and

(B) by adding at the end the following:

“(C) CONGESTION MANAGEMENT PLAN.—A metropolitan planning organization with a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—

“(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

“(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

“(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.

“(D) PARTICIPATION.—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and nonprofit providers of public transportation, transportation management organizations, and organizations that provide job access reverse commute projects or job-related services to low-income individuals.”;

(8) in subsection (l)—

(A) by adding a period at the end of paragraph (1); and

(B) in paragraph (2)(D) by striking “of less than 200,000” and inserting “with a population of 200,000 or less”;

(9) in subsection (n)(1) by inserting “49” after “chapter 53 of title”; and

(10) in subsection (p) by striking “Funds set aside under section 104(f)” and inserting “Funds apportioned under section 104(b)(5)”.

SEC. 1202. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

Section 135 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by striking “and bicycle transportation facilities” and inserting “, bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities”;

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G) by striking “and” at the end;

(ii) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(I) improve the resilience and reliability of the transportation system; and

“(J) enhance travel and tourism.”; and

(B) in paragraph (2)—

(i) in subparagraph (A) by striking “and in section 5301(c) of title 49” and inserting “and the general purposes described in section 5301 of title 49”;

(ii) in subparagraph (B)(ii) by striking “urbanized”; and

(iii) in subparagraph (C) by striking “urbanized”; and

(3) in subsection (f)—

(A) in paragraph (3)(A)(ii)—

(i) by inserting “public ports,” before “freight shippers,”; and

(ii) by inserting “(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)” after “private providers of transportation”; and

(B) in paragraph (7), in the matter preceding subparagraph (A), by striking “should” and inserting “shall”.

Subtitle C—Acceleration of Project Delivery

SEC. 1301. SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended by adding at the end the following:

“(c) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

“(1) IN GENERAL.—The Secretary shall—

“(A) align, to the maximum extent practicable, with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

“(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the ‘Council’) to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

“(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

“(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of a historic site, the Secretary may—

“(i) include the determination of the Secretary in the analysis required under that Act;

“(ii) provide a notice of the determination to—

“(I) each applicable State historic preservation officer and tribal historic preservation officer;

“(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

“(III) the Secretary of the Interior; and

“(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (a)(1).

“(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

“(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

“(i) included in the record of decision or finding of no significant impact of the Secretary; and

“(ii) posted on an appropriate Federal Web site by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

“(3) ALIGNING HISTORICAL REVIEWS.—

“(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (a)(2) through the consultation requirements of section 306108 of title 54.

“(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (a)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.”.

(b) PUBLIC TRANSPORTATION.—Section 303 of title 49, United States Code, is amended by adding at the end the following:

“(e) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

“(1) IN GENERAL.—The Secretary shall—

“(A) align, to the maximum extent practicable, the requirements of this section with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

“(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the ‘Council’) to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

“(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

“(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of a historic site, the Secretary may—

“(i) include the determination of the Secretary in the analysis required under that Act;

“(ii) provide a notice of the determination to—

“(I) each applicable State historic preservation officer and tribal historic preservation officer;

“(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

“(III) the Secretary of the Interior; and

“(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (c)(1).

“(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

“(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

“(i) included in the record of decision or finding of no significant impact of the Secretary; and

“(ii) posted on an appropriate Federal Web site by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

“(3) ALIGNING HISTORICAL REVIEWS.—

“(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (c)(2) through the consultation requirements of section 306108 of title 54.

“(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (c)(2), the applicable preservation officer, the Council, and the Secretary of the Interior shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.”.

SEC. 1302. TREATMENT OF IMPROVEMENTS TO RAIL AND TRANSIT UNDER PRESERVATION REQUIREMENTS.

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(d) RAIL AND TRANSIT.—

“(1) IN GENERAL.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements thereof that are in use or were historically used for the transportation of goods or passengers shall not be considered a use of a historic site under subsection (a), regardless of whether the railroad or rail transit line or element thereof is listed on, or eligible for listing on, the National Register of Historic Places.

“(2) EXCEPTIONS.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to—

“(i) stations; or

“(ii) bridges or tunnels located on—

“(I) railroad lines that have been abandoned; or

“(II) transit lines that are not in use.

“(B) CLARIFICATION WITH RESPECT TO CERTAIN BRIDGES AND TUNNELS.—The bridges and tunnels referred to in subparagraph (A)(ii) do not include bridges or tunnels located on railroad or transit lines—

“(i) over which service has been discontinued; or

“(ii) that have been railbanked or otherwise reserved for the transportation of goods or passengers.”.

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, as amended by this Act, is further amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking “subsection (d)” and inserting “subsections (d), (e), and (f)”; and

(2) by adding at the end the following:

“(f) RAIL AND TRANSIT.—

“(1) IN GENERAL.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements thereof that are in use or were historically used for the transportation of goods or passengers shall not be considered a use of a historic site under subsection (c), regardless of whether the railroad or rail transit line or element thereof is listed on, or eligible for listing on, the National Register of Historic Places.

“(2) EXCEPTIONS.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to—

“(i) stations; or

“(ii) bridges or tunnels located on—

“(I) railroad lines that have been abandoned; or

“(II) transit lines that are not in use.

“(B) CLARIFICATION WITH RESPECT TO CERTAIN BRIDGES AND TUNNELS.—The bridges and tunnels referred to in subparagraph (A)(ii) do not include bridges or tunnels located on railroad or transit lines—

“(i) over which service has been discontinued; or

“(ii) that have been railbanked or otherwise reserved for the transportation of goods or passengers.”.

SEC. 1303. CLARIFICATION OF TRANSPORTATION ENVIRONMENTAL AUTHORITIES.

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(e) REFERENCES TO PAST TRANSPORTATION ENVIRONMENTAL AUTHORITIES.—

“(1) SECTION 4(F) REQUIREMENTS.—The requirements of this section are commonly referred to as section 4(f) requirements (see section 4(f) of the Department of Transportation Act (Public Law 89-670; 80 Stat. 934) as in effect before the repeal of that section).

“(2) SECTION 106 REQUIREMENTS.—The requirements of section 306108 of title 54 are commonly referred to as section 106 requirements (see section 106 of the National Historic Preservation Act of 1966 (Public Law 89-665; 80 Stat. 915) as in effect before the repeal of that section).”.

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(g) REFERENCES TO PAST TRANSPORTATION ENVIRONMENTAL AUTHORITIES.—

“(1) SECTION 4(F) REQUIREMENTS.—The requirements of this section are commonly referred to as section 4(f) requirements (see section 4(f) of the Department of Transportation Act (Public Law 89-670; 80 Stat. 934) as in effect before the repeal of that section).

“(2) SECTION 106 REQUIREMENTS.—The requirements of section 306108 of title 54 are commonly referred to as section 106 requirements (see section 106 of the National Historic Preservation Act of 1966 (Public Law 89-665; 80 Stat. 915) as in effect before the repeal of that section).”.

SEC. 1304. TREATMENT OF CERTAIN BRIDGES UNDER PRESERVATION REQUIREMENTS.

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(f) BRIDGE EXEMPTION.—A common post-1945 concrete or steel bridge or culvert that is exempt from individual review under section 306108 of title 54 (as described in 77 Fed. Reg. 68790) shall be treated under this section as having a de minimis impact on an area.”.

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(h) BRIDGE EXEMPTION.—A common post-1945 concrete or steel bridge or culvert that is exempt from individual review under section 306108 of title 54 (as described in 77 Fed. Reg. 68790) shall be treated under this section as having a de minimis impact on an area.”.

SEC. 1305. EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING.

(a) **DEFINITIONS.**—Section 139(a) of title 23, United States Code, is amended—

(1) by striking paragraph (5) and inserting the following:

“(5) **MULTIMODAL PROJECT.**—The term ‘multimodal project’ means a project that requires the approval of more than 1 Department of Transportation operating administration or secretarial office.”;

(2) by adding at the end the following:

“(9) **SUBSTANTIAL DEFERENCE.**—The term ‘substantial deference’ means deference by a participating agency to the recommendations and decisions of the lead agency unless it is not possible to defer without violating the participating agency’s statutory responsibilities.”.

(b) **APPLICABILITY.**—Section 139(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A) in the matter preceding clause (i) by striking “initiate a rule-making to”; and

(2) by striking subparagraph (B) and inserting the following:

“(B) **REQUIREMENTS.**—In carrying out subparagraph (A), the Secretary shall ensure that programmatic reviews—

“(i) promote transparency, including the transparency of—

“(I) the analyses and data used in the environmental reviews;

“(II) the treatment of any deferred issues raised by agencies or the public; and

“(III) the temporal and spatial scales to be used to analyze issues under subclauses (I) and (II);

“(ii) use accurate and timely information, including through establishment of—

“(I) criteria for determining the general duration of the usefulness of the review; and

“(II) a timeline for updating an out-of-date review;

“(iii) describe—

“(I) the relationship between any programmatic analysis and future tiered analysis; and

“(II) the role of the public in the creation of future tiered analysis;

“(iv) are available to other relevant Federal and State agencies, Indian tribes, and the public; and

“(v) provide notice and public comment opportunities consistent with applicable requirements.”.

(c) **FEDERAL LEAD AGENCY.**—Section 139(c)(1)(A) of title 23, United States Code, is amended by inserting “, or an operating administration thereof designated by the Secretary,” after “Department of Transportation”.

(d) **PARTICIPATING AGENCIES.**—

(1) **INVITATION.**—Section 139(d)(2) of title 23, United States Code, is amended by striking “The lead agency shall identify, as early as practicable in the environmental review process for a project,” and inserting “Not later than 45 days after the date of publication of a notice of intent to prepare an environmental impact statement or the initiation of an environmental assessment, the lead agency shall identify”.

(2) **SINGLE NEPA DOCUMENT.**—Section 139(d) of title 23, United States Code, is amended by adding at the end the following:

“(8) **SINGLE NEPA DOCUMENT.**—

“(A) **IN GENERAL.**—Except as inconsistent with paragraph (7), to the maximum extent practicable and consistent with Federal law, all Federal permits and reviews for a project shall rely on a single environment document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under the leadership of the lead agency.

“(B) **USE OF DOCUMENT.**—

“(i) **IN GENERAL.**—To the maximum extent practicable, the lead agency shall develop an environmental document sufficient to satisfy the requirements for any Federal approval or other Federal action required for the project, including permits issued by other Federal agencies.

“(ii) **COOPERATION OF PARTICIPATING AGENCIES.**—Other participating agencies shall cooperate with the lead agency and provide timely information to help the lead agency carry out this subparagraph.

“(C) **TREATMENT AS PARTICIPATING AND COOPERATING AGENCIES.**—A Federal agency required to make an approval or take an action for a project, as described in subparagraph (B), shall work with the lead agency for the project to ensure that the agency making the approval or taking the action is treated as being both a participating and cooperating agency for the project.”.

(e) **PROJECT INITIATION.**—Section 139(e) of title 23, United States Code, is amended by adding at the end the following:

“(3) **ENVIRONMENTAL CHECKLIST.**—

“(A) **DEVELOPMENT.**—The lead agency for a project, in consultation with participating agencies, shall develop, as appropriate, a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of the project.

“(B) **PURPOSE.**—The purposes of the checklist are—

“(i) to identify agencies and organizations that can provide information about natural, cultural, and historic resources;

“(ii) to develop the information needed to determine the range of alternatives; and

“(iii) to improve interagency collaboration to help expedite the permitting process for the lead agency and participating agencies.”.

(f) **PURPOSE AND NEED.**—Section 139(f) of title 23, United States Code, is amended—

(1) in the subsection heading by inserting “; **ALTERNATIVES ANALYSIS**” after “**NEED**”;

(2) in paragraph (4)—

(A) by striking subparagraph (A) and inserting the following:

“(A) **PARTICIPATION.**—

“(i) **IN GENERAL.**—As early as practicable during the environmental review process, the lead agency shall seek the involvement of participating agencies and the public for the purpose of reaching agreement early in the environmental review process on a reasonable range of alternatives that will satisfy all subsequent Federal environmental review and permit requirements.

“(ii) **COMMENTS OF PARTICIPATING AGENCIES.**—To the maximum extent practicable and consistent with applicable law, each participating agency receiving an opportunity for involvement under clause (i) shall—

“(I) limit the agency’s comments to subject matter areas within the agency’s special expertise or jurisdiction; and

“(II) afford substantial deference to the range of alternatives recommended by the lead agency.

“(iii) **EFFECT OF NONPARTICIPATION.**—A participating agency that declines to participate in the development of the purpose and need and reasonable range of alternatives for a project shall be required to comply with the schedule developed under subsection (g)(1)(B).”; and

(B) in subparagraph (B)—

(i) by striking “Following participation under paragraph (1)” and inserting the following:

“(i) **DETERMINATION.**—Following participation under subparagraph (A)”; and

(ii) by adding at the end the following:

“(ii) **USE.**—To the maximum extent practicable and consistent with Federal law, the range of alternatives determined for a project under clause (i) shall be used for all Federal environmental reviews and permit processes required for the project unless the alternatives must be modified—

“(I) to address significant new information or circumstances, and the lead agency and participating agencies agree that the alternatives must be modified to address the new information or circumstances; or

“(II) for the lead agency or a participating agency to fulfill its responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in a timely manner.”.

(g) **COORDINATION AND SCHEDULING.**—

(1) **COORDINATION PLAN.**—Section 139(g)(1) of title 23, United States Code, is amended—

(A) in subparagraph (A) by striking “The lead agency” and inserting “Not later than 90 days after the date of publication of a notice of intent to prepare an environmental impact statement or the initiation of an environmental assessment, the lead agency”; and

(B) in subparagraph (B)(i) by striking “may establish” and inserting “shall establish”.

(2) **DEADLINES FOR DECISIONS UNDER OTHER LAWS.**—Section 139(g)(3) of title 23, United States Code, is amended to read as follows:

“(3) **DEADLINES FOR DECISIONS UNDER OTHER LAWS.**—

“(A) **IN GENERAL.**—In any case in which a decision under any Federal law relating to a project (including the issuance or denial of a permit or license) is required by law, regulation, or Executive order to be made after the date on which the lead agency has issued a categorical exclusion, finding of no significant impact, or record of decision with respect to the project, any such later decision shall be made or completed by the later of—

“(i) the date that is 180 days after the lead agency’s final decision has been made; or

“(ii) the date that is 180 days after the date on which a completed application was submitted for the permit or license.

“(B) **TREATMENT OF DELAYS.**—Following the deadline established by subparagraph (A), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and publish on the Department’s Internet Web site—

“(i) as soon as practicable after the 180-day period, an initial notice of the failure of the Federal agency to make the decision; and

“(ii) every 60 days thereafter, until such date as all decisions of the Federal agency relating to the project have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.”.

(3) **ADOPTION OF DOCUMENTS; ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.**—

(A) **IN GENERAL.**—Section 139(g) of title 23, United States Code, is amended—

(i) by redesignating paragraph (4) as paragraph (5); and

(ii) by inserting after paragraph (3) the following:

“(4) **ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.**—

“(A) **IN GENERAL.**—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments

that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

“(i) cite the sources, authorities, and reasons that support the position of the agency; and

“(ii) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

“(B) SINGLE DOCUMENT.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

“(i) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

“(ii) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the impacts of the proposed action.”

(B) CONFORMING AMENDMENT.—Section 1319 of MAP-21 (42 U.S.C. 4332a), and the item relating to that section in the table of contents contained in section 1(c) of that Act, are repealed.

(h) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) ISSUE RESOLUTION.—Section 139(h) of title 23, United States Code, is amended—

(A) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

(B) by inserting after paragraph (3) the following:

“(4) ISSUE RESOLUTION.—Any issue resolved by the lead agency and participating agencies may not be reconsidered unless significant new information or circumstances arise.”

(2) FAILURE TO ASSURE.—Section 139(h)(5)(C) of title 23, United States Code, (as redesignated by paragraph (1)(A) of this subsection) is amended by striking “paragraph (5) and” and inserting “paragraph (6)”.

(3) ACCELERATED ISSUE RESOLUTION AND REFERRAL.—Section 139(h)(6) of title 23, United States Code, (as redesignated by paragraph (1)(A) of this subsection) is amended by striking subparagraph (C) and inserting the following:

“(C) REFERRAL TO COUNCIL ON ENVIRONMENTAL QUALITY.—

“(i) IN GENERAL.—If issue resolution for a project is not achieved on or before the 30th day after the date of a meeting under subparagraph (B), the Secretary shall refer the matter to the Council on Environmental Quality.

“(ii) MEETING.—Not later than 30 days after the date of receipt of a referral from the Secretary under clause (i), the Council on Environmental Quality shall hold an issue resolution meeting with—

“(I) the head of the lead agency;

“(II) the heads of relevant participating agencies; and

“(III) the project sponsor (including the Governor only if the initial issue resolution meeting request came from the Governor).

“(iii) RESOLUTION.—The Council on Environmental Quality shall work with the lead agency, relevant participating agencies, and the project sponsor until all issues are resolved.”

(4) FINANCIAL PENALTY PROVISIONS.—Section 139(h)(7)(B)(i)(I) of title 23, United States Code, (as redesignated by paragraph

(1)(A) of this subsection) is amended by striking “under section 106(i) is required” and inserting “is required under subsection (h) or (i) of section 106”.

(i) ASSISTANCE TO AFFECTED STATE AND FEDERAL AGENCIES.—

(1) IN GENERAL.—Section 139(j)(1) of title 23, United States Code, is amended to read as follows:

“(1) IN GENERAL.—

“(A) AUTHORITY TO PROVIDE FUNDS.—The Secretary may allow a public entity receiving financial assistance from the Department of Transportation under this title or chapter 53 of title 49 to provide funds to Federal agencies (including the Department), State agencies, and Indian tribes participating in the environmental review process for the project or program.

“(B) USE OF FUNDS.—Funds referred to in subparagraph (A) may be provided only to support activities that directly and meaningfully contribute to expediting and improving permitting and review processes, including planning, approval, and consultation processes for the project or program.”

(2) ACTIVITIES ELIGIBLE FOR FUNDING.—Section 139(j)(2) of title 23, United States Code, is amended by inserting “activities directly related to the environmental review process,” before “dedicated staffing.”

(3) AGREEMENT.—Section 139(j)(6) of title 23, United States Code, is amended to read as follows:

“(6) AGREEMENT.—Prior to providing funds approved by the Secretary for dedicated staffing at an affected agency under paragraphs (1) and (2), the affected agency and the requesting public entity shall enter into an agreement that establishes the projects and priorities to be addressed by the use of the funds.”

(j) IMPLEMENTATION OF PROGRAMMATIC COMPLIANCE.—

(1) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a rulemaking to implement the provisions of section 139(b)(3) of title 23, United States Code, as amended by this section.

(2) CONSULTATION.—Before initiating the rulemaking under paragraph (1), the Secretary shall consult with relevant Federal agencies, relevant State resource agencies, State departments of transportation, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches.

(3) REQUIREMENTS.—In carrying out this subsection, the Secretary shall ensure that the rulemaking meets the requirements of section 139(b)(3)(B) of title 23, United States Code, as amended by this section.

(4) COMMENT PERIOD.—The Secretary shall—

(A) allow not fewer than 60 days for public notice and comment on the proposed rule; and

(B) address any comments received under this subsection.

SEC. 1306. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(1) maintain and use a searchable Internet Web site—

(A) to make publicly available the status and progress of projects, as defined in section 139 of title 23, United States Code, requiring an environmental assessment or an environmental impact statement with respect to compliance with applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other

Federal, State, or local approval required for such projects; and

(B) to make publicly available the names of participating agencies not participating in the development of a project purpose and need and range of alternatives under section 139(f) of title 23, United States Code; and

(2) in coordination with agencies described in subsection (b) and State agencies, issue reporting standards to meet the requirements of paragraph (1).

(b) FEDERAL, STATE, AND LOCAL AGENCY PARTICIPATION.—A Federal, State, or local agency participating in the environmental review or permitting process for a project, as defined in section 139 of title 23, United States Code, shall provide to the Secretary information regarding the status and progress of the approval of the project for publication on the Internet Web site maintained under subsection (a), consistent with the standards established under subsection (a).

(c) STATES WITH DELEGATED AUTHORITY.—A State with delegated authority for responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) pursuant to section 327 of title 23, United States Code, shall be responsible for supplying project development and compliance status to the Secretary for all applicable projects.

SEC. 1307. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

(a) DEFINITIONS.—Section 168(a) of title 23, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) ENVIRONMENTAL REVIEW PROCESS.—The term ‘environmental review process’ has the meaning given that term in section 139(a).”;

(2) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(3) by inserting after paragraph (1) the following:

“(2) LEAD AGENCY.—The term ‘lead agency’ has the meaning given that term in section 139(a).”;

(4) by striking paragraph (3) (as redesignated by paragraph (2) of this subsection) and inserting the following:

“(3) PLANNING PRODUCT.—The term ‘planning product’ means a decision, analysis, study, or other documented information that is the result of an evaluation or decision-making process carried out by a metropolitan planning organization or a State, as appropriate, during metropolitan or statewide transportation planning under section 134 or section 135, respectively.”

(b) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—Section 168(b) of title 23, United States Code, is amended—

(1) in the subsection heading by inserting “OR INCORPORATION BY REFERENCE” after “ADOPTION”;

(2) in paragraph (1) by striking “the Federal lead agency for a project may adopt” and inserting “and to the maximum extent practicable and appropriate, the lead agency for a project may adopt or incorporate by reference”;

(3) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(4) by striking paragraph (2) (as so redesignated) and inserting the following:

“(2) PARTIAL ADOPTION OR INCORPORATION BY REFERENCE OF PLANNING PRODUCTS.—The lead agency may adopt or incorporate by reference a planning product under paragraph (1) in its entirety or may select portions for adoption or incorporation by reference.”; and

(5) in paragraph (3) (as so redesignated) by inserting “or incorporation by reference” after “adoption”.

(C) **APPLICABILITY.**—

(1) **PLANNING DECISIONS.**—Section 168(c)(1) of title 23, United States Code, is amended—

(A) in the matter preceding subparagraph (A) by striking “adopted” and inserting “adopted or incorporated by reference by the lead agency”;

(B) by redesignating subparagraphs (A) through (E) as subparagraphs (B) through (F), respectively;

(C) by inserting before subparagraph (B) (as so redesignated) the following:

“(A) the project purpose and need;”;

(D) by striking subparagraph (B) (as so redesignated) and inserting the following:

“(B) the preliminary screening of alternatives and elimination of unreasonable alternatives;”;

(E) in subparagraph (C) (as so redesignated) by inserting “and general travel corridor” after “modal choice”;

(F) in subparagraph (E) (as so redesignated) by striking “and” at the end;

(G) in subparagraph (F) (as so redesignated)—

(i) in the matter preceding clause (i) by striking “potential impacts” and all that follows through “resource agencies,” and inserting “potential impacts of a project, including a programmatic mitigation plan developed in accordance with section 169, that the lead agency”; and

(ii) in clause (ii) by striking the period at the end and inserting “; and”; and

(H) by adding at the end the following:

“(G) whether tolling, private financial assistance, or other special financial measures are necessary to implement the project.”.

(2) **PLANNING ANALYSES.**—Section 168(c)(2) of title 23, United States Code, is amended—

(A) in the matter preceding subparagraph (A) by striking “adopted” and inserting “adopted or incorporated by reference by the lead agency”;

(B) in subparagraph (G)—

(i) by inserting “direct, indirect, and” before “cumulative effects”; and

(ii) by striking “, identified as a result of a statewide or regional cumulative effects assessment”; and

(C) in subparagraph (H)—

(i) by striking “proposed action” and inserting “proposed project”; and

(ii) by striking “Federal lead agency” and inserting “lead agency”.

(d) **CONDITIONS.**—Section 168(d) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1) by striking “Adoption and use” and all that follows through “Federal lead agency, that” and inserting “The lead agency in the environmental review process may adopt or incorporate by reference and use a planning product under this section if the lead agency determines that”;

(2) in paragraph (2) by striking “by engaging in active consultation” and inserting “in consultation”;

(3) by striking paragraphs (4) and (5) and inserting the following:

“(4) The planning process included public notice that the planning products may be adopted or incorporated by reference during a subsequent environmental review process in accordance with this section.

“(5) During the environmental review process, but prior to determining whether to rely on and use the planning product, the lead agency has—

“(A) made the planning documents available for review and comment by members of

the general public and Federal, State, local, and tribal governments that may have an interest in the proposed action;

“(B) provided notice of the lead agency’s intent to adopt the planning product or incorporate the planning product by reference; and

“(C) considered any resulting comments.”;

(4) in paragraph (9)—

(A) by inserting “or incorporation by reference” after “adoption”; and

(B) by inserting “and is sufficient to meet the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)” after “for the project”; and

(5) in paragraph (10) by striking “not later than 5 years prior to date on which the information is adopted” and inserting “within the 5-year period ending on the date on which the information is adopted or incorporated by reference”.

(e) **EFFECT OF ADOPTION OR INCORPORATION BY REFERENCE.**—Section 168(e) of title 23, United States Code, is amended—

(1) in the subsection heading by inserting “OR INCORPORATION BY REFERENCE” after “ADOPTION”; and

(2) by striking “adopted by the Federal lead agency” and inserting “adopted or incorporated by reference by the lead agency”.

SEC. 1308. DEVELOPMENT OF PROGRAMMATIC MITIGATION PLANS.

Section 169(f) of title 23, United States Code, is amended by striking “may use” and inserting “shall give substantial weight to”.

SEC. 1309. DELEGATION OF AUTHORITIES.

(a) **IN GENERAL.**—The Secretary shall use the authority under section 106(c) of title 23, United States Code, to the maximum extent practicable, to delegate responsibility to the States for project design, plans, specifications, estimates, contract awards, and inspection of projects, on both a project-specific and programmatic basis.

(b) **SUBMISSION OF RECOMMENDATIONS.**—Not later than 18 months after the date of enactment of this Act, the Secretary, in cooperation with the States, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate recommendations for legislation to permit the delegation of additional authorities to the States, including with respect to real estate acquisition and project design.

SEC. 1310. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

(a) **ADJUSTMENT FOR INFLATION.**—Section 1317 of MAP-21 (23 U.S.C. 109 note) is amended—

(1) in paragraph (1)(A) by inserting “(as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor)” after “\$5,000,000”; and

(2) in paragraph (1)(B) by inserting “(as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor)” after “\$30,000,000”.

(b) **RETROACTIVE APPLICATION.**—The first adjustment made pursuant to the amendments made by subsection (a) shall—

(1) be carried out not later than 60 days after the date of enactment of this Act; and

(2) reflect the increase in the Consumer Price Index since July 1, 2012.

SEC. 1311. APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.

Section 304 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “operating authority that” and inserting “operating administration or secretarial office that has expertise but”; and

(ii) by inserting “proposed multimodal” after “with respect to a”; and

(B) by striking paragraph (2) and inserting the following:

“(2) **LEAD AUTHORITY.**—The term ‘lead authority’ means a Department of Transportation operating administration or secretarial office that has the lead responsibility for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a proposed multimodal project.”;

(2) in subsection (b) by inserting “or title 23” after “under this title”; and

(3) by striking subsection (c) and inserting the following:

“(C) **APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.**—In considering the environmental impacts of a proposed multimodal project, a lead authority may apply categorical exclusions designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in implementing regulations or procedures of a cooperating authority for a proposed multimodal project, subject to the conditions that—

“(1) the lead authority makes a determination, with the concurrence of the cooperating authority—

“(A) on the applicability of a categorical exclusion to a proposed multimodal project; and

“(B) that the project satisfies the conditions for a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and this section;

“(2) the lead authority follows the cooperating authority’s implementing regulations or procedures under such Act; and

“(3) the lead authority determines that—

“(A) the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

“(B) extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under such Act.”; and

(4) by striking subsection (d) and inserting the following:

“(d) **COOPERATING AUTHORITY EXPERTISE.**—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.”.

SEC. 1312. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

Section 327 of title 23, United States Code, is amended—

(1) in subsection (a)(2)(B)(iii) by striking “(42 U.S.C. 13 4321 et seq.)” and inserting “(42 U.S.C. 4321 et seq.)”;

(2) in subsection (c)(4) by inserting “reasonably” before “considers necessary”;

(3) in subsection (e) by inserting “and without further approval of” after “in lieu of”;

(4) in subsection (g)—

(A) by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—To ensure compliance by a State with any agreement of the State under subsection (c) (including compliance by the State with all Federal laws for which responsibility is assumed under subsection (a)(2)), for each State participating in the program under this section, the Secretary shall—

“(A) not later than 6 months after execution of the agreement, meet with the State to review implementation of the agreement and discuss plans for the first annual audit;

“(B) conduct annual audits during each of the first 4 years of State participation; and

“(C) ensure that the time period for completing an annual audit, from initiation to completion (including public comment and responses to those comments), does not exceed 180 days.”; and

(B) by adding at the end the following:

“(3) **AUDIT TEAM.**—An audit conducted under paragraph (1) shall be carried out by an audit team determined by the Secretary, in consultation with the State. Such consultation shall include a reasonable opportunity for the State to review and provide comments on the proposed members of the audit team.”; and

(5) by adding at the end the following:

“(k) **CAPACITY BUILDING.**—The Secretary, in cooperation with representatives of State officials, may carry out education, training, peer-exchange, and other initiatives as appropriate—

“(1) to assist States in developing the capacity to participate in the assignment program under this section; and

“(2) to promote information sharing and collaboration among States that are participating in the assignment program under this section.

“(l) **RELATIONSHIP TO LOCALLY ADMINISTERED PROJECTS.**—A State granted authority under this section may, as appropriate and at the request of a local government—

“(1) exercise such authority on behalf of the local government for a locally administered project; or

“(2) provide guidance and training on consolidating and minimizing the documentation and environmental analyses necessary for sponsors of a locally administered project to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any comparable requirements under State law.”.

SEC. 1313. PROGRAM FOR ELIMINATING DUPLICATION OF ENVIRONMENTAL REVIEWS.

(a) **PURPOSE.**—The purpose of this section is to eliminate duplication of environmental reviews and approvals under State and Federal laws.

(b) **IN GENERAL.**—Chapter 3 of title 23, United States Code, is amended by adding at the end the following:

“§ 330. Program for eliminating duplication of environmental reviews

“(a) **ESTABLISHMENT.**—

“(1) **IN GENERAL.**—The Secretary shall establish a pilot program to authorize States that are approved to participate in the program to conduct environmental reviews and make approvals for projects under State environmental laws and regulations instead of Federal environmental laws and regulations, consistent with the requirements of this section.

“(2) **PARTICIPATING STATES.**—The Secretary may select not more than 5 States to participate in the program.

“(3) **ALTERNATIVE REVIEW AND APPROVAL PROCEDURES.**—In this section, the term ‘alternative environmental review and approval procedures’ means—

“(A) substitution of 1 or more State environmental laws for—

“(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(ii) such provisions of sections 109(h), 128, and 139 related to the application of that Act that are under the authority of the Sec-

retary, as the Secretary, in consultation with the State, considers appropriate; and

“(iii) related regulations and Executive orders; and

“(B) substitution of 1 or more State environmental regulations for—

“(i) the National Environmental Policy Act of 1969;

“(ii) such provisions of sections 109(h), 128, and 139 related to the application of that Act that are under the authority of the Secretary, as the Secretary, in consultation with the State, considers appropriate; and

“(iii) related regulations and Executive orders.

“(b) **APPLICATION.**—To be eligible to participate in the program, a State shall submit to the Secretary an application containing such information as the Secretary may require, including—

“(1) a full and complete description of the proposed alternative environmental review and approval procedures of the State;

“(2) each Federal law described in subsection (a)(3) that the State is seeking to substitute;

“(3) each State law and regulation that the State intends to substitute for such Federal law, Federal regulation, or Executive order;

“(4) an explanation of the basis for concluding that the State law or regulation is substantially equivalent to the Federal law described in subsection (a)(3);

“(5) a description of the projects or classes of projects for which the State anticipates exercising the authority that may be granted under the program;

“(6) verification that the State has the financial resources necessary to carry out the authority that may be granted under the program;

“(7) evidence of having sought, received, and addressed comments on the proposed application from the public; and

“(8) any such additional information as the Secretary, or, with respect to section (d)(1)(A), the Secretary in consultation with the Chair, may require.

“(c) **REVIEW OF APPLICATION.**—In accordance with subsection (d), the Secretary shall—

“(1) review an application submitted under subsection (b);

“(2) approve or disapprove the application not later than 90 days after the date of receipt of the application; and

“(3) transmit to the State notice of the approval or disapproval, together with a statement of the reasons for the approval or disapproval.

“(d) **APPROVAL OF APPLICATION.**—

“(1) **IN GENERAL.**—The Secretary shall approve an application submitted under subsection (b) only if—

“(A) the Secretary, with the concurrence of the Chair, determines that the laws and regulations of the State described in the application are substantially equivalent to the Federal laws that the State is seeking to substitute;

“(B) the Secretary determines that the State has the capacity, including financial and personnel, to assume the responsibility; and

“(C) the State has executed an agreement with the Secretary, in accordance with section 327, providing for environmental review, consultation, or other action under Federal environmental laws pertaining to the review or approval of a specific project.

“(2) **EXCLUSION.**—The National Environmental Policy Act of 1969 shall not apply to a decision by the Secretary to approve or disapprove an application submitted under this section.

“(e) **JUDICIAL REVIEW.**—

“(1) **IN GENERAL.**—The United States district courts shall have exclusive jurisdiction over any civil action against a State—

“(A) for failure of the State to meet the requirements of this section; or

“(B) if the action involves the exercise of authority by the State under this section and section 327.

“(2) **STATE JURISDICTION.**—A State court shall have exclusive jurisdiction over any civil action against a State if the action involves the exercise of authority by the State under this section not covered by paragraph (1).

“(f) **ELECTION.**—At its discretion, a State participating in the programs under this section and section 327 may elect to apply the National Environmental Protection Act of 1969 instead of the State’s alternative environmental review and approval procedures.

“(g) **TREATMENT OF STATE LAWS AND REGULATIONS.**—To the maximum extent practicable and consistent with Federal law, other Federal agencies with authority over a project subject to this section shall use documents produced by a participating State under this section to satisfy the requirements of the National Environmental Policy Act of 1969.

“(h) **RELATIONSHIP TO LOCALLY ADMINISTERED PROJECTS.**—

“(1) **IN GENERAL.**—A State with an approved program under this section, at the request of a local government, may exercise authority under that program on behalf of up to 10 local governments for locally administered projects.

“(2) **SCOPE.**—For up to 10 local governments selected by a State with an approved program under this section, the State shall be responsible for ensuring that any environmental review, consultation, or other action required under the National Environmental Policy Act of 1969 or the State program, or both, meets the requirements of such Act or program.

“(i) **REVIEW AND TERMINATION.**—

“(1) **IN GENERAL.**—A State program approved under this section shall at all times be in accordance with the requirements of this section.

“(2) **REVIEW.**—The Secretary shall review each State program approved under this section not less than once every 5 years.

“(3) **PUBLIC NOTICE AND COMMENT.**—In conducting the review process under paragraph (2), the Secretary shall provide notice and an opportunity for public comment.

“(4) **WITHDRAWAL OF APPROVAL.**—If the Secretary, in consultation with the Chair, determines at any time that a State is not administering a State program approved under this section in accordance with the requirements of this section, the Secretary shall so notify the State, and if appropriate corrective action is not taken within a reasonable time, not to exceed 90 days, the Secretary shall withdraw approval of the State program.

“(5) **EXTENSIONS AND TERMINATIONS.**—At the conclusion of the review process under paragraph (2), the Secretary may extend for an additional 5-year period or terminate the authority of a State under this section to substitute that State’s laws and regulations for Federal laws.

“(j) **REPORT TO CONGRESS.**—Not later than 2 years after the date of enactment of this section, and annually thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the administration of the program, including—

“(1) the number of States participating in the program;

“(2) the number and types of projects for which each State participating in the program has used alternative environmental review and approval procedures; and

“(3) any recommendations for modifications to the program.

“(k) DEFINITIONS.—In this section, the following definitions apply:

“(1) CHAIR.—The term ‘Chair’ means the Chair of the Council on Environmental Quality.

“(2) MULTIMODAL PROJECT.—The term ‘multimodal project’ has the meaning given that term in section 139(a).

“(3) PROGRAM.—The term ‘program’ means the pilot program established under this section.

“(4) PROJECT.—The term ‘project’ means—
“(A) a project requiring approval under this title, chapter 53 of subtitle III of title 49, or subtitle V of title 49; and

“(B) a multimodal project.”.

(c) RULEMAKING.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Chair of the Council on Environmental Quality, shall promulgate regulations to implement the requirements of section 330 of title 23, United States Code, as added by this section.

(2) DETERMINATION OF SUBSTANTIALLY EQUIVALENT.—As part of the rulemaking required under this subsection, the Chair shall—

(A) establish the criteria necessary to determine that a State law or regulation is substantially equivalent to a Federal law described in section 330(a)(3) of title 23, United States Code;

(B) ensure that such criteria, at a minimum—

(i) provide for protection of the environment;

(ii) provide opportunity for public participation and comment, including access to the documentation necessary to review the potential impact of a project; and

(iii) ensure a consistent review of projects that would otherwise have been covered under Federal law.

(d) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 23, United States Code, is amended by adding at the end the following:

“330. Program for eliminating duplication of environmental reviews.”.

SEC. 1314. ASSESSMENT OF PROGRESS ON ACCELERATING PROJECT DELIVERY.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall assess the progress made under this Act, MAP-21 (Public Law 112-141), and SAFETEA-LU (Public Law 109-59), including the amendments made by those Acts, to accelerate the delivery of Federal-aid highway and highway safety construction projects and public transportation capital projects by streamlining the environmental review and permitting process.

(b) CONTENTS.—The assessment required under subsection (a) shall evaluate—

(1) how often the various streamlining provisions have been used;

(2) which of the streamlining provisions have had the greatest impact on streamlining the environmental review and permitting process;

(3) what, if any, impact streamlining of the process has had on environmental protection;

(4) how, and the extent to which, streamlining provisions have improved and accelerated the process for permitting under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable Federal laws;

(5) what impact actions by the Council on Environmental Quality have had on accelerating Federal-aid highway and highway safety construction projects and public transportation capital projects;

(6) the number and percentage of projects that proceed under a traditional environmental assessment or environmental impact statement, and the number and percentage of projects that proceed under categorical exclusions;

(7) the extent to which the environmental review and permitting process remains a significant source of project delay and the sources of delays; and

(8) the costs of conducting environmental reviews and issuing permits or licenses for a project, including the cost of contractors and dedicated agency staff.

(c) RECOMMENDATIONS.—The assessment required under subsection (a) shall include recommendations with respect to—

(1) additional opportunities for streamlining the environmental review process, including regulatory or statutory changes to accelerate the processes of Federal agencies (other than the Department) with responsibility for reviewing Federal-aid highway and highway safety construction projects and public transportation capital projects without negatively impacting the environment; and

(2) best practices of other Federal agencies that should be considered for adoption by the Department.

(d) REPORT TO CONGRESS.—The Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the assessment and recommendations required under this section.

SEC. 1315. IMPROVING STATE AND FEDERAL AGENCY ENGAGEMENT IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 306 the following:

“§307. Improving State and Federal agency engagement in environmental reviews

“(a) IN GENERAL.—

“(1) REQUESTS TO PROVIDE FUNDS.—A public entity receiving financial assistance from the Department of Transportation for 1 or more projects, or for a program of projects, for a public purpose may request that the Secretary allow the public entity to provide funds to Federal agencies, including the Department, State agencies, and Indian tribes participating in the environmental planning and review process for the project, projects, or program.

“(2) USE OF FUNDS.—The funds may be provided only to support activities that directly and meaningfully contribute to expediting and improving permitting and review processes, including planning, approval, and consultation processes for the project, projects, or program.

“(b) ACTIVITIES ELIGIBLE FOR FUNDING.—Activities for which funds may be provided under subsection (a) include transportation planning activities that precede the initiation of the environmental review process, activities directly related to the environmental review process, dedicated staffing,

training of agency personnel, information gathering and mapping, and development of programmatic agreements.

“(c) AMOUNTS.—Requests under subsection (a) may be approved only for the additional amounts that the Secretary determines are necessary for the Federal agencies, State agencies, or Indian tribes participating in the environmental review process to timely conduct their review.

“(d) AGREEMENTS.—Prior to providing funds approved by the Secretary for dedicated staffing at an affected Federal agency under subsection (a), the affected Federal agency and the requesting public entity shall enter into an agreement that establishes a process to identify projects or priorities to be addressed by the use of the funds.

“(e) RULEMAKING.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall initiate a rulemaking to implement this section.

“(2) FACTORS.—As part of the rulemaking carried out under paragraph (1), the Secretary shall ensure—

“(A) to the maximum extent practicable, that expediting and improving the process of environmental review and permitting through the use of funds accepted and expended under this section does not adversely affect the timeline for review and permitting by Federal agencies, State agencies, or Indian tribes of other entities that have not contributed funds under this section;

“(B) that the use of funds accepted under this section will not impact impartial decisionmaking with respect to environmental reviews or permits, either substantively or procedurally; and

“(C) that the Secretary maintains, and makes publicly available, including on the Internet, a list of projects or programs for which such review or permits have been carried out using funds authorized under this section.

“(f) EXISTING AUTHORITY.—Nothing in this section may be construed to conflict with section 139(j) of title 23.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 306 the following:

“307. Improving State and Federal agency engagement in environmental reviews.”.

SEC. 1316. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 304 the following:

“§304a. Accelerated decisionmaking in environmental reviews

“(a) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement, instead of rewriting the draft statement, subject to the condition that the errata sheets—

“(1) cite the sources, authorities, and reasons that support the position of the agency; and

“(2) if appropriate, indicate the circumstances that would trigger agency re-appraisal or further response.

“(b) SINGLE DOCUMENT.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that

consists of a final environmental impact statement and a record of decision, unless—

“(1) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

“(2) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the impacts of the proposed action.

“(c) ADOPTION OF DOCUMENTS.—

“(1) AVOIDING DUPLICATION.—To prevent duplication of analyses and support expeditious and efficient decisions, the operating administrations of the Department of Transportation shall use adoption and incorporation by reference in accordance with this paragraph.

“(2) ADOPTION OF DOCUMENTS OF OTHER OPERATING ADMINISTRATIONS.—An operating administration or a secretarial office within the Department of Transportation may adopt a draft environmental impact statement, an environmental assessment, or a final environmental impact statement of another operating administration for the adopting operating administration's use when preparing an environmental assessment or final environmental impact statement for a project without recirculating the document for public review, if—

“(A) the adopting operating administration certifies that its proposed action is substantially the same as the project considered in the document to be adopted;

“(B) the other operating administration concurs with such decision; and

“(C) such actions are consistent with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(3) INCORPORATION BY REFERENCE.—An operating administration or secretarial office within the Department of Transportation may incorporate by reference all or portions of a draft environmental impact statement, an environmental assessment, or a final environmental impact statement for the adopting operating administration's use when preparing an environmental assessment or final environmental impact statement for a project if—

“(A) the incorporated material is cited in the environmental assessment or final environmental impact statement and the contents of the incorporated material is briefly described;

“(B) the incorporated material is reasonably available for inspection by potentially interested persons within the time allowed for review and comment; and

“(C) the incorporated material does not include proprietary data that is not available for review and comment.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 304 the following:

“304a. Accelerated decisionmaking in environmental reviews.”.

SEC. 1317. ALIGNING FEDERAL ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 309 the following:

“§310. Aligning Federal environmental reviews

“(a) COORDINATED AND CONCURRENT ENVIRONMENTAL REVIEWS.—Not later than 1 year after the date of enactment of this section, the Department of Transportation, in coordination with the heads of Federal agencies likely to have substantive review or approval responsibilities under Federal law, shall de-

velop a coordinated and concurrent environmental review and permitting process for transportation projects when initiating an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.; in this section referred to as ‘NEPA’).

“(b) CONTENTS.—The coordinated and concurrent environmental review and permitting process shall—

“(1) ensure that the Department and agencies of jurisdiction possess sufficient information early in the review process to determine a statement of a transportation project's purpose and need and range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely on for concurrent environmental reviews and permitting decisions required for the proposed project;

“(2) achieve early concurrence or issue resolution during the NEPA scoping process on the Department of Transportation's statement of a project's purpose and need, and during development of the environmental impact statement on the range of alternatives for analysis, that the lead agency and agencies of jurisdiction will rely on for concurrent environmental reviews and permitting decisions required for the proposed project absent circumstances that require reconsideration in order to meet an agency of jurisdiction's obligations under a statute or Executive order; and

“(3) achieve concurrence or issue resolution in an expedited manner if circumstances arise that require a reconsideration of the purpose and need or range of alternatives considered during any Federal agency's environmental or permitting review in order to meet an agency of jurisdiction's obligations under a statute or Executive order.

“(c) ENVIRONMENTAL CHECKLIST.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation and Federal agencies of jurisdiction likely to have substantive review or approval responsibilities on transportation projects shall jointly develop a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of a proposed project.

“(2) PURPOSE.—The purpose of the checklist shall be to—

“(A) identify agencies of jurisdiction and cooperating agencies;

“(B) develop the information needed for the purpose and need and alternatives for analysis; and

“(C) improve interagency collaboration to help expedite the permitting process for the lead agency and agencies of jurisdiction.

“(d) INTERAGENCY COLLABORATION.—

“(1) IN GENERAL.—Consistent with Federal environmental statutes, the Secretary shall facilitate annual interagency collaboration sessions at the appropriate jurisdictional level to coordinate business plans and facilitate coordination of workload planning and workforce management.

“(2) PURPOSE OF COLLABORATION SESSIONS.—The interagency collaboration sessions shall ensure that agency staff is—

“(A) fully engaged;

“(B) utilizing the flexibility of existing regulations, policies, and guidance; and

“(C) identifying additional actions to facilitate high quality, efficient, and targeted environmental reviews and permitting decisions.

“(3) FOCUS OF COLLABORATION SESSIONS.—The interagency collaboration sessions, and the interagency collaborations generated by the sessions, shall focus on methods to—

“(A) work with State and local transportation entities to improve project planning, siting, and application quality; and

“(B) consult and coordinate with relevant stakeholders and Federal, tribal, State, and local representatives early in permitting processes.

“(e) PERFORMANCE MEASUREMENT.—Not later than 1 year after the date of enactment of this section, the Secretary, in coordination with relevant Federal agencies, shall establish a program to measure and report on progress towards aligning Federal reviews as outlined in this section.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 309 the following:

“310. Aligning Federal environmental reviews.”.

SubTitle D—Miscellaneous

SEC. 1401. TOLLING; HOV FACILITIES; INTER-STATE RECONSTRUCTION AND REHABILITATION.

(a) TOLLING.—Section 129(a) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B) by striking “, bridge, or tunnel” each place it appears;

(B) in subparagraph (C) by striking “, bridge, or tunnel” each place it appears;

(C) by striking subparagraph (G);

(D) by redesignating subparagraphs (H) and (I) as subparagraphs (G) and (H); and

(E) in subparagraph (G) as redesignated—

(i) by inserting “(HOV)” after “high occupancy vehicle”; and

(ii) by inserting “under section 166 of this title” after “facility”;

(2) in paragraph (3)(A)—

(A) by striking “shall use” and inserting “shall ensure that”; and

(B) by inserting “are used” after “toll facility” the second place it appears; and

(3) by striking paragraph (4) and redesignating paragraphs (5) through (10) as paragraphs (4) through (9), respectively.

(b) HOV FACILITIES.—Section 166 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking the paragraph heading and inserting “AUTHORITY OF PUBLIC AUTHORITIES”; and

(B) by striking “State agency” and inserting “public authority”;

(2) in subsection (b)—

(A) by striking “State agency” each place it appears and inserting “public authority”;

(B) in paragraph (3)—

(i) by striking “and” at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting “; and”; and

(iii) by inserting at the end the following:

“(C) provides equal access for all public transportation vehicles and over-the-road buses.”; and

(C) in paragraph (5)—

(i) in subparagraph (A) by striking “2017” and inserting “2021”; and

(ii) in subparagraph (B) by striking “2017” and inserting “2021”;

(3) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—Notwithstanding section 301, tolls may be charged under paragraphs (4) and (5) of subsection (b), subject to the requirements of section 129.”;

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(C) by inserting after paragraph (2), as redesignated, the following:

“(3) EXEMPTION FROM TOLLS.—In levying tolls on a facility under this section, a public

authority may designate classes of vehicles that are exempt from the tolls or charge different toll rates for different classes of vehicles, if equal rates are charged for all public transportation vehicles and over-the-road buses, whether publicly or privately owned.”;

(4) in subsection (d)—

(A) by striking “State agency” each place it appears and inserting “public authority”;

(B) in paragraph (1)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(ii) by inserting after subparagraph (C) the following:

“(D) CONSULTATION OF MPO.—If the facility is on the Interstate System and located in a metropolitan planning area established in accordance with section 134, consulting with the metropolitan planning organization for the area concerning the placement and amount of tolls on the facility.”; and

(iii) in subparagraph (F), as redesignated—

(I) by striking “State” the first place it appears and inserting “public authority”; and

(II) by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(5) in subsection (f)—

(A) in paragraph (4)(B)(iii) by striking “State agency” and inserting “public authority”; and

(B) by striking paragraph (5) and inserting after paragraph (4) the following:

“(5) OVER-THE-ROAD BUS.—The term ‘over-the-road bus’ means a vehicle as defined in section 301(5) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181(5)).

“(6) PUBLIC AUTHORITY.—The term ‘public authority’ as used with respect to a HOV facility, means a State, interstate compact of States, public entity designated by a State, or local government having jurisdiction over the operation of the facility.”.

(c) INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.—Section 1216(b) of the Transportation Equity Act for the 21st Century (Public Law 105-178) is amended—

(1) in paragraph (4)—

(A) in subparagraph (D) by striking “and” at the end;

(B) in subparagraph (E) by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(F) the State has approved enabling legislation required for the project to proceed.”;

(2) by redesignating paragraphs (6) through (8) as paragraphs (8) through (10), respectively; and

(3) by inserting after paragraph (5) the following:

“(6) REQUIREMENTS FOR PROJECT COMPLETION.—

“(A) GENERAL TERM FOR EXPIRATION OF PROVISIONAL APPLICATION.—An application provisionally approved by the Secretary under this subsection shall expire 3 years after the date on which the application was provisionally approved if the State has not—

“(i) submitted a complete application to the Secretary that fully satisfies the eligibility criteria under paragraph (3) and the selection criteria under paragraph (4);

“(ii) completed the environmental review and permitting process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the pilot project; and

“(iii) executed a toll agreement with the Secretary.

“(B) EXCEPTIONS TO EXPIRATION.—Notwithstanding subparagraph (A), the Secretary may extend the provisional approval for not more than 1 additional year if the State

demonstrates material progress toward implementation of the project as evidenced by—

“(i) substantial progress in completing the environmental review and permitting process for the pilot project under the National Environmental Policy Act of 1969;

“(ii) funding and financing commitments for the pilot project;

“(iii) expressions of support for the pilot project from State and local governments, community interests, and the public; and

“(iv) submission of a facility management plan pursuant to paragraph (3)(D).

“(C) CONDITIONS FOR PREVIOUSLY PROVISIONALLY APPROVED APPLICATIONS.—A State with a provisionally approved application for a pilot project as of the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015 shall have 1 year after such date of enactment to meet the requirements of subparagraph (A) or receive an extension from the Secretary under subparagraph (B), or the application will expire.

“(7) DEFINITION.—In this subsection, the term ‘provisional approval’ or ‘provisionally approved’ means the approval by the Secretary of a partial application under this subsection, including the reservation of a slot in the pilot program.”.

(d) APPROVAL OF APPLICATIONS.—The Secretary may approve an application submitted under section 1604(c) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1253) if the application, or any part of the application, was submitted before the deadline specified in section 1604(c)(8) of that Act.

SEC. 1402. PROHIBITION ON THE USE OF FUNDS FOR AUTOMATED TRAFFIC ENFORCEMENT.

(a) PROHIBITION.—Except as provided in subsection (b), for fiscal years 2016 through 2021, funds apportioned to a State under section 104(b)(3) of title 23, United States Code, may not be used to purchase, operate, or maintain an automated traffic enforcement system.

(b) EXCEPTION.—Subsection (a) does not apply to an automated traffic enforcement system located in a school zone.

(c) AUTOMATED TRAFFIC ENFORCEMENT SYSTEM DEFINED.—In this section, the term “automated traffic enforcement system” means any camera that captures an image of a vehicle for the purposes of traffic law enforcement.

SEC. 1403. MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED OR DRIVING UNDER THE INFLUENCE.

(a) IN GENERAL.—Section 164(a)(4) of title 23, United States Code, is amended—

(1) in the matter preceding subparagraph (A) by inserting “, or a combination of State laws,” after “a State law”; and

(2) by striking subparagraph (A) and inserting the following:

“(A) receive, for not less than 1 year—

“(i) a suspension of all driving privileges;

“(ii) a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock system installed (allowing for limited exceptions for circumstances when the individual is required to operate an employer’s motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual); or

“(iii) a combination of both clauses (i) and (ii).”.

(b) APPLICATION.—The amendments made by this section shall apply with respect to fiscal years beginning after the date of enactment of this Act.

SEC. 1404. HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

“(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORTS.—

“(1) COMPILATION OF DATA.—The Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway funds made available under this title.

“(2) REQUIREMENTS.—The Secretary shall ensure that the reports required under this subsection are made available in a user-friendly manner on the public Internet Web site of the Department and can be searched and downloaded by users of the Web site.

“(3) CONTENTS OF REPORTS.—

“(A) APPORTIONED AND ALLOCATED PROGRAMS.—On a semiannual basis, the Secretary shall make available a report on funding apportioned and allocated to the States under this title that describes—

“(i) the amount of funding obligated by each State, year-to-date, for the current fiscal year;

“(ii) the amount of funds remaining available for obligation by each State;

“(iii) changes in the obligated, unexpended balance for each State, year-to-date, during the current fiscal year, including the obligated, unexpended balance at the end of the preceding fiscal year and current fiscal year expenditures;

“(iv) the amount and program category of unobligated funding, year-to-date, available for expenditure at the discretion of the Secretary;

“(v) the rates of obligation on and off the National Highway System, year-to-date, for the current fiscal year of funds apportioned, allocated, or set aside under this section, according to—

“(I) program;

“(II) funding category or subcategory;

“(III) type of improvement;

“(IV) State; and

“(V) sub-State geographical area, including urbanized and rural areas, on the basis of the population of each such area; and

“(vi) the amount of funds transferred by each State, year-to-date, for the current fiscal year between programs under section 126.

“(B) PROJECT DATA.—On an annual basis, the Secretary shall make available a report that, to the maximum extent possible, provides project-specific data describing—

“(i) for all projects funded under this title (excluding projects for which funds are transferred to agencies other than the Federal Highway Administration)—

“(I) the specific location of the project;

“(II) the total cost of the project;

“(III) the amount of Federal funding obligated for the project;

“(IV) the program or programs from which Federal funds have been obligated for the project;

“(V) the type of improvement being made; and

“(VI) the ownership of the highway or bridge; and

“(ii) for any project funded under this title (excluding projects for which funds are transferred to agencies other than the Federal Highway Administration) with an estimated total cost as of the start of construction in excess of \$100,000,000, the data specified under clause (i) and additional data describing—

“(I) whether the project is located in an area of the State with a population of—

“(aa) less than 5,000 individuals;

“(bb) 5,000 or more individuals but less than 50,000 individuals;

“(cc) 50,000 or more individuals but less than 200,000 individuals; or

“(dd) 200,000 or more individuals;

“(II) the estimated cost of the project as of the start of project construction, or the revised cost estimate based on a description of revisions to the scope of work or other factors affecting project cost other than cost overruns; and

“(III) the amount of non-Federal funds obligated for the project.”.

(b) CONFORMING AMENDMENT.—Section 1503 of MAP-21 (23 U.S.C. 104 note; Public Law 112-141) is amended by striking subsection (c).

SEC. 1405. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

(a) IDENTIFICATION OF HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended—

(1) by striking paragraph (13) and inserting the following:

“(13) Raleigh-Norfolk Corridor from Raleigh, North Carolina, through Rocky Mount, Williamston, and Elizabeth City, North Carolina, to Norfolk, Virginia.”;

(2) in paragraph (18)(D)—

(A) in clause (ii) by striking “and” at the end;

(B) in clause (iii) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(iv) include Texas State Highway 44 from United States Route 59 at Freer, Texas, to Texas State Highway 358.”;

(3) by striking paragraph (68) and inserting the following:

“(68) The Washoe County Corridor and the Intermountain West Corridor, which shall generally follow—

“(A) for the Washoe County Corridor, along Interstate Route 580/United States Route 95/United States Route 95A from Reno, Nevada, to Las Vegas, Nevada; and

“(B) for the Intermountain West Corridor, from the vicinity of Las Vegas, Nevada, north along United States Route 95 terminating at Interstate Route 80.”; and

(4) by adding at the end the following:

“(81) United States Route 117/Interstate Route 795 from United States Route 70 in Goldsboro, Wayne County, North Carolina, to Interstate Route 40 west of Faison, Sampson County, North Carolina.

“(82) United States Route 70 from its intersection with Interstate Route 40 in Garner, Wake County, North Carolina, to the Port at Morehead City, Carteret County, North Carolina.

“(83) The Sonoran Corridor along State Route 410 connecting Interstate Route 19 and Interstate Route 10 south of the Tucson International Airport.

“(84) The Central Texas Corridor commencing at the logical terminus of Interstate Route 10, generally following portions of United States Route 190 eastward, passing in the vicinity Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, and Woodville, to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing.

“(85) Interstate Route 81 in New York from its intersection with Interstate Route 86 to the United States-Canadian border.”.

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended—

(1) by inserting “subsection (c)(13),” after “subsection (c)(9),”; and

(2) by striking “subsections (c)(18)” and all that follows through “subsection (c)(36)” and

inserting “subsection (c)(18), subsection (c)(20), subparagraphs (A) and (B)(i) of subsection (c)(26), subsection (c)(36);” and

(3) by striking “and subsection (c)(57)” and inserting “subsection (c)(57), subsection (c)(68)(B), subsection (c)(81), subsection (c)(82), and subsection (c)(83)”.

(c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by striking the final sentence and inserting the following: “The routes referred to in subparagraphs (A) and (B)(i) of subsection (c)(26) and in subsection (c)(68)(B) are designated as Interstate Route I-11.”.

(d) FUTURE INTERSTATE DESIGNATION.—Section 119(a) of the SAFETEA-LU Technical Corrections Act of 2008 is amended by striking “and, as a future Interstate Route 66 Spur, the Natcher Parkway in Owensboro, Kentucky” and inserting “between Henderson, Kentucky, and Owensboro, Kentucky, and, as a future Interstate Route 65 and 66 Spur, the William H. Natcher Parkway between Bowling Green, Kentucky, and Owensboro, Kentucky”.

SEC. 1406. FLEXIBILITY FOR PROJECTS.

(a) AUTHORITY.—With respect to projects eligible for funding under title 23, United States Code, subject to subsection (b) and on request by a State, the Secretary may—

(1) exercise all existing flexibilities under and exceptions to—

(A) the requirements of title 23, United States Code; and

(B) other requirements administered by the Secretary, in whole or part; and

(2) otherwise provide additional flexibility or expedited processing with respect to the requirements described in paragraph (1).

(b) MAINTAINING PROTECTIONS.—Nothing in this section—

(1) waives the requirements of section 113 or 138 of title 23, United States Code;

(2) supersedes, amends, or modifies—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or

(B) any requirement of title 23 or title 49, United States Code; or

(3) affects the responsibility of any Federal officer to comply with or enforce any law or requirement described in this subsection.

SEC. 1407. PRODUCTIVE AND TIMELY EXPENDITURE OF FUNDS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop guidance that encourages the use of programmatic approaches to project delivery, expedited and prudent procurement techniques, and other best practices to facilitate productive, effective, and timely expenditure of funds for projects eligible for funding under title 23, United States Code.

(b) IMPLEMENTATION.—The Secretary shall work with States to ensure that any guidance developed under subsection (a) is consistently implemented by States and the Federal Highway Administration to—

(1) avoid unnecessary delays in completing projects;

(2) minimize cost overruns; and

(3) ensure the effective use of Federal funding.

SEC. 1408. CONSOLIDATION OF PROGRAMS.

Section 1519(a) of MAP-21 (126 Stat. 574) is amended by striking “From administrative funds” and all that follows through “shall be made available” and inserting “For each of fiscal years 2016 through 2021, before making an apportionment under section 104(b)(3) of title 23, United States Code, the Secretary shall set aside, from amounts made available

to carry out the highway safety improvement program under section 148 of such title for the fiscal year, \$3,500,000”.

SEC. 1409. FEDERAL SHARE PAYABLE.

(a) INNOVATIVE PROJECT DELIVERY METHODS.—Section 120(c)(3)(A)(ii) of title 23, United States Code, is amended by inserting “engineering or design approaches,” after “technologies.”.

(b) EMERGENCY RELIEF.—Section 120(e)(2) of title 23, United States Code, is amended by striking “Federal land access transportation facilities,” and inserting “other federally owned roads that are open to public travel.”.

SEC. 1410. ELIMINATION OR MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.

(a) FUNDAMENTAL PROPERTIES OF ASPHALTS REPORT.—Section 6016(e) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2183) is repealed.

(b) EXPRESS LANES DEMONSTRATION PROGRAM REPORTS.—Section 1604(b)(7)(B) of SAFETEA-LU (23 U.S.C. 129 note) is repealed.

SEC. 1411. TECHNICAL CORRECTIONS.

(a) TITLE 23.—Title 23, United States Code, is amended as follows:

(1) Section 150(c)(3)(B) is amended by striking the semicolon at the end and inserting a period.

(2) Section 154(c) is amended—

(A) in paragraph (3)(A) by striking “transferred” and inserting “reserved”; and

(B) in paragraph (5)—

(i) in the matter preceding subparagraph (A) by inserting “or released” after “transferred”; and

(ii) in subparagraph (A) by striking “under section 104(b)(1)” and inserting “under section 104(b)(1)”.

(3) Section 164(b) is amended—

(A) in paragraph (3)(B) by striking “transferred” and inserting “reserved”; and

(B) in paragraph (5) by inserting “or released” after “transferred”.

(b) MAP-21.—Effective as of July 6, 2012, and as if included therein as enacted, MAP-21 (Public Law 112-141) is amended as follows:

(1) Section 1109(a)(2) (126 Stat. 444) is amended by striking “fourth” and inserting “fifth”.

(2) Section 1203 (126 Stat. 524) is amended—

(A) in subsection (a) by striking “Section 150 of title 23, United States Code, is amended to read as follows” and inserting “Title 23, United States Code, is amended by inserting after section 149 the following”; and

(B) in subsection (b) by striking “by striking the item relating to section 150 and inserting” and inserting “by inserting after the item relating to section 149”.

(3) Section 1313(a)(1) (126 Stat. 545) is amended to read as follows:

“(1) in the section heading by striking ‘pilot’; and”.

(4) Section 1314(b) (126 Stat. 549) is amended—

(A) by inserting “chapter 3 of” after “analysis for”; and

(B) by inserting a period at the end of the matter proposed to be inserted.

(5) Section 1519(c) (126 Stat. 575) is amended—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (4) through (12) as paragraphs (3) through (11), respectively;

(C) in paragraph (7), as redesignated by subparagraph (B) of this paragraph—

(i) by striking the period at the end of the matter proposed to be struck; and

(ii) by adding a period at the end; and

(D) in paragraph (8)(A)(i)(I), as redesignated by subparagraph (B) of this paragraph,

by striking “than rail” in the matter proposed to be struck and inserting “than on rail”.

(6) Section 1528 is amended—

(A) in subsection (b) by inserting “(or a lower percentage if so requested by a State with respect to a project)” after “100 percent”; and

(B) in subsection (c) by inserting “(or a lower percentage if so requested by a State with respect to a project)” after “100 percent”.

SEC. 1412. SAFETY FOR USERS.

(a) IN GENERAL.—The Secretary shall encourage each State and metropolitan planning organization to adopt standards for the design of Federal surface transportation projects that provide for the safe and adequate accommodation (as determined by the State) in all phases of project planning, development, and operation, of all users of the surface transportation network, including motorized and nonmotorized users.

(b) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall make available to the public a report cataloging examples of State law or State transportation policy that provides for the safe and adequate accommodation, in all phases of project planning, development, and operation of all users of the surface transportation network.

(c) BEST PRACTICES.—Based on the report required under subsection (b), the Secretary shall identify and disseminate examples of best practices where States have adopted measures that have successfully provided for the safe and adequate accommodation of all users of the transportation network in all phases of project development and operation.

SEC. 1413. DESIGN STANDARDS.

(a) IN GENERAL.—Section 109 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “may take into account” and inserting “shall consider”;

(ii) in subparagraph (B) by striking “and” at the end;

(iii) by redesignating subparagraph (C) as subparagraph (D); and

(iv) by inserting after subparagraph (B) the following:

“(C) cost savings by utilizing flexibility that exists in current design guidance and regulations; and”;

(B) in paragraph (2)—

(i) in subparagraph (C) by striking “and” at the end;

(ii) by redesignating subparagraph (D) as subparagraph (F); and

(iii) by inserting after subparagraph (C) the following:

“(D) the publication entitled ‘Highway Safety Manual’ of the American Association of State Highway and Transportation Officials;

“(E) the publication entitled ‘Urban Street Design Guide’ of the National Association of City Transportation Officials; and”;

(2) in subsection (f) by inserting “pedestrian walkways,” after “bikeways.”

(b) DESIGN STANDARD FLEXIBILITY.—Notwithstanding section 109(o) of title 23, United States Code, a State may allow a local jurisdiction to use a roadway design publication that is different from the roadway design publication used by the State in which the local jurisdiction is located for the design of a project on a roadway under the ownership of the local jurisdiction (other than a highway on the Interstate System) if—

(1) the local jurisdiction is a direct recipient of Federal funds for the project;

(2) the roadway design publication—

(A) is recognized by the Federal Highway Administration; and

(B) is adopted by the local jurisdiction; and

(3) the design complies with all other applicable Federal laws.

SEC. 1414. RESERVE FUND.

(a) LIMITATION.—

(1) IN GENERAL.—Notwithstanding funding, authorizations of appropriations, and contract authority described in sections 1101, 1102, 3017, 4001, 5101, and 6002 of this Act, including the amendments made by such sections, sections 125 and 147 of title 23, United States Code, and section 5338(a) of title 49, United States Code, no funding, authorization of appropriations, and contract authority described in those sections for fiscal years 2019 through 2021 shall exist unless and only to the extent that a subsequent Act of Congress causes additional monies to be deposited in the Highway Trust Fund.

(2) ADMINISTRATIVE EXPENSES.—The limitation on funds provided in paragraph (1) shall not apply to—

(A) administrative expenses of the Federal Highway Administration under sections 104(a) and 608(a)(6) of title 23, United States Code;

(B) administrative expenses of the National Highway Traffic Safety Administration under section 4001(a)(6) of this Act;

(C) administrative expenses of the Federal Motor Carrier Safety Administration under section 5103 of this Act; and

(D) administrative expenses of the Federal Transit Administration under section 5338(h) of title 49, United States Code.

(b) ADJUSTMENTS TO CONTRACT AUTHORITY.—

(1) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 104 the following:

“§ 105. Adjustments to contract authority

“(a) CALCULATION.—

“(1) IN GENERAL.—The President shall include in each of the fiscal year 2017 through 2021 budget submissions to Congress under section 1105(a) of title 31, for each of the Highway Account and the Mass Transit Account, a calculation of the difference between—

“(A) the actual level of monies deposited in that account for the most recently completed fiscal year; and

“(B) the estimated level of receipts for that account for the most recently completed fiscal year, as specified in paragraph (2).

“(2) ESTIMATE.—The estimated level of receipts specified in this paragraph are—

“(A) for the Highway Account—

“(i) for fiscal year 2015, \$35,740,259,248;

“(ii) for fiscal year 2016, \$35,498,000,000;

“(iii) for fiscal year 2017, \$35,879,000,000;

“(iv) for fiscal year 2018, \$36,084,000,000; and

“(v) for fiscal year 2019, \$36,117,000,000; and

“(B) for the Mass Transit Account—

“(i) for fiscal year 2015, \$5,048,527,972;

“(ii) for fiscal year 2016, \$5,020,000,000;

“(iii) for fiscal year 2017, \$5,024,000,000;

“(iv) for fiscal year 2018, \$5,011,000,000; and

“(v) for fiscal year 2019, \$4,981,000,000.

“(3) TECHNICAL CORRECTION.—For purposes of paragraph (1)(A), the term ‘actual level of monies deposited in that account’ shall not include funding of the Highway Trust Fund provided by section 2002 of Public Law 114-41.

“(b) ADJUSTMENTS TO CONTRACT AUTHORITY.—

“(1) ADDITIONAL AMOUNTS.—If the difference determined in a budget submission under subsection (a) for a fiscal year for the Highway Account or the Mass Transit Ac-

count is greater than zero, the Secretary shall on October 1 of the budget year of that submission—

“(A) make available for programs authorized from such account for the budget year a total amount equal to—

“(i) the amount otherwise authorized to be appropriated for such programs for such budget year; plus

“(ii) an amount equal to such difference; and

“(B) distribute the additional amount under subparagraph (A)(ii) to each of such programs in accordance with subsection (c).

“(2) REDUCTION.—If the difference determined in a budget submission under subsection (a) for a fiscal year for the Highway Account or the Mass Transit Account is less than zero, the Secretary shall on October 1 of the budget year of that submission—

“(A) make available for programs authorized from such account for the budget year a total amount equal to—

“(i) the amount otherwise authorized to be appropriated for such programs for such budget year; minus

“(ii) an amount equal to such difference; and

“(B) apply the total adjustment under subparagraph (A)(ii) to each of such programs in accordance with subsection (c).

“(c) DISTRIBUTION OF ADJUSTMENT AMONG PROGRAMS.—

“(1) IN GENERAL.—In making an adjustment for the Highway Account or the Mass Transit Account for a budget year under subsection (b), the Secretary shall—

“(A) determine the ratio that—

“(i) the amount authorized to be appropriated for a program from the account for the budget year; bears to

“(ii) the total amount authorized to be appropriated for such budget year for all programs under such account;

“(B) multiply the ratio determined under subparagraph (A) by the applicable difference calculated under subsection (a); and

“(C) adjust the amount that the Secretary would otherwise have allocated for the program for such budget year by the amount calculated under subparagraph (B).

“(2) FORMULA PROGRAMS.—For a program for which funds are distributed by formula, the Secretary shall add or subtract the adjustment to the amount authorized for the program but for this section and make available the adjusted program amount for such program in accordance with such formula.

“(3) AVAILABILITY FOR OBLIGATION.—Adjusted amounts under this subsection shall be available for obligation and administered in the same manner as other amounts made available for the program for which the amount is adjusted.

“(d) EXCLUSION OF EMERGENCY RELIEF PROGRAM AND COVERED ADMINISTRATIVE EXPENSES.—The Secretary shall exclude the emergency relief program under section 125 and covered administrative expenses from—

“(1) an adjustment of funding under subsection (c)(1); and

“(2) any calculation under subsection (b) or (c) related to such an adjustment.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the appropriate account or accounts of the Highway Trust Fund an amount equal to the amounts calculated under subsection (a) for each of fiscal years 2017 through 2021.

“(f) REVISION TO OBLIGATION LIMITATIONS.—

“(1) IN GENERAL.—If the Secretary makes an adjustment under subsection (b) for a fiscal year to an amount subject to a limitation on obligations imposed by section 1102

or 2017 of the Surface Transportation Reauthorization and Reform Act of 2015—

“(A) such limitation on obligations for such fiscal year shall be revised by an amount equal to such adjustment; and

“(B) the Secretary shall distribute such limitation on obligations, as revised under subparagraph (A), in accordance with such sections.

“(2) EXCLUSION OF COVERED ADMINISTRATIVE EXPENSES.—The Secretary shall exclude covered administrative expenses from—

“(A) any calculation relating to a revision of a limitation on obligations under paragraph (1)(A); and

“(B) any distribution of a revised limitation on obligations under paragraph (1)(B).

“(g) DEFINITIONS.—In this section, the following definitions apply:

“(1) BUDGET YEAR.—The term ‘budget year’ means the fiscal year for which a budget submission referenced in subsection (a)(1) is submitted.

“(2) COVERED ADMINISTRATIVE EXPENSES.—The term ‘covered administrative expenses’ means the administrative expenses of—

“(A) the Federal Highway Administration, as authorized under section 104(a);

“(B) the National Highway Traffic Safety Administration, as authorized under section 4001(a)(6) of the Surface Transportation Reauthorization and Reform Act of 2015; and

“(C) the Federal Motor Carrier Safety Administration, as authorized under section 31110 of title 49.

“(3) HIGHWAY ACCOUNT.—The term ‘Highway Account’ means the portion of the Highway Trust Fund that is not the Mass Transit Account.

“(4) MASS TRANSIT ACCOUNT.—The term ‘Mass Transit Account’ means the Mass Transit Account of the Highway Trust Fund established under section 9503(e)(1) of the Internal Revenue Code of 1986.”

(2) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 104 the following:

“105. Adjustments to contract authority.”

SEC. 1415. ADJUSTMENTS.

(a) IN GENERAL.—On July 1, 2018, of the unobligated balances of funds apportioned among the States under chapter 1 of title 23, United States Code, a total of \$6,000,000,000 is permanently rescinded.

(b) EXCLUSIONS FROM RESCISSION.—The rescission under subsection (a) shall not apply to funds distributed in accordance with—

(1) sections 104(b)(3) and 130(f) of title 23, United States Code;

(2) sections 133(d)(1)(A) of such title;

(3) the first sentence of section 133(d)(3)(A) of such title, as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141);

(4) sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of SAFETEA-LU (Public Law 109-59); and

(5) section 104(b)(5) of such title, as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141).

(c) DISTRIBUTION AMONG STATES.—The amount to be rescinded under this section from a State shall be determined by multiplying the total amount of the rescission in subsection (a) by the ratio that—

(1) the unobligated balances subject to the rescission as of September 30, 2017, for the State; bears to

(2) the unobligated balances subject to the rescission as of September 30, 2017, for all States.

(d) DISTRIBUTION WITHIN EACH STATE.—The amount to be rescinded under this section

from each program to which the rescission applies within a State shall be determined by multiplying the required rescission amount calculated under subsection (c) for such State by the ratio that—

(1) the unobligated balance as of September 30, 2017, for such program in such State; bears to

(2) the unobligated balances as of September 30, 2017, for all programs to which the rescission applies in such State.

SEC. 1416. NATIONAL ELECTRIC VEHICLE CHARGING, HYDROGEN, AND NATURAL GAS FUELING CORRIDORS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 150 the following:

“§ 151. National electric vehicle charging, hydrogen, and natural gas fueling corridors

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall designate national electric vehicle charging, hydrogen, and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure, hydrogen infrastructure, and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric, hydrogen fuel cell, and natural gas fueling technologies across the United States.

“(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

“(1) solicit nominations from State and local officials for facilities to be included in the corridors;

“(2) incorporate existing electric vehicle charging, hydrogen fueling stations, and natural gas fueling corridors designated by a State or group of States; and

“(3) consider the demand for, and location of, existing electric vehicle charging, hydrogen fueling stations, and natural gas fueling infrastructure.

“(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

“(1) the heads of other Federal agencies;

“(2) State and local officials;

“(3) representatives of—

“(A) energy utilities;

“(B) the electric, fuel cell electric, and natural gas vehicle industries;

“(C) the freight and shipping industry;

“(D) clean technology firms;

“(E) the hospitality industry;

“(F) the restaurant industry;

“(G) highway rest stop vendors; and

“(H) industrial gas and hydrogen manufacturers; and

“(4) such other stakeholders as the Secretary determines to be necessary.

“(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.

“(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—

“(1) identifies electric vehicle charging, hydrogen infrastructure, and natural gas fueling infrastructure and standardization needs for electricity providers, industrial gas providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and

“(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging, hydrogen infrastructure, and natural gas fueling infrastructure in those corridors by the end of fiscal year 2021.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 150 the following:

“151. National electric vehicle charging, hydrogen, and natural gas fueling corridors.”

SEC. 1417. FERRIES.

Section 147 of title 23, United States Code, is amended by adding at the end the following:

“(h) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

“(1) withdraw amounts allocated to eligible entities under this section that remain unobligated by the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

“(2) in the fiscal year beginning after a fiscal year in which a withdrawal is made under paragraph (1), redistribute the funds withdrawn, in accordance with the formula specified under subsection (d), among eligible entities with respect to which no amounts were withdrawn under paragraph (1).”

SEC. 1418. STUDY ON PERFORMANCE OF BRIDGES.

(a) IN GENERAL.—Subject to subsection (c), the Administrator of the Federal Highway Administration shall commission the Transportation Research Board of the National Academy of Sciences to conduct a study on the performance of bridges that are at least 15 years old and received funding under the innovative bridge research and construction program (in this section referred to as the “program”) under section 503(b) of title 23, United States Code (as in effect on the day before the date of enactment of SAFETEA-LU (Public Law 109-59) in meeting the goals of that program, which included—

(1) the development of new, cost-effective innovative material highway bridge applications;

(2) the reduction of maintenance costs and lifecycle costs of bridges, including the costs of new construction, replacement, or rehabilitation of deficient bridges;

(3) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

(4) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;

(5) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;

(6) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and

(7) the development of new nondestructive bridge evaluation technologies and techniques.

(b) CONTENTS.—The study commissioned under subsection (a) shall include—

(1) an analysis of the performance of bridges that received funding under the program in meeting the goals described in paragraphs (1) through (7) of subsection (a);

(2) an analysis of the utility, compared to conventional materials and technologies, of each of the innovative materials and technologies used in projects for bridges under the program in meeting the needs of the United States in 2015 and in the future for a

sustainable and low lifecycle cost transportation system;

(3) recommendations to Congress on how the installed and lifecycle costs of bridges could be reduced through the use of innovative materials and technologies, including, as appropriate, any changes in the design and construction of bridges needed to maximize the cost reductions; and

(4) a summary of any additional research that may be needed to further evaluate innovative approaches to reducing the installed and lifecycle costs of highway bridges.

(c) **PUBLIC COMMENT.**—Before commissioning the study under subsection (a), the Administrator shall provide an opportunity for public comment on the study proposal.

(d) **DATA FROM STATES.**—Each State that received funds under the program shall provide to the Transportation Research Board any relevant data needed to carry out the study commissioned under subsection (a).

(e) **DEADLINE.**—The Administrator shall submit to Congress a report on the results of the study commissioned under subsection (a) not later than 3 years after the date of enactment of this Act.

SEC. 1419. RELINQUISHMENT OF PARK-AND-RIDE LOT FACILITIES.

A State transportation agency may relinquish park-and-ride lot facilities or portions of park-and-ride lot facilities to a local government agency for highway purposes if authorized to do so under State law if the agreement providing for the relinquishment provides that—

(1) rights-of-way on the Interstate System will remain available for future highway improvements; and

(2) modifications to the facilities that could impair the highway or interfere with the free and safe flow of traffic are subject to the approval of the Secretary.

SEC. 1420. PILOT PROGRAM.

(a) **IN GENERAL.**—The Secretary may establish a pilot program that allows a State to utilize innovative approaches to maintain the right-of-way of Federal-aid highways within such State.

(b) **LIMITATION.**—A pilot program established under subsection (a) shall—

(1) terminate after not more than 6 years;

(2) include not more than 5 States; and

(3) be subject to guidelines published by the Secretary.

(c) **REPORT.**—If the Secretary establishes a pilot program under subsection (a), the Secretary shall, not more than 1 year after the completion of the pilot program, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the pilot program.

SEC. 1421. INNOVATIVE PROJECT DELIVERY EXAMPLES.

Section 120(c)(3)(B) of title 23, United States Code, is amended—

(1) in clause (iv) by striking “or” at the end;

(2) by redesignating clause (v) as clause (vi); and

(3) by inserting after clause (iv) the following:

“(v) innovative pavement materials that have a demonstrated life cycle of 75 or more years, are manufactured with reduced greenhouse gas emissions, and reduce construction-related congestion by rapidly curing; or”.

SEC. 1422. ADMINISTRATIVE PROVISIONS TO ENCOURAGE POLLINATOR HABITAT AND FORAGE ON TRANSPORTATION RIGHTS-OF-WAY.

(a) **IN GENERAL.**—Section 319 of title 23, United States Code, is amended—

(1) in subsection (a) by inserting “(including the enhancement of habitat and forage for pollinators)” before “adjacent”; and

(2) by adding at the end the following:

“(c) **ENCOURAGEMENT OF POLLINATOR HABITAT AND FORAGE DEVELOPMENT AND PROTECTION ON TRANSPORTATION RIGHTS-OF-WAY.**—In carrying out any program administered by the Secretary under this title, the Secretary shall, in conjunction with willing States, as appropriate—

“(1) encourage integrated vegetation management practices on roadsides and other transportation rights-of-way, including reduced mowing; and

“(2) encourage the development of habitat and forage for Monarch butterflies, other native pollinators, and honey bees through plantings of native forbs and grasses, including noninvasive, native milkweed species that can serve as migratory way stations for butterflies and facilitate migrations of other pollinators.”.

(b) **PROVISION OF HABITAT, FORAGE, AND MIGRATORY WAY STATIONS FOR MONARCH BUTTERFLIES, OTHER NATIVE POLLINATORS, AND HONEY BEES.**—Section 329(a)(1) of title 23, United States Code, is amended by inserting “provision of habitat, forage, and migratory way stations for Monarch butterflies, other native pollinators, and honey bees,” before “and aesthetic enhancement”.

SEC. 1423. MILK PRODUCTS.

Section 127(a) of title 23, United States Code, is amended by adding at the end the following:

“(13) **MILK PRODUCTS.**—A vehicle carrying fluid milk products shall be considered a load that cannot be easily dismantled or divided.”.

SEC. 1424. INTERSTATE WEIGHT LIMITS FOR EMERGENCY VEHICLES.

Section 127(a) of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(14) **EMERGENCY VEHICLES.**—

“(A) **IN GENERAL.**—With respect to an emergency vehicle, the following weight limits shall apply in lieu of the maximum and minimum weight limits specified in this subsection:

“(i) 24,000 pounds on a single steering axle.

“(ii) 33,500 pounds on a single drive axle.

“(iii) 62,000 pounds on a tandem axle.

“(iv) A maximum gross vehicle weight of 86,000 pounds.

“(B) **EMERGENCY VEHICLE DEFINED.**—In this paragraph, the term ‘emergency vehicle’ means a vehicle designed—

“(i) to be used under emergency conditions to transport personnel and equipment; and

“(ii) to support the suppression of fires and mitigation of other hazardous situations.”.

SEC. 1425. VEHICLE WEIGHT LIMITATIONS—INTERSTATE SYSTEM.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(m) **COVERED HEAVY-DUTY TOW AND RECOVERY VEHICLES.**—

“(1) **IN GENERAL.**—The vehicle weight limitations set forth in this section do not apply to a covered heavy-duty tow and recovery vehicle.

“(2) **COVERED HEAVY-DUTY TOW AND RECOVERY VEHICLE DEFINED.**—In this subsection, the term ‘covered heavy-duty tow and recovery vehicle’ means a vehicle that—

“(A) is transporting a disabled vehicle from the place where the vehicle became disabled to the nearest appropriate repair facility; and

“(B) has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle being transported.”.

SEC. 1426. NEW NATIONAL GOAL, PERFORMANCE MEASURE, AND PERFORMANCE TARGET.

(a) **NATIONAL GOAL.**—Section 150(b) of title 23, United States Code, is amended by adding at the end the following:

“(8) **INTEGRATED ECONOMIC DEVELOPMENT.**—To improve road conditions in economically distressed urban communities and increase access to jobs, markets, and economic opportunities for people who live in such communities.”.

(b) **PERFORMANCE MEASURE.**—Section 150(c) of such title is amended by adding at the end the following:

“(7) **INTEGRATED ECONOMIC DEVELOPMENT.**—The Secretary shall establish measures for States to use to assess the conditions, accessibility, and reliability of roads in economically distressed urban communities.”.

(c) **PERFORMANCE TARGET.**—Section 150(d)(1) of such title is amended by striking “and (6)” and inserting “(6), and (7)”.

SEC. 1427. SERVICE CLUB, CHARITABLE ASSOCIATION, OR RELIGIOUS SERVICE SIGNS.

Notwithstanding section 131 of title 23, United States Code, and part 750 of title 23, Code of Federal Regulations (or successor regulations), a State may allow the maintenance of a sign of a service club, charitable association, or religious service that was erected as of the date of enactment of this Act and the area of which is less than or equal to 32 square feet, if the State notifies the Federal Highway Administration.

SEC. 1428. WORK ZONE AND GUARD RAIL SAFETY TRAINING.

(a) **IN GENERAL.**—Section 1409 of SAFETEA-LU (23 U.S.C. 401 note) is amended—

(1) by striking the section heading and inserting “**WORK ZONE AND GUARD RAIL SAFETY TRAINING**”; and

(2) in subsection (b) by adding at the end the following:

“(4) Development, updating, and delivery of training courses on guard rail installation, maintenance, and inspection.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 1409 and inserting the following:

“SEC. 1409. Work zone and guard rail safety training.”.

SEC. 1429. MOTORCYCLIST ADVISORY COUNCIL.

(a) **IN GENERAL.**—The Secretary, acting through the Administrator of the Federal Highway Administration, and in consultation with the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, shall appoint a Motorcyclist Advisory Council to coordinate with and advise the Administrator on infrastructure issues of concern to motorcyclists, including—

(1) barrier design;

(2) road design, construction, and maintenance practices; and

(3) the architecture and implementation of intelligent transportation system technologies.

(b) **COMPOSITION.**—The Council shall consist of not more than 10 members of the motorcycling community with professional expertise in national motorcyclist safety advocacy, including—

(1) at least—

(A) 1 member recommended by a national motorcyclist association;

(B) 1 member recommended by a national motorcycle riders foundation;

(C) 1 representative of the National Association of State Motorcycle Safety Administrators;

(D) 2 members of State motorcyclists' organizations;

(E) 1 member recommended by a national organization that represents the builders of highway infrastructure;

(F) 1 member recommended by a national association that represents the traffic safety systems industry; and

(G) 1 member of a national safety organization; and

(2) at least 1, but not more than 2, motorcyclists who are traffic system design engineers or State transportation department officials.

SEC. 1430. HIGHWAY WORK ZONES.

It is the sense of the House of Representatives that the Federal Highway Administration should—

(1) do all within its power to protect workers in highway work zones; and

(2) move rapidly to finalize regulations, as directed in section 1405 of MAP-21 (126 Stat. 560), to protect the lives and safety of construction workers in highway work zones from vehicle intrusions.

TITLE II—INNOVATIVE PROJECT FINANCE

SEC. 2001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.

(a) DEFINITIONS.—

(1) MASTER CREDIT AGREEMENT.—Section 601(a)(10) of title 23, United States Code, is amended to read as follows:

“(10) MASTER CREDIT AGREEMENT.—The term ‘master credit agreement’ means a conditional agreement to extend credit assistance for a program of related projects secured by a common security pledge (which shall receive an investment grade rating from a rating agency prior to the Secretary entering into such master credit agreement) under section 602(b)(2)(A), or for a single project covered under section 602(b)(2)(B) that does not provide for a current obligation of Federal funds, and that would—

“(A) make contingent commitments of 1 or more secured loans or other Federal credit instruments at future dates, subject to the availability of future funds being made available to carry out this chapter and subject to the satisfaction of all the conditions for the provision of credit assistance under this chapter, including section 603(b)(1);

“(B) establish the maximum amounts and general terms and conditions of the secured loans or other Federal credit instruments;

“(C) identify the 1 or more dedicated non-Federal revenue sources that will secure the repayment of the secured loans or secured Federal credit instruments;

“(D) provide for the obligation of funds for the secured loans or secured Federal credit instruments after all requirements have been met for the projects subject to the master credit agreement, including—

“(i) completion of an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(ii) compliance with such other requirements as are specified in this chapter, including sections 602(c) and 603(b)(1); and

“(iii) the availability of funds to carry out this chapter; and

“(E) require that contingent commitments result in a financial close and obligation of credit assistance not later than 3 years after the date of entry into the master credit agreement, or release of the commitment, unless otherwise extended by the Secretary.”

(2) RURAL INFRASTRUCTURE PROJECT.—Section 601(a)(15) of title 23, United States Code, is amended to read as follows:

“(15) RURAL INFRASTRUCTURE PROJECT.—The term ‘rural infrastructure project’ means a surface transportation infrastructure project located outside of a Census-Bureau-defined urbanized area.”

(b) MASTER CREDIT AGREEMENTS.—Section 602(b)(2) of title 23, United States Code is amended to read as follows:

“(2) MASTER CREDIT AGREEMENTS.—

“(A) PROGRAM OF RELATED PROJECTS.—The Secretary may enter into a master credit agreement for a program of related projects secured by a common security pledge on terms acceptable to the Secretary.

“(B) ADEQUATE FUNDING NOT AVAILABLE.—If the Secretary fully obligates funding to eligible projects in a fiscal year, and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait to execute a credit instrument until the fiscal year during which additional funds are available to receive credit assistance.”

(c) ELIGIBLE PROJECT COSTS.—Section 602(a)(5) of title 23, United States Code, is amended—

(1) in subparagraph (A) by inserting “and (C)” after “(B)”; and

(2) by adding at the end the following:

“(C) LOCAL INFRASTRUCTURE PROJECTS.—Eligible project costs shall be reasonably anticipated to equal or exceed \$10,000,000 in the case of a project or program of projects—

“(i) in which the applicant is a local government, public authority, or instrumentality of local government;

“(ii) located on a facility owned by a local government; or

“(iii) for which the Secretary determines that a local government is substantially involved in the development of the project.”

(d) LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.—Section 603(a)(2) of title 23, United States Code, is amended to read as follows:

“(2) LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.—A loan under paragraph (1) shall not refinance interim construction financing under paragraph (1)(B)—

“(A) if the maturity of such interim construction financing is later than 1 year after the substantial completion of the project; and

“(B) later than 1 year after the date of substantial completion of the project.”

(e) FUNDING.—Section 608(a) of title 23, United States Code, is amended—

(1) in paragraph (4)—

(A) in subparagraph (A) by striking “Beginning in fiscal year 2014, on April 1 of each fiscal year” and inserting “Beginning in fiscal year 2016, on August 1 of each fiscal year”; and

(B) by adding at the end the following:

“(D) LIMITATIONS.—The Secretary may not carry out a redistribution under this paragraph—

“(i) for any fiscal year in which such redistribution would adversely impact the receipt of credit assistance by a qualified project within such fiscal year; or

“(ii) if the budget authority determined to be necessary to cover all requests for credit assistance pending before the Department of Transportation on August 1 would reduce the uncommitted balance of funds below the threshold established in subparagraph (A).”; and

(2) by striking paragraph (6) and inserting the following:

“(6) ADMINISTRATIVE COSTS.—Of the amounts made available to carry out this

chapter, the Secretary may use not more than \$5,000,000 for fiscal year 2016, \$5,150,000 for fiscal year 2017, \$5,304,500 for fiscal year 2018, \$5,463,500 for fiscal year 2019, \$5,627,500 for fiscal year 2020, and \$5,760,500 for fiscal year 2021 for the administration of this chapter.”

SEC. 2002. STATE INFRASTRUCTURE BANK PROGRAM.

Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1) by striking subparagraph (A) and inserting the following:

“(A) 10 percent of the funds apportioned to the State for each of fiscal years 2016 through 2021 under each of sections 104(b)(1) and 104(b)(2); and”;

(B) in paragraph (2) by striking “fiscal years 2005 through 2009” and inserting “fiscal years 2016 through 2021”;

(C) in paragraph (3) by striking “fiscal years 2005 through 2009” and inserting “fiscal years 2016 through 2021”; and

(D) in paragraph (5) by striking “section 133(d)(3)” and inserting “section 133(d)(1)(A)(i)”; and

(2) in subsection (k) by striking “fiscal years 2005 through 2009” and inserting “fiscal years 2016 through 2021”.

SEC. 2003. AVAILABILITY PAYMENT CONCESSION MODEL.

(a) PAYMENT TO STATES FOR CONSTRUCTION.—Section 121(a) of title 23, United States Code, is amended by inserting “(including payments made pursuant to a long-term concession agreement, such as availability payments)” after “a project”.

(b) PROJECT APPROVAL AND OVERSIGHT.—Section 106(b)(1) of title 23, United States Code, is amended by inserting “(including payments made pursuant to a long-term concession agreement, such as availability payments)” after “construction of the project”.

TITLE III—PUBLIC TRANSPORTATION

SEC. 3001. SHORT TITLE.

This title may be cited as the “Federal Public Transportation Act of 2015”.

SEC. 3002. DEFINITIONS.

Section 5302 of title 49, United States Code, is amended—

(1) in paragraph (1)(C) by striking “landscaping and”; and

(2) by adding at the end the following:

“(24) VALUE CAPTURE.—The term ‘value capture’ means recovering the increased property value to property located near public transportation resulting from investments in public transportation.

“(25) BASE-MODEL BUS.—The term ‘base-model bus’ means a heavy-duty public transportation bus manufactured to meet, but not exceed, transit-specific minimum performance criteria developed by the Secretary.”

SEC. 3003. METROPOLITAN AND STATEWIDE TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 5303 of title 49, United States Code, is amended—

(1) in subsection (c)(2) by striking “and bicycle transportation facilities” and inserting “, bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities”;

(2) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

(B) by inserting after paragraph (2) the following:

“(3) REPRESENTATION.—

“(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to

the bylaws or enabling statute of the organization.

“(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

“(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).”; and

(C) in paragraph (5), as so redesignated, by striking “paragraph (5)” and inserting “paragraph (6)”;

(3) in subsection (e)(4)(B) by striking “subsection (d)(5)” and inserting “subsection (d)(6)”;

(4) in subsection (g)(3)(A) by inserting “tourism, natural disaster risk reduction,” after “economic development.”;

(5) in subsection (h)(1)—

(A) in subparagraph (G) by striking “and” at the end;

(B) in subparagraph (H) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(I) improve the resilience and reliability of the transportation system.”;

(6) in subsection (i)—

(A) in paragraph (2)(A)(i) by striking “transit” and inserting “public transportation facilities, intercity bus facilities”; and

(B) in paragraph (6)(A)—

(i) by inserting “public ports,” before “freight shippers.”; and

(ii) by inserting “(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)” after “private providers of transportation.”; and

(C) in paragraph (8) by striking “paragraph (2)(C)” each place it appears and inserting “paragraph (2)(E)”; and

(7) in subsection (k)(3)—

(A) in subparagraph (A) by inserting “(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), job access projects,” after “reduction.”; and

(B) by adding at the end the following:

“(C) CONGESTION MANAGEMENT PLAN.—A metropolitan planning organization with a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—

“(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

“(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

“(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.

“(D) PARTICIPATION.—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and non-profit providers of public transportation, transportation management organizations, and organizations

that provide job access reverse commute projects or job-related services to low-income individuals.”;

(8) in subsection (l)—

(A) by adding a period at the end of paragraph (1); and

(B) in paragraph (2)(D) by striking “of less than 200,000” and inserting “with a population of 200,000 or less”; and

(9) in subsection (p) by striking “Funds set aside under section 104(f)” and inserting “Funds apportioned under section 104(b)(5)”.—

(b) STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.—Section 5304 of title 49, United States Code, is amended—

(1) in subsection (a)(2) by striking “and bicycle transportation facilities” and inserting “, bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities”; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G) by striking “and” at the end;

(ii) in subparagraph (H) by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(I) improve the resilience and reliability of the transportation system.”; and

(B) in paragraph (2)—

(i) in subparagraph (B)(ii) by striking “urbanized”; and

(ii) in subparagraph (C) by striking “urbanized”; and

(3) in subsection (f)(3)(A)(ii)—

(A) by inserting “public ports,” before “freight shippers.”; and

(B) by inserting “(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)” after “private providers of transportation”.

SEC. 3004. URBANIZED AREA FORMULA GRANTS.

Section 5307 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(B) by inserting before paragraph (2) (as so redesignated) the following:

“(1) RECIPIENT DEFINED.—In this section, the term ‘recipient’ means a designated recipient, State, or local governmental authority that receives a grant under this section directly from the Government.”;

(C) in paragraph (3) (as so redesignated) by inserting “or general public demand response service” before “during” each place it appears; and

(D) by adding at the end the following:

“(4) EXCEPTION TO THE SPECIAL RULE.—Notwithstanding paragraph (3), if a public transportation system described in such paragraph executes a written agreement with 1 or more other public transportation systems to allocate funds under this subsection, other than by measuring vehicle revenue hours, each of the public transportation systems to the agreement may follow the terms of such agreement without regard to the percentages or the measured vehicle revenue hours referred to in such paragraph.”; and

(2) in subsection (c)(1)(K)(i) by striking “1 percent” and inserting “one-half of 1 percent”.

SEC. 3005. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.

Section 5309 of title 49, United States Code, is amended—

(1) in subsection (a)(6)—

(A) in subparagraph (A) by inserting “, small start projects,” after “new fixed guideway capital projects”; and

(B) by striking subparagraph (B) and inserting the following:

“(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.”;

(2) in subsection (h)(6)—

(A) by striking “In carrying out” and inserting the following:

“(A) IN GENERAL.—In carrying out”; and

(B) by adding at the end the following:

“(B) OPTIONAL EARLY RATING.—At the request of the project sponsor, the Secretary shall evaluate and rate the project in accordance with paragraphs (4) and (5) and subparagraph (A) of this paragraph upon completion of the analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”;

(3) in subsection (i)—

(A) in paragraph (1) by striking “subsection (d) or (e)” and inserting “subsection (d), (e), or (h)”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A) by inserting “new fixed guideway capital project or core capacity improvement” after “federally funded”; and

(ii) by striking subparagraph (D) and inserting the following:

“(D) the program of interrelated projects, when evaluated as a whole—

“(i) meets the requirements of subsection (d)(2), subsection (e)(2), or paragraphs (3) and (4) of subsection (h), as applicable, if the program is comprised entirely of—

“(I) new fixed guideway capital projects;

“(II) core capacity improvement projects;

or

“(III) small start projects; or

“(ii) meets the requirements of subsection (d)(2) if the program is comprised of any combination of new fixed guideway projects, small start projects, and core capacity improvement projects.”;

(C) by striking paragraph (3)(A) and inserting the following:

“(A) PROJECT ADVANCEMENT.—A project receiving a grant under this section that is part of a program of interrelated projects may not advance—

“(i) in the case of a small start project, from the project development phase to the construction phase unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements; or

“(ii) in the case of a new fixed guideway capital project or a core capacity improvement project, from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.”;

(4) in subsection (l)—

(A) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Based on engineering studies, studies of economic feasibility, and information on the expected use of equipment or facilities, the Secretary shall estimate the net capital project cost. A grant for a new fixed guideway project shall not exceed 50 percent of the net capital project cost. A grant for a core capacity project

shall not exceed 80 percent of the net capital project cost of the incremental cost of increasing the capacity in the corridor. A grant for a small start project shall not exceed 80 percent.”; and

(B) by striking paragraph (4) and inserting the following:

“(4) REMAINING COSTS.—The remainder of the net project costs shall be provided—

“(A) in cash from non-Government sources other than revenues from providing public transportation services;

“(B) from revenues from the sale of advertising and concessions;

“(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital; or

“(D) from amounts appropriated or otherwise made available to a department or agency of the Government (other than the Department of Transportation) that are eligible to be expended for transportation.”;

(5) by striking subsection (n) and redesignating subsection (o) as subsection (n); and

(6) by adding at the end the following:

“(o) SPECIAL RULE.—For the purposes of calculating the cost effectiveness of a project described in subsection (d) or (e), the Secretary shall not reduce or eliminate the capital costs of art and landscaping elements from the annualized capital cost calculation.”.

SEC. 3006. FORMULA GRANTS FOR ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.

Section 5310 of title 49, United States Code, is amended by adding at the end the following:

“(i) BEST PRACTICES.—The Secretary shall collect from, review, and disseminate to public transit agencies innovative practices, program models, new service delivery options, findings from activities under subsection (h), and transit cooperative research program reports.”.

SEC. 3007. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(g)(3) of title 49, United States Code, is amended—

(1) by redesignating subparagraphs (A) through (D) as subparagraphs (C) through (F), respectively;

(2) by inserting before subparagraph (C) (as so redesignated) the following:

“(A) may be provided in cash from non-Government sources other than revenues from providing public transportation services;

“(B) may be provided from revenues from the sale of advertising and concessions.”; and

(3) in subparagraph (F) (as so redesignated) by inserting “, including all operating and capital costs of such service whether or not offset by revenue from such service,” after “the costs of a private operator for the unsubsidized segment of intercity bus service”.

SEC. 3008. PUBLIC TRANSPORTATION INNOVATION.

(a) CONSOLIDATION OF PROGRAMS.—Section 5312 of title 49, United States Code, is amended—

(1) by striking the section designation and heading and inserting the following:

“§ 5312. Public transportation innovation”;

(2) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;

(3) by inserting before subsection (b) (as so redesignated) the following:

“(a) IN GENERAL.—The Secretary shall provide assistance for projects and activities to advance innovative public transportation research and development in accordance with the requirements of this section.”;

(4) in subsection (e)(5) (as so redesignated)—

(A) in subparagraph (A) by striking clause (vi) and redesignating clause (vii) as clause (vi);

(B) in subparagraph (B) by striking “recipients” and inserting “participants”;

(C) in subparagraph (C) by striking clause (ii) and inserting the following:

“(ii) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—A grant for a project carried out under this paragraph shall be 80 percent of the net project cost of the project unless the grant recipient requests a lower grant percentage.”; and

(D) by striking subparagraph (G);

(5) in subsection (f) (as so redesignated)—

(A) by striking “(f)” and all that follows before paragraph (1) and inserting the following:

“(f) ANNUAL REPORT ON RESEARCH.—Not later than the first Monday in February of each year, the Secretary shall make available to the public on the Web site of the Department of Transportation, a report that includes—”;

(B) in paragraph (1) by adding “and” at the end;

(C) in paragraph (2) by striking “; and” and inserting a period; and

(D) by striking paragraph (3); and

(6) by adding at the end the following:

“(h) TRANSIT COOPERATIVE RESEARCH PROGRAM.—

“(1) IN GENERAL.—The amounts made available under section 5338(b) are available for a public transportation cooperative research program.

“(2) INDEPENDENT GOVERNING BOARD.—

“(A) ESTABLISHMENT.—The Secretary shall establish an independent governing board for the program under this subsection.

“(B) RECOMMENDATIONS.—The board shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

“(3) FEDERAL ASSISTANCE.—The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary considers appropriate.

“(4) GOVERNMENT’S SHARE.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this subsection, the Secretary shall establish a Government share consistent with that benefit.

“(5) LIMITATION ON APPLICABILITY.—Subsections (f) and (g) shall not apply to activities carried out under this subsection.”.

(b) CONFORMING AMENDMENTS.—Section 5312 of such title (as amended by subsection (a) of this section) is further amended—

(1) in subsection (c)(1) by striking “subsection (a)(2)” and inserting “subsection (b)(2)”;

(2) in subsection (d)—

(A) in paragraph (1) by striking “subsection (a)(2)” and inserting “subsection (b)(2)”;

(B) in paragraph (2)(A) by striking “subsection (b)” and inserting “subsection (c)”;

(3) in subsection (e)(2) in each of subparagraphs (A) and (B) by striking “subsection (a)(2)” and inserting “subsection (b)(2)”;

(4) in subsection (f)(2) by striking “subsection (d)(4)” and inserting “subsection (e)(4)”.

(c) REPEAL.—Section 5313 of such title, and the item relating to that section in the analysis for chapter 53 of such title, are repealed.

(d) CLERICAL AMENDMENT.—The analysis for chapter 53 of such title is amended by

striking the item relating to section 5312 and inserting the following:

“5312. Public transportation innovation.”.

SEC. 3009. TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.

(a) IN GENERAL.—Section 5314 of title 49, United States Code, is amended to read as follows:

“§ 5314. Technical assistance and workforce development

“(a) TECHNICAL ASSISTANCE AND STANDARDS.—

“(1) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—

“(A) IN GENERAL.—The Secretary may make grants and enter into contracts, cooperative agreements, and other agreements (including agreements with departments, agencies, and instrumentalities of the Government) to carry out activities that the Secretary determines will assist recipients of assistance under this chapter to—

“(i) more effectively and efficiently provide public transportation service;

“(ii) administer funds received under this chapter in compliance with Federal law; and

“(iii) improve public transportation.

“(B) ELIGIBLE ACTIVITIES.—The activities carried out under subparagraph (A) may include—

“(i) technical assistance; and

“(ii) the development of voluntary and consensus-based standards and best practices by the public transportation industry, including standards and best practices for safety, fare collection, intelligent transportation systems, accessibility, procurement, security, asset management to maintain a state of good repair, operations, maintenance, vehicle propulsion, communications, and vehicle electronics.

“(2) TECHNICAL ASSISTANCE.—The Secretary, through a competitive bid process, may enter into contracts, cooperative agreements, and other agreements with national nonprofit organizations that have the appropriate demonstrated capacity to provide public-transportation-related technical assistance under this subsection. The Secretary may enter into such contracts, cooperative agreements, and other agreements to assist providers of public transportation to—

“(A) comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) through technical assistance, demonstration programs, research, public education, and other activities related to complying with such Act;

“(B) comply with human services transportation coordination requirements and to enhance the coordination of Federal resources for human services transportation with those of the Department of Transportation through technical assistance, training, and support services related to complying with such requirements;

“(C) meet the transportation needs of elderly individuals;

“(D) increase transit ridership in coordination with metropolitan planning organizations and other entities through development around public transportation stations through technical assistance and the development of tools, guidance, and analysis related to market-based development around transit stations;

“(E) address transportation equity with regard to the effect that transportation planning, investment, and operations have for low-income and minority individuals;

“(F) facilitate best practices to promote bus driver safety;

“(G) meet the requirements of sections 5323(j) and 5323(m);

“(H) assist with the development and deployment of zero emission transit technologies; and

“(I) any other technical assistance activity that the Secretary determines is necessary to advance the interests of public transportation.

“(3) ANNUAL REPORT ON TECHNICAL ASSISTANCE.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives a report that includes—

“(A) a description of each project that received assistance under this subsection during the preceding fiscal year;

“(B) an evaluation of the activities carried out by each organization that received assistance under this subsection during the preceding fiscal year;

“(C) a proposal for allocations of amounts for assistance under this subsection for the subsequent fiscal year; and

“(D) measurable outcomes and impacts of the programs funded under subsections (b) and (c).

“(4) GOVERNMENT SHARE OF COSTS.—

“(A) IN GENERAL.—The Government share of the cost of an activity carried out using a grant under this subsection may not exceed 80 percent.

“(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an activity carried out using a grant under this subsection may be derived from in-kind contributions.

“(b) HUMAN RESOURCES AND TRAINING.—

“(1) IN GENERAL.—The Secretary may undertake, or make grants and contracts for, programs that address human resource needs as they apply to public transportation activities. A program may include—

“(A) an employment training program;

“(B) an outreach program to increase veteran, minority, and female employment in public transportation activities;

“(C) research on public transportation personnel and training needs;

“(D) training and assistance for veteran and minority business opportunities; and

“(E) consensus-based national training standards and certifications in partnership with industry stakeholders.

“(2) INNOVATIVE PUBLIC TRANSPORTATION FRONTLINE WORKFORCE DEVELOPMENT PROGRAM.—

“(A) IN GENERAL.—The Secretary shall establish a competitive grant program to assist the development of innovative activities eligible for assistance under subparagraph (1).

“(B) ELIGIBLE PROGRAMS.—A program eligible for assistance under subsection (a) shall—

“(i) develop apprenticeships for transit maintenance and operations occupations, including hands-on, peer trainer, classroom and on-the-job training as well as training for instructors and on-the-job mentors;

“(ii) build local, regional, and statewide transit training partnerships in coordination with entities such as local employers, local public transportation operators, labor union organizations, workforce development boards, State workforce agencies, State apprenticeship agencies (where applicable), and community colleges and university transportation centers, to identify and address workforce skill gaps and develop skills needed for

delivering quality transit service and supporting employee career advancement;

“(iii) provide improved capacity for safety, security, and emergency preparedness in local transit systems through—

“(I) developing the role of the frontline workforce in building and sustaining safety culture and safety systems in the industry and in individual public transportation systems;

“(II) specific training, in coordination with the National Transit Institute, on security and emergency preparedness, including protocols for coordinating with first responders and working with the broader community to address natural disasters or other threats to transit systems; and

“(III) training to address frontline worker roles in promoting health and safety for transit workers and the riding public, and improving communication during emergencies between the frontline workforce and the riding public;

“(iv) address current or projected workforce shortages by developing career pathway partnerships with high schools, community colleges, and other community organizations for recruiting and training underrepresented populations, including minorities, women, individuals with disabilities, veterans, and low-income populations as successful transit employees who can develop careers in the transit industry; or

“(v) address youth unemployment by directing the Secretary to award grants to local entities for work-based training and other work-related and educational strategies and activities of demonstrated effectiveness to provide unemployed, low-income young adults and low-income youth with skills that will lead to employment.

“(C) SELECTION OF RECIPIENTS.—To the maximum extent feasible, the Secretary shall select recipients that—

“(i) are geographically diverse;

“(ii) address the workforce and human resources needs of large public transportation providers;

“(iii) address the workforce and human resources needs of small public transportation providers;

“(iv) address the workforce and human resources needs of urban public transportation providers;

“(v) address the workforce and human resources needs of rural public transportation providers;

“(vi) advance training related to maintenance of alternative energy, energy efficiency, or zero emission vehicles and facilities used in public transportation;

“(vii) target areas with high rates of unemployment;

“(viii) address current or projected workforce shortages in areas that require technical expertise; and

“(ix) advance opportunities for minorities, women, veterans, individuals with disabilities, low-income populations, and other underserved populations.

“(D) PROGRAM OUTCOMES.—A recipient of assistance under this subsection shall demonstrate outcomes for any program that includes skills training, on-the-job training, and work-based learning, including—

“(i) the impact on reducing public transportation workforce shortages in the area served;

“(ii) the diversity of training participants; and

“(iii) the number of participants obtaining certifications or credentials required for specific types of employment.

“(3) GOVERNMENT'S SHARE OF COSTS.—The Government share of the cost of a project

carried out using a grant under paragraph (1) or (2) shall be 50 percent.

“(4) USE FOR TECHNICAL ASSISTANCE.—The Secretary may use not more than 1 percent of amounts made available to carry out this section to provide technical assistance for activities and programs developed, conducted, and overseen under paragraphs (1) and (2).

“(c) NATIONAL TRANSIT INSTITUTE.—

“(1) ESTABLISHMENT.—The Secretary shall establish a national transit institute and award grants to a public, 4-year institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), in order to carry out the duties of the institute.

“(2) DUTIES.—

“(A) IN GENERAL.—In cooperation with the Federal Transit Administration, State transportation departments, public transportation authorities, and national and international entities, the institute established under paragraph (1) shall develop and conduct training and educational programs for Federal, State, and local transportation employees, United States citizens, and foreign nationals engaged or to be engaged in Government-aid public transportation work.

“(B) TRAINING AND EDUCATIONAL PROGRAMS.—The training and educational programs developed under subparagraph (A) may include courses in recent developments, techniques, and procedures related to—

“(i) intermodal and public transportation planning;

“(ii) management;

“(iii) environmental factors;

“(iv) acquisition and joint-use rights-of-way;

“(v) engineering and architectural design;

“(vi) procurement strategies for public transportation systems;

“(vii) turnkey approaches to delivering public transportation systems;

“(viii) new technologies;

“(ix) emission reduction technologies;

“(x) ways to make public transportation accessible to individuals with disabilities;

“(xi) construction, construction management, insurance, and risk management;

“(xii) maintenance;

“(xiii) contract administration;

“(xiv) inspection;

“(xv) innovative finance;

“(xvi) workplace safety; and

“(xvii) public transportation security.

“(3) PROVIDING EDUCATION AND TRAINING.—Education and training of Government, State, and local transportation employees under this subsection shall be provided—

“(A) by the Secretary at no cost to the States and local governments for subjects that are a Government program responsibility; or

“(B) when the education and training are paid under paragraph (4), by the State, with the approval of the Secretary, through grants and contracts with public and private agencies, other institutions, individuals, and the institute.

“(4) AVAILABILITY OF AMOUNTS.—Not more than 0.5 percent of the amounts made available for a fiscal year beginning after September 30, 1991, to a State or public transportation authority in the State to carry out sections 5307 and 5309 is available for expenditure by the State and public transportation authorities in the State, with the approval of the Secretary, to pay not more than 80 percent of the cost of tuition and direct educational expenses related to educating and training State and local transportation employees under this subsection.”

(b) REPEAL.—Section 5322 of such title, and the item relating to that section in the analysis for chapter 53 of such title, are repealed.

(c) CLERICAL AMENDMENT.—The analysis for chapter 53 of such title is amended by striking the item relating to section 5314 and inserting the following:

“5314. Technical assistance and workforce development.”.

SEC. 3010. BICYCLE FACILITIES.

Section 5319 of title 49, United States Code, is amended—

(1) by striking “90 percent” and inserting “80 percent”; and

(2) by striking “95 percent” and inserting “80 percent”.

SEC. 3011. GENERAL PROVISIONS.

Section 5323 of title 49, United States Code, is amended—

(1) in subsection (h)—

(A) in paragraph (1) by striking “or” at the end;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

“(2) pay incremental costs of incorporating art or landscaping into facilities, including the costs of an artist on the design team; or”;

(2) in subsection (i) by adding at the end the following:

“(3) ACQUISITION OF BASE-MODEL BUSES.—A grant for the acquisition of a base-model bus for use in public transportation may be not more than 85 percent of the net project cost.”;

(3) in subsection (j)(2) by striking subparagraph (C) and inserting the following:

“(C) when procuring rolling stock (including train control, communication, and traction power equipment) under this chapter—

“(i) the cost of components and subcomponents produced in the United States—

“(I) for fiscal years 2016 and 2017, is more than 60 percent of the cost of all components of the rolling stock;

“(II) for fiscal years 2018 and 2019, is more than 65 percent of the cost of all components of the rolling stock; and

“(III) for fiscal year 2020 and each fiscal year thereafter, is more than 70 percent of the cost of all components of the rolling stock; and

“(ii) final assembly of the rolling stock has occurred in the United States; or”;

(4) by adding at the end the following:

“(s) VALUE CAPTURE REVENUE ELIGIBLE FOR LOCAL SHARE.—A recipient of assistance under this chapter may use the revenue generated from value capture financing mechanisms as local matching funds for capital projects and operating costs eligible under this chapter.

“(t) SPECIAL CONDITION ON CHARTER BUS TRANSPORTATION SERVICE.—If, in a fiscal year, the Secretary is prohibited by law from enforcing regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance with such part 604, and then was subsequently granted an exception from such part—

“(1) the transit agency shall be precluded from receiving its allocation of urbanized area formula grant funds for that fiscal year; and

“(2) any amounts withheld pursuant to paragraph (1) shall be added to the amount that the Secretary may apportion under section 5336 in the following fiscal year.”.

SEC. 3012. PUBLIC TRANSPORTATION SAFETY PROGRAM.

Section 5329 of title 49, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C) by striking “and” at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

“(D) minimum safety standards to ensure the safe operation of public transportation systems that—

“(i) are not related to performance standards for public transportation vehicles developed under subparagraph (C); and

“(ii) to the extent practicable, take into consideration—

“(I) relevant recommendations of the National Transportation Safety Board;

“(II) best practices standards developed by the public transportation industry;

“(III) any minimum safety standards or performance criteria being implemented across the public transportation industry;

“(IV) relevant recommendations from the report under section 3018 of the Surface Transportation Reauthorization and Reform Act of 2015; and

“(V) any additional information that the Secretary determines necessary and appropriate;”;

(2) by striking subsection (f) and inserting the following:

“(f) AUTHORITY OF SECRETARY.—

“(1) IN GENERAL.—In carrying out this section, the Secretary may—

“(A) conduct inspections, investigations, audits, examinations, and testing of the equipment, facilities, rolling stock, and operations of the public transportation system of a recipient;

“(B) make reports and issue directives with respect to the safety of the public transportation system of a recipient or the public transportation industry generally;

“(C) in conjunction with an accident investigation or an investigation into a pattern or practice of conduct that negatively affects public safety, issue a subpoena to, and take the deposition of, any employee of a recipient or a State safety oversight agency, if—

“(i) before the issuance of the subpoena, the Secretary requests a determination by the Attorney General as to whether the subpoena will interfere with an ongoing criminal investigation; and

“(ii) the Attorney General—

“(I) determines that the subpoena will not interfere with an ongoing criminal investigation; or

“(II) fails to make a determination under clause (i) before the date that is 30 days after the date on which the Secretary makes a request under clause (i);

“(D) require the production of documents by, and prescribe recordkeeping and reporting requirements for, a recipient or a State safety oversight agency;

“(E) investigate public transportation accidents and incidents and provide guidance to recipients regarding prevention of accidents and incidents;

“(F) at reasonable times and in a reasonable manner, enter and inspect relevant records of the public transportation system of a recipient; and

“(G) issue rules to carry out this section.

“(2) ADDITIONAL AUTHORITY.—

“(A) ADMINISTRATION OF STATE SAFETY OVERSIGHT ACTIVITIES.—If the Secretary finds that a State safety oversight agency that oversees a rail fixed guideway system operating in more than 2 States has become in-

capable of providing adequate safety oversight of such system, the Secretary may administer State safety oversight activities for such rail fixed guideway system until the States develop a State safety oversight program certified by the Secretary in accordance with subsection (e).

“(B) FUNDING.—To carry out administrative and oversight activities authorized by this paragraph, the Secretary may use grant funds apportioned to an eligible State under subsection (e)(6) to develop or carry out a State safety oversight program.”;

(3) in subsection (g)(1)—

(A) in the matter preceding subparagraph (A) by striking “an eligible State, as defined in subsection (e),” and inserting “a recipient”;

(B) in subparagraph (C) by striking “and” at the end;

(C) in subparagraph (D) by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following:

“(E) withholding not more than 25 percent of financial assistance under section 5307.”;

(4) in subsection (g)(2)—

(A) in subparagraph (A)—

(i) by inserting after “funds” the following: “or withhold funds”; and

(ii) by inserting “or (1)(E)” after “paragraph (1)(D)”;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

“(B) LIMITATION.—The Secretary may only withhold funds in accordance with paragraph (1)(E), if enforcement actions under subparagraph (A), (B), (C), or (D) did not bring the recipient into compliance.”.

SEC. 3013. APPORTIONMENTS.

Section 5336 of title 49, United States Code, is amended—

(1) in subsection (a) in the matter preceding paragraph (1) by striking “subsection (h)(4)” and inserting “subsection (g)(5)”;

(2) in subsection (b)(2)(E) by striking “22.27 percent” and inserting “27 percent”;

(3) by striking subsection (g) and redesignating subsections (h), (i), and (j) as subsections (g), (h), and (i), respectively;

(4) in subsection (g) (as so redesignated)—

(A) in paragraph (2) by striking “subsection (j)” and inserting “subsection (i)”;

(B) by striking paragraph (3) and inserting the following:

“(3) of amounts not apportioned under paragraphs (1) and (2)—

“(A) for fiscal years 2016 through 2018, 1.5 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (h); and

“(B) for fiscal years 2019 through 2021, 2 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (h);”;

(5) in subsection (h)(2)(A) (as so redesignated) by striking “subsection (h)(3)” and inserting “subsection (g)(3)”;

(6) in subsection (i) (as so redesignated) by striking “subsection (h)(2)” and inserting “subsection (g)(2)”.

SEC. 3014. STATE OF GOOD REPAIR GRANTS.

Section 5337 of title 49, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1) by striking “on a facility with access for other high-occupancy vehicles” and inserting “on high-occupancy vehicle lanes during peak hours”;

(B) in paragraph (2) by inserting “vehicle” after “motorbus”; and

(C) by adding at the end the following:

“(5) USE OF FUNDS.—A recipient in an urbanized area may use any portion of the amount apportioned to the recipient under this subsection for high intensity fixed guideway state of good repair projects under subsection (c) if the recipient demonstrates to the satisfaction of the Secretary that the high intensity motorbus public transportation vehicles in the urbanized area are in a state of good repair.”; and

(2) by adding at the end the following:

“(e) GOVERNMENT SHARE OF COSTS.—

“(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net project cost of the project. The recipient may provide additional local matching amounts.

“(2) REMAINING COSTS.—The remainder of the net project cost shall be provided—

“(A) in cash from non-Government sources other than revenues from providing public transportation services;

“(B) from revenues derived from the sale of advertising and concessions;

“(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital; or

“(D) from amounts appropriated or otherwise made available to a department or agency of the Government (other than the Department of Transportation) that are eligible to be expended for transportation.”.

SEC. 3015. AUTHORIZATIONS.

Section 5338 of title 49, United States Code, is amended to read as follows:

“§ 5338. Authorizations

“(a) FORMULA GRANTS.—

“(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5314(c), 5318, 5335, 5337, 5339, and 5340, and section 20005(b) of the Federal Public Transportation Act of 2012—

“(A) \$8,723,925,000 for fiscal year 2016;

“(B) \$8,879,211,000 for fiscal year 2017;

“(C) \$9,059,459,000 for fiscal year 2018;

“(D) \$9,240,648,000 for fiscal year 2019;

“(E) \$9,429,000,000 for fiscal year 2020; and

“(F) \$9,617,580,000 for fiscal year 2021.

“(2) ALLOCATION OF FUNDS.—

“(A) SECTION 5305.—Of the amounts made available under paragraph (1), there shall be available to carry out section 5305—

“(i) \$128,800,000 for fiscal year 2016;

“(ii) \$128,800,000 for fiscal year 2017;

“(iii) \$131,415,000 for fiscal year 2018;

“(iv) \$134,043,000 for fiscal year 2019;

“(v) \$136,775,000 for fiscal year 2020; and

“(vi) \$139,511,000 for fiscal year 2021.

“(B) PILOT PROGRAM.—\$10,000,000 for each of fiscal years 2016 through 2021, shall be available to carry out section 20005(b) of the Federal Public Transportation Act of 2012;

“(C) SECTION 5307.—Of the amounts made available under paragraph (1), there shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307—

“(i) \$4,458,650,000 for fiscal year 2016;

“(ii) \$4,458,650,000 for fiscal year 2017;

“(iii) \$4,549,161,000 for fiscal year 2018;

“(iv) \$4,640,144,000 for fiscal year 2019;

“(v) \$4,734,724,000 for fiscal year 2020; and

“(vi) \$4,829,418,000 for fiscal year 2021.

“(D) SECTION 5310.—Of the amounts made available under paragraph (1), there shall be available to provide financial assistance for services for the enhanced mobility of seniors and individuals with disabilities under section 5310—

“(i) \$262,175,000 for fiscal year 2016;

“(ii) \$266,841,000 for fiscal year 2017;

“(iii) \$272,258,000 for fiscal year 2018;

“(iv) \$277,703,000 for fiscal year 2019;

“(v) \$283,364,000 for fiscal year 2020; and

“(vi) \$289,031,000 for fiscal year 2021.

“(E) SECTION 5311.—

“(i) IN GENERAL.—Of the amounts made available under paragraph (1), there shall be available to provide financial assistance for rural areas under section 5311—

“(I) \$607,800,000 for fiscal year 2016;

“(II) \$607,800,000 for fiscal year 2017;

“(III) \$620,138,000 for fiscal year 2018;

“(IV) \$632,541,000 for fiscal year 2019;

“(V) \$645,434,000 for fiscal year 2020; and

“(VI) \$658,343,000 for fiscal year 2021.

“(ii) SUBALLOCATION.—Of the amounts made available under clause (i)—

“(I) there shall be available to carry out section 5311(c)(1) not less than \$30,000,000 for each of fiscal years 2016 through 2021; and

“(II) there shall be available to carry out section 5311(c)(2) not less than \$20,000,000 for each of fiscal years 2016 through 2021.

“(F) SECTION 5314(c).—Of the amounts made available under paragraph (1), there shall be available for the national transit institute under section 5314(c) \$5,000,000 for each of fiscal years 2016 through 2021.

“(G) SECTION 5318.—Of the amounts made available under paragraph (1), there shall be available for bus testing under section 5318 \$3,000,000 for each of fiscal years 2016 through 2021.

“(H) SECTION 5335.—Of the amounts made available under paragraph (1), there shall be available to carry out section 5335 \$3,850,000 for each of fiscal years 2016 through 2021.

“(I) SECTION 5337.—Of the amounts made available under paragraph (1), there shall be available to carry out section 5337—

“(i) \$2,198,389,000 for fiscal year 2016;

“(ii) \$2,237,520,000 for fiscal year 2017;

“(iii) \$2,282,941,000 for fiscal year 2018;

“(iv) \$2,328,600,000 for fiscal year 2019;

“(v) \$2,376,064,000 for fiscal year 2020; and

“(vi) \$2,423,585,000 for fiscal year 2021.

“(J) SECTION 5339(c).—Of the amounts made available under paragraph (1), there shall be available for bus and bus facilities programs under section 5339(c)—

“(i) \$430,000,000 for fiscal year 2016;

“(ii) \$431,850,000 for fiscal year 2017;

“(iii) \$445,120,000 for fiscal year 2018;

“(iv) \$458,459,000 for fiscal year 2019;

“(v) \$472,326,000 for fiscal year 2020; and

“(vi) \$486,210,000 for fiscal year 2021.

“(K) SECTION 5339(d).—Of the amounts made available under paragraph (1), there shall be available for bus and bus facilities competitive grants under 5339(d)—

“(i) \$90,000,000 for fiscal year 2016; and

“(ii) \$200,000,000 for each of fiscal years 2017 through 2021.

“(L) SECTION 5340.—Of the amounts made available under paragraph (1), there shall be allocated in accordance with section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311—

“(i) \$525,900,000 for fiscal year 2016;

“(ii) \$525,900,000 for fiscal year 2017;

“(iii) \$536,576,000 for fiscal year 2018;

“(iv) \$547,307,000 for fiscal year 2019;

“(v) \$558,463,000 for fiscal year 2020; and

“(vi) \$569,632,000 for fiscal year 2021.

“(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—There are authorized to be appropriated to carry out section 5312—

“(1) \$33,495,000 for fiscal year 2016;

“(2) \$34,091,000 for fiscal year 2017;

“(3) \$34,783,000 for fiscal year 2018;

“(4) \$35,479,000 for fiscal year 2019;

“(5) \$36,202,000 for fiscal year 2020; and

“(6) \$36,926,000 for fiscal year 2021.

“(c) TECHNICAL ASSISTANCE, STANDARDS, AND WORKFORCE DEVELOPMENT.—There are authorized to be appropriated to carry out section 5314—

“(1) \$6,156,000 for fiscal year 2016;

“(2) \$8,152,000 for fiscal year 2017;

“(3) \$10,468,000 for fiscal year 2018;

“(4) \$12,796,000 for fiscal year 2019;

“(5) \$15,216,000 for fiscal year 2020; and

“(6) \$17,639,000 for fiscal year 2021.

“(d) CAPITAL INVESTMENT GRANTS.—There are authorized to be appropriated to carry out section 5309—

“(1) \$2,029,000,000 for fiscal year 2016;

“(2) \$2,065,000,000 for fiscal year 2017;

“(3) \$2,106,000,000 for fiscal year 2018;

“(4) \$2,149,000,000 for fiscal year 2019;

“(5) \$2,193,000,000 for fiscal year 2020; and

“(6) \$2,237,000,000 for fiscal year 2021.

“(e) ADMINISTRATION.—

“(1) IN GENERAL.—There are authorized to be appropriated to carry out section 5334, \$105,933,000 for fiscal years 2016 through 2021.

“(2) SECTION 5329.—Of the amounts authorized to be appropriated under paragraph (1), not less than \$4,500,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5329.

“(3) SECTION 5326.—Of the amounts made available under paragraph (1), not less than \$1,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5326.

“(f) PERIOD OF AVAILABILITY.—Amounts made available by or appropriated under this section shall remain available for obligation for a period of 3 years after the last day of the fiscal year for which the funds are authorized.

“(g) GRANTS AS CONTRACTUAL OBLIGATIONS.—

“(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

“(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the general fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

“(h) OVERSIGHT.—

“(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):

“(A) 0.5 percent of amounts made available to carry out section 5305.

“(B) 0.75 percent of amounts made available to carry out section 5307.

“(C) 1 percent of amounts made available to carry out section 5309.

“(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 122 Stat. 4968).

“(E) 0.5 percent of amounts made available to carry out section 5310.

“(F) 0.5 percent of amounts made available to carry out section 5311.

“(G) 0.75 percent of amounts made available to carry out section 5337(c), of which not less than 0.25 percent shall be available to carry out section 5329.

“(H) 0.75 percent of amounts made available to carry out section 5339.

“(2) ACTIVITIES.—The activities described in this paragraph are as follows:

“(A) Activities to oversee the construction of a major capital project.

“(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

“(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

“(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

“(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.”.

SEC. 3016. BUS AND BUS FACILITY GRANTS.

(a) IN GENERAL.—Section 5339 of title 49, United States Code, is amended to read as follows:

“§ 5339. Bus and bus facility grants

“(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to assist eligible recipients described in subsection (b)(1) in financing capital projects—

“(1) to replace, rehabilitate, and purchase buses and related equipment; and

“(2) to construct bus-related facilities.

“(b) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—

“(1) RECIPIENTS.—Eligible recipients under this section are designated recipients that operate fixed route bus service or that allocate funding to fixed route bus operators.

“(2) SUBRECIPIENTS.—A designated recipient that receives a grant under this section may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

“(c) FORMULA GRANT DISTRIBUTION OF FUNDS.—

“(1) IN GENERAL.—Funds made available for making grants under this subsection shall be distributed as follows:

“(A) NATIONAL DISTRIBUTION.—\$65,500,000 for each of fiscal years 2016 through 2021 shall be allocated to all States and territories, with each State receiving \$1,250,000, and each territory receiving \$500,000, for each such fiscal year.

“(B) DISTRIBUTION USING POPULATION AND SERVICE FACTORS.—The remainder of the funds not otherwise distributed under paragraph (1) shall be allocated pursuant to the formula set forth in section 5336 (other than subsection (b) of that section).

“(2) TRANSFERS OF APPORTIONMENTS.—

“(A) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—The Governor of a State may transfer any part of the State's apportionment under subparagraph (A) to supplement—

“(i) amounts apportioned to the State under section 5311(c); or

“(ii) amounts apportioned to urbanized areas under subsections (a) and (c) of section 5336.

“(B) TRANSFER FLEXIBILITY FOR POPULATION AND SERVICE FACTORS FUNDS.—The Governor of a State may expend in an urbanized area with a population of less than 200,000 any amounts apportioned under paragraph (1)(B) that are not allocated to designated recipients in urbanized areas with a population of 200,000 or more.

“(3) PERIOD OF AVAILABILITY TO RECIPIENTS.—

“(A) IN GENERAL.—Amounts made available under this subsection may be obligated by a recipient for 3 years after the fiscal year in which the amount is apportioned.

“(B) REAPPORTIONMENT OF UNOBLIGATED AMOUNTS.—Not later than 30 days after the end of the 3-year period described in subparagraph (A), any amount that is not obligated on the last day of that period shall be added to the amount that may be apportioned under this subsection in the next fiscal year.

“(4) PILOT PROGRAM FOR COST-EFFECTIVE CAPITAL INVESTMENT.—

“(A) IN GENERAL.—For each of fiscal years 2016 through 2021, the Secretary shall carry out a pilot program under which an eligible designated recipient (as described in subsection (c)(1)) in an urbanized area with population of not less than 200,000 and not more than 999,999 may elect to participate in a State pool in accordance with this paragraph.

“(B) PURPOSE OF STATE POOLS.—The purpose of a State pool shall be to allow for transfers of formula grant funds made available under this subsection among the designated recipients participating in the State pool in a manner that supports the transit asset management plans of the designated recipients under section 5326.

“(C) REQUESTS FOR PARTICIPATION.—A State, and designated recipients in the State described in subparagraph (A), may submit to the Secretary a request for participation in the program under procedures to be established by the Secretary. A designated recipient for a multistate area may participate in only 1 State pool.

“(D) ALLOCATIONS TO PARTICIPATING STATES.—For each fiscal year, the Secretary shall allocate to each State participating in the program the total amount of funds that otherwise would be allocated to the urbanized areas of the designated recipients participating in the State's pool for that fiscal year pursuant to the formula referred to in paragraph (1).

“(E) ALLOCATIONS TO DESIGNATED RECIPIENTS IN STATE POOLS.—A State shall distribute the amount that is allocated to the State for a fiscal year under subparagraph (D) among the designated recipients participating in the State's pool in a manner that supports the transit asset management plans of the recipients under section 5326.

“(F) ALLOCATION PLANS.—A State participating in the program shall develop an allocation plan for the period of fiscal years 2016 through 2021 to ensure that a designated recipient participating in the State's pool receives under the program an amount of funds that equals the amount of funds that would have otherwise been available to the designated recipient for that period pursuant to the formula referred to in paragraph (1).

“(G) GRANTS.—The Secretary shall make grants under this subsection for a fiscal year to a designated recipient participating in a State pool following notification by the State of the allocation amount determined under subparagraph (E).

“(d) COMPETITIVE GRANTS FOR BUS STATE OF GOOD REPAIR.—

“(1) IN GENERAL.—The Secretary may make grants under this subsection to eligible recipients described in subsection (b)(1) to assist in financing capital projects described in subsection (a).

“(2) GRANT CONSIDERATIONS.—In making grants under this subsection, the Secretary shall consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities of an eligible recipient.

“(3) STATEWIDE APPLICATIONS.—A State may submit a statewide application on behalf of a public agency or private nonprofit organization engaged in public transportation in rural areas or other areas for which the State allocates funds. The submission of a statewide application shall not preclude the submission and consideration of any application under this subsection from other eligible recipients in an urbanized area in a State.

“(4) REQUIREMENTS FOR SECRETARY.—The Secretary shall—

“(A) disclose all metrics and evaluation procedures to be used in considering grant applications under this subsection upon issuance of the notice of funding availability in the Federal Register; and

“(B) publish a summary of final scores for selected projects, metrics, and other evaluations used in awarding grants under this subsection in the Federal Register.

“(5) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

“(A) shall remain available for 2 fiscal years after the fiscal year for which the amount is made available; and

“(B) following the period of availability shall be made available to be apportioned under subsection (c) for the following fiscal year.

“(6) LIMITATION.—Of the amounts made available under this subsection, not more than 15 percent in fiscal year 2016 and not more than 5 percent in each of fiscal years 2017 through 2021 may be awarded to a single recipient.

“(7) GRANT FLEXIBILITY.—If the Secretary determines that there are not sufficient grant applications that meet the metrics described in paragraph (4)(A) to utilize the full amount of funds made available to carry out this subsection for a fiscal year, the Secretary may use the remainder of the funds for making apportionments under sections 5307 and 5311.

“(e) GENERALLY APPLICABLE PROVISIONS.—

“(1) GRANT REQUIREMENTS.—A grant under this section shall be subject to the requirements of—

“(A) section 5307 for recipients of grants made in urbanized areas; and

“(B) section 5311 for recipients of grants made in rural areas.

“(2) GOVERNMENT'S SHARE OF COSTS.—

“(A) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this section may provide additional local matching amounts.

“(B) REMAINING COSTS.—The remainder of the net project cost shall be provided—

“(i) in cash from non-Government sources other than revenues from providing public transportation services;

“(ii) from revenues derived from the sale of advertising and concessions;

“(iii) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital; or

“(iv) from amounts received under a service agreement with a State or local social service agency or private social service organization.

“(f) DEFINITIONS.—In this section, the following definitions apply:

“(1) STATE.—The term ‘State’ means a State of the United States.

“(2) TERRITORY.—The term ‘territory’ means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5339 and inserting the following: “5339. Bus and bus facility grants.”.

SEC. 3017. OBLIGATION CEILING.

Notwithstanding any other provision of law, the total of all obligations from amounts made available from the Mass Transit Account of the Highway Trust Fund by subsection (a) of section 5338 of title 49, United States Code, shall not exceed—

- (1) \$8,724,000,000 in fiscal year 2016;
- (2) \$8,879,000,000 in fiscal year 2017;
- (3) \$9,059,000,000 in fiscal year 2018;
- (4) \$9,240,000,000 in fiscal year 2019;
- (5) \$9,429,000,000 in fiscal year 2020; and
- (6) \$9,618,000,000 in fiscal year 2021.

SEC. 3018. INNOVATIVE PROCUREMENT.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) COOPERATIVE PROCUREMENT CONTRACT.—The term “cooperative procurement contract” means a contract—

(A) entered into between a State government and 1 or more vendors; and

(B) under which the vendors agree to provide an option to purchase rolling stock and related equipment to multiple participants.

(2) LEAD PROCUREMENT AGENCY.—The term “lead procurement agency” means a State government that acts in an administrative capacity on behalf of each participant in a cooperative procurement contract.

(3) PARTICIPANT.—The term “participant” means a grantee that participates in a cooperative procurement contract.

(4) PARTICIPATE.—The term “participate” means to purchase rolling stock and related equipment under a cooperative procurement contract using assistance provided under chapter 53 of title 49, United States Code.

(5) GRANTEE.—The term “grantee” means a recipient and subrecipient of assistance under chapter 53 of title 49, United States Code.

(b) COOPERATIVE PROCUREMENT.—

(1) GENERAL RULES.—

(A) PROCUREMENT NOT LIMITED TO INTRA-STATE PARTICIPANTS.—A grantee may participate in a cooperative procurement contract without regard to whether the grantee is located in the same State as the parties to the contract.

(B) VOLUNTARY PARTICIPATION.—Participation by grantees in a cooperative procurement contract shall be voluntary.

(2) AUTHORITY.—A State government may enter into a cooperative procurement contract with 1 or more vendors if the vendors agree to provide an option to purchase rolling stock and related equipment to the lead procurement agency and any other participant.

(3) APPLICABILITY OF POLICIES AND PROCEDURES.—In procuring rolling stock and related equipment under a cooperative procurement contract under this subsection, a lead procurement agency shall comply with the policies and procedures that apply to procurement by the State government when using non-Federal funds, to the extent that the policies and procedures are in conformity with applicable Federal law.

(c) JOINT PROCUREMENT CLEARINGHOUSE.—

(1) IN GENERAL.—The Secretary shall establish a clearinghouse for the purpose of allowing grantees to aggregate planned rolling stock purchases and identify joint procurement participants.

(2) INFORMATION ON PROCUREMENTS.—The clearinghouse may include information on bus size, engine type, floor type, and any other attributes necessary to identify joint procurement participants.

(3) LIMITATIONS.—

(A) ACCESS.—The clearinghouse shall only be accessible to the Federal Transit Administration and grantees.

(B) PARTICIPATION.—No grantees shall be required to submit procurement information to the database.

SEC. 3019. REVIEW OF PUBLIC TRANSPORTATION SAFETY STANDARDS.

(1) REVIEW REQUIRED.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall begin a review of the safety standards and protocols used in public transportation systems in the United States that examines the efficacy of existing standards and protocols.

(B) CONTENTS OF REVIEW.—In conducting the review under this paragraph, the Secretary shall review—

(i) minimum safety performance standards developed by the public transportation industry;

(ii) safety performance standards, practices, or protocols in use by rail fixed guideway public transportation systems, including—

(I) written emergency plans and procedures for passenger evacuations;

(II) training programs to ensure public transportation personnel compliance and readiness in emergency situations;

(III) coordination plans approved by recipients with local emergency responders having jurisdiction over a rail fixed guideway public transportation system, including—

(aa) emergency preparedness training, drills, and familiarization programs for the first responders; and

(bb) the scheduling of regular field exercises to ensure appropriate response and effective radio and public safety communications;

(IV) maintenance, testing, and inspection programs to ensure the proper functioning of—

(aa) tunnel, station, and vehicle ventilation systems;

(bb) signal and train control systems, track, mechanical systems, and other infrastructure; and

(cc) other systems as necessary;

(V) certification requirements for train and bus operators and control center employees;

(VI) consensus-based standards, practices, or protocols available to the public transportation industry; and

(VII) any other standards, practices, or protocols the Secretary determines appropriate; and

(iii) rail and bus safety standards, practices, or protocols in use by public transportation systems, regarding—

(I) rail and bus design and the workstation of rail and bus operators, as it relates to—

(aa) the reduction of blindspots that contribute to accidents involving pedestrians; and

(bb) protecting rail and bus operators from the risk of assault;

(II) scheduling fixed route rail and bus service with adequate time and access for operators to use restroom facilities;

(III) fatigue management; and

(IV) crash avoidance and worthiness.

(2) EVALUATION.—After conducting the review under paragraph (1), the Secretary shall, in consultation with representatives of the public transportation industry, evaluate the need to establish additional Federal minimum public transportation safety standards.

(3) REPORT.—After completing the review and evaluation required under paragraphs (1)

and (2), but not later than 1 year after the date of enactment of this Act, the Secretary shall make available on a publicly accessible Web site, a report that includes—

(A) findings based on the review conducted under paragraph (1);

(B) the outcome of the evaluation conducted under paragraph (2);

(C) a comprehensive set of recommendations to improve the safety of the public transportation industry, including recommendations for statutory changes if applicable; and

(D) actions that the Secretary will take to address the recommendations provided under subparagraph (C), including, if necessary, the authorities under section 5329(b)(2)(D) of chapter 53 of title 49, United States Code.

SEC. 3020. STUDY ON EVIDENTIARY PROTECTION FOR PUBLIC TRANSPORTATION SAFETY PROGRAM INFORMATION.

(a) STUDY.—The Comptroller General shall complete a study to evaluate whether it is in the public interest, including public safety and the legal rights of persons injured in public transportation accidents, to withhold from discovery or admission into evidence in a Federal or State court proceeding any plan, report, data, or other information or portion thereof, submitted to, developed, produced, collected, or obtained by the Secretary or the Secretary's representative for purposes of complying with the requirements under section 5329 of chapter 53 of title 49, United States Code, including information related to a recipient's safety plan, safety risks, and mitigation measures.

(b) INPUT.—In conducting the study under subsection (a), the Comptroller General shall solicit input from the public transportation recipients, public transportation nonprofit employee labor organizations, and impacted members of the general public.

(c) REPORT.—Not later than 18 months after the date of enactment of this section, the Comptroller General shall issue a report, with the findings of the study under subsection (a), including any recommendations on statutory changes regarding evidentiary protections that will increase transit safety.

SEC. 3021. MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ALLOCATED COST MODEL.—The term “allocated cost model” means a method of determining the cost of trips by allocating the cost to each trip purpose served by a transportation provider in a manner that is proportional to the level of transportation service that the transportation provider delivers for each trip purpose, to the extent permitted by applicable Federal laws.

(2) COUNCIL.—The term “Council” means the Interagency Transportation Coordinating Council on Access and Mobility established under Executive Order 13330 (49 U.S.C. 101 note).

(b) STRATEGIC PLAN.—Not later than 1 year after the date of enactment of this Act, the Council shall publish a strategic plan for the Council that—

(1) outlines the role and responsibilities of each Federal agency with respect to local transportation coordination, including non-emergency medical transportation;

(2) identifies a strategy to strengthen interagency collaboration;

(3) addresses any outstanding recommendations made by the Council in the 2005 Report to the President relating to the implementation of Executive Order 13330, including—

(A) a cost-sharing policy endorsed by the Council; and

(B) recommendations to increase participation by recipients of Federal grants in locally developed, coordinated planning processes;

(4) to the extent feasible, addresses recommendations by the Comptroller General of the United States concerning local coordination of transportation services;

(5) examines and proposes changes to Federal regulations that will eliminate Federal barriers to local transportation coordination, including non-emergency medical transportation; and

(6) recommends to Congress changes to Federal laws, except chapter 53 of title 49, United States Code, that will eliminate Federal barriers to local transportation coordination, including nonemergency medical transportation.

(c) **DEVELOPMENT OF COST-SHARING POLICY IN COMPLIANCE WITH APPLICABLE FEDERAL LAWS.**—In establishing the cost-sharing policy required under subsection (b), the Council may consider, to the extent practicable—

(1) the development of recommended strategies for grantees of programs funded by members of the Council, including strategies for grantees of programs that fund non-emergency medical transportation, to use the cost-sharing policy in a manner that does not violate applicable Federal laws; and

(2) incorporation of an allocated cost model to facilitate local coordination efforts that comply with applicable requirements of programs funded by members of the Council, such as—

(A) eligibility requirements;

(B) service delivery requirements; and

(C) reimbursement requirements.

SEC. 3022. IMPROVED TRANSIT SAFETY MEASURES.

(a) **REQUIREMENTS.**—Not later than 90 days after publication of the report required in section 3019, the Secretary shall issue a notice of proposed rulemaking on protecting transit operators from the risk of assault.

(b) **CONSIDERATION.**—In the proposed rulemaking the Secretary shall consider—

(1) different safety needs of drivers of different modes;

(2) differences in operating environments;

(3) the use of technology to mitigate driver assault risks;

(4) existing experience, from both agencies and operators who already are using or testing driver assault mitigation infrastructure; and

(5) the impact of the rule on future rolling stock procurements and vehicles currently in revenue service.

(c) **SAVINGS CLAUSE.**—Nothing in this section may be construed as prohibiting the Secretary from issuing different comprehensive worker protections, including standards for mitigating assaults.

SEC. 3023. PARATRANSIT SYSTEM UNDER FTA APPROVED COORDINATED PLAN.

Notwithstanding the provisions of part 37.131(c) of title 49, Code of Federal Regulations, any paratransit system currently coordinating complementary paratransit service for more than 40 fixed route agencies shall be permitted to continue using an existing tiered, distance-based coordinated paratransit fare system.

TITLE IV—HIGHWAY SAFETY

SEC. 4001. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) **HIGHWAY SAFETY PROGRAMS.**—For carrying out section 402 of title 23, United States Code—

(A) \$260,274,200 for fiscal year 2016;

(B) \$265,935,829 for fiscal year 2017;

(C) \$271,787,002 for fiscal year 2018;

(D) \$278,090,300 for fiscal year 2019;

(E) \$284,874,829 for fiscal year 2020; and

(F) \$291,195,558 for fiscal year 2021.

(2) **HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.**—For carrying out section 403 of title 23, United States Code—

(A) \$115,951,600 for fiscal year 2016;

(B) \$118,398,179 for fiscal year 2017;

(C) \$121,665,968 for fiscal year 2018;

(D) \$124,926,616 for fiscal year 2019;

(E) \$128,187,201 for fiscal year 2020; and

(F) \$131,455,975 for fiscal year 2021.

(3) **NATIONAL PRIORITY SAFETY PROGRAMS.**—For carrying out section 405 of title 23, United States Code—

(A) \$275,862,400 for fiscal year 2016;

(B) \$281,186,544 for fiscal year 2017;

(C) \$286,500,970 for fiscal year 2018;

(D) \$292,316,940 for fiscal year 2019;

(E) \$298,601,754 for fiscal year 2020; and

(F) \$304,394,628 for fiscal year 2021.

(4) **NATIONAL DRIVER REGISTER.**—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—

(A) \$5,000,000 for fiscal year 2016;

(B) \$5,000,000 for fiscal year 2017;

(C) \$5,000,000 for fiscal year 2018;

(D) \$5,000,000 for fiscal year 2019;

(E) \$5,000,000 for fiscal year 2020; and

(F) \$5,000,000 for fiscal year 2021.

(5) **HIGH-VISIBILITY ENFORCEMENT PROGRAM.**—For carrying out section 404 of title 23, United States Code—

(A) \$29,411,800 for fiscal year 2016;

(B) \$29,979,448 for fiscal year 2017;

(C) \$30,546,059 for fiscal year 2018;

(D) \$31,166,144 for fiscal year 2019;

(E) \$31,836,216 for fiscal year 2020; and

(F) \$32,453,839 for fiscal year 2021.

(6) **ADMINISTRATIVE EXPENSES.**—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this title—

(A) \$25,500,000 for fiscal year 2016;

(B) \$25,500,000 for fiscal year 2017;

(C) \$25,500,000 for fiscal year 2018;

(D) \$25,500,000 for fiscal year 2019;

(E) \$25,500,000 for fiscal year 2020; and

(F) \$25,500,000 for fiscal year 2021.

(b) **PROHIBITION ON OTHER USES.**—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapters—

(1) shall only be used to carry out such program; and

(2) may not be used by States or local governments for construction purposes.

(c) **APPLICABILITY OF TITLE 23.**—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, amounts made available under subsection (a) for fiscal years 2016 through 2021 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(d) **STATE MATCHING REQUIREMENTS.**—If a grant awarded under chapter 4 of title 23, United States Code, requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during a fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) that are in excess of the amount required under Federal law shall be

available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any other project carried out under chapter 4 of title 23, United States Code (other than planning or administration), without regard to whether such expenditures were made in connection with such project.

(e) **GRANT APPLICATION AND DEADLINE.**—To receive a grant under chapter 4 of title 23, United States Code, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

SEC. 4002. HIGHWAY SAFETY PROGRAMS.

Section 402 of title 23, United States Code, is amended—

(1) in subsection (a)(2)(A)—

(A) in clause (vi) by striking “and” at the end;

(B) in clause (vii) by inserting “and” after the semicolon; and

(C) by adding at the end the following:

“(viii) to increase driver awareness of commercial motor vehicles to prevent crashes and reduce injuries and fatalities.”;

(2) in subsection (c)(4), by adding at the end the following:

“(C) **SURVEY.**—A State shall expend funds apportioned to that State under this section to conduct a biennial survey that the Secretary shall make publicly available through the Internet Web site of the Department of Transportation that includes—

“(i) a list of automated traffic enforcement systems in the State;

“(ii) adequate data to measure the transparency, accountability, and safety attributes of each automated traffic enforcement system; and

“(iii) a comparison of each automated traffic enforcement system with—

“(I) Speed Enforcement Camera Systems Operational Guidelines (DOT HS 810 916, March 2008); and

“(II) Red Light Camera Systems Operational Guidelines (FHWA-SA-05-002, January 2005).”;

(3) by striking subsection (g) and inserting the following:

“(g) **RESTRICTION.**—Nothing in this section may be construed to authorize the appropriation or expenditure of funds for highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines).”;

(4) in subsection (k)—

(A) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(B) by inserting after paragraph (2) the following:

“(3) **ELECTRONIC SUBMISSION.**—The Secretary, in coordination with the Governors Highway Safety Association, shall develop procedures to allow States to submit highway safety plans under this subsection, including any attachments to the plans, in electronic form.”; and

(5) in subsection (m)(2)(A)—

(A) in clause (iv) by striking “and” at the end; and

(B) by adding at the end the following:

“(vi) increase driver awareness of commercial motor vehicles to prevent crashes and reduce injuries and fatalities; and”.

SEC. 4003. HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.

Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (E) by striking “and” at the end;

(B) by redesignating subparagraph (F) as subparagraph (G);

(C) by inserting after subparagraph (E) the following:

“(F) the installation of ignition interlocks in the United States; and”; and

(D) in subparagraph (G), as so redesignated, by striking “in subparagraphs (A) through (E)” and inserting “in subparagraphs (A) through (F)”;

(2) in subsection (h) by striking paragraph (2) and inserting the following:

“(2) FUNDING.—The Secretary shall obligate for each of fiscal years 2016 through 2021, from funds made available to carry out this section, except that the total obligated for the period covering fiscal years 2016 through 2021 may not exceed \$32,000,000, to conduct the research described in paragraph (1).”; and

(3) by adding at the end the following:

“(i) LIMITATION ON DRUG AND ALCOHOL SURVEY DATA.—The Secretary shall establish procedures and guidelines to ensure that any person participating in a program or activity that collects data on drug or alcohol use by drivers of motor vehicles and is carried out under this section is informed that the program or activity is voluntary.

“(j) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out under this section may be not more than 100 percent.”.

SEC. 4004. HIGH-VISIBILITY ENFORCEMENT PROGRAM.

(a) IN GENERAL.—Section 404 of title 23, United States Code, is amended to read as follows:

“§ 404. High visibility enforcement program

“(a) IN GENERAL.—The Administrator of the National Highway Traffic Safety Administration shall establish and administer a program under which not less than 3 campaigns will be carried out in each of fiscal years 2016 through 2021.

“(b) PURPOSE.—The purpose of each campaign carried out under this section shall be to achieve outcomes related to not less than 1 of the following objectives:

“(1) Reduce alcohol-impaired or drug-impaired operation of motor vehicles.

“(2) Increase use of seatbelts by occupants of motor vehicles.

“(3) Reduce distracted driving of motor vehicles.

“(c) ADVERTISING.—The Administrator may use, or authorize the use of, funds available to carry out this section to pay for the development, production, and use of broadcast and print media advertising and Internet-based outreach in carrying out campaigns under this section. Consideration shall be given to advertising directed at non-English speaking populations, including those who listen to, read, or watch nontraditional media.

“(d) COORDINATION WITH STATES.—The Administrator shall coordinate with States in carrying out the campaigns under this section, including advertising funded under subsection (c), with consideration given to—

“(1) relying on States to provide law enforcement resources for the campaigns out of funding available under sections 402 and 405; and

“(2) providing out of National Highway Traffic Safety Administration resources most of the means necessary for national advertising and education efforts associated with the campaigns.

“(e) USE OF FUNDS.—Funds made available to carry out this section may only be used for activities described in subsection (c).

“(f) DEFINITIONS.—In this section, the following definitions apply:

“(1) CAMPAIGN.—The term ‘campaign’ means a high-visibility traffic safety law enforcement campaign.

“(2) STATE.—The term ‘State’ has the meaning such term has under section 401.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 4 of title 23, United States Code, is amended by striking the item relating to section 404 and inserting the following:

“404. High-visibility enforcement program.”.

SEC. 4005. NATIONAL PRIORITY SAFETY PROGRAMS.

(a) GENERAL AUTHORITY.—Section 405(a) of title 23, United States Code, is amended to read as follows:

“(a) GENERAL AUTHORITY.—Subject to the requirements of this section, the Secretary of Transportation shall manage programs to address national priorities for reducing highway deaths and injuries. Funds shall be allocated according to the following:

“(1) OCCUPANT PROTECTION.—In each fiscal year, 13 percent of the funds provided under this section shall be allocated among States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles (as described in subsection (b)).

“(2) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—In each fiscal year, 14.5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to State traffic safety information system improvements (as described in subsection (c)).

“(3) IMPAIRED DRIVING COUNTERMEASURES.—In each fiscal year, 52.5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to impaired driving countermeasures (as described in subsection (d)).

“(4) DISTRACTED DRIVING.—In each fiscal year, 8.5 percent of the funds provided under this section shall be allocated among States that adopt and implement effective laws to reduce distracted driving (as described in subsection (e)).

“(5) MOTORCYCLIST SAFETY.—In each fiscal year, 1.5 percent of the funds provided under this section shall be allocated among States that implement motorcyclist safety programs (as described in subsection (f)).

“(6) STATE GRADUATED DRIVER LICENSING LAWS.—In each fiscal year, 5 percent of the funds provided under this section shall be allocated among States that adopt and implement graduated driver licensing laws (as described in subsection (g)).

“(7) NONMOTORIZED SAFETY.—In each fiscal year, 5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to non-motorized safety (as described in subsection (h)).

“(8) TRANSFERS.—Notwithstanding paragraphs (1) through (7), the Secretary may reallocate, before the last day of any fiscal year, any amounts remaining available to carry out any of the activities described in subsections (b) through (h) to increase the amount made available under section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.

“(9) MAINTENANCE OF EFFORT.—

“(A) REQUIREMENTS.—No grant may be made to a State in any fiscal year under subsection (b), (c), or (d) unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate expenditures from all State and local sources for

programs described in those subsections at or above the average level of such expenditures in the 2 fiscal years preceding the date of enactment of this paragraph.

“(B) WAIVER.—Upon the request of a State, the Secretary may waive or modify the requirements under subparagraph (A) for not more than 1 fiscal year if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances.”.

(b) HIGH SEATBELT USE RATE.—Section 405(b)(4)(B) of title 23, United States Code, is amended by striking “75 percent” and inserting “100 percent”.

(c) IMPAIRED DRIVING COUNTERMEASURES.—Section 405(d) of title 23, United States Code, is amended—

(1) by striking paragraph (4) and inserting the following:

“(4) USE OF GRANT AMOUNTS.—

“(A) REQUIRED PROGRAMS.—High-range States shall use grant funds for—

“(i) high-visibility enforcement efforts; and

“(ii) any of the activities described in subparagraph (B) if—

“(I) the activity is described in the statewide plan; and

“(II) the Secretary approves the use of funding for such activity.

“(B) AUTHORIZED PROGRAMS.—Medium-range and low-range States may use grant funds for—

“(i) any of the purposes described in subparagraph (A);

“(ii) hiring a full-time or part-time impaired driving coordinator of the State’s activities to address the enforcement and adjudication of laws regarding driving while impaired by alcohol, drugs, or the combination of alcohol and drugs;

“(iii) court support of high-visibility enforcement efforts, training and education of criminal justice professionals (including law enforcement, prosecutors, judges, and probation officers) to assist such professionals in handling impaired driving cases, hiring traffic safety resource prosecutors, hiring judicial outreach liaisons, and establishing driving while intoxicated courts;

“(iv) alcohol ignition interlock programs;

“(v) improving blood-alcohol concentration testing and reporting;

“(vi) paid and earned media in support of high-visibility enforcement efforts, conducting standardized field sobriety training, advanced roadside impaired driving evaluation training, and drug recognition expert training for law enforcement, and equipment and related expenditures used in connection with impaired driving enforcement in accordance with criteria established by the National Highway Traffic Safety Administration;

“(vii) training on the use of alcohol and drug screening and brief intervention;

“(viii) training for and implementation of impaired driving assessment programs or other tools designed to increase the probability of identifying the recidivism risk of a person convicted of driving under the influence of alcohol, drugs, or a combination of alcohol and drugs and to determine the most effective mental health or substance abuse treatment or sanction that will reduce such risk;

“(ix) developing impaired driving information systems; and

“(x) costs associated with a 24-7 sobriety program.

“(C) OTHER PROGRAMS.—Low-range States may use grant funds for any expenditure designed to reduce impaired driving based on

problem identification and may use not more than 50 percent of funds made available under this subsection for any project or activity eligible for funding under section 402. Medium- and high-range States may use funds for any expenditure designed to reduce impaired driving based on problem identification upon approval by the Secretary.”; and

(2) by striking paragraph (6)(A) and inserting the following:

“(A) IN GENERAL.—The Secretary shall make a separate grant under this subsection to each State that adopts and is enforcing a law that requires any individual convicted of driving under the influence of alcohol or of driving while intoxicated to receive a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock installed. Such law may provide limited exceptions for circumstances when—

“(i) a State-certified ignition interlock provider is not available within 100 miles of the individual’s residence;

“(ii) the individual is required to operate an employer’s motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual; or

“(iii) the individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.”.

(d) DISTRACTED DRIVING GRANTS.—Section 405(e) of title 23, United States Code, is amended to read as follows:

“(e) DISTRACTED DRIVING GRANTS.—

“(1) IN GENERAL.—The Secretary shall award a grant under this subsection to any State that includes distracted driving awareness as part of the State’s driver’s license examination, and enacts and enforces a law that meets the requirements set forth in paragraphs (2) and (3).

“(2) PROHIBITION ON TEXTING WHILE DRIVING OR STOPPED IN TRAFFIC.—A State law meets the requirements set forth in this paragraph if the law—

“(A) prohibits a driver from texting through a personal wireless communications device while driving or stopped in traffic;

“(B) makes violation of the law a primary offense; and

“(C) establishes a minimum fine for a violation of the law.

“(3) PROHIBITION ON YOUTH CELL PHONE USE WHILE DRIVING OR STOPPED IN TRAFFIC.—A State law meets the requirements set forth in this paragraph if the law—

“(A) prohibits a driver from using a personal wireless communications device while driving or stopped in traffic—

“(i) younger than 18 years of age; or

“(ii) in the learner’s permit and intermediate license stages set forth in subsection (g)(2)(B);

“(B) makes violation of the law a primary offense; and

“(C) establishes a minimum fine for a first violation of the law.

“(4) PERMITTED EXCEPTIONS.—A law that meets the requirements set forth in paragraph (2) or (3) may provide exceptions for—

“(A) a driver who uses a personal wireless communications device to contact emergency services;

“(B) emergency services personnel who use a personal wireless communications device while—

“(i) operating an emergency services vehicle; and

“(ii) engaged in the performance of their duties as emergency services personnel;

“(C) an individual employed as a commercial motor vehicle driver or a school bus driver who uses a personal wireless communications device within the scope of such individual’s employment if such use is permitted under the regulations promulgated pursuant to section 31136 of title 49; and

“(D) any additional exceptions determined by the Secretary through a rulemaking process.

“(5) USE OF GRANT FUNDS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), amounts received by a State under this subsection shall be used—

“(i) to educate the public through advertising containing information about the dangers of texting or using a cell phone while driving;

“(ii) for traffic signs that notify drivers about the distracted driving law of the State; or

“(iii) for law enforcement costs related to the enforcement of the distracted driving law.

“(B) FLEXIBILITY.—

“(i) Not more than 50 percent of amounts received by a State under this subsection may be used for any eligible project or activity under section 402.

“(ii) Not more than 75 percent of amounts received by a State under this subsection may be used for any eligible project or activity under section 402 if the State has conformed its distracted driving data to the most recent Model Minimum Uniform Crash Criteria published by the Secretary.

“(6) ALLOCATION TO SUPPORT STATE DISTRACTED DRIVING LAWS.—Of the amounts available under this subsection in a fiscal year for distracted driving grants, the Secretary may expend not more than \$5,000,000 for the development and placement of broadcast media to reduce distracted driving of motor vehicles, including to support campaigns related to distracted driving that are funded under section 404.

“(7) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State’s apportionment under section 402 for fiscal year 2009.

“(8) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) DRIVING.—The term ‘driving’—

“(i) means operating a motor vehicle on a public road, including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise; and

“(ii) does not include operating a motor vehicle when the vehicle has pulled over to the side of, or off, an active roadway and has stopped in a location where it can safely remain stationary.

“(B) PERSONAL WIRELESS COMMUNICATIONS DEVICE.—The term ‘personal wireless communications device’—

“(i) means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted; and

“(ii) does not include a global navigation satellite system receiver used for positioning, emergency notification, or navigation purposes.

“(C) PRIMARY OFFENSE.—The term ‘primary offense’ means an offense for which a law enforcement officer may stop a vehicle solely for the purpose of issuing a citation in the absence of evidence of another offense.

“(D) PUBLIC ROAD.—The term ‘public road’ has the meaning given such term in section 402(c).

“(E) TEXTING.—The term ‘texting’ means reading from or manually entering data into

a personal wireless communications device, including doing so for the purpose of SMS texting, emailing, instant messaging, or engaging in any other form of electronic data retrieval or electronic data communication.”.

(e) MOTORCYCLIST SAFETY.—Section 405(f) of title 23, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State’s apportionment under section 402 for fiscal year 2009, except that the amount of a grant awarded to a State for a fiscal year may not exceed 25 percent of the amount apportioned to the State under such section for fiscal year 2009.”;

(2) in paragraph (4) by adding at the end the following:

“(C) FLEXIBILITY.—Not more than 50 percent of grant funds received by a State under this subsection may be used for any eligible project or activity under section 402 if the State is in the lowest 25 percent of all States for motorcycle deaths per 10,000 motorcycle registrations based on the most recent data that conforms with criteria established by the Secretary.”; and

(3) by adding at the end the following:

“(6) SHARE-THE-ROAD MODEL LANGUAGE.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall update and provide to the States model language for use in traffic safety education courses, driver’s manuals, and other driver training materials that provides instruction for drivers of motor vehicles on the importance of sharing the road safely with motorcyclists.”.

(f) STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT.—Section 405(g) of title 23, United States Code, is amended to read as follows:

“(g) STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT.—

“(1) GRANTS AUTHORIZED.—Subject to the requirements under this subsection, the Secretary shall award grants to States that adopt and implement graduated driver licensing laws in accordance with the requirements set forth in paragraph (2).

“(2) MINIMUM REQUIREMENTS.—

“(A) IN GENERAL.—A State meets the requirements set forth in this paragraph if the State has a graduated driver licensing law that requires novice drivers younger than 18 years of age to comply with the 2-stage licensing process described in subparagraph (B) before receiving an unrestricted driver’s license.

“(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State’s driver’s license laws comply with the additional requirements under subparagraph (C) and includes—

“(i) a learner’s permit stage that—

“(I) is not less than 6 months in duration and remains in effect until the driver reaches not less than 16 years of age;

“(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under subsection (e)(4);

“(III) requires that the driver be accompanied and supervised at all times while operating a motor vehicle by a licensed driver who is—

“(aa) not less than 21 years of age;

“(bb) the driver’s parent or guardian; or

“(cc) a State-certified driving instructor; and

“(IV) complies with the additional requirements for a learner’s permit stage set forth in subparagraph (C)(i); and

“(ii) an intermediate stage that—

“(I) is not less than 6 months in duration;

“(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under subsection (e)(4);

“(III) for the first 6 months of such stage, restricts driving at night when not supervised by a licensed driver described in clause (i)(III), excluding transportation to work, school, or religious activities, or in the case of an emergency;

“(IV) for a period of not less than 6 months, prohibits the driver from operating a motor vehicle with more than 1 non-familial passenger under 21 years of age unless a licensed driver described in clause (i)(III) is in the vehicle; and

“(V) complies with the additional requirements for an intermediate stage set forth in subparagraph (C)(ii).

“(C) ADDITIONAL REQUIREMENTS.—

“(i) LEARNER’S PERMIT STAGE.—In addition to the requirements of subparagraph (B)(i), a learner’s permit stage shall include not less than 2 of the following requirements:

“(I) Passage of a vision and knowledge assessment by a learner’s permit applicant prior to receiving a learner’s permit.

“(II) The driver completes—

“(aa) a State-certified driver education or training course; or

“(bb) not less than 40 hours of behind-the-wheel training with a licensed driver described in subparagraph (B)(i)(III).

“(III) In addition to any other penalties imposed by State law, the grant of an unrestricted driver’s license or advancement to an intermediate stage be automatically delayed for any individual who, during the learner’s permit stage, is convicted of a driving-related offense, including—

“(aa) driving while intoxicated;

“(bb) misrepresentation of the individual’s age;

“(cc) reckless driving;

“(dd) driving without wearing a seatbelt;

“(ee) speeding; or

“(ff) any other driving-related offense, as determined by the Secretary.

“(ii) INTERMEDIATE STAGE.—In addition to the requirements of subparagraph (B)(ii), an intermediate stage shall include not less than 2 of the following requirements:

“(I) Commencement of such stage after the successful completion of a driving skills test.

“(II) That such stage remain in effect until the driver reaches the age of not less than 17.

“(III) In addition to any other penalties imposed by State law, the grant of an unrestricted driver’s license be automatically delayed for any individual who, during the learner’s permit stage, is convicted of a driving-related offense, including those described in clause (i)(III).

“(3) EXCEPTION.—A State that otherwise meets the minimum requirements set forth in paragraph (2) shall be deemed by the Secretary to be in compliance with the requirement set forth in paragraph (2) if the State enacted a law before January 1, 2011, establishing a class of license that permits licensees or applicants younger than 18 years of age to drive a motor vehicle—

“(A) in connection with work performed on, or for the operation of, a farm owned by family members who are directly related to the applicant or licensee; or

“(B) if demonstrable hardship would result from the denial of a license to the licensees or applicants.

“(4) ALLOCATION.—Grant funds allocated to a State under this subsection for a fiscal year shall be in proportion to the State’s apportionment under section 402 for fiscal year 2009.

“(5) USE OF FUNDS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), grant funds received by a State under this subsection shall be used for—

“(i) enforcing a 2-stage licensing process that complies with paragraph (2);

“(ii) training for law enforcement personnel and other relevant State agency personnel relating to the enforcement described in clause (i);

“(iii) publishing relevant educational materials that pertain directly or indirectly to the State graduated driver licensing law;

“(iv) carrying out other administrative activities that the Secretary considers relevant to the State’s 2-stage licensing process; or

“(v) carrying out a teen traffic safety program described in section 402(m).

“(B) FLEXIBILITY.—

“(i) Not more than 75 percent of grant funds received by a State under this subsection may be used for any eligible project or activity under section 402.

“(ii) Not more than 100 percent of grant funds received by a State under this subsection may be used for any eligible project or activity under section 402, if the State is in the lowest 25 percent of all States for the number of drivers under age 18 involved in fatal crashes in the State per the total number of drivers under age 18 in the State based on the most recent data that conforms with criteria established by the Secretary.”

(g) NONMOTORIZED SAFETY.—Section 405 of title 23, United States Code, is amended by adding at the end the following:

“(h) NONMOTORIZED SAFETY.—

“(1) GENERAL AUTHORITY.—Subject to the requirements under this subsection, the Secretary shall award grants to States for the purpose of decreasing pedestrian and bicycle fatalities and injuries that result from crashes involving a motor vehicle.

“(2) FEDERAL SHARE.—The Federal share of the cost of a project carried out by a State using amounts from a grant awarded under this subsection may not exceed 80 percent.

“(3) ELIGIBILITY.—A State shall receive a grant under this subsection in a fiscal year if the annual combined pedestrian and bicycle fatalities in the State exceed 15 percent of the total annual crash fatalities in the State, based on the most recently reported final data from the Fatality Analysis Reporting System.

“(4) USE OF GRANT AMOUNTS.—Grant funds received by a State under this subsection may be used for—

“(A) training of law enforcement officials on State laws applicable to pedestrian and bicycle safety;

“(B) enforcement mobilizations and campaigns designed to enforce State traffic laws applicable to pedestrian and bicycle safety; and

“(C) public education and awareness programs designed to inform motorists, pedestrians, and bicyclists of State traffic laws applicable to pedestrian and bicycle safety.

“(5) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State’s apportionment under section 402 for fiscal year 2009.”

SEC. 4006. PROHIBITION ON FUNDS TO CHECK HELMET USAGE OR CREATE RELATED CHECKPOINTS FOR A MOTORCYCLE DRIVER OR PASSENGER.

The Secretary may not provide a grant or otherwise make available funding to a State, Indian tribe, county, municipality, or other local government to be used for a program or activity to check helmet usage, including checkpoints related to helmet usage, with respect to a motorcycle driver or passenger.

SEC. 4007. MARIJUANA-IMPAIRED DRIVING.

(a) STUDY.—The Secretary, in consultation with the heads of other Federal agencies as appropriate, shall conduct a study on marijuana-impaired driving.

(b) ISSUES TO BE EXAMINED.—In conducting the study, the Secretary shall examine, at a minimum, the following:

(1) Methods to detect marijuana-impaired driving, including devices capable of measuring marijuana levels in motor vehicle operators.

(2) A review of impairment standard research for driving under the influence of marijuana.

(3) Methods to differentiate the cause of a driving impairment between alcohol and marijuana.

(4) State-based policies on marijuana-impaired driving.

(5) The role and extent of marijuana impairment in motor vehicle accidents.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with other Federal agencies as appropriate, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

(2) CONTENTS.—The report shall include, at a minimum, the following:

(A) FINDINGS.—The findings of the Secretary based on the study, including, at a minimum, the following:

(i) An assessment of methodologies and technologies for measuring driver impairment resulting from the use of marijuana, including the use of marijuana in combination with alcohol.

(ii) A description and assessment of the role of marijuana as a causal factor in traffic crashes and the extent of the problem of marijuana-impaired driving.

(iii) A description and assessment of current State laws relating to marijuana-impaired driving.

(iv) A determination whether an impairment standard for drivers under the influence of marijuana is feasible and could reduce vehicle accidents and save lives.

(B) RECOMMENDATIONS.—The recommendations of the Secretary based on the study, including, at a minimum, the following:

(i) Effective and efficient methods for training law enforcement personnel, including drug recognition experts, to detect or measure the level of impairment of a motor vehicle operator who is under the influence of marijuana by the use of technology or otherwise.

(ii) If feasible, an impairment standard for driving under the influence of marijuana.

(iii) Methodologies for increased data collection regarding the prevalence and effects of marijuana-impaired driving.

(d) MARIJUANA DEFINED.—In this section, the term “marijuana” includes all substances containing tetrahydrocannabinol.

SEC. 4008. NATIONAL PRIORITY SAFETY PROGRAM GRANT ELIGIBILITY.

Not later than 60 days after the date on which the Secretary of Transportation awards grants under section 405 of title 23, United States Code, the Secretary shall make available on a publicly available Internet Web site of the Department of Transportation—

- (1) an identification of—
 - (A) the States that were awarded grants under such section;
 - (B) the States that applied and were not awarded grants under such section; and
 - (C) the States that did not apply for a grant under such section; and
- (2) a list of deficiencies that made a State ineligible for a grant under such section for each State under paragraph (1)(B).

SEC. 4009. DATA COLLECTION.

Section 1906 of SAFETEA-LU (23 U.S.C. 402 note) is amended—

- (1) in subsection (a)(1)—
 - (A) by striking “(A) has enacted” and all that follows through “(B) is maintaining” and inserting “is maintaining”; and
 - (B) by striking “and any passengers”;
- (2) by striking subsection (b) and inserting the following:
 - “(b) USE OF GRANT FUNDS.—A grant received by a State under subsection (a) shall be used by the State for the costs of—
 - “(1) collecting and maintaining data on traffic stops; and
 - “(2) evaluating the results of the data.”;
 - (3) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively;
 - (4) in subsection (c)(2), as so redesignated, by striking “A State” and inserting “On or after October 1, 2015, a State”; and
 - (5) in subsection (d), as so redesignated—
 - (A) in the subsection heading by striking “AUTHORIZATION OF APPROPRIATIONS” and inserting “FUNDING”;
 - (B) by striking paragraph (1) and inserting the following:
 - “(1) IN GENERAL.—From funds made available under section 403 of title 23, United States Code, the Secretary shall set aside \$7,500,000 for each of the fiscal years 2016 through 2021 to carry out this section.”; and
 - (C) in paragraph (2)—
 - (i) by striking “authorized by” and inserting “made available under”; and
 - (ii) by striking “percent,” and all that follows through the period at the end and inserting “percent.”.

“(1) IN GENERAL.—From funds made available under section 403 of title 23, United States Code, the Secretary shall set aside \$7,500,000 for each of the fiscal years 2016 through 2021 to carry out this section.”; and

SEC. 4010. TECHNICAL CORRECTIONS.

Title 23, United States Code, is amended as follows:

- (1) Section 402 is amended—
 - (A) in subsection (b)(1)—
 - (i) in subparagraph (C) by striking “paragraph (3)” and inserting “paragraph (2)”;
 - (ii) in subparagraph (E)—
 - (I) by striking “in which” and inserting “for which”; and
 - (II) by striking “under subsection (f)” and inserting “under subsection (k)”;
 - (B) in subsection (k)(5), as redesignated by this Act, by striking “under paragraph (2)(A)” and inserting “under paragraph (3)(A)”.
- (2) Section 403(e) is amended by striking “chapter 301” and inserting “chapter 301 of title 49”.
- (3) Section 405 is amended—
 - (A) in subsection (d)—
 - (i) in paragraph (5) by striking “under section 402(c)” and inserting “under section 402”; and
 - (ii) in paragraph (6)(C) by striking “on the basis of the apportionment formula set forth

in section 402(c)” and inserting “in proportion to the State’s apportionment under section 402 for fiscal year 2009”; and

- (B) in subsection (f)(4)(A)(iv)—
 - (i) by striking “such as the” and inserting “including”; and
 - (ii) by striking “developed under subsection (g)”.

TITLE V—MOTOR CARRIER SAFETY
Subtitle A—Motor Carrier Safety Grant
Consolidation

SEC. 5101. GRANTS TO STATES.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31102 of title 49, United States Code, is amended to read as follows:

“§ 31102. Motor carrier safety assistance program

“(a) IN GENERAL.—The Secretary of Transportation shall administer a motor carrier safety assistance program funded under section 31104.

“(b) GOAL.—The goal of the program is to ensure that the Secretary, States, local governments, other political jurisdictions, federally recognized Indian tribes, and other persons work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient surface transportation system by—

“(1) making targeted investments to promote safe commercial motor vehicle transportation, including the transportation of passengers and hazardous materials;

“(2) investing in activities likely to generate maximum reductions in the number and severity of commercial motor vehicle crashes and in fatalities resulting from such crashes;

“(3) adopting and enforcing effective motor carrier, commercial motor vehicle, and driver safety regulations and practices consistent with Federal requirements; and

“(4) assessing and improving statewide performance by setting program goals and meeting performance standards, measures, and benchmarks.

“(c) STATE PLANS.—

“(1) IN GENERAL.—In carrying out the program, the Secretary shall prescribe procedures for a State to submit a multiple-year plan, and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety by adopting and enforcing State regulations, standards, and orders that are compatible with the regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.

“(2) CONTENTS.—The Secretary shall approve a State plan if the Secretary determines that the plan is adequate to comply with the requirements of this section, and the plan—

“(A) implements performance-based activities, including deployment and maintenance of technology to enhance the efficiency and effectiveness of commercial motor vehicle safety programs;

“(B) designates a lead State commercial motor vehicle safety agency responsible for administering the plan throughout the State;

“(C) contains satisfactory assurances that the lead State commercial motor vehicle safety agency has or will have the legal authority, resources, and qualified personnel necessary to enforce the regulations, standards, and orders;

“(D) contains satisfactory assurances that the State will devote adequate resources to the administration of the plan and enforce-

ment of the regulations, standards, and orders;

“(E) provides a right of entry and inspection to carry out the plan;

“(F) provides that all reports required under this section be available to the Secretary on request;

“(G) provides that the lead State commercial motor vehicle safety agency will adopt the reporting requirements and use the forms for recordkeeping, inspections, and investigations that the Secretary prescribes;

“(H) requires all registrants of commercial motor vehicles to demonstrate knowledge of applicable safety regulations, standards, and orders of the Federal Government and the State;

“(I) provides that the State will grant maximum reciprocity for inspections conducted under the North American Inspection Standards through the use of a nationally accepted system that allows ready identification of previously inspected commercial motor vehicles;

“(J) ensures that activities described in subsection (h), if financed through grants to the State made under this section, will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, commercial motor vehicle, and driver safety as described in subsection (b);

“(K) ensures that the lead State commercial motor vehicle safety agency will coordinate the plan, data collection, and information systems with the State highway safety improvement program required under section 148(c) of title 23;

“(L) ensures participation in appropriate Federal Motor Carrier Safety Administration information technology and data systems and other information systems by all appropriate jurisdictions receiving motor carrier safety assistance program funding;

“(M) ensures that information is exchanged among the States in a timely manner;

“(N) provides satisfactory assurances that the State will undertake efforts that will emphasize and improve enforcement of State and local traffic safety laws and regulations related to commercial motor vehicle safety;

“(O) provides satisfactory assurances that the State will address national priorities and performance goals, including—

“(i) activities aimed at removing impaired commercial motor vehicle drivers from the highways of the United States through adequate enforcement of regulations on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment;

“(ii) activities aimed at providing an appropriate level of training to State motor carrier safety assistance program officers and employees on recognizing drivers impaired by alcohol or controlled substances; and

“(iii) when conducted with an appropriate commercial motor vehicle inspection, criminal interdiction activities, and appropriate strategies for carrying out those interdiction activities, including interdiction activities that affect the transportation of controlled substances (as defined in section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802) and listed in part 1308 of title 21, Code of Federal Regulations, as updated and republished from time to time) by any occupant of a commercial motor vehicle;

“(P) provides that the State has established and dedicated sufficient resources to a program to ensure that—

“(i) the State collects and reports to the Secretary accurate, complete, and timely motor carrier safety data; and

“(ii) the State participates in a national motor carrier safety data correction system prescribed by the Secretary;

“(Q) ensures that the State will cooperate in the enforcement of financial responsibility requirements under sections 13906, 31138, and 31139 and regulations issued under those sections;

“(R) ensures consistent, effective, and reasonable sanctions;

“(S) ensures that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel;

“(T) provides that the State will include in the training manuals for the licensing examination to drive noncommercial motor vehicles and commercial motor vehicles information on best practices for driving safely in the vicinity of noncommercial and commercial motor vehicles;

“(U) provides that the State will enforce the registration requirements of sections 13902 and 31134 by prohibiting the operation of any vehicle discovered to be operated by a motor carrier without a registration issued under those sections or to be operated beyond the scope of the motor carrier's registration;

“(V) provides that the State will conduct comprehensive and highly visible traffic enforcement and commercial motor vehicle safety inspection programs in high-risk locations and corridors;

“(W) except in the case of an imminent hazard or obvious safety hazard, ensures that an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a bus station, terminal, border crossing, maintenance facility, destination, or other location where a motor carrier may make a planned stop (excluding a weigh station);

“(X) ensures that the State will transmit to its roadside inspectors notice of each Federal exemption granted under section 31315(b) of this title and sections 390.23 and 390.25 of title 49, Code of Federal Regulations, and provided to the State by the Secretary, including the name of the person that received the exemption and any terms and conditions that apply to the exemption;

“(Y) except as provided in subsection (d), provides that the State—

“(i) will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under section 31144(g); and

“(ii) if the State authorizes a third party to conduct safety audits under section 31144(g) on its behalf, the State verifies the quality of the work conducted and remains solely responsible for the management and oversight of the activities;

“(Z) provides that the State agrees to fully participate in the performance and registration information systems management under section 31106(b) not later than October 1, 2020, by complying with the conditions for participation under paragraph (3) of that section, or demonstrates to the Secretary an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety;

“(AA) in the case of a State that shares a land border with another country, provides that the State—

“(i) will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects; or

“(ii) will forfeit all funds calculated by the Secretary based on border-related activities if the State declines to conduct the program described in clause (i) in its plan; and

“(BB) in the case of a State that meets the other requirements of this section and agrees to comply with the requirements established in subsection (1)(3), provides that the State may fund operation and maintenance costs associated with innovative technology deployment under subsection (1)(3) with motor carrier safety assistance program funds authorized under section 31104(a)(1).

“(3) PUBLICATION.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall publish each approved State multiple-year plan, and each annual update thereto, on a publicly accessible Internet Web site of the Department of Transportation not later than 30 days after the date the Secretary approves the plan or update.

“(B) LIMITATION.—Before publishing an approved State multiple-year plan or annual update under subparagraph (A), the Secretary shall redact any information identified by the State that, if disclosed—

“(i) would reasonably be expected to interfere with enforcement proceedings; or

“(ii) would reveal enforcement techniques or procedures that would reasonably be expected to risk circumvention of the law.

“(d) EXCLUSION OF U.S. TERRITORIES.—The requirement that a State conduct safety audits of new entrant motor carriers under subsection (c)(2)(Y) does not apply to a territory of the United States unless required by the Secretary.

“(e) INTRASTATE COMPATIBILITY.—The Secretary shall prescribe regulations specifying tolerance guidelines and standards for ensuring compatibility of intrastate commercial motor vehicle safety laws, including regulations, with Federal motor carrier safety regulations to be enforced under subsections (b) and (c). To the extent practicable, the guidelines and standards shall allow for maximum flexibility while ensuring a degree of uniformity that will not diminish motor vehicle safety.

“(f) MAINTENANCE OF EFFORT.—

“(1) BASELINE.—Except as provided under paragraphs (2) and (3) and in accordance with section 5106 of the Surface Transportation Reauthorization and Reform Act of 2015, a State plan under subsection (c) shall provide that the total expenditure of amounts of the lead State commercial motor vehicle safety agency responsible for administering the plan will be maintained at a level each fiscal year that is at least equal to—

“(A) the average level of that expenditure for fiscal years 2004 and 2005; or

“(B) the level of that expenditure for the year in which the Secretary implements a new allocation formula under section 5106 of the Surface Transportation Reauthorization and Reform Act of 2015.

“(2) ADJUSTED BASELINE AFTER FISCAL YEAR 2017.—At the request of a State, the Secretary may evaluate additional documentation related to the maintenance of effort and may make reasonable adjustments to the maintenance of effort baseline after the year in which the Secretary implements a new allocation formula under section 5106 of the Surface Transportation Reauthorization and Reform Act of 2015, and this adjusted baseline will replace the maintenance of effort requirement under paragraph (1).

“(3) WAIVERS.—At the request of a State, the Secretary may waive or modify the requirements of this subsection for a total of 1 fiscal year if the Secretary determines that

the waiver or modification is reasonable, based on circumstances described by the State, to ensure the continuation of commercial motor vehicle enforcement activities in the State.

“(4) LEVEL OF STATE EXPENDITURES.—In estimating the average level of a State's expenditures under paragraph (1), the Secretary—

“(A) may allow the State to exclude State expenditures for federally sponsored demonstration and pilot programs and strike forces;

“(B) may allow the State to exclude expenditures for activities related to border enforcement and new entrant safety audits; and

“(C) shall require the State to exclude State matching amounts used to receive Federal financing under section 31104.

“(g) USE OF UNIFIED CARRIER REGISTRATION FEES AGREEMENT.—Amounts generated under section 14504a and received by a State and used for motor carrier safety purposes may be included as part of the State's match required under section 31104 or maintenance of effort required by subsection (f).

“(h) USE OF GRANTS TO ENFORCE OTHER LAWS.—When approved as part of a State's plan under subsection (c), the State may use motor carrier safety assistance program funds received under this section—

“(1) if the activities are carried out in conjunction with an appropriate inspection of a commercial motor vehicle to enforce Federal or State commercial motor vehicle safety regulations, for—

“(A) enforcement of commercial motor vehicle size and weight limitations at locations, excluding fixed-weight facilities, such as near steep grades or mountainous terrains, where the weight of a commercial motor vehicle can significantly affect the safe operation of the vehicle, or at ports where intermodal shipping containers enter and leave the United States; and

“(B) detection of and enforcement actions taken as a result of criminal activity, including the trafficking of human beings, in a commercial motor vehicle or by any occupant, including the operator, of the commercial motor vehicle; and

“(2) for documented enforcement of State traffic laws and regulations designed to promote the safe operation of commercial motor vehicles, including documented enforcement of such laws and regulations relating to noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles, if—

“(A) the number of motor carrier safety activities, including roadside safety inspections, conducted in the State is maintained at a level at least equal to the average level of such activities conducted in the State in fiscal years 2004 and 2005; and

“(B) the State does not use more than 10 percent of the basic amount the State receives under a grant awarded under section 31104(a)(1) for enforcement activities relating to noncommercial motor vehicles necessary to promote the safe operation of commercial motor vehicles unless the Secretary determines that a higher percentage will result in significant increases in commercial motor vehicle safety.

“(i) EVALUATION OF PLANS AND AWARD OF GRANTS.—

“(1) AWARDS.—The Secretary shall establish criteria for the application, evaluation, and approval of State plans under this section. Subject to subsection (j), the Secretary may allocate the amounts made available under section 31104(a)(1) among the States.

“(2) OPPORTUNITY TO CURE.—If the Secretary disapproves a plan under this section, the Secretary shall give the State a written explanation of the reasons for disapproval and allow the State to modify and resubmit the plan for approval.

“(j) ALLOCATION OF FUNDS.—

“(1) IN GENERAL.—The Secretary, by regulation, shall prescribe allocation criteria for funds made available under section 31104(a)(1).

“(2) ANNUAL ALLOCATIONS.—On October 1 of each fiscal year, or as soon as practicable thereafter, and after making a deduction under section 31104(c), the Secretary shall allocate amounts made available under section 31104(a)(1) to carry out this section for the fiscal year among the States with plans approved under this section in accordance with the criteria prescribed under paragraph (1).

“(3) ELECTIVE ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary to calculate the annual allocation amounts, after the creation of a new allocation formula under section 5106 of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary may not make elective adjustments to the allocation formula that decrease a State's Federal funding levels by more than 3 percent in a fiscal year. The 3 percent limit shall not apply to the withholding provisions of subsection (k).

“(k) PLAN MONITORING.—

“(1) IN GENERAL.—On the basis of reports submitted by the lead State agency responsible for administering a State plan approved under this section and an investigation by the Secretary, the Secretary shall periodically evaluate State implementation of and compliance with the State plan.

“(2) WITHHOLDING OF FUNDS.—

“(A) DISAPPROVAL.—If, after notice and an opportunity to be heard, the Secretary finds that a State plan previously approved under this section is not being followed or has become inadequate to ensure enforcement of State regulations, standards, or orders described in subsection (c)(1), or the State is otherwise not in compliance with the requirements of this section, the Secretary may withdraw approval of the State plan and notify the State. Upon the receipt of such notice, the State plan shall no longer be in effect and the Secretary shall withhold all funding to the State under this section.

“(B) NONCOMPLIANCE WITHHOLDING.—In lieu of withdrawing approval of a State plan under subparagraph (A), the Secretary may, after providing notice to the State and an opportunity to be heard, withhold funding from the State to which the State would otherwise be entitled under this section for the period of the State's noncompliance. In exercising this option, the Secretary may withhold—

“(i) up to 5 percent of funds during the fiscal year that the Secretary notifies the State of its noncompliance;

“(ii) up to 10 percent of funds for the first full fiscal year of noncompliance;

“(iii) up to 25 percent of funds for the second full fiscal year of noncompliance; and

“(iv) not more than 50 percent of funds for the third and any subsequent full fiscal year of noncompliance.

“(3) JUDICIAL REVIEW.—A State adversely affected by a determination under paragraph (2) may seek judicial review under chapter 7 of title 5. Notwithstanding the disapproval of a State plan under paragraph (2)(A) or the withholding of funds under paragraph (2)(B), the State may retain jurisdiction in an ad-

ministrative or a judicial proceeding that commenced before the notice of disapproval or withholding if the issues involved are not related directly to the reasons for the disapproval or withholding.

“(1) HIGH PRIORITY PROGRAM.—

“(1) IN GENERAL.—The Secretary shall administer a high priority program funded under section 31104 for the purposes described in paragraphs (2) and (3).

“(2) ACTIVITIES RELATED TO MOTOR CARRIER SAFETY.—The Secretary may make discretionary grants to and enter into cooperative agreements with States, local governments, federally recognized Indian tribes, other political jurisdictions as necessary, and any person to carry out high priority activities and projects that augment motor carrier safety activities and projects planned in accordance with subsections (b) and (c), including activities and projects that—

“(A) increase public awareness and education on commercial motor vehicle safety;

“(B) target unsafe driving of commercial motor vehicles and noncommercial motor vehicles in areas identified as high risk crash corridors;

“(C) improve the safe and secure movement of hazardous materials;

“(D) improve safe transportation of goods and persons in foreign commerce;

“(E) demonstrate new technologies to improve commercial motor vehicle safety;

“(F) support participation in performance and registration information systems management under section 31106(b)—

“(i) for entities not responsible for submitting the plan under subsection (c); or

“(ii) for entities responsible for submitting the plan under subsection (c)—

“(I) before October 1, 2020, to achieve compliance with the requirements of participation; and

“(II) beginning on October 1, 2020, or once compliance is achieved, whichever is sooner, for special initiatives or projects that exceed routine operations required for participation;

“(G) conduct safety data improvement projects—

“(i) that complete or exceed the requirements under subsection (c)(2)(P) for entities not responsible for submitting the plan under subsection (c); or

“(ii) that exceed the requirements under subsection (c)(2)(P) for entities responsible for submitting the plan under subsection (c); and

“(H) otherwise improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations.

“(3) INNOVATIVE TECHNOLOGY DEPLOYMENT GRANT PROGRAM.—

“(A) IN GENERAL.—The Secretary shall establish an innovative technology deployment grant program to make discretionary grants funded under section 31104(a)(2) to eligible States for the innovative technology deployment of commercial motor vehicle information systems and networks.

“(B) PURPOSES.—The purposes of the program shall be—

“(i) to advance the technological capability and promote the deployment of intelligent transportation system applications for commercial motor vehicle operations, including commercial motor vehicle, commercial driver, and carrier-specific information systems and networks; and

“(ii) to support and maintain commercial motor vehicle information systems and networks—

“(I) to link Federal motor carrier safety information systems with State commercial motor vehicle systems;

“(II) to improve the safety and productivity of commercial motor vehicles and drivers; and

“(III) to reduce costs associated with commercial motor vehicle operations and Federal and State commercial motor vehicle regulatory requirements.

“(C) ELIGIBILITY.—To be eligible for a grant under this paragraph, a State shall—

“(i) have a commercial motor vehicle information systems and networks program plan approved by the Secretary that describes the various systems and networks at the State level that need to be refined, revised, upgraded, or built to accomplish deployment of commercial motor vehicle information systems and networks capabilities;

“(ii) certify to the Secretary that its commercial motor vehicle information systems and networks deployment activities, including hardware procurement, software and system development, and infrastructure modifications—

“(I) are consistent with the national intelligent transportation systems and commercial motor vehicle information systems and networks architectures and available standards; and

“(II) promote interoperability and efficiency to the extent practicable; and

“(iii) agree to execute interoperability tests developed by the Federal Motor Carrier Safety Administration to verify that its systems conform with the national intelligent transportation systems architecture, applicable standards, and protocols for commercial motor vehicle information systems and networks.

“(D) USE OF FUNDS.—Grant funds received under this paragraph may be used—

“(i) for deployment activities and activities to develop new and innovative advanced technology solutions that support commercial motor vehicle information systems and networks;

“(ii) for planning activities, including the development or updating of program or top level design plans in order to become eligible or maintain eligibility under subparagraph (C); and

“(iii) for the operation and maintenance costs associated with innovative technology.

“(E) SECRETARY AUTHORIZATION.—The Secretary is authorized to award a State funding for the operation and maintenance costs associated with innovative technology deployment with funds made available under sections 31104(a)(1) and 31104(a)(2).”.

(b) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—Section 31103 of title 49, United States Code, is amended to read as follows:

“§ 31103. Commercial motor vehicle operators grant program

“(a) IN GENERAL.—The Secretary shall administer a commercial motor vehicle operators grant program funded under section 31104.

“(b) PURPOSE.—The purpose of the grant program is to train individuals in the safe operation of commercial motor vehicles (as defined in section 31301).

“(c) VETERANS.—In administering grants under this section, the Secretary shall award priority to grant applications for programs to train former members of the armed forces (as defined in section 101 of title 10) in the safe operation of such vehicles.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 31104 of title 49, United States Code, as amended by this Act, is further amended on the effective date set forth in subsection (f) to read as follows:

“§ 31104. Authorization of appropriations

“(a) FINANCIAL ASSISTANCE PROGRAMS.—The following sums are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account):

“(1) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Subject to paragraph (2) and subsection (c), to carry out section 31102—

- “(A) \$278,242,684 for fiscal year 2017;
- “(B) \$293,685,550 for fiscal year 2018;
- “(C) \$308,351,227 for fiscal year 2019;
- “(D) \$323,798,553 for fiscal year 2020; and
- “(E) \$339,244,023 for fiscal year 2021.

“(2) HIGH PRIORITY ACTIVITIES PROGRAM.—Subject to subsection (c), to make grants and cooperative agreements under section 31102(1), the Secretary may set aside from amounts made available under paragraph (1) up to—

- “(A) \$40,798,780 for fiscal year 2017;
- “(B) \$41,684,114 for fiscal year 2018;
- “(C) \$42,442,764 for fiscal year 2019;
- “(D) \$43,325,574 for fiscal year 2020; and
- “(E) \$44,209,416 for fiscal year 2021.

“(3) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—To carry out section 31103—

- “(A) \$1,000,000 for fiscal year 2017;
- “(B) \$1,000,000 for fiscal year 2018;
- “(C) \$1,000,000 for fiscal year 2019;
- “(D) \$1,000,000 for fiscal year 2020; and
- “(E) \$1,000,000 for fiscal year 2021.

“(4) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION PROGRAM.—Subject to subsection (c), to carry out section 31133—

- “(A) \$30,958,536 for fiscal year 2017;
- “(B) \$31,630,336 for fiscal year 2018;
- “(C) \$32,206,008 for fiscal year 2019;
- “(D) \$32,875,893 for fiscal year 2020; and
- “(E) \$33,546,562 for fiscal year 2021.

“(b) REIMBURSEMENT AND PAYMENT TO RECIPIENTS FOR GOVERNMENT SHARE OF COSTS.—

“(1) IN GENERAL.—Amounts made available under subsection (a) shall be used to reimburse financial assistance recipients proportionally for the Federal Government's share of the costs incurred.

“(2) REIMBURSEMENT AMOUNTS.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102, 31103, or 31133, an amount that is at least 85 percent of the costs incurred by the recipient in a fiscal year in developing and implementing programs under such sections. The Secretary shall pay the recipient an amount not more than the Federal Government share of the total costs approved by the Federal Government in the financial assistance agreement. The Secretary shall include a recipient's in-kind contributions in determining the reimbursement.

“(3) VOUCHERS.—Each recipient shall submit vouchers at least quarterly for costs the recipient incurs in developing and implementing programs under sections 31102, 31103, and 31133.

“(c) DEDUCTIONS FOR PARTNER TRAINING AND PROGRAM SUPPORT.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (4) of subsection (a) for that fiscal year not more than 1.50 percent of those amounts for partner training and program support in that fiscal year. The Secretary shall use at least 75 percent of those deducted amounts to train non-Federal Government employees and to develop related training materials in carrying out such programs.

“(d) GRANTS AND COOPERATIVE AGREEMENTS AS CONTRACTUAL OBLIGATIONS.—The approval of a financial assistance agreement by the

Secretary under section 31102, 31103, or 31133 is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs in carrying out the provisions of the grant or cooperative agreement.

“(e) ELIGIBLE ACTIVITIES.—The Secretary shall establish criteria for eligible activities to be funded with financial assistance agreements under this section and publish those criteria in a notice of funding availability before the financial assistance program application period.

“(f) PERIOD OF AVAILABILITY OF FINANCIAL ASSISTANCE AGREEMENT FUNDS FOR RECIPIENT EXPENDITURES.—The period of availability for a recipient to expend funds under a grant or cooperative agreement authorized under subsection (a) is as follows:

“(1) For grants made for carrying out section 31102, other than section 31102(1), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next fiscal year.

“(2) For grants made or cooperative agreements entered into for carrying out section 31102(1)(2), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 2 fiscal years.

“(3) For grants made for carrying out section 31102(1)(3), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 4 fiscal years.

“(4) For grants made for carrying out section 31103, for the fiscal year in which the Secretary approves the financial assistance agreement and for the next fiscal year.

“(5) For grants made or cooperative agreements entered into for carrying out section 31133, for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 4 fiscal years.

“(g) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund (other than the Mass Transit Account) by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

“(h) AVAILABILITY OF FUNDING.—Amounts made available under this section shall remain available until expended.”

(d) CLERICAL AMENDMENT.—The analysis for chapter 311 of title 49, United States Code, is amended by striking the items relating to sections 31102, 31103, and 31104 and inserting the following:

“31102. Motor carrier safety assistance program.

“31103. Commercial motor vehicle operators grant program.

“31104. Authorization of appropriations.”

(e) CONFORMING AMENDMENTS.—

(1) SAFETY FITNESS OF OWNERS AND OPERATOR; SAFETY REVIEWS OF NEW OPERATORS.—Section 31144(g) of title 49, United States Code, is amended by striking paragraph (5).

(2) INFORMATION SYSTEMS; PERFORMANCE AND REGISTRATION INFORMATION PROGRAM.—Section 31106(b) of title 49, United States Code, is amended by striking paragraph (4).

(3) BORDER ENFORCEMENT GRANTS.—Section 31107 of title 49, United States Code, and the item relating to that section in the analysis for chapter 311 of that title, are repealed.

(4) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT.—Section 31109 of title 49, United States Code, and the item relating to that section in the analysis for chapter 311 of that title, are repealed.

(5) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—Section

4126 of SAFETEA-LU (49 U.S.C. 31106 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

(6) SAFETY DATA IMPROVEMENT PROGRAM.—Section 4128 of SAFETEA-LU (49 U.S.C. 31100 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

(7) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134 of SAFETEA-LU (49 U.S.C. 31301 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

(8) MAINTENANCE OF EFFORT AS CONDITION ON GRANTS TO STATES.—Section 103(c) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(9) STATE COMPLIANCE WITH CDL REQUIREMENTS.—Section 103(e) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(10) BORDER STAFFING STANDARDS.—Section 218(d) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31133 note) is amended—

(A) in paragraph (1) by striking “section 31104(f)(2)(B) of title 49, United States Code” and inserting “section 31104(a)(1) of title 49, United States Code”; and

(B) by striking paragraph (3).

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

(g) TRANSITION.—Notwithstanding the amendments made by this section, the Secretary shall carry out sections 31102, 31103, 31104 of title 49, United States Code, and any sections repealed under subsection (e), as necessary, as those sections were in effect on the day before October 1, 2016, with respect to applications for grants, cooperative agreements, or contracts under those sections submitted before October 1, 2016.

SEC. 5102. PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT.

Section 31106(b) of title 49, United States Code, is amended in the subheading by striking “PROGRAM” and inserting “SYSTEMS MANAGEMENT”.

SEC. 5103. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subchapter I of chapter 311 of title 49, United States Code, is amended by adding at the end the following:

“§ 31110. Authorization of appropriations

“(a) ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

- “(1) \$259,000,000 for fiscal year 2016;
- “(2) \$259,000,000 for fiscal year 2017;
- “(3) \$259,000,000 for fiscal year 2018;
- “(4) \$259,000,000 for fiscal year 2019;
- “(5) \$259,000,000 for fiscal year 2020; and
- “(6) \$259,000,000 for fiscal year 2021.

“(b) USE OF FUNDS.—The funds authorized by this section shall be used for—

- “(1) personnel costs;
- “(2) administrative infrastructure;
- “(3) rent;
- “(4) information technology;
- “(5) programs for research and technology, information management, regulatory development, and the administration of performance and registration information systems management under section 31106(b);
- “(6) programs for outreach and education under subsection (c);
- “(7) other operating expenses;

“(8) conducting safety reviews of new operators; and

“(9) such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.

“(c) OUTREACH AND EDUCATION PROGRAM.—

“(1) IN GENERAL.—The Secretary may conduct, through any combination of grants, contracts, cooperative agreements, and other activities, an internal and external outreach and education program to be administered by the Administrator of the Federal Motor Carrier Safety Administration.

“(2) FEDERAL SHARE.—The Federal share of an outreach and education project for which a grant, contract, or cooperative agreement is made under this subsection may be up to 100 percent of the cost of the project.

“(3) FUNDING.—From amounts made available under subsection (a), the Secretary shall make available not more than \$4,000,000 each fiscal year.

“(d) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund (other than the Mass Transit Account) by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

“(e) FUNDING AVAILABILITY.—Amounts made available under this section shall remain available until expended.

“(f) CONTRACTUAL OBLIGATION.—The approval of funds by the Secretary under this section is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 311 of title 49, United States Code, is amended by adding at the end of the items relating to subchapter I the following: “31110. Authorization of appropriations.”.

(c) CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE EXPENSES; AUTHORIZATION OF APPROPRIATIONS.—Section 31104 of title 49, United States Code, is amended—

(A) by striking subsection (i); and

(B) by redesignating subsections (j) and (k) as subsections (i) and (j), respectively.

(2) USE OF AMOUNTS MADE AVAILABLE UNDER SUBSECTION (i).—Section 4116(d) of SAFETEA-LU (49 U.S.C. 31104 note) is amended by striking “section 31104(i)” and inserting “section 31110”.

(3) INTERNAL COOPERATION.—Section 31161 of title 49, United States Code, is amended by striking “section 31104(i)” and inserting “section 31110”.

(4) SAFETEA-LU; OUTREACH AND EDUCATION.—Section 4127 of SAFETEA-LU (119 Stat. 1741; Public Law 109-59), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

SEC. 5104. COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.

(a) IN GENERAL.—Section 31313 of title 49, United States Code, is amended to read as follows:

“§31313. Commercial driver's license program implementation financial assistance program

“(a) IN GENERAL.—The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2).

“(1) STATE COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION GRANTS.—In carrying out the program, the Secretary may

make a grant to a State agency in a fiscal year—

“(A) to assist the State in complying with the requirements of section 31311;

“(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of section 31311, to improve the State's implementation of its commercial driver's license program, including expenses—

“(i) for computer hardware and software;

“(ii) for publications, testing, personnel, training, and quality control;

“(iii) for commercial driver's license program coordinators; and

“(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator's commercial driver's license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (49 U.S.C. 31304 note).

“(2) PRIORITY ACTIVITIES.—The Secretary may make a grant to or enter into a cooperative agreement with a State agency, local government, or any person in a fiscal year for research, development and testing, demonstration projects, public education, and other special activities and projects relating to commercial drivers licensing and motor vehicle safety that—

“(A) benefit all jurisdictions of the United States;

“(B) address national safety concerns and circumstances;

“(C) address emerging issues relating to commercial driver's license improvements;

“(D) support innovative ideas and solutions to commercial driver's license program issues; or

“(E) address other commercial driver's license issues, as determined by the Secretary.

“(b) PROHIBITIONS.—A recipient may not use financial assistance funds awarded under this section to rent, lease, or buy land or buildings.

“(c) REPORT.—The Secretary shall issue an annual report on the activities carried out under this section.

“(d) APPORTIONMENT.—All amounts made available to carry out this section for a fiscal year shall be apportioned to a recipient described in subsection (a)(2) according to criteria prescribed by the Secretary.

“(e) FUNDING.—For fiscal years beginning after September 30, 2016, this section shall be funded under section 31104.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 313 of title 49, United States Code, is amended by striking the item relating to section 31313 and inserting the following:

“31313. Commercial driver's license program implementation financial assistance program.”.

SEC. 5105. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY PROGRAMS FOR FISCAL YEAR 2016.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT EXTENSION.—Section 31104(a) of title 49, United States Code, is amended by striking paragraphs (10) and (11) and inserting the following:

“(10) \$218,000,000 for fiscal year 2015; and

“(11) \$241,480,000 for fiscal year 2016.”.

(b) EXTENSION OF GRANT PROGRAMS.—Section 4101(c) of SAFETEA-LU (119 Stat. 1715; Public Law 109-59) is amended to read as follows:

“(c) AUTHORIZATION OF APPROPRIATIONS.—The following sums are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account):

“(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—For carrying out the commercial driver's license program improvement grants program under section 31313 of title 49, United States Code, \$30,480,000 for fiscal year 2016.

“(2) BORDER ENFORCEMENT GRANTS.—For border enforcement grants under section 31107 of that title \$32,512,000 for fiscal year 2016.

“(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT GRANT PROGRAM.—For the performance and registration information systems management grant program under section 31109 of that title \$5,080,000 for fiscal year 2016.

“(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—For carrying out the commercial vehicle information systems and networks deployment program under section 4126 of this Act \$25,400,000 for fiscal year 2016.

“(5) SAFETY DATA IMPROVEMENT GRANTS.—For safety data improvement grants under section 4128 of this Act \$3,048,000 for fiscal year 2016.”.

(c) HIGH-PRIORITY ACTIVITIES.—Section 31104(j)(2) of title 49, United States Code, as redesignated by this subtitle, is amended by striking “2015” the first place it appears and inserting “2016”.

(d) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended to read as follows:

“(B) SET ASIDE.—The Secretary shall set aside from amounts made available under section 31104(a) up to \$32,000,000 for fiscal year 2016 for audits of new entrant motor carriers conducted under this paragraph.”.

(e) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (49 U.S.C. 31301 note) is amended to read as follows:

“(c) FUNDING.—From amounts made available under section 31110 of title 49, United States Code, the Secretary shall make available, \$1,000,000 for fiscal year 2016 to carry out this section.”.

(f) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—

(1) IN GENERAL.—Section 4126 of SAFETEA-LU (49 U.S.C. 31106 note; 119 Stat. 1738; Public Law 109-59) is amended—

(A) in subsection (c)—

(i) in paragraph (2) by adding at the end the following: “Funds deobligated by the Secretary from previous year grants shall not be counted toward the \$2,500,000 maximum aggregate amount for core deployment.”; and

(ii) in paragraph (3) by adding at the end the following: “Funds may also be used for planning activities, including the development or updating of program or top level design plans.”; and

(B) in subsection (d)(4) by adding at the end the following: “Funds may also be used for planning activities, including the development or updating of program or top level design plans.”.

(2) INNOVATIVE TECHNOLOGY DEPLOYMENT PROGRAM.—For fiscal year 2016, the commercial vehicle information systems and networks deployment program under section 4126 of SAFETEA-LU (119 Stat. 1738; Public Law 109-59) may also be referred to as the innovative technology deployment program.

SEC. 5106. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM ALLOCATION.

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a motor carrier safety assistance program formula working

group (in this section referred to as the "working group").

(2) **MEMBERSHIP.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the working group shall consist of representatives of the following:

(i) The Federal Motor Carrier Safety Administration.

(ii) The lead State commercial motor vehicle safety agencies responsible for administering the plan required by section 31102 of title 49, United States Code.

(iii) An organization representing State agencies responsible for enforcing a program for inspection of commercial motor vehicles.

(iv) Such other persons as the Secretary considers necessary.

(B) **COMPOSITION.**—Representatives of State commercial motor vehicle safety agencies shall comprise at least 51 percent of the membership.

(3) **NEW ALLOCATION FORMULA.**—The working group shall analyze requirements and factors for the establishment of a new allocation formula for the motor carrier assistance program under section 31102 of title 49, United States Code.

(4) **RECOMMENDATION.**—Not later than 1 year after the date the working group is established under paragraph (1), the working group shall make a recommendation to the Secretary regarding a new allocation formula for the motor carrier assistance program.

(5) **EXEMPTION.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(6) **PUBLICATION.**—The Administrator of the Federal Motor Carrier Safety Administration shall publish on a publicly accessible Internet Web site of the Federal Motor Carrier Safety Administration—

(A) summaries of the meetings of the working group; and

(B) the final recommendation of the working group provided to the Secretary.

(b) **NOTICE OF PROPOSED RULEMAKING.**—After receiving the recommendation of the working group under subsection (a)(4), the Secretary shall publish in the Federal Register a notice seeking public comment on the establishment of a new allocation formula for the motor carrier safety assistance program.

(c) **BASIS FOR FORMULA.**—The Secretary shall ensure that the new allocation formula for the motor carrier assistance program is based on factors that reflect, at a minimum—

(1) the relative needs of the States to comply with section 31102 of title 49, United States Code;

(2) the relative administrative capacities of and challenges faced by States in complying with that section;

(3) the average of each State's new entrant motor carrier inventory for the 3-year period prior to the date of enactment of this Act;

(4) the number of international border inspection facilities and border crossings by commercial vehicles in each State; and

(5) any other factors the Secretary considers appropriate.

(d) **FUNDING AMOUNTS PRIOR TO DEVELOPMENT OF NEW ALLOCATION FORMULA.**—

(1) **INTERIM FORMULA.**—Prior to the development of the new allocation formula for the motor carrier assistance program, the Secretary may calculate the interim funding amounts for that program in fiscal year 2017 (and later fiscal years, as necessary) under section 31104(a)(1) of title 49, United States Code, as amended by this subtitle, by using the following methodology:

(A) The Secretary shall calculate the funding amount to a State using the allocation formula the Secretary used to award motor carrier safety assistance program funding in fiscal year 2016 under section 31102 of title 49, United States Code.

(B) The Secretary shall average the funding awarded or other equitable amounts to a State in fiscal years 2013, 2014, and 2015 for—

(i) border enforcement grants under section 31107 of title 49, United States Code; and

(ii) new entrant audit grants under section 31144(g)(5) of that title.

(C) The Secretary shall add the amounts calculated in subparagraphs (A) and (B).

(2) **ADJUSTMENTS.**—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary, the initial amounts resulting from the calculation described in paragraph (1) shall be adjusted to ensure that, for each State, the amount shall not be less than 97 percent of the average amount of funding received or other equitable amounts in fiscal years 2013, 2014, and 2015 for—

(A) motor carrier safety assistance program funds awarded to the State under section 31102 of title 49, United States Code;

(B) border enforcement grants awarded to the State under section 31107 of title 49, United States Code; and

(C) new entrant audit grants awarded to the State under section 31144(g)(5) of title 49, United States Code.

(3) **IMMEDIATE RELIEF.**—In developing the new allocation formula, the Secretary shall terminate the withholding of motor carrier assistance program funds from a State for at least 3 fiscal years if the State was subject to the withholding of such funds for matters of noncompliance immediately prior to the date of enactment of this Act.

(4) **FUTURE WITHHOLDINGS.**—Beginning on the date that the new allocation formula for the motor carrier assistance program is implemented, the Secretary shall impose all future withholdings in accordance with section 31102(k) of title 49, United States Code, as amended by this subtitle.

(e) **TERMINATION OF WORKING GROUP.**—The working group established under subsection (a) shall terminate on the date of the implementation of a new allocation formula for the motor carrier safety assistance program.

SEC. 5107. MAINTENANCE OF EFFORT CALCULATION.

(a) **BEFORE NEW ALLOCATION FORMULA.**—

(1) **FISCAL YEAR 2017.**—If a new allocation formula for the motor carrier safety assistance program has not been established under this subtitle for fiscal year 2017, the Secretary shall calculate for fiscal year 2017 the maintenance of effort baseline required under section 31102(f) of title 49, United States Code, as amended by this subtitle, by averaging the expenditures for fiscal years 2004 and 2005 required by section 31102(b)(4) of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(2) **SUBSEQUENT FISCAL YEARS.**—The Secretary may use the methodology for calculating the maintenance of effort baseline specified in paragraph (1) for fiscal year 2018 and subsequent fiscal years if a new allocation formula for the motor carrier safety assistance program has not been established for that fiscal year.

(b) **BEGINNING WITH NEW ALLOCATION FORMULA.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3)(B), beginning on the date that a new allocation formula for the motor carrier safety assistance program is established

under this subtitle, upon the request of a State, the Secretary may waive or modify the baseline maintenance of effort required of the State by section 31102(e) of title 49, United States Code, as amended by this subtitle, for the purpose of establishing a new baseline maintenance of effort if the Secretary determines that a waiver or modification—

(A) is equitable due to reasonable circumstances;

(B) will ensure the continuation of commercial motor vehicle enforcement activities in the State; and

(C) is necessary to ensure that the total amount of State maintenance of effort and matching expenditures required under sections 31102 and 31104 of title 49, United States Code, as amended by this subtitle, does not exceed a sum greater than the average of the total amount of State maintenance of effort and matching expenditures required under those sections for the 3 fiscal years prior to the date of enactment of this Act.

(2) **ADJUSTMENT METHODOLOGY.**—If requested by a State, the Secretary may modify the maintenance of effort baseline referred to in paragraph (1) for the State according to the following methodology:

(A) The Secretary shall establish the maintenance of effort baseline for the State using the average baseline of fiscal years 2004 and 2005, as required by section 31102(b)(4) of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(B) The Secretary shall calculate the average required match by a lead State commercial motor vehicle safety agency for fiscal years 2013, 2014, and 2015 for motor carrier safety assistance grants established at 20 percent by section 31103 of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(C) The Secretary shall calculate the estimated match required under section 31104(b) of title 49, United States Code, as amended by this subtitle.

(D) The Secretary shall subtract the amount in subparagraph (B) from the amount in subparagraph (C) and—

(i) if the number is greater than 0, the Secretary shall subtract the number from the amount in subparagraph (A); or

(ii) if the number is not greater than 0, the Secretary shall calculate the maintenance of effort using the methodology in subparagraph (A).

(3) **MAINTENANCE OF EFFORT AMOUNT.**—

(A) **IN GENERAL.**—The Secretary shall use the amount calculated under paragraph (2) as the baseline maintenance of effort required under section 31102(f) of title 49, United States Code, as amended by this subtitle.

(B) **DEADLINE.**—If a State does not request a waiver or modification under this subsection before September 30 during the first fiscal year that the Secretary implements a new allocation formula for the motor carrier safety assistance program under this subtitle, the Secretary shall calculate the maintenance of effort using the methodology described in paragraph (2)(A).

(4) **MAINTENANCE OF EFFORT DESCRIBED.**—The maintenance of effort calculated under this section is the amount required under section 31102(f) of title 49, United States Code, as amended by this subtitle.

(c) **TERMINATION OF EFFECTIVENESS.**—The authority of the Secretary under this section shall terminate effective on the date that a new maintenance of effort baseline is calculated based on a new allocation formula

for the motor carrier safety assistance program implemented under section 31102 of title 49, United States Code.

Subtitle B—Federal Motor Carrier Safety Administration Reform

PART I—REGULATORY REFORM

SEC. 5201. NOTICE OF CANCELLATION OF INSURANCE.

Section 13906(e) of title 49, United States Code, is amended by inserting “or suspend” after “revoke”.

SEC. 5202. REGULATIONS.

Section 31136 of title 49, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g) and transferring such subsection to appear at the end of section 31315 of such title; and

(2) by adding at the end the following:

“(f) **REGULATORY IMPACT ANALYSIS.**—Within each regulatory impact analysis of a proposed or final rule issued by the Federal Motor Carrier Safety Administration, the Secretary shall, whenever practicable—

“(1) consider the effects of the proposed or final rule on different segments of the motor carrier industry;

“(2) formulate estimates and findings based on the best available science; and

“(3) utilize available data specific to the different types of motor carriers, including small and large carriers, and drivers that will be impacted by the proposed or final rule.

“(g) **PUBLIC PARTICIPATION.**—

“(1) **IN GENERAL.**—If a proposed rule promulgated under this part is likely to lead to the promulgation of a major rule, the Secretary, before promulgating such proposed rule, shall—

“(A) issue an advance notice of proposed rulemaking; or

“(B) proceed with a negotiated rulemaking.

“(2) **REQUIREMENTS.**—Each advance notice of proposed rulemaking issued under paragraph (1) shall—

“(A) identify the need for a potential regulatory action;

“(B) identify and request public comment on the best available science or technical information relevant to analyzing potential regulatory alternatives;

“(C) request public comment on the available data and costs with respect to regulatory alternatives reasonably likely to be considered as part of the rulemaking; and

“(D) request public comment on available alternatives to regulation.

“(3) **WAIVER.**—This subsection does not apply to a proposed rule if the Secretary, for good cause, finds (and incorporates the finding and a brief statement of reasons for such finding in the proposed or final rule) that an advance notice of proposed rulemaking is impracticable, unnecessary, or contrary to the public interest.

“(h) **REVIEW OF RULES.**—

“(1) **IN GENERAL.**—Once every 5 years, the Secretary shall conduct a review of regulations issued under this part.

“(2) **SCHEDULE.**—At the beginning of each 5-year review period, the Secretary shall publish a schedule that sets forth the plan for completing the review under paragraph (1) within 5 years.

“(3) **NOTIFICATION OF CHANGES.**—During each review period, the Secretary shall address any changes to the schedule published under paragraph (2) and notify the public of such changes.

“(4) **CONSIDERATION OF PETITIONS.**—In conducting a review under paragraph (1), the

Secretary shall consider petitions for regulatory action under this part received by the Administrator of the Federal Motor Carrier Safety Administration.

“(5) **ASSESSMENT.**—At the conclusion of each review under paragraph (1), the Secretary shall publish on a publicly accessible Internet Web site of the Department of Transportation an assessment that includes—

“(A) an inventory of the regulations issued during the 5-year period ending on the date on which the assessment is published;

“(B) a determination of whether the regulations are—

“(i) consistent and clear;

“(ii) current with the operational realities of the motor carrier industry; and

“(iii) uniformly enforced; and

“(C) an assessment of whether the regulations continue to be necessary.

“(6) **RULEMAKING.**—Not later than 2 years after the completion of each review under this subsection, the Secretary shall initiate a rulemaking to amend regulations as necessary to address the determinations made under paragraph (5)(B) and the results of the assessment under paragraph (5)(C).

“(i) **RULE OF CONSTRUCTION.**—Nothing in subsection (f) or (g) may be construed to limit the contents of an advance notice of proposed rulemaking.”.

SEC. 5203. GUIDANCE.

(a) **IN GENERAL.**—

(1) **DATE OF ISSUANCE AND POINT OF CONTACT.**—Each guidance document issued by the Federal Motor Carrier Safety Administration shall have a date of issuance or a date of revision, as applicable, and shall include the name and contact information of a point of contact at the Administration who can respond to questions regarding the guidance.

(2) **PUBLIC ACCESSIBILITY.**—

(A) **IN GENERAL.**—Each guidance document issued or revised by the Federal Motor Carrier Safety Administration shall be published on a publicly accessible Internet Web site of the Department on the date of issuance or revision.

(B) **REDACTION.**—The Administrator of the Federal Motor Carrier Safety Administration may redact from a guidance document published under subparagraph (A) any information that would reveal investigative techniques that would compromise Administration enforcement efforts.

(3) **INCORPORATION INTO REGULATIONS.**—Not later than 5 years after the date on which a guidance document is published under paragraph (2) or during an applicable review under subsection (c), whichever is earlier, the Secretary shall revise regulations to incorporate the guidance document to the extent practicable.

(4) **REISSUANCE.**—If a guidance document is not incorporated into regulations in accordance with paragraph (3), the Administrator shall—

(A) reissue an updated version of the guidance document; and

(B) review and reissue an updated version of the guidance document every 5 years until the date on which the guidance document is removed or incorporated into applicable regulations.

(b) **INITIAL REVIEW.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall review all guidance documents published under subsection (a) to ensure that such documents are current, are readily accessible to the public, and meet the standards specified in subparagraphs (A), (B), and (C) of subsection (c)(1).

(c) **REGULAR REVIEW.**—

(1) **IN GENERAL.**—Subject to paragraph (2), not less than once every 5 years, the Administrator shall conduct a comprehensive review of the guidance documents issued by the Federal Motor Carrier Safety Administration to determine whether such documents are—

(A) consistent and clear;

(B) uniformly and consistently enforced; and

(C) still necessary.

(2) **NOTICE AND COMMENT.**—Prior to beginning a review under paragraph (1), the Administrator shall publish in the Federal Register a notice and request for comment that solicits input from stakeholders on which guidance documents should be updated or eliminated.

(3) **REPORT.**—

(A) **IN GENERAL.**—Not later than 60 days after the date on which a review under paragraph (1) is completed, the Administrator shall publish on a publicly accessible Internet Web site of the Department a report detailing the review and a full inventory of the guidance documents of the Administration.

(B) **CONTENTS.**—A report under subparagraph (A) shall include a summary of the response of the Administration to each comment received under paragraph (2).

(d) **GUIDANCE DOCUMENT DEFINED.**—In this section, the term “guidance document” means a document issued by the Federal Motor Carrier Safety Administration that—

(1) provides an interpretation of a regulation of the Administration; or

(2) includes an enforcement policy of the Administration.

SEC. 5204. PETITIONS.

(a) **IN GENERAL.**—The Administrator of the Federal Motor Carrier Safety Administration shall—

(1) publish on a publicly accessible Internet Web site of the Department a summary of all petitions for regulatory action submitted to the Administration;

(2) prioritize the petitions submitted based on the likelihood of safety improvements resulting from the regulatory action requested;

(3) not later than 180 days after the date a summary of a petition is published under paragraph (1), formally respond to such petition by indicating whether the Administrator will accept, deny, or further review the petition;

(4) prioritize responses to petitions consistent with a response’s potential to reduce crashes, improve enforcement, and reduce unnecessary burdens; and

(5) not later than 60 days after the date of receipt of a petition, publish on a publicly accessible Internet Web site of the Department an updated inventory of the petitions described in paragraph (1), including any applicable disposition information for those petitions.

(b) **PETITION DEFINED.**—In this section, the term “petition” means a request for a new regulation, a regulatory interpretation or clarification, or a review of a regulation to eliminate or modify an obsolete, ineffective, or overly burdensome regulation.

PART II—COMPLIANCE, SAFETY, ACCOUNTABILITY REFORM

SEC. 5221. CORRELATION STUDY.

(a) **IN GENERAL.**—The Administrator of the Federal Motor Carrier Safety Administration (referred to in this part as the “Administrator”) shall commission the National Research Council of the National Academies to conduct a study of—

(1) the Compliance, Safety, Accountability program of the Federal Motor Carrier Safety Administration (referred to in this part as the “CSA program”); and

(2) the Safety Measurement System utilized by the CSA program (referred to in this part as the “SMS”).

(b) **SCOPE OF STUDY.**—In carrying out the study commissioned pursuant to subsection (a), the National Research Council—

(1) shall analyze—

(A) the accuracy with which the Behavior Analysis and Safety Improvement Categories (referred to in this part as “BASIC”)—

(i) identify high risk carriers; and

(ii) predict or are correlated with future crash risk, crash severity, or other safety indicators for motor carriers;

(B) the methodology used to calculate BASIC percentiles and identify carriers for enforcement, including the weights assigned to particular violations and the tie between crash risk and specific regulatory violations, with respect to accurately identifying and predicting future crash risk for motor carriers;

(C) the relative value of inspection information and roadside enforcement data;

(D) any data collection gaps or data sufficiency problems that may exist and the impact of those gaps and problems on the efficacy of the CSA program;

(E) the accuracy of safety data, including the use of crash data from crashes in which a motor carrier was free from fault;

(F) whether BASIC percentiles for motor carriers of passengers should be calculated differently than for motor carriers of freight;

(G) the differences in the rates at which safety violations are reported to the Federal Motor Carrier Safety Administration for inclusion in the SMS by various enforcement authorities, including States, territories, and Federal inspectors; and

(H) how members of the public use the SMS and what effect making the SMS information public has had on reducing crashes and eliminating unsafe motor carriers from the industry; and

(2) shall consider—

(A) whether the SMS provides comparable precision and confidence, through SMS alerts and percentiles, for the relative crash risk of individual large and small motor carriers;

(B) whether alternatives to the SMS would identify high risk carriers more accurately; and

(C) the recommendations and findings of the Comptroller General of the United States and the Inspector General of the Department, and independent review team reports, issued before the date of enactment of this Act.

(c) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report containing the results of the study commissioned pursuant to subsection (a) to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) the Inspector General of the Department.

(d) **CORRECTIVE ACTION PLAN.**—

(1) **IN GENERAL.**—Not later than 120 days after the Administrator submits the report under subsection (c), if that report identifies a deficiency or opportunity for improvement in the CSA program or in any element of the SMS, the Administrator shall submit to the Committee on Commerce, Science, and

Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a corrective action plan that—

(A) responds to the deficiencies or opportunities identified by the report;

(B) identifies how the Federal Motor Carrier Safety Administration will address such deficiencies or opportunities; and

(C) provides an estimate of the cost, including with respect to changes in staffing, enforcement, and data collection, necessary to address such deficiencies or opportunities.

(2) **PROGRAM REFORMS.**—The corrective action plan submitted under paragraph (1) shall include an implementation plan that—

(A) includes benchmarks;

(B) includes programmatic reforms, revisions to regulations, or proposals for legislation; and

(C) shall be considered in any rulemaking by the Department that relates to the CSA program, including the SMS.

(e) **INSPECTOR GENERAL REVIEW.**—Not later than 120 days after the Administrator submits a corrective action plan under subsection (d), the Inspector General of the Department shall—

(1) review the extent to which such plan implements—

(A) recommendations contained in the report submitted under subsection (c); and

(B) relevant recommendations issued by the Comptroller General or the Inspector General before the date of enactment of this Act; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the responsiveness of the corrective action plan to the recommendations described in paragraph (1).

SEC. 5222. BEYOND COMPLIANCE.

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall incorporate into the CSA program a methodology to allow recognition and an improved SMS score for—

(1) the installation of advanced safety equipment;

(2) the use of enhanced driver fitness measures;

(3) the adoption of fleet safety management tools, technologies, and programs; or

(4) other metrics as determined appropriate by the Administrator.

(b) **QUALIFICATION.**—The Administrator, after providing notice and an opportunity for comment, shall develop technical or other performance standards with respect to advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other metrics for purposes of subsection (a).

(c) **REPORT.**—Not later than 18 months after the incorporation of the methodology under subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the number of motor carriers receiving recognition and improved scores under such methodology and the safety performance of such carriers.

SEC. 5223. DATA CERTIFICATION.

(a) **IN GENERAL.**—On and after the date that is 1 day after the date of enactment of this Act, no information regarding analysis of violations, crashes in which a determination is made that the motor carrier or the commercial motor vehicle driver is not at fault, alerts, or the relative percentile for

each BASIC developed under the CSA program may be made available to the public (including through requests under section 552 of title 5, United States Code) until the Inspector General of the Department certifies that—

(1) the report required under section 5221(c) has been submitted in accordance with that section;

(2) any deficiencies identified in the report required under section 5221(c) have been addressed;

(3) if applicable, the corrective action plan under section 5221(d) has been implemented;

(4) the Administrator of the Federal Motor Carrier Safety Administration has fully implemented or satisfactorily addressed the issues raised in the report titled “Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers” of the Government Accountability Office and dated February 2014 (GAO-14-114); and

(5) the CSA program has been modified in accordance with section 5222.

(b) **LIMITATION ON THE USE OF CSA ANALYSIS.**—Information regarding alerts and the relative percentile for each BASIC developed under the CSA program may not be used for safety fitness determinations until the Inspector General of the Department makes the certification under subsection (a).

(c) **CONTINUED PUBLIC AVAILABILITY OF DATA.**—Notwithstanding any other provision of this section, inspection and violation information submitted to the Federal Motor Carrier Safety Administration by commercial motor vehicle inspectors and qualified law enforcement officials, out-of-service rates, and absolute measures shall remain available to the public.

(d) **EXCEPTIONS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of this section—

(A) the Federal Motor Carrier Safety Administration and State and local commercial motor vehicle enforcement agencies may use the information referred to in subsection (a) for purposes of investigation and enforcement prioritization; and

(B) a motor carrier and a commercial motor vehicle driver may access information referred to in subsection (a) that relates directly to the motor carrier or driver, respectively.

(2) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to restrict the official use by State enforcement agencies of the data collected by State enforcement personnel.

SEC. 5224. INTERIM HIRING STANDARD.

(a) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **ENTITY.**—The term “entity” means a person acting as—

(A) a shipper, other than an individual shipper (as that term is defined in section 13102 of title 49, United States Code), or a consignee;

(B) a broker or a freight forwarder (as such terms are defined in section 13102 of title 49, United States Code);

(C) a non-vessel-operating common carrier, an ocean freight forwarder, or an ocean transportation intermediary (as such terms are defined in section 40102 of title 46, United States Code);

(D) an indirect air carrier authorized to operate under a Standard Security Program approved by the Transportation Security Administration;

(E) a customs broker licensed in accordance with section 111.2 of title 19, Code of Federal Regulations;

(F) an interchange motor carrier subject to paragraphs (1)(B) and (2) of section 13902(i) of title 49, United States Code; or

(G) a warehouse (as defined in section 7–102(13) of the Uniform Commercial Code).

(2) **MOTOR CARRIER.**—The term “motor carrier” means a motor carrier (as that term is defined in section 13102 of title 49, United States Code) that is subject to Federal motor carrier financial responsibility and safety regulations.

(b) **HIRING STANDARD.**—Subsection (c) shall only be applicable to entities who, before tendering a shipment, but not more than 35 days before the pickup of the shipment by the hired motor carrier, verify that the motor carrier, at the time of such verification—

(1) is registered with and authorized by the Federal Motor Carrier Safety Administration to operate as a motor carrier, if applicable;

(2) has the minimum insurance coverage required by Federal law; and

(3) has a satisfactory safety fitness determination issued by the Federal Motor Carrier Safety Administration in force.

(c) **INTERIM USE OF DATA.**—

(1) **IN GENERAL.**—With respect to an entity who completed a verification under subsection (b), only information regarding the entity’s compliance or noncompliance with subsection (b) may be admitted as evidence or otherwise used against the entity in a civil action for damages resulting from a claim of negligent selection or retention of a motor carrier.

(2) **EXCLUDED EVIDENCE.**—With respect to an entity who completed a verification under subsection (b), motor carrier data (other than the information described in paragraph (1)) created or maintained by the Federal Motor Carrier Safety Administration, including SMS data or analysis of such data, may not be admitted into evidence in a case or proceeding in which it is asserted or alleged that the entity’s selection or retention of a motor carrier was negligent.

(d) **SUNSET.**—This section shall cease to be effective on the date on which the Inspector General of the Department makes the certification under section 5223(a).

Subtitle C—Commercial Motor Vehicle Safety **SEC. 5301. IMPLEMENTING SAFETY REQUIREMENTS.**

(a) **NATIONAL CLEARINGHOUSE FOR CONTROLLED SUBSTANCE AND ALCOHOL TEST RESULTS OF COMMERCIAL MOTOR VEHICLE OPERATORS.**—If the deadline established under section 31306a(a)(1) of title 49, United States Code, has not been met, not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification that—

(1) explains why such deadline has not been met; and

(2) establishes a new deadline for completion of the requirements of such section.

(b) **ELECTRONIC LOGGING DEVICES.**—If the deadline established under section 31137(a) of title 49, United States Code, has not been met, not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification that—

(1) explains why such deadline has not been met; and

(2) establishes a new deadline for completion of the requirements of such section.

(c) **STANDARDS FOR TRAINING.**—If the deadline established under section 31305(c) of title 49, United States Code, has not been met, not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification that—

(1) explains why such deadline has not been met; and

(2) establishes a new deadline for completion of the requirements of such section.

(d) **FURTHER RESPONSIBILITIES.**—If the Secretary determines that a deadline established under subsection (a)(2), (b)(2), or (c)(2) cannot be met, not later than 30 days after the date on which such determination is made, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification that—

(1) explains why such deadline cannot be met; and

(2) establishes a new deadline for completion of the relevant requirements.

SEC. 5302. WINDSHIELD MOUNTED SAFETY TECHNOLOGY.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue regulations to modify section 393.60(e)(1) of title 49, Code of Federal Regulations, to permanently allow the voluntary mounting on the inside of a vehicle’s windshield, within the area swept by windshield wipers, of vehicle safety technologies, if the Secretary determines that such mounting is likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be achieved without such mounting.

(b) **VEHICLE SAFETY TECHNOLOGY DEFINED.**—In this section, the term “vehicle safety technology” includes lane departure warning systems, collision avoidance systems, on-board video event recording devices, and any other technology determined appropriate by the Secretary.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to alter the terms of a short-term exemption from section 393.60(e) of title 49, Code of Federal Regulations, granted and in effect as of the date of enactment of this Act.

SEC. 5303. PRIORITIZING STATUTORY RULEMAKINGS.

The Administrator of the Federal Motor Carrier Safety Administration shall prioritize the completion of each outstanding rulemaking required by statute before beginning any other rulemaking, unless the Secretary determines that there is a significant need for such other rulemaking.

SEC. 5304. SAFETY REPORTING SYSTEM.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the cost and feasibility of establishing a self-reporting system for commercial motor vehicle drivers or motor carriers with respect to en route equipment failures.

(b) **CONTENTS.**—The report required under subsection (a) shall include—

(1) an analysis of—

(A) alternatives for the reporting of equipment failures in real time, including an Internet Web site or telephone hotline;

(B) the ability of a commercial motor vehicle driver or a motor carrier to provide to the Federal Motor Carrier Safety Administration proof of repair of a self-reported equipment failure;

(C) the ability of the Federal Motor Carrier Safety Administration to ensure that self-reported equipment failures proven to be repaired are not used in the calculation of Behavior Analysis and Safety Improvement Category scores;

(D) the ability of roadside inspectors to access self-reported equipment failures;

(E) the cost to establish and administer a self-reporting system;

(F) the ability for a self-reporting system to track individual commercial motor vehicles through unique identifiers; and

(G) whether a self-reporting system would yield demonstrable safety benefits;

(2) an identification of any regulatory or statutory impediments to the implementation of a self-reporting system; and

(3) recommendations on implementing a self-reporting system.

SEC. 5305. NEW ENTRANT SAFETY REVIEW PROGRAM.

(a) **IN GENERAL.**—The Secretary shall conduct an assessment of the new operator safety review program under section 31144(g) of title 49, United States Code, including the program’s effectiveness in reducing crashes, fatalities, and injuries involving commercial motor vehicles and improving commercial motor vehicle safety.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish on a publicly accessible Internet Web site of the Department and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the assessment conducted under subsection (a), including any recommendations for improving the effectiveness of the program (including recommendations for legislative changes).

SEC. 5306. READY MIXED CONCRETE TRUCKS.

A driver of a ready mixed concrete mixer truck is exempt from section 3(a)(3)(ii) of part 395 of title 49, Code of Federal Regulations, if the driver is in compliance with clauses (i), (iii), (iv), and (v) of subsection (e)(1) of section 1 of part 395 of such title (regarding the 100 air-mile logging exemption).

Subtitle D—Commercial Motor Vehicle Drivers

SEC. 5401. OPPORTUNITIES FOR VETERANS.

(a) **STANDARDS FOR TRAINING AND TESTING OF VETERAN OPERATORS.**—Section 31305 of title 49, United States Code, is amended by adding at the end the following:

“(d) **STANDARDS FOR TRAINING AND TESTING OF VETERAN OPERATORS.**—

“(1) **IN GENERAL.**—Not later than December 31, 2016, the Secretary shall modify the regulations prescribed under subsections (a) and (c) to—

“(A) exempt a covered individual from all or a portion of a driving test if the covered individual had experience in the armed forces or reserve components driving vehicles similar to a commercial motor vehicle;

“(B) ensure that a covered individual may apply for an exemption under subparagraph (A) during, at least, the 1-year period beginning on the date on which such individual separates from service in the armed forces or reserve components; and

“(C) credit the training and knowledge a covered individual received in the armed forces or reserve components driving vehicles similar to a commercial motor vehicle for purposes of satisfying minimum standards for training and knowledge.

“(2) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) ARMED FORCES.—The term ‘armed forces’ has the meaning given that term in section 101(a)(4) of title 10.

“(B) COVERED INDIVIDUAL.—The term ‘covered individual’ means—

“(i) a former member of the armed forces; or

“(ii) a former member of the reserve components.

“(C) RESERVE COMPONENTS.—The term ‘reserve components’ means—

“(i) the Army National Guard of the United States;

“(ii) the Army Reserve;

“(iii) the Navy Reserve;

“(iv) the Marine Corps Reserve;

“(v) the Air National Guard of the United States;

“(vi) the Air Force Reserve; and

“(vii) the Coast Guard Reserve.”

(b) IMPLEMENTATION OF THE MILITARY COMMERCIAL DRIVER'S LICENSE ACT.—Not later than December 31, 2015, the Secretary shall issue final regulations to implement the exemption to the domicile requirement under section 3131(a)(12)(C) of title 49, United States Code.

(c) CONFORMING AMENDMENT.—Section 3131(a)(12)(C)(ii) of title 49, United States Code, is amended to read as follows:

“(ii) is an active duty member of—

“(I) the armed forces (as that term is defined in section 101(a)(4) of title 10); or

“(II) the reserve components (as that term is defined in section 31305(d)(2)(C) of this title); and”.

SEC. 5402. DRUG-FREE COMMERCIAL DRIVERS.

(a) IN GENERAL.—Section 31306 of title 49, United States Code, is amended—

(1) in subsection (b)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) in subparagraph (A) by striking “The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.”; and

(C) by inserting after subparagraph (A) the following:

“(B) The regulations prescribed under subparagraph (A) shall permit motor carriers—

“(i) to conduct preemployment testing of commercial motor vehicle operators for the use of alcohol; and

“(ii) to use hair testing as an acceptable alternative to urine testing—

“(I) in conducting preemployment testing for the use of a controlled substance; and

“(II) in conducting random testing for the use of a controlled substance if the operator was subject to hair testing for preemployment testing.”;

(2) in subsection (b)(2)—

(A) in subparagraph (A) by striking “and” at the end;

(B) in subparagraph (B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) shall provide an exemption from hair testing for commercial motor vehicle operators with established religious beliefs that prohibit the cutting or removal of hair.”; and

(3) in subsection (c)(2)—

(A) in the matter preceding subparagraph (A) by inserting “for urine testing, and technical guidelines for hair testing,” before “including mandatory guidelines”;

(B) in subparagraph (B) by striking “and” at the end;

(C) in subparagraph (C) by inserting “and” after the semicolon; and

(D) by adding at the end the following:

“(D) laboratory protocols and cut-off levels for hair testing to detect the use of a controlled substance.”.

(b) GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance for purposes of section 31306 of title 49, United States Code.

SEC. 5403. CERTIFIED MEDICAL EXAMINERS.

(a) IN GENERAL.—Section 31315(b)(1) of title 49, United States Code, is amended by striking “or section 31136” and inserting “, section 31136, or section 31149(d)(3)”.

(b) CONFORMING AMENDMENT.—Section 31149(d)(3) of title 49, United States Code, is amended by inserting “, unless the person issuing the certificate is the subject of an exemption issued under section 31315(b)(1)” before the semicolon.

SEC. 5404. GRADUATED COMMERCIAL DRIVER'S LICENSE PILOT PROGRAM.

(a) TASK FORCE.—

(1) IN GENERAL.—The Secretary shall convene a task force to evaluate and make recommendations to the Secretary on elements for inclusion in a graduated commercial driver's license pilot program that would allow a novice licensed driver between the ages of 19 years and 6 months and 21 years to safely operate a commercial motor vehicle in a limited capacity in interstate commerce between States that enter into a bi-State agreement.

(2) MEMBERSHIP.—The task force convened under paragraph (1) shall include representatives of State motor vehicle administrators, motor carriers, labor organizations, safety advocates, and other stakeholders determined appropriate by the Secretary.

(3) CONSIDERATIONS.—The task force convened under paragraph (1) shall evaluate and make recommendations on the following elements for inclusion in a graduated commercial driver's license pilot program:

(A) A specified length of time for a learner's permit stage.

(B) A requirement that drivers under the age of 21 years be accompanied by experienced drivers over the age of 21 years.

(C) A restriction on travel distances.

(D) A restriction on maximum allowable driving hours.

(E) Mandatory driver training that exceeds the requirements for drivers over the age of 21 years issued by the Secretary under section 31305(c) of title 49, United States Code.

(F) Use of certain safety technologies in the vehicles of drivers under the age of 21 years.

(G) Any other element the task force considers appropriate.

(4) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the task force convened under paragraph (1) shall recommend to the Secretary the elements the task force has determined appropriate for inclusion in a graduated commercial driver's license pilot program.

(b) PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 1 year after receiving the recommendations of the task force under subsection (a), the Secretary shall establish a graduated commercial driver's license pilot program in accordance with such recommendations and section 31315(c) of title 49, United States Code.

(2) PRE-ESTABLISHMENT REQUIREMENTS.—Prior to the establishment of the pilot pro-

gram under paragraph (1), the Secretary shall—

(A) submit to Congress a report outlining the recommendations of the task force received under subsection (a); and

(B) publish in the Federal Register, and provide sufficient notice of and an opportunity for public comment on, the—

(i) proposed requirements for State and driver participation in the pilot program, based on the recommendations of the task force and consistent with paragraph (3);

(ii) measures the Secretary will utilize under the pilot program to ensure safety; and

(iii) standards the Secretary will use to evaluate the pilot program, including to determine any changes in the level of motor carrier safety as a result of the pilot program.

(3) PROGRAM ELEMENTS.—The pilot program established under paragraph (1)—

(A) may not allow an individual under the age of 19 years and 6 months to participate;

(B) may not allow a driver between the ages of 19 years and 6 months and 21 years to—

(i) operate a commercial motor vehicle in special configuration; or

(ii) transport hazardous cargo;

(C) shall be carried out in a State (including the District of Columbia) only if the Governor of the State (or the Mayor of the District of Columbia, if applicable) approves an agreement with a contiguous State to allow a licensed driver under the age of 21 years to operate a commercial motor vehicle across both States in accordance with the pilot program;

(D) may not recognize more than 6 agreements described in subparagraph (C);

(E) may not allow more than 10 motor carriers to participate in the pilot program under each agreement described in subparagraph (C);

(F) shall require each motor carrier participating in the pilot program under an agreement described in subparagraph (C) to—

(i) have in effect a satisfactory safety fitness determination that was issued by the Federal Motor Carrier Safety Administration during the 2-year period preceding the date of the Federal Register publication required under paragraph (2)(B); and

(ii) agree to have its safety performance monitored by the Secretary during participation in the pilot program;

(G) shall allow for the revocation of a motor carrier's participation in the pilot program if a State or the Secretary determines that the motor carrier violated the requirements, including safety requirements, of the pilot program; and

(H) shall ensure that a valid graduated commercial driver's license issued by a State that has entered into an agreement described in subparagraph (C) and is approved by the Secretary to participate in the pilot program is recognized as valid in both States that are participating in the agreement.

(c) INSPECTOR GENERAL REPORT.—

(1) MONITORING.—The Inspector General of the Department of Transportation shall monitor and review the implementation of the pilot program established under subsection (b).

(2) REPORT.—The Inspector General shall submit to Congress and the Secretary—

(A) not later than 1 year after the establishment of the pilot program under subsection (b), an interim report on the results of the review conducted under paragraph (1); and

(B) not later than 60 days after the conclusion of the pilot program, a final report on

the results of the review conducted under paragraph (1).

(3) **ADDITIONAL CONTENTS.**—

(A) **INTERIM REPORT.**—The interim report required under paragraph (2)(A) shall address whether the Secretary has established sufficient mechanisms and generated sufficient data to determine if the pilot program is having any adverse effects on motor carrier safety.

(B) **FINAL REPORT.**—The final report required under paragraph (2)(B) shall address the impact of the pilot program on—

(i) safety; and

(ii) the number of commercial motor vehicle drivers available for employment.

SEC. 5405. VETERANS EXPANDED TRUCKING OPPORTUNITIES.

(a) **IN GENERAL.**—In the case of a physician-approved veteran operator, the qualified physician of such operator may, subject to the requirements of subsection (b), perform a medical examination and provide a medical certificate for purposes of compliance with the requirements of section 31149 of title 49, United States Code.

(b) **CERTIFICATION.**—The certification described under subsection (a) shall include—

(1) assurances that the physician performing the medical examination meets the requirements of a qualified physician under this section; and

(2) certification that the physical condition of the operator is adequate to enable such operator to operate a commercial motor vehicle safely.

(c) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **PHYSICIAN-APPROVED VETERAN OPERATOR.**—The term “physician-approved veteran operator” means an operator of a commercial motor vehicle who—

(A) is a veteran who is enrolled in the health care system established under section 1705(a) of title 38, United States Code; and

(B) is required to have a current valid medical certificate pursuant to section 31149 of title 49, United States Code.

(2) **QUALIFIED PHYSICIAN.**—The term “qualified physician” means a physician who—

(A) is employed in the Department of Veterans Affairs;

(B) is familiar with the standards for, and physical requirements of, an operator certified pursuant to section 31149 of title 49, United States Code; and

(C) has never, with respect such section, been found to have acted fraudulently, including by fraudulently awarding a medical certificate.

(3) **VETERAN.**—The term “veteran” has the meaning given the term in section 101 of title 38, United States Code.

(d) **STATUTORY CONSTRUCTION.**—Nothing in this section shall be construed to change any statutory penalty associated with fraud or abuse.

Subtitle E—General Provisions

SEC. 5501. MINIMUM FINANCIAL RESPONSIBILITY.

(a) **TRANSPORTING PROPERTY.**—If the Secretary proceeds with a rulemaking to determine whether to increase the minimum levels of financial responsibility required under section 31139 of title 49, United States Code, the Secretary shall consider, prior to issuing a final rule—

(1) the rulemaking’s potential impact on—

(A) the safety of motor vehicle transportation; and

(B) the motor carrier industry, including small and minority motor carriers and independent owner-operators;

(2) the ability of the insurance industry to provide the required amount of insurance;

(3) the extent to which current minimum levels of financial responsibility adequately cover—

(A) medical care;

(B) compensation;

(C) attorney fees; and

(D) other identifiable costs;

(4) the frequency with which insurance claims exceed current minimum levels of financial responsibility in fatal accidents; and

(5) the impact of increased levels on motor carrier safety and accident reduction.

(b) **TRANSPORTING PASSENGERS.**—

(1) **IN GENERAL.**—Prior to initiating a rulemaking to change the minimum levels of financial responsibility under section 31138 of title 49, United States Code, the Secretary shall complete a study specific to the minimum financial responsibility requirements for motor carriers of passengers.

(2) **STUDY CONTENTS.**—A study under paragraph (1) shall include—

(A) a review of accidents, injuries, and fatalities in the over-the-road bus and school bus industries;

(B) a review of insurance held by over-the-road bus and public and private school bus companies, including companies of various sizes, and an analysis of whether such insurance is adequate to cover claims;

(C) an analysis of whether and how insurance affects the behavior and safety record of motor carriers of passengers, including with respect to crash reduction; and

(D) an analysis of the anticipated impacts of an increase in financial responsibility on insurance premiums for passenger carriers and service availability.

(3) **CONSULTATION.**—In conducting a study under paragraph (1), the Secretary shall consult with—

(A) representatives of the over-the-road bus and private school bus transportation industries, including representatives of bus drivers; and

(B) insurers of motor carriers of passengers.

(4) **REPORT.**—If the Secretary undertakes a study under paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 5502. DELAYS IN GOODS MOVEMENT.

(a) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the average length of time that operators of commercial motor vehicles are delayed before the loading and unloading of such vehicles and at other points in the pick-up and delivery process.

(2) **CONTENTS.**—The report under paragraph (1) shall include—

(A) an assessment of how delays impact—

(i) the economy;

(ii) the efficiency of the transportation system;

(iii) motor carrier safety, including the extent to which delays result in violations of motor carrier safety regulations; and

(iv) the livelihood of motor carrier drivers; and

(B) recommendations on how delays could be mitigated.

(b) **COLLECTION OF DATA.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish by regula-

tion a process to collect data on delays experienced by operators of commercial motor vehicles before the loading and unloading of such vehicles and at other points in the pick-up and delivery process.

SEC. 5503. REPORT ON MOTOR CARRIER FINANCIAL RESPONSIBILITY.

(a) **IN GENERAL.**—Not later than April 1, 2016, the Secretary shall publish on a publicly accessible Internet Web site of the Department a report on the minimum levels of financial responsibility required under section 31139 of title 49, United States Code.

(b) **CONTENTS.**—The report required under subsection (a) shall include an analysis of—

(1) the differences between State insurance requirements and Federal requirements;

(2) the extent to which current minimum levels of financial responsibility adequately cover—

(A) medical care;

(B) compensation;

(C) attorney fees; and

(D) other identifiable costs; and

(3) the frequency with which insurance claims exceed the current minimum levels of financial responsibility.

SEC. 5504. EMERGENCY ROUTE WORKING GROUP.

(a) **IN GENERAL.**—

(1) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to determine best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) **MEMBERS.**—The working group shall include representatives from—

(A) State highway transportation departments or agencies;

(B) relevant modal agencies within the Department;

(C) emergency response or recovery experts;

(D) relevant safety groups; and

(E) entities affected by special permit restrictions during emergency response and recovery efforts.

(b) **CONSIDERATIONS.**—In determining best practices under subsection (a), the working group shall consider whether—

(1) impediments currently exist that prevent expeditious State approval of special permits for vehicles involved in emergency response and recovery;

(2) it is possible to pre-identify and establish emergency routes between States through which infrastructure repair materials could be delivered following a natural disaster or emergency;

(3) a State could pre-designate an emergency route identified under paragraph (2) as a certified emergency route if a motor vehicle that exceeds the otherwise applicable Federal and State truck length or width limits may safely operate along such route during periods of declared emergency and recovery from such periods; and

(4) an online map could be created to identify each pre-designated emergency route under paragraph (3), including information on specific limitations, obligations, and notification requirements along that route.

(c) **REPORT.**—

(1) **SUBMISSION.**—Not later than 1 year after the date of enactment of this Act, the working group shall submit to the Secretary a report on its findings under this section and any recommendations for the implementation of best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) **PUBLICATION.**—Not later than 30 days after the date the Secretary receives the report under paragraph (1), the Secretary shall

publish the report on a publicly accessible Internet Web site of the Department.

(d) **NOTIFICATION.**—Not later than 6 months after the date the Secretary receives the report under subsection (c)(1), the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the actions the Secretary and the States have taken to implement the recommendations included in the report.

(e) **EXEMPTION.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group.

(f) **TERMINATION.**—The working group shall terminate 1 year after the date the Secretary receives the report under subsection (c)(1).

SEC. 5505. HOUSEHOLD GOODS CONSUMER PROTECTION WORKING GROUP.

(a) **WORKING GROUP.**—The Secretary shall establish a working group for the purpose of developing recommendations on how to best convey to inexperienced consumers the information such consumers need to know with respect to the Federal laws concerning the interstate transportation of household goods by motor carrier.

(b) **MEMBERSHIP.**—The Secretary shall ensure that the working group is comprised of individuals with expertise in consumer affairs, educators with expertise in how people learn most effectively, and representatives of the household goods moving industry.

(c) **RECOMMENDATIONS.**—

(1) **CONTENTS.**—The recommendations developed by the working group shall include recommendations on—

(A) condensing publication ESA 03005 of the Federal Motor Carrier Safety Administration into a format that is more easily used by consumers;

(B) using state-of-the-art education techniques and technologies, including optimizing the use of the Internet as an educational tool; and

(C) reducing and simplifying the paperwork required of motor carriers and shippers in interstate transportation.

(2) **DEADLINE.**—Not later than 1 year after the date of enactment of this Act—

(A) the working group shall make the recommendations described in paragraph (1); and

(B) the Secretary shall publish the recommendations on a publicly accessible Internet Web site of the Department.

(d) **REPORT.**—Not later than 1 year after the date on which the working group makes its recommendations under subsection (c)(2), the Secretary shall issue a report to Congress on the implementation of such recommendations.

(e) **EXEMPTION.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group.

(f) **TERMINATION.**—The working group shall terminate 1 year after the date the working group makes its recommendations under subsection (c)(2).

SEC. 5506. TECHNOLOGY IMPROVEMENTS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a comprehensive analysis of the information technology and data collection and management systems of the Federal Motor Carrier Safety Administration.

(b) **REQUIREMENTS.**—The study conducted under subsection (a) shall—

(1) evaluate the efficacy of the existing information technology, data collection, processing systems, data correction procedures, and data management systems and pro-

grams, including their interaction with each other and their efficacy in meeting user needs;

(2) identify any redundancies among the systems, procedures, and programs described in paragraph (1);

(3) explore the feasibility of consolidating data collection and processing systems;

(4) evaluate the ability of the systems, procedures, and programs described in paragraph (1) to meet the needs of—

(A) the Federal Motor Carrier Safety Administration, at both the headquarters and State levels;

(B) the State agencies that implement the motor carrier safety assistance program under section 31102 of title 49, United States Code; and

(C) other users;

(5) evaluate the adaptability of the systems, procedures, and programs described in paragraph (1), in order to make necessary future changes to ensure user needs are met in an easier, timely, and more cost-efficient manner;

(6) investigate and make recommendations regarding—

(A) deficiencies in existing data sets impacting program effectiveness; and

(B) methods to improve user interfaces; and

(7) identify the appropriate role the Federal Motor Carrier Safety Administration should take with respect to software and information systems design, development, and maintenance for the purpose of improving the efficacy of the systems, procedures, and programs described in paragraph (1).

SEC. 5507. NOTIFICATION REGARDING MOTOR CARRIER REGISTRATION.

Not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification of the actions the Secretary is taking to ensure, to the greatest extent practicable, that each application for registration under section 13902 of title 49, United States Code, is processed not later than 30 days after the date on which the application is received by the Secretary.

SEC. 5508. REPORT ON COMMERCIAL DRIVER'S LICENSE SKILLS TEST DELAYS.

Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes, for each State, the status of skills testing for applicants for a commercial driver's license, including—

(A) the average wait time, by month and location, from the date an applicant requests to take a skills test to the date the applicant completes such test;

(B) the average wait time, by month and location, from the date an applicant, upon failure of a skills test, requests a retest to the date the applicant completes such retest;

(C) the actual number of qualified commercial driver's license examiners, by month and location, available to test applicants; and

(D) the number of testing sites available through the State department of motor vehicles and whether this number has increased or decreased from the previous year; and

(2) describes specific steps that the Administrator is taking to address skills testing

delays in States that have average skills test or retest wait times of more than 7 days from the date an applicant requests to test or retest to the date the applicant completes such test or retest.

SEC. 5509. COVERED FARM VEHICLES.

Section 32934(b)(1) of MAP-21 (49 U.S.C. 31136 note) is amended by striking “from” and all that follows through the period at end and inserting the following: “from—

“(A) a requirement described in subsection (a) or a compatible State requirement; or

“(B) any other minimum standard provided by a State relating to the operation of that vehicle.”.

SEC. 5510. OPERATORS OF HI-RAIL VEHICLES.

(a) **IN GENERAL.**—In the case of a commercial motor vehicle driver subject to the hours of service requirements in part 395 of title 49, Code of Federal Regulations, who is driving a hi-rail vehicle, the maximum on duty time under section 395.3 of such title for such driver shall not include time in transportation to or from a duty assignment if such time in transportation—

(1) does not exceed 2 hours per calendar day or a total of 30 hours per calendar month; and

(2) is fully and accurately accounted for in records to be maintained by the motor carrier and such records are made available upon request of the Federal Motor Carrier Safety Administration or the Federal Railroad Administration.

(b) **EMERGENCY.**—In the case of a train accident, an act of God, a train derailment, or a major equipment failure or track condition that prevents a train from advancing, a driver described in subsection (a) may complete a run without being in violation of the provisions of part 395 of title 49, Code of Federal Regulations.

(c) **HI-RAIL VEHICLE DEFINED.**—In this section, the term “hi-rail vehicle” has the meaning given the term in section 214.7 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.

SEC. 5511. ELECTRONIC LOGGING DEVICE REQUIREMENTS.

Section 31137(b) of title 49, United States Code, is amended—

(1) in paragraph (1)(C) by striking “apply to” and inserting “except as provided in paragraph (3), apply to”; and

(2) by adding at the end the following:

“(3) **EXCEPTION.**—A motor carrier, when transporting a motor home or recreation vehicle trailer within the definition of the term ‘driveaway-towaway operation’ (as defined in section 390.5 of title 49, Code of Federal Regulations), may comply with the hours of service requirements by requiring each driver to use—

“(A) a paper record of duty status form; or

“(B) an electronic logging device.”.

SEC. 5512. TECHNICAL CORRECTIONS.

(a) **TITLE 49.**—Title 49, United States Code, is amended as follows:

(1) Section 13902(i)(2) is amended by inserting “except as” before “described”.

(2) Section 13903(d) is amended by striking “(d) REGISTRATION AS MOTOR CARRIER REQUIRED.” and all that follows through “(1) IN GENERAL.—A freight forwarder” and inserting “(d) REGISTRATION AS MOTOR CARRIER REQUIRED.—A freight forwarder”.

(3) Section 13905(d)(2)(D) is amended—

(A) by striking “the Secretary finds that—” and all that follows through “(i) the motor carrier,” and inserting “the Secretary finds that the motor carrier,”; and

(B) by adding a period at the end.

(4) Section 14901(h) is amended by striking “HOUSEHOLD GOODS” in the heading.

(5) Section 14916 is amended by striking the section designation and heading and inserting the following:

“§ 14916. Unlawful brokerage activities”.

(b) MAP-21.—Effective as of July 6, 2012, and as if included therein as enacted, MAP-21 (Public Law 112-141) is amended as follows:

(1) Section 32108(a)(4) (126 Stat. 782) is amended by inserting “for” before “each additional day” in the matter proposed to be struck.

(2) Section 32301(b)(3) (126 Stat. 786) is amended by striking “by amending (a) to read as follows:” and inserting “by striking subsection (a) and inserting the following:”.

(3) Section 32302(c)(2)(B) (126 Stat. 789) is amended by striking “section 32303(c)(1)” and inserting “section 32302(c)(1)”.

(4) Section 32921(b) (126 Stat. 828) is amended, in the matter to be inserted, by striking “(A) In addition” and inserting the following:

“(A) IN GENERAL.—In addition”.

(5) Section 32931(c) (126 Stat. 829) is amended—

(A) by striking “Secretary” and inserting “Secretary of Transportation” in the matter to be struck; and

(B) by striking “Secretary” and inserting “Secretary of Transportation” in the matter to be inserted.

(c) MOTOR CARRIER SAFETY IMPROVEMENT ACT OF 1999.—Section 229(a)(1) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended by inserting “of title 49, United States Code,” after “sections 31136 and 31502”.

SEC. 5513. AUTOMOBILE TRANSPORTER.

Section 3111(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (E) by striking “or” at the end;

(2) in subparagraph (F) by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(G) imposes a vehicle length limitation of less than 80 feet on a stinger-steered automobile transporter with a front overhang of less than 4 feet and a rear overhang of less than 6 feet.”.

SEC. 5514. READY MIX CONCRETE DELIVERY VEHICLES.

Section 31502 of title 49, United States Code, is amended by adding at the end the following:

“(f) READY MIXED CONCRETE DELIVERY VEHICLES.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, regulations issued under this section or section 31136 (including section 1(e)(1)(ii) of part 395 of title 49, Code of Federal Regulations) regarding reporting, recordkeeping, or documentation of duty status, shall not apply to any driver of a ready mixed concrete delivery vehicle if—

“(A) the driver operates within a 100 air-mile radius of the normal work reporting location;

“(B) the driver returns to the work reporting location and is released from work within 14 consecutive hours;

“(C) the driver has at least 10 consecutive hours off duty following each 14 hours on duty;

“(D) the driver does not exceed 11 hours maximum driving time following 10 consecutive hours off duty; and

“(E) the motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records that show—

“(i) the time the driver reports for duty each day;

“(ii) the total number of hours the driver is on duty each day;

“(iii) the time the driver is released from duty each day; and

“(iv) the total time for the preceding driving week the driver is used for the first time or intermittently.

“(2) DEFINITION.—In this section, the term ‘driver of ready mixed concrete delivery vehicle’ means a driver of a vehicle designed to deliver ready mixed concrete on a daily basis and is equipped with a mechanism under which the vehicle’s propulsion engine provides the power to operate a mixer drum to agitate and mix the product en route to the delivery site.”.

TITLE VI—INNOVATION

SEC. 6001. SHORT TITLE.

This title may be cited as the “Transportation for Tomorrow Act of 2015”.

SEC. 6002. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out section 503(b) of title 23, United States Code, \$125,000,000 for each of fiscal years 2016 through 2021.

(2) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out section 503(c) of title 23, United States Code—

(A) \$67,000,000 for fiscal year 2016;

(B) \$67,500,000 for fiscal year 2017;

(C) \$67,500,000 for fiscal year 2018;

(D) \$67,500,000 for fiscal year 2019;

(E) \$67,500,000 for fiscal year 2020; and

(F) \$67,500,000 for fiscal year 2021.

(3) TRAINING AND EDUCATION.—To carry out section 504 of title 23, United States Code \$24,000,000 for each of fiscal years 2016 through 2021.

(4) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out sections 512 through 518 of title 23, United States Code \$100,000,000 for each of fiscal years 2016 through 2021.

(5) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out section 5505 of title 49, United States Code—

(A) \$72,500,000 for fiscal year 2016;

(B) \$75,000,000 for fiscal year 2017;

(C) \$75,000,000 for fiscal year 2018;

(D) \$77,500,000 for fiscal year 2019;

(E) \$77,500,000 for fiscal year 2020; and

(F) \$77,500,000 for fiscal year 2021.

(6) BUREAU OF TRANSPORTATION STATISTICS.—To carry out chapter 63 of title 49, United States Code, \$26,000,000 for each of fiscal years 2016 through 2021.

(b) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by subsection (a) shall—

(1) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project or activity carried out using those funds shall be 80 percent, unless otherwise expressly provided by this Act (including the amendments by this Act) or otherwise determined by the Secretary; and

(2) remain available until expended and not be transferable, except as otherwise provided in this Act.

SEC. 6003. ADVANCED TRANSPORTATION AND CONGESTION MANAGEMENT TECHNOLOGIES DEPLOYMENT.

Section 503(c) of title 23, United States Code, is amended by adding at the end the following:

“(4) ADVANCED TRANSPORTATION TECHNOLOGIES DEPLOYMENT.—

“(A) IN GENERAL.—Not later than 6 months after the date of enactment of this paragraph, the Secretary shall establish an advanced transportation and congestion man-

agement technologies deployment initiative to provide grants to eligible entities to develop model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment.

“(B) CRITERIA.—The Secretary shall develop criteria for selection of an eligible entity to receive a grant under this paragraph, including how the deployment of technology will—

“(i) reduce costs and improve return on investments, including through the enhanced use of existing transportation capacity;

“(ii) deliver environmental benefits that alleviate congestion and streamline traffic flow;

“(iii) measure and improve the operational performance of the applicable transportation network;

“(iv) reduce the number and severity of traffic crashes and increase driver, passenger, and pedestrian safety;

“(v) collect, disseminate, and use real-time traffic, transit, parking, and other transportation-related information to improve mobility, reduce congestion, and provide for more efficient and accessible transportation;

“(vi) monitor transportation assets to improve infrastructure management, reduce maintenance costs, prioritize investment decisions, and ensure a state of good repair;

“(vii) deliver economic benefits by reducing delays, improving system performance, and providing for the efficient and reliable movement of goods and services; or

“(viii) accelerate the deployment of vehicle-to-vehicle, vehicle-to-infrastructure, autonomous vehicles, and other technologies.

“(C) APPLICATIONS.—

“(i) REQUEST.—Not later than 6 months after the date of enactment of this paragraph, and for every fiscal year thereafter, the Secretary shall request applications in accordance with clause (ii).

“(ii) CONTENTS.—An application submitted under this subparagraph shall include the following:

“(I) PLAN.—A plan to deploy and provide for the long-term operation and maintenance of advanced transportation and congestion management technologies to improve safety, efficiency, system performance, and return on investment.

“(II) OBJECTIVES.—Quantifiable system performance improvements, such as—

“(aa) reducing traffic-related crashes, congestion, and costs;

“(bb) optimizing system efficiency; and

“(cc) improving access to transportation services.

“(III) RESULTS.—Quantifiable safety, mobility, and environmental benefit projections such as data-driven estimates of how the project will improve the region’s transportation system efficiency and reduce traffic congestion.

“(IV) PARTNERSHIPS.—A plan for partnering with the private sector or public agencies, including multimodal and multi-jurisdictional entities, research institutions, organizations representing transportation and technology leaders, or other transportation stakeholders.

“(V) LEVERAGING.—A plan to leverage and optimize existing local and regional advanced transportation technology investments.

“(D) GRANT SELECTION.—

“(i) GRANT AWARDS.—Not later than 1 year after the date of enactment of this paragraph, and for every fiscal year thereafter, the Secretary shall award grants to not less than 5 and not more than 8 eligible entities.

“(ii) GEOGRAPHIC DIVERSITY.—In awarding a grant under this paragraph, the Secretary shall ensure, to the extent practicable, that grant recipients represent diverse geographic areas of the United States.

“(E) USE OF GRANT FUNDS.—A grant recipient may use funds awarded under this paragraph to deploy advanced transportation and congestion management technologies, including—

“(i) advanced traveler information systems;

“(ii) advanced transportation management technologies;

“(iii) infrastructure maintenance, monitoring, and condition assessment;

“(iv) advanced public transportation systems;

“(v) transportation system performance data collection, analysis, and dissemination systems;

“(vi) advanced safety systems, including vehicle-to-vehicle and vehicle-to-infrastructure communications, technologies associated with autonomous vehicles, and other collision avoidance technologies, including systems using cellular technology;

“(vii) integration of intelligent transportation systems with the Smart Grid and other energy distribution and charging systems;

“(viii) electronic pricing and payment systems; or

“(ix) advanced mobility and access technologies, such as dynamic ridesharing and information systems to support human services for elderly and disabled individuals.

“(F) REPORT TO SECRETARY.—Not later than 1 year after an eligible entity receives a grant under this paragraph, and each year thereafter, the entity shall submit a report to the Secretary that describes—

“(i) deployment and operational costs of the project compared to the benefits and savings the project provides; and

“(ii) how the project has met the original expectations projected in the deployment plan submitted with the application, such as—

“(I) data on how the project has helped reduce traffic crashes, congestion, costs, and other benefits of the deployed systems;

“(II) data on the effect of measuring and improving transportation system performance through the deployment of advanced technologies;

“(III) the effectiveness of providing real-time integrated traffic, transit, and multimodal transportation information to the public to make informed travel decisions; and

“(IV) lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.

“(G) REPORT.—Not later than 3 years after the date that the first grant is awarded under this paragraph, and each year thereafter, the Secretary shall make available to the public on an Internet Web site a report that describes the effectiveness of grant recipients in meeting their projected deployment plans, including data provided under subparagraph (F) on how the program has—

“(i) reduced traffic-related fatalities and injuries;

“(ii) reduced traffic congestion and improved travel time reliability;

“(iii) reduced transportation-related emissions;

“(iv) optimized multimodal system performance;

“(v) improved access to transportation alternatives;

“(vi) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;

“(vii) provided cost savings to transportation agencies, businesses, and the traveling public; or

“(viii) provided other benefits to transportation users and the general public.

“(H) ADDITIONAL GRANTS.—The Secretary may cease to provide additional grant funds to a recipient of a grant under this paragraph if—

“(i) the Secretary determines from such recipient's report that the recipient is not carrying out the requirements of the grant; and

“(ii) the Secretary provides written notice 60 days prior to withholding funds to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

“(I) FUNDING.—

“(i) IN GENERAL.—From funds made available to carry out section 503(b), this subsection, and sections 512 through 518, the Secretary shall set aside for grants awarded under subparagraph (D) \$75,000,000 for each of fiscal years 2016 through 2021.

“(ii) EXPENSES FOR THE SECRETARY.—Of the amounts set aside under clause (i), the Secretary may set aside \$2,000,000 each fiscal year for program reporting, evaluation, and administrative costs related to this paragraph.

“(J) FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is awarded under this subsection shall not exceed 50 percent of the cost of the project.

“(K) GRANT LIMITATION.—The Secretary may not award more than 20 percent of the amount described under subparagraph (I) in a fiscal year to a single grant recipient.

“(L) EXPENSES FOR GRANT RECIPIENTS.—A grant recipient under this paragraph may use not more than 5 percent of the funds awarded each fiscal year to carry out planning and reporting requirements.

“(M) GRANT FLEXIBILITY.—

“(i) IN GENERAL.—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications that meet the requirements described in subparagraph (C) to carry out this section for a fiscal year, the Secretary shall transfer to the programs specified in clause (ii)—

“(I) any of the funds reserved for the fiscal year under subparagraph (I) that the Secretary has not yet awarded under this paragraph; and

“(II) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under subclause (I).

“(ii) PROGRAMS.—The programs referred to in clause (i) are—

“(I) the program under section 503(b);

“(II) the program under section 503(c); and

“(III) the programs under sections 512 through 518.

“(iii) DISTRIBUTION.—Any transfer of funds and obligation limitation under clause (i) shall be divided among the programs referred to in that clause in the same proportions as the Secretary originally reserved funding from the programs for the fiscal year under subparagraph (I).

“(N) DEFINITIONS.—In this paragraph, the following definitions apply:

“(i) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or local government, a transit agency, metropolitan planning organization representing a population of over 200,000, or other political subdivision of a State or local government or a multijuris-

dictional group or a consortia of research institutions or academic institutions.

“(ii) ADVANCED AND CONGESTION MANAGEMENT TRANSPORTATION TECHNOLOGIES.—The term ‘advanced transportation and congestion management technologies’ means technologies that improve the efficiency, safety, or state of good repair of surface transportation systems, including intelligent transportation systems.

“(iii) MULTIJURISDICTIONAL GROUP.—The term ‘multijurisdictional group’ means a any combination of State governments, locals governments, metropolitan planning agencies, transit agencies, or other political subdivisions of a State for which each member of the group—

“(I) has signed a written agreement to implement the advanced transportation technologies deployment initiative across jurisdictional boundaries; and

“(II) is an eligible entity under this paragraph.”.

SEC. 6004. TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.

Section 503(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (C) by striking “2013 through 2014” and inserting “2016 through 2021”; and

(2) by adding at the end the following:

“(D) PUBLICATION.—The Secretary shall make available to the public on an Internet Web site on an annual basis a report on the cost and benefits from deployment of new technology and innovations that substantially and directly resulted from the program established under this paragraph. The report may include an analysis of—

“(i) Federal, State, and local cost savings;

“(ii) project delivery time improvements;

“(iii) reduced fatalities; and

“(iv) congestion impacts.”.

SEC. 6005. INTELLIGENT TRANSPORTATION SYSTEM GOALS.

Section 514(a) of title 23, United States Code, is amended—

(1) in paragraph (4) by striking “and” at the end;

(2) in paragraph (5) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) enhancement of the national freight system and support to national freight policy goals by conducting heavy duty vehicle demonstration activities and accelerating adoption of intelligent transportation system applications in freight operations.”.

SEC. 6006. INTELLIGENT TRANSPORTATION SYSTEM PROGRAM REPORT.

Section 515(h)(4) of title 23, United States Code, is amended—

(1) by striking “February 1 of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012” and inserting “May 1 of each year”; and

(2) by striking “submit to Congress” and inserting “make available to the public on a Department of Transportation Web site”.

SEC. 6007. INTELLIGENT TRANSPORTATION SYSTEM NATIONAL ARCHITECTURE AND STANDARDS.

Section 517(a)(3) of title 23, United States Code, is amended by striking “memberships are comprised of, and represent,” and inserting “memberships include representatives of”.

SEC. 6008. COMMUNICATION SYSTEMS DEPLOYMENT REPORT.

Section 518(a) of title 23, United States Code, is amended by striking “Not later than 3” and all that follows through “House of Representatives” and inserting “Not later

than July 6, 2016, the Secretary shall make available to the public on a Department of Transportation Web site a report”.

SEC. 6009. INFRASTRUCTURE DEVELOPMENT.

(a) IN GENERAL.—Chapter 5 of title 23, United States Code, is amended by adding at the end the following:

“§ 519. Infrastructure development

“Funds made available to carry out this chapter for operational tests—

“(1) shall be used primarily for the development of intelligent transportation system infrastructure, equipment, and systems; and

“(2) to the maximum extent practicable, shall not be used for the construction of physical surface transportation infrastructure unless the construction is incidental and critically necessary to the implementation of an intelligent transportation system project.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 23, United States Code, is amended by adding at the end the following new item:

“519. Infrastructure development.”.

(2) TECHNICAL AMENDMENT.—The item relating to section 512 in the analysis for chapter 5 of title 23, United States Code, is amended to read as follows:

“512. National ITS program plan.”.

SEC. 6010. DEPARTMENTAL RESEARCH PROGRAMS.

(a) ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY.—Section 102(e) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “5” and inserting “6”; and

(2) in paragraph (1)(A) by inserting “an Assistant Secretary for Research and Technology,” after “Governmental Affairs.”.

(b) RESEARCH ACTIVITIES.—Section 330 of title 49, United States Code, is amended—

(1) in the section heading by striking “contracts” and inserting “activities”; and

(2) in subsection (a) by striking “The Secretary of” and inserting “IN GENERAL.—The Secretary of”;

(3) in subsection (b) by striking “In carrying” and inserting “RESPONSIBILITIES.—In carrying”;

(4) in subsection (c) by striking “The Secretary” and inserting “PUBLICATIONS.—The Secretary”; and

(5) by adding at the end the following:

“(d) DUTIES.—The Secretary shall provide for the following:

“(1) Coordination, facilitation, and review of Department of Transportation research and development programs and activities.

“(2) Advancement, and research and development, of innovative technologies, including intelligent transportation systems.

“(3) Comprehensive transportation statistics research, analysis, and reporting.

“(4) Education and training in transportation and transportation-related fields.

“(5) Activities of the Volpe National Transportation Systems Center.

“(6) Coordination in support of multimodal and multidisciplinary research activities.

“(e) ADDITIONAL AUTHORITIES.—The Secretary may—

“(1) enter into grants and cooperative agreements with Federal agencies, State and local government agencies, other public entities, private organizations, and other persons to conduct research into transportation service and infrastructure assurance and to carry out other research activities of the Department of Transportation;

“(2) carry out, on a cost-shared basis, collaborative research and development to en-

courage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology with—

“(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;

“(B) Federal laboratories; and

“(C) other Federal agencies; and

“(3) directly initiate contracts, grants, cooperative research and development agreements (as defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a)), and other agreements to fund, and accept funds from, the Transportation Research Board of the National Academies, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.

“(f) FEDERAL SHARE.—

“(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of an activity carried out under subsection (e)(3) shall not exceed 50 percent.

“(2) EXCEPTION.—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.

“(3) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in subsection (e)(3).

“(g) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2016 through 2021, the Secretary is authorized to expend not more than 1 and a half percent of the amounts authorized to be appropriated for the coordination, evaluation, and oversight of the programs administered by the Office of the Assistant Secretary for Research and Technology.

“(h) USE OF TECHNOLOGY.—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this section, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

“(i) WAIVER OF ADVERTISING REQUIREMENTS.—Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.”.

(c) CLERICAL AMENDMENT.—The item relating to section 330 in the analysis of chapter 3 of title 49, United States Code, is amended to read as follows:

“330. Research activities.”.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 5 AMENDMENTS.—

(A) POSITIONS AT LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking “The Under Secretary of Transportation for Security.”.

(B) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended in the undesignated item relating to Assistant Secretaries of Transportation by striking “(4)” and inserting “(5)”.

(C) POSITIONS AT LEVEL V.—Section 5316 of title 5, United States Code, is amended by striking “Associate Deputy Secretary, Department of Transportation.”.

(2) BUREAU OF TRANSPORTATION STATISTICS.—Section 6302(a) of title 49, United States Code, is amended to read as follows:

“(a) IN GENERAL.—There shall be within the Department of Transportation the Bureau of Transportation Statistics.”.

SEC. 6011. RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION.

(a) REPEAL.—Section 112 of title 49, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 49, United States Code, is amended by striking the item relating to section 112.

SEC. 6012. OFFICE OF INTERMODALISM.

(a) REPEAL.—Section 5503 of title 49, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is amended by striking the item relating to section 5503.

SEC. 6013. UNIVERSITY TRANSPORTATION CENTERS.

Section 5505 of title 49, United States Code, is amended to read as follows:

“§ 5505. University transportation centers program

“(a) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—

“(1) ESTABLISHMENT AND OPERATION.—The Secretary shall make grants under this section to eligible nonprofit institutions of higher education to establish and operate university transportation centers.

“(2) ROLE OF CENTERS.—The role of each university transportation center referred to in paragraph (1) shall be—

“(A) to advance transportation expertise and technology in the varied disciplines that comprise the field of transportation through education, research, and technology transfer activities;

“(B) to provide for a critical transportation knowledge base outside of the Department of Transportation; and

“(C) to address critical workforce needs and educate the next generation of transportation leaders.

“(b) COMPETITIVE SELECTION PROCESS.—

“(1) APPLICATIONS.—To receive a grant under this section, a consortium of nonprofit institutions of higher education shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

“(2) LIMITATION.—A lead institution of a consortium of nonprofit institutions of higher education, as applicable, may only submit 1 grant application per fiscal year for each of the transportation centers described under paragraphs (2), (3), and (4) of subsection (c).

“(3) COORDINATION.—The Secretary shall solicit grant applications for national transportation centers, regional transportation centers, and Tier 1 university transportation centers with identical advertisement schedules and deadlines.

“(4) GENERAL SELECTION CRITERIA.—

“(A) IN GENERAL.—Except as otherwise provided by this section, the Secretary shall award grants under this section in nonexclusive candidate topic areas established by the Secretary that address the research priorities identified in section 503 of title 23.

“(B) CRITERIA.—The Secretary, in consultation with the Assistant Secretary for Research and Technology and the Administrator of the Federal Highway Administration, shall select each recipient of a grant under this section through a competitive process based on the assessment of the Secretary relating to—

“(i) the demonstrated ability of the recipient to address each specific topic area described in the research and strategic plans of the recipient;

“(ii) the demonstrated research, technology transfer, and education resources available to the recipient to carry out this section;

“(iii) the ability of the recipient to provide leadership in solving immediate and long-range national and regional transportation problems;

“(iv) the ability of the recipient to carry out research, education, and technology transfer activities that are multimodal and multidisciplinary in scope;

“(v) the demonstrated commitment of the recipient to carry out transportation workforce development programs through—

“(I) degree-granting programs or programs that provide other industry-recognized credentials; and

“(II) outreach activities to attract new entrants into the transportation field, including women and underrepresented populations;

“(vi) the demonstrated ability of the recipient to disseminate results and spur the implementation of transportation research and education programs through national or statewide continuing education programs;

“(vii) the demonstrated commitment of the recipient to the use of peer review principles and other research best practices in the selection, management, and dissemination of research projects;

“(viii) the strategic plan submitted by the recipient describing the proposed research to be carried out by the recipient and the performance metrics to be used in assessing the performance of the recipient in meeting the stated research, technology transfer, education, and outreach goals; and

“(ix) the ability of the recipient to implement the proposed program in a cost-efficient manner, such as through cost sharing and overall reduced overhead, facilities, and administrative costs.

“(5) TRANSPARENCY.—

“(A) IN GENERAL.—The Secretary shall provide to each applicant, upon request, any materials, including copies of reviews (with any information that would identify a reviewer redacted), used in the evaluation process of the proposal of the applicant.

“(B) REPORTS.—The Secretary shall submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the overall review process under paragraph (3) that includes—

“(i) specific criteria of evaluation used in the review;

“(ii) descriptions of the review process; and

“(iii) explanations of the selected awards.

“(6) OUTSIDE STAKEHOLDERS.—The Secretary shall, to the maximum extent practicable, consult external stakeholders such as the Transportation Research Board of the National Research Council of the National Academies to evaluate and competitively review all proposals.

“(c) GRANTS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, Assistant Secretary for Research and Technology, and the Administrator of the Federal Highway Administration shall select grant recipients under subsection (b) and make grant amounts available to the selected recipients.

“(2) NATIONAL TRANSPORTATION CENTERS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall provide grants to 5 consortia that the Secretary determines best meet the criteria described in subsection (b)(4).

“(B) RESTRICTIONS.—

“(i) IN GENERAL.—For each fiscal year, a grant made available under this paragraph shall be not greater than \$4,000,000 and not less than \$2,000,000 per recipient.

“(ii) FOCUSED RESEARCH.—A consortium receiving a grant under this paragraph shall focus research on 1 of the transportation issue areas specified in section 508(a)(2) of title 23.

“(C) MATCHING REQUIREMENT.—

“(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.

“(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

“(I) section 504(b) of title 23; or

“(II) section 505 of title 23.

“(3) REGIONAL UNIVERSITY TRANSPORTATION CENTERS.—

“(A) LOCATION OF REGIONAL CENTERS.—One regional university transportation center shall be located in each of the 10 Federal regions that comprise the Standard Federal Regions established by the Office of Management and Budget in the document entitled ‘Standard Federal Regions’ and dated April 1974 (circular A-105).

“(B) SELECTION CRITERIA.—In conducting a competition under subsection (b), the Secretary shall provide grants to 10 consortia on the basis of—

“(i) the criteria described in subsection (b)(4);

“(ii) the location of the lead center within the Federal region to be served; and

“(iii) whether the consortium of institutions demonstrates that the consortium has a well-established, nationally recognized program in transportation research and education, as evidenced by—

“(I) recent expenditures by the institution in highway or public transportation research;

“(II) a historical track record of awarding graduate degrees in professional fields closely related to highways and public transportation; and

“(III) an experienced faculty who specialize in professional fields closely related to highways and public transportation.

“(C) RESTRICTIONS.—For each fiscal year, a grant made available under this paragraph shall be not greater than \$3,000,000 and not less than \$1,500,000 per recipient.

“(D) MATCHING REQUIREMENTS.—

“(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.

“(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

“(I) section 504(b) of title 23; or

“(II) section 505 of title 23.

“(E) FOCUSED RESEARCH.—The Secretary shall make a grant to 1 of the 10 regional university transportation centers established under this paragraph for the purpose of furthering the objectives described in subsection (a)(2) in the field of comprehensive transportation safety.

“(4) TIER 1 UNIVERSITY TRANSPORTATION CENTERS.—

“(A) IN GENERAL.—The Secretary shall provide grants of not greater than \$2,000,000 and not less than \$1,000,000 to not more than 20 recipients to carry out this paragraph.

“(B) MATCHING REQUIREMENT.—

“(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 50 percent of the amounts made available under the grant.

“(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

“(I) section 504(b) of title 23; or

“(II) section 505 of title 23.

“(C) FOCUSED RESEARCH.—In awarding grants under this section, consideration shall be given to minority institutions, as defined by section 365 of the Higher Education Act of 1965 (20 U.S.C. 1067k), or consortia that include such institutions that have demonstrated an ability in transportation-related research.

“(d) PROGRAM COORDINATION.—

“(1) IN GENERAL.—The Secretary shall—

“(A) coordinate the research, education, and technology transfer activities carried out by grant recipients under this section; and

“(B) disseminate the results of that research through the establishment and operation of a publicly accessible online information clearinghouse.

“(2) ANNUAL REVIEW AND EVALUATION.—Not less frequently than annually, and consistent with the plan developed under section 508 of title 23, the Secretary shall—

“(A) review and evaluate the programs carried out under this section by grant recipients; and

“(B) submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing that review and evaluation.

“(3) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2016 through 2021, the Secretary shall expend not more than 1 and a half percent of the amounts made available to the Secretary to carry out this section for any coordination, evaluation, and oversight activities of the Secretary under this section.

“(e) LIMITATION ON AVAILABILITY OF AMOUNTS.—Amounts made available to the Secretary to carry out this section shall remain available for obligation by the Secretary for a period of 3 years after the last day of the fiscal year for which the amounts are authorized.

“(f) INFORMATION COLLECTION.—Any survey, questionnaire, or interview that the Secretary determines to be necessary to carry out reporting requirements relating to any program assessment or evaluation activity under this section, including customer satisfaction assessments, shall not be subject to chapter 35 of title 44.”

SEC. 6014. BUREAU OF TRANSPORTATION STATISTICS.

(a) BUREAU OF TRANSPORTATION STATISTICS.—Section 6302(b)(3)(B) of title 49, United States Code, is amended—

(1) in clause (vi)(III) by striking “section 6310” and inserting “section 6309”;

(2) by redesignating clauses (vii), (viii), (ix), and (x) as clauses (x), (xi), (xii), and (xiii), respectively; and

(3) by inserting after clause (vi) the following:

“(vii) develop and improve transportation economic accounts to meet demand for methods for estimating the economic value of transportation infrastructure, investment, and services;

“(viii) not be required to obtain the approval of any other officer or employee of the Department in connection with the collection or analysis of any information;

“(ix) not be required, prior to publication, to obtain the approval of any other officer or employee of the Federal Government with respect to the substance of any statistical technical reports or press releases that the Director has prepared in accordance with the law;”

(b) **TECHNICAL AMENDMENT.**—Section 6311(5) of title 49, United States Code, is amended by striking “section 6310” and inserting “section 6309”.

SEC. 6015. SURFACE TRANSPORTATION SYSTEM FUNDING ALTERNATIVES.

(a) **IN GENERAL.**—The Secretary shall establish a program to provide grants to States to demonstrate user-based alternative revenue mechanisms that utilize a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

(b) **APPLICATION.**—To be eligible for a grant under this section, a State or group of States shall submit to the Secretary an application in such form and containing such information as the Secretary may require.

(c) **OBJECTIVES.**—The Secretary shall ensure that the activities carried out using funds provided under this section meet the following objectives:

(1) To test the design, acceptance, and implementation of 2 or more future user-based alternative revenue mechanisms.

(2) To improve the functionality of such user-based alternative revenue mechanisms.

(3) To conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and to provide information on possible approaches.

(4) To provide recommendations regarding adoption and implementation of user-based alternative revenue mechanisms.

(5) To minimize the administrative cost of any potential user-based alternative revenue mechanisms.

(d) **USE OF FUNDS.**—A State or group of States receiving funds under this section to test the design, acceptance, and implementation of a user-based alternative revenue mechanism—

(1) shall address—

(A) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of the user-based alternative revenue mechanism;

(B) the protection of personal privacy;

(C) the use of independent and private third-party vendors to collect fees and operate the user-based alternative revenue mechanism;

(D) market-based congestion mitigation, if appropriate;

(E) equity concerns, including the impacts of the user-based alternative revenue mechanism on differing income groups, various geographic areas, and the relative burdens on rural and urban drivers;

(F) ease of compliance for different users of the transportation system; and

(G) the reliability and security of technology used to implement the user-based alternative revenue mechanism; and

(2) may address—

(A) the flexibility and choices of user-based alternative revenue mechanisms, including the ability of users to select from various technology and payment options;

(B) the cost of administering the user-based alternative revenue mechanism; and

(C) the ability of the administering entity to audit and enforce user compliance.

(e) **CONSIDERATION.**—The Secretary shall consider geographic diversity in awarding grants under this section.

(f) **LIMITATIONS ON REVENUE COLLECTED.**—Any revenue collected through a user-based

alternative revenue mechanism established using funds provided under this section shall not be considered a toll under section 301 of title 23, United States Code.

(g) **FEDERAL SHARE.**—The Federal share of the cost of an activity carried out under this section may not exceed 50 percent of the total cost of the activity.

(h) **REPORT TO SECRETARY.**—Not later than 1 year after the date on which the first eligible entity receives a grant under this section, and each year thereafter, each recipient of a grant under this section shall submit to the Secretary a report that describes—

(1) how the demonstration activities carried out with grant funds meet the objectives described in subsection (c); and

(2) lessons learned for future deployment of alternative revenue mechanisms that utilize a user fee structure.

(i) **BIENNIAL REPORTS.**—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until the completion of the demonstration activities under this section, the Secretary shall make available to the public on an Internet Web site a report describing the progress of the demonstration activities.

(j) **FUNDING.**—Of the funds authorized to carry out section 503(b) of title 23, United States Code—

(1) \$15,000,000 shall be used to carry out this section for fiscal year 2016; and

(2) \$20,000,000 shall be used to carry out this section for each of fiscal years 2017 through 2021.

(k) **GRANT FLEXIBILITY.**—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications that meet the requirements of this section for a fiscal year, Secretary shall transfer to the program under section 503(b) of title 23, United States Code—

(1) any of the funds reserved for the fiscal year under subsection (j) that the Secretary has not yet awarded under this section; and

(2) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under paragraph (1).

SEC. 6016. FUTURE INTERSTATE STUDY.

(a) **FUTURE INTERSTATE SYSTEM STUDY.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study on the actions needed to upgrade and restore the Dwight D. Eisenhower National System of Interstate and Defense Highways to its role as a premier system that meets the growing and shifting demands of the 21st century.

(b) **METHODOLOGIES.**—In conducting the study, the Transportation Research Board shall build on the methodologies examined and recommended in the report prepared for the American Association of State Highway and Transportation Officials titled “National Cooperative Highway Research Program Project 20–24(79): Specifications for a National Study of the Future 3R, 4R, and Capacity Needs of the Interstate System”, dated December 2013.

(c) **CONTENTS OF STUDY.**—The study—

(1) shall include specific recommendations regarding the features, standards, capacity needs, application of technologies, and intergovernmental roles to upgrade the Interstate System, including any revisions to law (including regulations) that the Transportation Research Board determines appropriate; and

(2) is encouraged to build on the institutional knowledge in the highway industry in applying the techniques involved in implementing the study.

(d) **CONSIDERATIONS.**—In carrying out the study, the Transportation Research Board shall determine the need for reconstruction and improvement of the Interstate System by considering—

(1) future demands on transportation infrastructure determined for national planning purposes, including commercial and private traffic flows to serve future economic activity and growth;

(2) the expected condition of the current Interstate System over the period of 50 years beginning on the date of enactment of this Act, including long-term deterioration and reconstruction needs;

(3) features that would take advantage of technological capabilities to address modern standards of construction, maintenance, and operations, for purposes of safety, and system management, taking into further consideration system performance and cost; and

(4) the resources necessary to maintain and improve the Interstate System.

(e) **CONSULTATION.**—In carrying out the study, the Transportation Research Board—

(1) shall convene and consult with a panel of national experts, including operators and users of the Interstate System and private sector stakeholders; and

(2) is encouraged to consult with—

(A) the Federal Highway Administration;

(B) States;

(C) planning agencies at the metropolitan, State, and regional levels;

(D) the motor carrier industry;

(E) freight shippers;

(F) highway safety groups; and

(G) other appropriate entities.

(f) **REPORT.**—Not later than 3 years after the date of enactment of this Act, the Transportation Research Board shall make available to the public on an Internet Web site the results of the study conducted under this section.

(g) **FUNDING.**—From funds made available to carry out section 503(b) of title 23, United States Code, the Secretary may use to carry out this section up to \$5,000,000 for fiscal year 2016.

SEC. 6017. HIGHWAY EFFICIENCY.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Assistant Secretary of Transportation for Research and Technology may examine the impact of pavement durability and sustainability on vehicle fuel consumption, vehicle wear and tear, road conditions, and road repairs.

(2) **METHODOLOGY.**—In carrying out the study, the Assistant Secretary shall—

(A) conduct a thorough review of relevant peer-reviewed research published during at least the past 5 years;

(B) analyze impacts of different types of pavement on all motor vehicle types, including commercial vehicles;

(C) specifically examine the impact of pavement deformation and deflection; and

(D) analyze impacts of different types of pavement on road conditions and road repairs.

(3) **CONSULTATION.**—In carrying out the study, the Assistant Secretary shall consult with—

(A) experts from the different modal administrations of the Department and from other Federal agencies, including the National Institute of Standards and Technology;

(B) State departments of transportation;

(C) local government engineers and public works professionals;

(D) industry stakeholders; and

(E) appropriate academic experts active in the field.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Assistant Secretary shall publish on a public Web site the results of the study.

(2) CONTENTS.—The report shall include—

(A) a summary of the different types of pavements analyzed in the study and the impacts of pavement durability and sustainability on vehicle fuel consumption, vehicle wear and tear, road conditions, and road repairs; and

(B) recommendations for State and local governments on best practice methods for improving pavement durability and sustainability to maximize vehicle fuel economy, ride quality, and road conditions and to minimize the need for road and vehicle repairs.

SEC. 6018. MOTORCYCLE SAFETY.

(a) STUDY.—The Assistant Secretary for Research and Technology of the Department of Transportation may enter into an agreement, within 45 days after the date of enactment of this Act, with the National Academy of Sciences to conduct a study on the most effective means of preventing motorcycle crashes.

(b) PUBLICATION.—The Assistant Secretary may make available the findings on a public Web site within 30 days after receiving the results of the study from the National Academy of Sciences.

SEC. 6019. HAZARDOUS MATERIALS RESEARCH AND DEVELOPMENT.

Section 5118 of title 49, United States Code, is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A) by striking “and” at the end;

(B) in subparagraph (B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) coordinate, as appropriate, with other Federal agencies.”; and

(2) by adding at the end the following new subsection:

“(c) COOPERATIVE RESEARCH.—

“(1) IN GENERAL.—As part of the program established in subsection (a), the Secretary may carry out cooperative research on hazardous materials transport.

“(2) NATIONAL ACADEMIES.—The Secretary may enter into an agreement with the National Academies to support such research.

“(3) RESEARCH.—Research conducted under this subsection may include activities related to—

“(A) emergency planning and response, including information and programs that can be readily assessed and implemented in local jurisdictions;

“(B) risk analysis and perception and data assessment;

“(C) commodity flow data, including voluntary collaboration between shippers and first responders for secure data exchange of critical information;

“(D) integration of safety and security;

“(E) cargo packaging and handling;

“(F) hazmat release consequences; and

“(G) materials and equipment testing.”.

SEC. 6020. WEB-BASED TRAINING FOR EMERGENCY RESPONDERS.

Section 5115(a) of title 49, United States Code, is amended by inserting “, including online curriculum as appropriate,” after “a current curriculum of courses”.

SEC. 6021. TRANSPORTATION TECHNOLOGY POLICY WORKING GROUP.

To improve the scientific pursuit and research procedures concerning transportation, the Assistant Secretary for Research and Technology may convene an interagency working group to—

(1) develop within 1 year after the date of enactment of this Act a national transportation research framework;

(2) identify opportunities for coordination between the Department and universities and the private sector, and prioritize these opportunities;

(3) identify and develop a plan to implement best practices for moving transportation research results out of the laboratory and into application; and

(4) identify and develop a plan to address related workforce development needs.

SEC. 6022. COLLABORATION AND SUPPORT.

The Secretary may solicit the support of, and identify opportunities to collaborate with, other Federal research agencies and national laboratories to assist in the effective and efficient pursuit and resolution of research challenges identified by the Secretary.

SEC. 6023. PRIZE COMPETITIONS.

Section 502(b)(7) of title 23, United States Code, is amended—

(1) in subparagraph (D)—

(A) by inserting “(such as www.challenge.gov)” after “public website”;

(B) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(C) by inserting after clause (ii) the following:

“(iii) the process for participants to register for the competition.”; and

(D) in clause (iv) (as redesignated by subparagraph (B)) by striking “prize” and inserting “cash prize purse”;

(2) in subparagraph (E) by striking “prize” both places it appears and inserting “cash prize purse”;

(3) by redesignating subparagraphs (F) through (K) as subparagraphs (G) through (L), respectively;

(4) by inserting after subparagraph (E) the following:

“(F) USE OF FEDERAL FACILITIES; CONSULTATION WITH FEDERAL EMPLOYEES.—An individual or entity is not ineligible to receive a cash prize purse under this paragraph as a result of the individual or entity using a Federal facility or consulting with a Federal employee related to the individual or entity’s participation in a prize competition under this paragraph unless the same facility or employee is made available to all individuals and entities participating in the prize competition on an equitable basis.”;

(5) in subparagraph (G) (as redesignated by paragraph (3) of this section)—

(A) in clause (i)(I) by striking “competition” and inserting “prize competition under this paragraph”;

(B) in clause (ii)(I)—

(i) by striking “participation in a competition” and inserting “participation in a prize competition under this paragraph”; and

(ii) by striking “competition activities” and inserting “prize competition activities”;

and

(C) by adding at the end the following:

“(iii) INTELLECTUAL PROPERTY.—

“(I) PROHIBITION ON REQUIRING WAIVER.—The Secretary may not require a participant to waive claims against the Department arising out of the unauthorized use or disclosure by the Department of the intellectual property, trade secrets, or confidential business information of the participant.

“(II) PROHIBITION ON GOVERNMENT ACQUISITION OF INTELLECTUAL PROPERTY RIGHTS.—The Federal Government may not gain an interest in intellectual property developed by a participant for a prize competition under this paragraph without the written consent of the participant.

“(III) LICENSES.—The Federal Government may negotiate a license for the use of intellectual property developed by a participant for a prize competition under this paragraph.”;

(6) in subparagraph (H)(i) (as redesignated by paragraph (3) of this section) by striking “subparagraph (H)” and inserting “subparagraph (I)”;

(7) in subparagraph (I) (as redesignated by paragraph (3) of this section) by striking “an agreement with a private, nonprofit entity” and inserting “a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity”;

(8) in subparagraph (J) (as redesignated by paragraph (3) of this section)—

(A) in clause (i)—

(i) in subclause (I) by striking “the private sector” and inserting “private sector for-profit and nonprofit entities, to be available to the extent provided by appropriations Acts”;

(ii) in subclause (II) by striking “and metropolitan planning organizations” and inserting “metropolitan planning organizations, and private sector for-profit and nonprofit entities”;

(iii) in subclause (III) by inserting “for-profit or nonprofit” after “private sector”;

(B) in clause (ii) by striking “prize awards” and inserting “cash prize purses”;

(C) in clause (iv)—

(i) by inserting “competition” after “A prize”; and

(ii) by striking “the prize” and inserting “the cash prize purse”;

(D) in clause (v)—

(i) by striking “amount of a prize” and inserting “amount of a cash prize purse”;

(ii) by inserting “competition” after “announcement of the prize”; and

(iii) in subclause (I) by inserting “competition” after “prize”;

(E) in clause (vi) by striking “offer a prize” and inserting “offer a cash prize purse”; and

(F) in clause (vii) by striking “cash prizes” and inserting “cash prize purses”;

(9) in subparagraph (K) (as redesignated by paragraph (3) of this section) by striking “or providing a prize” and inserting “a prize competition or providing a cash prize purse”; and

(10) in subparagraph (L)(ii) (as redesignated by paragraph (3) of this section)—

(A) in subclause (I) by striking “The Secretary” and inserting “Not later than March 1 of each year, the Secretary”; and

(B) in subclause (II)—

(i) in item (cc) by striking “cash prizes” both places it appears and inserting “cash prize purses”; and

(ii) in item (ee) by striking “agency” and inserting “Department”.

SEC. 6024. GAO REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall make available to the public a report that—

(1) assesses the status of autonomous transportation technology policy developed by public entities in the United States;

(2) assesses the organizational readiness of the Department to address autonomous vehicle technology challenges; and

(3) recommends implementation paths for autonomous transportation technology, applications, and policies that are based on the assessment described in paragraph (2).

SEC. 6025. INTELLIGENT TRANSPORTATION SYSTEM PURPOSES.

Section 514(b) of title 23, United States Code, is amended—

(1) in paragraph (8) by striking “and” at the end;

(2) in paragraph (9) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(10) to assist in the development of cybersecurity standards in cooperation with relevant modal administrations of the Department of Transportation and other Federal agencies to help prevent hacking, spoofing, and disruption of connected and automated transportation vehicles.”.

SEC. 6026. INFRASTRUCTURE INTEGRITY.

Section 503(b)(3)(C) of title 23, United States Code, is amended—

(1) in clause (xviii) by striking “and” at the end;

(2) in clause (xix) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(xx) corrosion prevention measures for the structural integrity of bridges.”.

TITLE VII—HAZARDOUS MATERIALS TRANSPORTATION

SEC. 7001. SHORT TITLE.

This title may be cited as the “Hazardous Materials Transportation Safety Improvement Act of 2015”.

SEC. 7002. AUTHORIZATION OF APPROPRIATIONS.

Section 5128 of title 49, United States Code, is amended to read as follows:

“§ 5128. Authorization of appropriations

“(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this chapter (except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—

“(1) \$53,000,000 for fiscal year 2016;

“(2) \$55,000,000 for fiscal year 2017;

“(3) \$57,000,000 for fiscal year 2018;

“(4) \$58,000,000 for fiscal year 2019;

“(5) \$60,000,000 for fiscal year 2020; and

“(6) \$62,000,000 for fiscal year 2021.

“(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(h), the Secretary may expend, for each of fiscal years 2016 through 2021—

“(1) \$21,988,000 to carry out section 5116(a);

“(2) \$150,000 to carry out section 5116(e);

“(3) \$625,000 to publish and distribute the Emergency Response Guidebook under section 5116(h)(3); and

“(4) \$1,000,000 to carry out section 5116(i).

“(c) HAZARDOUS MATERIALS TRAINING GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(h), the Secretary may expend \$5,000,000 for each of fiscal years 2016 through 2021 to carry out section 5107(e).

“(d) CREDITS TO APPROPRIATIONS.—

“(1) EXPENSES.—In addition to amounts otherwise made available to carry out this chapter, the Secretary may credit amounts received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, Indian tribe, authority, or entity.

“(2) AVAILABILITY OF AMOUNTS.—Amounts made available under this section shall remain available until expended.”.

SEC. 7003. NATIONAL EMERGENCY AND DISASTER RESPONSE.

Section 5103 of title 49, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

“(c) FEDERALLY DECLARED DISASTERS AND EMERGENCIES.—

“(1) IN GENERAL.—The Secretary may by order waive compliance with any part of an applicable standard prescribed under this

chapter without prior notice and comment and on terms the Secretary considers appropriate if the Secretary determines that—

“(A) it is in the public interest to grant the waiver;

“(B) the waiver is not inconsistent with the safety of transporting hazardous materials; and

“(C) the waiver is necessary to facilitate the safe movement of hazardous materials into, from, and within an area of a major disaster or emergency that has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(2) PERIOD OF WAIVER.—A waiver under this subsection may be issued for a period of not more than 60 days and may be renewed upon application to the Secretary only after notice and an opportunity for a hearing on the waiver. The Secretary shall immediately revoke the waiver if continuation of the waiver would not be consistent with the goals and objectives of this chapter.

“(3) STATEMENT OF REASONS.—The Secretary shall include in any order issued under this section the reason for granting the waiver.”.

SEC. 7004. ENHANCED REPORTING.

Section 5121(h) of title 49, United States Code, is amended by striking “transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate” and inserting “make available to the public on the Department of Transportation’s Internet Web site”.

SEC. 7005. WETLINES.

(a) WITHDRAWAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall withdraw the proposed rule described in the notice of proposed rulemaking issued on January 27, 2011, entitled “Safety Requirements for External Product Piping on Cargo Tanks Transporting Flammable Liquids” (76 Fed. Reg. 4847).

(b) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from issuing standards or regulations regarding the safety of external product piping on cargo tanks transporting flammable liquids after the withdrawal is carried out pursuant to subsection (a).

SEC. 7006. IMPROVING PUBLICATION OF SPECIAL PERMITS AND APPROVALS.

Section 5117 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “an application for a special permit” and inserting “an application for a new special permit or a modification to an existing special permit”; and

(B) by inserting after the first sentence the following: “The Secretary shall make available to the public on the Department of Transportation’s Internet Web site any special permit other than a new special permit or a modification to an existing special permit and shall give the public an opportunity to inspect the safety analysis and comment on the application for a period of not more than 15 days.”; and

(2) in subsection (c)—

(A) by striking “publish” and inserting “make available to the public”; and

(B) by striking “in the Federal Register”; and

(C) by striking “180” and inserting “120”; and

(D) by striking “the special permit” each place it appears and inserting “a special permit or approval”; and

(3) by adding at the end the following:

“(g) DISCLOSURE OF FINAL ACTION.—The Secretary shall periodically, but at least every 120 days—

“(1) publish in the Federal Register notice of the final disposition of each application for a new special permit, modification to an existing special permit, or approval during the preceding quarter; and

“(2) make available to the public on the Department of Transportation’s Internet Web site notice of the final disposition of any other special permit during the preceding quarter.”.

SEC. 7007. GAO STUDY ON ACCEPTANCE OF CLASSIFICATION EXAMINATIONS.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall evaluate and transmit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, a report on the standards, metrics, and protocols that the Secretary uses to regulate the performance of persons approved to recommend hazard classifications pursuant to section 173.56(b) of title 49, Code of Federal Regulations (commonly referred to as “third-party labs”).

(b) EVALUATION.—The evaluation required under subsection (a) shall—

(1) identify what standards and protocols are used to approve such persons, assess the adequacy of such standards and protocols to ensure that persons seeking approval are qualified and capable of performing classifications, and make recommendations to address any deficiencies identified;

(2) assess the adequacy of the Secretary’s oversight of persons approved to perform the classifications, including the qualification of individuals engaged in the oversight of approved persons, and make recommendations to enhance oversight sufficiently to ensure that classifications are issued as required;

(3) identify what standards and protocols exist to rescind, suspend, or deny approval of persons who perform such classifications, assess the adequacy of such standards and protocols, and make recommendations to enhance such standards and protocols if necessary; and

(4) include annual data for fiscal years 2005 through 2015 on the number of applications received for new classifications pursuant to section 173.56(b) of title 49, Code of Federal Regulations, of those applications how many classifications recommended by persons approved by the Secretary were changed to another classification and the reasons for the change, and how many hazardous materials incidents have been attributed to a classification recommended by such approved persons in the United States.

(c) ACTION PLAN.—Not later than 120 days after receiving the report required under subsection (a), the Secretary shall make available to the public a plan describing any actions the Secretary will take to establish standards, metrics, and protocols based on the findings and recommendations in the report to ensure that persons approved to perform classification examinations required under section 173.56(b) of title 49, Code of Federal Regulations, can sufficiently perform such examinations in a manner that meets the hazardous materials regulations.

(d) REGULATIONS.—If the report required under subsection (a) recommends new regulations in order for the Secretary to have confidence in the accuracy of classification recommendations rendered by persons approved to perform classification examinations required under section 173.56(b) of title

49, Code of Federal Regulations, the Secretary shall issue such regulations not later than 24 months after the date of enactment of this Act.

SEC. 7008. IMPROVING THE EFFECTIVENESS OF PLANNING AND TRAINING GRANTS.

(a) **PLANNING AND TRAINING GRANTS.**—Section 5116 of title 49, United States Code, is amended—

(1) by redesignating subsections (c) through (k) as subsections (b) through (j), respectively,

(2) by striking subsection (b); and

(3) by striking subsection (a) and inserting the following:

“(a) **PLANNING AND TRAINING GRANTS.**—(1) The Secretary shall make grants to States and Indian tribes—

“(A) to develop, improve, and carry out emergency plans under the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001 et seq.), including ascertaining flow patterns of hazardous material on lands under the jurisdiction of a State or Indian tribe, and between lands under the jurisdiction of a State or Indian tribe and lands of another State or Indian tribe;

“(B) to decide on the need for regional hazardous material emergency response teams; and

“(C) to train public sector employees to respond to accidents and incidents involving hazardous material.

“(2) To the extent that a grant is used to train emergency responders under paragraph (1)(C), the State or Indian tribe shall provide written certification to the Secretary that the emergency responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations or National Fire Protection Association standards for competence of responders to accidents and incidents involving hazardous materials.

“(3) The Secretary may make a grant to a State or Indian tribe under paragraph (1) of this subsection only if—

“(A) the State or Indian tribe certifies that the total amount the State or Indian tribe expends (except amounts of the Federal Government) for the purpose of the grant will at least equal the average level of expenditure for the last 5 years; and

“(B) any emergency response training provided under the grant shall consist of—

“(i) a course developed or identified under section 5115 of this title; or

“(ii) any other course the Secretary determines is consistent with the objectives of this section.

“(4) A State or Indian tribe receiving a grant under this subsection shall ensure that planning and emergency response training under the grant is coordinated with adjacent States and Indian tribes.

“(5) A training grant under paragraph (1)(C) may be used—

“(A) to pay—

“(i) the tuition costs of public sector employees being trained;

“(ii) travel expenses of those employees to and from the training facility;

“(iii) room and board of those employees when at the training facility; and

“(iv) travel expenses of individuals providing the training;

“(B) by the State, political subdivision, or Indian tribe to provide the training; and

“(C) to make an agreement with a person (including an authority of a State, a polit-

ical subdivision of a State or Indian tribe, or a local jurisdiction), subject to approval by the Secretary, to provide the training—

“(i) if the agreement allows the Secretary and the State or Indian tribe to conduct random examinations, inspections, and audits of the training without prior notice;

“(ii) the person agrees to have an auditable accounting system; and

“(iii) if the State or Indian tribe conducts at least one on-site observation of the training each year.

“(6) The Secretary shall allocate amounts made available for grants under this subsection among eligible States and Indian tribes based on the needs of the States and Indian tribes for emergency response training. In making a decision about those needs, the Secretary shall consider—

“(A) the number of hazardous material facilities in the State or on land under the jurisdiction of the Indian tribe;

“(B) the types and amounts of hazardous material transported in the State or on such land;

“(C) whether the State or Indian tribe imposes and collects a fee on transporting hazardous material;

“(D) whether such fee is used only to carry out a purpose related to transporting hazardous material;

“(E) the past record of the State or Indian tribe in effectively managing planning and training grants; and

“(F) any other factors the Secretary determines are appropriate to carry out this subsection.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 5108(g) of title 49, United States Code, is amended by striking “5116(i)” each place it appears and inserting “5116(h)”.

(2) Section 5116 of such title is amended—

(A) in subsection (d), as redesignated by this section, by striking “subsections (a)(2)(A) and (b)(2)(A)” and inserting “subsection (a)(3)(A)”;

(B) in subsection (h), as redesignated by this section—

(i) in paragraph (1) by inserting “and section 5107(e)” after “section”;

(ii) in paragraph (2) by striking “(f)” and inserting “(e)”;

(iii) in paragraph (4) by striking “5108(g)(2) and 5115” and inserting “5107(e) and 5108(g)(2)”;

(C) in subsection (i), as redesignated by this section, by striking “subsection (b)” and inserting “subsection (a)”;

(D) in subsection (j), as redesignated by this section—

(i) by striking “planning grants allocated under subsection (a), training grants under subsection (b), and grants under subsection (j)” and inserting “planning and training grants under subsection (a) and grants under subsection (i)”;

(ii) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4), respectively.

(c) **ENFORCEMENT PERSONNEL.**—Section 5107(e) of title 49, United States Code, is amended by inserting “, State and local personnel responsible for enforcing the safe transportation of hazardous materials, or both” after “hazmat employees” each place it appears.

SEC. 7009. MOTOR CARRIER SAFETY PERMITS.

Section 5109(h) of title 49, United States Code, is amended to read as follows:

“(h) **LIMITATION ON DENIAL.**—The Secretary may not deny a non-temporary permit held by a motor carrier pursuant to this section based on a comprehensive review of that car-

rier triggered by safety management system scores or out-of-service disqualification standards, unless—

“(1) the carrier has the opportunity, prior to the denial of such permit, to submit a written description of corrective actions taken and other documentation the carrier wishes the Secretary to consider, including a corrective action plan; and

“(2) the Secretary determines the actions or plan is insufficient to address the safety concerns identified during the course of the comprehensive review.”

SEC. 7010. THERMAL BLANKETS.

(a) **REQUIREMENTS.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to require that each tank car built to meet the DOT-117 specification and each non-jacketed tank car modified to meet the DOT-117R specification be equipped with an insulating blanket with at least ½-inch-thick material that has been approved by the Secretary pursuant to section 179.18(c) of title 49, Code of Federal Regulations.

(b) **SAVINGS CLAUSE.**—Nothing in this section shall prohibit the Secretary from approving new or alternative technologies or materials as they become available that provide a level of safety at least equivalent to the level of safety provided for under subsection (a).

SEC. 7011. COMPREHENSIVE OIL SPILL RESPONSE PLANS.

(a) **IN GENERAL.**—Chapter 51 of title 49, United States Code, is amended by inserting after section 5110 the following:

“§5111. Comprehensive oil spill response plans

“(a) **REQUIREMENTS.**—Not later than 120 days after the date of enactment of this section, the Secretary shall issue such regulations as are necessary to require any railroad carrier transporting a Class 3 flammable liquid to maintain a comprehensive oil spill response plan.

“(b) **CONTENTS.**—The regulations under subsection (a) shall require each railroad carrier described in that subsection to—

“(1) include in the comprehensive oil spill response plan procedures and resources, including equipment, for responding, to the maximum extent practicable, to a worst-case discharge;

“(2) ensure that the comprehensive oil spill response plan is consistent with the National Contingency Plan and each applicable Area Contingency Plan;

“(3) include in the comprehensive oil spill response plan appropriate notification and training procedures and procedures for coordinating with Federal, State, and local emergency responders;

“(4) review and update its comprehensive oil spill response plan as appropriate; and

“(5) provide the comprehensive oil spill response plan for acceptance by the Secretary.

“(c) **SAVINGS CLAUSE.**—Nothing in the section may be construed to prohibit the Secretary from promulgating differing comprehensive oil response plan standards for Class I railroads, Class II railroads, and Class III railroads.

“(d) **RESPONSE PLANS.**—The Secretary shall—

“(1) maintain on file a copy of the most recent comprehensive oil spill response plans prepared by a railroad carrier transporting a Class 3 flammable liquid; and

“(2) provide to a person, upon written request, a copy of the plan, which may exclude, as the Secretary determines appropriate—

“(A) proprietary information;

“(B) security-sensitive information, including information described in section

1520.5(a) of title 49, Code of Federal Regulations;

“(C) specific response resources and tactical resource deployment plans; and

“(D) the specific amount and location of worst-case discharges, including the process by which a railroad carrier determines the worst-case discharge.

“(e) RELATIONSHIP TO FOIA.—Nothing in this section may be construed to require disclosure of information or records that are exempt from disclosure under section 552 of title 5.

“(f) DEFINITIONS.—

“(1) AREA CONTINGENCY PLAN.—The term ‘Area Contingency Plan’ has the meaning given the term in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

“(2) CLASS 3 FLAMMABLE LIQUID.—The term ‘Class 3 flammable liquid’ has the meaning given the term flammable liquid in section 173.120 of title 49, Code of Federal Regulations.

“(3) CLASS I RAILROAD; CLASS II RAILROAD; AND CLASS III RAILROAD.—The terms ‘Class I railroad’, ‘Class II railroad’, and ‘Class III railroad’ have the meaning given those terms in section 20102.

“(4) NATIONAL CONTINGENCY PLAN.—The term ‘National Contingency Plan’ has the meaning given the term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

“(5) RAILROAD CARRIER.—The term ‘railroad carrier’ has the meaning given the term in section 20102.

“(6) WORST-CASE DISCHARGE.—The term ‘worst-case discharge’ means the largest foreseeable discharge of oil in the event of an accident or incident, as determined by each railroad carrier in accordance with regulations issued under this section.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 49, United States Code, is amended by inserting after the item relating to section 5110 the following:

“5111. Comprehensive oil spill response plans.”.

SEC. 7012. INFORMATION ON HIGH-HAZARD FLAMMABLE TRAINS.

(a) INFORMATION ON HIGH-HAZARD FLAMMABLE TRAINS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue regulations to require each applicable railroad carrier to provide information on high-hazard flammable trains to State emergency response commissions consistent with Emergency Order Docket No. DOT-OST-2014-0067, and include appropriate protections from public release of proprietary information and security-sensitive information, including information described in section 1520.5(a) of title 49, Code of Federal Regulations.

(b) HIGH-HAZARD FLAMMABLE TRAIN.—The term “high-hazard flammable train” means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid, as such term is defined in section 173.120 of title 49, Code of Federal Regulations, in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

SEC. 7013. STUDY AND TESTING OF ELECTRONICALLY CONTROLLED PNEUMATIC BRAKES.

(a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct an independent evaluation of ECP brake systems, pilot program data, and the Department’s research and analysis on the costs, benefits, and effects of ECP brake systems.

(2) STUDY ELEMENTS.—In completing the independent evaluation under paragraph (1), the Comptroller General of the United States shall examine the following issues related to ECP brake systems:

(A) Data and modeling results on safety benefits relative to conventional brakes and to other braking technologies or systems, such as distributed power and 2-way end-of-train devices.

(B) Data and modeling results on business benefits, including the effects of dynamic braking.

(C) Data on costs, including up-front capital costs and on-going maintenance costs.

(D) Analysis of potential operational benefits and challenges, including the effects of potential locomotive and car segregation, technical reliability issues, and network disruptions.

(E) Analysis of potential implementation challenges, including installation time, positive train control integration complexities, component availability issues, and tank car shop capabilities.

(F) Analysis of international experiences with the use of advanced braking technologies.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the independent evaluation under paragraph (1).

(b) EMERGENCY BRAKING APPLICATION TESTING.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with the National Academy of Sciences to—

(A) complete testing of ECP brake systems during emergency braking application, including more than 1 scenario involving the uncoupling of a train with 70 or more DOT-117-specification or DOT-117R-specification tank cars; and

(B) transmit, not later than 18 months after the date of enactment of this Act, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the testing.

(2) INDEPENDENT EXPERTS.—In completing the testing under paragraph (1)(A), the National Academy of Sciences may contract with 1 or more engineering or rail experts, as appropriate, that—

(A) are not railroad carriers, entities funded by such carriers, or entities directly impacted by the final rule issued on May 8, 2015, entitled “Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains” (80 Fed. Reg. 26643); and

(B) have relevant experience in conducting railroad safety technology tests or similar crash tests.

(3) TESTING FRAMEWORK.—In completing the testing under paragraph (1), the National Academy of Sciences and each contractor described in paragraph (2) shall ensure that the testing objectively, accurately, and reliably measures the performance of ECP brake systems relative to other braking technologies or systems, such as distributed power and 2-way end-of-train devices, including differences in—

(A) the number of cars derailed;

(B) the number of cars punctured;

(C) the measures of in-train forces; and

(D) the stopping distance.

(4) FUNDING.—The Secretary shall provide funding, as part of the agreement under

paragraph (1), to the National Academy of Sciences for the testing required under this section—

(A) using sums made available to carry out sections 20108 and 5118 of title 49, United States Code; and

(B) to the extent funding under subparagraph (A) is insufficient or unavailable to fund the testing required under this section, using such sums as are necessary from the amounts appropriated to the Secretary, the Federal Railroad Administration, or the Pipeline and Hazardous Materials Safety Administration, or a combination thereof.

(5) EQUIPMENT.—The National Academy of Sciences and each contractor described in paragraph (2) may receive or use rolling stock, track, and other equipment or infrastructure from a private entity for the purposes of conducting the testing required under this section.

(c) EVIDENCE-BASED APPROACH.—

(1) ANALYSIS.—The Secretary shall—

(A) not later than 90 days after the report date, fully incorporate and update the regulatory impact analysis of the final rule described in subsection (b)(2)(A) of the costs, benefits, and effects of the applicable ECP brake system requirements;

(B) as soon as practicable after completion of the updated analysis under subparagraph (A), solicit public comment on the analysis for a period of not more than 30 days; and

(C) not later than 60 days after the end of the public comment period under subparagraph (B), post the final updated regulatory impact analysis on the Department of Transportation’s Internet Web site.

(2) DETERMINATION.—Not later than 180 days after the report date, the Secretary shall—

(A) determine, based on whether the final regulatory impact analysis described in paragraph (1)(C) demonstrates that the benefits, including safety benefits, of the applicable ECP brake system requirements exceed the costs of such requirements, whether the applicable ECP brake system requirements are justified;

(B) if the applicable ECP brake system requirements are justified, publish in the Federal Register the determination and reasons for such determination; and

(C) if the Secretary does not publish the determination under subparagraph (B), repeal the applicable ECP brake system requirements.

(3) SAVINGS CLAUSE.—Nothing in this section shall be construed to prohibit the Secretary from implementing the final rule described under subsection (b)(2)(A) prior to the determination required under subsection (c)(2) of this section, or require the Secretary to promulgate a new rulemaking on the provisions of such final rule, other than the applicable ECP brake system requirements, if the Secretary determines that the applicable ECP brake system requirements are not justified pursuant to this subsection.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) APPLICABLE ECP BRAKE SYSTEM REQUIREMENTS.—The term “applicable ECP brake system requirements” means sections 174.310(a)(3)(ii), 174.310(a)(3)(iii), 174.310(a)(5)(v), 179.202-12(g), and 179.202-13(i) of title 49, Code of Federal Regulations, and any other regulation in effect on the date of enactment of this Act requiring the installation of ECP brakes or operation in ECP brake mode.

(2) CLASS 3 FLAMMABLE LIQUID.—The term “Class 3 flammable liquid” has the meaning given the term flammable liquid in section

173.120(a) of title 49, Code of Federal Regulations.

(3) ECP.—The term “ECP” means electronically controlled pneumatic when applied to a brake or brakes.

(4) ECP BRAKE MODE.—The term “ECP brake mode” includes any operation of a rail car or an entire train using an ECP brake system.

(5) ECP BRAKE SYSTEM.—

(A) IN GENERAL.—The term “ECP brake system” means a train power braking system actuated by compressed air and controlled by electronic signals from the locomotive or an ECP-EOT to the cars in the consist for service and emergency applications in which the brake pipe is used to provide a constant supply of compressed air to the reservoirs on each car but does not convey braking signals to the car.

(B) INCLUSIONS.—The term “ECP brake system” includes dual mode and stand-alone ECP brake systems.

(6) RAILROAD CARRIER.—The term “railroad carrier” has the meaning given the term in section 20102 of title 49, United States Code.

(7) REPORT DATE.—The term “report date” means the date that the reports under subsections (a)(3) and (b)(1)(B) are required to be transmitted pursuant to those subsections.

SEC. 7014. ENSURING SAFE IMPLEMENTATION OF POSITIVE TRAIN CONTROL SYSTEMS.

(a) SHORT TITLE.—This section may be cited as the “Positive Train Control Enforcement and Implementation Act of 2015”.

(b) IN GENERAL.—Section 20157 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking “18 months after the date of enactment of the Rail Safety Improvement Act of 2008” and inserting “90 days after the date of enactment of the Positive Train Control Enforcement and Implementation Act of 2015”;

(B) by striking “develop and”;

(C) by striking “a plan for implementing” and inserting “a revised plan for implementing”;

(D) by striking “December 31, 2015” and inserting “December 31, 2018”; and

(E) in subparagraph (B) by striking “parts” and inserting “sections”;

(2) by striking subsection (a)(2) and inserting the following:

“(2) IMPLEMENTATION.—

“(A) CONTENTS OF REVISED PLAN.—A revised plan required under paragraph (1) shall—

“(i) describe—

“(I) how the positive train control system will provide for interoperability of the system with the movements of trains of other railroad carriers over its lines; and

“(II) how, to the extent practical, the positive train control system will be implemented in a manner that addresses areas of greater risk before areas of lesser risk;

“(ii) comply with the positive train control system implementation plan content requirements under section 236.1011 of title 49, Code of Federal Regulations; and

“(iii) provide—

“(I) the calendar year or years in which spectrum will be acquired and will be available for use in each area as needed for positive train control system implementation, if such spectrum is not already acquired and available for use;

“(II) the total amount of positive train control system hardware that will be installed for implementation, with totals separated by each major hardware category;

“(III) the total amount of positive train control system hardware that will be in-

stalled by the end of each calendar year until the positive train control system is implemented, with totals separated by each hardware category;

“(IV) the total number of employees required to receive training under the applicable positive train control system regulations;

“(V) the total number of employees that will receive the training, as required under the applicable positive train control system regulations, by the end of each calendar year until the positive train control system is implemented;

“(VI) a summary of any remaining technical, programmatic, operational, or other challenges to the implementation of a positive train control system, including challenges with—

“(aa) availability of public funding;

“(bb) interoperability;

“(cc) spectrum;

“(dd) software;

“(ee) permitting; and

“(ff) testing, demonstration, and certification; and

“(VII) a schedule and sequence for implementing a positive train control system by the deadline established under paragraph (1).

“(B) ALTERNATIVE SCHEDULE AND SEQUENCE.—Notwithstanding the implementation deadline under paragraph (1) and in lieu of a schedule and sequence under paragraph (2)(A)(iii)(VII), a railroad carrier or other entity subject to paragraph (1) may include in its revised plan an alternative schedule and sequence for implementing a positive train control system, subject to review under paragraph (3). Such schedule and sequence shall provide for implementation of a positive train control system as soon as practicable, but not later than the date that is 24 months after the implementation deadline under paragraph (1).

“(C) AMENDMENTS.—A railroad carrier or other entity subject to paragraph (1) may file a request to amend a revised plan, including any alternative schedule and sequence, as applicable, in accordance with section 236.1021 of title 49, Code of Federal Regulations.

“(D) COMPLIANCE.—A railroad carrier or other entity subject to paragraph (1) shall implement a positive train control system in accordance with its revised plan, including any amendments or any alternative schedule and sequence approved by the Secretary under paragraph (3).

“(3) SECRETARIAL REVIEW.—

“(A) NOTIFICATION.—A railroad carrier or other entity that submits a revised plan under paragraph (1) and proposes an alternative schedule and sequence under paragraph (2)(B) shall submit to the Secretary a written notification when such railroad carrier or other entity is prepared for review under subparagraph (B).

“(B) CRITERIA.—Not later than 90 days after a railroad carrier or other entity submits a notification under subparagraph (A), the Secretary shall review the alternative schedule and sequence submitted pursuant to paragraph (2)(B) and determine whether the railroad carrier or other entity has demonstrated, to the satisfaction of the Secretary, that such carrier or entity has—

“(i) installed all positive train control system hardware consistent with the plan contents provided pursuant to paragraph (2)(A)(iii)(II) on or before the implementation deadline under paragraph (1);

“(ii) acquired all spectrum necessary for implementation of a positive train control system, consistent with the plan contents

provided pursuant to paragraph (2)(A)(iii)(I) on or before the implementation deadline under paragraph (1);

“(iii) completed employee training required under the applicable positive train control system regulations;

“(iv) included in its revised plan an alternative schedule and sequence for implementing a positive train control system as soon as practicable, pursuant to paragraph (2)(B);

“(v) certified to the Secretary in writing that it will be in full compliance with the requirements of this section on or before the date provided in an alternative schedule and sequence, subject to approval by the Secretary;

“(vi) in the case of a Class I railroad carrier and Amtrak, implemented a positive train control system or initiated revenue service demonstration on the majority of territories, such as subdivisions or districts, or route miles that are owned or controlled by such carrier and required to have operations governed by a positive train control system; and

“(vii) in the case of any other railroad carrier or other entity not subject to clause (vi)—

“(I) initiated revenue service demonstration on at least 1 territory that is required to have operations governed by a positive train control system; or

“(II) met any other criteria established by the Secretary.

“(C) DECISION.—

“(i) IN GENERAL.—Not later than 90 days after the receipt of the notification from a railroad carrier or other entity under subparagraph (A), the Secretary shall—

“(I) approve an alternative schedule and sequence submitted pursuant to paragraph (2)(B) if the railroad carrier or other entity meets the criteria in subparagraph (B); and

“(II) notify in writing the railroad carrier or other entity of the decision.

“(ii) DEFICIENCIES.—Not later than 45 days after the receipt of the notification under subparagraph (A), the Secretary shall provide to the railroad carrier or other entity a written notification of any deficiencies that would prevent approval under clause (i) and provide the railroad carrier or other entity an opportunity to correct deficiencies before the date specified in such clause.

“(D) REVISED DEADLINES.—

“(i) PENDING REVIEWS.—For a railroad carrier or other entity that submits a notification under subparagraph (A), the deadline for implementation of a positive train control system required under paragraph (1) shall be extended until the date on which the Secretary approves or disapproves the alternative schedule and sequence, if such date is later than the implementation date under paragraph (1).

“(ii) ALTERNATIVE SCHEDULE AND SEQUENCE DEADLINE.—If the Secretary approves a railroad carrier or other entity’s alternative schedule and sequence under subparagraph (C)(i), the railroad carrier or other entity’s deadline for implementation of a positive train control system required under paragraph (1) shall be the date specified in that railroad carrier or other entity’s alternative schedule and sequence. The Secretary may not approve a date for implementation that is later than 24 months from the deadline in paragraph (1).”;

(3) by striking subsections (c), (d), and (e) and inserting the following:

“(c) PROGRESS REPORTS AND REVIEW.—

“(1) PROGRESS REPORTS.—Each railroad carrier or other entity subject to subsection

(a) shall, not later than March 31, 2016, and annually thereafter until such carrier or entity has completed implementation of a positive train control system, submit to the Secretary a report on the progress toward implementing such systems, including—

“(A) the information on spectrum acquisition provided pursuant to subsection (a)(2)(A)(iii)(I);

“(B) the totals provided pursuant to subclauses (III) and (V) of subsection (a)(2)(A)(iii), by territory, if applicable;

“(C) the extent to which the railroad carrier or other entity is complying with the implementation schedule under subsection (a)(2)(A)(iii)(VII) or subsection (a)(2)(B);

“(D) any update to the information provided under subsection (a)(2)(A)(iii)(VI);

“(E) for each entity providing regularly scheduled intercity or commuter rail passenger transportation, a description of the resources identified and allocated to implement a positive train control system;

“(F) for each railroad carrier or other entity subject to subsection (a), the total number of route miles on which a positive train control system has been initiated for revenue service demonstration or implemented, as compared to the total number of route miles required to have a positive train control system under subsection (a); and

“(G) any other information requested by the Secretary.

“(2) PLAN REVIEW.—The Secretary shall at least annually conduct reviews to ensure that railroad carriers or other entities are complying with the revised plan submitted under subsection (a), including any amendments or any alternative schedule and sequence approved by the Secretary. Such railroad carriers or other entities shall provide such information as the Secretary determines necessary to adequately conduct such reviews.

“(3) PUBLIC AVAILABILITY.—Not later than 60 days after receipt, the Secretary shall make available to the public on the Internet Web site of the Department of Transportation any report submitted pursuant to paragraph (1) or subsection (d), but may exclude, as the Secretary determines appropriate—

“(A) proprietary information; and

“(B) security-sensitive information, including information described in section 1520.5(a) of title 49, Code of Federal Regulations.

“(d) REPORT TO CONGRESS.—Not later than July 1, 2018, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the progress of each railroad carrier or other entity subject to subsection (a) in implementing a positive train control system.

“(e) ENFORCEMENT.—The Secretary is authorized to assess civil penalties pursuant to chapter 213 for—

“(1) a violation of this section;

“(2) the failure to submit or comply with the revised plan required under subsection (a), including the failure to comply with the totals provided pursuant to subclauses (III) and (V) of subsection (a)(2)(A)(iii) and the spectrum acquisition dates provided pursuant to subsection (a)(2)(A)(iii)(I);

“(3) failure to comply with any amendments to such revised plan pursuant to subsection (a)(2)(C); and

“(4) the failure to comply with an alternative schedule and sequence submitted under subsection (a)(2)(B) and approved by the Secretary under subsection (a)(3)(C).”;

(4) in subsection (h)—

(A) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(B) by adding at the end the following:

“(2) PROVISIONAL OPERATION.—Notwithstanding the requirements of paragraph (1), the Secretary may authorize a railroad carrier or other entity to commence operation in revenue service of a positive train control system or component to the extent necessary to enable the safe implementation and operation of a positive train control system in phases.”;

(5) in subsection (i)—

(A) by redesignating paragraphs (1) through (3) as paragraphs (3) through (5), respectively; and

(B) by inserting before paragraph (3) (as so redesignated) the following:

“(1) EQUIVALENT OR GREATER LEVEL OF SAFETY.—The term ‘equivalent or greater level of safety’ means the compliance of a railroad carrier with—

“(A) appropriate operating rules in place immediately prior to the use or implementation of such carrier’s positive train control system, except that such rules may be changed by such carrier to improve safe operations; and

“(B) all applicable safety regulations, except as specified in subsection (j).

“(2) HARDWARE.—The term ‘hardware’ means a locomotive apparatus, a wayside interface unit (including any associated legacy signal system replacements), switch position monitors needed for a positive train control system, physical back office system equipment, a base station radio, a wayside radio, a locomotive radio, or a communication tower or pole.”; and

(6) by adding at the end the following:

“(j) EARLY ADOPTION.—

“(1) OPERATIONS.—From the date of enactment of the Positive Train Control Enforcement and Implementation Act of 2015 through the 1-year period beginning on the date on which the last Class I railroad carrier’s positive train control system subject to subsection (a) is certified by the Secretary under subsection (h)(1) of this section and is implemented on all of that railroad carrier’s lines required to have operations governed by a positive train control system, any railroad carrier, including any railroad carrier that has its positive train control system certified by the Secretary, shall not be subject to the operational restrictions set forth in sections 236.567 and 236.1029 of title 49, Code of Federal Regulations, that would apply where a controlling locomotive that is operating in, or is to be operated in, a positive train control-equipped track segment experiences a positive train control system failure, a positive train control operated consist is not provided by another railroad carrier when provided in interchange, or a positive train control system otherwise fails to initialize, cuts out, or malfunctions, provided that such carrier operates at an equivalent or greater level of safety than the level achieved immediately prior to the use or implementation of its positive train control system.

“(2) SAFETY ASSURANCE.—During the period described in paragraph (1), if a positive train control system that has been certified and implemented fails to initialize, cuts out, or malfunctions, the affected railroad carrier or other entity shall make reasonable efforts to determine the cause of the failure and adjust, repair, or replace any faulty component causing the system failure in a timely manner.

“(3) PLANS.—The positive train control safety plan for each railroad carrier or other entity shall describe the safety measures, such as operating rules and actions to comply with applicable safety regulations, that will be put in place during any system failure.

“(4) NOTIFICATION.—During the period described in paragraph (1), if a positive train control system that has been certified and implemented fails to initialize, cuts out, or malfunctions, the affected railroad carrier or other entity shall submit a notification to the appropriate regional office of the Federal Railroad Administration within 7 days of the system failure, or under alternative location and deadline requirements set by the Secretary, and include in the notification a description of the safety measures the affected railroad carrier or other entity has in place.

“(k) SMALL RAILROADS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall amend section 236.1006(b)(4)(iii)(B) of title 49, Code of Federal Regulations (relating to equipping locomotives for applicable Class II and Class III railroads operating in positive train control territory) to extend each deadline under such section by 3 years.

“(l) REVENUE SERVICE DEMONSTRATION.—When a railroad carrier or other entity subject to (a)(1) notifies the Secretary it is prepared to initiate revenue service demonstration, it shall also notify any applicable tenant railroad carrier or other entity subject to subsection (a)(1).”.

(c) CONFORMING AMENDMENT.—Section 20157(g), is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(2) CONFORMING REGULATORY AMENDMENTS.—Immediately after the date of the enactment of the Positive Train Control Enforcement and Implementation Act of 2015, the Secretary—

“(A) shall remove or revise the date-specific deadlines in the regulations or orders implementing this section to the extent necessary to conform with the amendments made by such Act; and

“(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the amendments made by such Act.

“(3) REVIEW.—Nothing in the Positive Train Control Enforcement and Implementation Act of 2015, or the amendments made by such Act, shall be construed to require the Secretary to issue regulations to implement such Act or amendments other than the regulatory amendments required by paragraph (2) and subsection (k).”.

SEC. 7015. PHASE-OUT OF ALL TANK CARS USED TO TRANSPORT CLASS 3 FLAMMABLE LIQUIDS.

(a) IN GENERAL.—Except as provided for in subsection (b), beginning on the date of enactment of this Act, all railroad tank cars used to transport Class 3 flammable liquids shall meet the DOT-117 or DOT-117R specifications in part 179 of title 49, Code of Federal Regulations, regardless of train composition.

(b) PHASE-OUT SCHEDULE.—Certain tank cars not meeting DOT-117 or DOT-117R specifications on the date of enactment of this Act may be used, regardless of train composition, until the following end-dates:

(1) For transport of unrefined petroleum products in Class 3 flammable service, including crude oil—

(A) January 1, 2018, for non-jacketed DOT-111 tank cars;

(B) March 1, 2018, for jacketed DOT-111 tank cars;

(C) April 1, 2020, for non-jacketed CPC-1232 tank cars; and

(D) May 1, 2025, for jacketed CPC-1232 tank cars.

(2) For transport of ethanol—

(A) May 1, 2023, for non-jacketed and jacketed DOT-111 tank cars;

(B) July 1, 2023, for non-jacketed CPC-1232 tank cars; and

(C) May 1, 2025, for jacketed CPC-1232 tank cars.

(3) For transport of Class 3 flammable liquids in Packing Group I, other than Class 3 flammable liquids specified in paragraphs (1) and (2), May 1, 2025.

(4) For transport of Class 3 flammable liquids in Packing Groups II and III, other than Class 3 flammable liquids specified in paragraphs (1) and (2), May 1, 2029.

(c) **RETROFITTING SHOP CAPACITY.**—The Secretary may extend the deadlines established under paragraphs (3) and (4) of subsection (b) for a period not to exceed 2 years if the Secretary determines that insufficient retrofitting shop capacity will prevent the phase-out of tank cars not meeting the DOT-117 or DOT-117R specifications by the deadlines set forth in such paragraphs.

(d) **IMPLEMENTATION.**—Nothing in this section shall be construed to require the Secretary to issue regulations to implement this section.

(e) **SAVINGS CLAUSE.**—Nothing in this section shall be construed to prohibit the Secretary from implementing the final rule issued on May 08, 2015, entitled “Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains” (80 Fed. Reg. 26643), other than the provisions of the final rule that are inconsistent with this section.

(f) **CLASS 3 FLAMMABLE LIQUID DEFINED.**—In this section, the term “Class 3 flammable liquid” has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.

TITLE VIII—MULTIMODAL FREIGHT TRANSPORTATION

SEC. 8001. MULTIMODAL FREIGHT TRANSPORTATION.

(a) **IN GENERAL.**—Subtitle IX of title 49, United States Code, is amended to read as follows:

“Subtitle IX—Multimodal Freight Transportation

“Chapter	Sec.
“701. Multimodal freight policy	70101
“702. Multimodal freight transportation planning and information	70201

“CHAPTER 701—MULTIMODAL FREIGHT POLICY

“Sec.

“70101. National multimodal freight policy.

“70102. National freight strategic plan.

“70103. National Multimodal Freight Network.

“§ 70101. National multimodal freight policy

“(a) **IN GENERAL.**—It is the policy of the United States to maintain and improve the condition and performance of the National Multimodal Freight Network established under section 70103 to ensure that the Network provides a foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).

“(b) **GOALS.**—The goals of the national multimodal freight policy are—

“(1) to identify infrastructure improvements, policies, and operational innovations that—

“(A) strengthen the contribution of the National Multimodal Freight Network to the economic competitiveness of the United States;

“(B) reduce congestion and eliminate bottlenecks on the National Multimodal Freight Network; and

“(C) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

“(2) to improve the safety, security, efficiency, and resiliency of multimodal freight transportation;

“(3) to achieve and maintain a state of good repair on the National Multimodal Freight Network;

“(4) to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Multimodal Freight Network;

“(5) to improve the economic efficiency of the National Multimodal Freight Network;

“(6) to improve the short- and long-distance movement of goods that—

“(A) travel across rural areas between population centers;

“(B) travel between rural areas and population centers; and

“(C) travel from the Nation’s ports, airports, and gateways to the National Multimodal Freight Network;

“(7) to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address multimodal freight connectivity; and

“(8) to reduce the adverse environmental impacts of freight movement on the National Multimodal Freight Network.

“§ 70102. National freight strategic plan

“(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this section, the Secretary of Transportation shall—

“(1) develop a national freight strategic plan in accordance with this section; and

“(2) publish the plan on the public Internet Web site of the Department of Transportation.

“(b) **CONTENTS.**—The national freight strategic plan shall include—

“(1) an assessment of the condition and performance of the National Multimodal Freight Network;

“(2) forecasts of freight volumes for the succeeding 5-, 10-, and 20-year periods;

“(3) an identification of major trade gateways and national freight corridors that connect major population centers, trade gateways, and other major freight generators;

“(4) an identification of bottlenecks on the National Multimodal Freight Network that create significant freight congestion, based on a quantitative methodology developed by the Secretary, which shall, at a minimum, include—

“(A) information from the Freight Analysis Framework of the Federal Highway Administration; and

“(B) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

“(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance, and a description of opportunities for overcoming the barriers;

“(6) an identification of best practices for improving the performance of the National Multimodal Freight Network;

“(7) a process for addressing multistate projects and encouraging jurisdictions to collaborate; and

“(8) strategies to improve freight intermodal connectivity.

“(c) **UPDATES.**—Not later than 5 years after the date of completion of the national freight strategic plan under subsection (a), and every 5 years thereafter, the Secretary shall update the plan and publish the updated plan on the public Internet Web site of the Department of Transportation.

“(d) **CONSULTATION.**—The Secretary shall develop and update the national freight strategic plan in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders.

“§ 70103. National Multimodal Freight Network

“(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this section, the Secretary of Transportation shall establish the National Multimodal Freight Network in accordance with this section—

“(1) to focus Federal policy on the most strategic freight assets; and

“(2) to assist in strategically directing resources and policies toward improved performance of the National Multimodal Freight Network.

“(b) **NETWORK COMPONENTS.**—The National Multimodal Freight Network shall include—

“(1) the National Highway Freight Network, as established under section 167 of title 23;

“(2) the freight rail systems of Class I railroads, as designated by the Surface Transportation Board;

“(3) the public ports of the United States that have total annual foreign and domestic trade of at least 2,000,000 short tons, as identified by the Waterborne Commerce Statistics Center of the Army Corps of Engineers, using the data from the latest year for which such data is available;

“(4) the inland and intracoastal waterways of the United States, as described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804);

“(5) the Great Lakes, the St. Lawrence Seaway, and coastal routes along which domestic freight is transported;

“(6) the 50 airports located in the United States with the highest annual landed weight, as identified by the Federal Aviation Administration; and

“(7) other strategic freight assets, including strategic intermodal facilities and freight rail lines of Class II and Class III railroads, designated by the Secretary as critical to interstate commerce.

“(c) **OTHER STRATEGIC FREIGHT ASSETS.**—In determining network components in subsection (b), the Secretary may consider strategic freight assets identified by States, including public ports if such ports do not meet the annual tonnage threshold, for inclusion on the National Multimodal Freight Network.

“(d) **REDESIGNATION.**—Not later than 5 years after the date of establishment of the National Multimodal Freight Network under subsection (a), and every 5 years thereafter, the Secretary shall update the National Multimodal Freight Network.

“(e) **CONSULTATION.**—The Secretary shall establish and update the National Multimodal Freight Network in consultation with State departments of transportation and other appropriate public and private transportation stakeholders.

“(f) **LANDED WEIGHT DEFINED.**—In this section, the term ‘landed weight’ means the weight of an aircraft transporting only cargo

in intrastate, interstate, or foreign air transportation, as such terms are defined in section 40102(a).

“CHAPTER 702—MULTIMODAL FREIGHT TRANSPORTATION PLANNING AND INFORMATION

“Sec.

“70201. State freight advisory committees.

“70202. State freight plans.

“70203. Data and tools.

“§ 70201. State freight advisory committees

“(a) IN GENERAL.—The Secretary of Transportation shall encourage each State to establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, freight railroads, shippers, carriers, freight-related associations, third-party logistics providers, the freight industry workforce, the transportation department of the State, and local governments.

“(b) ROLE OF COMMITTEE.—A freight advisory committee of a State described in subsection (a) shall—

“(1) advise the State on freight-related priorities, issues, projects, and funding needs;

“(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

“(3) communicate and coordinate regional priorities with other organizations;

“(4) promote the sharing of information between the private and public sectors on freight issues; and

“(5) participate in the development of the freight plan of the State described in section 70202.

“§ 70202. State freight plans

“(a) IN GENERAL.—Each State shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

“(b) PLAN CONTENTS.—A freight plan described in subsection (a) shall include, at a minimum—

“(1) an identification of significant freight system trends, needs, and issues with respect to the State;

“(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

“(3) a description of how the plan will improve the ability of the State to meet the national freight goals described in section 70101;

“(4) evidence of consideration of innovative technologies and operational strategies, including intelligent transportation systems, that improve the safety and efficiency of freight movement;

“(5) in the case of routes on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of roadways, a description of improvements that may be required to reduce or impede the deterioration; and

“(6) an inventory of facilities with freight mobility issues, such as truck bottlenecks, within the State, and a description of the strategies the State is employing to address those freight mobility issues.

“(c) RELATIONSHIP TO STATE PLANS.—

“(1) IN GENERAL.—A freight plan described in subsection (a) may be developed separately from or incorporated into the statewide transportation plans required by section 135 of title 23.

“(2) UPDATES.—If the freight plan described in subsection (a) is developed separately

from the State transportation improvement program, the freight plan shall be updated at least every 5 years.

“§ 70203. Data and tools

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall—

“(1) begin development of new tools or improve existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

“(A) methodologies for systematic analysis of benefits and costs;

“(B) tools for ensuring that the evaluation of freight-related and other transportation projects may consider safety, economic competitiveness, environmental sustainability, and system condition in the project selection process; and

“(C) other elements to assist in effective transportation planning;

“(2) identify transportation-related freight travel models and model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

“(3) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts, including improved methods to standardize and manage the data, that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

“(b) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data described in subsection (a).”.

(b) CLERICAL AMENDMENT.—The analysis of subtitles for title 49, United States Code, is amended by striking the item relating to subtitle IX and inserting the following:

“IX. Multimodal Freight Transportation 70101”.

(c) REPEALS.—Sections 1117 and 1118 of MAP-21 (Public Law 112-141), and the items relating to such sections in the table of contents in section 1(c) of such Act, are repealed.

TITLE IX—NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

SEC. 9001. NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU.

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, is amended by adding at the end the following:

“§ 116. National Surface Transportation and Innovative Finance Bureau

“(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a National Surface Transportation and Innovative Finance Bureau in the Department.

“(b) PURPOSES.—The purposes of the Bureau shall be—

“(1) to administer the application processes for programs within the Department in accordance with subsection (d);

“(2) to promote innovative financing best practices in accordance with subsection (e);

“(3) to reduce uncertainty and delays with respect to environmental reviews and permitting in accordance with subsection (f);

“(4) to reduce costs and risks to taxpayers in project delivery and procurement in accordance with subsection (g); and

“(5) to carry out subtitle IX of this title.

“(c) EXECUTIVE DIRECTOR.—

“(1) APPOINTMENT.—The Bureau shall be headed by an Executive Director, who shall

be appointed in the competitive service by the Secretary, with the approval of the President.

“(2) DUTIES.—The Executive Director shall—

“(A) report to the Under Secretary of Transportation for Policy;

“(B) be responsible for the management and oversight of the daily activities, decisions, operations, and personnel of the Bureau;

“(C) support the Council on Credit and Finance established under section 117 in accordance with this section; and

“(D) carry out such additional duties as the Secretary may prescribe.

“(d) ADMINISTRATION OF CERTAIN APPLICATION PROCESSES.—

“(1) IN GENERAL.—The Bureau shall administer the application processes for the following programs:

“(A) The infrastructure finance programs authorized under chapter 6 of title 23.

“(B) The railroad rehabilitation and improvement financing program authorized under sections 501 through 503 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821–823).

“(C) Amount allocations authorized under section 142(m) of the Internal Revenue Code of 1986.

“(D) The nationally significant freight and highway projects program under section 117 of title 23.

“(2) CONGRESSIONAL NOTIFICATION.—The Secretary shall ensure that the congressional notification requirements for each program referred to in paragraph (1) are followed in accordance with the statutory provisions applicable to the program.

“(3) REPORTS.—The Secretary shall ensure that the reporting requirements for each program referred to in paragraph (1) are followed in accordance with the statutory provisions applicable to the program.

“(4) COORDINATION.—In administering the application processes for the programs referred to in paragraph (1), the Executive Director of the Bureau shall coordinate with appropriate officials in the Department and its modal administrations responsible for administering such programs.

“(5) STREAMLINING APPROVAL PROCESSES.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Environment and Public Works of the Senate a report that—

“(A) evaluates the application processes for the programs referred to in paragraph (1);

“(B) identifies administrative and legislative actions that would improve the efficiency of the application processes without diminishing Federal oversight; and

“(C) describes how the Secretary will implement administrative actions identified under subparagraph (B) that do not require an Act of Congress.

“(6) PROCEDURES AND TRANSPARENCY.—

“(A) PROCEDURES.—The Secretary shall, with respect to the programs referred to in paragraph (1)—

“(i) establish procedures for analyzing and evaluating applications and for utilizing the recommendations of the Council on Credit and Finance;

“(ii) establish procedures for addressing late-arriving applications, as applicable, and communicating the Bureau's decisions for accepting or rejecting late applications to the applicant and the public; and

“(iii) document major decisions in the application evaluation process through a decision memorandum or similar mechanism that provides a clear rationale for such decisions.

“(B) REVIEW.—

“(i) IN GENERAL.—The Comptroller General of the United States shall review the compliance of the Secretary with the requirements of this paragraph.

“(ii) RECOMMENDATIONS.—The Comptroller General may make recommendations to the Secretary in order to improve compliance with the requirements of this paragraph.

“(iii) REPORT.—Not later than 3 years after the date of enactment of this section, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review conducted under clause (i), including findings and recommendations for improvement.

“(e) INNOVATIVE FINANCING BEST PRACTICES.—

“(1) IN GENERAL.—The Bureau shall work with the modal administrations within the Department, the States, and other public and private interests to develop and promote best practices for innovative financing and public-private partnerships.

“(2) ACTIVITIES.—The Bureau shall carry out paragraph (1)—

“(A) by making Federal credit assistance programs more accessible to eligible recipients;

“(B) by providing advice and expertise to State and local governments that seek to leverage public and private funding;

“(C) by sharing innovative financing best practices and case studies from State and local governments with other State and local governments that are interested in utilizing innovative financing methods; and

“(D) by developing and monitoring—

“(i) best practices with respect to standardized State public-private partnership authorities and practices, including best practices related to—

“(I) accurate and reliable assumptions for analyzing public-private partnership procurements;

“(II) procedures for the handling of unsolicited bids;

“(III) policies with respect to noncompetitive clauses; and

“(IV) other significant terms of public-private partnership procurements, as determined appropriate by the Bureau;

“(ii) standard contracts for the most common types of public-private partnerships for transportation facilities; and

“(iii) analytical tools and other techniques to aid State and local governments in determining the appropriate project delivery model, including a value for money analysis.

“(3) TRANSPARENCY.—The Bureau shall—

“(A) ensure transparency of a project receiving credit assistance under a program identified in subsection (d)(1) and procured as a public-private partnership by—

“(i) requiring the project sponsor of such project to undergo a value for money analysis or a comparable analysis prior to deciding to advance the project as a public-private partnership;

“(ii) requiring the analysis required under subparagraph (A) and other key terms of the relevant public-private partnership agreement, to be made publicly available by the project sponsor at an appropriate time;

“(iii) not later than 3 years after the completion of the project, requiring the project

sponsor of such project to conduct a review regarding whether the private partner is meeting the terms of the relevant public-private partnership agreement for the project; and

“(iv) providing a publicly available summary of the total level of Federal assistance in such project; and

“(B) develop guidance to implement this paragraph that takes into consideration variations in State and local laws and requirements related to public-private partnerships.

“(4) SUPPORT TO PROJECTS SPONSORS.—At the request of a State or local government, the Bureau shall provide technical assistance to the State or local government regarding proposed public-private partnership agreements for transportation facilities, including assistance in performing a value for money analysis or comparable analysis.

“(5) FIXED GUIDEWAY TRANSIT PROCEDURES REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report that—

“(A) evaluates the differences between traditional design-bid-build, design-build, and public-private partnership procurements for projects carried out under the fixed guideway capital investment program authorized under section 5309;

“(B) identifies, for project procured as public-private partnerships whether the review and approval process under the program requires modification to better suit the unique nature of such procurements; and

“(C) describes how the Secretary will implement any administrative actions identified under subparagraph (B) that do not require an Act of Congress.

“(f) ENVIRONMENTAL REVIEW AND PERMITTING.—

“(1) IN GENERAL.—The Bureau shall take such actions as are appropriate and consistent with the goals and policies set forth in this title and title 23, including with the concurrence of other Federal agencies as required under this title and title 23, to improve delivery timelines for projects.

“(2) ACTIVITIES.—The Bureau shall carry out paragraph (1)—

“(A) by serving as the Department’s liaison to the Council on Environmental Quality;

“(B) by coordinating Department-wide efforts to improve the efficiency and effectiveness of the environmental review and permitting process;

“(C) by coordinating Department efforts under section 139 of title 23;

“(D) by supporting modernization efforts at Federal agencies to achieve innovative approaches to the permitting and review of projects;

“(E) by providing technical assistance and training to field and headquarters staff of Federal agencies on policy changes and innovative approaches to the delivery of projects;

“(F) by identifying, developing, and tracking metrics for permit reviews and decisions by Federal agencies for projects under the National Environmental Policy Act of 1969; and

“(G) by administering and expanding the use of Internet-based tools providing for—

“(i) the development and posting of schedules for permit reviews and permit decisions for projects; and

“(ii) the sharing of best practices related to efficient permitting and reviews for projects.

“(3) SUPPORT TO PROJECT SPONSORS.—At the request of a State or local government, the Bureau, in coordination with the other appropriate modal agencies within the Department, shall provide technical assistance with regard to the compliance of a project sponsored by the State or local government with the requirements of the National Environmental Policy Act 1969 and relevant Federal environmental permits.

“(g) PROJECT PROCUREMENT.—

“(1) IN GENERAL.—The Bureau shall promote best practices in procurement for a project receiving assistance under a program identified in subsection (d)(1) by developing, in coordination with the Federal Highway Administration and other modal agencies as appropriate, procurement benchmarks in order to ensure accountable expenditure of Federal assistance over the life cycle of such project.

“(2) PROCUREMENT BENCHMARKS.—The procurement benchmarks developed under paragraph (1) shall, to the maximum extent practicable—

“(A) establish maximum thresholds for acceptable project cost increases and delays in project delivery;

“(B) establish uniform methods for States to measure cost and delivery changes over the life cycle of a project; and

“(C) be tailored, as necessary, to various types of project procurements, including design-bid-build, design-build, and public private partnerships.

“(h) ELIMINATION AND CONSOLIDATION OF DUPLICATIVE OFFICES.—

“(1) ELIMINATION OF OFFICES.—The Secretary may eliminate any office within the Department if the Secretary determines that the purposes of the office are duplicative of the purposes of the Bureau, and the elimination of such office shall not adversely affect the obligations of the Secretary under any Federal law.

“(2) CONSOLIDATION OF OFFICES.—The Secretary may consolidate any office within the Department into the Bureau that the Secretary determines has duties, responsibilities, resources, or expertise that support the purposes of the Bureau.

“(3) STAFFING AND BUDGETARY RESOURCES.—

“(A) IN GENERAL.—The Secretary shall ensure that the Bureau is adequately staffed and funded.

“(B) STAFFING.—The Secretary may transfer to the Bureau a position within the Department from any office that is eliminated or consolidated under this subsection if the Secretary determines that the position is necessary to carry out the purposes of the Bureau.

“(C) BUDGETARY RESOURCES.—

“(i) TRANSFER OF FUNDS FROM ELIMINATED OR CONSOLIDATED OFFICES.—The Secretary may transfer to the Bureau funds allocated to any office that is eliminated or consolidated under this subsection to carry out the purposes of the Bureau.

“(ii) TRANSFER OF FUNDS ALLOCATED TO ADMINISTRATIVE COSTS.—The Secretary shall transfer to the Bureau funds allocated to the administrative costs of processing applications for the programs referred to in subsection (d)(1).

“(4) REPORT.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate a report that—

“(A) lists the offices eliminated under paragraph (1) and provides the rationale for elimination of the offices;

“(B) lists the offices consolidated under paragraph (2) and provides the rationale for consolidation of the offices; and

“(C) describes the actions taken under paragraph (3) and provides the rationale for taking such actions.

“(i) SAVINGS PROVISIONS.—

“(1) LAWS AND REGULATIONS.—Nothing in this section may be construed to change a law or regulation with respect to a program referred to in subsection (d)(1).

“(2) RESPONSIBILITIES.—Nothing in this section may be construed to abrogate the responsibilities of an agency, operating administration, or office within the Department otherwise charged by a law or regulation with other aspects of program administration, oversight, and project approval or implementation for the programs and projects subject to this section.

“(j) DEFINITIONS.—In this section, the following definitions apply:

“(1) BUREAU.—The term ‘Bureau’ means the National Surface Transportation and Innovative Finance Bureau of the Department.

“(2) DEPARTMENT.—The term ‘Department’ means the Department of Transportation.

“(3) MULTIMODAL PROJECT.—The term ‘multimodal project’ means a project involving the participation of more than one modal administration or secretarial office within the Department.

“(4) PROJECT.—The term ‘project’ means a highway project, public transportation capital project, freight or passenger rail project, or multimodal project.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“116. National Surface Transportation and Innovative Finance Bureau.”

SEC. 9002. COUNCIL ON CREDIT AND FINANCE.

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“§ 117. Council on Credit and Finance

“(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Council on Credit and Finance in accordance with this section.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The Council shall be composed of the following members:

“(A) The Under Secretary of Transportation for Policy.

“(B) The Chief Financial Officer and Assistant Secretary for Budget and Programs.

“(C) The General Counsel of the Department of Transportation.

“(D) The Assistant Secretary for Transportation Policy.

“(E) The Administrator of the Federal Highway Administration.

“(F) The Administrator of the Federal Transit Administration.

“(G) The Administrator of the Federal Railroad Administration.

“(2) ADDITIONAL MEMBERS.—The Secretary may designate up to 3 additional officials of the Department to serve as at-large members of the Council.

“(3) CHAIRPERSON AND VICE CHAIRPERSON.—

“(A) CHAIRPERSON.—The Under Secretary of Transportation for Policy shall serve as the chairperson of the Council.

“(B) VICE CHAIRPERSON.—The Chief Financial Officer and Assistant Secretary for Budget and Programs shall serve as the vice chairperson of the Council.

“(4) EXECUTIVE DIRECTOR.—The Executive Director of the National Surface Transportation and Innovative Finance Bureau shall serve as a nonvoting member of the Council.

“(c) DUTIES.—The Council shall—

“(1) review applications for assistance submitted under the programs referred to in section 116(d)(1);

“(2) make recommendations to the Secretary regarding the selection of projects to receive assistance under the programs referred to in section 116(d)(1);

“(3) review, on a regular basis, projects that received assistance under the programs referred to in section 116(d)(1); and

“(4) carry out such additional duties as the Secretary may prescribe.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter is further amended by adding at the end the following:

“117. Council on Credit and Finance.”

TITLE X—SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY

SEC. 10001. ALLOCATIONS.

(a) AUTHORIZATION.—Section 3 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777b) is amended by striking “57 percent” and inserting “58.012 percent”.

(b) IN GENERAL.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking “For each” and all that follows through “the balance” and inserting “For each fiscal year through fiscal year 2021, the balance”; and

(ii) by striking “multistate conservation grants under section 14” and inserting “activities under section 14(e)”;

(B) in paragraph (1), by striking “18.5” percent and inserting “18.673 percent”;

(C) in paragraph (2) by striking “18.5 percent” and inserting “17.315 percent”;

(D) by striking paragraphs (3) and (4);

(E) by redesignating paragraph (5) as paragraph (4); and

(F) by inserting after paragraph (2) the following:

“(3) BOATING INFRASTRUCTURE IMPROVEMENT.—

“(A) IN GENERAL.—An amount equal to 4 percent to the Secretary of the Interior for qualified projects under section 5604(c) of the Clean Vessel Act of 1992 (33 U.S.C. 1322 note) and section 7404(d) of the Sportfishing and Boating Safety Act of 1998 (16 U.S.C. 777g-1(d)).

“(B) LIMITATION.—Not more than 75 percent of the amount under subparagraph (A) shall be available for projects under either of the sections referred to in subparagraph (A).”;

(2) in subsection (b)—

(A) in paragraph (1)(A) by striking “for each” and all that follows through “the Secretary” and inserting “for each fiscal year through fiscal year 2021, the Secretary”;

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

“(2) SET-ASIDE FOR COAST GUARD ADMINISTRATION.—

“(A) IN GENERAL.—From the annual appropriation made in accordance with section 3, for each of fiscal years 2016 through 2021, the Secretary of the department in which the Coast Guard is operating may use no more than the amount specified in subparagraph (B) for the fiscal year for the purposes set forth in section 13107(c) of title 46, United States Code. The amount specified in subparagraph (B) for a fiscal year may not be in-

cluded in the amount of the annual appropriation distributed under subsection (a) for the fiscal year.

“(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

“(i) for fiscal year 2016, \$7,800,000;

“(ii) for fiscal year 2017, \$7,900,000;

“(iii) for fiscal year 2018, \$8,000,000;

“(iv) for fiscal year 2019, \$8,100,000;

“(v) for fiscal year 2020, \$8,200,000; and

“(vi) for fiscal year 2021, \$8,300,000.”; and

(D) in paragraph (3), as so redesignated—

(i) in subparagraph (A), by striking “until the end of the fiscal year.” and inserting “until the end of the subsequent fiscal year.”; and

(ii) in subparagraph (B) by striking “under subsection (e)” and inserting “under subsection (c)”;

(3) in subsection (c)—

(A) by striking “(c) The Secretary” and inserting “(c)(1) The Secretary,”;

(B) by striking “grants under section 14 of this title” and inserting “activities under section 14(e)”;

(C) by striking “57 percent” and inserting “58.012 percent”; and

(D) by adding at the end the following:

“(2) The Secretary shall deduct from the amount to be apportioned under paragraph (1) the amounts used for grants under section 14(a).”; and

(4) in subsection (e)(1), by striking “those subsections,” and inserting “those paragraphs.”

(c) SUBMISSION AND APPROVAL OF PLANS AND PROJECTS.—Section 6(d) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777e(d)) is amended by striking “for appropriations” and inserting “from appropriations”.

(d) UNEXPENDED OR UNOBLIGATED FUNDS.—Section 8(b)(2) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777g(b)(2)) is amended by striking “57 percent” and inserting “58.012 percent”.

(e) COOPERATION.—Section 12 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777k) is amended—

(1) by striking “57 percent” and inserting “58.012 percent”; and

(2) by striking “under section 4(b)” and inserting “under section 4(c)”.

(f) OTHER ACTIVITIES.—Section 14 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777m) is amended—

(1) in subsection (a)(1), by striking “of each annual appropriation made in accordance with the provisions of section 3”; and

(2) in subsection (e)—

(A) in the matter preceding paragraph (1) by striking “Of amounts made available under section 4(b) for each fiscal year—” and inserting “Not more than \$1,200,000 of each annual appropriation made in accordance with the provisions of section 3 shall be distributed to the Secretary of the Interior for use as follows.”; and

(B) in paragraph (1)(D) by striking “; and” and inserting a period.

(g) REPEAL.—The Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) is amended—

(1) by striking section 15; and

(2) by redesignating section 16 as section 15.

SEC. 10002. RECREATIONAL BOATING SAFETY.

Section 13107 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “(1) Subject to paragraph (2) and subsection (c),” and inserting “Subject to subsection (c),”;

(B) by striking “the sum of (A) the amount made available from the Boat Safety Account for that fiscal year under section 15 of the Dingell-Johnson Sport Fish Restoration Act and (B)”;

(C) by striking paragraph (2); and

(2) in subsection (c)—

(A) by striking the subsection designation and paragraph (1) and inserting the following:

“(c)(1)(A) The Secretary may use amounts made available each fiscal year under section 4(b)(2) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(b)(2)) for payment of expenses of the Coast Guard for investigations, personnel, and activities directly related to—

“(i) administering State recreational boating safety programs under this chapter; or

“(ii) coordinating or carrying out the national recreational boating safety program under this title.

“(B) Of the amounts used by the Secretary each fiscal year under subparagraph (A)—

“(i) not less than \$2,000,000 is available to ensure compliance with chapter 43 of this title; and

“(ii) not more than \$1,500,000 is available to conduct a survey of levels of recreational boating participation and related matters in the United States.”; and

(B) in paragraph (2)—

(i) by striking “No funds” and inserting “On and after October 1, 2016, no funds”; and

(ii) by striking “traditionally”.

In such matter, strike division C, except—

(1) the division designation and heading;

(2) in title XXXIV—

(A) the title designation and heading; and

(B) subtitles B, C, and D.

In such matter, strike divisions D, G, and H.

AMENDMENT NO. 1 OFFERED BY MR. SHUSTER

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114-325.

Mr. SHUSTER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 62, line 19, before the semicolon insert “and critical commerce corridors”.

Page 77, strike lines 6 and 7 and insert the following:

“§ 207. Tribal transportation self-governance program

Page 218, beginning on line 6, amend the heading for section 1416 to read as follows:

SEC. 1416. NATIONAL ELECTRIC VEHICLE CHARGING, HYDROGEN, PROPANE, AND NATURAL GAS FUELING CORRIDORS.

Page 218, line 12, insert “propane,” after “hydrogen.”.

Page 218, line 17, insert “propane,” after “hydrogen.”.

Page 218, line 20, insert “propane fueling infrastructure,” after “hydrogen infrastructure.”.

Page 218, line 24, insert “propane,” after “fuel cell.”.

Page 219, lines 5 and 6, insert “stations” after “electric vehicle charging”.

Page 219, line 6, insert “propane fueling stations,” after “hydrogen fueling stations.”.

Page 219, line 10, insert “stations” after “electric vehicle charging”.

Page 219, line 11, insert “propane fueling stations,” after “stations.”.

Page 219, line 19, insert “propane,” after “fuel cell electric.”.

Page 220, line 12, insert “infrastructure” after “electric vehicle charging”.

Page 220, line 13, insert “propane fueling infrastructure,” after “infrastructure.”.

Page 220, line 20, insert “infrastructure” after “electric vehicle charging”.

Page 220, line 21, insert “propane fueling infrastructure,” after “hydrogen infrastructure.”.

Page 221, amend the matter following line 2 to read as follows:

“151. National electric vehicle charging, hydrogen, propane, and natural gas fueling corridors.”.

Page 276, line 14, strike the first semicolon and insert “; and”.

Page 324, line 1, strike “High visibility” and insert “High-visibility”.

Page 393, line 23, add “and” at the end.

Page 537, line 15, before the period insert “and planning”.

Page 543, line 11, strike “disclose” and insert “disclosure”.

Page 553, strike line 11 and all that follows through line 2 on page 571.

Page 604, line 8, strike the closing quotation marks.

Page 604, line 9, insert closing quotation marks after “percent”.

Page 606, strike lines 5 through 12 and insert the following:

“(i) for fiscal year 2016, \$7,300,000;

“(ii) for fiscal year 2017, \$7,400,000;

“(iii) for fiscal year 2018, \$7,500,000;

“(iv) for fiscal year 2019, \$7,600,000;

“(v) for fiscal year 2020, \$7,700,000; and

“(vi) for fiscal year 2021, \$7,800,000.”; and

The CHAIR. Pursuant to House Resolution 507, the gentleman from Pennsylvania (Mr. SHUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, the manager’s amendment that I am offering makes technical and conforming changes to the Rules Committee Print.

This amendment was developed in cooperation with Ranking Member DEFAZIO. So I would urge all Members to support my amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SWALWELL OF CALIFORNIA

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114-325.

Mr. SWALWELL of California. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 26, after line 2, insert the following:

“(4) by adding at the end the following:

“(35) SHARED-USE PROGRAMS & TECHNOLOGIES.—The term “Shared-Use Programs & Technologies” refers to projects and programs that utilize innovative mobility technologies to provide alternatives to driving alone, including, but not limited to, carshare, Bikeshare, carpool/vanpool, transportation network companies, multimodal

fare payment system, app based mobility providers, and other innovative projects.”.

Page 53, line 3, strike the period and insert “; or”.

Page 53, after line 3, insert the following new paragraph:

“(10) shared-Use Programs & Technologies that have a demonstrated ability to reduce vehicle miles traveled or improve air quality as determined by the Secretary.”.

Page 241, strike lines 9 through 10 and insert the following:

(1) in paragraph (1)—

(A) in subparagraph (C) by striking “landscaping”;

(B) in subparagraph (F) by striking “or”;

(C) in subparagraph (G) by striking period and inserting “; or”; and

(D) by adding at the end the following:

“(H) Transit Oriented Shared-Use Programs and Technologies.”.

Page 241, after line 20, add the following:

“(26) TRANSIT ORIENTED SHARED-USE PROGRAMS & TECHNOLOGIES.—The term ‘Transit Oriented Shared-Use Programs & Technologies’ refers to projects and programs that utilize innovative mobility technologies to better connect users with a transit system including, but not limited to, carshare, Bikeshare, carpool/vanpool, transportation network companies, multimodal fare payment system, app based mobility providers, and other innovative projects that help connect users to transit.”.

The CHAIR. Pursuant to House Resolution 507, the gentleman from California (Mr. SWALWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SWALWELL of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chair, I rise to offer a bipartisan amendment with the gentleman from Arizona (Mr. SCHWEIKERT) that would make it easier for public entities to better utilize the benefits of new and innovative technologies to deliver more and better transportation outcomes.

I thank my friend, Congressman SCHWEIKERT, for cosponsoring this important amendment. I also thank the gentleman from Indiana (Mr. ROKITA) for his work in the subcommittee on a similar issue.

In recent years, the Internet, new technologies, and shared-use programs have revolutionized the way we travel. Our Federal transportation policies, however, must take advantage of these new technologies and shared programs to help reduce traffic congestion, help improve air quality, and better connect users with mass transportation options.

My amendment is simple. It would make eligible projects and programs that utilize innovative mobility technologies to provide alternatives to driving alone under the Congestion Mitigation and Air Quality Improvement Program, also known as CMAQ, and the associated transit improvement program to better connect users to mass transit systems.

Allowing States and cities to have the flexibility to choose how to better improve transportation outcomes

under CMAQ and associated transit improvement programs can help spur innovation to create better results for transit users, ultimately allowing people to spend less time in their car and more time at home with their families.

I know from driving in my district, California's 15th Congressional District, the East Bay, where traffic congestion is among the worst in our country, we need to give our States and local governments every opportunity to utilize new technologies and shared programs to reduce traffic.

Under both CMAQ and associated transit improvement programs, State and local entities are already able to partner with private companies. Why not include these new technologies and shared programs to achieve these goals?

Let me be clear, Mr. Chair. This amendment does not mandate that any funding go to any entity, and this amendment does not increase Federal spending by a dime.

I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chair, while this amendment is well intended, the amendment would dilute the eligibilities currently available to States to combat congestion and air.

We have not had adequate time to determine if there are any unintended consequences of providing eligibility for broadly expanding the eligibilities to include things like car share, bike share, and transportation network companies.

Additionally, this amendment includes these new eligibilities in the associated transit improvement mandate. The mandate hurts local flexibility and could have serious unintended consequences.

Our bill worked to reform this mandate. So I reluctantly urge all Members to oppose this amendment.

I reserve the balance of my time.

Mr. SWALWELL of California. Mr. Chairman, I yield myself 2 minutes.

My amendment also would allow States and local governments to partner with innovative technologies that best serve transit systems. For example, by explicitly including car-sharing and bike-sharing companies, like Lyft, a California-based company, we can both reduce congestion and improve air quality while ensuring people have access to mass transportation.

According to a research done by UC Berkeley, there are 32 car-sharing operators in the United States with over 1.1 million members and 16,754 vehicles. These car-sharing and bike-sharing examples are just a few of the many op-

portunities that would be explicitly available to States and local governments.

Thirty cities have bike-sharing systems with over 17,000 bikes available. In 2013, a survey of Capital Bikeshare here in the Capital City found that users drove 4.4 million fewer miles to access this program.

Also, it is important to note that these technologies and shared programs are already being implemented by cities across the country. Companies like Lyft and Uber are working in coordination with city governments to better connect workers to transit options. Lyft, for one, is now integrated in the Dallas Area Rapid Transit app, offering riders another option to start or end their transit trips.

This amendment makes an important step toward using technology and shared programs to create a fully integrated transit system and improve its effectiveness.

With that, Mr. Chairman, I yield to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chair, I thank my friend from California and my fellow Members who I just pushed out of the way.

Look, I know that we are discussing a transportation bill. But if you look at an amendment like this, the understanding of what is coming at us technology-wise, information, its ability to change how we look at moving ourselves, moving people, moving goods, moving freight, the amendment just basically directs the embracing of the information age and the opportunity that provides to actually deal with crowded roads, deal with congestion, and actually provide us some optionality out there.

That is one of the reasons I stand behind this microphone and actually sort of stand behind my friend's amendment.

Mr. SWALWELL of California. Mr. Chairman, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SWALWELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. SWALWELL of California. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. WALDEN

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114-325.

Mr. WALDEN. Mr. Chairman, I offer my amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 67, strike lines 1 and 2 and insert the following:

“(ii) a highway or bridge project carried out on the National Highway System, including—

“(I) a project to add capacity to the Interstate System to improve mobility; and

“(II) a project in a national scenic area;

The CHAIR. Pursuant to House Resolution 507, the gentleman from Oregon (Mr. WALDEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. WALDEN. Mr. Chair, I rise today in support of this bipartisan amendment, which clarifies the eligibility of projects within national scenic areas under the nationally significant freight and highway project section of this legislation.

I thank Representatives JAIME HERERA BEUTLER, EARL BLUMENAUER, and GARRET GRAVES for cosponsoring this important amendment with me. I thank Chairman SHUSTER, Ranking Member DEFAZIO, Chairman GRAVES, and Ranking Member HOLMES NORTON for their support as well.

Across the Nation, there are 12 national scenic areas in 8 States, including the Columbia River Gorge National Scenic Area, which is the largest scenic area in the United States.

This Federal overlay consists of 292,500 acres along 85 miles of the Columbia River in Oregon and Washington, encompassing 6 counties in 13 different communities and subjecting the area to unique land use development restrictions. Ninety percent of the scenic area is subject to strict land use and development restrictions, including 114,600 acres of special management area and 71,000 acres of national forestlands.

While scenic areas like the Columbia Gorge provide tourist opportunities to thousands of visiting Americans from all across the country, this unique Federal involvement provides distinct challenges in promoting growth of the local economy while conserving natural beauty of the lands within the gorge.

□ 1530

Transportation infrastructure is an essential component to efficiently serve the interests of both local residents and visitors to the scenic area.

There is a strong need for regional transportation planning and improvement to major transportation elements. That would include things such as the Hood River interstate bridge and the Bridge of the Gods at Cascade Locks. Together these amount to 5.2 million bridge crossings each year and the transfer of \$110 million in goods, but they are deteriorating and deficient, and they are in need of major improvements. In fact, one of the bridges, the Hood River interstate

bridge, was recently hit by a barge, which has caused some consternation about the damage that may have occurred there.

Clarifying the eligibility of the scenic areas throughout the Nation for transportation grant funding would help ensure that these areas are eligible for meaningful funding opportunities to enhance infrastructure within these unique federally managed areas.

Mr. Chairman, I urge adoption of this amendment to ensure that federally designated scenic areas like the Columbia River Gorge are eligible for these funds.

I yield to the gentleman from Louisiana (Mr. GRAVES), the coauthor of this amendment, for his comments.

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank Chairman SHUSTER, Ranking Member DEFAZIO, Congressman WALDEN, Congresswoman HERRERA BEUTLER, Congressman BLUMENAUER, and others who worked to get to a point where we all could come to common agreement on this.

The chairman included in this bill an important program called the Nationally Significant Freight and Highway Projects program. This program establishes a competitive grant opportunity for States, for metropolitan planning organizations, and for local governments to the tune of over \$740 million annually.

Mr. Chairman, this recognizes the fact that we have massive needs in transportation infrastructure that remain unaddressed. In my home city of Baton Rouge, you can see right here on this poster board, Mr. Chairman, that, for a midsized city, we have the worst traffic in the Nation. This is a snapshot of Google Maps taken just a few hours ago showing all the extraordinary traffic.

Right here is one place in the Nation where the interstate going from California to Florida drops down to one lane. It shouldn't be a surprise to anyone that it is all red and shows extraordinarily backed-up traffic. An average of 47 hours a year folks from this region sit in traffic.

What this amendment does is it actually provides criteria for the United States Department of Transportation to consider when awarding grants under this competitive program. One of the criteria is ensuring mobility for addressing bottlenecks like this in substandard interstate systems to ensure the flow of traffic, to give back those 47 hours to the folks from the capital region of Louisiana so they can spend time with their families, so they can spend more time at work, so they can be more productive citizens, and so we can have lower emissions.

Mr. Chairman, I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for working with us on this amendment. I urge adoption of this amendment.

Mr. WALDEN. Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, although I am not opposed to the amendment, I ask unanimous consent to claim the time in opposition so I may comment.

The CHAIR. Is there objection to the request of the gentleman from Oregon? There was no objection.

The CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I strongly support this amendment and both its objectives, the Nationally Significant Freight and Highway Projects, under section 1111 of the rules, and the National Scenic Areas. I am quite familiar with the area mentioned by Representative WALDEN and the very scenic \$1 tolled one-way Bridge of the Gods. It is a critical link. If it is not repaired or replaced, it is quite a long drive in either direction. This eligibility is potentially critical to getting Federal partnership in that project. There are other areas around the country which suffer from similar problems. I recommend this amendment to my colleagues.

I yield back the balance of my time.

Mr. WALDEN. Mr. Chairman, I want to thank my colleague from southern Oregon. I appreciate his support and that of my other colleagues in the Northwest and the chairman of the committee. I would urge adoption of this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. WALDEN).

The amendment was agreed to.

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 114-325.

AMENDMENT NO. 5 OFFERED BY MR. GOSAR

The CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 114-325.

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 144, line 6, before the semicolon insert the following: "(to include, at a minimum, the total number of environmental reviews initiated through a notice of intent, the total average cost for environmental reviews to taxpayers and contractors, and the total average time it takes agencies to get from a notice of intent to publication of a final environmental review)".

The CHAIR. Pursuant to House Resolution 507, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment to this transportation bill. This

simple amendment requires the Federal Government to start keeping track of costs and time required for an environmental review undertaken for transportation projects in the new online database established by this bill.

Last year GAO released a comprehensive audit of NEPA and found that there is currently no system in place for the Federal Government to track such information. It defies common sense that the Federal Government has no idea how long environmental reviews take or how much these reviews actually cost taxpayers and job creators.

While scant information on this matter is available, GAO was able to identify that, within the Department of Energy, the average cost paid for a NEPA review was \$6.6 million and that, shockingly, some environmental reviews cost nearly \$90 million.

In addition to the GAO report, a new report issued by the National Association of Environmental Professionals released just last week found that:

It took agencies an average of 1,709 days to get from a notice of intent, the first step in preparing an EIS, to publication of a final EIS. That is 4 days longer than the previous record set in 2013 and up from fewer than 1,200 days in 2000.

The report found that it takes the National Highway Administration 6½ years to complete an environmental study, 6½ years before we can start work on construction projects. But the Federal Government can't even verify or dispute that number because they don't even track that information. These unnecessary delays would make Buzz Lightyear from "Toy Story" blush. His time mantra, "to infinity and beyond," is inappropriate for NEPA. NEPA studies should not be allowed to linger in perpetuity.

Contractors and folks in the construction industry are sitting on the sidelines losing time and money. Some have reported waiting as long as 10 years on environmental studies before beginning work. The current system fails to provide certainty, and the current bureaucracy associated with this process is killing jobs.

While the Federal Government doesn't seem to care to track this information, these reports confirm what exasperated contractors and frustrated taxpayers have known for years: the average time it takes to conduct an environmental review is growing. Each year more than a month is added to the average time it takes to complete these studies.

My amendment will increase transparency for this process by requiring the Federal Government to start keeping track of the time, cost, and number of environmental studies conducted for transportation projects.

This amendment is a responsible, commonsense step that a government accountable to the people should take

to show proper stewardship of the public's dollar, time, and resources. If you support government accountability and transparency, you should support this amendment.

I thank the chair and the ranking member for their tireless efforts to find a long-term transportation solution. I urge my colleagues to support my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, we are still in the process of implementing environmental streamlining from MAP-21, and yet this bill contains additional environmental streamlining that I think will yield great results. We already have an accountability section at DOT with the Dashboard, and I would argue, given the fact that another section of this bill does further environmental streamlining on top of that which is still pending to be implemented, that it is unnecessary and, in fact, would be perhaps contradictory to the intent of the gentleman because of the time involved. It would essentially be like a billing in the private sector where every 15 minutes you are writing down that you had to call this agency to talk about this or you had to review this letter or this document, and that is attributable to the environmental review versus some other part of the review. I think it would be problematic.

I would urge Members to oppose this amendment and to support the bill because of the environmental streamlining that is in there. Let that environmental streamlining take effect; and a year or two down the road, if we feel that there are unaccountable delays, then we can look at ways to track that better.

Mr. Chairman, I reserve the balance of my time.

Mr. GOSAR. Mr. Chairman, I would ask my colleagues to vote for this amendment in the fact that transparency doesn't hurt anybody. We need to look back at the process, and that should be for everybody—for the taxpayer, for the construction companies, for the States in which this is occurring. Transparency will show it all and leave nothing behind. It is great to implement this at the start of the process, not later on in the implementation. That is where common sense be-
leaguers me.

Mr. Chairman, I ask everybody to vote for this amendment.

I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I would urge my colleagues to oppose the amendment as it is unnecessary and, actually, time consuming, given the environmental streamlining in the bill.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. BABIN

The CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 114-325.

Mr. BABIN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 198, line 24, after the first period insert the following: "The route referred to in subsection (c)(84) is designated as Interstate Route I-14."

The CHAIR. Pursuant to House Resolution 507, the gentleman from Texas (Mr. BABIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BABIN. Mr. Chairman, I would like to begin by thanking Chairman SHUSTER and Ranking Member DEFAZIO and their staffs for their cooperation and assistance in moving this amendment forward. I would also like to thank the commissioners and the staff of the Texas Department of Transportation.

I insert in the RECORD a letter of support for these efforts from Retired Lieutenant General Joe Weber.

TEXAS DEPARTMENT OF
TRANSPORTATION,

Austin, TX, October 29, 2015.

Re High Priority Corridors on the National Highway System in Texas

Hon. BILL SHUSTER,
House of Representatives,
Washington, DC.

Hon. PETER DEFAZIO,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN SHUSTER AND RANKING MEMBER DEFAZIO: The Texas Department of Transportation (TxDOT) is supportive of Congressional action to enhance the highway system in Texas and designate additional portions of that system as high priority corridors and future interstates.

TxDOT has facilitated communication with affected communities and interested parties along the Central Texas Corridor and U.S. 190, which is proposed to be a future section of the interstate 14 corridor. The route is important for east-west connectivity within the state and provides an important link to military facilities, to metropolitan areas, and Texas' existing and future interstate system.

If I can be of additional assistance, please contact me or your staff may contact Melissa Meyer in the TxDOT Federal Affairs Section.

Sincerely,

LTGEN J.F. WEBER, USMC (RET),
Executive Director.

Mr. BABIN. Mr. Chairman, I am honored to offer on behalf of my State of Texas, our military, and all Americans this amendment to designate the central Texas corridor as the first segment of what I truly believe will be America's next great highway, Interstate 14.

As Supreme Allied Commander of Europe, General Dwight D. Eisenhower understood the critical importance of a reliable system of high-speed, high-capacity roadways to move across great distances the hardware and personnel that a modern military requires.

As Commander in Chief, President Eisenhower applied these same principles to his domestic agenda with his championing of the Interstate Highway System. This allows our military to maintain maximum effectiveness and readiness, both in times of peace and in times of crisis. But even President Eisenhower could not have foreseen the incredible impact that the interstate system has had for almost every American family and business on a daily basis.

Congress should not be in the business of designating a new interstate just because it can. A new interstate should truly serve the national interests on a number of levels. I am pleased to say, though, that the proposal of I-14 does not just meet these requirements; it far exceeds them. There is a reason this interstate already has a nickname, "Forts to Ports," as it provides either direct or very close access for some of our country's most strategically important military and shipping assets.

I want to be very clear to my colleagues that this amendment that I am offering today only impacts my State of Texas and is just the first step in a long process for establishing a new interstate highway. Even one that builds upon many roadways that are already interstate grade is no small task. It requires buy-in from all the States involved, and the Interstate 14 coalition is working to get the consensus and the support that we have in Texas from all of these State DOTs and other stakeholders.

Mr. Chairman, I urge my colleagues to adopt my amendment.

I yield the balance of my time to the gentleman from Texas (Mr. WILLIAMS), my friend and colleague, a strong supporter of this amendment and former member of the Committee on Transportation and Infrastructure whose work in years past on this issue has helped lead us to where we are today.

□ 1545

Mr. WILLIAMS. Mr. Chairman, I rise today in support of Mr. BABIN's amendment to designate 30 miles of existing freeway from Copperas Cove, Texas, to I-35 in Belton as U.S. Interstate 14.

As the Texas Department of Transportation has previously acknowledged, the route is important for east-

west connectivity and provides an important link to military facilities, metropolitan areas, and Texas' existing and future interstate systems.

This highway will connect two of the Nation's largest military bases: Fort Bliss and Fort Hood. U.S. 190, the freeway from the front gate of Fort Hood to I-35 is already at interstate standards.

Mr. Chairman, we are seeking Federal statutory designation as a high-priority corridor and future interstate highway in order to save travel time, make this route the heart of a connector for freight, and link Army installations and strategic ports.

In God we trust.

Mr. BABIN. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BABIN).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. MASSIE

The CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 114-325.

Mr. MASSIE. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 221, before line 3, insert the following new subsection:

(C) OPERATION OF BATTERY RECHARGING STATIONS IN PARKING AREAS USED BY FEDERAL EMPLOYEES.—

(1) AUTHORIZATION.—

(A) IN GENERAL.—The Administrator of General Services may install, construct, operate, and maintain on a reimbursable basis a battery recharging station in a parking area that is in the custody, control, or administrative jurisdiction of the General Services Administration for the use of only privately owned vehicles of employees of the General Services Administration, tenant Federal agencies, and others who are authorized to park in such area to the extent such use by only privately owned vehicles does not interfere with or impede access to the equipment by Federal fleet vehicles.

(B) DELEGATION.—The Administrator of General Services may install, construct, operate, and maintain on a reimbursable basis a battery recharging station in a parking area that is in the custody, control, or administrative jurisdiction of another Federal agency, at the request of such agency, or delegate such authority to another Federal agency to the extent such use by only privately owned vehicles does not interfere with or impede access to the equipment by Federal fleet vehicles.

(C) USE OF VENDORS.—The Administrator of General Services, with respect to subparagraphs (A) and (B), or the head of a Federal agency delegated authority, with respect to subparagraph (B), may carry such subparagraph through a contract with a vendor, under such terms and conditions (including terms relating to the allocation between the Federal agency and the vendor of the costs of carrying out the contract) as the Administrator or the head of the Federal agency, as the case may be, and the vendor may agree to.

(2) IMPOSITION OF FEES TO COVER COSTS.—

(A) FEES.—The Administrator of General Services or the head of the Federal agency delegated authority under paragraph (1)(B) shall charge fees to the individuals who use the battery recharging station in such amount as is necessary to ensure that the respective agency recovers all of the costs such agency incurs in installing, constructing, operating, and maintaining the station.

(B) DEPOSIT AND AVAILABILITY OF FEES.—Any fees collected by the Administrator of General Services or the Federal agency, as the case may be, under this paragraph shall be—

(i) deposited monthly in the Treasury to the credit of the respective agency's appropriations account for the operations of the building where the battery recharging station is located; and

(ii) available for obligation without further appropriation during—

(I) the fiscal year collected; and

(II) the fiscal year following the fiscal year collected.

(3) NO EFFECT ON EXISTING PROGRAMS FOR HOUSE AND SENATE.—Nothing in this subsection may be construed to affect the installation, construction, operation, or maintenance of battery recharging stations by the Architect of the Capitol—

(A) under Public Law 112-170 (2 U.S.C. 2171), relating to employees of the House of Representatives and individuals authorized to park in any parking area under the jurisdiction of the House of Representatives on the Capitol Grounds; or

(B) under Public Law 112-167 (2 U.S.C. 2170), relating to employees of the Senate and individuals authorized to park in any parking area under the jurisdiction of the Senate on the Capitol Grounds.

(4) NO EFFECT ON SIMILAR AUTHORITIES.—Nothing in this subsection may be construed as repealing or limiting any existing authorities of a Federal agency to install, construct, operate, or maintain battery recharging stations.

(5) ANNUAL REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter for 10 years, the Administrator of General Services shall submit to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works a report describing—

(A) the number of battery recharging stations installed by the Administrator on its own initiative under this subsection;

(B) requests from other Federal agencies to install battery recharging stations;

(C) delegations of authority to other Federal agencies under this subsection; and

(D) the status and disposition of requests from other Federal agencies.

(6) FEDERAL AGENCY DEFINED.—In this subsection, the term "Federal agency" has the meaning given that term in section 102 of title 40, United States Code.

(7) EFFECTIVE DATE.—This subsection shall apply with respect to fiscal year 2016 and each succeeding fiscal year.

The CHAIR. Pursuant to House Resolution 507, the gentleman from Kentucky (Mr. MASSIE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. MASSIE. Mr. Chair, I am honored to offer this amendment today with my Democrat colleagues from California, Ms. LOFGREN and Ms. ESHOO.

This amendment would allow the General Services Administration, or the GSA, to construct, install, and operate electric vehicle charging stations for private vehicle use at Federal facilities at no cost to the taxpayer.

In 2012, Congress passed legislation with broad bipartisan support to allow Members of Congress and their staff to access EV charging stations on Capitol grounds for a fee. Federal agencies currently lack the authority to install and operate electric vehicle charging stations. So Federal employees are unable to charge their electric vehicles while at work.

I yield 4 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I am pleased that we are considering this amendment today. In fact, the genesis of this idea came to me in a constituent letter in February 2014. I was contacted by a constituent who works at a local Federal facility who was surprised and dismayed that he was unable to charge his electric car at work.

We found that, due to a quirk in the reading of current law, Federal agencies were prevented from providing EV charging facilities for personal use by their employees.

Thanks to this constituent's suggestions, I introduced a bill last Congress, the EV-COMUTE Act, to allow Federal agencies to provide charging stations for their employees at no cost to the taxpayer.

I am grateful to my colleagues, Mr. MASSIE and Ms. ESHOO, for joining me in this effort, both as cosponsors of the EV-COMUTE and of this amendment.

This story is a great example of democracy at work and the power of citizen participation in generating ideas. After two Congresses of introducing the EV-COMUTE, I am happy to support this amendment here today.

It is a straightforward amendment that will make Federal workplaces more efficient, flexible, and innovative by allowing the GSA to install and operate electric car charging stations at Federal facilities for use by employees at no cost to the taxpayer, fully covered by user fees.

Currently, if Members of Congress and their staff choose to drive an electric vehicle to work at the U.S. Capitol, we have the option to pay a fee to plug in our vehicle so that it will be fully charged and ready to go when we leave. But our constituents that work at Federal agencies outside the Capitol don't have the option.

My district in Silicon Valley continues to lead in advancing innovation in the EV charging industry. Yet, nearly 5,000 Federal employees in my district do not have access to charging facilities at work.

Congress approved electric vehicle recharging at the U.S. Capitol complex with strong bipartisan support in the House and Senate. This amendment

corrects the disparity and allows Federal employees more choices in how they commute; gives the GSA and agencies flexibility on whether to provide charging, how to provide it, including through contractors; improves air quality while reducing reliance on foreign oil; and does so at no cost to the taxpayer.

I urge my colleagues to support this amendment to expand workplace charging and transportation options. I thank Mr. MASSIE for being my partner in supporting and pursuing this innovation.

Mr. MASSIE. Mr. Chair, American companies are leading the world in development of electric vehicle technology. All we are asking for in this amendment is to enable the infrastructure to be built at no cost to the taxpayer.

Providing access to electric vehicle charging stations will give Federal employees enhanced flexibility in purchasing vehicles and more options in their commute. The construction, installation, and operation of the charging stations would be covered by user fees. So taxpayers would incur no cost.

I urge my colleagues to vote for this amendment.

I yield back the balance of my time.

Ms. ESHOO. Mr. Chair, this amendment makes a very simple change to existing law that will allow federal employees to plug in their electric vehicles at work.

I was surprised to learn last year that my constituents who work and volunteer at federal facilities cannot charge their electric vehicle (EV) at their workplace. As the nation's largest employer, the federal government should lead by example in terms of offering workplace charging. However, a quirk in existing law prohibits federal agencies from constructing charging stations or even entering into contracts with third parties to build charging infrastructure.

This amendment would simply authorize the federal government to install EV charging stations at federal facilities. It is based on the text of the bipartisan H.R. 3509, which I introduced together with Representatives MASSIE, LOFGREN, and WOODALL, and it was recently approved by the Energy and Commerce Committee by voice vote as an amendment to H.R. 8.

This straightforward amendment does not contain any mandates or new spending, it simply allows federal agencies to offer EV charging stations and charge a fee for their use. The amendment is modeled after a successful initiative here at the U.S. Capitol. It requires stations to be installed and operated with funds collected from the use of the stations. This small but commonsense change to the law will ensure the U.S. remains a leader in clean energy deployment and would expand transportation options for many of our constituents at no cost to the taxpayer.

I urge my colleagues to support this simple, bipartisan amendment.

The CHAIR. The question is on the amendment offered by the gentleman from Kentucky (Mr. MASSIE).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. FLEISCHMANN

The CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 114-325.

Mr. FLEISCHMANN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of subtitle D of title I of division A the following new section:

SEC. 1431. USE OF DURABLE, RESILIENT, AND SUSTAINABLE MATERIALS AND PRACTICES.

To the extent practicable, the Secretary shall encourage the use of durable, resilient, and sustainable materials and practices, including the use of geosynthetic materials and other innovative technologies, in carrying out the activities of the Federal Highway Administration.

The CHAIR. Pursuant to House Resolution 507, the gentleman from Tennessee (Mr. FLEISCHMANN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. FLEISCHMANN. Mr. Chairman, I rise in support of this amendment, which will support the geosynthetic materials industry in this country.

My amendment encourages the Federal Highway Administration to use geosynthetic material. Similar language, Mr. Chairman, encouraging the U.S. Army Corps of Engineers was in the WRRDA bill and has been passed into law.

If I may, Mr. Chairman, geosynthetics are a family of civil engineering solutions used in our national infrastructure. Since their introduction in the 1960s, geosynthetics are a proven versatile and cost-effective roadway reinforcement solution to our transportation needs.

Their use has expanded into nearly all areas of civil and environmental engineering. This is a complementary material to traditional roadway and provides an alternative to traditional methods.

If I may, the cost savings are tremendous. Geosynthetics are less costly to produce, transport, and install than comparable products and involves cost savings to the United States taxpayer.

Reduced maintenance costs over time of the roadway have been proven with geosynthetic use. In addition, they have rapid construction and deployment. It is very flexible and quick to employ, including in inclement weather.

Most of all, Mr. Chairman, this is an American jobs amendment. Over 40 manufacturers in North America produce geosynthetic materials. Also, 13,200 American jobs are involved in this. It is cost-effective, and it increases American jobs. This is something Members from both sides of the aisle support.

I respectfully urge my colleagues to support this amendment to this transportation bill.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim time in opposition, although I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chair, I yield myself such time as I may consume.

In the base bill, we have included measures to encourage States to build smart or right-size projects for practical design, and this amendment complements those efforts.

Specifically, it mentions the use of geosynthetic materials, which the Federal Highway Administration has been promoting to speed up and reduce the cost of bridge construction as part of its Every Day Counts initiative.

Use of geosynthetic fabrics to reinforce soil can reduce erosion at the point where bridge and road meet, which reduces maintenance costs and provides environmental benefits.

All of these approaches help ensure that we are able to stretch the limited dollars we have to make meaningful improvements to our roads and bridges. It is a meritorious amendment by the gentleman. I urge my colleagues to support it.

I yield back the balance of my time.

Mr. FLEISCHMANN. I want to thank my colleague.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. FLEISCHMANN).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. GIBBS

The CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 114-325.

Mr. GIBBS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 233, after line 17, insert the following:

SEC. 1431. STUDY ON STATE PROCUREMENT OF CULVERT AND STORM SEWER MATERIALS.

(a) IN GENERAL.—The Secretary shall evaluate the methods in which States procure culvert and storm sewer materials and the impact of those methods on project costs, including the extent to which such methods take into account environmental principles, engineering principles, and the varying needs of projects based on geographic location.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the findings of the study conducted under subsection (a).

The CHAIR. Pursuant to House Resolution 507, the gentleman from Ohio

(Mr. GIBBS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. GIBBS. Mr. Chairman, I want to also congratulate Chairman SHUSTER and Ranking Member DEFAZIO for bringing this important bill to the floor.

I am pleased to offer this bipartisan amendment with my colleague from California (Mrs. NAPOLITANO) to study culvert and storm sewer procurement methods.

Culvert and storm sewer materials have been subject to a unique procurement process in recent years. In previous legislation, SAFETEA-LU, States were instructed to provide for competition in culvert procurement similar to the process for other construction materials used in highway projects. In MAP-21, States were given full autonomy, accounting for engineering principles.

My simple amendment instructs the Secretary of Transportation to study methods used by States to procure culvert and storm sewer materials and report their findings to the Transportation and Infrastructure Committee. This study will enable us to better understand how costs, environmental and engineering principles, and other unique factors impact the States' procurement process.

I yield to the gentlewoman from California (Mrs. NAPOLITANO) to speak in support of the amendment.

Mrs. NAPOLITANO. Mr. Chairman, I certainly want to thank my colleague, Mr. GIBBS, for introducing this very important amendment.

I do strongly support this amendment that requests a DOT study regarding the federally funded materials used by the States for culvert and stormwater pipes.

This issue was brought to my attention in my area in Los Angeles by companies that were being forced out of competition for federally funded transportation projects. The States were having a little problem and were the local governments that sole-sourced materials.

State and local governments should be allowed to have open and fair competition on the best products available for use in these sewer and culvert systems.

Mr. GIBBS' amendment, which I am happy to cosponsor, requires the Department again to study and report to Congress on these materials in order to ensure that taxpayer funds are being spent in a most cost-effective and efficient way.

I am very grateful to my colleague. I thank him for allowing me to co-offer this amendment. I urge my colleagues to support it.

Mr. GIBBS. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. GIBBS).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. GIBSON

The CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 114-325.

Mr. GIBSON. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, insert the following new section:

SEC. 1431. STRATEGY TO ADDRESS STRUCTURALLY DEFICIENT BRIDGES.

The Secretary shall develop a comprehensive strategy to address structurally deficient and functionally obsolete bridges, as defined by the National Bridge Inventory, to identify the unique challenges posed by bridges in each of these respective categories, and to address such separate challenges and improve the condition of such bridges. Not later than 180 days after the date of enactment of this Act, the Secretary shall transmit a report containing initial recommendations to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. Not later than 1 year after such date of enactment, the Secretary shall transmit to such committees the final strategy required by this section.

The CHAIR. Pursuant to House Resolution 507, the gentleman from New York (Mr. GIBSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. GIBSON. Mr. Chairman, I rise today in support of an amendment I offered along with my fellow colleagues from New York, Representative SEAN PATRICK MALONEY, JOHN KATKO, and JERRY NADLER. This amendment will improve the safety of bridges across New York State and, indeed, across the Nation.

As you are aware, Mr. Chairman, our national bridges are in desperate need of repair. In New York, this is especially true. In 2015, the American Society of Civil Engineers graded New York's network of bridges as a dismal D-plus. New York ranks second worst in the Nation in functionally obsolete bridges and 12th worst when it comes to structurally deficient bridges.

This is not an issue limited to New York. Across the Nation, more than one in nine bridges are graded as structurally deficient, and more than 84,000 functionally obsolete bridges are still in use.

Mr. Chairman, our amendment does something positive and constructive about it by directing the DOT to develop a strategy to address structurally deficient and functionally obsolete bridges.

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Notably, these two categories require different policy solutions but too often they are treated the same. By requiring this strategy, we will allow for ef-

fective oversight by the people through their Representatives here in the U.S. House.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for their strong work in the committee. I urge support of this amendment so we can develop a strategy to address the quality of bridges across this Nation which will help keep our people safe and help strengthen our economy.

Mr. Chairman, I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim time in opposition to the amendment, although I am not opposed to it.

The CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chair, I yield myself such time as I may consume.

I really appreciate the gentleman's work here in pointing out the problem with our bridges, not just in New York, but nationwide, 147,000 deficient bridges. In fact, as one of the few Democrats who opposed the so-called stimulus bill, I said at the time we would have been better served had we invested that money in projects, real projects, as opposed to tax cuts.

One thing I suggested was how about a plan to rebuild all of the deficient bridges in America, put a million or so people to work, and solve a long-term problem. That wasn't to be, but this brings new focus to the issue, and, hopefully, we will get around to dealing with this issue in the near future with the information to be gleaned from this report.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GIBSON).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. GUINTA

The CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 114-325.

Mr. GUINTA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. 1431. GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON COST OF COMPLIANCE.

Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that describes the cost to the Federal Highway Administration of compliance with Federal statutes and regulations as a percentage of the overall spending by such Administration.

The CHAIR. Pursuant to House Resolution 507, the gentleman from New Hampshire (Mr. GUINTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire.

Mr. GUINTA. Mr. Chairman, I rise today in support of my amendment to the bipartisan Surface Transportation Reauthorization and Reform Act.

Each year, we authorize funding for highway projects all across America. The underlying bill we are discussing today provides both much-needed Federal funding, but also necessary long-term certainty for planning transportation projects.

The funds provided are critical for maintaining our current roads and highways, improving our infrastructure, and creating new infrastructure across the country, something that is especially important for many rural areas like those in the Granite State. But like many projects that use taxpayer dollars, burdensome regulations and inefficiencies often drive up the cost of projects and cause delays in the final project.

My amendment is simple. It would require the Government Accountability Office to conduct a study to understand the purchasing power of the Federal highway dollars and quantify the things that weaken it, such as these burdensome regulations.

At a time when we face immense budgetary constraints, we should be examining how each and every dollar is being spent. Granite Staters sent me to Washington to shed light on how we spend their tax dollars, and this amendment achieves just that.

There is no doubt that these highway projects are beneficial and necessary for millions of Americans, but even the necessary and important projects should have proper oversight. It is just simply about good government.

Hardworking Granite Staters know how to stretch a dollar, and it should be no different for the Federal Government. This amendment allows us to identify the true cost of infrastructure projects. We should be doing all we can to ensure our tax dollars are being spent wisely and efficiently so these projects are completed on time and on budget.

I want to thank the chair and the ranking member, and I urge my colleagues to support my amendment.

I yield back the balance of my time.

Mr. DEFAZIO. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR (Ms. ROSELEHTINEN). The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Madam Chair, I agree that regulations often need scrutiny and revision and sometimes elimination, but this bill undertakes a good deal of streamlining, both in the environmental area and in other processes.

So, if we were to go down the road of a study looking at these programs, I would say a study that is a little broader, which would look at both the costs and benefits of regulation, would be useful. I don't think this one-sided study would be particularly useful.

If we want to understand the purchasing power of our highway dollars, we only need to look at the fact that Congress has failed to increase the gas tax since 1993, during which time the purchasing power, due to inflation and construction costs, has diminished by a good 40 percent or more. Whether or not we will be allowed to take action on significant revenues under this bill is still being deliberated upstairs in the Rules Committee with amendments that might or might not be allowed to be offered.

I urge opposition to the amendment. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Hampshire (Mr. GUINTA).

The amendment was rejected.

AMENDMENT NO. 12 OFFERED BY MR. HANNA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 114-325.

Mr. HANNA. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following new section:

SEC. 1431. SENSE OF CONGRESS.

It is the sense of Congress that the Nation's engineering industry continues to provide critical technical expertise, innovation, and local knowledge to Federal and State agencies in order to efficiently deliver surface transportation projects to the public, and Congress recognizes the valuable contributions made by the Nation's engineering industry and urges the Secretary to reinforce those partnerships by encouraging State and local agencies to take full advantage of engineering industry capabilities to strengthen project performance, improve domestic competitiveness, and create jobs.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from New York (Mr. HANNA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. HANNA. Madam Chairman, this bipartisan amendment presents a simple, nonbinding sense of Congress recognizing the value of private sector engineering services in delivering road, bridge, and public transportation projects of all natures. Nearly identical language was included in the Water Resources Reform and Development Act last year, which we adopted with overwhelming support on both sides of the aisle.

Local engineering firms in each of our districts play an important role in partnering with State and local agencies to deliver transportation projects. Just as States use private contractors to build roads and bridges, they utilize private engineering companies to design them.

While many DOTs partner well with private engineering firms, some States

do not take advantage of the services and expertise available. Local firms are essentially shut out from competing for federally funded projects.

There is no one-size-fits-all approach to balancing private and public sector engineering expertise. But let me be clear: This amendment is not about privatization; it is about options.

Private firms will be the first to argue that we must have trained and experienced engineers within the DOTs to manage, design, and oversee the many programs. This is about encouraging States to strike the balance that works best for them. Collaboration between public and private engineers is essential in delivering the highest quality and most cost-effective projects.

I urge my colleagues to support this commonsense, bipartisan bill.

I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Madam Chair, I rise in opposition to the amendment because it does encourage State DOTs to utilize the private sector for engineering and design services. The States deserve that flexibility to decide whether it is more cost effective and efficient to utilize their own staff or to contract with the private sector to deliver such transportation projects.

The adoption of this language will encourage outsourcing and will waste already scarce transportation dollars. Countless studies from across the Nation confirm that outsourcing engineering and design services on transportation projects is more expensive than using publicly owned engineers and does not speed up project delivery.

In California alone, they spend \$237,000 per outsourced engineer per year, compared to \$116,000 per State-employed engineer, according to the 2014 State budget.

Louisiana spends \$197,942 per outsourced engineer per year, compared to \$82,364 for a State-employed engineer, according to the consulting firm contracted by the State in 2014 to recommend cost-savings measures.

Tennessee DOT found they could save 15 percent if it brought in more in-house engineers.

Colorado DOT also studied the issue, and they saved 29 percent by bringing the engineering and design services in-house.

Adding this language into Federal law would be a first step toward incentivizing, or even mandating, the use of private sector for engineering and design services.

States should be allowed to use public engineers if they believe that the public engineers are the most effective at, one, protecting the public interest, and two, ensuring public safety.

I would like to mention that the professional engineers in California and the Governor are opposed, as are the transportation trades.

Madam Chair, I ask my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. HANNA. Madam Chair, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the full committee.

Mr. SHUSTER. I thank the gentleman, and I support this bipartisan amendment.

It presents a simple sense of Congress on the value of utilizing private sector engineering and design services for enhanced project delivery, so I commend Mr. HANNA and Mr. SEAN PATRICK MALONEY from New York.

There was identical language in WRRDA last year, so I urge all Members to support this amendment.

Mr. HANNA. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. HANNA).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. MULLIN

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 114-325.

Mr. MULLIN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of Division A of the bill, insert the following:

SEC. ____ . ELIMINATION OF BARRIERS TO IMPROVE AT-RISK BRIDGES.

(a) TEMPORARY AUTHORIZATION.—

(1) IN GENERAL.—Until the Secretary of the Interior takes the action described in subsection (b), the take of nesting swallows to facilitate a construction project on a bridge eligible for funding under title 23, United States Code, with any component condition rating of 3 or less (as defined by the National Bridge Inventory General Condition Guidance issued by the Federal Highway Administration) is authorized under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) between April 1 and August 31.

(2) MEASURES TO MINIMIZE IMPACTS.—

(A) NOTIFICATION BEFORE TAKING.—Prior to the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains—

(i) the name of the person acting under the authority of paragraph (1) to take nesting swallows;

(ii) a list of practicable measures that will be undertaken to minimize or mitigate significant adverse impacts on the population of that species;

(iii) the time period during which activities will be carried out that will result in the taking of that species; and

(iv) an estimate of the number of birds, by species, to be taken in the proposed action.

(B) NOTIFICATION AFTER TAKING.—Not later than 60 days after the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the

Secretary of the Interior a document that contains the number of birds, by species, taken in the action.

(b) AUTHORIZATION OF TAKE.—

(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretary, shall promulgate a regulation under the authority of section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) authorizing the take of nesting swallows to facilitate bridge repair, maintenance, or construction—

(A) without individual permit requirements; and

(B) under terms and conditions determined to be consistent with treaties relating to migratory birds that protect swallow species occurring in the United States.

(2) TERMINATION.—On the effective date of a final rule under this subsection by the Secretary of the Interior, subsection (a) shall have no force or effect.

(c) SUSPENSION OR WITHDRAWAL OF TAKE AUTHORIZATION.—If the Secretary of the Interior, in consultation with the Secretary, determines that taking of nesting swallows carried out under the authority provided in subsection (a)(1) is having a significant adverse impact on swallow populations, the Secretary of the Interior may suspend that authority through publication in the Federal Register.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Oklahoma (Mr. MULLIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Madam Chair, I rise today to offer an amendment that is critical to the safety of our traveling public.

Over 2 million trips are taken every day across failing bridges in the United States. This is unacceptable. We need to make sure repairs are made in a timely and efficient manner so human lives can be protected. We can start by removing unnecessary and overly burdensome barriers to maintenance.

Barn or cliff swallows, whichever you want to call them, nest under bridges, sometimes in the thousands. Their nesting period can last from April to August, which is prime construction season. These birds are not endangered, but they are protected under the Migratory Bird Treaty Act. Because of this law, the birds cannot be disturbed, and State Departments of Transportation must develop plans for dealing with the birds in every bridge maintenance, repair, rehab, or replacement project.

Because these plans are so burdensome, contractors often delay their work until after the nesting period so they don't have to risk violating the Migratory Bird Treaty Act and face Federal prosecution. Delaying the work puts the safety of the traveling public at risk.

My amendment allows the bridge work to be done, despite the presence of swallows, if the bridge has a condition rating of 3 or less until the issue is addressed by the Department of the Interior. A condition rating of 3 means

that the bridge is in serious need of repair: sections can be lost, the primary structural components have been damaged, and there are cracks in the steel or concrete.

My amendment also directs the Secretary of the Interior to start the process for developing a rule to allow for the bridge work under the Migratory Bird Treaty Act. This amendment has already been negotiated and included in the Senate's DRIVE Act.

This is a commonsense amendment that puts the safety of the public first, and I urge my colleagues to support it. I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Madam Chair, I rise in opposition to this amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

The Migratory Bird Treaty Act, first enacted in 1918, makes it unlawful to take, kill, or capture any migratory bird. This landmark legislation is the product of treaties with Canada, with Mexico, and with Japan, and is credited with protecting over 800 species of endangered birds.

The amendment's supporters claim that it is a waiver of the Migratory Bird Treaty Act solely for emergency situations. However, the amendment is overly broad and would act as a blanket waiver to allow the taking of swallows for any bridge construction, any repair, or any maintenance without a permit if certain conditions are met.

Further, the amendment is unnecessary, as section 704(a) of the Migratory Bird Treaty Act already provides the Secretary of the Interior with the authority to allow the taking of migratory birds, including swallows, if certain conditions are met, and it also directs the Secretary of the Interior to promulgate regulations allowing the taking in those circumstances.

As a waiver process already exists allowing for the taking of the migratory birds in emergency situations, I cannot support this amendment. I ask my colleagues to join me in opposing this amendment.

I yield back the balance of my time.

Mr. MULLIN. Madam Chair, I encourage my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

The amendment was rejected.

□ 1615

AMENDMENT NO. 14 OFFERED BY MR. RIBBLE

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 114-325.

Mr. RIBBLE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of Division A, add the following:

SEC. ____ . MODERNIZED WEIGHT LIMITATIONS FOR CERTAIN VEHICLES.

Section 127 of title 23, United States Code, is further amended by adding at the end the following:

“(n) ADDITIONAL EXCEPTION TO WEIGHT REQUIREMENTS.—

“(1) IN GENERAL.—Notwithstanding subsection (a), a State may authorize a vehicle with a maximum gross weight, including all enforcement tolerances, that exceeds the maximum gross weight otherwise applicable under subsection (a) to operate on Interstate System routes in the State, if—

“(A) the vehicle is equipped with at least 6 axles;

“(B) the weight of any single axle on the vehicle does not exceed 20,000 pounds, including enforcement tolerances;

“(C) the weight of any tandem axle on the vehicle does not exceed 34,000 pounds, including enforcement tolerances;

“(D) the weight of any group of 3 or more axles on the vehicle does not exceed 45,000 pounds, including enforcement tolerances;

“(E) the gross weight of the vehicle does not exceed 91,000 pounds, including enforcement tolerances; and

“(F) the vehicle complies with the bridge formula in subsection (a)(2) of this section.

“(2) SPECIAL RULES.—

“(A) OTHER EXCEPTIONS NOT AFFECTED.—This subsection shall not restrict—

“(i) a vehicle that may operate under any other provision of this section or another Federal law; or

“(ii) a State’s authority with respect to a vehicle that may operate under any other provision of this section or another Federal law.

“(B) MEANS OF IMPLEMENTATION.—A State may implement this subsection by any means, including statute or rule of general applicability, by special permit, or otherwise.

“(3) ADDITIONAL EQUIPMENT.—

“(A) IN GENERAL.—The Secretary may issue such regulations as are necessary to require a vehicle operating pursuant to this subsection to include 1 item of additional equipment not otherwise required by law. The Secretary may issue such regulations only if the equipment item to be required is available at the time a rule is proposed.

“(B) COMMENT.—In issuing regulations pursuant to this paragraph, the Secretary shall invite comment on the effective date of any proposed equipment requirement.

“(C) LIMITED AUTHORITY.—The authority to issue regulations pursuant to this paragraph applies only to a rule that is published as a final rule in the Federal Register not later than the date that is 6 months after the date of enactment of this subsection.

“(4) REPORTING REQUIREMENTS.—

“(A) TRIENNIAL REPORT.—If a State, pursuant to paragraph (1), authorizes vehicles described in such paragraph to operate on Interstate System routes in the State, the State shall submit to the Secretary a triennial report containing—

“(i) an identification of highway routes in the State, including routes not on the Interstate System, on which the State so authorizes such vehicles to operate;

“(ii) a description of any gross vehicle weight limit applicable to such vehicles so authorized and of any operating require-

ments applicable to such vehicles that are in addition to requirements applicable to all commercial motor vehicles;

“(iii) the number of crashes that occurred in the State involving such vehicles so authorized on the Interstate System, the number of such crashes involving fatalities, and the number of such crashes involving non-fatal injuries;

“(iv) estimated vehicle miles traveled on the Interstate System in the State by such vehicles so authorized; and

“(v) other information, such as the gross vehicle weight of a vehicle operating pursuant to the authority of this subsection at the time of a crash, as the Secretary and the State jointly determine necessary.

“(B) PUBLIC AVAILABILITY.—The Secretary shall make all information required under subparagraph (A) available to the public.

“(5) TERMINATION AS TO ROUTE SEGMENT.—The Secretary may terminate the operation of vehicles authorized by a State under this subsection on a specific Interstate System route segment if, after the effective date of a decision of a State to allow vehicles to operate pursuant to paragraph (1), the Secretary determines that such operation poses an unreasonable safety risk based on an engineering analysis of the route segment or an analysis of safety or other applicable data from the route segment.

“(6) WAIVER OF HIGHWAY FUNDING REDUCTION.—Notwithstanding subsection (a), the total amount of funds apportioned to a State under section 104(b)(1) for any period may not be reduced under subsection (a) if the State authorizes a vehicle described in paragraph (1) to operate on the Interstate System in the State in accordance with this subsection.

“(7) PRESERVING STATE AND LOCAL AUTHORITY REGARDING NON-INTERSTATE SYSTEM HIGHWAYS.—Subsection (b) of this section shall not apply to motor vehicles operating on the Interstate System solely under the authority provided by this subsection.”

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Wisconsin (Mr. RIBBLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RIBBLE. Madam Chair, I include in the RECORD a letter dated last Friday, October 30, from the Federal Highway Administration. This letter states that the configuration I am proposing today is compliant with the federal bridge formula.

The second letter is from Peter Rogoff, Under Secretary for the Department of Transportation, to Chairman SHUSTER.

U.S. DEPARTMENT OF
TRANSPORTATION, FEDERAL
HIGHWAY ADMINISTRATION,
Washington, DC, October 30, 2015.

Hon. REID J. RIBBLE,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN RIBBLE: I am writing to provide a technical correction to my letter of April 24 (copy enclosed) which responded to your inquiry regarding the Comprehensive Truck Size and Weight Limits Study (CTSWLS) required by Section 32801 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) P.L. 112-141.

In your letter, you asked whether the 91,000-pound gross vehicle weight six-axle

configuration under analysis as part of the CTSWLS is in compliance with the Federal bridge formula set forth in 23 U.S.C. 127. The Federal Highway Administration recently revisited the question of whether the 91,000-pound, six-axle configuration used in the CTSWLS was in compliance with the Federal bridge formula (FBF).

Our letter of April 24 confirmed that the configuration met the FBF, which was our understanding at the time of the CTSWLS based on a review of three standard tests of weight and axle spacing. However, we have discovered that the placement of axles and loading of the tridem for the specific type studied in the CTSWLS did not meet a fourth test for compliance. There is more than one way to design and load a six-axle vehicle; the variations can affect whether the vehicle is fully FBF-compliant. In order for a vehicle to meet all tests of the FBF and be designed for safe and practical operation, the maximum tridem axle weight would need to be not more than 45,000 pounds in conjunction with 12-foot spacing between the 4th and 6th axles.

I have sent similar letters to the cosigners of your original letter. If you have additional questions about the Study, please contact Mr. David Kim of the Federal Highway Administration.

Sincerely,

GREGORY G. NADEAU,
Administrator.

Enclosure.

U.S. DEPARTMENT OF TRANSPORTATION, OFFICE OF THE SECRETARY OF TRANSPORTATION,
Washington, DC, June 5, 2015.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives,
Washington, DC.

DEAR CHAIRMAN SHUSTER: The U.S. Department of Transportation is releasing for public comment and peer review the technical reports of the Federal Highway Administration’s (FHWA) comprehensive study of certain safety, infrastructure, and efficiency impacts surrounding potential changes to the Federal truck size and weight (TS&W) limits. This study is required by the Moving Ahead for Progress in the 21st Century Act (MAP-21; P.L. 112-141, §32801) which dictated very precise parameters for the study’s scope. The FHWA will consider any comments from the peer review of the study to be conducted by the Transportation Research Board (TRB) and the public for the final report that we expect to deliver to Congress later this year.

FHWA’s technical work was able to employ the latest modeling techniques in the areas of truck stability and control performance as well as in bridge and pavement structural impacts. It also featured the first-ever accounting of violations and citations by truck configuration in a study of this kind. Even so, the research also revealed very significant data limitations that severely hampered FHWA’s efforts to conclusively study the effects of the size and weight of various truck configurations. These limitations are discussed below.

Among the data issues is the lack of descriptive information in crash reports involving trucks—especially the weight of the vehicle at the time of an incident—which undermines our ability to conduct adequate highway safety and truck crash analyses. So, while FHWA was able to identify significantly higher crash rates in six-axle trucks compared to five-axle trucks in the State of

Washington, the lack of available and consistently reported data from other states prevented the Department from drawing national conclusions on the crash rates of this and other truck configurations. We also were constrained in fully accounting for modal shift of freight traffic to short line and regional railroads due to the absence of publicly available data in this area. Our modeling did suggest one potentially important finding: that the expected Vehicle Miles Traveled (VMT) reductions that might result from heavier or larger trucks would be relatively small, resulting in little noticeable impact to real freight VMT.

Other data limitations, which are fully explored in the attached technical studies, include:

The profound absence of weight data in crash reporting, which prevents us from knowing whether trucks were fully loaded, at legal capacity for their axle configurations, had unevenly distributed weight, or were running overweight prior to a crash.

The lack of acceptable models that can predict bridge deck deterioration over time, which makes it difficult to extrapolate long-term maintenance costs over time.

Difficulty separating truck weight enforcement program costs from overall truck safety enforcement costs.

These findings were anticipated. The TRB's April 2014 peer review report acknowledged weaknesses in the available methods and data; however and notably, the TRB panel was not able to identify better modeling approaches or data sets that FHWA could employ. Additionally, a 2000 FHWA "Comprehensive Truck Size and Weight" report also identified many of these same insufficiencies.

The Department sought the input of the public and subject matter experts, including members of academia in an effort to overcome these limitations and provide expertise and objective analysis. We held several public meetings and webinars to solicit feedback on the data, methodology, and prior work, as well as to share the status of the study effort. Additionally, we made information on the project plans available on our website, and invited comments from the public. We used only data available to the public to maximize the transparency of the Department's work. Despite our efforts, these data weaknesses could not be overcome as the study progressed. The study will now be subjected to peer review and public comment. At this time, the Department believes that the current data limitations are so profound that the results cannot accurately be extrapolated to predict national impacts. As such, the Department believes that no changes in the relevant truck size and weight laws and regulations should be considered until these data limitations are overcome.

To make a genuine, measurable improvement in the knowledge needed for these study areas, a more robust study effort should start with the design of a research program that can identify the areas, mechanisms and practices needed to establish new data sets and models to advance the state of practice. This research plan could be developed by an expert panel, such as the TRB, and should include a realistic estimation of timelines and costs.

As stated above, we are providing the technical reports from the study effort for peer review and public comment. FHWA will provide you with a final report once it incorporates these additional observations into the Study. In addition to the technical reports, attached is a summary sheet of the steps with the findings of this study.

Please feel free to contact me should you have any questions.

Sincerely,

PETER M. ROGOFF,
Under Secretary.

Mr. RIBBLE. Madam Chair, we are facing a capacity crunch in the United States today. Overall freight tonnage is projected to increase by 25 percent over the next decade. Our Federal truck weight policy is two decades old, and it must be updated if we are going to stay competitive with our trading partners, especially those in this hemisphere.

My bipartisan amendment would give States the option of increasing truck weight limits on their interstate highways from 80,000 pounds to 91,000 pounds if those trucks add a sixth axle. I want to remind everyone it is an option, not a mandate, and it does not govern weight limits on State and local roads.

Twenty-five of the 50 States, including my home State of Wisconsin, already allow heavier trucks on their State or local roads. So here we have an opportunity to move those trucks over to the interstate system, the safest place for trucks to travel.

Under current laws, in many States, heavier trucks are forced to share smaller roads with moms and dads driving to work or taking their kids to school rather than on the interstate where they belong.

The U.S. Department of Transportation found numerous safety and efficiency benefits for this configuration in their technical report of its truck size and weight study. Four main findings of the DOT report are, first, a 91,000-pound, six-axle truck would actually stop faster than trucks currently allowed on the highways; second, this configuration would reduce life-cycle pavement costs by up to 4 percent relative to trucks currently on the road; third, this configuration would reduce truck vehicle miles traveled and would lead to reduced fuel costs and carbon dioxide emissions.

Finally, Madam Chairman, this configuration would result in no additional onetime rehabilitation costs for bridges on the Interstate Highway System. I repeat, no additional onetime rehab costs for the interstate system bridges.

Madam Chair, I urge Members to vote "yes" on my amendment to support transportation safety and efficiency.

Madam Chair, I reserve the balance of my time.

Mr. CAPUANO. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. CAPUANO. Madam Chair, this is all well and good, but that presumes that moms, dads, and kids don't use the Interstate Highway System to go

to school. Well, in my district they do, and especially in urban districts they do.

When it comes to these humongously long trucks, what are we talking about? We are talking about a 14 percent increase in weight in a truck that is up to 100 feet long.

Now, if you want your moms, dads, and kids to be driving next to them, that is your prerogative in your State. I don't want them in my State, and that is up to us. As a Member of Congress, I don't want them on the Interstate Highway System.

By the way, if we are going to talk about the DOT study, let's be sure we understand the conclusion of that study, which basically says, "At this time, the Department believes that the current data limitations are so profound that the results cannot accurately be extrapolated to predict national impacts. As such, the Department believes that no changes in the relevant truck size and weight laws and regulations should be considered."

That is their conclusion after the study that they did that was just cited.

I will end on this particular note. We have to understand who else is with us who opposes this at this time. The National Troopers Association, the National Sheriffs' Association, the International Association of Chiefs of Police, the National Association of Police Organizations, the AAA organization, the United States Conference of Mayors, the Advocates for Auto Safety, and the Teamsters Union.

Madam Chair, I think those all speak for themselves who is on the side of safety and who is not on the side of safety. I hope that this amendment is not adopted.

Madam Chair, I reserve the balance of my time.

Mr. RIBBLE. Madam Chair, I appreciate the gentleman from Massachusetts' comments, although my amendment doesn't address truck size whatsoever. My amendment doesn't include any change in configuration to the truck size. It does take existing truck sizes, and it requires the additional axle to that.

I also find it a tad bit striking that someone from Massachusetts would be challenging a 91,000-pound truck weight when their own State allows 99,000 pounds on State roads and county roads in certain types of trucks.

What I am trying to do, rather than having those trucks driving on a two-lane highway, is to get them on a separated highway where everyone is moving in the same direction and moving them off of the smaller roads.

I also would like to talk about the policy recommendations. What the gentleman from Massachusetts just referred to was a cover letter on the study, but not the study itself. I am referring to the actual study.

The scientists that actually did the study came to the conclusions that I

mentioned before. I'm not speaking of a political cover letter by the administration who opposes this.

If we want to talk about agencies and organizations that support my amendment, there are over 80 of those. We could go on and on, but time does not allow.

I would emphasize once again that my amendment is compliant with the Federal Bridge Formula. I would also note that my amendment gives the DOT the flexibility to prevent the operation of heavier trucks on certain roads if DOT determines that there is a safety risk. It also allows the States to opt out.

Madam Chair, I reserve the balance of my time.

Mr. CAPUANO. Madam Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. BARLETTA).

Mr. BARLETTA. Madam Chairman, I rise today to strongly oppose the amendment. This is bad policy because our local communities cannot afford to spend billions in new damages to our local roads and bridges.

As a former mayor, I stand with the mayors, cities, and counties in opposition. When heavy trucks get off the highway to fuel up their tanks or to make their deliveries, they end up on roads and bridges paid for by the counties, the cities, and the States.

More than 25 percent of the Nation's bridges are structurally deficient, and a majority of these are locally owned. In Pennsylvania alone, we have over 5,000 structurally deficient bridges. It doesn't matter how many axles are on that truck.

Additionally, Madam Chairman, I worked in the construction industry building roads and bridges. A local street only has a few inches of asphalt while the interstates have over a foot of concrete. Our local roads are not designed for the increased damage, and our local communities cannot afford billions in new maintenance costs.

This is not just fiscally irresponsible; it is indefensible. It is wrong to force our mayors and county commissioners to subsidize this special perk, a perk that many truck drivers are afraid to take on. This weight increase is strongly opposed by truck drivers and companies.

There are serious safety concerns, such as braking problems and increased crash rates. That is why I stand with the troopers, the sheriffs, and the first responders. Please vote "no" on this amendment.

Mr. RIBBLE. Madam Chair, how much time is remaining?

The Acting CHAIR. The gentleman from Wisconsin has 1½ minutes remaining.

Mr. RIBBLE. Madam Chair, I continue to reserve the balance of my time.

Mr. CAPUANO. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Massachusetts has 2 minutes remaining.

Mr. CAPUANO. I yield 1½ minutes to the gentleman from New York (Mr. NADLER), my friend.

Mr. NADLER. Madam Chairman, I rise in opposition to the Ribble amendment to allow heavier and bigger trucks on the Nation's highways.

Every time we move a transportation bill, proponents of bigger trucks on behalf of certain industries try to weaken the restrictions Congress has put in place to protect the safety of the traveling public and to reduce wear and tear on the highways.

According to DOT, there is an \$800 billion backlog of investment needs on highways and bridges, including \$480 billion in critical repair work. The underlying bill does not provide any increase in funding. If this amendment passes, heavier trucks will further damage our roadways and add to the backlog, burdening our transportation agencies.

In MAP-21, rather than consider an increase in truck weight, we required DOT to conduct a study. The DOT found there is insufficient data to support an increase in truck size or weight. But we do know that bigger trucks are damaging and dangerous.

The DOT study found that 91,000-pound trucks would damage thousands of bridges and divert more than 2½ million tons of freight from rail to truck, further congesting our roadways, further damaging our roadways, and further contaminating our air, since trucks are three times less energy efficient and more emissions-polluting than rail.

It is also well known that heavier trucks aren't safe. In 2013, there were over 134,000 accidents involving large trucks, resulting in 4,000 fatalities. The DOT study found that 91,000-pound trucks resulted in a 47 percent higher crash rate when compared to 80,000-pound trucks in State testing.

That is why the public is overwhelmingly opposed to bigger trucks. That is why the National Association of Police Organizations, the National Sheriffs' Association, and other law enforcement organizations oppose this proposed increase in truck weight. That is why we should oppose this increase in truck weight and this amendment.

Mr. RIBBLE. Madam Chair, in response to the gentleman from Pennsylvania earlier, Pennsylvania doesn't have to adopt this policy. It is totally optional for that State to do so.

I find it interesting that the gentleman from New York is concerned about this while the State of New York already allows these heavier trucks on their roads in their State, as does the State of Wisconsin.

The study supports the fact that this configuration would actually reduce life-cycle payment costs. That is in the

study by the scientists, not the cover letter.

So we have this dichotomy where 25 States already are running these heavier trucks. All my bill would do is allow them to move toward the interstate system.

Madam Chair, I reserve the balance of my time.

Mr. CAPUANO. Madam Chair, again, just two points. I think everything has been said. I do want to add that I have been informed that the independent owners and operators of trucking, which represents 90 percent of the owners of trucks in this country, oppose this bill.

This bill will help only the largest truckers in the company. It will hurt the little guy. It will hurt the drivers of trucks. It will put my family and other families in danger for virtually no advancement in the economy.

It is a bad proposal. I understand the desire. I know that some States have done it. And, God forbid, if they have done it, that is their prerogative. But they are the ones who are going to have to answer to their increased deaths and damages on the highways.

I yield back the balance of my time.

Mr. RIBBLE. Madam Chair, I will wrap this up. I appreciate this debate. I will say this: I am not interested in whether truckers make more money or rails make more money.

I am interested in the poor family that has to pay higher prices for food, for clothing, for goods and services, and for electricity because of this weight restriction.

I also am concerned about the States that already are allowing these trucks—25 of them—but we can't drive them on the interstate system, which makes no sense whatsoever.

I also want to remind everyone that any State can choose not to do this if they don't want to. This would just allow the ones that would like to be able to do that. It is in full compliance with the study.

Madam Chair, I yield back the balance of my time.

Mr. PETERSON. Madam Chair, I rise in support of the Ribble-Schrader-Rouzer-Peterson amendment that would give states the option of allowing more productive trucks on the road if they are equipped with a sixth-axle.

In rural America, this amendment will mean that farmers will be able to get their harvest to market more efficiently, with fewer trips on the road.

Fewer trips back and forth from the field saves fuel and saves time, which is especially important when farmers are racing the clock during the busy harvest season.

Unlike other businesses, farmers can't just pass along the cost of transporting their crops to market.

Staying competitive means that we need to take advantage of safe transportation options, like the one that would be allowed by the amendment we are considering today.

This amendment has the support of a broad coalition of agriculture organizations including

the American Farm Bureau Federation, the National Council of Farmer Cooperatives, the National Milk Producers Federation and the American Soybean Association to name a few.

This amendment, as part of a long-term reauthorization bill, is a necessary step towards modernizing our transportation system, and I urge my colleague to vote in support of this commonsense amendment.

Again, Madam Chair, I strongly support the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RIBBLE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. RIBBLE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 15 OFFERED BY MS. BROWN OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 114-325.

Ms. BROWN of Florida. Madam Chair, I have amendment No. 15 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ____ . NATIONAL ADVISORY COMMITTEE ON TRAVEL AND TOURISM INFRASTRUCTURE.

(a) FINDINGS.—Congress finds that—

(1) 1 out of every 9 jobs in the United States depends on travel and tourism, and the industry supports 15,000,000 jobs in the United States;

(2) the travel and tourism industry employs individuals in all 50 States, the District of Columbia, and all of the territories of the United States;

(3) international travel to the United States is the single largest export industry in the Nation, generating a trade surplus balance of approximately \$74,000,000,000;

(4) travel and tourism provide significant economic benefits to the United States by generating nearly \$2,100,000,000,000 in annual economic output; and

(5) the United States intermodal transportation network facilitates the large-scale movement of business and leisure travelers, and is the most important asset of the travel industry.

(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory committee to be known as the National Advisory Committee on Travel and Tourism Infrastructure (in this section referred to as the “Committee”) to provide information, advice, and recommendations to the Secretary on matters relating to the role of intermodal transportation in facilitating mobility related to travel and tourism activities.

(c) MEMBERSHIP.—The Committee shall—

(1) be composed of members appointed by the Secretary for terms of not more than 3 years; and

(2) include a representative cross-section of public and private sector stakeholders in-

involved in the travel and tourism industry, including representatives of—

(A) the travel and tourism industry, product and service providers, and travel and tourism-related associations;

(B) travel, tourism, and destination marketing organizations;

(C) the travel and tourism-related workforce;

(D) State tourism offices;

(E) State departments of transportation;

(F) regional and metropolitan planning organizations; and

(G) local governments.

(d) ROLE OF COMMITTEE.—The Committee shall—

(1) advise the Secretary on current and emerging priorities, issues, projects, and funding needs related to the use of the Nation's intermodal transportation network to facilitate travel and tourism;

(2) serve as a forum for discussion for travel and tourism stakeholders on transportation issues affecting interstate and inter-regional mobility of passengers;

(3) promote the sharing of information between the private and public sectors on transportation issues impacting travel and tourism;

(4) gather information, develop technical advice, and make recommendations to the Secretary on policies that improve the condition and performance of an integrated national transportation system that is safe, economical, and efficient, and that maximizes the benefits to the Nation generated through the United States travel and tourism industry;

(5) identify critical transportation facilities and corridors that facilitate and support the interstate and interregional transportation of passengers for tourism, commercial, and recreational activities;

(6) provide for development of measures of condition, safety, and performance for transportation related to travel and tourism;

(7) provide for development of transportation investment, data, and planning tools to assist Federal, State, and local officials in making investment decisions relating to transportation projects that improve travel and tourism; and

(8) address other issues of transportation policy and programs impacting the movement of travelers for tourism and recreational purposes, including by making legislative recommendations.

(e) NATIONAL TRAVEL AND TOURISM INFRASTRUCTURE STRATEGIC PLAN.—

(1) INITIAL DEVELOPMENT OF NATIONAL TRAVEL AND TOURISM INFRASTRUCTURE STRATEGIC PLAN.—Not later than 3 years after the date of enactment of this act, the Secretary shall, in consultation with the Committee, State departments of transportation, and other appropriate public and private transportation stakeholders, develop and post on the Department's public Internet Web site a national travel and tourism infrastructure strategic plan that includes—

(A) an assessment of the condition and performance of the national transportation network;

(B) an identification of the issues on the national transportation network that create significant congestion problems and barriers to long-haul passenger travel and tourism,

(C) forecasts of long-haul passenger travel and tourism volumes for the 20-year period beginning in the year during which the plan is issued;

(D) an identification of the major transportation facilities and corridors for current and forecasted long-haul travel and tourism

volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

(E) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved long-haul passenger travel performance (including opportunities for overcoming the barriers);

(F) best practices for improving the performance of the national transportation network; and

(G) strategies to improve intermodal connectivity for long-haul passenger travel and tourism.

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from Florida (Ms. BROWN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. BROWN of Florida. Madam Chair, the amendment I am offering with my colleagues, Representatives TITUS and RICE of South Carolina, simply creates a national advisory committee on travel and tourism infrastructure.

The committee will advise the Secretary on current and emerging priorities and funding needs related to the use of the Nation's transportation system to help facilitate travel and tourism.

The advisory committee will gather information, develop technical advice, and make recommendations to the Secretary on policies that maximize the benefits to the Nation that are generated through the United States travel and tourism industry.

The committee will then share this information with Federal, State, and local officials making investment decisions relating to transportation projects that improve travel and tourism.

Advisory committee members will be appointed by the Secretary of Transportation and will include representatives from public and private sector stakeholders involved in the travel and tourism industry. The travel industry generates \$1.8 trillion in economic output and supports 14.1 million jobs.

I represent central Florida, which includes Disney World, Universal Studios, SeaWorld, NASA, the Citrus Bowl, world famous beaches, and hundreds of other tourist attractions with over 50 million visitors each year.

□ 1630

Not only is it critical to ensure the best infrastructure for the efficient flow of these visitors, but ensuring best practices and sharing information will help move people out of harm's way in case of a manmade or natural disaster.

I encourage my colleagues to support this bipartisan amendment, and I reserve the balance of my time.

Mr. SHUSTER. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Madam Chair, in the interest of the amendment's sponsors, it is already directly addressed in the bill by section 1201 and section 1202. They specifically add travel and tourism as considerations in the metropolitan and State planning process.

I appreciate the importance of travel and tourism to local economies. In fact, in Pennsylvania, it is one of the most important in the Pennsylvania economy.

A national advisory committee does not need to be mandated by Congress, in my view. The stakeholder community will now be able to address travel and tourism in the development of State and metropolitan transportation plans.

Further, there is nothing to prevent public and private interests from coordinating their efforts to promote tourism and travel in the absence of a national advisory committee.

I urge all Members to oppose this. This is redundant. We already have it in the bill. I think it stands on its own merits in the bill.

I reserve the balance of my time.

Ms. BROWN of Florida. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Florida has 3½ minutes remaining.

Ms. BROWN of Florida. Madam Chair, I yield 1½ minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Madam Chair, I thank my colleague for yielding.

I rise in support of the Brown-Titus-Rice amendment to establish a national travel infrastructure strategy and advisory committee, and I urge all of my colleagues to do the same.

I represent the heart of the Las Vegas Valley, where more than 42 million travelers board planes, buses, and cars to come and enjoy some holiday time and bask in the sun and the bright lights of the Las Vegas Strip. Others come to attend some of the largest professional and business meetings in the country.

Like so many places, our economy is built on the hospitality industry, and its success depends on a strong transportation network to bring and move those millions of visitors around, as well as the freight needed to serve those visitors. That is why I was proud to work with my colleague from Florida (Mr. WEBSTER) on an amendment just referenced to ensure that State and local planning processes would consider the needs of the traveler as part of the long-term planning process. This amendment was approved by voice vote just 2 weeks ago in the committee.

Today, we are here with a similar bipartisan amendment that ensures that travel and tourism are part of our national policy for transportation. Our policies are enhanced when we consult

and collaborate with leaders who rely on our transportation networks. Their guidance and experience can ensure that our DOT decisionmakers are aware of the changing needs and trends in travel and tourism, and can tailor investments and strategies to meet those needs.

We often hear people in this very body rail against Washington bureaucrats not knowing what is going on back home. This amendment would address that. I urge your support.

Mr. SHUSTER. Madam Chair, I continue to reserve the balance of my time.

Ms. BROWN of Florida. Madam Chair, I yield the balance of my time to the gentleman from South Carolina (Mr. RICE).

Mr. RICE of South Carolina. Madam Chair, I thank the gentlewoman for yielding.

I certainly appreciate and respect the chairman's hard work in gathering up this bill. While I respectfully disagree with him that the bill adequately addresses tourism, I think a national committee reporting directly to the Secretary of Transportation, similar to other aspects of the travel industry, like freight, trucking, and other things, would certainly benefit the tourism industry and give a more balanced perspective.

I rise in support of this amendment. It is important for the Department of Transportation not to lose focus on the movement of people in their strategic planning of our Federal network. Congestion is at an all-time high, and new construction is at an all-time low. To best address these issues, the Department of Transportation should consult with experts in moving people efficiently: the travel and tourism industry.

Creating a national advisory committee on travel and tourism will ensure that most knowledgeable private sector stakeholders have a role in the planning of our most important corridors.

Travel and tourism supports 15 million jobs in the United States and is important to every region of the country. Establishing a forum to collaborate, strategize, and develop infrastructure that allows the industry to exist is necessary to ensuring America's competitiveness in the tourism global market.

Determining a long-term plan for anything is rare here in Washington. That is exactly what this amendment does; it determines a long-term strategic plan for the travel and tourism industry.

Madam Chair, in my district in South Carolina, Myrtle Beach welcomes over 16 million visitors annually. Tourism is the driver of our economy in the Grand Strand. We are one of the most visited destinations in the country and do not have interstate ac-

cess. In fact, we are the most visited destination that does not have interstate access. If a destination attracts 16 million visitors without an interstate, imagine what areas like ours could do with one.

The national advisory committee on travel and tourism will identify, prioritize, and make recommendations to the DOT on areas in need of infrastructure advances, like Myrtle Beach, South Carolina. That is why I am a cosponsor of this important amendment.

Mr. SHUSTER. Madam Chair, again, I continue to oppose the amendment offered by the gentleman from Myrtle Beach, the gentlewoman from Las Vegas, and the gentlewoman from central Florida. I understand completely their concern with tourism.

As I pointed out earlier, this is already in the bill. I believe Ms. TITUS and Mr. WEBSTER got it into the bill in markup. So, again, this is redundant. This is not necessary. Section 1201 and section 1202 specifically add travel and tourism, so I believe it is in the bill.

I yield back the balance of my time.

Ms. BROWN of Florida. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. BROWN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. BROWN of Florida. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT NO. 16 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 114-325.

Mr. DESAULNIER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ____ . IDENTIFICATION OF ROADSIDE HIGHWAY SAFETY HARDWARE DEVICES.

(a) STUDY.—The Secretary shall conduct a study on methods for identifying roadside highway safety hardware devices to improve the data collected on the devices, as necessary for in-service evaluation of the devices.

(b) CONTENTS.—In conducting the study, the Secretary shall evaluate identification methods based on the ability of the method to—

(1) convey information on the devices, including manufacturing date, factory of origin, product brand, and model;

(2) withstand roadside conditions; and

(3) connect to State and regional inventories of similar devices.

(c) IDENTIFICATION METHODS.—The identification methods to be studied under this

section include stamped serial numbers, radio-frequency identification, and such other methods as the Secretary determines appropriate.

(d) REPORT TO CONGRESS.—Not later than January 1, 2018, the Secretary shall submit to Congress a report on the results of the study.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Madam Chair, this commonsense amendment directs the U.S. Department of Transportation to study ways to improve data collection on highway safety hardware devices. Today, these devices, which include guardrails, barriers, terminals, and railings, are critical to the safety of our roadways yet are often taken for granted.

In November of last year, Darryl Blackmon, a 24-year-old San Francisco Bay Area resident, a beloved family member who supported his mom, amongst other family members, community volunteer, and football star at Kansas State University, was killed in a collision with a guardrail that 40 States and the District of Columbia have stopped installing due to safety concerns.

In response to tragedies like Darryl Blackmon's death and thanks to a whistleblower who highlighted the fraudulent actions taken by this particular guardrail manufacturer, earlier this year, a Federal judge handed down a \$663 million judgment against the manufacturer for failing to disclose information to Federal and State regulators about modifications made to their guardrail specifications after they were approved by the Federal Highway Administration.

Despite Federal tests dating back to 2005, suggesting these guardrails are safe, just last month, Virginia's attorney general said that the guardrails tested by the Virginia Department of Transportation "failed miserably." According to media reports, more than 200,000 of these particular guardrails may still be in service on our Nation's highways. Unfortunately, there is no existing mechanism to accurately verify this number or locate all the guardrails. That is why this amendment is critically important. Without a practical mechanism for identifying defective guardrails, many States are still assessing their ability to remove defective products from our roadways and incurring additional liability.

Unfortunately, these events have highlighted the need to reform our current system of identifying and inventorying our highway hardware. This amendment makes progress towards reassessing FHWA's hardware review process to enhance accountability, promote transparency, and im-

prove responsiveness to future safety concerns.

It is critical to the safety of the traveling public that products installed on our roadways and using Federal dollars are properly evaluated and accounted for when safety concerns arise. Madam Chair, I urge my colleagues to support this commonsense amendment.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chair, I claim the time in opposition, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Madam Chair, I support the gentleman's amendment. It is a thoughtful amendment.

I yield back the balance of my time.

Mr. DESAULNIER. Madam Chair, I thank the chairman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DESAULNIER).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part B of House Report 114-325.

Mr. SCOTT of Virginia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ____ USE OF MODELING AND SIMULATION TECHNOLOGY.

It is the sense of Congress that the Department should utilize, to the fullest and most economically feasible extent practicable, modeling and simulation technology to analyze highway and public transportation projects authorized by this Act to ensure that these projects—

- (1) will increase transportation capacity and safety, alleviate congestion, and reduce travel time and environmental impacts; and
- (2) are as cost effective as practicable.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Madam Chair, this is a fairly simple amendment that I offer with my Virginia colleague, RANDY FORBES. It simply encourages the use of modeling and simulation technology in designing and analyzing federally funded transportation projects so that those projects can be most efficient and save money in the process.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chair, I claim the time in opposition, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Madam Chair, the gentleman's amendment is a smart, thoughtful amendment, and I support the amendment.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The amendment was agreed to.

AMENDMENT NO. 18 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part B of House Report 114-325.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 238, strike line 10 and all that follows through page 239, line 5, and insert the following:

- (1) by striking paragraph (4); and

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chair, my amendment represents an important effort to preserve the existing budget authority for the Transportation Infrastructure Finance and Innovation Act, TIFIA, program. In essence, this simple amendment would strike DOT's ability to reallocate budget authority for TIFIA, ensuring that this authority remains available for the TIFIA program.

The TIFIA program was first authorized by Congress in 1998 to fill a critical gap in financing for large-scale transportation projects. Since that time, the Department of Transportation has provided low-interest credit assistance to State and local governments in order to help finance projects of regional and national significance. Current law directs the Department of Transportation to redistribute uncommitted budget authority for TIFIA to States for use by their formula programs.

Due to unforeseen delays in allocating budget authority, DOT redistributed approximately \$640 million of budget authority for TIFIA as recently as April of this year. This reduced capacity for project financing will have serious consequences. Texas alone, for example, has more than \$1 billion in potential projects that will utilize the TIFIA program.

Make no mistake, this funding capacity has been lost not because of a lack

of demand for the program, but because of the inability to commit budget authority in a timely manner.

□ 1645

Unfortunately, the highway bill being considered on the floor also cuts TIFIA drastically from the current level of \$1 billion per year to just over \$200 million per year. Allowing a redistribution clause to remain in place could result in further cuts to the program. My amendment would simply protect what has proven to be an invaluable financing tool for State and local governments.

I urge the adoption of this amendment so that we can preserve the loan capacity for this time-tested program.

I want to express my appreciation to Chairman SHUSTER and Ranking Member DEFazio for supporting this amendment.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chairman, I claim the time in opposition, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Madam Chairman, the gentlewoman from Texas has been a long-term member of the committee, and she has thought this through well. We appreciate her bringing this amendment to the floor, and we support it.

I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chairman, I yield 1 minute to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. I thank my colleague for yielding.

Madam Chairman, I rise in strong support of the Johnson amendment, and I thank my colleague from Texas for offering it.

This amendment would allow unused TIFIA funds to be reprogrammed into—in other words, to be put back into—the TIFIA account.

The L.A. Metro, in my region, is one of the biggest recipients of the financing from TIFIA. TIFIA is an incredibly important tool in Los Angeles County that allows us to use our two transportation sales tax measures to complete projects in 10 years instead of 30 years. Speeding up project construction saves money in the long run, and it allows our transportation users the benefits of an improved multimodal system.

I understand the need to reduce TIFIA from \$1 billion to \$200 million for transportation funding in the underlying bill in order to provide for other important programs, such as a freight program. This amendment would help reduce the burden that decreased TIFIA funding will have on local communities.

Madam Chairman, I support the Johnson amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MR. WELCH

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part B of House Report 114-325.

Mr. WELCH. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3010 of division A.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Madam Chairman, one of the major challenges for a comprehensive transportation bill is to have it facilitate the creation of livable communities, and we have, across this country, more and more communities that, as part of creating that space for good transportation, want to include and have included bike paths.

Biking transportation has become a real attraction for younger people who are moving into urban areas. It is something that has taken cars off the road and has put people on bikes. People are getting exercise and are finding beautiful ways to get around their communities. It is something that adds to the overall quality of life in communities across the country. It used to be that biking was seen as something that just individuals would do. It is now seen, as a result of transportation policy, as integral to a livable community approach.

In the current legislation before us, the Federal match would be reduced from 90 and 95 percent to 80 percent. This amendment would propose to keep the status quo, keeping that Federal contribution at 90 to 95 percent. It makes a huge difference in our communities to get that extra boost as it makes a difference as to whether or not they can proceed on some bikeway improvements. So let's keep what we have. We have a good thing going. With this amendment, the ability to keep it going will be even stronger.

In Vermont, bike commuting has increased by over 70 percent from 2005 to 2014. Vermont has 19 bike and pedestrian facility projects across the State, totaling \$38.9 million. There is a lot of local money in that. By the way, the young and old and middle-aged are all getting out, taking advantage of those things. Burlington has proposed a fully integrated bike network, and this amendment would help that city in Vermont complete that goal.

The benefits to biking are tremendous. It is good for the environment. It

is good for us when we get on bikes and get a little exercise. It is a good healthcare benefit. It is good for taking cars and congestion off the road. There are incidental benefits and economic. It has been demonstrated in Vermont that there are significant revenue gains to local businesses by having as robust a bike system as we can have.

In summary, biking is integral in Vermont and in the Nation. EARL BLUMENAUER is the patron of biking in this country. It is a really big, important component, and I urge the passage of this amendment.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Madam Chairman, unfortunately, I rise in opposition to this amendment by my good friend from Vermont. I know there are a lot of health benefits and other benefits to this. The main reason that I rise in opposition is that, with the gentleman's amendment, there will be less money being invested in transit.

The higher Federal share means that a bike project can eat up the funds the transit agencies need to address their needs. In addition, this amendment would mean that a bicycle project gets a higher Federal share than the acquisition of an ADA-compliant vehicle, which will support mobility for disabled individuals.

Almost every other type of project we authorize in this bill—roads, bridges, bus stations—requires a partnership of up to 80 percent Federal, 20 percent non-Federal. These bike projects shouldn't be the exception; so I would urge all Members to oppose this amendment.

I reserve the balance of my time.

Mr. WELCH. Madam Chairman, may I inquire as to my remaining time.

The Acting CHAIR. The gentleman from Vermont has 2½ minutes remaining.

Mr. WELCH. Madam Chairman, I have one comment.

We have a budgetary issue because we don't have as robustly funded a transportation bill as we need. I appreciate the comments of the chairman of the committee, but that problem is something that is going to be hamstringing every activity we do, whether it is mass transit or bikes. My hope is that, by the end of this process, we are finally going to put the money into our infrastructure—every component of it that we need.

I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER), my friend, who we all know in the United States House of Representatives is the champion of bikers everywhere.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak and for his raising this issue.

Madam Chairman, it is important that we have a balanced transportation system, and there are already problems in terms of being able to promote non-motorized transportation in terms of bike and pedestrian. Being able to maintain the ability for the Federal funding, I think, is important. I don't think we should relegate this to being a second-class type of transportation.

I was in Brooklyn on Friday night, and people were engaged in their initiatives with cycling. I started the week in Dallas. Texas cities are incorporating these mechanisms into their basic approach to transportation.

This is not the end of the world, but I think it is ill-advised, and it is the wrong signal for us to be sending. There are several dozen women from the bicycle industry here—executives from companies—who are involved with hundreds of millions of dollars of economic activity. This is something that does not deserve to be downgraded. This is not going to upset the apple cart by any stretch of the imagination.

I appreciate my colleague for putting the spotlight on this. We are watching cycling explode from Washington, D.C., to Seattle, to Rochester, New York, to Indianapolis, Indiana. This is a small but important step backwards.

Mr. SHUSTER. Madam Chairman, I continue to oppose, and I urge all Members to oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. WELCH. I thank the gentleman from Oregon, and I reiterate his strong arguments.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The amendment was rejected.

AMENDMENT NO. 20 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in part B of House Report 114-325.

Ms. SEWELL of Alabama. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following:
SEC. _____. REPORT ON PARKING SAFETY.

(a) REPORT.—Not later than 8 months after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate regarding the safety of certain facilities and locations, focusing on any property damage, injuries or deaths, and other incidents that occur or originate at locations intended to encourage public use of alternative transportation, including—

(1) car pool lots;

(2) mass transit lots;

(3) local, State, or regional rail stations;

(4) rest stops;

(5) college or university lots;

(6) bike paths or walking trails; and

(7) any other locations that the Secretary considers appropriate.

(b) RECOMMENDATIONS.—Included with the report, the Secretary shall make recommendations to Congress on the best ways to use innovative technologies to increase safety and ensure a better response by transit security, local, State, and Federal law enforcement to address threats to public safety.

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from Alabama (Ms. SEWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Alabama.

Ms. SEWELL of Alabama. Madam Chairman, I am offering this amendment on behalf of myself and as the designee of the gentlewoman from Texas, Congresswoman SHEILA JACKSON LEE.

I wish to thank the chair and the ranking member of the Rules Committee for making this amendment in order.

I want to thank the Transportation and Infrastructure chairman, BILL SHUSTER, as well as the ranking member, PETER DEFAZIO, for their efforts to bring the Surface Transportation Reauthorization and Reform Act to the floor. I thank them for this opportunity to explain the Jackson Lee-Sewell amendment, which makes a good bill even better by ensuring that the national goals of strengthening our Nation's transportation and infrastructure is aided by innovation.

The Jackson Lee-Sewell amendment improves this good bill by ensuring that the goals of improving transportation efficiency and safety take into consideration the topic of rest stop and other parking and the topic of public safety.

This amendment seeks a public safety report to be provided to the House and the Senate Transportation Committees on the security of locations that are intended to encourage the public use of alternative transportation as well as personal transportation parking areas. More than 1 in 10 property crimes occurs in parking lots or in garages, and this study will provide an opportunity for Congress to do more to enhance the safety of parking areas that are used by the most vulnerable in our communities: students, women, seniors, the disabled, and other vulnerable members of the public.

The Jackson Lee-Sewell amendment will make surface transportation travel safer. More importantly, it will increase safety for the traveling public, especially for women, seniors, students, disabled persons, and children.

Madam Chairman, I ask my colleagues to support the Jackson Lee-Sewell amendment.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chairman, I claim the time in opposition, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Madam Chairman, I think the gentlewoman from Alabama offers a sound safety provision, and I support the amendment.

I yield back the balance of my time.

Ms. SEWELL of Alabama. I thank the chairman for his agreeing to the Jackson Lee-Sewell amendment.

Madam Chairman, I yield back the balance of my time.

Ms. JACKSON LEE. Madam Chair, I am offering this amendment on behalf of Congresswoman SEWELL and myself.

I wish to thank the Chair and Ranking Member of the Rules Committee for making this Amendment in order.

I thank Transportation and Infrastructure Chairman BILL SHUSTER and Ranking Member PETER A. DEFAZIO for their efforts to bring the Surface Transportation Reauthorization and Reform Act to the floor.

I thank them all for this opportunity to explain the Jackson Lee/Sewell Amendments, which makes a good bill even better by ensuring that the national goals of strengthening our nation's transportation and infrastructure is aided by innovation.

The work of the Transportation and Infrastructure Committee in bringing this bipartisan forward thinking bill to the floor is appreciated.

This Jackson Lee/Sewell amendment improves this good bill by ensuring that the goals of improving transportation efficiency and safety take into consideration the topic of rest stop, and other parking and the topic of public safety.

This Amendment seeks a public safety report to be provided to the House and Senate Transportation Committees on the security of locations that are intended to encourage public use of alternative transportation, as well as personal transportation parking areas.

An essential part of the success of public transportation usage is the ability of automobile drivers to park their vehicles in safety.

More than 1 in 10 property crimes occur in parking lots or garages.

The report will provide an opportunity for Congress to do more to enhance the safety of parking areas that are used by students, women, seniors, disabled, and other vulnerable members of the public.

The Bureau of Justice Statistics provides a detailed report on the place of occurrence for violent and property crimes from 2004 through 2008.

For example, purse snatchings and pocket pickings typically occur away from home.

According to Bureau of Justice Statistics 28.2% of purses snatched occur in open areas such as the street or on public transportation.

This amendment will lead to enhanced safety of car pool parking lots, mass transit parking; local, state, and regional rail station parking; college or university parking; bike paths, walking trails, and other locations the Secretary deems appropriate.

The Bureau of Justice Statistics reports that victimization and property crimes occurring between 2004 and 2008 in parking lots and garages include: 213,540 victimization crimes that occurred in noncommercial parking lots and garages; and 864,190 property crimes.

The Bureau's report on victimization crimes that occur at public transportation or in stations was 49,910 and property crimes was 132,190.

The Jackson Lee/Sewell Amendment will make surface transportation travel safer.

More importantly, it will increase Safety of the traveling public, especially women, seniors, students, disabled persons, and children.

Madam Chair, I ask my colleagues to support the Jackson Lee/Sewell amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL).

The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part B of House Report 114-325.

Ms. SEWELL of Alabama. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 315, after line 20, insert the following:
SEC. 3024. REPORT ON POTENTIAL OF INTERNET OF THINGS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall submit to Congress a report on the potential of the Internet of Things to improve transportation services in rural, suburban, and urban areas. Such report shall include—

(1) a survey of the communities, cities, and States that are using innovative transportation systems to meet the needs of ageing populations;

(2) best practices to protect privacy and security determined as a result of such survey;

(3) recommendations with respect to the potential of the Internet of Things to assist local, State, and Federal planners to develop more efficient and accurate projections of the transportation needs of rural, suburban, and urban communities.

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from Alabama (Ms. SEWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Alabama.

Ms. SEWELL of Alabama. Madam Chairman, I am offering this amendment on behalf of myself and as the designee of the gentlewoman from Texas, Congresswoman SHEILA JACKSON LEE.

Once again, I want to thank the chair and ranking member of the Rules Committee for making this amendment in order.

I thank the Transportation and Infrastructure Committee chairman, BILL SHUSTER, as well as the ranking member, PETER DEFAZIO, for their bipartisan work in bringing the Surface

Transportation Reauthorization and Reform Act to the floor.

This Jackson Lee-Sewell amendment provides a report to Congress from the Secretary of the Department of Transportation on the Internet of Things, IoT, as to its potential to improve transportation services to the elderly and persons with disabilities as well as to assist local, State, and Federal transportation planners in achieving better efficiencies and cost savings by protecting privacy and the security of persons who use IoT technology.

The IoT refers to the wireless environment that will support the networking of physical objects—or things—embedded with wireless electronic components, software sensors, and network connectivity. The IoT will introduce the functionality of computing into physical space as computing technology is integrated into devices and systems.

This Jackson Lee-Sewell amendment will allow Congress to take into consideration how IoT technologies can be used to make public transportation safer and more convenient to the elderly and to the disabled and how it may improve mass personal transportation efficiencies.

□ 1700

This Jackson Lee-Sewell amendment will help ensure that we harness the benefit of the Internet of things for the traveling public and minimize the threats to privacy and cybersecurity presented by this new technology.

I include in the RECORD, first, an article entitled “How the Internet of Things is Improving Transportation and Logistics” and, secondly, an article entitled, “Mapping IoT into Today's Urban Transportation Systems.”

[From SupplyChain247, Sept. 9, 2015]

HOW THE INTERNET OF THINGS IS IMPROVING TRANSPORTATION AND LOGISTICS

Whether by air, ground or sea, transportation and logistics are essential components to many enterprises' productivity, and access to real-time data is critical.

Many businesses have already discovered the advantages of using mobile technologies; however, the unpredictable nature of fuel costs, rising labor rates, increased traffic and a changing regulatory environment, continue to make operations challenging.

What's more, inefficiencies caused by a lack of visibility create considerable costs.

As industry regulations force transportation and logistics organizations to do more with less, profitability is threatened. However, with visibility into personnel, equipment and transactions, enterprises can better support peak operations in real time—improving operational efficiency and performance.

With the advent of today's mobile technologies and the Internet of Things (IoT), enterprises can accelerate productivity, profitability and operations with solutions designed specifically for their processes. With the right IoT solution in place, enterprises can connect all devices across a centralized cloud network, and capture and share their mission-critical data, allowing them to gain real-time visibility of their operations.

This actionable insight is what provides organizations the Enterprise Asset Intelligence they need to make improvements. This enhanced business knowledge can be gained through a set of enabling technologies in the areas of asset management, cloud, mobile and Big Data.

By leveraging Enterprise Asset Intelligence, transportation and logistics can dramatically improve the following areas:

I. END-TO-END VISIBILITY

Transportation and logistics businesses around the globe are focused on maximizing supply chain efficiency in order to sustain profitability and viability.

However, to reach this level of performance, they need to make end-to-end improvements. Complete visibility facilitates more effective, timely decisions and reduces delays through quicker detection of issues.

Mobile devices, such as radio frequency identification (RFID), barcode scanners and mobile computers, have become a major influence in supply chain visibility and operations. Many transportation and logistics companies using RFID today are reaching nearly 100 percent shipping and receiving accuracy, 99.5 percent inventory accuracy, 30 percent faster order processing and 30 percent reduction in labor costs.

Mobile technologies provide businesses line of sight into equipment, inventory and business processes. This asset intelligence allows organizations to increase their efficiency by providing them real-time data across their entire supply chain.

Though these types of solutions have already helped transportation and logistics businesses make improvements over the years, leveraging them with enabling technologies like the IoT can deliver even more asset intelligence, leading to more informed decisions.

II. WAREHOUSE AND YARD MANAGEMENT

The warehouse and/or yard are at the core of transportation and logistics businesses. Their efficiency directly impacts the cost of doing business and the ability to compete. With IoT-enabled mobile devices designed to track inventory data, equipment and vehicles, enterprises can give their physical assets a digital voice.

By converting the physical to digital, transportation and logistics warehouses can capture and share their mission-critical data across the cloud, ensuring they have the right products in the right place at the right time.

Yard personnel are frequently moving around on foot or in vehicles, manually conducting their routine tasks. This process is time intensive and prone to error which causes a number of visibility-related problems including redundant trailer moves, yard gate congestion, product shrinkage, wasted fuel and lost time. To address these issues, organizations across the supply chain implement RFID systems that automate asset tracking and location.

By reducing human intervention and enabling more machine-to-machine information sharing, enterprises can greatly increase efficiency and accuracy.

III. FLEET MANAGEMENT

When it comes to transportation and logistics, fleet management plays a critical role in managing maintenance schedules, everyday vehicle usage and service routes. In order to maximize productivity and operational efficiency, fleet downtime must be minimized. With mobile scanners, computers and RFID systems alone, enterprises can gain visibility into their assets and better

streamline operations to keep their fleet moving.

By replacing manual and hard-copy work orders with mobile devices, technicians save time and increase data accuracy. Furthermore, with realtime, accurate insight into maintenance history, parts availability and inventory records, technicians can relay information back to their central database.

By leveraging connected, mobile devices, enterprises can capture, share and manage data around their moving assets across the enterprise. Connectivity also enables enterprises to communicate with their technicians (drivers) anytime, anywhere, allowing them to be proactive with in-field repairs, maintenance, etc. With real-time updates on certain conditions such as bad weather or traffic, fleet technicians can better respond and/or prepare.

For field technicians, real-time visibility into driver and vehicle performance is critical. This visibility can be used to increase the safety of technicians, reduce damaged inventory and decrease insurance-related costs all of which are critical to an enterprise's bottom line. Additionally, with real-time insight, technicians and drivers can respond to customer service inquiries in a timely manner. This helps personnel know when and where to allocate their time—improving the organization's overall performance and customer service.

Furthermore, with the ability to securely monitor their equipment and environment in real time, field service technicians can take action before problems arise. With the IoT, companies can gain intelligence remotely around their assets in the field, allowing them to facilitate needbased maintenance and eliminating unnecessary and/or reactive responses.

Advances in mobile technology and the IoT are dramatically improving the way transportation and logistics businesses operate. The Enterprise Asset Intelligence delivered through these solutions is what enables organizations to pinpoint inefficiencies in real time, improving throughput and helping them build progressive plans to move toward innovation.

[From MassTransitMag.com, Nov. 2, 2015]

MAPPING IOT INTO TODAY'S URBAN TRANSPORTATION SYSTEMS

(By Ashwini Chharia)

Today, more than 54 percent of the world's population lives in urban areas, a number that is expected to increase to 66 percent in the coming decades. This results initially in higher urban density, followed by urban sprawl as people and businesses expand beyond the initial city boundaries. Such urban growth and sprawl results in a society with considerably more vehicles on the roads, amidst an increasing demand from commuters for faster and alternate transportation channels. We can all relate to experiencing more congestion, increased accidents and road construction, all of which are also resulting in safety issues and increase the amount of time the average person spends commuting. Traffic congestion wastes energy, contributes to global warming and costs individuals and businesses time and money.

Using mobile applications, users are promised real-time travel information in order to reach a destination in an efficient amount of time. Yet, even using map applications many people still find themselves spending an inordinate amount of time in commute due to traffic, accidents and other disruptions. Cities are also increasingly forced to compete

amongst themselves to attract residents and businesses and be considered a more desirable place to live and work. A city's transportation and communication infrastructure is an important consideration that has direct and indirect economic impacts for government, businesses and residents.

To meet rising demand, cities require infrastructures and systems that are connected, energy-conscious and intelligent enough to quickly react to everyday traffic situations. This includes supporting machine-to-machine interactions that allow travelers to quickly reroute their trip or plan to take alternate transportation, should a disruption arise. Critical to achieving this is a strong foundation of information and communications technology (ICT), and resource management systems that operate under a supportive policy framework and enable an expanded public-private cooperation. This communication infrastructure needs to support reliable high-speed transmission of vast amounts of data and enable communication across people, organizations and systems. For example, intelligent traffic management systems that use wirelessly managed traffic lights at interchanges to help reduce congestion require a robust infrastructure that permits them to transmit large volumes of signal and video data to traffic control centers.

Mobile technologies today are already enabling residents to quickly inform and be informed of traffic situations and patterns that are emerging during their commute. In a traffic incident or natural catastrophe situation, mobile technologies provide a means for interactive exchange of information and quick guidance and action from other parties, such as medical and law enforcement organizations and insurance companies. With intelligent transportation systems that can be used for traffic management and are available on a cloud platform, even smartphones can be used to manage the traffic system at any time.

Ms. SEWELL of Alabama. I yield back the balance of my time.

Mr. SHUSTER. Madam Chair, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, the gentleman has a solid, sound amendment, and I support it.

I yield back the balance of my time.

Ms. JACKSON LEE. Madam Chair, I am offering this amendment on behalf of Congresswoman SEWELL and myself.

Once again, I wish to thank the Chair and Ranking Member of the Rules Committee for making this Amendment in order.

I thank the Transportation and Infrastructure Committee Chairman BILL SHUSTER and Ranking Member PETER A. DEFAZIO for their bipartisan work to bring the Surface Transportation Reauthorization and Reform Act to the floor.

This Jackson Lee/Sewell Amendment provides a report to Congress from the Secretary of the Department of Transportation on the "Internet of Things" (IoT) and its potential to improve transportation services to the elderly and persons with disabilities as well as assist local, state and federal transportation planners in achieving better efficiencies and cost effectiveness, while protecting privacy and security of persons who use IoT technology.

The IoT refers to the wireless environment that will support networking of physical objects or "things" embedded with wireless electronic components, software, sensors, and network connectivity technology, which enables these objects to collect and exchange data on people, places and things.

The IoT will introduce the functionality of computing into physical space as computing technology is integrated into devices and systems.

It will also challenge the privacy and security of users of the technology if precautions are not taken to ensure that information on these devices is not protected.

This Jackson Lee/Sewell amendment will allow Congress to take into consideration how IoT technologies can be used to make public transportation, safer, more convenient to the elderly and disabled, and how it may improve mass and personal transportation efficiency.

The ability to include wireless technology into physical things or support communication among digital devices that may be nearby or at distances will offer many benefits to consumers.

IoT products are already being deployed for personal, recreational, city planning, public safety, energy consumption management, healthcare, and many other applications.

Today, local governments are working to incorporate IoT services into transportation; garbage pickup, as well as the provision of wireless connectivity for their residents.

The Jackson Lee/Sewell Amendment will help ensure that we harness the benefits of the "Internet of Things" for the traveling public and minimize the threats to privacy and cybersecurity presented by this new and exciting technology.

I urge support for the Jackson Lee/Sewell Amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Ms. SEWELL).

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR.
BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part B of House Report 114-325.

Mr. BLUMENAUER. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 326, line 10, strike "13 percent" and insert "11 percent".

Page 326, beginning line 18, strike "14.5 percent" and insert "13.5 percent".

Page 326, line 25, strike "52.5 percent" and insert "50.5 percent".

Page 327, line 20, strike "5 percent" and insert "10 percent".

Page 348, line 17, strike "15 percent" and insert "2 percent".

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Madam Chair, I appreciate the work that has been done

in this underlying legislation to put more national priority dealing with nonmotorized safety.

This new program gives States funding for Vision-Zero-type activities that are on the forefront of what is happening in communities around the country that are not accepting the carnage on the highways for pedestrians and cyclists being able to use these tools, to be able to re-engineer and to enforce and protect some of our most vulnerable citizens.

Being struck by a motor vehicle is the leading cause of injury-related death for children under 14, and being struck by a motor vehicle is the second-leading cause of injury-related death for senior citizens. This is our young and our old.

In low-income neighborhoods, there is a much higher pedestrian fatality rate than in higher income areas. Fatalities on our roadways have declined overall, but the number of pedestrians killed annually rose 16 percent over the course of the last 5 years.

We spend billions of dollars on surface transportation every year, not as much as we should, but a significant amount of money. Yet, we are spending less than a billion on critical bike and pedestrian Federal projects.

That is why I strongly support the new nonmotorized public safety program. However, I have one modest concern. Only States where 15 percent or more of the traffic fatalities are nonmotorized are eligible for this funding. My reckoning is that only 20 States and the District of Columbia would qualify. This seems backwards to me.

When we have this carnage occurring in communities large and small across the country, this provision would actually reward States with Federal money that are more dangerous for bicyclists and pedestrians and doesn't provide incentives for those States who have lowered the number of bike and pedestrian incidents and are working to move forward.

I have introduced this legislation with my colleague, Congressman BUCHANAN of Florida, who is the co-chair of the Bike Caucus, to make this funding available to virtually every State by lowering the eligibility threshold to 2 percent of the fatalities and double the funding for a nonmotorized safety program.

Madam Chair, this is serious business. I have encountered people from around the country who are part of this revolution in terms of enhancing bike and pedestrian facilities. This Congress has been in the forefront of moving it forward. I think extending the eligibility of this program would be in keeping with this record of accomplishment.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chair, I claim time in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Madam Chair, I do oppose this amendment.

In this bill, we have created a competitive grant program for nonmotorized users. In this program, it stood up for the first time. We should let NHTSA stand this program up before we judge the success and before we award it more funding.

This amendment would cut funding for critical safety programs that keep drunk drivers off our highways, encourage seat belt use, and improve State safety data programs. The funds would be reallocated in a new program created in this bill, as I mentioned, to focus on bike and pedestrian safety.

I commend the gentleman for his passion and commitment to cyclists and their safety, but this is a new program that has been set up. So I would just urge that we should let NHTSA stand the program up and then judge its success and whether we should allocate more money or not.

I oppose the amendment.

I yield back the balance of my time.

Mr. BLUMENAUER. Madam Chair, I appreciate what the committee has done putting this new program in. I think it is important. I look forward to its success.

Since it is a competitive grant program, allowing most States to be eligible doesn't take that away.

The other areas that the gentleman is talking about have much more generous funding than programs that hit our youth and our senior citizens in term of bike and pedestrian.

I think, by any rational reallocation, we would be putting more in. This is a drop in the bucket, \$28 million overall. It would be money well spent and would allow the program to be able to evaluate which programs are the best, particularly some that have successfully lowered their accident rate a little bit below the 15 percent threshold. Maybe they have got something going. Maybe they have got something that we could use for national applications.

I respectfully request that the amendment be approved.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was rejected.

AMENDMENT NO. 23 OFFERED BY MRS. KIRKPATRICK

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part B of House Report 114-325.

Mrs. KIRKPATRICK. Madam Chair, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 333, line 18, strike "OR STOPPED IN TRAFFIC".

Page 333, line 22, strike "or stopped in traffic".

Page 333, line 24, strike "and".

Page 334, line 2, strike the period and insert "; and".

Page 334, after line 2, insert the following: "(D) does not provide for an exemption that specifically allows a driver to text through a personal wireless communication device while stopped in traffic."

Page 334, line 9, strike "or stopped in traffic" and insert "if the driver is".

Page 334, line 15, strike "and"

Page 334, line 16, strike "first".

Page 334, line 17, strike the period and insert "; and".

Page 334, after line 17, insert the following: "(D) does not provide for an exemption that specifically allows a driver to text through a personal wireless communication device while stopped in traffic."

Page 337, beginning on line 14, strike ", including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise".

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from Arizona (Mrs. KIRKPATRICK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Arizona.

Mrs. KIRKPATRICK. Madam Chair, I thank Chairman SHUSTER, Ranking Member DEFAZIO, Subcommittee Chair GRAVES, and Subcommittee Ranking Member HOLMES NORTON for accepting my amendment on distracted driving.

Madam Chair, texting is an extremely dangerous activity as it requires drivers to take their eyes, hands, and minds off the task of driving. Drivers aged 16 to 24 have the highest propensity to text while driving. Cell phone conversations with handheld or hands-free devices are dangerous as well, especially for young, novice drivers.

A Carnegie Mellon University study of MRIs shows that the area of the brain responsible for processing moving visual information, a vital part of driving, has 37 percent less capacity when talking on the phone. A driver texting may miss seeing up to 50 percent of his or her driving environment, even when looking through the windshield. This includes stop signs, pedestrians, and red lights, according to the University of Utah Applied Cognition Laboratory.

This simple, commonsense amendment ensures that States that have enacted texting and teen cell phone bans qualify for incentive grant funding. This amendment will also allow additional States to qualify for distracted driving incentive grant funding while maintaining the core safety requirement of the grant.

The amendment has the support of AAA, Advocates for Highway and Auto Safety, Governors Highway Safety Association, MADD, the National Safety Council, and Safe Kids Worldwide.

We want to ensure that States that make necessary improvements to their distracted driving laws qualify for incentive grant funding.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chair, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Madam Chair, this amendment makes an important change to the distracted driver incentive grant program that will ensure more States can qualify for funding.

It is a good amendment. I urge its adoption.

I yield back the balance of my time.

Mrs. KIRKPATRICK. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Arizona (Mrs. KIRKPATRICK).

The amendment was agreed to.

AMENDMENT NO. 24 OFFERED BY MISS RICE OF NEW YORK

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in part B of House Report 114-325.

Miss RICE of New York. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 340, strike line 9 and all that follows through page 347, line 25, and insert the following:

(f) STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT.—Section 405(g)(2) of title 23, United States Code, is amended—

(1) in subparagraph (A) by striking “21” and inserting “18”; and

(2) by striking subparagraph (B) and inserting the following:

“(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State’s driver’s license laws include—

“(i) a learner’s permit stage that—

“(I) is at least 6 months in duration;

“(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

“(III) requires applicants to successfully pass a vision and knowledge assessment prior to receiving a learner’s permit;

“(IV) requires that the driver be accompanied and supervised at all times while the driver is operating a motor vehicle by a licensed driver who is at least 21 years of age or is a State-certified driving instructor;

“(V) has a requirement that the driver—

“(aa) complete a State-certified driver education or training course; or

“(bb) obtain at least 50 hours of behind-the-wheel training, with at least 10 hours at night, with a licensed driver; and

“(VI) remains in effect until the driver—

“(aa) reaches 16 years of age and enters the intermediate stage; or

“(bb) reaches 18 years of age;

“(ii) an intermediate stage that—

“(I) commences immediately after the expiration of the learner’s permit stage and successful completion of a driving skills assessment;

“(II) is at least 6 months in duration;

“(III) prohibits the driver from using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

“(IV) for the first 6 month of the intermediate stage, restricts driving at night between the hours of 10:00 p.m. and 5:00 a.m. when not supervised by a licensed driver 21 years of age or older, excluding transportation to work, school, religious activities, or emergencies;

“(V) prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

“(VI) remains in effect until the driver reaches 17 years of age; and

“(iii) a learner’s permit and intermediate stage that require, in addition to any other penalties imposed by State law, the granting of an unrestricted driver’s license be automatically delayed for any individual who, during the learner’s permit or intermediate stage, is convicted of a driving-related offense during the first 6 months, including—

“(I) driving while intoxicated;

“(II) misrepresentation of the individual’s age;

“(III) reckless driving;

“(IV) driving without wearing a seat belt;

“(V) speeding; or

“(VI) any other driving-related offense, as determined by the Secretary.”

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from New York (Miss RICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Miss RICE of New York. Madam Chairwoman, over the course of my career, one issue that has taken on tremendous importance to me is reducing the number of traffic fatalities that occur on our roads and highways.

One of the ways we can keep making progress in this area is by focusing on young drivers. As any parent with a teenaged child can tell you, young people do not have the knowledge, experience, and maturity to drive safely 100 percent of the time, and that can have deadly consequences for themselves and for others.

In 2013, more than 4,000 people were killed in crashes involving teen drivers. For drivers aged 16 to 19, the fatal crash risk is three times higher than for drivers over age 20.

My amendment will help reduce those risks by encouraging all 50 States to adopt core graduated driver’s license requirements that we know will help keep teens safe as they learn to drive.

This amendment encourages States to enact meaningful requirements to help keep everyone safe on our roads. The amendment would require young drivers to go through two stages of licensing, a learner’s permit followed by an intermediate stage.

Drivers must have a learner’s permit for at least 6 months. They have to

pass vision and knowledge tests. They have to be supervised when they drive. They have to gain 50 hours of experience behind the wheel, with 10 of those hours at night.

They must be strictly prohibited from using a cell phone or other device while driving, as all drivers should be, regardless of age, because even the most experienced driver in the world becomes dangerous when they are texting or taking selfies behind the wheel of a car.

A learner who passes a driving test advances to the intermediate stage, which lasts at least another 6 months. The cell phone ban remains in place, and violating that restriction must be a primary offense.

Intermediate drivers cannot drive after 10 p.m., with reasonable exceptions. Eighty percent of crashes involving 16- and 17-year-old drivers happen between 9 o’clock at night and midnight, and this restriction reduces crashes by up to 60 percent during the overnight hours.

Intermediate drivers cannot have any drunk driving violations, fake ID violations, reckless driving, failure to wear a seat belt, speeding, or other violations.

These are some of the very basic requirements that we know are necessary to help keep young people safe as they learn how to drive. This should be the law in every American State.

My amendment helps move us toward that goal by providing grant funding to States that adopt and implement these requirements in full.

I want to note that this amendment is supported by the National Safety Council, as well as AAA, Advocates for Highway and Auto Safety, the Governors Highway Safety Association, Mothers Against Drunk Driving, and Safe Kids Worldwide.

The language in this amendment is the same as the language in the DRIVE Act, which passed in the Senate with overwhelming bipartisan support.

I believe it deserves the same bipartisan support in the House. I urge my colleagues to vote for this amendment.

I reserve the balance of my time.

□ 1715

Mr. SHUSTER. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Madam Chair, this amendment would actually gut the reforms in this bill that ensures more States with graduated driver’s license programs can qualify for these important safety grant funding programs.

MAP-21 established an incentive grant program to improve teen driver safety by encouraging States to adopt graduated driver’s license programs. Unfortunately, the Federal requirements for the program were too prescriptive, which happens so many

times we put out something. As a result, over 40 States have graduated driver's license programs in place today. None of them qualified for grant funds in 2014.

The STRR Act reforms the Federal requirements and ensures more States will qualify for funding.

This amendment does little to reform the Federal requirements. Few, if any, States will qualify for funds if this amendment passes.

I urge all my colleagues to oppose this amendment.

Madam Chair, I reserve the balance of my time.

Miss RICE of New York. Madam Chairwoman, I ask the Chairman if he would be willing to work with us in conference on this.

I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Madam Chair, I would be glad to continue to work with the gentlewoman on this. The issue is important. Again, I think we have reforms in here. We would love to work with the gentlewoman and move this forward to make sure that these reforms get into place when we have a final bill on the floor.

Miss RICE of New York. Madam Chair, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Chair understands that amendment No. 25 will not be offered.

AMENDMENT NO. 26 OFFERED BY MR. DUNCAN OF TENNESSEE

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in part B of House Report 114-325.

Mr. DUNCAN of Tennessee. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title V, add the following:

SEC. ____ . SAFETY STUDY REGARDING DOUBLE-DECKER MOTORCOACHES.

(a) **STUDY.**—The Secretary of Transportation, in consultation with State transportation safety officials, shall conduct a study regarding the safety operations, fire suppression capability, tire loads, and pavement impacts of operating a double-decker motorcoach equipped with a device designed by the motorcoach manufacturer to attach to the rear of the motorcoach for use in transporting passenger baggage.

(b) **REPORT.**—Not later than 6 months after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study to—

(1) the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) the Committee on Commerce, Science, and Transportation of the Senate.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman

from Tennessee (Mr. DUNCAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. DUNCAN of Tennessee. Madam Chairman, my amendment requires the Department of Transportation to conduct a study on the operations of a double-decker motorcoach equipped with a luggage carrier on the rear of the vehicle. The Department of Transportation will be required to report its findings back to the Congress 60 days after the enactment of the bill.

Federal law does not limit the length of buses but provides that States cannot limit buses to less than 45 feet. A majority, but not all, States adopted laws providing for a 45-foot maximum limit for buses years ago when all intercity buses were no longer than that length. However, the 45-foot limits in these States effectively precludes the attachment of a luggage carrier, known commonly as a luggage box, to the back of modern double-decker intercity motorcoaches of the sort now used by several intercity bus companies because the luggage boxes extend the bus by about 2 feet and several inches over the 45-foot limit.

Luggage boxes have been in use, Madam Chairwoman, for many years in Europe, where they are used by over 600 bus operators. They are also currently in use in Florida and Georgia, neither of which State has a 45-foot bus length limit. Even with the luggage box, these buses are much shorter than most truck-trailer combinations.

Further, an intensive study undertaken by two respected ex-NHTSA engineers last year has confirmed that the luggage box poses no hazard to the bus, its passengers, or highway safety. In fact, no Federal or State vehicle safety agency has raised any objection to the use of the luggage box.

While there is no evidence that the use of these luggage boxes is unsafe, I do think we would benefit from an independent study by the Department of Transportation so everyone will be completely assured that there is no safety risk involved in these luggage boxes at all.

I hope my colleagues will support this very minor amendment to have the Department of Transportation conduct this study.

Madam Chair, I reserve the balance of my time.

Mr. DEFAZIO. Madam Chairman, I claim the time in opposition to the amendment, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Madam Chair, I congratulate the gentleman on his amendment. I think that this will help provide us with more factual knowledge in

terms of looking at any future changes as might relate to these sorts of buses and also will provide useful information to consumers. I think it is very well thought out, and I congratulate the gentleman. I urge support of the amendment.

Madam Chair, I yield back the balance of my time.

Mr. DUNCAN of Tennessee. Madam Chair, I certainly appreciate that support from the ranking member, Mr. DEFAZIO. I urge passage of this amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. DUNCAN).

The amendment was agreed to.

AMENDMENT NO. 27 OFFERED BY MRS. COMSTOCK

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in part B of House Report 114-325.

Mrs. COMSTOCK. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 494, lines 13 through 18, amend paragraph (2) to read as follows:

“(2) **RESTRICTION.**—

“(A) **LIMITATION.**—A lead institution of a consortium of nonprofit institutions of higher education, as applicable, may only submit 1 grant application per fiscal year for each of the transportation centers described under paragraphs (2), (3), and (4) of subsection (c).

“(B) **EXCEPTION FOR CONSORTIUM MEMBERS THAT ARE NOT LEAD INSTITUTIONS.**—Subparagraph (A) shall not apply to a nonprofit institution of higher education that is a member of a consortium of nonprofit institutions of higher education but not the lead institution of such consortium.

Page 502, line 10, insert “, congestion, connected vehicles, connected infrastructure, and autonomous vehicles” after “transportation safety”.

Page 525, after line 16, insert the following:
SEC. 6027. TRANSPORTATION RESEARCH AND DEVELOPMENT 5-YEAR STRATEGIC PLAN.

(a) **IN GENERAL.**—The Secretary shall develop a 5-year transportation research and development strategic plan for fiscal years 2018 through 2022 to guide future Federal transportation research and development activities.

(b) **CONSISTENCY.**—The strategic plan developed under subsection (a) shall be consistent with—

(1) section 306 of title 5, United States Code;

(2) sections 1115 and 1116 of title 31, United States Code;

(3) section 508 of title 23, United States Code; and

(4) any other research and development plan within the Department.

(c) **CONTENTS.**—The strategic plan developed under subsection (a) shall—

(1) describe the primary purposes of the transportation research and development program;

(2) list the proposed research and development activities that the Department intends to pursue to accomplish under the strategic plan, which may include—

(A) fundamental research pertaining to the applied physical and natural sciences;

(B) applied science and research;

(C) technology development research; and

(D) social science research; and

(3) for each research and development activity—

(A) identify the anticipated annual funding levels for the period covered by the strategic plan; and

(B) describe the research findings the Department expects to discover at the end of the period covered by the strategic plan.

(d) **CONSIDERATIONS.**—The Secretary shall ensure that the strategic plan developed under this section—

(1) reflects input from external stakeholders;

(2) includes and integrates the research and development programs of all of the Department's modal administrations and joint programs;

(3) takes into account research and development by other Federal, State, local, private sector, and nonprofit institutions; and

(4) is published on a public website by December 31, 2016.

(e) **REPORT.**—

(1) **NATIONAL RESEARCH COUNCIL REVIEW.**—The Secretary shall enter into an agreement with the National Research Council for a review and analysis of the Department's 5-year research and development strategic plan described in this section. By March 31, 2017, the Secretary shall publish on a public website the National Research Council's analysis of the Department's plan.

(2) **INTERIM REPORT.**—By June 30, 2019, the Secretary shall publish on a public website an interim report that—

(A) provides an assessment of the Department's 5-year research and development strategic plan described in this section that includes a description of the extent to which the research and development is or is not successfully meeting the purposes described under subsection (c)(1); and

(B) addresses any concerns and identifies any gaps that may have been raised by the National Research Council analysis under paragraph (1), including how the plan is or is not responsive to the National Research Council review.

SEC. 6028. TRAFFIC CONGESTION.

(a) **CONGESTION RESEARCH.**—The Assistant Secretary may conduct research on the reduction of traffic congestion.

(b) **CONSIDERATION.**—The Assistant Secretary shall—

(1) recommend research to accelerate the adoption of transportation management systems that allow traffic to flow in the safest and most efficient manner possible while alleviating current and future traffic congestion challenges;

(2) assess and analyze traffic, transit, and freight data from various sources relevant to efforts to reduce traffic congestion so as to maximize mobility, efficiency, and capacity while decreasing congestion and travel times;

(3) examine the use and integration of multiple data types from multiple sources and technologies, including road weather data, private vehicle (including Global Positioning System) data, arterial and highway traffic conditions, transit vehicle arrival and departure times, real time navigation routing, construction zone information, and reports of incidents, to suggest improvements in effective communication of such data and information in real time;

(4) develop and disseminate suggested strategies and solutions to reduce congestion

for high-density traffic regions and to provide mobility in the event of an emergency or natural disaster; and

(5) collaborate with other relevant Federal agencies, State and local agencies, industry and industry associations, and university research centers to fulfill goals and objectives under this section.

(c) **IDENTIFYING INFORMATION.**—The Assistant Secretary shall ensure that information used pursuant to this section does not contain identifying information of any individual.

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Assistant Secretary shall make available on a public website a report on its activities under this section.

SEC. 6029. RAIL SAFETY.

Not later than 1 year after the date of enactment of this Act, the Assistant Secretary of Transportation for Research and Technology may transmit to Congress a report containing—

(1) the results of a study to examine the state of rail safety technologies and an analysis of whether the passenger, commuter, and transit rail transportation industries are keeping up with innovations in technologies to make rail cars safer for passengers and transport of commerce; and

(2) a determination of how much additional time and public and private resources will be required for railroad carriers to meet the positive train control system implementation requirements under section 20157 of title 49, United States Code.

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from Virginia (Mrs. COMSTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Virginia.

Mrs. COMSTOCK. Madam Chair, I rise today in support of my amendment, which incorporates important provisions from a bill of mine, H.R. 3585, the Surface Transportation Research and Development Act of 2015.

I appreciate that I serve on two committees that are very important to my district: the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology. I am also honored to chair the Subcommittee on Research and Technology, which came together to pass this measure.

This amendment, which consists of parts of this bill, is common sense and bipartisan. It provides for more and better solutions to ease traffic congestion and provide key research for transportation.

The first part of the amendment further clarifies language in the underlying bill regarding universities' abilities to submit grant applications for the University Transportation Centers program as either the lead or partnering applicant. This provides more universities the opportunity to seek these funds.

The second part directs the Secretary of Transportation to develop a 5-year Strategic Plan for Transportation Research and Development.

The third part of the amendment covers an issue that will be appreciated

by Members representing urban and suburban areas of the country, and that is traffic congestion. It provides authority for the Transportation Assistant Secretary for Research and Technology to conduct research to reduce traffic congestion.

That research would ask the Assistant Secretary to:

First, help accelerate the adoption of transportation management systems that allow traffic better to flow in safe and more efficient ways;

Second, to assess traffic, transit, and freight data from various sources;

Third, develop and disseminate strategies to reduce congestion for high-density traffic regions; and

Fourth, to collaborate with other Federal, State, and local governments as well as industry and universities.

The fourth and final part of this amendment authorizes the Assistant Secretary to transmit a report to Congress on rail safety issues.

I urge my colleagues to support this bipartisan amendment.

Madam Chair, I yield 2½ minutes to the gentleman from Texas (Mr. SMITH), the chairman of the House Science, Space, and Technology Committee.

Mr. SMITH of Texas. Madam Chair, I support the amendment sponsored by Representative BARBARA COMSTOCK, chair of the Subcommittee on Research and Technology of the Committee on Science, Space, and Technology, and the subcommittee's ranking minority member, DAN LIPINSKI.

The Committee on Science, Space, and Technology has jurisdiction over research, development, and technology programs at the Department of Transportation. In anticipation of a House surface transportation authorization bill, the committee exercised its jurisdiction with a transportation research and development hearing in June. In September the Subcommittee on Research and Technology marked up H.R. 3585, the Surface Transportation Research and Development Act of 2015.

It is essential that we find a way to maintain a healthy, substantive research base for America's transportation initiatives. We have to ensure that Congress gets its priorities right and that taxpayers receive maximum value for their hard-earned tax dollars. H.R. 3585 does just that. This makes the Committee on Science, Space, and Technology's jurisdiction over R&D programs at the Department of Transportation particularly relevant.

Since the introduction and subsequent markup of the underlying bill, members and staff of the Committee on Science, Space, and Technology have worked closely with our counterparts on the House Committee on Transportation and Infrastructure to ensure inclusion of some of the Committee on Science, Space, and Technology's priorities into the highway bill.

I want to thank Chairman SHUSTER for working with Congresswoman COMSTOCK and me in this venture.

I look forward to further discussions after the House passes this bill, as we continue to work cooperatively on policy deliberations and resolution of individual R&D provisions during the House-Senate conference.

Again, I thank Chairman SHUSTER for his support of this amendment, and I thank the gentlewoman from Virginia for introducing the underlying bill that has been put into this underlying bill as well.

Mr. DEFAZIO. Madam Chair, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Madam Chair, I yield myself such time as I consume. I actually rise in support of the amendment, and I particularly want to congratulate my colleague, DAN LIPINSKI, who serves on both the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure, for his work on this amendment.

I yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Madam Chair, I thank the ranking member for his support of this amendment. I thank Chairwoman COMSTOCK and Chairman SMITH for working with me and working together on this amendment.

The piece of the amendment that I want to address is the language based on a small piece of the Future TRIP Act, which I introduced, cosponsored by Chairwoman COMSTOCK, and that we passed in the Subcommittee on Research and Technology of the Committee on Science, Space, and Technology. The gentlewoman is chair of that committee. I am ranking member on that subcommittee.

The language in this amendment from my bill calls for a regional transportation center on connected vehicles and connected infrastructure. Connected and autonomous vehicles hold enormous promise for safe, efficient transportation. This research center could play a big part in developing new technologies in this area, so I am very pleased to have it included in this amendment.

The amendment also contains language from my bill in regard to University Transportation Centers. It allows universities to lead one proposal for each type of center. It also permits universities to collaborate on as many awards as they like, as long as they are not leading the proposal. This gives increased flexibility to those universities that have special expertise in this area.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for their support in working with us.

I urge my colleagues to support this.

Mrs. COMSTOCK. Madam Chairman, I thank Chairman SMITH, and I thank

Ranking Member LIPINSKI for their support. I also thank Chairman SHUSTER and our ranking member for working with us on this amendment. I urge passage of this amendment that will help bring our transportation system into the 21st century.

I yield back the balance of my time.

Mr. DEFAZIO. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Virginia (Mrs. COMSTOCK).

The amendment was agreed to.

□ 1730

AMENDMENT NO. 28 OFFERED BY MR. BARLETTA

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in part B of House Report 114-325.

Mr. BARLETTA. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VII, add the following:
SEC. ____ MINIMUM REQUIREMENTS FOR TOP FITTINGS PROTECTION FOR CLASS DOT-117R TANK CARS.

(a) PROTECTIVE HOUSING.—Except as provided in subsections (b) and (c), top fittings on DOT specification 117R tank cars shall be located inside a protective housing not less than ½-inch in thickness and constructed of a material having a tensile strength not less than 65 kilopound per square inch and conform to the following specifications:

(1) The protective housing shall be as tall as the tallest valve or fitting involved and the height of a valve or fitting within the protective housing must be kept to the minimum compatible with their proper operation.

(2) The protective housing or cover may not reduce the flow capacity of the pressure relief device below the minimum required.

(3) The protective housing shall provide a means of drainage with a minimum flow area equivalent to six 1-inch diameter holes.

(4) When connected to the nozzle or fittings cover plate and subject to a horizontal force applied perpendicular to and uniformly over the projected plane of the protective housing, the tensile connection strength of the protective housing shall be designed to be—

(A) no greater than 70 percent of the nozzle to tank tensile connection strength;

(B) no greater than 70 percent of the cover plate to nozzle connection strength; and

(C) no less than either 40 percent of the nozzle to tank tensile connection strength or the shear strength of twenty ½-inch bolts.

(b) PRESSURE RELIEF DEVICES.—

(1) The pressure relief device shall be located inside the protective housing, unless space does not permit. If multiple pressure relief devices are equipped, no more than 1 may be located outside of a protective housing.

(2) The highest point on any pressure relief device located outside of a protective housing may not be more than 12 inches above the tank jacket.

(3) The highest point on the closure of any unused pressure relief device nozzle may not be more than 6 inches above the tank jacket.

(c) ALTERNATIVE PROTECTION.—As an alternative to the protective housing require-

ments in subsection (a) of this section, the tank car may be equipped with a system that prevents the release of product from any top fitting in the case of an incident where any top fitting would be sheared off.

(d) IMPLEMENTATION.—Nothing in this section shall be construed to require the Secretary to issue regulations to implement this section.

(e) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from approving new technologies, methods or requirements that provide a level of safety equivalent to or greater than the level of safety provided for in this section.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Pennsylvania (Mr. BARLETTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. BARLETTA. Madam Chairwoman, I am offering an amendment to make the transportation of crude oil by railroads safer.

My amendment would require all tank cars moving flammable liquids to be retrofitted with new safety equipment. This is in addition to the strong safety measures included in the Federal Rail Administration's recent tank car rule.

The safety measures would place top-fitting protections on the tank car. These top fittings protect the pressure relief valve, which protects the integrity of a tank car.

The valve can slowly release the gases in the unlikely event that the tank car is exposed to pressure buildup in a fire as a result of a derailment. This decreases the likelihood of a major incident and provides first responders additional time.

The newer tank cars have this type of protection, but the majority of DOT 111 legacy tank cars do not have this enhanced protection. That is about 50 percent of the expected retrofit tank car fleet, making this reform very important. A similar requirement was considered and rejected during the tank car rulemaking process due to cost-benefit concerns.

This proposal is a less costly option that is supported by the Association of American Railroads, the American Chemistry Council, the Railway Supply Institute, the American Petroleum Institute, and the Renewable Fuels Association.

I am proud to offer this amendment to improve the safety of moving crude oil by rail. This is an issue that is very important to Pennsylvania.

I thank Chairman SHUSTER and Ranking Member DEFAZIO for working with me on this amendment. I also thank Mr. LIPINSKI for cosponsoring the amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Madam Chair, I rise to claim the time in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Madam Chair, I yield myself such time as I may consume.

I thank the two gentlemen involved for noting this deficiency in the rule. It is inexplicable to me that, although they certainly noted the need in the new design to have a protective housing around the pressure relief valve so they wouldn't shear off in a rollover accident, they did not extend that to retrofitted cars. This amendment ensures that they will meet those stronger standards. I think this amendment has tremendous merit.

I yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI), the Democratic sponsor of the amendment.

Mr. LIPINSKI. I thank the ranking member for yielding, and I thank the gentleman from Pennsylvania (Mr. BARLETTA) for all his work on this amendment. I rise in support of this amendment and ask my colleagues to support it.

Madam Chair, this amendment is common sense and will strengthen the Department of Transportation's tank car rule by providing all legacy tank cars retrofitted for class III flammable liquid service to include enhanced top fittings protections for pressure relief valves.

The pressure relief valve on a new tank car standard allows tank cars to vent gases to reduce the chance of a tank car rupturing from vapor pressure, which can happen if it is heated after a derailment or an accident. However, this pressure relief valve is susceptible to damage in the event of an accident, as it can easily be torn off, thus eliminating any safety benefit.

To mitigate this issue, this amendment would require the installation of a small, protective device that will help keep this valve in place after an accident and save lives in the process.

This amendment is supported by the American Petroleum Institute, Association of American Railroads, the American Chemistry Council, and Renewable Fuels Association, and is something that has been called for by first responders who have a lot of these trains going through these districts.

I know it is very important to me in my district in the Chicagoland area. We are the rail hub of the Nation, with nearly 40 percent of America's rail traffic flowing through, and my district is host to track owned by six out of the seven class I railroads.

More crude oil passes through Chicago than anywhere else in the Nation, with upwards of 40-mile-long unit trains snaking through neighborhoods in the region each week, making them a common sight at the 195 at-grade crossings in my district, a few of which are as close to within a mile of my own home.

While the energy renaissance has brought relief to many in the form of

lower gas prices, it requires the use of rail to ensure that this commodity is transported in the safest possible manner. This amendment makes it even safer.

I ask my colleagues to support this amendment.

Mr. BARLETTA. Madam Chairwoman, I urge a "yes" vote.

Mr. DEFAZIO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. BARLETTA).

The amendment was agreed to.

AMENDMENT NO. 29 OFFERED BY MR. LYNCH

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in part B of House Report 114-325.

Mr. LYNCH. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 573, after line 11, insert the following:

SEC. 7016. SAFETY OF PIPELINE TRANSPORTATION INFRASTRUCTURE PROJECTS.

The Secretary shall, at the request of a State or tribal government, conduct a review of the safety and safety-related aspects of a pipeline transportation infrastructure project.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Massachusetts (Mr. LYNCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. LYNCH. Madam Chair, first of all, I want to come to the floor and say thank you to Chairman SHUSTER and Ranking Member DEFAZIO for their great work in bringing a long-term transportation bill to the floor.

They need to really be congratulated on the work that they have done in negotiating the finer points of this bill, which I think is nearly perfect, with one small flaw, which I will attempt to cure with my amendment.

Madam Chair, in my district and in many districts across the United States, we are dealing with a situation where high-pressure natural gas lines are being extended and expanded in some urban areas and some rural areas.

I have three areas in my district that are impacted severely in some respects: the town of Dedham, the town of Weymouth, and the neighborhood of West Roxbury. I think the neighborhood of West Roxbury offers the most clear example of what my concern is.

In the neighborhood of West Roxbury, we have an active gravel quarry. It is located a matter of yards away from a residential area. You could throw a baseball from the blasting zone of the quarry to the residential homes next door. You have got kids there. You have got schools there.

It is a densely settled population there and is a beautiful neighborhood.

FERC, in its wisdom, has authorized the placement of a high-pressure gas line that runs through the active blast zone adjacent to the residential area where my constituents live and are raising their families, where their kids go to bed at night. We cannot get entrance into the process because FERC controls the whole process. They make their decision, and then, in your appeal, they get to review their own decision.

So what this amendment would do in those situations—like the West Roxbury situation where you have a pipeline company putting in a high-pressure gas line through an active blast zone next to a residential area—is to have an appeal process where the public safety officers of the State could ask for a review on public safety grounds of that decision of where to place that pipeline.

In all fairness to the community, they are just asking them to relocate the pipeline out of the blast zone. It would seem to make sense that that would be a reasonable request. But I think, obviously, the pipeline company is interested in reducing costs and delivering their product.

I am trying to intervene, as any Member of Congress would, just to get them to take a good, hard second look at this, a fresh set of eyes on the request that the pipeline company has made and FERC has authorized.

So that is the purpose of my amendment here. I am just trying to get a fair hearing on this decision, which I think is a horrendous decision and may result in the loss of life here, if they are not careful. We don't have much of a buffer zone between the pipeline, the quarry, and the homes where the people live.

That is the purpose of my amendment. I am urging my colleagues here to consider themselves being in my position, trying to defend your constituents from a palpable danger, hoping that this body would recognize the wisdom in having a real appeal process.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Madam Chair, I certainly understand where the gentleman from Massachusetts is coming from. I don't know all the details, but it sounds troubling.

His amendment, as it is written, would go far beyond the mandate by inserting PHMSA into the approval process to construct a pipeline at the request of a State or tribe. This could significantly slow down construction to complete some of these pipelines around the country or even to start them.

Pipelines are extremely safe. Again, I understand and empathize with the gentleman and the situation he is talking about, but pipelines carry 99.997 percent of all hazardous material safely to their destination. Again, we need to make sure PHMSA's scarce resources are focused on its mission to ensure pipelines are operated and maintained safely.

This is a time where the country desperately needs to get more pipeline. The gentleman's amendment is just too broadly written, and the unintended consequences would go far beyond what he is talking about.

So I would have to vote in opposition to his amendment, but I certainly would like to help the gentleman, if I can, if it is a situation where we can be of any help to him. But this amendment is too broadly written. So I would oppose it.

I reserve the balance of my time.

Mr. LYNCH. Madam Chair, can I ask how much time I have remaining?

The Acting CHAIR. The gentleman from Massachusetts has 1 minute remaining.

Mr. LYNCH. Madam Chair, we do have a pipeline safety bill that is coming up later in the session. So I would appreciate the opportunity to work with the chairman to try to address that.

But I do want to remind him that these are very, very unique situations. You don't have many cases where you have a high-pressure gas line being put through a blast zone adjacent to residential homes.

So this is a special danger, and it would require that special danger to exist before the State could take action. We are only asking for extra review.

I would remind the Members that there was a tragic incident in 2010 in San Bruno, California, where 8 people were killed and 38 homes were destroyed during a Pacific Gas and Electric natural gas line pipe explosion. That is what I am trying to prevent.

This is a rare situation. I realize you have got to build pipelines, but I think you ought to be able to do it without, as I have said before multiple times, putting a pipeline through a blast zone adjacent to residential homes. I think you can find another route that wouldn't go through that blast zone. It is the one quarry I have got in my district, and they chose to go right through it.

I know the gentleman from Pennsylvania. I know the hard work he has put into this bill. I am just looking for some relief for people that I care about. I am very fearful of the consequences if this is allowed to continue.

I yield back the balance of my time.

Mr. SHUSTER. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gen-

tleman from Massachusetts (Mr. LYNCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LYNCH. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 30 OFFERED BY MR. LEWIS

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in part B of House Report 114-325.

Mr. LEWIS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, after line 23, insert the following (and redesignate accordingly):

"(12) Planning, design, or construction of a Type II noise barrier (as described in section 772.5 of title 23, Code of Federal Regulations)."

Page 38, line 7, strike "(11)" and insert "(12)".

Page 47, after line 10, insert the following:

(8) NATIONAL HIGHWAY SYSTEM DESIGNATION ACT.—Section 339 of the National Highway System Designation Act of 1995 (23 U.S.C. 106 note) is amended—

(A) by striking subsection (b); and
(B) by redesignating subsections (c) through (j) as subsections (b) through (i), respectively.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Georgia (Mr. LEWIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

□ 1745

Mr. LEWIS. Madam Chair, I appreciate the chairman and the ranking member's hard work on this bill.

I rise to offer an amendment that is very important to the people of metro Atlanta. My amendment would allow Federal funds from the Surface Transportation Block Grant Program to be used to construct type II noise barriers. These are barriers built to cut down noise along existing highways.

Current Federal law ties the hands of State transportation agencies. It limits their ability to address key quality-of-life concerns in the planning process.

Madam Chair, my office has been working with the Georgia Department of Transportation for years to address these concerns. Many communities in metro Atlanta are tired of the noise and just want some peace and quiet. We are ready to move forward, but we need Congress to untie our hands.

My amendment does not cost one cent, not one dime. If anything, it improves the effectiveness of the money we already send to the States.

It does not require that States build these barriers; instead, it allows them

the flexibility they need to minimize Federal funds, to raise property values, and to improve the quality of life in frustrated communities across America. Madam Chair, we have the opportunity to do something that would make our citizens' lives better.

Living next to a loud highway can be a headache. When you have a good and quiet neighborhood, when you can get some sleep, you can be happy. I urge the adoption of my amendment.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Madam Chair, I rise in opposition to this amendment.

The prohibition on installing noise barriers on existing roads is put in place for a reason. Residents and businesses that have coexisted with highways for years, or even decades, should not be entitled to noise barriers. People built their houses, built their businesses.

I understand there is increased traffic, certainly here in the Washington, D.C., area; but these noise barriers should be reserved for new highways or a significant highway expansion as a result of changing conditions in the neighborhoods.

Again, if a homebuilder is willing to build his house next to a highway or an airport, they know what the consequences are; and to have to put this burden on the taxpayers just is something that I don't believe is fair. Given that we have limited resources, funding should be reserved for highway and bridge construction, and not used for noise barriers on existing roads.

Again, if people have been there, then it is up to the local folks, it is up to the developer if they are building a development along that road to pay that bill, and again, not the taxpayer. So I oppose this amendment.

Mr. DEFAZIO. Will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Madam Chair, I would suggest that I would like to continue the discussion. I think there are different conditions.

Certainly if a developer buys a large tract of land next to an existing interstate and then expects the taxpayers to pay for sound protection, that is not right. But I think there are cases where you have found that a lot of interstates were built in areas where there wasn't a lot of traffic. The houses have been there for quite some time, and now the traffic has grown phenomenally, particularly truck traffic and things that create more noise. I think there may be a way to do it in certain circumstances where it is merited, where it isn't due to new development but due to growth and traffic and noise and that.

I don't know if the chairman has considered that.

Mr. SHUSTER. I think the gentleman from Oregon has a reasonable argument. I think those things do occur, and that would be something I would continue to work with him and work in the future on as we move forward on this.

As the amendment stands right now, I would have to oppose it. But I am fully willing to accept what the gentleman from Oregon says and work with him, and I have great respect for the gentleman from Georgia.

I reserve the balance of my time.

Mr. LEWIS. Madam Chair, with the discussion and the words of the chairman and the ranking member, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 31 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 31 printed in part B of House Report 114-325.

Mr. TAKANO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 68, after line 21, insert the following: “(3) SPECIAL RULE.—The Secretary may treat a program of eligible projects as a single project for purposes of meeting the requirement of paragraph (1)(B)(i).

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Madam Chair, the Nationally Significant Freight and Highway Projects program in this bill will address critical infrastructure needs that will improve America's economic competitiveness, but will also bring tremendous benefit to our communities, especially districts like mine, which is the epicenter of the international supply chain flowing through the Ports of L.A. and Long Beach.

Freight corridors that run through districts such as mine, and those in Chicago, Houston, Florida, Charleston, New York, New Jersey, and Seattle, bring jobs and spur economic growth. However, they also create congestion, pollution, and safety concerns.

One of the primary strategies to alleviate these issues—congestion, air pollution, and accidents—is to build rail grade separations that allow trains and cars to flow freely. In fact, grade separations are explicitly mentioned in the bill as eligible to receive funding from the Nationally Significant

Freight and Highway Projects program. However, the \$100 million threshold far exceeds the cost of most grade separation projects.

To better achieve the intent of this bill, my amendment simply clarifies that a program of eligible projects, such as a corridor of grade separations, be eligible to receive funding from this program.

There is ample legislative precedent for “programs of projects” to be eligible for funding, most notably, in the TIFIA loan program, the National Highway Performance Program, and Highway Safety and Improvement Program.

This amendment recognizes that addressing nationally significant transportation challenges are not always best addressed through one major project but, instead, a comprehensive package of related projects that achieve a meaningful national objective.

An example of this type of project is the Alameda Corridor-East, which was first recognized 10 years ago by this House in SAFETEA-LU. The Alameda Corridor-East was designated as a Project of National and Regional Significance, spanning four counties in the Nation's largest urban area, stretching over 100 miles of rail.

In my county alone, Riverside County, this Federal funding, in partnership with local self-help tax dollars, has made possible nearly a half billion dollars in freight projects that are cleaning our air, making our constituents safer, and making the national economy more efficient. However, of these 16 projects on the same corridor, the highest cost project was \$67 million. Yet, together, they have had a tremendous impact on the transportation system.

My amendment ensures that this momentum can continue, not just in my district, but in all communities that are impacted by our national freight system. This is an easy technical fix, and I urge my colleagues to support this amendment.

Madam Chair, I reserve the balance of my time.

Mr. SHUSTER. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. The Nationally Significant Freight and Highway Projects program is the core reform, a new program in this bill. It is fundamental to this bill's redirecting us back to our national interests on these freight corridors and these major projects.

Allowing a group of small projects to count toward the \$100 million threshold for eligibility would actually destroy the very purpose of the program, to provide funding for large-scale projects, that is, large-scale projects that States cannot fund with their \$4 million that they get.

In our bill, it is very different from what the Senate bill does. The Senate bill puts it out in formula. That is not going to solve the problem. This program will solve some of those problems that States cannot fund with, again, the money that is coming from their formulas.

Many bridge projects, for example, fall under this category, as do large highway expansion projects. The only exception is a 10 percent set-aside for smaller freight projects with an impact on interstate commerce.

Again, the Nationally Significant Freight and Highway Projects program in this bill was carefully crafted and negotiated with our ranking member and the folks on the other side of the aisle, and we believe the program is properly structured. So, again, I would oppose this amendment.

I reserve the balance of my time.

Mr. TAKANO. Madam Chair, I yield 2 minutes to the gentleman from California (Mr. AGUILAR).

Mr. AGUILAR. I thank the gentleman for yielding.

Madam Chair, today I rise in support of my fellow Inland Empire colleague, Mr. TAKANO's amendment to the surface transportation bill, which would clarify project eligibility under the Nationally Significant Freight and Highway Projects program.

Improving our roads, rails, and bridges is crucial for the Inland Empire, a region of San Bernardino and Riverside Counties that Congressman TAKANO and I represent.

Working families need reliable transportation and infrastructure to get to and from work, to get their children to school, and to have the ability to play a role in our regional, State, and national economies.

This amendment would allow more local projects to meet that \$100 million threshold to qualify for the Nationally Significant Freight and Highway Projects program that otherwise wouldn't meet the requirements and would be excluded from Federal funding.

The Valley Boulevard grade separation in Colton is just one program in San Bernardino County that would benefit directly from this project, one of many throughout California and the Nation.

This amendment would help San Bernardino and Riverside County residents, as well as millions of working families and public safety officials who require the grade separations throughout our country, who rely on transportation and infrastructure each and every day.

I urge my colleagues to vote in favor of the amendment.

Mr. SHUSTER. Madam Chair, I will just again say I know where the gentlemen are coming from. I have not been there once. I have not been there twice. I have been there several times.

Southern California has got every known problem in the transportation world because of the congestion, your ports. It is an important part of the country, but, again, this Nationally Significant Freight and Highway Projects program was carefully crafted to make sure that there are other places in the country that we can get those projects.

Cobbling together a couple of smaller ones is really going to take away from the focus of this program and the focus of this bill, to try to get us looking back at what our national priorities are, when that has to be moving freight.

One of those key places is the Port of Los Angeles, Long Beach, but there are places around the country, and we think this program is going to be able to address those with large sums of money, not bits and pieces flowing out there.

So again, at this time, I understand where you are coming from. I have been there. I understand the problems in southern California, but I would have to oppose this amendment.

I yield back the balance of my time.

Mr. TAKANO. Madam Chair, I appreciate the sentiment of the gentleman from Pennsylvania, that he has been to our region and understands the importance of making sure that freight through rail is moved expeditiously.

I do urge my colleagues to support this amendment. I wish that the gentleman would have a change of heart.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. TAKANO. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 32 OFFERED BY MS. BROWNLEY
OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in part B of House Report 114-325.

Ms. BROWNLEY of California. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 70, line 24, strike "10 percent" and insert "20 percent".

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from California (Ms. BROWNLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. BROWNLEY of California. Madam Chair, I would like to begin by

thanking the chairmen and ranking members of the full committee and the subcommittee for their work on this bipartisan bill.

I worked very hard to become a member of the Transportation and Infrastructure Committee because I wanted very much to be part of a team that gets things done.

□ 1800

When I first joined the committee, many of my constituents back in Ventura County questioned whether the 114th Congress could get a surface transportation bill through the House.

The progress that we have made so far on the bill is a testament to the good work that Congress can do when we work together in a bipartisan way, through the committee process, to get things done for the American people. I am also very appreciative of the Rules Committee for making my amendment in order this evening.

Madam Chair, my amendment would fix a small problem with the new freight program and would allow small- and mid-sized communities an opportunity to compete for a slightly larger piece of the pie.

I agree with many of my colleagues that we absolutely must address capacity issues along long-haul routes and freight corridors. We must address the costly and time-consuming bottlenecks within congested metropolitan areas. We must also address the first- and last-mile connections to our ports, freight yards, and other job centers in our communities.

However, Madam Chair, I am concerned that the freight program created in this bill includes a minimum project threshold of \$100 million. Let me repeat: \$100 million is the minimum threshold. Many of us represent small- and mid-sized communities.

In my district of Ventura County, we have struggled over the past few years to address freight bottlenecks in our community, including along Rice Avenue, where we have seen far too many deadly accidents in recent years.

But as this bill is currently drafted, Ventura County and many other small- and mid-sized communities across the country won't be able to fully compete for the freight program. We just don't have the resources back home to compete with these large projects.

But that doesn't mean that we don't have freight bottlenecks. All that I am seeking is to ensure that small- and mid-sized communities like my county, Ventura County, can better compete.

Madam Chairman, my simple amendment would increase the small project set-aside from 10 percent to 20 percent of the available resources to allow more communities across the country to compete for these limited resources. The small project threshold is \$5 million or more.

My amendment will still leave 80 percent of the money for larger projects.

Increasing the small project set-aside will not guarantee funds for any specific project, but it will give many of our districts at least a fighting chance to compete for one-fifth of the funds under the new freight program.

Madam Chairman, I urge my colleagues to support the amendment.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Madam Chair, let me say first to the gentlewoman from California thank you for your valuable contribution in putting this bill together and your hard work in committee. We thank you for that. You played an important role in developing this bill.

Once again, the Nationally Significant Freight and Highways Projects program in the bill was carefully crafted. We do have a 10 percent set-aside, as you mentioned, for some of these smaller programs and projects, but the idea is to really have these large projects. Let's focus on them.

Once again, in southern California and that region, you have numerous projects there that are going to far exceed \$100 million. Around the country, whether it is in Texas or in New Jersey or in New York, we have got these projects. We believe that we have crafted this to be able to really get those dollars to those projects to be able to move them forward.

Again, just like the last amendment, if you cobble together a couple of smaller ones, then you take away money for smaller projects. Then we are not going to get the impact that we need.

So, again, I appreciate the gentlewoman's passion, and I appreciate her work on the committee. But at this time, I have to oppose the amendment.

Madam Chair, I yield back the balance of my time.

Ms. BROWNLEY of California. Madam Chair, I will close. I just would like to reiterate that my amendment will simply increase the small project set-aside, which will leave 80 percent of the limited funds in the program for large projects.

This is allowing the large projects to win. A small project may not win at all, but it is just giving us, the small- and mid-sized communities, an opportunity to compete.

Again, for many, many districts, \$100 million is just an insurmountable sum, but we can and want to compete under the freight program for very important projects.

Again, I thank the chairman for all of his work on this important bill. I urge my colleagues to vote "yes."

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. BROWNLEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. BROWNLEY of California. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 33 OFFERED BY MR. COSTELLO

The Acting CHAIR. It is now in order to consider amendment No. 33 printed in part B of House Report 114-325.

Mr. COSTELLO of Pennsylvania. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 71, line 2, strike "(i)".

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Pennsylvania (Mr. COSTELLO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. COSTELLO of Pennsylvania. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise to ask for a simple bipartisan amendment along with my fellow Transportation and Infrastructure Committee member, Representative DAN LIPINSKI of Illinois.

This amendment would make a minor modification to the Nationally Significant Freight and Highway Projects grant program. This amendment would not change any dollar threshold or increase funding to the program, nor would it increase the cost of the overall bill.

Under the program set forth in the bill, large grants, as they are defined, meaning those in excess of \$100 million, are eligible for four types of programs: one, freight projects on the National Highway Freight Network; two, highway or bridge projects on the National Highway System; three, intermodal or freight rail projects on the National Multimodal Freight Network; and, four, railway-highway grade crossings and grade separations.

However, the bill sets aside 10 percent of program funding for small projects defined as those projects that are less than \$100 million. However, the bill only allows one of the previously mentioned four programs, freight projects on the National Highway Freight Network, to be eligible for this reserved small project funding.

Madam Chair, in my home State of Pennsylvania, the structural integrity of our aging bridges and roadways is a major concern of my constituents and a personal priority of mine. I seek to add the other three programs to be eligible under the small projects definition.

So I ask: Should a \$50 or \$95 million project to restore a crumbling bridge have less of a shot at program funding than a \$100 million project? Or for the 55 short-line railroads in Pennsylvania, including three in my district, if they would otherwise be eligible for program funding to improve roadway grade separations, why should they not be eligible to compete for those dollars set forth for small projects?

Madam Chair, this amendment addresses this discrepancy.

Madam Chair, I reserve the balance of my time.

Mr. DEFAZIO. Madam Chair, I ask unanimous consent to claim the time in opposition, although I am not opposed to it.

The Acting CHAIR. Is there objection to the request of the gentleman?

There was no objection.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Madam Chair, I yield myself such time as I may consume.

Madam Chair, this is a very meritorious amendment offered by the gentleman. It provides flexibility for small projects under the Nationally Significant Freight and Highways Projects program.

Rather than only highway freight, States and localities will be able to apply for funds to carry out a variety of project types, such as highways, bridges, intermodal, freight rail, and grade crossings.

This is giving more control to local governments to do the most cost-effective solutions to their problems that they know best. So I think it has great merit. I support it and recommend our colleagues support it.

Madam Chair, I yield back the balance of my time.

Mr. COSTELLO of Pennsylvania. Madam Chair, I urge support for this meritorious amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. COSTELLO).

The amendment was agreed to.

AMENDMENT NO. 34 OFFERED BY MRS. RADEWAGEN

The Acting CHAIR. It is now in order to consider amendment No. 34 printed in part B of House Report 114-325.

Mrs. RADEWAGEN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 74, after line 15, insert the following new section:

SEC. 1112A. TERRITORIAL HIGHWAY PROGRAM.

Section 165(c) of title 23, United States Code, is amended by adding at the end the following:

"(8) DIVISION OF FUNDS BETWEEN TERRITORIES.—In carrying out this subsection, the

Secretary shall allocate the funds made available to the territories each fiscal year among the territories according to quantifiable measures that are indicative of the surface transportation requirements of each of the territories, which may include the use of population, land area, roadway mileage, or another measure determined appropriate by the Secretary."

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from American Samoa.

Mrs. RADEWAGEN. Madam Chair, the amendment that I am offering together with my colleague from the Northern Mariana Islands (Mr. SABLON) brings rationality and logic to the allocation of Territorial Highway Program funds among the four smaller U.S. territories. At present, these funds are simply allocated as the Department of Transportation sees fit using a formula set back in 1992, I understand.

That system may have been okay for the last 23 years, but now that I am representing the people of American Samoa, I want to be sure that Federal funds are distributed among the territories in a way that has some rational basis.

I cannot say to my constituents that we just have to live with the way things have always been done. I want to say to them that the assistance we get from the Federal Government is based on our real needs.

Madam Chair, I also believe that my constituents deserve to have their elected representative participate in decisions like the distribution of highway funds. We elected no one at the Department of Transportation where the decision is now made.

The amendment that I am offering, however, does not override the experts at the Department. The amendment simply instructs the experts to use the data they have to set up an allocation based on objective, quantifiable measures that apply to all the territories.

If it turns out that American Samoa gets less as a result of that, so be it. Whether it is road distance or traffic volume—whatever it may be—let the Department ground its decision in some transportation reality. That would be a responsible use of Federal dollars.

Madam Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Madam Chair, I certainly am sympathetic. I have heard from all of the territories throughout this process, and because of the paucity of funding in this bill, the funding to the territories, no matter what formula you use, is inadequate to the

growth and the problems that they are experiencing.

I am not opposed to the idea of developing and updating statistical measures to target the limited funds. My preference would be there would be more funds.

This funding formula was set in 1992 by the Federal Highway Administration. They included consideration of population, land area, and road mileage of each of the four covered territories.

Based on that review, they came up with these allocations—obviously, that was 23 years ago—40 percent each to Guam and the U.S. Virgin Islands and 10 percent to American Samoa and Northern Mariana Islands.

Before we unilaterally take steps to change the formula that has been in place for two decades, I think we need to hear from the delegates of all four. I have been contacted by the other two territories that would be impacted who are strongly opposed, and I would certainly like to work with the gentlewoman and all of the delegates to see what we could do to have a fair and balanced update of the formula.

Again, formulas are some of the most tricky things around here. You change just one factor and you get dramatic differences at the other end. So we would have to first agree on criteria and proper factors and then direct the FHWA to run those numbers.

So, Madam Chair, I reluctantly rise in opposition and urge my colleagues to oppose the amendment.

Madam Chair, I reserve the balance of my time.

Mrs. RADEWAGEN. Madam Chairman, I yield 3 minutes to the gentleman from the Northern Mariana Islands (Mr. SABLAN).

Mr. SABLAN. Madam Chair, let me make one thing very clear. The amendment that the distinguished lady from American Samoa and I have introduced does not change the formula.

But I also want to take the time to thank Chairman SHUSTER and Ranking Member DEFazio and all the committee members who worked together successfully to bring this bipartisan bill to the floor.

□ 1815

I want to thank the committee, also, for deciding to increase funding for the Territorial Highway Program from \$40 million to \$42 million per year.

The territories are some of the poorest parts of our country. We face a financial challenge providing transportation on separate islands and from one island to another island. I think the only territory that doesn't have to do that is the southernmost territory in the Mariana Islands.

We are grateful for the assistance we receive from our fellow Americans. It is in the spirit of bipartisanship and with a deep respect for the wise use of Federal funds that Congressman

RADEWAGEN of American Samoa and I are offering the amendment at the desk.

The amendment simply requires the Department of Transportation to use some rational basis for allocating the Territorial Highway Program funds among the territories.

Currently, the Department is on autopilot. It uses a fixed allocation it devised back in 1992 and has continued to use ever since, without thinking about any changes that have occurred in the last 23 years.

I believe that Federal dollars should not be spent willy-nilly. There should be some connection with the needs on the ground.

I would like to make clear that this amendment does not slice up the pie to take money from one area and give it to another. In fact, thanks to the Transportation and Infrastructure Committee, the pie is actually getting a little larger.

Our amendment does not even specify what objective measures the Department uses in allocating the territorial funds. It could be road distance, traffic volume, population, land area, or a combination, as long as the decision is based on some concrete reality related to highways.

We think that linking the dollars to the need is simply good stewardship of Federal resources and American taxpayers' money. We hope that the House agrees to this responsible approach and agrees to this bipartisan amendment.

Mr. DEFazio. Madam Chair, I yield back the balance of my time.

Mrs. RADEWAGEN. Madam Chair, I want to thank the chairman and the committee for their consideration.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mrs. RADEWAGEN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from American Samoa will be postponed.

AMENDMENT NO. 35 OFFERED BY MS. EDWARDS

The Acting CHAIR. It is now in order to consider amendment No. 35 printed in part B of House Report 114-325.

Ms. EDWARDS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 110, strike lines 3 and 4 and insert the following:

“(I) improve the reliance and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and”.

Page 113, strike lines 22 and 23 and insert the following:

“(I) improve the reliance and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and”.

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from Maryland (Ms. EDWARDS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Madam Chair, the amendment at the desk is consistent with the streamlining effort that has already been underway in this bill.

I want to thank Chairman SHUSTER and Ranking Member DEFazio because they have put in yeoman's work to make this a bipartisan effort.

Ultimately, my amendment will reduce the overall cost of projects and the need for mitigation. If implemented, it will save money.

As we know all too well, highway storm water is a growing threat to water quality, aquatic ecosystems, and the fish and wildlife that depend on the health of these ecosystems. Moreover, the high volumes and rapid flow of storm water runoff from highways and roads poses a serious threat to the condition of our Nation's water and transportation infrastructure.

Impervious surfaces create rapidly moving high volumes of untreated polluted storm water that rush off road surfaces, erode unnatural channels next to and ultimately underneath roadways compromising the integrity of roadway infrastructure, and increase the stress on storm water sewer systems, shortening the life of all of this infrastructure.

The total coverage of impervious surfaces in an area is usually expressed as a percentage of the total land area. According to the Chesapeake Bay program, impervious surfaces compose roughly 17 percent of all urban and suburban lands in the Chesapeake Bay watershed. The greatest concentration of impervious surfaces in the bay watershed is the Baltimore-Washington metropolitan areas of D.C., Maryland, and Virginia. In fact, the Virginia Tidewater area, Philadelphia's western suburbs, and Lancaster, Pennsylvania, are also regions in our watershed where impervious surfaces are greater than 10 percent of the total land area.

While there are serious water quality concerns with not adequately controlling roadway infrastructure runoff, there are also serious infrastructure costs that are ultimately passed on to taxpayers and ratepayers. These can be avoided if transportation authorities do more to control and manage storm water runoff with the infrastructure assets they plan and manage.

The aim of the amendment, of course, is to improve highway design to better manage storm water to avoid the costly damage that poorly managed storm water causes, and to move

this up in the planning process so that thought goes in at the beginning how best to plan, design, and construct effectively, while also reducing costs. Now, that work is done near the end of the process, where mitigation is often used and costs are much higher.

My amendment would simply move up the consideration of storm water issues in statewide and metropolitan planning. Specifically, it would require consideration of projects and strategies that will improve the resiliency and reliability of the transportation system and reduce or mitigate storm water impacts on surface transportation.

I urge my colleagues to support this amendment to address the problem that is facing America's waterways and infrastructure, and to do that early in the planning, which is more efficient and less costly.

I reserve the balance of my time.

Mr. SHUSTER. Madam Chair, I claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Madam Chair, I yield back the balance of my time.

Ms. EDWARDS. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Ms. EDWARDS).

The amendment was agreed to.

AMENDMENT NO. 36 OFFERED BY MR. CALVERT

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in part B of House Report 114-325.

Mr. CALVERT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 164, line 8, strike "up to 10" and insert "up to 25".

Page 164, line 10, strike "up to 10" and insert "up to 25".

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from California (Mr. CALVERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CALVERT. Madam Chair, the highway bill, crafted by my friends, Chairman BILL SHUSTER and Ranking Member PETER DEFAZIO and the rest of our colleagues on the Transportation and Infrastructure Committee, contains a number of important reforms to our highway programs that will benefit commuters across this country.

One of those provisions, section 1313, establishes a pilot program that would allow States to conduct environmental reviews and make approvals for projects under State environmental laws and regulations instead of Federal

laws and regulations. It is expected that this pilot program will save highway projects time and money, while maintaining the same environmental standards.

The bill permits the State to designate 10 local governments to administer local projects under the new pilot program. However, for large States like California, New York, Texas, and Florida, limiting the program to 10 localities is simply not enough. My amendment would increase the allowable number of localities to 25 in order to allow more communities to take advantage of bringing down the cost and shrinking the amount of time required to complete highway projects.

The amendment is supported by the California State Association of Counties, local transit authorities, and CalTrans is not opposed.

We are well aware that our need for highway infrastructure continues to outpace the resources we have available. That is exactly why we need to support efforts like my amendment that can make more highway projects a reality by bringing their costs down and completing them more quickly.

I urge all my colleagues to support the amendment which will help our communities, counties, and commuters.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CALVERT).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114-325 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. SWALWELL of California.

Amendment No. 5 by Mr. GOSAR of Arizona.

Amendment No. 14 by Mr. RIBBLE of Wisconsin.

Amendment No. 15 by Ms. BROWN of Florida.

Amendment No. 29 by Mr. LYNCH of Massachusetts.

Amendment No. 31 by Mr. TAKANO of California.

Amendment No. 32 by Ms. BROWNLEY of California.

Amendment No. 34 by Mrs. RADEWAGEN of American Samoa.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. SWALWELL OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SWALWELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 237, not voting 15, as follows:

[Roll No. 586]

AYES—181

Adams	Frankel (FL)	Neal
Aguilar	Franks (AZ)	Nolan
Amodei	Fudge	Norcross
Ashford	Gabbard	O'Rourke
Bass	Gallego	Pallone
Beatty	Garamendi	Pascarell
Bera	Gibson	Payne
Beyer	Green, Al	Pelosi
Bishop (GA)	Green, Gene	Perlmutter
Blumenauer	Griffith	Peters
Bonamici	Grijalva	Pingree
Boyle, Brendan	Gutiérrez	Pocan
F.	Hahn	Polis
Brooks (IN)	Hastings	Price (NC)
Brown (FL)	Heck (WA)	Quigley
Buck	Herrera Beutler	Rangel
Bustos	Himes	Reichert
Capps	Hinojosa	Ribble
Capuano	Honda	Rice (NY)
Cárdenas	Hoyer	Rohrabacher
Carney	Huffman	Rokita
Carson (IN)	Israel	Ros-Lehtinen
Cartwright	Jeffries	Roybal-Allard
Castor (FL)	Johnson (GA)	Ruiz
Castro (TX)	Johnson, E. B.	Ruppersberger
Chu, Judy	Joyce	Rush
Ciциlline	Katko	Ryan (OH)
Clark (MA)	Keating	Sánchez, Linda
Clarke (NY)	Kelly (IL)	T.
Clay	Kennedy	Sanchez, Loretta
Cleaver	Kildee	Sarbanes
Clyburn	Kilmer	Schiff
Cohen	Kind	Schweikert
Connolly	Kuster	Scott (VA)
Conyers	LaMalfa	Scott, David
Costello (PA)	Langevin	Serrano
Courtney	Lawrence	Sewell (AL)
Crowley	Lee	Sherman
Cummings	Levin	Sinema
Curbelo (FL)	Lewis	Sires
Davis (CA)	Lieu, Ted	Slaughter
Davis, Rodney	Lipinski	Smith (WA)
DeGette	Loeb sack	Speier
Delaney	Lofgren	Stefanik
DelBene	Lowenthal	Swalwell (CA)
Denham	Lujan Grisham	Takano
Dent	(NM)	Thompson (CA)
DeSaulnier	Lujan, Ben Ray	Tipton
Deutch	(NM)	Titus
Dingell	Lynch	Tonko
Doggett	Maloney,	Torres
Dold	Carolyn	Tsongas
Doyle, Michael	Maloney, Sean	Vargas
F.	Matsui	Veasey
Duckworth	McDermott	Velázquez
Ellison	McGovern	Visclosky
Engel	McNerney	Wasserman
Eshoo	McSally	Schultz
Esty	Meehan	Waters, Maxine
Farr	Meng	Watson Coleman
Fitzpatrick	Moulton	Welch
Fortenberry	Murphy (FL)	Wilson (FL)
Foster	Napolitano	

NOES—237

Abraham	Blum	Carter (TX)
Aderholt	Bost	Chabot
Allen	Boustany	Chaffetz
Amash	Brady (TX)	Clawson (FL)
Babin	Brat	Coffman
Barletta	Bridenstine	Cole
Barr	Brooks (AL)	Collins (GA)
Barton	Brownley (CA)	Collins (NY)
Becerra	Buchanan	Comstock
Benishek	Bucshon	Conaway
Bilirakis	Burgess	Cook
Bishop (MI)	Butterfield	Cooper
Bishop (UT)	Byrne	Costa
Black	Calvert	Cramer
Blackburn	Carter (GA)	Crawford

Crenshaw
Cuellar
Culberson
Davis, Danny
DeFazio
DeLauro
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fox
Frelinghuysen
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Higgins
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Kelly (MS)
Kelly (PA)

King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
Lamborn
Lance
Larsen (WA)
Latta
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris
Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Rice (SC)

Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schakowsky
Schradner
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

NOT VOTING—15

Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Jackson Lee

Jolly
Larson (CT)
Meeks
Moore
Nadler

Takai
Van Hollen
Yarmuth
Yoder
Young (IN)

□ 1855

Mr. JOHNSON of Ohio, Ms. KAPTUR, Messrs. GRAVES of Georgia, POLIQUIN, WITTMAN, Miles, McCOLLUM and EDWARDS, and Mr. WALZ changed their votes from “aye” to “no.”

Mr. ROHRABACHER, Ms. HAHN, Messrs. HASTINGS, CARSON of Indiana, CONYERS, CAPUANO, DENT, Ms. ROS-LEHTINEN, Messrs. DENHAM, NOLAN, CLEAVER, MEEHAN, and TIPTON changed their votes from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MOORE. Mr. Chair, on rollcall No. 586, had I been present, I would have voted “yes.”

Mr. VAN HOLLEN. Mr. Chair, on the evening of November 3, 2015, I was unavoidably detained and missed rollcall vote 586. Had I been present, I would have voted “yea.”

(By unanimous consent, Mr. MCCARTHY was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. MCCARTHY. Mr. Chairman, we are in the middle of a healthy and bipartisan debate on the highway bill. This is an important process, and I am encouraged by the enthusiasm of all Members' participation.

I am encouraged, all right.

While we rarely schedule votes later than 7 p.m., Members are advised that due to the number of amendments expected to be considered, it is likely we will need to vote late tomorrow evening. Members should be prepared for both late and multiple votes series tomorrow night.

Members are further advised to expect a full day on Thursday as we will not leave until the House completes its work for the week.

Mr. HOYER. Will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding.

As a former majority leader, I want to tell my friend that the enthusiasm of the Members for late nights has a very short fuse, but I appreciate his efforts.

Mr. MCCARTHY. Well, I do thank the gentleman from Maryland. We are into the process of regular order and giving feedback for everybody having an amendment.

Tonight's work has gone very fast, faster than we expected. I did not want to keep people too late, but I do expect tomorrow night will very likely be a late night and a multiple series.

AMENDMENT NO. 5 OFFERED BY MR. GOSAR

The Acting CHAIR (Mr. COLLINS of Georgia). Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 196, noes 225, not voting 12, as follows:

[Roll No. 587]

AYES—196

Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Conaway
Cook
Cramer
Crawford
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris

Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Olson
Palazzo
Palmer
Paulsen
Pearce

Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tipton
Valadao
Walberg
Walden
Walker
Walorski
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—225

Abraham
Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Black
Blumenauer
Bonamici
Boustany
Boyle, Brendan
F.
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Byrne
Capps

Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Cohen
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney

Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Ellison

Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kline
Kuster
Lance
Langevin
Larsen (WA)
Lawrence
Lee

NOT VOTING—12

Brady (PA)
Ellmers (NC)
Fattah
Franks (AZ)

Gohmert
Jackson Lee
Larson (CT)
Meeks

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1901

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 14 OFFERED BY MR. RIBBLE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Wisconsin (Mr.
RIBBLE) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

Takai
Webster (FL)
Yarmuth
Yoder

The vote was taken by electronic de-
vice, and there were—ayes 187, noes 236,
not voting 10, as follows:

[Roll No. 588]

AYES—187

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Benishek
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Byrne
Calvert
Carter (GA)
Castro (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Costa
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Emmer (MN)
Fincher
Fleischmann
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Fudge
Garrett
Gibbs
Gowdy
Graham
Graves (GA)
Griffith
Grothman
Guinta
Guthrie
Hanna

Adams
Aguilar
Ashford
Barletta
Barr
Barton
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan
F.
Brown (FL)
Brownley (CA)
Bucshon
Burgess
Bustos

NOES—236

Hardy
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Jolly
Jordan
Katko
Kind
King (IA)
Kline
Sanford
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Simpson
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Lummis
Marino
Massie
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

Courtney
Crenshaw
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duncan (TN)

Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fitzpatrick
Fleming
Foster
Frankel (FL)
Frelinghuysen
Gabbard
Gallego
Garamendi
Gibson
Goodlatte
Gosar
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harper
Harris
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (NY)
Kinzinger (IL)

NOT VOTING—10

Brady (PA)
Ellmers (NC)
Fattah
Gohmert

Jackson Lee
Larson (CT)
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1905

Mr. CARSON of Indiana changed his
vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 15 OFFERED BY MS. BROWN OF FLORIDA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Florida (Ms. BROWN)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 216, noes 207, not voting 10, as follows:

[Roll No. 589]

AYES—216

Adams	Gibson	Pearce
Aguilar	Grayson	Pelosi
Amodei	Green, Al	Perlmutter
Ashford	Green, Gene	Perry
Bass	Grijalva	Peters
Beatty	Guinta	Peterson
Becerra	Gutiérrez	Pingree
Bera	Hahn	Pocan
Beyer	Harris	Poliquin
Bilirakis	Hastings	Polis
Bishop (GA)	Heck (NV)	Price (NC)
Blumenauer	Heck (WA)	Quigley
Bonamici	Higgins	Rangel
Bost	Hill	Reed
Boyle, Brendan	Himes	Rice (NY)
F.	Hinojosa	Rice (SC)
Brown (FL)	Honda	Richmond
Brownley (CA)	Hoyer	Roe (TN)
Bustos	Huffman	Rogers (AL)
Butterfield	Israel	Rooney (FL)
Byrne	Jeffries	Ros-Lehtinen
Capps	Johnson (GA)	Ross
Capuano	Johnson, E. B.	Rouzer
Cárdenas	Jolly	Roybal-Allard
Carney	Kaptur	Ruiz
Carson (IN)	Keating	Ruppersberger
Cartwright	Kelly (IL)	Rush
Castor (FL)	Kennedy	Ryan (OH)
Castro (TX)	Kildee	Sánchez, Linda
Chu, Judy	Kilmer	T.
Cicilline	Kind	Sanchez, Loretta
Clark (MA)	Kuster	Sarbanes
Clarke (NY)	Lance	Schakowsky
Clay	Langevin	Schiff
Cleaver	Larsen (WA)	Schrader
Clyburn	Lawrence	Scott (VA)
Cohen	Lee	Scott, David
Comstock	Levin	Serrano
Connolly	Lewis	Sewell (AL)
Conyers	Lieu, Ted	Sherman
Cooper	Lipinski	Shimkus
Courtney	LoBiondo	Sinema
Crowley	Loebach	Sires
Cuellar	Lofgren	Slaughter
Cummings	Long	Smith (WA)
Curbelo (FL)	Lowenthal	Speier
Davis (CA)	Lowey	Stefanik
Davis, Danny	Lujan Grisham	Swalwell (CA)
Davis, Rodney	(NM)	Takano
DeGette	Lujan, Ben Ray	Thompson (CA)
Delaney	(NM)	Thompson (MS)
DeLauro	Lynch	Thompson (PA)
DelBene	MacArthur	Titus
Dent	Maloney,	Tonko
DeSaulnier	Carolyn	Torres
Deutch	Maloney, Sean	Wasserman
Diaz-Balart	Matsui	Schultz
Dingell	McCollum	Waters, Maxine
Doggett	McDermott	Watson Coleman
Doyle, Michael	McGovern	Webster (FL)
F.	McNerney	Welch
Duckworth	Meehan	Wilson (FL)
Edwards	Meng	Wilson (SC)
Ellison	Moore	Womack
Engel	Moulton	Zinke
Eshoo	Murphy (FL)	
Esty	Nadler	
Farr	Napolitano	
Fitzpatrick	Neal	
Foster	Nolan	
Frankel (FL)	Norcoss	
Fudge	O'Rourke	
Gabbard	Pallone	
Gallego	Pascarell	
Garamendi	Payne	

NOES—207

Abraham	Babin	Benishek
Aderholt	Barletta	Bishop (MI)
Allen	Barr	Bishop (UT)
Amash	Barton	Black

Blackburn	Hartzler	Palazzo
Blum	Hensarling	Palmer
Boustany	Herrera Beutler	Paulsen
Brady (TX)	Hice, Jody B.	Pittenger
Brat	Holding	Pitts
Bridenstine	Hudson	Poe (TX)
Brooks (AL)	Huelskamp	Pompeo
Brooks (IN)	Huizenga (MI)	Posey
Buchanan	Hultgren	Price, Tom
Buck	Hunter	Ratcliffe
Bucshon	Hurd (TX)	Reichert
Burgess	Hurt (VA)	Renacci
Calvert	Issa	Ribble
Carter (GA)	Jenkins (KS)	Rigell
Carter (TX)	Jenkins (WV)	Roby
Chabot	Johnson (OH)	Rogers (KY)
Chaffetz	Johnson, Sam	Rohrabacher
Clawson (FL)	Jones	Rokita
Coffman	Jordan	Roskam
Cole	Joyce	Rothfus
Collins (GA)	Katko	Royce
Collins (NY)	Kelly (MS)	Russell
Conaway	Kelly (PA)	Salmon
Cook	King (IA)	Sanford
Costa	King (NY)	Scalise
Costello (PA)	Kinzinger (IL)	Schweikert
Cramer	Kirkpatrick	Scott, Austin
Crawford	Kline	Sensenbrenner
Crenshaw	Knight	Sessions
Culberson	Labrador	Shuster
DeFazio	LaHood	Simpson
Denham	LaMalfa	Smith (MO)
DeSantis	Lamborn	Smith (NE)
DesJarlais	Latta	Smith (NJ)
Dold	Loudermilk	Smith (TX)
Donovan	Love	Stewart
Duffy	Lucas	Stivers
Duncan (SC)	Luetkemeyer	Stutzman
Duncan (TN)	Lummis	Thornberry
Emmer (MN)	Marchant	Tiberi
Farenthold	Marino	Tipton
Fincher	Massie	Trott
Fleischmann	McCarthy	Turner
Fleming	McCaul	Upton
Flores	McClintock	Valadao
Forbes	McHenry	Wagner
Fortenberry	McKinley	Walberg
Fox	McMorris	Walden
Franks (AZ)	Rodgers	Walker
Frelinghuysen	McSally	Walorski
Garrett	Meadows	Walters, Mimi
Gibbs	Messer	Weber (TX)
Goodlatte	Mica	Wenstrup
Gosar	Miller (FL)	Westerman
Gowdy	Miller (MI)	Westmoreland
Graham	Moolenaar	Whitfield
Granger	Mooney (WV)	Williams
Mullin	Murphy (PA)	Wittman
Graves (GA)	Mulvaney	Woodall
Graves (LA)	Murphy (PA)	Yoho
Graves (MO)	Murphy (PA)	Young (AK)
Griffith	Neugebauer	Young (IA)
Grothman	Newhouse	Young (IN)
Guthrie	Noem	Zeldin
Hanna	Nugent	
Hardy	Nunes	
Harper	Olson	

NOT VOTING—10

Brady (PA)	Jackson Lee	Yarmuth
Elmiers (NC)	Larson (CT)	Yoder
Fattah	Meeks	
Gohmert	Takai	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1909

Mr. CONYERS changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 29 OFFERED BY MR. LYNCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 263, not voting 10, as follows:

[Roll No. 590]

AYES—160

Adams	Garamendi	Nolan
Aguilar	Gibson	O'Rourke
Ashford	Grayson	Pallone
Bass	Grijalva	Pascarell
Beatty	Gutiérrez	Payne
Becerra	Hahn	Pelosi
Bera	Hastings	Pingree
Beyer	Heck (WA)	Pocan
Bishop (GA)	Higgins	Polis
Blumenauer	Hinojosa	Price (NC)
Bonamici	Honda	Quigley
Brown (FL)	Hoyer	Rangel
Brownley (CA)	Huffman	Rice (NY)
Bustos	Hurt (VA)	Richmond
Capps	Israel	Roybal-Allard
Capuano	Jeffries	Ruppersberger
Cárdenas	Johnson (GA)	Rush
Carney	Johnson, E. B.	Ryan (OH)
Carson (IN)	Jones	Sánchez, Linda
Cartwright	Kaptur	T.
Castor (FL)	Keating	Sanchez, Loretta
Castro (TX)	Kelly (IL)	Sarbanes
Chu, Judy	Kennedy	Schakowsky
Cicilline	Kildee	Schiff
Clark (MA)	Kilmer	Scott (VA)
Clarke (NY)	Kind	Scott, David
Clay	Kuster	Serrano
Cleaver	Lance	Sewell (AL)
Clyburn	Langevin	Sherman
Cohen	Larsen (WA)	Slaughter
Connolly	Lawrence	Smith (WA)
Cooper	Lee	Speier
Costello (PA)	Levin	Swalwell (CA)
Crowley	Lewis	Takano
Cummings	Lieu, Ted	Thompson (CA)
Davis (CA)	Loebach	Thompson (MS)
Davis, Danny	Lofgren	Titus
DeGette	Lowenthal	Tonko
Delaney	Lowey	Torres
DelBene	Lynch	Tsongas
Dent	Maloney,	Van Hollen
DeSaulnier	Carolyn	Vargas
Deutch	Maloney, Sean	Vela
Diaz-Balart	Matsui	Velázquez
Dingell	McCollum	Visclosky
Doggett	McDermott	Walker
Doyle, Michael	McGovern	Walz
F.	McNerney	Wasserman
Duckworth	Meehan	Schultz
Edwards	Meng	Waters, Maxine
Ellison	Moore	Watson Coleman
Engel	Moulton	Webster (FL)
Eshoo	Murphy (FL)	Welch
Esty	Nadler	Wilson (FL)
Farr	Napolitano	
Fitzpatrick	Neal	
Foster	Nolan	
Frankel (FL)	Norcoss	
Fudge	O'Rourke	
Gabbard	Pallone	
Gallego	Pascarell	
Garamendi	Payne	

NOES—263

Abraham	Boyle, Brendan	Clawson (FL)
Aderholt	F.	Coffman
Allen	Brady (TX)	Cole
Amash	Brat	Collins (GA)
Amodei	Bridenstine	Collins (NY)
Babin	Brooks (AL)	Comstock
Barletta	Brooks (IN)	Conaway
Barr	Buchanan	Conyers
Barton	Buck	Cook
Benishek	Bucshon	Costa
Bilirakis	Burgess	Courtney
Bishop (MI)	Butterfield	Cramer
Bishop (UT)	Byrne	Crawford
Black	Calvert	Crenshaw
Blackburn	Carter (GA)	Cuellar
Blum	Carter (TX)	Culberson
Bost	Chabot	Curbelo (FL)
Boustany	Chaffetz	Davis, Rodney

DeFazio King (IA)
DeLauro King (NY)
Denham Kinzinger (IL)
Dent Kirkpatrick
DeSantis Kline
DesJarlais Knight
Diaz-Balart Labrador
Dold LaHood
Donovan LaMalfa
Doyle, Michael Lamborn
F. Latta
Duffy Lipinski
Duncan (SC) LoBiondo
Duncan (TN) Long
Emmer (MN) Loudermilk
Engel Love
Esty Lucas
Farenthold Luetkemeyer
Fincher Lujan Grisham
Fleischmann (NM)
Fleming Luján, Ben Ray
Flores (NM)
Forbes Lummis
Fortenberry MacArthur
Foxy Marchant
Franks (AZ) Marino
Frelinghuysen Massie
Garrett McCarthy
Gibbs McCaul
Goodlatte McClintock
Gosar McHenry
Gowdy McKinley
Graham McMorris
Granger Rodgers
Graves (GA) McSally
Graves (LA) Meadows
Graves (MO) Meehan
Green, Al Messer
Green, Gene Mica
Griffith Miller (FL)
Grothman Miller (MI)
Guinta Moolenaar
Guthrie Mooney (WV)
Hanna Mullin
Hardy Mulvaney
Harper Murphy (PA)
Harris Neugebauer
Hartzler Newhouse
Heck (NV) Noem
Hensarling Norcross
Herrera Beutler Nugent
Hice, Jody B. Nunes
Hill Olson
Himes Palazzo
Holding Palmer
Hudson Paulsen
Huelskamp Pearce
Huizenga (MI) Perlmutter
Hultgren Perry
Hunter Peters
Hurd (TX) Peterson
Issa Pittenger
Jenkins (KS) Pitts
Jenkins (WV) Poe (TX)
Johnson (OH) Poliquin
Johnson, Sam Pompeo
Jolly Posey
Jordan Price, Tom
Joyce Ratcliffe
Katko Reed
Kelly (MS) Reichert
Kelly (PA) Renacci

NOT VOTING—10

Brady (PA) Jackson Lee
Ellmers (NC) Larson (CT)
Fattah Meeks
Gohmert Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1913

Mr. CONYERS changed his vote from
“aye” to “no.”

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 31 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the

gentleman from California (Mr.
TAKANO) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 174, noes 248,
not voting 11, as follows:

[Roll No. 591]

AYES—174

Adams Frankel (FL)
Aguiar Neal
Ashford Norcross
Bass O'Rourke
Beatty Pallone
Becerra Payne
Bera Grayson
Beyer Green, Al
Bishop (GA) Green, Gene
Blumenauer Grijalva
Bonamici Gutierrez
Boyle, Brendan Hahn
F. Hastings
Brown (FL) Higgins
Brownley (CA) Himes
Bustos Hinojosa
Butterfield Honda
Calvert Hoyer
Capps Hunter
Capuano Israel
Cárdenas Issa
Cicilline Jeffries
Clark (MA) Carney
Clarke (NY) Johnson (GA)
Clawson (FL) Johnson, E. B.
Clay Jolly
Clever Jones
Clyburn Kaptur
Cohen Keating
Connolly Kelly (IL)
Conyers Kennedy
Cook Kildee
Cooper Kind
Costa Knight
Courtney Kuster
Cuellar Cohen
Cummings Connolly
Curbelo (FL) Conyers
Davis (CA) Lawrence
Davis, Danny Lee
DeGette Levin
Delaney Luján, Ben Ray
DeLauro (NM)
DelBene Lynch
DeSaulnier Maloney,
Deutch Carolyn
Dingell Maloney, Sean
Doggett Matsui
Doyle, Michael McCollum
F. McGovern
Duckworth McNeerney
Edwards Mooney (WV)
Ellison Moore
Eshoo Moulton
Esty Murphy (FL)
Farr Napolitano

NOES—248

Abraham Barton
Aderholt Benishek
Allen Bilirakis
Amash Bishop (MI)
Babin Bishop (UT)
Barletta Black
Barr Blackburn
Brooks (AL)

Brooks (IN) Hudson
Buchanan Huelskamp
Buck Posey
Bucshon Huizenga (MI)
Burgess Hultgren
Byrne Hurd (TX)
Carson (IN) Hurt (VA)
Carter (GA) Jenkins (KS)
Carter (TX) Johnson (OH)
Chabot Johnson, Sam
Chaffetz Jordan
Coffman Joyce
Cole Katko
Collins (GA) Kelly (MS)
Collins (NY) Kelly (PA)
Comstock Kilmer
Conaway King (IA)
Costello (PA) King (NY)
Cramer Kinzinger (IL)
Crawford Kirkpatrick
Crenshaw Kline
Crowley Labrador
Culberson LaHood
Davis, Rodney LaMalfa
DeFazio Lamborn
Denham Lance
Dent Latta
DeSantis LoBiondo
DesJarlais Long
Diaz-Balart Loudermilk
Dold Love
Donovan Lowenthal
Duffy Lowey
Duncan (SC) Lucas
Duncan (TN) Luetkemeyer
Emmer (MN) Lummis
Engel MacArthur
Farenthold Marchant
Fincher Marino
Fitzpatrick Massie
Fleischmann McCarthy
Fleming McCaul
Flores McClintock
Forbes McDermott
Fortenberry McHenry
Foster McKinley
Foxy McMorris
Franks (AZ) Rodgers
Frelinghuysen McSally
Garrett Meadows
Gibbs Meehan
Gibson Meng
Goodlatte Messer
Gosar Mica
Gowdy Miller (FL)
Graham Miller (MI)
Granger Moolenaar
Graves (GA) Mullin
Graves (LA) Mulvaney
Graves (MO) Murphy (PA)
Griffith Nadler
Grothman Neugebauer
Guinta Newhouse
Guthrie Noem
Hanna Nolan
Hardy Nugent
Harper Nunes
Harris Olson
Hartzler Palazzo
Heck (NV) Palmer
Heck (WA) Pascrell
Hensarling Paulsen
Herrera Beutler Pearce
Hice, Jody B. Perry
Hill Pittenger
Holding Pitts

NOT VOTING—11

Amodei Gohmert
Brady (PA) Jackson Lee
Ellmers (NC) Larson (CT)
Fattah Meeks

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1916

Mr. ROYCE changed his vote from
“no” to “aye.”

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 32 OFFERED BY MS. BROWNLEY
OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. BROWNLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 263, not voting 10, as follows:

[Roll No. 592]

AYES—160

Adams	Fudge	Norcross
Aguilar	Gabbard	O'Rourke
Ashford	Gallego	Pallone
Bass	Garamendi	Payne
Beatty	Graves (LA)	Pelosi
Becerra	Grayson	Perlmutter
Benishek	Green, Al	Peters
Bera	Grijalva	Peterson
Beyer	Hahn	Pingree
Bishop (GA)	Hastings	Pocan
Blumenauer	Heck (WA)	Poliquin
Bonamici	Herrera Beutler	Polis
Brown (FL)	Higgins	Price (NC)
Brownley (CA)	Himes	Quigley
Bustos	Hinojosa	Richmond
Butterfield	Honda	Roybal-Allard
Calvert	Hoyer	Ruiz
Capps	Israel	Ruppersberger
Capuano	Jeffries	Russell
Cardenas	Johnson (GA)	Ryan (OH)
Carney	Johnson, E. B.	Sánchez, Linda
Cartwright	Jones	T.
Chu, Judy	Kaptur	Sanchez, Loretta
Ciilline	Keating	Sarbanes
Clark (MA)	Kelly (IL)	Schakowsky
Clarke (NY)	Kennedy	Schiff
Clay	Kildee	Schrader
Cleaver	Kilmer	Scott, David
Clyburn	Kind	Serrano
Cohen	Kuster	Sewell (AL)
Connolly	Larsen (WA)	Sherman
Conyers	Lawrence	Slaughter
Cook	Lee	Smith (WA)
Cooper	Levin	Speier
Courtney	Lewis	Swalwell (CA)
Cuellar	Lieu, Ted	Takano
Cummings	Lipinski	Thompson (CA)
Davis (CA)	Loebach	Thompson (MS)
Davis, Danny	Lofgren	Tonko
Davis, Rodney	Lujan Grisham	Torres
DeGette	(NM)	Tsongas
Delaney	Lujan, Ben Ray	Van Hollen
DeLauro	(NM)	Vargas
DelBene	Lynch	Veasey
DeSaulnier	Maloney,	Vela
Deutch	Carolyn	Velázquez
Dingell	Maloney, Sean	Vislosky
Doyle, Michael	Matsui	Wasserman
F.	McGovern	Schultz
Duckworth	McNerney	Waters, Maxine
Edwards	Moore	Watson Coleman
Ellison	Moulton	Welch
Eshoo	Murphy (FL)	Wilson (FL)
Esty	Neal	Zinke
Farr	Noem	
Frankel (FL)	Nolan	

NOES—263

Abraham	Barletta	Black
Aderholt	Barr	Blackburn
Allen	Barton	Blum
Amash	Bilirakis	Bost
Amodei	Bishop (MI)	Boustany
Babin	Bishop (UT)	

Boyle, Brendan	Hice, Jody B.	Pittenger
F.	Hill	Pitts
Brady (TX)	Holding	Poe (TX)
Brat	Hudson	Pompeo
Bridenstine	Huelskamp	Posey
Brooks (AL)	Huffman	Price, Tom
Brooks (IN)	Huizenga (MI)	Rangel
Buchanan	Hultgren	Ratcliffe
Buck	Hunter	Reed
Bucshon	Hurd (TX)	Reichert
Burgess	Hurt (VA)	Renacci
Byrne	Issa	Ribble
Carson (IN)	Jenkins (KS)	Rice (NY)
Carter (GA)	Jenkins (WV)	Rice (SC)
Carter (TX)	Johnson (OH)	Rigell
Castor (FL)	Johnson, Sam	Roby
Castro (TX)	Jolly	Roe (TN)
Chabot	Jordan	Rogers (AL)
Chaffetz	Joyce	Rogers (KY)
Clawson (FL)	Katko	Rohrabacher
Coffman	Kelly (MS)	Rokita
Cole	Kelly (PA)	Rooney (FL)
Collins (GA)	King (IA)	Ros-Lehtinen
Collins (NY)	King (NY)	Roskam
Comstock	Kinzinger (IL)	Ross
Conaway	Kirkpatrick	Rothfus
Cramer	Kline	Rouzer
Crawford	Knight	Royce
Crenshaw	Labrador	Rush
Crowley	LaHood	Salmon
Culberson	LaMalfa	Sanford
Curbelo (FL)	Lamborn	Scalise
DeFazio	Lance	Schweikert
Denham	Langevin	Scott (VA)
Dent	Latta	Scott, Austin
DeSantis	LoBiondo	Sensenbrenner
DesJarlais	Long	Sessions
Diaz-Balart	Loudermilk	Shimkus
Doggett	Love	Shuster
Dold	Lowenthal	Simpson
Donovan	Lucas	Sinema
Duffy	Luetkemeyer	Sires
Duncan (SC)	Lummis	Smith (MO)
Duncan (TN)	MacArthur	Smith (NE)
Emmer (MN)	Marchant	Smith (NJ)
Engel	Marino	Smith (TX)
Farenthold	Masie	Stefanik
Fincher	McCarthy	Stewart
Fitzpatrick	McCaul	Stivers
Fleischmann	McClintock	Stutzman
Fleming	McCollum	Thompson (PA)
Flores	McDermott	Thornberry
Forbes	McHenry	Tiberi
Fortenberry	McKinley	Tipton
Foster	McMorris	Titus
Fox	Rodgers	Trott
Franks (AZ)	McSally	Turner
Frelinghuysen	Meadows	Upton
Garrett	Meehan	Valadao
Gibbs	Meng	Walberg
Gibson	Messer	Walden
Goodlatte	Mica	Walker
Gosar	Miller (FL)	Walorski
Gowdy	Miller (MI)	Walters, Mimi
Graham	Mooleenaar	Walz
Granger	Mooney (WV)	Weber (TX)
Graves (GA)	Mullin	Weber (FL)
Graves (MO)	Mulvaney	Wenstrup
Green, Gene	Murphy (PA)	Westerman
Griffith	Nadler	Westmoreland
Grothman	Napolitano	Whitfield
Guthrie	Neugebauer	Williams
Gutiérrez	Newhouse	Wilson (SC)
Hanna	Nugent	Wittman
Hardy	Nunes	Womack
Harper	Olson	Woodall
Harris	Palazzo	Yoho
Hartzler	Palmer	Young (AK)
Heck (NV)	Pascrell	Young (IA)
Hensarling	Paulsen	Young (IN)
	Pearce	Zeldin
	Perry	

NOT VOTING—10

Brady (PA)	Jackson Lee	Yarmuth
Ellmers (NC)	Larson (CT)	Yoder
Fattah	Meeks	
Gohmert	Takai	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1921

Messrs. ELLISON and JOHNSON of Georgia changed their vote from “no” to “aye.”

Mr. GUTIÉRREZ changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 34 OFFERED BY MRS.
RADEWAGEN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 113, noes 310, not voting 10, as follows:

[Roll No. 593]

AYES—113

Aderholt	Gibson	Murphy (FL)
Aguilar	Goodlatte	Newhouse
Ashford	Graves (GA)	Paulsen
Barr	Graves (LA)	Pearce
Bass	Grayson	Peters
Benishek	Griffith	Pingree
Bilirakis	Guthrie	Pitts
Bishop (UT)	Gutiérrez	Polis
Black	Hardy	Posey
Bost	Hartzler	Price (NC)
Brat	Hensarling	Price, Tom
Buck	Hice, Jody B.	Quigley
Bucshon	Hinojosa	Ros-Lehtinen
Burgess	Honda	Ross
Cardenas	Huffman	Rouzer
Carney	Hultgren	Ruiz
Chabot	Hurt (VA)	Ruppersberger
Chu, Judy	Jeffries	Russell
Cohen	Johnson (GA)	Sanchez, Loretta
Cole	Katko	Scalise
Collins (GA)	Kind	Serrano
Comstock	Kline	Sessions
Conyers	Kuster	Sinema
Cook	LaMalfa	Smith (MO)
Costello (PA)	Lamborn	Speier
Cuellar	Lewis	Stivers
Curbelo (FL)	Lieu, Ted	Takano
Davis, Rodney	Lofgren	Vargas
Delaney	Loudermilk	Velázquez
Dent	Luetkemeyer	Vislosky
Dingell	Lynch	Webster (FL)
Duncan (TN)	Maloney, Sean	Westmoreland
Emmer (MN)	McCarthy	Wilson (SC)
Eshoo	McHenry	Woodall
Farr	Mica	Young (AK)
Fox	Miller (FL)	Young (IA)
Franks (AZ)	Mooney (WV)	Zinke
Gabbard	Mullin	

NOES—310

Abraham	Beyer	Bridenstine
Adams	Bishop (GA)	Brooks (AL)
Allen	Bishop (MI)	Brooks (IN)
Amash	Blackburn	Brown (FL)
Amodei	Blum	Brownley (CA)
Babin	Blumenauer	Buchanan
Barletta	Bonamici	Bustos
Barton	Boustany	Butterfield
Beatty	Boyle, Brendan	Byrne
Becerra	F.	Calvert
Bera	Brady (TX)	Capps

Capuano
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Collins (NY)
Conaway
Connolly
Cooper
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culbertson
Cumming
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Denham
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Engel
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gallo
Garamendi
Garrett
Gibbs
Gosar
Gowdy
Graham
Granger
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Hahn
Hanna
Harper
Harris
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hunter

Hurd (TX)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Knight
Labrador
Lance
Langevin
Larsen (WA)
Latta
Lawrence
Lee
Levin
Lipinski
LoBiondo
Loeb
Long
Love
Lowenthal
Lowey
Lucas
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lummis
MacArthur
Maloney
Carolyn
Marchant
Marino
Massie
Matsui
McCaul
McClintock
McCollum
McDermott
McGovern
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Miller (MI)
Moolenaar
Moore
Moulton
Mulvaney
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peterson
Pittenger

Pocan
Poe (TX)
Poliquin
Pompeo
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Rothfus
Roybal-Allard
Royce
Rush
Ryan (OH)
Salmon
Sánchez, Linda
T.
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Whitfield
Williams
Wilson (FL)
Wittman
Womack
Yoho
Young (IN)
Zeldin

NOT VOTING—10

Brady (PA)
Elmiers (NC)
Fattah
Gohmert
Jackson Lee
Larson (CT)
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1925

Ms. MAXINE WATERS of California
changed her vote from “aye” to “no.”
So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 37 OFFERED BY MRS. HARTZLER

The Acting CHAIR (Mr. STEWART). It
is now in order to consider amendment
No. 37 printed in part B of House Re-
port 114-325.

Mrs. HARTZLER. Mr. Chair, I have
an amendment at the desk.

The Acting CHAIR. The Clerk will
designate the amendment.

The text of the amendment is as fol-
lows:

Page 226, strike line 13 and all that follows
through “HONEY BEES,—” on line 13 of page
227.

At the end of subtitle D of title I of divi-
sion A, add the following:

**SEC. ____ LANDSCAPING AND SCENIC ENHANCE-
MENT FUNDING DISCONTINUED.**

(a) REPEAL.—Section 319 of title 23, United
States Code, and the item relating to that
section in the analysis for chapter 1 of such
title, are repealed.

(b) EFFECTIVE DATE.—Section 319 of title
23, United States Code, as in effect on the
day before the date of enactment of this Act,
shall apply to landscape and roadside devel-
opment as part of a construction project of
Federal-aid highways if funds were obligated
for the project before such date of enact-
ment.

The Acting CHAIR. Pursuant to
House Resolution 507, the gentlewoman
from Missouri (Mrs. HARTZLER) and a
Member opposed each will control 5
minutes.

The Chair recognizes the gentle-
woman from Missouri.

MODIFICATION TO AMENDMENT OFFERED BY
MRS. HARTZLER

Mrs. HARTZLER. Mr. Chair, I ask
unanimous consent that my amend-
ment be modified in the form I have
placed at the desk.

The Acting CHAIR. The Clerk will re-
port the modification.

The Clerk read as follows:

Modification to amendment offered
by Mrs. HARTZLER:

Page 226, strike lines 13 through 21 and in-
sert the following:

(a) IN GENERAL.—

(1) USE OF FUNDS UNDER CHAPTER 1 PRO-
GRAMS.—Section 319 of title 23, United States
Code, is amended to read as follows:

**“§ 319. Encouragement of pollinator habitat
and forage development and protection on
transportation rights-of-way**

“In carrying out any

Page 227, after line 10, insert the following:

(2) EFFECTIVE DATE.—Section 319 of title 23,
United States Code, as in effect on the day
before the date of enactment of this Act,
shall apply to landscape and roadside devel-

opment as part of a construction project of
Federal-aid highways if funds were obligated
for the project before such date of enact-
ment.

(3) CLERICAL AMENDMENT.—The analysis for
chapter 1 of title 23, United States Code, is
amended by striking the item relating to
section 319 and inserting the following:

“319. Encouragement of pollinator habitat
and forage development and
protection on transportation
rights-of-way.”.

Mrs. HARTZLER (during the read-
ing). Mr. Chair, I ask unanimous con-
sent to dispense with the reading of the
modification.

The Acting CHAIR. Is there objection
to the request of the gentlewoman
from Missouri?

There was no objection.

The Acting CHAIR. Without objec-
tion, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recog-
nizes the gentlewoman from Missouri.

Mrs. HARTZLER. Mr. Chair, my
amendment gets our priorities right in
our highway funding by prohibiting
Federal funds from being used for land-
scaping and scenic beautification on
highway projects.

□ 1930

We should spend our Federal highway
dollars to improve our roads and
bridges, not plant flowers.

From 1992 to 2013, over \$1.3 billion
was spent on landscaping and scenic
beautification. With data showing over
61,000 bridges classified as structurally
deficient and 65 percent of the roads in
the United States in less-than-good
condition, this is outrageous.

I appreciate roadside landscaping,
but given today's limited highway dol-
lars, these initiatives are best left to
volunteer organizations such as the
popular Adopt-a-Highway program.

We must ensure that Federal funds
are applied where they are needed
most, and that is upgrading and im-
proving our National infrastructure.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chair, I claim
time in opposition to the amendment.

The Acting CHAIR. The gentleman
from Oregon is recognized for 5 min-
utes.

Mr. DEFAZIO. Mr. Chair, I appreciate
the gentlewoman's concern about the
condition of our bridges, and I have
spent, as I spoke earlier tonight, a lot
of time on that issue and, in fact, op-
posed the so-called stimulus bill be-
cause of the lack of investment in in-
frastructure, particularly bridges.

But in this case, I think perhaps
there are some drafting errors in the
amendment because it would preclude
using these funds for rest areas, which
I think is problematic.

We have a crisis in terms of safe
places for people to pull over, both
commercial truck drivers and individ-
uals. So I assume that the gentle-
woman did not mean to preclude the
use for rest areas.

Also, I don't know Missouri well, but I know in the West, actually, we have used these landscaping funds when we do new construction or significant construction to reduce maintenance costs because we have high wildfire danger in the West and, if you can plant, basically, natives that will dominate, that are not tall, are not fire-prone, then you don't have to go in and mow two or three times a year in case some idiot throws their cigarette or cigar out of the car and starts a catastrophic forest fire.

So, actually, leaving the discretion to the States to use these funds in that way, depending upon their conditions, I think is important.

There have been a couple of instances in past bills where they went overboard with this kind of stuff. I think the current restrictions on the program are such—and there is no mandate for the projects like resurfacing or anything else that is new construction. And doing it, as appropriate, to state “and including rest areas.”

I think, because of all those things, I reluctantly oppose the gentlewoman's amendment.

I reserve the balance of my time.

Mrs. HARTZLER. Mr. Chair, I appreciate the gentleman's concerns. I, too, share his concern. I want to make sure that rest areas are still allowed.

In fact, there is another provision in the code that does still allow and permit rest areas, for States to be able to build them. This amendment does not address that section. So there still would be that option.

My amendment simply wants to make sure our highway tax dollars go where they are needed. This picture points out where they are needed and that 65 percent of our road system in our country now is in failing or is in bad condition.

In fact, there are many, many deaths caused every year due to the crumbling of our highways. We also have 61,000 bridges that are considered structurally deficient.

So this makes sure that our dollars that the people spend every time they go fill up their car with gas—that those highway road dollars will go to roads and they are not going to go to highway beautification.

I ask for the support of my colleagues.

I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chair, I yield myself such time as I may consume.

Unfortunately, the Department of Transportation disagrees. We sent this language to them, and they said, yes, it appears, by repealing 23 USC 319, the amendment would remove the Secretary's authority to approve, as part of the construction of Federal aid highways, the costs of landscape and roadside development, including acquisition and development of publicly owned and controlled rest and recre-

ation areas and sanitary and other facilities reasonably necessary to accommodate the traveling public.

So I am pleased that it was not her intention. But, according to DOT, this amendment would do that, and that would be very deleterious to the traveling public. So I would oppose the amendment, as drafted.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Missouri (Mrs. HARTZLER), as modified.

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. HARTZLER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Missouri will be postponed.

AMENDMENT NO. 38 OFFERED BY MR. FARENTHOLD

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in part B of House Report 114-325.

Mr. FARENTHOLD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 229, line 23, strike the closing quotation marks and final period.

Page 229, after line 23, insert the following: “(n) OPERATION OF VEHICLES ON CERTAIN TEXAS HIGHWAYS.—If any segment in Texas of United States Route 59, United States Route 77, United States Route 281, United States Route 84, Texas State Highway 44, or another roadway is designated as Interstate Route 69, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under this section.”.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Texas (Mr. FARENTHOLD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FARENTHOLD. Mr. Chairman, I yield myself 90 seconds.

This bipartisan amendment would allow trucks with current weight exemptions to be allowed to continue to operate at those higher weight exemptions after certain segments of highways in Texas are reclassified and redesignated as Interstate 69.

This language will not increase truck weights, nor will it allow for weight exemptions for new trucks. This is a narrow amendment that does not include new trucks. It only allows those that are currently operating to continue to operate.

In the last omnibus, the State of Kentucky was able to include this exact language for their State whose industries were facing this exact prob-

lem. This amendment models Kentucky's language, except that it includes Texas highways.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the bill.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. I support the amendment.

I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Chairman, every one of us on the Transportation and Infrastructure Committee hears a lot about trucks, bigger trucks and heavier trucks. I think by now it is safe to say that all 435 of us have heard a lot about trucks. It is a tough issue with strong feelings on both sides.

But this amendment isn't talking about bigger trucks or heavier trucks, as my colleague, Mr. FARENTHOLD, said. All we are talking about here is allowing the State of Texas, through a rigorous licensing and approval process, to keep the same weight limits that are in place right now for certain trucks on certain stretches of our road, not bigger, not heavier, but the same.

Unless we get this amendment adopted, the new blue signs for Interstate 69 in East Texas won't just mean a new interstate. It could mean financial ruin for our loggers who already have a very thin profit margin and a very tough time for our timber industry.

It will mean a dramatic decrease in the amount of weight that all the loggers can haul on their trucks, which they have been doing safely and effectively on these roads for generations, even back when these same Texas counties were represented by our colorful Texas Democrat Congressman, Timber Charlie Wilson.

I am asking all of my colleagues, no matter where you stand on bigger trucks, to join me, Congressman FARENTHOLD, and Congressman GENE GREEN in supporting this bipartisan amendment to allow the State of Texas to be treated in the exact same way that this same body treated the States of Kentucky and Mississippi just last year and help save these jobs.

Mr. FARENTHOLD. Mr. Chairman, I would like to add it is not just the forestry industry as well. Various farm and ranch, cotton industries, in certain areas, especially in south Texas, as U.S. Highways 77 and 281 are becoming Interstate 69, is making it very difficult for the very concrete trucks necessary to make improvements to those roads to travel on that road.

So I urge my colleagues to support this amendment. I thank Chairman SHUSTER for his work on this bill and his not opposing this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FARENTHOLD).

The amendment was agreed to.

AMENDMENT NO. 39 OFFERED BY MR. ROONEY

The Acting CHAIR. It is now in order to consider amendment No. 39 printed in part B of House Report 114-325.

Mr. ROONEY of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I of division A, insert the following:

SEC. ____ VEHICLE WEIGHT LIMITATIONS FOR INTERSTATE SYSTEM HIGHWAYS.

Section 127(a) of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(15) HAULING OF LIVESTOCK.—A State may allow, by special permit, the operation of vehicles with a gross vehicle weight of up to 95,000 pounds for the hauling of livestock. The cost of a special permit issued under this paragraph may not exceed \$200 per year for a livestock trailer.”.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Florida (Mr. ROONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. ROONEY of Florida. Mr. Chairman, I rise today to ask my colleagues to support my amendment to H.R. 22, which would allow for States to give ranchers the flexibility they need in transporting livestock by truck.

Today Florida is home to more than 1.7 million head of cattle. Of that, there are nearly 1 million head of beef cattle cared for by the 15,000 beef producers across the State.

Nationally, Florida comes in ninth place in overall cattle numbers. In fact, the top three ranking counties for cattle in my State are in my backyard, Okeechobee, Highlands, and Osceola Counties.

Florida is what is referred to in the cattle industry as a cow-calf operation State. This means cows are bred and calved in Florida, but the calves are then shipped out West for development and processing. Because of this, our cattle ranchers and beef producers rely on the shipping of cattle through the State and across the country in order to succeed.

Unlike most goods shipped by truck or rail, livestock needs special attention. That is why shipments are carefully organized to consider the needs and welfare of the animals being shipped. The livestock industry's goal is to move the cattle between locations safely and as fast as possible to minimize the stress on the animals.

Unfortunately, this is where Washington regulations get in the way. The current gross weight limit restriction for all trucks on Federal highways is

80,000 pounds, which limits how many cows can be hauled in one load. This restriction results in a partially empty livestock trailer, increasing the needs for more shipments, and ends up putting more trucks on the road.

The patchwork of State and national truck weight laws creates inefficiencies and forces livestock transporters to take indirect and longer routes.

For cow-calf operations that rely on shipping their hauls nationwide, these constraints reduce the efficiency of their operation and reduce the slim profits for our hardworking ranchers.

My amendment allows States to issue special permits for the transportation of livestock on trailers for up to 95,000 pounds. Focusing only on livestock shipping and allowing States to opt in to this program, my amendment would greatly benefit not only ranchers, but all American producers and consumers.

This amendment means fewer trucks on the road and lower costs for transporting livestock. I encourage my colleagues to support my amendment and take overly restrictive government red tape out of the equation of beef production.

My amendment is supported by the National Cattlemen's Beef Association, the oldest and largest national trade association supporting America's cattle producers.

I encourage my colleagues to support this amendment and make Washington work for America's cattle ranchers instead of the other way around.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

Earlier this evening, an amendment was defeated to go to 90,000 pounds. This would go to 95,000. At least the amendment on 90,000 had an additional axle, which made it compliant with the Federal bridge formula that is not causing undue damage every time a truck went over a bridge. This amendment does not require an additional axle and goes even 5,000 pounds higher.

□ 1945

So it would violate the Federal Bridge Formula, and Federal Highway says that it has estimated that a truck at this weight with the number of axles they have is currently paying about 43 percent of the cost of the damage they cause to the system, and that is an underpayment of about \$6,000 a year. The bill does allow them to be charged another \$200 a year, but that is a pretty big deficit with an already substantially deteriorated system.

Raising truck weights is always a very controversial and difficult propo-

sition because we have to look out for the taxpayers in terms of undue wear and tear to an already fragile and deteriorated system. 140,000 bridges, as we mentioned numerous times already, need repair or replacement, and, unfortunately, I believe this would accelerate that problem. So I appreciate the gentleman's advocacy for a significant industry in his district, but I would have to oppose that increase.

I reserve the balance of my time.

Mr. ROONEY of Florida. Mr. Chairman, I would just say in response that, yes, the amendment increases the cap of weight on these trucks; but if we look at it from the standpoint of each individual State, including my own, we have to think about things like trucks hiding on local roads, and some of those bridges you were talking about that are most vulnerable are on those local roads. We also allow for States to be able to charge a small yearly fee to livestock haulers so that they can more efficiently transport their loads.

So when we talk about actually reducing the number of trucks on the roads, getting them from outside of the shadows of these small, local county and municipal roads so that they are avoiding the interstates, plus the fee that we will be able to charge, I think that the overall result will be actual safer roadways.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my State is unique. We actually have a weight mile formula we charge to the trucking industry. Federally, when I first served here, the industry tried to preempt it a number of times and never did. It is now widely recognized as one of the fairer systems in the States because it apportions according to scientifically based research, much of it done at Oregon State University in the labs there, the impacts of individual vehicles.

In this case, DOT says that these vehicles would cause an additional \$6,000-per-vehicle per-year damage on the Federal system, and they would be charged \$200. I don't think that is a fair return to the taxpayer, and I urge Members to oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. ROONEY of Florida. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. ROONEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. ROONEY of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 40 OFFERED BY MR. ROTHFUS

The Acting CHAIR. It is now in order to consider amendment No. 40 printed in part B of House Report 114-325.

Mr. ROTHFUS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of Division A, add the following:

SEC. ____ . EMERGENCY EXEMPTIONS.

Any road, highway, railway, bridge, or transit facility that is damaged by an emergency that is declared by the Governor of the State and concurred in by the Secretary of Homeland Security or declared as an emergency by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and that is in operation or under construction on the date on which the emergency occurs—

(1) may be reconstructed in the same location with the same capacity, dimensions, and design as before the emergency; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Pennsylvania (Mr. ROTHFUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ROTHFUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to discuss the need to help communities impacted by a national disaster get back on their feet without facing unnecessary regulatory obstacles. Families, businesses, and all members of the community may face significant challenges when the roads, bridges, transit, and other infrastructure they use on a daily basis are not acceptable and not repaired in a timely manner.

We can all agree that we should do what we can to protect the environment from harm. However, we should carefully consider regulations currently in place that delay transportation infrastructure projects and remove or reform regulations that are inefficient, redundant, or harmful.

I would include the redundant and time-consuming environmental reviews required for rebuilding disaster-damaged infrastructure in this category. Those who might argue there is already enough flexibility in current law, in communities to efficiently restore their critical infrastructure after a natural disaster or during a state of emergency should consider the following information from the Federal Highway Administration:

FHA estimates that it takes an average of 58 months—that is almost 5 years—for transportation projects to complete the NEPA process, and, since 2010, Federal permitting holdups have delayed at least nine transportation projects in my State of Pennsylvania by more than a year.

At the very least, we should consider removing reconstruction projects for critical disaster-damaged infrastructure from this drawn-out process. No community trying to rebuild and restore its critical infrastructure after a natural disaster should have to endure such a long delay simply to rebuild infrastructure that has already been built before.

My amendment, which was inspired by legislation introduced by Senator TOOMEY in the last Congress and Democratic Senator Ben Nelson before him, is intended to speed up reconstruction efforts. My proposal would exempt projects to rebuild any road, highway, railway, bridge, or transit facility that is damaged in a declared emergency from additional environmental permitting.

Mr. Chairman, it is important to note that my amendment may only apply to projects where the same structure its being rebuilt. In other words, damaged infrastructure would need to be reconstructed in the same location and with the same capacity, dimensions, and design as before the emergency.

It should be common sense that additional environmental reviews of this sort aren't a good use of taxpayer money and aren't helpful to disaster victims. Some commonsense streamlining is appropriate in these challenging cases. Because of this, this proposal has been supported by a number of groups, including CamTran, the transit agency for Cambria County, Pennsylvania; the National Association of Counties; the Pennsylvania Association of Township Supervisors; the Pennsylvania State Association of Boroughs; the County Commissioners Association of Pennsylvania; Southeast Pennsylvania Transit Authority; and National Stone, Sand & Gravel; as well as Americans for Prosperity.

Mr. Chairman, I urge all my colleagues to advance this commonsense reform and help communities recover after natural disasters by voting "yea" on my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

Actually, Mr. Chairman, most of the statutes that the gentleman is talking about already specifically have waivers and exceptions for natural disasters for emergency reconstruction under the Clean Water Act, under the Endangered Species Act, under NEPA just enacted 3 years ago in MAP-21, so this seems perhaps to be broader. I don't fully understand the implications. But if you look at the Minnesota bridge collapse, you look at the reconstruction of Vermont after the catastrophic hurricane flooding a few years ago, if you look at work in Louisiana, all these waivers were put into effect, and the projects were not unnecessarily delayed.

This seems to be a broader and more general grant, and I don't fully understand the implications and feel it could potentially usurp necessary review, so I would oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. ROTHFUS. Mr. Chairman, this is a simple remedy to follow after a natural disaster. Again, I look at my State of Pennsylvania with its many valleys and riverbeds, and I look at the people supporting or who have supported this type of proposal before: again, the National Association of Counties, Pennsylvania Association of Township Supervisors, and Southeast Pennsylvania Transit Authority.

We need to make sure that our communities have a robust capacity and ability to respond in the event of a disaster, and that is what the point of this amendment is.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. ROTHFUS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 41 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 41 printed in part B of House Report 114-325.

Mr. DESAULNIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of Division A, add the following:

SEC. ____ . ADDITIONAL REQUIREMENTS FOR CERTAIN TRANSPORTATION PROJECTS.

(a) IN GENERAL.—Section 106 of title 23, United States Code, is amended by adding at the end the following:

“(k) MEGAPROJECTS.—

“(1) MEGAPROJECT DEFINED.—In this subsection, the term ‘megaproject’ means a project that has an estimated total cost of \$2,500,000,000 or more, and such other projects as may be identified by the Secretary.

“(2) COMPREHENSIVE RISK MANAGEMENT PLAN.—A recipient of Federal financial assistance under this title for a megaproject shall, in order to be authorized for construction, submit to the Secretary a comprehensive risk management plan that contains—

“(A) a description of the process by which the recipient will identify, quantify, and monitor the risks that might result in cost overruns, project delays, reduced construction quality, or reductions in benefits with respect to the megaproject;

“(B) examples of mechanisms the recipient will use to track risks identified pursuant to subparagraph (A);

“(C) a plan to control such risks; and

“(D) such assurances as the Secretary considers appropriate that the recipient will, with respect to the megaproject—

“(i) regularly submit to the Secretary updated cost estimates; and

“(ii) maintain and regularly reassess financial reserves for addressing known and unknown risks.

“(3) PEER REVIEW GROUP.—

“(A) IN GENERAL.—A recipient of Federal financial assistance under this title for a megaproject shall, not later than 90 days after the date when such megaproject is authorized for construction, establish a peer review group for such megaproject that consists of at least 5 individuals (including at least 1 individual with project management experience) to give expert advice on the scientific, technical, and project management aspects of the megaproject.

“(B) MEMBERSHIP.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall establish guidelines describing how a recipient described in subparagraph (A) shall—

“(i) recruit and select members for a peer review group established under such subparagraph;

“(ii) ensure that no member of the peer group has a conflict of interest relating to the project; and

“(iii) make publicly available the criteria for such selection and the identity of members so selected.

“(C) TASKS.—A peer review group established under subparagraph (A) by a recipient of Federal financial assistance for a megaproject shall—

“(i) meet annually until completion of the megaproject;

“(ii) not later than 90 days after the date of the establishment of the peer review group and not later than 90 days after the date of any significant change, as determined by the Secretary, to the scope, schedule, or budget of the megaproject, review the scope, schedule, and budget of the megaproject, including planning, engineering, financing, and any other elements determined appropriate by the Secretary; and

“(iii) submit a report on the findings of each review under clause (ii) to the Secretary, Congress, and the recipient.

“(4) TRANSPARENCY.—A recipient of Federal financial assistance under this title for

a megaproject shall publish on the Internet Web site of such recipient—

“(A) the name, license number, and license type of each engineer supervising an aspect of the megaproject; and

“(B) the report submitted under paragraph (3)(C)(iii), not later than 90 days after such submission.”.

(b) APPLICABILITY.—The amendment made by subsection (a) applies with respect to projects that are authorized for construction on or after the date that is 1 year after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, this bipartisan amendment establishes an independent peer review group to assess the quality assurance, cost containment, and risk management and, in addition, creates a stricter cost management plan for Federal transportation projects that cost over \$2.5 billion. So it is only Federal projects over \$2.5 billion. It doesn't apply to anything below \$2.5 billion.

As we all know, large infrastructure projects are vital to our country's development and its economic growth. Unfortunately, 9 out of every 10 megaprojects experience cost overruns and suffer significant delays. This is according to an extensive research project out of Cambridge University in England. Current law already requires financial reporting for projects costing more than \$500 million, but no additional oversight, such as what we have in this bill, exists for the largest and most complex megaprojects.

Projects like the San Francisco-Oakland Bay Bridge, the I-265 bridge between Kentucky and Indiana, the Big Dig in Boston, the Tappan Zee Bridge in New York, and Denver International Airport—all of these projects would have benefited greatly from a comprehensive risk management plan and an independent peer review group, according to the experts.

Mr. Chairman, the public deserves a system that manages costs, foresees risks, and holds decisionmakers accountable. In my prior life as a member of the California State Legislature and the State senate, we had a bipartisan investigation and public hearings as to what went wrong and what lessons could be learned from our overruns on the Oakland-San Francisco Bay Bridge replacement that was replaced, a project that was \$5 billion overbudget and 10 years late.

The project started, unfortunately, in 1989 because of the Loma Prieta earthquake. The idea in this bipartisan review was just to learn what we could from our experience and not to cast any judgments. Amongst the most significant things we were told were the implementation of a rigorous, with the

least conflict of interest possible, peer review group and a more rigorous cost assessment and cost review process.

Mr. Chairman, this amendment establishes that independent peer review group consisting of at least five individuals, without conflicts of interest, tasked with giving expert advice on scientific, technical, and management aspects of the megaproject. The amendment saves taxpayer dollars and reduces project timelines by requiring a comprehensive risk management plan that includes a description of identified risks associated with the project, proposed mechanisms to manage such risks, and updated cost estimates, among others.

I urge my colleagues to support this commonsense bipartisan amendment.

Mr. Chair, I yield 2 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Chairman, I am pleased to join my colleague from California to support this effort to rein in cost overruns on large, complex projects that end up costing taxpayers far more than original estimates.

Too often, extremely large projects suffer from extreme cost overruns that not only fail to provide good value to taxpayers, but damage other infrastructure by absorbing funds that could support other transportation projects.

In California, for example, the State's high-speed rail proposal is estimated to cost over twice what voters were promised, and no honest observer actually believes that estimate is even high enough at twice. The project's growing costs threaten funding for every other aspect of California's transportation system, including key infrastructure that people are demanding like roads and highways, or in this time of record drought in California, with unlimited funds, maybe even for water storage projects in that area.

Mr. Chairman, if this amendment were in place today, Congress would have the benefit of an independent peer review analysis when determining whether to provide funding, and the project would have prepared a detailed risk management plan to control costs—very similar to when I was a State senator in California, S. 22, to do this very same thing similarly on high-speed rail at the time.

□ 2000

Policymakers need accurate and partial information to make decisions, and this amendment will ensure that information is available.

Mr. Chairman, I urge support for this amendment.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, this amendment, I believe, is unnecessary.

Special requirements and protections are already in place for any project costing more than \$500 million, a much lower threshold than proposed by the gentleman's amendment.

Each project must have a project management plan that documents procedures to manage the scope, costs, schedules, and Federal requirements applicable to the project. The plan must also document the role of the agency's leadership and the project management team in delivering the project.

Each major project must have in place an annual financial plan that provides detailed estimates of the cost to complete the project, including future increases in the cost of the project.

Again, it is already in the bill. It is at a much lower threshold than the gentleman's amendment.

I urge all Members to oppose the amendment.

I yield back the balance of my time. Mr. DESAULNIER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. CHAFFETZ). The gentleman from California has 30 seconds remaining.

Mr. DESAULNIER. Mr. Chairman, I want to thank the chairman. I also want to thank him for his coaching and helping me through a prospective working mistake.

With all due respect—and, of course, the chairman is much more knowledgeable than I am—it is the intention at least of the author that this would be in addition to.

I would respectfully ask for an "aye" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DESAULNIER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DESAULNIER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 42 OFFERED BY MR. BEYER

The Acting CHAIR. It is now in order to consider amendment No. 42 printed in part B of House Report 114-325.

Mr. BEYER. Mr. Chairman, I rise as the designee of the gentleman from Maryland. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of Division A, add the following:

SEC. ____ . REGULATION OF MOTOR CARRIERS OF PROPERTY.

Section 14501(c)(2)(C) of title 49, United States Code, is amended by striking "the

price of" and all that follows through "transportation is" and inserting "the regulation of tow truck operations".

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Virginia (Mr. BEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, I would like to begin by thanking Chairman SHUSTER and Ranking Member DEFAZIO for their hard work on the underlying bill and for considering Congressman VAN HOLLEN's and my amendment.

Our amendment is simple. It would merely restore the ability of State and local governments to regulate the tow truck industry.

Through a provision slipped into the Federal Aviation Administration Act of 1994 that defined the tow truck industry as an interstate carrier, State and local regulation of tow truck operations has been preempted.

But the very next year, passage of the Interstate Commerce Termination Act struck down the Federal regulatory body that was overseeing the towing industry. So it essentially left it without any oversight despite widely reported consumer abuses.

In the years since, a number of conflicting court rulings have been made on cases between tow operators and localities. Some decisions have upheld some aspects of local regulations and others have stayed silent.

With no Federal regulator and a confusing patchwork of Federal preemption and judicial rulings, no level of government has been able to adequately regulate the towing industry.

This lack of regulatory authority has led to more than two decades of major misconduct by some unscrupulous towing companies, and these bad operators continue to taint an otherwise much-needed and respectable profession.

State and localities are the logical towing regulators. They have an established body of law in place to do so.

Mr. Chairman, in my family automobile business, we have long run our own tow trucks. We have contracted with independent tow truck companies for decades. Most of them are hard-working, honest, small businesses. They work long days and nights, weekends, in all kinds of weather, but they are given a bad name by the few, but real, irresponsible operators in the industry.

I would just like to note our amendment is supported by the largest trade association representing small business trucking professionals and professional truck drivers, the Owner-Operator Independent Drivers Association.

In their letter of support, they talk about nonconsensual tows and say:

These are situations where there is no opportunity for motorists to nego-

tiate services or compare prices among multiple towing operators. So it is critical that States have the ability to enact important consumer protections.

I urge my colleagues to support this amendment and end unnecessary and impractical Federal overreach. Return this important authority to the States and help end our constituents' frustrations with abusive towing practices.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I believe the gentleman's amendment is a sound amendment. I support it.

I yield back the balance of my time.

Mr. BEYER. Mr. Chairman, I thank the chair.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The amendment was agreed to.

AMENDMENT NO. 43 OFFERED BY MR. MICA

The Acting CHAIR. It is now in order to consider amendment No. 43 printed in part B of House Report 114-325.

Mr. MICA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 229, after line 7, insert the following:
“(m) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON THE INTERSTATE.—

“(1) IN GENERAL.—A State may not prohibit the operation of an automobile transporter with a gross weight of 84,000 pounds or less on—

“(A) any segment of the Interstate System (except a segment exempted under section 3111(f) of title 49); or

“(B) those classes of qualifying Federal-aid primary highways designated by the Secretary under section 3111(e) of title 49.

“(2) REASONABLE ACCESS.—A State may not enact or enforce a law denying reasonable access to automobile transporters, to and from highways described in paragraph (1), to loading or unloading points or facilities for food, fuel, repair, or rest.

“(3) AXLE WEIGHT TOLERANCE.—A State shall allow an automobile transporter a tolerance of no more than 5 percent on axle weight limitations set forth in subsection (a).

“(4) AUTOMOBILE TRANSPORTER DEFINED.—In this subsection, the term ‘automobile transporter’ has the meaning given that term in section 3111(a) of title 49.”.

The Acting CHAIR. Pursuant to House Resolution 507, the gentleman from Florida (Mr. MICA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Chairman, my colleagues, I know the chairman and the ranking member have done yeoman's

work in bringing this bill forward, and the staff have also done great work.

This is a special achievement. I have been there and tried to do this, done it, and it is very difficult. Sometimes you try not to interfere in the process, but from time to time an issue comes up that you try to negotiate and make sense out of.

My amendment is pretty simple. In the committee bill, the bill before us, the committee has already allowed for a very limited number of automobile transporter vehicles to increase their length from 75 to 80 feet, some 5 feet, which will accommodate approximately one more vehicle.

However, there is no consideration for the way to correspondingly provide for, again, the increase in the length. I have tried to negotiate between the industry. I do not support 91,000 pounds. I do not support 88,000 pounds. I do not support 86,000 pounds.

What I said is: What would it take to transport one more vehicle? There are 12,000 of these vehicles across the country. About what weight would it take to add one more vehicle to the length that is already in this bill? And it is about 4,000 pounds.

This amendment is simple. It says we would allow in this limited instance to go to 4,000 pounds because the committee draft and bill before us has, again, a provision to increase and allow, again, the additional 5-foot length.

Forty percent of these carriers travel empty. We could actually force more vehicles on the road by not allowing this amendment. Actually, giving them the length, but not the capacity to carry, doesn't make sense. So that is my amendment.

I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Mr. Chairman, I rise in opposition to this particular amendment offered by the gentleman from Florida (Mr. MICA).

This amendment would raise the allowable gross vehicle weight of automobile transporters to 84,000 pounds, as was stated. It would also allow higher allowable axle weight, up to 5 percent above levels set in current law.

We have agreed in the base bill to provide an exemption for the extra length to allow additional vehicles to be added to an automobile transporter.

Amendments to raise truck weights are very controversial and have the potential to weaken support for an otherwise carefully negotiated bill.

I ask my colleagues to vote "no."

I yield back the balance of my time.

Mr. MICA. Mr. Chairman, I am very disappointed that the other side of the aisle would not consider this a well-thought-out, reasonable amendment.

The underlying bill does allow, again, 5 additional feet. It would accommodate another vehicle, but no accommodation for weight. That just does not make sense. We are talking about a very limited number of transporting vehicles.

So even having offered on many occasions folks on the other side to present reasonable amendments and given that opportunity and not being allowed that tonight, Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 44 OFFERED BY MS. DELBENE

The Acting CHAIR. It is now in order to consider amendment No. 44 printed in part B of House Report 114-325.

Ms. DELBENE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 268, after line 17, insert the following: "(E) REPORT TO CONGRESS.—The Secretary shall make publically available a report on the Frontline Workforce Development Program for each fiscal year, not later than December 31 of the year in which that fiscal year ends. The report shall include a detailed description of activities carried out under this paragraph, an evaluation of the program, and policy recommendations to improve program effectiveness.

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from Washington (Ms. DELBENE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. DELBENE. Mr. Chairman, I would like to thank Chairman SHUSTER and Ranking Member DEFazio as well as subcommittee Chairman GRAVES and Ranking Member HOLMES NORTON for their work on this important bill. I would also like to thank Congresswoman FOXX for cosponsoring this amendment.

This amendment is bipartisan, straightforward, and will ensure the Federal Government is getting the best return on our investment while helping the greatest number of people.

The underlying bill provides grants through an innovative frontline workforce development program to train and recruit underrepresented populations for career pathways in transit maintenance and operations.

By establishing apprenticeships and forging local and regional training partnerships, these grants will provide targeted, hands-on training for workers across the country. This is critical for identifying potential workforce shortages in the future and filling those gaps with skilled workers.

Workforce development programs are often referred to as ladders of opportunity. Helping people find good-paying, long-term employment is the best way to ensure everyone has access to economic opportunities.

The program included in today's bill is a great example of this. It will help low-income Americans become self-sufficient by giving them specialized training to secure a career in the transit field and increase their earning potential, and it will identify the best ways to help the most people succeed.

My amendment would simply require a report on the frontline workforce development program for each fiscal year. The report would include an evaluation of the overall program and would include policy recommendations to improve the program's effectiveness.

The amendment would not affect direct spending or revenue and is budget-neutral, according to the Congressional Budget Office.

I firmly believe that this amendment improves the underlying bill, which will inject a sorely needed boost to our Nation's infrastructure and economy. I urge my colleagues to support this bipartisan amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I appreciate the gentlewoman's work on the amendment, and I support her amendment.

I yield back the balance of my time.

Ms. DELBENE. Mr. Chairman, I thank the gentleman for his support of the amendment and encourage others to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. DELBENE).

The amendment was agreed to.

AMENDMENT NO. 45 OFFERED BY MRS. NAPOLITANO

The Acting CHAIR. It is now in order to consider amendment No. 45 printed in part B of House Report 114-325.

Mrs. NAPOLITANO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 184, line 22, strike "and" at the end.

Page 185, line 7, strike "and" at the end.

Page 185, after line 15, insert the following: (iv) by adding at the end the following:

"(G) WAIVER.—

"(i) IN GENERAL.—Upon the request of a public authority, the Secretary may waive the requirements of subparagraph (E) for a facility, and the corresponding program sanctions under subparagraph (F), if the Secretary determines that—

“(I) the waiver is in the best interest of the traveling public; and

“(II) the public authority has made a good faith effort to improve the performance of the facility.

“(ii) **CONDITION.**—The Secretary may require, as a condition of issuance of a waiver under this subparagraph, that a public authority take additional actions, determined by the Secretary, to improve the performance of the facility.”; and

The Acting CHAIR. Pursuant to House Resolution 507, the gentlewoman from California (Mrs. NAPOLITANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. NAPOLITANO. Mr. Chairman, I, too, want to give thanks to both Mr. SHUSTER and Mr. DEFAZIO for their great work on this bill. It is absolutely amazing. Thank you so very much.

Mr. Chairman, this is a bipartisan amendment with Mr. ROYCE and Mr. CALVERT and would allow a State or local transportation agency to apply for a waiver from the current HOV degradation standard if the Secretary of Transportation determines that a waiver is in the best interest of the traveling public and that the State or local agency has made a good faith effort to improve the performance of the HOV lane.

□ 2015

The Secretary may require the public authority to take additional actions to improve the HOV lane.

The current HOV degradation standard requires HOV lanes to maintain an average speed above 45 miles per hour 90 percent of the time during peak hours. I repeat: during peak hours. This arbitrary standard does not take into consideration or account the specific transportation concerns of each State.

Over 60 percent of California's highways are noncompliant by this Federal degradation standard, which means that California will be forced to spend limited resources on transportation projects that do not meet the needs of the general public. California will also have to reduce the amount of energy-efficient vehicles that it allows in the HOV lane.

In California, we have studied the issue and have found that they do not meet the minimum driving speed standard because of accidents, weather events, and other unpredictable events. The degradation standard is supposed to address manageable recurring congestion, but California is noncompliant in the standard based on manageable traffic events.

This amendment would allow the DOT to recognize that there are special circumstances in each State that lead to lane degradation and that they do not always include recurring congestion. The amendment would allow the DOT to grant waivers to States and local agencies that apply based on

their local congestion concerns. It would protect States against a one-size-fits-all Federal policy that does not work for each State.

I ask for the support of my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. I thank the gentlewoman from California.

Mr. Chairman, I understand that California has unique issues with HOV degradation, and I believe a waiver process is appropriate. One size does not fit all. I think this is another example we can all learn from. California is different from Pennsylvania. Pennsylvania is different from Minnesota.

I appreciate the gentlewoman for continuing to fight for this amendment. I know that Mrs. MIMI WALTERS, from southern California, was also an advocate for this. We went back and forth on the negotiations as it was in one minute and out the next; but I appreciate your perseverance and Mrs. MIMI WALTERS' perseverance in that we were finally able to get this amendment to the floor and come to agreement on it. I support this amendment, and I think it is the right thing to do.

Mr. Chairman, I yield back the balance of my time.

Mrs. NAPOLITANO. I thank the chairman for those kind words. I thank Mrs. MIMI WALTERS and Messrs. ROYCE and CALVERT for their support of this amendment.

I certainly look forward to continuing to work on transportation, and I thank the gentleman for hanging in there this late in the evening. I look forward to working with the gentleman and with Ranking Member DEFAZIO on this issue during the conference.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. NAPOLITANO).

The amendment was agreed to.

Mr. SHUSTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCHENRY) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for

purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, had come to no resolution thereon.

COMMUNICATION FROM COUNSEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

The SPEAKER pro tempore laid before the House the following communication from Aaron T. Weston, counsel, of the Committee on Science, Space, and Technology:

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, November 3, 2015.

Hon. PAUL D. RYAN,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you, pursuant to rule VIII of the Rules of the House of Representatives, that I have received a subpoena issued by the United States Merit Systems Protection Board.

After consultation with the Office of General Counsel regarding the subpoena, I will make the determinations required under Rule VIII.

Sincerely,

AARON T. WESTON,
*Counsel, Committee on Science,
Space, and Technology.*

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 20 minutes p.m.), the House stood in recess.

□ 2323

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. FOXX) at 11 o'clock and 23 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF SENATE AMENDMENTS TO H.R. 22, HIRE MORE HEROES ACT OF 2015

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114-326) on the resolution (H. Res. 512) providing for further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LARSON of Connecticut (at the request of Ms. PELOSI) for today.

Mr. TAKAI (at the request of Ms. PELOSI) for November 2 and the balance of the week.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2016 BUDGET RESOLUTION RELATED TO THE SENATE AMENDMENT TO H.R. 22

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, November 3, 2015.

Mr. Speaker, I hereby submit for printing in the Congressional Record revisions to the budget allocations and aggregates of the Fiscal Year 2016 Concurrent Resolution on the Budget, S. Con. Res. 11, pursuant to section

4509, a deficit-neutral reserve fund for transportation. For purposes of budget enforcement, this adjustment is made pursuant to section 3110, which prohibits the use of guarantee fees as an offset in legislation, and section 3302, which requires transfers from the general fund of the Treasury to the Highway Trust Fund to be counted as new budget authority and outlays equal to the amount of the transfer in the fiscal year in which such transfer occurs, of such concurrent resolution. These revisions are designated for the Senate amendment to H.R. 22, the DRIVE Act, as amended by H. Res. 507. Corresponding tables are attached.

This revision represents an adjustment for purposes of budgetary enforcement. These revised allocations and aggregates are to be considered as the aggregates and allocations included in the budget resolution, pursuant to S. Con. Res. 11, as adjusted. Pursuant to section 3403 of such concurrent resolution, this revision to the allocations and aggregates shall apply only while the Senate

amendment to H.R. 22, as amended, is under consideration or upon its enactment.

Sincerely,

TOM PRICE, M.D.,
*Chairman,
Committee on the Budget.*

TABLE 1.—REVISION TO ON-BUDGET AGGREGATES—
BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal Year	
	2016	2016–2025
Current Aggregates:		
Budget Authority	3,040,743	¹
Outlays	3,092,541	¹
Revenues	2,675,967	32,233,099
Adjustment for SA to H.R. 22, the DRIVE Act:		
Budget Authority	35,672	¹
Outlays	34,998	¹
Revenues	1,155	25,289
Revised Aggregates:		
Budget Authority	3,076,415	¹
Outlays	3,127,539	¹
Revenues	2,677,122	32,258,388

¹ Not applicable because annual appropriations acts for fiscal years 2017–2025 will not be considered until future sessions of Congress.

TABLE 2.—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts, in millions of dollars]

House Committee on Ways and Means	2016		2016–2025 total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	963,250	962,255	13,218,695	13,217,578
Adjustment for SA to H.R. 22, the DRIVE Act	22	22	–3,216	–3,216
Revised Allocation	963,272	962,277	13,215,479	13,214,362

TABLE 3.—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts, in millions of dollars]

House Committee on Energy & Commerce	2016		2016–2025 total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	389,635	392,001	4,341,991	4,346,043
Adjustment for SA to H.R. 22, the DRIVE Act	0	0	–9,050	–9,050
Revised Allocation	389,635	392,001	4,332,941	4,336,993

TABLE 4.—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts, in millions of dollars]

House Committee on Transportation & Infrastructure	2016		2016–2025 total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	57,975	16,407	520,762	184,208
Adjustment for SA to H.R. 22, the DRIVE Act	35,650	34,976	–319,429	35,196
Revised Allocation	93,625	51,383	201,333	219,404

TABLE 5.—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts, in millions of dollars]

House Committee on Natural Resources	2016		2016–2025 total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	4,823	5,759	25,492	27,975
Adjustment for SA to H.R. 22, the DRIVE Act	0	0	–320	–320
Revised Allocation	4,823	5,759	25,172	27,655

BILLS PRESENTED TO THE
PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 2, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 1314. To amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse de-

terminations of tax-exempt status of certain organizations.

H.R. 623. To amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes.

RESIGNATION FROM THE HOUSE
OF REPRESENTATIVES

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
October 29, 2015.

Hon. JOHN R. KASICH,
Governor of Ohio, Columbus, Ohio.

DEAR GOVERNOR KASICH: I am writing to inform you that I will resign my congressional seat in the U.S. House of Representatives, effective 11:59 p.m. October 31, 2015.

Some 25 years ago, I asked the people of Ohio's Eighth District to send me to Washington on a mission to help build a smaller, less costly, and more accountable government. First and foremost, that has meant helping constituents and local officials cut through gridlock and navigate the bureaucratic maze to get things done. In Hamilton, we brought together the Army Corps of Engineers and local officials to get the Meldahl Lock and Dam power plant off the ground. In Butler County, we worked with officials at all levels to keep the veterans highway and Union Centre Blvd. projects on track. We made sure that Wright Patterson Air Force Base and the Springfield Air National Guard Base had the resources they need to support our men and women in uniform. And not to mention the tens of thousands of constituents we helped through casework, letters, phone calls, my open door program, and of course, Farm Forum. None of this would have been possible without the hard work of my staff, which has been first-rate from start to finish. Together, we did the right things for the right reasons and good things happened.

It has been an honor to serve.

Sincerely,

JOHN A. BOEHNER.

ADJOURNMENT

Mr. WOODALL. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 4, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3364. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's Major final rule — Home Mortgage Disclosure (Regulation C) [Docket No.: CFPB-2014-0019] (RIN: 3170-AA10) received November 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3365. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received November 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3366. A letter from the Director, Office of Government Relations, VISTA, Corporation for National and Community Service, transmitting the Corporation's final rule — Volunteers in Service to America (RIN: 3045-AA36) received November 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3367. A letter from the Archivist of the United States, National Archives and Records Administration, transmitting the Administration's FY 2015 report on Inventories of Commercial and Inherently Governmental Activities, pursuant to 31 U.S.C. 501

note; Public Law 105-270, Sec. 2(c); to the Committee on Oversight and Government Reform.

3368. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Transaction of Interest Notice for Basket Contracts [Notice 2015-74] (NOT-127221-15) received November 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3369. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2016 Cost-of-Living Adjustments to the Internal Revenue Code Tax Tables and Other Items (Rev. Proc. 2015-53) received November 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3370. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; End-Stage Renal Disease Prospective Payment System, and Quality Incentive Program [CMS-1628-F] (RIN: 0938-AS48) received October 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

3371. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare and Medicaid Programs; CY 2016 Home Health Prospective Payment System Rate Update; Home Health Value-Based Purchasing Model; and Home Health Quality Reporting Requirements [CMS-1625-F] (RIN: 0938-AS46) received October 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 512. Resolution providing for further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act (Rept. 114-326). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. O'ROURKE (for himself and Mr. COFFMAN):

H.R. 3879. A bill to amend title 38, United States Code, to provide for covered agreements and contracts between the Secretary of Veterans Affairs and eligible academic affiliates for the mutually beneficial coordination, use, or exchange of health-care resources, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PALMER (for himself, Mr. MOONEY of West Virginia, Mr. BARR, Mr. HARRIS, Mr. AUSTIN SCOTT of Georgia, Mr. LOUDERMILK, Mr. FLORES, Mr. FARENTHOLD, Mr. GIBBS, Mr. WENSTRUP, Mr. BYRNE, Mr. BABIN, Mr. WESTERMAN, Mrs. MILLER of Michigan, Mr. BOUSTANTY, Mr. HARDY, Mrs. LUMMIS, Mr. BENISHEK, Mr. NEWHOUSE, Mr. BRAT, Mr. MCKINLEY, Mr. ROUZER, Mr. SCHWEIKERT, Mr. VALADAO, Mr. ROSS, Mr. NUNES, Mrs. BLACK, Mr. COLLINS of Georgia, Mr. LAMALFA, Mr. LAMBORN, Mr. CARTER of Georgia, Mr. JENKINS of West Virginia, Mr. LUCAS, Mr. HILL, Mr. GROTHMAN, Mr. CHAFFETZ, Mr. SMITH of Missouri, Mr. HENSARLING, Mr. DUNCAN of South Carolina, Mr. MILLER of Florida, Mr. BRIDENSTINE, Mr. JORDAN, Mr. SENSENBRENNER, Mr. DUNCAN of Tennessee, Mr. JODY B. HICE of Georgia, Mr. BARTON, Mr. PITTS, Mr. CARTER of Texas, Mr. FLEMING, Mr. RATCLIFFE, Mr. ROTHFUS, Mr. BUCK, Mr. MARCHANT, Mr. BRADY of Texas, Mr. YODER, Mr. SMITH of Texas, Mr. BARLETTA, Mr. GOHMERT, Mr. AMODEI, Mr. WALKER, Mr. MULLIN, Mr. STUTZMAN, Mrs. BLACKBURN, Mrs. ROBY, Mr. SALMON, Mrs. LOVE, Mr. MCCAUL, Mr. MULVANEY, Mr. KELLY of Pennsylvania, Mr. ROGERS of Alabama, Mr. BROOKS of Alabama, Mr. GOSAR, Mr. OLSON, Mr. SESSIONS, Mr. ROE of Tennessee, Mr. NEUGEBAUER, Mr. WEBER of Texas, Mr. ABRAHAM, Mr. LABRADOR, Mr. RIBBLE, Mrs. ELLMERS of North Carolina, Mr. ALLEN, Mr. WOODALL, Mr. ADERHOLT, Mr. WILLIAMS, Mr. SAM JOHNSON of Texas, Mr. DESJARLAIS, Mr. GARRETT, Mr. PERRY, Mr. PEARCE, Mr. KING of Iowa, Mr. KNIGHT, Mr. PALAZZO, Mr. POE of Texas, Mr. YOHO, Mr. MASSIE, Mr. HUELSKAMP, Mr. WALBERG, Mr. ROKITA, Mr. COLE, Mr. MCCLINTOCK, Mr. TOM PRICE of Georgia, Mr. RICE of South Carolina, Mr. FRANKS of Arizona, Mr. KELLY of Mississippi, Mrs. HARTZLER, Mr. JONES, and Mr. HURD of Texas):

H.R. 3880. A bill to prevent the Environmental Protection Agency from exceeding its statutory authority in ways that were not contemplated by the Congress; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. LAMALFA):

H.R. 3881. A bill to amend the Mineral Leasing Act to repeal provisions relating only to the Allegheny National Forest; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 3882. A bill to designate the Greater Grand Canyon Heritage National Monument in the State of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. WITTMAN:

H.R. 3883. A bill to improve the provision of health care by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WITTMAN:

H.R. 3884. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to promote and encourage collaboration between the Department of Veterans Affairs and nonprofit organizations and institutions of higher learning that provide administrative assistance to veterans; to the Committee on Veterans' Affairs.

By Mr. WITTMAN:

H.R. 3885. A bill to amend title 10, United States Code, to include a single comprehensive disability examination as part of the required Department of Defense physical examination for separating members of the Armed Forces, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BONAMICI (for herself and Ms. STEFANIK):

H.R. 3886. A bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CHABOT:

H.R. 3887. A bill to amend title 49, United States Code, to increase certain penalties relating to commercial motor vehicle safety, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RUSH:

H.R. 3888. A bill to provide for the implementation of a system of licensing for purchasers of certain firearms and for a record of sale system for those firearms, and for other purposes; to the Committee on the Judiciary.

By Ms. CLARKE of New York:

H.R. 3889. A bill to require certain practitioners authorized to prescribe controlled substances to complete continuing education; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAWSON of Florida:

H.R. 3890. A bill to exempt safe and sound depository institutions, credit unions, and depository institution holding companies from certain titles of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes; to the Committee on Financial Services.

By Mr. CLAWSON of Florida:

H.R. 3891. A bill to amend the Sarbanes-Oxley Act of 2002 to exempt issuers with a total market capitalization of less than \$2,000,000,000 from the auditor attestation requirement for internal control assessments; to the Committee on Financial Services.

By Mr. DIAZ-BALART (for himself, Mr. GOHMERT, Mr. WEBER of Texas, Mrs. BLACK, and Mr. POMPEO):

H.R. 3892. A bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes; to the Committee on the Judiciary.

By Ms. GABBARD (for herself, Ms. PINGREE, Mr. GARAMENDI, Mr. MCNERNEY, and Mr. PIERLUISI):

H.R. 3893. A bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 with respect to grants for certain areawide integrated pest management

projects, and for other purposes; to the Committee on Agriculture.

By Ms. GABBARD (for herself and Mr. TAKAI):

H.R. 3894. A bill to amend title 10, United States Code, to require the prompt notification of State Child Protective Services by military and civilian personnel of the Department of Defense required by law to report suspected instances of child abuse and neglect; to the Committee on Armed Services.

By Mr. GRAYSON:

H.R. 3895. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for combined heat and power system property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3896. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for qualified fuel cell property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3897. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for qualified microturbine property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3898. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for qualified small wind energy property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3899. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for residential energy efficient property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3900. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for solar energy property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3901. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for thermal energy property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3902. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for combined heat and power system property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3903. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for qualified fuel cell property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3904. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for qualified microturbine property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3905. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for qualified small wind energy property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3906. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for residential energy efficient property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3907. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for solar energy property; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3908. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for thermal energy property; to the Committee on Ways and Means.

By Mr. GUINTA:

H.R. 3909. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to expand the Veterans Choice Program, to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself, Mr. LARSON of Connecticut, Ms. SLAUGHTER, Mr. CLYBURN, Mr. GARAMENDI, and Mr. HASTINGS):

H.R. 3910. A bill to change the date for regularly scheduled Federal elections and establish polling place hours; to the Committee on House Administration.

By Mrs. KIRKPATRICK:

H.R. 3911. A bill to make technical amendments to the Act of December 22, 1974, relating to lands of the Navajo Tribe, and for other purposes; to the Committee on Natural Resources.

By Ms. KUSTER:

H.R. 3912. A bill to amend the Small Business Jobs Act of 2010 to extend and expand the State Trade and Export Promotion (STEP) Grant Program; to the Committee on Small Business.

By Mr. LANGEVIN (for himself and Mr. HARPER):

H.R. 3913. A bill to amend title XXIX of the Public Health Service Act to reauthorize the program under such title relating to lifespan respite care; to the Committee on Energy and Commerce.

By Mr. ROUZER:

H.R. 3914. A bill to require that the United States flag be flown at half-staff in honor of members of the Armed Forces who die in the line of duty in the United States; to the Committee on the Judiciary.

By Mr. SCHRADER:

H.R. 3915. A bill to ensure that United States Government personnel, including members of the Armed Forces and contractors, assigned to United States diplomatic missions are given the opportunity to designate next-of-kin for certain purposes in the event of the death of the personnel; to the Committee on Foreign Affairs.

By Ms. TSONGAS:

H.R. 3916. A bill to prohibit entities from using Federal funds to contribute to political campaigns or participate in lobbying activities; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Indiana (for himself, Ms. LINDA T. SANCHEZ of California, Mr. NUNES, Mr. TIBERI, Mr. REICHERT, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mr. PAULSEN, Mr. ROSKAM, Mr. REED, Mr. BOUSTANY, Mrs. NOEM, Mrs. BLACK, Mr. KIND, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. NEAL, Mr. RANGEL, Mr. DANNY K. DAVIS of Illinois, Mr. PASCRELL, and Mr. BLUMENAUER):

H.R. 3917. A bill to amend the Internal Revenue Code of 1986 to modify the substantiation rules for the donation of vehicles valued between \$500 and \$2,500; to the Committee on Ways and Means.

By Mrs. HARTZLER (for herself, Mr. FLEMING, Mr. HUELSKAMP, and Mr. PITTS):

H. Res. 510. A resolution supporting the designation of the week beginning November 8, 2015, as "National Pregnancy Center Week" to recognize the vital role that pregnancy care and resource centers play in saving lives and serving women and men faced with difficult pregnancy decisions; to the Committee on Energy and Commerce.

By Mr. CHABOT (for himself, Mr. PETERS, Mr. HARDY, Mr. KIND, Ms. VELÁZQUEZ, Mr. HANNA, Mr. CURBELO of Florida, Mr. BOST, Mr. JOYCE, Mr. KNIGHT, Mr. LUETKEMEYER, Mr. MARINO, Mr. RENACCI, Mr. KELLY of Mississippi, Mr. SMITH of Texas, Mrs. BROOKS of Indiana, Mrs. BLACKBURN, Mr. CRAMER, Mr. BUCHANAN, Mrs. BLACK, Mr. MCCAUL, Mr. GIBSON, Mr. KING of Iowa, Mr. CONAWAY, Mr. HENSARLING, Mrs. RADEWAGEN, Mr. BRAT, Ms. BROWNLEY of California, Mr. HASTINGS, Mr. CARTWRIGHT, Mr. LARSEN of Washington, Mr. HONDA, Mr. TAKAI, Ms. JUDY CHU of California, Mrs. LAWRENCE, Mr. MOULTON, Ms. DELBENE, Ms. KUSTER, Ms. JACKSON LEE, Mr. RYAN of Ohio, Mr. TONKO, Ms. TSONGAS, Mr. VARGAS, Ms. HAHN, Mrs. DAVIS of California, Ms. MENG, and Ms. ADAMS):

H. Res. 511. A resolution expressing support for designation of the third Tuesday in November as "National Entrepreneurs' Day"; to the Committee on Energy and Commerce.

By Mr. ENGEL (for himself, Ms. ROSELEHTINEN, and Ms. SCHAKOWSKY):

H. Res. 513. A resolution honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the twentieth anniversary of his death; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

146. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 156, urging the United States Congress and the U.S. Department of the Army to accelerate federal funding to improve military vehicle safety from rollover accidents; to the Committee on Armed Services.

147. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 104, urging the Congress of the United States to reject the U.S.-led nuclear agreement with Iran and press for a new agreement that will prevent all pathways to an Iranian nuclear weapon; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. O'ROURKE:

H.R. 3879.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the Constitution of the United States

By Mr. PALMER:

H.R. 3880.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. THOMPSON of Pennsylvania:

H.R. 3881.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution which gives Congress the power "to regulate Commerce with foreign Nations, and among the several states, and within the Indian Tribes."

By Mr. GRIJALVA:

H.R. 3882.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8, cl. 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

U.S. Const. art. IV, sec. 3, cl. 2, sen. a

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States;

By Mr. WITTMAN:

H.R. 3883.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 18 of the United States Constitution

By Mr. WITTMAN:

H.R. 3884.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 18 of the United States Constitution

By Mr. WITTMAN:

H.R. 3885.

Congress has the power to enact this legislation pursuant to the following:

By Article 1, Section 8 of the United States Constitution (clause 14), which grants Congress the power to make rules for the government and regulation of the land and naval forces and by Article I, Section 8, Clause 1 and Clause 18.

By Ms. BONAMICI:

H.R. 3886.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution

By Mr. CHABOT:

H.R. 3887.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3 and Article I, section 8, clause 18

By Mr. RUSH:

H.R. 3888.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, §8, Cl. 1: "The Congress shall have Power To . . . provide for the . . . general Welfare of the United States;"

Art. 1, §8, Cl. 3: "To regulate Commerce . . . among the several States . . ."

Art. 1, §8, Cl. 18: "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers . . ."

By Ms. CLARKE of New York:

H.R. 3889.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. CLAWSON of Florida:

H.R. 3890.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. CLAWSON of Florida:

H.R. 3891.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. DIAZ-BALART:

H.R. 3892.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 3 and Article I, Sec8, Clause 18

By Ms. GABBARD:

H.R. 3893.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Ms. GABBARD:

H.R. 3894.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. GRAYSON:

H.R. 3895.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3896.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3897.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3898.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3899.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3900.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3901.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3902.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3903.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3904.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3905.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3906.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3907.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 3908.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. GUINTA:

H.R. 3909.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause 18. The Congress shall have power . . . to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States

By Mr. ISRAEL:

H.R. 3910.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 4, Clause 1 of the United States Constitution

By Mrs. KIRKPATRICK:

H.R. 3911.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 (18) To make all Laws which shall be necessary and proper for carrying into Executive the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer therefore.

By Ms. KUSTER:

H.R. 3912.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States), and Article 1, Section 8, Clause 3 (relating to the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes) of the United States Constitution.

By Mr. LANGEVIN:

H.R. 3913.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3

By Mr. ROUZER:

H.R. 3914.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 14 of the United States Constitution. To make Rules for the Government and Regulation of the land and naval forces.

By Mr. SCHRADER:

H.R. 3915.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under:

U.S. Const. art. 1, §1; and

U.S. Const. art. 1, §8, cl. 18.

By Ms. TSONGAS:

H.R. 3916.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution.

By Mr. YOUNG of Indiana:

H.R. 3917.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debt and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 170: Mr. HUELSKAMP.
H.R. 303: Mr. RATCLIFFE.
H.R. 344: Mr. GUTIÉRREZ,
H.R. 353: Mr. POE of Texas.
H.R. 381: Mr. FATTAH.
H.R. 456: Ms. LORETTA SANCHEZ of California.
H.R. 472: Mr. COLE.
H.R. 543: Mr. FLEMING.
H.R. 546: Mr. MCGOVERN.
H.R. 556: Mr. KILDEE.
H.R. 563: Mr. COLE.
H.R. 592: Mr. SMITH of Texas.
H.R. 600: Mr. REICHERT.
H.R. 674: Ms. KUSTER.
H.R. 699: Mr. PAYNE and Mr. WALBERG.
H.R. 704: Mr. BRIDENSTINE.
H.R. 815: Mr. HARDY.
H.R. 824: Mr. FLEMING.
H.R. 836: Mr. FLEMING and Mr. CLAWSON of Florida.
H.R. 840: Mr. KEATING, Mr. HUFFMAN, Mr. MCNERNEY, and Ms. BROWNLEY of California.
H.R. 842: Mrs. WALORSKI and Mr. PEARCE.
H.R. 863: Mr. BOUSTANY and Mr. HARPER.
H.R. 921: Mr. FLEMING.
H.R. 953: Mr. LEVIN and Mr. WELCH.
H.R. 964: Mr. RANGEL.
H.R. 985: Mr. WOMACK and Ms. EDWARDS.
H.R. 990: Mr. TONKO and Mr. RUPPERS-
BERGER.
H.R. 1057: Mr. PETERSON.
H.R. 1197: Mr. SIRE.
H.R. 1220: Mr. WENSTRUP and Mr. HUIZENGA of Michigan.
H.R. 1271: Mr. KING of New York.
H.R. 1288: Mr. ROSKAM, Mr. LATTA, and Ms. LORETTA SANCHEZ of California.
H.R. 1301: Mr. KIND.
H.R. 1312: Ms. BONAMICI.
H.R. 1340: Mr. LEVIN.
H.R. 1343: Mr. SHUSTER and Mr. SMITH of Texas.
H.R. 1401: Mr. HILL and Mr. RICE of South Carolina.
H.R. 1423: Mr. BARLETTA.
H.R. 1453: Mr. POMPEO and Mrs. WALORSKI.

H.R. 1454: Ms. TSONGAS.
H.R. 1475: Mr. FRELINGHUYSEN.
H.R. 1516: Mr. TOM PRICE of Georgia.
H.R. 1533: Ms. ESTY.
H.R. 1538: Mr. RICE of South Carolina and Mr. VISCLOSKEY.
H.R. 1545: Mr. RIBBLE and Mr. GROTHMAN.
H.R. 1550: Mr. FOSTER and Mrs. LOVE.
H.R. 1559: Mr. JEFFRIES.
H.R. 1567: Mr. ROONEY of Florida, Ms. NOR-
TON, Ms. JENKINS of Kansas, and Mr. COHEN.
H.R. 1571: Mr. SCHIFF, Mr. FARR, Ms. NOR-
TON, Mr. SWALWELL of California, Mr. DELANEY, Mr. BRADY of Pennsylvania, and Ms. MOORE.
H.R. 1625: Ms. TITUS.
H.R. 1627: Mr. POSEY and Mr. DUNCAN of South Carolina.
H.R. 1631: Mr. KELLY of Pennsylvania.
H.R. 1671: Mr. BUCHSHON, Mr. HUDSON, Mr. CRENSHAW, and Mr. BRIDENSTINE.
H.R. 1726: Mr. JEFFRIES.
H.R. 1737: Mr. FARR.
H.R. 1763: Mr. KENNEDY, Ms. DELBENE, Ms. SINEMA, Mr. KEATING, Ms. VELÁZQUEZ, Ms. MOORE, and Ms. CLARK of Massachusetts.
H.R. 1786: Ms. ROS-LEHTINEN and Mr. AMODEI.
H.R. 1814: Mr. HANNA.
H.R. 1859: Mr. ZELDIN.
H.R. 1902: Mr. PRICE of North Carolina.
H.R. 1921: Mr. BROOKS of Alabama.
H.R. 1942: Mr. GALLEG0 and Ms. LINDA T. SANCHEZ of California
H.R. 1969: Mr. CICILLINE, Ms. LORETTA SANCHEZ of California, Mr. DEFazio, and Mr. SMITH of New Jersey.
H.R. 1986: Mr. CRAWFORD.
H.R. 2017: Mr. KINZINGER of Illinois and Mr. MCKINLEY.
H.R. 2050: Mr. THOMPSON of Pennsylvania and Mr. VALADAO.
H.R. 2144: Mrs. BROOKS of Indiana.
H.R. 2264: Mr. ROE of Tennessee and Mr. YOUNG of Iowa.
H.R. 2285: Mrs. LOWEY.
H.R. 2307: Ms. TITUS.
H.R. 2403: Mrs. KIRKPATRICK, Mrs. WATSON COLEMAN, and Mr. CARSON of Indiana.
H.R. 2450: Mr. AGUILAR.
H.R. 2515: Mr. ROONEY of Florida and Mr. SWALWELL of California.
H.R. 2536: Mr. HASTINGS.
H.R. 2540: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 2627: Ms. PINGREE.
H.R. 2641: Ms. CLARK of Massachusetts and Ms. PINGREE.
H.R. 2646: Mr. GOODLATTE, Mr. ABRAHAM, and Mr. EMMER of Minnesota.
H.R. 2654: Ms. ROYBAL-ALLARD, Mr. CASTRO of Texas, and Ms. LORETTA SANCHEZ of California.
H.R. 2699: Ms. TSONGAS.
H.R. 2710: Mr. RATCLIFFE and Mr. JORDAN.
H.R. 2715: Mr. AGUILAR.
H.R. 2716: Mr. LAMALFA.
H.R. 2758: Mr. ABRAHAM.
H.R. 2844: Mr. GRAYSON.
H.R. 2867: Ms. KUSTER, Ms. LORETTA SANCHEZ of California, Mrs. DAVIS of California, and Mr. SMITH of Washington.
H.R. 2871: Ms. TSONGAS.
H.R. 2880: Mr. THOMPSON of Mississippi.
H.R. 2894: Mr. KENNEDY.
H.R. 2902: Mr. NOLAN, Mr. GRAYSON, Mr. KENNEDY, Mr. BRADY of Pennsylvania, Mr. CONYERS, Ms. LORETTA SANCHEZ of California, Mrs. WATSON COLEMAN, Mr. BISHOP of Georgia, Ms. DELAURO, Mr. CUMMINGS, Mr. HIGGINS, Mr. AL GREEN of Texas, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CAROLYN B. MALONEY of New York, Mr. BERA, Ms. WASSERMAN SCHULTZ,

Mr. KILDEE, Mr. JEFFRIES, Mr. RUSH, and Mr. VEASEY.

H.R. 2903: Mr. MURPHY of Florida and Mr. LATTA.

H.R. 2915: Ms. LORETTA SANCHEZ of California.

H.R. 3036: Mr. COLE.

H.R. 3051: Ms. TSONGAS.

H.R. 3063: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 3095: Mr. GARAMENDI.

H.R. 3229: Mr. DUNCAN of South Carolina, Mr. KING of New York, Mr. TOM PRICE of Georgia, and Ms. PINGREE.

H.R. 3263: Mr. SCHIFF and Ms. CASTOR of Florida.

H.R. 3314: Mr. CARTER of Texas, Mr. RICE of South Carolina, Mr. GRAVES of Louisiana, and Mr. MCKINLEY.

H.R. 3326: Ms. JENKINS of Kansas.

H.R. 3356: Mr. JOHNSON of Georgia.

H.R. 3410: Mr. LOWENTHAL and Mr. TED LIEU of California.

H.R. 3411: Mr. NADLER, Mrs. DAVIS of California, Mr. HUFFMAN, Mr. GALLEGO, Ms. EDWARDS, Mr. CONNOLLY, Ms. BROWNLEY of California, Mrs. LOWEY, Mr. LIPINSKI, and Mr. TAKANO.

H.R. 3423: Mrs. KIRKPATRICK and Mr. VALADAO.

H.R. 3459: Mr. CALVERT, Mr. MULVANEY, Mr. DOLD, Mr. BOUSTANY, Mr. HURD of Texas, Mr. POSEY, Mr. LAMBORN, Mr. NUGENT, Mr. ZINKE, Mrs. ELLMERS of North Carolina, Mr. GIBBS, Mr. STEWART, Mr. MACARTHUR, Mr. STIVERS, Mr. TIPTON, Mr. CULBERSON, and Mr. KELLY of Pennsylvania.

H.R. 3488: Mr. STUTZMAN.

H.R. 3516: Mrs. WALORSKI.

H.R. 3522: Mr. LEVIN.

H.R. 3558: Mr. LEVIN.

H.R. 3630: Mrs. MCMORRIS RODGERS.

H.R. 3651: Mr. SESSIONS, Mr. PALAZZO, Mr. KILDEE, Mr. POLIQUIN, Mr. SMITH of Texas, Mr. AUSTIN SCOTT of Georgia, and Mr. JOHNSON of Ohio.

H.R. 3652: Mr. CÁRDENAS.

H.R. 3666: Mr. WELCH.

H.R. 3684: Mr. BISHOP of Georgia.

H.R. 3686: Mr. BOUSTANY.

H.R. 3687: Mr. WEBER of Texas.

H.R. 3706: Mr. KILMER and Mr. RIBBLE.

H.R. 3733: Mr. QUIGLEY.

H.R. 3741: Mr. CARNEY.

H.R. 3756: Mr. JOLLY.

H.R. 3766: Mr. CRENSHAW, Mr. MEADOWS, Mr. YOHO, Mr. RIBBLE, Mr. WEBER of Texas, Mr. CICILLINE, Mr. DONOVAN, Mr. BLUMENAUER, Mr. PERRY, Mr. CARTWRIGHT, and Mr. CHABOT.

H.R. 3780: Mrs. LOVE.

H.R. 3782: Mr. MCGOVERN.

H.R. 3783: Mr. MCGOVERN and Ms. SLAUGHTER.

H.R. 3799: Mr. WOMACK.

H.R. 3801: Mr. HUFFMAN and Mr. YARMUTH.

H.R. 3802: Mr. TOM PRICE of Georgia, Mr. CRENSHAW, Mr. MOONEY of West Virginia, and Mrs. WALORSKI.

H.R. 3806: Mr. McDERMOTT.

H.R. 3815: Miss RICE of New York.

H.R. 3841: Ms. NORTON, Mrs. NAPOLITANO, Mr. VAN HOLLEN, Mrs. CAPPS, Mr. HASTINGS, and Ms. JUDY CHU of California.

H.R. 3842: Mr. LOUDERMILK.

H.R. 3845: Ms. JENKINS of Kansas and Mr. BOST.

H.R. 3856: Mr. PETERS and Mr. PASCRELL.

H.R. 3859: Mr. LOUDERMILK.

H.R. 3863: Mr. MEEKS.

H.R. 3865: Mr. VALADAO and Mr. EMMER of Minnesota.

H.J. Res. 50: Mr. PITTENGER.

H.J. Res. 70: Mrs. BROOKS of Indiana and Mr. MOONEY of West Virginia.

H. Con. Res. 28: Mrs. ELLMERS of North Carolina.

H. Con. Res. 50: Ms. BORDALLO.

H. Res. 28: Mr. RENACCI and Mr. COSTELLO of Pennsylvania.

H. Res. 32: Ms. ESHOO, Mr. AL GREEN of Texas, and Mr. MURPHY of Florida.

H. Res. 54: Mr. THOMPSON of Mississippi.

H. Res. 56: Mr. ROSKAM.

H. Res. 112: Mr. MCGOVERN, Mr. POCAN, and Mr. WILLIAMS.

H. Res. 194: Ms. KELLY of Illinois.

H. Res. 502: Mr. LOWENTHAL, Mr. SMITH of Washington, Mr. GUTIÉRREZ, Ms. MOORE, Mrs. WATSON COLEMAN, Mr. RUSH, and Ms. LEE.

H. Res. 508: Ms. LEE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to Rules Committee Print 114-32 offered by Mr. SHUSTER of Pennsylvania does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

RECOGNIZING VALPARAISO UNIVERSITY'S HONORS COLLEGE

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. VISCLOSKY. Mr. Speaker, I rise today to commemorate the 50th anniversary of the National Collegiate Honors Council (NCHC). For the past 50 years, the NCHC has been committed to excellence in honors education.

In particular, I rise to honor Valparaiso University's honors college, Christ College, an NCHC member located in Indiana's First Congressional District, for its commitment to teaching America's finest students. Dedicated to the cultivation of intellectual, moral, and spiritual virtues, Christ College seeks to emphasize history, literature, art, philosophy, and religious studies. Small discussion-centered classes offer stimulating interdisciplinary study with master teacher-scholars appointed full-time to the honors college. The students enrolled in the honors program not only take rigorous honors coursework, but are concurrently enrolled in one of Valparaiso University's other excellent colleges from which they earn their degrees.

Prominent Christ College alumni include federal district court judge Rebecca R. Pallmeyer, class of 1976, and the Principal Deputy Assistant Secretary of State for the Bureau of Energy Resources, Mary Burce Warlick. These outstanding examples, and the many other successful alumni of the honors program, are a testament to the dedication that Valparaiso University's Christ College has towards its students.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in congratulating the National Collegiate Honors Council on its 50th anniversary and in recognizing the exemplary commitment to education at Christ College. For its passionate dedication to the institute of education, the NCHC and Christ College are worthy of the highest praise. Founded in 1859, Valparaiso University has been a true asset to Northwest Indiana since its inception, and its faculty, staff, and students are a source of pride for the First Congressional District.

IN RECOGNITION OF BERWICK AREA HIGH SCHOOL FOOTBALL COACH ON HIS RETIREMENT

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. BARLETTA. Mr. Speaker, it is my honor to recognize retiring Berwick Area High School football coach, George Curry, as he concludes

a highly successful career. George is the winningest coach in Pennsylvania high school history, and has had a tremendously positive impact on countless student athletes in my district.

For the past 46 years, George has embarked on a career underpinned by 450 wins and six Pennsylvania State Championships. He was twice named National Coach of the Year by USA TODAY, and his teams were selected as National Champions by that same newspaper three times.

It should also be noted that George was not just interested in procuring a prolific number of wins. Rather, he was focused on the development of his players, both academically and personally. Many of George's players believe that they would never have had access to such world-class educations if they had not counted him as a mentor and coach—and more than 700 of George's players went on to collegiate careers. Further, over 200 landed scholarships to top Division I programs in Pennsylvania and elsewhere. The fact that George would spend hours putting together promotional packages for college recruiters on behalf of players who did not even attend Berwick Area High School is a testament to his utter dedication and commitment to the development of our community's youth, and is a practice that should be commended.

It is no secret that George's players have enjoyed tremendous athletic success as a result of his leadership. But still others never played a single down of football beyond high school, and went right into careers, or trades, or into the military, and took with them lessons about life that only George could have instilled in them. They have raised, are raising, or soon will raise families that will become part of the expanding fabric of our community, and for this, we have George to thank.

Mr. Speaker, I am immensely proud to help commemorate George Curry's phenomenal career, and am forever grateful for the futures he has shaped, and the lives he has touched. This is the true measure of a great high school football coach and mentor, and I hope that George will celebrate the culmination of an impactful career in the company of his family and friends.

THE 70TH ANNIVERSARY OF GREAT BAY COMMUNITY COL- LEGE IN PORTSMOUTH, NEW HAMPSHIRE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. GUINTA. Mr. Speaker, I rise today to recognize the 70th anniversary of Great Bay Community College in Portsmouth, New Hampshire. I am pleased to join with the Com-

munity College System of New Hampshire in recognizing this great milestone for the college. Great Bay Community College first opened its doors in 1945 in Portsmouth as the State Trade School; its primary mission was to provide trade school facilities for veterans demobilized from the Armed Services.

Since the first class of 130 veterans in 1945, the school has grown and evolved to offer over 50 degree and certificate programs. The courses offered over the years have changed, ranging from machine tooling, sheet metal work, auto mechanics, electronics and refrigeration to nursing, added in 1966, to today where degrees range from biotechnologies, criminology, management and marketing, to advanced composite manufacturing.

As we celebrate Great Bay Community College's 70th anniversary, it continues to grow having just added a 20,000 square foot student center to its facilities. This new addition is a testament to the dedication the school has to its students and the growing need for reasonable and affordable higher education. I am proud to join with my fellow Granite Staters in recognizing the 70th anniversary of Great Bay Community College, and wish them all the best in their future years.

HONORING THE 90TH BIRTHDAY OF DR. PAUL W. WHEAR

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to recognize the accomplishments of Dr. Paul W. Whear on the occasion of his 90th birthday. Today in my hometown of Huntington, West Virginia, friends and family of Dr. Whear will gather at the Huntington Museum of Art to celebrate the remarkable accomplishments of a distinguished American composer. Dr. Whear's works have been performed by many distinguished institutions around the globe, and he is known in my district for his time as composer emeritus at Marshall University and conductor emeritus of the Huntington Chamber Orchestra.

Dr. Whear also served our nation during World War II as a naval officer, where he wrote several compositions for the U.S. Navy Band and Naval Academy Band, the West Point Academy Band, the U.S. Army Band and U.S. Marine band.

Dr. Whear is one of the finest musical talents to come out of the great state of West Virginia, and I along with many others wish him a very happy birthday.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING ANTWAN CLARK

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Antwan Clark.

Antwan Clark was born March 26, 1980 to the proud parents of Sylvester and Jeanette Clark of Lexington, Mississippi. He has two sisters, Kadisha and Abbie.

Antwan is the epitome of the phrase "strength through adversity". After being left paralyzed after a car accident during his junior year of high school, Antwan persevered. His determination to attain success motivated him to graduate from J.J. McClain High School in 1998 with honors. After graduating with honors from JJMHS, Antwan attended Holmes Community College and majored in Business and Office Technology. To continue pursuing his goals, he then enrolled in Antonelli College where he earned a degree in Computer Technical Support and Networking, maintaining a 3.9 grade-point average. In 2007, the Career College Association invited Antwan to Washington, D.C., where he was awarded for his achievements.

Antwan is currently employed by the Community Students Learning Center (CSLC) in Lexington, MS as an Information Technology Specialist and Website Developer. He also uses his knowledge and technical skills to tutor and teach computer classes at CSLC. Antwan also has a home-based computer repair business called "Top Quality Computer Services" located at 1131 Busy Bee Road, Lexington, MS 39095. His business specializes in issues regarding: computer repair, software applications, computer networking, virus/spyware removal, and website design.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Antwan Clark for his dedication and support to the Holmes County Community.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Monday, November 2, 2015. Had I been present, I would have voted "yea" on roll call vote 582.

RECOGNIZING REAL SCHOOL GARDENS' 100TH LEARNING GARDEN IN TEXAS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. MARCHANT. Mr. Speaker, I rise today to recognize REAL School Gardens' 100th

learning garden at Jerry Junkins Elementary School, which will be the fifth REAL School Garden in the 24th district of Texas. REAL School Gardens is a nonprofit organization that has been creating outdoor learning gardens in low-income elementary schools since 2003. Once this 100th outdoor classroom is completed, the organization will have engaged more than 100,000 students in Texas in hands-on curricula integrating science with language arts.

REAL School Gardens' strong commitment to having local communities invested in the design, build, and use of the school gardens is truly impressive. Each REAL School Garden involves a partnership between students and their parents, the school, and private funders. Once a school is selected, REAL School Gardens works with the principal and teachers to host a student design challenge. The community then comes together for a "Design and Dine" dinner to tailor the garden plan to the school's culture and learning objectives.

Once the design is finalized, everyone, including corporate partners such as Mercedes Benz Financial Services, Blue Cross and Blue Shield of Texas, and Wells Fargo, participates in the "Big Dig"—an event when the community builds the garden in just one day. The results have been remarkable. In my district, there are outdoor learning gardens with earth science stations, drip irrigation systems, weather data stations, and wildlife habitats that serve as learning tools that have helped participating schools in Texas have standardized test score pass rates jump 12 to 15 percent.

Mr. Speaker, it is an honor to congratulate REAL School Gardens on this achievement and wish the organization the best with the next 100 REAL School Gardens. I ask all of my distinguished colleagues to join me in celebrating such an accomplishment.

RECOGNIZING THE EFFORTS OF PROJECT BLUE NOVEMBER IN WEST VIRGINIA

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. JENKINS of West Virginia. Mr. Speaker, I rise to recognize the efforts of those in my district who are promoting Project Blue November, which seeks to raise awareness of Type 1 Diabetes. Diabetes is prevalent in millions of people of all ages in the United States, including approximately 200,000 people under the age of 20 that have been diagnosed with Type 1 Diabetes. It is because of children like seven-year-old Ainsley Jackson of Milton, West Virginia, who was diagnosed with Type 1 Diabetes at an early age, that we must do all we can to combat this disease.

Increasing awareness within our communities of the symptoms and risk factors related to diabetes improve the chances that those with the condition will get the care and attention they need before the severe complications of diabetes develop. That is why the actions of those promoting the goals of Project Blue November are critically important to spread

throughout our communities in West Virginia and the United States.

With the promotion efforts of those like the Milton City Council in my district, I am certain Project Blue November's goal of raising awareness of Type 1 Diabetes will be successful in having a positive impact on the lives of many families in West Virginia.

HONORING MRS. LATONYA WILLIAMS-BRADLEY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable entrepreneur, Mrs. LaTonya Williams-Bradley.

Strands of long, black locks fell effortlessly onto the floor as a pair of young eyes looked on eagerly—carefully observing the technique of the hands behind the shears that snipped away to create a new, edgy look.

Mrs. Williams-Bradley of Cleveland watched intently as her mother cut, washed and curled mane after mane, building a strong clientele at her Rosedale salon.

She remembers while sitting and observing her mother at her salon as a child, that she desired to follow in her mother's footsteps and become a hair stylist.

But, what she didn't know was that she would also become an agent, to help others do the same, as owner and CEO of Goshen School of Cosmetology in Cleveland, Mississippi.

As a single parent Mrs. Williams-Bradley received her cosmetology education at Coahoma Community College in Clarksdale, Mississippi, where she graduated in 2006.

After passing the state licensure to become a licensed cosmetologist, Mrs. Williams-Bradley returned to Coahoma Community College to further her cosmetology career to become a cosmetology instructor and completed that course of study in 2009. She was immediately offered the opportunity to become a cosmetology instructor at Coahoma Community College.

After working at Coahoma Community College she worked at Blue Cliff College in Gulfport, Mississippi as a cosmetology instructor.

During her tenure as an instructor she decided that it was time to pursue her dream of owning her salon and began researching entrepreneurship practices and opportunities, eventually, deciding it was time to pursue her dream of one day opening her own salon. In 2011 she opened Goshen Salon and Boutique in Cleveland, Mississippi. She chose the biblical name Goshen because it is a land of plenty, comfort and growth in Egypt. On July 29, 2013 she opened Goshen School of Cosmetology with a core curriculum and institution designed to promote growth, increase and comfort.

Now, what was once the dream of a little girl has become a reality. Mrs. Williams-Bradley has enjoyed substantial success in the exciting field of cosmetology. Where over the last nine years she owned and managed two successful hair salons while teaching at two

colleges, inspired numerous students to strive for excellence and to achieve their maximum potential.

The motto she shares with others is "Whatever is your passion and your heart's desire—pursue it and be the best at it and believe that there is nothing too hard for God."

Mrs. Williams-Bradley is married to Tony Bradley and has four children: Teara, Tamaryea, Zira and Lauren. She is the daughter of Freddie and Barbara Graham and has two (2) siblings: Erica Jackson and Beauty Graham.

Mr. Speaker, I ask my colleagues to join me in recognizing an amazing entrepreneur.

PERSONAL EXPLANATION

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Ms. PINGREE. Mr. Speaker, I was unable to vote during the first vote of the last vote series on September 30, 2015. Had I been present, I would have voted "No" on Roll Call Vote 527, which was the Adoption of H. Con. Res. 79, directing the Clerk of the House of Representatives to make corrections in the enrollment of the Senate amendment to H.R. 719.

PERSONAL EXPLANATION

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. HURT of Virginia. Mr. Speaker, I was not present for Roll Call vote No. 582, a recorded vote on H.R. 1853. Had I been present, I would have voted "yes."

RECOGNIZING THE CAREER OF T SANTORA

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to congratulate T Santora on his long career as a Los Angeles labor leader, and as an influential activist for the rights of lesbian, gay, bisexual and transgender (LGBT) individuals.

T has dedicated decades of his professional life to the Communications Workers of America, a union that protects the interests of thousands of L.A. workers. He has spent 35 years as a full-time CWA representative, working in both local and national positions.

Today, T is President Emeritus of CWA Local 9003, which represents a diverse membership of approximately 2,500 workers in the greater Los Angeles metropolitan area. He also chairs the Legislative-Political Committee of the CWA Southern California Council, representing 27,000 CWA members in Southern

California. And he serves as National Co-Chair of the CWA Telecom Ad Hoc Committee, which regularly convenes workplace leaders in the telecommunications industry from the U.S., Canada, and Puerto Rico.

T is also a leader in the LGBT rights movement, and a powerful voice for the needs of LGBT laborers. From 1998 to 2005, he served as National Co-President of Pride at Work, the AFL-CIO's LGBT constituency group. In addition, he represented CWA on the Executive Board of The Leadership Conference on Civil and Human Rights, and on the Coalition of Labor Union Women's HIV/AIDS Advisory Board.

T believes in the need to make Los Angeles' workforce the best it can be. Last year, L.A. Mayor Eric Garcetti appointed T to the L.A. Workforce Development Board, where he serves on the Board's Executive Committee and chairs the Ad Hoc Committee on Expanding Apprenticeship Opportunities.

Finally, T cares deeply about the youth of Los Angeles. He is the Founder and an Executive Board Member of the CWA 9003 Children's Fund, a non-profit charitable organization which serves the needs of L.A.'s underprivileged and homeless children.

The L.A. City Council recently issued a resolution honoring T for his 30 years of community service. That honor was greatly deserved. In public life and the private sector, T Santora has been an Angeleno to admire. As he takes a well-earned retirement, I ask my colleagues to join me in saluting him on a magnificent career, and to wish him every health and happiness.

HONORING HOSKINS LEARNING CENTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the Hoskins Learning Center of Batesville, MS.

Mrs. Lillie L. Hoskins, a woman of favor and faith, is a native of Batesville, MS. She has been an educator and Daycare Provider for over 35 years and is currently the owner and operator of the Hoskins Learning Center.

She graduated from South Panola High School in 1973 and later obtained a secretarial degree from Northwest Community College. In 2000, she obtained State credentials as an Early Childhood Education Director.

Mrs. Hoskins was born into a family where she was rooted in her faith in Christ. She is the daughter of the late George and Audrey Leland and the youngest girl of eight (8) children, but even as a young girl she knew, she would someday spend her life working with children.

Mrs. Hoskins is the mother of two children, a daughter-in-law and has two grandchildren. Over the course of forty-two (42) years of marriage, Lawrence and Lillie have traveled and touched the lives of many people.

In 1979, Mrs. Hoskins prayed to God through faith and opened the first daycare, Magnolia Kindergarten, which she owned and

operated until 2003. In 2003, she expanded her business to include infants and early toddlers. At this time she also changed the operating name to Hoskins Learning Center, as it is known today.

Mrs. Hoskins has touched the community and the lives of children in the city of Batesville in many ways, by opening her house and heart to train and tutor our children.

As owner and operator of Hoskins Learning Center, her goal has been to serve the children of Batesville and Panola County, preparing them all to be productive and responsible adults in a rapidly changing world. Since 1979, the daycare has had a 96% high school graduation rate, including several valedictorians, salutatorians and honor roll students, one of which went on to play football in the NFL.

For all of her outstanding accomplishments, Mrs. Hoskins is recognized as a trailblazer in Early Childhood Education, in the great State of Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Hoskins Learning Center for their commitment and dedication to the community.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. TAKAI. Mr. Speaker, on Monday, November 2, 2015, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "yea" on Roll Call 582, to direct the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

IN RECOGNITION OF TREVOR G. BROWNE HIGH SCHOOL

HON. RUBEN GALLEG0

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. GALLEG0. Mr. Speaker, I rise today in recognition of the staff and students of Trevor G. Browne High School in Phoenix, Arizona, who went above and beyond in supporting my office's community-wide citizenship fair.

The largest school in the Phoenix Union High School District, Trevor Browne High School currently serves over 3000 students. The school's mission is to work with families and the community to provide a comprehensive education to all students, a commitment they fulfill by offering a variety of learning opportunities both within and outside of the regular school day calendar. The principal, Dr. Gabe Trujillo, and the teachers work tirelessly to meet each student's unique needs, and students' love of their school is clear in the number of graduates who return as faculty members.

Trevor Browne High School did not merely provide the space for my office's citizenship fair—the staff and students went above and beyond to assist those seeking help with their citizenship paperwork. Dr. Trujillo and members of the school community provided invaluable support for the event, serving as volunteers and helping ensure that we could serve as many individuals as possible. Thanks to their hard work, we were able to aid over 150 Arizona residents in navigating the path to U.S. citizenship.

I truly appreciate the assistance of Dr. Trujillo and everyone from Trevor Browne High School, whose selfless dedication was vital to making our citizenship fair a success.

RECOGNIZING MR. JAMES VERNON
OF MORTON, ILLINOIS

HON. DARIN LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. LAHOOD. Mr. Speaker, I commemorate the heroic acts of Mr. James Vernon of Morton, Illinois. Mr. Vernon, now 75 years old, put himself between 16 terrified children and a knife-wielding teen determined to cause harm at an Illinois public library.

Mr. Vernon was leading a chess club meeting with local children when the attacker entered the library holding a knife in each hand. Vernon, a retired Caterpillar technology worker and Army veteran, averted the attacker's attention away from the children, ages 7 to 13, allowing time for the students to exit the library. Vernon attempted to talk the attacker down before any advances were made. During his discussion with the teen, Vernon used the diversion to deduce that the attacker was right-hand dominant, which would help if he needed to subdue the attacker.

Despite the efforts of Vernon to calm the attacker, the teen once again became aggressive. Recalling the Army training he received nearly half a century ago, Vernon blocked one blade with his left hand and threw the attacker onto a table. Mr. Vernon suffered lacerations to his hand as he subdued the attacker before the authorities arrived.

All children escaped the library without harm thanks to Mr. Vernon's courageous act. I feel it is most appropriate to commend James Vernon today and thank him for his years of service to the community and to this country.

HONORING UPPER KUTZ BARBER
& STYLE COLLEGE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable business, Upper Kutz Barber & Style College.

Upper Kutz Barber & Style College maintains the philosophy that their students come to them for; education, skill development, and career advancement. They believe in equal

opportunity for all students, reinforced with training. Placement assistance has helped their students to become enterprising professionals.

The school has an orderly, purposeful, businesslike atmosphere which is free from threat of physical harm. The school climate is not oppressive and is conducive to teaching and learning. The school has an atmosphere of ex-patiation in which the staff believes and demonstrates that all students can attain mastery of the essential barber cultural skills and that they have the capability to help all students attain that mastery.

The mission of Upper Kutz Barber & Style College is to train men and women: 1. To familiarize and instruct students in the proper and most current methods in all phases of barbering; 2. To make a living in the business world; 3. To become good citizens on both local and national levels; 4. To be able to recognize problems and procedures in business and industry from the view-point of both producer and consumer; 5. To assist students in suitable job placement; 6. To provide assistance and counseling to graduates; 7. To develop self-discipline, self-reliance, and self-direction and; 8. To enter the national work force as productive individuals.

Furthermore, the school has at least 1200 square feet of floor space, composed of two separate areas: The class room and lecture area and the clinical/lab area, where services are practiced on school patrons. The clinical area is equipped with at least 10 modern built in-stations, 10 mirrors, 10 hydraulic chairs, 3 sinks, 3 dryer chairs, a dispensing area, and a reception area. This salon environment prepares students for professional operation in the career field.

Mr. Speaker, I ask my colleagues to join me in recognizing Upper Kutz Barber & Style College for its dedication to serving and giving back to the community.

CAMP LOGAN, TEXAS: 1917

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. POE of Texas. Mr. Speaker, Memorial Park is to Houston what Central Park is to New York City. It is our haven in the woods in the heart of Houston, Texas. Many joggers, runners and walkers hit the park's trail daily to make the three mile loop. I know this park well. In my past life as a criminal court judge, I took to the gravel trail for my daily run, as later did my kids. But what people may not know is the rich history that lies beneath their feet. Much of Memorial Park is located on the grounds of a historical WWI military facility—Camp Logan.

Camp Logan was an emergency training center that was established when the U.S. entered WWI.

After declaring war on Germany, The War Department, now known as the Department of Defense, sought out Harris County, Texas for its moderate climate and Houston's newly opened ship channel.

These elements made it a prime spot to train young American "doughboys" to go "over there" to fight in the Great WWI in Europe.

Two military installations were built: Camp Logan for the Army and Ellington Field for the Army Air Service. The camp provided shelter and training to thousands of soldiers from all over America from 1917–1919.

Set up like many other army camps in the United States, Camp Logan's primary function was turning young American boys into fighting men.

Tens of thousands of National Guard soldiers were trained for duty in France. The soldiers that trained at Camp Logan entered camp straight out of civilian life and found themselves in intense combat preparation.

Tear gas and explosives were used to simulate the conditions on the front lines. But a new type of warfare was harder for the soldiers to imagine—trench warfare. The trenches were bloody, muddy, cruel and under constant attack. History shows how brutal and costly the trench war was.

Even with all the training at Camp Logan, soldiers were not fully prepared for life in the trenches.

To help the soldiers cope with the wounds and harsh reality of war, the commission on Training Camp Activities enlisted the help of several nationwide service organizations like the YMCA, Red Cross, American Library Association, Knights of Columbus, Jewish Board of Welfare and others. Through these private organizations the soldiers had entertainment, counseling, religious services, athletic programs and more.

The kindness of the local Houston community surrounding the camp did a lot to support the men of Camp Logan as well.

With the thousands of men at Camp Logan, the Camp was not without its problems. A conflict by soldiers with local police in 1917 resulted in the death of four police officers, three African American soldiers and ten local civilians after a riot.

After the war, the Camp continued to serve vital functions. In 1919, it was used as a hospital for wounded soldiers coming back from Europe. It also served as a unit of the City of Houston's health care system until 1923. After that, the Camp remained deserted until 1942.

Catherine Mary Emmott wrote to the Houston Chronicle advising the city to "buy some of the land and turn it into a park in memory of the boys." Her efforts led the way in turning the land into a park. Thus Memorial Park—a memorial to the ones who were trained in Texas to fight in Europe.

Emmott's efforts did not fall upon deaf ears. William C. Hogg, son of Texas Governor Jim Hogg, bought two tracts of the former Camp Logan site and sold it to the City of Houston. That May, the City of Houston officially established a park in remembrance of the WWI soldiers who trained there.

Today, Memorial Park includes a golf course, bike paths, tennis courts, baseball fields and a nature center. It is an attraction for runners, walkers and joggers of all ages. The grounds are now a training area for athletes rather than a training area for soldiers.

It is estimated that almost 1,000 Camp Logan soldiers gave their lives during the Great WWI and over 6,200 were wounded.

The Logan soldiers served with distinction in combat in the forest and trenches of Europe. Seventy-five of the African American soldiers

trained at Camp Logan from the 370th Infantry were awarded the French Croix de Guerre and 12 received the U.S. Army's Distinguished Service Crosses for their acts of valor.

Memorial Park, as it is appropriately named, has begun a project to commemorate the doughboys who trained at Camp Logan by planting trees in their honor.

The series of trees will be lined up like columns of soldiers in an area called "Memorial Groves." This section of the park contains the highest number of Camp Logan remnants, artifacts and WWI memorabilia.

It is vital that communities know their history.

The work being done for "Memorial Groves" at the park is an appropriate way to see that history and honor the memory of Camp Logan and the young warriors it produced.

Texas has had a long history of supporting and uplifting America's military. The history of Camp Logan is our own. Camp Logan should be remembered just as it is—a memorial for the soldiers who trained on Texas soil before they fought on foreign soil 100 years ago.

Of the Logan soldiers, some served and returned, some served and returned with the wounds of war and some served and did not return. Memorial Park is a memorial for them all. As we approach November 11th—Armistice Day, now Veterans Day—the end of WWI, it is with deep gratitude that we honor the men of Camp Logan, Texas.

And that's just the way it is.

PERSONAL EXPLANATION

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. YODER. Mr. Speaker, on Roll Call Number 582 on the motion to suspend the rules and pass H.R. 1853, to direct the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization (INTERPOL), and for other purposes, I am not recorded because I was absent due to the birth of my daughter. Had I been present, I would have voted Aye.

HONORING DAMIAN MURRIEL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mr. Damian Murriel.

It sounds strange, but owning and operating a funeral home has been a childhood dream for Mr. Damian Murriel—at least it has been ever since he started working in the business.

Damian Murriel began his first job in a funeral home at the age of 16. Then a sophomore in high school, Damian Murriel performed various custodial services at Cook's Funeral Home. When he graduated from Forest Hill High School in 1994 he left for Gupton-Jones School of Mortuary Science. Two years later after he completed his school-

ing and became a licensed funeral director and embalmer, he began traveling, doing internships and apprenticeships in other states, including brief stints in Illinois and Indiana. In 2000 he left for a job as funeral director of Gregory B. Levett and Sons Funeral Home in Atlanta, Georgia, where the wake for TLC's Lisa "Left Eye" Lopes was held.

On April 17, 2003 Damian Murriel's life-long dream to own and operate a funeral home became a reality. "I never lost sight of what I was pursuing," Damian Murriel said "I want to clean up the area and enhance the community with the funeral home." Murriel said. Murriel's motto is: "Serving Families in Their Time of Need." He is a member of the Mississippi Funeral Directors and Morticians Association.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Damian Murriel.

RECOGNIZING THE JOLIET REGION CHAMBER OF COMMERCE AND INDUSTRY'S 2015 CELEBRATION OF SUCCESS HONOREES

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. FOSTER. Mr. Speaker, I rise today to recognize the honorees of the Joliet Region Chamber of Commerce and Industry's 2015 Celebration of Success.

Every year, the Joliet Region Chamber of Commerce and Industry honors businesses, non-profit organizations, and individuals who have made an impact in our community. This year, the Chamber is recognizing Joseph Adler and Robert Stephen with Lifetime Achievement Awards for their contributions to our community through Habitat for Humanity. Mr. Adler and Mr. Stephen have built 58 homes for families in the Joliet area and have made a lasting impact through their volunteer work.

Additionally, the Chamber will be recognizing CARCARE Collision Centers, Advanced Family Dental & Orthodontics, Newsome Home Health Care Agency, Providence Bank, David Nelson Exquisite Jewelry, and Breast Intentions of Illinois.

I would like to congratulate the honorees of the Joliet Region Chamber of Commerce and Industry's 2015 Celebration of Success and thank the Chamber for recognizing success in our community.

IN TRIBUTE TO BARBARA R. ARNWINE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Ms. JACKSON LEE. Mr. Speaker, it is with great honor that I rise to pay tribute to a dedicated champion and pivotal civil and human rights leader, Barbara R. Arnwine.

On this important Election Day, where millions of Americans exercise their fundamental right to vote, it is exceptionally meaningful to applaud this remarkable hero.

Barbara Arnwine has dedicated her life to making our world a better place, and because of her lifetime of achievements and victories, our history will be forever marked with confirmation that we have and continue to advance to a better place.

Throughout her 25 years of service as the Executive Director of the Lawyers' Committee for Civil Rights Under Law, and nearly 10 years of prior service at the Boston Lawyers' Committee for Civil Rights and legal aid to the public of North Carolina, we have all benefited from her tireless advocacy and fight for justice.

From the passage of the Civil Rights Act of 1991, the reauthorization of the Voting Rights Act in 2006, the development and expansion of Election Protection from 2004 through 2008, and steadfastly giving voice to those disenfranchised for criminal convictions and discriminatory practices nationwide, Barbara Arnwine has never backed down but continues to this day to lay the foundation for freedom and justice for every citizen.

Not only in the critically important area of voting rights, Barbara Arnwine has left a beautiful and exemplary footprint on all necessary aspects of social justice, including community development, housing and lending, employment law, women's and immigration rights, criminal justice reform, racial profiling, affirmative action, healthcare, LGBTQ rights, environmental justice, and breaking down international barriers of racial oppression, discrimination and xenophobia in Africa and Asia.

Barbara Arnwine is not only a phenomenal woman, she is a worldly warrior.

It is with great pleasure that I thank Barbara Arnwine for her service to the cause of justice and wish her well as she embarks on her new journey in the continuing struggle for social justice and equal opportunity for all persons.

HONORING PASTOR LINDA SWEETZER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a driven and ambitious woman, Pastor Linda Sweetzer. Pastor Sweetzer has shown what can be done through hard work, dedication and a desire to make a positive difference in doing God's will and spreading his Word.

Linda Sweetzer was born the youngest child in a family of ten to Bessie Dillard and the late Alfred Dillard, Jr. in Vicksburg, Mississippi. She was saved at the tender age of ten.

She is a 1978 graduate of Vicksburg High School and attended and graduated from Milsaps College, Jackson, MS in 1982. She worked at Vicksburg Family Development Service for 19 years—fourteen of those years as the Co-Director.

She was called into the Gospel Ministry on February 5, 1995, ordained in 1997 and again in 2006 by Bishop T.D. Jakes of Dallas, Texas at The Potter's House International. She was called to pastor and founded The House of Peace Worship Church in December 2001. It is known as: "The Church Where the Holy

Spirit is in Charge." In May 2006, the Holy Spirit led Pastor Sweezer to begin another church in the Rolling Fork area; it is known as The House of Peace Worship Church International/Delta.

Apostle Linda Sweezer is also a playwright and has written, produced and directed fifteen major productions, which were performed in the theater in the surrounding areas of Vicksburg, Rolling Fork and Fayette, Mississippi and Texarkana, TX.

She is the author of a book entitled, "Eating Along the Way!—A Survivor's Guide for People Who Are Serious About Hearing God's Call." In addition, she was the co-owner of a Christian bookstore.

She was affirmed into the Apostolic calling on July 29th, 2011. The Affirmation Ceremony was conducted by Apostle Michael O. Exum, Executive Director of The Potter's House International Pastoral Alliance and Apostle Eyvone Smith of His Harvest Ministries, Oxford, Mississippi.

Some other achievements include: appointed Board Member of the United Way of West Central Mississippi (2011–2014); Director of The House of Peace Substance Abuse Prevention Program; appointed for a second term to the Election Commission (2009–2012); appointed to the Election Commission (2005–2009); appointed twice to the City of Vicksburg Civil Service Commission. Pastor Sweezer was honored as a Local Recipient of 100 Black Women; recognized as a Distinguished African American by St. Mark Freewill Baptist Church; nominated as one of the 50 Leading Business Women of America.

Alpha Phi Alpha Fraternity, Inc. named a scholarship in Pastor Linda Sweezer's name at the Dr. Martin Luther King, Jr. Breakfast and she was appointed to the Vicksburg-Warren School District Advisory Council to develop plans for building Mega Schools. She also has received several awards and recognitions. She was selected by the Iyettes of Alpha Kappa Alpha Sorority, Inc. as one of the Religious Role Models; Outstanding Young Women of America; Woman of Excellence Award in Art and Literature; Sower of the Lord Award and Peacemaker Award given by the Flying High for Jesus Outreach.

Mr. Speaker, I ask my colleagues to join me in recognizing Pastor Linda Sweezer for her passion and dedication to spread the word of

God and desire to make a difference in the lives of others.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,152,981,685,747.52. We've added \$7,526,104,636,834.44 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN CELEBRATION OF ROLLS-ROYCE'S CENTENNIAL ANNIVERSARY

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to pay tribute to Rolls-Royce Indianapolis in celebration of its 100th anniversary. The company has made significant contributions to the city of Indianapolis, but its accomplishments can be seen globally. It is my privilege to honor this strong Hoosier company as it celebrates 100 years of excellence.

The company's Indiana roots took hold in 1915, when Indianapolis businessman James Allison founded his engine shop. Within the first years of business, Allison entered the rapidly growing aerospace industry and began collaborating with Rolls-Royce on several aerospace ventures. After decades of collaboration and partnership, Rolls-Royce purchased what had been the Allison Engine Company in 1995, and has been serving the aerospace and marine industries with innovative, customer-focused products ever since. This anniversary is especially historical for Rolls-Royce as it not only marks 100 years of operations

in Indianapolis, but it also marks 20 years since the company purchased the enterprise which Allison created.

Today, Rolls-Royce is a trusted leader for land, sea, and air power solutions worldwide with a significant and growing presence. The Rolls-Royce facility in Indianapolis is home to the largest Rolls-Royce manufacturing location in North America and is one of the largest employers in Indianapolis. Rolls-Royce employs the best and the brightest engineers who are committed to maintaining Rolls-Royce's longstanding reputation of excellence. The company has 4,600 employees who contribute to designing and producing engines for a wide range of military and commercial aircraft as well as marine propulsion systems. More Rolls-Royce products are built in Indianapolis than anywhere else in the world. Many innovative and legendary aircraft are powered by engines built in the Indianapolis facility, such as the P-51 and P-38 aircrafts flown in World War II. Current examples include the F-35B Lightning II, C-130J Super Hercules, V-22 Osprey, and Global Hawk and Triton UAVs, which are used to power Department of Defense aircraft, civil helicopters, regional and business jets, and power systems for U.S. Naval vessels.

In addition to all of Rolls-Royce's achievements in the manufacturing world, they also have a commitment to Indiana. The company recently announced Rolls-Royce will invest in the Purdue Research Park Aerospace District in West Lafayette, Indiana. Rolls-Royce is the first company to announce it will move into the research park. Additionally, the company recently announced exciting news that it is making a nearly \$600 million investment to modernize manufacturing operations in Indianapolis and conduct technology research. It is the largest investment by the company in Indianapolis since its original purchase here in 1995. This investment contributes to the company's commitment to Indiana for many decades to come.

On behalf of the citizens of Indiana's Fifth Congressional District, I would like to congratulate Rolls-Royce on the celebration its centennial anniversary. I am proud to represent a city that is home to exemplary businesses such as this one. I wish Rolls-Royce all the best as it embarks on its next 100 years of excellence.

SENATE—Wednesday, November 4, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of us all, everything belongs to You. Use our lawmakers today to accomplish Your will. As they strive to be Your peacemakers, remind them that no evil can stop the unfolding of Your purposes and providence.

Lord, show them how to use this day's fleeting minutes for Your glory. Sanctify their thoughts, words, and deeds throughout this day and in all the days of their lives. Bless those who support them in their work, rewarding faithfulness with Your Divine approbation.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

CONGRATULATING KENTUCKY'S GOVERNOR-ELECT AND ADDRESSING THE WATERS OF THE UNITED STATES REGULATION

Mr. McCONNELL. Mr. President, let me begin this morning by congratulating Kentucky's Governor-elect and the entire Republican ticket on a big win at home last night. I remember when the Republican nomination was hardly worth having in Kentucky. We used to have to beg people to run. So it says something when we see spirited competition for it, which we had in the primary back in May.

The Governor-elect and I certainly are no strangers to spirited competition, but we are also conservative Kentuckians happy to see some change coming to Frankfort.

Yesterday's election was a statement about where the people of my State want to see us headed, and it is not down the road of government control and Big Labor. They want fresh ideas, growth, innovation, opportunity, and

greater control over their lives and destinies. They want a change in direction. Here is something they certainly don't want: more of this administration's top-down, Washington-knows-best approach to everything from health care to how best to use our natural resources.

Washington overreach is just what I will discuss further right now. The administration's so-called waters of the United States regulation would grant Federal bureaucrats domination over nearly every piece of land that has ever touched a pothole, ditch or puddle at some point. It would force the Americans who live there to ask Federal bureaucrats for permission to do just about anything on their own property. We are not talking about just a few acres falling under bureaucratic control here and there. According to analysis by the American Farm Bureau, we are talking about centralized Federal control extending to nearly 92 percent of Wisconsin, 95 percent of California, 98 percent of New York, 99 percent of Pennsylvania, and, if you can believe this, 100 percent of Virginia—the entire State. This isn't some clean water regulation. It is an unprecedented Federal power grab that clumsily and poorly pretends to masquerade as one.

It is obvious why waters of the United States would be a leftwinger's dream. It is equally obvious why Democratic leaders would want to pretend this rule is about clean water rather than admit what it is really about, because the true purpose and scope of this regulation is basically indefensible. So 31 States have already filed suit against it, 2 Federal courts have already ruled that it is likely illegal, and 1 court found that the rule was so flawed that it had to be the result of “a process that is inexplicable, arbitrary, and devoid of a reasoned process.” That is why we considered the bipartisan Federal Water Quality Protection Act yesterday.

The legislation is bipartisan, and it is simple. It says that the EPA's resources should be used to actually protect the lakes and rivers we all cherish rather than for the administration to launch arbitrary ideological attacks on middle-class homeowners and family farms. This bipartisan legislation would have required America's clean water rules to be based on the kind of scientific, collaborative process the American people expect, not some arbitrary or inflexible process that is devoid of reason such as we had with WOTUS but a balanced process that actually takes the views of those it affects into serious consideration.

I thank the Senator from Wyoming, Mr. BARRASSO, for his impressive work on the bill. A bipartisan majority of the Senate voted to support it, but most Democrats chose an ideological power grab over sensible clean water rules yesterday. To many Kentuckians, this regulation feels a lot like the latest in a sustained Obama administration regulatory assault on their families.

The Senate is going to pursue another avenue today to protect the middle class from this unfair regulatory attack. Our colleague from Iowa, Senator ERNST, has introduced a measure that would allow Congress to move forward despite the Democratic filibuster. It would overturn the regulation in its entirety. A majority of the Senate voted to support this bill just yesterday. We will vote on final passage later today. And because this measure cannot be filibustered, we expect it to pass.

I ask my colleagues who voted against bipartisan commonsense clean water legislation yesterday to think differently today. Work with us to protect the middle class instead of defending “inexplicable, arbitrary” regulation that is probably illegal and almost certainly violates the Clean Water Act.

SUPPORTING OUR TROOPS

Mr. McCONNELL. Now, on another matter, Mr. President, we live in a time of diverse and challenging global threats. It is a time when we see ISIL consolidating its gains in both Iraq and Syria. It is a time when we see the forces of Assad marching alongside Iranian soldiers and Hezbollah militias. It is a time when we see Russian aircraft flying above them in support, and it is a time when commanders tell us that additional resources are required to ensure the safety and preparedness of our troops. I think it is time to finally support the men and women who volunteer to protect us. The last excuse not to do so—the setting of a top-line budget number—has been cleared away. We fixed that. There is no reason that our colleagues shouldn't join us in moving forward now.

These brave men and women aren't poker chips in some Washington political game. They are the sisters, fathers, daughters, and neighbors who voluntarily and selflessly put themselves in harm's way so that we might live free. These are the men and women we will salute this month on Veterans Day. It is not enough just to support those who defend us then; we need to support them right now.

MEASURE PLACED ON THE CALENDAR—S. 2232

Mr. McCONNELL. Finally, Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2232) to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CLEAN WATER REGULATION

Mr. REID. Mr. President, here is just a brief word on the Republican attack on the Clean Water Act. The bottom line is that the administration's clean water regulation will protect 117 million people. The cries about this legislation fly in the face of facts. As I said, 117 million Americans are being protected.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL

Mr. REID. Mr. President, yesterday the Republican leader once again filed a motion to invoke cloture on the Department of Defense appropriations bill. This is another example of the Republican leader wasting the Senate's time on repeated cloture votes that he knows will fail. Republicans have tried this piecemeal approach already, and it didn't work. We came within hours of defaulting and not extending the full faith and credit of the United States and came within days of shutting down the government.

Even though two-thirds of Republicans in the House and Senate voted to close the government and default on our debt, we were able to craft a budget agreement that funds both the middle class and the Pentagon. Now it is time to move on and pass an omnibus appropriations bill that addresses both defense and the needs of the middle class in keeping with the budget agreement that passed last week.

There is no reason we can't get an omnibus bill to fund all the government by December 11, which is the deadline. If the Republicans balk, the government will close. Again, remember, two-thirds of the Republicans in

Congress already voted no. They voted to default on the debt of this country and to close the government. That should give everyone pause.

THE KOCH BROTHERS

Mr. REID. Mr. President, over the last several months, the Koch brothers have been on a public relations campaign. This Koch propaganda campaign has accelerated over the past few weeks. Charles and David Koch have been going to great lengths to convince the American people that they are not just a couple of billionaires who are trying to dismantle Social Security and who closed the Export-Import Bank, putting 165,000 Americans out of work and costing the government billions of dollars. These two men fought a zoo in Ohio, and they fought a Republican mayor of Colorado Springs, CO, as he tried to fix the city's potholes. They stopped both from happening.

The Kochs want everyone to believe they are not the ones rigging the system to benefit themselves and their wealthy friends. The Koch brothers are spending their vast wealth holding newspaper and television interviews on their propaganda campaign. In spite of all their efforts, this Koch media tour has failed to bury the one simple truth: The Koch brothers are trying to buy America.

During an interview yesterday, the scales fell away once again and revealed the Koch brothers' true intentions. In justifying his and his brother's efforts to inject hundreds of millions of dollars into conservative political campaigns, Charles Koch said: "I expect something in return."

The Koch brothers are getting plenty in return. So far they have bought a Republican House, a Republican Senate, a government shutdown, an ousted Speaker of the House, a shuttered Export-Import Bank, and a Republican Presidential field where nearly every candidate kowtows to these billionaires. But that is not all. The Kochs have procured a media that is intimidated by their billions—too intimidated to hold them accountable.

Consider yesterday's interview on MSNBC's "Morning Joe" show. This is classic. Here are some of the questions that Joe and Mika asked the Koch brothers.

Joe Scarborough asked: "It's hard to find people in New York, liberals, we were talking about this before, liberals or conservative alike, who haven't been touched by your graciousness, whether it is towards the arts or cancer research. Do you think you got that instinct from your mom?"

Mika asked: "Sitting here in your childhood home"—they were doing this interview in Topeka, KS—"we have the Koch brothers. Which was the good brother?" That was another tough question.

Joe then asked: "You guys both play rugby together, right?"

Sometimes—most of the time—they weren't even questions; they were just compliments.

At one point, here is what he said: "You sound like my dad. That's very diplomatic. That's very good."

Wow. Those were some really tough questions asked by the host of "Morning Joe." That is tough journalism.

Those questions are so easy; they may even qualify them to moderate the next Republican Presidential debate.

It seems that some journalists are determined not to get on the wrong side of the Koch brothers and their billions. After all, we have seen how the Koch empire targets people, cities, and States that do anything that conflicts with the Koch brothers' radical agenda. When the media rolls over for these modern-day robber barons, as it is doing now, our country is in trouble.

As Charles Koch himself said, he and his brother are not spending this money for altruistic reasons; they are doing it for one reason and one reason only—for the profits of themselves and fellow billionaires who have rigged the system against the middle class. They said it themselves. They want something in return, and what they want is profit for their corporations. Their own publicist once explained why the Koch brothers are trying to buy a new government: "It's because we can make more profit, OK?"

That is what this is all about for Charles and David Koch: bigger profits, more money because \$100 billion or more isn't enough for them.

By their own admission, the Kochs will spend and spend and spend until they get the government they want—a government that lets Koch Industries do what it wants, a government whose sole goal is to make these billionaires even richer.

Unfortunately for the United States, the Supreme Court has constructed a political system that allows them to do just that. The Citizens United case, decided in January 2010, has effectively put the U.S. Government up for sale to the highest bidder, and right now the Koch brothers are the highest bidder. Right now our country has no real restrictions on how much money a billionaire or a millionaire can spend to buy the government they want. All the power is with the wealthy, and that puts middle-class Americans at a significant disadvantage.

So we can't stand idly by while the government sits on an auction block and neither should any American sit idly by. Instead, we should be working to rid the system of the Koch brothers' dark money, but this cannot and will not happen if reporters and journalists refuse to ask Charles and David Koch questions—maybe even probing questions. Otherwise no one is holding these two oil barons accountable for their nefarious actions.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S.J. Res. 22, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 22) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided in the usual form.

The Senator from Nevada.

Mr. HELLER. Mr. President, I thank the Chair.

Mr. INHOFE. Mr. President, will the Senator yield?

Mr. HELLER. I will yield.

Mr. INHOFE. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Nevada I be recognized, unless an intervening minority Member should come in, in which case that I be recognized after that minority Member.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nevada.

Mr. HELLER. Mr. President, I rise to speak on an issue that will impact every single one of my constituents and probably all of the constituents of my colleagues in this body; namely, the Environmental Protection Agency's and the Army Corps of Engineers' new definition for "navigable waters."

Also known as waters of the United States, this overreaching and burdensome regulation is bad for Nevada and frankly it is bad for the Nation. My home State of Nevada is one of the driest in the Nation, and the water of course is a very precious resource. The only thing more scarce than water in the Silver State is probably private property, and the implementation of this waters of the United States rule will only do more harm for both of these.

Since coming to Congress, one of my primary goals has been to promote job-creating policies that grow Nevada's economy, and the key to promoting these types of policies is to cut redtape regulations handed down by Washington bureaucrats. Unfortunately,

time and time again, this administration is bound and determined to issue overly burdensome regulations that damage the economy and stifle job creation. The latest edict from Washington bureaucrats is no different.

After years of failed legislative attempts to change the scope of regulatory authority over water, this administration has overturned both congressional intent and multiple Supreme Court decisions to further overregulate hard-working Nevadans. I have long been an outspoken advocate and a cosponsor of Senator BARRASSO's legislation, the Federal Water Quality Protection Act, that would make the EPA and the Army Corps of Engineers redo this rule and consider stakeholder input—something they completely ignored the last time around. Considering that nearly 87 percent of my home State is managed by the Federal Government—which I often refer to as our Federal landlords—it is easy to see why this rule is thought of by many back home as yet another Federal land grab.

I have heard from many of my constituents who have shared with me their staunch opposition to this rule, like Marlow from Ruby Valley and Darryl from Yerington. They write about the rule that it "creates confusion and risk by providing the Agencies with almost unlimited authority to regulate, at their discretion, any low spot where rainwater collects, including farm ditches, ephemeral drainages, agricultural ponds and isolated wetlands found in and near farms and ranching."

The EPA may tell us that farmers and ranchers are protected from this regulation by exemptions under the Clean Water Act. The problem with this so-called exemption is that if a landowner made any changes on their farmland or their ranch since 1977 that impacts any land or any water on their property, they do not qualify for an exemption. Think about it again. Since 1977, if a landowner made any changes on their ranch land or on their farm that impacts water or land, they don't qualify for this exemption. So under this new rule, almost everyone would be regulated.

Ranching is the backbone of Nevada's rural economy. Implementation of this rule will devastate Nevada's landowners and businesses. Like Marlow and Darryl, I believe this rule needs to be redone with significant input from local stakeholders and in a way that will not impact the ability of Nevada ranchers to provide food for Americans.

Unfortunately, the Senate was not even able to proceed to this measure and debate legislation to exert some much needed oversight over the EPA due to the left's circle-the-wagon mentality of the Obama agenda. Although I was sad to see this vote fail, today I am proud to stand in support of Senator

ERNST's resolution of disapproval, which will send this regulation back to the administration and send a clear message that Congress doesn't accept overreaching regulations created by Washington bureaucrats.

The fact is, the implementation of this rule has already been halted by the Federal courts. I strongly believe that at the end of the day, the courts will decide to overturn this onerous regulation. That is why I stand here today to urge my colleagues to support this resolution of disapproval. Instead of waiting years for the courts to decide, Congress needs to take immediate action to show this administration that we will not stand for any more regulations that kill jobs and stifle economic growth.

Good stewardship of our natural resources is part of Nevada's character that makes it so unique. This is not about dirty water or a rollback of the Clean Water Act. This is about Federal regulations that severely limit land use, infringe on property rights, and diminish economic activity in Nevada and nationwide. This is about Federal regulatory overreach by an agency that is using the Clean Water Act as a means to greatly increase its authority. At a time when the American public is still waiting for answers on the Animas River spill in Colorado, I find it greatly disturbing that this Agency is using clean drinking water as an excuse to gain authority over all waters of the United States. Enough is enough with these power trips.

Should we really trust the "Environmental Pollution Agency" with this?

As a sportsman, I grew up understanding the importance of being a good steward of our environment. I support efforts that balance conservation and economic growth, and that is why I urge my colleagues to stand with me against this administration's heavyhanded mandates.

Mr. President, thank you, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, yesterday 41 Senators refused to have a substantive debate on an issue that is critically important to all of our constituents—the scope of Federal authority under the Clean Water Act—and voted against a motion to proceed to Senator BARRASSO's bipartisan Federal Water Quality Protection Act, S. 1140.

Later in the day I was extremely disappointed to learn that 11 of those 41 Senators agreed that the EPA's rule is flawed, but instead of doing their job to provide legislative clarity to the EPA on the regulation of our Nation's waters, they wrote a letter. In this letter they told the EPA that they have concerns with the rule, but instead of acting now they reserve the right to do their jobs simply at a later time.

If only 3—only 3—of these 11 Senators who signed this letter would have

voted to proceed to the bill, we could have worked with them to resolve their concerns and ours about the WOTUS rule disapproval.

As Senator SASSE so eloquently reminded us yesterday in his maiden speech, what are we here for if not to have a substantive debate on issues? No wonder the American people think Congress is not looking out for their interests.

Instead of doing their jobs, 11 Senators asked the EPA to change the final rule through guidance. That can't happen. EPA can't do that. That would be a violation of the Administrative Procedure Act, and I think most of us know that. These 11 Senators also asked the EPA to enforce the rule in a way that will protect people who are not regulated today. That also will not happen. The WOTUS rule is on the books. Even if the EPA doesn't bring enforcement action against someone, some activist, environmentalist community is going to file a lawsuit, and we know what the result of that would be.

In the letter I am referring to, the 11 Democrats agreed that the EPA did not provide clarity in its final WOTUS rule to protect American landowners, but instead of voting to debate a bipartisan bill that would have forced EPA to provide that clarity and to offer perfecting amendments, if they wished to do so, they wrote a letter. I know I am sounding very critical, and in a minute I will tell my colleagues why, because this happens to be the No. 1 issue of the farmers and ranchers in my rural State of Oklahoma. It is a big deal.

The EPA's entire rulemaking process, and now the lack of debate in the Senate, is an example of Washington at its worst. This is a long and sordid story that dates back to 2009. EPA wanted to be able to control isolated ponds, wetlands, and dry channels water only when it rains, but they were blocked because the Supreme Court said the Clean Water Act is based on the authority over navigable waters. I think everybody understands that the State has always had the authority, but certainly if they are navigable waters, I agree, the Federal Government should be involved.

First, the EPA backed legislation—and this is the legislation I referred to yesterday by Senator Feingold, 5 years ago, and Congressman Oberstar in the House—to take the word “navigable” out. If we take the word “navigable” out, everything is then in the authority of the Federal Government.

To support this legislation, EPA created a propaganda message that action was needed to protect drinking water. The EPA spread this propaganda, even though they know that all sources of drinking water are already regulated. That is already done. That is a done deal. It should have been done and it was done, but the American people

were not fooled. The bills were so unpopular with the American people that even though Senator Feingold's party held the Senate, the White House, and the House—everything was on their side—the bill never reached the Senate floor and Congressman Oberstar did not even try to move his bill through the committee he chaired.

So the American people held them accountable. Both of them, I might add, lost their elections for reelection to office in 2010. After that election, EPA changed its strategy. Even though in 2009 the EPA said they needed legislation to expand Federal control after Congress rejected their attempt to take the word “navigable” out of the clean Clean Water Act, they tried to do the same thing through regulation.

This is exactly what this administration has been doing. Every time they try to pass something legislatively and they can't do it, they get a regulation. That is what they are doing. How many times did we vote on the global warming and the cap-and-trade bills, and each time it went down resoundingly in the Senate. Well, it happened over and over again. So what did they do? They said if we can't do it legislatively, we will do it through regulation.

In this new regulation, EPA tried to dodge the Supreme Court rulings by pretending that all water has a connection to navigable water. EPA also cranked up its propaganda machine. On May 19, the New York Times said: “In a campaign that tests the limits of federal lobbying law, the agency orchestrated a drive to counter political opposition from Republicans and enlist public support in concert with liberal environmental groups and a grass-roots organization aligned with President Obama.”

That was in the New York Times. They created social media messages and asked people to send these EPA-directed messages of support back to EPA—a true echo chamber going back and forth.

After soliciting comments using its propaganda machine, the EPA claimed that 90 percent of the comments supported the rule and that every comment is meaningful to the EPA. However, the Corps of Engineers told my committee—the committee that I chair, the Environment and Public Works Committee—that only 39 percent of unique comments supported the rule, and 60 percent were opposed.

The difference is that EPA is counting each email address on a list as a separate meaningful comment. For example, EPA counts a list of nearly 70,000 email addresses sent in by Organizing for Action, President Obama's political campaign arm, as 70,000 comments. It is actually only one. Apparently the EPA considers an email address more meaningful than substantive comments submitted by States and by local governments, by

farmers, ranchers, and property owners. The EPA has ignored the significant concerns raised by these groups, and they should not have.

I am sure that every Member of this body has heard from someone comparable to Tom Buchanan in my State of Oklahoma. Tom Buchanan is the president of the Oklahoma Farm Bureau. He speaks for a lot of farmers and ranchers, and we are a rural State. He says of all the problems that farmers and ranchers have in Oklahoma, these issues are not found in the farm bill, and they are not in the ag bill. They are the overregulations of the EPA. He is talking about endangered species, where you can plow your fields and where you can't. But of all the regulations of the EPA, the most onerous are the water regulations because they will allow the Federal Government to have an army of bureaucrats crawling over every farm and every ranch, not just in my State of Oklahoma but throughout America.

Two courts have already said it is illegal. It will be overturned. We don't have to stand for this. We don't have to endure years of confusion before the courts act. They are going to act, but it could take a long, long time. In the meantime they will go forward, and the overregulations will continue.

We have only one way to stop the rule right now, and that is coming up. It is through the CRA offered by Senator ERNST. A lot of people don't know what a CRA is, but it forces responsibility on Members of the Senate. There are a lot of Senators who want overregulation; the liberal ones do. So they would rather go ahead and go home, and when people complain, they can say: Hey, it wasn't us who did that; it was an unelected bureaucracy that did that. A CRA will not let them get by with that.

The President can veto it, which he will, and it will come back for a vote to override the veto, and we will know and our constituents throughout America will know just how their Senator is voting. Senator ERNST's CRA would do that. I certainly urge a “yes” vote, not just for me but for all my farmers and ranchers in Oklahoma.

After vacating this rule, if any Senator wants to work with my committee on substantive issues around the scope of Federal authority under the Clean Water Act, I stand ready to work with them.

Mr. President, I ask unanimous consent that all time spent in a quorum call before the 12 noon vote be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I thank my colleague from Iowa who has led the effort this morning as we speak about the waters of the United States rule that would lead to a resolution of disapproval on this very wrong-headed rule.

I also want to acknowledge the good work of my colleague from Wyoming, Senator BARRASSO, who had the opportunity yesterday to discuss the devastating impact of the WOTUS rule, as we lovingly refer to it. It was a combined effort to address the concerns that so many of us have across the country about the waters of the United States rule that has stemmed from the EPA and Army Corps of Engineers.

This WOTUS rule that so many of us speak to is not only an overreach, it is a significant overreach that will allow for a dramatic expansion of the Federal Government's ability to regulate our land and regulate our waters and will harm the people in the State of Alaska and other States across the Nation. They have said in no uncertain terms that this rule could have as damaging an impact on our State and our State's ability to engage in any level of development—this rule would have greater impact than most anything we have seen before.

So I am here to urge my colleagues in the Senate to support the resolution of disapproval that we now have pending, which we will have an opportunity to vote on in just a little over an hour.

I have had dozens of meetings—meetings with constituents, meetings with people across the country who have raised this as an issue. We have sent letters, and we have questioned the EPA Administrator about the impact of the rule.

I had an opportunity to have a field hearing in Alaska earlier this year, joined by Senator SULLIVAN, focusing on those areas we would consider to be Federal overreach, those areas that hold our State back from any level of economic activity and development. Time after time, the concern was whether this waters of the United States—again, this expansive interpretation of the Clean Water Act literally designed by the EPA, a concern about how its negative impact on our State will be felt.

In addition to many of the legislative efforts that are out there, as chairman of the Appropriations interior subcommittee, I included a provision within the Interior appropriations bill to halt the implementation of the waters of the United States rule. I am a cosponsor of the bill we tried to advance yesterday. Unfortunately, it was blocked. I am also a cosponsor of the disapproval resolution that is being offered by our colleague from Iowa.

My position on this is pretty simple: The WOTUS rule cannot be allowed to stand. The agencies have to go back to the drawing board. I am not alone in this view. It is a highly controversial rule. It stands out among many of the rules we have seen finalized by this administration. Of the controversial ones that are out there, I would argue that if this is not in the top tier, if it is not the top, it is certainly No. 2.

It is a rule that is controversial enough that it draws bipartisan opposition as well. We have a large majority, a bipartisan majority of the House that opposes it. When we look to how this has been addressed by the States, some 31 States, including the State of Alaska, have sued to block it. A wide range of local governments and business groups have done the same. Just last month, the Sixth Circuit Court of Appeals issued a nationwide injunction to prevent the implementation of this rule.

I welcome what the courts have done so far, but I do not think Congress should sit back on this and hope we get the right legal outcome. We should not just be sitting back because that right legal outcome may come. It may come in months, it may come years from now, or it may not be the right outcome. Our opinions here in the Congress are not based solely on what the courts say. We have to look to the reach, to the impact of this rule, and then determine whether it is appropriate. Again, my answer to this is pretty simple: It is no. It is just not appropriate.

The agencies are claiming the WOTUS rule is somehow or other just a clarification. They have gone one step further and they renamed it. They are calling it the clean water rule because who out there is going to oppose clean water? Nobody opposes clean water. We all strive for cleaner water, cleaner air. This is something we all should be working to. But just changing the name on this rule does not make it so. In fact, this rule is really just muddying the waters. Excuse the pun, but that is what EPA is doing. They are creating confusion. They are certainly creating greater uncertainty. It opens the door to higher regulatory costs and delays for projects all over the country.

There have been many colleagues who have come to the floor and talked about kind of the mechanics of the WOTUS rule. Unfortunately, they are pretty complicated. When you start talking about “categorically jurisdictional waters,” when you try to explain the “significant nexus” analysis, the only people in the room who are really captivated by what you are talking about are the lawyers who might be in a position to gain some benefit because they are working these cases. But most farmers in Iowa and most miners in Alaska are not thinking about what a

categorically jurisdictional water is and whether there is a significant nexus from my little plaster mining operation to a body of water. That is not what people are thinking about.

I want to use a little bit of my time this morning to speak to how, in the State of Alaska, people will be harmed by application of this rule.

To understand the reach of the rule in the State, take a look at this map of the State of Alaska. It is so big, we cannot even fit it all on one floor chart because really we need to go all of the way out to the Aleutian Chain and we do not have all of the southeastern part of the State in it, but we have the bulk here. Alaska, plain and short, is covered in water. It is just wet. According to our State government, Alaska has more than 40 percent of the Nation's surface water resources. Think about that. Think about the entire United States of America, and then appreciate that in one State, in my State, we have more than 40 percent of the Nation's entire surface water resources. So we are talking over 3 million lakes, over 12,000 rivers. We have approximately 174 million acres of wetlands. There are more wetlands in the State of Alaska than in the entire rest of the country combined.

So all you colleagues, all you folks in the 49 other States who are concerned about the impact of this rule, I don't mean to diminish your problems, but think about what this rule would do in Alaska.

We have more wetlands in the State of Alaska than in all of the rest of the country combined. Out of 283 communities in the State, 215 of these communities are located within either 2 miles of the coast or a navigable waterway. We live on the water, even in the inland part of the state, where I was raised and went to high school—the lakes, the rivers, up in the north country here, where you have just a small lake. Out in the whole southwest of Alaska—when you fly over it, you look at it, and it is dotted with small lakes and bodies of water. Plainly said, it is wet in Alaska.

Surprise—if it is not wet, it is frozen. Think about the permafrost we have there. How do you deal with the permafrost? How is that considered in this proposed rule, in this waters of the United States? If it is frozen, is it waters of the United States? Well, you know, we don't know because the rule is unclear, but we are going to go ahead and just assume that it is going to be covered.

We have a map here where what you see is blue. The reason it is blue is because all of it is water.

This is the National Hydrography Dataset, Streams, Rivers and Bodies for the State of Alaska, September 2015.

EPA has produced maps of the waters and wetlands in each of our 50 States.

Our colleagues in the House actually had to force the Agency to release these maps last year. Almost the full State of Alaska is shaded in. That is what the EPA wants to be able to regulate under this rule. So what exactly could that cover? What are we talking about?

It could be out here in Bristol Bay, where it is all about fishing. It could be a new runway project there that would be subject to regulation or a seafood processing plant out there in Bristol Bay.

Up here in the interior of Alaska, in Fairbanks, it could be a new neighborhood they want to accommodate to deal with the growing population there that would be subject to regulation.

It could be a parcel of land awarded under the Native Land Claims Settlement Act that just so happens to be in a wetlands area or have a small river present. But the fact that it was a conveyance of land under the Native Claims Settlement Act does not get you beyond regulation through the EPA.

It could be the new industrial park in Anchorage that wants to diversify, wants to help expand the economy there.

It could be an energy project up on the North Slope that the Arctic Slope Regional Corporation wants to pursue. But, again, it is either wetlands or it is clearly permafrost up there.

It could be Alaska's proposed gas line. We are hoping to run a gas line from the Slope all of the way down to tidewater in Valdez. This is a major project our State's legislature is working on. Right now they are in the midst of a special session. It is going to run across—if you want to talk about wetlands and rivers and areas that will be subject to this permitting requirement, it could be any of those. It could be many more.

That brings us to the potential impact under the WOTUS rule. I am not certain that the agencies will try to stop every project in the State—that is too much even for them—but I recognize that they could use this rule to stop any project that they want, whenever they want, and for as long as they may want. So maybe not every project will be affected, but any project could be targeted. Think about that. If you are trying to make an investment decision, if you are a business that is seeking to expand but you have that level of uncertainty because you don't know if you are going to be targeted, that is tough. It is tough to make these decisions.

We know these agencies have cast an extremely wide net with this rule. We know from Keystone XL and from our experiences in Alaska that regulatory decisions are not always fair or impartial or even logical within this administration. We know that almost everything in Alaska is either near water, it

is wetlands, or it is permafrost. You add it all up, folks, and almost every project in Alaska could suddenly be subject to Federal permitting under the Clean Water Act. That, in turn, means most projects in our State will end up costing more, taking longer, or being indefinitely delayed.

I would remind friends that the cost of securing a section 404 permit can easily run \$300,000 and take over 2 years to do. So you are adding cost and you are adding delay. The delay adds to further cost. Some developers just give up. They raise the white flag and they say: I am tired. I am frustrated. I just cannot run this regulatory gauntlet.

They give up. All of this would be in addition to the significant regulatory burdens Alaska is already facing.

One last example I will leave you with comes from Craig, AK, down here in the southeast. This is a small town of about 1,200 people. We have a local tribal organization that wants to construct a 16-unit affordable housing project. The Army Corps required a \$46,000 downpayment to a mitigation bank prior to permitting. Again, this is for a small project in a community of 1,200 people. It is a tribal organization trying to bring in some low-income housing units, and they are going to have to spend \$46,000 just to get started. Think about what they could have done if they could have put those dollars toward that project. Imagine then—a town like Craig—when you scale this up to communities such as Anchorage and Fairbanks, what do those costs mean to you? There is just too much at stake.

Again, I strongly oppose the WOTUS rule because of the uncertainty it will create, the delays it will deliver, the costs it will impose, because Alaska is the only State that has permafrost and we still have no idea whether or under what circumstances these areas will be regulated and, further, because this rule could dampen our efforts to begin new resource-extraction projects, which we depend upon for a majority of our State's budget.

Finally, I oppose the WOTUS rule because it is yet another regulatory burden for Alaskans, for people all over the country. This is on top of all of the other regulations we have seen in our State and from the Interior Department's anti-energy decisions to EPA's quest for project veto authority before, during, and after the permitting process. It gets to a point where it is just too much. It is just too much, and this is where we must come together and stand to stop it.

I thank my colleagues for their leadership and look forward to the opportunity to support the disapproval resolution that is pending before the body.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Michigan.

THE BUDGET

Ms. STABENOW. Mr. President, just a week ago the American people were able to breathe a collective sigh of relief—and I think all of us did in this Chamber as well—as Republicans and Democrats in the House and Senate finally pulled back from what would have been a financial catastrophe. We had a potential default of our country's bills. There was a potential government shutdown, but that was averted, and we passed a budget with no time to spare. It was a good thing to do on a bipartisan basis, to be able to show that we could work together, develop a bipartisan budget.

I believe it was 3 a.m. when we had the final vote on early Friday morning, but we put that in place and had some confidence at that moment that we were going to be moving forward with a comprehensive budget—a comprehensive appropriations process—that would allow us to say to the American people that we were addressing all of the needs they care about: security, growing the economy, making sure we are investing in middle-class families, strengthening our defense, and so on.

Now, not even a week later, Republican leaders are back to their old tricks again. We are quite shocked to see that rather than giving the appropriators the opportunity to put together a comprehensive appropriations process, a comprehensive budget to be able to move forward on all of the needs of the country, what we are seeing is potentially a trick to undo the bipartisan budget agreement through the backdoor. We have seen this movie before, a few years ago, passing the Department of Defense appropriations and then forcing everything else into a long-term continuing resolution.

We are not going down this road again. We are operating under the basis that we have a bipartisan agreement. A lot of folks on both sides of the aisle deserve credit for that, but we want to stick to that and a comprehensive budget moving forward—no tricks to undo the bipartisan budget agreement.

Frankly, our families deserve a budget that grows the economy and invests in our middle-class families. How many of us have said the issue is that folks don't have money in their pocket, good-paying jobs, and can't do what they need to do to be able to put food on the table, send the kids to school, pay the mortgage, be able to support their families in a way that we always have in America, and be able to grow the economy with a strong, vibrant middle class.

We also need to strengthen our national defense—our national security—broadly. If we only move forward on Department of Defense, as we know, we are leaving out a whole range of things that are part of our national security.

I can say that as a border State in Michigan, we need to be concerned. We

hear a lot of debate and discussion about border security. We need to make sure we are adequately funding border security. Cyber security, for us it means things such as the Coast Guard. When we look at other areas of security, it includes food security efforts that people care about. It includes first responders, police, and firefighters. It includes airports—a whole range of things that need to be looked at comprehensively.

We want to see the whole budget, not just the Department of Defense. We want to see the agreement on the whole budget so we know there aren't going to be any tricks. If there aren't going to be any tricks, what are folks trying to hide? Let's just develop the whole budget and then move the whole budget.

We also know people care deeply about growing the economy and jobs, and that means supporting small business. It means investing, making things, and growing things, which I talk a lot about in Michigan. That is what we do; we make things and grow things. There are efforts to support that that we need to do.

Frankly, some of that is in critical partnerships with the private sector and job training. The No. 1 thing I hear from manufacturers today—in fact, the National Association of Manufacturers tells us there are 600,000 unfilled jobs today because we don't have people with the right skills for the right job. That is something we need to address in our budget: job training, education, and college affordability.

How many times have we heard about young people or in our own families know people who have come out of college, they did everything we told them to do: Go to college, get good grades. They graduate, and then they come out with more debt than if they were trying to buy a big house. In fact, the realtors tell us now they can't qualify young couples to buy a house because of their college debt. That is part of this debate on the budget: education, access to college, job training, support for small businesses, and support for our manufacturers and our farmers, large and small.

Another critical area in our budget that we want to make sure is adequately funded is our ability to save lives through medical research, such as new treatments, new cures that we all have heard so much about that we are excited about. The whole effort now—finally, we are doing research on the brain, the least researched organ in the body. That impacts Alzheimer's; \$1 out of every \$5 Medicare dollars is spent on Alzheimer's disease and dementias, Parkinson's, mental illness, and addictions. That doesn't count what needs to happen with cancers. It doesn't count how close we are if we were to double down on our medical research in this country. Juvenile diabetes—we could

go on and on. That is part of this budget.

We want to see what is being funded on medical research in the National Institutes of Health before we move forward on only one piece of this, as we are very late in the game to debate this. This might have been a strategy we could do last spring. Now what we need to have is a look at the entire budget: mental health, substance abuse, services for veterans. Whether it is veterans and job training, whether it is providing veterans an opportunity to have a home and live in dignity, whether it is mental health substance abuse services, that is in this budget. We need a comprehensive budget. We need to know, the American people need to know the whole budget and that there are not going to be tricks in this process.

Protecting our natural resources. For us around the Great Lakes, 20 percent of the world's freshwater, it is incredibly important for us that we know how the Great Lakes Restoration Initiative is funded; how we are supporting our clean air, clean water, and land initiatives.

We have new challenges in outrageous things such as what is happening in Flint, MI, where there is very high lead found in the water and we need pipes changed. We need to be supporting infrastructure around not only roads and bridges, which are critically important, but aging pipes that have been there for 60 years, 70 years, 80 years, 100 years that we are now seeing—and multiplied by a series of errors and incredibly bad misjudgments at the State level, at the minimum. We are seeing situations where we are going to need to support efforts on making sure we can upgrade our pipes, our water pipes, water and sewer, and so on. That is all part of this budget.

So when we look at moving forward, last week at the end of the week was a good time because it was an opportunity to come together in a bipartisan way, avert disaster, and actually come together as the American people want us to do every day. People in Michigan ask: Can't you guys just get something done? Can't you just work together?

Well, at the end of last week we actually did that. We actually came together and developed a plan, a 2-year overall budget process, and now it is implementing it through appropriations. What we as Democrats are committed to doing is implementing the agreement in total. We are not going to support going back to where we were before, where we move one budget—the budget that has the most interest among Republican colleagues, the Department of Defense—and then potentially see all of these other needs go unaddressed in a fair and responsible way in terms of what American families are asking us to do. We just want to know that we are truly working to

implement a bipartisan budget that we voted on—no backdoor tricks. Unfortunately, we have seen this movie before—no backdoor tricks to undermine critical needs for jobs, the economy, quality of life, protecting our natural resources, our broad security needs as a country. Let's put that strategy aside rather than trying to have a vote on only moving forward on the Defense appropriations.

I urge that Republican leadership put that strategy aside, give the appropriators the time they need—we have good people on both sides of the aisle who can work together as appropriators—and provide us a balanced, responsible budget for the United States of America that will in fact grow the economy, invest in our middle-class families, and strengthen our national defense. I am hopeful that in the end that is what will happen.

Thank you.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I had a few minutes yesterday before the vote—the Congressional Review Act vote on this truly terrible EPA rule on water—to talk about the reasons EPA shouldn't do this, the long-term understanding of what “navigable waters” meant, the ability for EPA—if they wanted to change the law—to come and ask the Congress to change the law, but of course they don't want to do any of that. In fact, I had a small version of this map yesterday that shows the Farm Bureau projection—that I believe other projections agree with—of how much of our State is covered by this new jurisdiction by the Federal Government over essentially all the waters of the country. If you will notice, the only part of Missouri that would be covered under the so-called waters of the United States rule is just the part in red. Only 99.7 percent of the State would be under this new jurisdiction that the EPA would ask for. Surely, nobody believes the EPA could ever exercise this jurisdiction. And uniquely, as it relates to this rule—I think “uniquely” is the right word to say here—Federal agency after Federal agency opposed the EPA going forward with this rule. This is basically not just the EPA versus a few people who are concerned about it. It is the EPA versus anybody who has looked at it.

According to the Small Business Administration—by the way, another agency of the Federal Government headed by someone else who is appointed by the President—they have a number of concerns. One is that utility companies would have a hard time complying with the law in a way that allowed the power grid to continue to be utilized. Of course, anything that raises utility company power costs raises the cost to the consumer. There is no mythical way anybody else pays for that except the people who get utility bills, which almost every person in

America or at least the family of almost every person in America does.

The Home Builders Association of St. Louis believes that if this rule goes into effect, on average, the increased cost for permitting to build a home would go from a little under \$30,000—right now the average cost, at least for St. Louis home builders to get all the permitting necessary, is \$28,915—and would increase by 10 times. So the average permit to build a home, if this silly waters of the United States thing is allowed to happen, would go from a little under \$30,000 to \$271,596, and the wait time would go from a little less than 1 year to more than 2 years, just to get the permitting you need to build a home.

Now, the SBA also says the rule will increase permitting costs generally by \$52 million in the country, just for permitting costs generally, and environmental mitigation costs by \$113 million every year. With the addition of the power rule the EPA also has out, I think you would be hard pressed to come up with a third rule that would do anywhere as much damage as the two rules they already have out there do to the American economy.

In April of 2015, a memo from MG John Peabody to Assistant Secretary Darcy of the Corps of Engineers, states that “in the Corps’ judgment, the documents contain numerous inappropriate assumptions with no connection to the data provided . . . and logical inconsistencies.” This is the view of the Corps of Engineers—not necessarily my favorite Federal agency—on the EPA rule.

This rule would also mean that Federal bureaucrats, assuming you could ever assemble enough of them to do the job the EPA says they like here, can decide what falls under the jurisdiction, and they would be deciding from a long way away. This kind of authority is barely able to be exercised by the local city or county. It becomes even more complicated when the State department of natural resources gets involved. It would be impossible to do and will slow down both the economy and add cost to families.

Thirty-one States, including mine—including this State here, where again only the red part is covered by the waters of the United States rule—have sued the EPA to overturn the rule, and the courts appear to be listening. The district court that covers our district and North Dakota issued an injunction for 13 States. Then in early October, the Sixth Circuit issued a nationwide stay on the rule.

So not only is the Congress concerned and involved, or a majority of the Congress—unfortunately, only 59 Senators were concerned with something that 60 Senators could have solved—but so is Federal agency after Federal agency, and the courts themselves are saying this should not be allowed to happen.

I hope we see the Congressional Review Act put this issue exactly where it deserves to be—on the President’s desk. He appointed the head of the EPA. The Senate confirmed the head of the EPA. I didn’t vote to confirm the head of the EPA. In fact, I held that nomination back as long as I could possibly hold the nomination back, hoping the new nominee would suggest they were going to be better than the person who had been holding the job before. This rule indicates the EPA doesn’t really have the best interest of the country at heart. They do not have a reasonable way to enforce the authority they say they would like to have. So I look forward to the President having to deal directly with this issue and that the American people will pay attention, as we all do, to the job we are sent here to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

THE BUDGET

Mr. SCHUMER. Mr. President, first let me thank my colleague from Michigan for her outstanding remarks. I too want to talk about the budget. We have agreed to a bipartisan budget framework, and that has been very good. We have avoided a shutdown, and we have avoided defaulting on our debt. I am glad the brinkmanship that some on the other side of the aisle wanted to play did not prevail. That is a very good thing.

Now we have to move forward. I want to join my colleagues to ask our friends on the other side of the aisle to engage in a fair process on the omnibus that must follow. The budget, after all, is only a blueprint. Now it is up to Democrats and Republicans to fill in all the details and honor the agreements that both sides worked to pass together. Already we have some on the other side of the aisle threatening to insert policy riders that should have no business in an appropriations process, particularly a delicate one like this.

So first things first—let us be crystal clear. If folks on the other side of the aisle insist on inserting poison pill riders into the omnibus bill and the Republican leadership on either the House or Senate side goes along, they will be dragging us into another government shutdown. We are happy to debate any of these so-called poison pill riders but not to use the whole budget process as a hostage.

The only reason that our colleagues who want these riders want to use the budget process and hold, in fact, the whole rest of the American people hostage is because they know they can’t win on their own. They can only do it by hostage-taking, by saying we won’t fund the government or this part of the government unless we get our way on these nonrelated riders. Well, we Democrats, on both sides of the Capitol, at both ends of Pennsylvania Ave-

nue, are totally united on preventing poison pill riders in riding along on an omnibus.

Yesterday, I was disappointed to hear Speaker RYAN, who I think is a fair man—and I have worked with him on a number of issues—say that he expects to use the power of the purse to push riders. Again, the power of the purse does not give anyone the right to jam through ideological riders that can’t stand on their own merits. The power of the purse doesn’t give anyone the right to hold government hostage until we repeal parts of Dodd-Frank or defund Planned Parenthood. That doesn’t make any sense.

The power of the purse means, and has always meant in this grand Republic in our history, that Democrats and Republicans, House and Senate, work together to produce a fair budget that strengthens our national and economic security, free of poison pill riders.

Second, with respect to the timetable for these bills, I want to echo my friend Senator STABENOW in saying we have to see the whole funding picture up front before we move to any comprehensive funding legislation.

I understand our colleagues on the other side of the aisle want to do Defense first—sure. Then what about the rest of the budget? In 2010, we did Defense and then did a CR for the rest of the budget. And then it leaves the fight on riders undone.

Now, they say they need a vehicle. It is true. There are lots of vehicles. You don’t need the Defense bill for a vehicle, No. 1, and, No. 2, you don’t have to do that vehicle now. What should be happening now is the House and Senate, Democrats and Republicans, should be negotiating the whole picture, the whole omnibus. When they come to an agreement, we can then move them on the floor of the House and the Senate.

So we all agree the Nation breathed a sigh of relief when we agreed to a balanced framework that would see us lift the sequester caps for domestic as well as defense spending. We can’t be goaded into passing an increase in defense spending without seeing the rest of the omnibus to make sure both sides are part of it, because 50-50 was always part of the deal. Let us see the 50-50, and let us see the details.

What we also believe has to be part of the deal is no poison pill riders, whether they be Democratic or Republican. Those should be for another day and not risk a government shutdown, which is still a very real possibility if some of the ideologues have their way and say it is my way or no way.

So for this budget agreement to work, we need to see each piece of the appropriations puzzle before we move forward on defense spending. That is not too much to ask. Democrats want a simple, fair process to fill in the blueprint we agreed on in the budget—no poison pill, no sleight of hand.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is S.J. Res. 22.

Mr. WICKER. And that deals with the waters of the United States rule; is that correct, Mr. President?

The PRESIDING OFFICER. The Senator is correct.

Mr. WICKER. If I could, I would also like to ask that Senator BLUNT's poster be placed back on the easel, because I agree with what the Senator from Missouri had to say about the so-called waters of the United States rule. It is a massive Federal overreach, a massive Federal land grab with hardly any environmental benefit, if at all. The map behind me of my neighboring State of Missouri points this out. Everything in red would be subject to regulation under the Clean Water Act. Almost every square inch of the State of Missouri and other States would be subject to this massive overreach of a statute that was never intended to do that.

So I was pleased just a few weeks ago when the U.S. Court of Appeals for the Sixth Circuit pretty much agreed with us, on a temporary basis at least. They ordered a nationwide stay of the Obama administration's wholly unnecessary waters of the United States rule. I agree with the court's action. I agree with the 31 States that have filed lawsuits against this rule. I agree with the efforts in this Chamber to overturn it.

I appreciate Senator BARRASSO's legislation entitled the Federal Water Quality Protection Act, and I certainly appreciate the efforts of the junior Senator from Iowa, Senator ERNST, and will be supporting her efforts when we vote at the top of the hour.

The waters rule is an unlawful—unlawful—attempt by the EPA and the Army Corps of Engineers to wield enormous power over our Nation's land mass, as this chart points out very dramatically. Americans are concerned—and Americans are right to be concerned—by this Federal overreach. The rule could have far-reaching effects on our lives and on our private property.

I am particularly concerned about what this rule could mean to our Nation's farmers and ranchers, especially in States such as Mississippi, where agriculture is one of the leading industries. The administration's attempt to expand the scope of waters of the United States under the Clean Water Act would lead to unprecedented regulatory authority—unprecedented regulatory authority—and everything from property rights to economic development could be affected. Small ponds, even ditches would be subject to the decisions of Washington bureaucrats.

This expansion of Federal regulation could also adversely affect conserva-

tion efforts that are working at the State level in States such as Mississippi. We have begun considerable work with farm drainage ditches to enhance conservation. The waters rule threatens to undermine this important work. So it actually puts us back a step in terms of conservation.

Moreover, this rule makes States, cities, counties, and private citizens vulnerable to confusing and expensive legal challenges.

Just get ready for the Federal Government to come in with legal challenges. Because of the regulation's lack of clarity, the Federal Government could declare jurisdiction over almost any kind of land or water, as this map of Missouri points out. Even areas that may have been streams or wetlands more than a century ago could come under the rule of this expansive regulation. The rule's exemptions do not make clear whether water in tile drains, for example, or erosion features on farmlands could fall under Federal control. At the very least, these flaws should be fixed before the rule is fully implemented, and I do appreciate the efforts of the Senator from Iowa in challenging this.

Americans should worry and Americans should be concerned that the Obama administration has pushed forward with this rule despite these legitimate concerns being voiced over and over again by 31 States. State and local governments, farmers, small business owners, and landowners are worried about how this unilateral expansion could lead to substantial compliance costs, fines, legal battles, and permitting requirements—very expensive to job-creating agriculture and agribusiness.

As they do with many of the administration's other onerous rules, Americans are asking: What is the benefit? What is the environmental benefit here? No one is arguing that our waters should not be protected, but water sources such as isolated ponds and ditches that do not threaten to pollute navigable waters should not become a regulatory burden for States, for municipalities, or for private citizens.

I am a member of the Environment and Public Works Committee. I participated in a number of hearings on the WOTUS rule this year. It is clear the rule should be revised in a way that protects the rights of farmers, ranchers, and landowners—and the American public, for that matter.

Senator ERNST is absolutely correct. Her resolution of disapproval would allow us to send this message to the EPA and the administration: Americans do not deserve this unnecessary confusion and job-killing redtape.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, in a few moments we will have an opportunity

to vote on the Congressional Review Act, on the final rule under the Clean Water Act on waters of the United States. Yesterday, I thought we had a rather robust discussion and debate about this, the Barrasso bill, which would have not only prevented the final rule from going forward but also would have changed the underlying bill. Cloture was not invoked.

Now we are on the CRA—the Congressional Review Act—that would stop the rule from going forward. Yesterday on the floor of the Senate, I explained to my colleagues why I hope they will reject this motion and allow this rule to go forward. My main reason for saying that is that since 1972, Congress has had a proud record on behalf of public health, on behalf of our environment and protecting the people of this country from the dangers of dirty water. Before the Clean Water Act, we saw rivers that caught fire. In the Chesapeake Bay, we had the first marine dead zones reported. We made a commitment as a nation that we were going to do something about clean water, and Congress in a very bipartisan way passed the Clean Water Act as a commitment to the people of this country that we would take steps to protect their drinking water, to protect their public health, and to protect their environment so that the legacy would be cleaner water for future generations.

This Clean Water Act—the reason why we have this rule is because of a couple of Supreme Court decisions which basically unsettled what most people understood to be regulated waters. By a 5-to-4 decision in *Rapanos*, the Supreme Court's ruling sent it back to EPA to come up with additional regulatory guidance, throwing into question the well-established thoughts that waters generally that flow into our streams, into our wetlands, and into our water supply were regulated waters. So this final rule is a response to the Supreme Court decisions in order to give clarity to those who are affected by the Clean Water Act. So if we reject the rule, we are, in fact, removing clarity and we will go back to the stage where people don't know whether a particular water is regulated under the Clean Water Act.

I was listening to my colleagues on the floor give examples of where they say regulation will take place, when, in fact, in agriculture, there is basically no change in the regulatory structure. There are no new permitting requirements for agricultural activities.

If we don't go forward with the regulation, the risk factor is that approximately one-half of the stream miles in this country will not be fully protected. That is a huge risk to the public health of the people of this country.

Approximately 20 million acres of wetlands will not be regulated. Wetlands are the last frontier to filter

water before it enters our water systems, our streams, our drinking water supplies. Do we really want to call into question that type of deregulation of clean water, which is critically important to public health and the drinking water supplies of Americans?

If this rule does not go forward, the source of the drinking water of approximately 117 million Americans will be compromised. One-third of the people of this country will see that we are not fully protecting their drinking water, and if we have an episode, they will be asking what did we do in order to protect their basic health. They expect us to make sure that when they turn their tap on, they get safe drinking water, and that when they bathe, they have safe water in order to bathe, and we are not doing everything we can to do that if, in fact, we block this rule from going forward.

In reality, what we are doing is saying: No, we are not going to let science guide what goes forward; Congress is going to tell us whether the EPA can regulate our water based upon science. I don't think we want this to be a political decision; I think we want this to be a scientific decision.

As I said earlier, agriculture practices are not changed under this final rule. Many have mentioned the court challenge. Any regulation coming up by EPA is going to be subject to court challenge. We know that. And the courts have not been helpful. The 5-to-4 decision left a lot in question. Ultimately, we are going to have to rely upon a court decision. Let's get there sooner rather than later and not go back to the drawing board and delay the necessary regulations for our country.

Yesterday on the floor, I quoted from business leaders, environment leaders, small business leaders. Let me share a couple other quotes about why it is important for us to allow this rule to go forward. Let me talk about a business concern. This is a quote from Travis Campbell, president and CEO of Far Banks Enterprises, an integrated manufacturer and distributor of fly fishing products. He says:

My company depends on people enjoying their time recreating outside, especially in or near watersheds. Clarifying which waterways are protected under Clean Water Act isn't a nice-to-have, it is a business imperative.

Allowing this rule to go forward helps America's businesses, helps our economy.

I will give two quotes on the health issue.

This is from Dr. Alan Peterson, a family physician in Lancaster County, PA. He said:

Because it would protect the streams that are the headwaters of drinking water supplies for 1 in 3 U.S. residents, this rule is a health imperative.

Lastly, a person who used to be our health secretary in Maryland, Dr.

Georges Benjamin, executive director of the American Public Health Association, stated:

Our nation relies on clean water for basic survival—it's essential for daily activities including drinking, cooking, bathing, and recreational use. When that water is polluted, Americans are at risk of exposure to a number of harmful contaminants. We are pleased that EPA has moved forward with this strong, evidence-based rule that will be vital to protecting the public from water pollution and keeping our nation healthy.

For the sake of our public health and the sake of our environment, for the sake of our economy, and for the legacy of this Congress to protect the people of this Nation, I urge my colleagues to reject the motion that would stop the final waters of the United States rule from going into effect.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. ERNST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. ERNST. I ask unanimous consent to speak for 5 minutes on the joint resolution that is before us.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. ERNST. Mr. President, we have a choice today to stand with our farmers, ranchers, small businesses, manufacturers, and homebuilders, or stand with an overreaching Federal agency pushing an illegal rule greatly expanding its power. That is an easy choice for me. I am standing with my constituents. I am standing with Iowans.

Rolling back this harmful WOTUS rule is hugely important to my State and, I know, to many others. I especially wish to thank the junior Senator from Wyoming and the senior Senator from Oklahoma for all their hard work on this issue. I also wish to thank those from the other side of the aisle who recognize the harm this rule will have and are supporting this bipartisan effort to halt an expanded WOTUS.

I am proud to stand with them and all of my other colleagues who have decided to act today to push back against yet another power grab by the EPA. This is what the American people expect. They expect us to take the votes and debate the issues of the day, not simply put in writing how we may do our job tomorrow when it is more convenient or wait for the courts to solve a clear problem.

Every community wants to have clean water and to protect our Nation's waterways. No one is disputing that. I grew up on well water. I understand that clean water is essential, but that is not what this vote today is about.

To build on what the junior Senator from North Dakota, my colleague from

across the aisle, said yesterday, to suggest that 31 States, agricultural groups, the Association of Counties, our Governors, municipalities—that we are all wrong is absolutely insulting.

Look at this grass waterway behind me. This is from Iowa. This was taken by one of my staff members as he was out on RAGBRAI, the Register's Annual Great Bicycle Ride Across Iowa. This is what we are debating. This is what the rule is about. Should Washington, DC, bureaucrats control the land in this farmer's field? The clear answer is no, they should not.

As so many of my colleagues mentioned yesterday and this morning, this confusing WOTUS rule threatens the livelihoods of rural communities and middle-class Americans. It threatens to impede small businesses and manufacturing. It impacts middle-class Americans. These people are the backbone of this country. How can these industries flourish when under this rule they will be faced with excessive permitting requirements that will delay future projects and conservation efforts? They can't.

Yesterday we saw many of our colleagues across the aisle block a commonsense bipartisan measure designed to stop the harmful impacts of this rule. They claimed this rule is grounded in science and the law. Science and the law? Really? The Army Corps' memos show that the science was blatantly ignored by the EPA in favor of politics, and two Federal courts have already called into serious question the legality of this WOTUS rule and the science behind it.

This claim is in spite of the fact that Members on the other side voted for Senator BARRASSO's legislation yesterday. This is in spite of the fact that Members of the other side also support this legislation, and this is in spite of the fact that 11 Democrats sent a letter to the EPA yesterday stating their concern over serious issues with this rule. Yet this administration continues to unilaterally enforce its harmful agenda on the American people.

We must take a stand, put our constituents first, put American jobs first, and say: No more, Mr. President. It is time to put politics and ideology aside and start listening to the commonsense voices of the American people. I urge my colleagues to support this bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I haven't talked about the popularity of the Clean Water Act, but every poll has shown that the overwhelming majority of Americans support what EPA is doing in protecting our water supply. They are for this rule. They are for a commonsense, science-based way to protect their drinking water. They are for a scientifically based, commonsense way to make sure that their rivers are

clean. Whether it is because of their concern for the environment and their children and grandchildren's health or whether it is their concern about our economy, recognizing that clean water is necessary for agriculture and for our activities—recreational activities along our waterways which are critical to our economy—for all of those reasons they support the Clean Water Act.

I urge my colleagues to look at the rule. It doesn't regulate new activities in agriculture. It doesn't require anything different than has been historically the role of the Clean Water Act in protecting our waters. It deals with waters that are affecting our water supply. It doesn't deal with isolated ponds. It doesn't deal with ditches. They are not regulated under this law any differently than they were in the past.

I urge my colleagues to look at what is in this regulation, not the claims that have been made. The EPA listened to the different interest groups. There were over 400 meetings with stakeholders across the country to provide information, hear concerns, and answer their questions. EPA officials visited farms in Arizona, Colorado, my home State of Maryland, Mississippi, Missouri, New York, Pennsylvania, Texas, and Vermont.

The 207-day public comment period on the proposed rule resulted in more than 1 million comments. All of this public input helped to shape the final clean water rule. The act does not require any new permitting from the agricultural community. There is an exemption under the existing Clean Water Act, which is preserved by this final rule. Normal farming, silviculture, and ranching practices—those activities that include plowing, seeding, cultivating, minor drainage, and harvesting for production of food, fiber, and forest products—are exempt. They are not covered under this final Clean Water Act. Soil and water conservation practices and dry land are exempt. Agricultural storm water discharges are exempt. Return flows from irrigated agriculture, construction, and maintenance of farm or stock ponds or irrigation ditches on dry land are not covered under the rule. Maintenance of draining ditches is not covered under the rule. Construction or maintenance of farm, forest, and temporary mining roads are not covered.

When my colleagues come in and say that this ditch is being regulated under the Clean Water Act, it is not the case. Only those flows of water that directly impact our streams, impact our wetlands—those you want to make sure we cover because they affect our drinking water supply for one out of every three Americans, because they affect our public health for those of us who swim in our streams and our lakes, and because they affect those of us who enjoy the recreation of clean water. That is

why we have small business owners. That is why we have the businesses that depend upon clean water. That is why we have a lot of people around the country saying: Look, it is in our economic interest to make sure this rule goes forward.

The bottom line is, the stakeholders need clarity. This rule will allow that process to go forward so that we can get clarity in the implementation of the Clean Water Act, which was jeopardized not by Congress and not by EPA but by the Supreme Court's decisions. It is our responsibility to make sure that clarity exists.

If Congress blocks this clean water rule from going forward, we are adding to the uncertainty that is in no one's interest, whether it is a person who depends upon safe drinking water or the safe environment or a farmer who wants to know what is regulated and what is not. All of that very much depends upon clarity moving forward.

EPA listened to all the stakeholders, and it is important to allow this rule to go forward. I urge my colleagues to reject this effort to stop the final act from going forward. Let our legacy to our children and grandchildren be safe, clean water for drinking and recreational purposes for our economy. Since 1972, we have had a proud history of allowing and building upon safe and clean water. I urge my colleagues to reject this effort to stop this rule from going forward.

I yield the floor.

I yield back my time.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER (Mr. SASSE). The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 297 Leg.]

YEAS—53

Alexander	Capito	Cotton
Ayotte	Cassidy	Crapo
Barrasso	Coats	Cruz
Blunt	Cochran	Daines
Boozman	Corker	Donnelly
Burr	Cornyn	Enzi

Ernst	Kirk	Roberts
Fischer	Lankford	Rounds
Flake	Lee	Sasse
Gardner	Manchin	Scott
Grassley	McCain	Sessions
Hatch	McConnell	Shelby
Heitkamp	Moran	Sullivan
Heller	Murkowski	Thune
Hoeven	Paul	Tillis
Inhofe	Perdue	Toomey
Isakson	Portman	Wicker
Johnson	Risch	

NAYS—44

Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Markley	Stabenow
Carper	McCaskill	Tester
Casey	Menendez	Udall
Collins	Merkley	Warner
Coons	Mikulski	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Franken	Nelson	

NOT VOTING—3

Graham	Rubio	Vitter
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The joint resolution (S.J. Res. 22) was passed, as follows:

S.J. RES. 22

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to "Clean Water Rule: Definition of 'Waters of the United States'" (80 Fed. Reg. 37054; June 29, 2015), and such rule shall have no force or effect.

The PRESIDING OFFICER. The majority leader.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 2685.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 118, H.R. 2685, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

The PRESIDING OFFICER. The Senator from Texas.

UNANIMOUS CONSENT REQUEST—S. 2193

Mr. CRUZ. Mr. President, our country does many things well, but our government in Washington often fails the people whom it exists to protect. One of the best examples is the Obama administration's failure to enforce our Nation's immigration laws, despite the American people's continued demands that the Federal Government follow its duty to do so.

It is worth noting that just yesterday the voters of San Francisco voted to replace the sheriff who had defended the sanctuary city policy. That is a striking statement of where the American people are on this issue.

Unfortunately, the Democrats in the Nation's Capitol refuse to listen to the

American people. Just 2 weeks ago, Senate Democrats blocked a bill that would have imposed a 5-year minimum mandatory sentence on criminal aliens who have illegally reentered the country. This issue is too important to give up and this fight is far from over. That is why I intend to call up Kate's Law for its urgent and immediate passage in the Senate. This bill is named in honor of Kate Steinle, who died tragically in the arms of her father on a San Francisco pier after being fatally shot by an illegal alien who had been deported from the United States multiple times.

When it comes to stopping sanctuary cities and protecting our safety, we need governing, we need leadership, and we need elected officials in Washington to listen to the people we are elected to represent. We need to actually fix the problem. Enough hot air, let's demonstrate we can come together and solve this problem. This ought to be a clear choice. With whom do you stand? Do you stand with violent criminal illegal aliens or do you stand with American citizens? Do you stand with our sons and daughters and those at risk of violent crime? I hope my colleagues in the Senate will come together and stand in bipartisan support that we stand with the American people.

I will note that Bill O'Reilly has been tremendous, calling over and over again on leaders of this body simply to pass Kate's Law. This is not a partisan issue, at least it should not be. We should stand with American citizens. I am reminded of the heartbreaking words of Kate Steinle as she lay in her father's arms. She simply said: "Dad, help me." Well, we have an opportunity to determine if we are willing to listen to her dying words, if we are willing to stand with her. I would note, by the way, this should not be a red State-blue State issue.

For the people of San Francisco to throw out of office the sheriff responsible for the policies that led directly to Kate Steinle's murder indicates that even in the bluest of blue cities and the bluest of blue States, the American people are tired of politicians standing with violent criminal illegal aliens. This should bring us together. We should stand together and say we will protect the American citizens.

I will tell you, the Obama administration's record on this is shocking. In 2013, the Obama administration released from detention roughly 36,000 convicted criminal aliens who were awaiting the outcomes of deportation proceedings. These criminal aliens were responsible for 193 homicide convictions. They were responsible for 426 sexual assault convictions. They were responsible for 303 kidnapping convictions. They were responsible for 1,075 aggravated assault convictions. They were responsible for 16,070 drunk driving convictions.

On top of that, the Obama administration had another 68,000 illegal immigrants with criminal convictions whom the Federal Government encountered but never even bothered to take into custody for deportation. That is over 104,000 criminal illegal aliens the Obama administration is responsible for releasing to the public.

I ask my friends on the Democratic side of the aisle how you look in the eyes of a father or mother who has lost their loved one because of a violent criminal illegal alien, who has murdered, who has raped, who has assaulted, who has kidnapped, who has brutalized your child? We are responsible for the consequences of our actions. Kate's Law is commonsense legislation. It is legislation that says: If a criminal illegal alien who is an aggravated felon—who is the worst of the worst—illegally reenters this country, comes in a second time, that criminal illegal alien will face a mandatory minimum of 5 years in prison.

If Kate's Law had been passed 5 years ago, Kate Steinle would still be alive. That means every Democrat who stands up and blocks Kate's Law needs to be prepared to explain why standing with violent criminal illegal aliens is more important than protecting American citizens.

I am proud to have joining me as cosponsors of Kate's Law Senator GRASSLEY, Senator VITTER, Senator RUBIO, and Senator PERDUE. They are all coming together in what should be bipartisan leadership to protect the American citizens.

Mr. President, accordingly, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2193; further, that the bill be read a third time and passed and the motion to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. CRUZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

A unanimous consent request is pending before the body. Is there objection?

Mr. REID. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, the new mandatory minimum sentences this bill would create would have a crippling financial effect—that is an understatement—with no evidence that they would actually deter future violations

of law. This legislation would require about 20,000 new prison beds—20,000—12 new prisons and cost over \$3 billion.

This is yet another attack on the immigrant. The reason this bill did not go through the Judiciary Committee is because Republican Senators objected to it going through the committee. In the House, Speaker RYAN said he cannot trust the President to do immigration reform. In the Senate, after passing a bipartisan bill in 2013, all we have seen from Republican leaders and their caucus are bills to attack immigrants and to tear families apart. So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CRUZ. Mr. President, you know I will tell you it is sad that the Democratic leader chooses to stand with violent criminal illegal aliens instead of American citizens, but even sadder is that he impugns legal immigrants. When the Democratic leader suggests that incarcerating aggravated felons, murderers, and rapists who illegally enter the country is somehow a slight to immigrants—I am the son of an immigrant who came legally from Cuba. There is no one in this Chamber who will stand and fight harder for legal immigrants than I will. For the Democratic leader to cynically suggest that somehow immigrants should be lumped into the same bucket as murderers and rapists, it demonstrates the cynicism of the modern Democratic Party, it demonstrates just how out of touch the modern Democratic Party is.

You know who does not agree with the Democratic leader? The voters of San Francisco—I would venture to say almost all of whom consider themselves Democrats. Yet they just voted out the sheriff for saying basically the same thing the Democratic leader did, for saying that the Democratic Party stands with violent felon illegal immigrants instead of the American citizens.

Let's listen to what the Democratic leader just said: Gosh, it would cost too much to incarcerate aggravated felons who illegally reenter the country. If it costs too much to lock up murderers, rapists, kidnappers, then you know what, we need to spend the money it needs to lock up every single murderer we can. I am sorry the Democratic Party does not want to spend the money to lock up murderers, and instead apparently it is cheaper to lose our sons and daughters. I think we have the resources to lock up murderers. There should be no confusion where the parties stand.

The Democratic leader suggested that locking up aggravated felons is somehow disrespectful to immigrants. With all respect, as the son of an immigrant, I believe immigrants who come here legally, who are not criminals, should be treated markedly different from murderers and rapists. Yet the Democratic Party chooses to stand

with the murderers, rapists, and violent criminals. That is unfortunate, indeed.

UNANIMOUS CONSENT REQUEST—S. RES. 224

Mr. President, I would now like to turn to a second matter. This is a matter I have raised a number of times on the Senate floor and intend to continue raising. It is the matter of the human rights abuses in the People's Republic of China. I would like to talk about some specific examples, starting with the one-child policy. I want to talk to you about Feng Jianmei.

PRC officials forced Feng Jianmei, who was 7 months pregnant with her second daughter, to undergo an abortion. While her husband Deng Jiyuan was at work, five family planning officials abducted Ms. Feng on June 2, 2012. When she could not pay the fine of 40,000 RMB, they restrained her and forcibly aborted her daughter.

As her husband recounted, "At the hospital, they held her down. They covered her head with a pillowcase. She could not do anything because they were restraining her." The so-called "medics" forced her to "sign" an abortion consent form by inking her thumb and pressing it against the paper. Then they proceeded to inject toxins into the brain of her unborn daughter.

After the injection, Jianmei suffered excruciating contractions until 3 a.m. on June 4. Then, having received no anesthesia, she gave birth to her deceased child. Jianmei said:

I could feel the baby jumping around inside me all the time, but then she went still. It was much more painful than my first childbirth. The baby was lifeless. She was all purple and blue.

In an act of heartlessness that is difficult to comprehend, the so-called doctors who performed this abortion left the lifeless body of Feng's 7-month-old baby on her bed beside her, leaving a bereaved mother with nothing but the sight of what could have been. Feng Jianmei's father-in-law rushed to the hospital, but family planning officials prevented him from seeing Jianmei until after the abortion.

After seeing her mother for the first time after her forced abortion, Feng's elder daughter innocently inquired, "What happened to your tummy? Where did the baby go?"

Reggie Littlejohn, a world-renowned human rights activist who broke this story in the United States, stated in the wake of this tragic story: "This is an outrage. No legitimate government would commit or tolerate such an act."

China is among the leading nations in suicide rates. It is the only nation where more women commit suicide than men. A large contributing factor to this morose distinction is the totalitarian one-child policy.

Another example is the crackdown on lawyers. When the United States engages with China in any sort of bilateral negotiation or agreement, we have

to understand that the rule of law is not a reality in the PRC. Despite laws duly passed by the National People's Congress, and a supposed Constitution, the reality since 1949 remains unchanged: China has a "rule of the party"—the Communist Party—and it is ready to punish anyone who challenges its violation of the law within the legal system.

The latest example is human rights lawyer Pu Zhiqiang. In early May 2014, Pu attended a small, private seminar where the participants discussed the Tiananmen Square Massacre and the party's violent suppression of students. Pu was a student leader during the infamous 1989 protests, so marking the auspicious occasion was no doubt of personal importance to him.

The following month Pu was arrested and charged with "illegally obtaining personal information of citizens" and "picking quarrels and provoking trouble." As the year progressed, PRC authorities added additional charges "inciting splittism" and "inciting ethnic hatred." In May 2015, a Beijing court officially indicted Pu on two of these charges, and he remains in custody today.

While legal officials cited Pu's criticisms of the PRC's treatment of the Uighur ethnic minorities, his real offenses were taking cases and representing victims of forced eviction and shining a light on China's labor camps. His defendants included a who's who of China's prominent political dissidents, including Liu Xiaobo—a brave, selfless action that undoubtedly painted a target on Pu's back.

Prior to his arrest, the PRC praised Pu as a paragon of social justice. The state-run China Newsweek magazine named Mr. Pu the most influential person in promoting the rule of law in 2013. This is a microcosm of life in authoritarian China: Compliance with the party and compliance with the law are often at odds, and the party always wins.

In the past year, Beijing has detained and jailed hundreds of activists standing for the rule of law, ideals the party ostensibly espouses. Words are one thing; public embarrassment of public officials is quite another. Xi Jinping and his cohorts cannot abide the erosion of their credibility or anything that would threaten their legitimacy.

A third example is Pastor Zhang Shaojie. Under President Xi, the atheist Communist Party of China has targeted Christianity for special oppression. Using a campaign in Zhejiang—a province which President Xi ran earlier in his career—to forcibly remove crosses from churches, in some cases, the PRC has gone on to bulldoze entire churches and to arrest pastors and congregants for standing boldly for their faith.

Persecution of Christianity is not confined to Zhejiang. One such victim

of this crackdown is Pastor Zhang Shaojie. On July 24, 2014, the Nanle County People's Court, ignoring domestic and international due process provisions, sentenced Pastor Zhang Shaojie to 12 years in prison on a count of "fraud" and "gathering a crowd to disrupt public order."

Again, arrest charges in China do not reflect reality. Prior to his arrest, Pastor Zhang was defending the rights of his church in regard to the land they had purchased. Pastor Zhang and his parishioners traveled to Beijing three times in November 2013 seeking resolution of the land dispute. Maybe this is what the People's Court meant by "fraud." According to his congregants, the minister also had a ministry of helping victims of legal injustice seek restitution. Perhaps this is what the Communist Party referred to in its charge of "disrupting public order."

The following month, the Puyang Municipality Intermediate People's Court rejected Zhang's appeal.

In October, the Nanle County Court threatened to auction off Zhang's house to pay for a court-ordered fine, ordering Zhang's family to leave the house by October 26. In response, Zhang's mother physically stood between the Chinese officials and her home, holding gasoline in one hand and a lighter in the other.

It is a sad reflection of China's supposed progress on human rights when a citizen feels her only recourse against a dictatorial regime is the threat of self-immolation.

His sister, having been detained, along with several of Pastor Zhang's parishioners, suffered in one of China's most infamous black prisons for 1½ years. Her words, penned in this letter, require no substitute:

I am Zhang Cuijian, one of the Nanle County Christian Church members detained in 2013. When my brother was kidnapped, I went with other church members to the public security bureau for information about his detention. Unexpectedly, I became the target of arrest, as well as more than a dozen other church members. We became prisoners who were unprepared and innocent. The prison was hell on earth; no other words can describe it.

In prison, I was very grateful. I truly felt that God was with me, even though I suffered punishment in prison. I had a thankful heart; I had joy from God. I deeply know my true and living God. While my body suffered, my heart was free. God let me learn different life lessons. I know that the more persecution I endure, the greater the blessing.

In America, we should stand with victims of oppression. In America, we should stand with Christians being persecuted by the brutal Communist totalitarian dictatorship. In America, we should stand for women's rights. Women being forced to have abortions are horrific acts of brutality. They are inhumane. They are contrary not only to American values but to human rights across the globe, and they are carried out as a matter of policy in the People's Republic of China.

When it comes to Chinese oppression, when it comes to Communist oppression, this is not an abstract or academic matter for me. My family has been tortured at the hands of Communists in Cuba. My father was imprisoned and tortured by Batista in Cuba, and my aunt was imprisoned and tortured by Castro's Communist goons in Cuba.

Communist oppression is real, and we have a powerful example of what America could do. When the Soviet Union was in power, this body renamed the street in front of the Soviet Embassy "Sakharov Plaza." Renaming that was done by President Reagan.

Iowa Senator CHUCK GRASSLEY introduced the resolution in this body. Every day the Soviet officials had to write on the address of their Embassy: "Sakharov Plaza," honoring the imprisoned dissident. This resolution is to use the same power of moral clarity, the same power of shaming, and the same power of speaking the truth to shine a light on the oppression in China.

When Senator GRASSLEY took the lead with Sakharov Plaza, that helped shame the Soviet Union into changing their conduct. We should use the same moral authority with respect to the People's Republic of China.

My resolution is cosponsored by Senator RUBIO, Senator TOOMEY, and Senator SASSE. It was on a path to being unanimously approved in this body. Every Republican had signed off on it and initially every Democrat had as well. Yet moments before it was about to pass the Senate, unfortunately the senior Senator from California decided to come to the floor and object.

After objecting, after blocking its passage, Senator FEINSTEIN put out a press release, a press release with which I agree emphatically. Senator FEINSTEIN observed, powerfully, that "we urgently request the Chinese government to allow Liu Xia to seek medical treatment abroad and release Liu Xiabo, the world's only jailed Nobel Peace Prize laureate."

Senator FEINSTEIN was exactly right. If anything should bring us together in bipartisan agreement, it should be against the Communist Party's wrongful imprisonment and oppression of a Nobel Peace laureate. Yet sadly, each time I have attempted to follow the successful pattern of Sakharov Plaza, to rename the street in front of the Chinese Embassy "Liu Xiabo Plaza," the senior Senator from California stood and objected.

For the life of me I cannot understand why any Member of this body would choose to stand with Communist Party oppressors against dissidents, against human rights, against women's rights, against the rights of those standing to speak for freedom.

Yes, we have to negotiate with the Chinese. Yes, we have to talk to them.

Just like in the Cold War, we negotiated at Reykjavik with Gorbachev, but we did it from moral authority and truth.

If we are afraid of even embarrassing the Communist Party, if their conduct doesn't embarrass them, we shouldn't shy away from speaking the truth.

Mr. President, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 224. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER (Mr. PERDUE). Is there objection?

The Senator from California.

Mrs. FEINSTEIN. Mr. President, reserving the right to object, and this is the first time I will have objected, I would like—since my name was raised and a communication of mine was read—to explain the circumstances.

Yes, this is a press release that I wrote, and, yes, I do feel that the wife of this man should be released from house arrest and the man himself, the Nobel laureate, should be released by the Chinese. He has certainly served time for a substantial period, and more than that I do not believe it works to the benefit of China, the family, human rights or the progress of the country.

Unlike the Senator from Texas, I have had a long experience with the Chinese, going back more than 30 years. I know what can convince them to move toward a goal and I know what will become a real stumbling block and a point of opposition. To change the name of a street on which the Chinese Embassy in the United States rests will only be a greater stumbling block to achieving this goal, so I will object to that.

Since my name was also raised—or San Francisco's name was raised in his prior discussion, I would respectfully ask if I could make a few remarks about Kate Steinle and the situation the Senator from Texas has raised.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Thank you very much.

Respectfully, Senator, I do not believe that you know much about San Francisco. I am a lifelong San Franciscan. I served the city as a mayor for 9 years, president of the board of supervisors for 7 years, and another 8 years as supervisor. I believe I know something about the city of my birth, my education.

The reason for the defeat of the sheriff is multifaceted. It doesn't just begin with one thing, and I want you to know that.

With respect to the situation we spoke about, which is whether a local sheriff should in fact respond to a Fed-

eral Government request, if that request is for a detainer, if that request is for a communication, I believe very strongly that sheriff should do that. And was that part of the campaign of the sheriff that is going to be the sheriff-elect? I can't say with any specificity, but I can say that is my belief.

I think going overboard and punishing everybody makes very little sense. So I am hopeful the Department of Homeland Security, through its efforts with the PEP program, will be able to secure cooperation from the city and county of San Francisco. If it does not, then that is another story. But I believe the Department is making headway in discussions with other communities that are in fact sanctuary cities.

Since we are on the subject, in 1985, as mayor of the city, I was the first person to be sought out by the archbishop who asked for a brief reprieve or a reprieve for nuns from El Salvador, and that was the first piece of legislation. It was small and it was restricted to a country that was in a civil war with some terrible things happening. Since that time, the sanctuary concept has expanded considerably and, to some extent, I think far beyond what it should be. But I think the way to do this is through hearings and discussion among the Members and not with over-the-top rhetoric that moves visceral impulses—because we have to live, Senator, by the public policy we espouse, and we have to know that it is wise and prudent. I deeply believe that.

So I just wanted to clarify the record, and I thank the Senator for allowing me to do so.

I yield the floor, and I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, I would note with regard to Kate's Law, the senior Senator from California just said that going overboard and punishing everyone is not something we should do. This is reprising the same thing the Democratic leader said—that somehow incarcerating aggravated felons is punishing everybody.

As the son of an immigrant, I take offense at the suggestion from the Democratic Party that every immigrant is somehow an aggravated felon. Incarcerating murderers and rapists is not punishing everybody.

Mrs. FEINSTEIN. Will the Senator allow a question?

Mr. CRUZ. I will be happy to.

Mrs. FEINSTEIN. I don't believe there is anything I said that related to our letting aggravated murderers and others who would reap great harm to our society. I do not favor that, and I would like the record to clearly reflect that.

Mr. CRUZ. I would note the senior Senator from California characterized Kate's Law—and this is a verbatim

quote—as “going overboard and punishing everyone.” Kate’s Law is targeted only to aggravated felons. It is only murderers and rapists and other violent criminals—those who have committed aggravated felonies and have reentered the country illegally.

So what the Democratic Party has attempted to do, what the Democratic leader has attempted to do is to suggest that incarcerating illegal immigrants who are murderers and rapists is somehow maligning or impugning immigrants. To the contrary, it is targeting violent criminals. I do not believe the millions of legal immigrants who followed the rules, like my father did, are in any way swept into a law that is targeting aggravated felons.

Aggravated felons is a discreet category. Had Kate’s Law passed 5 years ago, Kate Steinle would still be alive today.

Mrs. FEINSTEIN. If I might respond—I think the Senator from Texas is a member of the Judiciary Committee, I am a member of the Judiciary Committee, and the chairman of the Judiciary Committee is on the floor. It is something we ought to take a look at. I haven’t reviewed the case law, I don’t think ever on this specific point, and I would like an opportunity to do so. But what I really bristle to is the extreme rhetoric and throwing everybody into the same basket as somebody who is a violent criminal, because the immigrants whom I know in California by and large are not violent criminals. They are family people. They sustain the No. 1 agricultural industry in America. They work hard, they pay their taxes, they get in line for legalization, they are good citizens, and our economy is better for them, not worse. So I don’t want to impugn everybody, which your broad, sweeping language, candidly, does.

Mr. CRUZ. With respect, I would note that the only overreaching rhetoric that has been heard on this floor has come from the Democratic leader, suggesting somehow that targeting violent criminals is targeting all immigrants.

It is worth noting that Kate’s Law addresses only aggravated felons. So the suggestion of the senior Senator from California that we should not assume aggravated felons are criminals is a statement that, on its face, makes no sense. They are by definition. It is only the violent criminals—the aggravated felons—that this is targeted to.

I will say I am encouraged, though, that the senior Senator from California stated she would become interested in the Judiciary Committee taking this up. As she noted, the chairman of the Judiciary Committee is here. There is unanimous support on the Republican side of the aisle, and it would truly be significant if the senior Senator from California were willing to join with Republicans in targeting actual aggravated felons, which is what Kate’s Law does.

The Senator from California says she doesn’t want overheated rhetoric. The rhetoric has been coming from the Democratic side. What I have been saying is we should not be releasing violent criminal illegal aliens. That is a commonsense proposition that the overwhelming majority of the American people agree with.

Let me also make a point about the objection of the senior Senator from California—for the third time now—to my effort to stand up to Communist Chinese oppression. It is one thing for Members of this body to give a good speech, to send a letter, and to put out a press release. That is something Washington does a lot. It is something we are really quite good at. It is another thing to act. We should be acting. We should be leading.

Now, the Senator suggested this would be counterproductive. I would note that the senior Senator from California did not address the fact that when we followed the exact same strategy in the 1980s under President Reagan, with Senator GRASSLEY’s leadership, in renaming the street in front of the Soviet Embassy Sakharov Plaza, it had a very positive effect. Now, the Soviets didn’t like it. They howled mightily. But the heat and light and attention of world scrutiny helped to change their behavior and helped to win the Cold War.

To Liu Xiaobo, to Liu Xia, to all the human rights dissidents imprisoned in China, to the mothers who faced forcible abortions, I hope my words penetrate the dark prisons in which they are sitting. I hope my words serve as light and encouragement to each of them.

I think back to when my father and my aunt were in Cuban prisons, and how much I would have liked leadership in the United States to shine a light of hope and encouragement.

Some months ago, I met with Natan Sharansky in Jerusalem. He described how, in the dark of a Soviet gulag, President Ronald Reagan’s words shined into that darkness and prisoners passed from cell to cell: Did you hear what President Reagan said? Evil empire, ash heap of history, tear down this wall. Those words, that moral clarity, that American leadership for human rights changed the world. If we stand together, we can do the same thing with regard to China.

As much as I hope my words penetrate those cells, I pray the words and actions of the senior Senator from California do not penetrate those cells. It saddens me that, in the face of unspeakable brutality and evil, the Democratic Senator chooses to align herself with the Communist Party dictators rather than a Nobel Peace laureate.

My hope is that time and reflection will cause the senior Senator from California to recognize that we should

be united in a bipartisan manner in support of human rights. It is my hope that we stand together.

I intend to continue to submit this resolution over and over and over, because every time the light is shined on the grotesque evil of what China is doing, we are vindicating our values of who we are as Americans. It is my hope, as I speak out to the Chinese American citizens in California, in Texas, and across this country, that their voices are heard by their senior Senator from California, that the Chinese American citizens ask their senior Senator: Why is it that you are standing and defending the Communist Government in China for its human rights abuses?

That is not a question I would want to answer to my constituents whom I am charged with representing. It is my hope that all of us say: Listen, we can disagree on all sorts of political matters. We can disagree on marginal tax rates. But when it comes to forced abortions, when it comes to imprisoning and mistreating and torturing political prisoners, including a Nobel Peace laureate, the United States Senate stands in unanimity, 100 to nothing. That is my hope—that, in time, truth will prevail.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Before I speak on the main subject for which I came to the floor, I want to compliment the Senator from Texas for both of the points he has made about the renaming of the street by the Chinese Embassy and also for what he has done in regard to Kate’s Law today.

Maybe something good has come out of his presentation on the floor, even though he wasn’t able to proceed, in that if there is a real desire in the Judiciary Committee, which I chair, for a bipartisan approach to getting mandatory sentences for criminal felons who have been deported and have come back into the country, so that we don’t have 121 people murdered in the future, as we have had in the last 5 years—because of mandatory sentencing under Kate’s Law—I would be glad to pursue that.

The reason this bill didn’t go through the committee in the first place is that we felt there would be every effort to stop it from getting out of committee.

INSPECTOR GENERAL EMPOWERMENT ACT

Before I go to my full prepared remarks, I want to tell my colleagues why we ought to pass the legislation I am going to refer to. I will summarize by saying that the 1978 inspectors general law says that an inspector general is entitled to all material he needs in each agency to do the work that he has to do.

Well, about 3 months ago, probably at the behest of the FBI, a single person in the Justice Department, in the

Office of Legal Counsel, issued an opinion that said “all” doesn’t mean all. So that means an inspector general has to go through a lot of redtape in order to get the material he or she needs to do their job.

I don’t need to tell my colleagues how important inspectors general are. They are important because they help us do our congressional job of oversight to ferret out waste, fraud, and mismanagement.

Americans have a right to know when our government is misbehaving or wasting taxpayer dollars. To ensure accountability and transparency in government, Congress created inspectors general, sometimes referred to as IGs, as their eyes and ears within the executive branch.

Those independent watchdogs are uniquely positioned to help Congress and the public fight waste, fraud, and abuse in government. But IGs cannot do their job without timely and without independent access to all agency records. That is why “all” means all.

Agencies cannot be trusted to restrict the flow of potentially embarrassing documents to the IGs who oversee them. Watchdogs need access to those documents to do their job. They are mandated by law to keep Congress fully informed about waste, fraud, and abuse problems. If the agencies can keep IGs in the dark, then this Congress will be kept in the dark as well. If given the chance, agencies will almost always choose to hide their problems from scrutiny. In other words, the public’s business that ought to be public sometimes does not become public and there is less accountability.

Getting back to the 1978 act, when Congress passed this act, we very explicitly said that IGs should have access to all agency records. Let’s get back to what happened. What happened was one person in the Department of Justice said that “all” doesn’t mean all. Does it make sense to have one person out of the entire bureaucracies of the United States make a ruling that when Congress says “all” means all, all of a sudden “all” doesn’t mean all?

If inspectors general deem a document necessary to do their job, then the agency should turn it over immediately. Inspectors General are designed to be very independent but also to be a part of the agency. They are inside so they can see when the laws aren’t being followed, when the money isn’t being spent according to law. They are there to help agency leadership identify and correct waste, fraud, and abuse. I would hope every agency head appreciates a person whose main responsibility is to help see that the law is followed.

Fights between an agency and its own inspector general over access to documents are a waste of time and a waste of taxpayers’ money. The law of 1978 requires that inspectors general

have access to all agency records precisely to avoid these costly and time-consuming disputes. However, since 2010 a handful of agencies—led by the FBI, the law enforcement agency of the U.S. Government—has refused to comply with this legal obligation that “all” means all. Agencies started to withhold documents and argued that IGs are not entitled to “all records” even though that is exactly what the law says.

In other words, it is pretty simple: “All” means all. But on this island of DC, surrounded by reality, maybe common sense doesn’t prevail and maybe “all” doesn’t mean all. The law was written to ensure that agencies cannot pick and choose when to cooperate with the IGs and when to withhold records. Unfortunately, that is precisely what several agencies started doing after this single person in the Department of Justice made this ruling.

The Justice Department claimed that the inspector general could not access certain records until Department leadership gave them permission. Requiring prior approval from any agency leadership for access to agency information undermines the inspector general’s responsibilities and, most often, his independence. That is bad enough, but it also causes wasteful delays. It effectively thwarts inspector general oversight. This is exactly the very opposite of the way the law is supposed to work.

After this access problem came to light, Congress took action. The 2015 Department of Justice Appropriations Act declares that “no funds provided in this Act shall be used to deny the Inspector General of the Department of Justice timely access to all records, documents, and other materials. . . .”

The new law also directed the inspector general to report to Congress within 5 days whenever there was failure to comply with that statutory requirement. In other words, these people take an oath to uphold the laws. The law says “all” means all, and somehow they can ignore it.

In February alone, the Justice Department’s inspector general notified Congress on three separate occasions in which the FBI failed to provide access to records requested for oversight investigations. IGs for the Environmental Protection Agency, for the Department of Commerce, and for the Peace Corps have experienced similar stonewalling. Then, in July, the Justice Department’s Office of Legal Counsel released a memo arguing that we did not really mean all records when we put those words in the law of the United States of America. That is the one person I am talking about. The Office of Legal Counsel released this memo that says “all” doesn’t mean all even though the law says “all” means all. So let me be clear. We meant what

we said in the IG Act: All records really means, pretty simply, all records.

In early August, I chaired a hearing on this opinion and the devastating impact it is already having on the work of inspectors general across government. Multiple witnesses described how the opinion handcuffed inspectors general and brought their important work to a standstill. In fact, the Internal Revenue Service had already cited the misguided Office of Legal Counsel opinion in order to justify stiff-arming its IG access to all records.

Even the Justice Department’s witness disagreed—get this—we had a Justice Department official testify, and that witness disagreed with the results of the Office of Legal Counsel opinion and directly told us that we ought to support and initiate legislative action to solve the problem.

Now, here is a high-level person, above the Office of Legal Counsel, saying we ought to pass a bill to correct what that agency says had had an impact that wasn’t surmised would happen—that we ought to pass a bill when they could just withdraw the Office of Legal Counsel ruling.

As a result of that testimony, following that hearing, 11 of my colleagues and I sent a bipartisan, bicameral letter to the Department of Justice and to the inspector general community of the various agencies. In that letter, the chair and ranking member of the committees of jurisdiction in both the House and Senate asked for specific legislative language to reaffirm that “all” means all for all inspectors general, every one of them.

It took the Justice Department 3 months to respond to that letter for the very same thing they had testified about—that we ought to pass a law to do it, and we asked them for their help. The language it provided, however, fails to address the negative effects the Office of Legal Counsel’s opinion is already having on the ability of IGs to access their agency records all across government. However, the inspector general community throughout our bureaucracy responded to our letter within 2 weeks and provided language that is actually responsive to our request.

In September, a bipartisan group of Senators and I incorporated the core of this language in S. 579, called the Inspector General Empowerment Act of 2015—a bill we shouldn’t even have to pass, if Justice would just withdraw this Office of Legal Counsel opinion that causes this problem in the first place.

Specifically, I was joined in this effort on this bill by 11 other Members, including Senators MCCASKILL, CARPER, BALDWIN, and MIKULSKI. Senator MIKULSKI serves as vice chair of both the Appropriations Committee and the subcommittee which has jurisdiction over appropriations for the Justice Department. She and Chairman SHELBY

were the authors of the appropriations rider I recently spoke about.

In July, 1 week after the Office of Legal Counsel issued its awful legal opinion, Senators MIKULSKI and SHELBY sent a letter to the Justice Department correcting the Office of Legal Counsel's misreading of that appropriations rider, also known as section 218. I will read a few excerpts from that letter from the two highest people on the Appropriations Committee, who are in a pretty good position to tell these bureaucrats where to go and particularly where to go when the law is very clear and the Appropriations Committee is very clear that some opinion by the Office of Legal Counsel isn't even justified. Quote:

We write to inform you that Office of Legal Counsel's interpretation of Section 218—and the subsequent conclusion of our Committee's intention—is wrong.

Surmising that multiple interpretations of section 218 created uncertainty, Office of Legal Counsel chose one of the three rationales that most suited its own decision to withhold information from the Office of Inspector General.

This conclusion was not consistent with the Committee's intention at all. Rather, the Committee had only one goal in drafting section 218. . . . to improve OIG access to Department documents and information.

We expect the Department and all of its agencies to fully comply with section 218, and to provide the Office of Inspector General with full and immediate access to all records, documents, and other material in accordance with section 6(a) of the Inspector General Act. End Quote.

So there we have the appropriators saying what our bill is trying to do, saying that it is wrong for one person in the Office of Legal Counsel to overturn 30 years of law that we have had in the inspector general's office.

I applaud my colleagues on this very important Appropriations Committee for standing up for inspectors general, and I applaud my colleagues who have joined me in sponsoring the legislation entitled The Inspector General Empowerment Act of 2015.

I especially thank Senators JOHNSON and MCCASKILL for working with me on this legislation from the very beginning and for their work in getting this bill through their committee. Apparently the plain language of the IG Act and the 2015 appropriations rider was somehow not clear enough for the Office of Legal Counsel to understand, so the Inspector General Empowerment Act includes further clarification that Congress intended IGs to access all agency records—and these next words are very important—notwithstanding any other provision of law unless other laws specifically state that the IGs are not to receive such access.

This “notwithstanding any other provision of law” language is what the OLC opinion indicates would be necessary before OLC would believe that Congress really means to ensure access to all records. But overturning an OLC

opinion that was roundly criticized by both sides of the aisle is just the beginning. In addition, the legislation also bolsters IG independence by preventing agency heads from placing them on arbitrary and indefinite administrative leave.

The bill would also promote greater transparency by requiring IGs to post more of their reports online. The bill would increase accountability by equipping IGs with tools to require testimony from contractors, grantees, and other employees who have retired from the Government, often while under investigation by an IG.

In September, we attempted to pass this bill via unanimous consent. It has been more than a month since the leadership asked whether any Senator would object. Not one Senator has put a statement in the RECORD or come to the floor to object publicly. At the August Judiciary Committee hearing, there was a clear consensus that Congress needed to act legislatively and needed to overturn the Office of Legal Counsel opinion as quickly as possible.

Senator CORNYN noted that the Office of Legal Counsel opinion is “ignoring the mandate of Congress” and undermining the oversight authority that Congress has under the Constitution.

Senator LEAHY said that this access problem is “blocking what was once a free flow of information” and called for a permanent legislative solution.

Senator TILLIS stated that the need to fix this access problem was “a blinding flash of the obvious” and that “we all seem to be in violent agreement that we need to correct this.”

However, some have raised concerns about guaranteeing IG access to certain national security information. I wish to explain why this bill should not be held up for that reason.

First, this bill is cosponsored by a bipartisan group of Senators, including Democrats and Republicans on the Intelligence Committee. These people know something about the protection of national security. These Senators are Senator MIKULSKI, Senator LANKFORD, and Senator COLLINS.

Second, the inspector general of the intelligence community supports the bill.

Third, the bill would not affect intelligence agencies under title 50, such as the CIA and the Office of the Director of National Intelligence.

Fourth, the Executive orders restricting and controlling classified information are issued under the President's constitutional authority. This bill does not in any way attempt to limit that constitutional authority at all. It clarifies that no law can prevent an IG from obtaining documents from the agency it oversees unless the statute explicitly states that IG access should be restricted. No one thinks this statute could supersede the President's constitutional authority.

Fifth, there is already a provision in the law that allows the Secretary of Defense and the Director of National Intelligence to halt an inspector general review to protect vital national security interests.

Nothing in the bill would change that already existing carve-out for the intelligence community. All IGs should have the same level of access to records that their agencies have, and all IGs are subject to the same restrictions and penalties for disclosure of classified information. No inspector general's office has ever violated those restrictions. They have an unblemished record of protecting national security information.

If there are changes that can be made to the bill so that it can pass by unanimous consent, I am ready to consider those. However, any changes or carve-outs for the intelligence community should not impact other IGs. The point of the bill is to overturn the Office of Legal Counsel opinion and restore complete, timely, and independent access for IGs to agency records. That goal must be preserved.

We all lose when inspectors general are delayed or prevented in doing their work. Every day that goes by without a fix is another day that watchdogs across the Government can be stonewalled. I urge my colleagues to support this bill.

Finally, I ask unanimous consent to have printed in the RECORD letters that I mentioned earlier and a letter I received from the inspector general community today showing why the Department of Justice's proposed language is insufficient to solve the problem at hand. I also ask unanimous consent to have printed in the RECORD an op-ed that was recently published in the Washington Post in support of this bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, July 30, 2015.

Hon. SALLY QUILLIAN YATES,
Deputy Attorney General, U.S. Department of Justice, Washington, DC.

DEAR DEPUTY ATTORNEY GENERAL YATES: This letter is in response to the Department's Office of Legal Counsel's (OLC) memorandum dated July 20, 2015, that provides a legal opinion on the Office of Inspector General's (OIG) access to sensitive information throughout the Department. On July 23, 2015, the Department provided our Committee with a copy of the memo, which includes an opinion on Division B, section 218 of the Consolidated and Further Continuing Appropriations Act of 2015 (Public Law 113-235). We write to inform you that OLC's interpretation of section 218—and the subsequent conclusion of our Committee's intention—is wrong.

Specifically, OLC erroneously speculated that section 218 held one of three possible interpretations, one of which included the supposed conclusion that Congress intended to permit the Department to withhold information from the OIG. Surmising that multiple

interpretations of section 218 created uncertainty, OLC chose one of the three rationales that most suited its own decision to continue to withhold information from the OIG.

This conclusion was not consistent with the Committee's intentions at all. Rather, the Committee had only one goal in drafting section 218; therefore, there is only one correct conclusion. As the explanatory statement accompanying the fiscal year 2015 bill simply states, "The Inspector General shall report to the Committees on Appropriations not later than 180 days after the date of enactment of this Act on the impact of section 218 of this Act, which is designed to improve OIG access to Department documents and information."

Throughout this ongoing dispute between the Department and the OIG about access to information, the Senate Committee on Appropriations has shown clear concerns about the frequency and abundance of material that the Department has chosen to withhold from the OIG. In addition to the fiscal year 2015 language, the Committee raised concerns with the Attorney General during a fiscal year 2016 hearing, which occurred well in advance of OLC issuing its recent opinion. For OLC to determine our intentions as anything other than supporting the OIG's legal right to gain full access to timely and complete information is disconcerting.

While the issue of the Inspector General's access to information covers many areas of the law, and OLC's memo is equally expansive on the matter, we feel compelled to set the record straight regarding section 218. We were not contacted by OLC to solicit our feedback in the formulation of their memo to you. However, should you or anyone in the Department request further information about this section or any other areas of our fiscal year 2015 spending bill, we, and our staff will be glad to assist.

Regardless, we expect the Department and all of its agencies to fully comply with section 218, and to provide the OIG with full and immediate access to all records, documents and other material in accordance with section 6(a) of the Inspector General Act.

Sincerely,

RICHARD C. SHELBY,
Chairman, Senate Subcommittee on Commerce, Justice, Science and Related Agencies.

BARBARA A. MIKULSKI,
Vice Chairwoman, Senate Subcommittee on Commerce, Justice, Science and Related Agencies.

CONGRESS OF THE UNITED STATES,
Washington, DC, August 13, 2015.

Hon. SALLY QUILLIAN YATES,
Deputy Attorney General, U.S. Department of Justice, Washington, DC.

Hon. MICHAEL HOROWITZ,
Inspector General, U.S. Department of Justice, Washington, DC.

DEAR DEPUTY ATTORNEY GENERAL YATES AND INSPECTOR GENERAL HOROWITZ: Last month, the Department of Justice (DOJ) made public an Office of Legal Counsel (OLC) opinion that allows DOJ to withhold access to certain records sought by DOJ's Office of Inspector General. Under the OLC opinion, and subsequent guidance provided by the Office of the Deputy Attorney General, the DOJ Inspector General must now obtain agency permission to access certain documents related to grand jury testimony, Title

III wiretaps, and the Fair Credit Reporting Act. This opinion undermines the longstanding presumption that Inspectors General have access to any and all information that they deem necessary for effective oversight, as specified in the Inspector General Act of 1978.

On August 5, 2015, the Senate Judiciary Committee convened a hearing entitled, "'All' Means 'All': The Justice Department's Failure to Comply with Its Legal Obligation to Ensure Inspector General Access to All Records Needed for Independent Oversight." This hearing brought to light serious questions about the effect the OLC opinion would have on the independence and effectiveness of the Office of Inspector General, not just at the Department of Justice but also across the federal government. The opinion has already been relied on by other federal agencies to prevent their Inspectors General complete and timely access to documents necessary to conduct audits and investigations. It is apparent that Congress needs to act to ensure that Inspectors General have complete and immediate access to all records in the possession of their respective agencies, unless a statute restricting access to documents expressly states that the provision applies to Inspectors General.

We understand the Office of the Deputy Attorney General and the Office of Inspector General have been working collaboratively on legislative language to address this issue. Accordingly, by no later than August 28, 2015, please provide your recommended legislative language that would ensure Inspectors General have access to all Department records, notwithstanding limitations contained in any of the potentially hundreds of provisions of law or any common-law privilege that might otherwise arguably limit such disclosure.

Thank you for your immediate attention to this matter.

Sincerely,

Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary; Patrick Leahy, Ranking Member, U.S. Senate Committee on the Judiciary; Ron Johnson, Chairman, U.S. Senate Committee on Homeland Security and Governmental Affairs; Tom Carper, Ranking Member, U.S. Senate Committee on Homeland Security and Governmental Affairs; Bob Goodlatte, Chairman, U.S. House of Representatives, Committee on the Judiciary; John Conyers, Ranking Member, U.S. House of Representatives, Committee on the Judiciary; Jason Chaffetz, Chairman, U.S. House of Representatives, Committee on Oversight and Government Reform; Elijah Cummings, Ranking Member, U.S. House of Representatives, Committee on Oversight and Government Reform; John Cornyn, U.S. Senate Committee on the Judiciary; Claire McCaskill, U.S. Senate Committee on Homeland Security and Governmental Affairs; Thom Tillis, U.S. Senate Committee on the Judiciary; Amy Klobuchar, U.S. Senate Committee on the Judiciary.

COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY,

November 4, 2015.

Hon. CHARLES E. GRASSLEY,
Chairman, U.S. Senate Committee on the Judiciary.

Hon. RON JOHNSON,
Chairman, U.S. Senate Committee on Homeland Security and Governmental Affairs.

Hon. BOB GOODLATTE,
Chairman, U.S. House of Representatives Committee on the Judiciary.

Hon. JASON CHAFFETZ,
Chairman, U.S. House of Representatives Committee on Oversight and Government Reform.

Hon. JOHN CORNYN,
U.S. Senate Committee on the Judiciary.

Hon. THOM TILLIS,
U.S. Senate Committee on the Judiciary.

Hon. PATRICK LEAHY,
Ranking Member, U.S. Senate Committee on the Judiciary.

Hon. TOM CARPER,
Ranking Member, U.S. Senate Committee on Homeland Security and Governmental Affairs.

Hon. JOHN CONYERS,
Ranking Member, U.S. House of Representatives Committee on the Judiciary.

Hon. ELIJAH CUMMINGS,
Ranking Member, U.S. House of Representatives Committee on Oversight and Government Reform.

Hon. CLAIRE MCCASKILL,
U.S. Senate Committee on Homeland Security and Governmental Affairs.

Hon. AMY KLOBUCHAR,
U.S. Senate Committee on the Judiciary.

DEAR CHAIRMEN, RANKING MEMBERS, AND DISTINGUISHED SENATORS: On behalf of the Council of the Inspectors General on Integrity and Efficiency (CIGIE), we write to express our strong opposition to the proposal of the Department of Justice (DOJ), sent to you in a letter dated November 3, 2015. The DOJ proposal would amend Section 8E of the Inspector General Act of 1978 (5 U.S.C. App.) in response to the July 2015 opinion of the DOJ's Office of Legal Counsel (OLC). While the DOJ agrees with CIGIE that legislation is needed and should be passed by Congress to reverse the impact of the OLC opinion, the DOJ's proposal only applies to the DOJ Inspector General's access to records and fails to ensure that all other federal Inspectors General have the same independent access at their respective agencies. As such, DOJ's proposed legislative language is not acceptable. Effective and independent oversight is the mission of all Inspectors General and, therefore, all Inspectors General require timely and independent access to agency information necessary to carry out that responsibility. This is a bedrock principle of the IG Act.

Three months ago, an OLC opinion determined that the words "all records" in Section 6(a) of the IG Act does not mean "all records" and therefore the IG Act did not give the DOJ IG independent access to all records in the DOJ's possession that are necessary to perform its oversight work. Section 6(a) is the cornerstone of the IG Act for federal Inspectors General, and an opinion that undercuts its broad access provision places our collective ability to have timely and independent access to agency records and information at risk. Yet the DOJ's proposal would restore access authority to only one Office of Inspector General. The DOJ's proposal is clearly inadequate and would leave in place a threat to the independence

of all other Offices of Inspector General. Indeed, we have seen the impact of this threat at both the Peace Corps and the Commerce Department. Inspectors General at both agencies have faced claims by their agency's counsel that they are not entitled to access all records in their agency's possession.

We urge you and your colleagues to reject the DOJ's proposal and proceed with the bipartisan substitute amendment to Senate bill S. 579, the "Inspector General Empowerment Act of 2015." This bill amends Section 6 of the IG Act and makes clear that no law or provision restricting access to information applies to any applicable IG unless Congress expressly so states, and that such IG access extends to "all records" available to the agency. This is the only way to effectively restore to all IGs the independence that has been the lynchpin to our success for more than 35 years, and ensure that we can continue to conduct effective oversight on behalf of the American people.

Sincerely,

MICHAEL E. HOROWITZ,
*Inspector General,
U.S. Department of
Justice; Chair,
CIGIE.*

KATHY A. BULLER,
*Inspector General, The
Peace Corps; Chair,
CIGIE Legislation
Committee.*

[From the Washington Post, Oct. 31, 2015]

LET INSPECTORS GENERAL DO THEIR JOBS

(By Editorial Board)

A few years ago, the Justice Department's Office of Inspector General was looking into how the department had handled people detained as material witnesses after the 9/11 attacks. There had been complaints that civil liberties were abused in some detentions. The inspector general made a request for documents from the FBI that included grand jury testimony by those detained—and hit a roadblock. In 2010, the FBI refused to turn over the documents.

The Justice Department inspector general, Michael E. Horowitz, has pointed to this refusal in appealing to Congress to rectify a larger problem: Not only at Justice but in other agencies, inspectors general are coming up against hurdles to their independent investigations created by the very departments they are supposed to keep an eye on. Inspectors general, created by a 1976 law to be independent watchdogs over government, are finding it increasingly difficult to carry out their vital mission.

The original law said that inspectors general must have access to "all records, reports, audits, reviews, documents, papers, recommendations or other material available" for their work. But the "all" in this language has been thrown into doubt by the FBI's actions and by a subsequent opinion by the department's Office of Legal Counsel, which suggested that, in certain conditions, the inspector general should not get "all." According to Mr. Horowitz, every time he was blocked, he turned to the attorney general or deputy attorney general and asked for an override, which they provided. But the result has been significant delays in the investigations, including the probe into the use of the material witness statute and another looking at Operation Fast and Furious, the failed weapons sting operation. Mr. Horowitz has pointed out that such objections to the release of documents for investigations were not raised for many years after the creation of his office, only beginning in 2010.

The inspector general should not have to pester the attorney general for access that is already provided in the law. As Mr. Horowitz argued recently in these pages, such foot-dragging turns statutory language on its head, so that the words "all records" do not mean all. This is "fundamentally inconsistent with the independence that is necessary for effective and credible oversight," he wrote. In August 2014, 47 inspectors general told Congress that such roadblocks to independent probes had cropped up elsewhere, too, including at the Environmental Protection Agency and the Peace Corps. They said withholding documents "risks leaving the agencies insulated from scrutiny and unacceptably vulnerable to mismanagement and misconduct."

Legislation pending in both chambers of Congress would clarify this by making clear that all records mean all records—and that inspectors general remain an important mechanism of accountability and oversight. The legislation has bipartisan support and deserves to be passed.

Mr. GRASSLEY. Mr. President, I see Senator JOHNSON on the floor. I thank him very much for his leadership in this area.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise today to urge passage of S. 579, the Inspector General Empowerment Act of 2015. I want to thank my friend, Senator GRASSLEY, who just spoke, for his work on this bill and for his longstanding commitment and dedicated promotion of accountability and transparency for efficient government.

It is an unfortunate reality that the executive branch today is more powerful, more expansive, and less transparent than it has ever been. Senator GRASSLEY and I are privileged to be the chairmen of committees that have expansive authorities and responsibilities to oversee the executive branch and all of its programs. But we need help in our efforts.

We are fortunate that Congress in 1978 created crucial partners for us: independent watchdogs embedded in each agency, accountable only to Congress and the American people. They are the American people's eyes and ears, and they are our best partner in rooting out waste, fraud, and abuse of taxpayers' hard-earned money.

This bill is about increasing agency accountability and transparency. It exempts IGs from time-consuming and independence-threatening requirements such as the computer matching and paperwork reduction statutes.

The bill also allows inspectors general, in limited circumstances, to compel the testimony of former agency employees or Federal contractors whose information they need to pursue cases of fraud and abuse. But the bill also ensures that inspectors general are made accountable to the public and to Congress.

Earlier this year, I issued a subpoena to the inspector general of the Department of Veterans Affairs, in part to

produce the over 100 reports the inspector general had completed but not made public. One report that the VA inspector general kept from the public was a report on dangerous overprescription of opiates at the Tomah VA Medical Center in Tomah, WI—practices that resulted in the death of at least one Wisconsin veteran.

This is how important transparency is. The daughter of the Wisconsin veteran who died from substandard care at that facility told me that had she known about the practices at the facility—in other words, if the report had been made public—she never would have taken her father there, and he could be alive today.

I want that to sink in. The bottom line is transparency and accountability in government can literally be a matter of life and death. The VA inspector general is not the only offender. In 2013 the Department of Interior Office of Inspector General closed over 400 investigations but released only 3 of those to the public. This should not happen. The public deserves transparency and accountability.

An amendment that I offered in committee, and that was accepted unanimously, requires inspectors general to publicly post their work on their Web site within 3 days of providing the final report to the agency. So this bill will ensure that findings of misconduct, waste, and fraud are exposed to the public and to Congress.

The public also deserves an inspector general that is independent. One of the greatest threats to inspector general independence is when the President fails to nominate a permanent inspector general and leaves an acting IG in place who wants the permanent job.

In 2014, when I was ranking member of the Financial and Contracting Oversight Subcommittee, we found that the former acting inspector general for the Department of Homeland Security, Charles Edwards, was compromised because of his desire to curry favor with the administration to get the permanent inspector general's job. We found he changed and delayed findings of reports to protect senior officials. That type of behavior is completely unacceptable.

In addition to using our powers as Members of Congress to call upon the President to nominate permanent inspectors general, as I have done for the Veterans Administration, this bill requires an independent study of problems with acting IGs and recommends ways to address them.

We know that many agencies are not in the business of transparency, and they often try to restrict their inspector general's work. As Senator GRASSLEY already explained so well, we shouldn't have to clarify what was meant when we said IGs shall have access to all their agency's documents so they can do their work. Nonetheless,

this bill will make it even clearer that “all” really does mean all.

This is a bipartisan cause. We want all inspectors general to be able to do their jobs well. That is why the substitute amendment I filed in September has 11 bipartisan cosponsors, spanning members of my committee, the Committee on Homeland Security and Governmental Affairs, the Judiciary Committee, the Armed Services Committee, and the Intelligence Committee.

I want to thank my ranking member, Senator TOM CARPER, for his support and the other cosponsors for their assistance in getting this bill passed. I urge my colleagues to support S. 579 and to support the work our IG partners do every day to try to keep our Nation safe, our agencies accountable, and our taxpayer dollars spent efficiently.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

JUSTICE FOR FORMER AMERICAN HOSTAGES IN
IRAN ACT

Mr. ISAKSON. Mr. President, 36 years ago today, 53 Americans in the American Embassy in Tehran were captured, beaten, held hostage, and tortured. As I speak on the floor of the Senate today, in the streets of downtown Tehran, Iranian people are marching in the streets, burning American flags, yelling “Death to America” and celebrating the capture of our citizens 36 years ago today.

From the moment of their release in January of 1981, they have been promised justice and compensation. But 5 administrations and 17 Congresses have gone by, and there has been no justice and there has been no compensation. Unfortunately, cynicism has set in, and the remaining 38 of the 53 who were originally held hostage wonder when their justice is coming.

Many have suffered. One, a former CIA agent, committed suicide. Another attempted suicide but failed. Many families have been torn apart and asunder by PTSD and other ramifications of torture and capture. It is a sad chapter in the history of our country, at the hands of a tyrannical dictatorship in the nation of Iran. But don’t just take my word for it. Let me read you the words of two American citizens who were taken hostage in Tehran 36 years ago.

William Daugherty from Savannah, GA, said the following:

I’d like to remind the Congress that the corporations and banks have long ago received their “compensation” in whatever form it took. I’d like to remind the Congress that the Carter administration intended for us to be compensated. They told us we would be, and today it’s pretty much now or never for many of us.

Their lives are passing.

Or there is Joe Hall of Lenox, GA, who told me:

35 years after our release from confinement, one fourth of our group has passed away. Those who remain are aging, ailing, and frustrated. Yet, they remain loyal, law-abiding, and patriotic; the very characteristics they took to Iran when they [were captured and] stepped forward to serve their country, so many years ago.

Still there is no justice, still no reward.

Four years ago I introduced the Iranian Hostage Compensation Act. To this date, it has been supported by every Member of the Senate and House who I have talked to. Minority Leader HARRY REID came to me the other day seeking help to make sure we get this bill passed. BEN CARDIN, the ranking member of the Foreign Relations Committee, BOB CORKER, the chairman of the Foreign Relations Committee, the members of the House Foreign Relations Committee—everyone I have talked to has said: Yes, it is right for us to do this. The money is in the bank in the control of the Department of Justice—Iranian money that is available to pay the hostages the compensation they deserve. The amounts have been negotiated—\$6,750 per hostage per day of captivity. They are the only American hostages ever held captured and never been recompensed for the tragedy they suffered.

It is time for America to act now. While the Iranians celebrate in the streets and burn our flag and say “Death to America,” we should say to the survivors of the Iranian hostage crisis: We are going to see to it that you get the compensation and the justice you deserve.

In the weeks ahead before this year ends, I will talk to each Member of the Senate and to each Member of the House to find a way—whatever way we can and whatever vehicle is necessary—to get that authorization out of Congress and in the hands of the Justice Department and the administration so each and every one of those survivors can be compensated because they deserve it. They risked their lives for the United States of America just as every State Department employee and every Ambassador does around the world. We never need the State Department employees or our Ambassadors to think that one day America might look the other way if they are ever captured or taken hostage.

I appeal to my colleagues in the Senate and the House and to all the people in the United States of America to come together and see to it that those remaining hostages who have survived so far are compensated for the horror and the terror they endured. While the Iranians celebrate the capture and the horror they administered to their victims in the streets, let’s do what we as Congressmen and as Members of the Senate came here to do and see to it that they get their justice and compensation and that we do what America always does: stand by our citizens

who went in harm’s way to protect our country.

I yield back the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIGIOUS LIBERTY IN AMERICA

Mr. HATCH. Mr. President, freedom of religion is one of the foundational principles of the Republic. It has long been central to our identity as a self-governing people, and as a cause, it has long enjoyed wide support across partisan and ideological divides for generations.

Recently, however, religious liberty has come under coordinated assault by those who would hastily discard one of our founding principles to serve a narrow, transient political agenda. Given how defending religious liberty has been one of the animating goals in my public life, I feel compelled to speak out against this disturbing development.

Since the end of the August recess, I have endeavored to speak regularly on the subject to remind my colleagues of the need to maintain our historic allegiance to this most American of values. So far, I have addressed the first principles of why we should protect religious freedom, as well as the legal and political history of the concept. Today I aim to address the role of religion in public life and its critical contribution to the preservation of freedom of religion.

One particular phrase has come to describe the relationship between faith and public life in this country: “the separation of church and state.” Over the years, the invocation of this phrase has become so rote that many consider it axiomatic. While the phrase itself is quite terse, it has become shorthand for a particular narrative about the history and status of religion in American life. This narrative traces back to Thomas Jefferson, who famously advocated for a “wall of separation between church and state.” Under Jefferson’s leadership, Virginia passed the Law for the Establishment of Religious Freedom in 1786, which aimed to end state prescription and proscription of any particular religion.

Anchored in a cursory reference to Jefferson, generations of Americans have been brought up to believe that our founding principles demand that faith be driven out of government and kept contained to a private sphere with no role in public life and no semblance of interaction with the state. This narrative is flatly inconsistent with our history and our Constitution. Put

plainly, the Jeffersonian model of strict separation was a novel experiment that constituted a decidedly minority viewpoint in the early Republic.

The dominant model at the time was embodied by the 1780 Massachusetts Constitution drafted by John Adams, which largely protected religious liberty but also instituted a “mild and equitable establishment of religion” that enshrined Christian piety and virtue. In Adams’ view, as articulated by one scholar, “Every polity must establish by law some form of public religion, some image and ideal of itself, some common values and beliefs to undergird and support the plurality of protected private religions. The notion that a state could remain neutral and purged of any public religion was [neither realistic nor desirable].”

Jefferson himself acknowledged that the statute he crafted in Virginia was a “novel experiment” that broke with practice not only in the American colonies but also in the United Kingdom and the wider Western world.

At the outbreak of the Revolution, the Anglican Church enjoyed official established status in Georgia, Maryland, North Carolina, South Carolina, Virginia, as well as in the New York City area. In Connecticut, Massachusetts, and New Hampshire, the system of municipal government empowered individual towns to choose a church to establish, resulting in Congregationalism as the established religion throughout most of New England. Only Delaware, New Jersey, Pennsylvania, and Rhode Island lacked officially established churches. Nevertheless, even these states without officially established churches—including famous havens for religious dissenters, such as Pennsylvania and Rhode Island—maintained significant ties between church and state, including in matters of church finances, religious tests for public office, and blasphemy laws.

While the Revolution brought about a number of new state constitutions that officially disestablished a number of state churches—particularly the Church of England after the severing of political ties to the Crown—the advent of the new Republic did not bring about universal disestablishment or adherence to the model of strict separation.

At the time of the adoption of the First Amendment in 1791, about half—depending on one’s exact definition—of the 14 States then admitted to the Union had an established church or allowed municipal governments to establish such a church. Moreover, every single state sponsored or supported one or more churches at the time. In the words of Notre Dame’s Gerard Bradley, even “Rhode Island, that polar star of religious liberty, maintained” what would today constitute “an establishment at the time it ratified the First Amendment.”

My purpose for bringing up this history is not to advocate for states to re-

turn to the era of officially established churches or to advocate for any of the restrictive measures of that time. Indeed, as a Mormon, I am keenly aware both of how the machinery of government can be used to oppress religious minorities and of how a faith’s flourishing comes not from the State’s sanction or promotion but rather from the dedication and devotion of individuals, families, and communities. Instead, my purpose is to note the plain incongruity between the conventional wisdom of rigid separation between church and state supposedly commanded since the founding by the establishment clause and the actual history of religion in public life in the days of the early Republic.

This apparent disconnect can be resolved by an examination of the text of the Constitution. The text of the First Amendment reads: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” Note the exact formulation: “Congress shall make no law regarding the establishment of religion. . . .” On its face, the language affects only one actor—Congress—not States and local governments and not individual citizens. Put another way, at the time of its adoption, the First Amendment neither created an individual right to be free from religion nor limited the power of the States to establish religion; it simply created a structural limit on Federal power.

The debates over the ratification of the Bill of Rights confirmed this interpretation. As a general matter, the Establishment Clause received relatively little attention in the ratification debates in the state legislatures and among the public. Indeed, it hardly seems tenable that States would have adopted a measure at odds with their ongoing practices with little discussion or dispute. What attention the establishment clause did receive made it clear that its language was intended to prevent the Federal Government from choosing a preferred religious sect—a logical move befitting a new nation made up of states with a wide variety of religious traditions and approaches to established religion.

Furthermore, the ratification debates clarify that the ratifiers viewed official establishment of a particular church as direct financial support for a preferred sect, wholly distinct from the nondiscriminatory support and establishment of religion in general, which the Establishment Clause was not thought to limit.

For a century and a half, this misunderstanding of the Establishment Clause endured with little challenge. Before the Civil War, the Supreme Court decided only three Establishment Clause cases of any significance. Indeed, the major debate on the subject during the intervening years revolved around a proposed change to the Con-

stitution: the 1875 Blaine amendment that sought to extend the application of the Establishment Clause to the states and to ban explicitly any church’s access to public funds. This legislative effort, borne largely out of anti-Catholic prejudice, failed—a failure that further underscored the settled nature of the Establishment Clause at that time.

Unfortunately, religion was not spared from the destructive judicial activism of a Supreme Court that spun wildly out of control in the mid-20th century. A new crop of justices, disinclined to follow the traditional judicial role of applying the law as written, instead sought to remake the law according to their left-wing worldview. From inventing new rights for criminals to mandating nearly unlimited access to abortion on demand, the Court in this period left few stones unturned in its radical rewriting of the Constitution.

The longstanding understanding of the Establishment Clause was one of the mid-century Court’s first victims. Abandoning the understanding of the clause I have previously detailed—an understanding that was clearly supported by text, structure, history, and precedent—the Court turned the Establishment Clause on its head.

In the error-filled words of Justice Black, the Court said in *Everson v. Board of Education* that “the establishment of religion clause of the First Amendment means at least this: Neither a State nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another.” This pronouncement had no basis in text, history, or law. To the contrary, it was diametrically opposed to the understanding of the relationship between government and religion and between the federal government and the states that had endured for much of America’s history. Justice Black justified the Court’s entirely novel, ahistorical view by turning to Jefferson: “In the words of Jefferson, the clause against establishment of religion by law was intended to erect a wall of separation between church and state.” Thus was born the now-commonplace view that the establishment clause was meant to create a high wall separating church and state.

This decision represents a complete inversion of the previously settled, proper understanding of the establishment clause. The command that Congress should make no law regarding an establishment provision is turned from a structural protection against federal power into an individual right to be free from religion. The text protecting the states’ power to decide whether and what church to establish is, in the words of one scholar, paradoxically and perversely transformed into a limitation on states’ authority to make such

a decision. The critical distinction between official establishment of a particular church and general support of religion without regard to particular sects is casually discarded in favor of a blanket prohibition on religious involvement in public life. In the words of two scholars, throughout its decision, the Court “not only ascribed to the establishment clause separationist content; it imagined a past to confirm that interpretation. Both majority and dissent treated the history of the United States as if it were the history of Virginia. Despite dissimilarity of language, the justices equated the establishment clause with Virginia’s statute on religious freedom, thereby appropriating for the federal provision the separationist message and rhetoric of the state enactment.”

As I have explained, the history of Virginia on the subject of state establishment of religion is not the history of the United States. Rather, Virginia was, as Jefferson said, a “novel experiment” on the issue. Other states continued to support state-established churches. The wall-of-separation doctrine, which the Court created out of whole cloth in *Everson*, was not the American tradition. It was an idiosyncrasy of Jefferson’s.

Upon this fundamentally flawed foundation, the federal courts have constructed a jurisprudence that threatens any place for religion in the public sphere. Embracing the demonstrably false notion that “the three main evils against which the establishment clause was intended to afford protection [were] sponsorship, financial support, and active involvement of the sovereign and religious activity,” the Supreme Court soon adopted the so-called *Lemon* test for any law to withstand: “First, the statute must have a secular legislative purpose; second, its principal or primary effect must be one that neither advances nor inhibits religion . . . finally, the statute must not foster an excessive government entanglement with religion.”

In announcing this test, the Supreme Court sounded the note of modesty, noting that the justices could “only dimly perceive the lines of demarcation in this extraordinarily sensitive area of Constitutional law.” This admission—though ironic, given the Court’s ambition to complete the transformation of the establishment clause away from its historical and textual foundation—was, if anything, an understatement. The Court’s efforts to draw a line between the permissible and the impermissible have completely failed. Justice Rehnquist rightly diagnosed the cause of these bizarre results:

These difficulties arise because the *Lemon* test has no more grounding in the history of the First Amendment than does the wall theory upon which it rests. The . . . test represents a de-

termined effort to craft a workable rule from a historically faulty doctrine; but the rule can only be as sound as the doctrine it attempts to service.

The Court has responded to these acknowledged difficulties not by abandoning its flawed establishment clause jurisprudence but by inventing new tests while never overturning *Lemon* or the flawed understanding that undergirds it. By one scholar’s estimation, the Supreme Court has employed 9 alternate tests of impermissible establishment of religion; another scholar identified 16. While the exact count understandably varies, the result is the same: muddled law that lacks any principled means of application. This lack of clarity enables judicial activism. By liberating the judiciary from the obligation to apply a clear rule, this muddled framework invites judges and justices to implement their own policy views as law.

While this framework shows confusion in marginal cases, its overall effect is clear: to squeeze religion out of government and to deny religious organizations the opportunities afforded to secular counterparts. While the addition of principled jurists to the Court has turned momentum against previous excesses, the thrust of the Court’s misguided establishment clause jurisprudence remains dominant.

The Court’s flawed wall-of-separation jurisprudence has kept religion out of the public square and fed the idea that religion is a private matter to be practiced within the confines of one’s church or home. Legal and social pressures have taken their toll, and the results are stark: no prayer in school; no new Ten Commandments displays—or even Christmas or Hanukkah displays—unless carefully secularized; a widespread prejudice in many quarters against public officials talking about God or about their beliefs in public; and even the crusade every December to replace the phrase “Merry Christmas” with “Happy Holidays.”

The conventional wisdom peddled by advocates for stringent exclusion of religion from the public sphere is that aggressive enforcement of their vision of the establishment clause enhances religious freedom. Unfortunately, nothing could be further from the truth. The erroneous wall-of-separation doctrine has narrowed the role of religion in public discourse, fueling the view that religion is a private matter rather than a fundamental precept of American civil society. Even members of this esteemed body have fallen prey to the disturbing claim that religious freedom does not extend much further than the church door. Such an approach undermines religious liberty in numerous ways. It counsels government to avoid any perceived entanglement with religion—even accommodation of religious practice, at the core of the right to free exercise. It tells the

religious believer that in order to participate fully in public life, he should cabin and hide his religious devotion: Just abandon your religious affiliation, and the government will partner with your school or charity. Just muzzle your faith, and you can fully participate in representative government and lawmaking. Just keep your religion private, and you won’t face a swarm of litigation.

Indeed, despite the hard-fought progress in recent years both in protecting religious liberty and in restoring sanity to the courts’ approach to the establishment clause, this notion of strict separation continues to exert a pernicious influence, shrinking the sphere of acceptable religious exercise. In so doing, it undermines religious liberty and limits the ways in which faith enriches our society. Restoring a proper relationship between faith and public life must continue to be a top priority as a key component of our broad reference to protect religious liberty for future generations.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATERS OF THE UNITED STATES RULE

Mr. BOOZMAN. Mr. President, I rise today as a strong supporter of the resolution of disapproval we passed today. The WOTUS rule is a classic example of overreach. Arkansians understand that we don’t need DC bureaucracies controlling our lands. That is why I stand with homeowners, small businesses, and family farmers in Arkansas in opposition to the WOTUS mandate.

Passage of this resolution today reflects the American people’s rejection of this heavyhanded mandate and shows our commitment to a balanced and thoughtful approach to water quality protection. Congress needs to send this resolution to the President. The President needs to understand the opposition this power grab is facing is very real. Not only is there strong bipartisan opposition to this mandate in Congress but also in the courts and most importantly with the American people.

Last week I got an email from David in North Little Rock. David told me that he works in construction, and his email was clear. He supports protecting our Nation’s waters, but David believes the Obama administration’s rule will create huge problems and uncertainty for the construction industry. He said costs will increase, the industry will lose jobs, and he and others will face unnecessary delays as a result of the mandate that has nothing to do with protecting our waters.

Legal experts within the executive branch have doubts about this rule too. At a recent EPW hearing, we heard that many career experts inside the agencies, particularly the Corps of Engineers, believe this rule is wrong, but each time the Corps expresses concern that the rule went too far, the EPA and the rest of the administration refuse to make changes.

From puddles to irrigation ditches, the EPA wants jurisdiction over every body of water in Arkansas, no matter the size. These are not scare tactics, they are very real truths. In fact, the White House and the EPA are the ones engaging in scare tactics to defend this power grab. They falsely claim that this mandate is necessary to protect drinking water.

Those protections are already in place with laws like the Safe Drinking Water Act. For more than 40 years, the Safe Drinking Water Act has fostered Federal-State cooperation. It has kept our drinking water clean. It is an effective law, one I support. It does far more to protect distribution water than anything in the EPA's power grab. In case these false claims don't scare enough people into supporting this unjustified power grab, the EPA has invoked rhetoric about rivers catching on fire and claim there is rampant toxic pollution in our waterways. Again, this is simply false.

Without waters of the United States, major rivers will continue to receive Federal and State protection just as they have for decades. Isolated nonnavigable waters will continue to be protected by State and local efforts as they have in the past. The courts recognized how misguided this mandate is and have issued a temporary halt to the implementation of WOTUS. That injunction now extends to all 50 States.

I applaud the Arkansas attorney general, Leslie Rutledge, for helping to lead that challenge in the courts. Senator COTTON and I stand arm in arm with our State's attorney general in this fight. We are committed to fighting this mandate legislatively, while supporting efforts to stop it in the courts. That is why today's vote is so very important. The resolution of disapproval will nullify the waters of the United States mandate.

Arkansans understand how unnecessary this heavyhanded mandate is. We already go to great lengths to protect our State's natural resources. We must ensure that States, local communities, and private citizens remain a vital part of the process instead of giving all of the power to Washington. That is what this resolution of disapproval aims to do. I am pleased we passed it today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

(The remarks of Mr. MERKLEY pertaining to the introduction of S. 2238 are printed in today's RECORD under

"Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from North Carolina.

WATERS OF THE UNITED STATES RULE

Mr. TILLIS. Mr. President, I hate to sound like a broken record, but unfortunately that is the scenario the Obama administration and the minority leader have led me to today. When I sought this position as a Senator from North Carolina, I promised the voters back in my home State that I was going to come up here and fix problems, fix Washington, and get us back to work.

Yesterday an attempt to rein in the President and the EPA failed. It failed along party lines. Today we had another chance to come together and help protect Americans from Washington's continual power grab, to ensure they are not subject to illegal Executive overreach, and to take control of a bloated bureaucracy. Today's effort passed but only by a slim margin. We must stand up to the President and to the Senate minority leader and their efforts to continue implementing policies that destroy our Nation's economy and in this case harm farmers and small businesses in a variety of ways.

I want the voters to remember this day. I want them to remember who stood against the illegal expansion of Federal control over their land and their livelihood and remember those who did not. The waters of the United States—we have acronyms for everything, it is called WOTUS—is just another Washington power grab that has more to do with controlling your property than ensuring access to clean water.

Leaders at the EPA claim that those who oppose WOTUS oppose clean water. That seems like an absurd notion for anybody who is in this body. This is a completely false and elitist claim. I firmly believe that Members on both sides of the aisle can all agree we value clean water. I love nothing more than going out on Lake Norman back in my home State or spending time fly-fishing in the mountains of North Carolina or spending time on the rivers near our coast, but under this rule virtually every nook and cranny of the country would be subject to EPA control. There is a risk that puddles in our backyards and ditches and crop fields will be regulated in the same manner our States regulate—properly—our beautiful lakes and rivers.

One thing is clear under the waters of the United States, WOTUS, there is no clarity. There is complete uncertainty and layer upon layer of bureaucratic redtape. Our landowners, our farmers, our ranchers, and business owners across the country will be subject to compliance costs, new fines, and the risk of litigation—all at the discretion of the Environmental Protection Agency.

In March, the Senate agriculture committee held a hearing on the waters of the United States, inviting stakeholders to discuss their concerns. We were proud to have the secretary of the North Carolina Department of Environment and Natural Resources, who told us in regard to the rule: "It's not absolutely clear what in the world it does say, other than providing the EPA with a lot of discretion when determining navigable waters."

Navigable waters—not a ditch, not a depression that gets filled up when it rains but navigable waters. How on Earth are Members of this body, Senators, willing to allow such a horrible policy to plague our farmers, our businesses and, I might add, our cities and towns that on a bipartisan basis have expressed concern to me in my home State. It is clear to me the Obama administration did not consult with our State leaders, county leaders, and city leaders when choosing to redefine the rule. We are at a moment where we must prevent this policy, putting our landowners and job creators ahead of partisan politics.

It is not my goal to focus simply on North Carolina in this speech. I know my colleagues from Colorado, Florida, Indiana, Iowa, Minnesota, Missouri, Montana, New Mexico, Nevada, North Dakota, a number of States have family and friends who will endure burdens if this bad policy stands.

My State is a great example of just how detrimental this rule is to our farmers and to families in North Carolina. North Carolina has over 300 miles of coastline, 17 major river basins, and roughly 37,000 miles of freshwater streams—all places that North Carolina residents, farmers, and businesses call home. Much of the eastern part of the State, which runs along the Atlantic Ocean, is susceptible to flooding, even after the lightest rainfall.

Earlier this week parts of the State were again hit hard with heavy rainfall, compounding the effects of last month's historic flooding associated with the hurricane. If the Environmental Protection Agency moves forward with waters of the United States, it will severely restrict the local government's ability to quickly react when we are recovering from events.

Imagine this. Imagine a water event or a hurricane or a rain like we had in South Carolina, which dumps 1 foot or 2 feet of water on an area that has been cropland, cultivated, and harvested by farmers—let us say in North Carolina or South Carolina. This rule is going to make it almost impossible for that farmer to begin recovering immediately because of the uncertainty of the regulations that come with waters of the United States. Not only will they suffer the ravages of the storm, they will also suffer the ravages of this poorly thought-out policy overreach.

The policy raises many questions. For example, is a flooded ditch considered a navigable water under waters of the United States? Many people believe it is. What about a crop field that just had 2 feet of rain? A standing pothole may actually be subject to waters of the United States, which puts a farmer in the position where they may get punitive measures imposed upon them by the EPA.

Don't get me wrong. I am a firm believer in ensuring clean water. It is imperative to a flourishing agriculture industry and our local State and national economies. In North Carolina we have a thriving brewery industry out in the beautiful mountains of Asheville. They need access to abundant, clean water.

In Eastern North Carolina, we have a thriving pharmaceutical industry. They need access to abundant, clean water. There are a variety of reasons why we have to make sure our water resources are clean and abundant.

How can I tell our farmers that in ensuring clean water, we may fine them for small flood puddles such as the one shown here? We need fair practices that will help turn our economy around, not hinder the hard work of our farmers, our ranchers, and small businesses across this country. We need policies that will help families put food on their kitchen tables and not penalize our land and homeowners.

Americans need clarity and they need fairness, not vague, ambiguous rules such as the WOTUS, waters of the United States, which undercut State authority, undercut local authority, and promote what I believe is an illegal government overreach.

The Supreme Court has tried to rein in the EPA's misinterpretation of "navigable water" several times. Based on the result of our vote earlier today, the majority of this Chamber and the House believe the EPA has overreached—and the courts agree. Yet the President said he will veto the bipartisan resolution that just passed out of this Chamber today. This administration continues to disregard the will of the Congress, the warnings of the courts, and the preferences of the American people. How long will we continue to let the partisan Obama administration dictate our course of action in the Congress and for the country? We must stop this unfunded mandate and alleviate the burdens on our farmers and business owners, not punish them.

If we do not stop the implementation of this egregious rule right now, we are setting a dangerous precedent and we are betraying the trust of many Americans. I urge my fellow colleagues today: Let us stay strong on this bill. Let us send a message to the President that he should sign this resolution into law and get back to healing this economy.

Thank you.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Missouri.

Mr. BLUNT. Mr. President, I ask unanimous consent that the cosponsors of the resolution I am about to call up and I be allowed to engage in a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING AND CONGRATULATING THE KANSAS CITY ROYALS ON THEIR 2015 WORLD SERIES VICTORY

Mr. BLUNT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 305, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 305) commending and congratulating the Kansas City Royals on their 2015 World Series victory.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUNT. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 305) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. BLUNT. Mr. President, it may be obvious that my colleagues and I, here in the back of the room—even during a serious debate—are a little happier than the Senate usually finds itself. Of course, we are very pleased to be able to commend our baseball team.

While Senator McCASKILL and I wish to quickly point out that the team is located in Kansas City, MO, certainly Kansans and Missourians join together to support the Royals, support the Royals in the American League, and in this case support the Royals in the World Series—and what a series it was. What a team it has been to watch the last couple of years.

I think maybe my favorite comment from the series that didn't end quite so well for us last year was the one game the manager of the Giants just said: They kept hitting the ball where we couldn't get to it.

That is very much the kind of baseball the Royals play, that big ball park they play in. Home runs aren't as much a part of the game as just hitting the ball where the other side can't get to it and then always getting to the ball that the other side hits anywhere.

This is a series that started with a 14-inning classic and ended in a 12-inning thriller, with 5 Royals' runs being scored in the top of that 12th inning.

If this had been a seventh-inning series, the Royals wouldn't have won. The Royals outscored the Mets 15 to 1 from the seventh inning on and won three of the four games after they were behind in the eighth inning or later in the World Series. That just doesn't happen. It is a great record. It has been a great team. Every player on that team contributed to the wins and contributed in significant ways.

Christian Colon became the first Major League player in history to get a series-clinching hit in his first postseason at bat ever. Raul Mondesi became the first player in history to make his Major League debut in the World Series. He never played a World Series game before because he had never played a Major League game of any kind before. Of course, the manager of the Royals, Ned Yost, had the highest winning percentage in Major League Baseball postseason history as he goes right on to do what he and the Royals have been doing. Salvador Perez hit 0.364 in the World Series and started 16 consecutive postseason games after catching 139 games in the regular season. It makes my knees hurt just to think about it, but he did it.

Yesterday 800,000 fans turned out in Kansas City to welcome the Royals home. We are all pleased to be here. I certainly wish to congratulate the owners, the Glass family; the manager, Ned Yost; the general manager, Dayton Moore; the players; the coaches; the fans; and the families. What a great series for the Royals, what a great series for Kansas City, but what a great series for baseball. What a great season for baseball. Certainly, we were all pleased to see the Royals bring this victory home.

We will start by going to Senator ROBERTS of Kansas and then we will go back to either a Missourian or a Kansan as we talk about this great baseball team and this great victory.

Mr. ROBERTS. I thank my colleague for yielding.

Mr. President, I have been sitting here thinking about Missouri and Kansas and our past histories—some differences in politics, some differences in sports, big time, down through the years. What a great thing to happen when, yes, there is the Kansas City Royals in Missouri. I might be a little local here and say primarily filled by Kansas fans, but I will not do that, but it is a great day for both of our States and for people who live in our area.

We are all proud of our Kansas City Royals. It was a hard-fought World Series victory, but it was celebrated in Kansas from Goodland to Liberal, from Parsons to Troy, way up there on Highway 36 and everywhere in between.

Yesterday we saw something amazing happen: Kansas fans and Missouri fans marching in a sea of blue in downtown Kansas City. There were more than one-half million people—no shoving, no

pushing, no fires, no problems. There were young and old people from all walks of life, all races, all nationalities, and all Royals fans. The schools were closed. Workers took a break. The streets filled. The windows opened, and it was a gorgeous Royals blue day.

Some are celebrating this kind of victory for the first time. Others are remembering 1985, George Brett and that team, and seeing that same excitement again, this time in their children's eyes. You see, some of us really counted us out—or some counted us out. We are, in fact, a small market team, a team with young but very talented guys. They said we haven't had what it takes to be World Series champions. We didn't have the big name home run hitters or the big name flamethrower pitchers or a big park made smaller for home run hitters. What we did have was a team, players who kept the line moving. The stats made the difference, as indicated from my colleague and friend from Missouri, who went through a number of stats that are rather remarkable.

In this postseason, the Royals strikeout rate was only 16 percent, just 81 strikeouts in 505 plate appearances. The Royals' regular season average was better, just 15 percent. For baseball, that is really amazing and it was the best in baseball. The league average in the regular season was more than 20 percent—20 percent strikeouts, one out of five. That is why people keep yawning. They don't yawn when they watch the Royals.

These Royals had a manager who let them play as they were: young, fast, and aggressive. That is rather remarkable. Ned Yost let them choose whether or not to steal—that is amazing. He let them swing at the first pitch. Alcides Escobar hit that inside-the-park home run in the first pitch in the bottom of the first inning of the first game of the World Series at Kauffman. That is a ball park for playing baseball: hitting, running, fielding, and a few home runs.

He let them play the game. They were relentless. They kept the lines moving, went against unconventional baseball wisdom—and oh was it fun to watch.

We won, Kansas City won, and baseball won. Our celebration today is about the Royals, the joy of the game of baseball, but it is also about our identity as a city and a region.

We were told that a small market team from flyover country would not be able to beat the New York Mets. We won because we kept the line moving—just like the Royals fans do in Kansas and Missouri every day—through a couple of decades of post-season drought, proving our team, our fans, our kind of game is the best in baseball.

I know I speak for the fans all over our State and the hundreds of thousands of fans that gathered to enjoy

and celebrate a victory for our team and, yes, for our region, too—and I think for our country. Everybody adopted the Royals. Thank you, Royals. Thank you for showing the world what fun baseball can be if you play the game, if you keep the lines moving.

The Kansas City Royals are the 2015 World Series champions. How about them apples?

I thank my colleague.

Mr. BLUNT. "Them apples" as in the Big Apple? Are those the apples we are talking about?

I start in the spring going to minor league games and to major league games, but as we go back and forth across the border here, there is no bigger, more dedicated baseball fan in the Senate than Senator McCASKILL. If you want to know who is playing, what position they are playing, what their batting average is likely to be, this is always a good way to find out, and I look forward to hearing what she has to say about the Royals.

Mrs. McCASKILL. Mr. President, listen, I am lucky to be from Missouri because I love baseball. I love sports. I was raised by a great uncle who was like my grandfather and made me go out to the backyard every night in the summer. I even remember he had a small burgundy transistor radio. I would lie on a blanket, he would sit in a lawn chair, and he would hush me—hush me—when important parts of the game came on. He was a big Cardinals fan. I was raised as a Cardinals fan. I spent time in Kansas City early in my career. In fact, I was in Kansas City during the 1980s, the last time that Kansas City won the World Series.

Some people have the nerve to call our part of the world flyover country but not when it comes to baseball. For 4 of the last 5 years, teams who play ball in the middle of America with lower payrolls and with smaller media markets have made it to the World Series, and for 2 of those last 5 years, the world has seen a different kind of ball team. In this day and age when it is all about endorsements, and it is all about your agent, and it is all about whether you are a free agent and how much money you are going to make, they have seen a team that plays like a team. From the fun they have with each other to the way they interact with the community, this is a different kind of professional baseball team. Yesterday, when most teams would have on swag that talked just about their team, T-shirts that would say "World Series Champion" or hats that would say "World Series Champion," what did this team have on yesterday in front of those, some say 800,000 people from Kansas and Missouri who flooded into the city in such numbers that they abandoned their cars on the interstate so they would be part of it? What did the team have on? Thank

you, KC. It wasn't about them; it was about the community and how closely knit the team felt with the community.

From the fun they had with 1738 to the T-shirts that people wore saying "Straight Outta Kauffman," this was a team that took baseball seriously but didn't take themselves too seriously. They played the game with intensity, they played the game with immense skill, but always with joy.

I have to tell you the truth. I never thought I would be on the floor of the Senate quoting the amazing orator Jonny Gomes. Most people in America probably don't know who Jonny Gomes is, but the people of Kansas City know. Just because you are a backup outfielder doesn't mean you are not important on this team. Jonny Gomes stole the show yesterday. To paraphrase him—and I have to be careful, because I can't exactly paraphrase him. I don't think one of the words he used I am allowed to use on the floor of the Senate. But I believe it went something like this: Cy Young winner? Not on our team. We beat them. Rookie of the year? Not on our team. We beat them. MVP of the league? No, sorry guys, not on our team. We beat them. We kicked all of their—something which I can't say on the floor of the United States Senate.

So I am proud to quote Jonny Gomes today. I am proud of who he is and what he represents. I am proud of this team. This is a team that understands the essence of being an underdog and coming from behind and proving to everybody they are wrong.

There is a famous poem about baseball, and one of the famous lines starts with the phrase "there is no joy." I have to tell you, there is joy; there is unbridled joy in Kansas City for this team and for all the right reasons. I am incredibly proud to represent a State and an area of our country that has produced this kind of sportsmanship and this kind of grit and determination. The Royals never say quit.

Thank you, Mr. President, and I will turn it over to my colleague from the State of Kansas, who is appropriately sporting a very royal blue tie.

Mr. MORAN. Mr. President, I thank the Senator from Missouri for yielding to me, and I appreciate both my colleagues from Missouri and Kansas joining us on the Senate floor this afternoon.

I wonder if there are folks out in the country who might not be baseball fans and are wondering, with all the challenges our country faces, why these four Senators have gathered on the Senate floor to talk about baseball. But the reality is that this is an example of what can happen when we work together.

We are divided here between Republicans and Democrats in support of this legislation, and that is much easier to

overcome than the fact that Missourians and Kansans are working together. There has been a long rivalry between our two States, much of it done with a smile but some done with a little more intensity than just that smile of Kansas versus Missouri or Missouri versus Kansas. The good news is the Royals and their championship are more evidence that rivalry—when it comes to important issues, when it comes to the ability to work together for the benefit of Kansas City and Missouri and Kansas, those communities come together.

I guess my colleagues ought to know that there is Kansas City, MO, and there is Kansas City, KS, and suburbs of both those cities on both sides of the State line. As I have said, as communities they have come together to make sure good things happen, and the Royals is just one more example. This is something that matters to Kansans, whether they live close to Missouri or they live close to the Royals stadium.

The first overnight visit I ever made to Kansas City and actually spent the night in this big city—I grew up about 350 miles west of the stadium—was to watch the Royals play ball in the old stadium. All my life I have said, “Come on, Royals.” You can walk through the room in our house, the television is on, the Royals are playing, and that expression out of my mouth is always “Come on, Royals.” It is something we all grew up with, wherever we lived in the State of Kansas. You can find almost no fan of baseball in our State who is not a Royals fan.

There is something also about this Royals baseball team. Throughout my lifetime, hearing the voice of Denny Matthews and Fred White as they called the games in Kansas City and around the country gave me a sense—and still today gives me a sense—of peace; that there is something still right in the world; that baseball is still played and teams come together.

Most of us grew up in our early days being on a softball or a baseball team. Baseball brings us together. So while my colleagues and I recognize the importance of the many issues that our country faces and that we are dealing with in the Senate and in the Congress in Washington, DC, there is something comforting in knowing that America can still come together on a pastime, on a sport, on an activity that still means so much to so many Americans.

So we celebrate with this resolution and ask our colleagues to join us in approving this effort in honoring the 2015 World Series champions. It was an amazing season. This is something that hasn't happened since 1985. So 30 years ago, in Kansas City, the Royals played in the World Series and won.

I still envision my wife and her deceased father—her now deceased father. Robba, with her dad, grew up on the Missouri side of the State line, in the

shadows of Kauffman Stadium. I can still envision what it was like for a little girl to grab hold of her dad's hand and go to a Royals game to watch baseball. Again, it brings families together on an almost weekly basis over a long season in Kansas City, and it has been true in our family.

We are here today to commend the great things that happened during this season. Since the last time the Royals were champions, many Kansans, many Missourians, many Americans have grown up and gone off to college, served in our country's military, gotten married, and started their own families. So there is great pride, and we are here to affirm how good it feels to have that success once again.

It is pleasing to be an American where baseball is a way that we live our lives, and it brings us together. It is great to be a Kansan who is so proud of the Kansas Royals, and it is great to represent many folks in Kansas City who know life as something that surrounds them with the Kansas City Royals.

This was a special year, a special team, and they loved playing the game. They exuded confidence. They never lost focus. Having fallen 90 feet short a year ago, the Royals players were relentless this year in their drive to get back to the World Series, and it was a joy for all of us to watch them accomplish that and finish that job last weekend against the New York Mets.

So I join my colleagues in congratulating the Royals team, the Royals fans, and Americans who enjoyed this sport and saw great sportsmanship on a baseball field. We are thankful to Mr. Kauffman, and now Mr. Glass, and their families who have invested their efforts and their time and their commitment to the Kansas City Royals. We appreciate the general manager Dayton Moore, and the manager Ned Yost, and commend and congratulate them on this amazing accomplishment. We hope we don't have to wait another 30 years for another national championship involving the Royals and their crowning again.

Once again, I would say, “Come on, Royals.”

Mr. President, I yield back to the Senator from Missouri.

Mr. BLUNT. Mr. President, my good friend from Kansas mentioned that distance between third base and home plate, and in the ninth inning of the fifth game of the World Series, Hosmer was on third, and I believe there was one out. A ball was hit squarely to the third baseman, who caught it, ready to throw it to first, and then Hosmer did something nobody ever does: He decided he was going to steal home. And when you do that kind of thing, people respond in certain ways. They are surprised, you are surprised, and the Royals did that over and over again. He stole home and the game was tied in

the 9th and then went to the 12th, but only because somebody did something nobody thought they would do. We could do a little more of that here, but certainly the Royals did that all season.

I want to ask Senator MCCASKILL if there is anything she wants to add as we close up here.

Mrs. MCCASKILL. Well, I was lucky enough to be a witness to game 5 in New York, surrounded by a lot of apple-eating fans who were in shocked disbelief when it looked like the Mets had it under control and the Royals pulled a patented move out of their back pocket to tie up the game in the ninth inning.

That particular play was one of those that you could tell it was almost instinct on the part of Hoz because he saw the throw and just went. Frankly, a bad throw to home plate was his savior. I am not sure he would have made it had it not been for the throw that went wild at home plate from the first baseman. But that is the thing that is fun about this team. We can go through—Salvi got the hit. It was a sacrifice hit, but nonetheless this is a guy who got MVP. And it wasn't as if he hit a bunch of home runs in the World Series; he got MVP because he consistently performed in almost a utilitarian way, getting a hit when it was really needed, getting banged up consistently behind the plate. At one point he got hit so hard in the clavicle that I am sure a lot of players would have said: I need an inning. I need to get out. I need to be replaced. But he just kept shaking off every injury. It could get dangerous because he could go on and on.

There were so many contributors on this team. That is what made it so incredibly special. As Senator ROBERTS said, it is not as if there was one hero here, like so many teams that have an A-Rod or a Robert Griffin. We can name the big players who have been standouts, Ripkin and the rest. This is a team in which everybody is a standout because it is all about the team.

Mr. BLUNT. It was a great season. We have had a great time here on the floor talking about the Royals and the Kansas City spirit that drove those teams. For us Missourians, maybe we will see both of our teams in the World Series again next year.

Mr. ROBERTS. Will the Senator yield?

Mr. BLUNT. I will be happy to yield.

Mr. ROBERTS. Just a note of thanks to the Mets for showing up and playing the Royals—they are a great team—and to give them some encouragement. The season starts with the Mets and Royals at Kauffman Stadium, so they can start all over again. It would be a good thing, perhaps, if the Mets made it again, and certainly with the Royals, and gave it a shot.

I am very glad the Senator mentioned the incident where Hosmer decided to steal home. That was like Jackie Robinson back in the day when he was seeking to steal home. Who did that? And to do that in today's ball game, where people pitch only a certain amount of innings and players look to the manager to steal and do this and do that and everything is sort of in a box—the Royals played out of the box and they had fun.

The reason they are all great players is because they played as a team, as my distinguished colleague from Missouri just pointed out. It was a lot of fun. It is going to be fun next year. Don't worry, Mets, you will have a chance again.

Mr. BLUNT. There are a lot of life lessons watching the Royals. There might even be some lessons for us Senators watching the Royals and the way they do what they do.

I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATERS OF THE UNITED STATES RULE

Mr. MORAN. Mr. President, this week has been devoted legislatively to discussing and considering legislation affecting an EPA regulation called waters of the United States. It is one more example of executive overreach by an increasingly unaccountable Federal agency.

I want to speak about our efforts here on the Senate floor this week and again encourage my colleagues to continue their efforts to make certain this overreach is responded to by Congress. The courts have spoken, but we want to make certain we do our job.

One of the criticisms I hear regularly from people who support this regulation is this: Don't you care about water quality? Don't you care about clean water? I absolutely think it is important to protect our Nation's waterways. If you are a Kansan, water is life, water is the future of your community. Water matters greatly. We are not against clean water.

Agriculture producers—which dominate in my State—across Kansas are strongly opposed to this regulation, but they are certainly not opposed to the efforts to keep our water supply safe and clean. Most Kansas farmers and ranchers hope to pass their land and their farming operations on to their kids and grandkids. It serves their interests to preserve the land and water to which their family farms are tethered. It is not the Washington lob-

byists and the environmental radicals who are telling Americans "If you oppose this regulation, you are opposed to clean water." That is what they say. Kansans care greatly and particularly farmers and landowners who want their children to enjoy their farm or ranch in the future care greatly about clean water.

It is EPA's abusive regulatory path, characterized by fines, penalties, and potential civil lawsuits against landowners, that gives us major cause for concern. The Federal Government should not dictate to citizens how they manage their private lands.

I believe there are better ways to promote water quality than with threats of severe fines, penalties, or even jail time. One of the ways we see this effort take place is through the Department of Agriculture's Natural Resource Conservation Service. NRCS promotes soil and water health not by mandates and threats from Washington but through collaborative, voluntary approaches that encourage conservation through incentives and on-the-ground technical assistance for those landowners.

Unlike the EPA, which seems to view agriculture producers as untrustworthy partners who must be forced into caring for the land, NRCS and the USDA Farm Service Agency efforts are successful in large part because they operate under the recognition that farmers and ranchers are devoted stewards to their land.

Policies such as the Grassroots Source Water Protection Program and the Environmental Quality Incentives Program are examples of voluntary approaches that incentivize innovation, provide technical assistance, and more broadly promote clean water through localized, cooperative efforts. Compare those approaches to what we are debating here on the floor today and earlier this week—an overly broad, overly complex, overly ambitious regulation drafted by an agency that has shown a complete unwillingness to listen to or work with landowners.

This regulation is pretty straightforward. If it is water, EPA has the authority to regulate it unless it decides it doesn't want to. Again, what this regulation basically says is that if it is water, EPA has the authority to regulate it unless EPA decides it doesn't want to do it.

First, EPA declares that all "tributaries" are waters of the United States. Tributaries are defined as anything with a bed, banks, or an ordinary high-water mark, regardless of the frequency or duration of the water flow. This kind of definition is so broad and all-encompassing that the EPA can assert jurisdiction over streams and ditches that may flow only for a few hours following a rainstorm.

This regulation also controls waters that are "adjacent" to any water that

is under EPA's jurisdiction, including 100-year-old floodplains. And if somehow water could still escape the EPA's long shadow, its broad definition, they came up with yet one more way to regulate it. The regulation states that if waters aren't adjacent or are not tributaries, they can still regulate if there is "significant nexus" between the waters EPA wants to regulate and navigable or interstate water. What that means is that every drop of rain can be regulated because every drop of rain always ends up in a body of water that is navigable. All EPA has to do is establish some connection between the two, and they have granted themselves the authority to regulate the waters.

With its significant civil fines and criminal penalties for those not in compliance, we can see why so many Americans are concerned.

Last year, EPA went on a public relations campaign of sorts to convince stakeholders and to convince people across the country that they only meant to "clarify," not expand, the regulation. Instead of lecturing, the EPA should have listened to the overwhelming feedback they received from constituents, including many who attended a meeting in Kansas City. The EPA should have scrapped the rule and started over.

Now we have learned that not only did the EPA ignore the outcry of the American people, but they also disregarded the technical experts at the Army Corps of Engineers who described the rule as "not reflective of the Corps' experience or expertise." Again, the Corps is the agency that the EPA is to work with to develop rules. They are the experts, and they say this rule is not reflective of the Corps' experience or expertise. The Corps says it is not accurate. The Corps says it is not supported by science or law. The Corps says it is inconsistent with the Supreme Court's decision. And the Corps says it is regulatory overreach.

It is obvious that the regulation exceeds the EPA's legal authority under the Clean Water Act. It is equally obvious that the EPA intended to run roughshod over anyone who disagreed.

The waters of the United States regulation is, in short, a breathtaking abuse of power, and it is something Congress needs to address.

For too long, Congress has looked the other way when this Executive or any other occupant of the White House exceeds their congressionally mandated legal authorities. Republicans perhaps look the other way when there is a Republican President and Democrats look the other way when there is a Democratic President. The reality is that Congress needs to play its constitutional role in determining what the law is and prevent the abuse that comes from a White House that exceeds that legislative authority day after day.

The EPA's regulations ignore two Supreme Court opinions. It ignores a

time-honored understanding of what the law does and does not permit in the way of regulation, as evidenced by numerous legislative attempts rejected by Congress to amend the Clean Water Act that the Obama administration now does by regulatory action. It ignores the serious repercussions for farmers and ranchers, electric cooperatives that provide electricity to my State, the oil and gas industry that provides jobs across Kansans, the homebuilders that provide homes for Kansans, and many other small business owners in our State and across the country. And it ignores the concerns voiced by so many more, including State and local officials across Kansas and our Nation.

At the end of the day, if the goal is to promote clean water and responsible land management, there is a much more effective method to do so, as evidenced by the voluntary cooperative efforts within USDA that respect private property rights, incentivize conservation rather than criminalize landowners, and don't threaten to do irreparable harm to our country and to the jobs Kansans so desperately need.

I urge my colleagues to block this regulation and to force the EPA and the Army Corps of Engineers to work with State and local officials and those affected by the regulation in protecting real waters of the United States. We must protect those waters. We should do it much differently than the Environmental Protection Agency proposes. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

CRUDE OIL EXPORT BAN

Mr. CORNYN. Mr. President, about a month ago the White House announced that it has reached a deal with 11 other countries along the Pacific Rim—known as the Trans-Pacific Partnership. This is a major trade agreement that followed on the approval of trade promotion authority by the Congress.

As we might expect, President Obama has been quick to tout his credentials as a pro-trade President, and I think so far, so good. In fact, though, you might say he is so pro-trade that he has significantly not only sought to open up the U.S. economy but also the Iranian economy, releasing billions of dollars to a hostile regime by negotiating a deal to ease sanctions against them and potentially releasing as much as 1 million barrels of crude oil by Iran onto the world markets. I think it has been well documented that I oppose that deal.

I do find the President's position is perplexing at minimum or hypocritical at worst. It is hypocritical that despite his self-proclaimed pro-trade stance, he refuses to do something that should be a no-brainer when it comes to any proponent of free trade: opening up foreign markets to the things we make and produce here, like lifting the antiquated ban on exporting crude oil.

By refusing to revise this outdated policy, the President continues to contribute to the flatline of our economy and to deny our potential as an energy powerhouse. And, I might add, at the same time, by not acting to lift this export ban, the President continues to deny our allies the energy they need for their economic security and to improve their national security.

Next month will mark 40 years since the United States put into place a ban on the export of crude oil. For those who might not be familiar with the history, let me offer a little bit of background.

The crude oil export ban was put in place decades ago as a precaution to protect the United States from disruptions to global supply of oil in the 1970s, at a time when we were importing the majority of the oil and gas that we consumed here in the United States. But, fortunately, the world looks a lot different than it did back in the 1970s. For example, in 1970, world production was roughly 48 million barrels of oil a day. In 2015 that number has doubled to 100 million barrels of oil a day, and the United States alone is producing about 9.4 million barrels of oil a day.

As recently as 2008, 76 percent of Americans believed that the world was somehow running out of oil. Thanks to the remarkable shale revolution, we have come a long way in helping the geopolitical energy landscape turn in our favor here in the United States and have reduced our dependency on imported energy from other parts of the country.

I should mention that it is because of the commonsense policies of States such as Texas, Pennsylvania, Ohio, and North Dakota that we have been able to take advantage of the incredible new technology in this field that goes along with horizontal drilling and fracking to produce a supply of oil and gas that we never would have dreamed of a few short years ago. These developments have been nothing short of revolutionary.

We have recently seen an uptick in oil imports in the United States, primarily because overseas energy producers are discounting their crude to be able to take advantage of the U.S. market. The downward trend for the past several years of imports of oil showed that the United States is importing less than it historically has. Why? Because we are producing more here, so we are less reliant. I think most people would think that would be a good thing.

Our country doesn't need to bar our domestically produced energy from reaching the global market. We should do away with this antiquated policy and, in so doing, help kick start the U.S. economy in the process. First, let me talk about what this would do to help our economy. Lifting the ban would mean real job creation right

here in this country. These are not minimum wage jobs. These are well-paying jobs. It is easy to think that lifting the ban would only provide a limited benefit to those who work in the domestic energy sector, but that is actually not the case.

Domestic energy production involves many different sectors, from construction to shipping to technology companies. By allowing our country to export more crude, the United States has the potential to create many, many jobs here in the United States at a time when we need more jobs—not only in the domestic energy sector but deep in the supply chain as well.

One study estimated that for every new production job, it translates into three additional jobs in the supply chain and another six in the broader economy. It is estimated that in my home State of Texas alone, more than 40,000 jobs could be created in the coming years simply by lifting the ban and making available to producers the global benchmark price known as the Brent price. Several studies have suggested that hundreds of thousands of jobs in multiple sectors throughout the country could be created in the coming years if the crude export ban is lifted.

By the way, I should mention this—because this is probably on everybody's mind: What is this going to do to the price of gasoline? Study after study has documented that gasoline prices are going to remain either where they are now or go lower should the ban be lifted. By the way, the Energy Secretary of the Obama administration, Dr. Moniz, agrees with that. It is plain old supply and demand, if you think about it.

Lifting the crude oil ban export would strengthen our economy and could actually save Americans money at the pump. But doing away with this outdated, protectionist policy also gives us the opportunity to promote stronger relationships with our friends and allies around the world. For example, our NATO allies and other nations in Europe rightly question why the United States doesn't lift this ban, which would help them achieve a source of energy that they need, instead of having to depend on countries such as Russia that use it as an instrument of coercion and intimidation.

Today, many of our allies in Europe rely not only on Russia but on Iran for their energy needs. Wouldn't it be so much better if we were able to enter into contracts to sell our energy to our friends and allies to help prop them up and provide them another source of energy, rather than leave them dependent on countries such as Russia that want to use it as an instrument of intimidation. Because of these countries' dependence on our adversaries for their basic needs such as heating, electricity, and fuel, this represents a real vulnerability, not just for them but for

us as well because we are part of the North Atlantic Treaty Organization.

As our world becomes more interconnected, we need to take a more long-term strategic view. That means considering the implications of our energy policies for our own national security. By lifting this ban, the United States can offer to help our friends diversify their energy supplies and enhance their energy security and help reduce the revenue that these rogue states take in for nefarious purposes—such as Iran, the No. 1 sponsor of state terrorism.

Lifting the crude oil ban represents a rare opportunity to do two things vital for our country: to strengthen our economy and to promote a safer, more stable world for our allies and partners and ultimately for us.

Last month, in a strong bipartisan vote, the House of Representatives voted to overturn this ban. Now it is time for the Senate to do the same. Unfortunately, the White House has already sent a signal that were we to pass such a bill to lift the ban, the President might decide to veto this pro-trade legislation. I wish to point out to the White House and to anybody else who is listening that time and again the President has relied on Republicans in this Chamber to advance his pro-trade agenda. The reason we have done it is because we agree that a pro-trade agenda is good for our economy and good for our security.

Soon we will have an opportunity to read the full text of the Trans-Pacific Partnership Agreement that I mentioned earlier. Pro-trade Republicans in this Chamber, myself included, have voted to equip Congress with a powerful mechanism with which to consider trade agreements such as the Trans-Pacific Partnership Agreement or trade promotion authority. Trade promotion authority, or TPA, which passed with strong Republican support and only 13 Democratic votes in the Senate, does not guarantee that the President's agreement will pass this Senate or this Congress—far from it. I am going to use all of the tools that we have provided for in the trade promotion authority legislation to make sure this proposed deal, the Trans-Pacific Partnership, gets the kind of careful scrutiny it deserves.

We know the President, with not much time left in his administration, is looking for a legacy accomplishment. But this President's inconsistency with respect to free trade gives me great pause. I have to say that he can't take my support for granted or, I believe, the support of others in this Chamber for the Trans-Pacific Partnership, particularly if he acts so inconsistently on other free trade measures such as lifting the crude oil export ban.

Moving forward, I hope the President will learn to work with those of us in Congress who have traditionally sup-

ported free trade in every respect. If he were truly the pro-trade President he claims to be, his administration would prioritize lifting the crude oil export ban with the same ferocity with which it supports the Trans-Pacific Partnership.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Wyoming.

WATERS OF THE UNITED STATES RULE

Mr. ENZI. Mr. President, I applaud my colleague for what he just said, and I want to also applaud the colleagues who today took a stand against the regulatory onslaught and overreach being waged by the Environmental Protection Agency. In promulgating the waters of the United States rule, or WOTUS, the EPA and the Army Corps of Engineers have teamed up to promulgate one of the most expansive Federal power grabs across the Nation.

Recently, I spoke to this body about the threat that the growth and expansion of Federal regulations pose to this country's economic well-being. The growth of Federal regulation and bureaucracy is a menacing threat to this country's security and success. What America needs now is a smaller, less burdensome regulatory framework that will permit our Nation's economy to thrive. With the \$18 trillion of debt, we can only afford policies that will serve as a catalyst for economic growth.

This waters of the United States rule is a prime example of a Federal agency coming up with regulations that do the precisely opposite. In the early 1970s, Congress passed the Clean Water Act and charged the EPA with protecting our Nation's navigable waters from pollutants. It has worked. Since then, the EPA and the Corps have been working to ever expand the definition and scope of "navigable water," this time stretching the meaning all the way to the limits of common sense.

With the waters of the United States rule, the administration has once again demonstrated a willingness to advance its own goal at any cost. Under this expansive new rule, the EPA may implement substantial additional permitting and regulatory requirements under the Clean Water Act without any thought to the employees who will lose their jobs, to the businesses or industries this rule will cripple.

As the U.S. Chamber of Commerce said earlier this week in a letter to this body, business owners and their employees in all sectors of the economy would be affected by the regulatory uncertainty of this rule, which is "certain to chill the development and expansion of large and small projects across the country."

Again, this is not the kind of regulation America can afford. The waters of the United States rule is so expansive that it would redefine the jurisdiction of bodies of water under Federal control all the way down to, for example,

all water located within 100 feet of other jurisdictional water. This is my favorite: The rule further includes all waters located within 1,500 feet of any other jurisdictional water, if it also is in the 100-year flood plain.

I don't know about you, Mr. President, but I won't stand for giving any Federal agency—much less the EPA—five football fields worth of leeway to enforce any rules or regulations.

As chairman of the Budget Committee, I seldom hear any agency talking about having enough resources. The EPA is not an exception. They can't take care of what they already do, and now they want to bite off every body of water in the United States. There is a lot of water that can be cleaned up. There is a lot of water that has been cleaned up. You always start with what is worse. I always tell people that Jesse James robbed banks because that is where the money was. You start where the most pollution is, not where the least pollution is.

States already know best what makes their waters navigable, and they don't need a Federal rule like waters of the United States to constrain them. This is particularly true for the Western States, where water is a rare and protected source and is respected accordingly. In Idaho, a State which historically relied on streams to support its timber industry, lawmakers consider a stream navigable if it will float timber in excess of 6 inches of diameter or if it is capable of being navigated by oar. Six inches—that is not a very big log. If the State of Idaho protects streams small enough to float logs that size, they don't need a rule like WOTUS to further constrict what is considered navigable.

At some point, the overregulation by the EPA and this administration has to be stopped. Today we had an opportunity to do just that. By passing the resolution of disapproval, we have sent a message to the President, his administration, and all of its bureaucrats. Earlier this week, the body missed a keen opportunity to pass my friend Senator JOHN BARRASSO's bill to roll back this regulation. His bill would have sent the EPA and the Corps back to the drawing board to develop a new rule. It would have told them how to do it. It would have required them to conduct a thorough economic analysis and consult with States, consult with local governments, and consult with small businesses. Congress made a mistake in 1972 when it passed the Clean Water Act and left too much up to the EPA to define. We had a chance to fix that error with Senator BARRASSO's bill.

This rule allows the EPA to regulate any body of water that has a significant nexus to navigable water. Unfortunately, the rule leaves the definition of "significant nexus" open to the EPA's interpretation.

Here is something that fascinates me. If you contest, guess who gets to

make the ruling in the case. The EPA does. Guess how they are going to rule. As anyone from Wyoming would attest, never has a Federal bureaucrat missed an opportunity to make life a little more complicated for the folks out West. I can't possibly think of why I would give the EPA an opportunity to do so here.

The Clean Water Act recognizes States as having primary responsibility for land and water resources within their boundaries. That is a responsibility taken very seriously in places like my home State of Wyoming, where so many farmers, ranchers, and small business owners rely on water for their livelihood. In Wyoming, folks know that you have to take care of the land or the land will never take care of you. You won't find better stewards for land and water anywhere, so if the folks in Wyoming tell you a rule governing the use of water is no good, you can take that to the bank.

As the State's Governor Matt Mead said, this rule was bad from the start. In his words:

The EPA failed to properly consult with states or consider states' concerns. The rule unlawfully seeks to expand federal jurisdiction over water, undercuts state primacy and burdens landowners and water users in the West.

Wyoming has joined 30 other States in suing the EPA and the Corps of Engineers to block this rule. If over 60 percent of the States in this Nation are spending time and money to ask the courts to block this rule, then this resolution should pass with flying colors. In fact, if the 2 Senators from each of the 31 States that are suing were to vote for either the resolution before or this resolution, the previous one would have passed cloture. This one didn't require cloture. So in passing this joint resolution of disapproval, our actions appropriately reflected what our States are telling us to do: Stop this rule.

Two Federal courts have already recognized the fallacy of this rule and issued stays to prevent it from being enforced. Those courts have recognized what we should all recognize: the massive scope of this rule and the potential damage it could cause.

Wyoming was lucky in that it got some relief from a U.S. district court judge before the rule could be enforced in late August. In that ruling by which the court stayed the rule's enforcement, the court said:

The rule asserts jurisdiction over waters that are remote and intermittent. No evidence actually points to how these intermittent and remote wetlands have any nexus to navigable-in-fact water.

I couldn't have said it better.

What the EPA is doing is more out of control than protection. It is an overreach, it is power, and they can't afford it. For the sake of farmers, ranchers, manufacturers, and small businesses and their employees, it is time to stop this outrageous regulation.

I thank the majority leader, Senator BARRASSO, and Senator ERNST for recognizing how important it is to fight this bad EPA rule and bring legislation to the floor to push back.

I urge my colleagues in the House to pass this resolution of disapproval so that we can send a clear message to the President that this Congress will not continue to accept ill-thought-out, ever-expansive, unendingly complicated regulations from this administration, ones that the courts have already ruled on three times.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to enter into a colloquy with Senators CARPER, WARREN, MURPHY, BLUMENTHAL, SCHATZ, and BROWN for up to 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOR-PROFIT COLLEGES

Mr. DURBIN. Mr. President, today I come to the Senate floor to discuss the issue of for-profit colleges. One may wonder how a Member of the U.S. Senate takes up an issue. This came to my attention when a young woman in Chicago, IL, contacted our office and told her story. She was a conscientious young woman who wanted a college education, and, having graduated high school, she shopped around on the Internet and found the degree she wanted. It was a degree in law enforcement offered by Westwood College. Westwood is a for-profit college based in Colorado.

She enrolled in Westwood, and 5 years later—5 years of classes later—she got her diploma in law enforcement from Westwood. She took it to every law enforcement agency in the Chicagoland area, and they said: Young lady, this is not a real college; this is one of those for-profit Westwood colleges. We don't recognize your degree.

When she went to another place, she got the same reaction, and then she realized she had wasted 5 years of her life on a worthless diploma. But that is not the worst part. She incurred a student loan debt of \$80,000 and she couldn't get a job. She moved back into her parents' basement. Her dad came out of retirement to help her pay off this loan, and she is going to take years to do it. She has postponed buying a car, getting her own apartment, or even considering marriage or a family. This was one personal tragedy that opened my mind.

I used to drive out on the Kennedy Expressway and see Westwood College signs on these large, tall buildings and think, wow, this must be some college. Well, it turned out that it was part of a network of for-profit colleges and universities that I have been researching and speaking about ever since.

When I started 5 years ago, it was a different industry than it is today. Too

many people like this young lady ended up with empty promises, deep debt, and worthless diplomas from for-profit colleges and universities.

Westwood isn't the only one. The biggest for-profit college is the University of Phoenix. DeVry University, based out of Chicago, IL, is the second largest. Kaplan—which used to own or was owned by the Washington Post, depending on your point of view—ITT Tech, and Le Cordon Bleu are names young people know right off the bat because they are inundated with advertising from for-profit schools. They and their parents think these are real schools. They think: It is worth my time. It is worth the debt to me and my family to pursue a degree.

Five years ago, this industry was in its heyday. Enrollment and profits were sky high. They were a favorite of Wall Street investors. Between 1998 and 2008, enrollment at for-profit colleges exploded by 225 percent. By 2010, total enrollment in these for-profit schools reached 2.4 million.

When the former chairman of the HELP Committee, Senator Tom Harkin of Iowa, released a report on the industry in 2012, they had grown to take an incredible share—\$32 billion in Federal taxpayer dollars, 25 percent of all the Federal aid to education. Despite the fact that they had 10 percent of the students, they were taking 25 percent of the Federal aid at that point. Why? They are so expensive. The tuition is so much higher than public colleges and universities or even many private colleges.

Meanwhile, more than half the students who enrolled in for-profit colleges left without a degree within 4 months and found themselves in student loan default. Five years ago, 10 percent of the students accounted for 47 percent of the student loan defaults. How can it be that 47 percent of the students who can't pay back their student loans went to for-profit colleges? It costs so much and the degrees are worthless.

John Murphy is a cofounder of the University of Phoenix. This was the mother ship of them all during the great for-profit college movement. Here is what he said in the *Deseret News National*:

They are not educators and they're looking to manipulate this model to make money. There is nothing wrong with making money, but I think anyone making money in an educational activity has a higher standard of accountability.

John Murphy, a cofounder of the University of Phoenix, is right. He explained that they started off as a serious venture to educate students, but they soon became a company listed on Wall Street chasing stock prices, tapping into the open spigot of Federal loans, which Mr. Murphy calls the juice of the for-profit college industry. He went on to say:

Phoenix was the one that got it rolling, and then all the other for-profits followed them in.

I will yield at this point to my colleague from Hawaii. I thank Senator SCHATZ for joining me in this colloquy.

Mr. SCHATZ. Mr. President, I thank the assistant Democratic leader for his leadership on this issue and for his willingness to educate colleagues and educate the public and to push the DOE to take much needed action in this area.

What is happening with some for-profit colleges is truly a national scandal, and it is a scandal for two reasons: First, students are being hurt, and second, we are wasting tens of billions of dollars. The numbers speak for themselves. Almost 2 million students are enrolled in for-profit colleges, and they have collectively taken on \$200 billion in debt to attend, but they often leave with little to show for it. More than half drop out within a few months, and in some programs less than 5 percent of their students ever graduate. For those who leave without a degree, repaying loans is a struggle. Students at for-profit colleges default on student loans at double the rate of students at not-for-profit colleges.

People may be surprised to learn that these substandard programs are financed almost entirely by the Federal Government, and the amount is totally staggering. In total, for-profits receive over \$32 billion a year in Federal financial aid—over 20 percent of the total aid—yet they serve only 12 percent of the students.

There are several for-profit companies that each take in more than \$1 billion a year in Federal aid and graduate less than 10 percent of their students. Think about that. They take in more than \$1 billion in Federal taxpayer money and they graduate less than 10 percent of their students. These companies include the Apollo Group, DeVry, ITT, Kaplan, and Education Management Corporation.

Not only are the educational metrics awful, but many of these for-profit colleges are also under investigation for fraud and deception. Essentially, they have been lying to students and to State and Federal agencies to cover up how bad their record is. Even while prosecutors go after these schools for fraud, they remain accredited and continue to rake in Federal funds. Here are a few examples:

Education Management Corporation, EMC, faces charges of fraud and deception brought by prosecutors in 13 States and the Department of Justice and faces a lawsuit to recover \$11 billion in Federal and State funds. Yet EMC is still accredited and still receives \$1.25 billion from the U.S. DOE. So the Department of Justice is trying to recover \$11 billion at the same time that the Department of Education gives them \$1.25 billion.

ITT Educational Services is being investigated and sued by 19 States, the SEC, CFPB, and the DOJ. It is also under scrutiny from U.S. DOE for failure to meet financial responsibility standards. Yet they are still accredited, and last year they received just under \$600 million.

Another 152 schools are under investigation by a working group of 37 State attorneys general. They too are still accredited. Collectively, they received \$8 billion in Federal financial aid last year.

What do all of these schools have in common? They are accredited. Accreditation is the key to the castle for accessing this spigot of Federal financial aid. It is supposed to signify that a program provides a quality education for its students. Too often, however, the accreditation means nearly nothing.

The GAO released a study on accreditation last year, and its findings are shocking. Over a 4-year period, the GAO found that accreditors sanctioned only 8 percent of the institutions they oversee and revoked accreditation for just 1 percent. Even more troubling, GAO found there was no correlation between accreditor sanctions and educational quality. In other words, schools with bad student outcomes were no more likely to be sanctioned by their accreditor than schools with good student outcomes.

Our accreditation system is broken. According to the Higher Education Act, accreditation agencies are supposed to be "reliable authorities as to the quality of education or training offered" by institutions of higher education.

That is the reason for making accreditation a core criterion for receiving Federal funds. How are we following the law when accreditation reviews find that 99 percent—basically, everybody—99 percent of institutions are providing an education of value? How can we say with a straight face that accreditors are acting as reliable authorities on educational quality?

The problem here is money. Incentives are lined up against being critical and against setting high standards. The problem can be traced to the funding and governance of the accrediting agencies. First, accrediting agencies are funded by the same institutions they accredit. Colleges pay an initial fee to become accredited and annual dues after that. They pay for site visits and other services.

Second, accrediting agencies are run and overseen by the institutions they accredit. The member institutions elect their own academics and administrators to serve on the board of the accreditation agency.

It is not hard to see how the incentives are misaligned here. We have created a dysfunctional, if not corrupt, ecosystem in which it is far too easy to become and remain accredited. This

system is eerily similar to the one that enabled credit rating agencies to pump out inflated asset ratings, which contributed to the worst financial crisis of our time. Like credit rating agencies, accreditors have a financial interest to churn out accreditations.

The DOE has the authority to improve accreditation. There are a lot of things that Senator DURBIN and others, Senator MURPHY, and I are working on in terms of changing the Higher Education Act and working in the appropriations context, but U.S. DOE has authority that it is beginning to use but needs to use more of in the accreditation space. It can and must do more to ensure that accreditors are actually looking at academic quality and holding schools to high standards. For the sake of students and taxpayers, the DOE must make this a top priority.

I thank the assistant Democratic leader for his leadership on this issue. I yield the floor.

Mr. DURBIN. Mr. President, I hope the Senator from Hawaii can stay for just a moment.

If a student is about to graduate from high school, looking for a college, and goes online and types in the word "college" or "university," watch what happens. The page is flooded. The University of Phoenix, DeVry, Kaplan—all of these different schools are flooding the page saying: Come to our school. How does a student know if it is good or not? The only yardstick that can be used is, well, do they receive Federal Pell grants for their students? Do their students receive Federal loans? The answer, when it comes to for-profit schools, is yes.

Senator SCHATZ has put his finger on the problem. They accredit themselves. They decide among themselves who will stay in business. Guess what. They all stay in business.

So the unsuspecting student goes to a worthless, for-profit school, gets a worthless diploma, goes deep in debt, and thinks, I thought this was a good school. How can I get a Federal Pell grant to this school and get a worthless diploma?

The Department of Education is not doing its job. Congress is not doing its job. We have to enforce these standards.

Corinthian was one of the giants. Corinthian went bankrupt. They measured how many students came out of Corinthian and got a job. The numbers were pretty encouraging. The Huffington Post writer started following the students that got the jobs. Do you know what Corinthian was doing? They were giving \$2,000 to employers to hire their graduates for 1 month so they could report to the Federal Government that their graduates all have jobs. When they were caught with it, they went bankrupt.

Do my colleagues know what we ended up losing, what the Federal taxpayers lost? It could be billions. Who

ended up on the hook? The students. The students ended up with the debt, and the taxpayers ended up as losers. Corinthian should never have been accredited.

Mr. SCHATZ. Mr. President, there are two problems here. Normally, when something is a waste of taxpayer money, it is not usually also harmful to individuals across the country, but this is a double whammy. This is harming students, causing them to collectively incur tens of billions of dollars' worth of debt, and it is a waste of money, so this really is a double whammy.

I will make this final point: The Obama administration has done the right thing in terms of going after malfeasance in this space, but they are split among their executive agencies. We have the Department of Justice who understands the fraud and deception. We even have parts of the U.S. DOE that understands what is going on, yet they have been slow on the uptake in terms of using the authority under the statute to make the accreditation process a little more reliable when it comes to students. I think that is one of the key things that we are going to be able to accomplish in the next couple of years. The U.S. DOE has to understand that there are separate accrediting agencies, but under the higher education statute, U.S. DOE has the authority to make sure that no institution that is providing a low-quality education and no institution that is engaging in fraud and deception ought to avail themselves of tens of billions of dollars in Federal financing.

Mr. DURBIN. I thank the Senator from Hawaii.

Last week, the senior Senator from Arizona came to the floor and said it was DURBIN's speeches that brought down Corinthian. Correction: What brought down Corinthian was its own malfeasance. They were under investigation by 20 different attorneys general for fraud and deception. They were also under investigation by the Securities and Exchange Commission, the Department of Education, and the Department of Justice. It was their malfeasance that brought them down, as Senator SCHATZ has indicated. The victims: Students and taxpayers.

For purposes of this colloquy, I wish to yield to my colleague from Delaware, Senator CARPER.

Mr. CARPER. Mr. President, I want to thank the Senator for inviting us to come to the floor this afternoon and have this conversation. It is great to be with our colleague from Hawaii as well.

Senator DURBIN and I came to the House of Representatives together in 1982. I had been a State treasurer and before that I was a naval flight officer. I was a P-3 aircraft mission commander. I served three tours in Southeast Asia. In 1968, the P-3 four-engine aircrafts were on 12-hour surveillance

flights tracking Soviet nuclear submarines all over the world. We flew a lot of missions off the coast of Vietnam and Cambodia, low-level missions tracking infiltration. That is what I did on three tours over there.

I came back from overseas after the last tour, 5 years, and moved from California where my station was home ported, where my squad was home ported during the war, and I ended up moving across the country. I found Delaware on the map, drove my Volkswagen across the country, and enrolled in business school.

I signed up with the GI Bill. I remember the first check I got was \$250. I was thrilled. I used that money to help pay my expenses, and I signed up with a Reserve P-3 aircraft squadron up at the naval air station north of Philly and started flying the same aircraft and a new squadron. I did that for another 18 years and then retired as a Navy captain.

As Senator and as a Governor for 8 years and as commander in chief of the Delaware National Guard—they have a special spot in my heart. A couple of months ago, a delegation with the Governor were sending off the 300 men and women from the Delaware National Guard to eventually end up in Afghanistan. I suspect they are there by this time. I said to the men and women and their families as they were preparing to leave—I told them about my GI Bill and how grateful I was to have it for my generation. I talked to them about their GI Bill. I said: When you come home, if you have 3 years of service during your time in Afghanistan, here is what you are going to get. If you go to Delaware State University, University of Delaware, Delaware Tech Community College, you go for free—tuition, free; books, free; fees, tutoring, free. Plus you get a \$1,500 a month housing allowance. People said: Wow. And I said: If the GI doesn't use it—the Delaware National Guardsman—if you guys don't use it when you come home, your spouse can use it. If your spouse doesn't use it, your dependent children can use it. It is the most incredible GI bill benefit ever. My generation, we got \$250 a month. I am happy for the folks today who serve in Afghanistan and in Iraq for the benefit they receive.

It has not only been a great benefit for the veterans and their families, it puts in the words of—I think it is Polly Petraeus who works at the Consumer Financial Protection Bureau. Polly said that what the GI bill does is it also puts a silver bull's-eye on the veterans because they come back and what happens is a lot of colleges and universities and training schools want to help those GIs and their spouses and maybe their kids go to school. Some of them are for-profits and some of them are non-profits; some of them are public colleges and universities. Some of them do a great job. Some of the for-

profits even do a great job. But some of them—and the Senator from Illinois has mentioned some of them here today—do not. They spend more money on trying to recruit people to come to their schools than they actually spend educating them. They are preparing them for careers, allegedly, for what there are no jobs. Senator DURBIN mentioned what Corinthian has done to place people in work opportunities for a month or so just so it will look like people are being gainfully employed.

There is a lot of money to be made by these for-profit colleges and universities, and for the ones that aren't the white hats but the black hats, what is happening to the GIs and, frankly, to taxpayers is shameful. It is just shameful.

I want to say around maybe 1992, maybe the early 1990s, maybe on this floor, the Senate debated whether or not there should be some way to harness market forces to ensure that—whether it is people using Pell grants or other Federal aid programs, or maybe the GI bill—they could somehow harness market forces to ensure that taxpayer money going to people going to college was being well used. Initially, when the Congress adopted something called the 85-15 rule, the idea was that for at least 15 percent of the students in the school, if they were receiving Federal assistance, 85 percent of those students would have to be coming on nonFederal money. That seemed to make sense, so for a while, that worked pretty well.

Then the rule was changed to the 90-10 rule so that at least 10 percent of the revenues had to come from nonFederal sources. The idea was to use market forces to ensure that the quality of the diploma was actually worthwhile at the school.

Then, we had this new GI bill. We have spent, I think—and the Senator from Illinois probably knows better than me, but I think we have spent today close to \$50 billion on the Iraq-Afghanistan GI bill, close to \$50 billion. It probably dwarfs whatever we spent for folks coming back from the Vietnam war.

Some of the smart for-profit colleges figured out a loophole, though, and what they figured out is the law, when it was first adopted, didn't really focus on the GI bill because it wasn't all that robust, and the 90-10 rule—85-15 and 90-10—focused on things that did not include the GI bill. So when veterans go to college and the GI bill helped to pay for their tuition, or for that of their spouses or their children, that does not count toward the 90 percent.

So as a result, what we have is a loophole that allows a college or university, a private college or university, to realize as much as 100 percent of their revenues from the Federal Government—100 percent. There is nothing about market forces; 10 percent, 15 percent of your students have to come by

nonFederal means. All of them are there on the Federal Government's dole.

Among the people who pushed for the 85-15 rule, I think, were Bob Dole and Phil Gramm, and they said a long time ago that we ought to have something like the 90-10 rule. A couple of years before that, the guy that Senator DURBIN will remember named William Bennett—remember him, the Secretary of Education—here is what he called for-profit trade schools. Here is what he called them in 1987. He said:

Diploma mills, designed to trick the poor and to take on Federally-backed debt, milk them for their loan money and then wash them out or graduate them, ill-prepared to enter the job market and pay off their loans.

That is what he called them. As I said earlier, there are some for-profits that do a good job, but there are a bunch that don't. That was the case in 1987 and, unfortunately, it is the case today.

I just want to say we—you have, I have, Tom Harkin in past years—have continuously drawn this to the attention of our colleagues and anybody who wants to listen this issue. This needs to be fixed. It needs to be fixed.

I thank Senator DURBIN for working so hard and letting me help him a little bit on this stuff. I think we are starting to break through. Some of the folks who are the worst actors in this business are starting to fold, and that is a good thing.

Mr. DURBIN. I want to thank Senator CARPER.

Let me show the Senator briefly what has happened to the enrollment of for-profit colleges and universities as people have come to realize they are wasting their time, and many times their GI bill benefits, debt, and ending up with a diploma that doesn't take them anywhere.

Look at the University of Phoenix—this is the mother ship that launched this industry—peak enrollment was nearly 500,000 in 2010. Now it is 227,000, a nearly 50-percent loss.

ITT, which advertises constantly, had enrollment in 2010 of 88,000, and now they are down to 53,000. Career Education Corporation enrolled 41,000 students in 2014 compared to 118,000 in 2010—a 65-percent decrease. Education Management Corporation is down 25 percent. DeVry has declined in enrollment. What is happening here?

I talked to some of the people from some of these for-profit colleges. Parents and families are finally realizing that this is a waste of time and money. It is time for taxpayers to realize the same thing. I overhear my colleagues—conservative colleagues—preaching to me about the miracle of free markets. We are talking about the most heavily subsidized industry in America, accounting for over 40 percent of the student loan defaults with 10 percent of the students enrolled.

I thank the Senator from Delaware for coming, and I yield to the Senator from Massachusetts, Ms. WARREN.

Ms. WARREN. I thank the Presiding Officer and thank Senator DURBIN for calling us together to discuss this important issue.

Our higher education system is broken. Right now a student borrows money to go to college, and the college gets paid in full regardless of whether the college provides a decent education. In fact, Federal loan money is so easy to come by that a new business model of for-profit colleges has sprung up, spending more money on advertising to attract students than actually teaching them anything.

Consider three numbers—10, 20, 40. Just over 10 percent of all college students attend a for-profit college. Yet they take in about 20 percent of all Federal student aid and they account for about 40 percent of all student loan defaults. Many for-profit colleges target young vets and single moms for programs that promise the Moon but end up delivering nothing more than heartache.

I have met with student veterans at terrific public colleges and universities across Massachusetts, such as UMass Lowell and Bunker Hill Community College. These schools are working hard to reach vets and to help them get a first-rate education through their Office of Veterans Service and other resources. It is an exciting story, but time after time the for-profit colleges got there first, so young vets show up already tens of thousands of dollars in debt and without a single credit that will transfer to a decent public college. This makes me sick. These for-profit schools are stealing more than money. They are stealing the hard work and dreams of some of our finest young people.

There are 347 colleges in the United States in which the majority of the students have defaulted or failed to begin paying down their loans. Of these colleges, 85 percent are for-profit. Even with those huge default rates keep raking in the Federal loan dollars and paying out millions of dollars in dividends to their shareholders. These 294 for-profits are sucking down \$2.2 billion in Federal assistance and leaving the majority of their students unable to repay their loans.

The business model of for-profit colleges challenges the conventional wisdom that a college degree is always a smart investment. A recent study found that the average salary increase of for-profit graduates isn't even enough to cover the costs of attending a typical for-profit institution. The research is clear: attendance at a typical for-profit college is simply not worth the cost. It is a bad return on investment.

For-profit colleges know this, but too often the potential students don't. In-

stead of taking the tough steps necessary to improve the value of the education they offer, most of these for-profit institutions have simply ramped up their marketing operations—and some just flatout break the law—to keep the gravy train going. These colleges have engaged in fraud in order to swindle more and more students and suck down more and more Federal funds.

Corinthian College is a prime example. At its peak, Corinthian was the Nation's largest for-profit chain, with 120 campuses enrolling over 100,000 students. It was massive. Corinthian built its business model to scoop up Federal financial aid by any means necessary—including fraud. Corinthian was trying to rope students in by using false and misleading information and then saddling them with debt that would be impossible to repay.

Federal policymakers had concerns about Corinthian's conduct for years and had the tools to shut off the Federal loan supply, but instead of acting, the Department of Education allowed Corinthian to keep recruiting more and more students and sucking down more and more Federal funds. When Corinthian's dangerous mix of mismanagement and deception finally blew up, the Department of Education even stepped in to bail out the college and keep it running a little while longer. Now Corinthian is bankrupt and its students are scrambling to start over.

Last week—due to a lawsuit brought by the Consumer Financial Protection Bureau—a Federal judge ruled Corinthian broke Federal consumer protection laws and ordered the company to pay \$531 million for its illegal behavior, but Corinthian is dead broke, and its executives are off the hook for the financial liability. Plus students and taxpayers are left holding the bag.

Corinthian got people to sign up for student loans by scamming them. If an insurance salesman or a car dealer did that, the buyer wouldn't have to pay. The law is just as clear here, when a school breaks the law, students are entitled to cancel their student loans. That is why this week several of my Democratic colleagues are sending a letter to the Department of Education telling them they have dragged their feet long enough. These students don't owe the student loans that Corinthian tricked them into signing.

Schools like Corinthian make it clear that the Federal Government needs to be more aggressive and more willing to cut off the money faster when schools defraud students. When schools such as Corinthian break the law, their executives shouldn't be allowed to walk away from the mess. They should pay real penalties.

This is about basic fairness. Neither students nor taxpayers should be on the hook to a for-profit college that

makes its money by cheating its students. It is time for the Federal Government to step up and do its job to hold for-profit colleges accountable and to ensure that higher education remains a real pathway to success for all hard-working students.

Thank you, Mr. President.

I yield the floor back to Senator DURBIN.

Mr. DURBIN. I thank Senator WARREN, and before we recognize the Senator from Connecticut, I would like to make a point about executive compensation, which is something we should not overlook.

We take a look at the actual amount of money that is being paid to executives of these for-profit colleges and universities. It is dramatically larger than what is being paid to presidents of public universities. I will put this information in the RECORD at a later point.

The average pay for college presidents is less than \$500,000 a year. There is an executive at the University of Phoenix who was paid over \$8 million in 1 year. When we wrote to the Department of Justice recently, we asked how many of these people are going to be held personally accountable. They left the students holding the bag with student loans and worthless diplomas or dropouts. They left the taxpayers holding the bag because the students can't pay back their loans, and now they are going to go away scot-free after taking billions of Federal dollars? If there is any justice, they need to be held accountable.

I yield to my colleague Senator MURPHY.

Mr. MURPHY. I thank Senator DURBIN very much.

This article is a few years old, but it underscores his point. Here is the opening line of an article from CNBC on this question of salaries for the CEOs of for-profit universities. The article opens by saying: "Forget Wall Street and Silicon Valley. If you're looking to rake it in post-graduation, set your sights on the executive floor at one of the nation's for-profit colleges."

That is an article from CNBC detailing the fact that in their article—again this is a few years old—the salary of the head of Phoenix University was \$11 million, and the CEO of Bridgepoint, another national for-profit university, was making over \$20 million a year.

You can say to yourself: These are private, for-profit companies. Why should Congress be in the business of caring what the CEO of Phoenix University makes or what the CEO of Bridgepoint or ITT or DeVry makes?

Harry Truman made his name as a critic of wartime profiteering. LBJ made his name as a young Member of Congress doing the same. Their idea was that it is all well and good to make yourself rich in the most dynamic capitalist economy in the world, but it is

another thing to be getting rich off the taxpayers. It is another thing to be making your fortune almost exclusively coming from sources of money that really is all of our constituents' money in the form of the taxes they pay.

That is what we are talking about today. What we are talking about are executives who are getting rich off of companies that are 90 percent funded by the U.S. taxpayer because this 90-10 rule we talked about is an important rule for these companies. They run their revenue right up to the limit. So for many of these for-profit universities, their revenue is 70, 80, 90 percent from the taxpayers of the United States, and their CEOs are making \$11 million, \$12 million, sometimes \$20 million a year.

Listen, I am all for people making a million dollars. I have a lot of people in Connecticut who are making \$20 million, but if we are being good stewards of the taxpayers' dollars, we should be wary of those who are making their fortune off of the Federal dole. That is what is happening today.

Senator DURBIN, I just wanted to add in this conversation a note of accountability. That is one of the things that used to unite Republicans and Democrats. Frankly, the Republicans, I admit, cared more about accountability in Federal dollars than sometimes the Democrats did. It was the Republicans in the second Bush administration who started attaching strings to education dollars that were flowing out of Washington to make sure there was actually quality attached to the money that was coming from U.S. Federal taxpayers, but that era seems to be over.

Unfortunately, we don't have a bipartisan consensus on accountability. We are about to approve a budget that a lot of Republicans and a lot of Democrats will vote for that will send \$140 billion in higher education aid to universities all across this country. It will come with almost no strings attached. It will come with almost no expectations that schools give a degree to kids that will actually get them a job or attempt to keep them in school so they can get some return on investment for the money we are all paying to them.

Senator, you might have talked about it already today, but the numbers of for-profit colleges that just came out today are absolutely stunning. I don't know if you talked about the "Trends in Student Aid" report that just came out today from the College Board.

Here is an amazing statistic. What this survey says is that borrowers who don't graduate from public and private nonprofit 4-year schools default at about the same rate as borrowers who do graduate from for-profit schools. Think about that. You are just as likely to not be able to pay back your stu-

dent loan if you get a degree from a for-profit school as if you had dropped out of a not-for-profit school.

Here are the numbers: 14 percent of for-profit graduates default; 15 percent of not-for-profit 4-year college non-graduates default. That is a really stunning number. Yet we are just sending money willy-nilly out to these schools that are not putting students in degrees. Why are they not putting students in degrees? Because they are marketing themselves in a way that just does not square with the job market today.

As part of one of these attorney general lawsuits—there is a litany of stories about the abusive marketing techniques of these for-profit universities.

One of them said: I told the enrollment representative that I did not want to sign the loan unless I was guaranteed a job because I knew that I would not be able to pay it back. She told me that the school placed 99 percent of the students and they could guarantee a job after I finished my externship. She told me that I would be making between \$18 and \$20 an hour after completing the program. No worries about the loan. She told me career services could place me in a job and that she makes sure everybody who enrolls gets placed.

These are the claims that are being made. So it is frankly not surprising, when you have these for-profit universities enrolling thousands of kids in video game design degrees, that you are just as likely to default on a loan if you graduate from some of those worthless programs as if you don't graduate from a not-for-profit university.

So last Congress, Senator SCHATZ and I, joined by Senator MURRAY and Senator SANDERS, introduced a piece of legislation that would start to require some real outcomes from universities. We applied it to for-profit and not-for-profit universities. We said: You have to show that you are giving kids a chance to succeed and get a job, that you are keeping your tuition at reasonable levels. If you do that, then you can continue to get title IV dollars.

But if they don't, we are not going to continue to send money to these schools that simply are not producing graduates who are ready to compete or that are deceptively drawing students in based on claims that just do not wash out in the end.

So, yes, we have to shut down these fraudulent institutions like Corinthian. But we could just make a decision, Republicans and Democrats, to put some additional accountability standards on title IV dollars, apply it to for-profit and not-for-profit schools, and say: If you have a certain number of students who are defaulting, you are not going to continue to get title IV

dollars. If you have a rate of tuition increase that is way above that of the national average, you are not going to continue to get title IV dollars.

We know by statistics that this would put a good number of for-profits out of business. It might even touch a handful of the lower performing not-for-profits. But it should be something on which both sides can come together, just some basic accountability for higher education, a basic accountability for the \$140 billion we send, because this does not make sense. It does not make sense to pad the pockets of these CEOs who are making \$20 million a year off of our taxpayers when they are not delivering results that are actually making our economy better.

Thank you, Senator DURBIN, for bringing us together here. I hope that as we debate the Higher Education Reauthorization Act in front of the HELP Committee—I think Senator ALEXANDER is very interested in some of these debates. So we are going to add some accountability standards. We are talking about these for-profits, but if we really are being good stewards of the taxpayer dollars, we should expect some results.

Mr. DURBIN. I thank Senator MURPHY for his comments.

I will tell you that it is interesting to me that when you take a look at what Wall Street thinks about the for-profit colleges and universities, they are certainly bearish. You would think from what Congress is doing—sending billions of dollars to this industry and propping it up—we are bullish. Take a look at the stock prices of the major for-profit colleges and universities since 2010. The University of Phoenix went from a high of \$57 a share down to \$7.50. This was after the Department of Defense suspended their activities under the GI bill. ITT Tech—a high of \$92 a share in 2011 and they now trade at \$3 a share. Career Education was \$20 a share in 2011 and was \$3.80 yesterday. Education Management Corporation withdrew their stock from NASDAQ so they would not have to make reports to the Securities and Exchange Commission. In 2014, they lost \$684 million. This is an industry which is failing as a business, but sadly it is dragging along students and families and taxpayers with it. That is why we have to come to grips.

I endorse your idea. Apply the standards across higher education, to for-profit and not-for-profit. I can tell you, these for-profits cannot live with that standard. Thank you, Senator MURPHY.

I thank Senator BLUMENTHAL from Connecticut for joining me.

Mr. BLUMENTHAL. Mr. President, I thank my great colleague from Illinois and my friend and partner from Connecticut for their very powerful analysis, along with Senator WARREN and Senator CARPER, because there really is a need for dispassionate, objective,

and targeted consideration of this area of education.

The Senator from Connecticut is absolutely right that we need accountability in both the for-profit and non-profit areas. Senator DURBIN has emphasized that fact repeatedly. I am here as a former member of the Health, Education, Labor, and Pension Committee who participated with Senator Harkin in announcing a report more than 2 years ago that highlighted many of the abuses in this area. Still, Corinthian has happened since then. There are still abuses in the for-profit area. But there is a need for accountability in the nonprofit area as well.

In all of these areas, there is a need for facts. There are more facts that may be available more recently that ought to be considered, indications that some of the for-profit colleges are doing a better job than others. Kaplan, for example, has recently released facts. None of us can vouch for them independently. The Department of Education has an obligation to do better and more to make sure it keeps faith with American students and American taxpayers in the way dollars are allocated to those for-profits.

I am particularly concerned, as the ranking member of the Veterans' Affairs Committee, with the impact of some of these abusive practices on veterans. One of the really unacceptable facts about this industry is the way it can sometimes exploit and take advantage of our veterans. Senator CARPER put it very well when he discussed how the for-profit schools are prohibited from receiving more than 90 percent of their total revenue from Federal student aid, but VA educational benefits are not counted toward that 90 percent. This 90/10 loophole causes the for-profits to target veterans and to rake in billions of dollars in VA educational benefits. In fiscal year 2014, the for-profit schools received over \$2 billion in VA educational benefits—that is our money, taxpayer funds—including post-9/11 GI benefits.

As ranking member of the Senate Veterans' Affairs Committee, I am working to help protect our Nation's veterans and the GI bill benefits they have earned. In fact, I have introduced legislation—the Career-Ready Student Veterans Act—to ensure that GI bill funding is not squandered on education programs that lack appropriate programmatic accreditation.

Facts are stubborn things, as Ronald Reagan famously said. Facts are what we need. Accreditation and verification and credibility in this area is essential rather than painting with a broad brush every for-profit, rather than tarring all of them. Facts are necessary here, and there is a need for accreditation and for facts that show credibility and legitimate course work.

I will be introducing another bill this week to provide relief to veteran stu-

dents who have been harmed by for-profit schools. I want to repeat that point. These veterans have been harmed directly and tragically by some of these practices. We owe them better. We need to keep faith with them. That is the reason I am going to be introducing the Veterans Education Relief and Reinstatement Act. That will give the VA Secretary authority to reinstate GI bill entitlements that a veteran has used at a school that abruptly closed—think Corinthian—where veterans have lost those benefits and they need a remedy, not just a right but a remedy.

I am hopeful that we can advance these bills through the Veterans' Affairs Committee and stop for-profit colleges like Corinthian from scamming our Nation's veterans. Like my colleagues, I could cite real-life instances of nonveterans as well. But the evidence is overwhelming, and it is acknowledged by some in the industry who say there is a need for corrective measures here, and some of the outliers need to be treated with the strong discipline and discouragement they merit.

I am proud to join my colleagues in this effort. I am hopeful that the report Senator Harkin and the HELP Committee produced years ago will finally reach fruition and that action will be taken by the Department of Education and by this Senate to take measures that protect taxpayer dollars, protect students of America, and protect our veterans.

Mr. DURBIN. I thank my colleague from Connecticut, Senator BLUMENTHAL, for joining in this colloquy this afternoon.

What we have tried to do with a number of Senators is to lay out the case that when we go to higher education reauthorization, we owe the taxpayers and we owe families across America the responsibility to look at this industry. What is happening here is inexcusable and unacceptable. It is unfair. Ten percent of the high school graduates, 20 percent of the Federal aid education, 40 percent of all student loan defaults.

Senator MURPHY pointed to the statistics that came out today. You are in just as bad shape with a diploma from a for-profit school as if you drop out of school at a not-for-profit school. That is a damning statistic, just like the 40 percent in student loan defaults.

We cannot continue to look the other way. Wall Street is not looking the other way; they are downgrading these for-profit colleges and universities because they believe this model is flawed. They don't believe it can be sustained. Why do we kid ourselves? Let's apply standards across higher education—standards that are fair to students, fair to families, and fair to the schools—and say to them: This is what we expect as a minimum if you are going to offer higher education to the students across America.

I ask unanimous consent that this transcript from Sharyl Attkisson's television program "Full Measure" which played last Sunday be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TRANSCRIPT

SHARYL ATTKISSON'S "FULL MEASURE"

(Aired Sunday, November 1, 2015)

WASHINGTON (Sinclair Broadcast Group).—Some for-profit colleges are allegedly preying on military troops; veterans with benefits and a desire to build a new life become targets.

They've even been given a name by some college recruiters: cash cows.

About 300 thousand vets get up to \$21K a year in G.I. Bill money. In all, 1800 colleges—many of them for profits—have received more than \$20 billion G.I. Bill tax dollars.

With so many billions in the mix, it's easy to see why some colleges use high pressure and allegedly dishonest tactics. Now, taxpayers are about to be on the hook for alleged misconduct by the schools.

As a U.S. Marine, Bryan Babcock fought on the front lines in Iraq including the Second Battle of Fallujah in 2004. His post-military plan: police work. He used his GI Bill money to pursue a criminal justice degree at the for-profit college ITT Tech.

Attkisson: How did you hear about it?

Babcock: I saw a commercial on TV. That kind of got me interested in them.

Babcock says ITT promised that police agencies everywhere would accept the degree. The cost—\$70,000—would far exceed his GI Bill grant at the time, but ITT made it easy for Babcock to borrow. He says they even helped him fill out paperwork for student loans. Then, after his third year, he made a startling discovery.

Babcock: We applied to 22 or 23 police departments.

Attkisson: And what did they say?

Babcock: All of them said that they did not recognize ITT's degrees or their credits.

Attkisson: And what thoughts went through your head when you heard this?

Babcock: I was angry that I'd spent all this money in student loans and it turns out that the degree, if I would have finished there, would have been pretty much worthless.

It's a story told by thousands of vets who attended for-profit colleges where students are more likely to drop out, default on their loans, or graduate in dire debt without a useful degree.

Of eight for-profits that get the most GI bill funds, seven have been targets of inquiries for possible violations including deceptive or misleading recruiting.

Together, they received nearly a billion (\$939,086,610 million) tax dollars over two school years.

One of those companies is DeVry University where Chris Neiweem was hired as the school recruited vets under the new GI Bill.

A veteran himself, Neiweem was assigned to "Team Camo" where he says managers urged the sales team to use high-pressure tactics on troops who sometimes weren't suited for college.

"Working in the industry at that time truly reminded me of the film 'Glengarry Glen Ross,'" he said.

"There is this scene where a corporate sales manager is brought in to improve the performance of the sales floor—played by Alec Baldwin."

In the scene, Baldwin says to a salesman "they're sitting out there waiting to give you their money, are you gonna take it?"

"And that was similar at the company," said Neiweem.

If "Team Camo" dared to let veterans suspend class while in combat like those in the National Guard Neiweem says management called them on the carpet.

Neiweem: The company didn't care. They just wanted to make sure that they stayed in their classes and so the university could continue to be paid and they would continue to be on the enrollments books.

Attkisson: Even if they were in a combat zone that didn't make sense for them to try to go to college on the computer?

Neiweem: Yes. Management's guiding wisdom was, to be frank, "get their ass in class."

Neiweem showed Full Measure today's sales tactics at work.

In a chat on DeVry's website, he asks about costs and benefits—but can't get direct answers.

"I can have a representative from our military admissions team reach out to you," he said, reading the response of a recruiter.

"It's fairly frustrating that I asked these questions and I can't get answers. Rather, they're trying to sort of tie me in and get me closer so they can work towards selling the school."

DeVry officials declined an on camera interview but said "DeVry has a long history of serving veterans and military personnel" dating back to the 1940's. And "[W]e offer quality academics and student services with flexibility to meet their busy schedules."

Former Congressman Steve Gunderson leads the main national for-profit college trade group called the Association of Private Sector Colleges and Universities (APSCU).

"If anybody has a bad outcome, and certainly if a veteran has a bad outcome, that's a problem and we want to solve that," he said.

He believes for-profits are under assault from opponents and competitors.

Gunderson: I have never before seen a situation where a sector is the target of attacks for ideological reasons. I mean, there simply are good people who do not believe the private sector ought to be involved in the design and delivery of education.

Attkisson: Fair enough, but is there any doubt in your mind that some schools have used unfair, unethical, or even dishonest tactics?

Gunderson: There is no doubt in my mind that there are bad schools in every sector of higher education who have engaged in inappropriate conduct for various reasons whether it be athletics or whether it be admissions or it be something else.

Gunderson said the industry is improving.

A Government Accountability Office report found for-profits catering to military students actually beat public schools in one area: higher graduation rates.

With billions flowing to for-profits under investigation, President Obama dispatched a warning at Ft. Stewart army base about any for profits that may be preying on the troops.

"It's not right. They're trying to swindle and hoodwink you. They don't care about you; they care about the cash," he said.

But as federal scrutiny surged, the industry has countered with Washington lobbyists and campaign cash.

Since 2010, for-profit colleges have poured nearly \$10 million (\$9,906,512) into campaign contributions and spent \$41 (\$41,924,452) mil-

lion on lobbying, according to the Center for Responsive Politics.

Sen. Dick Durbin (D-Illinois): That's how you really win friends and influence people on Capitol Hill. The for-profit colleges and universities have friends in high places.

Attkisson: That implies some members in Congress, you think, are bought and paid for on this issue.

Sen. Durbin: I would say this—they are influenced by it.

Senator Durbin has pushed one bill after another to fight for-profit college fraud, only to see the bills get watered down and voted down.

"If these schools that are enticing kids into loans for educations that are worthless had some 'skin in the game,' some responsibility for default, they'd think twice about it. But they don't. They could care less," he said.

It turns out taxpayers have the most skin in the game.

In June, the federal government said it will forgive loans for students at Corinthian College, putting taxpayers on the hook for up to \$3.5 billion. Corinthian shut down in May amid fraud accusations, which the company denied. And the feds may wipe out loans at other problematic colleges.

In May, the federal government charged Babcock's alma mater, ITT Tech, with fraud, alleging it concealed financial information from investors.

ITT is fighting the charges, but declined our interview request.

Gunderson says he doubts Babcock's ITT degree would have really been useless.

"I am willing to say, that if he graduated, from an accredited criminal justice program, there are many police agencies that would hire him. Maybe not the one he wanted to go to, but there are many that will, and evidence all across the country shows that," said Gunderson.

Babcock gave up on the ITT degree and his dream of police work. Instead, he's focused on warning other vets, and working to pay down his \$40 thousand student loan debt.

"I think it's a shame that they prey on men and women that volunteered to protect this country. And that earned a benefit with their service, and then ITT and the other for-profit schools are just trying to take that," he said.

The Defense Department recently banned the University of Phoenix from recruiting on military bases, alleging a pattern of violating policies designed to protect military students. Senator Durbin says ITT is now facing investigations by the Justice Department and 18 Attorneys General.

Mr. DURBIN. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WATERS OF THE UNITED STATES RULE AND THE EPA

Mr. COTTON. Mr. President, today I wish to speak about our vote on the waters of the United States and the Environmental Protection Agency.

I noted that the White House has lately been advocating for criminal justice reform. They say an underlying

problem with the justice system today is that Congress criminalized too much conduct too severely. But it is the same White House that is behind the new waters of the United States regulation—an Executive power grab that would effectively put every landowner in Arkansas and in America at risk of Federal criminal charges for making adjustments to land on their own private property.

The waters of the United States regulation gives the government jurisdiction—and, in turn, the danger of Federal criminal charges—over tributaries, adjacent waters, and “other waters.” This includes streams that only exist after heavy rains or, as some of us call them, mud puddles.

If a landowner in Arkansas has so much as a ditch on his or her property, he or she could be liable for Federal criminal charges for disturbing that ditch in any way. If a homeowner wants to add an addition to his garage and this addition even touches “land that fills with water after rain,” also known as just “land,” this homeowner could be liable for Federal criminal charges.

President Obama and my Democratic colleagues argue that we are exaggerating: Come on, they say; the Environmental Protection Agency would never bring charges against a homeowner for expanding his garage or trying to regulate a mud puddle.

They insist on the benevolence of the EPA and ask us to trust them to exercise good judgment and reasonable discretion. Before we trust the EPA’s benevolence, though, it is prudent to examine the EPA’s own track record.

Let’s consider that in August of this year, the EPA directed contractors to excavate the Gold King Mine in Colorado without first testing the water pressure or calculating water volume. In the worst environmental disaster in recent years, the EPA caused more than 3 million tons of toxic wastewater to pollute the Animas River.

Since the spill, much of the toxicity remains, endangering farmers, landowners, Native Americans, and anyone who relies on this river. After the spill, the EPA has refused to turn over documents, disciplined no one, failed to show up to congressional hearings, refused to take responsibility, and still won’t answer the simple question of whether the Agency will pay for the damages it caused.

The Navajo Nation in New Mexico relies on the river polluted by the EPA for drinking water and for farming. In the days following the spill, the Navajo lost their water supply. The EPA offered to deliver clean water that the Navajo could use for drinking and crop irrigation but, instead, they used dirty oil tankers to deliver contaminated water.

The EPA is not only a threat to citizens, to landowners, and to businesses,

but it is also a threat to the environment they purport to protect. Since the disaster, the EPA has continued to spill toxic wastewater into creeks and rivers. There has been zero accountability for this Agency.

Based on that track record, I don’t think we should be giving the EPA any more power. That is why I joined my colleagues earlier today to vote to roll back the waters of the United States regulation before the EPA criminalizes nearly every landowner in the United States.

But we should also consider the bigger picture. This regulation is a symptom, not the problem. The problem is the EPA itself—its overreach and lack of accountability.

That is why we must pass the EPA Accountability Act. This legislation would require the EPA to pay—out of its own budget—for the damages it recklessly caused when spilling 3 million gallons of toxic waste into the Animas River. Unless the EPA faces consequences for its actions against the American people, nothing will change. It is our constitutional responsibility to provide oversight of an agency that has caused massive damage to both the American people and to the environment.

We must protect Arkansans and Americans from EPA overreach and lack of accountability.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, what is our parliamentary posture?

The PRESIDING OFFICER. The Senate is on the motion to proceed to H.R. 2685.

Mr. NELSON. Mr. President, I ask unanimous consent that I be given 5 minutes to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

“EL FARO” TRAGEDY

Mr. NELSON. Mr. President, on the morning of October 1, the *El Faro* cargo ship—a container ship almost 900-feet long—was carrying 33 men and women, and on that fateful day it sent its final communication, reporting that the engines were disabled. This left the ship drifting with no power, with an oncoming category 3 hurricane. Despite search-and-rescue attempts by the Coast Guard, the *El Faro* and her crew were not heard from again.

One month later, the National Transportation Safety Board, working with the U.S. Navy, has found the sunken *El Faro* at the bottom of the ocean in

waters that are 15,000 feet deep. At nearly the same time, the ship’s owner, TOTE Maritime, began its attempt to limit the company’s liability for this tragedy.

News reports have indicated that the company filed a complaint last week stating that the company did everything in its power to make the ship safe and that the company ought to be exonerated from any and all claims for all damages.

Well, this is clearly hasty decision-making. It clearly is a matter of concern to me because most of these mariners were from my State of Florida. Their families are grieving and hoping for any answers as to what happened to their loved ones.

Well, right now, we don’t have all of those answers. The NTSB only just found the ship with the help of the U.S. Navy, and yet somehow the company is able to definitely declare that they weren’t at fault and that they bear no responsibility for the loss. It seems that this is an attempt to limit any liability of the company.

So this is a time when we need reflection for figuring out what happened to the *El Faro*, for finding the ship’s recorder, which the U.S. Navy is now in the process of trying to find, and then once you have that black box, for piecing together the ship’s last minutes before the ship sank.

So instead of being split apart, it is a time to come together as a community and to support those who have been so tragically impacted.

I have some leadership responsibility on the commerce committee, which has jurisdiction over maritime matters. It is my intention to see that there is a thorough and honest investigation to try to find answers for the families and to find answers so that we can prevent a tragedy such as this from happening again. That is where we should be focused.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, it is hard to think of a time in recent memory when the number of threats facing our country were more diverse or more threatening than they are now—from ISIL to Russia, from China to the Taliban, from Iran to Al Qaeda. These threats are real, these threats are worrying, and these threats make the political games that Democrats continue to play with our men and women in uniform all the more hard to understand.

Democrats have spent months upon months blocking funding for our troops. They have tried to hide behind a whirling kaleidoscope of excuses, moving from one to another as each is debunked, but with the setting of a top-line budget number last week, the final excuse is gone. What is the excuse now?

It is time for the appropriations process to finally be allowed to move forward. That means it is time for the men and women who put everything on the line for us to finally receive the support they need to be safe. It is time for our troops to finally get the certainty they need to plan for training and operations.

The Defense appropriations bill is half of all discretionary spending. The Defense appropriations bill contains no controversial policy riders—none. The Defense appropriations bill was supported in committee 27 to 3. Nearly every Democrat voted for it. Democrats even sent out press releases praising the bill. It is obvious why we should pass it now.

President Obama's own Secretary of Defense just wrote an op-ed titled "U.S. Military Needs Budget Certainty in Uncertain Times" in which he implored Congress to authorize long-term funding for the military.

He said:

In this uncertain security environment, the U.S. military needs to be agile and dynamic. What it has now is a straitjacket. At the Defense Department, we are forced to make hasty reductions when choices should be considered carefully and strategically.

He concluded with this:

I appeal to Congress to act on a long-term budget deal that will let American troops and their families know we have the commitment and resources to see them succeed, and send a global message that the United States will continue to plan and build for the finest fighting force the world has ever known.

So look, our colleagues across the aisle are just completely out of excuses. It is time to move the bill forward. Once we do, we have every intention of then moving on to other appropriations bills as well.

Remember, our Members worked very hard on these bills. Nearly all of the appropriations measures passed committee with support from both parties. We obviously want to process all of them.

If Democrats hadn't wasted literally months blocking every last one as part of some political game, we could have passed all 12 appropriations bills a long time ago, but since they did, it has forced Congress up against a December 11 deadline of the Democrats' own creation. We are going to work within that deadline to get as much done as we possibly can. With bipartisan cooperation, we can get a lot more accomplished. With more political games, we can get a lot less done.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

EPA CLEAN WATER RULE

Mr. MCCAIN. Mr. President, I was pleased to vote today in support of S.J. Res. 22, which would nullify the Environmental Protection Agency's recently finalized clean water rule. Just yesterday, I voted in support of a bipartisan bill, S. 1140, authored by my colleague, Senator JOHN BARRASSO, which would have forced EPA to pull the rule. Unfortunately, that bill did not receive the 60 votes necessary under Senate rules that are needed to pass.

The resolution passed by the Senate today is supported by hundreds of national and local organizations, including the American Farm Bureau Federation, the U.S. Chamber of Commerce, and the National Homebuilders Association, to name a few. While I understand that the White House has threatened to veto this resolution if it reaches the President's desk, it is still important that a majority of Congress voice their opposition to the EPA rule as Federal courts continue to weigh its legality.

Americans around the Nation are lining up against the EPA clean water rule because of its economic cost, the regulatory impact, and the uncertainty it engenders among State and local governments, businesses, and consumer alike. The rule itself bypassed Congress by redefining the types of water bodies under the Clean Water Act that EPA has the authority to regulate. EPA pushed forward without regard for State and local environmental protection laws, which is partly why about a dozen State attorneys general, including from my home State of Arizona, have won injunctions in Federal court against the EPA rule.

The EPA claims that the rule only allows the Agency to halt activities that disturb small, environmentally sensitive streams and wetlands. But when you dive into the rule's lengthy publication, you will find that EPA is proposing to expand its jurisdiction over roughly 60 percent of all waters of the United States and can also capture certain irrigation ditches, stock ponds, and even dry desert washes. Farmers, housing, construction jobs, and other activities will all suddenly find themselves under the thumb of EPA bureaucrats. The EPA will claim it has written waivers into the rule for these industries, but there is growing consensus that the waivers are so unclear and conflicting that nobody believes they hold any water. The EPA's rule-

making process itself was so closed off from outside input and peer-reviewed science that it is clear to any reasonable observer that EPA had misjudged the economic damage their rule will inflict on small business, farms, and local governments around the country.

The EPA rule is especially bad news for Arizona agriculture and home-building sectors which, combined, account for most of all economic activity in my State. If a farmer wants to build or repair a canal, the EPA rule could block it. A community that wants to build a school or a church near a dry wash will have to beg EPA for a permit. Under the rule, the EPA can even fine a private property owners tens of thousands of dollars if the Agency thinks water historically flowed across their land even when there is no visible evidence.

Regardless whether or not the President vetoes this resolution, I will continue to oppose the EPA clean water rule. I am a proud cosponsor of Senator JEFF FLAKE's similar bill, S. 1179, the Defending Rivers from Overreaching Policies Act, DROP Act, which would direct the EPA to pull its rule over its poor, nonscientific definition of "navigable" water bodies. We will continue to push forward with this and other legislative initiatives and will watch closely to see how the courts handle the EPA rule.

ADDITIONAL STATEMENTS

TRIBUTE TO ROBERT PARK

• Mr. BROWN. Mr. President, I wish to recognize and congratulate Mr. Robert Park, director of the Portage County Veterans Service Commission, on his retirement after more than two decades of service to Ohio veterans.

Mr. Park served 26 years in the naval service, retiring in 1997 as a chief aviation electronics technician, Aircrew. He flew more than 2,000 hours in a P-3 Orion aircraft, predominately as a radio operator with Combat Aircrew 6 in Patrol Squadron 93, where he was selected as "Gold Wing Sailor of the Year."

During his time with the Portage County Veterans Service Commission, VSC, Mr. Park worked directly with staff to help maintain a high-quality standard of service to veterans. Mr. Park advocated to significantly increase VA benefits for Portage County veterans. According to the Ohio Department of Veterans Services, for every dollar Portage County spends related to the VSC, veterans in Portage County receive \$93.20 in benefits thanks to the work of Mr. Park.

Mr. Park's dedication to veterans and military families in Portage County extends beyond his position at the Portage County VSC. Mr. Park also served as a board member for the Family and Community Services Freedom

House, which is an organization that serves homeless veterans. Mr. Park is also a member of many veterans organizations, including the local Veterans of Foreign Wars, American Legion, and Disabled American Veterans chapters.

Mr. Park also served statewide as second vice, first vice, and finally as president of the Ohio State Association of County Veterans Service Officers. He also worked for many years as an instructor for the Ohio Department of Veterans Services.

Nationally, Mr. Park advocated for veterans as an executive board member, judge advocate, and instructor on the National Association of County Veterans Service Officers.

Beyond his dedication to veterans, Mr. Park continues to support his community through involvement in organizations that help develop young people as future leaders. Mr. Park currently serves on the board of Access to Independence and the Rootstown Local School District. He also volunteers as an assistant coach for both baseball and soccer, as well as Cub Master and Scout Master for local Cub and Scout Troops.

Mr. Park and his wife, Rebecca, have three children: David, Jonathan, and Rachel.

Bob will be truly missed not only by his VSC family, but by the veteran community in Portage County and throughout the State of Ohio. Bob always gave his best to the veterans and families he served. I would like to thank Mr. Park for all his years of service, as a sailor and later as an advocate for veterans. I wish him all the best in his retirement.●

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2232. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3438. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Diethofencarb; Pesticide Tolerances" (FRL No. 9934-05) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3439. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Metaflumizone; Pesticide Toler-

ances" (FRL No. 9934-88) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3440. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Nicosulfuron; Pesticide Tolerances" (FRL No. 9912-40) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3441. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Rimsulfuron; Pesticide Tolerances" (FRL No. 9912-31) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3442. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "User Fees for Agricultural Quarantine and Inspection Services" ((RIN0579-AD77) (Docket No. APHIS-2013-0021)) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3443. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was established in Executive Order 13224 on September 23, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-3444. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendments to Existing Validated End-User Authorizations in the People's Republic of China" (RIN0694-AG69) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3445. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; North Carolina; Conflict of Interest Infrastructure Requirements" (FRL No. 9936-35-Region 4) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Environment and Public Works.

EC-3446. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; WY; Update to Materials Incorporated by Reference" (FRL No. 9932-61-Region 8) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Environment and Public Works.

EC-3447. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Volatile Organic Compound Emissions from Large Aboveground Storage Tanks" (FRL No. 9933-89-Region 1) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Environment and Public Works.

EC-3448. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Oklahoma" (FRL No. 9936-37-Region 6) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Environment and Public Works.

EC-3449. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality State Implementation Plans (SIP); State of Iowa; Infrastructure SIP Requirements for the 2008 Lead National Ambient Air Quality Standard (NAAQS)." (FRL No. 9936-33-Region 7) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Environment and Public Works.

EC-3450. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to imported foods for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-3451. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Disposition of Unclaimed Human Remains, Funerary Objects, Sacred Objects, or Objects of Cultural Patrimony" (RIN1024-AE00) received in the Office of the President of the Senate on October 29, 2015; to the Committee on Indian Affairs.

EC-3452. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Fourth Quarter of Fiscal Year 2015"; to the Committee on Veterans' Affairs.

EC-3453. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0494)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3454. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0929)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3455. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0773)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3456. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-2775)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3457. A communication from the Management and Program Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters Deutschland GmbH (formerly Eurocopter Deutschland GmbH) (Airbus Helicopters) Helicopters" ((RIN2120-AA64) (Docket No. FAA-2014-0034)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3458. A communication from the Management and Program Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piaggio Aero Industries S.p.A. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-2466)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3459. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; M7 Aerospace LLC Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-2207)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3460. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace; Portland International Airport, OR" ((RIN2120-AA66) (Docket No. FAA-2015-2905)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3461. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Mackall AAF, NC" ((RIN2120-AA66) (Docket No. FAA-2015-3057)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3462. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Poplarville-Pearl River County Airport, MS" ((RIN2120-AA66) (Docket No. FAA-2012-1210)) received in the Office of the President of the Senate on October 28, 2015; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUNT (for himself, Mr. WARNER, Mr. BURR, Mrs. FEINSTEIN, Mr.

WYDEN, Mr. COTTON, Mr. RISCH, Ms. MIKULSKI, Mr. KING, Mr. RUBIO, Mrs. COLLINS, Mr. LANKFORD, Mr. HEINRICH, Ms. HIRONO, and Mr. COATS):

S. 2234. A bill to award the Congressional Gold Medal, collectively, to the members of the Office of Strategic Services (OSS) in recognition of their superior service and major contributions during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself, Mrs. MCCASKILL, Mr. WYDEN, Mr. MENENDEZ, Mr. BLUMENTHAL, Mr. LEAHY, Ms. WARREN, Mr. SANDERS, Mr. FRANKEN, Ms. KLOBUCHAR, and Ms. BALDWIN):

S. 2235. A bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAPO:

S. 2236. A bill to provide that silencers be treated the same as long guns; to the Committee on Finance.

By Mr. SANDERS:

S. 2237. A bill to limit the application of Federal laws to the distribution and consumption of marijuana, and for other purposes; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mr. CARDIN, Mr. SANDERS, Mrs. BOXER, Mrs. GILLIBRAND, Mr. LEAHY, and Ms. WARREN):

S. 2238. A bill to prohibit drilling in the outer Continental Shelf, to prohibit coal leases on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL (for himself, Mr. LEE, and Mr. MURPHY):

S. 2239. A bill to restrict funds related to escalating United States military involvement in Syria; to the Select Committee on Intelligence.

By Mr. BARRASSO (for himself, Mr. ENZI, Mr. RISCH, and Mr. CRAPO):

S. 2240. A bill to improve the control and management of invasive species that threaten and harm Federal land under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN:

S. 2241. A bill to combat the heroin epidemic and drug sample backlogs; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT (for himself, Mrs. MCCASKILL, Mr. ROBERTS, and Mr. MORAN):

S. Res. 305. A resolution commending and congratulating the Kansas City Royals on their 2015 World Series victory; considered and agreed to.

By Mrs. MURRAY (for herself, Ms. CANTWELL, Ms. COLLINS, Mr. SCOTT, Mr. BOOKER, Ms. AYOTTE, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. COONS, Mr. DONNELLY, Mr. FRANKEN, Mr. KAINE, Ms. KLOBUCHAR, Ms. MIKULSKI, Mr. PETERS, Mrs. SHAHEEN, and Mr. REED):

S. Res. 306. A resolution designating the week beginning November 2, 2015, as "National Apprenticeship Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 637

At the request of Mr. CRAPO, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 885

At the request of Ms. WARREN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 885, a bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

S. 1491

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1491, a bill to provide sensible relief to community financial institutions, to protect consumers, and for other purposes.

S. 1524

At the request of Mr. BLUNT, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1524, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1686

At the request of Ms. BALDWIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1686, a bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in pass-thru entities.

S. 1715

At the request of Mr. HOEVEN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1715, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the arrival of the Pilgrims.

S. 1719

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1719, a bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

S. 1830

At the request of Mr. BARRASSO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1830, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1834

At the request of Mr. BLUMENTHAL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1834, a bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

S. 1856

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1915

At the request of Ms. AYOTTE, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 1945

At the request of Mr. CASSIDY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1945, a bill to make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes.

S. 1975

At the request of Ms. MIKULSKI, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator

from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 1975, a bill to establish the Sewall-Belmont House National Historic Site as a unit of the National Park System, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2044

At the request of Mr. THUNE, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2044, a bill to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

S. 2052

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2052, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to waive the requirement of certain veterans to make copayments for hospital care and medical services in the case of an error by the Department of Veterans Affairs, and for other purposes.

S. 2123

At the request of Mr. GRASSLEY, the names of the Senator from Kentucky (Mr. PAUL) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2152

At the request of Mr. CORKER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 2152, a bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

S. 2208

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2208, a bill to promote the economic security and safety of survivors of domestic violence, dating violence, sexual assault, or stalking, and for other purposes.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Ohio (Mr.

PORTMAN) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 282

At the request of Mrs. SHAHEEN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. Res. 282, a resolution supporting the goals and ideals of American Diabetes Month.

S. RES. 302

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. Res. 302, a resolution expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks.

At the request of Mr. BLUMENTHAL, the names of the Senator from Michigan (Mr. PETERS), the Senator from Kansas (Mr. MORAN), the Senator from Washington (Ms. CANTWELL), the Senator from Maine (Ms. COLLINS), the Senator from Maryland (Ms. MIKULSKI), the Senator from Idaho (Mr. CRAPO), the Senator from Idaho (Mr. RISCH), the Senator from Indiana (Mr. COATS), the Senator from Colorado (Mr. GARDNER), the Senator from Missouri (Mr. BLUNT), the Senator from Oklahoma (Mr. INHOFE), the Senator from Arkansas (Mr. COTTON), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Arizona (Mr. MCCAIN) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. Res. 302, *supra*.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MERKLEY (for himself, Mr. CARDIN, Mr. SANDERS, Mrs. BOXER, Mrs. GILLIBRAND, Mr. LEAHY, and Ms. WARREN):

S. 2238. A bill to prohibit drilling in the outer Continental Shelf, to prohibit coal leases on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. MERKLEY. Mr. President, I rise to recognize the damage global warming is doing to our beautiful blue-green planet and talk about a specific bill, the keep it in the ground bill, that can be part of the way we successfully address global warming. There is no doubt our planet is getting hot: 2014 was the hottest year ever recorded, and 2015 is on course to be yet hotter and set a new record.

In fact, the top 10 hottest years have all occurred since 1998. We see the evidence of warming everywhere. The Earth is crying out. Maine's lobsters are moving North, Pacific oysters are struggling to form shells in a more acidic Pacific Ocean, glaciers are disappearing from Glacier Park, moose are dying in Minnesota and New Hampshire because winters are too warm to

kill the ticks that prey on the moose, and they are also too warm to kill the pine beetles that kill our trees.

Wildfires are raging in the West, towns in Florida are flooding at normal high tide, droughts are killing crops, and the most powerful storms are doing major damage to communities across our Nation. Everywhere the impacts of global warming are substantial. They are damaging. Our planet is in danger. So we need to act to keep our planet from being destroyed. It is time for our Federal Government to show some real leadership on this. Specifically, we need to accelerate the transition from a fossil fuel energy economy to a clean energy economy. All the damage I was citing, damage to our forestry, damage to our farms, damage to our fisheries, all of this is caused by a less-than-1-degree-Celsius change. The current estimate is about 0.9 Celsius degrees.

Scientists have said the maximum the planet can tolerate without catastrophic damage is 2 degrees Celsius or about 3.6 degrees Fahrenheit. So we have almost used up half of that global warming quotient. How much more damage will we see if we get to 2 degrees? The answer is, a whole lot more. Scientists say it will be catastrophic for our ecosystems, it will be catastrophic for human civilization.

The simple fact is that carbon dioxide is serving as a blanket on our planet making it warmer. The simple fact is that the major culprit for carbon dioxide is the burning of fossil fuels. To limit our planet's warming to 2 degrees Celsius, we must leave, as human civilization of this planet, 80 percent of the identified proven fossil fuel reserves in the ground—not to extract it, not to burn it.

Part of the answer to this challenge is beneath our feet. We, the U.S. citizens, own fossil fuel reserves that constitute a substantial percentage of the proven reserves on the planet. Various estimates are 6 to 10 percent. If we must keep it in the ground; that is, keep our fossil fuels—80 percent of them—in the ground, then isn't it counterproductive to do new leases, leases that will extend production not 10 or 15 years but 20 or 30 years on gas and 40 or 50 years on coal, into the future? We lock in extraction and burning of fossil fuels far into the future, when our planet cannot bear the burden of the carbon dioxide from burning that far into the future.

Shouldn't our public reserve, that citizen-owned reserve, be managed for the public benefit and not for private profit? It is said that if you find yourself in a hole, quit digging. This is one place where literally we must quit digging. That is why today I have introduced, with a number of my colleagues, the keep it in the ground bill. A big thank-you to my cosponsors: PATRICK LEAHY, KIRSTEN GILLIBRAND,

ELIZABETH WARREN, BERNIE SANDERS, BEN CARDIN, and BARBARA BOXER. That group of Senators are standing up and saying we must be responsible stewards of our ecosystem and particularly we must stop this global warming that is doing so much harm to rural America.

The bill does three things: It stops new leases and ends nonproducing leases for coal, oil, gas, oil shale, and tar sands on all Federal lands. It stops new leases and ends nonproducing leases for offshore drilling in the Pacific and the Gulf of Mexico. It prohibits offshore drilling in the Arctic and in the Atlantic.

This effort is a crucial component of good stewardship of our planet—really saving our planet. Our First Nations talk about thinking about the seventh generation. In a single generation, we have seen substantial impacts occurring right in our local communities. Every State can cite the impact. None of us is expecting that there is going to be quick action on Capitol Hill. It is grassroots organizing that came together and said we should not turn on the tap to the tar sands in Canada because it is the dirtiest oil on the planet. It is grassroots organizing that has come together and said that drilling in the Arctic is the height of irresponsibility. It is going to be grassroots efforts across this Nation that come together and say to us in the Halls of the Senate and the Halls of the House: Please act. Please exercise your responsibility as stewards of our planet. Please stop this egregious attack on rural America, on our forests, our farming, and our fishing—because on Capitol Hill, the voice heard right now is not the voice of common sense, it is not the voice of stewardship; it is the voice of those who own the oil and the coal who have invested massive amounts in the elections in the House and the elections in the Senate.

They have come up here and said they plan to invest nearly \$1 billion in the 2016 election. The Citizens United court case has opened the door wide open to this corruption of common sense, this corruption of stewardship, this corruption of the democratic process. So it is going to be grassroots that make a difference, to rally, to keep it in the ground. This message is one that should be debated in every congressional campaign. It should be debated in every Senate campaign. It should be debated in the Presidency. It should be debated in December in Paris when nations comes together. It should be debated in other nations that have public assets, as they ask how are they going to be good public stewards, because we need the international community working together.

Yes, we can work on the demand side—fuel efficiency and better insulated buildings—but we need to work on the supply side of keeping fossil fuels in the ground as well. We need to

attack this problem from every direction. In doing so, as we transition from a fossil fuel economy to a clean energy economy, we are going to create millions of good-paying jobs. In doing so, we need to make sure that in that transition we don't leave our workers behind.

Those working in the fossil fuel industry have spent their lives providing the energy that has fueled tremendous growth in our economy, often at the expense of their personal family health and their families well-being. So this must not be a green-versus-blue transition from fossil fuels to clean energy, but it has to be green and blue together, side by side fighting for the environment and fighting for our workers. We will not leave our workers behind.

It has been said that we are the first generation who feels the impact of global warming, and we are the last generation who can do something about it. So the choice is simple. Let us take on the climate challenge as policymakers and stewards. Let us take on the climate challenge fighting for rural America because of the terrible impact warming is having on our forests, our fishing, and our farms.

Let us make our Federal lands off limits. Let us do the smart thing. In terms of those Federal citizen-owned reserves of fossil fuels, let us keep it in the ground.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 305—COMMENDING AND CONGRATULATING THE KANSAS CITY ROYALS ON THEIR 2015 WORLD SERIES VICTORY

Mr. BLUNT (for himself, Mrs. McCASKILL, Mr. ROBERTS, and Mr. MORAN) submitted the following resolution; which was considered and agreed to:

S. RES. 305

Whereas, on November 1, 2015, the Kansas City Royals won the 2015 World Series with a 7-2 victory over the New York Mets;

Whereas the Kansas City Royals won the World Series in Game 5 at Citi Field in New York City, New York;

Whereas the Royals scored 5 runs in the 12th inning of Game 5 of the World Series to take the lead and seal a dramatic win;

Whereas all 25 players on the playoff roster of the Royals should be congratulated, including Johnny Cueto, Wade Davis, Danny Duffy, Kelvin Herrera, Luke Hochevar, Ryan Madson, Kris Medlen, Franklin Morales, Yordano Ventura, Edinson Volquez, Chris Young, Drew Butera, Salvador Perez, Christian Colon, Alcides Escobar, Eric Hosmer, Raul Mondesi, Kendrys Morales, Mike Moustakas, Ben Zobrist, Lorenzo Cain, Jarrod Dyson, Alex Gordon, Paulo Orlando, and Alex Rios;

Whereas the front office, the clubhouse, and all supporting staff and team members of the Kansas City Royals should be congratulated;

Whereas the Royals won a remarkable 95 games during the regular season, which earned the team the best record in the American League;

Whereas the American League won the Major League Baseball All-Star Game, which ensured the Royals home field advantage for the World Series;

Whereas the Royals had 7 players selected to the 2015 Major League Baseball All-Star Game, who should be congratulated, including Alex Gordon, Lorenzo Cain, Alcides Escobar, Salvador Perez, Kelvin Herrera, Wade Davis, and Mike Moustakas;

Whereas the Royals earned a postseason berth by clinching the American League Central Division for the first time in team history;

Whereas the Royals earned a second American League Championship pennant in 2 years;

Whereas Royals catcher Salvador Perez received unanimous support for and won the World Series Most Valuable Player Award, after—

(1) hitting .364 in the World Series;

(2) driving in the tying run in the Royals' comeback in the ninth inning of Game 5 of the World Series; and

(3) sparking the Royals again in the 12th inning of Game 5 to seal the eventual win;

Whereas 8 of the Royals' 11 playoff wins came after trailing in the sixth inning or later;

Whereas 6 of the Royals' playoff comeback wins erased deficits of 2 runs or more, a play-off feat which had never been achieved before;

Whereas the Royals narrowly lost the 2014 World Series in Game 7, fueling a determination—

(1) to return to the World Series in 2015; and

(2) to accomplish what the team came so close to accomplishing 1 year earlier;

Whereas the Royals won their second World Series championship title in the 46-year history of the team and their first World Series championship title in 30 years, filling individuals in Kansas City and Royals fans everywhere with pride;

Whereas the Royals showed extraordinary steadiness, teamwork, focus, and love of the game in proving again to be an organization of great character, determination, and heart, a reflection of the city of Kansas City and the State of Missouri; and

Whereas the Kansas City Royals are the 2015 World Series champions: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Kansas City Royals on their—

(A) 2015 World Series championship title; and

(B) outstanding performance during the 2015 Major League Baseball season;

(2) recognizes the achievements of the players, coaches, management, and support staff of the Kansas City Royals, whose dedication and persistence made victory possible;

(3) congratulates—

(A) the city of Kansas City;

(B) the entire bi-state Kansas City metropolitan area; and

(C) Kansas City Royals fans everywhere; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the city of Kansas City, Missouri mayor, Hon. Sylvester "Sly" James;

(B) Kansas City Royals president Mr. Dan Glass and Kansas City Royals general manager Mr. Dayton Moore; and

(C) Kansas City Royals manager Mr. Ned Yost.

SENATE RESOLUTION 306—DESIGNATING THE WEEK BEGINNING NOVEMBER 2, 2015, AS "NATIONAL APPRENTICESHIP WEEK"

Mrs. MURRAY (for herself, Ms. CANTWELL, Ms. COLLINS, Mr. SCOTT, Mr. BOOKER, Ms. AYOTTE, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. COONS, Mr. DONNELLY, Mr. FRANKEN, Mr. KAINE, Ms. KLOBUCHAR, Ms. MIKULSKI, Mr. PETERS, Mrs. SHAHEEN, and Mr. REED) submitted the following resolution; which was considered and agreed to:

S. RES. 306

Whereas a highly skilled workforce is necessary to compete in the global economy and to support economic growth;

Whereas the national registered apprenticeship system established by the Act of August 16, 1937 (29 U.S.C. 50 et seq.) (commonly known as the "National Apprenticeship Act") (referred to in this preamble as the "national registered apprenticeship system"), which has existed for over 75 years—

(1) is an important pathway for workers of the United States;

(2) offers a combination of—

(A) academic and technical instruction; and

(B) paid, on-the-job, training;

(3) provides workers of the United States credentials that are nationally-recognized and industry-recognized;

(4) leads to higher earnings for apprentices; and

(5) develops a highly skilled workforce for the United States;

Whereas registered apprenticeships—

(1) are becoming increasingly innovative and diverse in—

(A) design;

(B) partnerships;

(C) timeframes; and

(D) use of emerging educational and training concepts; and

(2) will continue to—

(A) evolve to meet emerging skill essentials and employer requirements; and

(B) maintain high standards for apprentices;

Whereas the national registered apprenticeship system provides education and training for apprentices in—

(1) high-growth sectors, including—

(A) information technology;

(B) financial services;

(C) advanced manufacturing; and

(D) health care; and

(2) traditional industries;

Whereas, according to the Department of Labor, the national registered apprenticeship system leverages approximately \$1,000,000,000 in private investment, which reflects the strong commitment of the sponsors of the national registered apprenticeship system;

Whereas an evaluation of registered apprenticeship programs in 10 States conducted by Mathematica Policy Research in 2012 found that—

(1) individuals who completed registered apprenticeship programs earned over \$240,000 more over their careers than individuals who did not participate in registered apprenticeship programs;

(2) the estimated social benefits of each registered apprenticeship program (including additional productivity of apprentices and the reduction in governmental expenditures as a result of reduced use of unemployment compensation and public assistance) exceeded the costs of each registered apprenticeship program by more than \$49,000; and

(3) the tax return on every dollar the Federal Government invested in registered apprenticeship programs was \$27; and

Whereas celebration of National Apprenticeship Week—

(1) honors industries that use the registered apprenticeship model;

(2) encourages expansion of the registered apprenticeship model to prepare highly skilled workers of the United States;

(3) recognizes the role the national registered apprenticeship system has played in preparing workers of the United States for jobs; and

(4) promotes conversation about ways the national registered apprenticeship system can continue to respond to workforce challenges in the 21st century: Now, therefore, be it

Resolved, That the Senate designates the week beginning November 2, 2015, as "National Apprenticeship Week".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 4, 2015, at 10 a.m., in room SR-253 of the Russell Senate Office Building to conduct a hearing entitled "Zero Stars: How Gaggling Honest Reviews Harms Consumers and the Economy."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 4, 2015, at 10 a.m., to conduct a hearing entitled "U.S. Policy in North Africa."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 4, 2015, at 10 a.m. to conduct a hearing entitled "The Value of Education Choices for Low-Income Families: Reauthorizing the D.C. Opportunity Scholarship Program."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 4, 2015, at 10 a.m., in

room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT, AGENCY ACTION, FEDERAL RIGHTS, AND FEDERAL COURTS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts be authorized to meet during the session of the Senate on November 4, 2015, at 2 p.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "Justice Forsaken: How the Federal Government Fails the American Victims of Iranian and Palestinian Terrorism."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Peter Narby, be granted the privileges of the floor for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. Mr. President, I ask unanimous consent that Joshua Delaney, a staff member in my office, be granted floor privileges for the remainder of this session of Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL APPRENTICESHIP WEEK

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 306, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 306) designating the week beginning November 2, 2015, as "National Apprenticeship Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 306) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR THURSDAY, NOVEMBER 5, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, November 5; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 2685, with the time until 11 a.m. equally divided in the usual form; finally, that the cloture vote with respect to the motion to proceed to H.R. 2685 occur at 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:11 p.m., adjourned until Thursday, November 5, 2015, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, November 4, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. THOMPSON of Pennsylvania).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 4, 2015.

I hereby appoint the Honorable GLENN THOMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

THIRTY-EIGHT PERCENT OF THE COUNTRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, I would like to congratulate the House of Representatives, the Republican Conference, and my friend PAUL RYAN for his election to be Speaker of the House. Those on the other side of the aisle are lucky to have him.

It is sad that he had to promise Members of his Conference in writing to not address a national issue on behalf of the American people. He had to swear that he would not allow a vote on immigration reform as long as President Obama, well, is President Obama. The new Speaker had to promise to put party unity ahead of national public policy in order to be elected Speaker.

One of my colleagues from Alabama, who was so vehement in his opposition to immigration, came to the floor last week to read Speaker RYAN's pledge into the CONGRESSIONAL RECORD.

So the Congress that did nothing on immigration reform for the last 2 years will do nothing for the remainder of the President's term. It is really stun-

ning. You must promise to do nothing in order to be Speaker of the House of Representatives.

Maybe those on the other side of the aisle will come up with a new oath of office for leadership positions: Raise your right hand and repeat after me, they will say. I swear I will not let anything happen on my watch. I will faithfully uphold and defend the principles of the do-nothing Congress and pledge allegiance to the do-nothingness for which it stands; that I will ignore all cries for help, no matter how loud from the American people; that I will not let public policy get in the way of party politics; and that party unity is more important than the United States of America, so help me Tea Party.

Why would one faction within the Republican Party demand a promise from the new Speaker that he not bring up any immigration legislation to the floor? Because the opponents of immigration and immigration reform would lose. They must demand from the Speaker that the majority not rule in the House of Representatives because the opponents of immigration know they are actually the minority.

This is a telling moment for the Republican Party, and it is not confined to immigration. The majority of the country supports Planned Parenthood continuing to provide basic health services and contraception to women. But playing to a smaller segment of their base, Republicans threaten to close down the government in order to block its funding. They want the minority to rule, and they want the tail to wag the dog.

On the environment, in the wake of decades of scientific evidence that human beings have helped to cause climate change, what is the Republican response? Do nothing. It is a liberal hoax, they say. We can buy another beach house farther inland when the beach house is, well, farther inland.

Members on the other side of the aisle celebrate the antics of a county clerk who refuses to follow the law and do her job, which includes issuing marriage licenses to two men or two women who want to spend their lives together.

Maybe House Republicans think they are standing on principle, but the majority of the country has been fighting against exclusion, second-class treatment, and bigotry for decades. The rest of us have embraced equality. We support voting rights, the same pay for the same work, and police in communities that protect and serve, not just stop and frisk.

Here in Congress, as we saw last week with the discharge petition to preserve the Export-Import Bank, sometimes the majority can break the gridlock of this minority and actually take action.

As we saw last week on the bipartisan budget and debt ceiling vote, sometimes Republican leaders take action for the good of the country, despite the calls from the do-nothing caucus, well, to do nothing.

On all these matters, do nothingness comes with a cost. It is the cost of deported immigrants, and businesses that cannot hire people legally, of women who are denied lifesaving health screenings, honoring families as first-class citizens no matter who heads them, a cleaner planet, and safer neighborhoods.

There is a political cost as well. A colleague from South Carolina summed it up in the documentary "Immigration Battle" on PBS Frontline, which I also appeared in. Addressing a group of Republican voters in his district, Congressman MICK MULVANEY said, "At some point, we are going to have to figure out that if you take the entire African American community and write them off, take the entire Hispanic community and write them off, take the entire Libertarian community and write them off, take the entire gay community and write them off, what is left? About 38 percent of the country." The Congressman concludes by saying, "You cannot win with 38 percent of the country." You want to know something? He is right.

We know from the environment, from the fight for marriage equality, the fight for civil rights, the fight to modernize our immigration system, that taking no action is precisely the problem.

I think the new Speaker understands this, and someday I hope my colleagues on the other side of the aisle agree with him and let the majority rule in the people's House.

THE AMERICAN CHESTNUT

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to recognize the efforts in Pennsylvania and Pennsylvania's Fifth Congressional District to reintroduce the American chestnut tree.

Before the 1900s, the American chestnut was the dominant tree in the eastern United States. In fact, in my home

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

State of Pennsylvania, it comprised roughly 25 percent of all hardwoods. Blight struck these trees beginning in 1904, and by 1950, the American chestnut was nearly wiped out of our forests.

Mr. Speaker, efforts over the past several years have focused on reintroducing this hardwood, the American chestnut, by making it more resilient to blight. I am proud to say that reintroduction efforts are taking place at several sites in Pennsylvania's Fifth Congressional District in Centre County, Clinton County, and Elk County.

This past week, the Pennsylvania State University's chapter of the American Chestnut Foundation held its annual meeting, highlighting the work of researchers, along with the contributions of volunteers, to the reintroduction of the American chestnut.

As chairman of the House Agriculture Subcommittee on Conservation and Forestry, I commend those advocates for their dedication, their research, their efforts to the reintroduction of this species; and I look forward to lending my support for bringing the American chestnut back.

CLIMATE CHANGE AND BIODIVERSITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, John Muir, a naturalist, author, and environmental philosopher, once said, "When we try to pick out anything by itself, we find it hitched to everything else in the universe." This couldn't be truer when it comes to the effect climate change is having on the biodiversity of our planet.

We can't solve the climate change crisis without realizing how interconnected its impacts truly are. The Intergovernmental Panel on Climate Change has predicted, assuming that current trends in burning fossil fuel continue, by the year 2100, the surface of the Earth will warm on an average of 6 degrees Celsius. That kind of potential for rapid and lasting climate warming poses a significant challenge for biodiversity conservation.

It may seem obvious, but the places that plants and animals can exist are limited by factors such as sunlight, precipitation, and temperature. A polar bear can't exist in Brazil, just as a lion can't exist in Antarctica. You won't find palm trees in Greenland, just like you won't find pine trees in Argentina.

So, as climate changes, the abundance and distribution of plants and animals will also change. Climate change alone is expected to threaten approximately one-quarter, possibly more, of all species on land with extinction by the year 2050. That means climate change will surpass habitat loss as the biggest threat to life on land.

Because of climate change, birds lay eggs earlier in the year, plants bloom earlier, and mammals come out of hibernation sooner. These changes may sound insignificant, but they drastically impact the life cycle of each population and, therefore, any species that rely on it. We are literally altering the timeline of nature.

The need to protect plant and animals species might not be a top priority for some of my colleagues, but I urge them to consider the other impacts. Twelve plant species provide approximately 75 percent of our total food supply. What is not generally appreciated is that these relatively few species depend on hundreds and thousands of other species for their productivity.

Our food supply is not only based on the food we eat, but insects and birds that pollinate crop flowers and feed on crop pests. For example, more than 80 percent of the 264 crops grown in the European Union depend on insect pollinators.

A lack of biodiversity can lead to a decreased ability to produce medicine, as key plants are lost to extinction. And without specific plants, such as grasses and trees that have evolved to resist the spread of wildfires or mitigate the impacts of flooding, we are losing a key shield in protecting against natural disasters. These are nature's defenders, and we are losing them.

In my own backyard, these climate changes are expected to impact regional biodiversity in a variety of direct and indirect ways. The Chicago wilderness, which expands across Illinois, Indiana, Wisconsin, and Michigan, will likely experience changes in the timing of natural events, such as blooming, migration, and the onset of hibernation. It could also cause a loss of suitable habitat and a disruption of ecological communities due to different responses to climate change.

These impacts are not limited to our land, plants, and animals. Changes in biodiversity will have significant impacts on our waterways as well. In the Great Lakes, native plant and animal species will differ wildly in their responses to changing stream temperature and hydrology. Wetland plant communities are continually adapting to changing water levels. However, the extreme changes we see as a result of climate changes, such as droughts and flooding, create more unstable environments for species.

Protecting our biodiversity does more than save plants and animals. It protects agriculture, medicine, and the overall safety of our communities.

From the beginning of time, nature has fed us, cured us and protected us. Now it is our turn. If we let one piece fail, we are putting the entire system at risk. We need to protect plant and animal species from an ever-changing

climate if we want to secure a healthy and prosperous future for our children.

I urge my colleagues to stop ignoring the science and support Federal legislation that acts on climate change and addresses these grave biological threats.

PERSONAL FAITH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. FORBES) for 5 minutes.

Mr. FORBES. Mr. Speaker, today as I stand on this great floor, a place that we call the people's House, I look across and there is a plaque of Moses, the great law-giver. While he may not be staring me in the eye, he stares at every Speaker, who stands where you stand today, directly in the eye. Right above you, there is our national motto that is even above the flag of the United States that says, "In God we trust."

I come here this morning because in the State of Washington in Bremerton School District, they take a different interpretation of that motto. You see, they believe there that you can trust in God as long as you don't trust too much; that you can be grateful to that God as long as you are not too grateful.

Last week, they put on administrative leave a young football coach, Coach Joe Kennedy, not because he molested a child, not because he wasn't a winning football coach, not even because he didn't have good service—because everyone agreed he had exemplary service for the last 8 years—but the reason was simply because he dared to offer a personal, private prayer at the conclusion of a football game thanking God for protecting his players and the players on the other football team.

Now, the Bremerton School District is very noble because they say Coach Kennedy can exercise his faith even while on duty as long as no one else can see it.

Mr. Speaker, as the Bremerton School District cites cases, they do like so many anti-faith groups do. They cite the cases, but it is just that those cases don't apply to the facts in this particular situation at all.

This coach is not asking to pray with students at a mandatory pregame meeting. He is asking for his freedom to quietly and personally offer prayer and thanks for his team and the safety of his players after the game is over and the players are heading to greet their families and friends in the stands.

As a Member of Congress, my faith is not some kind of coat that I take off when I walk into the Capitol Building to perform my legislative duties. And as a coach, Coach Kennedy's faith is not something he sheds when he walks onto the field.

The Constitution doesn't require you to be sequestered to a private room out

of sight and earshot to offer a prayer. It protects the right of an individual to visibly express his or her faith, just like it protects the right of a Muslim teacher to wear her head scarf or a Jewish teacher to wear his yarmulke.

□ 1015

Mr. Speaker, that is why I rise today, because I hope all across this country Americans will stand with Coach Kennedy, as we do today, and, in so doing, send a message to the Bremerton School District in the State of Washington that when they trample on even one young football coach's religious liberties and religious freedom, they trample on the religious freedom and the religious liberty of all of us.

HONORING JOHN CUSHING ESTY, JR.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. ESTY) for 5 minutes.

Ms. ESTY. Mr. Speaker, I rise today to celebrate and reflect on the life of a great man, John Cushing Esty, Jr., an education leader, a reformer, a man of intellect, wit, and joy, a devoted family man, and my beloved father-in-law of 31 years.

John Cushing Esty was the oldest of four boys. He was a ham radio operator and built radios. He learned languages, was a gifted student, a lover of education and words, and he lived a life devoted to excellence in education. He was committed to educational opportunity, although he attended some of the most elite private schools in the country. But as a leader of those schools, he pushed them into the modern era.

In the Air Force, during the Korean war era, he taught flight nurses—hundreds at a time—not, as he said, exactly tough duty.

As a young dean at Amherst College, I learned about his commitment to equal opportunity for all students from none other than my physician in the 1990s, a man named Marshall Holley, an African American scholarship student in the 1950s, one of three students in his class at Amherst College. He got in trouble for having told off a professor, a professor who he believed to be racist. He risked losing his scholarship when he received a failing grade.

He was sent to see my father-in-law. My father-in-law, as a young dean, said: You know, Marshall, you weren't wrong to tell him off. He was wrong to treat you that way, but you were unwise to tell him off before you got your final grade. I will fix your grade, but you have to be wiser in the future.

As headmaster of the Taft School in my district, Watertown, Connecticut, in the 1960s—a tumultuous time—John Esty led as an education leader, but he also led in the cause of what at the time was quaintly called coeducation.

Much over the objection of many alumni, some of the present students and faculty, he pushed for coeducation, and successfully so. He did it because he knew that educational opportunity and excellence could only happen when opportunities were provided for young women as well as young men.

As a trustee of Amherst College, his alma mater, he successfully fought for that institution to become coeducational over the objection of, among others, his own father.

As a reformer, as the head of the National Association of Independent Schools, he helped create a program called A Better Chance. That took his commitment to equal opportunity for young men and women of disadvantaged backgrounds to lead to a national effort in scholarship programs around this country.

One of those examples of A Better Chance scholar is Governor Deval Patrick of Massachusetts, who credits his time as A Better Chance scholar at Milton Academy having transformed his life from the south side of Chicago to become one of this country's leaders. Similar scholarships also were adopted in other schools around the country, including one Punahou School in Hawaii, whose scholarship student Barack Obama graduated in 1979.

My father-in-law devoted his life to excellence in education, but he lived the life as well. Not only did he care about excellent education in private schools, but he fought for it in public schools. He served on the elected board of education in his town of Concord, Massachusetts, and all four of his sons went to public schools.

He was a man of merriment and wit and joy. He loved learning. We first met in 1978 and bonded over an argument over the correct pronunciation of a word. In classic John Esty style, he went to the dictionary that was in the dining room, and we looked up the word. I happened to be right. I don't remember the word. He doesn't, either. But I pronounced it correctly, and he knew that we had bonded for life.

He loved children, especially his grandchildren. He told them amazing stories often, getting them so worked up they wouldn't go to bed, but they loved his story, especially Jimmy Bond, the young James Bond stories, which would have them in delights.

John, you will be loved and missed by Katherine Esty, your wife of 60 years, and all four of your sons: my husband, Dan; my brother-in-law, Paul, and his wife, Vanda; my brother-in-law, Ben, and his wife, Raquel; my brother-in-law, Jed, and his wife, Andrea; the many grandchildren: Sarah, Thomas, Jonathan, Marc, Julie, Victor, Jonah, Maya, Aliya, and Asher.

You shared your love of life, of music, of stories, of education, and of making a difference with all of us. You lived a full 87 years, a committed serv-

ant of this great country, a believer in educational opportunity, and a gift for joy. You will be greatly missed. Thank you, and Godspeed, John Esty.

PEACE OFFICERS ARE A CUT ABOVE THE REST

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, recently a Hollywood filmmaker joined protesters and marched in an anti-police rally in New York City.

He referred to peace officers as murderers. His hateful rhetoric called for violence against law enforcement, saying: "I have to call a murderer a murderer, and I have to call a murder a murder," adding that he is on the side of the ones who confront and are confronted by police. His comments encourage mischief and crimes against peace officers.

For the haters to justify lawlessness in response to perceived lawless acts by the police is idiotic. Bad cops, like bad citizens, should face a judge in a court of law. However, communities cannot be burned, looted, or destroyed by cop haters because some police officer allegedly committed a crime. Nor can crimes against police be encouraged, tolerated, or justified because some other officer is accused of doing something improper. Otherwise, there is mob rule.

The filmmaker, whose occupation is dedicated to the fake, the false, and to fiction, made comments 1 week after New York City lost one of its finest. Officer Randolph Holder was gunned down—really, he was assassinated by a ruthless outlaw—and he was recently buried. The filmmaker's self-righteous indignation toward law enforcement only fuels the fire and the war on police. It promotes anarchy, chaos, and lawlessness.

The war on police has resulted in the death of 31 police officers killed in the line of duty this year, 31 officers who gave their life and their blood to protect and serve the rest of us. Cop haters ought to be ashamed.

The New York police union has called for a boycott of the Hollywood filmmaker's films which, interestingly enough, are riddled with extreme violence, racist remarks, and more hate toward police.

It is ironic, Mr. Speaker, that society expects police officers to protect them, but they will be the first to criticize officers for doing their job.

Officers defend the thin blue line between law and the lawless. Their job is dangerous. Every day peace officers run toward chaos that everyone else is running away from.

Mr. Speaker, in my past life I was a criminal court judge and a prosecutor in Houston, Texas. For 30 years I met peace officers from all over the country. Some of those officers I met were

later killed. I know peace officers from New York City, and after we get through the communication barrier—as Churchill said, we are separated by a common language—I have found them generally to be remarkable people who do society's dirty work.

Those peace officers in New York are constantly on the job, rooting out the evil in New York City, while protecting and serving New Yorkers. They go into the dark dens where crime dwells and arrest those who would do harm to others. They have a thankless job that most people in America would never do.

Mr. Speaker, this isn't Hollywood. This is real life, where situations can turn violent in an instant. There is no fake blood, makeup, or actors. These lives are real.

Antipolice comments, like these from Hollywood, should be looked at for really what they are. It is a commercial by the Hollywood film crowd to make money off of films that preach hate and violence by pandering to police haters.

Mr. Speaker, peace officers wear the badge or shield or star over their heart. It is symbolic by where it is placed. As a protector from the evils that are committed in our society by protecting the rest of us, they stand between us and those who would do us harm.

When I was a kid back in Texas, my dad and I went to a parade in a small town called Temple. As the parade was going by, my dad noticed that I was looking at a person who was standing on the corner. He wasn't in the parade. He was just watching what was taking place. It was a local Temple police officer. Back in those days they didn't really have uniforms. They wore a white shirt, a star, and a cowboy hat, and jeans.

My dad commented at that time, he said: "If you are ever in trouble, if you ever need help, go to the man or woman who wears the badge because they are a cut above the rest of us."

That statement was true then, and it is still true today. Mr. Speaker, peace officers are a cut above the rest of us.

And that is just the way it is.

WE MUST SERVE OUR VETERANS AS THEY HAVE SERVED US

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor all the men and women who have courageously served this country and who continue to sacrifice in order to preserve the values and the freedoms of our great Nation.

In 1919, President Wilson spoke the following words as he commemorated Armistice Day, better known to us all as Veterans Day, for the very first time:

"To us in America, the reflections of Armistice Day will be filled with solemn pride in the heroism of those who died in the country's service and with gratitude for the victory."

Now, of course, that was 1919, and it was a day when Americans reflected on the lives which were lost during World War I, "the war to end all wars." However, then came World War II and America's engagement in Korea. Congress voted to redesignate November 11 as Veterans Day in honor of all our veterans from all our wars.

Today, of course, there are over 1.4 million men and women in Active Duty, many of whom have completed multiple deployments in areas of the world where there is mass chaos, which is foreign to many of our young servicemembers. Unfortunately, these servicemembers bring this chaos home, both physically and mentally.

Here are some staggering numbers from a recent report by the University of Southern California:

Over two-thirds of today's veterans report difficulties adjusting to civilian life.

Nearly 8 in 10 servicemembers leave the military without a job lined up.

In the area I represent, in Orange County, nearly a quarter of the veterans with jobs are earning at or below the poverty level.

These numbers, quite frankly, are very unacceptable.

In 2014, an estimate of almost 50,000 veterans were living in shelters, on the streets, or in other places not meant for human population. This is 11 percent of the adult homeless population. According to a number of studies, both male and female veterans are more likely to be homeless than their non-veteran counterparts.

How does that make sense? These men and women are brave. They are skilled. They are critical thinkers. They are dedicated. They are loyal. They love their country.

So what has gone wrong? We must not only commit to figuring out how we are failing these young men and women, but once we do, we have to be held responsible for providing the necessary resources to help them succeed outside of the military.

I understand this is a significant commitment at a time of tight budgets and the changing nature of war, and that there is no one-size-fits-all solution. In California, for example, there are 1.8 million veterans. We make up 8 percent of the total U.S. veteran population.

According to the State of California, California anticipates receiving an additional 30,000 discharged members of the armed services each year for the next several years. We have to be ready. We have to be ready for those 30,000 veterans coming along and also with the 1.8 million who already exist in California.

As these members have served their country, so must we serve them. According to the Veterans Administration, there are 22 suicides a day of our veterans.

□ 1030

We must once again look at the causes of that staggering number. We have identified post-traumatic stress disorder and traumatic brain injury as main triggers for suicide, et cetera, but we have got to do better.

Twenty percent of new recruits will also be women. Fifteen percent of the 14 million Active Duty forces are currently women. And over 280,000 women have served in Iraq and Afghanistan. We have to do different things for women veterans because it is not the same as the needs of male veterans.

As we all know, the VA must be looked at and we must make appropriate changes to deal with the backlog, expedite disability claims, and to ensure that all veterans receive medical assistance in a timely manner.

Lastly, we must protect what we fought hard to achieved for them: education when they return back. We must ensure that military educational benefits do not go to waste.

Next Wednesday, once again, we celebrate Veterans Day, and I urge my colleagues to work with me to ensure that we can be proud in the services and the help that we give our veterans, just as they have been proud to serve all of us.

God bless.

IRAN SINCE THE DEAL—CONGRESS MUST STAY ENGAGED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. POMPEO) for 5 minutes.

Mr. POMPEO. Mr. Speaker, just a little over 100 days ago, the Obama administration completed an agreement with Iran on their nuclear program. I strongly opposed the joint plan of action throughout its consideration in Congress. And indeed, Congress never approved the deal.

Nothing since those 100 days have now passed lead me to have any different view of the impact of that deal on the United States of America. And yet the President appears prepared to continue to implement the deal on its terms, at least as he understands it.

And while media attention may have shifted away to other things, it is incumbent upon this body, the United States Congress, to remain vigilant and to ensure that America's vital national security interests are not damaged beyond repair in the execution of the Iran deal.

Indeed, in those 100 days, it has become clear that this deal is so badly conceived and America's position so muddled and the text so poorly drafted that the parties cannot even agree what they executed 100 days ago.

For example, Secretary Kerry, the principal negotiator on behalf of the United States and the P5+1, said on July 23 in front of the House Foreign Affairs Committee, "We will not violate the JCPOA if we use our authorities to impose sanctions on Iran for terrorism, human rights, missiles, or any other nonnuclear reason."

But, on October 21, Iran's Supreme Leader, Ayatollah Khamenei, in a letter to President Rouhani ostensibly approving the JCPOA, said, "Throughout the 8-year period, any imposition of sanctions at any level and under any pretext, including repetitive and fabricated pretexts of terrorism and human rights, on the part of any of the countries involved in the negotiation will constitute a violation of the JCPOA."

Members of Congress and the American people were promised repeatedly that this deal was only about Iran's nuclear program, and that America's ability to implement sanctions based on Iran's continued terrorist activities, ballistic missile ambitions, and other nonnuclear issues would not be impeded. But it now appears that the only man in Iran whose interpretation matters—the Ayatollah Khamenei—believes 100 percent the reverse of that.

This isn't a small disagreement. This isn't about where you put a semicolon or a comma. This isn't a small technical detail. This goes to the very heart of the deal between the P5+1 and the Iranian Republic.

Iran's refusal to abide by the written terms of the agreement as it relates to sanctions seems, on its face, to be an irresolvable conflict on a key issue—and Congress must lead. Congress must stand ready, willing, and unified in combating aggression by a regime who continues to view America as the "Great Satan," and has been emboldened by this deal.

Rather than moderate, the regime has continued to flout U.N. resolutions, kidnapped more Americans, and stepped up its efforts to dominate the region. Here are several examples.

On July 24, 10 days after the JCPOA was announced, Iran's chief exporter of terrorism, Quds Force Commander Qassem Soleimani, traveled to Moscow, in direct violation of a U.N. Security Council resolution.

In September, it was reported that, in anticipation of sanctions relief, the Iranian regime has significantly increased funding for terrorist groups Lebanese Hezbollah and Hamas, two organizations that have American blood on their hands. There is no doubt that these groups have turned their eyes to the West and to Israel as they seek to grow their deadly and destabilizing force in the Middle East, with no moderation, after they signed to this deal.

On October 10, Iran successfully test-fired a next-generation ballistic missile, capable of striking Israel, in an-

other clear violation of U.N. Security Council resolutions.

And in just the last weeks, the regime kidnapped yet another American citizen without justification, Siamak Namazi, who joins Pastor Saeed Abedini, former Marine Amir Hekmati, and Washington Post reporter Jason Rezaian, in unjust captivity in Iran. There is every reason to believe there will be more.

Iran has firmly set itself against American interests in Syria as well. A ground force of over 2,000 Iranian forces continues to fight against American interests in Syria, supporting dictator Bashar al-Assad, who our President has said repeatedly must go.

I came to the floor today because it is the 36th anniversary of the Iranian hostage crisis back in 1979. Anyone who had hoped that the Iran deal with the United States would portend a new era of openness between Iran and the United States has been disappointed and jolted beyond all imagination in the past 100 days.

The Iranian regime clearly intends to test our willingness in Congress to defend America's interest by pushing the limits of the JCPOA, and beyond. Iran also intends to intensify their conflict with the West, imbued with a new legitimacy. It now has \$150 billion.

We, the Congress, have a duty to not let the passage of time, the loss of media interest, and the difficulty of the task to prevent us from protecting America's interest Iran's aggression—even if we must battle our own President.

CARE FOR ALL VETERANS ACT

The SPEAKER pro tempore (Ms. ROSELEHTINEN). The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Madam Speaker, as we look forward to celebrating Veterans Day on November 11, let me just thank every man and woman serving in our military and every veteran for your service to our country. You represent and reflect the very best in our country's values and ideals.

This month, we also celebrate National Family Caregiver Month. Caregivers play a vital role, providing care and a sense of comfort and peace at trying times for Americans all over our country.

While we recognize all caregivers, I rise today to specifically speak about individuals who dedicate their livelihood, love, and support to improving our veterans' quality of life.

Caregivers of veterans assist with personal care needs and support their daily activities, including mental and physical therapies, managing of finances, transportation, and other essential duties.

In 2010, Congress passed the Caregivers and Veterans Health Services

Act, marking the needed investment in supporting the family caregivers of our veterans by creating the VA Caregiver Support program. This law, while beneficial, limits eligibility of the program to post-9/11 veterans only.

I believe we should not limit the care of a veteran based on their period of service, but instead make the program accessible to veterans of all service areas, particularly our elderly veterans and their caregivers who presently do not have the benefit. In an effort to open the program to all veterans, I joined Congresswoman ELIZABETH ESTY to introduce the CARE for All Veterans Act, H.R. 2894.

Earlier this year, I attended a town hall at the Southeastern Veterans' Center in Spring City, Chester County, where a Vietnam war veteran asked me why his caregiver could not have access to the support provided by the VA Caregiver Support program.

I want to thank that veteran for raising this issue. On behalf of the estimated 214,000 pre-9/11 veterans in Pennsylvania, including 11,000 in my district alone, and veterans all across this country, I introduced the CARE for All Veterans Act with Congresswoman ESTY. This legislation is a meaningful step to ensure our veterans receive the quality of care they need in the comfort of their own home from their loved one.

H.R. 2894 responsibly grows the program to create an equitable system for our Nation's veterans and provide additional assistance to primary family caregivers of eligible pre-9/11 veterans.

A coalition of veterans groups support the CARE for All Veterans Act, including the American Legion, Military Officers Association of America, Disabled American Veterans, AMVETS, Paralyzed Veterans of America, Veterans of Foreign Wars, and VetsFirst.

I encourage my colleagues to cosponsor this legislation and, when the time comes, support this legislation on the House floor. Our focus must obviously be on making sure our veterans receive the care and services need. That means ensuring their loved ones and caregivers have the proper training, support services, travel expenses, health care, and respite care to provide the best in-home care for veterans. All caregivers, no matter the age of the veteran they serve, should have access to the VA Caregiver Support program.

During a month when we recognize Veterans Day, we must also take a moment to recognize those who play an instrumental role in the life of a veteran: their caregivers. By passing this bill, we could make a big difference for the veteran and their caregiver.

I am grateful to my constituents for bringing this need to my attention, and I call upon my colleagues to join me in this effort in supporting H.R. 2894.

DEFEATING ISIS AND PRESIDENT'S SYRIA STRATEGY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. YOUNG) for 5 minutes.

Mr. YOUNG of Indiana. Madam Speaker, I rise today on behalf of countless Hoosiers who are concerned for our troops. Like many Americans, we are increasingly dismayed by the Obama administration's incoherent strategy to defeat ISIS and protect American interests around the world.

As someone who served this country in the United States Marine Corps, and now as an elected Representative, I take seriously our responsibility here in Congress to demand war strategies that put American military personnel in a position to successfully complete their missions. This responsibility to our troops—to set them up for victory—has contributed to a new level of frustration felt by many of us over President Obama's disjointed foreign policy decisions in the Middle East.

Just last Friday, without any input from Congress, and absent any form of public debate, a White House spokesperson announced to the world that President Obama was authorizing the deployment of U.S. special operators directly into the fray in Syria.

Rather than hear it straight from our Commander in Chief, it took President Obama 3 full days to appear publicly and discuss his decision to escalate U.S. involvement and put more American boots on the ground.

On the one hand, I applaud the administration for any attempts to degrade the capabilities of ISIS and stabilize a war-torn Syria. However, it remains unclear what these brave special operators have been asked to accomplish. And, what strategy will enable a few dozen U.S. special operators to decisively drive ISIS from their stronghold in Raqqa?

To be clear, I know many of these valorous special operators personally. I am familiar with their remarkable ability to accomplish seemingly impossible missions, even with the odds stacked against them. But these warriors are not magicians. They are not a magic elixir capable of turning the tide of a 4-year, multifaceted civil war. They must be empowered to win.

President Obama tells us the U.S. mission is to degrade and defeat ISIS. But for that to succeed, he must articulate a broader strategy for the remaining 15 months of his tenure as Commander in Chief.

As it currently stands, limited airstrikes and a handful of special forces operators will not sufficiently empower the United States and our partners to initiate change in the region.

Unfortunately, I fear that this marks yet another instance of the President dictating U.S. defense policy by popular opinion. This is unfair to our men and women in uniform, their families, and it is unfair to all Americans.

My fervent hope is that during the close of this administration, a coherent, longer-term strategy is developed that empowers the greatest military in the world to protect American interests and to bring stability to a region desperately in need of peace.

□ 1045

HONORING OUR VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Iowa (Mr. YOUNG) for 5 minutes.

Mr. YOUNG of Iowa. Mr. Speaker, I rise today, as we approach Veterans Day, to honor the brave men and women who have served our country in uniform.

Now, earlier this year, I met with a group of young Iowans in Greenfield, Iowa, belonging to the Junior Optimists Club. They found a truly unique way to pay tribute to our Iowa veterans.

The Sidey family owned and published the Free Press in Greenfield, Iowa, for over 125 years. The Free Press would publish in their newspaper letters Iowa servicemembers sent home to their families over the years.

The Junior Optimists I met with went through the Sideys' collection of letters from World War II from soldiers. They picked out the ones they found most interesting or compelling and read them aloud at a Flag Day celebration that I was fortunate to attend.

I want to share one here, and I will put some others in the RECORD here with my colleagues in the House of Representatives, and enshrine them in the CONGRESSIONAL RECORD so that we, and future generations, may always remember the very real and human struggles our men and women face as they leave their loved ones and family behind to bravely secure and serve our country with dignity, honor and distinction.

I would like to read one of these letters, written by Lieutenant Kenneth Eatinger of Adair County, Iowa.

July 23, 1943.

Dear Little Brother:

I hope and trust you will be able to read this all by yourself, but if you can't, mother will read it to you and you will be able to save it and read it yourself at a later date after you have learned to read better.

Sonny, I know you miss me. I miss you too. It is too bad this war could not have been delayed a few more years so that I could have been with you a while longer and do all the things I had planned to do with you. But I suppose we must be brave and put those things off for now.

If I could just get home once more to see you and all the folks again and have them meet my little wife and baby, I wouldn't ask for anything more.

When you are a little older, you will know why your brother had to leave home for so long. You know we have a big country and we have big ideals as to how people should live and enjoy the riches of it and how each

is born with equal rights to life, freedom, and the pursuit of happiness.

Unfortunately, there are some countries in the world where they do not have these ideals, where a boy cannot grow up to be what he wants to be, with no limits on his opportunity to be a great man such as a great statesman or a businessman, a farmer, a soldier.

Because there are many people in other countries who want to change our Nation, its ideals, its form of government and way of life, we must leave our homes and families to fight.

When it is all over, your brother is going to bring his little family home to see you and Mom and Dad and Inez and all the rest. In the meantime, take good care of Mom and Dad and grow up to be a good boy and a good young man.

Study hard when you are in school. Be a good leader in everything good in life. Be a good American, strive to win, but if you must lose, lose like a gentleman, and be a good sport. Don't be a quitter, either in sports or in your business or profession when you grow up.

Get all the education you can. Stay close to Mom and follow her advice. Obey her in everything, no matter how you may at times disagree. She knows what is best and will never let you down or lead you away from the right and honorable things of life.

Little Brother, if I don't come back, you will have to be Mom and Dad's protectors when they get older because you will be the only one they have. You must grow up to take my place as well as your own in their life and heart.

Last of all, don't forget your brother. Pray for him to come back from this war, and if it is God's will that he does not, be the kind of boy and man your brother wants you to be.

Kiss Mother, Dad, and Inez for me every night. Goodbye for now, Little Brother. With love to you and all the family, Your Brother.

Mr. Speaker, these are the words of a brave man, and they ring as true today as they did over 70 years ago when they were written. They embody the ideals of this great Nation and the ethos of our Armed Forces that have fought, sacrificed, and died for our country so that we can remain free.

My friends and colleagues, next week, when we recognize these men and women on Veterans Day, look them in the eye and say, "Thank you." For their bravery and sacrifices, they deserve our unwavering gratitude and respect.

May God bless them, and may God bless these United States of America.

HONORING THE SERVICE OF WILLIAM "BRIT" KIRWAN

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, first, I would say I was moved by the remarks of the gentleman who just spoke, and I know we all join him in his sentiments.

Mr. Speaker, I rise today to pay tribute to an individual who has made a remarkable impact on higher education in this country and in my State. He has done that for more than a half a century.

William English “Brit” Kirwan retired at the end of the June as chancellor of the University System of Maryland. He served as chancellor for the past 12 years, and, during that time, he oversaw the period of growth, transformation, and achievement, which included the integration of on-line technology with course instruction and a 24 percent increase in enrollment.

Dr. Kirwan’s lifetime of service to higher education, Mr. Speaker, began in his youth, which was spent on or around college campuses in Louisville and Lexington, Kentucky, and Durham, North Carolina.

His father, Dr. A.D. Kirwan, was an accomplished educator and college administrator as well, having written and lectured in history at the University of Kentucky and later served as dean and its president.

Brit Kirwan followed in his father’s footsteps, luckily for all of us, attending the University of Kentucky, and later pursuing his master’s and doctorate in mathematics from Rutgers University in New Jersey.

Dr. Kirwan came to the University of Maryland College Park in 1964, a year after I graduated. He came as an assistant professor of math. After 24 years teaching in the department, and having been elevated to the department chair, and then provost, Dr. Kirwan was selected as the president of the university in 1988.

He led the university system of Maryland’s flagship campus for a decade, before leaving to become president of The Ohio State University.

I think I speak for all Marylanders when I say we were very happy when he came back to Maryland. I was a member of the Board of Regents at the time, and I remember participating in a meeting when we were searching for a new chancellor.

I asked my colleagues, “If we could get Brit to come back, what would you think?” All of them were extraordinarily enthusiastic.

So I called his house in Ohio, and his wife, Patty, answered, and I asked her if she and Brit would be interested in returning. Patty immediately replied they would both like to be closer to their grandchildren. Luckily, they were living in Maryland.

I took that as a good sign and, a short time later, Brit was back as chancellor of the university system. He managed a network that serves over 165,000 undergraduate and graduate students at 12 universities, two regional higher education centers, and one research center. It is the 12th largest university system in America. Under Dr. Kirwan’s leadership, it has become a national model for excellence in higher education, research, and applied innovation.

Dr. Kirwan has been called upon by both Democratic and Republican Presi-

dents over the years to advise on issues relating to higher education access and performance. And certainly, he has been asked by United States Senators and Members of this House for his advice and counsel as well.

He has been committed, throughout his years as an administrator, Mr. Speaker, to the principle that education ought to be accessible to all, and it ought to be seen as a tool to help people enrich their lives for learning, while advancing their careers. Among his major priorities have been making the university campuses more diverse and making attending college more affordable.

Under his leadership, the university system built partnerships with the private sector and the State and Federal Government in order to further the cause of advanced research and innovation that has practical application for economic growth and national defense.

Last year, Mr. Speaker, I was proud to be on hand to inaugurate a new test site in southern Maryland for unmanned aircraft systems, which will help in the development of new aerospace technologies and bring business development and skilled jobs to that region.

Dr. Kirwan has always understood that we need to do more to ensure that everyone who wants to pursue higher education can do so and that our colleges and universities are helping to produce skilled innovators and workers. He knew that the university system was a partner in economic growth in our State and that university and academic institutions were partners in growing the U.S. economy.

Mr. Speaker, I have had the pleasure of working closely with Dr. Kirwan for many years, and I have seen, firsthand, his passion for higher education, his respect for faculty and staff, and his love of students.

Last week, I had the opportunity to participate in a ceremony to rededicate the University of Maryland mathematics building in honor of Dr. Brit Kirwan. That building, in which he taught mathematics, is now named in his honor for him.

All of us, Mr. Speaker, have witnessed his determination to make the university system of Maryland a source of pride for our State and for our country, and he has done so.

He has been a man who is deeply devoted to his wife, Patty, a wonderful woman, and their wonderful family and their community. Patty Kirwan is, herself, an extraordinary partner in the success that she and Brit have both achieved.

Mr. Speaker, Chancellor Brit Kirwan is a man of extraordinary intellect, vision, understanding, compassion, character, and principle. He has brought all of these traits to bear in all of the important roles he performed throughout every endeavor in his life.

On behalf of all of us who live in our State but, indeed, on behalf of all the citizens of the United States whom he has advantaged in one way or another, I thank Dr. Kirwan for his leadership on behalf of the higher education for our State and for our country.

Dr. Kirwan has stepped down as chancellor, but, Mr. Speaker, I know he will continue to lend all of his great talents to making higher education ever more effective and his country ever more successful.

Well done, Doctor.

TUBEROUS SCLEROSIS COMPLEX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, tuberous sclerosis complex, or TSC, is a genetic disease which causes tumors to form in organs throughout the body, impacting the health and abilities of those born with it.

Nearly 50,000 Americans are affected by this condition, and many more cases remain undiagnosed because of lack of awareness or observable symptoms. For these individuals and their families, the fight against TSC is constant.

But in the face of this adversity, those with TSC show us strength and determination, not only to survive, but to thrive; individuals like Evan Moss from Virginia.

Evan was just 2 years old when he was diagnosed with TSC and, by age 4, was suffering up to 400 seizures a month because of his condition. But like so many with TSC, Evan’s story is not defined by this impact. Now 11 years old, Evan is an accomplished author and a passionate advocate for those living with TSC.

As a member of the Congressional Rare Disease Caucus and honorary chair of the Tuberous Sclerosis Alliance, I am focused on shedding light on conditions like TSC and highlighting exceptional individuals like Evan.

The fight against TSC extends far beyond this Chamber, but each of us can play an important role in understanding and, ultimately, defeating tuberous sclerosis.

PASSAGE OF THE TRANSPORTATION BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. NOLAN) for 5 minutes.

Mr. NOLAN. Mr. Speaker, Members of the House, I would like to begin by thanking Chairman SHUSTER, chairman of the Transportation and Infrastructure Committee, and Ranking Member DEFAZIO, for bringing forth here to floor of the House a long-term transportation bill.

It is the product of numerous hearings that have been held over the last

couple of years, and those hearings were interesting in that, universally, whether we were hearing from the head of the national Chamber of Commerce, or hearing from the head of the AFL-CIO and/or the trade unions that build our infrastructure, the message was always the same.

First of all, it was a recognition of the obvious: bridges are falling down, trains are coming off the track. It is tragic and costly in terms of dollars and loss of life.

□ 1100

Secondly, it was pointed out by everybody that this failure is handicapping our economy—our ability to expand business, to create jobs, and to grow our economy.

Thirdly, everyone testified that we need a long-term surface transportation legislation so that States, communities, and our Federal transportation officials can do the kind of planning that is necessary to build the kind of transportation system that is needed for a strong economy.

Lastly, I want to point out that this legislation before us here today is the product of what has come to be known as regular order; namely, the process where important legislation for the country is brought before the appropriate committees and the committees and all the members of that committee have an opportunity to offer any ideas, any amendments that they want that they think will improve, in this case, our surface transportation system.

The fact of the matter is we have hundreds of amendments, and that committee, on which I am proud to serve, examined and considered every single one of those amendments.

Mr. Speaker, it is important to remind ourselves here that democracy is a long, arduous, and difficult process, but when you allow the members of a committee who have spent enormous amounts of time getting smart and knowledgeable about the responsibilities of that committee to come together, to offer their ideas, to have them thoroughly examined, and to have them thoroughly debated is how you find common ground. That is how you come together. That is how you build and develop respect for one another, and that is what has happened in the development of this surface transportation bill that we have before us here today.

Mr. Speaker, I congratulate the committee, and I congratulate the Congress for recognizing how important and how valuable regular order can be to the process of restoring people's confidence in the ability of the Congress of the United States to fix things, get things done, and end the gridlock. Thank you, my fellow colleagues.

REFORMING OUR CRIMINAL JUSTICE SYSTEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, I rise today to talk about an issue that we don't talk about nearly enough. Our country's imperfect criminal justice system is affecting not only the people in my district but also communities all across our Nation.

Every year the Federal Government spends more than a half trillion dollars on anti-poverty programs. The numbers show that these initiatives have not solved the problem. Today there are nearly 50 million Americans living in poverty. Over the last decade, the number of Americans living in our Nation's most impoverished communities—where at least 40 percent of the families live below the poverty line—has nearly doubled to a historic high of 14 million.

Meanwhile, the United States prison and jail population has reached an all-time high, and the number of people on probation and parole has literally doubled. This is not a coincidence, but the numbers don't even begin to tell the real story.

Solving this problem requires meaningful action and change—two things I would argue that Washington does not do so well. But rather than sitting idly by and waiting for Washington to get its act together, I have already begun taking action back home in Illinois' 10th Congressional District.

I have worked with community-level programs that have helped give people the tools that they need to be able to lift themselves out of poverty, brought in national leaders to tour our social service organizations across our district, and learned about the unique ways that these organizations are fighting poverty and working for criminal justice reform on the local level.

Recently I had the privilege to introduce Bob Woodson to a few of the inspiring local leaders who are working on these issues. The more time that I spend talking with various community leaders, the more painfully obviously the need to implement reforms to this system becomes.

One of the inspiring local groups working to fix some of the problems in our district is FIST. It stands for Former Inmates Striving Together in Waukegan. FIST works with the community to help individuals that are reentering society get what they need to reenter the workforce. It is no secret, Mr. Speaker, that most ex-convicts, sadly, end up back in prison after serving jail time. This organization, as well as others, is trying to change that trend by sharing positive stories and offering a judgment-free zone for individuals to get back up on their feet.

Far too often, Mr. Speaker, the success stories that these organizations

have do not get told, and, in fact, are kept a secret. Bob Woodson said, "People are motivated to change and improve when they are shown victories that are possible, not injuries to be avoided."

One inspiring young man we had the privilege to meet was Darrell McBride from Waukegan. He took the time to tell us about the journey that he took to get to where he is today, and that story bears repeating. Darrell spent 8 years in prison, which left him with limited resources and educational opportunities. He knew that he needed a job and direction after he was released, or the statistics would suggest that he would find himself back in prison. He turned to YouthBuild Lake County, and since graduating from the program, he has earned a construction certificate and, most importantly, has landed a job.

Mr. Speaker, it is this kind of help that we should be encouraging all to begin to promote within our communities. Thousands like Darrell would benefit greatly from criminal justice reform. While I know that this situation cannot simply be fixed in Washington, I certainly hope that we can help. One way in which I am trying to help is by cosponsoring and working for the passage of the Fair Chance Act introduced by my friend from Maryland, Representative ELIJAH CUMMINGS. This legislation would "ban the box" for Federal agencies, prohibiting them from asking prospective government employees about their criminal justice histories on job applications.

Potential employees should not use criminal history to screen out applicants before they have a chance to look at their qualifications. This policy would enable almost 20 million people to have a second chance and the opportunity to sell themselves to potential employers and make a positive contribution to our country.

Mr. Speaker, we need to deal with what leads people to end up in prison to begin with. We can do this by implementing positive strategies and innovations such as the use of body cameras for police officers to fight crime and to improve transparency and accountability.

Put simply, we need to end the era of mass incarceration, and this means reforming the mandatory minimum sentencing, among other policies.

Mr. Speaker, I hope that going forward we can work with groups to promote the success stories to help to empower individuals trying to turn their lives around and to work with local communities to reduce the rate of incarceration. Unfortunately, there is still a long way to go until this problem is solved, but I would like to thank organizations like FIST and YouthBuild for the great work that they are doing in Illinois' 10th Congressional District.

RELIGIOUS LIBERTY IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mississippi (Mr. PALAZZO) for 5 minutes.

Mr. PALAZZO. Mr. Speaker, I rise to express my concern over recent events taking place in my home State and around our Nation that tear at the fabric of our country's First Amendment right to freedom of religion.

Time and again we have seen instances in which an individual's right to practice his or her faith has been subordinated to the sensibilities of individuals who do not share their faith in God.

In Mississippi, we saw it in August when a high school band from Brandon, Mississippi, was forbidden from playing the hymn "How Great Thou Art" at a football game. We saw it in September in Lamar County as a teacher was ridiculed and disciplined for posting a voluntary prayer list in her classroom.

Just last week, I, along with 45 other Members, joined Congressman FORBES and Senator LANKFORD in support of Coach Kennedy of Bremerton High School in Washington State. Coach Kennedy's 8-year tradition of walking to the 50-yard line after the conclusion of football games to say a quiet prayer was banned last month due to the school district's concern that his actions could be construed as an endorsement of religion.

Recently we have even seen a Marine Corps base in Hawaii come under fire for having a road sign read, "God bless the military, their families, and the citizens who work with them." Wow, even our United States Marines are attacked for exercising their faith.

Mr. Speaker, opponents of religious freedom have been energized by recent decisions made by the United States Supreme Court as well as lower courts, both of which have placed the cultural views of a small group ahead of the thoughts, feelings, and rights of the vast majority of Americans.

Judicial activism at all levels of the Federal judiciary has resulted in the systematic rewriting of centuries-old societal norms, and this must end. Time and again our courts have waded into waters which the Constitution specifically vests in the legislative branch. What is at stake here is nothing less than the future of our country's religious liberties, the religious liberties upon which our very Nation was founded.

Those who have would have God completely removed from public discourse—be it marriage, health care, or the right of schoolchildren to pray or play religious music during football game halftimes are pleased with the first part of the amendment: "Congress shall make no law respecting the establishment of religion." However, they conveniently ignore the second part: "or prohibiting the free exercise there-

of." This amendment was enacted by our framers to protect religion from government, not the reverse.

Mr. Speaker, families are struggling to keep it together. Single-parent households are at an all-time high. Poverty, incarceration, teenage pregnancy, and drug usage are all around us. When and where prayer is needed the most, it is no longer allowed or is forbidden. How can we try to remove from the public sphere the one thing that holds us together, and that is our religion?

We can no longer simply leave our religion at the church doors. It is our responsibility to live out our values and beliefs in our everyday lives. Edmund Burke said it best: "The only thing necessary for the triumph of evil is that good men do nothing."

I support the free expression of religion in all quarters of our society, and I stand with Coach Kennedy, the band from Brandon, the teacher in Lamar County, and every other American who has been stripped of their religious freedoms. I am committed to protecting our right to express our faith without fear of governmental intrusion or retaliation, and I encourage my colleagues to do the same.

With that, Mr. Speaker, God bless America.

KRISTALLNACHT 77TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, Monday, November 9, marks the 77th anniversary of Kristallnacht, the event that would foreshadow the crimes against humanity that the Nazis would commit against 6 million Jews and other religious and ethnic minorities.

Inspired by incitement from the Nazi Minister of Propaganda, Joseph Goebbels, regime members, and party loyalists issued orders to local officials to target and attack the Jewish community. Often disguised in plain clothes to perpetuate the false narrative that these were spontaneous attacks and the expression of the public sentiment toward the Jews, the pogroms of Kristallnacht had an immediate and chilling impact.

Mr. Speaker, mobs roamed the streets freely attacking Jews in their houses, destroying their businesses, and forcing them to perform public acts of humiliation. Nearly 300 synagogues were destroyed while Jewish artifacts and archives were confiscated.

Approximately 7,500 Jewish-owned businesses and shops were vandalized and looted; and to add to the disgrace and punishment of having their livelihoods taken from them and destroyed, the Jews were blamed for the events of Kristallnacht, and they were fined for

damages—the then equivalent of \$400 million. Over 30,000 Jews were arrested and then transferred to some of the Nazi's most gruesome and notorious concentration camp sites during the events of Kristallnacht.

Nearly 100 Jews were killed on the night of November 9, 1938, and into the morning the next day.

Yet, Mr. Speaker, this was only the beginning. Facing little public backlash, the Nazi regime took the events of Kristallnacht as a signal of support for their cruel treatment of the Jewish community and quickly imposed restrictions against the Jews that would lead up to the Holocaust.

□ 1115

Mr. Speaker, Kristallnacht is a solemn reminder of what can happen when people allow anti-Semitism, incitement, and hatred to carry on unabated. Kristallnacht was the manifestation of fear and scapegoating and was not only allowed to take place, but was the direct result of a people's indifference to the hatred of a religious minority. And indifference is, indeed, all that is needed for evil to take root, for evil to expand.

That is precisely why we must commemorate these tragic events that mar our collective past and that mark one of humanity's darkest periods, and why we must rededicate ourselves to the vow of: "Never again."

This is particularly important in today's environment, as Israel finds itself plagued by a new round of terror and violence that has been spurred upon by incitement and anti-Israel indoctrination from the Palestinian authority and its so-called leaders.

In the past month and a half, there have been nearly 60 random knife attacks against Israeli citizens, five shootings, and six car ramblings. Yet, where is the condemnation from the international community? Instead of speaking out against these attacks, the United Nations Human Rights Council invited Abu Mazen, and he used his platforms to spew out his harmful and inciting rhetoric. Responsible nations must condemn, not ignore, Abu Mazen's words and his actions.

Last month, Secretary Kerry said that leaders need to lead; and, this week, this body stood up and said enough is enough.

The House passed a resolution I offered, alongside my south Florida colleague, Congressman TED DEUTCH, that condemned the anti-Israel and anti-Semitic attacks from within the Palestinian authority.

The House also passed a resolution that encouraged our government to do more in the fight against anti-Semitism and to work more closely with the governments of Europe to step up their efforts to battle the alarming rise of anti-Semitism across the continent.

And we need to do more at home, especially on our college campuses. Too

often, Mr. Speaker, anti-Semitism is being disguised as an anti-Israel political attack, manifested primarily through the Boycott, Divestment and Sanctions movement, the BDS movement.

We have a moral obligation to stand up against these acts.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 18 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God, our Creator, we give You thanks for giving us another day. You brought light from darkness and order from chaos. During ongoing contentious debates, lead our lawmakers, using their daily experiences of joy and sorrow, pleasure and pain, victory and defeat, to strive together for Your glory. May the fruits of their labor redound to the benefit of our Nation.

As a community of colleagues, possessed of multiple layers of friendships unknown to the public eye, this assembly takes special notice today of the passing of Howard Coble, the much-loved and respected Member of 30 years from North Carolina. A gentleman to the core, may we all strive to embody his grace, class, and respect for this institution and for those among whom we engage in the work to be done here. May he rest in peace.

And may everything done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Ms. CHU) come forward and lead the House in the Pledge of Allegiance.

Ms. JUDY CHU of California led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

MOURNING THE LOSS OF HOWARD COBLE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today we mourn the loss of Howard Coble, a dedicated public servant and a champion for his constituents in North Carolina's Sixth District for 30 years. He never backed down from a challenge to do what was right for North Carolina and always pushed Washington to work better for those he represented.

Howard was the essence of what it means to be a Southern gentleman, someone who simply exuded kindness, charm, and compassion. He was a man of integrity and principle, a Representative who stood for what is right and who fought on behalf of what makes America great.

He will be missed, but his legacy of service and devotion to North Carolina will continue to be the standard that current and future leaders follow.

Howard, we miss you.

INTRODUCTION OF THE POWER ACT

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute.)

Ms. JUDY CHU of California. Mr. Speaker, we depend on immigrant workers to take some of the toughest jobs. They pick our food, clean our houses, and wash our cars. As U.S. workers, they deserve to freely exercise their labor rights; yet when immigrants want to organize for fair pay or decent working conditions, they are often silenced by unscrupulous employers who retaliate through harassment, abuse, and threats of immigration enforcement.

This is unacceptable. When I hear about it, I think of Asuncion Valdivia, who died after 10 hours of grape picking in 105 degree heat. Asuncion did not have the opportunity to report a violation. We cannot allow any voice to be stifled, especially when that voice is speaking out against dangerous or unfair practices.

That is why I am introducing the POWER Act this week. This bill expands U visa eligibility for victims of retaliation, strengthens labor agencies' investigative powers, and allows a stay of removal for workers who filed a workplace claim.

We must protect our workers, no matter who they are.

CONGRATULATIONS TO MARIAN HIGH SCHOOL'S BOYS' SOCCER TEAM

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute.)

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate the Marian High School boys' soccer team. For the first time in the school's 51-year history, the Knights won a State title. Last weekend, the Knights claimed the Class 1A State boys' soccer championship with a 3-0 victory.

The win also earned Head Coach Ben Householter his first State championship in 18 years as head coach. He was also named the Northern Indiana Conference Coach of the Year. All season long, Marian competed against the best of the best, finishing with 20 wins and only 2 losses.

Mr. Speaker, I stand before you today a very proud Hoosier. Marian High School is a great school, and the team, the coach, the teachers, and the entire student body should be proud today. I want to recognize the parents, who sacrifice so much for their kids to play in sports programs.

The achievement that this is today is something these students will have for a lifetime. On behalf of the people of the Second Congressional District of the State of Indiana, I applaud Coach Householter and the entire team for their determination and hard work. I congratulate them all on an amazing season.

NEW STARTS AND SMALL STARTS PROGRAM

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. Mr. Speaker, today I rise in support of the Federal Transit Administration's New Starts and Small Starts program, which provides critical grant funding for the creation or extension of existing fixed guideway transit systems.

Funding for these projects has facilitated the creation of dozens of new or extended public transportation systems in rural, suburban, and urban communities all across this country.

By creating good-paying construction jobs and connecting job-seeking commuters with employers, New Starts offers significant benefits to communities that are in need of rail expansion.

In New Hampshire and across New England, we have been working collaboratively with our neighboring States to create a unified vision for our region's rail networks.

I was pleased to host a rail summit just a few weeks ago that brought together regional stakeholders and officials from the Federal Railroad Administration, the FTA, and New England States.

As we continue to work on the highway bill this week, I urge my colleagues to support Congressmen LIPINSKI, NADLER, and DOLD's amendment, which will restore much-needed local flexibility for New Start projects.

NORTH CAROLINA HAS LOST A FAVORITE SON

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, last night on election day in North Carolina, we lost one of our favorite sons, Howard Coble, a man who served in these Halls for three full decades, yet his heart always belonged to the constituents of The Old North State. I am honored to stand with my colleagues today and others in acknowledging our Congressman.

Howard demonstrated humility and grace, and it was evident that he genuinely loved the people he represented. Howard taught us many things, but most of all, he demonstrated why statesmanship still matters. In a rhetoric-driven political arena, Howard understood why tone and approach continue to make a difference.

He is often remembered by his attire, specifically the madras jacket. No, it didn't match many times, but he was confident enough in who he was, and evidently the ladies seemed to have no problem with it.

Howard did more than just simply make noise in this place; he made a difference. It is an honor to follow him. May our Lord comfort his brother Ray and the entire Coble family.

RECOGNIZING DENNIS HARRIGAN

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, Catholic Medical Partners is one of western New York's largest physician networks. In recent years, it has evolved from a negotiating entity to a national model for clinical integration.

In the first year of the Shared Savings Program, Catholic was one of the best performing accountable care organizations in the country, saving Medicare more than \$27 million, while delivering quality care.

At the helm has been president and CEO, Dennis Harrigan. In a career spanning four decades as a mental health professional, a physician network executive, and a managed care administrator, Dennis has been focused on improving patient experience and outcomes.

It is my honor to recognize Dennis Harrigan for his commitment to using information technology, evidence-based medicine, and physician coordination to improve quality care in western New York and throughout the Nation.

NATIONAL APPRENTICESHIP WEEK

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, our Nation is recognizing National Apprenticeship Week, which is dedicated to highlighting the critical role of employers in training and educating workers for fulfilling jobs.

At their plant in Graniteville, South Carolina, MTU America, led by Director of Operations Jens Baumeister, has built a world-class apprenticeship program, recognized by the Department of Labor, by hiring and training high school students to work at MTU or share their skills with any similar manufacturing company.

The Savannah River Site has a dynamic apprenticeship program, led by Carol Johnson, president of Savannah River Nuclear Solutions, and Stuart MacVean, president of Savannah River Remediation, training students at Aiken Technical College, with President Susan Winsor, for the radiation protection technology program.

I am grateful for Apprenticeship Carolina, led by Director Brad Neese, a program that pairs students in our technical college systems with employers to train the students for well-paying jobs.

In conclusion, God bless our troops, and the President by his actions must never forget September the 11th in the global war on terrorism.

South Carolina extends its sympathy to the family and many friends of our beloved former colleague and neighbor, Howard Coble, who passed away last night. We appreciate Uncle Howard.

THE HOUSE NEEDS LESS PARTISANSHIP AND MORE SOLUTIONS

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, during his first speech, our new Speaker made a commitment to return the U.S. House of Representatives to regular order. What does that mean? Think "Schoolhouse Rock," an orderly process where bills are introduced, debated in a bipartisan committee process, amendments are allowed, and legislation is actually brought up for a vote.

I could not agree with the Speaker more. This Congress, this country would benefit from a more open debate, where voices from both parties are

heard, where every Member is empowered to fully be a part of the legislative process, to do the work that they were sent here to do on behalf of the people they work for.

I know I have introduced many bills that have not been brought up in committee, have never seen the light of day on the floor, and I know other Members share that frustration. That needs to end. We need to have a more open process.

Just last week, 313 Members of this body voted to reauthorize the Export-Import Bank. Almost every Democrat and a majority of Republicans came together, and the legislative process worked.

Mr. Speaker, I do call on you to continue to keep that promise. Keep this an open process. This is what the Framers imagined, and it is what the American people expect.

HONORING GARETT LONG AND JESSICA CHIARTAS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Mr. Speaker, last week I had the honor of meeting with Garrett Long and Jessica Chirtas, two very bright graduate students from UC Davis in northern California who were invited to D.C. to present their work on soil science.

Their research in the area of soils and biogeochemistry focuses on understanding the physical, chemical, and biological aspects of our soils, as well as the processes of mass and energy flows that control our agricultural and natural ecosystem functions.

Now, the average layman might not find that too exciting, but it is exciting for agriculture to advance these technologies and get more and better production and quality of crops out of our lands.

In particular, one area of research highlighted was their work in the wine growing region and the data and research collected on how soil impacts our vineyards and the wine that is enjoyed by people all across the world. That is something people can relate to with California wine.

I have no doubt that their work will improve our agricultural industry for the better. I thank them for stopping by and sharing more about the work they are doing as well as their colleagues at UC Davis, and also congratulate the pair on their recent recognition.

□ 1215

VETERAN PAYDAY PREDATORY LOANS IN TEXAS

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as we prepare to honor the service of our men and women in uniform this Veterans Day, we must come together to stop one of the most egregious practices that is preying upon them: predator payday loan companies are targeting our veterans at an alarming rate.

In North Texas alone, a fast cash payday advance of \$500 that is rolled over five or more times could wind up costing \$1,200 or more. As a result, many borrowers are trapped in a cycle of debt when these short-term loans are not repaid on time, usually within a required 2 to 4 weeks.

Mr. Speaker, these companies have targeted our vulnerable veterans with limited financial options, digging them deeper and deeper into debt. We in Congress must work to cap these interest rates and require all lenders to follow the same standards as our local banks, mortgage companies, and other for-profit lenders.

As a Nation, we have a long way to go to make sure that those who have protected and defended our homeland are, themselves, protected and defended when they return home to rebuild their lives.

RECOGNIZING MRS. NELL MAHONEY

(Mr. FLEISCHMANN asked and was given permission to address the House for 1 minute.)

Mr. FLEISCHMANN. Mr. Speaker, I rise today to thank Mrs. Nell Mahoney for her years of columns in the Chattanooga Times Free Press, my hometown paper.

Nell has written for the paper for 38 years. Her column has covered a wide array of topics but was largely focused on faith and spirituality. Her words touched many in the community, including my wife, Brenda, who eagerly awaited her column every Sunday.

Nell moved to Chattanooga with her late husband, Reverend Ralph Mahoney, in 1965 and immediately ingrained herself not only in First Centenary United Methodist Church, but the entire town.

While her column may be finished, her community involvement is certainly not. Mrs. Mahoney plans to continue teaching at the church, speaking around the community, and is considering writing a book. She has already written and published 13.

Nell, thank you for giving so much of your time and for touching so many people throughout our community.

I will close with a line from her favorite song, a classic from "The Sound of Music": So long, farewell.

And thank you, Nell.

AREAWIDE INTEGRATED PEST MANAGEMENT ACT OF 2015

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, in my home State of Hawaii, invasive species like the coffee berry borer, fruit flies, macadamia nut felted coccid, and others, have cost our local farmers and agriculture industry millions in lost revenue. Across the country, these pests, along with other invasive insects, diseases, and weeds, cause serious and harmful damage to our farmlands, agriculture production, food supply, environment, and public health.

I have introduced the Areawide Integrated Pest Management Act of 2015 to continue supporting long-term and sustainable solutions to fighting these noxious and invasive species.

In Hawaii, AIPMs have helped increase the number of commercial farms and have helped local farmers increase their crop diversity, decrease the use of harmful pesticides, and manage the pests in a sustainable and cost-effective way.

This legislation will help farmers, ranchers, and land managers all across the country reduce the impact of these harmful invasive species.

STANDING WITH COACH JOE KENNEDY

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I rise today in solidarity with Washington State High School football coach Joe Kennedy.

For 7 years, Coach Kennedy has prayed midfield at the conclusion of his team's games. He didn't require anybody else to be there or listen. He simply knelt and quietly prayed to thank God for the safety of the kids on his team.

Last month, the school district ordered him to stop. When he didn't, Coach Kennedy was placed on administrative leave. Can you believe the school district is trying to argue that you can pray, just as long as nobody sees it? But that is not what the Constitution says. It protects the free exercise of religion. It doesn't say the public square should be a faith-free zone.

Faith must impact life. Mr. Speaker, I hope people of every faith background and no faith at all will stand together in defense of every American's constitutional right to religious freedom.

We stand with you, Coach Kennedy.

INFRASTRUCTURE

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, for the sake of my constituents and the many communities with crumbling roads and bridges around this Nation, I am happy that we finally have a bipartisan transportation bill to work with.

For the record, I still believe that we need a full, 6-year plan.

Today, I have an amendment that will modify section 3021 of the Surface Transportation Reauthorization and Reform Act. My amendment will examine the ability of seniors and people with disabilities to access public transportation and require the council to report to Congress on their findings with recommendations.

One-half of Americans 65 and older do not have access to public transportation. Those in rural areas and small towns are particularly affected because transportation options are limited. Seniors continue to drive as long as possible because they are unaware or do not believe they have alternative means of transportation. Seniors limit their driving or stop driving altogether because of functional disabilities.

I urge my colleagues to support the Lawrence amendment when it comes to the floor. Seniors and people with disabilities need to maintain their independence.

NATIONAL ADOPTION AWARENESS MONTH

(Mr. MULLIN asked and was given permission to address the House for 1 minute.)

Mr. MULLIN. Mr. Speaker, November is a special time to remember that love makes a family.

During National Adoption Awareness Month, people and organizations from across the Nation come together to bring awareness to a cause that has become very important to my family.

Two years ago, our family grew from five to seven when we adopted our twin girls, Ivy and Lynette. These girls have been such a blessing to our family and have inspired my wife, Christie, and me to get involved with organizations that spread awareness about the importance of adoption. There are no unwanted kids, just unfound families.

Although this month is dedicated to adoption awareness, we need to talk every day about the kids of all ages who need a permanent, loving home. Let's commit to creating a brighter future for our Nation by ensuring every child has a safe home and a loving family. I believe this is an effort we can all support.

PROTECTING VETERANS AND SERVICEMEMBERS

(Mr. TAKANO asked and was given permission to address the House for 1 minute.)

Mr. TAKANO. Mr. Speaker, with Veterans Day 1 week from today, I rise to

call attention to an issue affecting military families across the country.

In 2006, Congress enacted the Military Lending Act to protect servicemembers from predatory lenders, but those same protections are not in place for veterans and their families. As a result, veterans often fall victim to payday lenders who offer unaffordable loans, forcing them even deeper into debt.

In 2013, California payday lenders generated three-quarters of their revenue from borrowers who took out seven or more loans. The Consumer Financial Protection Bureau should use its authority to crack down on the worst abuses in the payday loan market.

Veterans and their families have made tremendous sacrifices to keep us safe. The least we can do is protect them from unethical lenders who deliberately trap them in a cycle of debt.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION REAUTHORIZATION ACT

(Mr. DONOVAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DONOVAN. Mr. Speaker, I rise today in support of the James Zadroga 9/11 Health and Compensation Reauthorization Act, which permanently reauthorizes the World Trade Center Health Program and the Victim Compensation Fund.

After the attacks against America on September 11, 2001, selfless heroes rushed toward the death and destruction. Many will pay for their heroism for the rest of their lives. Many have already paid with their lives. More than 33,000 Americans have documented illnesses directly related to their work at Ground Zero.

Since 9/11, more than 200 firefighters and police officers have already passed away. In my district, more than 6,700 heroes will rely on the Zadroga Act for medical care not for the next 5 years, as is being proposed, but for the rest of their lives.

Time doesn't erase our moral imperative to cover their medical expenses. It is an extension of the costs of the attack. America's heroes deserve a permanent reauthorization of the Zadroga Act, and nothing less.

Mr. Speaker, I ask that this House permanently reauthorize this program, which is essential to our deserving heroes.

GUN VIOLENCE

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, it has been 34 days since the murder of nine men and women at Umpqua Commu-

nity College in Oregon. It has been 140 days since the murder of nine parishioners at Mother Emanuel Church in Charleston, South Carolina. It has been 1,055 days since the murder of 20 children and 6 adults at Sandy Hook Elementary School in Newtown, Connecticut.

In the time since then, Congress has done nothing to close loopholes in our background check system and make it easier to identify a dangerous individual before they are able to buy a gun.

There are more mass shootings in the United States each year than in any other country, and six of the deadliest shootings in American history have taken place in just the past 8 years.

It shouldn't be this way. It doesn't have to be this way. Congress has the responsibility to stand up to the powerful special interests and say, "No more." There is no reason lawmakers in this body should continue to cower before the National Rifle Association. We are the people's Representatives, and it is time to get to work on commonsense reforms that will save the lives of thousands of Americans and put an end to the epidemic of gun violence in our country.

HONORING SENATOR FRED THOMPSON

(Mrs. BLACK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACK. Mr. Speaker, I rise today to honor the life of a Tennessee giant: Senator Fred Thompson.

Whether Fred Thompson was speaking on the Senate floor, canvassing the State in his red pickup truck, or entertaining us on the big screen, he always did the Volunteer State proud.

In his lifetime, Fred saw many accomplishments, but he remained the same: a proud product of Lawrenceburg, Tennessee, the son of a car salesman, and the first person in his family to earn a college degree.

Fred was a statesman who led with conviction. He was a visionary who helped bring Tennessee from a Democratic stronghold to the conservative success story that it is today. He was a loving husband and father. He was a man of faith, who I know has found ultimate healing today from the cancer that gripped his earthly body.

Tennessee shines brighter because of Fred Thompson's service. We will miss him deeply, but we know that his legacy lives on.

MANATEE AWARENESS MONTH

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, did you know it is Manatee Awareness Month?

Every November, we celebrate these beautiful, gentle creatures. How lucky we are that Florida is one of the few places in the world where you can see them.

To raise awareness, I would like to recognize the Save the Manatee Club, an international nonprofit which has been working to save endangered manatees since 1981, when it was co-sponsored by Jimmy Buffett and my father, Governor Bob Graham. Their commitment to these unique animals has made great strides in protecting them around the world.

Human activity presents the greatest threat to manatees, but we are also their greatest hope. Only our compassion and action can protect them.

FAR-REACHING ENVIRONMENTAL REGULATORY MANDATE

(Mr. STEWART asked and was given permission to address the House for 1 minute.)

Mr. STEWART. Mr. Speaker, yesterday, President Obama issued an executive memorandum that could turn into one of the most far-reaching and devastating environmental regulations in history. This document, which holds the same weight as an executive order, aims to expand a 26-year-old policy that requires agencies to set a no net loss of wetlands to all natural resources. The economic impact of this regulation would be devastating to the West.

Why do I live in Utah? I live there because I love it. I love to rock climb. I love to ski. I love the beauty of the place I live.

All of us want to protect our natural resources, but we can't put human interests at the bottom of the priority pile. This is more than a huge power grab. It is going to devastate the trust that is essential between the President and the American people.

If the President wants more regulations and further protections on natural resources, such a thing must be done in the people's Congress by those who are closest to the people. For that reason, I will use every tool at my disposal in order to ensure that this outrageous Presidential decree is not implemented.

□ 1230

HONORING THE LIFE AND SERVICE OF FORMER CONGRESSMAN HOWARD COBLE

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, I rise today to honor former Congressman Howard Coble, who passed away last night.

Howard Coble was the epitome of a public servant. He served in the U.S.

Coast Guard, the North Carolina State House, and as the Congressman for North Carolina's Sixth Congressional District for more than 30 years.

Howard Coble dedicated his life to serving, and it was exemplified in the way he ran his office. As a freshman Member of Congress, I looked to him in serving my constituents. He was steadfast, attentive, and always put his constituents first. Some say he offered the best constituent services of any Member.

I will never forget the night Howard Coble welcomed me to Congress the day I was sworn in. He later wished me well on my new journey as a Member.

My thoughts and prayers are with his family, his friends, and his former colleagues during this difficult time.

He will be missed but never forgotten. Howard Coble's legacy will remain in the Greensboro community and throughout North Carolina as a man who served selflessly.

HAPPY BIRTHDAY AND SEMPER FI

(Mr. PALAZZO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALAZZO. Mr. Speaker, today, in honor of the 240th birthday of the United States Marine Corps, I would like to offer the official Marine Corps Hymn in tribute to the brave men and women who serve as Marines at home and abroad.

"From the halls of Montezuma
To the Shores of Tripoli;
We fight our country's battles
In the air, on land and sea;
First to fight for right and freedom
And to keep our honor clean;
We are proud to claim the title
Of United States Marine.

"Our flag's unfurled to every breeze
From dawn to setting sun;
We have fought in ev'ry clime and place
Where we could take a gun;
In the snow of far-off Northern lands
And in sunny tropic scenes;
You will find us always on the job—
The United States Marines.

"Here's health to you and to our Corps
Which we are proud to serve;
In many a strife we've fought for life
And never lost our nerve;
If the Army and the Navy
Ever look on Heaven's scenes;
They will find the streets are guarded
By United States Marines."

From one Marine to another, happy birthday and Semper Fi.

HONORING THE LIFE AND SERVICE OF FORMER CONGRESSMAN HOWARD COBLE

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. PRICE of North Carolina. Mr. Speaker, it was a little less than a year ago that a number of us gathered on

the House floor to bid farewell to our colleague, Howard Coble, as he retired from 3 decades of service to the people of North Carolina.

The series of heartfelt tributes that day, from Members on both sides of the aisle, were a striking reflection of the respect and admiration that so many of us felt for Howard. And he returned that affection. He always made the extra effort to get to know those with whom he worked, regardless of their stature or their party affiliation.

Howard was also an effective legislator, a tireless advocate for the Sixth District. He took on complicated and difficult issues in his leadership roles on the Judiciary and Transportation Committees.

I was fortunate to partner with him on a number of bipartisan initiatives, from textile research, to disaster relief, to funding for his beloved Coast Guard.

In an era where our politics are too often fractious and divisive, Howard's camaraderie, good humor, and generosity of spirit reflected the best of what this institution can be.

Lisa and I are saddened by his passing. We join his many friends and former colleagues in extending condolences to his family and expressing gratitude for his life.

VETERANS HEALTH AND ACCOUNTABILITY ACT

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today to announce the introduction of the Veterans Health and Accountability Act. Yesterday's Veterans Affairs Committee hearing showed why this bill is so critical.

An investigation revealed that Veterans Affairs administrators likely gamed the system to enrich themselves at taxpayer expense, creating high-paying vacancies at desirable locations, where they would have less responsibility.

At the hearing, they pled the Fifth to avoid the truth, and they remain on the job. Meanwhile, Granite State vets are waiting for care.

My Veterans Health and Accountability Act strengthens the Veterans Choice program, allowing veterans to seek private care due to inadequate VA facilities. My home State of New Hampshire does not even have a full-service VA.

The act also protects whistleblowers who expose negligence and mismanagement. If it were not because of these individuals, we may never have discovered secret waiting lists where thousands of vets probably died waiting for care.

The bill I introduced clarifies hiring and firing rules, so bad actors who abuse their positions can be exited promptly.

We must enforce and expand VA reforms to ensure our military vets receive the care we promised them. We must restore Americans' trust in government.

DISAPPROVAL OF THE RADEWAGEN AMENDMENT TO THE SURFACE TRANSPORTATION BILL

(Ms. PLASKETT asked and was given permission to address the House for 1 minute.)

Ms. PLASKETT. Mr. Speaker, I rise to express my disapproval to the Radewagen amendment to the surface transportation bill, which was ultimately defeated last night, 113-310.

This amendment would have required the Secretary to change the allocation program funds made available to the territories. This amendment would have potentially harmed my district, the U.S. Virgin Islands, and Guam, by possibly taking already minimal funds away from these two territories.

The funding provided in the transportation bill is yet another example of this Congress' inability to address the real needs of the U.S. territories, whose economies have not recovered and require additional support.

And, while I certainly recognize and empathize with the frustrations of some of my colleagues from the territories, it is the limited funding within this bill which has created an environment where we are literally fighting over scraps.

The proposed funding in the bill barely provides any increase of the historically low allocation for the territorial highway program.

I would like to thank both the chair and ranking member of the Transportation and Infrastructure Committee, Mr. SHUSTER and Mr. DEFazio, for not supporting the amendment and for recognizing that this is not an amendment that enjoyed the full support of all the four smaller territories.

I would also like to thank the dean, Congresswoman BORDALLO, of the territory of Guam, for her efforts and engagement on this very important issue.

I look forward to working with Transportation and Infrastructure leadership and staff and my fellow Delegates from the insular areas and working together on resolving our problems.

HONORING THE SERVICE OF DANIEL STANDAGE

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Mr. Speaker, next week we celebrate Veterans Day, a time to honor the men and women who served our country in the military.

Today, I want to recognize a stand-out veteran from my district, Daniel Standage.

Daniel served 10 years in the U.S. Marine Corps, until a neurological condition he suffered from eventually rendered him completely blind. He received a 100 percent service-connected disability, but that hasn't held him back.

Daniel completed a blind rehabilitation program at the Southern Arizona VA. He enrolled at the University of Arizona and was instrumental in establishing its student veterans center, a place that offers assistance to transitioning student veterans. The center now is a national model for Student Veterans of America.

Today, Daniel is a staunch advocate for veterans across the country. He credits his education as being the most important factor in helping him overcome his disability, and he now helps countless other veterans earn their degrees.

In advance of Veterans Day, I thank all the men and women like Daniel who serve and served our Nation and continue to make a difference today.

HONORING THE LIFE AND LEGACY OF STEPHEN TALLEY

(Mr. RUIZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUIZ. Mr. Speaker, I rise today to honor the life and great legacy of San Jacinto Valley's artist, Stephen Talley, known as Steve, who passed away last week after his battle with cancer at the age of 62.

Steve was 11 years old when he began his career, creating and selling his artwork. That passion is what led him to pursue and share his artistic vision with the community and the world.

For more than 30 years, Steve taught art at San Jacinto High School, touching the life of every student who sat in his class. He was known internationally for his work, winning more than 100 awards in numerous competitions, many of them in first place.

He never let his success get in the way of his commitment to his students and, as a result, he has inspired a new generation of artists to never give up on their dreams.

Steve was a mentor, a teacher, a friend, and, above all, he was a great man. His memory will never be forgotten.

As we mourn the passing of Stephen Talley and celebrate his life, my thoughts and prayers are with his family, friends, students, and the San Jacinto Valley community.

SUPPORTING THE 2015 SUPER HERO STEP FORWARD TO CURE TSC 5K WALK

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, today I rise to support the Step Forward to Cure TSC 5K Walk taking place at Florida International University's main campus, my alma mater, on Saturday, November 14.

Tuberous sclerosis complex, or TSC, is a rare genetic disease with no known cure that causes uncontrolled tumor growth.

I know of one young man from our community, Max Lucca, who was diagnosed with TSC when he was only 2 weeks old. Because of the love and care provided by his parents, doctors, and nurses, he has thrived, in spite of constant health challenges.

The walk's theme this year is "Super Heroes," and Max Lucca is, indeed, a super hero.

I encourage all south Floridians to walk to help find a cure for TSC, to benefit young super heroes across the country just like Max Lucca.

TRIBUTE TO DR. DAN ARVIZU

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Dr. Dan Arvizu for his exceptional work as director of the National Renewable Energy Laboratory in Golden, Colorado.

Dr. Arvizu is retiring this year, but his legacy of leadership and innovation will endure for many, many years to come. I want to take this moment to say thank you for outstanding stewardship of our Nation's premier energy efficiency and renewable energy laboratory.

In addition to his role at NREL, Dr. Arvizu is chairman of the National Science Board, which is the governing board of the National Science Foundation. He will continue his role as chairman of the National Science Board, and he will also become a visiting professor at Stanford University.

On behalf of everyone at NREL, the people of the State of Colorado and the United States of America, let me say thank you for a job well done. We wish you all the best on the next steps of your journey.

PROVIDING FOR FURTHER CONSIDERATION OF SENATE AMENDMENTS TO H.R. 22, HIRE MORE HEROES ACT OF 2015

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 512 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 512

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for

further consideration of the Senate amendment to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

SEC. 2. (a) No further amendment to the amendment referred to in section 2(a) of House Resolution 507 shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in subsection (c).

(b) Each further amendment printed in part A of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

(c) It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of the report of the Committee on Rules not earlier disposed of. Amendments en bloc offered pursuant to this subsection shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

(d) All points of order against the further amendments printed in part A of the report of the Committee on Rules or amendments en bloc described in subsection (c) are waived.

SEC. 3. No further amendment to the Senate amendment, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such further amendment shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived.

SEC. 4. (a) At the conclusion of consideration of the Senate amendment for amendment the Committee of the Whole shall rise and report the Senate amendment, as amended, to the House with such further amendments as may have been adopted.

(b) If the Committee reports the Senate amendment, as amended, back to the House with a further amendment or amendments, the previous question shall be considered as ordered on the question of adoption of such further amendment or amendments without intervening motion. In the case of sundry further amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question.

(c) If the Committee reports the Senate amendment, as amended, back to the House without further amendment or the question of adoption referred to in subsection (b) fails, no further consideration of the Senate amendments shall be in order except pursuant to a subsequent order of the House.

SEC. 5. The Chair may postpone further consideration of the Senate amendments in the House to such time as may be designated by the Speaker.

SEC. 6. Upon adoption of the further amendment or amendments in the House pursuant to section 4(b) of this resolution —

(a) a motion that the House concur in the Senate amendment to the text, as amended, with such further amendment or amendments shall be considered as adopted;

(b) the Clerk shall engross the action of the House under subsection (a) as a single amendment in the nature of a substitute;

(c) a motion that the House concur in the Senate amendment to the title shall be considered as adopted; and

(d) it shall be in order for the chair of the Committee on Transportation and Infrastructure or his designee to move that the House insist on its amendment to the Senate amendment to H.R. 22 and request a conference with the Senate thereon.

SEC. 7. The chair of the Committee on Armed Services may insert in the Congressional Record not later than November 16, 2015, such material as he may deem explanatory of defense authorization measures for the fiscal year 2016.

□ 1245

The SPEAKER pro tempore (Mr. POE of Texas). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, I find myself with a big smile on my face. I usually do when the Reading Clerk sits down. Even if I could dispense with the reading of the rule, I wouldn't do it. I wouldn't do it. Even if there were some days where I would be tempted to do it, Mr. Speaker, this wouldn't be that day because we are down here with rule number two on the transportation bill.

You will remember we came down here yesterday—it was my friend from Massachusetts and I at that time—to bring a rule to consider the first 6-year transportation bill this country has had in over a decade. It is a bill that the Transportation and Infrastructure Committee has worked on for not days, not weeks, not months, but years to get it ready. It is a bill that was not pushed by Republicans or pushed by

Democrats. It is a bill that was pushed by all of us together to do those kinds of important things that are necessary for infrastructure planning for each and every one of our constituents back home.

It is a bill that has been moving in the Senate, which is a rarity in and of itself. It is a bill that we are moving here in the House. It is a bill that can go to the President's desk for his signature and make a difference for Americans, make a difference in our economy, and make a difference for our families.

Now, I sit on the Transportation and Infrastructure Committee, Mr. Speaker, and you would think that my pride of authorship and all the good work we did on that committee would have said: Do you know what? We got it right the first time. Let's just bring that bill to the floor, and let's get it done because it is important to America. Let's finish it today.

I see some of my colleagues from the Transportation and Infrastructure Committee sitting down here. There might be a little temptation to take our work product and rush it straight to the desk because we did do a pretty good job together. But in their wisdom, Mr. Speaker, the chairman of the Transportation and Infrastructure Committee, the ranking member of the Transportation and Infrastructure Committee, the chairman of the Rules Committee, the ranking member of the Rules Committee, and our leadership team here in the House said: Do you know what? There are a lot of Members who don't sit on the Transportation and Infrastructure Committee. There are a lot of Members who represent some really smart and really talented folks back home in America, but their Representative doesn't sit on the Transportation and Infrastructure Committee. We need their ideas in this debate, too.

So we came to the floor yesterday, Mr. Speaker, and we brought a rule that made more than 20 amendments in order. We were debating that rule for an hour. We hadn't even finished debating the rule when we brought back more amendments and made another 16 in order, Mr. Speaker. We are back here today because that more than 40 was not enough. We want to make another 81 amendments in order. Mr. Speaker, this is a festival of democracy that is happening in this House today. Everyone's voice is included.

Now, I want to be clear. We had over 300 amendments submitted to the Rules Committee. Here on this floor, sometimes we have a very open process with appropriations bills, Mr. Speaker, where absolutely everyone can offer absolutely any idea at absolutely any time they want to. This process is a little more structured, and I want to stipulate that that is true. We had a lot of duplicative amendments offered, Mr.

Speaker. This is important work. We didn't want to waste the body's time. We culled those duplicative amendments.

We had a couple amendments offered, Mr. Speaker, that were not minor changes to the underlying legislation. They were major revisions to public policy that had not had committee hearings and that had not had any public discussions. We culled those as well.

But over 120 amendments, Mr. Speaker, will now be made in order on a bill, again, that was not the product of days of effort, not a product of weeks of effort, not months, but years of effort of our House Transportation and Infrastructure Committee to bring together a product that this body can be proud of—a product, I might add, that Republicans in the past and Democrats in the past have failed to come together and succeed on.

This is a day of celebration, Mr. Speaker, as we offer this rule to consider even more of our colleagues' ideas. I hope that we will get unanimous support for this rule, Mr. Speaker. With the passage of this rule, we can get into debate, and we can move this bill one step closer to the President's desk, and we can move one step closer to making a difference for those families back home.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, we will get to what is in the bill in a minute. With regards to process, as an example of a Member of this body, I had a number of issues in the transportation area I wanted to address in my district. Most notably, I wanted to address the sound levels of train horns in our busy downtown areas, like Fort Collins and Longmont. It is one of the biggest issues I hear about from our local downtown businesses; and, of course, to anybody who, including myself, has been downtown with the train blaring by in close proximity, it really is a major detriment to the quality of life, and there is no significant evidence that I have seen or that has been presented to me that this in any way improves safety. So I did offer an amendment that would have changed that. Unfortunately, it was blocked in Rules Committee.

Now, on that particular issue, we had a discussion with the chair and the ranking member of the Transportation and Infrastructure Committee. I hope to work with him in other ways. But to say that somehow this is an open process, that I can bring forth and other Members can bring forth amendments to improve the bill—of course, there were a few allowed. Out of 302, there were 126 allowed. That means there are more disappointed Members that had ideas than there are satisfied Members

that are at least going to have the opportunity to bring their idea forward.

Again, it is 126. It is better than 50, and it is better than 30, there is no question. But it also means there are an awful lot of Republicans and Democrats, including my colleague from Wisconsin (Mr. DUFFY) with whom I sponsored—he as the Republican; I as the lead Democrat—a bipartisan amendment that would have dealt with train stoppages. We are dealing with this also in Fort Collins, where we have trains that do switching and delay traffic sometimes for 15, 30, and 45 minutes. We are simply saying that you can't do that in an urban zone; that delays traffic. It can impede ambulances and fire engines from reaching their destinations. It is dangerous. We simply proposed an amendment to impose a civil penalty of \$10,000 around that to deter that kind of action. Unfortunately, Mr. Speaker, that amendment was blocked under this very rule that we are talking about here.

I have, for instance, an amendment that is very important in my district for highway 70 designation that is allowed under this rule, and I am happy that it is. Keep in mind, in perspective, there are many more ideas—good, bad, and other—that Republicans and Democrats had on both sides of the aisle that they weren't even allowed to talk about and aren't even allowed to talk about under this rule, this restrictive rule, that we have before us today.

Mr. Speaker, I wish that I could do something and that the Rules Committee allowed me to do something about excess train noise in our downtown areas. I wish that the Rules Committee had allowed Mr. DUFFY, me, and the many others that this affects to do something about train stoppages closing traffic and endangering the public in our downtown areas. But it was not allowed under this rule, not allowed at all.

Mr. Speaker, calling this bill a 6-year reauthorization is also a bit of a misnomer. The bill only makes funding available for 2 to 3 years. So this is not, in fact, a 6-year bill. It is a 2- to 3-year bill. It is being touted for something that it doesn't have the power to do. Simply calling it a 6-year bill when you are only funding it for 2 to 3 years doesn't make it so.

Mr. Speaker, our economy is still fragile. Americans are concerned about maintaining and growing their quality of life. Affordable housing, quality education, and retirement are sometimes out of the grasp of too many Americans. Critical infrastructure on public roads and bridges is absolutely important for driving our economy forward.

My colleagues and I are charged with recognizing and offering innovative solutions to these problems. We are each selected by constituencies that have particular items that impact them. I was sent here to work on train noise,

as an example, and train stoppages that delay traffic, the designation of highway 70, which we hope to be able to include in the final bill, and many other transportation issues, some of which are reflected in the bill.

I certainly commend my colleagues on the House Transportation and Infrastructure Committee for working diligently in trying to bring up a long-term, robustly funded, and thoughtful bill.

This bill, unfortunately, is another exclusionary bill. Again, you can certainly say there could be improvement to have more amendments than prior bills have allowed, but there are many more good ideas that Republicans and Democrats have offered that are not allowed to be debated under this rule.

I commend the process and its inclusion of critical provisions regarding the Export-Import Bank. This is important to many companies in my district to ensure that U.S. businesses are competing on a level playing field. As an example, Fiberlok, located in my district in Fort Collins, is a specialty printing company. It provides heat transfer graphics. It is family owned, and about 40 percent of its business is export business.

I also visited Boulder-based Droplet Measurement Technologies, which was named Export-Import Bank's Small Business Exporter of the Year for its work in cloud and aerosol measurements.

We simply want a level playing field for American businesses.

Of course, this package has some commendable transportation-related provisions. For instance, it provides \$325 billion in Federal contract authority and allows for the direct deposit of any additional revenues Congress is able to come up with. It invests in all modes of surface transportation, highway, transit, and maintaining funding for alternatives like biking and walking that should be commended. It creates a \$4.5-billion competitive grant program allowing States to compete for geographically expansive projects that impact and can now be financed by multiple States and regions.

Unfortunately, however, this is not a 6-year authorization. From the Infrastructure 2.0 Act I recently introduced, along with my colleague Mr. DELANEY, to the President's GROW AMERICA Act, to Mr. DEFAZIO's and Representative BLUMENAUER's initiatives to re-index the gas tax, many of us have been in the forefront of offering avenues for full funding of this bill. Yet, unfortunately, time and time again, whether it is the repatriation concept or whether it is a re-indexation of the gas tax concept, all of the very reasonable offers and ideas that we have put forward have been repeatedly and inexplicably rejected, and we have seen a failure from our colleagues on the other side of the aisle to bring forward

ways to actually pay for what they claim is a 6-year bill.

Look, a long-term, sustainable, funded bill is what we want. If that is the bill we get, Mr. Speaker, I will personally whip that bill. But this is not that bill. This bill fails to make the commitment needed to our Nation's crumbling transportation and infrastructure, and it sets the precedent of authorizing investments without paying for them, which has been the whole difficult part of putting a bill together, which this bill just kicks the can down the road on.

□ 1300

I oppose this overly restrictive rule and the path that we are taking to pretend that a bill is 6 years when we only pay for it for 2 to 3 years.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I remember when I ran for Congress 4½ years ago, I had this idea that because I had really good ideas and had the backing of 700,000 folks back home in the district who also had really good ideas that we were going to be able to come up here and share our good ideas; 435 of my colleagues were going to recognize the wisdom that I brought from the great State of Georgia, and we were just going to be able to make those things happen.

It has been harder than I had anticipated, Mr. Speaker; I will confess that to you. It has been harder than I had anticipated. It turns out there are some folks in other parts of the country who have some different ideas.

My friend from Colorado is absolutely right. He offered two amendments yesterday, and he only got one of them made in order. That has happened to me, too. That has happened to me, too.

We have got to talk about what we are going to define as success in this place. Are we going to define getting half of everything you want as failure, or are we going to define getting half of everything you want as a huge step in the right direction that we can celebrate together?

There are not that many bills in this institution, Mr. Speaker, that are worked through in the bipartisan, collaborative way that this one has happened. It is not easy. It is tremendously difficult—tremendously difficult. Why? Because we have legitimate disagreements about public policy—legitimate disagreements about public policy.

Now, I don't want to tamp down my friend's pessimism about 3-year funding instead of 6-year funding. I want 6-year funding, too. I have wanted it from day one, and I am prepared to vote for it today. I haven't found quite as much enthusiasm for that around not just this floor, but the floor right down the hall in the United States Senate. We are going to have to sort that out.

I tell you, with no small bit of optimism, that I think we are going to find that 6-year funding before we see a conference report back on this floor. I believe it. We need it. We have serious people working at it, and we have the ability to make it so.

But, Mr. Speaker, by any measure—by any measure—certainty of funding, certainty of authorization, bipartisanship, nonpartisanship, amendments made in order, length of time of the authorization, length of time of the funding, by any measure—this is the best transportation bill and the best transportation rule that have come to this floor in more than a decade—more than a decade.

Mr. Speaker, I don't want us to take our toys and go home claiming victory over all that ails America. That is not where we are today. I want us to take credit for making a small step in the right direction together, a step that so many of our colleagues before us have failed to succeed at together, and engage in what is sure to be not another hour or 2 or 3 or 4, but dozens of hours to continue to improve this work product of the House Transportation and Infrastructure Committee.

This is a moment of opportunity for us, Mr. Speaker. We can spend our time grousing about what we didn't get, or we can spend our time celebrating what we did get, put this bill on the President's desk, create certainty for America, and then come right back together the day after and begin to make improvements once again. That is the way this institution has always worked when it has worked at its finest, Mr. Speaker, and that is the way I expect this institution to work today.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), the distinguished ranking member of the Committee on Transportation and Infrastructure.

Mr. DEFAZIO. Mr. Speaker, in terms of what the gentleman from Georgia just said, I do appreciate the fact that we are debating many policy amendments. That is the way the process should work, both sides of the aisle contribute. That is great. Some were excluded that I think should have been included. I don't know why they weren't allowed. I was willing to stay here later last night and stay later tonight so everybody who wanted an amendment could have a chance.

But the biggest and most glaring omission by the Rules Committee is of not allowing any attempt by this House to fund the bill. That is pretty extraordinary. Actually, we probably don't even have 3 years of pretend funding in the bill because some of those offsets were spent last week in the big budget deal, so I don't know what we have left. But it sure as heck isn't anywhere near 6 years of funding; and it is not 6 years of funding at a more robust level, which is necessary.

Even if we funded this bill for 6 years, at the end of 6 years, our infrastructure will be more deteriorated than it is today. It is deteriorating more quickly than we are investing. That is a problem.

We need to increase the investment. We haven't raised the Federal gas tax since 1993. That is a user fee, a user fee created by President Dwight David Eisenhower, raised again by Ronald Reagan, and then finally by Bill Clinton the last time it was increased. A bipartisan idea: user fee. Fund infrastructure for transportation with a user fee.

The U.S. Chamber of Commerce supports an increase in the user fee. The American Trucking Association supports an increase in the user fee. We are virtually being begged by interest groups out there representing consumers and commercial users of the system to do something, vote on something.

I offered a really simple little amendment. Let's just index the existing gas tax so we don't lose more ground. If we did that, gas would go up 1.7 cents a gallon next year. I think consumers would be outraged. No, they wouldn't be outraged. They would be pleased we started filling in the potholes and doing away with the detours around the bridges that are closed.

If you indexed and you project that, you could borrow money against the future income following the budget rules of PAYGO. We could borrow \$100 billion and fill in the huge hole in this bill and then use some of those so-called pay-fors to increase spending under this bill.

Why can't we have a simple vote on revenues, a vote by the House of Representatives?

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say that I can identify with the gentleman from Oregon's frustration.

The frustration you see is not from a gentleman who does not have any power over the process. He is the ranking member of the Transportation and Infrastructure Committee. But the rules of the House prevent the Transportation and Infrastructure Committee from funding transportation. It is an incredibly powerless space to be in.

Your job on the Transportation and Infrastructure Committee is to come up with good transportation policy. You just can't pull any of the levers that fund it. That is the frustration you hear from my friend from Oregon, and I don't discount that in the least.

What I do discount, however, is any suggestion that what is happening today is in any way unprecedented. My friend from Oregon first began serving in this House when Ronald Reagan was President of the United States, and not one Ways and Means major funding bill has come to this House floor under an

open rule in any day of the gentleman's service—not one. Not one Ways and Means bill funding this government has come to the House floor under an open rule. Not under Republicans, not under Democrats, not ever—not ever.

There are lots of reasons for that. I don't need to get into arcane budget policy. But what I do need to say is we have an opportunity in conference to solve this problem. We are grappling with openness in this institution. I am excited about it, Mr. Speaker. A lot of folks say, oh, we can't have openness on the floor because we will have to take tough votes. I say, if you don't want to take tough votes, don't run for Congress.

We have a serious challenge, however, in whether or not we allow a committee, like the Ways and Means Committee, whose sole purpose, whose sole jurisdiction, covers tax matters—no one else covers tax matters other than the Ways and Means Committee. Do we allow them to grapple with funding issues, or do we bring an amendment to the floor, debate it for 9½ minutes, and change Federal tax policy together? We can do that.

I am glad we are not doing Federal transportation policy in a 9-minute stint. I am glad we worked on it, again, not for days, not for weeks, not for months, but for years, together, to get policy that worked.

It is very puzzling to me, again, by any measure—by any measure. This is the best transportation process and the best transportation rule that this body has seen in a decade. We can choose to recognize that and improve upon it, or we can choose to continue the self-flagellation that seems to constitute government today. I don't understand it. I am very proud to be in this body. I am very proud to work with each one of you, and I am very proud of the work that we have done together.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

I need 10 minutes at least to respond to that assertion. There is no party with whom I have served over the last 35 years that has been any more into self-flagellation of the United States Government, the American Government, than his party. I will say with all due respect.

Mr. WOODALL. Will the gentleman yield?

Mr. HOYER. No.

Mr. WOODALL. The gentleman is not talking about me. The gentleman is talking about my party.

Mr. HOYER. I talked about your party.

Mr. WOODALL. I thank the gentleman.

Mr. HOYER. But I will tell you that I disagree with the gentleman's basic premise. He talks about the rule. The rule is not the issue. I am against this rule. Its substance, that is what the gentleman from Oregon was talking about. He was talking about investing and making America grow, creating jobs. That is what we ought to be debating, not some rule for you to have a lot of amendments. You can have a zillion amendments. If they are all awful, it won't be a good rule.

I rise in opposition to this rule. I rise in opposition because it would make in order several amendments that undermine the will of a majority of both parties in this House, that the Export-Import Bank should be reopened immediately.

I said for a year and a half the majority of this House was for it; and for a year and a half, it was bottled up by a committee chairman in a closed process.

Since some Republicans blocked an extension of the Export-Import Bank's charter authority and let it shut down in July, hundreds of American jobs have been shipped overseas, and exporters and their workers have been unable to compete on a level playing field in foreign markets.

Last month, in a historic effort, virtually all Democrats and a majority of Republicans came together to end the gridlock and take steps to allow the House to work its will and hold a vote on reopening the Export-Import Bank. This rule seeks to reverse that process.

When that vote was finally held, Mr. Speaker, 127 Republicans finally got the opportunity to work their will—a majority of their Conference—and joined with every Democrat, save one, to reopen the Bank and create jobs in our country.

The will of this House is clear, unequivocal. The best way to reopen the Bank is by keeping, unchanged, in this highway bill the Heitkamp-Kirk language, a bipartisan amendment from the Senate that 313 Members, otherwise known as 75 percent of this body, voted for last week on this floor. The amendments that this rule would make in order are, in effect, a last-ditch attempt by the Bank's opponents to undo the will of the majority of this House.

I urge my colleagues to oppose this rule; and should it be adopted, as is likely the case, I urge every one of my colleagues who voted to reopen the Export-Import Bank last week to stand together in defeating every single amendment offered on the Export-Import Bank so we can stand together to defeat all of the amendments that are offered on the Export-Import Bank.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 25 seconds.

Mr. HOYER. It is a Senate bill and a House bill that are exactly the same. If

they had been passed alone, they would be on the President's desk right now.

Once again, we need to help American exporters; but more importantly than that, we need to help American workers get and keep jobs. We talk a lot about it. This is an opportunity to do it. Defeat any and every amendment, no matter how sugary it may sound, to defeat the Export-Import Bank.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I don't fault my friend from Maryland for not yielding. He had very limited time. I remember the days of the magic minute. Those were better yielding days.

Mr. HOYER. But I will yield to him on his time.

Mr. WOODALL. I appreciate that. The gentleman is always generous.

Mr. Speaker, while the minority whip was the majority leader of this institution, this House did a lot of big things—a lot of big things. But what they couldn't do—what they couldn't do—was a bill like the one that Ranking Member DEFazio and Chairman BILL SHUSTER have brought to the floor today.

□ 1315

We can cast this dye and call it anything we want to; but the fact of the matter is it is a success, and it is one that we have done together. I don't know where partisanship comes into this process, and it will be a shame if it comes in today because it sure hasn't been in in the previous days, weeks, months, and years that we have been working on this process.

I had some great ideas for this bill, Mr. Speaker, and I serve on the Transportation and Infrastructure Committee. Where better for a fellow with great ideas on transportation to work than on the Transportation and Infrastructure Committee.

So I knocked on my chairman's door. I said, Mr. Chairman, I bring the wisdom of the Seventh District of Georgia. I have crafted it all here in legislative language for you. Let me just go ahead and give it to you so you can include it in the base text.

Do you know what the chairman said to me?

He said, ROB, we are doing this in a collaborative manner. If your ideas are that good, you are going to find some folks on the other side of the aisle who believe in your ideas, too. You bring me back those ideas. Together, we will get it done.

He was right. That is exactly what I did. My ideas were that good. Thank you very much. I did go out and find some collegiality on the other side of the aisle, and we did include those ideas in the base text. That is what this product is.

You can't do that on every piece of legislation, Mr. Speaker, as the divi-

sions are too great; but the minority whip was right—this is about jobs. There is not a local mayor in the country who doesn't know that, as one's transportation infrastructure and education infrastructure goes, so goes one's community.

We need to solve that education piece. Today, we are going to solve the transportation piece. Not once in more than a decade has a bill come to the floor of this House with the kind of commitment to transportation and infrastructure that this bill has today. My hope is, somewhere in these 81 amendments this rule makes in order, we will be able to improve upon that bill. If nothing else, if we can't improve upon it, at least we can find out where the will of the House is by defeating those amendments.

Mr. Speaker, this is the process I ran to be a part of. This is the way I imagined the House to work. I am very proud to be here today, and I hope my colleagues will take some of that pride as well.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL), a member of the Committee on Ways and Means.

Mr. PASCRELL. Mr. Speaker, I was proud to join my Ways and Means Committee colleague, my counterpart—Mr. RENACCI of Ohio—along with several other Members, in submitting to the Rules Committee a modified version of our bipartisan bill to provide long-term, sustainable funding for our highways and bridges, which this bill does not do.

Our proposal would have used the next 3 paid-for years to set up a task force to devise a plan to fund the remaining years of the bill. Continuity can ensure that construction projects and the jobs they provide don't come to a grinding halt when Congress fails to act.

The fact that our bipartisan amendment to save the highway trust fund was shut out from floor consideration but that the devolution crowd gets a vote on their plan to dismantle the fund speaks volumes about how this leadership views the concept of an open process and regular order, to say nothing of the place for compromise and bipartisan solutions.

Look, we have a diverse coalition of colleagues who is cosponsoring our plan. We have support from a broad coalition of business, labor, construction, engineering, and transit advocates.

Let's be frank. Be it under Democratic or Republican control, this body has been loath to make the tough decisions needed on the issue of transportation funding. It is a disgrace that our bipartisan team was not given the chance to put the trust back into the trust fund.

I urge my colleagues to send a message by opposing this bill.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

"Disgrace" is a strong word from my friend; but I would say that, if there is disappointment in this institution, it is that the Ways and Means Committee, with the sole jurisdiction over funding transportation, has failed under both Republican and Democratic leadership to provide long-term transportation funding. The gentleman serves on that committee. I don't. I welcome his support on the steering committee if I try to make that move.

It is not easy, Mr. Speaker, to find that transportation funding, and the gentleman made a passionate pitch in the Rules Committee last night about the importance of keeping the user fee dynamic at play here.

Mr. Speaker, there was a time when the transportation bill was pushed by folks back home, not because they needed transportation certainty, as they so desperately need today, but because the local jurisdiction was only getting back about 80 cents out of every gas tax dollar they were sending in. They wanted to push that number up to 81 or to 82. It brought us all together around pushing a bill.

When we decided we didn't have the courage in the United States Congress—I was not in this institution at that time—to actually fund what it was that we had paid for, we began taking money out of general revenues and just stuffing it in the transportation trust fund. Now, if you are a road builder, if you are in the business of getting people to work, if you are in the business of getting families out of traffic, if you are in the business of making America's economy grow, you thought that was a trade worth making. You had no idea that, now that every State is getting back more than a dollar for every dollar of taxes they send in, it is really hard to get people back to the table to fix the problem that the gentleman is speaking of.

We are at a nexus here, Mr. Speaker, between trying to solve a problem and trying to preserve our user fee system. I don't know where the division in the road is going to go. If we fail to maintain the user fee system when we find the additional year 4, year 5, and year 6 of transportation funding, we may never get it back.

Mr. Speaker, I represent a very conservative area in the great State of Georgia. We don't much care for taxes of any kind. We don't mind taking care of one another, but we feel like we do it better ourselves than do folks from far, far away. My local jurisdiction rejected Federal gas taxes. It rejected State gas taxes. It passed for themselves a \$200 million bonding initiative to build roads locally because they believed they would get it done. Users are paying for those roads.

There is not a conservative in this country, I would posit, who is unwill-

ing to pay for what it is that he uses. It is our job to go sell that to folks—that, if you use it, you need to pay for it—and there is no shame in that. It is a constitutional responsibility that we have in this body, and it is one we ought to be proud to stand up and support.

Though, I would say to my friends on the other side of the aisle that we are going to have some EPA discussions in this legislation. My folks back home don't believe that, if they send a dollar to Washington, they are going to get a dollar's worth of roads back in return. They don't. They believe 10 percent is going to come off here and 10 percent is going to come off there. It is going to be wasted on regulatory compliance here, and it is going to be wasted on silly Federal mandates there; and they are going to get 50 cents of road for a dollar's worth of taxes. I don't think they are all wrong about that, Mr. Speaker. I think there is a lot of wisdom in that suspicion.

Now, this bill does a lot to correct that.

Two days ago, we had the ranking member of the Transportation and Infrastructure Committee in the Rules Committee, who was making that very point, which is that this bill is working to restore that trust.

I say to my friends on the other side of the aisle, who worry about funding as I worry about funding, if we restore that trust, we will have access to the funding.

It is a very challenging issue, Mr. Speaker. It is our responsibility, in having lost that trust, to restore it. This bill takes a major step in that direction.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Committee on Ways and Means.

Mr. BLUMENAUER. I thank the gentleman.

Mr. Speaker, my friend from Georgia suggests that this is very complex and difficult and that we have wrapped ourselves around the axle, and we can't do this in the Rules Committee or in the Transportation and Infrastructure Committee.

That is hogwash.

I wish that the Ways and Means Committee would have accepted the legislation that I have had for the last 5 years that is supported by the Chamber and the truckers and AAA and bicyclists and engineers—but, no, they have not done it. We could have an opportunity with this bill. There are a number of my colleagues who have proposals for finance, but they wouldn't even make in order a study, for heaven's sakes.

This year, seven Republican States, including Georgia, have raised the gas tax. They have followed the admonition of President Ronald Reagan in 1982, who called on Congress to come

back after Thanksgiving recess and raise the gas tax.

The gentleman was not there when I testified, but I submitted a list of 18 organizations that support raising the gas tax, and we are not even allowed an opportunity to debate it on the floor. That is why we can't do as good a job as we want with this transportation bill.

And what are we given?—a 6-year shell with 3 years of, sort of, pay-fors—I like this—requiring the Federal Reserve dividend, which is opposed by most of my Republican friends. There are 150 people who signed a letter, saying that it is really stupid to sell the strategic oil reserve at twice what the current price is and—one of my favorites—having bill collectors hound poor people for their taxes. The last two times we tried it, it lost money.

This is a fraud. I urge rejection.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

As a Rules Committee member—and it is called the powerful House Rules Committee for a reason—I am thrilled to see the parade of my Ways and Means colleagues on the House floor, who are saying that what Ways and Means doesn't get done we should be doing in the Rules Committee instead. I am excited about that as, I am sure, my friend from Colorado is as well. Together, we can do a lot of good tax policy.

I have a bill called the "FairTax." I haven't been able to bring it to the floor yet. With the endorsement now of two of my Ways and Means' friends that we ought to be able to make these amendments in order on major funding legislation and bring them to the floor, I am looking forward to trying to get that delegation letter going. I don't have any Democrats on the bill right now, but I would welcome anybody. It is H.R. 25, the fundamental tax reform bill. I would love to bring that to the floor.

Mr. Speaker, we are talking as if it is over right now, as if there is no more debate left to have. That is what is nonsense. We are going to continue improving this bill throughout the afternoon and into the night and into tomorrow. We are going to take this bill to conference and improve it still.

I have said it once, but I will say it again: the opportunity for 6 years of funding is still there.

This isn't the time to turn the firing squad inward. This is the time to stand shoulder to shoulder and get out there and do this together. We believe in that, Mr. Speaker. We couldn't reach agreement with the Senate last year because they wanted 3 years of funding, and we wanted 6. We were dreaming the big dreams, not as Republicans and Democrats, but as the U.S. House of Representatives—as the people's House. Those days are still upon us. We have an environment in which to win. I hope we will seize it.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. TITUS), a member of the Committee on Transportation and Infrastructure.

Ms. TITUS. I thank the gentleman.

Mr. Speaker, when the new Speaker took the gavel last week, he promised us that the House would run differently in that Members on both sides of the aisle would get a chance to bring forth amendments and that the House would debate the merits of those.

Today, I am reminded of the saying, "Plus ça change, plus c'est la même chose."

Like the gentleman admonished and as the chairman said, I worked across the aisle and brought a bipartisan amendment with my friend, Mr. DAVIS from Illinois. It made a small change about the local use of transportation dollars. Despite overwhelming support, we were denied the opportunity to bring that amendment to the floor.

In the middle of the night, in the backroom here in the Capitol, the majority decided that the will of the people simply didn't have to be heard on this important transportation issue; yet they have allowed 10 amendments to be heard on the Export-Import Bank, which have nothing to do with transportation, and the issue of which was resolved a week ago.

Indeed, I say, the more things change, the more they stay the same. So, despite all the fancy rhetoric you are hearing, I would urge you to remember that and to vote "no" on this rule.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

With this new order that we have here, we are going to have to work through it together, and it is not going to be easy. For the folks who think it is going to be easy, I would go ahead and turn your voting card in now and let somebody else come up here and do the work. It is not going to be easy. It is going to be hard.

□ 1330

Because what constitutes regular order for us? How do we work together?

My friend from Nevada just talked about her amendment that the Rules Committee didn't consider. She is absolutely right. That said, she offered the amendment in committee and withdrew it before we had a chance to vote on it.

We had this topic before us in the Transportation Committee and didn't do it there. Folks chose to do it on the House floor and in the Rules Committee instead. Is that the way we want this institution to work? Do we want to ignore the issues at the committees of jurisdiction and bring them to the House floor straightaway, or do we want to work through the committee process?

I don't have all the answers, Mr. Speaker. I have one vote in a body of 435. I generally side on the side of openness as opposed to being closed. I generally side on the side of voting instead of not voting.

Of all the rules I have had a chance to handle, Mr. Speaker, in the 4½ years the good people of the Seventh District have entrusted me with their voting card, this bill that we have before us, this rule that we have before us makes in order more voices than any other rule I have ever handled.

If folks don't think we have gone far enough today, fair enough. Let's talk about it again tomorrow. But I challenge you to tell me that we did it better yesterday, not "we" the Republicans yesterday, not "we" the Democrats yesterday, but "we" this House yesterday.

I have been watching this institution a long time. Not in more than 10 years have we even considered a bill of this magnitude on the floor of the House, and I am pleased that we finally came together to do it today.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. DELANEY).

Mr. DELANEY. Mr. Speaker, my good friend from Georgia talks about the certainty that will be obtained by this bill. There will be certainty. There will be an absolute certainty that we will continue to underinvest in our infrastructure in the United States of America for the next 6 years.

Mr. Speaker, because of recent funding levels, we have caused the infrastructure in this country to be underinvested by a huge number. People estimate we have a \$6 trillion shortfall in our infrastructure. Well, that is a huge challenge. It is also a huge opportunity. If we could actually increase our investment in infrastructure, we would create jobs, we would improve the lives of our constituents, and we would make our country more competitive.

Instead, we are looking at a bill that locks in infrastructure spending at current levels for another 6 years. How anyone could possibly look at the facts, look at the data, and look at the situation of the infrastructure in this country and conclude that that is the right answer is beyond my comprehension.

The only way to stop this chronic underinvestment in our infrastructure that will cause the infrastructure crisis in this country to continue to build is to reject this rule and reject the underlying bill so that this Congress can go back to the drawing board and figure out smart ways to increase our funding in infrastructure.

There are bipartisan solutions. We have heard about some of them today. One of the ones that I have worked on for years is to tie increasing our in-

vestment in infrastructure to international tax reform, where we have trillions of dollars sitting overseas trapped. If we can create pathways for that money to come back, we can allocate additional revenue towards infrastructure and increase our investment in infrastructure so we will not continue to have the problem of chronic underinvestment in our infrastructure and we can rebuild America.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I want to say to my friend from Maryland he is absolutely right. We could do better in terms of certainty.

I would remind the gentleman that when Democrats ran this institution the cycle before I got here, they passed six different transportation extension bills in 2 years. That means we are averaging 4 months of certainty.

This bill, even under the most pessimistic assertions, gives us 3 years of certainty, which is more certainty than America has seen in a decade. I am not trying to stop trying, Mr. Speaker. I want us to keep fighting forward together. I just want us to recognize that this is the best we have done in a long, long time. Let's take advantage of having done the best we have done in a long, long time, and let's keep trying to do better.

Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. DUNCAN), a senior member of the Transportation Committee.

Mr. DUNCAN of Tennessee. Mr. Speaker, first, I thank the gentleman from Georgia for yielding me this time. In my 27 years in this Congress, I can think of very few Members who are better orators, greater speakers than the gentleman from Georgia; and I appreciate his giving me this time.

I rise in support of this rule.

Later today, Congressman PAULSEN of Minnesota and I will be offering an amendment that, I think, is very technical in nature; but it is designed to help the smallest businesses in the trucking industry.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for including some provisions from a bill that I introduced in the base text that establishes hiring practices that a freight broker must follow.

My and Mr. PAULSEN's amendment clarifies the requirements that a freight broker must meet before hiring a motor carrier for the delivery of goods. This bill will require a broker to check to ensure that a motor carrier is first registered with, and authorized by, the Federal Motor Carrier Safety Administration to operate as a licensed motor carrier; and, secondly, that it has the minimum insurance required by Federal law; and, third, it has the satisfactory safety fitness determination by the FMCSA. My amendment inserts "or be unrated" in the third requirement.

Currently, there are thousands of small trucking companies which have yet to be audited by the FMCSA. By adding the words "or be unrated," we ensure that these very small companies will not be precluded from being in the pool of eligible motor carriers that can be used for shipping goods.

Without this modest change, thousands of very small, very safe trucking companies will be eliminated from the pool of eligible motor carriers just because the FMCSA has not had time or staff levels enough to rate them. Without this amendment, thousands of small companies that have never had a wreck or a violation will be hurt.

So, without this change, we will hurt small businesses and drive up the cost of shipping goods for everyone. This is an amendment for the little guy, the mom-and-pop operators.

There is a second part to this amendment that address a fourth requirement that must be checked by the brokers. This fourth condition requires a broker to check to make sure that a motor carrier has not been issued an out-of-service order to prohibit a carrier from conducting operations.

To conclude, I will just say my and Mr. PAULSEN's amendment ensures that we have only safe trucks on the road and that thousands of small businesses are not hurt in the process. This amendment is supported by the Owner Operators Independent Drivers Association, the Transportation Intermediaries Association, various other associations, the International Warehouse Logistics Association, and on and on.

I would urge my colleagues to look into this amendment and hopefully support it later today when we bring it to the floor.

Mr. POLIS. Mr. Speaker, many American workers don't have access to paid sick days, which means they can't miss work without losing a day's pay or risking their job security, sometimes even endangering the public health by spreading their flu or cold to others.

Mr. Speaker, everyone should be able to take care of themselves or their loved ones when they are sick and not have to worry about losing their job or falling behind on their bills.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to the previous question. Defeating the previous question will allow us to amend the rule to provide

for consideration of the Healthy Families Act. It is an act that would allow workers to earn up to 7 days of job-protected sick leave every year.

Being a working parent should not mean choosing between your job and taking care of yourself and your family. But at least 43 million private sector workers, 39 percent of the workforce, must make this decision every time illness strikes. Millions more cannot earn paid sick time to care for a sick child or for a family member.

Employers ultimately suffer when workers have to make this choice. Increased turnover rates amount to greater costs. And employers can jeopardize the health of other employees when their policies force employees to come to work sick.

Paid sick days policies have been enacted successfully at the State and local levels. Nearly 20 jurisdictions across the country have adopted paid sick day laws, and there is strong public support for universal access to paid sick days. Eighty-eight percent of Americans support paid sick days legislation.

The Healthy Families Act allows working families to meet their health and financial needs while boosting businesses' productivity and retention rates.

It ultimately strengthens this Nation's economy. It is common sense, business savvy, and it is the right thing to do. Let's protect the public health, boost the economy, help hardworking families have access to paid sick days. Let's pass the Healthy Families Act.

I urge my colleagues to oppose the previous question.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), the ranking member on the Ways and Means Subcommittee on Select Revenue Measures.

Mr. NEAL. Mr. Speaker, we shouldn't be bragging about this legislation today, boasting about this legislation. Let me give you the perspective of 27 years here.

This used to be the easiest legislation to pass in this institution. It created greater cost efficiencies. It created greater investment and, just as importantly, it put people to work immediately.

There was no hearing held on the tax title portion of this bill. There was no operation or opportunity for Members to offer amendments in the Ways and Means Committee. Now, let me point out, for that 4-year period when we were in the majority, I held those hearings; and then after the loss of elections, during those 4 years, nothing ever came of it again.

We have repeatedly urged the opportunity to talk about a genuine mechanism for financing the Federal highway

system, our airports, our railroads; and the opportunity has not availed itself.

To point something out here that I think is noteworthy as well, this financing is held together by bubble gum. How many times are we going to sell the oil in the Strategic Petroleum Reserve? Every time I turn around, it becomes the pay-for these days. Is there any oil left in there? That is how we are going to finance the Federal highway system?

A reminder, what I heard earlier that in some States people only want to pay for services that they use, that was the revenue mechanism, the user fee, the gas tax that allowed people to pay for the services that they used; namely, driving along on the Federal highway system. Now, how is that for a complication?

We are here today because we have not adequately addressed the Federal highway system's responsibility and that begins in this House of the Congress where all financing, according to our Constitution, is supposed to originate. If the Ways and Means Committee isn't taking it up, there is no opportunity for the House to take it up.

Don't brag about this rule today. It is a bad rule, and we should vote it down and get on with financing the Federal highway system the way it is supposed to be financed.

Mr. WOODALL. Mr. Speaker, I yield myself 15 seconds.

I just remind my friend, during the Congress before I arrived when he was chairman, four different extensions of the highway trust fund, not one of them was funded with a change in the gas tax.

Mr. NEAL. Will the gentleman yield?

Mr. WOODALL. I yield to the gentleman from Massachusetts.

Mr. NEAL. Mr. Speaker, we held the hearings. We went through it. We had the Chamber of Commerce in, the American Trucking Association, and we had organized labor in. We were set to go, and then we lost the institution and that was the end of the discussion about the Federal highway system.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Vermont (Mr. WELCH), a member of the Committee on Energy and Commerce.

Mr. WELCH. Mr. Speaker, as Mr. NEAL said, this transportation highway bill used to be a solid, bipartisan bill that invested in the future of this country. This Congress has set different expectations. I think if we are candid with ourselves and with the American people, we have become a low-expectations Congress. I guess it could be said that this bill meets, but certainly doesn't exceed, the low expectations that prevail in this body.

It is true that it will have a 6-year bill authorization with 3 years of bubble-gum-styled funding. That is going

to give some certainty to the agency of transportation in Vermont, so it is true that this is better than when we were doing 3-month extensions and 5-month extensions on "pension smoothing."

You know what? America deserves better. America needs more, and we can provide it. We have jobs to create, work to be done, workers ready to put shovels in the ground and to get America moving again. It is within our power, both sides, to make that happen. But it can't happen if we are so fearful to even discuss revenue measures that we don't have hearings on them.

□ 1345

We have had good proposals from Mr. BLUMENAUER, a bipartisan proposal with Mr. RENACCI and Mr. PASCRELL, the Delaney proposal. There are solutions out there that are going to invest in this country, generate jobs for this economy, increase the gross domestic product, and make our economy more competitive and our highway system safer.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Ms. EDWARDS), a member of the Committee on Transportation and Infrastructure.

Ms. EDWARDS. Mr. Speaker, I rise today in opposition to the rule precisely because it makes in order various Export-Import Bank amendments that are actually designed to kill what we just did to make sure that we could reauthorize the Export-Import Bank.

Nonetheless, I am grateful to Chairmen SHUSTER and GRAVES and Ranking Members DEFAZIO and NORTON and their committees and their personal staffs for their leadership in trying to move forward a 6-year reauthorization.

All of us have acknowledged that this is far from perfect, but the fact is, America is literally falling apart: by asphalt, by rebar, by cement, by steel, by rail, pothole by pothole, just falling apart. The United States now ranks 16th in infrastructure according to the World Economic Forum. According to the American Society of Civil Engineers, the overall assessment of our infrastructure ranks is, I am sad to say, a whopping D plus.

As some of you remember from The Washington Post back in February, a constituent of mine was driving on the Suitland Parkway, just outside of D.C. She was minding her own business, running her errands. What happens? A chunk of cement falls down and hits her car. That is right, a chunk of cement falling from the beltway to hit her car on the Suitland Parkway. Fortunately, no one was injured, but this is just one example of a project that was on the Federal list and simply wasn't worked on because there was no money to do it.

I support what we are doing today in terms of a bipartisan authorization for a long-term authorization, but this is nowhere near what we need to do to repair the couple of trillion dollars in infrastructure deficit that we face in this country that is causing us not to be as competitive as we need to be and really is taking up a bunch of time for people who are stuck on roads that are going nowhere.

Let me be clear, this is not the bill that I would have written. It is not perfect, but maybe it is the best that we can do under the circumstances. Clearly, though, we shouldn't have a 6-year authorization with only a couple years of funding. There have been numerous proposals to fund our long-term infrastructure.

I am grateful that I was able to at least work on a couple of amendments regarding oversight of the Washington Metropolitan Area Transit Authority, WMATA, and I look forward to continuing to work on these efforts.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a few of my colleagues have talked about selling down the Strategic Petroleum Reserve. I think that is a great bipartisan idea to pay for something. We actually no longer need to have crude oil in the Strategic Petroleum Reserve.

Our Nation is a net producer of crude oil, so they are actually stockpiling the same stuff that we are talking about exporting; namely, unprocessed crude oil. There is a component of the crude oil reserve that is heating oil that is processed. That is still necessary. That is not being sold down. Nobody has talked about selling that down. I think we can use the Strategic Petroleum Reserve as an additional pay-for for other items until it is successfully phased out over the next few years. I think this bill is the first step. I applaud my colleagues for including it.

Keep in mind, though, it is an accounting trick in terms of the dollar value of that. They are assuming that it will be sold at roughly twice the current price of oil. That may happen; it may not. We don't know. But at least it is being sold, and that is a good thing.

A third of our Nation's roads are rated poor or mediocre. We need to do better. We have a responsibility to address the transportation and infrastructure crisis.

If you have ever been to Fort Collins, the biggest city in my congressional district, home to Colorado State University, you have found a lot of traffic along Interstate 25.

If you have ever traveled Interstate 70 to our world-class ski resorts, like Vail or Breckenridge, you might very well have been locked in traffic as you

went out there to enjoy the ski season or the summer high season.

Fort Collins, Loveland, Boulder, Vail, Frisco, Breckenridge, these are our communities that are tourism-and recreation-driven, and we need a 21st century transportation solution that provides consistency in funding levels, not a shell game to fund 2 years of a 6-year bill.

We need to open up a future for major highway improvements, like we need on Interstates 25 and 70. We need to put politics aside and not shroud a 2-year bill behind a facade of a 6-year bill. Our parents and grandparents sacrificed to build a world-class national infrastructure system, but we need the courage to maintain it and improve it for the 21st century.

I urge my colleagues to consider the responsibility of this maneuver. I urge defeat of the previous question, and I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, may I inquire how much time remains on my side?

The SPEAKER pro tempore. The gentleman from Georgia has 5½ minutes remaining.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I appreciate my friend from Colorado working with me on this rule today. I appreciate all the folks on the Committee on Transportation and Infrastructure who made this possible, and the whole body that came in front of the Committee on Rules, bringing amendments to try to make the bill better.

I don't want to suggest that the differences that we have between one another here are in any way going away because of this bill. They are not. I have heard passionate speech after passionate speech about funding of this bill.

I share some of those concerns, but I represent a county of 200,000 people who just raised \$200 million in a bonding initiative to build their roads. Until my colleagues have raised the taxes on their constituents by \$1,000 on every man, woman, and child—\$4,000 on a family of four—to build roads back home in your district, please don't come and ask my constituents to pay even more.

Georgia is one of the States that has raised its gas tax, from a 7 cent sales tax to a 26 cent excise tax. When your State has taken on that same burden of responsibility, come back to me and tell me how much more Georgia needs to put in to help you.

The devolution of the transportation trust fund has long been a conversation in this body, but by holding the Federal gas tax constant over these years, that devolution has been happening naturally with the effect of inflation, and localities are picking up the tab.

You know what we are celebrating this week back home, Mr. Speaker?

This is election week, of course. A year ago this week is when Forsyth County passed its \$200 million bonding initiative. You know when they broke ground on the project, Mr. Speaker? This week. This week. You tell me that time is money. It is true in transportation.

I challenge you to find that Federal project that you are working on back home in your district that you are going from conception to groundbreaking in 12 months. I want to help you find the funding to make it happen, I do, because, clearly, you are running at a heightened level of efficiency, and it deserves our support.

Mr. Speaker, the reason we need this bill is because we are not getting a dollar's worth of value out of a dollar's worth of Federal taxes. The reason we need this bill is to help make some of those bipartisan reforms to the infrastructure program that just don't make sense. They just don't make sense in the 21st century, and it is no wonder. Democratic Congresses failed to succeed in this effort. Republican Congresses failed to succeed in this effort. This Congress is succeeding in this effort.

There are 81 new amendments with this rule today, 81 new ideas with this amendment today. Mr. Speaker, the underlying bill has more certainty and more funding than any other proposal this body has considered in more than a decade. This rule has more openness, more voices, and more amendments than any other rule of this nature that I have been able to handle in 4½ years here.

We don't get it right every day. We don't get it right every day. Votes don't go the way I want them to go every day, but we have got a chance, Mr. Speaker. We have got a chance with this bill, with this process, with this new House leadership team to restore the trust that has been lost for far too long.

Mr. Speaker, I urge support for the rule and the underlying resolution.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 512 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 8. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 932) to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Education and the Workforce, House Administration, and Oversight and Government Re-

form. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 9. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 932.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled

"Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1019

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor on H.R. 1019.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 507 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill, H.R. 22.

Will the gentleman from Idaho (Mr. SIMPSON) kindly resume the chair.

□ 1356

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose on Tuesday, November 3, 2015, amendment No. 45 printed in part B of House Report 114-325 offered by the gentlewoman from California (Mrs. NAPOLITANO) had been disposed of.

VACATING DEMAND FOR RECORDED VOTE ON
AMENDMENT OFFERED BY MR. ROTHFUS

Mr. ROTHFUS. Mr. Chair, I ask unanimous consent to withdraw my request for a recorded vote on my amendment to the end that the amendment stands disposed of by the voice vote thereon.

The CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIR. Without objection, the request for a recorded vote is withdrawn. Accordingly, the ayes have it and the amendment is agreed to.

There was no objection.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114-325 on which further proceedings were postponed, in the following order:

Amendment No. 37, as modified, by Mrs. HARTZLER of Missouri.

Amendment No. 39 by Mr. ROONEY of Florida.

Amendment No. 41 by Mr. DESAULNIER of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 37, AS MODIFIED, OFFERED BY
MRS. HARTZLER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Missouri (Mrs. HARTZLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 172, noes 255, not voting 6, as follows:

[Roll No. 594]

AYES—172

Abraham	Brady (TX)	Chaffetz
Aderholt	Brat	Clawson (FL)
Allen	Bridenstine	Coffman
Amash	Brooks (AL)	Collins (GA)
Babin	Brooks (IN)	Collins (NY)
Barr	Buchanan	Conaway
Barton	Buck	Cook
Benishek	Bucshon	Cramer
Bishop (UT)	Burgess	Crenshaw
Black	Byrne	Culberson
Blackburn	Carter (GA)	DeSantis
Blum	Carter (TX)	DesJarlais
Bost	Chabot	Duffy

Duncan (SC)	LaHood	Rokita
Duncan (TN)	Lamborn	Roskam
Emmer (MN)	Latta	Ross
Farenthold	Long	Rothfus
Fincher	Loudermilk	Rouzer
Fleischmann	Love	Royce
Fleming	Lucas	Russell
Flores	Luetkemeyer	Salmon
Forbes	Lummis	Scalise
Fox	Marchant	Schweikert
Franks (AZ)	Massie	Scott, Austin
Garrett	McCarthy	Sensenbrenner
Gibbs	McClintock	Sessions
Gosar	McMorris	Shimkus
Gowdy	Rodgers	Smith (MO)
Granger	McSally	Smith (NE)
Graves (GA)	Messer	Smith (NJ)
Graves (LA)	Mica	Smith (TX)
Griffith	Miller (FL)	Stewart
Guthrie	Moolenaar	Stivers
Hardy	Mooney (WV)	Stutzman
Harris	Mullin	Thornberry
Hartzler	Mulvaney	Tiberi
Heck (NV)	Neugebauer	Tipton
Hensarling	Noem	Wagner
Herrera Beutler	Nugent	Walberg
Hice, Jody B.	Olson	Walker
Holding	Palazzo	Walorski
Hudson	Palmer	Weber (TX)
Huelskamp	Paulsen	Webster (FL)
Huizenga (MI)	Pearce	Wenstrup
Hultgren	Perry	Westerman
Hunter	Pittenger	Westmoreland
Hurt (VA)	Pitts	Whitfield
Issa	Poliquin	Williams
Jenkins (KS)	Pompeo	Wilson (SC)
Johnson (OH)	Posey	Wittman
Johnson, Sam	Price, Tom	Woodall
Jones	Ratcliffe	Yoder
Jordan	Reed	Yoho
Kelly (MS)	Renacci	Young (IA)
King (IA)	Ribble	Young (IN)
Kinzinger (IL)	Rice (SC)	Zeldin
Kline	Roby	Zinke
Labrador	Rohrabacher	

NOES—255

Adams	Crawford	Grijalva
Aguilar	Crowley	Grothman
Amodei	Cuellar	Guinta
Ashford	Cummings	Gutiérrez
Barletta	Curbelo (FL)	Hahn
Bass	Davis (CA)	Hanna
Beatty	Davis, Danny	Harper
Becerra	Davis, Rodney	Hastings
Bera	DeFazio	Heck (WA)
Beyer	DeGette	Higgins
Bilirakis	Delaney	Hill
Bishop (GA)	DeLauro	Himes
Bishop (MI)	DelBene	Hinojosa
Blumenauer	Denham	Honda
Bonamici	Dent	Hoyer
Boustany	DeSaulnier	Huffman
Boyle, Brendan F.	Deutch	Hurd (TX)
Brady (PA)	Diaz-Balart	Israel
Brown (FL)	Dingell	Jackson Lee
Brownley (CA)	Doggett	Jeffries
Bustos	Dold	Jenkins (WV)
Butterfield	Donovan	Johnson, E. B.
Calvert	Doyle, Michael F.	Jolly
Capps	Duckworth	Joyce
Capuano	Edwards	Kaptur
Cárdenas	Ellison	Katko
Carney	Engel	Keating
Carson (IN)	Eshoo	Kelly (IL)
Cartwright	Esty	Kelly (PA)
Castor (FL)	Farr	Kennedy
Castro (TX)	Fattah	Kildee
Chu, Judy	Fitzpatrick	Kilmer
Cicilline	Fortenberry	Kind
Clark (MA)	Foster	King (NY)
Clarke (NY)	Frankel (FL)	Kirkpatrick
Clay	Frelinghuysen	Knight
Cleaver	Fudge	Kuster
Clyburn	Gabbard	LaMalfa
Cohen	Gallo	Lance
Cole	Garamendi	Langevin
Comstock	Gibson	Larsen (WA)
Connolly	Goodlatte	Larson (CT)
Conyers	Graham	Lawrence
Cooper	Graves (MO)	Lee
Costa	Grayson	Levin
Costello (PA)	Green, Al	Lewis
Courtney	Green, Gene	Lieu, Ted
		Lipinski

LoBiondo	Pascrell	Simpson
Loeback	Payne	Sinema
Lofgren	Pelosi	Sires
Lowenthal	Perlmutter	Slaughter
Lowe	Peters	Smith (WA)
Lujan Grisham	Peterson	Speier
(NM)	Pingree	Stefanik
Luján, Ben Ray	Pocan	Swalwell (CA)
(NM)	Poe (TX)	Takano
Lynch	Polis	Thompson (CA)
MacArthur	Price (NC)	Thompson (MS)
Maloney,	Quigley	Thompson (PA)
Carolyn	Rangel	
Maloney, Sean	Reichert	
Marino	Rice (NY)	
Matsui	Richmond	
McCauley	Rigell	
McCollum	Roe (TN)	
McDermott	Rogers (AL)	
McGovern	Rogers (KY)	
McHenry	Rooney (FL)	
McKinley	Ros-Lehtinen	
McNerney	Roybal-Allard	
Meadows	Ruiz	
Meehan	Ruppersberger	
Meng	Ryan (OH)	
Miller (MI)	Sánchez, Linda T.	
Moore	Sanchez, Loretta	
Moulton	Sanford	
Murphy (FL)	Sarbanes	
Murphy (PA)	Schakowsky	
Nadler	Schiff	
Napolitano	Schrader	
Neal	Scott (VA)	
Newhouse	Scott, David	
Nolan	Serrano	
Norcross	Sewell (AL)	
Nunes	Sherman	
O'Rourke	Shuster	
Pallone		

NOT VOTING—6

Ellmers (NC)	Johnson (GA)	Rush
Gohmert	Meeks	Takai

□ 1426

Messrs. LAMALFA, CRAWFORD, SWALWELL of California, LARSON of Connecticut, MARINO, and GUTIERREZ changed their vote from “aye” to “no.”

Messrs. REED, CARTER of Georgia, BARTON, MULLIN, Mrs. NOEM, and Mr. STIVERS changed their vote from “no” to “aye.”

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 39 OFFERED BY MR. ROONEY OF FLORIDA

The Acting CHAIR (Mr. CONAWAY). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. ROONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 240, not voting 8, as follows:

[Roll No. 595]

AYES—185

Abraham	Graves (GA)	Palmer
Aderholt	Green, Gene	Paulsen
Allen	Griffith	Pearce
Amodei	Grothman	Perry
Ashford	Guinta	Peterson
Babin	Harris	Pittenger
Barr	Hartzler	Poe (TX)
Barton	Heck (NV)	Poliquin
Benishek	Hensarling	Pompeo
Bilirakis	Herrera Beutler	Posey
Bishop (UT)	Hice, Jody B.	Price, Tom
Black	Hinojosa	Ratcliffe
Blackburn	Holding	Renacci
Blum	Hudson	Ribble
Bost	Huelskamp	Rice (SC)
Brady (TX)	Huizenga (MI)	Roby
Brat	Hunter	Roe (TN)
Bridenstine	Hurd (TX)	Rogers (AL)
Brooks (AL)	Hurt (VA)	Rokita
Brooks (IN)	Issa	Rooney (FL)
Brown (FL)	Jenkins (KS)	Ros-Lehtinen
Buchanan	Johnson (OH)	Ross
Buck	Jolly	Rouzer
Byrne	Jordan	Royce
Carter (GA)	Kelly (MS)	Scalise
Carter (TX)	Kelly (PA)	Schrader
Chabot	King (IA)	Scott, Austin
Chaffetz	Kline	Scott, David
Clawson (FL)	Knight	Sessions
Cleaver	Labrador	Simpson
Coffman	LaHood	Sinema
Collins (GA)	LaMalfa	Smith (MO)
Collins (NY)	Lamborn	Smith (NE)
Conaway	Lance	Smith (TX)
Costa	Latta	Stefanik
Cramer	Long	Stewart
Crawford	Loudermilk	Stivers
Crenshaw	Love	Stutzman
Cuellar	Lucas	Thompson (PA)
Culberson	Lummis	Thornberry
Curbelo (FL)	Marchant	Tiberi
Davis, Rodney	Marino	Tipton
DeSantis	Massie	Valadao
DesJarlais	McCarthy	Vela
Diaz-Balart	McCaull	Wagner
Donovan	McClintock	Walden
Duffy	McMorris	Walker
Duncan (SC)	Rodgers	Walz
Duncan (TN)	McSally	Weber (TX)
Farenthold	Messer	Webster (FL)
Fincher	Miller (FL)	Wenstrup
Fleischmann	Moolenaar	Westerman
Flores	Mooney (WV)	Westmoreland
Fortenberry	Mullin	Wilson (SC)
Foxx	Mulvaney	Womack
Franks (AZ)	Murphy (FL)	Woodall
Garamendi	Neugebauer	Yoder
Garrett	Newhouse	Yoho
Gibbs	Noem	Young (AK)
Gosar	Nugent	Young (IA)
Gowdy	Nunes	Young (IN)
Granger	Olson	Zinke

NOES—240

Adams	Cartwright	Dent
Aguilar	Castor (FL)	DeSaulnier
Amash	Castro (TX)	Deutch
Barletta	Chu, Judy	Dingell
Bass	Cicilline	Doggett
Beatty	Clark (MA)	Dold
Becerra	Clarke (NY)	Doyle, Michael
Bera	Clay	F.
Beyer	Clyburn	Duckworth
Bishop (GA)	Cohen	Edwards
Bishop (MI)	Cole	Ellison
Blumenauer	Comstock	Emmer (MN)
Bonamici	Connolly	Engel
Boustany	Conyers	Eshoo
Boyle, Brendan	Cook	Esty
F.	Cooper	Farr
Brady (PA)	Costello (PA)	Fattah
Brownley (CA)	Courtney	Fitzpatrick
Bucshon	Crowley	Fleming
Burgess	Cummings	Forbes
Bustos	Davis (CA)	Foster
Butterfield	Davis, Danny	Frankel (FL)
Calvert	DeFazio	Frelinghuysen
Capps	DeGette	Fudge
Capuano	Delaney	Gabbard
Cárdenas	DelLauro	Gallego
Carney	DelBene	Gibson
Carson (IN)	Denham	Goodlatte

Graham	Lowey	Ruppersberger
Graves (LA)	Luetkemeyer	Russell
Graves (MO)	Lujan Grisham	Ryan (OH)
Grayson	(NM)	Salmon
Green, Al	Luján, Ben Ray	Sánchez, Linda
Grijalva	(NM)	T.
Guthrie	Lynch	Sanchez, Loretta
Gutiérrez	MacArthur	Sanford
Hahn	Maloney,	Sarbanes
Hanna	Carolyn	Schakowsky
Hardy	Maloney, Sean	Schiff
Harper	Matsui	Schweikert
Hastings	McCollum	Scott (VA)
Heck (WA)	McGovern	Sensenbrenner
Higgins	McHenry	Serrano
Hill	McKinley	Sewell (AL)
Himes	McNerney	Sherman
Honda	Meadows	Shimkus
Hoyer	Meehan	Shuster
Huffman	Meng	Sires
Hultgren	Mica	Slaughter
Israel	Miller (MI)	Smith (NJ)
Jefferson Lee	Moore	Smith (WA)
Jeffries	Moulton	Speier
Jenkins (WV)	Murphy (PA)	Swalwell (CA)
Johnson (GA)	Nadler	Takano
Johnson, E. B.	Napolitano	Thompson (CA)
Johnson, Sam	Neal	Thompson (MS)
Jones	Nolan	Titus
Joyce	Norcross	Tonko
Kaptur	O'Rourke	Torres
Katko	Palazzo	Trott
Keating	Pallone	Tsongas
Kelly (IL)	Pascrell	Turner
Kennedy	Payne	Upton
Kildee	Perlmutter	Van Hollen
Kilmer	Peters	Vargas
Kind	Pingree	Veasey
King (NY)	Pitts	Velázquez
Kinzinger (IL)	Pocan	Visclosky
Kirkpatrick	Polis	Walberg
Kuster	Price (NC)	Walorski
Langevin	Quigley	Walters, Mimi
Larsen (WA)	Rangel	Wasserman
Larson (CT)	Reed	Schultz
Lawrence	Reichert	Waters, Maxine
Lee	Rice (NY)	Watson Coleman
Levin	Richmond	Welch
Lewis	Rigell	Williams
Lieu, Ted	Rogers (KY)	Wilson (FL)
Lipinski	Rohrabacher	Wittman
LoBiondo	Roskam	Yarmuth
Loeb sack	Rothfus	Zeldin
Lofgren	Roybal-Allard	
Lowenthal	Ruiz	

NOT VOTING—8

Elmners (NC)	Meeks	Takai
Gohmert	Pelosi	Whitfield
McDermott	Rush	

□ 1431

Mr. THOMPSON of Mississippi changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. McDERMOTT. Mr. Chair, on rollcall No. 594, I would have voted “no.” On rollcall 595, I would have voted “yes.”

AMENDMENT NO. 41 OFFERED BY MR.

DE SAULNIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DESAULNIER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 257, not voting 7, as follows:

[Roll No. 596]

AYES—169

Adams	Foster	Napolitano
Aguilar	Frankel (FL)	Neal
Ashford	Fudge	Nolan
Bass	Gabbard	Norcross
Beatty	Gallego	O'Rourke
Becerra	Garamendi	Pascarell
Bera	Grayson	Payne
Beyer	Green, Gene	Pelosi
Blum	Griffith	Perlmutter
Blumenauer	Grijalva	Perry
Bonamici	Gutiérrez	Peters
Boyle, Brendan	Hahn	Pingree
F.	Hastings	Pocan
Brady (PA)	Heck (WA)	Polis
Brownley (CA)	Higgins	Posey
Bustos	Himes	Price (NC)
Capps	Hinojosa	Ribble
Capuano	Honda	Richmond
Cárdenas	Hoyer	Ruiz
Carney	Huffman	Ruppersberger
Carson (IN)	Issa	Ryan (OH)
Cartwright	Jackson Lee	Salmon
Castor (FL)	Kaptur	Sánchez, Linda
Castro (TX)	Katko	T.
Chu, Judy	Keating	Sanchez, Loretta
Cicilline	Kelly (IL)	Sarbanes
Clark (MA)	Kennedy	Schakowsky
Clarke (NY)	Kildee	Schiff
Clay	Kilmer	Scott (VA)
Cleaver	Kind	Scott, David
Clyburn	Knight	Sherman
Coffman	Kuster	Sinema
Cohen	LaMalfa	Slaughter
Connolly	Lance	Smith (NJ)
Conyers	Langevin	Smith (WA)
Cooper	Larsen (WA)	Speier
Courtney	Larson (CT)	Swalwell (CA)
Cuellar	Lawrence	Takano
Cummings	Lee	Thompson (CA)
Davis (CA)	Levin	Thompson (MS)
Davis, Danny	Lewis	Titus
DeGette	Lieu, Ted	Tonko
Delaney	Lipinski	Torres
DeLauro	Loeb sack	Tsongas
DelBene	Lowenthal	Van Hollen
DeSaulnier	Lujan Grisham	Vargas
Deutch	(NM)	Vela
Dingell	Luján, Ben Ray	Visclosky
Doyle, Michael	(NM)	Walters, Mimi
F.	Lummis	Walz
Duckworth	Lynch	Wasserman
Duncan (TN)	Matsui	Schultz
Edwards	McCollum	Waters, Maxine
Ellison	McGovern	Watson Coleman
Engel	McNerney	Welch
Eshoo	Moore	Wilson (FL)
Esty	Moulton	Yarmuth
Farr	Mulvaney	
Fattah	Murphy (FL)	

NOES—257

Buck	Davis, Rodney
Bucshon	DeFazio
Burgess	Denham
Butterfield	Dent
Byrne	DeSantis
Calvert	DesJarlais
Carter (GA)	Diaz-Balart
Carter (TX)	Doggett
Chabot	Dold
Chaffetz	Donovan
Clawson (FL)	Duffy
Cole	Duncan (SC)
Collins (GA)	Emmer (MN)
Collins (NY)	Farenthold
Comstock	Fincher
Conaway	Fitzpatrick
Cook	Fleischmann
Costa	Fleming
Costello (PA)	Flores
Cramer	Forbes
Crawford	Fortenberry
Crenshaw	Foxx
Crowley	Franks (AZ)
Culberson	Frelinghuysen
Curbelo (FL)	Garrett

Gibbs	MacArthur	Roskam
Gibson	Maloney,	Ross
Goodlatte	Carolyn	Rothfus
Gosar	Maloney, Sean	Rouzer
Gowdy	Marchant	Roybal-Allard
Graham	Marino	Royce
Granger	Massie	Russell
Graves (GA)	McCarthy	Sanford
Graves (LA)	McCaul	Scalise
Graves (MO)	McClintock	Schrader
Green, Al	McHenry	Schweikert
Grothman	McKinley	Scott, Austin
Guinta	McMorris	Sensenbrenner
Guthrie	Rodgers	Serrano
Hanna	McSally	Sessions
Hardy	Meadows	Sewell (AL)
Harper	Meehan	Shimkus
Harris	Meng	Shuster
Hartzler	Messer	Simpson
Heck (NV)	Mica	Sires
Hensarling	Miller (FL)	Smith (MO)
Herrera Beutler	Miller (MI)	Smith (NE)
Hice, Jody B.	Moolenaar	Smith (TX)
Hill	Mooney (WV)	Stefanik
Holding	Mullin	Stewart
Hudson	Murphy (PA)	Stivers
Huelskamp	Nadler	Stutzman
Huizenga (MI)	Neugebauer	Thompson (PA)
Hultgren	Newhouse	Thornberry
Hunter	Noem	Tiberi
Hurd (TX)	Nugent	Tipton
Hurt (VA)	Nunes	Trott
Israel	Olson	Turner
Jeffries	Palazzo	Upton
Jenkins (KS)	Pallone	Valadao
Jenkins (WV)	Palmer	Veasey
Johnson (OH)	Paulsen	Velázquez
Johnson, E. B.	Pearce	Wagner
Johnson, Sam	Peterson	Walberg
Jolly	Pittenger	Walden
Jones	Pitts	Walker
Jordan	Poe (TX)	Walorski
Joyce	Poliquin	Weber (TX)
Kelly (MS)	Pompeo	Webster (FL)
Kelly (PA)	Price, Tom	Wenstrup
King (IA)	Quigley	Westerman
King (NY)	Rangel	Westmoreland
Kinzinger (IL)	Ratcliffe	Whitfield
Kirkpatrick	Reed	Williams
Kline	Reichert	Wilson (SC)
Labrador	Renacci	Wittman
LaHood	Rice (NY)	Womack
Lamborn	Rice (SC)	Woodall
Latta	Rigell	Yoder
LoBiondo	Roby	Yoho
Lofgren	Roe (TN)	Young (AK)
Long	Rogers (AL)	Young (IA)
Loudermilk	Rogers (KY)	Young (IN)
Love	Rohrabacher	Zeldin
Lowey	Rokita	Zinke
Lucas	Rooney (FL)	
Luetkemeyer	Ros-Lehtinen	

NOT VOTING—7

Ellmers (NC)	McDermott	Takai
Gohmert	Meeks	
Johnson (GA)	Rush	

□ 1436

Mrs. NOEM and Mr. GRAVES of Georgia changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. HULTGREN). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from

being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, had come to no resolution thereon.

PROVIDING FOR FURTHER CONSIDERATION OF SENATE AMENDMENTS TO H.R. 22, HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 512) providing for further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 183, not voting 9, as follows:

[Roll No. 597]

YEAS—241

Abraham	Crenshaw	Heck (NV)
Aderholt	Culberson	Hensarling
Allen	Curbeo (FL)	Herrera Beutler
Amash	Davis, Rodney	Hice, Jody B.
Amodei	Denham	Hill
Babin	Dent	Holding
Barletta	DeSantis	Hudson
Barr	DesJarlais	Huelskamp
Barton	Diaz-Balart	Huizenga (MI)
Benishek	Dold	Hultgren
Bilirakis	Donovan	Hunter
Bishop (MI)	Duffy	Hurd (TX)
Bishop (UT)	Duncan (SC)	Issa
Black	Duncan (TN)	Jenkins (KS)
Blackburn	Emmer (MN)	Jenkins (WV)
Blum	Farenthold	Johnson (OH)
Bost	Fincher	Johnson, Sam
Boustany	Fitzpatrick	Jolly
Brady (TX)	Fleischmann	Jones
Brat	Fleming	Jordan
Bridenstine	Flores	Joyce
Brooks (AL)	Forbes	Katko
Brooks (IN)	Fortenberry	Kelly (MS)
Buchanan	Fox	Kelly (PA)
Buck	Franks (AZ)	King (IA)
Bucshon	Frelinghuysen	King (NY)
Burgess	Garrett	Kinzinger (IL)
Byrne	Gibbs	Kline
Calvert	Gibson	Knight
Carter (GA)	Goodlatte	Labrador
Carter (TX)	Gosar	LaHood
Chabot	Gowdy	LaMalfa
Chaffetz	Granger	Lamborn
Clawson (FL)	Graves (GA)	Lance
Coffman	Graves (LA)	Latta
Cole	Graves (MO)	LoBiondo
Collins (GA)	Griffith	Long
Collins (NY)	Guinta	Loudermilk
Comstock	Guthrie	Love
Conaway	Hanna	Lucas
Cook	Hardy	Luetkemeyer
Costello (PA)	Harper	Lummis
Cramer	Harris	MacArthur
Crawford	Hartzler	Marchant

Marino	Posey	Stefanik
Massie	Price, Tom	Stewart
McCarthy	Ratcliffe	Stivers
McCaul	Reed	Stutzman
McClintock	Reichert	Thompson (PA)
McHenry	Renacci	Thornberry
McKinley	Ribble	Tiberi
McMorris	Rice (SC)	Tipton
Rodgers	Rigell	Trott
McSally	Roby	Turner
Meadows	Roe (TN)	Upton
Meehan	Rogers (AL)	Valadao
Messer	Rogers (KY)	Wagner
Mica	Rohrabacher	Walberg
Miller (FL)	Rokita	Walden
Miller (MI)	Rooney (FL)	Walker
Moolenaar	Ros-Lehtinen	Walorski
Mooney (WV)	Roskam	Walters, Mimi
Mullin	Ross	Weber (TX)
Mulvaney	Rothfus	Webster (FL)
Murphy (PA)	Rouzer	Wenstrup
Neugebauer	Royce	Westerman
Newhouse	Russell	Westmoreland
Noem	Salmon	Whitfield
Nugent	Sanford	Williams
Nunes	Scalise	Wilson (SC)
Olson	Schweikert	Wittman
Palazzo	Scott, Austin	Womack
Palmer	Sensenbrenner	Woodall
Paulsen	Sessions	Yoder
Pearce	Shimkus	Yoho
Perry	Shuster	Young (AK)
Pittenger	Simpson	Young (IA)
Pitts	Smith (MO)	Young (IN)
Poe (TX)	Smith (NE)	Zeldin
Poliquin	Smith (NJ)	Zinke
Pompeo	Smith (TX)	

NAYS—183

Adams	Edwards	Lujan Grisham
Aguilar	Ellison	(NM)
Ashford	Engel	Lujan, Ben Ray
Bass	Eshoo	(NM)
Beatty	Esty	Lynch
Becerra	Farr	Maloney,
Bera	Fattah	Carolyn
Beyer	Foster	Maloney, Sean
Bishop (GA)	Frankel (FL)	Matsui
Blumenauer	Fudge	McCollum
Bonamici	Gabbard	McDermott
Boyle, Brendan	Gallego	McGovern
F.	Garamendi	McNerney
Brady (PA)	Graham	Meng
Brown (FL)	Grayson	Moore
Brownley (CA)	Green, Al	Moulton
Bustos	Green, Gene	Murphy (FL)
Butterfield	Grijalva	Nadler
Capps	Gutiérrez	Napolitano
Capuano	Hahn	Neal
Cárdenas	Hastings	Nolan
Carney	Heck (WA)	Norcross
Carson (IN)	Higgins	O'Rourke
Cartwright	Himes	Pallone
Castor (FL)	Hinojosa	Pascarell
Castro (TX)	Honda	Payne
Chu, Judy	Hoyer	Pelosi
Cicilline	Huffman	Perlmutter
Clark (MA)	Israel	Peters
Clarke (NY)	Jackson Lee	Peterson
Clay	Jeffries	Pingree
Cleaver	Johnson (GA)	Pocan
Clyburn	Johnson, E. B.	Polis
Cohen	Kaptur	Price (NC)
Connolly	Keating	Quigley
Conyers	Kelly (IL)	Rangel
Cooper	Kennedy	Rice (NY)
Costa	Kildee	Richmond
Courtney	Kilmer	Roybal-Allard
Crowley	Kind	Ruiz
Cuellar	Kirkpatrick	Ruppersberger
Cummings	Kuster	Ryan (OH)
Davis (CA)	Langevin	Sánchez, Linda
Davis, Danny	Larsen (WA)	T.
DeFazio	Larson (CT)	Sanchez, Loretta
DeGette	Lawrence	Sarbanes
DeLaney	Lee	Schakowsky
DeLauro	Levin	Schiff
DelBene	Lewis	Scott (VA)
DeSaulnier	Lieu, Ted	Scott, David
Deutch	Lipinski	Serrano
Dingell	Loebach	Sewell (AL)
Doggett	Lofgren	Sherman
Doyle, Michael	Lowenthal	Sires
F.	Lowey	Slaughter
Duckworth		Smith (WA)

Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres

Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz

Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby

Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shinkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman

Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Velázquez
Visclosky
Walz

Wasserman
Schultz
Waters, Maxine
Watson Coleman

NOT VOTING—7

Ellmers (NC)
Gohmert
Grothman

Meeks
Rush
Takai

□ 1451

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOT VOTING—9

Ellmers (NC)
Gohmert
Grothman

Hurt (VA)
Meeks
Rush

Schrader
Sinema
Takai

□ 1444

So the previous question was ordered.
The result of the vote was announced as above recorded.

Stated against:

Ms. SINEMA. Mr. Speaker, on rollcall No. 597 I was unavoidably detained. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 183, not voting 7, as follows:

[Roll No. 598]

AYES—243

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishke
Billirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham

Dent
DeSantis
DeJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren

Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica

NOES—183

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo

Esty
Farr
Fattah
Poster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kind
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui

McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarelli
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela

PERMISSION TO CONSIDER
AMENDMENT NO. 23 AS THOUGH
PRINTED IMMEDIATELY FOL-
LOWING AMENDMENT NO. 9 IN
PART B OF HOUSE REPORT 114-
326

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that, during further consideration of the Senate amendments to H.R. 22 pursuant to House Resolution 512, amendment No. 23 printed in part B of House Report 114-326 may be considered as though printed immediately following amendment No. 9 in part B of such report.

The SPEAKER pro tempore (Mrs. LUMMIS). Is there objection to the request of the gentleman from Georgia?

There was no objection.

HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 512 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill, H.R. 22.

Will the gentleman from Texas (Mr. CONAWAY) kindly take the chair.

□ 1453

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. CONAWAY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment consisting of the text of Rules Committee Print 114-32 was pending.

Pursuant to House Resolution 512, no further amendment to that amendment shall be in order except those printed in part A of House Report 114-326 and

amendments en bloc described in subsection (c) of that resolution.

Each further amendment printed in part A of House Report 114-326 shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of House Report 114-326 not earlier disposed of. Such amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

No further amendment to the Senate amendment, as amended, shall be in order except those printed in part B of House Report 114-326. Each such further amendment shall be considered only in the order printed in the report, except that amendment No. 23 printed in part B of the report may be considered as though immediately following amendment No. 9 in part B of the report. Each such further amendment may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Mr. SHUSTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HARRIS) having assumed the chair, Mr. CONAWAY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, had come to no resolution thereon.

□ 1500

PERMISSION TO CONSIDER
AMENDMENT NO. 1 PRINTED IN
PART A OF HOUSE REPORT 114-
326 OUT OF SEQUENCE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that, during further consideration of the Senate amendments to H.R. 22, pursuant to House Resolution 512, amendment No. 1, printed in part A of House Report 114-326, may be considered out of sequence.

The SPEAKER pro tempore (Mr. CONAWAY). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 512 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill, H.R. 22.

Will the gentleman from Mississippi (Mr. PALAZZO) kindly take the chair.

□ 1504

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. PALAZZO (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment consisting of the text of Rules Committee Print 114-32 was pending.

Pursuant to the order of the House of today, amendment No. 1, printed in part A of House Report 114-326, may be considered out of sequence.

AMENDMENT NO. 2 OFFERED BY MR. RYAN OF
OHIO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 114-326.

Mr. RYAN of Ohio. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 56, line 8, after "diesel retrofits" insert "or alternative fuel vehicles".

Page 56, line 9, insert "or indirect" after "direct".

Page 56, line 14, insert "or indirectly" after "directly".

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Ohio (Mr. RYAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. RYAN of Ohio. Mr. Chairman, my amendment is cosponsored by Congresswoman NAPOLITANO and is endorsed by the Natural Gas Vehicles for America, the Electric Drive Transportation Association, and the National Propane Gas Association.

The amendment addresses one specific provision in the bill, section 1109, which modifies how Congestion Mitigation and Air Quality, CMAQ, funds can be used in PM2.5 nonattainment and maintenance areas. "PM" stands for "particulate matter."

The purpose of the CMAQ Program is to fund transportation projects or programs that will contribute to the attainment or maintenance of the National Ambient Air Quality Standards. All projects and programs that are eligible for CMAQ funds must come from a conforming Federal or State transportation plan. The program is designed to allow States to identify the right solution for their air quality challenges and utilize CMAQ funds to implement them.

Without the Ryan-Napolitano amendment, the language in section 1109 may restrict States' discretion in identifying the most cost-effective emissions reduction technologies and effectively limit their options to only diesel retrofits. Specifically, the priority consideration and use of funding provisions for the section seemingly restrict local authorities' ability to consider other alternative vehicle technologies that can be adopted to meet the goals of this section.

Other technologies, such as natural gas, propane, or electric vehicles, also reduce PM2.5 and provide other air quality benefits. In my State of Ohio and the chairman's State of Pennsylvania, being two of those States, they allow for the use of CMAQ funds for a variety of alternative fuel vehicles. However, section 1109, as written, may limit their and other States' solutions in using CMAQ funds to address the nonattainment issue.

We should not be directing States on how to use these funds, and it is important that we keep the utilization of CMAQ funding technology neutral. Giving States the flexibility in utilizing these funds allows them to select the best vehicle technology to address PM2.5 concerns. Modifying the priority consideration and the use of funding language in this section allows us to meet the environmental goals while avoiding picking winners and losers.

I would like to thank Chairman SHUSTER for his help and Ranking Member DEFazio and their staffs for working with us on this amendment.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs.

NAPOLITANO), the amendment's cosponsor.

Mrs. NAPOLITANO. Mr. Chairman, I rise in strong support as a cosponsor of this amendment. I thank my colleague from Ohio (Mr. RYAN) for offering it. I thank the gentleman for allowing me to cosponsor it because this is an important issue for my area.

In section 1109(c), this amendment would clarify language in the bill in order for local transportation agencies to continue to fund not only highway, but transit, bicycle, and pedestrian, projects with Congestion Mitigation and Air Quality Program funds, called CMAQ. This amendment would also allow for alternative fuel vehicles to be eligible for recipient funds along with diesel retrofit projects.

A concern was brought to my attention by the metropolitan planning organizations in California, including the Los Angeles County Metropolitan Transportation Authority and the cities they represent, which includes my district in the San Gabriel Valley, that important transportation projects would no longer be prioritized for CMAQ funding.

In 2014, southern California transportation agencies—mind you, they represent over 20 million people—used CMAQ funding to provide \$51 million in traffic flow improvements, \$50 million in transit, and \$22 million in bicycle and pedestrian projects. This amendment would clarify that these projects are still prioritized for CMAQ funding.

I thank Chairman SHUSTER and Ranking Member DEFAZIO for working with us on this amendment. I look forward to working with my colleagues in conference to further clarify that traffic flow, transit, and bicycle and pedestrian projects continue to be eligible for CMAQ set-aside programs as they are now.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I don't oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, currently under the CMAQ Program, funds may be used to purchase publicly owned alternative fuel vehicles, including passenger vehicles, service trucks, street cleaners, and others.

This is a good amendment that ensures alternative fuel vehicles are still eligible under this bill. I support the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. RYAN of Ohio. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. RYAN).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. HUNTER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114-326.

Mr. HUNTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 73, line 24, strike the closed quotation mark and the final period.

Page 73, after line 24, insert the following: “(n) FACILITATING COMMERCIAL WATERBORNE TRANSPORTATION.—Notwithstanding any other provision of law, or rights granted thereunder, and provided that the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met, a property owner may develop, construct, operate, and maintain pier, wharf, or other such load-out structures on that property and on or above adjacent beds of the navigable waters of the United States to facilitate the commercial waterborne transportation of domestic aggregate that may supply an eligible project under this section, including salt, sand, and gravel, from reserves located within ten miles of the property.”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, the roads, bridges, and other infrastructure projects we seek to advance in the legislation before us today require a steady supply of aggregate and gravel. Without it, we might as well not even be here debating this legislation.

In fact, a report from the U.S. Geological Survey—2011 USGS Report: Aggregate Resource Availability in the United States—found “a 70 percent increase in annual aggregate production may be required to upgrade our transportation infrastructure.”

The report went on to say, “There is an indisputable need for an uninterrupted, large supply of aggregate for the restoration and rehabilitation of the infrastructure.”

It is also important to note that a substantial portion of the cost of aggregate is its transportation costs, and lowering those costs will reduce the cost of construction projects.

My State of California is just one example of where the need is great. According to a recent report, California goes through 200 million tons of high-grade aggregate every year, which is the equivalent of more than 7 million trips by large diesel trucks.

So here is what my amendment does:

It streamlines access to marine-accessible sand and gravel aggregate supply points throughout the United States, allowing our country to meet the future needs of the national infrastructure projects which are covered in this legislation.

With this amendment, we have the opportunity to strengthen our supply of raw building materials for infrastructure projects, to reduce road congestion and transportation costs, and to strengthen our maritime community.

I urge all Members to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

Generally, the gentleman from California and I have worked together on a number of things, and this is one time when I reluctantly rise in opposition to his proposal.

I have spent a good deal of time on aggregate issues in my own district that relate to those which are located in the marine environment, and I understand some of the frustrations and concerns that go on there. The language in this, though, is so broad that we are preempting both the Rivers and Harbors Act of 1899 and the Truman-Hobbs Act, which relate to impediments to navigation.

At this point, that sort of amendment would, for instance, overturn an easement that has been entered into between the joint Naval Base Kitsap and the owners of this aggregate. There is a concern that, if a dock were built in that area, it would interfere with the navigation that is a prime route for our strategic submarine forces in the Pacific Northwest and the Pacific region.

□ 1515

So we think it has unintended consequences that go far beyond any idea of streamlining access to maritime aggregate resources.

So I would have to recommend Members oppose the amendment.

I reserve the balance of my time.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HARRIS).

Mr. HARRIS. Mr. Chair, I rise in support of the gentleman from California's amendments.

With this amendment, we need to start the rebirth of our Nation's shipping capabilities and begin to build U.S.-flagged seagoing vessels to move a domestic supply of sand and gravel across our Nation.

This amendment allows access to aggregate that will be available to restore damaged beaches, enhance fisheries habitats in the estuaries and littoral regions of the Atlantic Ocean, the Gulf of Mexico, and the Pacific Ocean by providing clean sand and gravel for broad-scale beach replenishment projects that are so vital across the Nation.

This amendment will also lead to establishment of a reliable U.S. source to meet domestic demand for major construction and public projects. Half of all uses for sand and gravel are used for

public projects, building and replacing vital U.S. highways, bridges, and seawall infrastructures.

Utilizing our marine transportation will save taxpayer dollars by reducing costs on public works projects because, simply put, moving containerized cargo on the water is cost-competitive, economical, and efficient.

Passage of this amendment puts our country on the path to having the potential to create at least 20,000 more shipbuilding manufacturing jobs just by building at least 30 to 40 new seagoing bulk freighters and container carrier ships worth at least \$3 billion that will result if we pass this amendment.

This amendment is good for the country. It is good for our infrastructure, and it is good for creating American jobs across this country.

Mr. HUNTER. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentleman from California has 1 minute remaining.

Mr. HUNTER. Mr. Chair, I yield myself the balance of my time.

Here is what this amendment does. If you have a quarry that does gravel or aggregate by any waterway, whether it is an inland waterway, an inlet, a sound, or the ocean, you can then develop your gravel pits and put that aggregate on ships—not on trucks, not on rail, but on ships—that have a much lower emission cost than anything else does. You can put them on ships, which means it is going to help the maritime community.

We import sand and gravel right now from China. We get our aggregate right now from Communist China. Instead of doing that, let's strengthen our domestic supply and allow the aggregate producers around the country the ability to export their aggregate to domestic suppliers, to the national defense community, to our road makers, and to our building makers.

This strengthens America. It strengthens our national security. I urge all my colleagues to support this amendment.

I yield back the balance of my time. Mr. DEFAZIO. Mr. Chair, I yield myself such time as I may consume.

Again, this amendment waives all laws for construction of these transportation-related facilities, i.e., piers, wharfs, and load-out structures.

Now, the problem is that, if you waive all the laws, someone may want to build a pier that interferes with everybody else who navigates that narrow channel, including the United States Navy with their boomer subs. That is not really, I think, a very good way to go forward; and that was recognized by Congress as a problem in 1899, impediments to commercial navigation, in this case, strategic national defense navigation.

So I think there may be another way to get at more easily utilizing these re-

sources. But preempting the Rivers and Harbors Act and the Truman-Hobbs Act, which means structures could be built which would impede others' navigation, is really incredibly problematic. I really think that this should be considered in a more deliberate way as part of future legislation, perhaps the Water Resources Development Act or something along those lines.

Again, I would strongly oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUNTER).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 4 will not be offered.

AMENDMENT NO. 5 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 114-326.

Mr. DESAULNIER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 110, after line 23, insert the following: (C)(i) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9); and (ii) by inserting after paragraph (6) the following:

“(7) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (h), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.”

Page 111, after line 3, insert the following:

(7) in subsection (j)(3)(A), by inserting at the end the following: “Projects included in the priority list shall come from the highest performing projects identified in the transportation plan under subsection (i)(7). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.” after the period.

Page 114, after line 22, add the following:

(C) by redesignating paragraph (9) as paragraph (10);

(D) by inserting after paragraph (8) the following:

“(9) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted long-range statewide transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (d), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.”; and

(4) in subsection (g), in paragraph (5)(A), by inserting at the end the following: “Projects included in the transportation improvement program shall come from the highest per-

forming projects identified in the transportation plan under subsection (f)(9). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.”

Page 244, after line 9, insert the following:

(C)(i) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9);

(ii) by inserting after paragraph (6) the following:

“(7) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (h), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.”

(7) in subsection (j)(3)(A), by inserting at the end the following: “Projects included in the priority list shall come from the highest performing projects identified in the transportation plan under subsection (i)(7). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.” after the period

Page 247, after line 17, insert the following:

(4) in subsection (f)—

(A) by redesignating paragraph (9) as paragraph (10);

(B) by inserting after paragraph (8) the following:

“(9) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted long-range statewide transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (d), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.”

(5) in subsection (g)(5)(A), by inserting at the end the following: “Projects included in the statewide transportation improvement program shall come from the highest performing projects identified in the transportation plan under subsection (f)(9). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.” after the period.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, this amendment is based on the bipartisan Metropolitan Planning Enhancement Act that rebuilds public trust by promoting evidence-based decision-making in the transportation investment process. This commonsense amendment helps States and metropolitan planning organizations offer

the highest return for taxpayers and commuters through increased transparency and improved accountability.

Americans of all types are suspicious of government right now. In the context of transportation funding, many Americans believe that highway and bridge project decisions are based on politics and insider connections rather than statewide and regional transportation goals.

In many areas of the country, local commuters have little idea how State Departments of Transportation and MPOs make their project decisions or why they choose one project over another; yet, every year, lawmakers ask taxpayers to spend more and more of their hard-earned dollars on infrastructure projects with minimal transparency and accountability.

This amendment requires State and regional transportation plans to include project descriptions and to score projects based on criteria developed by the State or the region, not the Federal Government.

Requiring that projects be assessed with objective criteria ensures that limited transportation resources are invested in projects that provide the highest return on investment to commuters. Furthermore, requiring transportation decisionmakers to communicate how projects are chosen enhances the public's understanding of and confidence in the project selection process.

Many States and MPOs are incorporating project priority criteria today: Virginia, North Carolina, Tennessee, Louisiana, Texas, Washington State, Minnesota, Massachusetts, amongst others. There is plenty of early evidence that this has increased confidence within the commuting public.

Effective and efficient transportation systems are critical to our growing and prosperous U.S. economy. We cannot allow diminishing resources to be directed toward bad investments. This amendment ensures that the public has more complete information to judge the merits of projects for themselves.

Mr. Chairman, much of the debate about America's crumbling infrastructure is about how we are going to find the necessary money to match the need. As responsible legislators, we should ask ourselves how we can most efficiently invest the resources we already have.

I urge my colleagues to support this commonsense, good governance amendment.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, the proposed amendment would impose burdensome new requirements on

States and metropolitan planning organizations, significantly delaying project selection and construction.

States and MPOs already, under current law, are subject to extensive planning requirements and take multiple factors into account in developing their short- and long-range plans. It is critical that they have the flexibility to weigh tradeoffs in different priorities without being hamstrung by a strict ranking process.

Transparency and the opportunity for participation by stakeholders and the public is a hallmark of the planning process. States and MPOs are required to have a participation plan to ensure that any interested party can be heard.

The National Governors Association, the National Conference of State Legislatures, the Association of Metropolitan Planning Organizations, and the American Association of State Highway and Transportation Officials all oppose this amendment, and they are the very people that deal with this.

I oppose the amendment, and I would urge all my colleagues to oppose it, also.

I yield back the balance of my time.

Mr. DESAULNIER. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman from California has 2½ minutes remaining.

Mr. DESAULNIER. Mr. Chair, with all due respect to the chairman, I want to thank him for his consideration.

I do believe, having seen this in the San Francisco Bay Area, that the incentive and the requirement to do more will actually help with the transparency, as I have stated earlier.

I would urge my colleagues to support the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DESAULNIER).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. DESAULNIER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 114-326.

Mr. CARTWRIGHT. Mr. Chairman, I rise as designee of Representative GRIJALVA, and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1301 through 1313.

Page 168, line 12, strike "this Act,".
Strike sections 1315 through 1317.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chairman, this bill uses "streamlining" the regulatory process, which is a euphemism for "steamrolling" over bedrock environmental laws. In fact, it dedicates 50 pages of this bill to paving over the National Environmental Policy Act, also known as NEPA, as well as the National Historic Preservation Act, NHPA.

I know it is popular in Republican circles to blame environmental regulations for all of our Nation's ills, but that doesn't make it true. In fact, the evidence tells us an entirely different story.

The Federal Highway Administration reported several years ago, before all of this steamrolling started, that more than 90 percent of NEPA reviews for highway projects were accomplished through a categorical exclusion process that takes only a few days. For the few—and we are talking about only 4 percent—highway projects which do require an environmental impact statement, the end result is often savings for the taxpayers and better projects that cause less harm to the environment and to our communities.

Earlier this year, a plan to improve U.S. Route 23 in Michigan was modified to avoid the largest loss of wetlands in the State's history and to preserve that habitat for migratory waterfowl prized by hunters.

In New Jersey, in 2012, construction on the Route 53 causeway to Ocean City was completed after NEPA review helped them minimize private property takings as well as damage to tidal marshes.

In my own home State of Pennsylvania, construction of the Pennsylvania Turnpike/I-95 Interchange Project is underway after a thorough and public NEPA review, which was conducted with the input and support of local residents and local government officials. This process led to the selection of a design with the fewest impacts to homes, businesses, and the local environment.

NEPA does not lead to unnecessary delays; it leads to better outcomes. The real culprit in delaying highway projects is a lack of funding. To address that problem, the House majority will need to first look in the mirror. It is their draconian budget slashing that has left our transportation infrastructure in the disrepair that is in existence today.

My amendment is simple, Mr. Chair. It would require us to evaluate the impacts of the last two rounds of regulatory steamrolling passed in the

SAFETEA-LU bill and the MAP-21 bill before we take any further steps to gut environmental protection and historic preservation.

This approach is perfectly reasonable because, while there is ample evidence that regulatory reform was not needed in the first place, there is exactly zero evidence that it has had any positive impact at all because no information has been collected on the matter.

So the very least we can do, in the interest of responsible government, is evaluate the effects of the laws we pass before we declare the need for more of the same. Shirking our responsibility to appropriate highway dollars and instead just scapegoating laws that protect the American people from harm is simply dishonest.

□ 1530

I do believe the sections of this bill that this amendment strikes are seriously flawed, and I do look forward to working with my colleagues on the Committee on Transportation and Infrastructure, the administration, and our friends in the Senate on achieving a more reasonable outcome.

Mr. Chair, as the designee of the gentleman from Arizona (Mr. GRIJALVA), I withdraw this amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 7 OFFERED BY MR. HUNTER

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 114-326.

Mr. HUNTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 225, strike lines 4 through 20 and insert the following:

(a) IN GENERAL.—The Secretary shall establish a program to permit the acknowledgment of roadside maintenance with the use of live plant materials.

(b) TERM.—The Secretary shall carry out the program for a 10-year period. Upon the request of a State, the Secretary may continue to carry out the program for that State for an additional 10-year period.

(c) PARTICIPATING STATES.—The Secretary shall select 10 States to participate in the program.

(d) GUIDELINES FOR SELECTION OF STATES.—(1) IN GENERAL.—The Secretary shall establish guidelines for selecting States to participate in the program.

(2) DISCRETION OF STATES.—The guidelines shall not limit the discretion under subsection (e) of any State participating in the program. Any other guidelines relating to the participation of a State in the program shall be established by that State, subject to subsection (e).

(3) PRIORITY.—In selecting States to participate in the program, the Secretary shall give priority to any State that can provide documentation demonstrating that the State, or its agents, prior to November 2015, actively reviewed, or stated an interest in, innovative approaches using live plant materials for acknowledging a substantial contribution to roadside maintenance.

(e) INCONSISTENT LAWS, REGULATIONS, OR MANUALS.—Notwithstanding any other provision of law, States participating in the program may permit acknowledgment of roadside maintenance through the use of live plant materials without being limited by any Federal, State, or other law, regulation, or manual that limits or regulates procurement actions, acknowledgment signs, advertising, landscaping, or other uses of, or actions relating to, highway rights-of-way or areas adjacent to highway rights-of-way.

(f) FUNDS EXCLUSIVELY FOR ROADSIDE MAINTENANCE.—Any funds paid to a State under the program shall be considered to be State funds (as defined in section 101(a) of title 23, United States Code), and shall be made available for expenditure under the direct control of the State transportation department (as defined in that section) exclusively for roadside maintenance.

(g) REPORT.—Before the expiration of the first 10-year period referred to in subsection (b), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the program.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, this bipartisan amendment is only a technical change to a pilot program that is already included in the underlying bill. I would like to thank the chairman and the ranking member for including the base language in the bill.

This legislative language in our proposed amendment is a means for State Departments of Transportation to increase their revenues without additional burden on the taxpayer. Everybody knows that every State is hurting for transportation dollars. This helps them.

By acknowledging contributions of third parties to a State DOT's roadside maintenance through a corporate logo made of live plant materials rather than conventional metallic material, State Departments of Transportation will have innovative new means for funding highway maintenance needs. This will free up funds for other highway projects.

I support this program because Caltrans, my State DOT, and six other State DOTs asked for the authority to operate this kind of innovative program. The pilot program does not cost the State or Federal Government a penny to operate. Estimates are that my State of California could conservatively save millions of dollars annually in roadside maintenance costs from this program. Other States would enjoy other similar tangible benefits.

The legislative language for the pilot program, as it appears in the underlying bill, does not specifically permit acknowledgment through live plant materials and places no limitations on

what guidelines the U.S. Department of Transportation would develop for innovative approaches under the pilot program.

The legislative language in our proposed amendment paves the way for State DOTs to implement an acknowledgement program with live plant materials by specifying this particular approach in the legislative language and by providing some specificity on the guidelines that the U.S. Department of Transportation should develop and what matters are best left to the States to assure the success of this innovative new approach.

I urge all Members to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. I yield myself such time as I may consume.

Mr. Chairman, this amendment would allow commercialization within the Federal right-of-way, and that causes concern as to the potential for proliferation.

We have had many debates over the years that I have been on the committee over advertising proximate to interstates. We have come to a pretty good stasis on that issue. This amendment is not new. It is not widely supported.

We did not hear from California that they were in support. We were in touch with them numerous times. Perhaps they are, but we didn't hear that. The Outdoor Advertising Association of America does not support the amendment.

I would urge my colleagues to join me in opposing the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HUNTER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 3¼ minutes remaining.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. Mr. Chairman, I thank the gentleman from California for taking the initiative on offering this amendment, which simply modifies the pilot program already created in the manager's amendment.

My endorsement of this amendment stems from the fact that Florida's DOT currently has a cosponsorship program, and a multitude of other State DOTs have also offered their support. This program permits States to partner with private sector organizations, which will fund further roadside maintenance. The private sector, not the government, will be responsible for the

fabrication, installation, and maintenance of the signs, resulting in zero expense to taxpayers.

This amendment enables State DOTs to implement an acknowledgment program with live plant materials. Furthermore, it provides specifics on the guidelines USDOT should develop and lets States decide which matters are of significance to them.

I respectfully urge my colleagues to support this amendment.

Mr. HUNTER. Mr. Chairman, this is one of those things that I kind of thought everybody would enjoy. It is environmentally friendly, it uses plants and flowers, and it doesn't cost anybody anything. I mean, this is one of those deals that I am surprised is opposed by any Member.

At this time, I yield 1 minute to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, my State of Florida could receive \$35 million in revenue and \$8.7 million in maintenance savings annually for the program.

At this time, revenue is flat-funded. This is a "may." The States don't have to participate in it. It is a pilot program. It is flowers, and it is friendly. I support it, and I would urge my colleagues to vote for it.

Mr. HUNTER. Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. I yield myself such time as I may consume.

Mr. Chairman, the bill itself establishes this. The gentleman has proposed an up-to-20-year pilot program. That seems pretty permanent in terms of most people's life spans.

Mr. HUNTER. Will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from California.

Mr. HUNTER. It takes a long time for these flowers to grow.

Mr. DEFAZIO. Reclaiming my time, I guess we are putting in perennials, not annuals. Okay.

In any case, the bill itself does establish a pilot program that would establish that five States would be allowed not just to do logo flowers, but to do other innovative projects that could generate revenues for use in the maintenance of the rights-of-way, and this would be five States. There would be guidelines published by the Secretary. They would terminate after 6 years, and then we would see if there was wisdom in expanding it.

One problem that is raised is we have gone through, as I said, many controversies over billboards, particularly when they went to billboards that would change as you were driving.

There was heavy regulation of that because of the period of the change so as not to distract drivers and cause potential traffic accidents. I can imagine you are driving along and you are really wanting to read that logo as you are

going by, and this could contribute to distracted driving. So we must oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HUNTER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 1¼ minutes remaining.

Mr. HUNTER. Mr. Chairman, I am looking at some of the designs that have been already done. One is a Nike swoosh. You don't have to read a swoosh. You just know it is a swoosh because we all know what Nike swooshes look like.

You have the Pepsi logo. You don't have to read that. By going with the gentleman's argument, you couldn't have any billboards up anywhere. There are tons of billboards that you have to read.

These are just logos, and the corporations want to pay the State DOT to put these logos on the side of the road. This is free money for the States, free money for States' transportation.

I would urge all of my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUNTER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HUNTER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. DENHAM

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 114-326.

Mr. DENHAM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of Division A, insert the following:

SEC. ____ FEDERAL AUTHORITY.

(a) IN GENERAL.—Section 14501(c) of title 49, United States Code, is amended —

(1) in paragraph (1), by striking "paragraphs (2) and (3)" and inserting "paragraphs (3) and (4)";

(2) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6) respectively;

(3) by inserting after paragraph (1) the following:

"(2) ADDITIONAL LIMITATIONS.—

"(A) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law prohibiting employees whose hours of service are subject to regulation by the Secretary under section 31502

from working to the full extent permitted or at such times as permitted under such section, or imposing any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted under such section, including any related activities regulated under part 395 of title 49, Code of Federal Regulations.

"(B) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law that requires a motor carrier that compensates employees on a piece-rate basis to pay those employees separate or additional compensation, provided that the motor carrier pays the employee a total sum that when divided by the total number of hours worked during the corresponding work period is equal to or greater than the applicable hourly minimum wage of the State, political subdivision of the State, or political authority of 2 or more States.

"(C) Nothing in this paragraph shall be construed to limit the provisions of paragraph (1)."

(4) in paragraph (3) (as redesignated) by striking "Paragraph (1)—" and inserting "Paragraphs (1) and (2)—"; and

(5) in paragraph (4)(A) (as redesignated) by striking "Paragraph (1)" and inserting "Paragraphs (1) and (2)".

(b) EFFECTIVE DATE.—The amendments made by this section shall have the force and effect as if enacted on the date of enactment of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103-305).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, in 1994, Congress enacted the Federal Aviation Administration Authorization Act, or F4A, to prevent States from undermining Federal deregulation of interstate commerce through a patchwork of State regulations. Since 1994, motor carriers have been operating under the Federal meal and rest break standards until a ruling by the California Ninth Circuit Court. This amendment would remedy that issue.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

Unfortunately, the language of this amendment is so broad that it would basically preempt meal, rest break, and other laws that relate to truck drivers in 21 States. So I think this is an issue of states' rights.

It is an issue of an overly broad attempt to address what is a real contradiction that was created by the ninth circuit, that if you have a truck driver who is operating long haul through a number of States having to comply with new rest or meal break requirements on the Federal clock, which

I can barely understand with the new requirements on rest, every time the driver crosses a State line, it is confusing and I think is a potential impediment to interstate commerce.

We offered an amendment that would have specifically addressed that concern. Unfortunately, we weren't able to reach agreement on that. Mr. LARSEN of Washington State submitted that amendment to the Committee on Rules. It was not allowed. Unfortunately, we only have this overly broad amendment.

This would not just affect interstate trucking; it would preempt California's wage, hour, and rest break rules for intrastate trucking in the State of California and 20 other States. In fact, the case that was before the ninth circuit was intrastate truck drivers who were delivering appliances.

It also would go further. We spent a lot of time when I chaired the subcommittee on the issue of these, basically, pressed labor, who were theoretically purchasing their drayage trucks to haul cargo out of Long Beach and out of Los Angeles, who were really basically being enslaved. They were never going to pay them off. They were never going to own them. In fact, they were hot-seated. Other people were also buying the same truck at different hours of the day. Nobody ever got the trucks.

This would basically preempt any laws in California so that drivers could be paid on a piece rate no matter what the congestion conditions. Sorry. Gee, we paid you for that load. So it took you 8 hours. That is the way it is. So you only earned 49 cents an hour. Sorry. Because wage and hour laws don't apply to you.

□ 1545

It is just an overly broad attempt to address what has, at its core, a contradiction under the FAAA Act, the ruling about interstate commerce. So I would have to oppose the amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chair, I thank the gentleman from Oregon. He was here in 1994 when Speaker Foley pushed this issue through. He understands the issue. While his language did not fully address the issue, we are going to continue to work together to resolve this as this amendment moves forward.

I yield 1 minute to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chair, let me just say first to Mr. SHUSTER and Mr. DEFAZIO that I want to thank them for their leadership in getting this bill to the floor. I am just going with the new Speaker, who said, "the will of the House." And I am sure the will of the House will pass this amendment. Why? Because one thing is that transportation is intermodal.

I was here in 1994, when we said we were not going to have a patchwork and we were not going to have each

State with their own rules and regulations. I say let's move forward. In my opinion, we need to reinstate the intentions of the Congress in 1994.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

I would note that 90 percent of the trucking industry is represented—not necessarily in terms of volume, but in terms of value—by OOIDA, and they are opposed to this.

I yield 1 minute to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. I thank Mr. DEFAZIO for yielding.

Mr. Chair, I rise in opposition to this amendment, which would overturn a Federal court decision that determined California meal and rest break laws apply to truckers.

On July 9, 2014, the Ninth U.S. Circuit Court of Appeals, as was mentioned before, ruled that trucking operators in California must allow for 30-minute breaks after 5 hours of work and a 10-minute rest break after each 4 hours. This meal and rest break standard is very reasonable when you consider the truck drivers can be subject to 14 hours of on-duty time.

The amendment would not only preempt California's law with regard to trucking operations, but would preempt laws in 21 other States and territories that guarantee a meal break. I won't go into the States' names. The States must be allowed to set meal and rest break standards as they see fit for the health and safety of their workers. One size does not fit all.

Mr. Chairman, I ask my colleagues to oppose the amendment.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Chairman, this amendment is needed to keep interstate commerce moving and to correct a misguided rule issued by the Ninth Circuit Court of Appeals. Here, we are faced with an overactive judiciary legislating from the bench with very real and very adverse economic consequences as a result of this misinformed decision.

Mr. Chairman, Congress has taken deliberate action in the past to preempt States from getting in the way of a nationally uniform set of rules for motor carriers. This amendment makes clear the intent of Congress that States can't impose their own requirements on drivers whose working hours and breaks are governed under nationally uniform Federal regulations.

Mr. Chairman, under current Federal safety regulations, drivers who need a break are always entitled to take one. This amendment does not change that. Likewise, current Federal whistleblower laws protect drivers from carriers who stand in the way of that, and this amendment does not change that.

But as a result of the Ninth Circuit Court decision, motor carriers will now be forced to plan their routes and services around the obligations of individual State break requirements. This will deprive businesses and drivers of the flexibility currently afforded under Federal law for interstate commerce. It will reduce shipping capacity. It will increase shipping costs, and it causes confusion and cost.

If not corrected, who will pay the price for the decision of the unelected judges of the ninth circuit? In my district, it will be the small businesses and consumers who face higher prices, and it will prove more costly to transportation professionals whose livelihoods are directly dependent on an efficient and streamlined shipping and trucking industry.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. May I inquire how much time is remaining?

The Acting CHAIR. The gentleman from Oregon has 45 seconds remaining.

Mr. DEFAZIO. Mr. Chairman, I yield 45 seconds to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Chairman, I stand in strong opposition to this amendment.

My friends across the aisle regularly reject legislation because it encroaches on states' rights, yet their commitment to State sovereignty disappears when it comes to protecting workers.

This amendment does more than just clarify the Federal Aviation Administration Authorization Act of 1994. It changes and expands its application to preempt the will of States such as mine.

California's meal and rest break laws ensure a safe working environment for truck drivers traveling within the State, and the U.S. Court of Appeals specifically ruled these laws are not preempted by the Federal Aviation Administration Authorization Act.

This amendment overrules the court and State legislatures to weaken labor protections at the industry's request.

As a member of the Education and the Workforce Committee, and as a Californian, I stand in strong opposition to this amendment and urge my colleagues to vote against it.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 2½ minutes remaining.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. ASHFORD).

Mr. ASHFORD. Mr. Chairman, I am proud today to stand with Representative DENHAM as a cosponsor of this amendment.

This amendment reinforces—make no mistake—a current law that has been

on the books for over two decades. It promotes interstate commerce, ensures economic growth, and fortifies safety requirements.

This amendment will allow a vital industry in my district and a vital industry to our Nation, the trucking industry, to operate without a patchwork of State regulations.

In my home State of Nebraska, we have several of the Nation's largest motor carriers. These employers haul freight throughout the country and provide good-paying jobs. Unfortunately, these employers may now face litigation that could cost tens of millions of dollars and create regulatory uncertainty across this country.

Far-flung litigation shouldn't threaten the livelihood of hardworking Nebraskans. It is likely that companies like those in my district will simply refuse to do business in certain States. This result will destroy jobs, hinder competition, and hurt taxpayers.

I urge my colleagues to support this amendment.

Mr. DENHAM. Mr. Chairman, I yield 45 seconds to the gentleman from North Carolina (Mr. WALKER).

Mr. WALKER. Mr. Chairman, Congress has been clear that the patchwork of laws and rules dictating when drivers eat, sleep, and pull over is impractical. Fifty standards create an unreasonable burden on truck drivers and companies.

Furthermore, dismantling the Federal standards jeopardizes safety, increases costs, causes significant inefficiencies, reduces competition, inhibits innovation and technology, and curtails the expansion of markets.

I support the Denham amendment, and I encourage my colleagues to do the same.

Mr. DENHAM. Mr. Chairman, I yield the balance of my time to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Chairman, I rise in support of this amendment.

In my district, I have some of the largest trucking companies in the country. I recognize these are hardworking, dedicated people who play a vital role in the success of our economy. The growth of regulations under this administration has made their jobs much, much more difficult.

This amendment seeks to relieve truck drivers of a patchwork of regulations that make their jobs very difficult, with little positive effect.

Let me correct a common misunderstanding. This amendment does not prevent drivers from taking breaks when they think it is appropriate. In fact, it does the exact opposite. It allows the drivers to be flexible to take breaks when they think it is most appropriate and most safe and not to worry if they are violating the law.

Arbitrarily predetermined break times set by 50 different States simply will not work, and that is why I am

such a strong supporter of this amendment.

Mr. DENHAM. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. DENHAM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. AGUILAR

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 114-326.

Mr. AGUILAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ____ . PROGRAM TO ASSIST VETERANS TO ACQUIRE COMMERCIAL DRIVER'S LICENSES.

Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the Secretary of Defense, shall fully implement the recommendations contained in the report submitted under section 32308 of MAP-21 (49 U.S.C. 31301 note).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. AGUILAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. AGUILAR. Mr. Chairman, I think we can all agree that our veterans deserve the very best we can offer when they return home. While we can never repay them for their heroism and bravery, we can reaffirm our appreciation by doing everything in our power to help them transition back to civilian life. My amendment would help us do just that.

This amendment requires the Department of Transportation and the Department of Defense to work together to help veterans transition into civilian jobs driving commercial trucks. It would help them obtain commercial driver's licenses, as outlined in a report commissioned by the Federal Motor Carrier Safety Administration 2 years ago. This report was done at the direction of the last surface transportation bill, MAP-21, and my amendment requires DOT and DOD to work together to implement the report's recommendations.

Along with improving access to quality health care, one of the most important ways we need to help veterans is connecting them with job opportunities. Encouraging local businesses to hire more veterans is one step, but

helping our veterans translate those skills they used in the military is a crucial part of putting our veterans back to work.

Many veterans who drove specialized vehicles in the military struggle to put these skills to work when they return home because of unnecessary and burdensome regulations. My amendment makes it easier for veterans to put their skills to work by requiring the Federal Motor Carrier Safety Administration's report recommendations be put into effect.

Please allow me to explain.

My amendment writes into law the recommendations that States can waive driving skills tests if a veteran certifies that he or she was employed in the military in a position operating a commercial motor vehicle, or CMV, during the last year. This was included in the underlying bill, for which I applaud the majority and minority for their efforts; however, my amendment goes a bit further.

Among other things, my amendment helps create an abbreviated commercial driver's license skills test for States to give military drivers who do not have the experience operating vehicles with air brakes or manual transmissions.

This amendment also, based on the recommendations of the report, directs the military services to work with the Federal Motor Carrier Safety Administration and the American Association of Motor Vehicle Administrators to clarify options available to servicemembers and veterans to obtain existing information on military licenses, military CMV driver history, and military CMV experience.

Mr. Chairman, we need to do better by our men and women in uniform who have risked and sacrificed so much to keep us safe and free. As we focus on growing our economy, we need to keep our veterans in mind as we seek to expand job opportunities. This amendment will help us do just that.

The study commissioned by the Federal Motor Carrier Safety Administration was 2 years ago. It is time to put that into action and to get our veterans back to work. This is about getting our veterans what they have earned and deserve, and I look forward to working with my colleagues on both sides of the aisle to see this through.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. I appreciate the gentleman from California bringing this amendment forward.

The STRR Act requires the Secretary to issue regulations by the end of this year to implement recommendations of

a report to Congress on assisting veterans in acquiring a commercial driver's license. However, the bill does not address the nonregulatory recommendations. This amendment does that. It requires the Secretary to implement those recommendations within a year.

This is a good amendment that will assist our veterans in making the transition to civilian life. I urge all Members to support the amendment.

I yield back the balance of my time.

Mr. AGUILAR. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. AGUILAR).

The amendment was agreed to.

□ 1600

AMENDMENT NO. 10 OFFERED BY MS. HAHN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 114-326.

Ms. HAHN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ____ STUDY ON BURYING POWER LINES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct a study and report the findings of such study to the appropriate committees of Congress regarding the feasibility, costs, and economic impact of burying power lines underground. Such study shall include the potential costs and benefits of burying power lines underground when building new roads.

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from California (Ms. HAHN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HAHN. Mr. Chairman, I rise to offer the Hahn-Cicilline amendment to the Surface Transportation Reauthorization and Reform Act of 2015. Our committee has been putting in many months, some would say even years, in writing this bill. So it is actually a great day to see this bill finally come on the floor.

In addition, I would like to thank Chairman SHUSTER, Ranking Member DeFAZIO, and the entire Transportation and Infrastructure Committee for our hard work in crafting this legislation.

If I might just take a moment at this point to give a farewell and a rest in peace to Howard Coble, who was a good member of our Transportation Committee, who served in the Coast Guard. In fact, we named our Coast Guard and Maritime Transportation Act the Howard Coble Coast Guard and Maritime Transportation Act of 2014. We will miss him. He was a good member of our committee.

Our amendment today looks to make our Nation's roadways safer and, also, more scenic by directing the Secretary of Transportation to study the benefits and costs of undergrounding power lines.

Forty percent of all power outages are due to fallen trees or weather events, and an additional 8 percent are caused by traffic accidents.

By placing power lines underground, roadways are safer from downed lines during storms, service to customers is more reliable, and our roadways will simply be more beautiful to drive on.

Every year over 1,000 fatalities occur as a result of collisions with utility poles. In fact, according to the Insurance Institute for Highway Safety, about 20 percent of all highway deaths are due to power line poles and traffic barriers.

This is a preventable tragedy, and this amendment asks the Secretary to evaluate if this is feasible and to share with Congress its findings.

We should take this highway authorization as an opportunity to make our highways safer and more scenic.

My home State of California has been a leader in undergrounding power lines. In 1967, California began encouraging and directing utility providers to allocate a portion of their budgets to replace overhead cables with underground cables. This has been a good start, but I think we could do more in this country.

It was President Johnson, urged on by Lady Bird, who signed the Highway Beautification Act in 1965 to limit unsightly roadside mess.

Upon the bill's passage, President Johnson said, "Beauty belongs to all the people. And so long as I am President, what has been divinely given to nature will not be taken recklessly away by man."

By conducting a nationwide study through the DOT, we can begin to see where these conversions make sense across this country.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. I, as always, appreciate the gentlewoman from California and her hard work. She is a valued member of the committee.

I don't believe this amendment has to do with transportation policy. I think it is a good thing when you bury power lines for a lot of reasons—appearance, weather, all those things—but I really don't believe this is a Federal issue, nor do I believe the U.S. Department of Transportation is the appropriate agency to determine the costs and benefits of burying power lines.

I really believe that should be up to the companies and their cost-benefit

analysis to determine that and not to underwrite or subsidize their operation by doing this.

So, again, with great respect to the gentlewoman from California, I oppose this amendment.

I reserve the balance of my time.

Ms. HAHN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE) to speak in support of this important amendment.

Mr. CICILLINE. Mr. Chairman, I thank the gentlewoman for yielding and for her extraordinary leadership on this effort.

I rise in strong support of this amendment. This amendment would require the Secretary to conduct a study of the feasibility, costs, and economic impact of burying power lines underground.

According to Federal data, the U.S. electric grid loses power 285 percent more often than it did in 1984, when data collection efforts on blackouts began.

According to the Department of Energy, that costs American businesses as much as \$150 billion per year, with weather-related disruptions costing the most per event.

Underground power lines make up just 18 percent of U.S. transmission lines, yet nearly all new residential and commercial developments opt for underground electric service.

During Hurricane Irene in 2011, more than 6.5 million people in the United States lost power, including more than 30 percent of the residents living in my home State of Rhode Island, as well as Connecticut and Maryland.

I urge my colleagues to support this simple, straightforward amendment so that we can begin to create a more reliable and resilient electric grid.

I want to acknowledge the work being advanced by Scenic America to help restore and modernize the Highway Beautification Act that Congresswoman HAHN just made reference to.

A group of us, including this extraordinary gentlewoman from California, have been in a working group trying to work on legislation to really restore and modernize the Highway Beautification Act, and Scenic America has really taken the lead in this work.

I think the words of Lady Bird Johnson that the gentlewoman just recited are incredibly important. This is an important first step to just get information to understand the economic impact of burying power lines, what a difference it will make not only in terms of the scenic beauty of our highways, but also to businesses, and to prevent the economic loss that happens both to individuals and businesses.

It is an excellent amendment. I thank the gentlewoman for her great leadership. I urge my colleagues to support the amendment.

Mr. SHUSTER. Mr. Chairman, I continue to reserve the balance of my time.

Ms. HAHN. I thank the gentleman from Rhode Island (Mr. CICILLINE). This was our joint amendment.

Mr. Chair, as you said, Scenic America is working on different ways in this country to beautify our landscape. I believe that this transportation bill was the appropriate place to do this, as this is about highways and our roads in this country.

But, having the disapproval and opposition of my chairman—it wasn't that strong, but it was a disapproval—I will agree to withdraw this amendment, and we will work with Scenic America to find another way to bring the undergrounding of our utilities forward.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. CICILLINE. Will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from Rhode Island, although I oppose his amendment.

Mr. CICILLINE. I would just ask the gentleman if he would commit to working with Congresswoman HAHN and I and a group of others that are really interested in restoring and modernizing the Highway Beautification Act so that we might work collaboratively on restoring some of those important provisions.

Mr. SHUSTER. I appreciate the gentleman pushing this issue. Again, as I said, burying power lines I think is a positive thing. It does add to the beauty of the landscape. But I just don't believe that it is the Federal Government's role to underwrite, the taxpayers to underwrite, these utility companies.

So, again, I appreciate the withdrawal. I appreciate your pushing this issue. I continue to oppose the amendment.

I yield back the balance of my time. Ms. HAHN. Mr. Chair, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 11 OFFERED BY MR. HECK OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 114-326.

Mr. HECK of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following new section:

SEC. 1431. STORMWATER REDUCTION ASSISTANCE PROGRAM.

Chapter 3 of title 23, United States Code, is amended by adding at the end the following:

“§ 330. Stormwater reduction assistance program

“(a) DEFINITIONS.—In this section, the term ‘green stormwater infrastructure’ refers to stormwater management techniques that address the quality or quantity of stormwater related to highway construction or due to highway runoff.

“(b) FEDERAL HIGHWAY RUNOFF MANAGEMENT PROGRAM.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary, in consultation with the heads of other relevant Federal agencies, shall develop and publish best practices and guidance for the installation, use and maintenance of green stormwater infrastructure, including the adoption of permeable, pervious, or porous paving materials or other practices and systems that are designed to minimize environmental impacts of stormwater runoff and flooding.

“(2) CONTENTS.—The guidance shall include best practices, guidelines, and technical assistance for the installation and use of green stormwater technologies, including—

“(A) identification of existing and emerging green stormwater infrastructure technologies;

“(B) cost-benefit information relating to green stormwater infrastructure approaches;

“(C) performance analyses of green stormwater infrastructure technologies in typical use scenarios; and

“(D) guidance and best practices on the design, implementation, use, and maintenance of green stormwater infrastructure features.

“(3) UPDATES.—Not later than 5 years after the date of publication of the guidance under this paragraph, and not less frequently than once every 5 years thereafter, the Secretary, in consultation with the heads of other relevant Federal agencies, shall update the guidance, as applicable.”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. HECK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HECK of Washington. Mr. Chairman, small towns and cities alike have reasons to manage their storm water runoff. Our streams, rivers, lakes, and estuaries are all at risk of dangerous pollution following a downpour.

Trust me, those of us from western Washington know this full well, and places like Puyallup, Washington, are actually finding ways to adjust their neighborhoods to protect surrounding waterways from pollution.

Since 2009, Puyallup has helped residents install rain gardens to absorb the rainfall. These rain gardens are linked by pipes that collect the excess water from the roofs and direct it to the gardens rather than to the streets and then into the sewer.

This is just one innovation of several great ideas that are innovated throughout this country in places like Puyallup.

My amendment today builds on the success on the ground by simply asking the Department of Transportation to develop best practices for storm water management, to collect the information, and a guide on how to implement, install, and maintain green storm water infrastructure, and help any State that requests help with the development of such a plan—a voluntary program, not a requirement, no new money.

Many of these innovative infrastructure practices—permeable pavement,

natural drainage swales, green roofs—are economical and increase property values and invest in the people that make their careers designing and building these inventions.

These new tools are both flexible and yield a strong return on investment. The people of Puyallup, Washington, get that.

They know and I know and you know that we can't let water carry oil from our cars, pesticide from our lawns, and other pollutants into Clarks Creek or the Puyallup River or the Puget Sound.

We can't do that and keep a strong economy or a desirable location for business and living. We can't let runoff kill, as an example, our cherished Coho salmon.

So I ask you to support the promise of these innovative economical ideas to manage our storm water and to get DOT involved.

This is the best of federalism. No new money, no mandatory program, just a way to get the information out, which the Federal U.S. DOT is in the perfect position to collect and make available.

Mr. Chair, I yield to the gentleman from the Sixth Congressional District of Washington (Mr. KILMER).

Mr. KILMER. I thank the gentleman from Washington's Tenth District.

In my neck of the woods, we take pride in the Puget Sound and we understand that it is in danger. That is why I join my colleague today to talk about the treasures the Sound holds: the water, the salmon, the oysters, the orcas, an entire ecosystem that is currently under attack. This is a threat that happens every time a thunderstorm or a rain strikes cities like Tacoma.

When heavy rains hit, that water will wash toxic mixtures of oil and heavy metals off of our city streets and highways and into waterways like Puget Sound.

The Seattle Times recently wrote about a new study that found some runoff was so toxic that it killed Coho salmon in 2½ hours.

It is something we don't often think about, but this storm water mix creates a pollution that lingers. Folks in the region I represent are doing groundbreaking work putting in green storm water infrastructure to capture this runoff before it hits our waters.

These are projects like rain gardens, green roofs, and natural drainage swales. Instead of letting storm water slide along and collect more dirt and grime and end up in our bodies of water, it captures it.

Our amendment would encourage the growth of these projects. It would give our local governments and places like Tacoma and Puyallup and elsewhere a clear playbook on the most effective ways to implement green storm water infrastructure.

It demonstrates that the Federal Government and local stakeholders can

be partners in cleaning up our waters. This matters. It matters to Tacoma and other cities. It matters to bodies of water like the Puget Sound.

Storm water runoff may be hard to spot, but it is taking a toll on Puget Sound and other bodies of water. That is why this amendment is important. That is why I encourage my colleagues to vote for this amendment.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. FORTENBERRY). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, I certainly understand what the gentleman from Washington is trying to accomplish here.

The reason I oppose it is not because of what he is attempting to do, but the Federal Highway Administration currently has strongly supported and encouraged the use and implementation of green infrastructure in the Federal aid transportation projects to mitigate highway runoff impacts.

FHWA recently published a new storm water runoff model, and it is engaged in various storm water research, including storm water performance measures.

The Department of Transportation also is part of a Federal agency green infrastructure collaborative. This initiative includes working with States to implement integrated ecosystems, including landscape-scale mitigation. So I don't believe we need to legislate further on this.

I also would make note that just last night, we agreed to the amendment of Ms. EDWARDS of Maryland on storm water mitigation to put the States in the metropolitan planning process.

□ 1615

Again, I understand what the gentleman is trying to accomplish. I think it is already in the legislation. I think it is already in current law, so I would oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HECK of Washington. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Washington has 1 minute remaining.

Mr. HECK of Washington. With all due respect to the chair of the committee, that isn't included in the current legislation and is clearly not the intent of the amendment. The intent of the amendment is to ask them to accumulate best practices. Yes, they have programs where they promote and they advocate. This is to ask them to go out and find these programs like we talked about in Puyallup which are unusual and innovative and which aren't yet in the manual so that they can share. This is information sharing on a scale that they don't currently do.

In fact, Mr. Chairman, it would help with a serious problem; but given the Chair's opposition to this, I will only ask that he consider taking a deeper dive into what we are trying to accomplish here because it solves a problem.

Mr. SHUSTER. Mr. Chairman, I will continue to work with the gentleman. The gentleman is correct. It is not in current law, but the Federal Highway Administration is working on these things collaboratively with the States, and I think that we ought to let them continue at that pace.

Mr. HECK of Washington. Mr. Chair, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 12 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part A of House Report 114-326.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following:

SEC. ____ PREVAILING RATE OF WAGE REQUIREMENTS.

None of the funds made available by this Act, including the amendments made by this Act, may be used to implement, administer, or enforce the prevailing rate of wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, this is an amendment that I have offered in the past, and it will be known as the amendment that eliminates the effect of the Davis-Bacon Act. The substance of it is this:

None of the funds made available by this act may be used to implement, administer, or enforce the prevailing rate of wage, which is the effect of this amendment, and it is effectively the Davis-Bacon Act. It seems to get the attention of some of my colleagues.

I would say, Mr. Chairman, that I have worked with this issue as long as anyone in the United States Congress. I have worked back for years, as I began about 5 years in the construction site as an employee. Multiple times I received Davis-Bacon wage scales; sometimes I did not.

As I became a contractor in 1975, we began hiring employees. Sometimes we paid Davis-Bacon wage scales, and sometimes we did not; but I was always aggravated by the Federal Government's deciding that they knew what we had to pay our help and what they were worth.

I recall many debates on the floor of the House of Representatives when peo-

ple from the other side of the aisle would say that anytime there is a relationship between two or more people that are consenting adults, the Federal Government has no business sticking themselves in the middle of that relationship. Yet the Davis-Bacon Act tells me what my son, who is now sitting in the gallery, has to pay me if I am going to climb in the seat of one of his machines, say an excavator, a scraper, a bulldozer, or a motor grader.

So we are 40 years in the construction business. I have watched the inefficiencies that are created by the Davis-Bacon Act. You might need somebody on a shovel, and he decides it pays more to get on a motor grade; or you might need somebody on a scraper, and he decides it pays more to get on a bulldozer. This wrecks the efficiency as well as puts an extra high price on the cost of the products that are being produced under the contracting business in the United States.

So I would say this, Mr. Chairman, that over our years in the construction business, the extra costs for Davis-Bacon ranges somewhere between 8 and 38 percent additional, depending on the type of project and the location where you are. The average is someplace between 20 and 22 percent.

So to boil this all down, if we want to be responsible to the taxpayer, then we want to get the best dollar out of that.

Somebody is going to say that it is second-rate work. That would be a direct insult to me. It would be a direct insult to my son, who owns King Construction today and who is listening to this debate. Our quality work stands with anyone's, and it is superior to many; and sometimes it is Davis-Bacon wage scale, and sometimes it is not. But we know what they are worth. The government doesn't know what they are worth. We want to hire the best help, keep the best help, and keep the best help on. That is just here in this microcosm of King Construction, but it is extrapolated across the Nation.

So do we want to build 4 miles of road under government-mandated wages or do we want to build 5? I want to build the 5 miles. I want to build five bridges, not four. I want the best dollar for the taxpayers, and I want the highest efficiency that we can get. That is the substance of this amendment, and I urge its adoption.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, there was a time in America in 1931 when people were desperate, and unscrupulous contractors would move people from place to place, put them in work camps, and undercut

the wages in communities. The wisdom of the Congress back then was this is not proper. Communities have different wage rates.

This is not a diktat from Washington, D.C., about the wages. It says you will pay the wages that prevail in your community. For instance, in the gentleman's community, the median wage is \$49,427. But under Davis-Bacon, an electrician—a pretty darned skilled person in my opinion—would only get \$36,500 if they get the minimum Davis-Bacon wage. So I don't see that that is outrageous.

What we are trying to prevent here is the abuse of construction workers and people, moving them from place to place, bringing them from a very low-cost State and saying: Hey, when you go home, you are going to be doing good. We will put you in a little work camp and a tent. You come here to this State; you undercut all the local workers; you do the job; and you go home. We don't want to go back to those days. Those were not halcyon days in America.

So this is really a way to provide people with a living wage, certainly not an extravagant wage. I don't think \$36,500 for an electrician in Iowa is an extravagant wage, and I don't see why we should pull that floor out from underneath them and say: Oh, hey, well, that is a little too high. We want to be able to pay our electricians less than that.

This is about trying to create a race to the bottom like we have in too many other things in this country, our trade agreements and a whole host of other things that are going on that are creating income inequality. This will exacerbate income inequality. This amendment should be defeated.

Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), the ranking member of the Education and Workforce Committee.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to the King amendment.

This amendment would prohibit the application and payment of prevailing wages provided under the Davis-Bacon Act for funds expended on construction projects in this bill.

Davis-Bacon sets wage and benefit standards for federally assisted construction projects to ensure that contractors compete on the quality of their work, not by undercutting wage levels in local communities. Negating the application of wage laws, as the King amendment proposes to do, often leads to shoddy construction and substantial cost overruns.

This is not said to insult the sponsor of the amendment. The fact is that the census construction data shows that the value added per worker in States with prevailing wage laws is 13 to 15 percent higher than in States without prevailing wage laws.

Additionally, studies conducted by the University of Utah have found that repealing the prevailing wage has led to the reduction or elimination of apprenticeship programs. Mr. Chairman, this is National Apprenticeship Week. We should be promoting the participation in apprenticeship programs, not taking up measures that would negatively impact this critical job training tool.

Under prevailing wage laws, contractors are forced to compete on the basis of who can best train, equip, and manage construction crews, not on the basis of who can assemble the cheapest, most exploitable workforce either locally or by importing labor from somewhere else.

Historically, Mr. Chairman, there has been bipartisan opposition to repealing or suspending the Davis-Bacon Act in infrastructure programs. Let's continue that bipartisan tradition on prevailing wages by voting "no" on this amendment.

Mr. KING of Iowa. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Iowa has 2 minutes remaining.

Mr. KING of Iowa. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I thought I had actually made the statement, I thought my good friend from Virginia would pick this up, that it isn't about shoddy construction work that can be laid at the feet of merit shop operations. I am standing here on my feet in my boots having done all kinds of work for lots of years, and so has my family, going back about five generations. Our work has been competing with and superior to that of many, and there is nothing in the record of our company that anyone could point to other than quality and efficiency.

In fact, the reason that he needs an apprentice program is because you can't afford to hire somebody and train them unless the government is willing to let you pay them less than the prevailing wage. That is what the apprentice program is. I have been one, and I have been bounced out of there because of the Davis-Bacon Act.

Furthermore, Mr. Chairman, when I listen to the gentleman about how we are going to prevent people from moving people in from a low-wage area to a high-wage area to take a higher wage or perhaps undercut the existing wage that is there, that is what started the Davis-Bacon Act. It wasn't to keep the low wages out. It was to keep African Americans out of New York City during the Depression when there was a large Federal building contract, and a contractor successfully bid that job. He was from out of town and he brought his crews in from Alabama, African Americans from Alabama, to do the work cheaper than the union scale would do in New York. That is what brought about this Davis-Bacon Act.

When the Federal Government decides they are going to tell people what they have to pay their employees, they are the last people that actually know what that is worth. When you have to compete in this real world where equipment is expensive and time is priceless and we have strict specifications, strong engineers, bonds—bid bonds and performance bonds—and insurance contracts, we have to be efficient, and we have to be professional. We have to be able to not only do this as well as anyone, but more efficiently than anyone. That is what the merit shop does.

Mr. Chairman, nobody is dragging their feet in our operation. They want the company to be successful. When I send people out on a Davis-Bacon job, they are out there sometimes rolling clods because they know that it pays them to roll clods rather than get the job done. That is our expression, Mr. Chairman.

Mr. Chairman, I urge the adoption of this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, may I inquire if I have 1 minute remaining?

The Acting CHAIR. The gentleman from Oregon has 1½ minutes remaining.

Mr. DEFAZIO. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. I thank the ranking member.

Mr. Chairman, this is actually a pretty simple question, and I know my friend from Iowa tends to see this question through the lens of his own personal experience and his own company, but, frankly, this is a bigger question than that.

I think it is right that the Federal Government has a stake in how it spends its money and that the Federal Government ought to be able to say that when we fund construction projects, we don't want contractors to simply pick the cheapest labor they can. Sure, we may want to build more roads, but we want to make sure those roads last. It is not just a matter of how many miles you build, but whether or not they are going to be done in a way that makes sure that the quality of the work matches the investment that this country is making.

So, Mr. Chairman, I understand the gentleman's point. I can just tell you about my own experience having done development and construction in one of the toughest markets in America, big construction and small jobs. I always knew when we paid a prevailing wage that the work was going to be done on time and it was going to be done with quality.

When it comes to the Federal dollar, doesn't it seem to me and all of us here that cheap is not always better, and that we owe it to the American people to deliver to them a product that is

consistent with the quality that they would like to see in their own home? When you go to buy material or when you go to hire a contractor yourself for your own home, you don't say to yourself, "Who is the lowest cost provider I can get?" You want to make sure the job is done right.

Secondly, the American people need a raise. We don't need the Federal Government to participate in this race to the bottom in undercutting local economies by paying people less than they are worth. We have lost enough in this country. It is time to end this.

Mr. DEFAZIO. I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in opposition to the amendment.

For over 75 years, the Davis-Bacon Act has been protecting middle class families and taxpayers.

As a son of a union worker in Snohomish County, Washington, I know how important prevailing wages can be for middle class families.

A prevailing wage is not necessarily a union wage—it's set by the Department of Labor after surveying local labor.

But it's a living wage, one that has helped build middle class economies in my district in places like Everett and Lynnwood.

Davis-Bacon standards also ensure that taxpayers are getting their money's worth when it comes to construction projects.

By paying a decent wage, Davis-Bacon projects are built by more experienced and more productive construction workers.

The result is better built, longer lasting projects that save money over their lifetime which is especially important because poor and crumbling infrastructure hurts everyone.

We shouldn't cut corners when it comes to our transportation infrastructure, and we shouldn't cut corners when it comes to hiring construction workers.

The amendment before us would do just that.

Workers deserve to be paid fair wages.

I ask my colleagues to support middle class families by voting against this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

□ 1630

AMENDMENT NO. 13 OFFERED BY MR. LARSEN OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part A of House Report 114-326.

Mr. LARSEN of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title II the following:

SEC. ____ STREAMLINED APPLICATION PROCESS.

Section 603 of title 23, United States Code, is amended by adding at the end the following:

“(f) STREAMLINED APPLICATION PROCESS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall make available an expedited application process or processes available at the request of entities seeking secured loans under this chapter that use a set or sets of conventional terms established pursuant to this section.

“(2) TERMS.—In establishing the streamlined application process required by this subsection, the Secretary shall include terms commonly included in prior credit agreements that are desirable to borrowers and allow for an expedited application period, including—

“(A) the secured loan is in an amount of not greater than \$100,000,000;

“(B) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge, tax increment financing, or a system-backed pledge of project revenues; and

“(C) repayment of the loan commence not later than 2 years after disbursement.”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. LARSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

MODIFICATION TO AMENDMENT NO. 13 OFFERED BY MR. LARSEN OF WASHINGTON

Mr. LARSEN of Washington. Mr. Chairman, I ask unanimous consent that amendment No. 13 printed in part A of House Report 114-326 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 13 offered by Mr. LARSEN of Washington:

In lieu of amendment #13 printed in Part A of House Report 114-326.

Add at the end of title II the following:

SEC. ____ STREAMLINED APPLICATION PROCESS.

Section 603 of title 23, United States Code, is amended by adding at the end the following:

“(f) STREAMLINED APPLICATION PROCESS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall make available an expedited application process or processes available at the request of entities seeking secured loans under this chapter that use a set or sets of conventional terms established pursuant to this section.

“(2) TERMS.—In establishing the streamlined application process required by this subsection, the Secretary may include terms commonly included in prior credit agreements and allow for an expedited application period, including—

“(A) the secured loan is in an amount of not greater than \$100,000,000;

“(B) the secured loan is secured and payable from pledged revenues not affected by

project performance, such as a tax-backed revenue pledge, tax increment financing, or a system-backed pledge of project revenues; and

“(C) repayment of the loan commence not later than 5 years after disbursement.”.

Mr. LARSEN of Washington (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the modification.

The Acting CHAIR. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from Washington.

Mr. LARSEN of Washington. Mr. Chairman, I have heard from many midsize cities in my district that they often struggle to compete with larger cities for Federal transportation funding.

While the needs of midsize cities are just as significant as those of larger cities, the administrative burden of accessing TIGER grants or TIFIA loans is often too great. My amendment addresses that difficulty by improving access to TIFIA loans.

While TIFIA is a great funding source for bigger projects, sponsors of smaller projects can be discouraged from using it because the application process is complicated and requires more resources than these cities can muster.

My amendment would require the Secretary to provide an expedited process for TIFIA applications that are less than \$100 million and backed by real revenue. These are smaller, lower risk projects that aren't happening because States and localities might be scared off by the long and involved TIFIA loan application process.

By creating an expedited process for these smaller, lower risk projects, we can open access to Federal resources for smaller cities and counties that we represent.

This is a streamlined amendment that puts more power in the hands of State and local governments, something I know that my colleagues can support.

I appreciate that Chairman SHUSTER and Ranking Member DEFAZIO have made other improvements to the TIFIA process in the underlying bill, and my amendment complements these improvements in a straightforward way. I would appreciate the support of the leadership on the committee for this amendment.

I ask support of my amendment.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I support the gentleman's commonsense amendment. As usual, he brings commonsense to the table.

This amendment does and will accelerate the approval of TIFIA credit assistance for certain projects.

I encourage all Members to support the amendment.

I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chairman, I ask support for this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. LARSEN), as modified.

The amendment, as modified, was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. CULBERSON

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part A of House Report 114-326.

Mr. CULBERSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 249, after line 14, insert the following:
(2) in subsection (c)(1)—

(A) in subparagraph (B)(ii) by striking "and" at the end;

(B) in subparagraph (B)(iii) by striking the period and inserting "; and"; and

(D) by adding at the end of subparagraph (B) the following:

"(iv) the applicant shall have a current operating ratio, as such ratio is set forth by the Federal Transit Administration using the ratio of current assets to current liabilities, of 1:1."

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. CULBERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, one of our principal responsibilities here is to be good stewards of our constituents' hard-earned tax dollars. It is a responsibility that I know each one of us takes very seriously.

My amendment today will ensure that we apply the same commonsense standards to the investment of our constituents' hard-earned tax dollars that we do in the investment of our own dollars.

You in your own life would not loan money or invest money in a business that was so poorly managed that it took on more debt than they could manage. You wouldn't put your money in a company that had taken on so much debt that their debt exceeded their liabilities. And, certainly, if you were applying for a bank loan, a bank would not loan your business money if your business had more debt than it had assets.

That is all this amendment says is that the Federal Government will not

invest our constituents' hard-earned tax dollars in a transit agency that has more debt than they do liabilities.

My amendment ensures that the minimum asset-to-debt ratio that a transit entity can have is 1:1. It is commonsense. This is sort of a working guideline that I know the Transportation Appropriations Subcommittee, on which I work, and the Federal Transit Administration has for years wanted to be sure that the agencies out there—transit entities across America—have no more debt than they do assets.

So the amendment says the Federal Government will not issue a Federal transit grant to an agency that has a ratio of current assets to debt that exceeds 1:1, very straightforward, very simple.

Let's protect our constituents' hard-earned tax dollars in the same way we would protect our own. In fact, it is actually a much higher obligation that we have to be good stewards of the Treasury, as responsible representatives.

I urge adoption of this amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

This is an unusual amendment, to say the least. There is no measure of assets done regularly for our transit systems in America. In fact, the only measurement that is done is that we have an \$84 billion—B, billion—backlog to bring our existing transit systems up to a state of good repair. That means, basically, I am sure everybody would fail this test.

So if you want to do away with transit in America and get them out of the trust fund—something that Ronald Reagan made a high priority, and he put transit into the trust fund. He was the first Republican to support that, and they have been in ever since.

He said: We cannot ignore our urban centers. They are the engines of economic growth in this country, and we can't ignore them. We need to be able to move people efficiently in those urban areas.

So, since then, we have had a modest proportion of the trust fund—about 20 percent, generally—going into transit.

That is not adequate, as it is not adequate for bridges; 140,000 need replacement or repair. It is not adequate for highways; 40 percent of the system is failing and it needs total rebuilding.

But an \$84 billion backlog in transit—they are killing people right here in the Nation's Capital because of the state of disrepair. It is an embarrassment.

There is no transit district in the United States of America who makes money. So what is this about? I don't

get it. We are not lending money for them to make a profit and pay off loans. They all receive Federal support, and they need more Federal support.

In fact, in my travels, I have only been one place where they claim the transit district made money, which is Hong Kong. I urge you to go ride there at rush hour and see if you enjoy that experience. It is not very good here either.

But, in any case, no one else claims to make money. And I don't know if they really do. That is a Communist-dominated state. So it is probably not true.

I don't understand the amendment, to tell the truth. I would urge my colleagues to oppose it.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, my colleague from Oregon is confusing the issue here. The amendment is very straightforward.

Let me read from the amendment itself. The applicant transit agency has to have a current operating ratio of current assets to current liabilities of 1:1. They have to have the same current level of debt as they do assets in order to be eligible to apply for a Federal transit grant.

This isn't about making money. This is about making sure the taxpayers are not going to give another brick to a transit agency that has already got too much debt and is overloaded and is in a position where they may not be able to take full advantage of the grant. Taxpayers, our constituents, should not have to put their hard-earned tax dollars into a transit agency that is carrying more debt than they have assets. This is very straightforward.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield to the gentleman from Texas for him to name a transit agency that has gone bankrupt recently.

Mr. CULBERSON. In fact, I just spoke to the chairman of the Houston Metropolitan Transit Authority yesterday, and he tells me that their asset-to-debt ratio—they have got assets.

Mr. DEFAZIO. Reclaiming my time, I don't know what and who is running that thing.

Mr. CULBERSON: They are going to go bankrupt.

Mr. DEFAZIO. Sir, it is my time. They have not gone bankrupt. They are still operating.

The Federal Government has not had, that I am aware of, any major TIFIA loans or anything go into default.

This is a bizarre amendment in search of a problem that doesn't exist. We have no transit agencies that are making money. I don't anticipate we ever will have a transit agency that makes money. No one in the world operates transit agencies that make money.

It is a public service to mitigate congestion and provide for our major

urban areas to move people more efficiently with a partnership between the Federal Government and local authorities.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, this is not about making money. The Houston Metropolitan Transit Authority chairman yesterday told me that their asset-to-debt ratio is about 2:3:1. So they have got 2 to 3 times more assets than they do debt.

That is what this amendment says, that we will, as good stewards of our taxpayers' hard-earned dollars, only send Federal transportation grants to transit agencies like Houston Metro that have done a good job managing their responsibilities and their assets are at least on par with their debt. That is all it says.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, my colleague from Oregon is confusing the issue. This isn't about making money. This isn't about repaying the money.

This is about making sure that our constituents' hard-earned tax dollars are going to be wisely and carefully and prudently sent only to those transit agencies that have proven they can do a good job, that they don't have more debt currently than they have current assets.

My amendment, quoting from the amendment, is very simple:

Applicant shall have a current operating ratio of current assets to current liabilities of 1:1.

That is at a minimum. Houston Metro would qualify for this. There are transit agencies all over America that would qualify for this.

Let's make sure that the transit entity, before they ask for our constituents' hard-earned tax dollars, have demonstrated that they are competent and capable of managing the money that they already have on hand and they don't have more debt than they can carry.

I urge passage of the amendment.

I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

Actually, the amendment is to take money from New York City, Washington, D.C., probably Baltimore, Boston—I don't know—anyone who has a legacy transportation system that actually, until Ronald Reagan was President, pretty much was built without Federal dollars and run without Federal support and they have huge backlogs in terms of bringing them up to a state of good repair, 120-, 130-year-old tunnels.

This would just basically say: Let's put the money in the places which have the most modern transportation systems, built most recently, and probably built since Federal support was

put in place by Ronald Reagan and stick it to the ones who did it on their own 130, 140 years ago and have been struggling to keep up and only had a partnership with the Federal Government since Ronald Reagan was President of the United States.

This does not go to the efficiency of an operation anytime anybody applies for a TIFIA loan or anything else. They are evaluated in terms of how they are going to be able to repay those loans at the fare box, out of the fare box, out of operating costs, not what their assets to liabilities are.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CULBERSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CULBERSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

□ 1645

The Acting CHAIR. The Chair understands that amendment No. 15 will not be offered.

AMENDMENT NO. 16 OFFERED BY MS. MENG

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part A of House Report 114-326.

Ms. MENG. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I (page 233, after line 8), insert the following:

SEC. 1431. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Sec-

retary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from New York (Ms. MENG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. MENG. Mr. Chair, this bipartisan amendment is simple. It is identical to language that appeared in the Senate version of the transportation bill that required improved data collection on the types of child restraint systems in use whenever a child is present during a car crash.

I am honored to have Representative LOVE as a cosponsor of this amendment, and I thank her for her support.

Mr. Chair, I know that we have 81 amendments to work through today and a long evening ahead of us; so, in the interest of time, I will keep my remarks brief.

The amendment I am offering merely requires revisions to the crash investigation data collection system of the National Highway Traffic Safety Administration in an effort to save children's lives. The more we know about the type of child restraint system used, how it was used, and the outcome of that use, the more we will be able to avert future tragedies.

After 3 years of collection of the data required by this amendment, the Secretary will be required to submit a report to Congress on the performance of various child restraint systems. It is my hope that we will join together at that time to craft new legislation that addresses what we learn.

Again, this is a bipartisan amendment, Mr. Chair. I believe it is a good amendment, and I think we have an opportunity to save children's lives.

I urge support for this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, this amendment is not in our jurisdiction. It is in the Energy and Commerce Committee's jurisdiction. I understand the Energy and Commerce Committee supports the amendment, so we support the amendment also.

I yield back the balance of my time.

Ms. MENG. Mr. Chair, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentlewoman for yielding.

Mr. Chairman, I appreciate the fact that the chairman does not oppose and that the committee of jurisdiction does not oppose.

It is very timely. We just had a study about child safety seats which raises questions about rear-facing seats, and I think this comprehensive data would be very, very important as we move forward, potentially changing the guidelines on how we restrain children in vehicles to better protect them.

I congratulate the gentlewoman on bringing this amendment forward, and I hope that it is accepted.

Ms. MENG. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. MENG).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MR. RUSSELL

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part A of House Report 114-326.

Mr. RUSSELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III of division A, insert the following:

SEC. ____ STREETCAR FUNDING PROHIBITION.

Notwithstanding any other provision of law, Federal financial assistance may not be provided for any project or activity to establish, maintain, operate, or otherwise support a streetcar service. This section does not apply to a contract entered into before the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Oklahoma (Mr. RUSSELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. RUSSELL. Mr. Chairman, streetcars, also known as trolleys, are mass transit vehicles that operate on rail lines embedded in normal roadways, often drawing electrical power from overhead structures.

From 2009 to 2014, the Department of Transportation awarded \$432 million for streetcar projects in 14 cities throughout the country.

Streetcars are highly impractical from a public transit standpoint. Like a bus, but unlike a train, a streetcar's speed is constrained by the speed of traffic around them. Unlike a bus, however, they are bound by their tracks. If anything blocks the tracks, such as an accident or a construction project, the entire line shuts down, making it an inefficient form of transportation.

Streetcars are costly to build and operate. They require extensive infrastructure, including tracks and overhead power, that is not required for buses. Per passenger, per mile, they are also significantly and consistently more costly to operate than buses. Ac-

cording to a 2013 Journal of Public Transportation study, they fail or are at the bottom of all efficient forms of transportation.

The Congressional Research Service can find no clear evidence that streetcars increase transit ridership. Streetcar corridors that saw economic growth often benefited from other substantial subsidies. It is unclear if streetcars contributed to this growth.

The main argument for this amendment, which would prohibit future funding, is that it would establish Federal prohibitions on any financial assistance to establish, maintain, operate, or otherwise support a streetcar service unless there is a current contract in place that would be entered into before the date of the enactment of the act.

The main argument for streetcars is often their psychological appeal. While this is appreciated, it is also very subjective, and it depends on the sentiments of tourists or local communities. They are more comparable to water taxis or Ferris wheels than to buses and light rail. The Department of Transportation is not in a good position to judge how tourists and locals will feel about a streetcar project. The agency, therefore, lacks the insight to predict the success of a project.

Most streetcar funding has come from the Transportation Investment Generating Economic Recovery grant program, or TIGER program. TIGER is an extremely competitive program with 20 times more applicants than there is money available. Recent rule changes are expected to make it easier for streetcars to receive funding from the Capital Investment Grant Program, also known as the New Starts and Small Starts program.

The President's administration has requested \$3.2 billion for this program for FY 2016, including \$75 million for streetcar projects, and at least six more are under development.

Any further grant awards for streetcar projects will divert scarce Federal funding from other high-priority transportation projects. While we appreciate all forms of transportation, our infrastructure, our national defense, and the vitality of our commerce on our roads beg for more efficient means of transportation for our dollars, which are limited.

Bus Rapid Transit projects, or BRT projects, for example, attract riders with higher quality stations and buses, traffic lanes that are fully or partially dedicated to buses, and more reliable, frequent service. Unlike for streetcars, there is objective evidence that the BRT tends to increase transit ridership and decrease trip time, according to the Government Accountability Office.

Streetcar projects are expensive, uncertain gambles that depend on subjective local and tourist sentiments more than on objective facts. It is for that

reason—as we face a \$19 trillion deficit and as we face foreign policy challenges abroad that require contingency dollars and as we look at husbanding the strength for our transportation—that my amendment would make sure that these resources are used in their proper place.

Local communities should, therefore, risk their own funds, like in my home State of Oklahoma. Oklahoma City recently passed a \$129 million downtown streetcar project, which its own citizens approved, without using Federal funds. While municipalities may desire streetcars, they should not do it with other Americans' money.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

This amendment would dictate to communities across America what form of transit they could put into their urban areas to solve problems of congestion and the efficient movement of people from place to place.

The gentleman mentioned tourist destinations. Yes, some may relate to tourist destinations; others may relate to medical facilities, as in Portland, Oregon, where the streetcar terminates at the Oregon Health & Science University. It also then utilizes a tram, which is at both the bottom and the top of the hill. It is used by many patients and others who have to get there. So these are not just toy things or things that are used for tourists. They are used to solve congestion problems in major urban areas. They are also incredible tools for economic development.

As for the fixed streetcar line in Portland, they revitalized a whole section of the city, which generated \$3.5 billion in private economic development because the line was there. They didn't get any Federal money, but they built their projects adjacent to that line, which also provided a built-in ridership. Many people who reside in those pretty high-end apartments actually don't own cars, and they utilize the streetcar.

Salt Lake has already attracted \$400 million in investment. Atlanta, Georgia, has a very successful program. Tucson, Arizona, has seen an incredible initial ridership, far exceeding projections. Cities across America are finding great success with streetcars; so to deny them this tool on some sort of arbitrary basis, I think, is unwarranted.

I reserve the balance of my time.

Mr. RUSSELL. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Oklahoma has 30 seconds remaining.

Mr. RUSSELL. Mr. Chairman, no research supports clear economic growth, according to the Congressional Research Service. While there may be other factors—usually with heavy government subsidies—that also contribute to this growth, it does not have any delineation toward streetcars.

This amendment does not dictate but protects scarce resources. In a nation that has an incredible deficit problem, we have to get to the point at which we can have priorities. This focuses on priorities.

Mr. Chairman, I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I could not disagree more with my friend from Oklahoma City.

First of all, the streetcar is a highly developed mechanism that 30 communities across the country are involved with right now, and they all invest their own money, including Oklahoma City. I find it ironic that somehow there is this notion that people are picking this out of the air as a toy or arts and crafts. That is not the case.

Look, I have been working on this for over 30 years, since I initiated a project for Portland's streetcar. I would be happy to introduce the gentleman to businesspeople, to local government. Actually, my friend from Oregon understated it. It is \$4.5 billion. It is happening in Seattle, in Tacoma. I was in New York—in Brooklyn—this Friday, where they are looking at a streetcar. It is an extraordinarily efficient way to concentrate development. It encourages private investment. It extends the pedestrian experience. It is part of the toolkit.

I notice the gentleman has left the Chamber. I was going to ask him if he knew that, in his Oklahoma City, there is a TIGER grant that is going to build three blocks of rail line starting in 2016. It was a choice of Oklahoma City. They thought the TIGER grant was so important that they are using Federal money in a project that is supplementing local money.

My friend from Oregon is correct, the ranking member, in that we shouldn't take this tool away from communities, large and small, across the country. From Kenosha, Wisconsin, to Los Angeles, people are understanding that the streetcar has a vital role in revitalizing communities, in giving people more choices, in focusing economic development; and it is why the tram—the streetcar—is ubiquitous across the world. It is why we now have 30 cities that are doing it.

I would argue, if you look at the billions of dollars we have invested in transportation projects, less than a half a billion dollars that people competed for very aggressively, for these

TIGER grants, is money well spent. It is well spent in my community. Some people might warrant Bus Rapid Transit, like my colleague from Oregon has in Eugene.

□ 1700

This is a tool that has proven its worth. Communities around the country, from Cincinnati to Dallas, Texas, are doing it because it works. It would be a tragic mistake to approve an amendment that would take this tool away from communities that decide to do it and would like to supplement their local resources with Federal money, like is happening in Oklahoma City next year.

Mr. DEFAZIO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. RUSSELL).

The amendment was rejected.

AMENDMENT NO. 18 OFFERED BY MS. EDWARDS

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part A of House Report 114-326.

Ms. EDWARDS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III of division A, add the following:

SEC. ____ . APPOINTMENT OF DIRECTORS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

(a) DEFINITIONS.—In this section—

(1) the term “Compact” means the Washington Metropolitan Area Transit Authority Compact (Public Law 89-774; 80 Stat. 1324);

(2) the term “Federal Director” means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A); and

(3) the term “Transit Authority” means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b) APPOINTMENT BY SECRETARY OF TRANSPORTATION.—

(1) IN GENERAL.—For any appointment made on or after the date of enactment of this Act, the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) AMENDMENT TO COMPACT.—The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Maryland (Ms. EDWARDS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Chairman, I thank the chairman and the ranking member.

Representative COMSTOCK of Virginia and I have an amendment that is at the

desk, and I don't have to tell my colleagues who ride Metro every day to and from work of the issues that WMATA Metro has had with safety, performance, and management.

Our bipartisan amendment gives the Secretary of the United States Department of Transportation the authority to appoint the four Federal members to the Washington Metropolitan Area Transit Authority Board. Currently, the General Services Administration has this sole authority and shares oversight responsibilities of the Federal board members with the U.S. Department of Transportation. The WMATA board determines the agency's policy and provides oversight for the funding, operation, and expansion of transit facilities.

We have worked closely with Senator MIKULSKI of Maryland on this issue, and she has introduced a bill in the Senate that is cosponsored by all three other local Senators: Senators CARDIN, WARNER, and KAINE of Virginia.

From various conversations we have had, the Secretary of Transportation is also aware of this issue and is supportive of the Department of Transportation taking over. The General Services Administration has stated that “this was never in our wheelhouse.” And WMATA does not oppose this change.

I want to thank Chairs CHAFFETZ and MEADOWS and Ranking Members CUMMINGS and CONNOLLY for working with us since the amendment also falls under the jurisdiction of the House Oversight and Government Reform Committee. They have cleared this amendment.

Before I close, I want to remember our late colleague—and former colleague on the Transportation Committee—Howard Coble, who died last night. He represented the Sixth Congressional District of North Carolina, including the town I was born in, Yanceyville, North Carolina. He will be sorely missed by all of us and his longtime constituents and his service with us. May he rest in peace.

I reserve the balance of my time.

I don't have to tell my colleagues, some of who ride Metro each day to and from work, of the issues the Washington Metropolitan Area Transit Authority (WMATA) has had with safety, performance, and management.

The Passenger Rail Investment and Improvement Act of 2008 (PRIIA, Public Law 110-432), included the National Capital Transportation Amendments Act, a bill authorizing \$1.5 billion in federal funding for WMATA capital improvements. It was because of this federal investment and WMATA's large federal employee ridership that the National Capital Region Congressional Delegation created the federal board members.

The Delegation expanded the WMATA Board from twelve members from Maryland, the District of Columbia, and Virginia to include sixteen members, establishing the four new federal member positions. The Delegation

also believed that these federal board members would not be wrapped up in jurisdictional politics. Often board members from the jurisdictions do not recommend what is needed because their jurisdiction does not have the money.

The National Capital Region Congressional Delegation gave the appointment authority to the General Services Administration (GSA) because at the time, it seemed the best federal agency to represent the overall federal workforce. Approximately forty percent of WMATA's ridership is federal employees.

Our amendment gives the Secretary of the U.S. Department of Transportation (USDOT) the authority to appoint the four federal members to the WMATA Board. Currently, the GSA has this sole authority and shares oversight responsibilities of the federal board members with USDOT. The WMATA Board determines the agency's policy and provides oversight for the funding, operation, and expansion of transit facilities.

I have worked with Senator MIKULSKI on this issue and she has introduced a bill in the Senate that this amendment is based on. S. 2093 is cosponsored by all 3 other local Senators, Senators CARDIN, WARNER, and KAINE.

From various conversations we have had, Secretary Foxx is aware of this issue and is supportive of USDOT taking over. GSA has stated that "this never was in our wheelhouse." And WMATA does not oppose.

I want to thank Chairs CHAFFETZ & MEADOWS and Ranking Members CUMMINGS & CONNOLLY for working with us since the amendment falls under the House Oversight and Government Reform Committee's jurisdiction. It is my understanding they have cleared this amendment.

Since the creation of the federal board positions in 2008, GSA has not played an active role in oversight of the federal board members. GSA does not have any expertise about what it takes to operate a transit system, nor does it have any experience.

Only USDOT has been committed to the oversight of the federal board members and trying to correct WMATA's myriad problems. WMATA's serious safety, operational, and financial issues have all been documented by USDOT. The Secretary of USDOT and the Federal Transit Administration have been working directly with the federal board members and the transit agency to get things fixed. The federal board members and USDOT are in regular communication.

In addition, the local delegation led by Senator MIKULSKI has been providing the federal finding authorized in PRIA in the annual Transportation & HUD (THUD) Appropriations Bill. For the last seven years, bill and report language has been included requiring strict oversight by the USDOT Secretary on how these taxpayer dollars are spent.

Before I close, I would like to remember our late colleague, Howard Coble, who died last night. He represented the 6th Congressional District of North Carolina, including the town that I was born in, Yanceyville. Howard will be sorely missed by all of us and his long-time constituents. May he rest in peace.

Mr. GRAVES of Missouri. Mr. Chairman, although I don't oppose the amendment, I ask unanimous consent to claim the time in opposition.

The Acting CHAIR. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, this particular amendment really is in the jurisdiction of the Oversight and Government Reform Committee. They are in favor of the amendment, so we are going to urge our colleagues to support it. We are not going to oppose it.

I yield back the balance of my time.

Ms. EDWARDS. Mr. Chairman, I would like to say it has been a real pleasure to be able to work with Mrs. COMSTOCK on this amendment. It is very rare that we have opportunities to work across the aisle and also across the Capitol to make sure that we are doing the right thing for our transit system here in the metropolitan Washington area that serves so many millions of both Federal workers and tourists from all of our different States and jurisdictions.

It is really clear that the General Services Administration in this day and age is probably not the most appropriate place for the appointment of these members of the board. It is dutifully to be placed with the Department of Transportation to which they have agreed. I thank our colleagues for all agreeing to this as well.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maryland (Ms. EDWARDS).

The amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MS. FRANKEL OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part A of House Report 114-326.

Ms. FRANKEL of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 424, strike line 17 and all that follows through page 426, line 24.

Page 428, line 20, strike "and" at the end. Page 428, line 23, strike the period and insert "and".

Page 428, after line 23, insert the following: (4) is not a high-risk carrier, as identified by the Federal Motor Carrier Safety Administration.

Beginning on page 449, strike line 5 and all that follows through page 451, line 22.

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Florida (Ms. FRANKEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. FRANKEL of Florida. Mr. Chairman, I thank the chair, ranking member, and all the colleagues who worked so hard on bringing this legislation to the floor.

My amendment is really about improving this bill. It is going to make it a better bill, and it is about making our Nation's roads safer and the delivery of goods more efficient.

There are 15.5 million trucks on the road each year driving more than 93 billion miles annually, carrying over a billion dollars' worth of goods. There is no question that our Nation's trucking industry is a huge economic driver, earning \$650 billion annually, 5 percent of the United States GDP.

With all that sunshine comes a little bit of rain. The National Highway Traffic Safety Administration said that in 2013 almost 4,000 people were killed and 95,000 people were injured by large trucks, costing the public a whopping \$100 billion annually. So my amendment does three things to increase safety and to reduce those costs.

First, the amendment brings the requirement for commercial truck insurance into the 21st century. It is shocking, Mr. Chair, that the minimum insurance required for commercial trucks has remained the same since the 1980s at \$750,000 per incident regardless of the number of victims or their injuries. The FMCSA, which is the Federal Motor Carrier Safety Administration, is currently engaged in rulemaking to examine the appropriateness of this standard. The base bill requires studies that I respectfully submit will slow down this process.

Imagine a large truck hitting a bus full of schoolchildren and the insurance only being \$750,000 to cover all the losses. Do you want to be the person that tells the parents that Congress needs to do more studies before their medical bills can be paid? My amendment strikes these unnecessary studies so that the FMCSA can finish their important work without delay.

Second, the base bill creates a national hiring standard that brokers and shippers must use to hire carriers. One of these standards is based on outdated information. It is not updated annually. So my amendment at the desk would strengthen the hiring standard by prohibiting the hiring of motor carriers defined as "high-risk carriers" by the FMCSA.

Finally, just this year, the FMCSA did a study that found that compliance, safety, and accountability scores accurately predict safety performance by drivers. These scores are currently used by brokers and shippers to identify unsafe carriers. Studies show that, since this system has been used, there has been a 14 percent reduction in serious violations of the law. I want to repeat that. There has been a 14 percent reduction in serious violations of the law.

This base bill requires another study that is going to take 18 months. Not only that, the base bill now hides important safety statistics during this time. What my amendment does is very

simple. The provision makes these safety scores transparent for the public to see.

Together, these measures are going to improve the movement of goods across the country by increasing safety and efficiency. It is a real good amendment. I think it is going to make this bill much better, and I urge its adoption.

I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, this amendment literally just guts some very crucial reforms to this bill. What this amendment does is strikes a section in the bill that requires the Federal Motor Carrier Safety Administration to remove from its Web site those compliance and safety accountability program scores.

What we found is that the CSA is a flawed system. It treats safe carriers unfairly, and it has done very little to improve motor carrier safety records.

The Government Accountability Office and the motor carrier stakeholders, they have been very critical of the CSA program. They have called for the reform. So what this does is make sure that those reforms are going to happen quickly. It doesn't hide anything. Once the reforms are in place, the scores are going to go back up on the Web site.

In the meantime, that raw data concerning accidents, violations, out-of-service rates, it will remain publicly available; and it is also going to be available to law enforcement if they need to investigate or prosecute an unsafe carrier. So nothing is being hidden, but what this does is require that these reforms are going to take place and they are going to take place very, very quickly.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Ms. FRANKEL of Florida. Mr. Chairman, I would just be repeating myself.

I do want to repeat one thing which I think is important. Since the system has been used by FMCSA, there has been a 14 percent reduction in serious violations of the law, and I think that speaks for itself.

I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chair, again, this guts some very important parts of this bill.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Ms. FRANKEL).

The amendment was rejected.

AMENDMENT NO. 20 OFFERED BY MR. DUNCAN OF TENNESSEE

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in part A of House Report 114-326.

Mr. DUNCAN of Tennessee. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 428, line 23, before the period, insert "or be unrated".

Page 428, after line 23, insert the following:

(4) has not been issued an out-of-service order to prohibit a motor carrier from conducting operations at the motor carrier level—

(A) for failing to pay fines under part 385.14 of title 49, Code of Federal Regulations;

(B) for a proposed "unsatisfactory" safety rating under part 385.13(d) of title 49, Code of Federal Regulations;

(C) for failing to respond to a new entrant audit under part 385.325 of title 49, Code of Federal Regulations; and

(D) and currently is being considered as an imminent hazard at the carrier level (not the individual driver or equipment level).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Tennessee (Mr. DUNCAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

MODIFICATION TO AMENDMENT NO. 20 OFFERED BY MR. DUNCAN OF TENNESSEE

Mr. DUNCAN of Tennessee. Mr. Chair, I ask unanimous consent that amendment No. 20, printed in part A of House Report 114-326, be modified by the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 20 offered by Mr. DUNCAN of Tennessee:

on line 12 of amendment No. 20, add the word "not" after is.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from Tennessee.

Mr. DUNCAN of Tennessee. Mr. Chairman, first I want to commend Chairman GRAVES. Nobody could have done a better job on this bill than he has done. I also want to thank Chairman SHUSTER and Ranking Member DEFAZIO because they have placed just about everything that I have requested into this bill, including accepting an amendment yesterday.

I will repeat something that I said during general debate yesterday: I am so pleased that after we have spent hundreds of billions of dollars over the last 15 years in a vain attempt to rebuild the Middle East, now we are finally going to pass a major bill to rebuild this country and provide hundreds of thousands of jobs all across this Nation.

I rise today, Mr. Chairman, with Mr. PAULSEN of Minnesota to offer an amendment that is basically very technical in nature, but it is one that is very, very important to many thou-

sands of the smallest companies in the trucking industry.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for including in the base bill some of the language from a bill that I introduced that deals with this situation. This amendment expands that by clarifying the requirements that a freight broker must meet before hiring a motor carrier for the delivery of goods.

□ 1715

Currently, the bill requires a broker to check to ensure that the motor carrier is first registered with and authorized by the Federal Motor Carrier Safety Administration to operate as a licensed motor carrier; secondly, has the minimum insurance required by Federal law; and, third, has the satisfactory safety fitness determination by the FMCSA. All of these things make for a safer trucking industry in this country.

Our amendment inserts "or be unrated" in the third requirement. Currently, there are thousands of small trucking operations which have yet to be audited or rated by the FMCSA. By adding the words "or be unrated," we ensure that these small companies are not precluded from being in the pool of eligible motor carriers that can be used for shipping goods.

According to the Owner-Operators Independent Drivers Association, OOIDA, without this amendment, we will be creating an incentive not to use small carriers, putting hundreds of thousands of truck drivers out of business due to no fault of their own.

Without this change, we will hurt small mom-and-pop trucking businesses and drive up the cost of shipping goods for everyone.

The second part of our amendment adds a fourth requirement that must be checked by the brokers. This fourth condition requires a broker to check to make sure that a motor carrier has not been issued an out-of-service order to prohibit a carrier from conducting operations. Once again, this makes for a safer trucking industry in this country.

If we do not make this amendment part of the bill, thousands of small companies and mom-and-pop operators who have never had a wreck or had a violation would lose business just because FMCSA does not have the sufficient time or staff to officially rate them.

In conclusion, Mr. Chairman, I will just say this amendment ensures that we have only safe trucks on the road and that thousands of small businesses are not hurt in the process. However, I have received assurances from both Chairman SHUSTER and Ranking Member DEFAZIO that they want to do something about this.

I think everybody on both sides of the aisle in this Congress really wants

to try to help the smallest businesses in almost any industry, and they have told me that they will really try to do something about this in conference.

With that assurance and at their request, I am withdrawing this amendment and hope that we can improve the bill as it goes on through conference.

Mr. Chairman, I withdraw the amendment at this point.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 21 OFFERED BY MR. LEWIS

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part A of House Report 114-326.

Mr. LEWIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 441, beginning line 3, strike section 5404 and insert the following new section:

SEC. 5404. STUDY ON COMMERCIAL DRIVER'S LICENSE PROGRAM.

(a) STUDY.—The Secretary shall conduct a study to evaluate the safety effects of the laws and regulations of States that allow licensed drivers between the ages of 18 years and 21 years to obtain a commercial driver's license to operate a commercial motor vehicle within the State.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) A review of the requirements for licensed drivers between the ages of 18 years and 21 years to obtain commercial driver's licenses described in such subsection.

(2) A review of collision rates and fatal collision rates for such drivers while operating a commercial motor vehicle.

(3) A review of any other safety factors and metrics determined appropriate by the Secretary in accordance with subsection (c).

(c) INPUT.—In conducting the study under subsection (a), including with respect to the safety factors and metrics reviewed under subsection (b)(3), the Secretary shall solicit input from representatives of State motor vehicle administrators, motor carriers, labor organizations, independent truck drivers, safety advocates, medical associations and medical professionals, and other persons determined appropriate by the Secretary.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall publish a report containing the results of the study under subsection (a), including any recommendations for statutory changes.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Georgia (Mr. LEWIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. LEWIS. Mr. Chairman, my amendment is simple. It would strike a pilot program that allows teenagers to drive trucks across State lines. Right now this bill mandates that we allow teenagers to become truck drivers. But, Mr. Chairman, it does not ask whether we should give them the keys.

The American public has a strong opinion on this issue. After 92 percent of the comments strongly opposed to

this idea, the Federal Motor Carrier Safety Administration denied a request for a similar program in 2003. The vast majority thought it was a bad and dangerous proposal.

My amendment simply asks the Department of Transportation to take another look, a second look, before starting a national program. We need to examine the safety of places where young drivers are already allowed to drive trucks within their own States.

Interstate highways are already dangerous enough. Given the higher and higher accident and fatality rates of younger drivers, it makes no sense to make this change without looking at all of the data.

Mr. Chairman, young drivers may not have the experience needed to handle heavy, dangerous vehicles. Some follow too closely. Others go too fast and don't check their mirrors. Young drivers can use their brakes too much, and that is a real danger when handling an 80,000-pound truck.

Ask any parent. They know. Young drivers do not always listen, even when an experienced driver is in the front seat. My amendment does not say no. It says just let us do the research first. We should study the safety of teen truck drivers before any experiment that might have dangerous results.

I urge my colleagues to support my commonsense amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, this amendment would strike a limited pilot program that is authorizing drivers over the age of 19½ to enter into a graduated program to obtain a commercial driver's license. The program is very limited to a number of States and a number of carriers that can participate. It also includes a number of safety requirements and a GAO report to Congress examining its safety impacts.

Mr. Chairman, what is interesting about the way present law is is that a driver of the age that is being addressed here could drive all the way across the State of Missouri, for instance, but they can't drive 10 miles in the city of Kansas City, across town, because it is over a State line.

It doesn't make a whole lot of sense, and it actually hampers a whole lot of businesses out there that operate in communities like Kansas City, St. Louis, and St. Joseph that are actually split by a State line.

The trucking industry is facing a severe shortage in the number of drivers. With freight expected to increase 30 percent over the next 10 years, the driver shortage is only going to wors-

en. We need to get more young people interested in careers in the transportation industry. It is as simple as that.

This is a limited pilot program. It represents a delicate compromise that would accomplish a very important goal.

I urge Members to oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LEWIS. Mr. Chairman, I appreciate that there is a driver shortage, but it is important, very important, to follow the data. We should not put inexperienced drivers on the road before we have all of the facts.

In my congressional district, in Metro Atlanta, we have three major interstate highways running through our city: I-75, I-85, and I-20. Even with experienced drivers, there is always some major accident. We need to follow the data. I urge all of my colleagues to support my commonsense amendment.

Mr. Chairman, I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Chairman, again, what we are trying to do with this program is just allow those drivers to be able to cross the State line. Again, they are already allowed to go an entire State's length within the State.

I would ask my colleagues to oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. LEWIS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. LEWIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 22 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part A of House Report 114-326.

Mr. JOHNSON of Georgia. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 449, beginning line 5, strike section 5501 relating minimum financial responsibility rulemaking.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise today to speak in support of my amendment to H.R. 22.

Minimum insurance requirements for trucks have remained the same since the 1980s. Currently, it is \$750,000. Healthcare costs have skyrocketed. For example, hospital care for traumatically brain-injured people can average \$8,000 per day. Minimum insurance does not realistically account for multivehicle accidents where \$750,000 must be divided among all of the injured parties.

FMCSA is currently undergoing rulemaking to evaluate current insurance requirements. Congress should not delay or derail this effort. Section 5501 conditions the agency's rulemaking upon its completion of detailed studies that must be completed in consultation with industry stakeholders.

This amendment strikes language that is designed to delay and ultimately derail this long-overdue rulemaking. When a person suffers life-threatening injuries due to the negligence of a motor carrier, the cost of long-term care and the loss of his or her livelihood often is pushed to the background. For families that undergo this ordeal, it often comes as a surprise that, despite a congressional mandate in the 1980s, minimum insurance requirements for interstate truckers and bus carriers have remained unchanged.

The Motor Carrier Act of 1980 specifically set out to ensure public safety by requiring insurance premiums to be updated regularly. A similar bill, the Bus Regulatory Reform Act of 1982, was passed for the segment of the industry transporting passengers interstate.

While the minimum insurance levels in 1985 for general freight carriers and small-bus operators was \$750,000 and \$1.5 million respectively, with higher liability limits for carriers of hazardous materials and large bus carriers, the intent of Congress was to increase the minimums regularly to keep pace with inflation.

In April of this year, the Federal Motor Carrier Safety Administration released a report to Congress that examined the adequacy of the current financial responsibility requirements for motor carriers. The conclusion was clear: Today the cost of injuries and fatalities arising from crashes far exceed the minimum insurance levels interstate operators are required to carry. As a result, victims are often not appropriately compensated for their injuries.

Language in section 5501 is an attempt to stop or at the very least delay this long-overdue FMCSA rulemaking in its tracks by taking away the resources necessary for the agency to evaluate appropriate levels of financial responsibility for the motor carrier industry. FMCSA rulemaking is necessary because current insurance limits do not adequately cover crashes primarily because of increased medical costs.

To be on par with medical consumer price index inflation, the liability limit

for general freight carriers today would be \$4.4 million, calculated from the 1980 passage date of the Motor Carrier Act, and around \$6.5 million for small-bus operators.

Moreover, the April FMCSA report found that, in real terms, insurance premiums have actually decreased for the same level of coverage since the 1980s. The result is that thousands of crash victims are left without the financial resources to pay medical bills or restore the quality of life that he or she enjoyed before the trucking or bus accident, that despite the fact that insurance premiums have gone down.

In many cases, the burden of healthcare costs are passed on to taxpayers, as Medicare and Medicaid shoulder millions of dollars of medical care each year due to inadequately insured carriers. We must keep the trucking industry accountable for safety by supporting this amendment.

I urge my colleagues to support this amendment.

The Acting CHAIR. The time of the gentleman has expired.

□ 1730

Mr. GRAVES of Missouri. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, what this amendment does is it strikes some very commonsense regulatory reforms in the bill.

The underlying bill requires the Department of Transportation to study whether an increase in minimum insurance levels for intercity buses is needed before pursuing a rulemaking to change the levels. I don't understand why we would strike language that simply tells the Department to determine whether a problem exists before it regulates.

The amendment also strikes language in the bill that requires the Secretary to consider the impact of an ongoing rulemaking on small trucking companies and safety.

These considerations, Mr. Chairman, are not going to delay the rulemaking, but it is going to add transparency and accountability to the process.

I would urge my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The amendment was rejected.

AMENDMENT NO. 23 OFFERED BY MR. RIBBLE

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part A of House Report 114-326.

Mr. RIBBLE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title V of division A, add the following:

SEC. ____ . TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT.

Section 229(e)(4) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended—

(1) by striking “50 air mile radius” and inserting “75 air mile radius”; and

(2) by striking “the driver.” and inserting “the driver, except that a State, upon notice to the Secretary, may establish a different air mile radius limitation for purposes of this paragraph if such limitation is between 50 and 75 air miles and applies only to movements that take place entirely within the State.”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Wisconsin (Mr. RIBBLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RIBBLE. Mr. Chairman, my amendment would increase the air-mile radius from 50 air-miles to 75 air-miles for the transportation of construction materials and equipment to satisfy the 24-hour reset period under the hours of service rule. It would also give States the ability to opt out of this increase if the movement would take place entirely within one State's borders.

This is a bipartisan amendment co-sponsored by Mr. LIPINSKI, Mr. HANNA, and Mr. CRAMER.

Commercial motor vehicle drivers in the construction industry face some unique circumstances. They often haul perishable materials like asphalt and concrete from a construction company's central shop or dispatch center to a specific project site within that company's area of operation.

These drivers spend long periods of time waiting to pick up materials and loading or unloading equipment, instead of driving, but they are considered on duty for the entire duration of the trip. Current law allows construction industry drivers to reset their weekly on-duty time after a 24-hour consecutive off-duty period; however, this exemption is only allowed if those drivers work within a 50 air-mile radius.

Because construction companies operate today in larger areas than they did when the exemption was first put in place two decades ago, I am offering this amendment to increase this air-mile radius to 75 air-miles. I urge all my colleagues to support this amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise to claim the time in opposition, though I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, this amendment extends an existing exemption established in 1995 by Congress,

and I think it is a reasonable and very small adjustment to that. I think it will improve efficiency and lower costs. I have no objection.

I yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI), a cosponsor of the amendment.

Mr. LIPINSKI. I thank the ranking member for yielding.

I want to thank Mr. RIBBLE for his work on this amendment and other important transportation issues. I think Mr. RIBBLE and Ranking Member DEFAZIO have explained this very well.

In recognition of the unique nature of the construction industry, Congress did provide this exemption to certain hours of service rules for commercial motor vehicle drivers in the industry.

Increasing this from 50 to 75 miles is a small change, but I think it will be very helpful because the current exemption we have seen has come up short. It needs to be modernized for most efficient goods movement and keep perishable materials from spoiling, as well as account for the fact that many materials suppliers operate in areas outside of the current air-mile radius. This amendment helps improve the exemption by increasing it by 25 miles.

It is also important to note that this amendment provides an opt-out provision for those States that do not wish to participate in this increase.

I urge my colleagues to support this amendment.

Mr. RIBBLE. Mr. Chairman, I urge all Members to support my amendment.

I yield back the balance of my time. Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RIBBLE).

The amendment was agreed to.

AMENDMENT NO. 24 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in part A of House Report 114-326.

Mr. SCHWEIKERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VI of division A, add the following new section:

SEC. 6027. PILOT PROGRAM FOR REDUCTION OF DEPARTMENT-OWNED VEHICLES AND INCREASE IN USE OF RIDE-SHARING SERVICES.

(a) PILOT PROGRAM REQUIREMENT.—The Secretary of each covered department shall establish a pilot program within the department for the following purposes:

(1) To reduce the inventory of light vehicles owned by the department by 10 percent for each of the fiscal years described in subsection (b), through the sale or other appropriate disposal of such vehicles.

(2) At the discretion of the Secretary of the department, to increase the use by the de-

partment of commercial ride-sharing companies.

(b) FISCAL YEARS DESCRIBED.—The fiscal years described in this subsection are the following:

(1) The first fiscal year beginning after the expiration of the 1-year period starting on the date of the enactment of this Act.

(2) Each of the four fiscal years following the fiscal year described in paragraph (1).

(c) REPORT TO CONGRESS.—Not later than 60 days after the end of the fiscal year described in subsection (b)(1), and annually thereafter for the duration of the pilot program, the Secretary of each covered department shall submit to Congress a report on the results of the pilot program in the department. The report shall include information about the transportation budget of the department and such findings and recommendations as the Secretary of the department considers appropriate.

(d) COVERED DEPARTMENT.—In this Act, the term “covered department” means each of the following:

- (1) The Department of Agriculture.
- (2) The Department of the Interior.
- (3) The Department of Energy.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, these amendment marathons can often be a bit exhausting around here with all sorts of ideas coming from different directions, but now for something completely different.

Our government is heading to having about a half a million light-duty vehicles, so think of this: As of today, I think we have about 460,000 light-duty vehicles in the fleet of government.

Our amendment is something very, very simple. We all walk around with these supercomputers in our pocket—our smartphones—and we see the technology revolution, the information revolution, that is happening around us, whether it be ride sharing, on-call services, or just the management of data. We have people living next to each other going to the same workplace.

Let's use this information in this new world around us and ask three agencies to reduce their vehicle fleets by engaging in the new world of information, whether it be ride sharing, an Uber model, a Zipcar model, or taxicab model. Maybe it is a hybrid that we have never thought of that gets brought forward.

So the amendment is very, very simple. All we are asking is that three agencies reduce their vehicle fleets by using modern technology, modern means of transportation, modern social transportation.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. I yield myself such time as I may consume.

Mr. Chair, first, I would ask the gentleman very quickly the question: Why these particular agencies?

I yield to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, to my friend on the other side, there was a GAO report—I think it might now have been a couple of years ago—and these three agencies actually were tagged as having the highest number of vehicles as a percentage of, I believe, employment population that sat idle. Agriculture was close to 30,000 vehicles; Interior, 18,000. There was an actual reason.

Mr. DEFAZIO. Reclaiming my time, I thank the gentleman.

Although the gentleman does reside in Arizona, I know he certainly is aware that both the BLM and the Forest Service must cover huge amounts of territory with their employees, including many forested and remote areas.

In my district, just doing my rounds on paved roads, I can be out of cell service 20 to 25 percent of the time. There is no Uber, Lyft, or any alternative available to me, let alone my Forest Service and BLM employees who are up in the forest. I don't think Uber is lurking around the forest waiting to pick them up. Plus, they don't have cell service. I guess they could use a sat phone, but I don't think they will come.

The agency choices are peculiar. They may have a large fleet, and they have a large fleet for a particular reason. Obviously, you can have one Forest Service employee and one vehicle going to a very remote work location for one work duty. They don't have an opportunity to ride share or do anything else. I find that to be particularly problematic.

I think the intent of having the government reduce the number of light vehicles, particularly for agencies that are based in urban areas or more urban environments, is very intriguing and interesting. I would be happy to support his next amendment, which would have us study this issue. The GAO, working with GSA, I think could point to appropriate ways to reduce the fleet and to more efficiently reduce costs and yet still have employees be able to use their time very efficiently.

I would oppose this amendment, but in order to save time, I will say now that I will support the next amendment.

I reserve the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, to my colleague from Oregon, one more time, the reference points in the GAO study actually said vehicles that lay idle, and that is why we chose these. There was actually a reason for choosing these three agencies.

Mr. Chairman, a couple of data points: Agriculture, 29,818 light-duty vehicles; Interior, 18,752 light-duty vehicles; the Department of Energy, 7,315 light-duty vehicles.

We are asking them to do the 10 percent reduction of those vehicle fleets over the 4 years. If technology efficiencies, the new gig economy, however you see it, can't accomplish that through the simplest reforms brought to us by the modern era, we are in trouble.

Mr. Chairman, I ask for support of this amendment.

I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

I think the gentleman misstated. It is 10 percent per year for 5 years. It is a 50 percent reduction in fleet. So that seems, without much more granular data, pretty radical. And I wouldn't want to see that the next time I have got a major fire, the Forest Service doesn't have adequate vehicles in the Willamette Forest or in any other forest in my State to dispatch all the people they need to command and control and to deal with that fire.

So I think the idea of the study has merit. I think it is an arbitrary cut of 50 percent, particularly with two land management agencies that manage millions of acres of land. I know of Forest Service and BLM employees that, on a given day, their duty may require them to drive 4 hours to a remote spot to do a particular function, spend an hour there, and drive back; and there is no way around it because they had to do something at that particular point. So saying, "Gee, you are going to have to ride share or thumb or call Uber and see if they will take you out there for a couple hundred miles in the mountains," it just doesn't work for me.

I think a study is a good idea, and we may find, indeed, there are efficiencies. But to arbitrarily reduce the fleets of the two largest land management agencies in the Federal Government, the Forest Service and the BLM, by 50 percent, I think could cause very unanticipated and potentially disastrous problems.

I urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT).

The amendment was rejected.

AMENDMENT NO. 25 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in part A of House Report 114-326.

Mr. SCHWEIKERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VI of division A, add the following new section:

SEC. 6027. STUDY AND REPORT ON REDUCING THE AMOUNT OF VEHICLES OWNED BY CERTAIN FEDERAL DEPARTMENTS AND INCREASING THE USE OF COMMERCIAL RIDE-SHARING BY THOSE DEPARTMENTS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the feasibility of—

(1) reducing the amount of vehicles owned by a covered department; and

(2) increasing the use of commercial ride-sharing companies by a covered department.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that contains the results and conclusions of the study conducted under subsection (a).

(c) COVERED DEPARTMENT DEFINED.—In this section, the term "covered department" means each of the following:

(1) The Department of Agriculture.

(2) The Department of the Interior.

(3) The Department of Energy.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, not to belabor this one, because actually, in many ways, our friend from Oregon has spoken to this one. I actually believe we may have some misreading of what the previous one says, but we will adjudicate that again maybe over coffee.

This is basically a similar concept as we were just discussing but is actually trying to produce some data sets for future policy.

Mr. Chairman, my understanding is the gentleman from Oregon is going to accept the amendment.

I yield back the balance of my time.

□ 1745

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT).

The amendment was agreed to.

AMENDMENT NO. 26 OFFERED BY MR. REICHERT

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in part A of House Report 114-326.

Mr. REICHERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 580, in the matter following line 20, add to the analysis for chapter 702 of title 49, United States Code, after the item relating to section 70203, the following:

"70204. GAO study on economic impact of labor contract negotiations at ports on west coast.

Page 584, line 20, strike the closing quotation marks and the period at the end.

Page 584, after line 20, insert the following:

"§ 70204. GAO study on economic impact of labor contract negotiations at ports on west coast

"(a) STUDY.—With respect to the slowdown that occurred during labor contract negotia-

tions at ports on the west coast of the United States during the period from May 2014 to February 2015, the Comptroller General of the United States shall conduct a study to—

"(1) determine the economic impact of such slowdown on the United States and on each port in the United States, including changes in the amount of cargo arriving at and leaving from ports on the west coast and other changes in cargo patterns, including congestion;

"(2) calculate the cost, including the cost to importers, exporters, farmers, manufacturers, and retailers, of contingency plans put in place to avoid disruptions from such slowdown;

"(3) review steps taken by the Federal Mediation and Conciliation Service to resolve the dispute that caused such slowdown;

"(4) identify tools such Service or the President could have used to facilitate a resolution to such dispute;

"(5) evaluate what other mechanisms are available to the President to avoid disruptions during future labor negotiations at ports in the United States;

"(6) suggest how such mechanisms could be changed to improve the ability to avoid such disruptions in order to prevent serious economic harm to importers, exporters, farmers, manufacturers, and retailers; and

"(7) suggest any legislation that might ensure better regulation of the operations of ports in the United States with respect to such labor negotiations.

"(b) REPORT.—Not later than 1 year after the date of the enactment of this section, the Comptroller General of the United States shall submit a report to Congress containing the findings of the study conducted under subsection (a)."

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. REICHERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. REICHERT. Mr. Chairman, today I rise to offer an amendment that will allow us to collect the facts and evaluate the impact of the 2014-2015 West Coast ports slowdown and dispute.

The efficient movement of goods is critical to the economic success of this country. Our farmers and manufacturers must be able to export their high-quality products to the customers around the world that they rely upon.

Beginning in the summer of 2014, these customer relationships and our economy were threatened. This was the result of a prolonged contract negotiation between the Pacific Maritime Association and the International Longshore and Warehouse Union that ended February 2015.

Just how serious was the impact of these prolonged negotiations? One example from my home State provides a clear illustration.

Our apple growers in Washington State were faced with an estimated \$100 million worth of apples that they could not sell. Other stories can be told about multiple types of produce and products, including the hay and the potato industry, in Washington State.

In fact, Mr. Chairman, I was in Malaysia and Singapore during part of the

slowdown, and the complaint in those two countries was they couldn't get their potatoes. And especially they were upset they weren't getting their Washington State french fries.

So this did have an impact across the globe. This wasn't just a United States economy impact. This was a global impact.

In fact, the ships coming from those countries to the West Coast were slowed down to 8 knots, hoping that this would be resolved by the time the ships reached the West Coast.

This amendment simply requires the Government Accountability Office to study the economic impact of this dispute, review the steps taken to reach an agreement, and suggest what other tools might be used to prevent future slowdowns.

Like many of you, I have committed to my constituents that I will work to ensure that this is not repeated for the sake of our workers, farmers, and manufacturers. This amendment moves us in that direction.

I thank my colleagues, Representatives SCHRADER, NEWHOUSE, RADEWAGEN, and COFFMAN for working with me on this important issue. I urge support of this amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. I yield myself 2 minutes.

Mr. Chairman, we would all like to prevent future disruptive shutdowns like this. I think a full survey of all the causes would be interesting. It would be an interesting thing to have the GAO conduct.

Unfortunately, this is directed only at one factor, which is the union itself. In fact, in here, finding 7 says: Suggest any legislation that might ensure better regulation of the operations of the ports in the United States with respect to such labor negotiations.

I think that that is very focused just on the labor side and not a balanced look at what might have gone on on the management side of this issue.

Secondly, there are many other ongoing, enduring, and very costly port congestion factors out there that should be comprehensively looked at in order to more efficiently move freight in and out of our ports, absent any sort of labor dispute or shutdown or lockout or any of those certain things that relate to labor that also merit a comprehensive look and, I think, merit a potential action by Congress. But this report would not enlighten us in those areas either.

I would like to see the GAO conduct an analysis of the myriad of factors that point to port congestion, provide Congress with a wide range of policy recommendations, including options

for financing intermodal efficiency to enhance the trade of goods in and out of the United States. So I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. REICHERT. Mr. Chairman, just as a matter of clarification, this legislation addresses both the Pacific Maritime Association and union issues.

How can you be against something that would be an investigation that would clearly reveal what the problems are on both sides?

So this legislation is not designed to point the finger at any one entity. Two entities are involved in this issue. We need to find out what we can do to prevent this from happening in the future because it costs the United States economy money, it costs jobs, and it affects the entire global economy.

Mr. Chair, I yield 2 minutes to the gentlewoman from American Samoa (Mrs. RADEWAGEN).

Mrs. RADEWAGEN. I thank the gentleman for yielding.

Mr. Chairman, first, I would like to thank Representatives REICHERT, SCHRADER, NEWHOUSE, and COFFMAN for their work in offering the amendment that will simply direct GAO to conduct a study on the impact of the recent West Coast ports slowdown so that we can avoid these costly slowdowns in the future.

As we all know, the Nation's economic stability and prosperity are directly linked to our ability to import and export goods. In fact, 30 percent of the Nation's GDP stems from imports and exports, 30 percent. That is a large portion of the country's production.

During the slowdown, many of our businesses struggled to maintain the flow of capital due to their inability to ship goods. Additionally, many of our retailers found it difficult to keep their shelves stocked due to the lack of incoming goods, causing revenue loss and even the shutting of some businesses.

Now, just imagine if, instead of 30 percent, that number was 90 percent. Could you possibly imagine the devastation to the economy of even a brief slowdown?

It would have been the biggest story of the year. Our constituents would have been camped out on our front steps demanding action from Congress.

Well, let me tell you that, in American Samoa, that number is 90 percent. We rely almost solely on imported goods for our food and energy needs.

The main revenue generator on our beautiful islands is the tuna canning industry, which comprises more than 85 percent of the island's GDP. This industry relies heavily upon their ability to ship their products quickly to the mainland and other nations.

We must ensure that this does not happen again. This amendment being offered by my colleagues and me will take the first step in finding solutions to future slowdowns in the operations at our Nation's ports.

I ask that my colleagues in the House support this bipartisan measure to ensure the continued flow of goods to and from our ports and the growth of our economy.

Mr. DEFAZIO. Mr. Chair, I yield 1 minute to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Chairman, I am actually pleased here to join my colleague, Representative REICHERT from Washington, in offering this important amendment today.

I want to assure Members here on the floor that this in no way is picking sides. You want to talk about labor disputes? These are labor management disputes.

The problem we have on the West Coast is that this particular dispute last year actually crippled severely the United States economy not just on the West Coast, but into the Midwest and beyond.

We can't have this happen again. We cannot have this happen again. We have to remain competitive in this global economy. We have to figure out a different way to resolve these disputes so that what is a legitimate labor management negotiation does not affect businesses, farmers, workers, and thousands of jobs across this country.

In my State, Terminal 6, the port of Portland's container terminal, is no longer operational. Why? Because the carriers don't want to call on this port because it is too unreliable. They don't know if they are going to have ships to anchor up for weeks on end waiting to upload.

Instead, they will just call on other ports north or south of us. This is directly an impact for the businesses and farmers.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DEFAZIO. I yield the gentleman an additional 30 seconds.

Mr. SCHRADER. The Reichert amendment simply allows us to have a GAO study to talk about what possible outcomes could be different than what we endured last year. The goal here is just simply to get some facts, get some information, protect American jobs, protect American workers.

The Acting CHAIR. The time of the gentleman from Washington has expired.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

I would suggest that, in reading the language, I think it could be more balanced and I think it also should include those other factors which are day-to-day congestion, which do cost our economy hundreds of millions or billions of dollars a year.

So I am opposed to this, as worded. I urge people to oppose it, and I would hope that we can work through the conference committee on something that will give us a more comprehensive analysis of what we need to do to increase the viability of all American ports.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. REICHERT).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. REICHERT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENT NO. 27 OFFERED BY MR. NEWHOUSE

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in part A of House Report 114-326.

Mr. NEWHOUSE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII of Division A of the bill, add the following:

SEC. ____ . FINDINGS ON PORT PERFORMANCE.

Congress finds the following:

(1) America's ports play a critical role in the Nation's transportation supply chain network.

(2) Reliable and efficient movement of goods through the Nation's ports ensures that American goods are available to customers throughout the world.

(3) Breakdowns in the transportation supply chain network, particularly at the Nation's ports, can result in tremendous economic losses for agriculture, businesses, and retailers that rely on timely shipments.

(4) A clear understanding of terminal and port productivity and throughput should help—

(A) to identify freight bottlenecks;

(B) to indicate performance and trends over time; and

(C) to inform investment decisions.

SEC. ____ . PORT PERFORMANCE FREIGHT STATISTICS PROGRAM.

(a) IN GENERAL.—Chapter 63 of title 49, United States Code, is amended by adding at the end the following:

“§ 6314. Port performance freight statistics program

“(a) IN GENERAL.—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

“(1) the Nation's top 25 ports by tonnage;

“(2) the Nation's top 25 ports by 20-foot equivalent unit; and

“(3) the Nation's top 25 ports by dry bulk.

“(b) REPORTS.—

“(1) PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

“(2) PORT PERFORMANCE MEASURES.—The Director shall collect monthly port performance measures for each of the United States ports referred to in subsection (a) that receives Federal assistance or is subject to Federal regulation to submit a quarterly report to the Bureau of Transportation Statistics that includes monthly statistics on capacity and throughput as applicable to the specific configuration of the port.

“(A) MONTHLY MEASURES.—The Director shall collect monthly measures, including—

“(i) the average number of lifts per hour of containers by crane;

“(ii) the average vessel turn time by vessel type;

“(iii) the average cargo or container dwell time;

“(iv) the average truck time at ports;

“(v) the average rail time at ports; and

“(vi) any additional metrics, as determined by the Director after receiving recommendations from the working group established under subsection (c).

“(B) MODIFICATIONS.—The Director may consider a modification to a metric under subparagraph (A) if the modification meets the intent of the section.

“(c) RECOMMENDATIONS.—

“(1) IN GENERAL.—The Director shall obtain recommendations for—

“(A) specifications and data measurements for the port performance measures listed in subsection (b)(2);

“(B) additionally needed data elements for measuring port performance; and

“(C) a process for the Department of Transportation to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

“(2) WORKING GROUP.—Not later than 60 days after the date of the enactment of this section, the Director shall commission a working group composed of—

“(A) operating administrations of the Department of Transportation;

“(B) the Coast Guard;

“(C) the Federal Maritime Commission;

“(D) U.S. Customs and Border Protection;

“(E) the Marine Transportation System National Advisory Council;

“(F) the Army Corps of Engineers;

“(G) the Saint Lawrence Seaway Development Corporation;

“(H) the Advisory Committee on Supply Chain Competitiveness;

“(I) 1 representative from the rail industry;

“(J) 1 representative from the trucking industry;

“(K) 1 representative from the maritime shipping industry;

“(L) 1 representative from a labor organization for each industry described in subparagraphs (I) through (K);

“(M) 1 representative from a port authority;

“(N) 1 representative from a terminal operator;

“(O) representatives of the National Freight Advisory Committee of the Department; and

“(P) representatives of the Transportation Research Board of the National Academies.

“(3) RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of this section, the working group commissioned under this subsection shall submit its recommendations to the Director.

“(d) ACCESS TO DATA.—The Director shall ensure that the statistics compiled under this section are readily accessible to the public, consistent with applicable security constraints and confidentiality interests.”.

(b) PROHIBITION ON CERTAIN DISCLOSURES.—Section 6307(b)(1) of title 49, United States Code, is amended by inserting “or section 6314(b)” after “section 6302(b)(3)(B)” each place it appears.

(c) COPIES OF REPORTS.—Section 6307(b)(2)(A) of such title is amended by inserting “or section 6314(b)” after “section 6302(b)(3)(B)”.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 63 of such title is amended by adding at the end the following:

“6314. Port performance freight statistics program.”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chairman, I would like to thank the chairman of the committee, Mr. SHUSTER, as well as Ranking Member DEFAZIO and all the members of the Transportation and Infrastructure Committee for their hard work on this large bill, this legislation.

The amendment I offer today for myself and Mr. SCHRADER of Oregon is vitally important to the American economy. Nearly a year ago, a dispute began at 29 of our Nation's West Coast ports that drastically slowed imports and exports to a near standstill.

Agricultural products rotted on the docks. Retailers couldn't get products to stores. American manufacturers could not get their products to foreign customers. By one estimate, there was nearly \$7 billion in damages to our economy.

Mr. Chairman, I have no interest in pointing fingers over who is responsible for the dispute. However, I do believe that Congress has a great interest in preventing future disruptions from harming our businesses and consumers as well as our economy.

One thing that became abundantly clear during the disruption was that there was very little data available to gauge how our ports are functioning on a day-to-day basis. If something is impeding port performance, be it a dispute, major congestion, or even a natural disaster, we need to know if and how our ports are suffering before it harms our economy and standing with foreign trading partners.

This amendment is simple. It requires the Bureau of Transportation Statistics to collect and make available data on how our Nation's ports are operating. Currently, the Bureau collects this information for our railroads, for our highways, and our airports. We also need this information for our ports as well.

The amendment that we are introducing is already in the Senate highway bill. It has been approved by the Senate Commerce Committee by voice vote. This is not and should not be controversial.

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I also want to note that there are over 150 organizations supporting this measure, organizations like the National Retail Federation, the American Farm Bureau, the Association of American Railroads, the National Association of Manufacturers, and the American Trucking Association. The list

goes on and on. It has very broad multi-industry and bipartisan support.

Mr. Chairman, this amendment is about transparency and certainty for our Nation's economy. If something is harming our ports, our decisionmakers need information to address and mitigate that harm.

Now, I would have urged my colleagues to adopt this amendment, just as a broad, bipartisan group did so in the Senate, but I have been in close conversation with staff of the Transportation and Infrastructure Committee, as well as the chairman and the ranking member. I would ask for continued commitment on the part of the chairman to keep working on this issue. It is very important and vital to the economy of the United States.

With that commitment, Mr. Chairman, I withdraw the amendment.

The Acting CHAIR. The amendment is withdrawn.

The Chair understands that amendment No. 28 will not be offered.

AMENDMENT NO. 29 OFFERED BY MR. DESANTIS

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in part A of House Report 114-326.

Mr. DESANTIS. Mr. Chairman, I have an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following new section:

SEC. 1431. SENSE OF CONGRESS ON INSOLVENCY OF THE HIGHWAY TRUST FUND AND RETURNING POWER TO STATES.

(a) FINDINGS.—Congress finds the following:

(1) The Highway Trust Fund is nearing insolvency.

(2) It is critical for Congress to phase down the Federal gas and diesel taxes and empower the States to tax and regulate their highway and infrastructure projects.

(3) The Federal role and funding of surface transportation should be refocused solely on Federal activities and empower States with control and responsibility over their transportation funding and spending decisions.

(4) The objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States.

(5) The Interstate System connecting all States is near completion.

(6) Each State has the responsibility of providing an efficient transportation network for the residents of the State.

(7) Each State has means to build and operate a network of transportation systems, including highways, that best serves the needs of the State.

(8) Each State is best capable of determining the needs of the State and acting on those needs.

(9) The Federal role in highway transportation has, over time, usurped the role of the States by taxing motor fuels used in the States and then distributing the proceeds to the States based on the perceptions of the Federal Government on what is best for the States.

(10) The Federal Government has used the Federal motor fuel tax revenues to force all

States to take actions that are not necessarily appropriate for individual States.

(11) The Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities.

(12) The Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars of projects, programs, and activities that the States would not otherwise undertake.

(13) Congress has expressed a strong interest in reducing the role of the Federal Government by allowing each State to manage its own affairs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary should provide a new policy blueprint to govern the Federal role in transportation once existing and prior financial obligations are met;

(2) this policy should return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national surface transportation systems that are not within the direct purview of the Federal Government;

(3) this policy will preserve the Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways and will preserve responsibility of the Department of Transportation for design construction and preservation of transportation facilities on Federal public land, preserving responsibility of the Department of Transportation for national programs of transportation research and development and transportation safety; and

(4) this policy will preserve responsibility of the Department of Transportation to eliminate, to the maximum extent practicable, Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of Federal and State transportation facilities with respect to transportation activities carried out by States, local governments, and the private sector.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Florida (Mr. DESANTIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DESANTIS. Mr. Chairman, we are here today discussing how to meet the country's important infrastructure needs, and I think what my amendment does is offer a vision for a different approach in the future. I think it is an approach that is more accountable to taxpayers, and I think it rests on governments closer to the people making more of our transportation decisions.

I don't think anyone is going to sit here and claim that the transit and highway system as it is done up here in Washington is being done well. It is chronically underfunded. We are using all kinds of budget gimmicks in this bill. We are doing the Strategic Petroleum Reserve again to, quote, unquote, pay for this. Somehow you are taking oil at \$50 a barrel and you are projecting it to be sold for \$85 a barrel. So we know we have been through this a lot here.

I think part of the problem is, if you look at our infrastructure needs, most of them are intrastate, not necessarily interstate. And while the interstate system is very important and it needs to be maintained, expanded where appropriate, most of the needs that we have in a State like Florida can be done at the county level or at the State level.

I would note, Mr. Chairman, that since we have had the highway trust fund since 1956, Florida has paid a lot in taxes, and we received about 88 cents on the dollar back. So I am trying to figure out why we would want to perpetuate a system that is not fiscally sustainable and that puts more power in Washington.

Think about it. Most of your needs are done countywide, citywide, and statewide, and yet people in a State like Florida will pay their gas taxes. That will be shipped up to Washington; people will fight over it, politicians, lobbyists, and interest groups; and then the money that comes back is 88 cents on the dollar.

I would like to send the gas tax to Washington that is going to fund the actual interstate system, but then leave a portion of the gas tax for State legislatures to spend or for people in local governments to spend. I think you would be able to do it cheaper. I think it would be more accountable to the taxpayers, and I think it would be better for motorists and people who are using our transportation system.

So all this does, Mr. Chairman, it is not binding. I wish we could have done something binding, but there are different budget rules. What it does is lay out a vision that we can do this in a way that rests on decisions being made closer to the American people rather than putting everything in Washington, D.C.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we want to go back to the good old days; that is, before Dwight David Eisenhower was President. Here we have what we had before when we didn't have a national highway program. This is the brand-new Kansas turnpike. Oklahoma said: We will build ours. Uh-oh. We have got financial problems.

They didn't.

So for a few years, this brand-new ribbon of concrete ended right here. Kind of odd. This is Amos Schweitzer's farm field. They put up a big wooden barrier. People crashed through it, and Amos towed them out of the field. He was a nice guy.

Until we had a national program where the Federal Government would

partner with the States for something that was of national import, it didn't happen. Let's go back to those good old days.

This is a new idea, came from Grover Norquist: We are going to devolve the duty to the 50 States assembled and the territories, and somehow they will magically coordinate this. Oh, by the way, if you happen to be a coastal State with major ports—I think Florida has a few of those—gee, you are going to have to pay for all of the costs of transshipping the goods that flow into your State out to the other States. That is your responsibility. You are Florida, raise the money to do it.

Oh, how are you going to do that?

I don't know. You can't raise taxes on the imports because that would be a Federal responsibility, a different category.

Mr. Chairman, this is an idea whose time has not yet come, an idea whose time passed a very long time ago. We need more investment in the national system. Mr. Chairman, 140,000 bridges need repair or replacement; 40 percent of the highway surface, the roadbeds need replacement; \$84 billion backlog in bringing our transit systems up to a state of good repair, and that is not even dealing with a growing population, growing mobility, and the need for a national freight program. And we are just going to send it back to the States, and they will magically somehow take care of it—poppycock.

Mr. Chairman, I reserve the balance of my time.

Mr. DESANTIS. Mr. Chairman, we would love for these interstate issues to be done at the Federal level. That is what the Federal Government is here for, and that is the way it should be. But when you are talking about purely local issues, there is not a reason to send the money up to Washington and then beg back for pennies on the dollar. That is not an efficient way to do it.

Yes, I think that we do have a responsibility to have an efficient interstate system, but we also need to understand that Washington shouldn't be dictating what local communities do.

And, yes, in a State like Florida where we have a lot of this is intrastate, let's empower the States and let's empower the local communities. Just imagine if they were able to have a portion of that gas tax go directly to them. I think you would see great decisions made.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the committee.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I share many of the same conservative beliefs that my col-

league from Florida has. This town is littered with agencies that don't belong here according to the Founding Fathers. Over time they have grown up, and the Federal Government has taken that power.

But I do disagree with the gentleman from Florida on this issue. When it comes to transportation, the Constitution we have today, the breaking point of the Articles of Confederation, one of the breaking points, the biggest breaking point, was the transportation system. Maryland and Virginia couldn't come together on a treaty to navigate the Potomac River, so they realized that if they couldn't connect this Nation, then we would never be a nation. We would be 13 separate entities, 50 entities today. But the Founding Fathers came and wrote the Constitution we know today.

Article I, section 8 talks about the role of the Federal Government, providing for the common defense, regulating interstate commerce, and establishing post roads. Those post roads today are the highways and the byways of this Nation.

Mr. Chairman, I agree with the gentleman. Washington shouldn't be dictating. This bill does more to send back power to the States, to let the States drive the issues. But there is a Federal role, not to do it all, but to partner—to partner—with the States in building the infrastructure system that we have today. What physically connects us is our highway system; it is our transportation system.

I would argue also, Mr. Chairman, the gentleman pointed out that Florida—I agree, I know what the return on Florida is, but Florida has benefited tremendously by two roads in particular: I-95 and I-75. If you go to the east coast or the west coast of Florida, millions of people are traveling from the Northeast and the Midwest down to Florida to spend their dollars, and many are relocating. If you go to the east coast, there are many Pennsylvanians. So Florida has benefited tremendously by this system that we have today.

Again, I believe with this bill we are turning back to the States a lot of responsibility. I think this is a conservative bill based on that, to let States—and also, to remind the gentleman and my colleagues, I like to turn back things to the States that they actually ask for. My phone is not ringing off the hook having Governors say, "Give us this back."

The Acting CHAIR. The time of the gentleman has expired.

Mr. DEFAZIO. Mr. Chairman, I yield the gentleman an additional 15 seconds.

Mr. SHUSTER. Finally, Mr. Chairman, Adam Smith said in "The Wealth of Nations" that government should do three things for their people: provide them with security, preserve justice,

and erect and maintain infrastructure to promote commerce.

If you don't believe BILL SHUSTER, get out a copy of "The Wealth of Nations" and read what Adam Smith said, the father of our economic system.

With that, Mr. Chairman, I urge everyone to oppose this amendment.

Mr. DEFAZIO. Mr. Chairman, I would point out that under the current formulas, actually, and current spending levels, Florida is getting back \$1.15 on the dollar. So, actually, under the gentleman's proposal, devolving back to the States, doing away with the Federal revenues, both gas tax and general fund revenues, would actually be a net loss to Florida; but then I guess they would just have to raise their gas taxes by the 18.3 cents that is going to the Federal Government and a bit more in order to make that up.

Again, we would lose the coordination among the States. The priorities of States bordering Florida may not match the priorities of Florida in terms of access and egress to the State of Florida. So I think we are well-served as a nation by having a coordinated Federal program and streamlined and efficient reforms.

Mr. Chairman, I urge Members to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DESANTIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DESANTIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. SHUSTER OF PENNSYLVANIA

Mr. SHUSTER. Mr. Chairman, pursuant to House Resolution 512, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56 printed in part A of House Report No. 114-326, offered by Mr. SHUSTER of Pennsylvania:

AMENDMENT NO. 30 OFFERED BY MS. MOORE OF WISCONSIN

Page 17, after line 14, insert the following: (8) SENSE OF CONGRESS ON PROMPT PAYMENT OF DBE SUBCONTRACTORS.—It is the sense of Congress that—

(A) the Secretary should take additional steps to ensure that recipients comply with section 26.29 of title 49, Code of Federal Regulations (the disadvantaged business enterprises prompt payment rule), or any corresponding regulation, in awarding federally funded transportation contracts under laws and regulations administered by the Secretary; and

(B) such additional steps should include increasing the Department's ability to track and keep records of complaints and to make that information publicly available.

AMENDMENT NO. 31 OFFERED BY MR. GRAVES OF LOUISIANA

Page 65, strike lines 16 and 17, and insert the following:

“(5) enhance the resiliency of critical highway infrastructure, including highway infrastructure that supports national energy security.

AMENDMENT NO. 32 OFFERED BY MR. POLIS OF COLORADO

Page 198, line 3, strike the closing quotation marks and the final period and insert the following:

“(86) Interstate Route 70 from Denver, Colorado, to Salt Lake City, Utah.”.

AMENDMENT NO. 33 OFFERED BY MS. BONAMICI OF OREGON

Page 198, line 3, strike the closing quotation marks and final period.

Page 198, after line 3, insert the following: “(86) The Oregon 99W Newberg-Dundee Bypass Route between Newberg, Oregon, and Dayton, Oregon.”.

AMENDMENT NO. 34 OFFERED BY MR. SCHRADER OF OREGON

Page 198, line 3, striking the closing quotation mark and the second period.

Page 198, insert after line 3 the following: “(86) Interstate Route 205 in Oregon from its intersection with Interstate Route 5 to the Columbia River.”.

AMENDMENT NO. 35 OFFERED BY MR. DUFFY OF WISCONSIN

Page 229, line 23, strike the closing quotation marks and final period.

Page 229, after line 23, insert the following: “(n) CERTAIN LOGGING VEHICLES IN WISCONSIN.—

“(1) IN GENERAL.—The Secretary shall waive, with respect to a covered logging vehicle, the application of any vehicle weight limit established under this section.

“(2) COVERED LOGGING VEHICLE DEFINED.—In this subsection, the term ‘covered logging vehicle’ means a vehicle that—

“(A) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

“(B) has a gross vehicle weight of not more than 98,000 pounds;

“(C) has not less than 6 axles; and

“(D) is operating on a segment of Interstate Route 39 in Wisconsin from mile marker 175.8 to mile marker 189.”.

AMENDMENT NO. 36 OFFERED BY MR. CRAWFORD OF ARKANSAS

Add at the end of the title I of the bill the following:

SEC. ____ . OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.

If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System, the single axle weight, tandem axle weight, gross vehicle weight, and bridge formula limits under section 127(a) of title 23, United States Code, and the width limitation under section 31113(a) of title 49, United States Code, shall not apply to that segment with respect to the operation of any vehicle that may have legally operated on that segment before the date of the designation.

AMENDMENT NO. 37 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle D of title I of Division A, insert the following:

SEC. ____ . PROJECTS FOR PUBLIC SAFETY RELATING TO IDLING TRAINS.

Section 130(a) of title 23, United States Code, is amended by striking “and the relocation of highways to eliminate grade crossings” and inserting “the relocation of highways to eliminate grade crossings, and projects to eliminate hazards posed by blocked grade crossings due to idling trains”.

AMENDMENT NO. 38 OFFERED BY MR. LIPINSKI OF ILLINOIS

At the end of subtitle D of title I of division A, add the following:

SEC. ____ . EXEMPTIONS FROM REQUIREMENTS FOR CERTAIN WELDING TRUCKS USED IN PIPELINE INDUSTRY.

(a) COVERED MOTOR VEHICLE DEFINED.—In this section, the term “covered motor vehicle” means a motor vehicle that—

(1) is traveling in the State in which the vehicle is registered or another State;

(2) is owned by a welder;

(3) is a pick-up style truck;

(4) is equipped with a welding rig that is used in the construction or maintenance of pipelines; and

(5) has a gross vehicle weight and combination weight rating and weight of 15,000 pounds or less.

(b) FEDERAL REQUIREMENTS.—A covered motor vehicle, including the individual operating such vehicle and the employer of such individual, shall be exempt from the following:

(1) Any requirement relating to registration as a motor carrier, including the requirement to obtain and display a Department of Transportation number, established under chapters 139 and 311 of title 49, United States Code.

(2) Any requirement relating to driver qualifications established under chapter 311 of title 49, United States Code.

(3) Any requirement relating to driving of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(4) Any requirement relating to parts and accessories and inspection, repair, and maintenance of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(5) Any requirement relating to hours of service of drivers, including maximum driving and on duty time, established under chapter 315 of title 49, United States Code.

AMENDMENT NO. 39 OFFERED BY MR. NOLAN OF MINNESOTA

At the end of title I of division A, add the following:

SEC. ____ . WAIVER.

(a) IN GENERAL.—The Secretary shall waive, for a covered logging vehicle, the application of any vehicle weight limit established under section 127 of title 23, United States Code.

(b) COVERED LOGGING VEHICLE DEFINED.—In this section, the term “covered logging vehicle” means a vehicle that—

(1) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

(2) has a gross vehicle weight of not more than 99,000 pounds;

(3) has not less than 6 axles; and

(4) is operating on a segment of Interstate Route 35 in Minnesota from mile marker 235.4 to mile marker 259.552.

AMENDMENT NO. 40 OFFERED BY MR. COHEN OF TENNESSEE

Page 241, line 10, strike “and”.

Page 241, after line 10, insert the following:

(2) by amending paragraph (3)(I) to read as follows:

“(I) the provision of nonfixed route paratransit transportation services in accordance with section 223 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12143), but only for grant recipients that are in compliance with applicable requirements of that Act, including both fixed route and demand responsive service, and only for amounts—

“(i) not to exceed 10 percent of such recipient’s annual formula apportionment under sections 5307 and 5311; or

“(ii) not to exceed 20 percent of such recipient’s annual formula apportionment under sections 5307 and 5311, if consistent with guidance issued by the Secretary, the recipient demonstrates that the recipient meets at least one of the following requirements:

“(I) Provides an active fixed route travel training program that is available for riders with disabilities.

“(II) Provides that all fixed route and paratransit operators participate in a passenger safety, disability awareness, and sensitivity training class on at least a biennial basis.

“(III) Has memoranda of understanding in place with employers and American Job Centers to increase access to employment opportunities for people with disabilities.”.

AMENDMENT NO. 41 OFFERED BY MR. VEASEY OF TEXAS

Page 248, beginning on line 6, strike “or general public demand response service” and insert “or demand response service, excluding ADA complementary paratransit service,”.

AMENDMENT NO. 42 OFFERED BY MR. LIPINSKI OF ILLINOIS

Page 252, strike lines 14 through 19 and insert the following: “exceed 80 percent of the net capital project cost. A full funding grant agreement for a new fixed guideway project shall not include a share of more than 50 percent from the funds made available under this section. Funds made available under section 133 of title 23, United States Code, may not be used for a grant agreement under subsection (d). A grant for a core capacity project shall not exceed 80 percent of the net capital project cost of the incremental cost to increase the capacity in the corridor. A grant for a small start project shall not exceed 80 percent of the net capital project costs.”; and

AMENDMENT NO. 43 OFFERED BY MS. ADAMS OF NORTH CAROLINA

Page 263, line 18, strike “minority, and female” and insert the following: “female, individual with a disability, minority (including American Indian or Alaska Native, Asian, Black or African American, native Hawaiian or other Pacific Islander, and Hispanic)”.

AMENDMENT NO. 44 OFFERED BY MS. FOXX OF NORTH CAROLINA

Page 268, line 14, strike “and”.

Page 268, line 17, strike the period and insert a semicolon and after such line insert the following:

“(iv) the percentage of program participants who are in unsubsidized employment during the second quarter after exit from any such program;

“(v) the percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from any such program;

“(vi) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from any such program;

“(vii) the percentage of program participants who obtain a recognized postsecondary

credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from any such program; and

“(viii) the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.”

Page 267, line 25, strike “and”.

Page 268, line 4, strike the period and insert a semicolon and after such line insert the following:

“(x) address in-demand industry sector or occupation, as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).”

AMENDMENT NO. 45 OFFERED BY MRS. LAWRENCE OF MICHIGAN

Page 314, after line 15, insert the following new subsection:

(d) **REPORT.**—The Council shall, concurrently with submission to the President of a report containing final recommendations of the Council, transmit such report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

AMENDMENT NO. 46 OFFERED BY MS. MOORE OF WISCONSIN

At the end of title III of division A, add the following:

SEC. ____ . EFFECTIVENESS OF PUBLIC TRANSPORTATION CHANGES AND FUNDING.

Not later than 18 months after the date of enactment of this Act, the Comptroller General shall examine and evaluate the impact of the changes that Map-21 had on public transportation, including—

(1) the ability and effectiveness of public transportation agencies to provide public transportation to low-income workers in accessing jobs and being able to use reverse commute services;

(2) whether services to low-income riders declined after Map-21 was implemented; and

(3) if guidance provided by the Federal Transit Administration encouraged public transportation agencies to maintain and support services to low-income riders to allow them to access jobs, medical services, and other life necessities.

AMENDMENT NO. 47 OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

Page 466, after line 21, insert the following:

(a) **AUTOMOBILE TRANSPORTER DEFINED.**—Section 3111(a)(1) of title 49, United States Code, is amended—

(1) by striking “specifically”; and

(2) by adding at the end the following: “An automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul, so long as it complies with weight limitations for a truck tractor and semitrailer combination.”

(b) **TRUCK TRACTOR DEFINED.**—Section 3111(a)(3)(B) of title 49, United States Code, is amended—

(1) by striking “only”; and

(2) by inserting before the period at the end the following: “or any other commodity, including cargo or general freight on a backhaul”.

(c) **BACKHAUL DEFINED.**—Section 3111(a) of title 49, United States Code, is amended by adding at the end the following:

“(5) **BACKHAUL.**—The term ‘backhaul’ means the return trip of a vehicle transporting cargo or general freight, especially

when carrying goods back over all or part of the same route.”

Page 466, line 22, insert “(d) **STINGER-STEREED AUTOMOBILE TRANSPORTERS.**—” before “Section”.

AMENDMENT NO. 48 OFFERED BY MS. MOORE OF WISCONSIN

Page 322, strike line 8 and insert the following:

“(vii) support for school-based driver’s education classes to improve teen knowledge about—

“(I) safe driving practices; and

“(II) State’s graduated driving license requirements, including behind-the-wheel training required to meet those requirements; and”.

AMENDMENT NO. 49 OFFERED BY MR. CRAWFORD OF ARKANSAS

At the end of subtitle E of title V of Division A of the bill, add the following:

SEC. ____ . COMMERCIAL DELIVERY OF LIGHT- AND MEDIUM-DUTY TRAILERS.

(a) **DEFINITIONS.**—Section 3111(a) of title 49, United States Code, is amended by adding at the end the following:

“(5) **TRAILER TRANSPORTER TOWING UNIT.**—The term ‘trailer transporter towing unit’ means a power unit that is not used to carry property when operating in a towaway trailer transporter combination.

“(6) **TOWAWAY TRAILER TRANSPORTER COMBINATION.**—The term ‘towaway trailer transporter combination’ means a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers—

“(A) with a total weight that does not exceed 26,000 pounds; and

“(B) in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor or dealer of such trailers or semitrailers.”.

(b) **GENERAL LIMITATIONS.**—Section 3111(b)(1) of such title is amended—

(1) in subparagraph (E) by striking “or” at the end;

(2) in subparagraph (F) by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(G) has the effect of imposing an overall length limitation of less than 82 feet on a towaway trailer transporter combination.”.

(c) **CONFORMING AMENDMENTS.**—

(1) **PROPERTY-CARRYING UNIT LIMITATION.**—Section 3112(a)(1) of such title is amended by inserting before the period at the end the following: “, but not including a trailer or a semitrailer transported as part of a towaway trailer transporter combination, as defined in section 3111(a).”.

(2) **ACCESS TO INTERSTATE SYSTEM.**—Section 3114(a)(2) of such title is amended by inserting “any towaway trailer transporter combination, as defined in section 3111(a),” after “passengers.”.

AMENDMENT NO. 50 OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle E of title V, insert the following new section:

SEC. 5515. GAO REVIEW OF SCHOOL BUS SAFETY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a review of the following:

(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students

engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.

(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title 49, Code of Federal Regulations, and each of the following:

(A) A failure by those same operators of State or local safety inspections.

(B) The average age or odometer readings of the school buses in the fleets of such operators.

(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.

(D) Violations of State or local law relating to illegal passing of a school bus.

(3) A regulatory framework comparison of public and private school bus operations.

(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.

AMENDMENT NO. 51 OFFERED BY MS. MENG OF NEW YORK

Page 524, line 12, after “challenges” insert “, including consumer privacy protections”.

AMENDMENT NO. 52 OFFERED BY MRS. NAPOLITANO OF CALIFORNIA

Page 541, line 15, add at the end the following: “In developing such regulations, the Secretary shall consult with States to determine whether there are safety hazards or concerns specific to a State that should be taken into account in developing the requirements for a comprehensive oil spill response plan.”

AMENDMENT NO. 53 OFFERED BY MR. MOULTON OF MASSACHUSETTS

Page 571, line 3, redesignate section 7015 as section 7016.

Page 571, after line 2, insert after section 7014 the following new section:

SEC. 7015. STUDY ON THE EFFICACY AND IMPLEMENTATION OF THE EUROPEAN TRAIN CONTROL SYSTEM.

(a) **IN GENERAL.**—The Comptroller General of the United States shall, in consultation with other heads of Federal agencies as appropriate, conduct a study on the European Train Control System.

(b) **ISSUES.**—In conducting the study described in subsection (a), the Comptroller General shall examine, at a minimum, the following issues:

(1) The process by which the European Train Control System came to replace the more than 20 separate national train control systems throughout the European continent.

(2) The costs associated with implementing the European Train Control System across all affected railroads in Europe.

(3) The impact of the European Train Control System on operating capacity and rail passenger safety.

(4) The efficacy of the European Train Control System and the feasibility of implementing such a system throughout the national rail network of the United States.

(5) A comparison of the costs associated with adopting European Train Control System technology with the costs associated

with developing and implementing Positive Train Control in the United States.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this section, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study described in subsection (a).

AMENDMENT NO. 54 OFFERED BY MR.
NEUGEBAUER OF TEXAS

At the end of title VII, add the following:
SEC. ____ . HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.

The Secretary shall allow a State, at the discretion of the State, to waive the requirement for a holder of a Class A commercial driver's license to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, if the license holder—

(1) is acting within the scope of the license holder's employment as an employee of a custom harvester operation, agrichemical business, farm retail outlet and supplier, or livestock feeder; and

(2) is operating a service vehicle that is—

(A) transporting diesel in a quantity of 3,785 liters (1,000 gallons) or less; and

(B) clearly marked with a "flammable" or "combustible" placard, as appropriate.

AMENDMENT NO. 55 OFFERED BY MR. CUMMINGS
OF MARYLAND

Page 573, after line 11, add the following:

SEC. ____ . TRACK SAFETY: VERTICAL TRACK DEFLECTION.

(a) **REPORT.**—Not later than March 31, 2016, the Secretary shall transmit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate detailing research conducted or procured by the Federal Railroad Administration on developing a system that measures Vertical Track Deflection (in this section referred to as "VTD") from a moving railroad car, including the ability of such a system to identify poor track support from fouled ballast, deteriorated cross ties, or other conditions.

(b) **INCLUSIONS.**—This report shall include—

(1) the findings and results of testing of VTD instrumentation during field trials on revenue service track;

(2) the findings and results of subsequent testing of VTD instrumentation on a Federal Railroad Administration Automated Track Inspection Program geometry car;

(3) if considered appropriate by the Secretary based on the report and related research, a plan for developing quantitative inspection criteria for poor track support using existing VTD instrumentation on Federal Railroad Administration Automated Track Inspection Program geometry cars; and

(4) if considered appropriate by the Secretary based on the report and related research, a plan for installing VTD instrumentation on all remaining Federal Railroad Administration Automated Track Inspection Program geometry cars within 3 years after the date of enactment of this Act.

AMENDMENT NO. 56 OFFERED BY MR. WALZ OF
MINNESOTA

At the end of title VII, add the following:
SEC. ____ . HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.

(a) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels

and structure of insurance for a railroad carrier transporting hazardous materials.

(b) **CONTENTS.**—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials; and

(2) the level and structure of insurance that would be necessary and appropriate—

(A) to efficiently allocate risk and financial responsibility for claims; and

(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident.

(c) **REPORT.**—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) **DEFINITIONS.**—In this section:

(1) **HAZARDOUS MATERIAL.**—The term "hazardous material" means a substance or material the Secretary designates under section 5103(a) of title 49, United States Code.

(2) **RAILROAD CARRIER.**—The term "railroad carrier" has the meaning given the term in section 20102 of title 49, United States Code.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, let me start off by first saying we lost a valuable former member of this committee just recently. Howard Coble passed away. I just want to say that Howard was on this committee his entire time in Congress.

He was a very valued member of the Transportation and Infrastructure Committee. He was a champion of the Coast Guard, which he served, his beloved Coast Guard, and he was always there fighting for them. He was an excellent Representative of the people of his district in North Carolina, and he was a great friend of mine and, I know, many, many Members of this Congress.

Howard Coble will be missed greatly. I am just proud to say that on the last Coast Guard reauthorization bill we were able to name it after Howard Coble, someone who deserved that honor.

So, again, it is with a heavy heart I say that I salute Howard Coble and say farewell, as I said, to a great friend and great Member of this institution.

Mr. Chairman, I rise now to offer these amendments en bloc. They reflect priorities from both sides of the aisle. I thank all Members for their cooperation in putting together this en bloc, and I urge all Members to support it.

I would like, also, to take a moment at this time to thank all the Members on both sides of the aisle that participated in this debate. I want to thank the Speaker for putting us first on the floor for this new open and transparent—I know some of my colleagues on the other side don't think it was open enough, but I think many of us on the committee, I don't want to speak for Mr. DEFAZIO, but it was an open process to me, and I think that is important.

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As Mr. POLIS talked about earlier today, he had ideas. We were able to incorporate some of those, some of the Members on the other side, and some we certainly opposed. But it was the hard work and willingness to come together on this important piece of legislation. I think this makes it stronger when we go to the Senate.

The STTR Act continues the Federal role in providing a strong national transportation system, enables our country to remain economically competitive, and helps ensure our quality of life. As we just talked about in the last amendment, this is a Federal responsibility. The Founders would have wanted it this way. They certainly probably had differences of opinion. But this role is something the Federal Government needs to be part of.

The STTR Act is a multiyear bill that provides that certainty for States and local governments. This bill helps to improve our Nation's infrastructure and maintains a strong commitment to safety, but it also provides important reforms that will help us to continue to do the job more effectively. Some of those reforms I mentioned earlier were pushing back to the States, giving them the ability to have the flexibility, to make sure that they can drive this in their States to get these projects done more effectively and more efficiently, which will save us all money.

I urge all Members to support this bill and the amendments en bloc.

With that, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Chairman, I would like to thank both the ranking member for yielding and for his support, and the chairman for his support, for two amendments that I have in this bloc.

One is a commonsense amendment exempting a narrow class of welders from the Federal Motor Carrier Safety regulations that I offered with Mr. DAVIS of Illinois and a number of other Members. The other amendment is a bipartisan compromise that I offered with Mr. DOLD and Mr. NADLER. It is an effort to clarify that transit agencies can utilize CMAQ and TIFIA funds to

match the 50 percent funding in a New Start grant.

I appreciate the chairman's willingness to work with me on this issue and restore the Core Capacity and Small Starts projects Federal match limit back to 80 percent and allow local agencies to flex other Federal funds to these projects.

Without these funds, without these changes, local flexibility would be greatly diminished and many projects would be delayed or canceled, including Chicago's red and purple line modernization.

This bill still restricts the use of the STP funds for the remainder of the match and codifies the New Starts grant amount at 50 percent. I strongly disagree with these new restrictions and hope we can also work on this in conference.

Mr. SHUSTER. Mr. Chairman, I continue to reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. NOLAN), a member of the committee.

Mr. NOLAN. Mr. Chairman, my amendment and the body of the amendments in this bloc are really all about public safety. Mine, in particular, is a bipartisan, commonsense solution to a very limited but seriously dangerous problem. In short, it will help make winter travel safer for truckers, travelers, and pedestrians who live, work, and do business in and around the great seaport of Duluth, Minnesota.

I would like to thank Chairman BILL SHUSTER and Ranking Member PETER DEFAZIO for working with me on this, and the endless hours that you have put forth in committee and here on the floor yesterday, today, late into the night, and tomorrow for opening up and democratizing this process, making amendments like mine and others possible.

Mr. Chairman, I urge adoption of the amendment.

Mr. SHUSTER. Mr. Chairman, I continue to reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE) to describe her amendments which are included.

Ms. MOORE. Mr. Chairman, I thank the ranking member.

I want to thank the chairman and the ranking member for accepting my amendments on the DBE prompt payment issue, and to allow teen driving safety grants to be used to help fund school-based driver's education to help our young people meet the Graduated Driver Licensing requirements.

I want to talk about the last of my amendments, requiring a GAO report on the impact of MAP-21 changes on the ability of those who previously benefited from transportation services under the Job Access and Reverse Commute program to get to work.

The report would examine whether services to low-income riders declined after MAP-21 was implemented, as well as efforts by the FTA, after passage of MAP-21, to encourage public transportation agencies to maintain and support these services so that low-income riders would allow them access to jobs, medical services, and other life necessities.

MAP-21 ended the stand-alone JARC grant program. Instead, those activities were added as eligible uses of funds under larger formula grant programs. There was no requirement that transit agencies use any of their annual transit funding to provide services to meet the needs of low-income individuals trying to get to work—none.

My amendment would allow us to know what the real-world impact of these changes are. Congress did not intend these changes to make it harder for low-income and TANF populations to use transportation to get to work. That just doesn't make sense. These hardships should not occur.

I hope that adoption of this amendment sends a message to transit agencies that they must continue to provide innovative services to ensure that low-income people and the marginally employed are able to reach places of employment, educational opportunities, job training, child care, medical appointments, and other life necessities.

Mr. SHUSTER. Mr. Chairman, I continue to reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina (Ms. ADAMS) to discuss her amendment.

Ms. ADAMS. Mr. Chairman, I thank the gentleman for yielding.

I rise today in support of this package of amendments that includes my amendment, which clarifies minority groups to be targeted in human resources outreach efforts by the Department of Transportation. My amendment would expand the bill's use of the term "minority" and specify the inclusion of underrepresented minority groups.

Oftentimes, when policies are put in place to create diversity, they are not implemented with special attention to communities that are historically underrepresented. This is a special burden for underrepresented minorities who have higher than average unemployment rates.

Furthermore, we all know investments in infrastructure means jobs for our constituents and opportunities for our businesses back home. As we work to pass this legislation, I believe we must make a concerted effort to diversify the people who are able to take advantage of these opportunities.

I should note that particular areas of the transportation industry, such as public transportation service providers

see better levels of diversity, but it is time to expand these opportunities to include engineering, contracting, project development, and other components of the process. Our transportation industry should reflect the diversity of our country at every level.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I just want to make note of an important provision that is included in the en bloc amendment package.

As you know, the transportation bill includes a new program that addresses significant roadways. It addresses some of the more expensive projects, and it establishes a competitive grant program in excess of about \$740 million a year.

One of the important things we have to do is we have to provide guidance to the Department of the Transportation in regard to the criteria they use, the metrics they use, in this competitive process.

An amendment in this bill includes the importance of strategic energy assets to ensure that roadways like LA 1 in south Louisiana are included.

After Hurricane Katrina, gasoline prices nationwide spiked about 75 cents a gallon. Following Hurricane Gustav and Ike in 2008, gasoline prices spiked about \$1.40 a gallon, which was the largest price spike since the Arab oil embargo. So it is important that, as they go through and allocate these grants, that they are looking at factors that are very important and have national consequences.

I want to thank the ranking member and the chairman and all the big four for helping us on this.

Mr. DEFAZIO. Mr. Chairman, we are not quite at the end of this epic, but I would like to take a moment.

First, I want to reflect on the chairman's brief eulogy for Howard Coble, who was a wonderful member of the committee; and Howard's embarked on his last great voyage. We all remember him warmly.

I would like to thank the chairman and the chair of the subcommittee for the way in which we moved forward. This bill was a product of many, many months of negotiation between Members and staff. I think we have a good policy-based product here, so I want to thank the chairman and the chairman of the subcommittee. I want to thank my ranking member of the subcommittee, ELEANOR HOLMES NORTON.

I want to thank my committee staff on my side: Helena Zyblikewycz, Auke Mahar-Piersma—we are blessed with interesting names on our side—Andrew Okuyiga, Ben Lockshin, Jennifer Homendy, Ryan Seiger, Alexa Old Crow. Of course, my chief of staff Kathy Dedrick. We have had much mention of the last time we did one of these bills. Kathy staffed me when we

did the last time long-term bill, which was quite a few years ago. Jen Gilbreath, Jaime Harrell, and Luke Strimer.

On the Republican side, I particularly want to thank Chris Bertram and Murphie Barrett and all the other Republican staff for their fabulous work.

I won't say all the meetings were warm and fuzzy, but we worked stuff out in the end. I think we got a good product. I think going through this legislative process was a demonstration that House Members can individually be relevant, offer their ideas. They might be rejected, they might be accepted, but I think this was a very good process.

With that, I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. YODER). The gentleman from Pennsylvania has 6 minutes remaining.

Mr. SHUSTER. Mr. Chairman, this has been 3 years in the making. When I first became chairman just about 3 years ago to almost the date today, one of my top priorities was to pass a multiyear surface transportation bill. I have had some people who lament and say: Oh, you have been on the floor long; oh, you have had to go through these different fights. But I can tell you, it has all been pleasurable. It is exciting that we finally are getting this thing to send here on the floor and get it into conference.

I couldn't do it without the help and advice of a great staff on the Republican side. I also want to thank the Democratic staff. I know both staffs have spent some long nights and some long weekends trying to get this thing all worked out, and they have done a great job of it. I thank each and every one of them on both sides of the aisle for their hard work.

I want to thank all the members on the Transportation and Infrastructure Committee on both sides for their valuable input and, again, their hard work in putting this thing together to bring it to the floor. I want to thank Ranking Member DEFAZIO, Ranking Member NORTON, and the chair of the Subcommittee on Highways and Transit, Mr. GRAVES, for their work.

PETER DEFAZIO has been a good friend and able opponent at times. He has been here a long time. He is bright; he is tough; he is passionate; but at the end of the day, we are able to come together on a lot of these issues and work it out, so I appreciate Mr. DEFAZIO's efforts.

And finally, let me say, for the first time in my 15 years of Congress that I have participated in a Transportation and Infrastructure debate on the floor, that my father's name has not been mentioned one time. So let me be the first to mention my father, Bud Shuster. I am not sure if he is watching at

home. If he is, he is taking notes and will tell me things I said right and things I could have probably said better. But I just want to thank him for the guidance he has given me throughout my life, for the valuable advice he has offered to me at times when I have asked and many times when I have not asked. And, again, if he is watching tonight, I am sure he is writing down some things that he is going to give me some pointers on. But I want to thank my father, Bud Shuster, again, for his great support over the years.

I am looking forward to getting to conference and getting this thing done because I think it is important to the American people that we have a long-term highway bill. This has been an issue that people say it is great, there is a lot of bipartisan support—and there is—but these are issues that Republicans, Democrats, and Americans care about, our infrastructure, and want to get to work without delays and want to get products to market and want to get the raw materials to the factories that keep us competitive in the world. We are in a world market that we have to remain competitive, and transportation is one of those vital links that will keep us there.

With that, again, I thank everybody for their hard work. Staff, again, thank you.

With that, I urge all Members to support the final bill.

I yield back the balance of my time.

Ms. BONAMICI. Mr. Chair, I rise today in support of my amendment to add the Newberg Dundee Bypass Route as a High Priority Corridor and I would like to thank the Chairman and Ranking Member for working with me to bring it forward. Let me be clear—there is no cost to this amendment—it merely raises the prominence and importance of the bypass. The construction of the bypass is underway and has great potential to ease congestion, promote freight mobility, and provide important multi-modal connections for residents and visitors in the broader Yamhill County region. The success of Oregon's wine and agricultural industries has increased freight traffic in the region. The bypass seeks to address the difficulties associated with transportation of goods and services and enhance the recovery of Yamhill County's economically distressed communities. The development of this corridor has wide support in the region, including from the state, local and tribal governments, and surrounding communities. I include a letter from Oregon's Department of Transportation in support of this amendment for the RECORD.

Further, this project is of significant importance because of its location in the Cascadia Subduction Zone. We know that the question is not if, but when, an earthquake and tsunami will hit. Preparing our region is a priority for Oregonians and will save countless lives and federal funds. This road serves as an evacuation route for the central coast and is being built to withstand a 9.0 earthquake. I thank Chairman SHUSTER and Ranking Member DEFAZIO for their support of my amendment.

DEPARTMENT OF TRANSPORTATION,
OFFICE OF THE DIRECTOR,
Salem, OR, October 30, 2015.

Re: Support for amendment to designate the OR 99W Newberg-Dundee bypass route between Newberg, OR, and Dayton, OR as a new High Priority Corridor on the National Highway System.

Hon. BILL SHUSTER,
Chairman, Transportation and Infrastructure Committee, Washington, DC.

Hon. PETER DEFAZIO,
Ranking Member, Transportation and Infrastructure Committee, Washington, DC.

DEAR CHAIRMAN SHUSTER AND RANKING MEMBER DEFAZIO: I write today in support of an amendment to H.R. 22 offered by Representative Suzanne Bonamici of Oregon.

Representative Bonamici has filed an amendment with the Rules Committee seeking to amend Section 1405 of the bill by adding the OR 99W Newberg-Dundee Bypass route between Newberg, OR, and Dayton, OR as a new High Priority Corridor on the National Highway System.

The Newberg-Dundee Bypass project is one of many key regional transportation corridors in Oregon. The Bypass project is important to both regional freight movement and congestion relief. In addition, the Oregon Department of Transportation's (ODOT) Safety Priority Index System for 2014 identified six sites on OR 99W that are in the top 10 percent of crash sites statewide based on frequency and severity of incidents. In the event of a major natural disaster such as a Cascadia Subduction Zone earthquake and tsunami, this corridor would serve as an emergency evacuation and relief route for the central Oregon Coast. The first phase of the project, which is currently under construction, is being built to withstand a 9.0 Cascadia subduction zone earthquake to ensure this critical lifeline will remain operational in such an event. For these reasons, ODOT supports the inclusion of the Newberg-Dundee Bypass on the list of High Priority Corridors on the National Highway System. Thank you for your consideration.

Sincerely,

MATTHEW L. GARRETT,
Director.

Mr. CUMMINGS. Mr. Chair, I thank Chairman SHUSTER and Ranking Member DEFAZIO for working with me on both of my amendments.

The amendment I offer would require the Department of Transportation to submit a report to the House Transportation Committee and the Senate Commerce Committee on research managed by the Federal Railroad Administration (FRA) to develop a system to measure vertical track deflection caused by a moving railroad car.

Such a system should be able to identify a combination of factors that, individually, may not be able to cause a train derailment but that, together, could endanger safe train operations, such as deteriorated cross ties, fouled ballast, and other deficiencies in the structures that support rail tracks.

The amendment authorizes the Department of Transportation to develop a plan for using quantitative inspection criteria to identify poor track support systems if such an approach is supported by the FRA's research.

The amendment also authorizes the Department to develop a plan to install instruments to measure track deflection on its Automated Track Inspection Program geometry cars within 3 years of the date of enactment of this bill,

if this approach is supported by the FRA's research.

I developed this amendment in very close consultation with the families of Rose Louese Mayr and Elizabeth Conway Nass, who were tragically killed in a coal train derailment that occurred in Ellicott City, Maryland, in my district, in 2012.

These families have worked tirelessly to understand the technical circumstances that led to the 2012 train derailment and to identify specific steps that can be taken to prevent future tragedies. I am deeply honored to have worked with them on this amendment.

According to the National Transportation Safety Board's (NTSB) report on the Ellicott City accident, "the point of derailment was a rail fracture several hundred feet" before a bridge. After extensive laboratory analysis, the NTSB concluded that the broken rail segment, "showed evidence of rolling contact fatigue, a gradual breakdown of the rail-head surface."

The Ellicott City accident is one of several recent accidents that have involved rail-head wear and drawn attention to the ways in which the presence of multiple individual defects can eventually lead to a rail break.

While track conditions are addressed in current Federal Track Safety Standards, there are no quantitative inspection criteria. Consequently, these conditions are rarely cited as defects to be remediated.

I hope that we can build on the research foundation that my amendment requires and eventually develop rules that will address specific track conditions.

□ 1830

The Acting CHAIR (Mr. YOUNG of Iowa). The question is on the amendments en bloc offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The en bloc amendments were agreed to.

AMENDMENT NO. 57 OFFERED BY MS. HERRERA BEUTLER

The Acting CHAIR. It is now in order to consider amendment No. 57 printed in part A of House Report 114-326.

Ms. HERRERA BEUTLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 289, strike lines 11 through 14 and insert the following:

- “(i) \$352,950,000 for fiscal year 2016;
- “(ii) \$462,950,000 for fiscal year 2017;
- “(iii) \$468,288,000 for fiscal year 2018;
- “(iv) \$473,653,500 for fiscal year 2019;
- “(v) \$479,231,500 for fiscal year 2020; and
- “(vi) \$484,816,000 for fiscal year 2021.”.

Beginning on page 289, strike line 21 and all that follows through page 290, line 8, and insert the following:

- “(i) \$262,950,000 for fiscal year 2016;
- “(ii) \$262,950,000 for fiscal year 2017;
- “(iii) \$268,288,000 for fiscal year 2018;
- “(iv) \$273,653,500 for fiscal year 2019;
- “(v) \$279,231,500 for fiscal year 2020; and
- “(vi) \$284,816,000 for fiscal year 2021.”.

At the end of title III of division A, add the following:

SEC. ____ . INCREASE SUPPORT FOR GROWING STATES.

Section 5340 of title 49, United States Code, is amended—

(1) by striking subsection (b) and inserting the following:

“(b) APPORTIONMENT.—Of the amounts made available for each fiscal year under section 5338(b)(2)(M), the Secretary shall apportion 100 percent to States and urbanized areas in accordance with subsection (c).”; and

(2) by striking subsection (d).

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Washington (Ms. HERRERA BEUTLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. HERRERA BEUTLER. Mr. Chairman, over 50 percent of all transit riders in the U.S. travel on buses, but only 10 percent of our transit funding actually goes to buses. I will say that again. Over half of the people in this country who use public transportation take buses to get to work, to the grocery store, to visit family; yet the Federal Government dedicates less than 10 percent of its transit funds specifically to buses and to bus facilities.

We are selling communities short, communities like my home in southwest Washington, but we have an opportunity to rectify the situation, Mr. Chairman.

While overall transit funding has been steadily increasing, this bill funds buses in 2016 at, roughly, half of the 2012 levels—that is, Mr. Chairman, unless you happen to represent one of seven States for which this bill sets aside, roughly, an additional \$272 million a year.

While all 50 States can compete for funds through the nationwide Competitive Bus Grant program, which is funded at \$90 million in 2016 and \$200 million each year after, a select few of the northeastern States get an additional \$272 million pot to draw from. That is right, Mr. Chairman.

These high-density States—Maryland, Massachusetts, New York, New Jersey, Connecticut, Rhode Island, and Delaware—have a special pot of money set aside for them that averages \$90 million more a year than the nationwide pot that all 50 States compete for. Oh, and those seven States still get to compete for the nationwide pot.

It is an issue of fairness, Mr. Chairman. The idea that seven States have available to them more money than all 50 States combined isn't fair to the communities in my State or in yours or in the other 43 States.

My amendment would simply move the funding from the seven-State set-aside program into the Competitive Bus Grant program and allow all States to compete for these much-needed resources.

I urge my colleagues to support the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I rise in reluctant opposition to the amendment offered by the gentlewoman from Washington, a former member of the committee.

Let me be clear. I agree we should be further increasing the funds available for bus procurement. MAP-21 cut bus funding in half—a devastating cut to many smaller and mid-sized transit agencies, including in my district.

We tried to reverse these cuts as much as we could in this bill, but with the severely limited funding that was mentioned earlier today, there was only so much we could do. In total, we increased the bus formula and competitive grant program by 40 percent.

I would also like to mention the bus procurement reforms in the bill that are designed to lower the cost of bus purchases. We provided several different mechanisms that provide bulk buying power for transit agencies. Buses are expensive, and larger purchases will help them to get lower costs.

This amendment will further increase the bus procurement programs and shift money from the high-density-States formula that benefits seven northeastern States. The high-density-States formula is actually an old Senate provision, carefully drafted by the esteemed members of the Senate's Banking, Housing, and Urban Affairs Committee sometime ago and is of great benefit to those seven States.

I am very sympathetic to the amendment, but I am obligated, reluctantly and tepidly, to oppose it.

Mr. Chairman, I reserve the balance of my time.

Ms. HERRERA BEUTLER. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Chairman, I rise in opposition to this earmark, as I am a cosponsor and am in support of this amendment, No. 57, offered by Ms. HERRERA BEUTLER.

This has been interesting in the debate because it has been absolutely clarified on both sides that we see this as an earmark. Basically, seven States take from this bill a disproportionate amount based on a formula that declares them high-density States: New York, New Jersey, Massachusetts, Connecticut, Maryland, Rhode Island, and Delaware.

If you do not live in one of these States and if you are a Member of Congress, you should vote for this amendment because declaring them high-density States is a meaningless designation. For example, Chicago, Los Angeles, and many, many urban areas throughout our country are high density and deserve to be able to participate in this fund, but they cannot because they are not located in one of

these States that has largely been, as the ranking member has indicated, a Senate formula set-aside.

Our Founding Fathers, when they came together to create the system of the House and the Senate, did so so that we would have equality, a balance between each of the States and their populations. This is not a balance when you have a set-aside for seven States.

Once again, I would call on all of my fellow colleagues who do not live in New York, New Jersey, Massachusetts, Connecticut, Maryland, Rhode Island, and Delaware to vote for this amendment by Ms. HERRERA BEUTLER. She has identified that this is an earmark for these States and that it robs money from other States that need assistance with public transportation.

The Acting CHAIR. The time of the gentleman has expired.

Ms. HERRERA BEUTLER. I yield the gentleman an additional 15 seconds.

Mr. TURNER. I urge my colleagues to vote for this amendment because it does correct an injustice.

Ms. HERRERA BEUTLER. Mr. Chairman, as was well said, 371 Members of the House represent people in States that will benefit from this amendment. By voting "yes" for this amendment, 371 Members will have an opportunity to increase access to important transit funds in their districts without raising spending levels in the bill.

Even those Members in these high-density States are not losing access to the funds. The amendment allows all 50 States to compete fairly for grant funding based on the needs of the area and the merits of the project.

How can anybody be against this? What is wrong with this?

I urge my colleagues to support the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, in closing, I would say that a great former Speaker of the House, Tip O'Neill, said that "all politics is local."

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Ms. HERRERA BEUTLER).

The amendment was agreed to.

AMENDMENT NO. 58 OFFERED BY MR. CHABOT

The Acting CHAIR. It is now in order to consider amendment No. 58 printed in part A of House Report 114-326.

Mr. CHABOT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I of division A, add the following new section:

SECTION 1431. INCREASING CERTAIN PENALTIES RELATING TO COMMERCIAL MOTOR VEHICLE SAFETY.

(a) CIVIL PENALTY.—Section 521(b)(2)(A) of title 49, United States Code, is amended by striking "\$2,500" and inserting "\$5,000".

(b) CRIMINAL PENALTY.—Section 521(b)(6)(A) of title 49, United States Code, is amended by striking "\$2,500" and inserting "\$5,000".

(c) DISQUALIFICATIONS.—

(1) FIRST VIOLATION OR COMMITTING FELONY.—Section 31310(b)(1) of title 49, United States Code, is amended—

(A) in subparagraph (D), by striking "or" and inserting a semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting "or"; and

(C) by adding at the end the following new subparagraph:

"(F) determined by the Secretary to have operated a commercial motor vehicle that the individual knew or reasonably should have known had a defect that resulted in a fatality."

(2) SECOND AND MULTIPLE VIOLATIONS.—Section 31310(c)(1) of title 49, United States Code, is amended—

(A) in subparagraph (E), by striking "or" and inserting a semicolon;

(B) by redesignating subparagraph (F) as subparagraph (G);

(C) in subparagraph (G) (as so redesignated)—

(i) by striking "(E)" and inserting "(F)"; and

(ii) by inserting "operations," after "violations"; and

(D) by inserting after subparagraph (E) the following new subparagraph:

"(F) determined by the Secretary to have more than once operated a commercial motor vehicle that the individual knew or reasonably should have known had a defect that resulted in a fatality; or"

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. Mr. Chairman, I will be brief.

All of us here have the honor to serve in the people's House, and we are here to serve our constituents—the people who send us here from all over the country—and also to serve in the best interests of our great Nation.

I had a constituent who approached me. I happened to be touring the business at which he works, and he told me something that affected me greatly.

His son was just days before his 23rd birthday. He was a student at the University of Cincinnati. He was coming down Interstate 75 in a minivan and was minding his own business. I don't know what he was thinking about, but he had his whole future ahead of him.

But a completely avoidable accident occurred. A wheel that was so rusted broke free from a big rig, and it crossed the median. It struck the vehicle he was in, and it killed him immediately, a couple of days before his 23rd birthday.

It had been a couple of years, but his father was still very emotional about this, understandably so.

We looked into this situation. We talked with a number of our colleagues and did a lot of research on it and worked with the American Trucking Association and with America's Inde-

pendent Truckers' Association as well. We came up with an amendment to this particular bill that we are discussing here this evening, the transportation bill.

What the amendment would do, essentially, is stiffen the penalties for a driver who knowingly operates a commercial vehicle that has a serious defect that results in a fatal crash.

Clearly, what we are trying to do is to make the public more safe and to deal with a family that has been tragically changed forever. They lost one of the most important members of that particular family. We are trying to do this in a responsible way.

The trucking industry in this country, for the most part, is very safety conscious, and their rate of fatalities has come down. I commend them greatly for what they are trying to do, but there is a hole in the system right now.

In this particular situation, there was a rusted thing that shouldn't have been on the road. This type of thing doesn't happen all that often, but it happened this time, and it killed my constituent's son.

We have discussed this with the chairman and with staff. It is my understanding that the chairman is willing to work with us on addressing this issue of trying to make the American public safer and is willing to work with our distinguished folks on the minority side as well.

With that understanding, I am willing to withdraw my amendment here this evening and continue to work with them through the process to hopefully address this issue in a way that will receive support on both sides of the aisle so that we can pass this into law and make the public safer. It will allow this particular family, who was affected so tragically in this instance, to know that they have done something to honor their son.

I yield to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I am happy to work with the gentleman on the issue. I oppose the amendment, but I want to continue talking with the gentleman and working with him.

Mr. CHABOT. I thank the gentleman.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I certainly want to work with the gentleman. I mean, this is a story that tugs at you. The gentleman brings before us an important issue. I think there is a way to get at this; so, I would love to work with the gentleman as we go to conference and see what we can do.

With the indulgence of the House, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I thank the gentleman.

Mr. Chairman, I thank Mr. SHUSTER and Mr. DEFAZIO as well for working with me and for working with the entire committee. The Transportation and Infrastructure Committee does work together in a bipartisan fashion, and the House does work.

On the other hand and in the same vein, I had the pleasure of knowing Howard Coble for my entire time I have been in Congress. I was his ranking member on Judiciary, and he was my ranking member on Judiciary.

We had a great relationship. He was one of the finest gentlemen I have ever known. He was a scholar. He was a gentleman. He loved North Carolina. He loved this House. He will be missed. He was an example of the way people can work together to make progress in the United States Congress. I was honored to know him.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

Mr. CHABOT. Mr. Chairman, I would also like to share in the gentleman's comments about our colleague, Howard Coble of North Carolina.

He was truly a wonderful part of this distinguished institution. I served on the Judiciary Committee for the better part of 20 years with Howard Coble, and we all looked up to him. He was kind of one of a kind, and I say that in the most honorable way.

He was one we looked to. He had a sense of humor that went to your heart. He was just a great guy. He will be truly missed not only by his constituents, but by this House that he loved for so many years.

On my amendment, I have heard both the chairman and our friends on the minority side indicate they are willing to work with us on this amendment.

Mr. CHABOT. With that understanding, I withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

The Chair understands that amendment No. 1 printed in part A of House Report 114-326 will not be offered.

□ 1845

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 114-326 on which further proceedings were postponed, in the following order:

Amendment No. 5 by Mr. DESAULNIER of California.

Amendment No. 7 by Mr. HUNTER of California.

Amendment No. 8 by Mr. DENHAM of California.

Amendment No. 12 by Mr. KING of Iowa.

Amendment No. 14 by Mr. CULBERSON of Texas.

Amendment No. 21 by Mr. LEWIS of Georgia.

Amendment No. 26 by Mr. REICHERT of Washington.

Amendment No. 29 by Mr. DESANTIS of Florida.

The Chair will reduce to 2 minutes the minimum time for any electronic vote on these questions after the first vote in this series.

Pursuant to clause 6(f) of rule XVIII, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the amendment consisting of the text of Rules Committee Print 114-32, as amended.

AMENDMENT NO. 5 OFFERED BY MR. DESAULNIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DESAULNIER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 171, noes 252, not voting 10, as follows:

[Roll No. 599]

AYES—171

Adams	DeLauro	Kildee	Price (NC)	Scott (VA)	Vargas
Aguiar	DeBene	Kilmer	Quigley	Scott, David	Veasey
Ashford	DeSaunier	Kind	Rangel	Serrano	Vela
Bass	Deutch	Kline	Richmond	Sherman	Visclosky
Beatty	Dingell	Kuster	Roybal-Allard	Slaughter	Walz
Becerra	Doggett	Langevin	Ruiz	Smith (WA)	Wasserman
Bera	Doyle, Michael	Larson (CT)	Ruppersberger	Speier	Schultz
Beyer	F.	Lawrence	Rush	Takano	Waters, Maxine
Bishop (GA)	Duckworth	Lee	Sánchez, Linda	Thompson (CA)	Watson Coleman
Blumenauer	Edwards	Levin	T.	Thompson (MS)	Welch
Bonamici	Ellison	Lewis	Sanchez, Loretta	Titus	Wilson (FL)
Boyle, Brendan	Emmer (MN)	Lieu, Ted	Sarbanes	Tonko	Yarmuth
F.	Engel	Lipinski	Schakowsky	Tsongas	
Brady (PA)	Eshoo	Loeb	Schiff	Van Hollen	
Brown (FL)	Esty	Loeb			
Brownley (CA)	Farr	Lowenthal			
Bustos	Fattah	Lujan Grisham			
Butterfield	Foster	(NM)			
Capps	Frankel (FL)	Lujan, Ben Ray			
Capuano	Fudge	(NM)			
Cárdenas	Gabbard	Lynch			
Carney	Gallego	Maloney,			
Carson (IN)	Garamendi	Carolyn			
Cartwright	Green, Al	Maloney, Sean			
Castor (FL)	Green, Gene	Matsui			
Castro (TX)	Grijalva	McCollum			
Chu, Judy	Gutierrez	McDermott			
Ciulline	Hahn	McGovern			
Clark (MA)	Hastings	McNerney			
Clarke (NY)	Heck (WA)	Moore			
Clay	Higgins	Moulton			
Cleaver	Himes	Murphy (FL)			
Clyburn	Hinojosa	Napolitano			
Cohen	Honda	Neal			
Connolly	Hoyer	Nolan			
Conyers	Hudson	Norcross			
Cooper	Huffman	O'Rourke			
Costa	Jackson Lee	Pallone			
Courtney	Jeffries	Pascarella			
Crawford	Johnson (GA)	Paulsen			
Cuellar	Johnson, E. B.	Pearce			
Cummings	Jones	Perlmutter			
Davis (CA)	Kaptur	Peterson			
Davis, Danny	Keating	Pingree			
DeGette	Kelly (IL)	Pocan			
Delaney	Kennedy	Polis			
			Abraham	Graves (MO)	Nadler
			Aderholt	Grayson	Neugebauer
			Allen	Griffith	Newhouse
			Amash	Grothman	Noem
			Amodel	Guinta	Nugent
			Babin	Guthrie	Nunes
			Barletta	Hanna	Olson
			Barr	Hardy	Palazzo
			Barton	Harper	Palmer
			Benishek	Harris	Perry
			Bilirakis	Hartzler	Peters
			Bishop (MI)	Heck (NV)	Pittenger
			Bishop (UT)	Hensarling	Pitts
			Black	Herrera Beutler	Poe (TX)
			Blackburn	Hice, Jody B.	Poliquin
			Blum	Hill	Pompeo
			Bost	Holding	Posey
			Boustany	Huelskamp	Price, Tom
			Brady (TX)	Huizenga (MI)	Ratcliffe
			Brat	Hultgren	Reed
			Bridenstine	Hunter	Reichert
			Brooks (AL)	Hurd (TX)	Renacci
			Brooks (IN)	Hurt (VA)	Ribble
			Buchanan	Israel	Rice (NY)
			Buck	Issa	Rice (SC)
			Bucshon	Jenkins (KS)	Rigell
			Burgess	Jenkins (WV)	Roby
			Byrne	Johnson (OH)	Roe (TN)
			Carter (GA)	Johnson, Sam	Rogers (AL)
			Carter (TX)	Jolly	Rogers (KY)
			Chabot	Jordan	Rohrabacher
			Chaffetz	Joyce	Rokita
			Clawson (FL)	Katko	Rooney (FL)
			Coffman	Kelly (MS)	Ros-Lehtinen
			Cole	Kelly (PA)	Roskam
			Collins (GA)	King (IA)	Ross
			Collins (NY)	King (NY)	Rothfus
			Comstock	Kinzinger (IL)	Rouzer
			Conaway	Kirkpatrick	Royce
			Cook	Knight	Russell
			Costello (PA)	Labrador	Ryan (OH)
			Cramer	LaHood	Salmon
			Crenshaw	LaMalfa	Sanford
			Crowley	Lamborn	Scalise
			Culberson	Lance	Schrader
			Curbelo (FL)	Larsen (WA)	Schweikert
			Davis, Rodney	Latta	Scott, Austin
			DeFazio	LoBiondo	Sensenbrenner
			Denham	Long	Sessions
			Dent	Loudermilk	Sewell (AL)
			DeSantis	Love	Shimkus
			DesJarlais	Lowey	Shuster
			Diaz-Balart	Lucas	Simpson
			Dold	Luetkemeyer	Sires
			Donovan	Lummis	Smith (NE)
			Duffy	MacArthur	Smith (NJ)
			Duncan (SC)	Marchant	Smith (TX)
			Duncan (TN)	Marino	Stefanik
			Farenthold	Massie	Stewart
			Fincher	McCarthy	Stivers
			Fitzpatrick	McCaul	Stutzman
			Fleischmann	McClintock	Swalwell (CA)
			Fleming	McHenry	Thompson (PA)
			Flores	McKinley	Thornberry
			Forbes	McMorris	Tiberi
			Fortenberry	Rodgers	Tipton
			Fox	McSally	Trott
			Franks (AZ)	Meadows	Turner
			Frelinghuysen	Meehan	Upton
			Garrett	Meng	Valadao
			Gibbs	Messer	Velázquez
			Gibson	Mica	Wagner
			Goodlatte	Miller (FL)	Walberg
			Gosar	Miller (MI)	Walder
			Gowdy	Moolenaar	Walker
			Graham	Mooney (WV)	Walorski
			Granger	Mullin	Walters, Mimi
			Graves (GA)	Mulvaney	Weber (TX)
			Graves (LA)	Murphy (PA)	Webster (FL)

Wenstrup	Wittman	Young (IA)
Westerman	Womack	Young (IN)
Westmoreland	Woodall	Zeldin
Whitfield	Yoder	Zinke
Williams	Yoho	
Wilson (SC)	Young (AK)	

NOT VOTING—10

Calvert	Payne	Takai
Ellmers (NC)	Pelosi	Torres
Gohmert	Sinema	
Meeks	Smith (MO)	

□ 1912

Messrs. FARENTHOLD, CROWLEY, LAMBORN, GRAVES of Georgia, Ms. VELÁZQUEZ, and Mr. MOONEY of West Virginia changed their vote from “aye” to “no.”

Mr. DANNY DAVIS of Illinois, Ms. BROWN of Florida, Mr. LANGEVIN, and Ms. CLARKE of New York changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. SINEMA. Mr. Chair, on rollcall No. 599 I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT NO. 7 OFFERED BY MR. HUNTER

The Acting CHAIR (Mr. COLLINS of Georgia). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUNTER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 255, not voting 5, as follows:

[Roll No. 600]

AYES—173

Abraham	Chaffetz	Fleischmann
Allen	Clay	Flores
Amodei	Clyburn	Forbes
Ashford	Coffman	Fortenberry
Bass	Cohen	Foster
Benishek	Conaway	Franks (AZ)
Beyer	Cooper	Frelinghuysen
Bilirakis	Costa	Garamendi
Bishop (GA)	Cramer	Gibbs
Bishop (UT)	Crenshaw	Gibson
Blum	Cuellar	Goodlatte
Bonamici	Culberson	Gowdy
Bost	Curbelo (FL)	Graham
Brady (TX)	Davis, Rodney	Granger
Brooks (IN)	Denham	Graves (GA)
Brown (FL)	Dent	Green, Al
Buchanan	Diaz-Balart	Griffith
Buck	Dold	Guthrie
Bucshon	Donovan	Gutiérrez
Burgess	Duckworth	Hanna
Bustos	Duffy	Harris
Butterfield	Emmer (MN)	Hastings
Byrne	Engel	Hensarling
Cárdenas	Eshoo	Herrera Beutler
Carson (IN)	Esty	Hill
Carter (TX)	Farenthold	Hinojosa
Cartwright	Fincher	Hudson
Castro (TX)	Fitzpatrick	Huffman

Hultgren	Paulsen	Sessions
Hunter	Payne	Shimkus
Hurd (TX)	Peters	Simpson
Hurt (VA)	Peterson	Smith (MO)
Issa	Pittenger	Smith (NE)
Jackson Lee	Pitts	Smith (NJ)
Jolly	Poe (TX)	Smith (WA)
Jones	Poliquin	Stewart
Kelly (PA)	Polis	Stivers
King (IA)	Posey	Thompson (CA)
King (NY)	Price, Tom	Thornberry
Kinzinger (IL)	Quigley	Tiberi
Kline	Ratcliffe	Tipton
LaMalfa	Renacci	Upton
Lipinski	Rigell	Vargas
LoBiondo	Roe (TN)	Veasey
Long	Rohrabacher	Wagner
Loudermilk	Rokita	Walden
Luetkemeyer	Rooney (FL)	Walters, Mimi
Lummis	Ros-Lehtinen	Walz
McCarthy	Ross	Watson Coleman
McKinley	Rouzer	Wenstrup
McNerney	Roybal-Allard	Westerman
Meehan	Royce	Westmoreland
Miller (MI)	Ruppersberger	Williams
Mooney (WV)	Russell	Wilson (SC)
Murphy (FL)	Sanchez, Loretta	Wittman
Nolan	Sanford	Womack
Nugent	Scott, David	Woodall
O'Rourke	Serrano	Yoder

NOES—255

Adams	Duncan (SC)	Latta
Aderholt	Duncan (TN)	Lawrence
Aguilar	Edwards	Lee
Amash	Ellison	Levin
Babin	Farr	Lewis
Barletta	Fattah	Lieu, Ted
Barr	Fleming	Loebach
Barton	Frankel (FL)	Lofgren
Beatty	Fudge	Love
Becerra	Gabbard	Lowenthal
Bera	Gallego	Lowey
Bishop (MI)	Garrett	Lucas
Black	Gosar	Lujan Grisham
Blackburn	Graves (LA)	(NM)
Blumenauer	Graves (MO)	Luján, Ben Ray
Boustany	Grayson	(NM)
Boyle, Brendan	Green, Gene	Lynch
F.	Grijalva	MacArthur
Brady (PA)	Grothman	Maloney,
Brat	Guinta	Carolyn
Bridenstine	Hahn	Maloney, Sean
Brooks (AL)	Hardy	Marchant
Brownley (CA)	Harper	Marino
Calvert	Hartzler	Massie
Capps	Heck (NV)	Matsui
Capuano	Heck (WA)	McCaul
Carney	Hice, Jody B.	McClintock
Carter (GA)	Higgins	McCollum
Castor (FL)	Himes	McDermott
Chabot	Holding	McGovern
Chu, Judy	Honda	McHenry
Cicilline	Hoyer	McMorris
Clarke (MA)	Huelskamp	Rodgers
Clarke (NY)	Huizenga (MI)	McSally
Clawson (FL)	Israel	Meadows
Cleaver	Jeffries	Meng
Cole	Jenkins (KS)	Messer
Collins (GA)	Jenkins (WV)	Mica
Collins (NY)	Johnson (GA)	Miller (FL)
Comstock	Johnson (OH)	Moolenaar
Connolly	Johnson, E. B.	Moore
Conyers	Johnson, Sam	Moulton
Cook	Jordan	Mullin
Costello (PA)	Joyce	Mulvaney
Courtney	Kaptur	Murphy (PA)
Crawford	Katko	Nadler
Crowley	Keating	Napolitano
Cummings	Kelly (IL)	Neal
Davis, Rodney	Kelly (MS)	Neugebauer
Davis, Danny	Kennedy	Newhouse
DeFazio	Kildee	Noem
DeGette	Kilmer	Norcross
Delaney	Kind	Nunes
DeLauro	Kirkpatrick	Olson
DeBene	Knight	Palazzo
DeSantis	Kuster	Pallone
DesSaulnier	Labrador	Palmer
DeSarlais	LaHood	Pascrell
Deutch	Lamborn	Pearce
Dingell	Lance	Pelosi
Doggett	Langevin	Perlmutter
Doyle, Michael	Larsen (WA)	Perry
F.	Larson (CT)	Pingree

Pocan	Schrader	Turner
Pompeo	Schweikert	Valadao
Price (NC)	Scott (VA)	Van Hollen
Rangel	Scott, Austin	Vela
Reed	Sensenbrenner	Velázquez
Reichert	Sewell (AL)	Visclosky
Ribble	Sherman	Walberg
Rice (NY)	Shuster	Walker
Rice (SC)	Sinema	Walorski
Richmond	Sires	Wasserman
Roby	Slaughter	Schultz
Rogers (AL)	Smith (TX)	Waters, Maxine
Rogers (KY)	Speier	Weber (TX)
Roskam	Stefanik	Webster (FL)
Rothfus	Stutzman	Welch
Ruiz	Swalwell (CA)	Whitfield
Rush	Takano	Wilson (FL)
Ryan (OH)	Thompson (MS)	Yarmuth
Salmon	Thompson (PA)	Yoho
Sánchez, Linda	Tipton	Young (AK)
T.	Titus	Young (IA)
Sarbanes	Tonko	Young (IN)
Scalise	Torres	Zeldin
Schakowsky	Trott	Zinke
Schiff	Tsongas	

NOT VOTING—5

Ellmers (NC)	Gohmert	Takai
Foxx	Meeks	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1918

Ms. ADAMS changed her vote from “aye” to “no.”

Mr. BUCHANAN changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. FOXX. Mr. Chair, on rollcall No. 600, I was unavoidably detained. Had I been present, I would have voted “yes.”

AMENDMENT NO. 8 OFFERED BY MR. DENHAM

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DENHAM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 248, noes 180, not voting 5, as follows:

[Roll No. 601]

AYES—248

Abraham	Black	Carter (GA)
Aderholt	Blackburn	Carter (TX)
Allen	Blum	Chabot
Amash	Bost	Chaffetz
Amodei	Boustany	Clawson (FL)
Ashford	Brat	Clyburn
Babin	Bridenstine	Coffman
Barletta	Brooks (IN)	Cohen
Barr	Brown (FL)	Cole
Barton	Bucshon	Collins (GA)
Benishek	Burgess	Collins (NY)
Bilirakis	Butterfield	Comstock
Bishop (GA)	Byrne	Conaway
Bishop (MI)	Calvert	Cook
Bishop (UT)	Carson (IN)	Cooper

Costello (PA)	Kelly (MS)	Ribble	Hastings	Maloney,	Sanchez, Loretta	Byrne	Hunter	Poliquin
Cramer	Kelly (PA)	Rice (SC)	Heck (WA)	Carolyn	Sarbanes	Calvert	Hurd (TX)	Pompeo
Crawford	Kind	Rigell	Higgins	Maloney, Sean	Schakowsky	Carter (GA)	Hurt (VA)	Posey
Crenshaw	King (IA)	Roby	Hinojosa	Matsui	Schiff	Carter (TX)	Issa	Price, Tom
Cuellar	King (NY)	Roe (TN)	Honda	McCollum	Schweikert	Chabot	Jenkins (KS)	Ratcliffe
Culberson	Kinzinger (IL)	Rogers (AL)	Hoyer	McDermott	Scott (VA)	Chaffetz	Johnson, Sam	Ribble
Curbelo (FL)	Kline	Rogers (KY)	Huffman	McGovern	Serrano	Clawson (FL)	Jones	Rice (SC)
Davis, Rodney	Knight	Rohrabacher	Israel	McNerney	Sewell (AL)	Coffman	Jordan	Rigell
Denham	Labrador	Rokita	Jackson Lee	Meng	Sherman	Cole	Kelly (MS)	Roby
Dent	LaHood	Rooney (FL)	Jeffries	Moore	Shuster	Collins (GA)	King (IA)	Roe (TN)
DeSantis	LaMalfa	Ros-Lehtinen	Johnson (GA)	Moulton	Sires	Collins (NY)	Kline	Rogers (AL)
DesJarlais	Lamborn	Ross	Kaptur	Mulvaney	Smith (NJ)	Comstock	Knight	Rogers (KY)
Diaz-Balart	Lance	Rothfus	Katko	Murphy (FL)	Smith (WA)	Conaway	Labrador	Rohrabacher
Dold	Latta	Rouzer	Keating	Nadler	Smith (WA)	Cramer	LaMalfa	Rooney (FL)
Donovan	LoBiondo	Royce	Kelly (IL)	Napolitano	Speier	Crawford	Lamborn	Ross
Duffy	Long	Rush	Kennedy	Neal	Swallow (CA)	Crenshaw	Latta	Rothfus
Duncan (SC)	Loudermilk	Russell	Kildee	Nolan	Takano	Culberson	Long	Rouzer
Emmer (MN)	Love	Salmon	Kilmer	Norcross	Thompson (CA)	Dent	Loudermilk	Royce
Farenthold	Lucas	Sanford	Kirkpatrick	O'Rourke	Thompson (MS)	DeSantis	Love	Russell
Fincher	Luetkemeyer	Scalise	Kuster	Pallone	Titus	DesJarlais	Lucas	Salmon
Fitzpatrick	Lummis	Schrader	Langevin	Pascrell	Tonko	Duncan (SC)	Luetkemeyer	Sanford
Fleischmann	MacArthur	Scott, Austin	Larsen (WA)	Payne	Torres	Duncan (TN)	Lummis	Scalise
Fleming	Marchant	Scott, David	Larson (CT)	Pelosi	Trott	Farenthold	Marchant	Schweikert
Flores	Marino	Sensenbrenner	Lawrence	Perlmutter	Tsongas	Fincher	Marino	Scott, Austin
Forbes	Massie	Sessions	Lee	Pingree	Van Hollen	Fleischmann	Massie	Sensenbrenner
Fortenberry	McCarthy	Shimkus	Levin	Pocan	Vargas	Fleming	McCarthy	Sessions
Fox	McCaul	Simpson	Lewis	Polis	Velázquez	Flores	McCaul	Simpson
Franks (AZ)	McClintock	Sinema	Lieu, Ted	Price (NC)	Visclosky	Forbes	McClintock	Smith (MO)
Frelinghuysen	McHenry	Smith (MO)	Lipinski	Quigley	Wasserman	Fortenberry	McHenry	Smith (NE)
Garamendi	McKinley	Smith (NE)	Loebach	Rice (NY)	Schultz	Fox	McMorris	Smith (TX)
Garrett	McMorris	Smith (TX)	Lofgren	Richmond	Waters, Maxine	Garrett	Rodgers	Stewart
Gibbs	Rodgers	Stefanik	Lowenthal	Roskam	Watson Coleman	Gibbs	McSally	Stutzman
Goodlatte	McSally	Stewart	Lowe	Roybal-Allard	Welch	Goodlatte	Meadows	Thompson (PA)
Gosar	Meadows	Stivers	Lujan Grisham	Ruiz	Wilson (FL)	Gosar	Messer	Thornberry
Granger	Meehan	Stutzman	(NM)	Ruppersberger	Yarmuth	Gowdy	Mica	Tipton
Graves (GA)	Messer	Thompson (PA)	Lujan, Ben Ray	Ryan (OH)	Zeldin	Granger	Miller (FL)	Trott
Graves (LA)	Mica	Thornberry	(NM)	Sánchez, Linda		Gowdy	Miller (MI)	Wagner
Grothman	Miller (FL)	Tiberi	Lynch	T.		Granger	Moolenaar	Walberg
Guinta	Miller (MI)	Tipton				Hudson	Mooney (WV)	Walker
Guthrie	Moolenaar	Turner				Huelskamp	Mullin	Walorski
Hanna	Mooney (WV)	Upton				Huelskamp	Mulvaney	Walters, Mimi
Hardy	Mullin	Valadao				Huelskamp	Neugebauer	Weber (TX)
Harper	Murphy (PA)	Veasey				Huelskamp	Newhouse	Webster (FL)
Harris	Neugebauer	Vela				Huelskamp	Noem	Wenstrup
Heck (NV)	Newhouse	Wagner				Huelskamp	Nugent	Westerman
Hensarling	Noem	Walberg				Huelskamp	Nunes	Westmoreland
Herrera Beutler	Nugent	Walden				Huelskamp	Olson	Williams
Hice, Jody B.	Nunes	Walker				Huelskamp	Palazzo	Wilson (SC)
Hill	Olson	Walorski				Huelskamp	Palmer	Wittman
Himes	Palazzo	Walters, Mimi				Huelskamp	Paulsen	Womack
Holding	Palmer	Walz				Huelskamp	Pearce	Woodall
Hudson	Paulsen	Weber (TX)				Huelskamp	Perry	Yoder
Huelskamp	Pearce	Webster (FL)				Huelskamp	Pittenger	Yoho
Huizenga (MI)	Perry	Wenstrup				Huelskamp	Pitts	Young (IA)
Hultgren	Peters	Westerman				Huelskamp	Poe (TX)	Young (IN)
Hunter	Peterson	Westmoreland				Huelskamp		
Hurd (TX)	Pittenger	Whitfield				Huelskamp		
Hurt (VA)	Pitts	Williams				Huelskamp		
Issa	Poe (TX)	Wilson (SC)				Huelskamp		
Jenkins (KS)	Poliquin	Wittman				Huelskamp		
Jenkins (WV)	Pompeo	Womack				Huelskamp		
Johnson (OH)	Posey	Woodall				Huelskamp		
Johnson, E. B.	Price, Tom	Yoder				Huelskamp		
Johnson, Sam	Rangel	Yoho				Huelskamp		
Jolly	Ratcliffe	Young (AK)				Huelskamp		
Jones	Reed	Young (IA)				Huelskamp		
Jordan	Reichert	Young (IN)				Huelskamp		
Joyce	Renacci	Zinke				Huelskamp		

NOES—180

Adams	Chu, Judy	Duckworth
Aguilar	Cicilline	Duncan (TN)
Bass	Clark (MA)	Edwards
Beatty	Clarke (NY)	Ellison
Becerra	Clay	Engel
Bera	Cleaver	Eshoo
Beyer	Connolly	Esty
Blumenauer	Conyers	Farr
Bonamici	Costa	Fattah
Boyle, Brendan	Courtney	Foster
F.	Crowley	Frankel (FL)
Brady (PA)	Cummings	Fudge
Brady (TX)	Davis (CA)	Gabbard
Brooks (AL)	Davis, Danny	Gallego
Brownley (CA)	DeFazio	Gibson
Buchanan	DeGette	Gowdy
Buck	Delaney	Graham
Bustos	DeLauro	Graves (MO)
Capps	DeBene	Grayson
Capuano	DeSaulnier	Green, Al
Cárdenas	Deutch	Green, Gene
Carney	Dingell	Griffith
Cartwright	Doggett	Grijalva
Castor (FL)	Doyle, Michael	Gutiérrez
Castro (TX)	F.	Hahn

NOT VOTING—5

Ellmers (NC) Hartzler Takai
Gohmert Meeks

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1922

Mr. RICHMOND changed his vote
from “aye” to “no.”
So the amendment was agreed to.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Iowa (Mr. KING) on
which further proceedings were post-
poned and on which the ayes prevailed
by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 188, noes 238,
not voting 7, as follows:

[Roll No. 602]

AYES—188

Abraham	Benishek	Brady (TX)
Aderholt	Billirakis	Brat
Allen	Bishop (MI)	Bridenstine
Amash	Bishop (UT)	Brooks (AL)
Amodei	Black	Brooks (IN)
Babin	Blackburn	Buchanan
Blum	Blum	Buck
Barton	Boustany	Burgess

NOES—238

Adams	Cook	Frankel (FL)
Aguilar	Cooper	Fudge
Ashford	Costa	Gabbard
Barletta	Costello (PA)	Gallego
Bass	Courtney	Garamendi
Beatty	Crowley	Gibson
Becerra	Cuellar	Graham
Bera	Cummings	Graves (MO)
Beyer	Curbelo (FL)	Grayson
Bishop (GA)	Davis (CA)	Green, Al
Blumenauer	Davis, Danny	Green, Gene
Bonamici	Davis, Rodney	Grijalva
Bost	DeFazio	Gutiérrez
Boyle, Brendan	DeGette	Hahn
F.	Delaney	Hanna
Brady (PA)	DeLauro	Hardy
Brown (FL)	DeBene	Hastings
Brownley (CA)	Denham	Heck (NV)
Bucshon	DeSaulnier	Heck (WA)
Bustos	Deutch	Higgins
Butterfield	Diaz-Balart	Himes
Capps	Dingell	Hinojosa
Capuano	Doggett	Honda
Carney	Dold	Hoyer
Carson (IN)	Donovan	Huffman
Cartwright	Doyle, Michael	Hultgren
Castor (FL)	F.	Israel
Castro (TX)	Duckworth	Jackson Lee
Chu, Judy	Duffy	Jeffries
Cicilline	Edwards	Jenkins (WV)
Clark (MA)	Ellison	Johnson (GA)
Clarke (NY)	Emmer (MN)	Johnson (OH)
Clay	Eshoo	Johnson, E. B.
Cleaver	Esty	Jolly
Clyburn	Farr	Joyce
Cohen	Fattah	Kaptur
Connolly	Fitzpatrick	Katko
Conyers	Foster	Keating

Kelly (IL) Moulton Sewell (AL)
 Kelly (PA) Murphy (FL) Sherman
 Kennedy Murphy (PA) Shimkus
 Kildee Nadler Shuster
 Kilmer Napolitano Sinema
 Kind Neal Sires
 King (NY) Nolan Slaughter
 Kinzinger (IL) Norcross Smith (NJ)
 Kirkpatrick O'Rourke Smith (WA)
 Kuster Pallone Speier
 LaHood Pascrell Stefanik
 Lance Payne Stivers
 Langevin Pelosi Swallow (CA)
 Larsen (WA) Perlmutter Takano
 Larson (CT) Peters Thompson (CA)
 Lawrence Peterson Thompson (MS)
 Lee Pingree Tiberi
 Levin Pocan Titus
 Lewis Polis Tonko
 Lieu, Ted Price (NC) Torres
 Lipinski Quigley Rangel
 LoBiondo Rangel Tsongas
 Loeb sack Reed Turner
 Lofgren Reichert Valadao
 Lowenthal Renacci Van Hollen
 Lowey Rice (NY) Vargas
 Lujan Grisham Richmond Veasey
 (NM) Ros-Lehtinen Vela
 Lujan, Ben Ray Roskam Velázquez
 (NM) Roybal-Allard Visclosky
 Lynch Ruiz Walden
 MacArthur Ruppersberger Walz
 Maloney Rush Wasserman
 Carolyn Ryan (OH) Schultz
 Maloney, Sean Sánchez, Linda
 Matsui T. Waters, Maxine
 McCollum Sanchez, Loretta Watson Coleman
 McDermott Sarbanes Welch
 McGovern Schakowsky Whitfield
 McKinley Schiff Wilson (FL)
 McNerney Schrader Yarmuth
 Meehan Scott (VA) Young (AK)
 Meng Scott, David Zeldin
 Moore Serrano Zinke

NOT VOTING—7

Cárdenas Gohmert Takai
 Ellmers (NC) Meeks
 Engel Rokita

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1925

So the amendment was rejected.

The result of the vote was announced
 as above recorded.

Stated against:

Mr. CARDENAS. Mr. Chair, on rollcall No. 602, had I been present, I would have voted "no."

Mr. ENGEL. Mr. Chair, on rollcall No. 602 I was inadvertently detained and missed the vote. Had I been present, I would have voted "no."

AMENDMENT NO. 14 OFFERED BY MR. CULBERSON
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. CULBERSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 116, noes 313, not voting 4, as follows:

[Roll No. 603]

AYES—116

Granger Nugent
 Graves (GA) Olson
 Green, Gene Palazzo
 Griffith Palmer
 Harris Pearce
 Hensarling Perry
 Hice, Jody B. Pittenger
 Holding Pitts
 Hudson Pompeo
 Huelskamp Posey
 Huizenga (MI) Price, Tom
 Hurt (VA) Ratcliffe
 Jenkins (KS) Renacci
 Johnson (GA) Roby
 Johnson (OH) Roe (TN)
 Johnson, Sam Rokita
 Jones Rooney (FL)
 Jordan Rouzer
 Kelly (MS) Salmon
 King (IA) Sanford
 Labrador Scalise
 LaMalfa Schweikert
 Lamborn Scott, Austin
 Latta Luetkemeyer
 Long Sensenbrenner
 Loudermilk Smith (MO)
 Duffy Smith (NE)
 Lummis Smith (TX)
 Marchant Stutzman
 Massie Thornberry
 McCaul Weber (TX)
 McClintock Westmoreland
 McHenry Williams
 Messer Wilson (SC)
 Flores Woodall
 Garrett Yoder
 Goodlatte Yoho
 Gosar Young (IA)
 Gowdy Neugebauer

NOES—313

Comstock Gallego
 Connolly Garamendi
 Conyers Gibbs
 Cook Gibson
 Cooper Graham
 Costa Graves (LA)
 Costello (PA) Graves (MO)
 Courtney Grayson
 Cramer Green, Al
 Crawford Grijalva
 Crenshaw Grothman
 Crowley Guinta
 Cummings Guthrie
 Curbelo (FL) Gutiérrez
 Davis (CA) Hahn
 Davis, Danny Hanna
 Davis, Rodney Hardy
 DeFazio Harper
 DeGette Hartzler
 Delaney Hastings
 DeLauro Heck (NV)
 DelBene Heck (WA)
 Denham Herrera Beutler
 Dent Higgins
 DeSaulnier Hill
 Deutch Himes
 Diaz-Balart Hinojosa
 Dingell Honda
 Doggett Hoyer
 Dold Huffman
 Donovan Hultgren
 Doyle, Michael Hunter
 F. Hurd (TX)
 Duckworth Israel
 Edwards Issa
 Ellison Jackson Lee
 Emmer (MN) Jeffries
 Engel Jenkins (WV)
 Eshoo Johnson, E. B.
 Esty Jolly
 Farr Joyce
 Fattah Kaptur
 Fitzpatrick Katko
 Forbes Keating
 Fortenberry Kelly (IL)
 Foster Kelly (PA)
 Foyx Kennedy
 Frankel (FL) Kildee
 Frelinghuysen Kilmer
 Fudge Kind
 Gabbard King (NY)

Kinzinger (IL) Newhouse Shuster
 Kirkpatrick Noem Simpson
 Kline Nolan Sinema
 Knight Norcross Sires
 Kuster Nunes Slaughter
 LaHood O'Rourke Smith (NJ)
 Lance Pallone Smith (WA)
 Langevin Pascrell Speier
 Larsen (WA) Paulsen Stefanik
 Larson (CT) Payne Stewart
 Lawrence Pelosi Stivers
 Lee Perlmutter Swallow (CA)
 Levin Peters Takano
 Lewis Peterson Thompson (CA)
 Lieu, Ted Pingree Thompson (MS)
 Lipinski Pocan Thompson (PA)
 LoBiondo Poe (TX) Tiberi
 Loeb sack Poliquin Tipton
 Lofgren Polis Titus
 Love Price (NC) Tonko
 Lowenthal Quigley Torres
 Lowey Rangel Trott
 Lucas Reed Tsongas
 Lujan Grisham Reichert Turner
 (NM) Ribble Upton
 Lujan, Ben Ray Rice (NY)
 (NM) Rice (SC) Valadao
 Lynch Richmond Van Hollen
 MacArthur Rigell Vargas
 Maloney, Sean Rogers (AL) Veasey
 Carolyn Rogers (KY) Velázquez
 Maloney, Sean Rohrabacher Visclosky
 Marino Ros-Lehtinen Wagner
 Matsui Roskam Walberg
 McCarthy Ross Walden
 McCollum Rothfus Walker
 McDermott Roybal-Allard Walorski
 McGovern Royce Walters, Mimi
 McKinley Ruiz Walz
 McMorris Ruppersberger Wasserman
 Rodgers Rush Schultz
 McNerney Russell Watson Coleman
 McSally Ryan (OH) Webster (FL)
 Meadows Sánchez, Linda Welch
 Meehan T. Wenstrup
 Meng Sanchez, Loretta Westerman
 Mica Sarbanes Whitfield
 Miller (MI) Schakowsky Wilson (FL)
 Moore Schiff Wittman
 Moulton Schrader Womack
 Mullin Scott (VA) Yarmuth
 Murphy (FL) Serrano Young (AK)
 Murphy (PA) Sessions Young (IN)
 Nadler Sewell (AL) Zeldin
 Napolitano Sherman Zinke
 Neal Sherman

NOT VOTING—4

Ellmers (NC) Meeks
 Gohmert Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1928

Mr. ROONEY of Florida changed his vote from "no" to "aye."

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

AMENDMENT NO. 21 OFFERED BY MR. LEWIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. LEWIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 248, not voting 4, as follows:

[Roll No. 604]

AYES—181

Adams	Frankel (FL)	Moulton
Aguilar	Fudge	Murphy (FL)
Bass	Gabbard	Nadler
Beatty	Galleo	Napolitano
Becerra	Grayson	Neal
Bera	Green, Al	Nolan
Beyer	Green, Gene	Norcross
Bishop (GA)	Grijalva	O'Rourke
Blumenauer	Gutiérrez	Pallone
Bonamici	Hahn	Pascarell
Boyle, Brendan F.	Hastings	Payne
Brady (PA)	Herrera Beutler	Pelosi
Brown (FL)	Higgins	Peters
Brownley (CA)	Himes	Pingree
Bustos	Hinojosa	Pocan
Butterfield	Honda	Price (NC)
Capps	Hoyer	Price, Tom
Capuano	Huffman	Quigley
Cárdenas	Israel	Rangel
Carney	Jackson Lee	Rice (NY)
Carson (IN)	Jeffries	Richmond
Cartwright	Johnson (GA)	Roybal-Allard
Castro (TX)	Johnson, E. B.	Ruiz
Chu, Judy	Jones	Ruppersberger
Cicilline	Kaptur	Rush
Clark (MA)	Keating	Ryan (OH)
Clarke (NY)	Kelly (IL)	Sánchez, Linda T.
Clay	Kennedy	Sanchez, Loretta
Cleaver	Kildee	Sarbanes
Clyburn	Kilmer	Schakowsky
Cohen	Kind	Schiff
Conyers	King (NY)	Scott (VA)
Cooper	Kuster	Scott, David
Costa	Langevin	Sensenbrenner
Courtney	Larsen (WA)	Serrano
Crowley	Larson (CT)	Sewell (AL)
Cuellar	Lawrence	Sherman
Culberson	Lee	Slaughter
Curbelo (FL)	Levin	Smith (NJ)
Davis (CA)	Lewis	Smith (WA)
Davis, Danny	Lieu, Ted	Speier
DeGette	Lipinski	Swalwell (CA)
Delaney	LoBiondo	Thompson (CA)
DeLauro	Loeback	Thompson (MS)
DelBene	Lofgren	Tonko
DeSaulnier	Lowenthal	Torres
Deutch	Lowe	Tsongas
Dingell	Lujan Grisham	Van Hollen
Doggett	(NM)	Vargas
Dold	Luján, Ben Ray	Veasey
Donovan	(NM)	Vela
Doyle, Michael F.	Lynch	Velázquez
Duckworth	Maloney, Carolyn	Visclosky
Edwards	Maloney, Sean	Walz
Ellison	Matsui	Wasserman
Engel	McCollum	Schultz
Eshoo	McDermott	Waters, Maxine
Esty	McGovern	Watson Coleman
Farr	McNerney	Welch
Fitzpatrick	Meehan	Wilson (FL)
Foster	Meng	Yarmuth
	Moore	

NOES—248

Abraham	Brooks (IN)	Crawford
Aderholt	Buchanan	Crenshaw
Allen	Buck	Cummings
Amash	Bucshon	Davis, Rodney
Amodei	Burgess	DeFazio
Ashford	Byrne	Denham
Babin	Calvert	Dent
Barletta	Carter (GA)	DeSantis
Barr	Carter (TX)	DesJarlais
Barton	Castor (FL)	Diaz-Balart
Benishek	Chabot	Duffy
Bilirakis	Chaffetz	Duncan (SC)
Bishop (MI)	Clawson (FL)	Duncan (TN)
Bishop (UT)	Coffman	Emmer (MN)
Black	Cole	Farenthold
Blackburn	Collins (GA)	Fattah
Blum	Collins (NY)	Fincher
Bost	Comstock	Fleischmann
Boustany	Conaway	Fleming
Brady (TX)	Connolly	Flores
Brat	Cook	Forbes
Bridenstine	Costello (PA)	Fortenberry
Brooks (AL)	Cramer	Fox

Franks (AZ)	Love	Ros-Lehtinen
Frelinghuysen	Lucas	Roskam
Garamendi	Luetkemeyer	Ross
Garrett	Lummis	Rothfus
Gibbs	MacArthur	Rouzer
Gibson	Marchant	Royce
Goodlatte	Marino	Russell
Gosar	Massie	Salmon
Gowdy	McCarthy	Sanford
Graham	McCaul	Scalise
Granger	McClintock	Schrader
Graves (GA)	McHenry	Schweikert
Graves (LA)	McKinley	Scott, Austin
Graves (MO)	McMorris	Sessions
Griffith	Rodgers	Shimkus
Grothman	McSally	Shuster
Guinta	Meadows	Simpson
Guthrie	Messer	Sinema
Hanna	Mica	Sires
Hardy	Miller (FL)	Smith (MO)
Harper	Miller (MI)	Smith (NE)
Harris	Moolenaar	Smith (TX)
Hartzler	Mooney (WV)	Stefanik
Heck (NV)	Mullin	Stewart
Heck (WA)	Mulvaney	Stivers
Hensarling	Murphy (PA)	Stutzman
Hice, Jody B.	Neugebauer	Takano
Hill	Newhouse	Thompson (PA)
Holding	Noem	Thornberry
Hudson	Nugent	Tiberi
Huelskamp	Nunes	Tipton
Huizenga (MI)	Olson	Titus
Hultgren	Palazzo	Trott
Hunter	Palmer	Turner
Hurd (TX)	Paulsen	Upton
Hurt (VA)	Pearce	Valadao
Issa	Perlmutter	Wagner
Jenkins (KS)	Perry	Walberg
Jenkins (WV)	Peterson	Walden
Johnson (OH)	Pittenger	Walker
Johnson, Sam	Pitts	Walorski
Jolly	Poe (TX)	Walters, Mimi
Jordan	Poliquin	Weber (TX)
Joyce	Polis	Webster (FL)
Katko	Pompeo	Wenstrup
Kelly (MS)	Posey	Westerman
Kelly (PA)	Ratcliffe	Westmoreland
King (IA)	Reed	Whitfield
Kinzinger (IL)	Reichert	Williams
Kirkpatrick	Renacci	Wilson (SC)
Kline	Ribble	Wittman
Knight	Rice (SC)	Womack
Labrador	Rigell	Woodall
LaHood	Roby	Yoder
LaMalfa	Roe (TN)	Yoho
Lamborn	Rogers (AL)	Young (AK)
Lance	Rogers (KY)	Young (IA)
Latta	Rohrabacher	Young (IN)
Long	Rokita	Zeldin
Loudermilk	Rooney (FL)	Zinke

NOT VOTING—4

Ellmers (NC)
Gohmert
Meeks
Takai

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1931

Ms. MAXINE WATERS of California changed her vote from “no” to “aye.”
So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 26 OFFERED BY MR. REICHERT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. REICHERT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 228, not voting 5, as follows:

[Roll No. 605]

AYES—200

Abraham	Hanna	Pitts
Aderholt	Hardy	Poe (TX)
Allen	Harper	Poliquin
Ashford	Heck (NV)	Pompeo
Babin	Hensarling	Posey
Barletta	Herrera Beutler	Price, Tom
Barr	Hice, Jody B.	Ratcliffe
Barton	Hill	Reed
Benishek	Hinojosa	Reichert
Bishop (MI)	Holding	Renacci
Bishop (UT)	Huelskamp	Ribble
Black	Huizenga (MI)	Rigell
Blum	Hultgren	Roby
Bost	Hunter	Roe (TN)
Boustany	Hurd (TX)	Rogers (AL)
Brat	Hurt (VA)	Rogers (KY)
Brooks (IN)	Issa	Rohrabacher
Buchanan	Jenkins (KS)	Rooney (FL)
Buck	Johnson (GA)	Roskam
Bucshon	Johnson (OH)	Rothfus
Burgess	Johnson, Sam	Rouzer
Byrne	Jolly	Royce
Calvert	Jones	Russell
Carter (TX)	Jordan	Salmon
Chaffetz	Kelly (MS)	Sanford
Clawson (FL)	Kelly (PA)	Scalise
Coffman	King (IA)	Schrader
Cole	Kinzinger (IL)	Schweikert
Collins (GA)	Kline	Scott, Austin
Collins (NY)	Knight	Sensenbrenner
Conaway	Labrador	Sessions
Cook	LaHood	Shimkus
Cooper	LaMalfa	Simpson
Costa	Lamborn	Sinema
Cramer	Latta	Smith (MO)
Crawford	Long	Smith (NE)
Crenshaw	Loudermilk	Smith (TX)
Culberson	Love	Stewart
Denham	Lucas	Stivers
Dent	Luetkemeyer	Stutzman
DeSantis	Lummis	Thompson (PA)
DesJarlais	Marchant	Thornberry
Dold	Marino	Tiberi
Duffy	McCarthy	Tipton
Duncan (SC)	McCaul	Upton
Duncan (TN)	McClintock	Valadao
Emmer (MN)	McHenry	Wagner
Farenthold	McMorris	Walberg
Fincher	Rodgers	Walden
Fitzpatrick	McSally	Walker
Fleischmann	Messer	Walorski
Fleming	Mica	Walters, Mimi
Flores	Miller (FL)	Weber (TX)
Forbes	Miller (MI)	Webster (FL)
Fortenberry	Moolenaar	Wenstrup
Fox	Mooney (WV)	Westerman
Franks (AZ)	Neugebauer	Westmoreland
Garrett	Newhouse	Whitfield
Gibbs	Noem	Wilson (SC)
Goodlatte	Nugent	Wittman
Gosar	Nunes	Womack
Gowdy	Olson	Woodall
Granger	Palazzo	Yoder
Griffith	Palmer	Young (AK)
Grothman	Paulsen	Young (IA)
Guinta	Pearce	Young (IN)
Guthrie	Pittenger	Zinke

NOES—228

Adams	Boyle, Brendan F.	Cartwright
Aguilar	Brady (PA)	Castor (FL)
Amash	Bridenstine	Castro (TX)
Amodei	Brooks (AL)	Chabot
Bass	Brown (FL)	Chu, Judy
Beatty	Brownley (CA)	Clark (MA)
Becerra	Bustos	Clarke (NY)
Bera	Butterfield	Clay
Beyer	Capps	Cleaver
Bilirakis	Capuano	Clyburn
Bishop (GA)	Cárdenas	Cohen
Blackburn	Carney	Comstock
Blumenauer	Carson (IN)	Connolly
Bonamici	Carter (GA)	Conyers

Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DeBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harris
Hartzler
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Hudson
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson, E. B.
Joyce

NOT VOTING—5

Brady (TX)
Ellmers (NC)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1935

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 29 OFFERED BY MR. DESANTIS

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Florida (Mr.
DESANTIS) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Rice (SC)
Richmond
Rokita
Lance
Ros-Lehtinen
Ross
Roybal-Allard
Ruiz
Ruppersberger
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lynch
MacArthur
Maloney,
Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meadows
Meehan
Meng
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters

NOT VOTING—5

Gohmert
Takai
Meeks

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1935

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 29 OFFERED BY MR. DESANTIS

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Florida (Mr.
DESANTIS) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE
The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 118, noes 310,
not voting 5, as follows:

[Roll No. 606]

AYES—118

Amash
Babin
Barton
Bishop (UT)
Black
Blackburn
Blum
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Curberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Farenthold
Fincher
Fleming
Flores
Franks (AZ)
Garrett
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffith
Grothman
Harris
Hensarling

NOES—310

Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DeBene
Denham
Dent
DeSaulnier

Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huffman
Hunter
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Lowenthal
Lowe
Lucas
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lummis
Lynch
MacArthur

NOT VOTING—5

Brady (TX)
Ellmers (NC)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1938

Ms. SINEMA changed her vote from
“aye” to “no.”

So the amendment was rejected.

The result of the vote was announced
as above recorded.

The Acting CHAIR (Ms. ROS-
LEHTINEN). The question is on the
amendment consisting of the text of
the Rules Committee Print 114-32, as
amended.

The amendment was agreed to.

□ 1945

AMENDMENT NO. 1 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114-326.

Mr. PERRY Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1022, strike lines 5 through 7 and insert the following:

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended—

(1) by striking “20 percent of such authority for each fiscal year” and inserting “25 percent of such authority for fiscal year 2016, 30 percent of such authority for fiscal year 2017, 35 percent of such authority for fiscal year 2018, and 40 percent of such authority for each fiscal year thereafter”; and

(2) by adding at the end the following: “If the Bank fails to comply with the 2nd preceding sentence with respect to a fiscal year, the Bank may not approve the provision of a guarantee, insurance, or credit, or any combination thereof benefitting a single person, in an amount exceeding \$100,000,000 until the beginning of the 2nd succeeding fiscal year.”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Madam Chair, I yield myself such time as I may consume.

Madam Chair, the Export-Import Bank has a portfolio annually somewhere to the tune of \$120 billion, I think under the new proposal; \$130 billion. Fifty-one percent, Madam Chairman—fully 51 percent—goes to 10 companies in our country—\$120 billion. Isn't that fantastic?

Whether you support or oppose the Ex-Im, everyone can welcome the fact that the reauthorization we are considering today raises the Bank's small-business target 25 percent. Republicans and Democrats in both the House and the Senate have called on the Bank to focus on small-business needs more effectively.

This amendment keeps that 25 percent small-business target in the underlying bill. It doesn't change that, but it would then raise the target by 5 percent per year through the reauthorization period.

Madam Chair, \$120 billion a year, \$130 billion a year, 51 percent goes to 10 companies in the United States. You think: Wouldn't it be great if the town that I represent, the towns that Members in this House represent, could be one of those 10 companies? It is not to disparage any of those 10 companies. We are happy that they are in the United States, and we are happy that they are profitable.

But these small businesses that are trying to get a leg up, that want to em-

ploy their neighbors and that want to enrich their communities would like a shot as well. But they don't have legions of lobbyists, and they don't have big staffs to go to the Ex-Im Bank and plead their case.

What that results in is 98 percent of small businesses, 98 percent of trade across our country, is conducted without any help at all of the Export-Import Bank. Wouldn't it be great if we could remedy that? And wouldn't it be easy if we could remedy that?

Madam Chairman, that is what the amendment that I propose does. With this amendment, Ex-Im still has the flexibility to devote most of its assistance—now 51 percent to 10 companies in the country—to large businesses. The big ones will still have the same access to Ex-Im. All this does is requires the Ex-Im to take small businesses more seriously.

Yes, it is a little more work. They don't have the lobbyists and the staff that all these big, multinational companies do. But isn't it worth it in our small towns to help them and to assist them?

We know the Bank is more than capable of doing this. In fiscal year 2014, 25 percent of its authorization went to small businesses. So the Bank easily met its target. But in the 3 years prior to that, Ex-Im ignored—literally ignored—the small-business target that Congress enacted and required of them.

Under this amendment, Ex-Im has to ensure that it meets its small-business target. It has to. If we want to help small businesses like the one in your town, the one in the towns that you represent, we have to make sure that it does that. We need to keep an ambitious target that Ex-Im can meet and encourage the Bank to reach it.

Madam Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Madam Chairman, I rise in opposition to this amendment, and I will be opposing all amendments to this portion of the highway bill.

Without a doubt, these amendments reflect the latest in a string of tactics by opponents of the Export-Import Bank to delay and block any reauthorization of the Bank from moving forward. This amendment and other anti-Ex-Im amendments we will soon consider cannot reasonably be viewed as a constructive effort.

As we know well, small businesses unquestionably are central to the health of our economy. Fortunately, before extremists, ones on the opposite side of the aisle, shut down the Ex-Im Bank. Many small businesses were already directly supported by the programs offered by the Export-Import Bank.

In fact, in fiscal year 2014, out of over 3,700 authorizations, more than 3,300, or nearly 90 percent, directly served U.S. small businesses. Of the remaining 10 percent, many of these authorizations served companies that support vast U.S. supply chains, including in my district.

The effort to use small businesses as a pawn in the fight to kill the Ex-Im Bank should be rejected. This amendment must be rejected.

Madam Chairman, I reserve the balance of my time.

Mr. PERRY. Madam Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. MULVANEY), my good friend.

Mr. MULVANEY. I thank the gentleman. I agree with most of what the ranking member on Financial Services just said with the exception of the conclusion. Everything that the Export-Import Bank does for small businesses actually is very productive.

So here is the question: Why isn't the Export-Import Bank meeting its small-business requirement? Why hasn't it met it? For the last 3 years, it has not met its statutory requirement.

One of the things we have not talked about yet, Madam Chairman, is that the amendment also puts a penalty on the Bank for not meeting that target. Right now it is the law that the Bank has to provide a certain level of services to the small-business community. It has failed to do that. As is so often the case, there is no penalty. This amendment would add the penalty.

It helps small business, it expands the Export-Import Bank's small-business presence, and it actually puts some teeth in the law for a change. For that reason, I hope that we can support this amendment.

Ms. MAXINE WATERS of California. Madam Chairman, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the whip.

Mr. HOYER. Madam Chairman, I thank the gentlewoman. I am sorry I don't have more time.

Madam Chairman, this is a bill about jobs. The amendment is about killing jobs, as he wants to kill the Bank, the gentleman who sponsored this amendment. That is all it is. Every one of these amendments will undermine the Export-Import Bank that got 313 votes on this floor.

The gentleman mentions five businesses. What he didn't mention is the thousands and thousands and thousands and thousands of jobs that they create and maintain. That is what we are talking about: jobs for average Americans. Whether they work for large, medium, or small businesses, we are talking about jobs for Americans.

Here you are at the last minute trying to kill it. You had 2½ years to offer your amendments. You had 2½ years to bring this bill to the floor. You chose not to because the minority was going

to kill this bill. I told your majority leader over and over and over again it had the majority of your party, and you refused to bring it to this floor.

Tonight is the time to say the majority rules, the 313 will rule. Reject every one of these amendments. Let's create jobs with the Export-Import Bank.

The Acting CHAIR. The Chair would remind Members that their remarks are to be directed to the Chair and not to other Members.

Mr. PERRY. Madam Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK) who serves on the Financial Services Committee and who has worked tirelessly for this reauthorization.

Mr. HECK of Washington. Madam Chair, let's begin with the facts. The facts are this: every single killing amendment being offered tonight is, in fact, being sponsored by somebody who voted against passage of the Ex-Im. They don't want to improve the Ex-Im. They want to kill the Ex-Im.

The fact is the 20 percent target in current law, with all due respect to one of the previous speakers, is not a requirement. It is a target. Stop saying requirement. Words matter. That is misleading, and it is wrong. The fact is nearly 90 percent—90 percent—of all transactions of the Ex-Im go to small businesses.

I can't help it that Jenny's Pickles, a jar thereof, sells for infinitely less than a Boeing airplane or that Manhasset music stands sell for infinitely less. The fact of the matter is 90 percent of their transactions go to small businesses.

The fact of the matter is Economics 101. Please hear me sometime: the Boeing Airplane Company has 14,800 businesses in its supply chain and 6- to 8,000 are small. Reject the amendment.

Ms. MAXINE WATERS of California. Madam Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER), who has been an absolute leader on this issue.

Mr. FINCHER. Madam Chair, I thank the gentlewoman for yielding.

Madam Chair, one more time let me talk about the facts. The facts are, as the gentleman from Washington just stated, 90 percent of the Bank's transactions go to small businesses, 3,340 transactions.

The facts are that section 201 in our reform bill that is actually reforming the Export-Import Bank takes the target—not the requirement, but the target—from 20 percent to 25 percent.

What we need to make sure that we are focused on here tonight is not punishing people that want to grow their businesses or not trying to put a cap on people that want to create jobs.

Again, I am from a little place called Frog Jump. This is not about Boeing,

and this is not about GE. This is about jobs all over this country that don't cost the taxpayer one penny—not one penny—Madam Chairman.

This is just about killing the Export-Import Bank and killing jobs. It breaks my heart, but we must defeat these amendments. I urge my colleagues to vote “no.”

Mr. PERRY. Madam Chair, the fact is that all the reforms that the kind gentleman just spoke of are not going to happen. None of that is happening. The Senate threw that in the trash.

So what we have is an Export-Import Bank that has refused to comply with the law over and over again. The fact also remains that nobody here is trying to kill the Export-Import Bank. We aren't. This is the process by which we make it better.

Whether or not you sell a jar of pickles or whether you sell an airplane, \$120 billion, 51 percent of it goes to 10 companies. You figure it out. You figure out what that looks like to you. To me, it looks like cronyism. That is what it looks like to me.

I come from York, Pennsylvania, and instead of creating thousands and thousands and thousands of jobs, we would like to create tens and hundreds of thousands of jobs by requiring the Bank that is encumbering the United States taxpayer to work with small businesses, the businesses in our town, instead of just going to the big businesses in this country.

Madam Chair, I yield back the balance of my time.

Ms. MAXINE WATERS of California. Madam Chairman, I would simply say to the gentleman from Pennsylvania you figure it out. Evidently, you don't know anything about what Ex-Im does and the jobs that it provides.

Madam Chairman, I yield 15 seconds to the gentleman from Oklahoma (Mr. LUCAS), a leader with courage.

Mr. LUCAS. Madam Chair, my colleagues, I would urge you to reject this amendment and all the amendments.

This process should have happened 6 months ago. It should have happened in committee. It should have happened in regular order. But we weren't allowed to do that. We have been forced into this position.

Reject this amendment, reject these amendments, and then let's begin the process of real reform.

Ms. MAXINE WATERS of California. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MULVANEY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114-326.

Mr. MULVANEY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. _____. RESTRICT BANK LENDING TO SERVING AS COUNTERVAILING LENDER.

(a) BAN ON PROVIDING CREDIT ASSISTANCE FOR TRANSACTION THAT DOES NOT MEET FOREIGN COMPETITION.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by adding at the end the following:

“(14) PROHIBITION ON ASSISTANCE FOR TRANSACTION THAT DOES NOT MEET FOREIGN COMPETITION.—The Bank shall not guarantee, insure, or extend (or participate in the extension of) credit involving any transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, that does not meet competition from a foreign, officially sponsored, export credit agency.”.

(b) ANNUAL CERTIFICATION THAT EACH PROVISION BY THE BANK OF CREDIT ASSISTANCE IS MADE TO MEET FOREIGN COMPETITION.—Section 8(h) of such Act (12 U.S.C. 535g(h)) is amended to read as follows:

“(h) CERTIFICATION THAT EACH PROVISION OF CREDIT ASSISTANCE IS MADE TO MEET FOREIGN COMPETITION.—The Bank shall include in its annual report to the Congress under subsection (a) a certification that—

“(1) each provision by the Bank of a loan, guarantee, or insurance, with respect to which credit assistance from the Bank was first sought after the effective date of this subsection, in the period covered by the report was made to meet competition from a foreign, officially sponsored, export credit agency; and

“(2) no such provision was made to fill market gaps that the private sector is not willing or able to meet.”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

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PARLIAMENTARY INQUIRY

Mr. MULVANEY. Madam Chair, a parliamentary inquiry before you start my time.

The Acting CHAIR. The gentleman from South Carolina will state his parliamentary inquiry.

Mr. MULVANEY. Madam Chair, you state No. 2. Is that Mulvaney No. 2 or Mulvaney No. 1?

The Acting CHAIR. Amendment No. 2 printed in part B of House Report 114-326.

Mr. MULVANEY. Madam Chair, I yield myself such time as I may consume.

I have heard a couple arguments already—I guess we heard them before,

Madam Chair—about how the place to do this was in committee. Fine. That could be. It doesn't make the amendments bad. It doesn't mean the principles contained in here are wrong. We didn't get a chance to do that in committee. You can blame whoever you want to for that. But the point of the matter is, this is where we are going to take up the amendments, and the fact we didn't do it 6 months ago does not make a good amendment a bad amendment. The amendments will stand on their own merit, as this one will, Madam Chair.

What this one does is fairly simple. One of the things we have heard for the last several years about the Bank is that we need the Bank in order to meet foreign competition, that 1,700 other countries have export credit facilities, and if we don't have one of our own, we will unilaterally disarm and not be able to compete in the global marketplace.

I happen to disagree with that. I happen to have some faith that American goods are good enough to compete overseas without the government subsidy. But that is fine. Let's take that for sake of discussion and say, all right, we don't want to unilaterally disarm. What this amendment does is makes sure that we don't.

What this amendment does is simply says, look, if you want to use the Export-Import Bank, you have to be able to establish that you are actually competing with a foreign export credit facility. Fairly simple. It goes to the heart of what so many people say is why we have the Bank. So why not simply say, all right, look, we will have this thing until we can convince other countries to get out of this business, which we should be doing and, by the way, are obligated by law to be doing—not by target, but by law.

We have had the responsibility to do that, Mr. Chairman, since 2012, yet this administration has refused to do that. But until we get a chance to enforce the law and actually get other countries to disarm, let's go ahead and not unilaterally disarm, and let's make sure, in order to use the Export-Import Bank, you have to be meeting specific and identifiable competition from other export credit facilities.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I claim the time in opposition.

The Acting CHAIR (Mr. JENKINS of West Virginia). The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chair, I yield myself 1 minute.

This amendment, offered by one of the leading opponents of the Ex-Im Bank, would effectively chop the Ex-Im Bank's mission in half by eliminating the Bank's role in providing finance to fill market gaps that the private sector is unable to meet. This would over-

whelmingly harm the small businesses that use the Bank and that often have the hardest time securing the financing they need through the private sector alone.

For example, when U.S. small businesses are seeking to export, commercial banks often refuse to accept foreign receivables as collateral for a loan without an Ex-Im guarantee. Without Ex-Im, these small businesses would be unable to extend terms to foreign buyers and would have to ask for cash in advance. In these cases, sales would almost always go to a firm from another country that can count on the backing of its own official export credit agency.

I urge all Members to oppose this amendment, which would undermine the Bank's important role.

I reserve the balance of my time.

Mr. MULVANEY. Mr. Chair, how much time did each of us consume in our opening statements?

The Acting CHAIR. The gentleman from South Carolina consumed 2 minutes. The gentlewoman from California consumed 1 minute.

Mr. MULVANEY. Mr. Chairman, I continue to reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, two quick points.

First, let's not quite leave this issue of the irregular order and nature of what we are doing. Let's all remember one thing. Not only are all the people who are advancing amendments here today opponents of the Ex-Im and want to kill it, but they also, many of them, sat in the committee and voted against an amendment to the budget views and estimates that suggested that reauthorization of the Ex-Im ought to be subjected to regular order. They have already made their position clear: no regular order. They not only don't want regular order, they don't want the Ex-Im.

No, it is not 700 and however many countries that have export credit authority; it is only 59. It is every other developed nation on the face of the Earth. The Chinese have not one, but four, export credit authorities. In the last 2 years, they financed as much as our Export-Import Bank has in its 81-year history.

Let me leave you with this one thought: I know a lot of you on that side of the aisle read *The Wall Street Journal*. I hope you saw the Business section 2 days ago. The headline is, "China Rolls Out First Large Passenger Jet"—*The Wall Street Journal*.

I warned here about a year ago they were developing the C919. There it is. There is the picture. They also indicate in here that they have the C929, which is a double aisle, wide-body jet airplane under development.

Do you really want to strike this death blow to the heart of America's manufacturing business? Please vote "no" on this and all amendments.

Mr. MULVANEY. Mr. Chairman, I continue to reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chairman, I think it is worth once again considering how we got to this point. Considering that under regular committee order, we should have taken this bill up 6 months ago. Three months ago, many of us went from the point of pleading to demanding, pressing harder and harder to try to bring this to the focus. Ultimately, that was not the option, and we were obligated to use a rather old but important rule in order to bring this legislation to the floor.

As some of my colleagues have noted, a supermajority of the House voted for it—313 Members. A majority of the Republican Conference, a majority of the majority voted for it. Yet now we are at a point where we are rebatting all of these amendments.

If you can't win by playing by the rules, then how do you win in this place? If we defeat all of these amendments, will things mysteriously happen in the next process and we will have to fight that off? That is why I tell my colleagues: Play by the rules. Remember what we accomplished last week? Understand the real purpose of these amendments. If it was to perfect a bill, then the authors would have been working with us 6 months ago or 3 months ago or a few weeks ago, but that wasn't the option provided. So now, a second time, we have to fight our way all the way through these issues.

Please demonstrate that you care about economic competitiveness in this country. Please demonstrate that you care about workers in this country. Reject all of these amendments. Let's move the process over. Let's finish this for real.

Mr. MULVANEY. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, look, I stand behind the microphone right now, hopefully helping many of you who support the Ex-Im Bank, to help you stand behind your previous rhetoric.

If I remember, as you said, the older—was it archaic?—process that was brought last week, I noticed the rule you brought allowed me to bring my reform amendment because you were reforming the—oh, that is right. You didn't. You did not allow us to have that voice on those reforms. It was not a process. So now guess what is going on? We happen to have regular order, an opportunity to walk up and

say we have some little ideas that we believe make the institution better.

To my friend over on the left, okay, 59 credit enhancement, surety enhancement organizations. All this amendment does is it says, if you are competing against someone who is using another country's credit enhancement, you get to use ours. Isn't that what you are asking for reform-wise?

If you want to level the playing field, what a great idea. If they are using it, we get to use it. If they are not using it, we don't have to. That is reform, and that matches up with the rhetoric I was hearing around here last week of how you were reforming the institution.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chairman, I thank the ranking member.

Again, we continue to make these great speeches and get all wound up, but we don't talk about the facts. The facts are that Bank customers already have to certify. The facts are that all of the people offering the amendments want to kill the Export-Import Bank, which creates thousands of jobs. The facts are that we could have done this in committee a year ago. The facts are none of us wanted to be here tonight having this debate because we wanted to do this in regular order.

But, Mr. Chairman, the facts are that, if we allow these amendments that are just aimed at killing the Export-Import Bank to pass and thousands of people are going to lose their jobs and our competitors all around the world are going to benefit, we must vote "no." We need to defeat this amendment. I appreciate my buddy from South Carolina offering it, but I just think it is in the wrong order, and we need to defeat it.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield back the balance of my time.

Mr. MULVANEY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from South Carolina has 1½ minutes remaining.

Mr. MULVANEY. Mr. Chairman, let's look at the facts. Yes, the Bank is required right now to look at this. They are not required to actually consider it. In fact, there are examples, factual examples, of the Bank looking into whether or not there were any countervailing efforts done by foreign credit facilities and just ignoring that. Yes, the law does require them to, but there are no teeth in the law. This amendment would allow us to do that.

Another fact: in 2012, this body required the Export-Import Bank to start getting out of the business of competing with Export-Import Banks overseas in the airline industry. The law signed here, signed by the Senate,

signed by the President was completely ignored by this administration. This amendment would fix that.

Those are the facts, Mr. Chairman, from my friend from Tennessee. The facts are the administration is not following the law.

We have seen that from time to time, haven't we?

We have a chance to rectify that here this afternoon, Mr. Chairman, by passing this amendment and focusing the Bank on what everybody seems to agree is a very important core duty of competing with export credit facilities overseas, and I would recommend an approval of the amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MULVANEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114-326.

Mr. MULVANEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:

SEC. 95004. CERTIFICATION THAT BANK ASSISTANCE DOES NOT COMPETE WITH THE PRIVATE SECTOR.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

"(1) RECIPIENTS OF BANK ASSISTANCE FOR A TRANSACTION OF MORE THAN \$10,000,000 REQUIRED TO CERTIFY INABILITY TO OBTAIN CREDIT ELSEWHERE.—The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit, in connection with a transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, of more than \$10,000,000, to a person, unless the person has—

"(1) certified to the Bank that the person has sought, and has been unable to obtain, private sector financing for the transaction without any Federal Government support; and

"(2) provided the Bank with documentation that at least 2 private financial institutions have declined to provide financing for the transaction."

SEC. 95005. FALSE CLAIMS ACT PROVISIONS.

(a) APPLICABILITY OF FALSE CLAIMS PROVISIONS TO EXPORT-IMPORT BANK TRANSACTIONS.—Section 3729(a) of title 31, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4);

(2) by inserting after paragraph (2) the following:

"(3) ADDITIONAL VIOLATIONS.—Any person who—

"(A) receives a loan or guarantee from the Export Import Bank of the United States for the purposes of supporting a project or venture, without conducting reasonable diligence to determine whether private sector financing would have been available to support the project or venture, whether or not the terms of the private sector financing would have been substantially different from the terms of the financing provided by the Export Import Bank of the United States; or

"(B) receives a loan or guarantee from the Export Import Bank of the United States for the purposes of supporting a project or venture, knowing that private sector financing would have been available to support the project or venture, whether or not the terms of the private sector financing would have been substantially different from financing provided by the Export Import Bank of the United States,

is liable to the United States Government for the face value or the appraised value of the loan or guarantee, whichever amount is greater."; and

(3) in paragraph (2)(A), by striking "the violation of this subsection" and inserting "a violation under paragraph (1)".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to acts described in paragraph (3) of section 3729(a) of title 31, United States Code, as added by subsection (a)(2) of this section, that are committed on or after the date of the enactment of this Act.

SEC. 95006. STATUTORY REQUIREMENT FOR EXPORT-IMPORT BANK CONTRACTS.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by sections 95001 and 95004 of this Act, is amended by adding at the end the following:

"(m) EFFECTS OF FINDING BY INSPECTOR GENERAL THAT CONTRACT RECIPIENT MADE INACCURATE REPRESENTATION ABOUT AVAILABILITY OF COMPETING FOREIGN FINANCING OR PRIVATE SECTOR FINANCING.—

"(1) RESCISSION OF CONTRACT.—The Bank may not enter into a contract under which the Bank provides a loan or guarantee, unless the contract provides that, if the Inspector General of the Bank determines that a representation made by the recipient of the loan or guarantee about the availability of competing foreign export financing or private sector financing was inaccurate at the time the representation was made—

"(A) the contract shall be considered rescinded; and

"(B) the recipient shall immediately repay to the Bank an amount equal to—

"(i) in the case of a loan, the amount of the loan; or

"(ii) in the case of a guarantee, an amount equal to the appraised value of the guarantee.

"(2) INELIGIBILITY FOR FUTURE FINANCIAL SUPPORT.—A person whose contract is rescinded under paragraph (1) shall not be eligible for any financial support from the Bank."

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Chairman, I rise today in support of private lenders crowded out by the Export-Import Bank.

I thank my friend from South Carolina (Mr. MULVANEY) for his work reforming the Export-Import Bank and for introducing this particularly important reform.

This amendment is pro-American, pro-jobs, and is entirely consistent with the policy of Ex-Im's lapsed authorization.

Last year, Mr. Chairman, and earlier this year, I worked in good faith to reform the Export-Import Bank. The Bank's authorization lapsed in large part because the White House and the Bank's proponents would not take yes for an answer. They refused to work with us on changes, just like they are again tonight, that would prevent any single business from dominating the Bank's activity or to prevent the Bank from crowding out private lenders. That latter point is the one that this amendment will address.

This amendment requires loan applicants receiving more than \$10 million to certify that they had originally sought out and been denied by two private lenders. This requirement doesn't block anyone from getting a loan. It only requires that they go to traditional banks first.

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This provision is similar to one required for some Small Business Administration financing as well.

Mr. Chairman, one of my central objections to government lending programs is their capacity to destroy and replace private markets. The government inevitably misallocates resources and jobs, ultimately making our industries less competitive and reducing jobs in the long term.

Apparently, the authors of the Bank's prior reauthorization also agree to that point because, according to the Ex-Im's charter, it is "the policy of the United States that the Bank in the exercise of its functions should supplement and encourage and not compete with private capital." Let me emphasize that last part, that the Bank should not compete with private capital. Unfortunately, I have heard from lenders in Indiana who say that, absent Ex-Im, they would be financing more exports.

If the Bank is going to exist at all, the role of the Bank should only be as a lender of last resort. The Bank is only intended to fill gaps in the private lending market. Any larger role the Bank plays is a violation of its own charter. Worse, granting the Bank a larger role would exacerbate market distortions that will, ultimately, fail countries and the businesses that rely on them.

This amendment simply ensures that the Export-Import Bank stays within

its bounds. If the Bank is truly a lender of last resort, this amendment will not affect its lending. If it is, in fact, competing with private lenders despite clear congressional intent, then this amendment will start to correct the problem.

Mr. Chairman, the world is watching. Developing countries are deciding whether to pursue American-style capitalism or Chinese-style central planning. As Speaker RYAN put it last week on this House floor, we should be exporting democratic capitalism, not crony capitalism. If this Bank is going to be reauthorized, we should at least make a real effort to let private lenders have the first opportunity to finance exports.

I know that many of Ex-Im's proponents agree that the Bank is not a long-term solution to foreign competition. Even Ex-Im Chair Fred Hochberg agrees, telling us earlier this year in committee that, in a perfect world, there would be no export credit agency of the United States. If our priority is long-term economic growth and employment, then we must not be tempted to rely on central planned exports the way that China and Europe do.

Mr. Chairman, this is a commonsense amendment, and I ask my colleagues to support it.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself 1 minute.

This amendment offered by the gentleman from South Carolina is yet another attempt to undermine the reauthorization of the Ex-Im Bank by requiring multiple denials of assistance from the private sector be provided as a precondition of obtaining financing. The Ex-Im Bank would not exist if they had to go before someone and require that they look at their application 10 times, 15 times.

This would be burdensome. It would be time consuming and, more likely, unworkable for the potential users of the Ex-Im Bank. The fact is that private sector banks don't generally issue letters of rejection, likely making compliance with the amendment impossible.

I also take issue with the provisions included in the amendment that are designed to intimidate potential users of the Bank who would be liable if they were found to have not adequately determined whether private sector financing may have been available to them.

I urge Members to oppose this amendment, which would impose new restrictions on U.S. businesses alone, putting them at a unique disadvantage.

I reserve the balance of my time.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, of all of the arguments against the Export-Import Bank, this is my favorite. Ayn Rand would be thrilled. I am appalled. Of all of the arguments, private lenders will be crowded out. Private lenders will be displaced. Private lenders: "Woe is me. You are taking away our business."

Yet no one ever—not once—has answered the question: Why is it then that the American Bankers Association and the Independent Community Bankers Association are among the strongest supporters of this? It is because—and the truth of the matter is—markets aren't perfect, and they don't work in certain circumstances.

Where don't they work? They don't work with low-cost items: Miss Jenny's Pickles, Manhasset Music Stands, PEXCO's Traffic Cones.

Why? It is because a small bank doesn't have the wherewithal to collect across an international border, and a big bank isn't going to bother with that low volume of a transaction. A big bank isn't going to bother with Miss Jenny's Pickles or with Manhasset Music Stands. It is not worth it to them.

That is why they see that markets aren't perfect. There are certain instances in which they fail, and that is why they support the reauthorization of the Export-Import Bank.

We, actually, ought to be very proud of them. Sometimes it is used as a point of criticism. "You know they only finance 1 or 2 percent. Who needs them? It is such a small amount." You ought to take that as a point of pride. We are laser-focused on exactly where the need is—where the market isn't perfect. We are not subsidizing. We are, in fact, compensating for an imperfect market.

Perhaps it is China that is subsidizing with their four export credit authorities, which, again, in the aggregate, have loaned more in the last 2 years or have financed more than we have in our 81-year history.

We are laser-focused where the market doesn't exactly work—small cost items. Large-lived capital items, that is the other issue. Who is going to collect across an international border?

I urge you to vote "no" because the private sector wants you to vote "no."

Mr. MULVANEY. Mr. Chairman, I inquire as to the time remaining.

The Acting CHAIR. The gentleman from South Carolina has 1 minute remaining.

Mr. MULVANEY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. I thank the gentleman.

Mr. Chairman, as a rank-and-file Member—that is, a Member who is not

on the Financial Services Committee—I want to stand in strong support of this amendment. There are a lot of us who are looking for a way forward in this, and this reform would allow that to happen.

We don't know whether the private sector would work or not, because those who are seeking lending aren't forced to ask. I find it laughable that some say this would be too onerous on a bank or on someone who is seeking lending. These are the same people who think that Dodd-Frank regulations are okay, that they aren't too onerous. I think that is ridiculous.

Last week, we were afforded the choice of an unreformed Ex-Im Bank or no Ex-Im Bank. This amendment and the ones being brought up tonight that are like it offer us a third way: commonsense reforms that would allow the private sector to work and then would allow the Ex-Im Bank to be a function of last resort, preserving the jobs that we all care about. No one on this floor, Republican or Democrat, wants to kill a job. That is ridiculous.

So, as a rank-and-file Member who is off committee, I stand in support of the Mulvaney amendment, and I ask for its support.

Mr. MULVANEY. Mr. Chairman, I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I thank the ranking member for yielding.

Mr. Chairman, I just want to address a statement that was made a little earlier from my friend from Indiana.

He quoted the chairman and said that, in a perfect world, we would not need Ex-Im. I agree. In a perfect world, we wouldn't need nuclear weapons. In a perfect world, nobody would have nuclear weapons, but nobody in this Chamber is suggesting that we unilaterally disarm our nuclear weapons in order to live by the politics of purity.

I had dinner the other day with a friend of mine who has a manufacturing company. It is a small manufacturing company. They export drilling components to Third World countries to help them drill for their own energy resources. He informed me that he has actually lost 15 percent of his business since this charter has expired. That is real money. That is real exporting. That is a real situation that affects real people's lives.

Look, I understand that people want to amend this, and I think they have a right to desire to amend this. The place to amend this would have been in the committee, which I am not on by the way. It would have been an opportunity to have amended it and to have had a full debate and to have brought the amended bill to the floor of the House of Representatives to debate. That didn't happen.

I urge my colleagues to vote against this.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I thank the ranking member.

Mr. Chairman, I will just simply ask my colleagues: Why did we get to this point? Why should we vote against this amendment? Why should we vote against all 10 amendments?

It is because, 100 years ago, our friends—our predecessors—set up a system so that, if a Speaker or a chairman thwarted the will of the body, there would be a way for the membership to bring it forward and pass it; but the system had to be created so streamlined that that same force or forces working to prevent the body from working its will could not overcome it.

Last week, we demonstrated that rule worked. Unfortunately, today, we are demonstrating they didn't quite think everything through, because we are revoting or we are voting on 10 issues on a subject matter that was solved last week.

My colleagues, if you enjoy being here this evening, if you enjoy listening to this debate all over again, I am sorry. The proponents didn't do this. We thought we had won by playing fair and square last week. Furthermore, we would have loved this debate 6 months ago.

Ms. MAXINE WATERS of California. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MAXINE WATERS of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 114-326.

Mr. MULVANEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:
SEC. ____ . PROHIBITION ON SUPPORT TO CERTAIN ENTERPRISES IN COUNTRIES WITH SOVEREIGN WEALTH FUNDS OVER \$100,000,000,000.

Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended by adding at the end the following:

“(14) PROHIBITION ON SUPPORT TO CERTAIN ENTERPRISES IN COUNTRIES WITH SOVEREIGN WEALTH FUNDS OVER \$100,000,000,000.—

“(A) IN GENERAL.—The Bank shall not guarantee or extend (or participate in an extension of) credit in connection with a transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, with a foreign company (or joint venture including a foreign company) that benefits from support from a foreign government if the foreign government has 1 or more sovereign wealth funds with an aggregate value of at least \$100,000,000,000.

“(B) SOVEREIGN WEALTH FUND DEFINED.—In clause (1), the term ‘sovereign wealth fund’ means, with respect to a government, an investment fund owned by the government, excluding foreign currency reserve assets, any asset held by a central bank for the execution of monetary policy, and any government-managed pension fund.”

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chairman, I yield myself such time as I may consume.

Before I go on to the next amendment, I want to very briefly put a closing point on the last discussion in responding to the gentleman from Washington (Mr. HECK).

Of course, the bankers love this. What does a banker love any less than a guaranteed loan?

As for Miss Jenny's Pickles that we have heard about many, many times, I will point out to everybody that the last amendment was limited to loans that were greater than \$10 million, not really, really small businesses. Those are exactly the type of private sector market loans we are looking for.

In fact, if I wanted to sum up in one sentence as to why you should support the last amendment, it would be: Can't we at least, maybe, give the private sector a chance first on loans of this size?

There is another opportunity to do that now, Mr. Chairman, on this next amendment, which would prohibit the Export-Import Bank from doing any business with companies that are owned or have other ties to sovereign wealth funds in excess of \$100 billion.

I will give you a classic example of how the Export-Import Bank is being used right now.

The Government of Indonesia was seeking bids for a power plant. One of the American manufacturers was in the bidding, and the bid request came in as follows and said that the buyer shall finance the project by using 30 percent equity and 70 percent debt. An export credit agency shall cover at least 50 percent of the debt financing. Bidders shall propose a prospective lender who will cover the loan without guarantee from the Government of Indonesia and without collateral.

What was this, Mr. Chairman?

This was a foreign government saying: We would like to buy your stuff,

and if we don't pay you, we would like your taxpayers to be on the hook.

That is exactly what this is, and that is why so many of these international requests for proposals have exactly that requirement in it. These foreign governments don't want to be responsible if they can't pay. They want this government to be responsible if they can't pay, and that means they want our taxpayers to be responsible if they can't pay.

We figured let's go ahead and let that be, Mr. Chairman, for a little bit; but if you have a sovereign wealth fund in excess of \$100 billion, then maybe you should be on the hook. Maybe our taxpayers should not be. Maybe you are big enough to actually guarantee your own debts. It seems like a fairly reasonable thing that we should be sitting here, trying to figure out ways to protect the taxpayer. So I encourage folks to support this particular amendment.

Mr. Chairman, I reserve the balance of my time.

□ 2030

Ms. MAXINE WATERS of California. Mr. Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chair, I yield myself 1 minute.

Mr. Chair, I rise in opposition to yet another poison pill amendment offered by the gentleman from South Carolina. The amendment seeks to create an odd linkage between the world's sovereign wealth funds and the provision of export credit financing.

Given the fact that, even if these funds involve themselves a great deal in the provision of export financing, which I understand they do not, I would assume they would be more interested in financing their own country's exports and not the exports of American goods and services.

In any event, I want to be very clear about one thing. The purpose of the U.S. Export-Import Bank is to support American jobs by boosting U.S. exports. The Bank exists to serve American interests. So when we withhold financing from the potential foreign purchaser of a U.S. product or service, we are only hurting ourselves.

This is not a serious amendment. I urge Members to oppose it.

I reserve the balance of my time.

Mr. MULVANEY. Mr. Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE), who serves on the Financial Services Committee.

Ms. MOORE. Mr. Chair, I, too, oppose this amendment. This amendment incorrectly presumes that sovereign wealth funds have some special linkage to export financing. Sovereign wealth funds do not have a direct link to export credit financing.

The gentleman is certainly thinking about one of his favorite companies, Delta, who complains about the Export-Import Bank while ignoring the OECD and existing mechanisms established to address this, for example, the Open Skies laws. I repeat. Sovereign wealth funds do not have a direct link to export credit financing.

I agree with the gentlewoman from California that this cannot be taken seriously. I urge Members to oppose it.

Mr. MULVANEY. Mr. Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chair, let's remind everybody that it has been asserted here that you would pass this amendment to protect taxpayers, and the exact opposite is the truth.

The truth is, for a generation, the Export-Import Bank has transferred money into the U.S. Treasury to reduce the deficit. If you want to reduce the deficit, vote "no" on this amendment.

It has also been suggested that these amendments somehow constitute reform as opposed to the underlying bill. It is not true. This is the biggest package of reforms ever enacted for Ex-Im.

It does the following: increases small-business target from 20 to 25 percent, codifies the chief risk officer and the risk management committee, provides and requires external audits of fraud controls, provides for upgrades and modernization of IT long overdue, expands loss reserves to 5 percent, reduces exposure of the portfolio from \$140 billion to \$135. Lastly, it has a pilot program for a reinsurance program shifted to the private sector.

This is a reform bill without these amendments. These amendments are designed to kill the bill. Vote "no" on the bill. Vote for reform. Vote "no" on the amendments.

Mr. MULVANEY. Mr. Chair, I inquire as to the amount of time remaining.

The Acting CHAIR. The gentleman from South Carolina has 3 minutes remaining. The gentlewoman from California has 2 minutes remaining.

Mr. MULVANEY. Mr. Chair, I yield 1 minute to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Mr. Chair, regarding reforms, looking at the underlying legislation that we dealt with last week, those reforms either already existed, have been in place and been ignored by the Ex-Im Bank—we have been waiting several years since the last time I voted against the Ex-Im Bank for these reforms, and they don't do it; they have been ignored—or it is ignorance or malfeasance regarding traditional or standard business or Bank practices.

I stand in favor of this amendment because this proposal would prevent the Ex-Im Bank from providing financing to any foreign company or joint

venture that benefits from government support when that joint venture's country also has a sovereign wealth fund over \$100 billion. Why in the world would we want to subsidize a joint venture that has or could have state backing from its own country?

Now, if we enacted this reform for fiscal year 2014, applying this provision would have resulted in an estimated reduction of approximately \$3.1 billion or only 15 percent of the Bank's total authorizations, far from killing it, but, again, allowing a needed reform that isn't in the underlying legislation we dealt with this week.

I urge support for this amendment.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chair, again, I know great public speeches, but this is the biggest package of reforms since President Reagan.

The Bank actually returns on an average of \$500 million to \$1 billion to the Treasury every year. It is not costing the taxpayer a dime.

These are a few companies: Abro Industries, South Bend, Indiana; Auburn Leather Company, Auburn, Kentucky; Metropolitan Air Technology, Chicago, Illinois; Advanced Protection Technologies, Clearwater, Florida. Several companies, Mr. Chair, that will not be in business if we kill the Export-Import Bank. All you hear from the opposition are excuses, trying to kill the Export-Import Bank.

It is a shame when the facts don't matter, Mr. Chairman, but the facts are this doesn't cost the taxpayers. The facts are we are doing more to reform the Bank than has been done in 40 years. This is a Republican reform package. Let's put the politics aside here and do what is best for our constituents, the folks back home.

Mr. MULVANEY. Mr. Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chair, once again, let's turn this amendment down. Let's turn back all of these amendments.

If anything, this amendment appears to try to fix the problem that one company has in one sector in one region of the world. Some people might define that as crony capitalism. Others might even call it an earmark.

Let's turn it back. Let's turn all these back. Let's get on with our business. I'm sorry we have to go through this this evening.

Mr. MULVANEY. I yield 1 minute to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chair, to my friend from Tennessee, let's do the facts. Simple amendment because, without it, you have all decided to subsidize the uber-wealthy in the world.

Think about it. You have made a decision to use our import credit facility,

our constituents' credit, to subsidize great wealth around the world. That is what you have decided to do here.

I thought there was a battle here between the right and the left and the left always said, "We are for the little guy." Here is your chance.

If you want just some basic reforms that—are you thrilled with the concept of a sovereign wealth fund coming out of Indonesia? Malaysia? Others? We are going to guarantee the loan instruments on the back of our taxpayers.

Come on. At some point, the argument is absurd saying: Well, you had a chance to do this last week. No, we didn't. You chose to do a closed rule. You did. You had every opportunity to do an open rule and give us the chance to put these actual reforms in.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 30 seconds to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chair, obviously, they don't get what a sovereign wealth fund is. It just is a balance of payments between countries, and I think that it is a dilatory argument.

Mr. MULVANEY. Mr. Chair, I yield myself the balance of my time.

I have heard three arguments, Mr. Chairman, that somehow this is a convoluted linkage. No, it is not. It is pretty straightforward. The Bank shall not guarantee or extend credit in connection with a transaction with a foreign company or joint venture, including a foreign company, that benefits from support from a foreign government if the foreign government has a sovereign wealth fund with an aggregate value of at least \$100 billion.

I have no idea how that is convoluted, Mr. Chairman. That is about as straightforward as you get. If you are involved in a sovereign wealth fund, you don't get taxpayer money.

The other thing I heard is that this is to protect one customer, one client. That is absurd. This is designed to protect 150 million American taxpayers.

The last thing I heard was this is not serious. Yes, it is. Anytime we have the opportunity to put American taxpayers in front of foreign taxpayers, I think that would be very serious.

I would encourage the support of this amendment.

I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, this desperate attempt by my friends on the opposite side of the aisle, this last-minute attempt to try and kill Ex-Im, is laughable.

I am asking all of the Members of this House to simply see it for what it is and vote against it. Vote "no" on these amendments and this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gen-

tleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MULVANEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 114-326.

Mr. MULVANEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:
SEC. ____. **SATISFACTION OF OBLIGATIONS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES.**

(a) ELIMINATION OF AUTHORITY TO ISSUE OBLIGATIONS TO THE SECRETARY OF THE TREASURY.—Section 5 of the Export-Import Bank Act of 1945 (12 U.S.C. 635d) is repealed.

(b) REQUIREMENT THAT THE EXPORT-IMPORT BANK OF THE UNITED STATES COVER ALL ITS LOSSES.—

(1) IN GENERAL.—Section 2 of Public Law 90-390 (12 U.S.C. 635k) is amended—

(A) by striking "the first \$100,000,000 of such losses shall be borne by the Bank; the second \$100,000,000 of such losses shall be borne by the Secretary of the Treasury; and any losses in excess thereof" and inserting "all losses"; and

(B) by striking the 2nd and 3rd sentences.

(2) CONFORMING REPEAL.—Section 3 of Public Law 90-390 (12 U.S.C. 635l) is repealed.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this one is fairly simple. We have heard now for the last half-hour or so how much money the Treasury gets from the Export-Import Bank, how profitable the Export-Import Bank is for the American taxpayer. Okay. That is great.

Then, let's get rid of the connection between the Export-Import Bank and the guarantee that the Treasury gives to it. Let's let the Export-Import Bank rise and fall on its own economics and its own balance sheet and not put the taxpayer on the hook.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, I rise in strident opposition to this amendment. I think that this amendment really tells the story that they really are trying to destroy the Export-Import Bank as opposed to reform it. How can you deny borrowing authority to a lending institution and say you are serious about having it stay alive?

The Bank has done a fantastic job of managing risk by keeping its overall debt rate below one quarter of 1 percent, far better than most private banks, in fact.

The Export-Import Bank reauthorization already includes the creation of a permanent chief risk officer role, establishing a risk management committee, enhancing the Bank's loan loss reserves, among other reforms.

The underlying bill makes the Bank safer and better run than before, making this amendment transparently unnecessary.

Members should oppose this anti-Ex-Im amendment.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 2 minutes to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chair, to the gentlewoman's comments, this does show an attempt to kill the Bank.

When we go back home to our districts, a lot of times we are on the tail end of jokes, being Congressmen and Congresswomen, and sometimes they talk about us being a little slow.

So let me go over the facts one more time for the gentleman from South Carolina. The Bank doesn't cost the taxpayer a penny. We are doing more in the way of reforms than since President Reagan. It returns \$500 million to \$1 billion a year back to the Treasury.

Now, I know that they have taken the position to kill the Bank, but this kills jobs. This is about jobs in Tennessee, jobs in California, jobs in Oklahoma, jobs in Illinois.

This is not a level playing field. China, Russia, and all of these other countries are just hoping that we make the mistake and we don't reauthorize the charter of the Export-Import Bank.

□ 2045

Let's be responsible adults. Let's not play politics as usual and worry about these outside groups and our political scores, Mr. Chairman. Isn't it sad that we would worry about some score with an outside group more than our districts and more than our constituents that have jobs because of the Export-Import Bank? We should be ashamed of ourselves.

I again urge my colleagues to vote "no" on all these amendments, and let's get to the serious business of the people's House.

Mr. MULVANEY. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Chairman, I rise in strong support of Mr. MULVANEY's amendment to shield taxpayers from bailing out the Export-Import Bank.

I have been here for this debate over the last 45 minutes, and I have heard my good friend from Frog Jump, Tennessee, comment, and I think he said the Export-Import Bank doesn't cost taxpayers one penny, okay? That was the quote, doesn't cost one penny. But what this amendment does is guarantee that the Export-Import Bank won't cost the taxpayer one penny because the taxpayer is not going to be on the hook. But then I just heard my good friend from Tennessee say, if we pass this amendment, it is going to kill the Bank.

You can't have it both ways. Either it kills the Bank if you don't have a backstop because it costs the taxpayers money, or it doesn't cost the taxpayers any money and this amendment won't kill the Bank. But you can't have it both ways. It does not work that way.

Listen, this makes sense. The Export-Import Bank helps the 10 largest businesses in America. Why are moms and dads and families in Wausau, Wisconsin, or Hayward, Wisconsin, Frog Jump, Tennessee, the suburbs of Chicago, or rural Oklahoma, who make \$50,000, \$60,000—maybe a little more in the Chicago suburbs—why are they the backstop for these biggest corporations?

That shouldn't be the way it is. So let's take the backstop of that taxpayer, those American families, let's take them off the hook. As the author of the amendment said, let's let the Bank stand on their own. Let them make that guarantee on their own.

In our communities, our banks make loans to small businesses every single day. I know the gentlewoman from Wisconsin knows that. There is not a taxpayer backstop to those loans. If they don't pay those loans back, the bank loses. Why are the biggest corporations getting the backstop of the American taxpayer? This one makes sense. This one makes sense.

Let's all stand together and say the American taxpayer, the American family is not going to back up the biggest banks. Let's get away from the crony capitalism. It is not going to kill the Bank. It is a good amendment. This is the place and the time for reform. Maybe it should have happened 6 months ago, but with regular order, it gets to happen today. Let's stand together for American families and against crony capitalism.

Ms. MAXINE WATERS of California. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Chairman, it is interesting in these great conversations, good debate, nobody has said that this doesn't make money for the taxpayers. They try to make the link and everything else, and that is fine.

My friend from Wisconsin just said, well, if this amendment kills the Bank, it is because, et cetera, et cetera. This amendment is aimed to kill the Bank because it is a poison pill amendment on Ex-Im. That is what all these amendments are. They are attempting a last-ditch effort to destroy something that has really, frankly, provided a lot of jobs in my district and provided a lot of exports from my district.

We talk about protecting taxpayers. Protecting taxpayers from what, an extra \$500 million? Are we protecting them from a smaller deficit? It doesn't make sense. I am not sure why certain folks have made this the hill to die on. There are a lot of better hills to die on, to fight, to argue in this.

I will tell you a quick story. I went to Ethiopia 6 months ago or so. I flew to Ethiopia on a Boeing Dreamliner. Now, I know a lot of people like to call out names of big companies, but I didn't go to Ethiopia on Ethiopian Airlines on an Airbus. The fact that I was on a Boeing Dreamliner means that the parts and components are made in my district for that Dreamliner, which means there are people who have a job because Ethiopian Airlines bought a Boeing.

Let's kill this amendment and save the Bank.

Mr. MULVANEY. Mr. Chairman, how much time is remaining on my side?

The Acting CHAIR. The gentleman from South Carolina has 2 minutes remaining.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time to close.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself the balance of my time.

I have listened carefully to the arguments that are being made on the opposite side of the aisle, and I listened carefully to Mr. DUFFY. Evidently, he does not know or does not understand that those big corporations that he talked about are hiring small businesses in his district. He does not understand that these are the suppliers to these big companies. These are the families who are benefiting from the jobs and the contracts that they have been able to get.

Evidently, listening to my friends on the opposite side of the aisle, they really don't understand the Ex-Im Bank. They really don't understand its support for our ability to export, thus creating jobs.

While on the one hand they talk about how great our country is and how competitive we are, how competitive we need to be, they don't understand that, just as Mr. FINCHER said,

other countries such as China are just hoping that we cannot reopen this Bank. They are just hoping that we will not support our exporters, because they are going to support their exporters 100 percent.

If you care about jobs, if you care about contracts, if you care about small businesses, you would not be opposing this Bank. As a matter of fact, there are those who would say: I am surprised that MAXINE WATERS is such an advocate for the Ex-Im Bank; we did not expect her to be. But I want you to know, I have worked with the Chamber of Commerce. I have held meetings in my district.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. MULVANEY. Mr. Chairman, a couple different things. I am a little surprised, Mr. Chairman, to hear some of the advocates here today because some of them, including the most recent speaker, were actually against the Bank when there was a different party in charge of the White House.

I hear today that this is supposedly about jobs, jobs being created. By the way, that is a claim that not even the Export-Import Bank makes on its own. It has never come into our committee and said, "We create jobs." It comes into our committee and says, "We support jobs." We are not really sure what that means. We have asked them. They are not really sure how to count it. In fact, there is really good evidence that they are counting it wrong.

Let's say for the sake of argument, Mr. Chairman, that they do create jobs. They also destroy jobs. Every time the government gets involved in the market and creates jobs someplace, they destroy it someplace else. It is just much harder to see. So it is very difficult for us to say: Look, this job was destroyed by the Export-Import Bank.

But I will tell you this, my local banks in rural South Carolina can't go to the Treasury and borrow money for free every time they want to. If they could, they might be able to create some more jobs as well.

We have a distortion to the market, Mr. Chairman, plain and simple. That is all this is. Are there going to be winners? Absolutely. There is a lot of them, as a matter of fact. In fact, you can go buy stock in some of them if you want to. Are there losers? Absolutely. You will never see them. You will never see them. They are in Union County, South Carolina, maybe. I don't know because we will never see the jobs that are not created because of the distortion created by the Bank.

We have a tremendous opportunity not to kill the Bank. If the Bank really is as profitable as you say it is, this should be fine.

By the way, the gentleman from Illinois (Mr. KINZINGER) has left and said that no one is getting up to say the

Bank doesn't make money. Here I am. The Bank doesn't make money. First of all, if you made it count right, it wouldn't make any money. But, in my lifetime, we have had to bail this institution out to the tune of billions of dollars. How soon we forget those types of things, Mr. Chairman.

We are going to pass this amendment. It is not designed to kill the Bank. It is designed to get the taxpayers off the hook in case the Bank makes the same mistakes today that it has made in the past.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MAXINE WATERS of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 114-326.

Mr. MULVANEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:
SEC. _____. STRENGTHENING PORTFOLIO DIVERSIFICATION AND RISK MANAGEMENT.

(a) LIMITATIONS ON SECTORAL CREDIT EXPOSURE OF THE BANK.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

“(1) LIMITATIONS ON SECTORAL CREDIT EXPOSURE OF THE BANK.—

“(1) IN GENERAL.—The Bank shall not guarantee, insure, or extend (participate in the extension of) credit in connection with a transaction in a single industrial sector if the provision of the guarantee, insurance, or credit would result in the total credit exposure of the Bank in the sector being more than 20 percent of the total credit exposure of the Bank.

“(2) EFFECT OF EXCESSIVE SECTORAL CREDIT EXPOSURE.—If, as of the end of a fiscal year, the credit exposure of the Bank in a single industrial sector exceeds the limit specified in paragraph (1), the Bank may not guarantee, insure, or extend (participate in the extension of) credit in connection with a transaction in the sector until the President of the Bank reports to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that, as of the end of the calendar month preceding the month in which the report is made, the credit exposure of the Bank in the sector does not exceed the limit.”.

(b) LIMITATIONS ON BANK ASSISTANCE BENEFITTING A SINGLE PERSON.—Section 2 of the

Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act and subsection (a) of this section, is amended by adding at the end the following:

“(m) LIMITATIONS ON BANK ASSISTANCE BENEFITTING A SINGLE PERSON.—

“(1) IN GENERAL.—The Bank shall not guarantee, insure, or extend (participate in the extension of) credit in a fiscal year if the provision of the guarantee, insurance, or credit would result in a single person benefitting from more than 10 percent of the total dollar amount of credit assistance provided by the Bank in the fiscal year.

“(2) EFFECT OF EXCESSIVE BENEFIT FOR A SINGLE EXPORTER.—If, in a fiscal year, a person has benefitted from more than 10 percent of the total dollar amount of credit assistance provided by the Bank in the fiscal year, the Bank may not guarantee, insure, or extend (participate in the extension of) credit so as to benefit the person until the beginning of the 2nd succeeding fiscal year.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I was on a working group last year under the auspices of the chairman of the Committee on Financial Services with, amongst other people, the good gentleman from Tennessee (Mr. FINCHER), who has now left us for dinner. No, there he is. One of the things that the opponents and proponents of the Bank could all agree on was the fact that the Bank was poorly run when it came to managing its risk. Specifically, it has what bankers call market concentration. It puts too many of its eggs in one basket. In fact, one particular industry, aircraft and avionics, takes up almost 30 percent of the Bank's portfolio.

We had a banker on that committee who worked with us. He said no self-respecting private sector bank would ever allow that to happen. That is simply bad management. It is not credible management. It is not responsible management to the shareholders. The bad news here, of course, Mr. Chairman, is the shareholders are the people who pay us.

What does this amendment do? It tries to bring some of the private sector sanity into the Export-Import Bank and say: Look, you are going to have to abide by rules that ensure diversification of risk, both within industries and across companies.

If this were really a bank and not just a political extension of the current administration, they would probably be doing this. If the Bank was run by a banker and not a political bundler, the Bank would probably already be doing this. But since it is a political extension of this administration, since it is

run by a political bundler and not a banker, it falls to us to make sure that the Bank follows some commonsense rules about to whom it lends and how much it lends to them.

Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. I yield myself 1 minute.

Yet again the gentleman from South Carolina is offering an amendment designed to kill the Ex-Im Bank and compromise its reauthorization in the highway bill conference. By imposing arbitrary caps on the Bank's ability to meet the needs of American exporters, regardless of the sector they represent, the amendment would starve certain sectors of the financing they need, resulting in a needless loss of U.S. jobs.

I am concerned the amendment would also create incentives for businesses to be the first in line to get the limited amount of financing that is available for that particular sector or industry and would also undermine its mandates to serve sub-Saharan Africa, small businesses, and renewable energy exports.

Given the Bank's extremely low default rate, it is hard to envision how this amendment would help the Bank better manage its portfolio.

I urge Members to reject this poison pill amendment so that we can reauthorize the Ex-Im Bank without delay.

Mr. Chairman, I reserve the balance of my time.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, these amendments are getting more and more strange as the evening wears on.

The favorite indictment of this Bank, I think, is that it picks winners and losers, and yet here is an amendment that does exactly that. It puts these artificial caps on sectors. Mr. Chairman, this Bank is demand driven, and if the world demands shifts, why would we create barriers to U.S. firms meeting that demand? These caps just mean that the U.S. can't compete for growing market trends.

□ 2100

This is a poison pill amendment, and I urge the Members to reject this so we can reauthorize the Bank immediately.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I rise in opposition to my friend Mr.

MULVANEY's amendment. He is a friend. I do want to say that this amendment puts not only a cap, but statutory quotas on industry sectors for the full 5-year authorization. It ignores market forces.

The amendment would mirror the French quota system in their export credit agency, which is ineffective. Rapidly developing industries like unconventional gas—and I represent a gas State, where we do a lot of Marcellus shale—and the industrial Internet would be disadvantaged under this policy.

It creates incentives for businesses to rush to be the first in the door and get under the arbitrary cap, resulting in missed opportunities and inequitable treatment of U.S. exporters and U.S. workers. This would make the Bank ineffective and unable to fill in the gaps in the private sector or to help American businesses compete on a level playing field.

I also have to note, too, that I suspect that many of the amendments that we are seeing here tonight are not designed to make the bill better, but to simply take it down. As I said, Mr. MULVANEY is my friend, but I suspect if his amendment is adopted, he probably still wouldn't be inclined to support the legislation, unless he tells me otherwise.

Mr. MULVANEY. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from South Carolina has 3 minutes remaining, and the gentlewoman from California has 2 minutes remaining.

Mr. MULVANEY. Mr. Chairman, I yield myself 2 minutes.

Arbitrary limits, I had to laugh about that one, Mr. Chairman, when I was making my notes, because I was in a committee meeting today with the same folks making the argument now, saying that Congress does that all the time. In fact, I think the person who made that argument is sitting across the aisle from me today.

I am just glad that folks making the argument now in opposition to this amendment aren't in charge of private banks. In fact, if they were, they would probably be in jail, because a lot of the same restrictions on lending that are contained in Dodd-Frank are exactly the rules that the Export-Import Bank is breaking right now.

We would never tolerate a private institution that allows the type of concentration, both marketwise and geographically, that the Export-Import Bank has. Dodd-Frank would never permit it. Apparently, now it is okay, because we don't have private shareholders on the hook. We have taxpayers on the hook. So, if things go bad, it is really not that big a deal.

I will remind everyone here, Mr. Chairman, that the inspector general's report has suggested exactly the type of reforms that are contained in this

amendment. Anyone with any banking experience or even people from Tennessee with just a little common sense might be able to look at the balance sheet of this Bank and say: "Wait a second. There is too much concentration of various industries. There is too much concentration of various geographic areas. This is a really, really bad way to run a bank."

And it would be, of course, if this is a bank. But it is not a bank. It is a government program. It should be run like a bank, however. And that is what this amendment gives us the opportunity to do.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chairman, I think it is relevant that we think for a moment about the Bank.

Some of my friends here who press these amendments—which, I would remind you, you should vote against all of them—say that they are not trying to kill the Bank. They are trying to do something.

Well, didn't the Bank expire in July? Isn't it no longer able to do new business? Isn't that the definition of dead? By their lack of action, which is inaction, they killed it. Now they say, with their actions, they will resurrect it? Not likely, my friends.

Turn all these amendments down. Let's get on with the core business here. Let's fight the fight we fought last week again, and one more time let's give American business an opportunity to compete with the rest of the world.

Who knows—we might have to do this three or four more times, but let's keep doing the right thing for American workers. Let's keep doing the right thing for American business. That is all I am asking: just do the right thing and abide by the decision of the House and the majority of the majority.

Mr. MULVANEY. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, the gentleman from South Carolina suggested that the Export-Import Bank was a political extension of this administration. If that is true, let's be real clear: it has been a political extension of every single administration since it was created in 1934.

All 13 Presidents have supported the Export-Import, all 13—Democrats and Republicans, liberals and conservatives. Sixteen times it has been reauthorized in this Chamber. Virtually every time, it was done unanimously and overwhelmingly.

In earlier remarks, the other gentleman suggested that those of us who

oppose these amendments are trying to have it both ways. They also say that we try to pick winners and losers with the Export-Import Bank.

Well, this amendment is exhibit A in picking winners and losers. It compels diversification. It is not based on need and not based on creditworthiness. Diversification for diversification's sake, that is not what a good bank does, and that is not what the Export-Import Bank does. The Export-Import Bank meets a specific need in the marketplace; and when it does it, it creates jobs, jobs for Americans.

Oppose this amendment. Oppose all amendments.

Mr. MULVANEY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from South Carolina has 1½ minutes remaining.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield back the balance of my time.

Mr. MULVANEY. Mr. Chairman, in closing on all of these amendments, I want to touch on something we haven't had a chance to talk about here today.

There are a lot of people in here who are apparently very proud of the Bank. They are happy with the way the Bank is run. They don't think that, but for some token reforms and changes, the Bank needs to change very much at all.

The last 6 years have been 75 years of combined prison time because of wrongdoing at the Bank. There were 90 criminal indictments and complaints, 49 criminal judgments, and more than \$223 million—a quarter of a billion dollars—in court-ordered fines and restitution because of wrongdoing at the Bank.

We are proud of that? That is something that doesn't need serious overhaul? That is something we can just tweak around the edges because we have done it for so long?

Maybe that is part of the problem. Maybe it has been a really, really long time since we have looked at this Bank under the microscope like we should. Maybe we should not have rubber-stamped it for the past 16 administrations. Maybe the Bank should have followed the law that we passed in 2012 to reform itself.

What does it say about an institution, Mr. Chairman, that ignores the law that this Chamber passes, the Senate passes, and the President signs? You combine that which can only be described as bureaucratic arrogance with this—prison time, criminal indictments, judgments, fines and restitution—and you have an institution that is in sad need of reform, Mr. Chairman, and this is it.

The amendments that you will see tonight are your only opportunity to do that. We could have done it the other day on the motion to discharge, but it was finely tuned so that that could not happen. This is it. We should

pass not only this amendment, Mr. Chairman, but all of the amendments.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. MULVANEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. ROTHFUS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 114-326.

Mr. ROTHFUS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:
SEC. _____. **GUARANTEE FROM UNITED STATES EXPORTER REQUIRED AS A CONDITION OF PROVIDING GUARANTEE OR EXTENDING CREDIT TO FOREIGN PERSON.**

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

“(1) **GUARANTEE FROM UNITED STATES EXPORTER REQUIRED AS A CONDITION OF PROVIDING GUARANTEE OR EXTENDING CREDIT TO FOREIGN PERSON.**—

“(1) **IN GENERAL.**—The Bank may not provide a guarantee or extend (or participate in the extension of credit) to a foreign person in a fiscal year in connection with the export of goods or services by a United States company, unless—

“(A) the United States company—

“(i) guarantees the repayment by the foreign person of the applicable percentage for the fiscal year of the amount of the guarantee or credit provided by the Bank; and

“(ii) pledges collateral in an amount sufficient to cover the applicable percentage for the fiscal year of the amount guaranteed by the United States company; and

“(B) the guarantee by the United States company is senior to any other obligation of the United States company.

“(2) **APPLICABLE PERCENTAGE DEFINED.**—In paragraph (1), the term ‘applicable percentage’ means—

“(A) in the case of fiscal year 2016, 10 percent;

“(B) in the case of fiscal year 2017, 20 percent;

“(C) in the case of fiscal year 2018, 30 percent;

“(D) in the case of fiscal year 2019, 40 percent;

“(E) in the case of fiscal year 2020, 50 percent;

“(F) in the case of fiscal year 2021, 60 percent;

“(G) in the case of fiscal year 2022, 70 percent;

“(H) in the case of fiscal year 2023, 80 percent;

“(I) in the case of fiscal year 2024, 90 percent; and

“(J) in the case of fiscal year 2025 and each succeeding fiscal year, 100 percent.

“(3) **INAPPLICABILITY TO SMALL BUSINESS EXPORTERS.**—Paragraph (1) shall not apply with respect to the provision of a guarantee or credit in connection with an export by a small business concern (as defined in section 3(a) of the Small Business Act).”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Pennsylvania (Mr. ROTHFUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ROTHFUS. Mr. Chairman, I yield myself such time as I may consume.

I cannot understate the importance of this amendment, Mr. Chairman. The House finally has an opportunity to begin today what may be a years-long process of unwinding the Federal Government’s massive loan guarantees. We need to do this to better protect hard-working taxpayer dollars so we can ensure that, when bills come due in 10 years for Social Security, Medicare, and veterans’ benefits, we will be able to meet these commitments that Americans have earned and deserve.

My amendment also supports small businesses and ensures they can continue to export goods and services. In short, it is a win-win for taxpayers and job creators alike.

My amendment builds a firewall to protect the American taxpayer in the event that an overseas purchaser takes out a loan from the Export-Import Bank and stops paying it back. While the loan will still have a taxpayer guarantee, the U.S. exporter that directly profits on the deal will be responsible for a percentage of the loss before you go to the taxpayers.

One need only look at the details surrounding the deal with NewSat, a troubled satellite operator in Australia, to see why this amendment is necessary. The American taxpayer lost \$139 million of a direct loan from the Export-Import Bank because the deal wasn’t properly collateralized. Hardworking taxpayers should not be left paying for these risky loans.

This is vitally important, Mr. Chairman. This amendment will allow elected Representatives to cast a vote on whether it is fair and prudent to facilitate transactions where profits stay in the private sector, but losses are passed on to taxpayers. This is often described as “privatize the profits, but socialize the losses.”

Here is how the amendment works. First, it does not apply if any exporter is a small business. According to the Export-Import Bank’s own figures, nearly 90 percent of the Bank’s transactions directly serve small businesses. This amendment does not touch this 90 percent and will not impact local mom-and-pop businesses.

For big businesses, though, when a foreign government or corporation takes out a loan from the Export-Import Bank to buy their products or services, if that foreign purchaser then

defaults on the loan, before dipping into the Bank’s reserves—which belong to the taxpayers—the big businesses would have to repay a percentage of the loan.

To minimize any potential disruptions, this reform is phased in gradually over the next decade, starting at a mere 10 percent for any lending that occurs in fiscal year 2016, 20 percent in fiscal year 2017, and so on. Loans will still get made, the Bank will still operate, but the American taxpayers will have a layer of protection that will mitigate any chance of the Export-Import Bank requesting a bailout, as it did in 1987 to the tune of \$3 billion.

Why is this so important? Because American taxpayers are today the guarantor of more than \$3 trillion in loans backed by numerous agencies, including the Export-Import Bank. This level of taxpayer leverage is not sustainable; and in 10 years, when we look into the faces of our seniors and our veterans, I want to have the confidence that we will have the resources we need to uphold the commitments we have made to them.

Mr. Chairman, the modest reforms in this amendment are a small step towards achieving that end. We can—we must—start this process today. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. I thank the gentleman for yielding, and I thank her for her tremendous leadership on this issue. I join her; Mr. HECK of Washington; our whip, Mr. HOYER; Congresswoman MOORE of Wisconsin; and so many others on the Republican side of the aisle who have been such strong leaders on reauthorization of the Ex-Im Bank.

Mr. Chair, some concerns have been raised here that I think are in need of response.

In terms of this amendment, I rise in opposition to it and state that the Bank’s portfolio is well-collateralized, especially in the largest product sector, and it maintains a loss rate of less than one-quarter of 1 percent.

The Bank is also self-funded, largely through user fees collected from foreign customers, and has generated a surplus of close to \$7 billion, money that has been sent to the U.S. Treasury to help reduce the deficit.

The previous speaker, Mr. MULVANEY, talked about some incidences of fraud that he said were associated with the Bank. I think it is important for our colleagues and those who are listening to this debate to know that those

incidences of fraud were fraud exacted upon the Bank, not by the Bank; and so the charge that this fraud was within the Bank is just simply not true. These were people who tried to defraud the Bank.

Now, there was one incidence of fraud that the members of the staff of the Bank referred to or called out—one incident. So I just don't want anyone to be misled into thinking that, however it was characterized, it is a fact.

□ 2115

That is why we have an IG, and that is why it is so good that in this bill, in terms of fraud and ethics, it creates a nonpartisan chief ethics officer and requires a GAO review at least once every 4 years of the Bank's fraud controls.

Legitimate concerns were raised, but the fact is the Bank should not be associated with fraud that is being exacted against it as if it was committing fraud. That is just not so.

But it is a good evening because we are debating an issue that has strong bipartisan support, that creates jobs, that reduces the deficit, that increases our competitiveness overseas, that enables U.S. companies to have markets for our products overseas, not only big businesses that are addressed in this amendment. That is important as well.

But for small and moderate-sized businesses who would not have the internal resources to find markets abroad, the Ex-Im Bank is created for that purpose.

I thank Mr. DENT and others who have been so much a part of bringing this legislation to the floor. I think it is a victory for the American people that we will have a bill that not only is good for our highways and in terms of transportation, but also reauthorizes the Ex-Im Bank in order to agree with the language in the Senate bill.

So all of these amendments, however well intentioned or well thought out, have the additional burden of taking down the Bank. Maybe you save them for another day, but in the here and now, we do not need any amendments on the Ex-Im Bank in the transportation bill just because the Ex-Im Bank is authorized in the transportation bill in the Senate.

This House very thoughtfully passed our own authorization. I would hope that the Senate would agree to our language unamended.

Again, I commend all of you who made this evening possible, and I look forward to a celebration of passing a highway bill that does not take down the Ex-Im Bank.

Mr. ROTHFUS. Mr. Chairman, I continue to reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chair, I am not as calm as the Leader in her remarks because I think enough is enough.

Not directed at the offerer of this amendment but to a previous speaker: I cannot help but be reminded of Joseph Welch during the McCarthy hearings when he said: Have you no sense of decency, sir, at long last?

With one exception, these indictments were people outside the Bank trying to defraud the Bank; yet, it is offered here today as a reflection on the 300 or 400 employees down there.

What do they do? Well, they have a default rate that is one-tenth the rate of transactions in trade by the private sector, one-tenth.

They have a collection rate that is the envy of the commercial banking sector. They transfer funds to the Treasury, \$6 billion or \$7 billion in the last generation. That is what these hardworking people do.

Stop it. Stop making comments that reflect on all of these people who are hardworking civil servants, who are doing the job, and who are reducing the deficit.

Yes, they are supporting and creating jobs. What does "support" mean? Create or save. The GAO says that, not me, the GAO. So stop it.

Mr. ROTHFUS. Mr. Chairman, I continue to reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. I thank the gentleman.

Mr. Chair, again, let's go over the facts. We are getting off base.

The Bank doesn't lose taxpayer dollars. It returns money to the Treasury every year, \$500 million to \$1 billion.

We are reforming. This is a Republican reform bill. We should be happy when Democrats want to cross the aisle and support Republican ideas. This is a Republican reform bill.

And to the gentleman that makes the argument on this amendment, the aircraft section of the portfolio is over on collateral 1.4 to 1.

These are bogus arguments. These are amendments to kill the Bank.

This is sad when people put their political scorecards above their constituents. This is about jobs in all of our districts.

They are not using the facts. The facts are that this creates lots of jobs at no cost, and we are reforming the Bank.

Read the bill. Read the bill, Mr. Chairman, and maybe we would have more than 313 votes next time we vote on this.

Mr. ROTHFUS. Mr. Chairman, I have heard a number of times tonight that the Bank doesn't cost anything. But if you take a look at the Congressional

Budget Office analysis and if you use fair value accounting, it costs \$2 billion over 10 years. And there will be an amendment later on talking about that.

I think people forget about the \$3 billion taxpayer bailout that Export-Import asked for in 1987.

Finally, Fannie Mae and Freddie Mac were fine until they weren't, and they left the taxpayers with a \$150 billion tab.

I am looking 10 years down the road, Mr. Chairman, looking at the debt that this country continues to accrue and thinking about the obligations that we have to meet in 2025 for our seniors, for our veterans. I want to make sure that we are not going to have a bailout at that time of this institution.

All this amendment does is says, who bears the risk of loss, the taxpayer or the entities that made the profit. It is phased in over time. Small businesses are protected.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I thank the ranking member, and I thank the chairman.

Mr. Chair, I would simply note that the provision requires U.S. business to factor in new costs of a guarantee for repayment to the Ex-Im Bank, in addition to the fees and interests already required. Those additional costs would make U.S. business less competitive.

Now, that said, once again, I urge my colleagues to turn back this amendment, turn back all 10 amendments.

Remember, the Bank expired in July. When my friends say they don't want to kill it, they already have. Now they are just trying to keep it from being brought back to be able to function as a part of our economy.

Look through the amendment process we are going through here. Look at the whole process we are involved in. Understand what is really occurring.

Nothing ever happens by accident in politics—right?—or the legislative process. Understand the fight we are engaged in.

Turn back this amendment. Turn back all these amendments. Let's get on with it. If we could have made things better 6 months ago, we would have, but we weren't allowed to.

Mr. ROTHFUS. Mr. Chairman, I continue to reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, this amendment has been offered in an attempt to delay and derail the Bank's reauthorization.

Despite the implication made by the gentleman's amendment that Ex-Im is undertaking and mismanaging excessive risk, it is important to be clear on the fact that the Bank has a portfolio that is well diversified regionally and by sector, spread across over 170 countries and dozens of industries.

The Bank's portfolio is also well collateralized, especially in its larger product sector, and it maintains the loss rate of less than one-quarter of 1 percent.

Moreover, Ex-Im Bank's strong portfolio has withstood the test of numerous market disruptions in the past.

Finally, the Bank is also self-funded largely through user fees collected from foreign customers and has generated a surplus of close to \$7 billion, money that has been sent to the U.S. Treasury to help lower our deficit.

So I urge all Members to reject this amendment.

I yield back the balance of my time.

Mr. ROTHFUS. Mr. Chairman, again, I think people have a short memory of what happened with Fannie Mae and Freddie Mac and the \$150 billion loss that those institutions incurred.

This amendment does not end the Bank. It allows loans to continue to be made. It simply puts a firewall between a potential loss and the taxpayers. Who bears the risk of loss? The taxpayers or the entity that made the profit?

I suggest that there should be phased in over time 10 percent the first year, just 10 percent—that is a miniscule ask—that those who make a profit from this Bank have a little skin in the game. Small businesses are exempted.

I ask for support of this amendment. I urge my colleagues to vote "yes."

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. ROTHFUS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. ROYCE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 114-326.

Mr. ROYCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:
SEC. ____ . PROHIBITION ON AID TO STATE-SPONSORS OF TERRORISM.

Section 2(b)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(2)) is amended—

(1) in the paragraph heading, by inserting "OR STATE-SPONSORS OF TERRORISM" before the period;

(2) in subparagraph (A)—

(A) by striking "or" at the end of clause (i);

(B) by redesignating clause (ii) as clause (iii) and inserting after clause (i) the following:

"(ii) in connection with the purchase or lease of any product by a country that is des-

ignated as a state-sponsor of terrorism, or any agency or national thereof; or"; and

(C) in clause (iii) (as so redesignated), by inserting "or a state-sponsor of terrorism" before the period;

(3) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively, and inserting after subparagraph (B) the following:

"(C) STATE-SPONSOR OF TERRORISM DEFINED.—In this paragraph, the term 'state-sponsor of terrorism' means a country the government of which the Secretary of State has determined, for purposes of section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)), section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)), or any other provision of law, to be a government that has repeatedly provided support for acts of international terrorism.";

(4) in subparagraph (D) (as so redesignated)—

(A) in the subparagraph heading, by inserting "OR A STATE-SPONSOR OF TERRORISM" after "MARXIST-LENINIST";

(B) by inserting "or that any country described in subparagraph (C) has ceased to be a state-sponsor of terrorism" after "(B)(i)";

(C) by inserting "or a state-sponsor of terrorism, as the case may be," before "for purposes"; and

(D) by inserting "or a state-sponsor of terrorism, as the case may be" before the period at the end; and

(5) in subparagraph (E) (as so redesignated)—

(A) in clause (i)—

(i) by striking "Subparagraph" and inserting "Clauses (i) and (ii) (but only to the extent applicable with respect to Marxist-Leninist countries) of subparagraph"; and

(ii) by striking "(ii)" and inserting "(iii) (but only to the extent applicable with respect to Marxist-Leninist countries)"; and

(B) in clause (ii), by striking "(ii)" and inserting "(iii) (but only to the extent applicable with respect to Marxist-Leninist countries)".

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from California (Mr. ROYCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROYCE. Mr. Chairman, I would explain to my colleagues at the outset that I, frankly, think we should voice vote this amendment without objection. I think it is misguided to oppose it because this amendment is not part of this fight over Ex-Im.

What this fight is over, what this amendment is over, is my experience in terms of the President using waivers. I will explain to you my worry if we don't close this loophole, which I frankly think it would be very easy to close because I think the Senate would agree with us.

But Export-Import Bank loans and guarantees obviously would be absolutely off limits to state sponsors of terrorism if we write the law correctly. The worst of the worst—Iran, Syria,

Sudan—should have the Bank door slammed shut, period.

That is what this amendment does. No administration wiggle room, none at all.

One country where the Ex-Im has not operated in recent years is Iran. This is because of our sanctions. But, of course, much of this sanctions regime is going to be suspended, misguidedly, as part of the President's nuclear deal.

So what does that mean?

For one, the administration is committed to making it possible for Iran to purchase commercial aircraft. I think we can all agree, Ex-Im supporters and opponents alike, that Iran should not be entitled to American taxpayer-financed aircraft deals.

Iran has a long history of using its commercial airlines to support its terrorist proxies. Its commercial flights are now flying military personnel to Syria. When I say "now," I mean right now.

Iran is on a roll in the region undermining our partners and backing the murderous Assad regime in Syria.

Now, some parts of U.S. law, most notably in the Foreign Assistance Act, do prevent Ex-Im from engaging with state sponsors of terrorism. But these commonsense prohibitions are subject to Presidential waivers, and we have seen the President abuse waivers to pursue his agenda over and over again on Iran, no matter what Congress thinks.

Without consulting Congress, the administration signed us up for an agreement that will waive sanctions year after year until Iran has nuclear breakout capability. That is the way I think this ends.

So, Mr. Chairman, the Foreign Affairs Committee that I chair is continuing to examine the Iran agreement in great detail. We understand how this administration has abused its authority to force a deal that allows the Ayatollah to keep a path to a nuclear weapon, in my view, with little regard for the views of the American people or their Representatives in Congress.

This is not just about Iran. The administration is unilaterally bending, ignoring, and rewriting law to advance his agenda here at home toward Cuba and elsewhere.

So this amendment protects against executive overreach. It would strengthen existing law by prohibiting any bank activities in connection with the purchase or lease of any product by a country that is designated as a state sponsor of terrorism, to include any agency or national of that government, and it prohibits the waivers that are currently exercised by the President.

□ 2130

That means that anyone who is a national of Iran or an appendage of that state sponsor of terrorism cannot benefit from the Bank. The Iranian Government and its Revolutionary

Guards—which is increasingly involved in transportation, in energy, in construction, and in telecommunications—are set to profit from the President's nuclear agreement. Now, that is bad enough. But they shouldn't be getting Ex-Im backing on top of that.

Mr. Chairman, given my experience with this President with the waivers he has already given, I want that loophole closed. I don't think there is a reason for a debate on this. I think it should be voice-voted, and I think the Senate will concur in that.

Mr. Chairman, I encourage my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman and Members, this amendment, more than any other, is the one most clearly aimed at fracturing the majority coalition that has overwhelmingly backed the reauthorization of the Export-Import Bank.

For Members who might feel pressure to vote for this amendment, I urge you to keep in mind that you would also be voting to send the Ex-Im provision in this bill to conference and directly into the hands of Chairman HENSARLING and Chairman SHELBY, which will prove fatal to the Export-Import Bank.

Moreover, the Foreign Assistance Act as well as the omnibus spending bill the House adopted last December both prohibit Ex-Im support to state sponsors of terrorism, and there is no reason to believe that will change.

Mr. Chairman, I strongly urge Members to appreciate the extraordinary efforts it has taken Members on both sides of the aisle to get us to this point, and I call on my colleagues to reject this poison pill amendment that is designed to upend the reauthorization of the Bank.

Mr. Chairman, I reserve the balance of my time.

Mr. ROYCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is my understanding that, with or without passage of this amendment, the transportation bill with the Ex-Im language is going to conference with the Senate. That is the next step in this procedure.

I understand some believe this, and I understand some have been told that this in some way affects that conference. I don't think so. It is going to go to conference. I do not understand the reason to object to this because I think, frankly, whether you are for Ex-Im or against Ex-Im, at the end of the day, you don't want the President to have this particular waiver. I don't think Members here want that.

Mr. Chairman, I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma (Mr. LUCAS), who has had so much courage.

Mr. LUCAS. Mr. Chairman, I thank the ranking member.

Mr. Chairman, first, before we talk about the substance of the amendment, let's look at the lay of the land. I am a farmer by trade. That is always something you do, you look at the lay of the land.

The six principal authors of the 10 amendments offered today, all members of Financial Services, none of them were proponents 6 months ago when we were attempting, pleading to bring this bill up for consideration.

None of these six, as I remember, demanded that we bring the bill up 3 months ago when frustration caught up with us. None of these six signed the discharge petition to use a rule of the House to allow this body to have its say. I don't believe any of these six authors actually voted to discharge the petition or voted for the final product last week when 313 Members of this body and a majority of the majority voted for it. So understand the lay of the land. Understand the nature.

Now, I have the greatest respect for the chairman of the Foreign Affairs Committee. I sat next to him for 20 years on Financial Services. He is extremely sincere. My friends, the issues he brings up in this amendment are relevant, but his chairmanship of the committee he presides over has primary jurisdiction on this.

This particular amendment would address a small part of one part of the things the Federal Government does. Maybe we need a bill to address all of these kinds of situations. Maybe we need—as we should have had on Export-Import in Financial Services—a thoughtful and considerate process to craft a good, solid piece of legislation. I know he is capable of it. I know he can do it. I want him to do it.

But let's do it in that concept of regular order in regular process. Let's not take this situation where we have had to do extraordinary things to give the House a chance to make the decision. Let's not take this situation now and in the spirit of the folks who set up the discharge process 100-plus years ago say: Well, the House decided, but really the House's opinion doesn't matter. Now we are going to redo it. We are going to go a different way.

Now, Mr. Chairman, I have faith this evening that, after my colleagues have listened to this debate on 10 amendments, when they come to the floor and vote on all 10 amendments, they will turn all 10 down. I am sorry, my colleagues, that you have to do this, because we shouldn't be here doing this tonight. This was decided last week.

But I hope if we will send a clear message and turn back all 10 amendments, that this will be over with.

Let's not do this again next week. That is contrary to the spirit of the House.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. SHERMAN), another member the Financial Services Committee.

Mr. SHERMAN. Mr. Chairman, I have tremendous respect for the author and his intention here, but any amendment to the Ex-Im title means the Ex-Im title is open to the conference, which will kill the Ex-Im Bank. So we should not adopt an amendment that mostly restates existing law. We have, already, provisions which prevent the Bank from financing state sponsors of terrorism.

First, the Bank's own charter, which I helped draft, prohibits them from extending loans or any assistance to any entity that violates U.S. sanctions.

Second, as the gentleman points out, the Foreign Assistance Act prohibits any aid to state sponsors of terrorism but allows for a Presidential waiver, but that is a national security waiver, which is very limited.

I commend the gentleman for his amendment because it has caused the Ex-Im Bank to issue, just an hour ago, a pledge not to seek any waiver under any circumstances that they can currently conceive of.

But third, and most importantly, the last 10 appropriations bills have an absolute ban on the Ex-Im Bank helping state sponsors of terror, and there is no waiver allowed. Now, I would like the next omnibus bill, which already has this provision in it, to have the gentleman's language in it as well, and I look forward to working on that.

NOVEMBER 4, 2015.

Re: Letter Concerning Prohibitions Related to State Sponsors of Terrorism.

Hon. FRED P. HOCHBERG,

Chairman and President, Export Import Bank of the United States, Washington, DC.

DEAR CHAIRMAN HOCHBERG: Thank you for your letter outlining the position of the Bank in opposition to support for exports to countries designated state sponsors of terrorism.

As we have discussed, there may be an effort to sell or lease civilian aircraft to Iran Air or other Iranian airlines, and that there may be efforts to secure export credit agency support for such sales or leases. I am therefore grateful for your acknowledgement that there is no scenario that you currently foresee where a Presidential Waiver would be sought to provide loans for export of any items to these countries or any person from those countries.

I understand, of course, that unforeseen and even bizarre circumstances may arise in international affairs; but given the current state of our relations with these countries, I am pleased to hear that you cannot anticipate any scenario where we would provide Ex-Im Bank assistance to state sponsors of terrorism.

Sincerely,

BRAD SHERMAN,
Member of Congress.

NOVEMBER 4, 2015.

Hon. BRAD SHERMAN,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN SHERMAN: Pursuant to applicable law, the Export-Import Bank of the United States does not finance any transactions for designated state sponsors of terrorism. As you know, transactions involving the three existing state sponsors of terrorism—the Republic of Sudan, the Islamic Republic of Iran, and the Syrian Arab Republic—are already subject to numerous additional restrictions. As Chairman and President of the Export-Import Bank of the United States, I do not anticipate any scenario in which the Bank would seek a waiver from the President of the United States as contemplated by (i) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), or (ii) the Arms Export Control Act (22 U.S.C. 2780(g)), in connection with a transaction involving a country designated as a state sponsor of terrorism, or any transaction involving any person from any such countries.

Sincerely,

FRED P. HOCHBERG,
Chairman and President.

Ms. MAXINE WATERS of California. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROYCE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MAXINE WATERS of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 114–326.

Mr. SCHWEIKERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:
SEC. _____ . USE OF FAIR VALUE ACCOUNTING PRINCIPLES.

The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is amended by adding at the end the following:

“SEC. 16. USE OF FAIR VALUE ACCOUNTING PRINCIPLES.

“The Bank shall prepare the financial statements of the Bank in accordance with fair value accounting principles.”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my fellow Members, let's do some basic accounting, something we would all remember from our

accounting 101 class. How many times tonight in the debate have we had the discussion: Oh, Ex-Im Bank, its losses are absolutely tiny? I have heard numbers tonight of 1.7 percent. But do any of you remember the hearing with the head of the Export-Import Bank where we asked the question: Can you tell me your impairment?

Remember, a charge-off is a loss; an impairment is someone who is not paying.

Mr. Chairman, the head of the Ex-Im Bank just stared at us with really angry eyes. He just stared at us. It turns out that the Bank games their losses. This is how they report such a great number.

If I turned to you and said, “Hey, your neighborhood bank has a loan on the books that has sat there for 55 years without a payment,” wouldn't you think that would have not been in the impairment category that is not reported under their current accounting methodology, but would have been charged off or forced to be charged off? Could you imagine a Dodd-Frank-regulated bank keeping a loan with no payment for 55 years? They still have a \$36 million loan to pre-Castro Cuba on their books. We found lots of this sort of stuff because of the accounting methodology.

Mr. Chairman, this amendment is very simple. It just basically says to do what the rest of the financial world has to do and use fair value accounting.

Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT), which would do little to strengthen or improve the Export-Import Bank. Rather, the amendment is a cynical attempt to inaccurately and artificially inflate the cost of the programs offered by the Bank. All this would achieve is confusion regarding the real-world state of the Bank's fiscal health.

The fact of the matter is the Export-Import Bank has been extraordinarily careful in its risk management, which has resulted in a dividend to taxpayers of close to \$7 billion. This is real money, and to pretend it isn't real for accounting purposes just isn't credible.

Overwhelmingly, majorities in the House and Senate have passed identical reauthorization measures that deliberately excluded this provision, and adding it back now would only serve to undermine the Bank's reauthorization.

Mr. Chairman, I urge Members to oppose this amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr.

SHERMAN), who serves on the Financial Services Committee.

Mr. SHERMAN. Mr. Chairman, this Bank is important. That is why Ronald Reagan said on January 30, 1984, that the Export-Import Bank contributes in a significant way to our Nation's export sales. We should not adopt an unnecessary amendment, the effect of which would be to kill the Bank.

Now, this amendment deals with accounting. As co-chair of the CPA Caucus, I understand the importance of solid accounting rules. As a CPA, we are the referees that make sure that accounting rules are followed.

The amendment talks about fair value accounting, more properly described as fantasy value accounting. Don't confuse fair value accounting with anything that is used in private enterprise or anywhere else. It is not the same as generally accepted accounting principles. Stick with generally accepted accounting principles. Stick with the principles consistent with the CBO, and those principles show you that the Bank makes money for the Treasury, which is why it transfers half a billion to a billion dollars a year.

Under fantasy value accounting, we don't look at whether the Bank is making money. We look at whether they would be making money if we lived in a fair world. So you would say, for example, in looking at the cost of funds and what it takes to borrow money, you could look at the accounting statements of Pizza Hut and say: Don't look at what they actually paid as interest costs, but what they would have paid in a fair world where they had the same interest rate as Jack's Pizzeria.

□ 2145

Well, maybe we don't live in a fair world. But the fact is, generally accepted accounting principles are to determine whether a company or entity is making or losing money in the real world. Stick with generally accepted accounting principles. Stick with the CBO. Stick with the CPAs. Stick with GAAP. Say “no” to fantasy value accounting.

Mr. SCHWEIKERT. Mr. Chairman, I yield myself such time as I may consume.

You would be happy to know and my friend from California would be happy to know CBO actually supports fair value accounting.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. FINCHER), a real champion and a leader to reauthorize the Bank.

Mr. FINCHER. Mr. Chairman, once again, let's go back to the facts. The facts are this is a Republican reform bill. The gentleman from South Carolina is listening. This doesn't cost the taxpayer a dime.

The scare tactics from my colleagues that are trying to kill the Bank are not going to work. This returns \$500 million to \$1 billion per year to the Treasury to help pay down the debt.

My colleagues that are in opposition to this talk about us picking winners and losers, the supporters of the Ex-Im Bank. Well, do you know what? We are picking winners: American jobs. Those are the winners here.

This is shameful that we are having this debate tonight at 10:00 on an issue that could have been handled in our committee a year ago. And the gentleman talks about hearings. Well, we haven't had any hearings in how many months? I don't know if we have had any this Congress. We had some last Congress. We haven't had any this Congress.

This is how we fix issues. We have hearings, we have markups, we debate them in committee, and then we move items to the floor. But that didn't happen this time.

So what we have is we have 10 amendments. As the gentleman from Oklahoma said a few minutes ago, the Bank is already dead. They succeeded. But they want to bury the Bank now.

Let's put American jobs first and put political scorecards and trying to out-conservative each other for some ranking in some book last. Let's work for our districts and not play political games, Mr. Chairman.

I urge my colleagues, once again, to vote "no" on all of these amendments. Let's put people back in charge.

Mr. SCHWEIKERT. Mr. Chairman, may I request how much time is remaining on both sides?

The Acting CHAIR. The gentleman from Arizona has 3 minutes remaining. The gentlewoman from California has 15 seconds remaining.

Mr. SCHWEIKERT. Mr. Chairman, I yield 90 seconds to the good gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. Mr. Chairman, I want to encourage my colleagues, if they vote for one and only one of these Export-Import Bank amendments, they should vote for this one.

In fact, I would bring to their attention that they probably have already voted for it before because, in the last two Congresses, we have voted to put the Federal agencies on fair value accounting and passed that out of the House. We have already done it. I don't know where the objections were at that time, but we have already done this as a House, and we should do it again.

To the gentleman from California's point regarding GAAP, let's be honest with people. Let's be honest. The government doesn't use GAAP. The government does not use GAAP the way that most ordinary people understand it. We use GAAP for government, which is entirely different.

Let's just settle on this amendment so that we can count in a way that peo-

ple understand, that if you lent money to the Batista regime before Castro and it hasn't been paid yet, maybe it is a bad loan; if you lent money to Chiang Kai-shek, maybe that is a bad loan. Let's start counting in ways that ordinary people can understand. This is not a poison pill. It is just good governance.

And, most importantly, Mr. Chairman, it would not change the way the Bank functions in any way whatsoever. All it would do is change the way the Bank counts and tells Congress and the American people how it is performing. I strongly encourage that if you are going to vote for one Export-Import amendment, this would be the one.

Ms. MAXINE WATERS of California. Mr. Chairman, this is what our accountant friend, Mr. SHERMAN, called fairytale value accounting. But further than that, President George W. Bush calls this fuzzy math.

We have heard everything this evening. We have had every attempt to try to kill the Export-Import Bank, and now we are into this fuzzy, fairytale math that is being presented by my friend.

I urge my friends to vote "no" on this amendment. I yield back the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, all right. So fuzzy math, even though we now require the International Monetary Fund to use fair value accounting, even though many of you, when you voted for the Troubled Asset Relief Program, demanded fair value accounting. We now demand Fannie Mae and Freddie Mac, when they are doing their projections, to use fair value accounting. And a whole bunch of us in this room have voted for that.

Let's actually touch on that. Mr. Chairman, forgive me because I am going to try to find the most elegant way to say this.

My friend from Tennessee now multiple times has referred to a scorecard. Okay? So how many people are voting for this for donations? Just a theoretical question. I mean, if you are going to impugn, be careful.

Many of us have been working on this issue since the day we arrived at this body before it was ever a political issue bouncing up through the blogosphere. This is a problem.

Our amendment here, a fair value accounting, has actually been supported by the gentlemen sitting across from me who opposes this. You have all voted. You have all voted to put all of government on fair value accounting.

But now all of a sudden, when it is an actual reform to the Ex-Im Bank because we might actually understand the value of risk and what is really going on and actually maybe understand what belongs in the impairment category instead of the charge-off category, we would get some honest information. That is what this amendment will do.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCHWEIKERT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 23 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part B of House Report 114-326.

Mr. WESTMORELAND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, insert the following:
SEC. ____ PROCEDURES REQUIRED IN RESPONSE TO COMMENT ALLEGING ECONOMIC HARM WILL RESULT IF PROPOSED BANK TRANSACTION IS APPROVED.

Section 3(c) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(c)) is amended by adding at the end the following:

"(1) PROCEDURES REQUIRED IN RESPONSE TO COMMENT ALLEGING ECONOMIC HARM WILL RESULT IF PROPOSED BANK TRANSACTION IS APPROVED.—If the Board of Directors receives a comment from a representative of a United States company, in response to a notice that the Board has caused to be published in the Federal Register, that alleges that the company will suffer economic harm if a proposed Bank transaction is approved, then, unless the Board unanimously votes to do otherwise, the Board shall provide for—

"(A) a 60-day discussion period that begins at the end of the comment period otherwise required by law, with respect to all comments received by the Board in response to the notice, which period shall be extended by not more than 60 days if at least 1 Board member recommends such an extension; and

"(B) an opportunity for any such commenter who makes such an allegation to appear before the Board and be heard with respect to the notice if at least 1 Board member recommends that the commenter be invited to do so."

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Georgia (Mr. WESTMORELAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Chairman, I want to clarify a few things. This is not a poison pill. My amendment is not a poison pill.

My friend from Oklahoma said that he wanted to play by the rules. That is what I want to do. I have got an amendment that I never had an opportunity to submit. Do you know why? Because of the discharge position.

The authors of the discharge petition chose to have it brought up under a

closed rule. So I never got a chance. My 700,000 people never had a chance.

Now, I don't know how many people in Frog Jump, Tennessee, buy wide-bodied planes. I am sure there are probably one or two that buy them. But I have got 6,000 Delta employees, both current and retired, that live in my district.

What this amendment does is it allows a fair playing field to where you can go to the board of directors at Ex-Im Bank and give your analysis, not to the Ex-Im—that is almost like giving your complaint to the opposition's attorney. We want to go to the board because it is not fair.

Mr. Chairman, I include in the record a Wall Street Journal article called "Boeing Helped Craft Own Loan Rule." They have been cooking the books.

All we want to do is have a chance where we can go to the board of directors and present our case because, when Ex-Im is cooking the books with Boeing, that doesn't leave us much of a chance.

[From the Wall Street Journal, Mar. 12, 2015]

BOEING HELPED CRAFT OWN LOAN RULE

(By Brody Mullins)

WASHINGTON.—When the Export-Import Bank sought to respond to critics with tighter rules for aircraft sales, it reached out to a company with a vested interest in the outcome: Boeing Co., the biggest beneficiary of the bank's assistance.

For months in 2012, according to about 50 pages of emails reviewed by The Wall Street Journal, the bank worked with Boeing to write rules that would satisfy critics in Congress and the domestic commercial airline industry—while leaving most sales of Boeing's airplanes to foreign carriers unscathed.

Ex-Im Bank, which helps finance the purchase of U.S. exports through loans and guarantees, is the target of Republicans who want to kill it, in part because they say it mostly provides subsidies to America's largest companies. The Boeing emails will add fuel to that fight.

The previously unreported documents, obtained through an open-records request, show how the two sides swapped ideas, drafts and data on sales of wide-body airplanes. Ex-Im Bank officials pushed their Boeing counterparts for information. Boeing suggested changes to the bank's draft proposal.

They reveal an extraordinary level of coordination between public officials and corporate executives. In a message one Saturday morning, Bob Morin, then the bank's head of aircraft financing, sent a plea: "If Boeing expects Ex-Im Bank to continue supporting wide-body aircraft, we need to get this right."

When Congress renewed the bank's charter in 2012, the bank was required to publish its methodology for determining which transactions were significant enough to trigger an additional "economic-impact review" and, potentially, rejection.

The requirement didn't specifically include aircraft purchases, but Delta Air Lines Inc. and some lawmakers wanted the bank to include them in the rules, too.

That's when Boeing and Ex-Im Bank started discussing how the rule should be written. Many of the emails between the bank and Boeing deal with the guidelines the bank was

creating to determine which aircraft transactions would trigger the additional review.

The collaboration appears to have worked. In the nearly two years since the rule went into effect, no Boeing sales have been nixed as a result.

Republican presidential hopeful Jeb Bush recently joined the chorus of conservatives questioning the bank's purpose. In late February, he told a gathering of the Club for Growth, a conservative advocacy group, that the government should consider whether this kind of financing "should be phased out." The bank's current authorization expires June 30 and the lobbying battle is heating up.

Its usual supporters include lawmakers of both parties, including House Speaker John Boehner (R., Ohio) and Minority Leader Nancy Pelosi (D., Calif.), as well as the U.S. Chamber of Commerce, major labor unions, manufacturers and Wall Street banks.

Officials at Boeing declined to comment on the emails. In general, said Tim Myers, president of Boeing Capital Corp., Boeing's aircraft-financing unit, "it would be only natural" for the bank to ask for input since Boeing is the only U.S. maker of wide-body commercial aircraft.

Tim Keating, the company's top Washington lobbyist, called the interaction an example of how government should work: "There doesn't have to be a full hostile relationship between the regulator and the regulated," he said.

Matt Bevins, a spokesman for Ex-Im, said other countries have their own export-financing agencies, but Ex-Im is the only one that assesses the economic impact of its transactions. Mr. Bevins, speaking on behalf of the individual employees named in the emails, said the bank developed the new guidelines voluntarily and that it would have been "irresponsible if Ex-Im Bank had failed to consult the only American manufacturer of commercial aircraft."

Bank supporters say foreign airlines would buy planes from European rival Airbus Group NV without Ex-Im financing. Boeing customers are among the biggest recipients of Ex-Im Bank loan guarantees. In the most recent fiscal year ended Sept. 30, 2014, the bank helped Boeing sell 61 wide-body planes to foreign airlines by guaranteeing more than \$7 billion in loans.

Overall, in that fiscal year the bank guaranteed \$20.5 billion in financing for U.S. exports. The bank charges a fee on its loans and made \$675 million in profit that it sent to the U.S. Treasury.

Yet while the bank helps some American exporters, it irks other domestic firms.

Delta, for one, says the bank's financing gives rivals such as Emirates Airline, Thai Airways International PLC and Air India an advantage in their aircraft purchases that isn't available to U.S. carriers. For some foreign airlines, Ex-Im Bank's financing can be less expensive than a standard commercial loan.

It's amid such criticisms that the Ex-Im Bank and Boeing collaboration began. In August 2012, a bank official forwarded a draft proposal on the economic-impact trigger to several senior executives at Boeing and its aircraft-financing unit.

"Please note that this is an internal Ex-Im document still in draft form, but we wanted to get your input on several aspects of it prior to further developing the paper," wrote Claire Avett, an Ex-Im policy analyst on Friday, Aug. 31.

"We look forward to working closely with you to define concrete next steps to be able

to achieve these ends," she wrote, referring to imminent internal deadlines.

The next morning, Saturday, Sept. 1, a second bank official sent a follow-up email. "We do not have a lot of time," wrote Mr. Morin, the Ex-Im official in charge of aircraft financing.

The emails suggest Ex-Im Bank officials wanted Boeing's help to write guidelines that would limit the number of additional reviews on aircraft purchases.

"Subjecting and applying other transactions to detailed analysis under economic impact procedures has had the effect of killing most of those deals," wrote Mr. Morin, in the Sept. 1 email. "Accordingly, it is very important that we establish the correct procedures here," he said.

Mr. Bevins, the Ex-Im Bank spokesman, says those deals were killed by delays and uncertainty created by the review process, not the review process itself. He said those delays are why Boeing and its suppliers opposed subjecting aircraft purchases to potentially lengthy scrutiny.

A few hours later on Sept. 1, a senior official at Boeing Capital responded that the company was working "to look at what data we can pull together." The Boeing official, Kristi Kim, director of aircraft financial services at Boeing Capital, said the company was building model impact studies "to see how the data would vary."

Tim Neale, a spokesman for Boeing, said the company's goal was to ensure that the reviews were "based on reasonable criteria."

On Sept. 6, James Cruse, a senior vice president at Ex-Im's policy and planning group, wrote to Boeing to thank the company for its input. "We recognize we are pushing and pressing you in ways that are not in your natural strike zone (and may verge toward ridiculous)," he wrote.

The next month, the partners delved into nitty-gritty details, including the time frame that would be used to assess economic impact (shortening the time period to 12 months might be best, one Boeing official suggested). They settled on 12 months.

They also discussed who would conduct the reviews, if they were ever triggered. Boeing itself was an option because it had access to industry data. Other options were Ex-Im Bank or an outside consulting firm.

In one email where the two sides discussed who should conduct the analysis, Ms. Avett, the Ex-Im Bank policy analyst, asks for input on "what would be most palatable to Boeing."

In the end, Ex-Im Bank took the job of performing the reviews. In the two years since the new rules went into effect, Ex-Im has helped finance roughly 50 aircraft deals. Just one of those—a lease deal of Boeing planes by Aeroflot Russian Airlines—triggered the detailed economic review. Ultimately, that transaction was approved.

Mr. WESTMORELAND. Emirates Airline probably has the money to pay for these wide-bodied jets. But I respect Mr. HECK from Washington because he is fighting for people that work in his district. That is what I am trying to do. I am trying to work and fight for those folks in my district.

All we want is an opportunity to take an analysis, a real analysis, not one that the Ex-Im Bank called Boeing and said: You know what? You need to revise this number so we can understand or we can make a claim for the analysis that you need the money.

Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND), which, with all due respect, is a solution in search of a problem that, if adopted, will only serve to undermine the competitiveness of U.S. businesses.

The fact is the Ex-Im Bank already has a process in place for providing public notice and comment under which any member of the public, including companies who believe they may have been harmed, may submit comments which the board reviews prior to approving any transaction.

Lengthening this approval process by an additional 4 months, as the gentleman's amendment would do, would only serve to hurt our exporters by preventing them from competing in time-sensitive deals. Our U.S. exporters need and deserve every competitive edge they can get.

I urge my Members to reject this unnecessary and burdensome amendment. I reserve the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, I would just like to tell the gentlewoman that it is not 4 months. It is 60 days. Is 60 days too much to ask that you could go present your case in front of the board of directors? I think that is just fair.

To the gentlewoman from California, I understand, but you are just reading something that your staff has given you. It is not 4 months. This is a new idea. I never got the chance to offer this amendment.

Mr. FINCHER, with the discharge petition, evidently wrote a perfect bill. I have been doing this for 25 years. I have never seen a perfect bill. We are trying to perfect the bill that Mr. FINCHER wrote and that the discharge petition brought to the floor on a closed rule where nobody could have any amendments.

All I am trying to do is get a fair shake for my folks, just like Mr. HECK of Washington is trying to get a fair shake for his. Give me the opportunity. Give us an opportunity to do that.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, what the gentleman doesn't realize is we are all trying to get a fair chance for our constituents, the small businesses and the jobs.

I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, I want to thank the ranking member.

Here we have another Delta amendment once again. The Ex-Im Bank already, Mr. Chairman, has a process in

place for providing public notice and comment. Companies can provide feedback, which the board reviews prior to approving any transaction.

I can tell you that this is very dilatory again. All of Delta's lawsuits have all been thrown out. This is only another attempt to force the Ex-Im Bank to delay. The frustrating delay is doing its work.

I urge all my colleagues to vote against this dilatory amendment.

□ 2200

Mr. WESTMORELAND. Mr. Chairman, may I ask how much time is remaining?

The Acting CHAIR. The gentleman from Georgia has 1½ minutes remaining.

Mr. WESTMORELAND. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, my favorite literary theme is illusion reality, where you do not know whether you are in an illusion or you are in reality. It is greatly used throughout our culture and great movies, like "The Stunt Man," with Peter O'Toole, or in classic literature, like "Ulysses," by—who?—James Joyce.

It is not a good axis on which to pivot around an argument regarding public policy; so let's leave the illusion behind and go to reality. Here is the reality:

The Ex-Im does support jobs—164,000 last year. GAO, which you keep citing, approved its methodology. What is the proof? We have already lost nearly 1,000 jobs since you shuttered the doors of the Ex-Im. The reality is this is unilateral disarmament if we fail to reauthorize it. Every other developed nation has an export authority.

The reality is that this reduces deficit. The Ex-Im reduces deficit. Every year for 20 years, since the enactment of the Credit Reform Act, it has transferred cash. The heck with the accounting system—cash. The reality is a lot of these small businesses don't have an alternative.

Steve Wilburn, who is the CEO of FirmGreen, stood before us last year and said: If you have got an alternative for my pending deal in Korea, tell me what it is. He lost the deal because of the cloud over Ex-Im. An Indian company got the job. This issue is about jobs.

Mr. WESTMORELAND. Mr. Chairman, I don't know what the gentleman is talking about with regard to reality because the reality is that my constituents are losing jobs, and that is not fair.

I believe the gentleman is an attorney. All we want is an opportunity to go to the people who can make a decision and ask them to make that deci-

sion within 60 days. I am not going to go to the attorney who is fighting me and say: "Hey, here is my analysis—or here is my thing. Take it, and give it to somebody else." That is the fox looking after the henhouse, and that is not the way we need to operate.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentlewoman has 2 minutes remaining.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. I thank the gentlewoman for yielding.

Mr. Chairman, this already is allowed in the current charter. I know the gentleman from Georgia wants to play political games, but this is already happening. Yes, it is. This is just another attempt to try to kill the Bank—to keep it dead, to bury it.

It is sad, Mr. Chairman. We worked on this reform package—this Republican reform package—for a year and a half. Where was the gentleman from Georgia with his amendment? Mr. MULVANEY with his amendments? and the other Members in this body with their amendments during this year and a half? We didn't get to have a committee process, Mr. Chairman.

Mr. Chairman, where was the process by which he could offer his amendment? No, Mr. Chairman. They wait until they could try to bury the Bank here tonight and kill thousands of jobs and reward China and Russia.

We have to vote "no" on all of these amendments. Kill them all. Let's revive American jobs and do what is best for our constituents.

Mr. WESTMORELAND. Mr. Chairman, to the gentleman from Frog Jump, if he would read section 2(e)(7)(c) to (d), he would understand that my amendment tries to amend the procedure. Now, I know he wrote the perfect bill, but I am trying to help the gentleman perfect it.

Mr. Chairman, the other thing is I never saw the gentleman's bill. I never had a chance to amend the gentleman's bill. If the gentleman had allowed the open process—the right process—that the gentleman from Oklahoma talked about, then I would have had a chance to have offered my amendment; but, unfortunately, they chose to have a closed rule. So don't talk to me about process, because the process has not been followed here.

I just want to make it clear that all I am trying to do is the same thing as everybody here is doing. I am trying to represent my constituents. I think I deserve a chance to do that, and I think we deserve a chance to perfect the bill that Mr. FINCHER and the others brought to the floor under a discharge petition.

Mr. Chairman, I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS), one of our champions on the reauthorization of the Ex-Im Bank.

Mr. LUCAS. I thank the ranking member.

Mr. Chairman, I will note to my colleagues that I think the world of the gentleman from Georgia. He is a wonderful fellow as he is trying to help his people, but politics is like life—a lack of action is an action. When there was no action to help move an Export-Import reauthorization bill this spring or this summer, then the opportunity to do all of these great things went away. We all knew it was going to expire in July, and the people in critical positions chose to let that happen. Discharge was just an opportunity to resurrect what has already died.

Now, I would say this:

Let's finish the process. Let's put it back on the books for 4 years. Let's start the hearing process. If there are reforms and changes that need to be made, then let's file a new bill, and let's go with it; but let's not stop the opportunities economically that are created by this in the intervening period of time.

Mr. Chairman, I would say respectfully to my friend from Georgia, who has out-Southerned me, you are wrong on this one, sir.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. WESTMORELAND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 114-326.

Mr. YOUNG of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amend the table of contents by inserting after the item pertaining to section 62001 the following:

TITLE LXIII—REQUIREMENTS REGARDING RULE MAKINGS

Sec. 63001. Requirements regarding rule makings.

Page 988, insert after line 20 the following:

TITLE LXIII—REQUIREMENTS REGARDING RULE MAKINGS

SEC. 63001. REQUIREMENTS REGARDING RULE MAKINGS.

For each publication in the Federal Register required to be made by law and pertaining to a rule made to carry out this Act or the amendments made by this Act, the agency making the rule shall include in such publication a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Iowa (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. YOUNG of Iowa. Mr. Chairman, I yield myself such time as I may consume.

We talk a lot about transparency and accountability around here. We hear about transparency and accountability needs from our constituents regarding the Federal Government. It is time to quit just talking the talk and walk the talk.

The question is: How do rulemakers get their conclusions? How do they come to a decision when they are working on rules and regulations?

They have certain science and data and criteria and analyses that they look at, but we don't often get to see that. We hear their conclusions, and we wonder: How did they get to that conclusion? They used science, data, and analyses.

My amendment simply says that those scientific tools, data, and analyses have to be made public and just posted online. It is pretty simple. The data they used needs to go online so we can see it all as well and have the same benchmark and be on the same page. Why shouldn't Americans have access to this as well? Why shouldn't we have a more transparent government? Just post a link on the Internet. Let's walk the talk on transparency.

This amendment has been approved before as part of the REINS Act that passed 249-159. Now, the REINS Act looked at the whole Federal Government, but this amendment just pertains to the Department of Transportation. I urge my colleagues to support this amendment. It is common sense. It is what our constituents demand—common sense and transparency.

I reserve the balance of my time.

Ms. MOORE. Madam Chair, I claim the time in opposition.

The Acting CHAIR (Ms. FOXX). The gentlewoman from Wisconsin is recognized for 5 minutes.

Ms. MOORE. Madam Chair, this amendment would not only undo all of Dodd-Frank but all financial market regulations past, present, and future. I support the cost-benefit analyses mandates that are already contained in Federal securities laws and in President Obama's executive orders.

This particular amendment, of course, is dilatory, and it would mean that rulemaking would take even longer as the SEC has struggled to meet the impossibly subjective economic cost-benefit standards to stave off upcoming court battles over competing economic impact projections.

Not only that, Madam Chair, but the most dangerous part about this initiative is that this would open the door to the most powerful industry participants. If it were possible to make rules, they could challenge the rules in a way that achieved their most narrow interests, and it would be to the detriment of investors or to the less affluent market participants. In this way, the most powerful industry interests would not only be able to use the courts to undo consumer protections, but they would also seek competitive advantages over competitors.

Current law already requires the SEC to conduct economic analyses, pursuant to the Paperwork Reduction Act, the Congressional Review Act, and the Regulatory Flexibility Act, as other agencies do.

I urge my colleagues to oppose this amendment.

Madam Chair, I reserve the balance of my time.

Mr. YOUNG of Iowa. Madam Chair, I yield myself such time as I may consume.

I heard my friend from the other side talk about the SEC and Dodd-Frank and executive orders. We are just, really, talking about any rules and regulations pertaining to this act—the transportation bill, primarily the Department of Transportation.

I believe that it is very important that we have more transparency and accountability in government. I do not see what is wrong with the American people being allowed to see the data, the cost-benefit analyses, the science, and the criteria of those who make these rules. What is so wrong with that, with being on the same page?

I simply ask my colleagues to support this amendment. Transparency and accountability, we talk about it a lot, but we don't do enough of it. I have some other great transparency and accountability amendments, and we will worry about those later. Right now, I am asking my colleagues to support transparency and accountability. Let the American people see how we make decisions that affect their lives.

Madam Chair, I reserve the balance of my time.

Ms. MOORE. Madam Chair, will the Chair advise me as to how much time I have remaining?

The Acting CHAIR. The gentlewoman from Wisconsin has 3 minutes remaining.

Ms. MOORE. Madam Chair, I appreciate the fact that the gentleman has claimed that he is restricting this to the highway bill; but, again, it is problematic because it would really impose

cost-benefit analyses on all rulemaking under the highway bill, as amended.

It would require several rulemakings from the SEC that are related to emerging growth companies, private security transaction exemptions, and disclosure reforms. It would require the SEC to comply with this additional hurdle that is administratively burdensome and that opens up the SEC to additional litigation risks. It is not just limited to the transportation bill just in terms of its multiplier impact.

□ 2215

This legislation is just yet another veiled attempt to stop the Ex-Im Bank, which we have discussed earlier today, because it, again, would create a sufficiently high bar to pass new rulemaking and open up every SEC rule to ongoing litigation.

I reserve the balance of my time.

Mr. YOUNG of Iowa. Madam Chair, I yield myself such time as I may consume.

Transparency is a good thing. Shining sunlight is a good thing. It is the best disinfectant out there.

Why can't we know, the American people, the science and the cost benefit behind the rules and regulations that are inflicted upon the American people, good or bad, whatever they are?

Madam Chairman, the other side, my friend mentioned the Ex-Im Bank. I am not in that battle with this amendment. This is just about general rules and regulations, the science behind them. Why can't the American people know what it is? We will all be on the same playing field, so we know what we are talking about. It is a good thing.

I reserve the balance of my time.

Ms. MOORE. Madam Chair, this has been misnamed as a transparency bill. It is not a transparency bill. This cost benefit bill literally is a race-to-the-courthouse bill, and we would just be in an endless litigious position.

We are already late with the transportation bill. We have already created great uncertainty for all of our cities, counties, and towns in America. Why would we now want to subject our broken bridges and our broken transportation system to yet another dilatory tactic that sort of slows down our ability to create good jobs and to fix our infrastructure?

Madam Chair, I would urge all Members to vote against this initiative because it is wrong-headed at a time when we really need to get our transportation infrastructure improvements back on track.

I yield back the balance of my time.

Mr. YOUNG of Iowa. Madam Chair, I yield myself the balance of my time to close.

So we can't find out what the science is. At the same time, we don't even know who these nameless, faceless folks are in the bureaucracy who are

putting out these rules and regulations. Why are we to be left in the dark? What is wrong with transparency? Sunlight is the best disinfectant. The American people are tired of this, are tired about this veil around our government.

I don't care what administration it is, Republican, Democrat, why should it matter. I put my name on a bill and amendment. You do, too. These rules and regulations that come out, we have no idea who these people are. They could be very well intended and that is fine. We don't know what their titles are either. Are they experts in their fields? We don't know. Where is the transparency?

This amendment passed in a bipartisan way before. I am asking for my colleagues to support it this time.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. YOUNG).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MOORE. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114-326 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. PERRY of Pennsylvania.

Amendment No. 2 by Mr. MULVANEY of South Carolina.

Amendment No. 3 by Mr. MULVANEY of South Carolina.

Amendment No. 4 by Mr. MULVANEY of South Carolina.

Amendment No. 5 by Mr. MULVANEY of South Carolina.

Amendment No. 6 by Mr. MULVANEY of South Carolina.

Amendment No. 7 by Mr. ROTHFUS of Pennsylvania.

Amendment No. 8 by Mr. ROYCE of California.

Amendment No. 9 by Mr. SCHWEIKERT of Arizona.

Amendment No. 23 by Mr. WESTMORELAND of Georgia.

Amendment No. 10 by Mr. YOUNG of Iowa.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. PERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 121, noes 303, not voting 9, as follows:

[Roll No. 607]

AYES—121

Abraham	Guthrie	Palmer
Allen	Harris	Pearce
Amash	Heck (NV)	Perry
Barr	Hensarling	Pittenger
Bilirakis	Hice, Jody B.	Pitts
Bishop (UT)	Holding	Pompeo
Black	Hudson	Posey
Blackburn	Huelskamp	Price, Tom
Blum	Huizenga (MI)	Ratcliffe
Brady (TX)	Hurt (VA)	Roe (TN)
Brat	Jenkins (KS)	Rohrabacher
Buck	Johnson, Sam	Rokita
Burgess	Jones	Roskam
Carter (TX)	Jordan	Ross
Chabot	King (IA)	Rothfus
Chaffetz	Labrador	Rouzer
Clawson (FL)	LaMalfa	Salmon
Coffman	Lamborn	Scalise
Collins (GA)	Lance	Schweikert
Conaway	Latta	Scott, Austin
DeSantis	Loudermilk	Sensenbrenner
DesJarlais	Love	Sessions
Duffy	Lummis	Smith (MO)
Duncan (SC)	Marchant	Smith (NE)
Duncan (TN)	Massie	Smith (TX)
Emmer (MN)	McCarthy	Stewart
Farenthold	McCaul	Stutzman
Fleischmann	McClintock	Tipton
Fleming	McHenry	Walker
Flores	McKinley	Webster (FL)
Forbes	McSally	Westrup
Fortenberry	Meadows	Westmoreland
Fox	Messer	Williams
Franks (AZ)	Miller (FL)	Wittman
Garrett	Mooney (WV)	Woodall
Gohmert	Mulvaney	Yoder
Goodlatte	Neugebauer	Yoho
Gosar	Noem	Young (IA)
Gowdy	Nugent	Young (IN)
Graves (GA)	Olson	
Griffith	Palazzo	

NOES—303

Adams	Cárdenas	Davis, Rodney
Aderholt	Carney	DeGette
Aguilar	Carson (IN)	Delaney
Amodel	Carter (GA)	DeLauro
Ashford	Cartwright	DelBene
Barletta	Castor (FL)	Denham
Barton	Castro (TX)	Dent
Bass	Chu, Judy	DeSaulnier
Beatty	Cicilline	Deutch
Becerra	Clark (MA)	Diaz-Balart
Benishek	Clarke (NY)	Dingell
Bera	Clay	Doggett
Beyer	Cleaver	Dold
Bishop (GA)	Clyburn	Donovan
Bishop (MI)	Cohen	Doyle, Michael
Blumenauer	Cole	F.
Bonamici	Collins (NY)	Duckworth
Bost	Comstock	Edwards
Boustany	Connolly	Ellison
Boyle, Brendan	Conyers	Engel
F.	Cook	Eshoo
Brady (PA)	Cooper	Esty
Bridenstine	Costa	Farr
Brooks (AL)	Costello (PA)	Fattah
Brooks (IN)	Courtney	Fincher
Brown (FL)	Cramer	Fitzpatrick
Brownley (CA)	Crawford	Foster
Buchanan	Crenshaw	Frankel (FL)
Bucshon	Crowley	Frelinghuysen
Bustos	Cuellar	Fudge
Butterfield	Culberson	Gabbard
Byrne	Cummings	Gallego
Calvert	Curbelo (FL)	Garamendi
Capps	Davis (CA)	Gibbs
Capuano	Davis, Danny	Gibson

Graham	Lowenthal	Ruiz
Granger	Lowey	Ruppersberger
Graves (LA)	Lucas	Rush
Graves (MO)	Luetkemeyer	Russell
Grayson	Lujan Grisham	Ryan (OH)
Green, Al	(NM)	Sánchez, Linda
Green, Gene	Luján, Ben Ray	T.
Grijalva	(NM)	Sanchez, Loretta
Grothman	Lynch	Sanford
Guinta	MacArthur	Sarbanes
Gutiérrez	Maloney,	Schakowsky
Hahn	Carolyn	Schiff
Hanna	Maloney, Sean	Schrader
Hardy	Marino	Scott (VA)
Harper	Matsui	Scott, David
Hartzler	McCollum	Serrano
Hastings	McDermott	Sewell (AL)
Heck (WA)	McGovern	Sherman
Herrera Beutler	McMorris	Shimkus
Higgins	Rodgers	Shuster
Hill	McNerney	Simpson
Himes	Meehan	Sires
Hinojosa	Meng	Slaughter
Honda	Mica	Smith (NJ)
Hoyer	Miller (MI)	Smith (WA)
Huffman	Moolenaar	Speier
Hultgren	Moore	Stefanik
Hunter	Moulton	Stivers
Hurd (TX)	Mullin	Swalwell (CA)
Israel	Murphy (FL)	Takano
Issa	Murphy (PA)	Thompson (CA)
Jackson Lee	Nadler	Thompson (MS)
Jeffries	Napolitano	Thompson (PA)
Jenkins (WV)	Neal	Thornberry
Johnson (GA)	Newhouse	Tiberi
Johnson (OH)	Nolan	Black
Johnson, E. B.	Norcross	Blackburn
Jolly	Nunes	Blum
Joyce	O'Rourke	Brat
Kaptur	Pallone	Buck
Katko	Pascrell	Burgess
Keating	Paulsen	Carter (TX)
Kelly (IL)	Payne	Chabot
Kelly (MS)	Pelosi	Chaffetz
Kelly (PA)	Perlmutter	Clawson (FL)
Kennedy	Peters	Coffman
Kildee	Peterson	Collins (GA)
Kilmer	Pingree	Conaway
Kind	Pocan	DeSantis
King (NY)	Poe (TX)	DesJarlais
Kinzing (IL)	Poliquin	Duffy
Kirkpatrick	Polis	Duncan (SC)
Kline	Price (NC)	Duncan (TN)
Knight	Quigley	Farenthold
Kuster	Rangel	Fleischmann
LaHood	Reed	Fleming
Langevin	Reichert	Flores
Larsen (WA)	Renacci	Forbes
Larson (CT)	Ribble	Fox
Lawrence	Rice (SC)	Franks (AZ)
Lee	Richmond	Garrett
Levin	Rigell	Gohmert
Lewis	Roby	Goodlatte
Lieu, Ted	Rogers (AL)	Gosar
Lipinski	Rogers (KY)	Graves (GA)
LoBiondo	Rooney (FL)	Graves (LA)
Loeb sack	Ros-Lehtinen	Grayson
Lofgren	Roybal-Allard	
Long	Royce	

NOT VOTING—9

Babin	Meeks	Takai
DeFazio	Rice (NY)	Wagner
Ellmers (NC)	Sinema	Wilson (FL)

□ 2245

Messrs. KILDEE and RUSH changed their vote from “aye” to “no.”

Messrs. WEBSTER, HURT of Virginia, and Ms. JENKINS of Kansas changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BABIN. Madam Chair, on rollcall No. 607, my voting card didn't register. Had I been present, I would have voted “yes.”

AMENDMENT NO. 2 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 117, noes 309, not voting 7, as follows:

[Roll No. 608]

AYES—117

Abraham	Griffith	Palmer
Allen	Guthrie	Pearce
Amash	Harris	Perry
Babin	Heck (NV)	Pittenger
Barr	Hensarling	Pitts
Bilirakis	Hice, Jody B.	Pompeo
Bishop (UT)	Holding	Posey
Black	Hudson	Price, Tom
Blackburn	Huelskamp	Ratcliffe
Blum	Huizenga (MI)	Roe (TN)
Brat	Hurt (VA)	Rohrabacher
Buck	Issa	Rokita
Burgess	Jenkins (KS)	Roskam
Carter (TX)	Johnson, Sam	Ross
Chabot	Jones	Rothfus
Chaffetz	Jordan	Rouzer
Clawson (FL)	King (IA)	Royce
Coffman	Labrador	Scalise
Collins (GA)	LaMalfa	Schweikert
Conaway	Lamborn	Scott, Austin
Vela	Lance	Sensenbrenner
DesJarlais	Latta	Sessions
Duffy	Love	Smith (MO)
Duncan (SC)	Lummis	Smith (TX)
Duncan (TN)	Massie	Stewart
Farenthold	McCarthy	Stutzman
Fleischmann	McCaul	Tipton
Fleming	McClintock	Walker
Flores	McHenry	Webster (FL)
Forbes	McKinley	Westrup
Fox	Meadows	Westerman
Franks (AZ)	Messer	Westmoreland
Garrett	Miller (FL)	Williams
Gohmert	Mooney (WV)	Wittman
Goodlatte	Mulvaney	Woodall
Gosar	Neugebauer	Yoder
Graves (GA)	Noem	Yoho
Graves (LA)	Nugent	Young (IA)
Grayson	Olson	Young (IN)

NOES—309

Adams	Buchanan	Cook
Aderholt	Bucshon	Cooper
Aguilar	Bustos	Costa
Amodei	Butterfield	Costello (PA)
Ashford	Byrne	Courtney
Barletta	Calvert	Cramer
Barton	Capps	Crawford
Bass	Capuano	Crenshaw
Beatty	Cardenas	Crowley
Becerra	Carney	Cuellar
Benishek	Carson (IN)	Culberson
Bera	Carter (GA)	Cummings
Beyer	Cartwright	Curbelo (FL)
Bishop (GA)	Castor (FL)	Davis (CA)
Bishop (MI)	Castro (TX)	Davis, Danny
Blumenauer	Chu, Judy	Davis, Rodney
Bonamici	Cicilline	DeGette
Bost	Clark (MA)	Delaney
Boustany	Clarke (NY)	DeLauro
Boyle, Brendan	Clay	DelBene
F.	Cleaver	Denham
Brady (PA)	Clyburn	Dent
Brady (TX)	Cohen	DeSaulnier
Bridenstine	Cole	Deutch
Brooks (AL)	Collins (NY)	Diaz-Balart
Brooks (IN)	Comstock	Dingell
Brown (FL)	Connolly	Doggett
Brownley (CA)	Conyers	Dold

Donovan	Langevin	Rigell
Doyle, Michael	Larsen (WA)	Roby
F.	Larson (CT)	Rogers (AL)
Duckworth	Lawrence	Rogers (KY)
Edwards	Lee	Rooney (FL)
Ellison	Levin	Ros-Lehtinen
Emmer (MN)	Lewis	Roybal-Allard
Engel	Lieu, Ted	Ruiz
Eshoo	Lipinski	Ruppersberger
Esty	LoBiondo	Rush
Farr	Loeb sack	Russell
Fattah	Lofgren	Ryan (OH)
Fincher	Long	Salmon
Fitzpatrick	Lowenthal	Sánchez, Linda
Fortenberry	Lowey	T.
Foster	Lucas	Sanchez, Loretta
Frankel (FL)	Luetkemeyer	Sanford
Frelinghuysen	Lujan Grisham	Sarbanes
Fudge	(NM)	Schakowsky
Gabbard	Luján, Ben Ray	Schiff
Gallego	(NM)	Schrader
Garamendi	Lynch	Scott (VA)
Gibbs	MacArthur	Scott, David
Gibson	Maloney,	Serrano
Gowdy	Carolyn	Sewell (AL)
Graham	Maloney, Sean	Sherman
Granger	Marchant	Shimkus
Graves (MO)	Marino	Shuster
Green, Al	Matsui	Simpson
Green, Gene	McCollum	Sires
Grijalva	McDermott	Slaughter
Grothman	McGovern	Smith (NE)
Guinta	McMorris	Smith (NJ)
Gutiérrez	Rodgers	Smith (WA)
Hahn	McNerney	Speier
Hanna	McSally	Stefanik
Hardy	Meehan	Stivers
Harper	Meng	Swalwell (CA)
Hartzler	Mica	Takano
Hastings	Miller (MI)	Thompson (CA)
Heck (WA)	Moolenaar	Thompson (MS)
Herrera Beutler	Moore	Thompson (PA)
Higgins	Moulton	Thornberry
Hill	Mullin	Tiberi
Himes	Murphy (FL)	Titus
Hinojosa	Murphy (PA)	Tonko
Honda	Nadler	Torres
Hoyer	Napolitano	Trott
Huffman	Neal	Tsongas
Hultgren	Newhouse	Turner
Hunter	Nolan	Upton
Hurd (TX)	Norcross	Valadao
Israel	Nunes	Van Hollen
Jackson Lee	O'Rourke	Vargas
Jeffries	Palazzo	Veasey
Jenkins (WV)	Pallone	Vela
Johnson (GA)	Pascrell	Velázquez
Johnson (OH)	Paulsen	Visclosky
Johnson, E. B.	Payne	Walberg
Jolly	Pelosi	Walden
Joyce	Perlmutter	Walorski
Kaptur	Peters	Walters, Mimi
Katko	Pingree	Walz
Keating	Pocan	Wasserman
Kelly (IL)	Poe (TX)	Schultz
Kelly (MS)	Poliquin	Waters, Maxine
Kelly (PA)	Polis	Watson Coleman
Kennedy	Price (NC)	Weber (TX)
Kildee	Quigley	Welch
Kilmer	Rangel	Whitfield
Kind	Reed	Wilson (SC)
King (NY)	Reichert	Womack
Kinzing (IL)	Renacci	Yarmuth
Kirkpatrick	Ribble	Zeldin
Kline	Rice (NY)	Zinke
Knight	Rice (SC)	
Kuster	Richmond	
LaHood		

NOT VOTING—7

DeFazio	Meeks	Wilson (FL)
Ellmers (NC)	Sinema	
Loudermilk	Takai	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2249

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 302, not voting 7, as follows:

[Roll No. 609]

AYES—124

Abraham	Graves (GA)	Nugent
Allen	Graves (LA)	Olson
Amash	Grayson	Palmer
Babin	Guthrie	Perry
Barr	Harris	Pittenger
Bilirakis	Heck (NV)	Pompeo
Bishop (UT)	Hensarling	Posey
Black	Hice, Jody B.	Price, Tom
Blackburn	Holding	Ratcliffe
Blum	Hudson	Roe (TN)
Brat	Huelskamp	Rohrabacher
Brooks (AL)	Huizenga (MI)	Rokita
Buck	Hultgren	Roskam
Burgess	Hurt (VA)	Ross
Carter (TX)	Issa	Rothfus
Chabot	Jenkins (KS)	Rouzer
Chaffetz	Johnson, Sam	Salmon
Clawson (FL)	Jones	Scalise
Coffman	Jordan	Schweikert
Collins (GA)	King (IA)	Scott, Austin
Conaway	Labrador	Sensenbrenner
Culberson	LaMalfa	Sessions
DeSantis	Lamborn	Smith (MO)
DesJarlais	Lance	Smith (NE)
Duffy	Latta	Smith (TX)
Duncan (SC)	Love	Stewart
Duncan (TN)	Lummis	Stutzman
Emmer (MN)	Marchant	Tipton
Farenthold	Masse	Walberg
Fleischmann	McCarthy	Walker
Fleming	McCaul	Webster (FL)
Flores	McClintock	Wenstrup
Forbes	McHenry	Westmoreland
Fortenberry	McKinley	Williams
Fox	McSally	Wittman
Franks (AZ)	Meadows	Woodall
Garrett	Messer	Yoder
Gibbs	Miller (FL)	Yoho
Gohmert	Mooney (WV)	Young (IA)
Goodlatte	Mulvaney	Young (IN)
Gosar	Neugebauer	
Gowdy	Noem	

NOES—302

Adams	Brady (PA)	Chu, Judy
Aderholt	Brady (TX)	Ciциlline
Aguilar	Bridenstine	Clark (MA)
Amodei	Brooks (IN)	Clarke (NY)
Ashford	Brown (FL)	Clay
Barletta	Brownley (CA)	Cleaver
Barton	Buchanan	Clyburn
Bass	Bucshon	Cohen
Beatty	Bustos	Cole
Becerra	Butterfield	Collins (NY)
Benishek	Byrne	Comstock
Bera	Calvert	Connolly
Beyer	Capps	Conyers
Bishop (GA)	Capuano	Cook
Bishop (MI)	Cárdenas	Cooper
Blumenauer	Carney	Costa
Bonamici	Carson (IN)	Costello (PA)
Bost	Carter (GA)	Courtney
Boustany	Cartwright	Cramer
Boyle, Brendan	Castor (FL)	Crawford
F.	Castro (TX)	Crenshaw

Crowley	Kildee	Renacci
Cuellar	Kilmer	Ribble
Cummings	Kind	Rice (NY)
Curbelo (FL)	King (NY)	Rice (SC)
Davis (CA)	Kinzinger (IL)	Richmond
Davis, Danny	Kirkpatrick	Rigell
Davis, Rodney	Kline	Roby
DeGette	Knight	Rogers (AL)
Delaney	Kuster	Rogers (KY)
DeLauro	LaHood	Rooney (FL)
DeBene	Langevin	Ros-Lehtinen
Denham	Larsen (WA)	Roybal-Allard
Dent	Larson (CT)	Royce
DeSaulnier	Lawrence	Ruiz
Deutch	Lee	Ruppersberger
Diaz-Balart	Levin	Rush
Dingell	Lewis	Russell
Doggett	Lieu, Ted	Ryan (OH)
Dold	Lipinski	Sánchez, Linda
Donovan	LoBiondo	T.
Doyle, Michael	Loeb sack	Sanchez, Loretta
F.	Lofgren	Sanford
Duckworth	Long	Sarbanes
Edwards	Lowenthal	Schakowsky
Ellison	Lowe y	Schiff
Engel	Lucas	Schrader
Eshoo	Luetkemeyer	Scott (VA)
Esty	Lujan Grisham	Scott, David
Farr	(NM)	Serrano
Fattah	Lujan, Ben Ray	Sewell (AL)
Fincher	(NM)	Sherman
Fitzpatrick	Lynch	Shimkus
Foster	MacArthur	Shuster
Frankel (FL)	Maloney,	Simpson
Frelinghuysen	Carolyn	Sires
Fudge	Maloney, Sean	Slaughter
Gabbard	Marino	Smith (NJ)
Gallego	Matsui	Smith (WA)
Garamendi	McCollum	Speier
Gibson	McDermott	Stefanik
Graham	McGovern	Stivers
Granger	McMorris	Swalwell (CA)
Graves (MO)	Rodgers	Takano
Green, Al	McNerney	Thompson (CA)
Green, Gene	Meehan	Thompson (MS)
Griffith	Meng	Thompson (PA)
Grijalva	Mica	Thornberry
Grothman	Miller (MI)	Tiberi
Guinta	Moolenaar	Titus
Gutiérrez	Moore	Tonko
Hahn	Moulton	Torres
Hanna	Mullin	Trotter
Hardy	Murphy (FL)	Tsongas
Harper	Murphy (PA)	Turner
Hartzler	Nadler	Upton
Hastings	Napolitano	Valadao
Heck (WA)	Neal	Van Hollen
Herrera Beutler	Newhouse	Vargas
Higgins	Nolan	Veasey
Hill	Norcross	Vela
Himes	Nunes	Velázquez
Hinojosa	O'Rourke	Visclosky
Honda	Palazzo	Wagner
Hoyer	Pallone	Walden
Huffman	Pascarell	Walorski
Hunter	Paulsen	Walters, Mimi
Hurd (TX)	Payne	Walz
Israel	Pearce	Wasserman
Jackson Lee	Pelosi	Schultz
Jeffries	Perlmutter	Watson Coleman
Jenkins (WV)	Peters	Weber (TX)
Johnson (GA)	Peterson	Welch
Johnson (OH)	Pingree	Westerman
Johnson, E. B.	Pitts	Whitfield
Jolly	Pocan	Wilson (FL)
Joyce	Poe (TX)	Wilson (SC)
Kaptur	Poliquin	Womack
Katko	Polis	Yarmuth
Keating	Price (NC)	Young (AK)
Kelly (IL)	Quigley	Zeldin
Kelly (MS)	Rangel	Zinke
Kelly (PA)	Reed	
Kennedy	Reichert	

NOT VOTING—7

DeFazio	Meeks	Waters, Maxine
Elmiers (NC)	Sinema	
Loudermilk	Takai	

□ 2253

Mr. BYRNE changed his vote from “aye” to “no.”
So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 116, noes 308, not voting 9, as follows:

[Roll No. 610]

AYES—116

Abraham	Graves (GA)	Nugent
Allen	Graves (LA)	Olson
Amash	Grayson	Palmer
Babin	Guthrie	Pearce
Barr	Harris	Perry
Bilirakis	Heck (NV)	Pittenger
Bishop (UT)	Hensarling	Pompeo
Black	Hice, Jody B.	Posey
Blackburn	Holding	Price, Tom
Blum	Hudson	Ratcliffe
Brat	Huelskamp	Roe (TN)
Buck	Huizenga (MI)	Rohrabacher
Burgess	Hurt (VA)	Rokita
Carter (TX)	Issa	Ross
Chabot	Jenkins (KS)	Rothfus
Chaffetz	Johnson, Sam	Rouzer
Clawson (FL)	Jones	Scalise
Coffman	Jordan	Schweikert
Collins (GA)	King (IA)	Scott, Austin
Conaway	Labrador	Sensenbrenner
Culberson	LaMalfa	Sessions
DeSantis	Lamborn	Smith (MO)
DesJarlais	Lance	Smith (NE)
Duffy	Latta	Smith (TX)
Duncan (SC)	Love	Stewart
Duncan (TN)	Lummis	Stutzman
Farenthold	Marchant	Tipton
Fleischmann	Masse	Walker
Fleming	McCarthy	Webster (FL)
Flores	McCaul	Wenstrup
Forbes	McClintock	Westmoreland
Forbes	McKinley	Williams
Fox	Meadows	Wittman
Franks (AZ)	Messer	Woodall
Frelinghuysen	Miller (FL)	Yoder
Garrett	Mooney (WV)	Yoho
Gohmert	Mulvaney	Young (IA)
Goodlatte	Neugebauer	Young (IN)
Gosar	Noem	
Gowdy		

NOES—308

Adams	Brady (PA)	Castro (TX)
Aderholt	Brady (TX)	Chu, Judy
Aguilar	Bridenstine	Ciциlline
Amodei	Brooks (AL)	Clark (MA)
Ashford	Brooks (IN)	Clarke (NY)
Barletta	Brown (FL)	Clay
Barton	Brownley (CA)	Cleaver
Bass	Buchanan	Clyburn
Beatty	Bucshon	Cohen
Becerra	Bustos	Cole
Benishek	Butterfield	Collins (NY)
Bera	Byrne	Comstock
Beyer	Calvert	Connolly
Bishop (GA)	Capps	Conyers
Bishop (MI)	Capuano	Cook
Blumenauer	Cárdenas	Cooper
Bonamici	Carney	Costa
Bost	Carson (IN)	Costello (PA)
Boustany	Carter (GA)	Courtney
Boyle, Brendan	Cartwright	Cramer
F.	Castor (FL)	Crawford

Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shinkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Vislosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—8
Loudermilk
Meeks
Rice (NY)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2300

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SINEMA. Madam Chair, on rollcall Nos. 607, 608, 609, 610, 611, I was unavoidably detained. Had I been present, I would have voted “no” on each of these rollcall votes.

AMENDMENT NO. 6 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 114, noes 314, not voting 5, as follows:

[Roll No. 612]

AYES—114

Abraham	Graves (GA)	Olson
Allen	Griffith	Palmer
Amash	Guthrie	Pearce
Babin	Harris	Perry
Barr	Heck (NV)	Pittenger
Billirakis	Hensarling	Pompeo
Bishop (UT)	Hice, Jody B.	Posey
Black	Holding	Price, Tom
Blackburn	Hudson	Ratcliffe
Blum	Huelskamp	Roe (TN)
Brat	Huizenga (MI)	Rohrabacher
Buck	Hurt (VA)	Rokita
Burgess	Jenkins (KS)	Ross
Carter (TX)	Johnson, Sam	Rothfus
Chabot	Jones	Rouzer
Chaffetz	Jordan	Scalise
Clawson (FL)	King (IA)	Schweikert
Coffman	Labrador	Scott, Austin
Collins (GA)	LaMalfa	Sensenbrenner
Conaway	Lamborn	Sessions
Culberson	Lance	Smith (MO)
DeSantis	Latta	Smith (NE)
DesJarlais	Love	Smith (TX)
Duffy	Lummis	Stewart
Duncan (SC)	Marchant	Stutzman
Duncan (TN)	Massie	Tipton
Farenthold	McCarthy	Walberg
Fleischmann	McCaul	Walker
Fleming	McClintock	Webster (FL)
Flores	McKinley	Wenstrup
Forbes	Meadows	Westmoreland
Foxx	Messer	Williams
Franks (AZ)	Miller (FL)	Wittman
Garrett	Mooney (WV)	Woodall
Gohmert	Mulvaney	Yoder
Goodlatte	Neugebauer	Yoho
Gosar	Noem	Young (IA)
Gowdy	Nugent	Young (IN)

NOES—314

Adams	Beyer	Brooks (AL)
Aderholt	Bishop (GA)	Brooks (IN)
Aguilar	Bishop (MI)	Brown (FL)
Amodei	Blumenauer	Brownley (CA)
Ashford	Bonamici	Buchanan
Barletta	Bost	Bucshon
Barton	Boustany	Bustos
Bass	Boyle, Brendan	Butterfield
Beatty	F.	Byrne
Becerra	Brady (PA)	Calvert
Benishek	Brady (TX)	Capps
Bera	Bridenstine	Capuano

Cárdenas	Huffman	Pocan
Carney	Hultgren	Poe (TX)
Carson (IN)	Hunter	Poliquin
Carter (GA)	Hurd (TX)	Polis
Cartwright	Israel	Price (NC)
Castor (FL)	Issa	Quigley
Castro (TX)	Jackson Lee	Rangel
Chu, Judy	Jeffries	Reed
Cicilline	Jenkins (WV)	Reichert
Clark (MA)	Johnson (GA)	Renacci
Clarke (NY)	Johnson (OH)	Ribble
Clay	Johnson, E. B.	Rice (NY)
Cleaver	Jolly	Rice (SC)
Clyburn	Joyce	Richmond
Cohen	Kaptur	Rigell
Cole	Katko	Roby
Collins (NY)	Keating	Rogers (AL)
Comstock	Kelly (IL)	Rogers (KY)
Connolly	Kelly (MS)	Rooney (FL)
Conyers	Kelly (PA)	Ros-Lehtinen
Cook	Kennedy	Roskam
Cooper	Kildee	Roybal-Allard
Costa	Kilmer	Royce
Costello (PA)	Kind	Ruiz
Courtney	King (NY)	Ruppersberger
Cramer	Kinzinger (IL)	Rush
Crawford	Kirkpatrick	Russell
Crenshaw	Kline	Ryan (OH)
Crowley	Knight	Salmon
Cuellar	Kuster	Sánchez, Linda
Cummings	LaHood	T.
Curbelo (FL)	Langevin	Sanchez, Loretta
Davis (CA)	Larsen (WA)	Sanford
Davis, Danny	Larson (CT)	Sarbanes
Davis, Rodney	Lawrence	Lee
DeGette	Levin	Schakowsky
Delaney	Lewis	Schiff
DeLauro	Lieu, Ted	Schrader
DelBene	Lipinski	Scott (VA)
Denham	LoBiondo	Scott, David
Dent	Loebisack	Serrano
DeSaulnier	Lofgren	Sewell (AL)
Deutsch	Long	Sherman
Diaz-Balart	Lowenthal	Shimkus
Dingell	Lowey	Shuster
Doggett	Lucas	Simpson
Dold	Luetkemeyer	Sinema
Donovan	Lujan Grisham	Sires
Doyle, Michael	(NM)	Slaughter
F.	Luján, Ben Ray	Smith (NJ)
Duckworth	(NM)	Smith (WA)
Edwards	Lynch	Speier
Ellison	MacArthur	Stefanik
Emmer (MN)	Maloney,	Stivers
Engel	Carolyn	Swalwell (CA)
Eshoo	Maloney, Sean	Takano
Esty	Marino	Thompson (CA)
Farr	Matsui	Thompson (MS)
Fattah	McCollum	Thompson (PA)
Fincher	McDermott	Thornberry
Fitzpatrick	McGovern	Tiberi
Fortenberry	McHenry	Titus
Foster	McMorris	Tonko
Frankel (FL)	Rodgers	Torres
Frelinghuysen	McNerney	Trott
Fudge	McSally	Tsongas
Gabbard	Meehan	Turner
Gallego	Meng	Upton
Garamendi	Mica	Valadao
Gibbs	Miller (MI)	Van Hollen
Gibson	Moolenaar	Vargas
Graham	Moore	Veasey
Granger	Moulton	Vela
Graves (LA)	Mullin	Velázquez
Graves (MO)	Murphy (FL)	Visclosky
Grayson	Murphy (PA)	Wagner
Green, Al	Nadler	Walden
Green, Gene	Napolitano	Walorski
Grijalva	Neal	Walters, Mimi
Grothman	Newhouse	Walz
Guinta	Nolan	Wasserman
Gutiérrez	Norcross	Schultz
Hahn	Nunes	Waters, Maxine
Hanna	O'Rourke	Watson Coleman
Hardy	Palazzo	Weber (TX)
Harper	Pallone	Welch
Hartzer	Pascrell	Westerman
Hastings	Paulsen	Whitfield
Heck (WA)	Payne	Wilson (FL)
Herrera Beutler	Pelosi	Wilson (SC)
Higgins	Perlmutter	Womack
Hill	Peters	Yarmuth
Himes	Peterson	Young (AK)
Hinojosa	Pingree	Zeldin
Honda	Pitts	Zinke

NOT VOTING—5

DeFazio	Loudermilk	Takai
Ellmers (NC)	Meeks	

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2303

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. ROTHFUS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 115, noes 313, not voting 5, as follows:

[Roll No. 613]

AYES—115

Abraham	Graves (GA)	Palmer
Allen	Grayson	Pearce
Amash	Griffith	Perry
Babin	Guthrie	Pittenger
Barr	Harris	Pompeo
Billirakis	Heck (NV)	Posey
Bishop (UT)	Hensarling	Price, Tom
Black	Hice, Jody B.	Ratcliffe
Blackburn	Holding	Roe (TN)
Blum	Hudson	Rohrabacher
Brat	Huelskamp	Rokita
Buck	Huizenga (MI)	Ross
Burgess	Hurt (VA)	Rothfus
Carter (TX)	Jenkins (KS)	Rouzer
Chabot	Johnson, Sam	Scalise
Chaffetz	Jones	Schweikert
Clawson (FL)	Jordan	Scott, Austin
Coffman	King (IA)	Sensenbrenner
Collins (GA)	Labrador	Sessions
Conaway	LaMalfa	Smith (MO)
Culberson	Lamborn	Smith (TX)
DeSantis	Lance	Stewart
DesJarlais	Latta	Stutzman
Duffy	Love	Tipton
Duncan (SC)	Lummis	Walker
Duncan (TN)	Marchant	Webster (FL)
Farenthold	Massie	Wenstrup
Fleischmann	McCarthy	Williams
Fleming	McCaul	Wittman
Flores	McClintock	Woodall
Forbes	McKinley	Yoder
Foxx	Meadows	Yoho
Franks (AZ)	Messer	Young (IA)
Garrett	Miller (FL)	Young (IN)
Gibbs	Mooney (WV)	
Gohmert	Mulvaney	
Goodlatte	Neugebauer	
Gosar	Nugent	
Gowdy	Olson	

NOES—313

Adams	Becerra	Boustany
Aderholt	Benishek	Boyle, Brendan
Aguilar	Bera	F.
Amodei	Beyer	Brady (PA)
Ashford	Bishop (GA)	Brady (TX)
Barletta	Bishop (MI)	Bridenstine
Barton	Blumenauer	Brooks (AL)
Bass	Bonamici	Brooks (IN)
Beatty	Bost	Brown (FL)

Brownley (CA)
 Buchanan
 Bucshon
 Bustos
 Butterfield
 Byrne
 Calvert
 Capps
 Capuano
 Cárdenas
 Carney
 Carson (IN)
 Carter (GA)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Cole
 Collins (NY)
 Comstock
 Connolly
 Conyers
 Cook
 Cooper
 Costa
 Costello (PA)
 Courtney
 Cramer
 Crawford
 Crenshaw
 Crowley
 Cuellar
 Cummings
 Curbelo (FL)
 Davis (CA)
 Davis, Danny
 Davis, Rodney
 DeGette
 Delaney
 DeLauro
 DelBene
 Denham
 Dent
 DeSaulnier
 Deutch
 Diaz-Balart
 Dingell
 Doggett
 Dold
 Donovan
 Doyle, Michael
 F.
 Duckworth
 Edwards
 Ellison
 Emmer (MN)
 Engel
 Eshoo
 Esty
 Farr
 Fattah
 Fincher
 Fitzpatrick
 Fortenberry
 Foster
 Frankel (FL)
 Frelinghuysen
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gibson
 Graham
 Granger
 Graves (LA)
 Graves (MO)
 Green, Al
 Green, Gene
 Grijalva
 Grothman
 Guinta
 Gutiérrez
 Hahn
 Hanna
 Hardy
 Harper
 Hartzler
 Hastings
 Heck (WA)

Herrera Beutler
 Higgins
 Hill
 Himes
 Hinojosa
 Honda
 Hoyer
 Huffman
 Hultgren
 Hunter
 Hurd (TX)
 Israel
 Issa
 Jackson Lee
 Jeffries
 Jenkins (WV)
 Johnson (GA)
 Johnson (OH)
 Johnson, E. B.
 Jolly
 Joyce
 Kaptur
 Katko
 Keating
 Kelly (IL)
 Kelly (MS)
 Kelly (PA)
 Kennedy
 Kildee
 Kilmer
 Kind
 King (NY)
 Kinzinger (IL)
 Kirkpatrick
 Kline
 Knight
 Kuster
 LaHood
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lee
 Levin
 Lewis
 Lieu, Ted
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren
 Long
 Lowenthal
 Lowey
 Lucas
 Luetkemeyer
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lynch
 MacArthur
 Maloney
 Carolyn
 Maloney, Sean
 Marino
 Matsui
 McCollum
 McDermott
 McGovern
 McHenry
 McMorris
 Rodgers
 McNerney
 McSally
 Meehan
 Meng
 Mica
 Miller (MI)
 Moolenaar
 Moore
 Moulton
 Mullin
 Murphy (FL)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Newhouse
 Noem
 Nolan
 Norcross
 Nunes
 O'Rourke
 Palmer
 Pallone
 Pascrell

Paulsen
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pitts
 Pocan
 Poe (TX)
 Poliquin
 Polis
 Price (NC)
 Quigley
 Rangel
 Reed
 Reichert
 Renacci
 Ribble
 Rice (NY)
 Rice (SC)
 Richmond
 Rigell
 Roby
 Rogers (AL)
 Rogers (KY)
 Ros-Lehtinen
 Roybal-Allard
 Royce
 Ruiz
 Ruppersberger
 Rush
 Russell
 Ryan (OH)
 Salmon
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sanford
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Sires
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (WA)
 Speier
 Stefanik
 Stivers
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Chaffetz
 Titus
 Tonko
 Torres
 Trott
 Tsongas
 Turner
 Upton
 Valadao
 Van Hollen
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Wagner
 Walberg
 Walden
 Walorski
 Walters, Mimi
 Walz
 Wasserman
 Schultze
 Waters, Maxine
 Watson Coleman
 Weber (TX)
 Welch
 Westerman
 Whitfield
 Wilson (FL)

Wilson (SC)
 Womack
 Yarmuth
 Young (AK)
 Zeldin
 Zinke

NOT VOTING—5

DeFazio
 Ellmers (NC)
 Loudermilk
 Meeks
 Takai

□ 2307

So the amendment was rejected.
 The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. ROYCE
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROYCE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 244, not voting 6, as follows:

[Roll No. 614]

AYES—183

Abraham
 Allen
 Amash
 Babin
 Barr
 Barton
 Bera
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Brady (TX)
 Brat
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Burgess
 Byrne
 Carter (TX)
 Chabot
 Chaffetz
 Clawson (FL)
 Coffman
 Collins (GA)
 Conaway
 Costello (PA)
 Culberson
 Curbelo (FL)
 DeSantis
 DesJarlais
 Diaz-Balart
 Dold
 Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Emmer (MN)
 Farenthold
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Garrett
 Gibbs
 Gohmert
 Goodlatte

Gosar
 Gowdy
 Graham
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Grayson
 Griffith
 Grothman
 Guinta
 Guthrie
 Hardy
 Harris
 Hartzler
 Heck (NV)
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Hill
 Holding
 Hudson
 Huelskamp
 Huizenga (MI)
 Hurd (TX)
 Hurt (VA)
 Issa
 Jenkins (KS)
 Jenkins (WV)
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 King (IA)
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Lance
 Latta
 LoBiondo
 Love
 Lummis
 Maloney, Sean
 Marchant
 Massie
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley

McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Miller (FL)
 Miller (MI)
 Moolenaar
 Mooney (WV)
 Mulvaney
 Murphy (PA)
 Neugebauer
 Newhouse
 Noem
 Nugent
 Nunes
 Olson
 Palazzo
 Palmer
 Paulsen
 Perry
 Pittenger
 Pitts
 Poe (TX)
 Poliquin
 Pompeo
 Posey
 Price, Tom
 Ratcliffe
 Ribble
 Roby
 Roe (TN)
 Rohrabacher
 Rokita
 Rooney (FL)
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce
 Salmon
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Smith (MO)
 Smith (NE)

Adams
 Aderholt
 Aguilar
 Amodei
 Ashford
 Barletta
 Bass
 Beatty
 Becerra
 Benishek
 Beyer
 Bishop (GA)
 Blumenauer
 Bonamici
 Bost
 Boustany
 Boyle, Brendan
 F.
 Brady (PA)
 Bridenstine
 Brown (FL)
 Brownley (CA)
 Bucshon
 Bustos
 Butterfield
 Calvert
 Capps
 Capuano
 Cárdenas
 Carney
 Carson (IN)
 Carter (GA)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Cole
 Collins (NY)
 Comstock
 Connolly
 Conyers
 Cook
 Cooper
 Costa
 Courtney
 Cramer
 Crawford
 Crenshaw
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis, Danny
 Davis, Rodney
 DeGette
 Delaney
 DeLauro
 DelBene
 Denham
 Dent
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Duckworth
 Edwards
 Ellison
 Emmer (MN)
 Engel
 Eshoo
 Esty
 Farr
 Fattah
 Fincher

Walden
 Walker
 Walorski
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman
 Westmoreland
 Williams
 Wilson (SC)

Wittman
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Young (IN)
 Zeldin
 Zinke

NOES—244

Foster
 Frankel (FL)
 Frelinghuysen
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gibson
 Green, Al
 Green, Gene
 Grijalva
 Gutiérrez
 Hahn
 Hanna
 Harper
 Hastings
 Heck (WA)
 Higgins
 Himes
 Hinojosa
 Honda
 Hoyer
 Huffman
 Hultgren
 Hunter
 Israel
 Jackson Lee
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Jolly
 Joyce
 Kaptur
 Katko
 Keating
 Kelly (IL)
 Kelly (MS)
 Kelly (PA)
 Kennedy
 Kildee
 Kilmer
 Kind
 King (NY)
 Kinzinger (IL)
 Kirkpatrick
 Kline
 Knight
 Kuster
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lee
 Levin
 Lewis
 Lieu, Ted
 Lipinski
 Loeb sack
 Lofgren
 Long
 Lowenthal
 Lowey
 Lucas
 Luetkemeyer
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lynch
 MacArthur
 Maloney
 Carolyn
 Maloney, Sean
 Marino
 Matsui
 McCollum
 McDermott
 McGovern
 McNerney
 Meng
 Mica
 Miller (MI)
 Moolenaar
 Moore
 Moulton

Mullin
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Nolan
 Norcross
 O'Rourke
 Pallone
 Pascrell
 Payne
 Pearce
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Rangel
 Reed
 Reichert
 Renacci
 Rice (NY)
 Rice (SC)
 Richmond
 Rigell
 Rogers (AL)
 Rogers (KY)
 Roybal-Allard
 Ruiz
 Ruppersberger
 Rush
 Russell
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Kind
 Schakowsky
 Schiff
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Sherman
 Shuster
 Simpson
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Speier
 Stefanik
 Stivers
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Titus
 Tonko
 Torres
 Trott
 Tsongas
 Valadao
 Van Hollen
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Wagner
 Walters, Mimi
 Walz
 Wasserman
 Schultze
 Waters, Maxine

Watson Coleman Whitfield Womack
Welch Wilson (FL) Yarmuth

NOT VOTING—6

Blum Ellmers (NC) Meeks
DeFazio Loudermilk Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2310

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Arizona (Mr.
SCHWEIKERT) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 133, noes 295,
not voting 5, as follows:

[Roll No. 615]

AYES—133

Abraham	Griffith	Pearce
Allen	Guthrie	Perry
Amash	Harris	Pittenger
Babin	Hartzler	Pitts
Barr	Heck (NV)	Pompeo
Barton	Hensarling	Posey
Bilirakis	Hice, Jody B.	Price, Tom
Bishop (UT)	Hill	Ratcliffe
Black	Holding	Ribble
Blackburn	Hudson	Roby
Blum	Huelskamp	Roe (TN)
Brady (TX)	Huizenga (MI)	Rohrabacher
Brat	Hurt (VA)	Rokita
Brooks (AL)	Issa	Roskam
Buck	Jenkins (KS)	Ross
Burgess	Jenkins (WV)	Rothfus
Byrne	Johnson, Sam	Rouzer
Carter (TX)	Jones	Royce
Chabot	Jordan	Scalise
Chaffetz	King (IA)	Schweikert
Clawson (FL)	Labrador	Scott, Austin
Coffman	LaMalfa	Sensenbrenner
Collins (GA)	Lamborn	Sessions
Conaway	Lance	Smith (MO)
Culberson	Latta	Smith (NE)
DeSantis	Love	Smith (NJ)
DesJarlais	Lummis	Smith (TX)
Duffy	Marchant	Stewart
Duncan (SC)	Massie	Stutzman
Duncan (TN)	McCarthy	Thornberry
Farenthold	McCaul	Tipton
Fleischmann	McClintock	Walberg
Fleming	McHenry	Walker
Flores	McKinley	Webster (FL)
Forbes	McSally	Wenstrup
Fortenberry	Meadows	Westerman
Fox	Messer	Westmoreland
Franks (AZ)	Miller (FL)	Williams
Garrett	Mooney (WV)	Wittman
Gohmert	Mulvaney	Woodall
Goodlatte	Neugebauer	Yoho
Gosar	Noem	Young (IA)
Gowdy	Nugent	Young (IN)
Graves (GA)	Olson	
Graves (LA)	Palmer	

NOES—295

Adams	Frankel (FL)	Meng
Aderholt	Frelinghuysen	Mica
Aguilar	Fudge	Miller (MI)
Amodei	Gabbard	Moolenaar
Ashford	Gallo	Moore
Barletta	Garamendi	Moulton
Bass	Gibbs	Mullin
Beatty	Gibson	Murphy (FL)
Becerra	Graham	Murphy (PA)
Benishek	Granger	Nadler
Bera	Graves (MO)	Napolitano
Beyer	Grayson	Neal
Bishop (GA)	Green, Al	Newhouse
Bishop (MI)	Green, Gene	Nolan
Blumenauer	Grijalva	Norcross
Bonamici	Grothman	Nunes
Bost	Guinta	O'Rourke
Boustany	Gutiérrez	Palazzo
Boyle, Brendan F.	Hahn	Pallone
Brady (PA)	Hanna	Pascarell
Bridenstine	Hardy	Paulsen
Brooks (IN)	Harper	Payne
Brown (FL)	Hastings	Pelosi
Brownley (CA)	Heck (WA)	Perlmutter
Buchanan	Herrera Beutler	Peters
Bucshon	Higgins	Peterson
Bustos	Himes	Pingree
Butterfield	Hinojosa	Pocan
Calvert	Honda	Poe (TX)
Capps	Hoyer	Poliquin
Capuano	Huffman	Polis
Cárdenas	Hultgren	Price (NC)
Carney	Hunter	Quigley
Carson (IN)	Hurd (TX)	Rangel
Carter (GA)	Israel	Reed
Cartwright	Jackson Lee	Reichert
Castor (FL)	Jeffries	Renacci
Castro (TX)	Johnson (GA)	Rice (NY)
Chu, Judy	Johnson (OH)	Rice (SC)
Cicilline	Johnson, E. B.	Richmond
Clark (MA)	Jolly	Rigell
Clarke (NY)	Joyce	Rogers (AL)
Clay	Kaptur	Rogers (KY)
Cleaver	Katko	Rooney (FL)
Clyburn	Keating	Ros-Lehtinen
Cohen	Kelly (IL)	Roybal-Allard
Cole	Kelly (MS)	Ruiz
Collins (NY)	Kelly (PA)	Ruppersberger
Comstock	Kennedy	Rush
Connolly	Kildee	Russell
Conyers	Kilmer	Ryan (OH)
Cook	Kind	Salmon
Cooper	King (NY)	Sánchez, Linda T.
Costa	Kinzinger (IL)	Sanchez, Loretta
Costello (PA)	Kirkpatrick	Sanford
Courtney	Kline	Sarbanes
Cramer	Knight	Schakowsky
Crawford	Kuster	Schiff
Crenshaw	LaHood	Schrader
Crowley	Langevin	Scott (VA)
Cuellar	Larsen (WA)	Scott, David
Cummings	Larson (CT)	Serrano
Curbelo (FL)	Lawrence	Sewell (AL)
Davis (CA)	Lee	Sherman
Davis, Danny	Levin	Shimkus
Davis, Rodney	Lieu, Ted	Shuster
DeGette	Lipinski	Simpson
Delaney	LoBiondo	Sinema
DeLauro	Loeb	Sires
DeBene	Lofgren	Slaughter
Denham	Long	Smith (WA)
Dent	Lowenthal	Speier
DeSaulnier	Lowey	Stefanik
DeLucas	Lucas	Stivers
Diaz-Balart	Luetkemeyer	Swalwell (CA)
Dingell	Lujan Grisham	Takano
Doggett	(NM)	Thompson (CA)
Dold	Luján, Ben Ray	Thompson (MS)
Donovan	(NM)	Thompson (PA)
Doyle, Michael F.	Lynch	Tiberi
Duckworth	MacArthur	Titus
Edwards	Maloney	Tonko
Ellison	Carolyn	Torres
Emmer (MN)	Maloney, Sean	Trott
Engel	Marino	Tsongas
Eshoo	Matsui	Turner
Esty	McCollum	Upton
Farr	McDermott	Valadao
Fattah	McGovern	Van Hollen
Fincher	McMorris	Vargas
Fitzpatrick	McNerney	Veasey
Foster	Meehan	Vela
		Velázquez

Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman
Schultz

Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Womack

Yarmuth
Yoder
Young (AK)
Zeldin
Zinke

NOT VOTING—5

DeFazio
Ellmers (NC)

Loudermilk
Meeks

Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 2314

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 23 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Georgia (Mr. WEST-
MORELAND) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 129, noes 298,
not voting 6, as follows:

[Roll No. 616]

AYES—129

Abraham	Grayson	Nugent
Allen	Griffith	Nunes
Amash	Guthrie	Olson
Babin	Harris	Palmer
Barr	Hartzler	Pearce
Benishek	Heck (NV)	Perry
Bilirakis	Hensarling	Pittenger
Bishop (MI)	Hice, Jody B.	Pitts
Bishop (UT)	Hill	Pompeo
Black	Holding	Posey
Blackburn	Hudson	Price, Tom
Blum	Huelskamp	Ratcliffe
Brat	Huizenga (MI)	Ribble
Buck	Hurt (VA)	Roe (TN)
Burgess	Issa	Rohrabacher
Carter (TX)	Jenkins (KS)	Rokita
Chabot	Johnson, Sam	Rooney (FL)
Chaffetz	Jones	Roskam
Clawson (FL)	Jordan	Ross
Coffman	King (IA)	Rothfus
Collins (GA)	Labrador	Rouzer
Conaway	LaMalfa	Royce
Culberson	Lamborn	Scalise
DeSantis	Lance	Schweikert
DesJarlais	Latta	Scott, Austin
Duffy	Love	Sensenbrenner
Duncan (SC)	Lummis	Sessions
Duncan (TN)	Marchant	Smith (MO)
Farenthold	Massie	Smith (NE)
Fleischmann	McCarthy	Smith (NJ)
Fleming	McCaul	Smith (TX)
Flores	McClintock	Stewart
Forbes	McHenry	Stutzman
Fortenberry	McKinley	Tipton
Fox	Meadows	Walker
Franks (AZ)	Messer	Webster (FL)
Garrett	Miller (FL)	Wenstrup
Gohmert	Mooney (WV)	Westerman
Goodlatte	Mulvaney	Westmoreland
Gosar	Neugebauer	Williams
Graves (GA)	Noem	Wilson (SC)

Wittman	Yoder	Young (IA)	Titus	Vela	Waters, Maxine	King (NY)	Nugent	Shuster
Woodall	Yoho	Young (IN)	Tonko	Velázquez	Watson Coleman	Kinzinger (IL)	Nunes	Simpson
			Torres	Visclosky	Weber (TX)	Kline	Olson	Sinema
	NOES—298		Trott	Wagner	Welch	Knight	Palazzo	Smith (MO)
Adams	Farr	Marino	Tsongas	Walberg	Whitfield	Labrador	Palmer	Smith (NE)
Aderholt	Fattah	Matsui	Turner	Walden	Wilson (FL)	LaHood	Paulsen	Smith (NJ)
Aguilar	Fincher	McCollum	Upton	Walorski	Womack	LaMalfa	Pearce	Smith (TX)
Amodei	Fitzpatrick	McDermott	Valadao	Walters, Mimi	Yarmuth	Lamborn	Perry	Stefanik
Ashford	Foster	McGovern	Van Hollen	Walz	Young (AK)	Lance	Pittenger	Stewart
Barletta	Frankel (FL)	McMorris	Vargas	Wasserman	Zeldin	Latta	Pitts	Stivers
Barton	Frelinghuysen	Rodgers	Veasey	Schultz	Zinke	LoBiondo	Poliquin	Stutzman
Bass	Fudge	McNerney				Long	Pompeo	Thompson (PA)
Beatty	Gabbard	McSally		NOT VOTING—6		Love	Posey	Thornberry
Becerra	Gallego	Meehan	DeFazio	Joyce	Meeks	Lucas	Price, Tom	Tiberi
Bera	Garamendi	Meng	Ellmers (NC)	Loudermilk	Takai	Luetkemeyer	Ratcliffe	Tipton
Beyer	Gibbs	Mica				Lummis	Reed	Trott
Bishop (GA)	Gibson	Miller (MI)		ANNOUNCEMENT BY THE ACTING CHAIR		MacArthur	Reichert	Turner
Blumenauer	Gowdy	Moolenaar		The Acting CHAIR (during the vote).		Marchant	Renacci	Valadao
Bonamici	Graham	Moore		There is 1 minute remaining.		Marino	Ribble	Wagner
Bost	Granger	Moulton				Massie	Rice (SC)	Walden
Boustany	Graves (LA)	Mullin				McCarthy	Rigell	Walker
Boyle, Brendan F.	Graves (MO)	Murphy (FL)				McCaul	Roby	Walorski
Brady (PA)	Green, Al	Murphy (PA)				McClintock	Roe (TN)	Walters, Mimi
Brady (TX)	Green, Gene	Nadler				McHenry	Rogers (AL)	Weber (TX)
Bridenstine	Grijalva	Napolitano				McKinley	Rohrabacher	Webster (FL)
Brooks (AL)	Grothman	Neal				McMorris	Rokita	Weststrum
Brooks (IN)	Guinta	Newhouse				Rodgers	Rooney (FL)	Westerman
Brown (FL)	Gutiérrez	Nolan				McSally	Ros-Lehtinen	Westmoreland
Brownley (CA)	Hahn	Norcross				Meadows	Roskam	Whitfield
Buchanan	Hanna	O'Rourke				Messer	Ross	Williams
Bucshon	Hardy	Palazzo				Mica	Rothfus	Wilson (SC)
Bustos	Harper	Pallone				Miller (FL)	Rouzer	Wittman
Butterfield	Hastings	Pascarell				Miller (MI)	Russell	Womack
Byrne	Heck (WA)	Paulsen				Moolenaar	Salmon	Woodall
Calvert	Herrera Beutler	Payne				Mooney (WV)	Sanford	Yoder
Capps	Higgins	Pelosi				Mullin	Scalise	Yoho
Capuano	Himes	Perlmutter				Mulvaney	Schweikert	Young (AK)
Cárdenas	Hinojosa	Peters				Murphy (PA)	Scott, Austin	Young (IA)
Carney	Honda	Peterson				Neugebauer	Sensenbrenner	Young (IN)
Carson (IN)	Hoyer	Pingree				Newhouse	Sessions	Zeldin
Carter (GA)	Huffman	Pocan				Noem	Shimkus	Zinke
Cartwright	Hultgren	Poe (TX)						
Castor (FL)	Hunter	Poliquin						
Castro (TX)	Hurd (TX)	Polis						
Chu, Judy	Israel	Price (NC)						
Ciilline	Jackson Lee	Quigley						
Clark (MA)	Jeffries	Rangel						
Clarke (NY)	Jenkins (WV)	Reed						
Clay	Johnson (GA)	Reichert						
Cleaver	Johnson (OH)	Renacci						
Clyburn	Johnson, E. B.	Rice (NY)						
Cohen	Jolly	Rice (SC)						
Cole	Kaptur	Richmond						
Collins (NY)	Katko	Rigell						
Comstock	Keating	Roby						
Connolly	Kelly (IL)	Rogers (AL)						
Conyers	Kelly (MS)	Rogers (KY)						
Cook	Kelly (PA)	Ros-Lehtinen						
Cooper	Kennedy	Roybal-Allard						
Costa	Kildee	Ruiz						
Costello (PA)	Kilmer	Ruppersberger						
Courtney	Kind	Rush						
Cramer	King (NY)	Russell						
Crawford	Kinzinger (IL)	Ryan (OH)						
Crenshaw	Kirkpatrick	Salmon						
Crowley	Kline	Salmon						
Cuellar	Knight	Sánchez, Linda T.						
Cummings	Kuster	Sanchez, Loretta						
Curbelo (FL)	LaHood	Sanford						
Davis (CA)	Langevin	Sarbanes						
Davis, Danny	Larsen (WA)	Schakowsky						
Davis, Rodney	Larson (CT)	Schiff						
DeGette	Lawrence	Schrader						
Delaney	Lee	Scott (VA)						
DeLauro	Levin	Scott, David						
DelBene	Lewis	Serrano						
Denham	Lieu, Ted	Sewell (AL)						
Dent	Lipinski	Sherman						
DeSaulnier	LoBiondo	Shimkus						
Deutsch	Loeb sack	Shuster						
Diaz-Balart	Lofgren	Simpson						
Dingell	Long	Sinema						
Doggett	Lowenthal	Sires						
Dold	Lowey	Slaughter						
Donovan	Lucas	Smith (WA)						
Doyle, Michael F.	Luetkemeyer	Speier						
Edwards	Lujan Grisham (NM)	Stefanik						
Ellison	Lujan, Ben Ray (NM)	Stivers						
Emmer (MN)	Lynch	Swalwell (CA)						
Engel	MacArthur	Takano						
Eshoo	Maloney, Carolyn	Thompson (CA)						
Esty	Maloney, Sean	Thompson (MS)						
		Thompson (PA)						
		Thornberry						
		Tiberi						

Ruppersberger	Sires	Veasey
Rush	Slaughter	Vela
Ryan (OH)	Smith (WA)	Velázquez
Sánchez, Linda	Speier	Visclosky
T.	Swalwell (CA)	Walberg
Sanchez, Loretta	Takano	Walz
Sarbanes	Thompson (CA)	Wasserman
Schakowsky	Thompson (MS)	Schultz
Schiff	Titus	Waters, Maxine
Schrader	Tonko	Watson Coleman
Scott (VA)	Torres	Welch
Scott, David	Tsongas	Wilson (FL)
Serrano	Upton	Yarmuth
Sewell (AL)	Van Hollen	
Sherman	Vargas	

NOT VOTING—5

DeFazio	Loudermilk	Takai
Ellmers (NC)	Meeks	

□ 2321

So the amendment was agreed to.
The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LOUDERMILK. Madam Chair, on rollcall Nos. 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, I was unavoidably detained. Had I been present, I would have voted "yes."

AMENDMENT NO. 11 OFFERED BY MR. POMPEO
The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 114-326.

Mr. POMPEO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after the item relating to section 62001, insert the following:

Sec. 62002. GAO report on refunds to registered vendors of kerosene used in noncommercial aviation.

Page 988, after line 20, insert the following:
SEC. 62002. GAO REPORT ON REFUNDS TO REGISTERED VENDORS OF KEROSENE USED IN NONCOMMERCIAL AVIATION.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study regarding payments made to vendors of kerosene used in noncommercial aviation under section 6427(1)(4)(C)(ii) of the Internal Revenue Code of 1986, and

(2) submit to the appropriate committees of Congress a report describing the results of such study, which shall include estimates of—

(A) the number of vendors of kerosene used in noncommercial aviation who are registered under section 4101 of such Code,

(B) the number of vendors of kerosene used in noncommercial aviation who are not so registered,

(C) the number of vendors described in subparagraph (A) who receive payments under section 6427(1)(4)(C)(ii) of such Code,

(D) the excess of—

(i) the amount of payments which would be made under section 6427(1)(4)(C)(ii) of such Code if all vendors of kerosene used in noncommercial aviation were registered and filed claims for such payments, over

(ii) the amount of payments actually made under such section, and

(E) the number of cases of diesel truck operators fraudulently using kerosene taxed for use in aviation.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman

from Kansas (Mr. POMPEO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. POMPEO. Madam Chair, I yield myself such time as I may consume.

Madam Chairman, I rise in support of my amendment to have the GAO study an important issue that goes to the fairness of our transportation user-fee system. For a decade, Congress has been diverting millions of dollars in tax revenue into the highway trust fund at the expense of the general aviation community. This provision, commonly known as the fuel fraud tax, was included in the 2005 highway bill. It was originally created to fight a problem that didn't exist and has now diverted hundreds of millions of dollars from aviation into the highway trust fund.

This is simply unfair. It has to be fixed. The highway trust fund should and must be supported by the user-fee system, just as the aviation community is supported by a fuel tax.

Madam Chair, hopefully we can all agree that general aviation should not be paying for this highway infrastructure. At the very least, revenues paid by U.S. aviators under the fuel fraud provision should be reinvested in modernizing our Nation's airports and their navigation system.

I look forward to working with Chairman SHUSTER and the ranking member on this important issue, and I urge my colleagues to vote for this amendment.

With that, Madam Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. POMPEO).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. FOSTER

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 114-326.

Mr. FOSTER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after the item relating to section 62001, insert the following:

Sec. 62002. Determination of certain spending and tax burdens by State.

Page 988, after line 20, insert the following:
SEC. 62002. DETERMINATION OF CERTAIN SPENDING AND TAX BURDENS BY STATE.

(a) CALCULATION OF FEDERAL REVENUE CONTRIBUTIONS BY STATE.—

(1) IN GENERAL.—The Secretary of Treasury, acting through the Commissioner of the Internal Revenue Service, shall calculate the Federal tax burden of each State for each calendar year.

(2) CALCULATION OF FEDERAL TAX BURDEN.—For purposes of calculating the Federal tax burden of each State under paragraph (1), the Secretary shall—

(A) treat Federal taxes paid by an individual as a burden on the State in which such individual resides; and

(B) treat Federal taxes paid by a legal business entity as a burden on each State in which economic activity of such entity is performed in the same proportion that the economic activity of such entity in such State bears to the economic activity of such entity in all the States.

(3) REPORT.—Not later than the date that is 180 days after the beginning of each calendar year, the Secretary of the Treasury shall—

(A) submit to Congress a report containing the results of the calculations described in sections 1 and 2 with respect to such calendar year; and

(B) publish the report on a publicly accessible website of the Internal Revenue Service.

(b) ANNUAL REPORT ON THE FLOW OF TRANSPORTATION FUNDS BY STATE.—

(1) IN GENERAL.—Not later than the first Monday in February of each year, the Secretary of Transportation shall, in consultation with the Secretary of the Treasury, submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, and the Committee on Ways and Means of the House of Representatives a report that includes—

(A) a description of the total amount of the funds authorized by this Act which were obligated with respect to each State during the last ending fiscal year,

(B) a description of the total amount of revenue contributed from each State to the Highway Trust Fund during such fiscal year.

(2) DETERMINATION OF STATE AMOUNTS.—For purposes of this subsection—

(A) IN GENERAL.—the State with respect to which an amount is obligated and the State from which revenue is contributed shall be determined under principles similar to the principles for determining the Federal tax burden of each State under subsection (a).

(B) SPECIAL RULE FOR GENERAL FUND TRANSFERS.—For purposes of paragraph (1)(B), any transfer from the general fund of the Treasury to the Highway Trust Fund during any fiscal year shall be taken into account as revenue contributed from each State in proportion to each State's Federal tax burden (as determined under subsection (a)) for the calendar year in which such fiscal year began.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Illinois (Mr. FOSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Madam Chairman, I thank the chairman and ranking member for their hard work on this bill.

Madam Chairman, my amendment is simple. It requires the Department of Transportation to send an annual report to Congress on how much funding each State has received from the highway trust fund and how much each State has contributed to the highway trust fund both directly through the gas tax and related fees and taxes and indirectly through transfers from the general fund.

To understand why this is important, let's step back and ask how it is that we actually decide how much transportation money is spent in each State.

The bulk of this funding takes the form of formula grants to States with overall allocations often set by whatever was done in previous years. This may tell us a lot about congressional politics in years gone by, but it tells us very little about good public policy.

All of this serves as a smokescreen which begs the real question: How do we actually allocate our highway spending?

Now, I am a scientist, and I look at the facts. As far as I can tell, here are the facts.

This is a plot here that shows the annual per capita spending from the highway trust fund plotted against the number of U.S. Senators per 10 million people, which I will explain in a moment.

Madam Chair, I include this in the RECORD.

State	Per Capita Apportionment from HTF (\$/Year)	Senators Per 10 Million People
Alabama	151	4.12
Alaska	657	27.15
Arizona	105	2.97
Arkansas	168	6.74
California	91	0.52
Colorado	96	3.73
Connecticut	135	5.56
Delaware	175	21.38
Dist. of Col.	234	30.35
Florida	92	1.01
Georgia	123	1.98
Hawaii	115	14.09
Idaho	169	12.24
Illinois	107	1.55
Indiana	139	3.03
Iowa	153	6.44
Kansas	126	6.89
Kentucky	145	4.53
Louisiana	146	4.30
Maine	134	15.04
Maryland	97	3.35
Massachusetts	87	2.96
Michigan	103	2.02
Minnesota	115	3.66
Mississippi	156	6.68
Missouri	151	3.30
Montana	387	19.54
Nebraska	148	10.63
Nevada	123	7.04
New Hampshire	120	15.07
New Jersey	108	2.24
New Mexico	170	9.59
New York	82	1.01
North Carolina	101	2.01
North Dakota	324	27.05
Ohio	112	1.73
Oklahoma	158	5.16
Oregon	122	5.04
Pennsylvania	124	1.56
Rhode Island	200	18.95
South Carolina	134	4.14
South Dakota	319	23.44
Tennessee	125	3.05
Texas	124	0.74
Utah	114	6.80
Vermont	313	31.92
Virginia	118	2.40
Washington	93	2.83
West Virginia	228	10.81
Wisconsin	126	3.47
Wyoming	423	34.24

Mr. FOSTER. Madam Chair, this plot shows the excellent correlation between the per capita transportation fund spending in each State with the number of Senators per person that the State has. And that says a lot about how broken our transportation trust fund allocations are.

So how do we allocate transportation spending? Is it calculated per capita, with each American getting roughly the same amount of transportation spending? If this were the case, then transportation money would ulti-

mately follow Americans to whatever States they chose to live in and could be applied to the best use in each State: elegant mass transportation systems in urban States, highways through the wilderness in rural States, and well-maintained commuter highways in suburban States. Spending in this way would not be a distortion of our economy.

But, Madam Chairman, that is not what we do. In fact, per capita transportation spending varies by more than a factor of seven from State to State driven by a mysterious formulae handed down from generation to generation in Congress. So, in my State of Illinois, we get about \$107 per person per year in transportation spending, and I have a hard time explaining to my constituents why citizens of other States should get \$200, \$400, \$600, or more every year in Federal highway spending.

□ 2330

The States that are getting rooked like this generally are the larger States, as can be seen on this plot. In order to rectify this, I actually filed an amendment to replace the complex historical formulae with a simple per capita allotment, which would have benefited the States which contain 240 Members of the U.S. Congress. I was very disappointed that it was decided that this amendment would not be in order.

Or perhaps we should divide the highway trust fund by economic productivity and actual highway usage. In this case, each State should take out from the Federal highway trust fund the same amount that it paid in in taxes. This approach would have an element of basic fairness and eliminate the economic distortions from massive transfers of wealth between the States.

But that is not what we do either. Many States are getting out of the Federal highway trust fund several times more money than they paid into it, while other States, States like Illinois, New York, Florida, New Jersey, California, Michigan, Colorado, and many others are getting rooked. So the highway trust fund has simply become a vehicle for a massive redistribution of wealth from one State to another.

Getting to the bottom of this is what my amendment is about. My amendment would require the Department of Transportation to calculate in each year how much each State receives from the highway trust fund. The report would also include an accounting of how much revenue each State put into the highway trust fund through both the gas tax and related contributions and contributions that were made through funds transferred from general revenue.

While it is relatively easy to figure out how much revenue was collected from each State via the gas tax or per-

sonal income tax, determining the same for business tax is less straightforward. A business, for example, may file its taxes in Delaware, but most of its economic production might occur in a factory in Ohio.

My amendment would require the IRS to assist the Department of Transportation in this analysis by looking not just at where a company files its taxes, but the State in which those tax dollars are generated. This kind of analysis has sporadically been done by private entities and nonprofits, but there has never been a sustained effort by the Federal Government to do so.

I urge my colleagues to join me and vote "yes" on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. WILLIAMS

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 114-326.

Mr. WILLIAMS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 563, line 15, insert "primarily" before "engaged".

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. WILLIAMS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. WILLIAMS. Madam Chair, I am a second-generation auto dealer. I have been in the industry for most of my life. I know it well.

As such, my one-word amendment will fix Senate language that puts unintentional new burdens on all rental car establishments.

My amendment will clarify the Senate language so it only applies to actual rental car companies, like it is supposed to.

The definition in the underlying bill, which the House never passed, is so broad that it sweeps up dealers who offer loaner vehicles or rentals as a convenience for their customers. My amendment leaves the regulations on all rental car companies, which comprise 99 percent of the market, intact.

The Senate language is flawed because it simply is not tailored to small business. For example, under the bill, vehicles would be grounded for weeks or months for such minor compliance matters as an airbag warning sticker that might peel off the sun visor or an incorrect phone number printed in the owner's manual. The regulations in this bill are not proportionate.

Another problem is that this bill favors multinational rental car companies at the expense of small businesses.

This bill will regulate a small-business dealer with a fleet of five loaner vehicles the same way it would regulate a massive rental car company with hundreds of thousands of vehicles in their fleet.

The bill even allows large rental car companies additional compliance time, which further disadvantages small businesses. Madam Chair, large businesses have regulatory and legal staffs available on-hand to help with this burden, and they have the capital to pay millions of dollars in regulatory compliance costs.

The average small-business owner, however, is his or her own legal and regulatory staff. Without my amendment, this bill would impose new government inspections, additional record-keeping requirements, and new penalties up to \$15 million on small businesses.

The Senate bill also gives the National Highway Traffic Safety Administration the authority to add more regulatory burdens as appropriate, and that is too open-ended.

Without my amendment, this bill could make it impractical for small-business dealers to provide loaner or rental cars to their customers because it mandates vehicles be grounded for minor compliance matters with a minimal impact on safety, and that is not what Congress' intent is or should be.

Madam Chair, in tax law, employment law, and other areas, Congress has recognized the difference between big business and small business. Let's not regulate our Main Street businesses like multinational corporations. Frankly, Main Street is hurting enough as it is.

Vote "yes" on the Williams amendment.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chair, Mr. WILLIAMS' amendment unreasonably limits the application of the Raechel and Jacqueline Houck Safe Rental Car Act that is included in the Senate amendments to H.R. 22.

I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS), the woman who has really been a leader for safety in the car rental field.

Mrs. CAPPS. Madam Chair, I thank my colleague for yielding.

Madam Chair, I rise in strong opposition to the Williams amendment.

This amendment would needlessly exempt auto dealers from critical vehicle safety requirements included in the underlying bill.

While Federal law currently prohibits auto dealers from selling new cars subject to a recall, there is no similar law prohibiting rental companies or auto dealers from renting or

loaning out unrepaired recalled vehicles.

I introduced the Raechel and Jacqueline Houck Safe Rental Car Act to close this loophole and prohibit rental car companies and auto dealers from renting or loaning vehicles under safety recall until they are fixed, and I am pleased this legislation is in the underlying bill.

This harmful amendment, however, would put lives at risk by exempting auto dealers from complying with this commonsense safety requirement.

GM, Honda, Chrysler, and other car manufacturers who have issued safety recalls, are loaning out tens of thousands of cars to customers while the repairs are being made. Consumers expect that the loaner cars they receive when they take their own cars into a dealership for repairs are safe to drive. But rather than ensure these loaners are safe, the Williams amendment would allow car dealers to give out loaner cars that have the same exact defect as the car that is being repaired.

The auto dealers are justifying this amendment by claiming that some safety recalls aren't actually important enough to require immediate repairs. This is ridiculous. NHTSA does not issue frivolous recalls. All safety recalls pose serious safety risks and should be fixed as soon as possible. Any claim otherwise is simply not true.

Madam Chair, it only takes one car with an unrepaired safety recall to tragically end a life. That is what happened to Raechel and Jackie Houck when their rented PT Cruiser caught fire and crashed into a tractor-trailer due to an unrepaired recall. And that is what happened to Jewel Brangman when she was killed by the unrepaired Takata airbag in her rented Honda Civic.

Loaned cars from auto dealers should be no different. The Williams amendment would let these auto dealers off the hook and allow them to loan out defective cars to unsuspecting consumers. It creates a nonsensical double standard for rentals and loaner cars not based on how unsafe they are, but based on who is renting or loaning them to the public. Keeping unrepaired recalled cars parked in the lot and out of the hands of consumers is common sense.

I urge my colleagues to join me in opposing the Williams amendment to ensure all consumers can be confident that their rental car or their loaner car is safe to drive, regardless of whether they get it from a rental company or a dealership.

Ms. SCHAKOWSKY. Madam Chair, I thank the gentlewoman for her leadership.

I understand that everyone has car dealerships in their districts and they are an important part of our economy, but this amendment serves one purpose and one purpose only: allowing car

dealers and rental car companies to evade responsibility.

Just like rental car companies, car dealerships rent and lease vehicles regularly. And just like rental car companies, car dealerships should not be renting or leasing cars that are subject to a safety recall without first repairing the defect. These are safety recalls on cars the auto manufacturers themselves have deemed necessary to repair.

Can you imagine bringing your car to a dealer to get a deadly Takata airbag replaced and then being given a loaner car with the same deadly Takata airbag to drive while your car is being repaired? That is the situation that this amendment would allow.

Of all those subjected to the Safe Rental Car Act, car dealerships are in the best position to fix these recalled cars quickly.

Instead of this amendment, which weakens the Senate provision, the Rules Committee should have made in order the gentlewoman's amendment expanding the provision to ensure used cars are not sold until recalls are fixed.

Whether or not renting cars is the company's primary business makes no business. A defective car is a defective car.

Rental companies and auto dealers alike have a responsibility to their customers, and we have a responsibility to ensure that consumers' lives are not put at risk.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. WILLIAMS. Madam Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY), my good friend who is an auto dealer.

Mr. KELLY of Pennsylvania. I thank the gentleman.

Madam Chair, I am fascinated. I have been here for 5 years. And the fact is that people who don't have any idea about how a business is run are constantly telling people how to run their business; they are people who don't have the foggiest idea of who auto dealers are or who our responsibility is to and the fact that all recalls are not created equal.

There is not a single person in our business that would ever put one of our owners in a defective car or a car with a recall. But that could happen. That could happen.

So if you are telling me that, because the wrong phone number is printed in an owner's manual, that is a recall, we have to get that car off the road, my God, can you imagine what would happen to this owner if they opened up that glove box and saw that? What a horrible situation to put them in. Now, you shake your heads and you say, no, that is not what is going on.

Now, please, this is what I do. This is who I am. We are a third-generation automobile business, sold thousands of cars. And these people are not just customers. They are our part of our extended families.

But somehow we believe that, if we can redefine, if we can tell people: “This car has been recalled. You can’t possibly get in it” and you say: “Well, what is the recall?”, well, you know what? One pound per square inch on the tire pressure is not printed correctly. That is horrible. How could that possibly be? You have got to get that car off the road.

You are subjecting automobile dealers to the same things that you are subjecting rental car companies who don’t have to worry about it because, by the way, as those cars come off the road in a recall, the factories pay them for those cars as they sit waiting to be repaired. There is no loss of revenue for a rental car company. That is why they are so happy about it.

And what will they do with us when we take a car off the road? They will say: “Send your customer to us and we will rent them a car.”

If you can’t see the difference, if you can’t see the unequal balance in it, then there is a problem here. If a safety recall is a safety recall, that is one thing. But if it is something else that is cosmetic, that is something altogether different, to group them all under the same umbrella and say: “This is a problem. This is a problem hunting for some type of an issue and there is no issue here. There is none of us in our business that would ever put any of our owners in an unsafe car.

But I will tell you what. I wish some of these ridiculous amendments would expire.

The Acting CHAIR. The time of the gentleman has expired.

□ 2345

Mr. WILLIAMS. Madam Chair, I yield myself the balance of my time.

Auto dealers, much like us here in Washington, D.C., have a reputation to uphold. No auto dealer in his right mind would loan a vehicle to his customers that is unsafe to drive or operate. Auto dealers should not have to ground all of their loaner vehicles because of minor issues like a sticker that might peel off the sun visor because something was misspelled in the owner’s manual. Auto dealers want to provide great service and be able to loan their customers vehicles so they can go to work, drop their kids off at school, go to the grocery store, and visit the doctor. These small business owners should not be regulated like huge, multinational car rental agencies.

I urge Members to support my amendment and protect small businesses.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. WILLIAMS).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. KINZINGER
OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 114-326.

Mr. KINZINGER of Illinois. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XXXIV of division C, add the following:

SEC. 34216. AVAILABILITY OF CERTAIN INFORMATION ON MOTOR VEHICLE EQUIPMENT.

Section 30118 of title 49, United States Code, is amended by adding at the end the following:

“(f) INFORMATION ON DEFECTIVE OR NON-COMPLIANT PARTS.—

“(1) PROVISION OF INFORMATION BY SUPPLIERS.—A supplier of parts that are determined to be defective or noncompliant by the Secretary under subsection (a) or (b) shall identify all parts that are subject to the recall and provide to the Secretary and each affected manufacturer, not later than 3 business days after receiving notification of the determination, for each affected part—

- “(A) all part names;
- “(B) all part numbers; and
- “(C) a description of the part.

“(2) PROVISION OF INFORMATION BY MANUFACTURERS.—Upon receipt of notification of a determination by the Secretary under subsection (a) or (b) or notification from a supplier of parts under paragraph (1), a manufacturer of motor vehicles shall—

- “(A) identify the vehicle identification number for each affected vehicle; and
- “(B) not later than 5 business days after receiving such notification, provide to the Secretary, in a searchable format determined by the Secretary—

- “(i) the vehicle identification numbers identified under subparagraph (A); and
- “(ii) the specific part names, numbers, and descriptions used by the manufacturer for all affected parts the sale or lease of which is prohibited by section 30120(j).

“(3) AVAILABILITY OF INFORMATION ON THE INTERNET.—In the case of information provided by a manufacturer under paragraph (2)(B), the Secretary shall make such information available, or require the manufacturer to make such information available, on an Internet website that may be accessed by any person who sells or leases motor vehicle equipment for purposes of assisting such person in complying with section 30120(j). Such information shall be made available in real-time or near-real-time as provided under paragraph (2)(B) and at no cost to the person obtaining access.

“(g) INFORMATION ON ORIGINAL EQUIPMENT.—Not later than July 31, 2016, a manufacturer of motor vehicles shall make available on an Internet website information about the original equipment contained in such vehicles, which shall include—

- “(1) all parts or component numbers for such equipment; and
- “(2) specific part names and descriptions associated with each manufacturer vehicle identification number.”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Illinois (Mr. KINZINGER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. KINZINGER of Illinois. Madam Chair, I yield myself such time as I may consume.

I rise today to offer an amendment that would improve vehicle safety and ensure that businesses have the necessary information to comply with section 8 of the TREAD Act.

Every day, professional automotive recyclers sell over a half a million original equipment manufacturer parts which are harvested from total loss or end-of-life vehicles and are resold to consumers, repair shops, and dealers. These parts are designed by automakers and are manufactured to meet their requirements. Even when a vehicle may reach the end of its useful life, many parts have a greater lifespan and can be subsequently recycled, resold, and reused. This offers consumers with additional choice to purchase a quality recycled part at a lower cost.

In 2000, Congress enacted the TREAD Act to increase vehicle safety by prohibiting the resale of recycled auto parts that are subject to a recall and have not been remedied. Congress passed this legislation with the safety of the driving public in mind. However, the ability of professional automotive recyclers to identify and remove recalled parts from the supply chain is severely limited.

Earlier this year, Secretary Foxx responded to a question for the record on this subject following a House Transportation and Infrastructure Committee hearing. He recommended that automotive manufacturers provide part number information in an efficient and easy-to-use format directly to recyclers and others who need the information to support auto safety. My amendment does just that and will ensure these businesses can identify such parts and remove them from their inventory.

Our friends in the European Union have already implemented regulations requiring such a system that includes the VIN, OE parts numbers, and the OE naming of the parts. I know we have the technological capabilities to similarly improve vehicle safety, and I am hoping that my colleagues will show their commitment to improving the recall process with an “aye” vote. Now is the time to pass this measure.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Ms. SCHAKOWSKY. Madam Chair, while I am not going to oppose the amendment, I do have some questions about it.

For this reason, it seems to me that this amendment is not likely to be all

that effective in getting defective parts off the market: It only requires parts suppliers and automakers to supply information when a recall is first ordered by the Secretary of Transportation. It does not apply in the most common recall scenario when a manufacturer provides notice of a recall.

So NHTSA is going to be asked to expend valuable resources to set up a new system for auto part information, and that system, it seems to me, should at least be effective in getting defective parts off the market and off the roads in all circumstances of recalls.

Madam Chair, I yield back the balance of my time.

Mr. KINZINGER of Illinois. I appreciate my friend from Illinois' response. I would be happy to work with her in the future on this.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. KINZINGER).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MS. SCHAKOWSKY

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 114-326.

Ms. SCHAKOWSKY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 574, insert after line 6 the following new sections:

SEC. 34216. IMPROVED VEHICLE SAFETY DATABASES.

Not later than 2 years after the date of enactment of this Act, the Secretary shall increase public accessibility to and timeliness of information on the National Highway Traffic Safety Administration's vehicle safety databases including by—

(1) improving organization and functionality, including modern web design features, and allowing for data to be searched, aggregated, and downloaded;

(2) providing greater consistency in presentation of vehicle safety issues;

(3) improving searchability about specific vehicles and issues through standardization of commonly used search terms and the integration of databases to enable all to be simultaneously searched using the same keyword search function; and

(4) improving the publicly accessible early warning database, by—

(A) enabling users to search for incidents across multiple reporting periods for a given make and model name, model year, or type of potential defect; and

(B) ensuring that search results, in addition to being downloadable, are sortable within an Internet browser by make, model name, model year, State or foreign country of the incident, number of deaths, number of injuries, date of the incident, and type of potential defect.

SEC. 34217. IMPROVED USED CAR BUYERS GUIDE.

In addition to the information already required to be included pursuant to section 455.2 of title 16, Code of Federal Regulations (the Used Motor Vehicle Trade Regulation Rule), the Buyers Guide window form shall include—

(1) a statement of the vehicle's brand history, total loss history, and salvage history according to the vehicle's National Motor Vehicle Title Information System (NMVTIS) vehicle history report, the date on which the dealer obtained the vehicle history report, and the website where a consumer can obtain a vehicle history report; and

(2) a statement of the vehicle's recall repair history according to the vehicle identification number search tool established pursuant to section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note), the date on which the used vehicle dealer obtained the recall repair history, and the website where a consumer may obtain this information.

SEC. 34218. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.

(a) **RULE.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records, including documents, reports, correspondence, or other materials that contain information concerning malfunctions that may be related to motor vehicle safety (including any failure or malfunction beyond normal deterioration in use, or any failure of performance, or any flaw or unintended deviation from design specifications, that could in any reasonably foreseeable manner be a causative factor in, or aggravate, an accident or an injury to a person), for a period of not less than 20 calendar years from the date on which they were generated or acquired by the manufacturer. Such requirement shall also apply to all underlying records on which information reported to the Secretary under part 579 of title 49, Code of Federal Regulations, is based.

(b) **APPLICATION.**—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

SEC. 34219. ELIMINATION OF REGIONAL RECALLS.

Section 30118 of title 49, United States Code, is amended by adding at the end the following new subsections:

“(f) **LONG-TERM EXPOSURE TO ENVIRONMENTAL CONDITIONS.**—If a manufacturer of a motor vehicle or replacement equipment learns the vehicle or equipment contains a safety problem caused by long-term exposure to environmental conditions, the manufacturer shall give notice under subsection (c) as if the manufacturer learned the vehicle or equipment contains a defect and decides in good faith that the defect is related to motor vehicle safety.

“(g) **NATIONAL ORDERS AND NOTIFICATIONS.**—All orders under subsection (b)(2) and notifications under subsection (c) shall be carried out on a national basis and shall not be limited to vehicles or equipment in certain States or territories or other geographic regions of the United States. This paragraph shall not prevent the Secretary from permitting the prioritization of the shipment of replacement parts by geographic location when appropriate.”.

SEC. 34220. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) of title 49, United States Code, is amended by striking “the motor vehicle or replacement equipment was bought by the first purchaser more than 10 calendar years, or”.

SEC. 34221. PEDESTRIAN SAFETY IMPROVEMENT RULE.

(a) **SAFETY RESEARCH INITIATIVE.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of safety standards or performance requirements to reduce the number of injuries and fatalities suffered by pedestrians and other non-occupants who are struck by passenger motor vehicles.

(b) **SPECIFICATIONS.**—In carrying out subsection (a), the Secretary shall consider means for protecting especially vulnerable pedestrian and non-occupant populations, including children, older adults, and individuals with disabilities.

(c) **RULEMAKING OR REPORT.**—

(1) **RULEMAKING.**—Not later than 1 year after the completion of each testing and research initiative required under subsection (a), the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) **REPORT.**—If the Secretary determines that the standard described in paragraph (1) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) **PASSENGER MOTOR VEHICLE DEFINED.**—In this section, the term “passenger motor vehicle”—

(1) means a motor vehicle (as defined in section 30102(a) of title 49, United States Code) that is rated at less than 10,000 pounds gross vehicular weight; and

(2) does not include—

(A) a motorcycle;

(B) a trailer; or

(C) a low speed vehicle (as defined in section 571.3 of title 49, Code of Federal Regulations).

SEC. 34222. RULEMAKING ON REAR SEAT CRASH-WORTHINESS.

(a) **SAFETY RESEARCH INITIATIVE.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of safety standards or performance requirements for the crashworthiness and survivability for passengers in the rear seats of motor vehicles.

(b) **SPECIFICATIONS.**—In carrying out subsection (a), the Secretary shall consider side- and rear-impact collision testing, additional airbags, head restraints, seatbelt fit, seatbelt airbags, belt anchor location, and any other factors the Secretary considers appropriate.

(c) **RULEMAKING OR REPORT.**—

(1) **RULEMAKING.**—Not later than 1 year after the completion of each research and testing initiative required under subsection (a), the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) **REPORT.**—If the Secretary determines that the standard described in paragraph (1) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States

Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

The Acting CHAIR. Pursuant to House Resolution 512, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Ms. SCHAKOWSKY. Madam Chair, in the wake of the GM and Takata recalls, it became apparent that major changes were needed to improve information sharing, enhance safety, and strengthen accountability measures. This amendment addresses some of those issues, and I urge my colleagues to support it.

Before I explain the contents of this amendment, it is important to explain what is not in the amendment.

There are no new civil penalties for companies that fail to adequately protect drivers and the public. There is no "imminent hazard authority" to enable NHTSA to get the most dangerous cars off the road as soon as possible. While I believe those changes are sorely needed, I knew that the Republican majority would oppose them. What is left are some of the more obvious reforms for auto safety, and there is no reasonable excuse to oppose the amendment.

This amendment would improve the functionality of the National Highway Traffic Safety Administration's Web site to enable better and more detailed searches, to standardize terms so that consistent problems can be identified faster, and to improve the early warning database so that consumers can determine whether a vehicle they drive or plan to drive has a history of dangerous incidents.

My amendment would also increase the amount of information provided to consumers who are purchasing or leasing used vehicles, including specific vehicle damage history and recall repair history. It would include that information in the Used Car Buyers Guide, which already must be posted on each used vehicle that is offered for sale; and it would inform consumers about the Web site, which is where they can find more information about their specific vehicle history.

The investigations into the GM and Takata failures were made more difficult by the fact that comprehensive safety records were not maintained by many manufacturers. This amendment would fix that by ensuring that those records are preserved for 20 years.

Auto manufacturers are not currently required to remedy recalled vehicles if those cars were sold more than 10 years before the recall. That makes no sense, especially when the average car on the road is more than 11 years old. This amendment would require all

defects to be remedied at no cost to the car owner no matter how long the car has been owned.

With more than 30,000 deaths a year, we have a long way to go in reducing deaths and serious injuries on our roads. There are things we can and should do to enhance auto safety, and Congress has a long track record of doing just that.

For example, a bill I sponsored, which was signed into law by President Bush, established a rulemaking to require technologies that would enable drivers to see behind their vehicles. By 2018, rear cameras will be standard for all cars. That rule will prevent more than 100 deaths and many more injuries each year.

This amendment would require NHTSA to continue that progress by requiring research into technologies and then developing standards that could reduce injuries and deaths for rear seat passengers and pedestrians.

Finally, this amendment eliminates the flawed system of regional recalls. Regional recalls limit remedies to specific States. This prevents vehicles which have traveled across the country from being recalled.

Takata issued regional recalls for its airbags, but with high humidity being a factor in airbag explosions, it makes no sense that its regional recall missed, for example, Washington, D.C.—a swamp, with all due respect. While most of Takata's regional recalls were expanded nationally, not all of them were, and some drivers can't legally get their vehicles remedied free of charge. We can't allow this regional recall system to continue.

Again, these are commonsense, safety-focused provisions that would enhance consumer information, vehicle safety, and accountability.

I urge my colleagues to support this amendment.

Madam Chair, I reserve the balance of my time.

Mr. BURGESS. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. Madam Chair, for some time now, the Energy and Commerce Committee, its Subcommittee of Oversight and Investigations as well as its Subcommittee of Commerce, Manufacturing, and Trade, have been looking into recalls and automobile safety.

We have heard about problems within the National Highway Traffic Safety Administration and about problems within the automobile industry, itself. There is a lot to fix, and there are provisions to get after those issues in terms of recommendations from the Inspector General's Office.

Serious flaws of the basic operation of the National Highway Traffic Safety Administration were revealed earlier this year in a widely reported inspector general's report. In an unprecedented

move after the inspector general's report was released, the National Highway Traffic Safety Administration publicly committed to a timeline to implement all of the inspector general's recommendations because of the serious and direct impact on NHTSA's ability to fulfill its core mission.

You do worry that the direction in which this amendment purports to now go is going to send resources in the wrong direction. It is going to be very, very friendly to the Plaintiffs' Trial Bar, but, really, that is not where our focus should be. Of course, the Plaintiffs' Bar wants to be able to download, sort, and map all of the incidents attributable by an automaker so that they can file class action lawsuits—very, very good for the Plaintiffs' Bar, not necessarily so good for the consumer.

The problem is there is a real cost in going in this direction. More resources are diverted to defending non meritorious lawsuits, and that means less can go into safety and quality. Effectively, this provision starves the consumer in order to feed the Plaintiffs' Bar.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, how much time is remaining?

The Acting CHAIR. The gentlewoman from Illinois has 1 minute remaining.

Ms. SCHAKOWSKY. Madam Chair, I would say to my colleague, as the chairman of the subcommittee I serve on and that deals with auto safety, I know, for a very long time, he has certainly seen the legislation that I have offered in the past, and this is the first time that I have heard that argument.

The idea of this legislation was to pair down the bill that I had introduced into the kinds of safety enhancements that the gentleman and many of the Republicans on the committee also had in their legislation.

The goal is one thing: to make sure that we provide more safety, strengthen accountability, and that we share more information with consumers. The amendment addresses those issues. It has avoided, studiously, the more controversial parts of auto safety bills that maybe, someday, we can come back to, but the goal was to get a good start.

I am disappointed that there is opposition to this amendment, but I still urge my colleagues to support it.

I yield back the balance of my time.

Mr. BURGESS. Madam Chair, I yield myself the balance of my time.

I would just restate that this amendment takes us in the wrong direction; so I urge my colleagues to vote in opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. SCHAKOWSKY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

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AMENDMENT NO. 16 OFFERED BY MR. MULLIN

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 114-326.

Mr. MULLIN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title XXXIV insert the following new part:

PART IV—ALTERNATIVE FUEL VEHICLES
SEC. 3444I. REGULATION PARITY FOR ELECTRIC AND NATURAL GAS VEHICLES.

(a) IN GENERAL.—In promulgating regulations, the Administrator of the Environmental Protection Administration shall ensure that any preference or incentive provided to an electric vehicle is also provided to a natural gas vehicle.

(b) REVISION OF EXISTING REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall revise any regulations of the Administrator in existence as of that date concerning electric vehicles as necessary to ensure that the regulations conform to subsection (a).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Oklahoma (Mr. MULLIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Madam Chair, the EPA currently regulates the tailpipe emissions of automobiles sold in the United States. In order to incentivize the use of alternative fuels, the agency provides regulatory credits to automakers that produce alternative fuel vehicles.

The EPA has provided greater incentives for manufacturers to produce electric vehicles rather than natural gas vehicles, even though natural gas is a growing and inexpensive source of fuel with a clean emission profile.

If we are going to incentivize alternative fuel vehicles, we need to make sure that natural gas vehicles are on a level playing field. My amendment does exactly that, encouraging the broader adoption of natural gas vehicles. It instructs EPA to provide the same incentives for the production of natural gas vehicles that it already provides for electric vehicles.

In States like mine in Oklahoma, natural gas is cheap, but filling stations for vehicles can be few and far between. Consumers are hesitant to buy natural gas vehicles because they are afraid they won't have access to filling stations.

The surface transportation bill encourages the build of natural gas re-

fueling corridors. My amendment will add to the effort by encouraging automakers to produce the vehicles that will actually consume the natural gas fuel.

This is a commonsense amendment, pro competition, and a reform the auto industry needs. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chairman, I rise in opposition to the gentleman's amendment, which would undermine the Obama administration's historic vehicle fuel economy and tailpipe emission standards.

The EPA and the Department of Transportation rules provide huge benefits. They help consumers save money at the pump, reduce reliance on foreign oil, and reduce the carbon pollution that threatens our climate and our health. By 2025, these rules are expected to save American families \$1.7 trillion on fuel costs, cut greenhouse gas emissions by 6 billion metric tons, and reduce America's dependence on oil by more than 2 million barrels per day.

These are rules that have been an overwhelming success due in large part to the high level of coordination and participation of multiple stakeholder groups in their development. We are talking about groups like automobile manufacturers, State and local governments, the United Auto Workers, consumer groups, environmental organizations, and the public. In short, these rules are good for American consumers, manufacturers, and the environment.

The Mullin amendment would undermine the success of existing and future car rules by requiring EPA to extend any "preference or incentive" provided to electric vehicles to natural gas vehicles as well.

The amendment also requires EPA to go back and make retroactive changes to the tailpipe rules already on the books. Some of these rules were finalized 3 years ago, and reopening these carefully coordinated negotiations makes no sense.

The Mullin amendment would effectively say that natural gas vehicles and electric vehicles are exactly the same, but they are fundamentally different in terms of their tailpipe emissions and the miles per gallon they get on the road.

Natural gas vehicles already receive numerous incentives under the tailpipe and fuel economy rules, and natural gas vehicles are an established and functioning technology, so there is little need to incentivize them further for reasons of technological innovation. This is in contrast with electric vehicles for whom many of the current incentives are designed.

The amendment is also not justified from a climate perspective. Electric vehicles have the potential to be game changers, especially with low greenhouse gas electricity. On the other hand, natural gas vehicles continue to depend on a fossil fuel with no such game-changing potential. Also, because natural gas is already a very viable fuel for heavy-duty vehicles, additional incentives would essentially be bonuses for using a fuel that would have been used anyway. So this would dilute the heavy-duty vehicle GHG program.

The Mullin amendment would give windfall incentives to automobile manufacturers that produce natural gas vehicles, creating a loophole that will allow them to produce other dirty and less efficient vehicles and still meet their tailpipe emissions and fuel economy requirements. This sets a dangerous precedent that subverts essential rules that were developed through an open public rulemaking process, including all stakeholders, and undermines critical U.S. energy conservation policies.

I reserve the balance of my time.

Mr. MULLIN. Madam Chair, I appreciate what the gentlewoman is stating. All we are trying to do is listen to the President, too, when he says he has an all-the-above approach on energy.

The gentlewoman states that electric vehicles are a clean way to drive around, but I must remind the gentlewoman that the power that they are charged by typically is produced by coal and natural gas power plants. So the argument that she is saying just simply doesn't make any sense.

The EPA has already said that their emissions fits within their profile. What we are saying is let's truly have an all-the-above approach and allow natural gas to be on a natural, clean playing field.

If we are going to talk about having a real conversation and not playing politics, then we shouldn't be playing winners and losers with this administration and the real fight, which is against—anti-fossil fuels altogether.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, my view is, if it ain't broke, don't fix it. We have had a good deal of success with the current rules, and to change the game plan right now, I think, is a disservice to consumers, to all the other stakeholders, including the auto manufacturers, the unions, the consumer groups, and everybody who has weighed in and bought in to these rules.

So I would urge a "no" vote on the Mullin amendment.

I yield back the balance of my time.

Mr. MULLIN. Madam Chair, I obviously encourage a "yes" vote, and I encourage my colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. SCHAKOWSKY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oklahoma will be postponed.

AMENDMENT NO. 17 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part B of House Report 114-326.

Mr. BURGESS. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 550, strike line 24 and all that follows through page 551, line 4, and insert the following:

(A) \$31,270,000 for fiscal year 2016.

(B) \$36,537,670 for fiscal year 2017.

(C) \$42,296,336 for fiscal year 2018.

(D) \$47,999,728 for fiscal year 2019.

(E) \$54,837,974 for fiscal year 2020.

(F) \$61,656,407 for fiscal year 2021.

Insert after subtitle D of title XXXIV the following new subtitle:

Subtitle E—Additional Motor Vehicle Provisions

SEC. 34501. REQUIRED REPORTING OF NHTSA AGENDA.

Not later than December 1 of the year beginning after the date of enactment of this Act, and each year thereafter, the Administrator of the National Highway Traffic Safety Administration shall publish on the public website of the Administration, and file with the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual plan for the following calendar year detailing the Administration's projected activities, including—

- (1) the Administrator's policy priorities;
- (2) any rulemakings projected to be commenced;
- (3) any plans to develop guidelines;
- (4) any plans to restructure the Administration or to establish or alter working groups;
- (5) any planned projects or initiatives of the Administration, including the working groups and advisory committees of the Administration; and
- (6) any projected dates or timetables associated with any of the items described in paragraphs (1) through (5).

SEC. 34502. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) of title 49, United States Code, is amended by striking “10 calendar years” and inserting “15 calendar years”.

SEC. 34503. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.

(a) **RULE.**—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records required to be maintained by manufacturers under section 576.6 of title 49, Code of Federal Regulations, for a period of not less than 10 calendar years from the date on which they were generated or acquired by the manufacturer.

(b) **APPLICATION.**—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

SEC. 34504. NONAPPLICATION OF PROHIBITIONS RELATING TO NONCOMPLYING MOTOR VEHICLES TO VEHICLES USED FOR TESTING OR EVALUATION.

Section 30112(b) of title 49, United States Code, is amended—

(1) in paragraph (8), by striking “; or” and inserting a semicolon;

(2) in paragraph (9), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new paragraph:

“(10) the introduction of a motor vehicle in interstate commerce solely for purposes of testing or evaluation by a manufacturer that prior to the date of enactment of this paragraph—

“(A) has manufactured and distributed motor vehicles into the United States that are certified to comply with all applicable Federal motor vehicle safety standards;

“(B) has submitted to the Secretary appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations;

“(C) if applicable, has identified an agent for service of process in accordance with part 551 of such title; and

“(D) agrees not to sell or offer for sale the motor vehicle at the conclusion of the testing or evaluation.”.

SEC. 34505. TREATMENT OF LOW-VOLUME MANUFACTURERS.

(a) **EXEMPTION FROM VEHICLE SAFETY STANDARDS FOR LOW-VOLUME MANUFACTURERS.**—Section 30114 of title 49, United States Code, is amended—

(1) by striking “The” and inserting “(a) VEHICLES USED FOR PARTICULAR PURPOSES.—The”; and

(2) by adding at the end the following new subsection:

“(b) **EXEMPTION FOR LOW-VOLUME MANUFACTURERS.**—

“(1) **IN GENERAL.**—The Secretary shall—

“(A) exempt from section 30112(a) of this title not more than 500 replica motor vehicles per year that are manufactured or imported by a low-volume manufacturer; and

“(B) except as provided in paragraph (4) of this subsection, limit any such exemption to the Federal Motor Vehicle Safety Standards applicable to motor vehicles and not motor vehicle equipment.

“(2) **REGISTRATION REQUIREMENT.**—To qualify for an exemption under paragraph (1), a low-volume manufacturer shall register with the Secretary at such time, in such manner, and under such terms that the Secretary determines appropriate. The Secretary shall establish terms that ensure that no person may register as a low-volume manufacturer if the person is registered as an importer under section 30141 of this title.

“(3) **PERMANENT LABEL REQUIREMENT.**—

“(A) **IN GENERAL.**—The Secretary shall require a low-volume manufacturer to affix a permanent label to a motor vehicle exempted under paragraph (1) that identifies the specified standards and regulations for which such vehicle is exempt from section 30112(a) and designates the model year such vehicle replicates.

“(B) **WRITTEN NOTICE.**—The Secretary may require a low-volume manufacturer of a motor vehicle exempted under paragraph (1) to deliver written notice of the exemption to—

“(i) the dealer; and

“(ii) the first purchaser of the motor vehicle, if the first purchaser is not an individual that purchases the motor vehicle for resale.

“(C) **REPORTING REQUIREMENT.**—A low-volume manufacturer shall annually submit a report to the Secretary including the number and description of the motor vehicles exempted under paragraph (1) and a list of the exemptions described on the label affixed under subparagraph (A).

“(4) **EFFECT ON OTHER PROVISIONS.**—Any motor vehicle exempted under this subsection shall also be exempted from sections 32304, 32502, and 32902 of this title and from section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

“(5) **LIMITATION AND PUBLIC NOTICE.**—The Secretary shall have 60 days to review and approve a registration submitted under paragraph (2). Any registration not approved or denied within 60 days after submission shall be deemed approved. The Secretary shall have the authority to revoke an existing registration based on a failure to comply with requirements set forth in this subsection. The registrant shall be provided a reasonable opportunity to correct all deficiencies, if such are correctable based on the sole discretion of the Secretary. An exemption granted by the Secretary to a low-volume manufacturer under this subsection may not be transferred to any other person, and shall expire at the end of the calendar year for which it was granted with respect to any volume authorized by the exemption that was not applied by the low-volume manufacturer to vehicles built during that calendar year. The Secretary shall maintain an up-to-date list of registrants on an annual basis and publish such list in the Federal Register or on a website operated by the Secretary.

“(6) **LIMITATION OF LIABILITY FOR ORIGINAL MANUFACTURERS, LICENSORS OR OWNERS OF PRODUCT CONFIGURATION, TRADE DRESS, OR DESIGN PATENTS.**—The original manufacturer, its successor or assignee, or current owner, who grants a license or otherwise transfers rights to a low-volume manufacturer shall incur no liability to any person or entity under Federal or State statute, regulation, local ordinance, or under any Federal or State common law for such license or assignment to a low-volume manufacturer.

“(7) **DEFINITIONS.**—In this subsection:

“(A) **LOW-VOLUME MANUFACTURER.**—The term ‘low-volume manufacturer’ means a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of this title, whose annual worldwide production is not more than 5,000 motor vehicles.

“(B) **REPLICA MOTOR VEHICLE.**—The term ‘replica motor vehicle’ means a motor vehicle produced by a low-volume manufacturer and that—

“(i) is intended to resemble the body of another motor vehicle that was manufactured not less than 25 years before the manufacture of the replica motor vehicle; and

“(ii) is manufactured under a license for the product configuration, trade dress, trademark, or patent, for the motor vehicle that is intended to be replicated from the original manufacturer, its successors or assignees, or current owner of such product configuration, trade dress, trademark, or patent rights.”.

(b) **VEHICLE EMISSION COMPLIANCE STANDARDS FOR LOW-VOLUME MOTOR VEHICLE MANUFACTURERS.**—Part A of title II of the Clean Air Act (42 U.S.C. 7521 et seq.) is amended—

(1) in section 206(a) by adding at the end the following new paragraph:

“(5)(A) A motor vehicle engine (including all engine emission controls) from a motor

vehicle that has been granted a certificate of conformity by the Administrator for the model year in which the motor vehicle is assembled, or a motor vehicle engine that has been granted an Executive order subject to regulations promulgated by the California Air Resources Board for the model year in which the motor vehicle is assembled, may be installed in an exempted specially produced motor vehicle, if—

“(i) the manufacturer of the engine supplies written instructions explaining how to install the engine and maintain functionality of the engine’s emission control system and the on-board diagnostic system (commonly known as ‘OBD II’), except with respect to evaporative emissions diagnostics;

“(ii) the manufacturer of the exempted specially produced motor vehicle installs the engine in accordance with such instructions; and

“(iii) the installation instructions include emission control warranty information from the engine manufacturer in compliance with section 207, including where warranty repairs can be made, emission control labels to be affixed to the vehicle, and the certificate of conformity number for the applicable vehicle in which the engine was originally intended or the applicable Executive order number for the engine.

“(B) A motor vehicle containing an engine compliant with the requirements of subparagraph (A) shall be treated as meeting the requirements of section 202 applicable to new vehicles manufactured or imported in the model year in which the exempted specially produced motor vehicle is assembled.

“(C) Engine installations that are not performed in accordance with installation instructions provided by the manufacturer and alterations to the engine not in accordance with the installation instructions shall—

“(i) be treated as prohibited acts by the installer under section 203; and

“(ii) subject to civil penalties under the first and third sentences of section 205(a), civil actions under section 205(b), and administrative assessment of penalties under section 205(c).

“(D) The manufacturer of an exempted specially produced motor vehicle that has an engine compliant with the requirements of subparagraph (A) shall provide to the purchaser of such vehicle all information received by the manufacturer from the engine manufacturer, including information regarding emissions warranties from the engine manufacturer and all emissions-related recalls by the engine manufacturer.

“(E) To qualify to install an engine under this paragraph, a manufacturer of exempted specially produced motor vehicles shall register with the Administrator at such time and in such manner as the Administrator determines appropriate. The manufacturer shall submit an annual report to the Administrator that includes—

“(i) a description of the exempted specially produced motor vehicles and engines installed in such vehicles; and

“(ii) the certificate of conformity number issued to the motor vehicle in which the engine was originally intended or the applicable Executive order number for the engine.

“(F) Exempted specially produced motor vehicles compliant with this paragraph shall be exempted from—

“(i) motor vehicle certification testing under this section; and

“(ii) vehicle emission control inspection and maintenance programs required under section 110.

“(G) A person engaged in the manufacturing or assembling of exempted specially

produced motor vehicles shall not be treated as a manufacturer for purposes of this Act by virtue of such manufacturing or assembling, so long as such person complies with subparagraphs (A) through (E).”; and

(2) in section 216 by adding at the end the following new paragraph:

“(12) EXEMPTED SPECIALLY PRODUCED MOTOR VEHICLE.—The term ‘exempted specially produced motor vehicle’ means a replica motor vehicle that is exempt from specified standards pursuant to section 30114(b) of title 49, United States Code.”.

(c) IMPLEMENTATION.—Not later than 12 months after the date of enactment of this Act, the Secretary of Transportation and the Administrator of the Environmental Protection Agency shall issue such regulations as may be necessary to implement the amendments made by subsections (a) and (b), respectively.

SEC. 34506. NO LIABILITY ON THE BASIS OF NHTSA MOTOR VEHICLE SAFETY GUIDELINES.

Section 30111 of title 49, United States Code, is amended by adding at the end the following new subsection:

“(f) NO LIABILITY ON THE BASIS OF MOTOR VEHICLE SAFETY GUIDELINES ISSUED BY THE SECRETARY.—(1) No guidelines issued by the Secretary with respect to motor vehicle safety shall provide a basis for or evidence of liability in any action against a defendant whose practices are alleged to be inconsistent with such guidelines. A person who is subject to any such guidelines may use an alternative approach to that set forth in such guidelines that complies with any requirement in a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation.

“(2) No such guidelines shall confer any rights on any person nor shall operate to bind the Secretary or any person who is subject to such guidelines to the approach recommended in such guidelines. In any enforcement action with respect to motor vehicle safety, the Secretary must prove a violation of a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation. The Secretary may not build a case against or negotiate a consent order with any person based in whole or in part on practices of the person that are alleged to be inconsistent with any such guidelines.

“(3) A defendant may use compliance with any such guidelines as evidence of compliance with the provision of this subtitle, motor vehicle safety standard issued under this subtitle, or other statute or regulation under which such guidelines were developed.”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, the thesis of this amendment is to secure good government reforms at the National Highway Traffic Safety Administration.

We want to make certain that we are able to exercise strong oversight of the National Highway Traffic Safety Administration, and we want to make certain that NHTSA is staying within its authorized jurisdiction.

We took some ideas that were raised by the minority, amended them to reflect things like the longer life of cars. We asked manufacturers to hold onto safety information for a longer period of time. We extend the time for free recall fix requirements.

Lastly, we have added the bipartisan Low Volume Motor Vehicle Manufacturers Act of 2015 and provided adjusted funding levels to the National Highway Traffic Safety Administration to advance their important safety work.

This is an important amendment, and I urge my colleagues to accept it.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chairman, by reducing appropriations for vehicle safety programs, Mr. BURGESS’ amendment is making it impossible for NHTSA, the National Highway Traffic Safety Administration, to actually carry out its critical vehicle safety functions.

At the same time that this amendment drastically cuts funding for critical safety functions, the amendment also requires more reporting that diverts necessary resources, both people and dollars, from NHTSA’s mission to save lives, prevent injuries, and reduce economic costs from traffic crashes.

The average age of cars on the road in the United States has hit a record high at 11½ years. That is just the average. Many cars are even older.

Instead of fully acknowledging this reality, this amendment only requires manufacturers to keep limited safety records for 15 years and only requires recall repairs to be free of charge for 10 years. The recent GM ignition switch recall covered vehicles that were more than 10 years old. That means that, under this amendment, some owners of defective GM cars could have to pay to have the defect repaired.

The amendment also exempts from motor vehicle safety standards replica cars. Brand-new cars would not have to meet any safety standards as long as they look like a car that was made 25 years ago. These cars could be exempt from seatbelt and airbag requirements, basic but crucial safety equipment. We have no idea how many replica cars will end up on the roads. Although each low-volume manufacturer is limited to 500 vehicles, there are no limits on the number of manufacturers.

The low-volume provision would also exempt manufacturers of replicas, unlike all others who manufacture cars in small batches, from the EPA’s emission standards concerning greenhouse gasses. Replica cars also would be exempt from State inspections and emissions testing and evaporative emission standards. In the wake of the recent

VW scandal, it is unthinkable that we would make it easier for any manufacturers to bypass emission standards and to continue to put public health at risk.

The amendment also allows automakers and others to use compliance with guidelines as evidence of compliance with motor vehicle safety standards. By prohibiting NHTSA from using guidelines for enforcement purposes, the majority obviously recognizes that nonbinding guidelines are not the same as actual safety requirements. But at the same time, this amendment allows automakers to evade liability by showing that they complied with nonbinding guidelines instead of having to prove that they complied with safety mandates. This double standard makes no sense.

Instead of ensuring that automakers are held responsible for safety violations they commit, this amendment gives them yet another out. This amendment will adversely affect the public health and safety.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. BURGESS. Madam Chairwoman, as I advised earlier in speaking to another amendment, some significant flaws in the basic operations of the National Highway Traffic Safety Administration were revealed earlier this year and reported in an inspector general's report.

Again, in an unprecedented move, after the IG report was released, the National Highway Traffic Safety Administration publicly committed to a timeline to implement all of the inspector general's recommendations because of their serious and direct impact on NHTSA's ability to fulfill its core mission. I am grateful to NHTSA that they had this commitment to these reforms.

Just like the Senate language, our amendment does provide for additional funding to the National Highway Traffic Safety Administration. This amendment would increase NHTSA's funding by 23½ percent for fiscal year 2016 and over 27 percent for fiscal year 2017 from the authorized levels in the underlying bill. Maybe we don't go as far as the Senate, but these are significant and generous increases.

Again, I will urge my colleagues to support the amendment.

I reserve the balance of my time.

□ 0015

Ms. SCHAKOWSKY. Madam Chair, actually there is an increase in my chairman's amendment. It is also a significant decrease from what the Senate has added to the National Highway Traffic Safety Administration. Because we have so many deaths on the road, and NHTSA has been significantly underfunded, it definitely makes sense to as fully fund them as they can to provide their mission of auto safety.

So, for that reason and all the others I listed, I certainly urge my colleagues to vote "no" on this legislation.

Madam Chair, I yield back the balance of my time.

Mr. BURGESS. Madam Chair, I yield myself the balance of my time.

This amendment also requires the National Highway Traffic Safety Administration to issue an agenda on December 1 of every year detailing the agency's policy priorities, their planned rulemakings, and any projected alterations to the agency structure. Actually, that is a good idea. Regulated entities, especially, should have an idea of what the focus of the agency is going to be in the upcoming months and years.

The last time the National Highway Traffic Safety Administration published a planning report was 2011. They are asking us for more money. We are providing them with more money. All we ask is they provide us a glimpse into what their strategy is as to how that money will be effectively spent.

This is a good amendment. I urge my colleagues to support it.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. SCHAKOWSKY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 18 OFFERED BY MR.
NEUGEBAUER

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part B of House Report 114-326.

Mr. NEUGEBAUER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 52203 and 52205.

Insert after section 52202 the following:

**SEC. 52203. ELIMINATION OF SURPLUS FUNDS OF
FEDERAL RESERVE BANKS.**

(a) ELIMINATION OF SURPLUS FUNDS.—Section 7 of the Federal Reserve Act (12 U.S.C. 289 et seq.) is amended—

(1) in subsection (a)—

(A) in the heading of such subsection, by striking "AND SURPLUS FUNDS"; and

(B) in paragraph (2), by striking "deposited in the surplus fund of the bank" and inserting "transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury"; and

(2) by striking the first subsection (b) (relating to a transfer for fiscal year 2000).

(b) TRANSFER TO THE TREASURY.—The Federal reserve banks shall transfer all of the funds of the surplus funds of such banks to the Board of Governors of the Federal Re-

serve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. NEUGEBAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. NEUGEBAUER. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise today to offer amendment No. 18 with the gentleman from Michigan (Mr. HUIZENGA), my good friend.

First, let me say I don't think it is good policy that we are trying to fund transportation from other sectors of the economy. This amendment does seek to address two major issues in the budget offset sent over from the Senate—the Federal Reserve dividend increase and the g-fee increase.

Moving forward with the Federal Reserve dividend reduction without studying it could have a devastating consequence for the supervision of the financial sector and the stability of the Federal Reserve System. The cost that banks, especially community banks, could face as a result of the dividend reduction would be passed on to hard-working consumers. At a time when many Americans continue to struggle from the unintended consequences of Dodd-Frank, it would be dangerous and irresponsible to move ahead with the Senate version.

Second, this amendment addresses what I see as a further entrenchment of Fannie Mae and Freddie Mac. This is particularly timely because just this week we learned that Fannie and Freddie may need to tap the Treasury once again and saddle the taxpayers with the bill. This amendment further protects the taxpayers. Allowing Congress to continue to raise g-fees will make comprehensive housing finance reform impossible.

Our amendment addresses both problems by liquidating and dissolving the Federal Reserve capital surplus account. The Federal Reserve currently has about \$29 billion in capital surplus account. This account is made up of the earnings that the Federal Reserve has retained from investing member banks' money. Let me say that again. The surplus account is made up of earnings that the Federal Reserve has made from investing member banks' money. The Federal Reserve continues to hold this account in surplus at a time when our Nation is over \$18.5 trillion in debt. This is not a perfect policy, but it is better than the alternative.

This preserves the budget neutrality of the transportation bill and counters irresponsible proposals sent over to us

by the Senate. Further, it protects consumers from potential for cost increases while reforming the surplus account to meet the needs of the current fiscal crisis.

When the surplus account was created, no one could have imagined the debt and deficits that we are facing. It is appropriate to liquidate this account to meet today's realities.

Moving forward, I hope that this body will ensure that transportation funding comes from transportation users and not completely unrelated sectors of the economy.

Madam Chair, in closing, I include for the RECORD a joint trade letter of support from 27 banking and housing groups in support of amendment No. 18.

Madam Chair, I reserve the balance of my time.

NOVEMBER 4, 2015.

Hon. PAUL RYAN,
Speaker, House of Representatives.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives.

DEAR SPEAKER RYAN AND LEADER PELOSI: The undersigned organizations urge the House to adopt the Neugebauer-Huizenga amendment to H.R. 22, the DRIVE Act, which would remove two harmful provisions from the Senate version of the bill.

The Neugebauer-Huizenga amendment would remove from H.R. 22 a harmful proposal to reduce the dividend paid on Federal Reserve stock that would have significant negative consequences on banks of all sizes across the country. Member banks of the Federal Reserve are required by law to purchase stock in regional Federal Reserve Banks. This stock may not be sold, transferred or even used as collateral, unlike virtually every other asset a bank holds. These funds represent "dead capital" for the financial institution. The dividend that the Senate is considering reducing reflects the unique structure and constraints of this arrangement that is required by law, as this is money that otherwise would be used by banks for lending and to provide other services to customers.

The Neugebauer-Huizenga amendment would also remove from H.R. 22 an extension of higher Fannie Mae and Freddie Mac guarantee fees. The purpose of these fees is to prospectively guard against credit losses at Fannie Mae and Freddie Mac. G-fees should only be used to protect taxpayers from mortgage losses, not to fund unrelated spending. Each time g-fees are extended, increased and diverted for unrelated spending, homeowners are charged more for their mortgages and taxpayers are exposed to additional risk for the long-term. The g-fee increase was originally included in the Senate highway bill as a funding offset, but the Congressional Budget Office has scored the House bill as being budget neutral without this provision. It should be removed to ensure that potential homebuyers are not kept on the sidelines by raising the cost to purchase or refinance a home.

To ensure it is fully offset, the Neugebauer-Huizenga amendment would use the Federal Reserve's "surplus" account of earnings retained after paying operating expenses and dividends. As a result of recent changes in the way the Federal Reserve operates, these retained earnings are no longer necessary. This amendment would use funds from this account to pay for the extension of the Highway Trust Fund.

We urge the House to pass the Neugebauer-Huizenga amendment to H.R. 22.

America's Homeowner Alliance, American Escrow Association, American Bankers Association, American Land Title Association, Center for Responsible Lending, The Clearing House, Community Home Lenders Association, Consumer Bankers Association, Consumer Mortgage Coalition, Credit Union National Association.

The Financial Services Forum, Financial Services Roundtable, Habitat for Humanity International, Homeownership Preservation Foundation, Independent Community Bankers of America, Leading Builders of America, Mid-size Bank Coalition of America, Mortgage Bankers Association, National Association of Hispanic Real Estate Professionals.

National Association of Home Builders, National Association of Real Estate Brokers, National Association of REALTORS®, Real Estate Services Providers Council, Inc., The Realty Alliance, Securities Industry and Financial Markets Association, U.S. Chamber of Commerce Center for Capital Markets Competitiveness, U.S. Mortgage Insurers.

Ms. MAXINE WATERS of California. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. I yield myself such time as I may consume.

Madam Chairwoman, I rise in opposition to this amendment. The Neugebauer amendment represents a poorly designed attempt to cover the cost of the highway bill. My colleague from Texas is concerned that the Senate's underlying provisions would cut the largest banks' guaranteed 6 percent dividend payments from the Federal Reserve as well as extend a 10 basis point fee on new mortgages, although not until 2021.

In place of those provisions, my colleague would eliminate the Federal Reserve surplus account without even considering whether it could harm monetary policy or our economic security in the decades ahead.

I previously expressed concern about using Fannie Mae and Freddie Mac as a piggy bank to pay for unrelated government spending. Instead, Republicans should finally take up housing finance reform. Despite controlling this House for almost 5 years and the Senate for nearly 2, Republicans have entirely failed to reform the housing markets, despite claiming that the mortgage giants caused the crisis.

Regarding the other Senate provision, I am not sure why the largest banks should be entitled to a permanent dividend payment of 6 percent a year. How many of my colleagues or their constituents have a safe investment that pays this well? In fact, most of my constituents are lucky to earn a penny a month on their bank account. Yet, when the Senate first proposed to cut these bank dividends, House Republicans urged that Congress first study what would be the effect before changing the law.

The Federal Reserve surplus account, which Mr. NEUGEBAUER proposes to

eliminate permanently to protect the bank dividends, has promoted global confidence in U.S. monetary policy for more than 100 years. Federal Reserve officials explained to the GAO that maintaining capital, including the surplus account, provides an assurance of a central bank's strength and stability to investors and foreign holders of U.S. currency. That is why central banks around the world—including the Bank of England, the European Central Bank, and the German Central Bank—all make use of surplus accounts. Nevertheless, my Republican colleagues are willing to cut this monetary policy tool without knowing what the long-term effect would be.

During the 2008 financial crisis, the Federal Reserve took unprecedented action to prevent economic collapse by purchasing trillions of dollars of assets. During the countless hearings with Federal Reserve chairs Bernanke and Yellen, my colleagues suggested that the Federal Reserve is leveraged more than Lehman Brothers, pointing out that the Fed surplus is inadequate to protect losses to the taxpayer. But with this amendment, they would eliminate for all time all Fed surplus which, based on Republican logic, would be infinite leverage.

Madam Chair, I reserve the balance of my time.

Mr. NEUGEBAUER. Madam Chair, I yield 1½ minutes to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Madam Chair, folks that are watching this at this late hour are unfortunately seeing politics over policy. The ranking member wants to agree but just can't let herself.

This policy that we have seen, 73 percent of the Democrats on her committee signed a letter saying we need to hit the pause button; we need to make sure that we understand what this policy that got shipped over to us from the Senate is going to mean. Unfortunately, it has been plunged ahead, and we are moving ahead with this.

This is less than ideal policy that we are looking at, but our choice isn't good choice versus bad choice. Our choice is less than ideal versus very bad choice. What we are seeing here is that we need to examine this further. It hasn't been looked at in over 50 years from the Committee on Financial Services.

So I hope two things: one, that we are going to have a change in the way the House operates. I believe that that new day has arrived and that we will be doing that, but we are not sure exactly what this fixed rate is going to be. I will point out, though, that with that 6 percent return, the Fed has been able to build up a \$29 billion, with a B, surplus account, which is where we are today.

Chairman HENSARLING of the Committee on Financial Services had written the GAO requesting a study of that.

I put out this letter, a bipartisan letter where we had 150 colleagues, that was forwarded. What we are doing is a better offset. We are believing that this is a better way to go rather than raiding Fannie and Freddie and the g-fees and the budget.

Ms. MAXINE WATERS of California. Madam Chair, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Madam Chair, I thank the gentlewoman for yielding, especially because I rise in favor of this amendment; not because it is perfect, but because it deals with a fundamental problem in the underlying legislation.

How are we going to fund our highway system? Some would argue a tax on motorists; some would argue the general revenue of the United States. I don't know anyone who can really make the argument that we ought to have a tax on home buyers to fund highways; yet that is what the underlying bill does. It imposes a tax on everyone who gets a mortgage or refinances a mortgage and uses that for highways.

I am confident that if we pass this amendment, the conference committee will take a look at how to finance this bill and will come up with a better way than the idea of imposing a tax on everyone. That basically means middle class homeowners who use Fannie Mae or Freddie Mac in order to buy a home or refinance a home.

Mr. NEUGEBAUER. Madam Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chair, I would like to draw to your attention that Mr. NEUGEBAUER's original amendment would have paused for 1 year and studied it. He changed it to strip the surplus forever and keep the dividend.

My Republican colleagues had every opportunity to ask Federal Reserve Chair Janet Yellen about this amendment or, for that matter, her thoughts on what cutting the big bank dividend payments would be but did not. Instead, they peppered her for 3 hours with sundry other questions, failing to ask about one proposal, then considered late in the day to eliminate a 100-year-old monetary policy tool.

Madam Chair, yesterday my Republican colleagues sought to hamstring the Federal Reserve. I ask for a "no" vote on this amendment.

I yield back the balance of my time. Mr. NEUGEBAUER. Madam Chair, I yield the balance of my time to close to the gentleman from Texas (Mr. HENSARLING), the distinguished chairman of the House Committee on Financial Services.

□ 0030

Mr. HENSARLING. I thank the gentleman for yielding.

Transportation ought to be funded out of transportation fees. It shouldn't

be funded out of the functional equivalent of a bank account tax. It should not be funded on the backs of home buyers, or particularly those taxpayers who are forced to backstop Fannie and Freddie.

If we are ever going to have a sustainable housing finance system in America, these guarantee fees cannot be diverted.

I want to thank the gentleman from Texas and the gentleman from Michigan. No, they didn't come up with the perfect solution, but it is far superior than this bank account tax and this home-buyer tax. It makes no sense whatsoever.

So I urge the entire House to adopt the Neugebauer amendment and get rid of this terrible idea from the Senate.

Mr. NEUGEBAUER. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. NEUGEBAUER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. NEUGEBAUER. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 19 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part B of House Report 114-326.

Mr. GOSAR. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 942, strike lines 7 and 8 (and redesignate subsequent clauses accordingly).

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Madam Chair, I rise today to offer a commonsense amendment to this transportation bill.

My amendment is simple. If the intent of the Federal Permitting Improvement Council section of this bill is to actually improve the Federal permitting process, then the EPA, which is not a principal permitting or reviewing agency, should not be allowed an outsized vote to obstruct the expedited process for covered projects created by this legislation.

The bill establishes a new council for the purpose of streamlining the Federal permitting process for projects of national importance. As currently constructed, the Environmental Protection Agency, or EPA, is given far too big a voice in this process—an EPA that is known for being the primary

obstructionist for every significant infrastructure and economic development project in the United States.

It is important to note that nothing in my amendment prevents the EPA from being invited to be a participating or cooperating agent and providing information throughout this process to the council.

The council established by this bill will be composed of a minimum of 16 members, and it takes a vote by the majority of the members of the council in order for a covered project to be entitled to an expedited review.

Currently, the bill allows the EPA too much influence in this process. This is wrong and will under mine goals of the rest of the council.

In a memo regarding the Federal permitting process, the EPA itself stated: "It is important to recognize the EPA is rarely, if ever, the principal permit or reviewing agency."

It goes on further: "EPA's role is most often one of providing input to processes managed by others. . . . In addition, where projects do require permits issued under Federal environmental laws, permitting decisions are typically made by States under delegated or authorized programs. EPA is not responsible for the day-to-day administration of delegated or authorized permitting programs."

By the EPA's own admission, the agency is never the primary reviewing entity. It defies common sense that EPA would have a vote when other agencies and States that actually manage the permitting process don't.

Intentional actions and sheer incompetence from the EPA continue to impose Federal permitting delays and kill jobs throughout the country. The Wall Street Journal recently reported that the EPA coordinated with special interest groups to veto a mine project in Alaska.

Media reports have also documented "close coordination between the EPA and environmental groups in drafting the controversial Clean Power Plan, which would mark the demise of coal-fired plants in the United States."

My amendment is endorsed by Eagle Forum, Americans for Limited Government, Concerned Citizens for America, the Arizona Department of Transportation, the Arizona Small Business Association, the Bullhead Chamber of Commerce, the Lake Havasu Area Chamber of Commerce, the New Mexico Cattle Growers' Association, the New Mexico Federal Lands Council, and the Town of Fredonia.

If the intent of this bill is to improve the Federal permitting process, then the EPA, which is not a principal permitting or reviewing agency, should not be allowed an outsized vote for critical projects that already have investments of \$200 million or more.

I fully support the intent of the council created by the bill and the committee's work in that regard. I believe the

process utilized could create tens of thousands of jobs and significantly benefit our economy. Let's not let the EPA screw it up.

I urge my colleagues to stand with job creators, ranchers, local chambers of commerce, small businesses, transportation officials, and countless other organizations and individuals throughout this country that are tired of the EPA's obstructionism, and support my amendment. You are either with them or you are with the EPA.

Vote "yes" on my amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 20 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in part B of House Report 114-326.

Mr. GOODLATTE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 964, line 6, insert after "the participating agencies" the following: "and the project sponsor".

Page 964, line 7, strike "and".

Page 964, line 11, strike the period and insert the following: "; and"

Page 964, after line 11, insert the following:

(III) in the case of a modification that would necessitate an extension of a final completion date under a permitting timetable established under subparagraph (A) to a date more than 30 days after the final completion date originally established under subparagraph (A), the facilitating or lead agency submits a request to modify the permitting timetable to the Executive Director, who shall consult with the project sponsor and make a determination on the record, based on consideration of the relevant factors described under subparagraph (B), whether to grant the facilitating or lead agency, as applicable, authority to make such modification.

Page 964, after line 15, insert the following:

(iii) LIMITATION ON LENGTH OF MODIFICATIONS.—

(I) IN GENERAL.—Except as provided in subclause (II), the total length of all modifications to a permitting timetable authorized or made under this subparagraph, other than for reasons outside the control of Federal, State, local, or tribal governments, may not extend the permitting timetable for a period of time greater than half of the amount of time from the establishment of the permitting timetable under subparagraph (A) to the last final completion date originally established under subparagraph (A).

(II) ADDITIONAL EXTENSIONS.—The Director of the Office of Management and Budget, after consultation with the project sponsor, may permit the Executive Director to authorize additional extensions of a permitting timetable beyond the limit prescribed by subclause (I). In such a case, the Director of the Office of Management and Budget shall transmit, not later than 5 days after making a determination to permit an authorization of extension under this subclause, a report to Congress explaining why such modification is required. Such report shall explain to Con-

gress with specificity why the original permitting timetable and the modifications authorized by the Executive Director failed to be adequate. The lead or facilitating agency, as applicable, shall transmit to Congress, the Director of the Office of Management and Budget, and the Executive Director a supplemental report on progress toward the final completion date each year thereafter, until the permit review is completed or the project sponsor withdraws its notice or application or other request to which this title applies under section 61010.

(iv) LIMITATION ON JUDICIAL REVIEW.—The following shall not be subject to judicial review:

(I) A determination by the Executive Director under clause (i)(III).

(II) A determination under clause (iii)(II) by the Director of the Office of Management and Budget to permit the Executive Director to authorize extensions of a permitting timetable.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Madam Chairman, I yield myself such time as I may consume.

I and Regulatory Reform Subcommittee Chairman MARINO offer this amendment to bridge the gap between two vital pieces of legislation: Chairman MARINO's RAPID Act, H.R. 348, which the House passed on September 24, 2015, and Senators Portman and McCaskill's Federal Permitting Improvement Act, S. 280.

These bills have been companions for multiple terms in our effort to streamline the process by which Federal agencies review and decide upon applications for federally funded and federally permitted construction projects. Permit streamlining reform is essential to create new, high-paying jobs and strengthen our economy. It is a priority of the House, the Senate, and the President.

S. 280 was incorporated by a floor amendment into the Senate amendments to H.R. 22 and, so, is included in the base bill before us. In two of the three key respects, it substantially achieves the House goals embodied by the RAPID Act: to shorten the time it takes to conclude litigation over Federal permitting decisions, and require litigants first to present the substance of any claims before permitting agencies during their administrative reviews.

The Senate text, however, falls short in the third key respect: reliably expediting the time agencies have to conclude their reviews before acting to approve or disapprove permits. The Senate language includes many important steps toward this goal, but multiple loopholes in the language open the door for deadlines without end and without standards.

The amendment Subcommittee Chairman MARINO and I offer fixes this

problem by establishing firm checks and balances through which the Director of OMB and the Executive Director of the Federal Permitting Improvement Steering Council can prevent abusive extensions and assure that permit applications are reviewed within reasonable deadlines.

The amendment embodies a pre-conferenced resolution of the differences between the RAPID Act and S. 280 as incorporated into H.R. 22 that Subcommittee Chairman MARINO, I, Senator PORTMAN, and Senator MCCASKILL all support.

If the House adopts this amendment, it will perfect the bill to assure powerful permit streamlining reform, paving the way for good projects to move forward more quickly, delivering high-quality jobs and improvements to Americans' daily lives. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. I yield myself such time as I may consume.

Madam Chairman, I rise in opposition to the gentleman's amendment and title 61 of the underlying bill, which adopts the text of S. 280, the Federal Permitting Improvement Act.

Before addressing my substantive concerns, I have serious procedural objections to the inclusion of title 61 in a transportation funding bill.

S. 280, the Federal Permitting Improvement Act, was attached to the transportation bill on the Senate floor through a manager's amendment offered by Senate Majority Leader MCCONNELL. It was adopted without adequate debate in an expedited process just days before the August recess. The bill has not been introduced in the House. Neither the House nor the Senate has had a hearing on the text of this bill, which involves a nuanced area of the law with broad implications for public health and safety.

Moving to the substance of title 61, this bill is a misguided attempt to restrict public input and challenges in the permitting process under the National Environmental Policy Act, or NEPA.

Over 40 years, NEPA has saved time, money, and protected the environment, all while providing a framework for wide-ranging input from all affected interests when a Federal agency conducts an environmental review of a proposed project.

Title 61 of H.R. 22 discards this commonsense approach by severely curtailing the public's right to challenge permitting decisions in several ways.

First, title 61 restricts challenges of major Federal projects to only parties who file comments within the bill's 45- to 60-day window. The bill requires

that these comments must be sufficiently detailed to put the lead agency on notice of the issue on which the party seeks judicial review. In other words, a party would have to litigate the issue in the 45- to 60-day comment period—an extremely tall order for the public.

Second, title 61 requires that courts consider the potential for significant job losses and other economic harms in considering whether to enjoin a project that has been challenged.

The bill further requires that courts presume that these harms are irreparable, even if they aren't, tilting the outcome in favor of private interests and away from the public's interest in health, safety, and the environment.

This is a radical departure from our laws and would have the practical effect of allowing a project to proceed even where there is ongoing litigation. Indeed, by the time a court determines that a project violates the law, a project could already be completed.

Third, under current law, the public has 6 years to bring claims arising under most Federal laws, which provides for citizens to discover latent harms of projects. Title 61 only provides for 2 years for challenges to the Nation's most complex projects requiring a Federal permit.

Madam Chairman, title 61 presents a false choice between funding transportation projects and accepting bad legislation without debate or proper consideration that would potentially have disastrous effects on the public's right to challenge Federal permitting decisions in court. This is yet another pro-corporate, anti-safety provision designed by the donor class to restrict access to the courts by the common people.

I reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, it is my pleasure to yield such time as he may consume to the gentleman from Pennsylvania (Mr. MARINO), who joins me in offering this amendment.

Mr. MARINO. I thank Chairman GOODLATTE for yielding.

For two terms now, enacting legislation to streamline the Federal permitting process has been among my primary goals. Three times now, this House has passed the RAPID Act, a bill that I sponsored in both the 113th and 114th Congresses.

□ 0045

Our goal has been to fix the flaws in our Federal permitting process that often doom worthy projects that could collectively create millions of jobs and hundreds of millions of dollars in economic activity.

In just my home State of Pennsylvania, one 2011 study found that the stalled energy projects alone would produce an average of over 56,000 jobs a year and over \$44 billion in economic output.

The potential growth in the American economy is staggering. Worthy projects across the country should not die on the vine while awaiting Federal bureaucratic approval.

This amendment achieves these goals, and I am pleased to offer it with the chairman. It builds upon the reforms already encompassed in several bills passed by the House Transportation and Infrastructure Committee and signed into law. Perhaps most importantly we have reached agreement on this amendment in a bipartisan fashion.

It has been one of the honors of my time in Congress to reach not only across the aisle, but across Chambers, to work with Senator PORTMAN and Senator MCCASKILL on these reforms and this amendment.

I urge all my colleagues and Members to join us in supporting this important amendment that will put Americans to work and help stimulate economic growth.

Mr. JOHNSON of Georgia. Madam Chair, this is a bad amendment that hurts the public interest, and for that reason I would ask that my colleagues vote along with me to disapprove of this amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Madam Chair, I yield myself the balance of my time.

Madam Chair, this is a very good amendment that will help create hundreds of thousands of jobs by getting projects that have been delayed all across this country moving. It is supported by many on both sides of the aisle in both Chambers of this institution.

We have worked closely with Democrats and Republicans, and we have worked closely with the White House on this language. This is ready for prime time. This is ready to go.

It is very appropriate to include it in this legislation because transportation projects will be the biggest beneficiary of this streamlining of permitting that will take place as a result of adoption of this legislation.

I urge my colleagues to support this amendment and the underlying bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MR. HENSARLING

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part B of House Report 114-326.

Mr. HENSARLING. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

DIVISION J—FINANCIAL SERVICES

SEC. 1. TABLE OF CONTENTS.

The table of contents for this division is as follows:

Sec. 1. Table of contents.

TITLE I—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES

Sec. 101. Filing requirement for public filing prior to public offering.

Sec. 102. Grace period for change of status of emerging growth companies.

Sec. 103. Simplified disclosure requirements for emerging growth companies.

TITLE II—DISCLOSURE MODERNIZATION AND SIMPLIFICATION

Sec. 201. Summary page for form 10-K.

Sec. 202. Improvement of regulation S-K.

Sec. 203. Study on modernization and simplification of regulation S-K.

TITLE III—BULLION AND COLLECTIBLE COIN PRODUCTION EFFICIENCY AND COST SAVINGS

Sec. 301. Technical corrections.

Sec. 302. American Eagle Silver Bullion 30th Anniversary.

TITLE IV—SBIC ADVISERS RELIEF

Sec. 401. Advisers of SBICs and venture capital funds.

Sec. 402. Advisers of SBICs and private funds.

Sec. 403. Relationship to State law.

TITLE V—ELIMINATE PRIVACY NOTICE CONFUSION

Sec. 501. Exception to annual privacy notice requirement under the Gramm-Leach-Bliley Act.

TITLE VI—REFORMING ACCESS FOR INVESTMENTS IN STARTUP ENTERPRISES

Sec. 601. Exempted transactions.

TITLE VII—PRESERVATION ENHANCEMENT AND SAVINGS OPPORTUNITY

Sec. 701. Distributions and residual receipts.

Sec. 702. Future refinancings.

Sec. 703. Implementation.

TITLE VIII—TENANT INCOME VERIFICATION RELIEF

Sec. 801. Reviews of family incomes.

TITLE IX—HOUSING ASSISTANCE EFFICIENCY

Sec. 901. Authority to administer rental assistance.

Sec. 902. Reallocation of funds.

TITLE X—CHILD SUPPORT ASSISTANCE

Sec. 1001. Requests for consumer reports by State or local child support enforcement agencies.

TITLE XI—PRIVATE INVESTMENT IN HOUSING

Sec. 1101. Budget-neutral demonstration program for energy and water conservation improvements at multifamily residential units.

TITLE XII—CAPITAL ACCESS FOR SMALL COMMUNITY FINANCIAL INSTITUTIONS

Sec. 1201. Privately insured credit unions authorized to become members of a Federal home loan bank.

Sec. 1202. GAO Report.

TITLE XIII—SMALL BANK EXAM CYCLE REFORM

Sec. 1301. Smaller institutions qualifying for 18-month examination cycle.

TITLE XIV—SMALL COMPANY SIMPLE REGISTRATION

Sec. 1401. Forward incorporation by reference for Form S-1.

TITLE XV—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION

Sec. 1501. Registration threshold for savings and loan holding companies.

TITLE I—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES

SEC. 101. FILING REQUIREMENT FOR PUBLIC FILING PRIOR TO PUBLIC OFFERING.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is amended by striking “21 days” and inserting “15 days”.

SEC. 102. GRACE PERIOD FOR CHANGE OF STATUS OF EMERGING GROWTH COMPANIES.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is further amended by adding at the end the following: “An issuer that was an emerging growth company at the time it submitted a confidential registration statement or, in lieu thereof, a publicly filed registration statement for review under this subsection but ceases to be an emerging growth company thereafter shall continue to be treated as an emerging market growth company for the purposes of this subsection through the earlier of the date on which the issuer consummates its initial public offering pursuant to such registrations statement or the end of the 1-year period beginning on the date the company ceases to be an emerging growth company.”.

SEC. 103. SIMPLIFIED DISCLOSURE REQUIREMENTS FOR EMERGING GROWTH COMPANIES.

Section 102 of the Jumpstart Our Business Startups Act (Public Law 112-106) is amended by adding at the end the following:

“(d) **SIMPLIFIED DISCLOSURE REQUIREMENTS.**—With respect to an emerging growth company (as such term is defined under section 2 of the Securities Act of 1933):

“(1) **REQUIREMENT TO INCLUDE NOTICE ON FORMS S-1 AND F-1.**—Not later than 30 days after the date of enactment of this subsection, the Securities and Exchange Commission shall revise its general instructions on Forms S-1 and F-1 to indicate that a registration statement filed (or submitted for confidential review) by an issuer prior to an initial public offering may omit financial information for historical periods otherwise required by regulation S-X (17 C.F.R. 210.1-01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

“(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S-1 or F-1 at the time of the contemplated offering; and

“(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S-X at the date of such amendment.

“(2) **RELIANCE BY ISSUERS.**—Effective 30 days after the date of enactment of this subsection, an issuer filing a registration statement (or submitting the statement for confidential review) on Form S-1 or Form F-1 may omit financial information for historical periods otherwise required by regulation S-X (17 C.F.R. 210.1-01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

“(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S-1 or Form F-1 at the time of the contemplated offering; and

“(B) prior to the issuer distributing a preliminary prospectus to investors, such reg-

istration statement is amended to include all financial information required by such regulation S-X at the date of such amendment.”.

TITLE II—DISCLOSURE MODERNIZATION AND SIMPLIFICATION

SEC. 201. SUMMARY PAGE FOR FORM 10-K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue regulations to permit issuers to submit a summary page on form 10-K (17 C.F.R. 249.310), but only if each item on such summary page includes a cross-reference (by electronic link or otherwise) to the material contained in form 10-K to which such item relates.

SEC. 202. IMPROVEMENT OF REGULATION S-K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall take all such actions to revise regulation S-K (17 C.F.R. 229.10 et seq.)—

(1) to further scale or eliminate requirements of regulation S-K, in order to reduce the burden on emerging growth companies, accelerated filers, smaller reporting companies, and other smaller issuers, while still providing all material information to investors;

(2) to eliminate provisions of regulation S-K, required for all issuers, that are duplicative, overlapping, outdated, or unnecessary; and

(3) for which the Commission determines that no further study under section 203 is necessary to determine the efficacy of such revisions to regulation S-K.

SEC. 203. STUDY ON MODERNIZATION AND SIMPLIFICATION OF REGULATION S-K.

(a) **STUDY.**—The Securities and Exchange Commission shall carry out a study of the requirements contained in regulation S-K (17 C.F.R. 229.10 et seq.). Such study shall—

(1) determine how best to modernize and simplify such requirements in a manner that reduces the costs and burdens on issuers while still providing all material information;

(2) emphasize a company by company approach that allows relevant and material information to be disseminated to investors without boilerplate language or static requirements while preserving completeness and comparability of information across registrants; and

(3) evaluate methods of information delivery and presentation and explore methods for discouraging repetition and the disclosure of immaterial information.

(b) **CONSULTATION.**—In conducting the study required under subsection (a), the Commission shall consult with the Investor Advisory Committee and the Advisory Committee on Small and Emerging Companies.

(c) **REPORT.**—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Commission shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) specific and detailed recommendations on modernizing and simplifying the requirements in regulation S-K in a manner that reduces the costs and burdens on companies while still providing all material information; and

(3) specific and detailed recommendations on ways to improve the readability and navigability of disclosure documents and to discourage repetition and the disclosure of immaterial information.

(d) **RULEMAKING.**—Not later than the end of the 360-day period beginning on the date that the report is issued to the Congress under subsection (c), the Commission shall issue a proposed rule to implement the recommendations of the report issued under subsection (c).

(e) **RULE OF CONSTRUCTION.**—Revisions made to regulation S-K by the Commission under section 202 shall not be construed as satisfying the rulemaking requirements under this section.

TITLE III—BULLION AND COLLECTIBLE COIN PRODUCTION EFFICIENCY AND COST SAVINGS

SEC. 301. TECHNICAL CORRECTIONS.

Title 31, United States Code, is amended—

(1) in section 5112—

(A) in subsection (q)—

(i) by striking paragraphs (3) and (8); and

(ii) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (3), (4), (5), and (6), respectively;

(B) in subsection (t)(6)(B), by striking “90 percent silver and 10 percent copper” and inserting “not less than 90 percent silver”; and

(C) in subsection (v)—

(i) in paragraph (1), by striking “Subject to” and all that follows through “the Secretary shall” and inserting “The Secretary shall”;

(ii) in paragraph (2)(A), by striking “The Secretary” and inserting “To the greatest extent possible, the Secretary”;

(iii) in paragraph (5), by inserting after “may issue” the following: “collectible versions of”; and

(iv) by striking paragraph (8); and

(2) in section 5132(a)(2)(B)(i), by striking “90 percent silver and 10 percent copper” and inserting “not less than 90 percent silver”.

SEC. 302. AMERICAN EAGLE SILVER BULLION 30TH ANNIVERSARY.

Proof and uncirculated versions of coins issued by the Secretary of the Treasury pursuant to subsection (e) of section 5112 of title 31, United States Code, during calendar year 2016 shall have a smooth edge incused with a designation that notes the 30th anniversary of the first issue of coins under such subsection.

TITLE IV—SBIC ADVISERS RELIEF

SEC. 401. ADVISERS OF SBICS AND VENTURE CAPITAL FUNDS.

Section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(l)) is amended—

(1) by striking “No investment adviser” and inserting the following:

“(1) **IN GENERAL.**—No investment adviser”; and

(2) by adding at the end the following:

“(2) **ADVISERS OF SBICS.**—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940).”.

SEC. 402. ADVISERS OF SBICS AND PRIVATE FUNDS.

Section 203(m) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(m)) is amended by adding at the end the following:

“(3) **ADVISERS OF SBICS.**—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940) shall be excluded from the limit set forth in paragraph (1).”.

SEC. 403. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3a(b)(1)) is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(7) of such section, or is a supervised person of such person.”.

TITLE V—ELIMINATE PRIVACY NOTICE CONFUSION**SEC. 501. EXCEPTION TO ANNUAL PRIVACY NOTICE REQUIREMENT UNDER THE GRAMM-LEACH-BLILEY ACT.**

Section 503 of the Gramm-Leach-Bliley Act (15 U.S.C. 6803) is amended by adding at the end the following:

“(f) EXCEPTION TO ANNUAL NOTICE REQUIREMENT.—A financial institution that—

“(1) provides nonpublic personal information only in accordance with the provisions of subsection (b)(2) or (e) of section 502 or regulations prescribed under section 504(b), and

“(2) has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this section,

shall not be required to provide an annual disclosure under this section until such time as the financial institution fails to comply with any criteria described in paragraph (1) or (2).”.

TITLE VI—REFORMING ACCESS FOR INVESTMENTS IN STARTUP ENTERPRISES**SEC. 601. EXEMPTED TRANSACTIONS.**

(a) EXEMPTED TRANSACTIONS.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(7) transactions meeting the requirements of subsection (d).”;

(2) by redesignating the second subsection (b) (relating to securities offered and sold in compliance with Rule 506 of Regulation D) as subsection (c); and

(3) by adding at the end the following:

“(d) CERTAIN ACCREDITED INVESTOR TRANSACTIONS.—The transactions referred to in subsection (a)(7) are transactions meeting the following requirements:

“(1) ACCREDITED INVESTOR REQUIREMENT.—Each purchaser is an accredited investor, as that term is defined in section 230.501(a) of title 17, Code of Federal Regulations (or any successor regulation).

“(2) PROHIBITION ON GENERAL SOLICITATION OR ADVERTISING.—Neither the seller, nor any person acting on the seller’s behalf, offers or sells securities by any form of general solicitation or general advertising.

“(3) INFORMATION REQUIREMENT.—In the case of a transaction involving the securities of an issuer that is neither subject to section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m; 78o(d)), nor exempt from reporting pursuant to section 240.12g3-2(b) of title 17, Code of Federal Regulations, nor a foreign government (as defined in section 230.405 of title 17, Code of Federal Regulations) eligible to register securities under Schedule B, the seller and a prospective purchaser designated by the seller obtain from the issuer, upon request of the seller, and the seller in all cases makes available to a pro-

spective purchaser, the following information (which shall be reasonably current in relation to the date of resale under this section):

“(A) The exact name of the issuer and the issuer’s predecessor (if any).

“(B) The address of the issuer’s principal executive offices.

“(C) The exact title and class of the security.

“(D) The par or stated value of the security.

“(E) The number of shares or total amount of the securities outstanding as of the end of the issuer’s most recent fiscal year.

“(F) The name and address of the transfer agent, corporate secretary, or other person responsible for transferring shares and stock certificates.

“(G) A statement of the nature of the business of the issuer and the products and services it offers, which shall be presumed reasonably current if the statement is as of 12 months before the transaction date.

“(H) The names of the officers and directors of the issuer.

“(I) The names of any persons registered as a broker, dealer, or agent that shall be paid or given, directly or indirectly, any commission or remuneration for such person’s participation in the offer or sale of the securities.

“(J) The issuer’s most recent balance sheet and profit and loss statement and similar financial statements, which shall—

“(i) be for such part of the 2 preceding fiscal years as the issuer has been in operation;

“(ii) be prepared in accordance with generally accepted accounting principles or, in the case of a foreign private issuer, be prepared in accordance with generally accepted accounting principles or the International Financial Reporting Standards issued by the International Accounting Standards Board;

“(iii) be presumed reasonably current if—

“(I) with respect to the balance sheet, the balance sheet is as of a date less than 16 months before the transaction date; and

“(II) with respect to the profit and loss statement, such statement is for the 12 months preceding the date of the issuer’s balance sheet; and

“(iv) if the balance sheet is not as of a date less than 6 months before the transaction date, be accompanied by additional statements of profit and loss for the period from the date of such balance sheet to a date less than 6 months before the transaction date.

“(K) To the extent that the seller is a control person with respect to the issuer, a brief statement regarding the nature of the affiliation, and a statement certified by such seller that they have no reasonable grounds to believe that the issuer is in violation of the securities laws or regulations.

“(4) ISSUERS DISQUALIFIED.—The transaction is not for the sale of a security where the seller is an issuer or a subsidiary, either directly or indirectly, of the issuer.

“(5) BAD ACTOR PROHIBITION.—Neither the seller, nor any person that has been or will be paid (directly or indirectly) remuneration or a commission for their participation in the offer or sale of the securities, including solicitation of purchasers for the issuer, is subject to an event that would disqualify an issuer or other covered person under Rule 506(d)(1) of Regulation D (17 C.F.R. 230.506(d)(1)) or is subject to a statutory disqualification described under section 3(a)(39) of the Securities Exchange Act of 1934.

“(6) BUSINESS REQUIREMENT.—The issuer is engaged in business, is not in the organizational stage or in bankruptcy or receiver-

ship, and is not a blank check, blind pool, or shell company that has no specific business plan or purpose or has indicated that the issuer’s primary business plan is to engage in a merger or combination of the business with, or an acquisition of, an unidentified person.

“(7) UNDERWRITER PROHIBITION.—The transaction is not with respect to a security that constitutes the whole or part of an unsold allotment to, or a subscription or participation by, a broker or dealer as an underwriter of the security or a redistribution.

“(8) OUTSTANDING CLASS REQUIREMENT.—The transaction is with respect to a security of a class that has been authorized and outstanding for at least 90 days prior to the date of the transaction.

“(e) ADDITIONAL REQUIREMENTS.—

“(1) IN GENERAL.—With respect to an exempted transaction described under subsection (a)(7):

“(A) Securities acquired in such transaction shall be deemed to have been acquired in a transaction not involving any public offering.

“(B) Such transaction shall be deemed not to be a distribution for purposes of section 2(a)(11).

“(C) Securities involved in such transaction shall be deemed to be restricted securities within the meaning of Rule 144 (17 C.F.R. 230.144).

“(2) RULE OF CONSTRUCTION.—The exemption provided by subsection (a)(7) shall not be the exclusive means for establishing an exemption from the registration requirements of section 5.”.

(b) EXEMPTION IN CONNECTION WITH CERTAIN EXEMPT OFFERINGS.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(1) by redesignating the second subparagraph (D) and subparagraph (E) as subparagraphs (E) and (F), respectively;

(2) in subparagraph (E), as so redesignated, by striking “; or” and inserting a semicolon;

(3) in subparagraph (F), as so redesignated, by striking the period and inserting “; or”; and

(4) by adding at the end the following new subparagraph:

“(G) section 4(a)(7).”.

TITLE VII—PRESERVATION ENHANCEMENT AND SAVINGS OPPORTUNITY**SEC. 701. DISTRIBUTIONS AND RESIDUAL RECEIPTS.**

Section 222 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4112) is amended by adding at the end the following new subsection:

“(e) DISTRIBUTION AND RESIDUAL RECEIPTS.—

“(1) AUTHORITY.—After the date of the enactment of this subsection, the owner of a property subject to a plan of action or use agreement pursuant to this section shall be entitled to distribute—

“(A) annually, all surplus cash generated by the property, but only if the owner is in material compliance with such use agreement including compliance with prevailing physical condition standards established by the Secretary; and

“(B) notwithstanding any conflicting provision in such use agreement, any funds accumulated in a residual receipts account, but only if the owner is in material compliance with such use agreement and has completed, or set aside sufficient funds for completion of, any capital repairs identified by the most recent third party capital needs assessment.

“(2) OPERATION OF PROPERTY.—An owner that distributes any amounts pursuant to paragraph (1) shall—

“(A) continue to operate the property in accordance with the affordability provisions of the use agreement for the property for the remaining useful life of the property;

“(B) as required by the plan of action for the property, continue to renew or extend any project-based rental assistance contract for a term of not less than 20 years; and

“(C) if the owner has an existing multi-year project-based rental assistance contract for less than 20 years, have the option to extend the contract to a 20-year term.”.

SEC. 702. FUTURE REFINANCINGS.

Section 214 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4104) is amended by adding at the end the following new subsection:

“(C) **FUTURE FINANCING.**—Neither this section, nor any plan of action or use agreement implementing this section, shall restrict an owner from obtaining a new loan or refinancing an existing loan secured by the project, or from distributing the proceeds of such a loan; except that, in conjunction with such refinancing—

“(1) the owner shall provide for adequate rehabilitation pursuant to a capital needs assessment to ensure long-term sustainability of the property satisfactory to the lender or bond issuance agency;

“(2) any resulting budget-based rent increase shall include debt service on the new financing, commercially reasonable debt service coverage, and replacement reserves as required by the lender; and

“(3) for tenants of dwelling units not covered by a project- or tenant-based rental subsidy, any rent increases resulting from the refinancing transaction may not exceed 10 percent per year, except that—

“(A) any tenant occupying a dwelling unit as of time of the refinancing may not be required to pay for rent and utilities, for the duration of such tenancy, an amount that exceeds the greater of—

“(i) 30 percent of the tenant’s income; or

“(ii) the amount paid by the tenant for rent and utilities immediately before such refinancing; and

“(B) this paragraph shall not apply to any tenant who does not provide the owner with proof of income

Paragraph (3) may not be construed to limit any rent increases resulting from increased operating costs for a project.”.

SEC. 703. IMPLEMENTATION.

The Secretary of Housing and Urban Development shall issue any guidance that the Secretary considers necessary to carry out the provisions added by the amendments made by this title not later than the expiration of the 120-day period beginning on the date of the enactment of this Act.

TITLE VIII—TENANT INCOME VERIFICATION RELIEF

SEC. 801. REVIEWS OF FAMILY INCOMES.

(a) **IN GENERAL.**—The second sentence of paragraph (1) of section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)(1)) is amended by inserting before the period at the end the following: “; except that, in the case of any family with a fixed income, as defined by the Secretary, after the initial review of the family’s income, the public housing agency or owner shall not be required to conduct a review of the family’s income for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, which shall include policies to adjust for inflation-based income changes, that 90 percent or more of the income of the family consists of fixed income, and that the

sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family’s income not less than once every 3 years”.

(b) **HOUSING CHOICE VOUCHER PROGRAM.**—Subparagraph (A) of section 8(o)(5) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(5)(A)) is amended by striking “not less than annually” and inserting “as required by section 3(a)(1) of this Act”.

TITLE IX—HOUSING ASSISTANCE EFFICIENCY

SEC. 901. AUTHORITY TO ADMINISTER RENTAL ASSISTANCE.

Subsection (g) of section 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(g)) is amended by inserting “private nonprofit organization,” after “unit of general local government.”.

SEC. 902. REALLOCATION OF FUNDS.

Paragraph (1) of section 414(d) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(d)(1)) is amended by striking “twice” and inserting “once”.

TITLE X—CHILD SUPPORT ASSISTANCE

SEC. 1001. REQUESTS FOR CONSUMER REPORTS BY STATE OR LOCAL CHILD SUPPORT ENFORCEMENT AGENCIES.

Paragraph (4) of section 604(a) of the Fair Credit Reporting Act (15 U.S.C. 1681b(a)(4)) is amended—

(1) in subparagraph (A), by striking “or determining the appropriate level of such payments” and inserting “, determining the appropriate level of such payments, or enforcing a child support order, award, agreement, or judgment”;

(2) in subparagraph (B)—

(A) by striking “paternity” and inserting “parentage”; and

(B) by adding “and” at the end;

(3) by striking subparagraph (C); and

(4) by redesignating subparagraph (D) as subparagraph (C).

TITLE XI—PRIVATE INVESTMENT IN HOUSING

SEC. 1101. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) **ESTABLISHMENT.**—The Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) shall establish a demonstration program under which the Secretary may execute budget-neutral, performance-based agreements in fiscal years 2016 through 2019 that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) **REQUIREMENTS.**—

(1) **PAYMENTS CONTINGENT ON SAVINGS.**—

(A) **IN GENERAL.**—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost

savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) **PAYMENT METHODOLOGY.**—

(i) **IN GENERAL.**—Each agreement under this section shall include a pay-for-success provision that—

(I) shall serve as a payment threshold for the term of the agreement; and

(II) requires that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties.

(ii) **LIMITATIONS.**—A payment made by the Secretary under an agreement under this section—

(I) shall be contingent on documented utility savings; and

(II) shall not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) **THIRD-PARTY VERIFICATION.**—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established pre-retrofit;

(ii) annual third-party confirmation of actual utility consumption and cost for utilities;

(iii) annual third-party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third-party determination of savings to the Secretary.

An agreement under this section with an entity shall provide that the entity shall cover costs associated with third-party verification under this subparagraph.

(2) **TERMS OF PERFORMANCE-BASED AGREEMENTS.**—A performance-based agreement under this section shall include—

(A) the period that the agreement will be in effect and during which payments may be made, which may not be longer than 12 years;

(B) the performance measures that will serve as payment thresholds during the term of the agreement;

(C) an audit protocol for the properties covered by the agreement;

(D) a requirement that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties; and

(E) such other requirements and terms as determined to be appropriate by the Secretary.

(3) **ENTITY ELIGIBILITY.**—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that, either jointly or individually, demonstrate significant experience relating to—

(i) financing or operating properties receiving assistance under a program identified in subsection (a);

(ii) oversight of energy or water conservation programs, including oversight of contractors; and

(iii) raising capital for energy or water conservation improvements from charitable organizations or private investors.

(4) **GEOGRAPHICAL DIVERSITY.**—Each agreement entered into under this section shall provide for the inclusion of properties with

the greatest feasible regional and State variance.

(5) **PROPERTIES.**—A property may only be included in the demonstration under this section only if the property is subject to affordability restrictions for at least 15 years after the date of the completion of any conservation improvements made to the property under the demonstration program. Such restrictions may be made through an extended affordability agreement for the property under a new housing assistance payments contract with the Secretary of Housing and Urban Development or through an enforceable covenant with the owner of the property.

(c) **PLAN AND REPORTS.**—

(1) **PLAN.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations and Financial Services of the House of Representatives and the Committees on Appropriations and Banking, Housing, and Urban Affairs of the Senate a detailed plan for the implementation of this section.

(2) **REPORTS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) **FUNDING.**—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).

TITLE XII—CAPITAL ACCESS FOR SMALL COMMUNITY FINANCIAL INSTITUTIONS

SEC. 1201. PRIVATELY INSURED CREDIT UNIONS AUTHORIZED TO BECOME MEMBERS OF A FEDERAL HOME LOAN BANK.

(a) **IN GENERAL.**—Section 4(a) of the Federal Home Loan Bank Act (12 U.S.C. 1424(a)) is amended by adding at the end the following new paragraph:

“(5) **CERTAIN PRIVATELY INSURED CREDIT UNIONS.**—

“(A) **IN GENERAL.**—Subject to the requirements of subparagraph (B), a credit union shall be treated as an insured depository institution for purposes of determining the eligibility of such credit union for membership in a Federal home loan bank under paragraphs (1), (2), and (3).

“(B) **CERTIFICATION BY APPROPRIATE SUPERVISOR.**—

“(i) **IN GENERAL.**—For purposes of this paragraph and subject to clause (ii), a credit union which lacks Federal deposit insurance and which has applied for membership in a Federal home loan bank may be treated as meeting all the eligibility requirements for Federal deposit insurance only if the appropriate supervisor of the State in which the credit union is chartered has determined that the credit union meets all the eligibility requirements for Federal deposit insurance as of the date of the application for membership.

“(ii) **CERTIFICATION DEEMED VALID.**—If, in the case of any credit union to which clause (i) applies, the appropriate supervisor of the State in which such credit union is chartered fails to make a determination pursuant to such clause by the end of the 6-month period beginning on the date of the application, the credit union shall be deemed to have met the requirements of clause (i).

“(C) **SECURITY INTERESTS OF FEDERAL HOME LOAN BANK NOT AVOIDABLE.**—Notwithstanding

any provision of State law authorizing a conservator or liquidating agent of a credit union to repudiate contracts, no such provision shall apply with respect to—

“(i) any extension of credit from any Federal home loan bank to any credit union which is a member of any such bank pursuant to this paragraph; or

“(ii) any security interest in the assets of such credit union securing any such extension of credit.

“(D) **PROTECTION FOR CERTAIN FEDERAL HOME LOAN BANK ADVANCES.**—Notwithstanding any State law to the contrary, if a Bank makes an advance under section 10 to a State-chartered credit union that is not federally insured—

“(i) the Bank's interest in any collateral securing such advance has the same priority and is afforded the same standing and rights that the security interest would have had if the advance had been made to a federally insured credit union; and

“(ii) the Bank has the same right to access such collateral that the Bank would have had if the advance had been made to a federally insured credit union.”

(b) **COPIES OF AUDITS OF PRIVATE INSURERS OF CERTAIN DEPOSITORY INSTITUTIONS REQUIRED TO BE PROVIDED TO SUPERVISORY AGENCIES.**—Section 43(a)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(a)(2)(A)) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking the period at the end and inserting “; and”; and

(3) by inserting at the end the following new clause:

“(iii) in the case of depository institutions described in subsection (e)(2)(A) the deposits of which are insured by the private insurer which are members of a Federal home loan bank, to the Federal Housing Finance Agency, not later than 7 days after the audit is completed.”

SEC. 1202. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit a report to Congress—

(1) on the adequacy of insurance reserves held by a private deposit insurer that insures deposits in an entity described in section 43(e)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(e)(2)(A)); and

(2) for an entity described in paragraph (1) the deposits of which are insured by a private deposit insurer, information on the level of compliance with Federal regulations relating to the disclosure of a lack of Federal deposit insurance.

TITLE XIII—SMALL BANK EXAM CYCLE REFORM

SEC. 1301. SMALLER INSTITUTIONS QUALIFYING FOR 18-MONTH EXAMINATION CYCLE.

Section 10(d) of the Federal Deposit Insurance Act (12 U.S.C. 1820(d)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking “\$500,000,000” and inserting “\$1,000,000,000”; and

(B) in subparagraph (C)(ii), by striking “\$100,000,000” and inserting “\$200,000,000”; and

(2) in paragraph (10)—

(A) by striking “\$100,000,000” and inserting “\$200,000,000”; and

(B) by striking “\$500,000,000” and inserting “\$1,000,000,000”.

TITLE XIV—SMALL COMPANY SIMPLE REGISTRATION

SEC. 1401. FORWARD INCORPORATION BY REFERENCE FOR FORM S-1.

Not later than 45 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise Form S-1 so as to permit a smaller reporting company (as defined in section 230.405 of title 17, Code of Federal Regulations) to incorporate by reference in a registration statement filed on such form any documents that such company files with the Commission after the effective date of such registration statement.

TITLE XV—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION

SEC. 1501. REGISTRATION THRESHOLD FOR SAVINGS AND LOAN HOLDING COMPANIES.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 12(g)—

(A) in paragraph (1)(B), by inserting after “is a bank” the following: “, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),”; and

(B) in paragraph (4), by inserting after “case of a bank” the following: “, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),”; and

(2) in section 15(d), by striking “case of bank” and inserting the following: “case of a bank, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),”.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Madam Chair, I yield myself such time as I may consume.

People are still hurting in this economy, Madam Chair. We all know that. We need to do everything we can, as the House, to promote economic growth.

It is very difficult in this Chamber and in this institution to come by bipartisan legislation. But I am proud to say, in the House Financial Services Committee, we have passed numerous pieces of bipartisan legislation. They are modest because they are bipartisan. But they are, nonetheless, important and can make a difference in people's lives.

There are 15 bills that have already passed the House Financial Services Committee either unanimously or near unanimously and then have gone to the House to be debated and have been passed, almost all of them, unanimously by voice vote or near 400-plus votes.

They are bills like H.R. 2064, to help with emerging growth company regulatory reforms; H.R. 1525, that simplifies some of the Security and Exchange Commission disclosures; H.R. 432, the Small Investment Company Regulatory Relief Act; and a number of bills like these that have typically passed our committee 57-0, for example, 60-0, 53-0, and then have gone on to pass the House by voice vote.

Again, these are bipartisan bills. They are modest bills, but they happen to be germane to this transportation bill because of the revenue stream, the funding source, the pay-for in the transportation bill.

So because they have already been debated in committee, passed in the committee, debated in the House, passed in the House, we are simply packaging 15 of these bills together because there is an opportunity to have these become law and benefit the American people.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Madam Chair, I yield myself such time as I may consume.

Madam Chair, this amendment combines 15 Financial Services bills that have had broad bipartisan support and passed through the committee and on the House floor. These bills address important issues that range from helping to preserve affordable rental housing to providing regulatory relief to small banks and reporting companies, to affording start-ups, emerging growth companies and community financial institutions with greater flexibility to raise capital.

Let me be clear. I have supported these bills in committee and on the floor. But, Madam Chair and Members, this Congress is made up of two Houses, the House of Representatives and the Senate. Just as we were given the opportunity to debate and amend these bills, taking into account concerns from our constituents and interested stakeholders, the Senate should also be given the opportunity.

I am also concerned with the other amendments and their potential negative effect on this set of bills. For example, Representative YOUNG has an amendment that would require each rulemaking in the highway bill, as amended, to include a list of information upon which it is based, including data, scientific and economic studies, and cost-benefit analysis, and identify how the public can access such information online.

What this means is that the Securities and Exchange Commission, in conducting its rulemaking under Chairman HENSARLING's amendment, would face this additional administrative hurdle, including the innocent-sounding cost-benefit analysis.

However, cost-benefit analysis is a tool that has been used by the industry and the opposite side of the aisle both in agencies and in the courts and in Congress to delay, weaken, or kill necessary reforms. Such analysis encourages second-guessing, favors easily quantifiable costs over less tangible benefits, and is extremely resource intensive.

That is why my Democratic colleagues and I have opposed its application to the SEC, an agency that already performs economic analysis for its rulemaking and has enough on its plate with its additional responsibility under the JOBS Act and the Dodd-Frank Act.

Requiring the SEC to conduct an onerous cost-benefit analysis is even more concerning with the Republicans' refusal to adequately fund the agency. So the meager existing funds would have to be diverted from other important SEC functions, like enforcement and investigations.

Cost-benefit analysis in Representative YOUNG's amendment is also opposed by consumer advocates like the Coalition for Sensible Safeguards.

While, again, I support the 15 Financial Services bills in this amendment, I oppose this process of pushing them through the House attached to the highway bill.

Madam Chair and Members, again, this is about process. I do believe that the Senate should have the ability to debate these bills.

Coming out of the Financial Services Committee, we are tasked with the responsibility to take a very complicated subject matter, Financial Services matters, and to make sure that we give every Member an opportunity to have input, to have credible debates. I just believe that the Senate should have that opportunity.

So while we have supported these bills—and Mr. HENSARLING is absolutely correct—we had an opportunity to do that because we understood them very well. We debated them. We had an opportunity to have input to ask questions, to do everything that you need to do to be well informed about legislation that you are either supporting or opposing.

Again, this is about process. I just simply believe that the Senate should have the right to debate.

I yield back the balance of my time.

Mr. HENSARLING. Madam Chair, I yield myself such time as I may consume.

I was listening carefully to my ranking member, and I think the translation is: I was for the bills before I was against the bills. I think she just said she supported all of these on the committee and the floor, she just doesn't support them tonight. And, apparently, the reason has something to do with the fact that the Senate, the other body, the other Chamber, perhaps hasn't gone through the same process that we have.

I didn't know it was our business to do the Senate's business. Our business is to propose and support what the House has done. So I don't know if the ranking member sees the other body as a group of shrinking violets who cannot take care of themselves, who will somehow be overwhelmed by one particular amendment.

I would remind all Members there is this thing called a conference committee between the House and the Senate to work out differences. They have many matters in the Senate bill that have not been debated in the House, yet those will be taken up in conference committee.

So it is late in the evening, Madam Chair, as you well know, and I have heard a lot of very, very interesting things throughout the hours and hours of debate.

But I simply cannot understand how Members will come to the floor and essentially tell us: "We were for all of these bills, but we are no longer for all of these bills. We were for them before we were against them because we are just afraid the Senate somehow can't take care of themselves."

I think we should reject that. These are bills that were passed unanimously and near unanimously in the House. They are bipartisan. They include Republican bills, Democrat bills.

As much as I respect the ranking member, this argument makes no sense to me whatsoever.

The House has already spoken on these matters. Let's get the people's business done. I urge all Members to adopt the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. MULLIN

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part B of House Report 114-326.

Mr. MULLIN. Madam Chair, as the designee of the gentleman from Michigan (Mr. UPTON), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1032, after line 4, add the following:

DIVISION J—ENERGY SECURITY

SEC. 99001. EMERGENCY PREPAREDNESS FOR ENERGY SUPPLY DISRUPTIONS.

(a) FINDING.—Congress finds that recent natural disasters have underscored the importance of having resilient oil and natural gas infrastructure and effective ways for industry and government to communicate to address energy supply disruptions.

(b) AUTHORIZATION FOR ACTIVITIES TO ENHANCE EMERGENCY PREPAREDNESS FOR NATURAL DISASTERS.—The Secretary of Energy shall develop and adopt procedures to—

(1) improve communication and coordination between the Department of Energy's energy response team, Federal partners, and industry;

(2) leverage the Energy Information Administration's subject matter expertise within the Department's energy response team to improve supply chain situation assessments;

(3) establish company liaisons and direct communication with the Department's energy response team to improve situation assessments;

(4) streamline and enhance processes for obtaining temporary regulatory relief to speed up emergency response and recovery;

(5) facilitate and increase engagement among States, the oil and natural gas industry, and the Department in developing State and local energy assurance plans;

(6) establish routine education and training programs for key government emergency response positions with the Department and States; and

(7) involve States and the oil and natural gas industry in comprehensive drill and exercise programs.

(c) COOPERATION.—The activities carried out under subsection (b) shall include collaborative efforts with State and local government officials and the private sector.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the effectiveness of the activities authorized under this section.

SEC. 99002. RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS.

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

(1) by inserting “(1)” after “(c)”; and

(2) by adding at the end the following:

“(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

“(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

“(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

“(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.

“(5) If an order issued under this subsection is subsequently stayed, modified, or set aside by a court pursuant to section 313 or any other provision of law, any omission or action previously taken by a party that was necessary to comply with the order while the order was in effect, including any omission or action taken to voluntarily comply with the order, shall remain subject to paragraph (3).”.

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting “or municipality” before “engaged in the transmission or sale of electric energy”.

SEC. 99003. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

(a) CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.—Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding after section 215 the following new section:

“SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

“(a) DEFINITIONS.—For purposes of this section:

“(1) BULK-POWER SYSTEM; ELECTRIC RELIABILITY ORGANIZATION; REGIONAL ENTITY.—The terms ‘bulk-power system’, ‘Electric Reliability Organization’, and ‘regional entity’ have the meanings given such terms in paragraphs (1), (2), and (7) of section 215(a), respectively.

“(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ‘critical electric infrastructure’ means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters.

“(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The term ‘critical electric infrastructure information’ means information related to critical electric infrastructure, or proposed critical electrical infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission under subsection (d)(2). Such term includes information that qualifies as critical energy infrastructure information under the Commission’s regulations.

“(4) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term ‘defense critical electric infrastructure’ means any electric infrastructure located in the United States (including the territories) that serves a facility designated by the Secretary pursuant to subsection (c), but is not owned or operated by the owner or operator of such facility.

“(5) ELECTROMAGNETIC PULSE.—The term ‘electromagnetic pulse’ means 1 or more pulses of electromagnetic energy emitted by a device capable of disabling or disrupting operation of, or destroying, electronic devices or communications networks, including hardware, software, and data, by means of such a pulse.

“(6) GEOMAGNETIC STORM.—The term ‘geomagnetic storm’ means a temporary disturbance of the Earth’s magnetic field resulting from solar activity.

“(7) GRID SECURITY EMERGENCY.—The term ‘grid security emergency’ means the occurrence or imminent danger of—

“(A)(i) a malicious act using electronic communication or an electromagnetic pulse, or a geomagnetic storm event, that could disrupt the operation of those electronic devices or communications networks, including hardware, software, and data, that are

essential to the reliability of critical electric infrastructure or of defense critical electric infrastructure; and

“(ii) disruption of the operation of such devices or networks, with significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure, as a result of such act or event; or

“(B)(i) a direct physical attack on critical electric infrastructure or on defense critical electric infrastructure; and

“(ii) significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure as a result of such physical attack.

“(8) SECRETARY.—The term ‘Secretary’ means the Secretary of Energy.

“(b) AUTHORITY TO ADDRESS GRID SECURITY EMERGENCY.—

“(1) AUTHORITY.—Whenever the President issues and provides to the Secretary a written directive or determination identifying a grid security emergency, the Secretary may, with or without notice, hearing, or report, issue such orders for emergency measures as are necessary in the judgment of the Secretary to protect or restore the reliability of critical electric infrastructure or of defense critical electric infrastructure during such emergency. As soon as practicable but not later than 180 days after the date of enactment of this section, the Secretary shall, after notice and opportunity for comment, establish rules of procedure that ensure that such authority can be exercised expeditiously.

“(2) NOTIFICATION OF CONGRESS.—Whenever the President issues and provides to the Secretary a written directive or determination under paragraph (1), the President shall promptly notify congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, such directive or determination.

“(3) CONSULTATION.—Before issuing an order for emergency measures under paragraph (1), the Secretary shall, to the extent practicable in light of the nature of the grid security emergency and the urgency of the need for action, consult with appropriate governmental authorities in Canada and Mexico, entities described in paragraph (4), the Electricity Sub-sector Coordinating Council, the Commission, and other appropriate Federal agencies regarding implementation of such emergency measures.

“(4) APPLICATION.—An order for emergency measures under this subsection may apply to—

“(A) the Electric Reliability Organization;

“(B) a regional entity; or

“(C) any owner, user, or operator of critical electric infrastructure or of defense critical electric infrastructure within the United States.

“(5) EXPIRATION AND REISSUANCE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), an order for emergency measures issued under paragraph (1) shall expire no later than 15 days after its issuance.

“(B) EXTENSIONS.—The Secretary may reissue an order for emergency measures issued under paragraph (1) for subsequent periods, not to exceed 15 days for each such period, provided that the President, for each such period, issues and provides to the Secretary a written directive or determination that the grid security emergency identified under paragraph (1) continues to exist or that the emergency measure continues to be required.

“(6) COST RECOVERY.—

“(A) CRITICAL ELECTRIC INFRASTRUCTURE.—If the Commission determines that owners, operators, or users of critical electric infrastructure have incurred substantial costs to comply with an order for emergency measures issued under this subsection and that such costs were prudently incurred and cannot reasonably be recovered through regulated rates or market prices for the electric energy or services sold by such owners, operators, or users, the Commission shall, consistent with the requirements of section 205, after notice and an opportunity for comment, establish a mechanism that permits such owners, operators, or users to recover such costs.

“(B) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—To the extent the owner or operator of defense critical electric infrastructure is required to take emergency measures pursuant to an order issued under this subsection, the owners or operators of a critical defense facility or facilities designated by the Secretary pursuant to subsection (c) that rely upon such infrastructure shall bear the full incremental costs of the measures.

“(7) TEMPORARY ACCESS TO CLASSIFIED INFORMATION.—The Secretary, and other appropriate Federal agencies, shall, to the extent practicable and consistent with their obligations to protect classified information, provide temporary access to classified information related to a grid security emergency for which emergency measures are issued under paragraph (1) to key personnel of any entity subject to such emergency measures to enable optimum communication between the entity and the Secretary and other appropriate Federal agencies regarding the grid security emergency.

“(c) DESIGNATION OF CRITICAL DEFENSE FACILITIES.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with other appropriate Federal agencies and appropriate owners, users, or operators of infrastructure that may be defense critical electric infrastructure, shall identify and designate facilities located in the United States (including the territories) that are—

“(1) critical to the defense of the United States; and

“(2) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider.

The Secretary may, in consultation with appropriate Federal agencies and appropriate owners, users, or operators of defense critical electric infrastructure, periodically revise the list of designated facilities as necessary.

“(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

“(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Critical electric infrastructure information—

“(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

“(B) shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records.

“(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than one year after the date of enactment of this section, the Commission, in consultation with the Secretary of Energy, shall promulgate such regulations and issue such orders as necessary to—

“(A) designate information as critical electric infrastructure information;

“(B) prohibit the unauthorized disclosure of critical electric infrastructure information;

“(C) ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section; and

“(D) taking into account standards of the Electric Reliability Organization, facilitate voluntary sharing of critical electric infrastructure information with, between, and by—

“(i) Federal, State, political subdivision, and tribal authorities;

“(ii) the Electric Reliability Organization;

“(iii) regional entities;

“(iv) information sharing and analysis centers established pursuant to Presidential Decision Directive 63;

“(v) owners, operators, and users of critical electric infrastructure in the United States; and

“(vi) other entities determined appropriate by the Commission.

“(3) CONSIDERATIONS.—In promulgating regulations and issuing orders under paragraph (2), the Commission shall take into consideration the role of State commissions in reviewing the prudence and cost of investments, determining the rates and terms of conditions for electric services, and ensuring the safety and reliability of the bulk-power system and distribution facilities within their respective jurisdictions.

“(4) PROTOCOLS.—The Commission shall, in consultation with Canadian and Mexican authorities, develop protocols for the voluntary sharing of critical electric infrastructure information with Canadian and Mexican authorities and owners, operators, and users of the bulk-power system outside the United States.

“(5) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section shall require a person or entity in possession of critical electric infrastructure information to share such information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

“(6) SUBMISSION OF INFORMATION TO CONGRESS.—Nothing in this section shall permit or authorize the withholding of information from Congress, any committee or subcommittee thereof, or the Comptroller General.

“(7) DISCLOSURE OF NONPROTECTED INFORMATION.—In implementing this section, the Commission shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

“(8) DURATION OF DESIGNATION.—Information may not be designated as critical electric infrastructure information for longer than 5 years, unless specifically re-designated by the Commission.

“(9) REMOVAL OF DESIGNATION.—The Commission shall remove the designation of critical electric infrastructure information, in whole or in part, from a document or electronic communication if the Commission determines that the unauthorized disclosure of such information could no longer be used to impair the security or reliability of the bulk-power system or distribution facilities.

“(10) JUDICIAL REVIEW OF DESIGNATIONS.—Notwithstanding section 313(b), any deter-

mination by the Commission concerning the designation of critical electric infrastructure information under this subsection shall be subject to review under chapter 7 of title 5, United States Code, except that such review shall be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in the District of Columbia. In such a case the court shall examine in camera the contents of documents or electronic communications that are the subject of the determination under review to determine whether such documents or any part thereof were improperly designated or not designated as critical electric infrastructure information.

“(e) SECURITY CLEARANCES.—The Secretary shall facilitate and, to the extent practicable, expedite the acquisition of adequate security clearances by key personnel of any entity subject to the requirements of this section, to enable optimum communication with Federal agencies regarding threats to the security of the critical electric infrastructure. The Secretary, the Commission, and other appropriate Federal agencies shall, to the extent practicable and consistent with their obligations to protect classified and critical electric infrastructure information, share timely actionable information regarding grid security with appropriate key personnel of owners, operators, and users of the critical electric infrastructure.

“(f) CLARIFICATIONS OF LIABILITY.—

“(1) COMPLIANCE WITH OR VIOLATION OF THIS ACT.—Except as provided in paragraph (4), to the extent any action or omission taken by an entity that is necessary to comply with an order for emergency measures issued under subsection (b)(1), including any action or omission taken to voluntarily comply with such order, results in noncompliance with, or causes such entity not to comply with any rule, order, regulation, or provision of this Act, including any reliability standard approved by the Commission pursuant to section 215, such action or omission shall not be considered a violation of such rule, order, regulation, or provision.

“(2) RELATION TO SECTION 202(c).—Except as provided in paragraph (4), an action or omission taken by an owner, operator, or user of critical electric infrastructure or of defense critical electric infrastructure to comply with an order for emergency measures issued under subsection (b)(1) shall be treated as an action or omission taken to comply with an order issued under section 202(c) for purposes of such section.

“(3) SHARING OR RECEIPT OF INFORMATION.—No cause of action shall lie or be maintained in any Federal or State court for the sharing or receipt of information under, and that is conducted in accordance with, subsection (d).

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require dismissal of a cause of action against an entity that, in the course of complying with an order for emergency measures issued under subsection (b)(1) by taking an action or omission for which they would be liable but for paragraph (1) or (2), takes such action or omission in a grossly negligent manner.”

(b) CONFORMING AMENDMENTS.—

(1) JURISDICTION.—Section 201(b)(2) of the Federal Power Act (16 U.S.C. 824(b)(2)) is amended by inserting “215A,” after “215,” each place it appears.

(2) PUBLIC UTILITY.—Section 201(e) of the Federal Power Act (16 U.S.C. 824(e)) is amended by inserting “215A,” after “215.”

SEC. 99004. STRATEGIC TRANSFORMER RESERVE.

(a) **FINDING.**—Congress finds that the storage of strategically located spare large power transformers and emergency mobile substations will reduce the vulnerability of the United States to multiple risks facing electric grid reliability, including physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, and seismic events.

(b) **DEFINITIONS.**—In this section:

(1) **BULK-POWER SYSTEM.**—The term “bulk-power system” has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) **CRITICALLY DAMAGED LARGE POWER TRANSFORMER.**—The term “critically damaged large power transformer” means a large power transformer that—

(A) has sustained extensive damage such that—

(i) repair or refurbishment is not economically viable; or

(ii) the extensive time to repair or refurbish the large power transformer would create an extended period of instability in the bulk-power system; and

(B) prior to sustaining such damage, was part of the bulk-power system.

(3) **CRITICAL ELECTRIC INFRASTRUCTURE.**—The term “critical electric infrastructure” has the meaning given that term in section 215A of the Federal Power Act.

(4) **ELECTRIC RELIABILITY ORGANIZATION.**—The term “Electric Reliability Organization” has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(5) **EMERGENCY MOBILE SUBSTATION.**—The term “emergency mobile substation” means a mobile substation or mobile transformer that is—

(A) assembled and permanently mounted on a trailer that is capable of highway travel and meets relevant Department of Transportation regulations; and

(B) intended for express deployment and capable of being rapidly placed into service.

(6) **LARGE POWER TRANSFORMER.**—The term “large power transformer” means a power transformer with a maximum nameplate rating of 100 megavolt-amperes or higher, including related critical equipment, that is, or is intended to be, a part of the bulk-power system.

(7) **SECRETARY.**—The term “Secretary” means the Secretary of Energy.

(8) **SPARE LARGE POWER TRANSFORMER.**—The term “spare large power transformer” means a large power transformer that is stored within the Strategic Transformer Reserve to be available to temporarily replace a critically damaged large power transformer.

(c) **STRATEGIC TRANSFORMER RESERVE PLAN.**—

(1) **PLAN.**—Not later than one year after the date of enactment of this Act, the Secretary, acting through the Office of Electricity Delivery and Energy Reliability, shall, in consultation with the Federal Energy Regulatory Commission, the Electricity Sub-sector Coordinating Council, the Electric Reliability Organization, and owners and operators of critical electric infrastructure and defense and military installations, prepare and submit to Congress a plan to establish a Strategic Transformer Reserve for the storage, in strategically located facilities, of spare large power transformers and emergency mobile substations in sufficient numbers to temporarily replace critically damaged large power transformers and substations that are critical electric infrastruc-

ture or serve defense and military installations.

(2) **INCLUSIONS.**—The Strategic Transformer Reserve plan shall include a description of—

(A) the appropriate number and type of spare large power transformers necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations to mitigate significant impacts to the electric grid resulting from—

- (i) physical attack;
- (ii) cyber attack;
- (iii) electromagnetic pulse attack;
- (iv) geomagnetic disturbances;
- (v) severe weather; or
- (vi) seismic events;

(B) other critical electric grid equipment for which an inventory of spare equipment, including emergency mobile substations, is necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations;

(C) the degree to which utility sector actions or initiatives, including individual utility ownership of spare equipment, joint ownership of spare equipment inventory, sharing agreements, or other spare equipment reserves or arrangements, satisfy the needs identified under subparagraphs (A) and (B);

(D) the potential locations for, and feasibility and appropriate number of, strategic storage locations for reserve equipment, including consideration of—

- (i) the physical security of such locations;
- (ii) the protection of the confidentiality of such locations; and
- (iii) the proximity of such locations to sites of potentially critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations, so as to enable efficient delivery of equipment to such sites;

(E) the necessary degree of flexibility of spare large power transformers to be included in the Strategic Transformer Reserve to conform to different substation configurations, including consideration of transformer—

(i) power and voltage rating for each winding;

- (ii) overload requirements;
- (iii) impedance between windings;
- (iv) configuration of windings; and
- (v) tap requirements;

(F) an estimate of the direct cost of the Strategic Transformer Reserve, as proposed, including—

- (i) the cost of storage facilities;
- (ii) the cost of the equipment; and
- (iii) management, maintenance, and operation costs;

(G) the funding options available to establish, stock, manage, and maintain the Strategic Transformer Reserve, including consideration of fees on owners and operators of bulk-power system facilities, critical electric infrastructure, and defense and military installations relying on the Strategic Transformer Reserve, use of Federal appropriations, and public-private cost-sharing options;

(H) the ease and speed of transportation, installation, and energization of spare large power transformers to be included in the Strategic Transformer Reserve, including consideration of factors such as—

- (i) transformer transportation weight;
- (ii) transformer size;
- (iii) topology of critical substations;

(iv) availability of appropriate transformer mounting pads;

(v) flexibility of the spare large power transformers as described in subparagraph (E); and

(vi) ability to rapidly transition a spare large power transformer from storage to energization;

(I) eligibility criteria for withdrawal of equipment from the Strategic Transformer Reserve;

(J) the process by which owners or operators of critically damaged large power transformers or substations that are critical electric infrastructure or serve defense and military installations may apply for a withdrawal from the Strategic Transformer Reserve;

(K) the process by which equipment withdrawn from the Strategic Transformer Reserve is returned to the Strategic Transformer Reserve or is replaced;

(L) possible fees to be paid by users of equipment withdrawn from the Strategic Transformer Reserve;

(M) possible fees to be paid by owners and operators of large power transformers and substations that are critical electric infrastructure or serve defense and military installations to cover operating costs of the Strategic Transformer Reserve;

(N) the domestic and international large power transformer supply chain;

(O) the potential reliability, cost, and operational benefits of including emergency mobile substations in any Strategic Transformer Reserve established under this section; and

(P) other considerations for designing, constructing, stocking, funding, and managing the Strategic Transformer Reserve.

(d) **ESTABLISHMENT.**—The Secretary may establish a Strategic Transformer Reserve in accordance with the plan prepared pursuant to subsection (c) after the date that is 6 months after the date on which such plan is submitted to Congress.

(e) **DISCLOSURE OF INFORMATION.**—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which could cause harm to critical electric infrastructure, shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records.

SEC. 99005. ENERGY SECURITY VALUATION.

(a) **ESTABLISHMENT OF ENERGY SECURITY VALUATION METHODS.**—Not later than one year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit, after public notice and comment, to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate a report that develops recommended United States energy security valuation methods. In developing the report, the Secretaries may consider the recommendations of the Administration's Quadrennial Energy Review released on April 21, 2015. The report shall—

(1) evaluate and define United States energy security to reflect modern domestic and global energy markets and the collective needs of the United States and its allies and partners;

(2) identify transparent and uniform or coordinated procedures and criteria to ensure that energy-related actions that significantly affect the supply, distribution, or use

of energy are evaluated with respect to their potential impact on energy security, including their impact on—

- (A) consumers and the economy;
 - (B) energy supply diversity and resiliency;
 - (C) well-functioning and competitive energy markets;
 - (D) United States trade balance; and
 - (E) national security objectives; and
- (3) include a recommended implementation strategy that identifies and aims to ensure that the procedures and criteria referred to in paragraph (2) are—

(A) evaluated consistently across the Federal Government; and

(B) weighed appropriately and balanced with environmental considerations required by Federal law.

(b) PARTICIPATION.—In developing the report referred to in subsection (a), the Secretaries may consult with relevant Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

The Acting CHAIR. Pursuant to House Resolution 512, the gentleman from Oklahoma (Mr. MULLIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Madam Chair, I am offering this amendment on behalf of Chairman UPTON. I would like to thank him for his leadership on the energy issues.

This is a noncontroversial provision that had bipartisan support when it was reported out of the full committee. I would urge my colleagues to support it.

□ 0100

Madam Chair, I yield such time as he may consume to the gentleman from Texas (Mr. OLSON) for the purpose of supporting the amendment.

Mr. OLSON. Madam Chair, I thank my friend from Oklahoma.

Madam Chair, a special thanks to the gentleman from Michigan (Mr. UPTON), my committee chairman, for having this amendment in this important highway bill. This amendment is common sense. There is a great saying in America, "The third time is a charm."

These exact words have passed this body three straight times. In the 112th, the 113th, and the current 114th Congress, this exact language has passed this body without objection, all "yea" votes. It is noncontroversial.

This amendment does one simple thing. It ensures that our power grid will be reliable in a power crisis, and that crisis won't become a legal crisis as has happened at least two times in the last 10 years.

It is the same scenario: there is a power crisis, the entity that controls the grid says to keep that grid up and running, the operator says we will see our permits from EPA, they do that, and they are sued. This amendment says to stop that practice. If you are told to keep the grid up and running, you can do that for at least 16 days.

Madam Chair, I urge my colleagues to support this amendment one more

time because right now we have the chance to have it go to the President and become signed into law to make our grid safer and more reliable for future Americans.

Mr. MULLIN. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

The amendment was agreed to.

Mr. MULLIN. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. OLSON) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, had come to no resolution thereon.

HOUR OF MEETING ON TOMORROW

Mr. MULLIN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

APPOINTMENT OF MEMBERS TO SELECT INVESTIGATIVE PANEL OF THE COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 2(a) of House Resolution 461, 114th Congress, and the order of the House of January 6, 2015, of the following Members to the Select Investigative Panel on the Committee on Energy and Commerce:

Ms. SCHAKOWSKY, Illinois
Mr. NADLER, New York
Ms. DEGETTE, Colorado
Ms. SPEIER, California
Ms. DELBENE, Washington
Mrs. WATSON COLEMAN, New Jersey

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today after 10 p.m. and November 5 on account of medical emergency.

ADJOURNMENT

Mr. MULLIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until today, Thursday, November 4, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3372. A letter from the Assistant Secretary, Securities and Exchange Commission, transmitting the Commission's Major final rule — Crowdfunding [Release Nos.: 33-9974; 34-76324; File No.: S7-09-13] (RIN: 3235-AL37) received November 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3373. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Administration's FY 2014 Performance Report to Congress for the Office of Combination Products, pursuant to the Medical Device User Fee and Modernization Act of 2002, Pub. L. 107-250, 21 U.S.C. 353(g); to the Committee on Energy and Commerce.

3374. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's annual report to Congress for FY 2014 regarding imported foods, pursuant to Sec. 1009 of the Food and Drug Administration Amendments Act of 2007, Pub. L. 110-85; to the Committee on Energy and Commerce.

3375. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to Turkey, Transmittal No. 14-01, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended, and certification, pursuant to 22 U.S.C. 2373(d); Foreign Assistance Act, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3376. A letter from the Director, International Cooperation, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign a Project Arrangement to the Memorandum of Understanding Between the Department of Defense of the United States of America and the Department of Defense of Australia, Transmittal No. 08-15, pursuant to Executive Order 13637 and, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

3377. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the Board's Semiannual Report to Congress for the six-month period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); to the Committee on Oversight and Government Reform.

3378. A letter from the Chairman, Board of Trustees and President, John F. Kennedy Center for the Performing Arts, transmitting the Center's report and attachments, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 8G(h)(2); Public Law 100-504, Sec. 104(a); to the Committee on Oversight and Government Reform.

3379. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish

in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE210) received November 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under Clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2130. A bill to provide legal certainty to property owners along the Red River in Texas, and for other purposes; with an amendment (Rept. 114-327). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT (for himself, Mr. GOODLATTE, Mr. HARRIS, and Mr. BOUSTANY):

H.R. 3918. A bill to modify the provisions of the Immigration and Nationality Act relating to nonimmigrant visas issued under section 101(a)(15)(H)(ii)(b) of such Act, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CÁRDENAS (for himself, Mrs. RADEWAGEN, Ms. BROWNLEY of California, Mr. JOLLY, Mr. RYAN of Ohio, Mr. BLUMENAUER, Mr. BISHOP of Georgia, Mr. JONES, Ms. JACKSON LEE, Mr. SERRANO, Ms. JUDY CHU of California, Mr. HONDA, Mr. GARAMENDI, Mrs. NAPOLITANO, Mr. BUTTERFIELD, Mr. VEASEY, Mr. SABLÁN, Ms. BORDALLO, Mr. KILMER, and Mr. VAN HOLLEN):

H.R. 3919. A bill to authorize the Secretary of Labor to award special recognition to employers for veteran-friendly employment practices; to the Committee on Education and the Workforce, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself, Mrs. BLACKBURN, Mr. SMITH of New Jersey, and Mr. SABLÁN):

H.R. 3920. A bill to direct the Commissioner of Food and Drugs to issue an order withdrawing approval for Essure System; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ:

H.R. 3921. A bill to amend the Securities Exchange Act of 1934 to require certain reporting by hedge funds that are the beneficial owner of more than 1 percent of a class of security, and for other purposes; to the Committee on Financial Services.

By Mr. KELLY of Pennsylvania (for himself and Mr. SAM JOHNSON of Texas):

H.R. 3922. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement

Income and Security Act of 1974 to provide for a best interest standard for advice fiduciaries, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUDSON:

H.R. 3923. A bill to provide for a report that develops recommended United States energy security valuation methods; to the Committee on Energy and Commerce.

By Mr. CASTRO of Texas (for himself and Mr. McCAUL):

H.R. 3924. A bill to establish in the United States Agency for International Development an entity to be known as the United States Global Development Lab, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. DAVIS of California:

H.R. 3925. A bill to direct the Secretary of Education to carry out a program of canceling certain Federal student loans of principals in high need schools; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself, Ms. NORTON, Mr. RYAN of Ohio, Mr. HASTINGS, Mr. BLUMENAUER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. VAN HOLLEN, Mr. MURPHY of Florida, Mr. GALLEGU, Mr. RANGEL, Mr. MCGOVERN, Ms. BROWNLEY of California, Mrs. LAWRENCE, Mr. GRIJALVA, Ms. MCCOLLUM, Mr. RICHMOND, Mr. CÁRDENAS, Ms. EDWARDS, Ms. MOORE, Mrs. WATSON COLEMAN, Ms. JACKSON LEE, Ms. VELÁZQUEZ, Ms. ESTY, Mrs. NAPOLITANO, Mr. FARR, Ms. CASTOR of Florida, Mr. LIPINSKI, Mr. RUSH, Mr. SIREN, Mr. NORCROSS, Mr. MEEKS, Ms. PINGREE, Mr. COHEN, Mr. CONNOLLY, Ms. ADAMS, Mr. RUPPERSBERGER, and Mr. MOULTON):

H.R. 3926. A bill to amend the Public Health Service Act to provide for better understanding of the epidemic of gun violence, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUFFMAN (for himself, Ms. JUDY CHU of California, Ms. BONAMICI, Mr. DEFazio, Mr. McDERMOTT, Mr. TED LIEU of California, Ms. ROYBAL-ALLARD, Ms. ESHOO, Mr. SCHRADER, Ms. LOPGREN, Mr. HECK of Washington, Mr. DESAULNIER, Mrs. CAPPS, Mr. SWALWELL of California, Mr. BLUMENAUER, Mr. HONDA, Ms. EDWARDS, Ms. SPEIER, Mr. THOMPSON of California, Mrs. NAPOLITANO, Mr. FARR, Ms. LEE, Mr. KILMER, Mr. GARAMENDI, Mr. LOWENTHAL, Mr. LARSEN of Washington, Ms. MATSUI, Mr. SMITH of Washington, Ms. DELBENE, Mr. PETERS, and Mrs. DAVIS of California):

H.R. 3927. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Natural Resources.

By Mr. KING of Iowa (for himself, Mr. BARLETTA, Mr. GOHMERT, Mr. GOSAR, Mr. BROOKS of Alabama, Mr. DUNCAN of South Carolina, Mr. SMITH of Texas, and Mr. BABIN):

H.R. 3928. A bill to authorize the Capitol Police to enforce the immigration laws, and

for other purposes; to the Committee on House Administration.

By Mr. LATTI (for himself, Mr. FRANKS of Arizona, Mr. PITTENGER, Mr. STEWART, Mr. JONES, Mr. PETERS, Mr. MCKINLEY, Mr. SCHWEIKERT, Mr. HUNTER, Mr. TURNER, Mr. KING of New York, Mr. MEEKS, Mr. MILLER of Florida, Mr. CARSON of Indiana, Mr. VAN HOLLEN, Mr. THOMPSON of Pennsylvania, Mr. KING of Iowa, Mr. RUSSELL, Mr. GIBBS, Ms. KAPTUR, Mr. FORBES, Miss RICE of New York, Mr. HIGGINS, Mr. JOLLY, Mr. MESSER, Mr. WALBERG, Mr. LARSON of Connecticut, Mrs. COMSTOCK, Mr. DESANTIS, and Mr. ZINKE):

H.R. 3929. A bill to award the Congressional Gold Medal, collectively, to the members of the Office of Strategic Services (OSS) in recognition of their superior service and major contributions during World War II; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 3930. A bill to amend title XIX of the Social Security Act to increase the Federal medical assistance percentage for the District of Columbia under the Medicaid Program to 80 percent; to the Committee on Energy and Commerce.

By Mr. WESTERMAN (for himself, Mr. CRAWFORD, Mr. HILL, Mr. ZINKE, Mr. McDERMOTT, and Mr. WOMACK):

H.R. 3931. A bill to designate the facility of the United States Postal Service located at 620 Central Avenue Suite 1A in Hot Springs National Park, Arkansas, as the "Chief Petty Officer Adam Brown United States Post Office"; to the Committee on Oversight and Government Reform.

By Mr. MOONEY of West Virginia (for himself, Mr. ROGERS of Alabama, Mr. MEADOWS, Mr. MOOLENAAR, Mr. DUNCAN of South Carolina, Mr. LOUDERMILK, Mr. WEBER of Texas, Mr. CRAMER, Mr. HULTGREN, Mr. LAMALFA, Mr. JONES, Mr. FRANKS of Arizona, Mr. HARPER, Mr. KELLY of Pennsylvania, Mr. PEARCE, Mr. FLEMING, and Mr. PALAZZO):

H. Res. 514. A resolution protecting Religious Freedom in America; to the Committee on the Judiciary.

By Mr. ROSS (for himself and Ms. GRAMHAM):

H. Res. 515. A resolution expressing the sense of the House of Representatives regarding the importance of civic education and civic involvement programs in the elementary and secondary schools of the United States; to the Committee on Education and the Workforce.

By Mr. WENSTRUP:

H. Res. 516. A resolution recognizing the individuals who have served, or are serving, in the Armed Forces and have also served, or are serving, as a peace officer or as a first responder and expressing support for the designation of November 10 as Armed Forces, Peace Officer, and First Responder Dual Service Recognition Day; to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CHABOT:

H.R. 3918.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4

By Mr. CÁRDENAS:

H.R. 3919.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. FITZPATRICK:

H.R. 3920.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. VELÁZQUEZ:

H.R. 3921.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KELLY of Pennsylvania:

H.R. 3922.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 3 of Section 8 of Article I of the United States Constitution. The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HUDSON:

H.R. 3923.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CASTRO of Texas:

H.R. 3924.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Authority—Necessary and Proper Clause (Art. I, Sec. 8, Clause 18)

THE U.S. CONSTITUTION ARTICLE I, SECTION 8: POWERS OF CONGRESS CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mrs. DAVIS of California:

H.R. 3925.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. HONDA:

H.R. 3926.

Congress has the power to enact this legislation pursuant to the following:

Article I Sec. 8

By Mr. HUFFMAN:

H.R. 3927.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property be-

longing to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. KING of Iowa:

H.R. 3928.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 4 "to establish a uniform Rule of Naturalization."

By Mr. LATTA:

H.R. 3929.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. NORTON:

H.R. 3930.

Congress has the power to enact this legislation pursuant to the following:

clauses 1 and 18 of section 8 of article I of the Constitution.

By Mr. WESTERMAN:

H.R. 3931.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause 7 of the United State Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. MCKINLEY.

H.R. 242: Ms. KUSTER.

H.R. 249: Mr. KILDEE.

H.R. 317: Mr. LANGEVIN.

H.R. 379: Ms. CASTOR of Florida and Mr. DONOVAN.

H.R. 430: Mr. TAKANO.

H.R. 467: Mr. HUFFMAN.

H.R. 592: Mr. REICHERT.

H.R. 594: Mrs. LOVE.

H.R. 624: Ms. MCSALLY.

H.R. 670: Mr. ISRAEL.

H.R. 816: Mr. AUSTIN SCOTT of Georgia.

H.R. 833: Mr. GRIJALVA, Ms. EDWARDS, and Mr. HONDA.

H.R. 842: Mr. MEADOWS.

H.R. 845: Mr. BROOKS of Alabama and Mr. MEADOWS.

H.R. 879: Mr. KELLY of Mississippi, Mr. HURD of Texas, Mr. BRIDENSTINE, and Mr. HUDSON.

H.R. 912: Mr. COHEN.

H.R. 953: Mr. ROSS.

H.R. 969: Mr. RICE of South Carolina.

H.R. 985: Mrs. WAGNER.

H.R. 1054: Mr. BROOKS of Alabama, Mr. LAMALFA, Mr. KING of Iowa, Mr. JODY B. HICE of Georgia, Mr. HUELSKAMP, Mr. WILSON of South Carolina, Mr. ABRAHAM, and Mr. WEBSTER of Florida.

H.R. 1061: Ms. KAPTUR, Ms. NORTON, Mr. McDERMOTT, Ms. TSONGAS, Mr. RUSH, Mr. DEFAZIO, and Mr. CARSON of Indiana.

H.R. 1093: Mr. JONES.

H.R. 1174: Mr. BISHOP of Georgia, Mr. DENHAM, Mrs. WATSON COLEMAN, Mr. PAYNE, Mr. LOWENTHAL, and Mr. RANGEL.

H.R. 1192: Mr. SAM JOHNSON of Texas, Mr. KILMER, Mr. GIBSON, and Mrs. DAVIS of California.

H.R. 1194: Ms. DUCKWORTH.

H.R. 1197: Mr. ZELDIN.

H.R. 1202: Mr. EMMER of Minnesota.

H.R. 1211: Ms. SPEIER.

H.R. 1277: Mr. TAKAI.

H.R. 1288: Ms. LEE and Ms. BONAMICI.

H.R. 1453: Mr. FORTENBERRY and Mr. NOLAN.

H.R. 1552: Mr. HASTINGS, Ms. MCCOLLUM, Mr. GRAYSON, Mrs. WATSON COLEMAN, Ms. MATSUI, Mr. QUIGLEY, and Mr. VAN HOLLEN.

H.R. 1568: Ms. CASTOR of Florida.

H.R. 1594: Mr. KILDEE.

H.R. 1608: Ms. ROS-LEHTINEN.

H.R. 1688: Mr. BOST.

H.R. 1715: Mrs. ELLMERS of North Carolina.

H.R. 1728: Mr. RUSH, Ms. MENG, and Ms. GRAHAM.

H.R. 1752: Mr. COSTELLO of Pennsylvania.

H.R. 1784: Mr. ROUZER.

H.R. 1821: Mr. LARSEN of Washington.

H.R. 1877: Mr. JOLLY, Mr. KILDEE, and Mr. CARTWRIGHT.

H.R. 1902: Ms. EDWARDS.

H.R. 2000: Mr. CICILLINE.

H.R. 2043: Ms. TSONGAS and Mr. RUPPERSBERGER.

H.R. 2050: Mr. CUELLAR and Ms. SEWELL of Alabama.

H.R. 2058: Mr. HUDSON.

H.R. 2125: Mr. TAKANO.

H.R. 2142: Mr. ASHFORD.

H.R. 2153: Mr. VAN HOLLEN.

H.R. 2156: Mr. CONAWAY.

H.R. 2241: Mr. DONOVAN, Mr. ENGEL, Mr. KEATING, Mr. PASCARELL, Mr. HIGGINS, Ms. MENG, and Mr. SHERMAN.

H.R. 2278: Mr. CULBERSON.

H.R. 2285: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2292: Mr. FOSTER.

H.R. 2407: Ms. ADAMS.

H.R. 2434: Mr. EMMER of Minnesota.

H.R. 2477: Mr. HURD of Texas.

H.R. 2515: Ms. CASTOR of Florida and Mr. SENSENBRENNER.

H.R. 2520: Mr. HUDSON.

H.R. 2528: Mr. BISHOP of Georgia.

H.R. 2533: Ms. DUCKWORTH.

H.R. 2546: Mr. QUIGLEY.

H.R. 2590: Ms. KUSTER.

H.R. 2606: Mr. HUIZENGA of Michigan.

H.R. 2646: Mr. ROONEY of Florida.

H.R. 2660: Mr. McDERMOTT, Ms. JUDY CHU of California, Mrs. KIRKPATRICK, and Ms. VELÁZQUEZ.

H.R. 2671: Mr. CARNEY.

H.R. 2672: Mr. CARNEY.

H.R. 2673: Mr. CARNEY.

H.R. 2674: Mr. CARNEY.

H.R. 2698: Mr. DOLD.

H.R. 2715: Ms. MENG and Mr. RUSH.

H.R. 2841: Mr. FORTENBERRY, Mr. CARTWRIGHT, and Ms. KAPTUR.

H.R. 2858: Mr. GALLEGGO.

H.R. 2903: Mr. HUDSON.

H.R. 3042: Mr. COURTNEY.

H.R. 3061: Mr. CICILLINE, Mr. DEFAZIO, and Mr. POCAN.

H.R. 3067: Mr. COSTA.

H.R. 3080: Mr. PETERSON and Mr. ASHFORD.

H.R. 3137: Mr. KILDEE.

H.R. 3179: Ms. KUSTER.

H.R. 3183: Mr. CRAMER and Mr. WEBSTER of Florida.

H.R. 3187: Mr. McCLINTOCK.

H.R. 3222: Mr. SESSIONS.

H.R. 3268: Mr. ROSS, Mr. SHUSTER, Mr. McDERMOTT, Mr. COURTNEY, and Mr. GALLEGGO.

H.R. 3302: Mrs. ELLMERS of North Carolina.

H.R. 3314: Mr. DESANTIS, Mr. DESJARLAIS, Mr. STEWART, Mr. COLLINS of New York, and Mr. CRAMER.

H.R. 3316: Ms. NORTON and Ms. MENG.

H.R. 3339: Mr. RUPPERSBERGER.

H.R. 3340: Mr. GARRETT and Mr. LUETKEMEYER.

H.R. 3381: Mr. RUSH, Mr. CONYERS, Mr. BISHOP of Georgia, Ms. HAHN, and Mr. LARSON of Connecticut.

H.R. 3395: Mr. SCHIFF.

H.R. 3423: Mr. LOBIONDO and Mr. LARSEN of Washington.

H.R. 3427: Ms. KAPTUR, Mr. NADLER, Ms. EDWARDS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWN of Florida, Mr. ENGEL, and Ms. SEWELL of Alabama.

H.R. 3520: Ms. JUDY CHU of California.

H.R. 3534: Mr. LAMALFA.

H.R. 3549: Mr. RIGELL.

H.R. 3565: Mr. GARAMENDI, Mr. LOWENTHAL, Ms. SPEIER, and Mr. HONDA.

H.R. 3632: Mr. HASTINGS and Mr. QUIGLEY.

H.R. 3684: Mr. BOUSTANY.

H.R. 3686: Mr. KIND.

H.R. 3690: Mr. PASCRELL.

H.R. 3705: Mrs. WAGNER, Mr. TIPTON, Mr. ROSS, and Mr. POSEY.

H.R. 3711: Mrs. DAVIS of California.

H.R. 3739: Mr. ZINKE.

H.R. 3750: Mr. CONNOLLY, Mr. ZINKE, Mr. DEUTCH, Mr. BEYER, Mr. SIRES, Mr. RIBBLE, Mr. SWALWELL of California, Mr. SCHIFF, Mrs. DINGELL, Mr. WILSON of South Carolina, and Mr. CICILLINE.

H.R. 3760: Ms. MCCOLLUM.

H.R. 3766: Mr. SIRES and Mr. SHERMAN.

H.R. 3793: Mr. CÁRDENAS, Ms. NORTON, Mr. KILMER, Ms. WILSON of Florida, and Mr. LOWENTHAL.

H.R. 3804: Mr. SANFORD.

H.R. 3805: Mr. POCAN, Mr. SWALWELL of California, Mr. CARSON of Indiana, and Mr. VAN HOLLEN.

H.R. 3841: Mr. KILMER, Ms. LOFGREN, and Mr. CARTWRIGHT.

H.R. 3859: Mr. DUNCAN of South Carolina and Mrs. WATSON COLEMAN.

H.R. 3865: Mr. COSTELLO of Pennsylvania and Mr. LATTA.

H.R. 3868: Mr. STIVERS, Mr. SHERMAN, Mr. SCHWEIKERT, Mr. PITTENGER, and Mr. KILDEE.

H.R. 3880: Mr. HUDSON, Mr. POSEY, Mr. WESTMORELAND, Mr. BISHOP of Michigan, Mr. MEADOWS, and Mr. WILSON of South Carolina.

H. J. Res. 47: Mr. FORTENBERRY.

H. J. Res. 55: Mr. WALKER.

H. Con. Res. 19: Mr. LARSON of Connecticut.

H. Con. Res. 65: Mrs. KIRKPATRICK, Mr. GENE GREEN of Texas, and Ms. ROYBAL-ALLARD.

H. Res. 12: Mr. RENACCI and Mr. GUTIÉRREZ.

H. Res. 32: Ms. BROWNLEY of California.

H. Res. 318: Mr. FARENTHOLD.

H. Res. 393: Mr. TED LIEU of California and Ms. CLARK of Massachusetts.

H. Res. 500: Mr. DESANTIS.

H. Res. 502: Mrs. LAWRENCE, Mrs. CAPPS, Ms. KUSTER, Ms. BORDALLO, Mr. SERRANO, Mr. NOLAN, Mr. DOGGETT, and Mr. GRIJALVA.

H. Res. 505: Mr. VAN HOLLEN, Ms. LINDA T. SÁNCHEZ of California, Ms. BASS, Mrs. DINGELL, Mr. DAVID SCOTT of Georgia, Mr. HONDA, Mrs. LAWRENCE, Mr. BISHOP of Georgia, Mr. MOULTON, Ms. NORTON, Mr. BUTTERFIELD, and Mr. VARGAS.

H. Res. 510: Mr. FRANKS of Arizona, Mr. FORBES, Mr. PITTENGER, Mr. MOONEY of West Virginia, Mrs. WAGNER, Mr. LAMALFA, Mr. LAMBORN, Mr. FLORES, Mr. HARRIS, Mr. PEARCE, Mr. WALBERG, Mr. SMITH of Missouri, Mr. ROE of Tennessee, Mr. GROTHMAN, Mr. HULTGREN, and Mr. GIBBS.

H. Res. 511: Mr. HUELSKAMP and Mr. MESSER.

H. Res. 513: Mrs. LOWEY, Mr. DEUTCH, Mr. LIPINSKI, Mrs. BUSTOS, Mr. FRANKS of Arizona, Ms. GRANGER, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. TED LIEU of California, Mr. SHERMAN, Mr. RUSH, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Ms. KUSTER, Mr. WEBER of Texas, Mr. MCGOVERN, Mrs. LAWRENCE, Ms. BONAMICI, Mr. GRAYSON, Mr. SMITH of Washington, Mr. CICILLINE, Ms. JACKSON LEE, Ms. WASSERMAN SCHULTZ, Ms. MATSUI, Ms. MENG, Mr. NADLER, Mr. DOGGETT, Mr. HASTINGS, Mr. ISRAEL, Mrs. CAPPS, Ms. MCCOLLUM, Mr. KEATING, Mr. DOLD, Mr. LEVIN, Ms. LEE, and Ms. WILSON of Florida.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1019: Mr. CULBERSON.

EXTENSIONS OF REMARKS

HONOR OUR VETERANS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SESSIONS. Mr. Speaker, I rise today to honor the Men and Women of The Armed Forces. We give thanks to them and their families, who live and die and carry the burdens of war for all that we hold dear. Bless them. I submit this poem penned in their honor by Albert Carey Caswell.

Honor our Veteran's
One day is not enough.
Somehow one day of the year does not seem just.

Honor our Veteran's each day of the year
For they fight and die for all of us here
For all of those freedom's that we hold dear
Honor our Veteran's not one,
but every day of the year
For they are ones,
who must live with all of those tears
For all of their Brothers and Sisters In Arms
they have lost here.
And who awake in the night with all of those nightmares.

Whose families who must now live in fear
Not knowing whose going,
or ever coming back here
Honor our Veteran's every day of the year.
For those are ones,
who must lay in hospital beds when its all
said and done
With all of their families holding their
daughters and sons.

And their Husbands and Wives.
The Greatest Loves of their lives.
So all in tears.
Teaching Us.
Beseeching Us.
All about honor and duty,
and courage so clear.
Who against all odds now cling to life here.
The ones who have died.
Who live without arms and legs as they try.
With scars on their faces
And all places
Living in darkness losing their sight.
Carried with them for the rest of their lives.
Some how it does not seem right.
That we only take one day to make honor of
them who fight the fight.

America's most magnificent of all lights.
Who give the greatest gifts of sacrifice.
Honor our Veteran's every day and night
I bid you to please
To fall to your knee's
And say a prayer of thanks for all of these
Buy them a drink.
Buy them a meal.
Put your arm around them and let them
know how you feel.
Go up to them and their families,
and tell them how much they mean.
Because all that they ask.
Are these two words from yours lips to so
pass.

Thank you.
Yea, one day not enough.
For all of our freedoms of which they
bought.

One day just somehow does not seem just.
For all that they've taught.
Honor our Veteran's every day of the year.
Say a prayer of thanks,
and for them and their families shed a tear.
Honor our Veteran's every day of the year.

HONDURAN CIVIL SOCIETY DEMANDS INDEPENDENT INTERNATIONAL COMMISSION TO INVESTIGATE AND END CORRUPTION AND IMPUNITY

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. McGOVERN. Mr. Speaker, in September I traveled to Honduras as part of a fact-finding delegation organized by the Washington Office on Latin America. Everywhere we went we heard about people's concern over endemic corruption and impunity.

An unprecedented citizens' movement has inspired thousands of Hondurans to take to the street in peaceful protest marches demanding that Honduras establish an international, independent commission with the mandate to investigate crimes of corruption and impunity and the ability to participate in their prosecution. This type of a commission is modeled on the successful work over the past decade of the "CICIG" in Guatemala.

This movement is called the "outraged opposition," or "Oposición Indignada." They are led, in large part, by an intelligent, thoughtful and politically diverse group of young people who organize using social media and who have come together because of their shared desire to end corruption in their country. They now face constant threats for their initiative, and I hope that the Honduran government will ensure their protection and investigate the threats against them so that they may continue to exercise their basic rights to freedom of speech and association.

On September 28th, the Organization of American States presented to the Honduran president a proposal for a commission that would help the notoriously weak Honduran judicial system to gain capacity to carry out its responsibilities. Regrettably, I believe this proposal falls woefully short of what is required to break the culture of corruption and impunity that so characterizes the Honduran State. As we learned from Guatemala, to successfully bring to justice those who benefit from corruption and impunity, a commission must be truly independent with a mandate to investigate exemplar cases wherever the evidence warrants and participate in the prosecution of those cases under national law.

Last week, on October 28th, a broad coalition of Honduran civil society, the Coalition Against Impunity, issued a statement declaring that the mission proposed by the OAS and the

government is itself an obstacle to creating a genuine, independent commission that can truly tackle the rampant corruption and impunity in Honduras. Earlier, on October 4th, the "Indignados" issued a similar critique, pointing out the weaknesses of the OAS proposal to independently investigate crimes of corruption and ensure their prosecution.

Mr. Speaker, I would like to submit a copy of the letter addressed to the OAS by the Oposición Indignada that outlines their concerns with that proposal. It is my hope that the OAS will listen seriously to this unprecedented citizens' movement and ensure that any commission that comes into being in Honduras will be truly politically and financially independent, and have the mandate to undertake independent investigations into crimes of corruption and impunity and ensure their prosecution.

(English translation of the letter written in Spanish is as follows:)

TEGUCIGALPA, HONDURAS,
4 de octubre de 2015.

Mr. LUIS ALMAGRO,
Secretary General of the Organization of American States (OAS), Washington, DC.

We respectfully write to you to provide an official response to the proposal made by the Organization of American States (OAS) to create a "Support Mission against Corruption and Impunity" or "MACCIH" in Honduras. We consider the proposal to contain many weaknesses and insufficient to combat corruption in Honduras.

The weaknesses we see in the proposal include:

1. It lacks an independent and impartial investigative unit capable of carrying out investigations of cases of corruption. Such a unit needs to be financially and politically independent and be comprised of international investigators and lawyers who can work with national prosecutors in the prosecution of high-level corruption cases.

2. The recommendations that will flow from the evaluations to be carried out by the MACCIH are not binding. It is essential to ensure the legal commitment of the Honduran government to implementing the recommendations. Recent history has shown that the government of Honduras often fails to comply with the recommendations of international bodies. An illustrative example was the failure to comply with the 46th recommendation of the Truth and Reconciliation Commission which called for the creation of an International Commission against Impunity in Honduras.

3. Since 1998, Honduras has participated in three of the four rounds of the MESICIC (Follow-up mechanism for implementations of the Inter-American Convention Against Corruption. Despite this participation, the country is in a state of deep social crisis with endemic levels of the corruption and impunity [and so the proposal to develop a plan for implementing the MESICIC does not seem likely to lead to action.]

4. The presentation of bi-annual reports by the Secretary General of the OAS represents an unnecessary delay in addressing the impunity and corruption crisis.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Considering these weaknesses, any proposal intended to lead to real results in the fight against corruption needs to have at least two essential components:

1. A politically and financially independent investigative unit able to initiate and help prosecute high-level corruption cases.

2. A mechanism by which recommendations have a binding character in order to ensure the implementation of reforms to our justice system.

If the OAS proposal fails to include the characteristics needed to make a valuable contribution to the corruption and impunity crisis in Honduras, we will ask the international community not to support the proposal financially or politically. We need a proposal that can help bring about changes in our society; we want justice and democracy.

CITIZEN MOVEMENT
"OPOSICIÓN INDIGNADA,"
PAUL EMILIO ZEPEDA,
GABRIELA LILIANA BLEN,
MARCELA ALEJANDRA
ORTEGA,
ARIEL FABRICIO VARELA.

TEGUCIGALPA, HONDURAS,
4 de octubre de 2015.

Sr. LUIS ALMAGRO,
*Secretario General de la Organización de
Estados Americanos Su despacho.*

Nos dirigimos respetuosamente a usted a fin de señalar nuestras observaciones a la propuesta generada por la Organización de Estados Americanos (OEA) ante la crisis social provocada por las altas tasas de corrupción e impunidad que aquejan al Estado de Honduras, propuesta denominada "MACCIIH", misma que cuenta con una serie de debilidades que nos preocupan seriamente como herramienta para luchar contra la corrupción y la impunidad en Honduras, subrayando:

1. No cuenta con un ente independiente e imparcial de investigación de los casos de corrupción. Es de vital importancia contar con una unidad con independencia presupuestaria y jerárquica donde investigadores y abogados internacionales junto con fiscales hondureños de reconocida capacidad puedan realizar la investigación y judicialización de actos de corrupción.

2. Las recomendaciones producto de los diagnósticos a realizarse no tienen carácter vinculante. Es necesario que exista obligación por parte del Estado de Honduras para el cumplimiento de las recomendaciones a través del documento legal pertinente, la historia reciente ha demostrado que el Gobierno de Honduras no cumple las recomendaciones de organismos internacionales, resaltamos como ejemplo la recomendación número 47 de la Comisión de la Verdad y Reconciliación, que expresaba el establecimiento de una Comisión Internacional Contra la Impunidad en Honduras, hecha pública en Tegucigalpa, el 7 de Julio de 2011, en acto al cual asistieron el presidente de dicha comisión, Sr. Eduardo Stein, el Secretario General de la OEA en ese momento Sr. Jose Miguel Insulza y el entonces Presidente de Honduras, Sr. Porfirio Lobo Sosa.

3. Los resultados de la participación de Honduras desde 1998 en 3 de las 4 rondas del MESICIC, es un estado en crisis profunda de Impunidad y corrupción consecuencia de lo señalado anteriormente, por la falta de voluntad de los gobernantes en el cumplimiento de recomendaciones no vinculantes.

4. La creación de informes de manera semestral al Secretario General de la OEA para

señalar obstáculos no resueltos por el enlace de gobierno, representa una dilatación enorme a la solución de la crisis de impunidad y corrupción en Honduras, sobretodo porque al carecer de vinculación el obstáculo no podrá resolverse aún este se vea reflejado en dichos informes.

En vista de lo anteriormente expuesto, consideramos que toda propuesta que busque resultados reales en la lucha contra la corrupción, debe contar con dos elementos esenciales:

1. Un ente de investigación independiente política y económicamente, que se encargue de esclarecer y llevar a juicio a los implicados en los casos de corrupción que sacuden nuestra sociedad.

2. Carácter de cumplimiento obligatorio a las recomendaciones que resulten de los diagnósticos al Estado de Honduras, si no hay una obligación no hay seguridad que las recomendaciones se ejecuten y por consiguiente la crisis continuara.

En caso de que esta iniciativa no logre implementar características que le permitan aportar a resolver la crisis de Impunidad y Corrupción que enfrenta Honduras, rechazamos formalmente dicha propuesta.

Finalmente, señalar que la propuesta de una Comisión Internacional Contra la Impunidad (CICI) se mantiene vigente como una herramienta eficiente y como un caso de éxito internacionalmente comprobado, ya que cuenta con características de investigación y fortalecimiento de las capacidades nacionales para la lucha contra la Impunidad y Corrupción, en contextos institucionales similares a los que tenemos en Honduras, a diferencia de la denominada MACCIIH que aun es solo un ensayo no comprobado y que carece de las características previamente señaladas.

Sin otro particular y expresando nuestras más altas muestras de respeto y estima, nos despedimos de usted.

Atentamente,

OPOSICIÓN INDIGNADA,
PAUL EMILIO ZEPEDA,
GABRIELA LILIANA BLEN,
MARCELA ALEJANDRA
ORTEGA,
ARIEL FABRICIO VARELA.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, yesterday, on Tuesday, November 3, 2015, I recorded an erroneous vote on the amendment offered by Mr. RIBBLE of Wisconsin. I intended to vote "no" on roll call vote No. 588, on agreeing to the Ribble Amendment to H.R. 22.

IN RECOGNITION OF JEAN
MRASEK

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SESSIONS. Mr. Speaker, I rise today to recognize the work of an outstanding Texan, Jean M. Mrasek, as she recently concluded

her distinguished work as Chairman of the National Panhellenic Conference (NPC).

This conference represents 26 sororities with a member base of more than four million women at 655 campuses and 4,500 alumnae chapters in the United States and Canada. Sororities and fraternities are the largest values-based organizations on college campuses and among the most successful leadership development programs for college students. National sororities are the largest women's leadership organizations on hundreds of campuses and they continue to grow because of the value they provide in helping collegiate women become better scholars, leaders, and citizens.

As Chairman of NPC, Jean was a leading voice on contemporary issues of sorority life and for all collegiate women. As a proud University of Tulsa alumna and past national president of her sorority Chi Omega, Jean's unyielding passion for Greek life is reflected in her lifetime commitment to serving others. Under her leadership, NPC has increased their membership, developed a new visual identity as part of a new communications plan, created new forms of risk-management education, and furthered the organizational effectiveness of the sorority world, speaking for the interests of college women everywhere. Jean's long-term commitment to her Chi Omega chapter, its international organization, and the entire Greek community make her a role model for women who aspire to make a difference in the lives of other women.

I have personally had the opportunity to work with Jean over the years as she has come to Washington to tirelessly advocate for students across the country on issues ranging from college affordability, improving student housing, preserving the vital role of charitable support for higher education, and fighting to make campuses safer for all students. Jean Mrasek has provided exemplary service in advancing the NPC's ability to positively influence the lives of so many collegiate women.

Mr. Speaker, I ask my esteemed colleagues to join me in wishing her all the best in her future endeavors.

HONORING MARIANO ULIBARRI,
DIRECTOR OF THE LAS VEGAS
PARACHUTE FACTORY

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to recognize Mariano Ulibarri, Director of the Parachute Factory of Las Vegas, for his outstanding work in youth community engagement.

Mr. Ulibarri is the founder of the Parachute Factory, a community makerspace that has quickly made itself a staple in the Las Vegas community. A makerspace is an area where individuals are able to congregate and engage in creative, do-it-yourself projects that provide beneficial skills and goods for their home communities. After hearing about "Hacker Scouts," an Oakland, California based organization, Mr. Ulibarri was inspired to start a local chapter within the Las Vegas community. Guild #005

has provided the youth of Las Vegas with the opportunity to educate their fellow community members by hosting demonstrations with local groups such as woodworkers and through cultural skills workshops and a variety of other beneficial events.

The Parachute Factory works in partnership with the Media Arts/Tech Department at New Mexico Highlands University and the New Mexico State Library. This organization has been recognized by esteemed entities, such as Harvard University's Graduate School of Education, for its innovative approach and effective practices toward progressive community engagement and learning. At a time where our country needs to invest in more Science, Technology, Engineering, and Math (STEM) education and skill building for youth, minorities, and women, the Parachute Factory stands as a shining example for others to emulate. Mr. Ulibarri is currently in Washington, D.C. attending the "National Science Foundation's 2015 Maker Summit." His organization is among 30 groups selected from across the nation that will have the distinct honor of presenting about their charitable work.

I applaud Mr. Ulibarri's service to the community and efforts to provide mentoring and learning opportunities for young, tech savvy children. I congratulate Mr. Ulibarri and the Parachute Factory, and thank the entire organization for its exceptional service to our community.

EXPRESSING CONCERN WITH FINANCIAL TRAPS AIMED AT VETERANS

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. JUDY CHU of California. Mr. Speaker, I rise today to speak for veterans as we approach Veterans Day this year. These brave men and women risked their lives to protect us all. Yet, today we have companies actively preying on veterans. This is appalling and needs to end.

Some of the worst offenses come from payday lenders. Payday loans are high-cost, small-dollar loans, averaging \$300 per loan. What makes these loans so dangerous is that they have average interest rates in the triple digits—at times as high as 391 percent. If at the end of the loan period, which typically spans two weeks or the next payday, the borrower cannot pay it off, he or she will be forced to take out another loan to pay off the first loan in addition to the exorbitant accumulated interest. This is the beginning of a cycle of debt.

Veterans are highly susceptible to these practices and have become a customer base for these loan schemes. In fact, payday lenders have been known to set up around military bases. In 2006, Congress passed the Military Lending Act to cap interest rates for military loans, but even so, these lenders find ways to exploit servicemembers, veterans, and military families. One study found that 10 percent of veterans leave military service with more than

\$40,000 in debt. If our men and women heed the call to defend our country, they should not be led to financial traps that could prevent them from transitioning to civilian life successfully.

This Veterans Day, I stand with veterans and urge both the private lending sector and Congress to do more to protect our veterans, who deserve our utmost respect.

HONORING THE ZARZYCKI MANOR CHAPELS ON THEIR 100TH ANNIVERSARY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to extend my congratulations to the Zarzycki Manor Chapels as they commemorate 100 years of dedicated service to the people of Chicagoland.

For a century, Zarzycki Manor Chapels has stood as a pillar of support for Chicagoland families in their times of hardship and grief. The Zarzycki Manor Chapels' motto is "Modern Service with Traditional Dignity." By treating every family with care and respect, the Zarzycki family has earned the admiration and gratitude of the community.

Zarzycki Funeral Home was founded in 1915 by Ms. Agnes S. Zarzycki; a Polish immigrant and the first woman funeral director of Polish descent in Chicago. Ms. Zarzycki and her husband Stanislaw ran the funeral parlor out of their home throughout the early years of the business. Early on they withstood hard times and remained dedicated to helping grieving families throughout the influenza epidemic. After Stanislaw's death in 1927, Agnes continued to run the Zarzycki Funeral Home through the Great Depression.

Agnes and Stanislaw had five children. Their son Casimir took over the business and expanded it, creating the Zarzycki Manor Chapels. After many successful years, Casimir turned the business over to his son, Richard. Richard and his wife Charmaine worked together at the Zarzycki Manor Chapels for over 35 years.

In 2006, Richard passed away leaving the business to Charmaine and their two daughters, Claudette and Andrea. As third and fourth generation female funeral directors, they admirably uphold the founder's legacy of strength, independence, and hard work.

Today I ask my colleagues to join me in recognizing the 100th anniversary of the Zarzycki Manor Chapels and honoring the Zarzycki family for the care and comfort they provide to so many in the community.

THE GOFFSTOWN GRIZZLIES FOOTBALL TEAM

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. GUINTA. Mr. Speaker, I rise to salute the Goffstown Grizzlies football team in New

Hampshire's First District. The Grizzlies, representing Goffstown High School with just a thousand students, have an amazing story of perseverance and achievement.

Thanks to their coach, the team qualified for a Division 3 championship a few years ago and advanced to Division 1, the toughest in the Granite State. Even their fans thought competing at that high level would be a tall order.

The Grizzlies are undefeated this season. They enter Saturday's Division 1 playoff game ranked number one. It will be their first home playoff game. And they got there with exciting defense and special teams play, blocking punts and returning kickoffs for touchdowns.

They have the Granite State's fiercest line-backing crew and the sack leader. Their kicker boots 45-yard field goals, helping his team to average more than 42 points a game. The running back rushed for a thousand yards this season and scored over twenty touchdowns. The Grizzlies have New Hampshire's most potent passing attack.

Their spirited fans make it easy to be a Grizzlies fan, not that you'd need any more reason to like this impressive team of underdogs, who take on the Second District's North Nashua Titans this weekend.

I wish both teams well but the Grizzlies a little better.

HONOR VETERANS BY STOPPING THE DEBT TRAP

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. LOFGREN. Mr. Speaker, in honor of Veterans Day next week I would like to speak out against predatory lending practices that target our nation's veterans. Earlier this year, the Department of Defense finalized its rules under the Military Lending Act that would protect our service members and their families from the endless cycle of debt frequently created by payday loans.

However, the MLA does not provide these same protections to those brave women and men who have already served their country. There are already many challenges for veterans reentering civilian life. The threat of being taken advantage of by unscrupulous lenders does not need to be added to the list.

It is within the Consumer Financial Protection Bureau's authority to protect our veterans from the predatory payday lending industry. They must act to end the dangerous payday loan debt trap by creating strong consumer protections and encouraging innovative alternatives for veterans who need short-term, emergency loans to make ends meet.

It is my hope that the CFPB will make this issue a priority and quickly provide the financial protections our veterans deserve.

RECOGNIZING LANCE CORPORAL
BRANDON RUMBAUGH FOR RAISING
AWARENESS FOR OUR NATION'S
HOMELESS VETERANS

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Lance Corporal Brandon Rumbaugh for his service to our country and his dedication to raising awareness for our nation's homeless veterans.

Following two combat deployments and the loss of his legs in the line of service in Afghanistan, Brandon has begun a remarkable campaign to raise awareness about the difficulties many veterans face after returning home from deployment, namely homelessness. On November 1, 2015, the anniversary of his injury, Brandon started his journey to advocate for homeless veterans by living exclusively on the streets of Uniontown for the month.

Through his efforts, Brandon hopes to raise awareness and educate the public about the challenges and employment needs veterans face when they come home. It is my privilege to help Brandon bring awareness to this issue, as the plight veterans face continues to go unaddressed in many places across the country.

Today I am honored to thank Brandon for his service to our nation as well as his dedication to his fellow veterans. He is hero and a role model for all of us. Furthermore, I am hopeful his efforts will help illustrate the necessity for continued local, state, and national responses to the needs of our veterans.

IRANIAN HOSTAGE CRISIS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. POE of Texas. Mr. Speaker, November 4th marks the anniversary of an important date in U.S.-Iranian relations.

On this date in 1979, only a few months after the Shah was deposed and the radical, anti-American, Islamist Ayatollah Khomeini was placed in power, a group of young Islamic revolutionaries made their anger with the United States known to the world.

The group stormed the U.S. Embassy in Tehran and took over 60 American hostages. The revolutionaries were angry about President Carter's decision to allow the recently ousted Shah into the U.S. for cancer treatment and general American interference in their affairs.

Hostages were blindfolded, bound, beaten, sometimes tortured, subjected to solitary confinement and unsanitary conditions, and even underwent mock executions.

Richard Morefield, the Consul General of the U.S. Embassy in Tehran recounted that he was subjected to three mock executions, the first being on his second night in captivity.

He was awakened in the middle of the night, herded into a van with other hostages,

driven somewhere, dragged into a shower room, seated on a bench, and made to think he would die there and then.

Al Golacinski, John Limbert, and Rick Kupke were also subjected to mock executions. They too were awakened in the middle of the night, forced to remove their clothing, blindfolded and marched into a basement where the callous guards made it seem they were about to be executed by firing squad. The guards pulled their triggers to their unloaded weapons and laughed.

These hostages lived in emotional and physical turmoil for 444 days.

Though 13 of the hostages were released after a short time, diplomatic means to free the rest of the hostages failed. President Carter tried to build pressure through economic sanctions and frozen assets.

Then, Ronald Reagan was elected president. Minutes after his inauguration, the Iranians freed the remaining hostages.

This event left a lasting impression on American foreign policy.

Sanctions that began as a result of the Iranian hostage crisis increased over 36 years as Iran built up its illegal nuclear weapons program, conducted terrorist attacks against innocent civilians around the world, and violated the human rights of its own people.

That is until President Obama decided to ease sanctions on this enemy nation as part of a disastrous new "deal." On this November 4, 36 years after the start of the hostage crisis, we have not forgotten. And, we have not forgiven.

And that's just the way it is.

RECOGNIZING KIN ON FOR THEIR
30 YEARS OF SERVICE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to recognize the Kin On organization and its thirty years of service to the senior citizens of the Seattle area.

From the beginning, Kin On has been an important part of our community and has been integral to serving seniors with respect and dignity. Through their provision of health, social, and education services, Kin On encourages Asian adults and seniors to remain mentally, physically, and socially active. Programs like these are models for other care facilities, as they keep seniors engaged and healthy in comprehensive and culturally sensitive ways.

It is also encouraging to know that Kin On will expand its services and facilities in Seattle, expanding their capacity to serve the community. I am confident that the addition of a community center, assisted living, and adult family home—as well as a short-term rehab and sun room—will greatly enhance the experiences of those who benefit from Kin On's wide array of services.

Once again, I want to thank Kin On for its service and congratulate them on thirty years of hard work and success in serving our senior community. I look forward to hearing about their future accomplishments.

CONGRATULATING SHERRY
LEVESQUE ON HER 40-YEAR
BOWLING CAREER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. LONG. Mr. Speaker, I rise today to congratulate Sherry Levesque of Springfield, Missouri, on her successful 40-year career of dedication to the growth of bowling in our community and to wish her a happy retirement.

Since 1996, Sherry has worked at Andy B's bowling lanes in Springfield, but has been around the sport in many capacities since 1975. In the early part of her career, she became the first woman to ever tally a 300 score at Hazelwood Bowl and was featured on television in competition at the old Arena Bowl. While her career as a competitive bowler is remarkable, however, it is Sherry's dedication to bring others into the sport that makes her truly unique.

After moving to Springfield in 1982, she began working at Walnut Bowl (now Light-house Lanes) building their junior bowling program. At that position, she also became the director of the Greater Springfield American Bowlers Congress and Greater Springfield Women's International Bowling Congress. Then, she started more youth programs upon moving to Century Lanes in 1987, which ultimately earned her a distinguished service induction into the Springfield Women's Bowling Association in 1994. Around the same time, she was named president of the Missouri State Youth Bowling Association.

After being named General Manager of Andy B's in 1997, she continued cultivating the area bowling community and was named Manager of the Year by the Bowling Proprietors Association of America in 2012.

Mr. Speaker, I extend my appreciation to Sherry for the invaluable positive impact she has made on so many young people in my district, and wish her a happy—and well-earned—retirement. The way in which she used her passion of bowling to touch so many lives for the better truly serves as an example of the human spirit we can all learn from and makes me proud to represent her and the rest of Missouri's Seventh Congressional District.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,492,091,120,833.99. We've added \$7,865,214,071,920.91 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING HABITAT FOR HUMANITY OF TACOMA AND PIERCE COUNTY FOR THEIR 30 YEARS OF SERVICE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Habitat for Humanity of Tacoma and Pierce County for their thirty years of invaluable housing assistance and support to families throughout our region.

Since 1985, this organization has been dedicated to building quality and affordable housing for families from all walks of life, offering an opportunity for families who are otherwise unable to obtain proper financing to achieve their dream of homeownership.

In order to qualify for a home, families must contribute five hundred hours on the construction of their or someone else's home, which in turn fosters a sense of ownership and a greater sense of unity in the community. In the last year alone, the organization built fourteen new homes and renovated almost a dozen others, providing a better living situation for over eighty adults and children.

This positive impact on the lives of families would not have been possible without the vision and devotion that Habitat for Humanity of Tacoma and Pierce County and its countless volunteers have shown. They have played a key role in making Pierce County a better place to live—both for their clients and the community at large.

Mr. Speaker, it is with great honor that I recognize the work of Habitat for Humanity of Tacoma and Pierce County on their thirtieth anniversary as a positive contributor to the community. Their commitment to lifting up the lives of so many Pierce County families over three decades is admirable and I look forward to their future positive impacts.

IN RECOGNITION OF THE 150TH ANNIVERSARY OF MONTGOMERY EMANCIPATION OBSERVANCES

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the 150th anniversary of the Montgomery community observing the signing of the Emancipation Proclamation which started on January 1, 1866.

On January 1, 2002, a historic marker was placed at One Court Square in downtown Montgomery to help highlight Montgomery's first observance. On January 1, 2016, the Emancipation Association of Montgomery will once again celebrate the signing of the Emancipation Proclamation.

Mr. Speaker, please join me in wishing the Emancipation Association of Montgomery as well as the City of Montgomery a memorable 150th anniversary celebrating the signing of the Emancipation Proclamation.

HONORING DRs. AZIZ SANCAR AND PAUL MODRICH

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate the University of North Carolina School of Medicine's Dr. Aziz Sancar and Duke University School of Medicine's Dr. Paul Modrich on receiving the 2015 Nobel Prize for chemistry.

This is a remarkable accomplishment for Drs. Sancar and Modrich and for the universities and researchers who support their work. As a UNC graduate and a former Duke professor, I am especially thrilled with the announcement.

Drs. Sancar and Modrich were awarded the prize in recognition of their work with Dr. Thomas Lindhal of Britain on DNA mismatch repair. The consensus of the scientific community is that this is critically important work that could pave the way for innovative new treatments for cancer and other diseases.

Dr. Aziz Sancar is the Sarah Graham Kenan Professor of Biochemistry and Biophysics at the University of North Carolina School of Medicine. A native of Savur-Mardin, Turkey and the first Turkish-American Member of the National Academy of Sciences, Dr. Sancar runs the Sancar Lab at UNC, directing the university's biomedical research. He has called North Carolina home since 1982, and he and his wife Gwen created the Turkish House in Chapel Hill and are spearheading efforts to create a permanent Turkish Center at UNC.

Dr. Paul Modrich is the James B. Duke Professor of Biochemistry at Duke University and a Member of the Duke Cancer Institute. He has been an investigator at the Howard Hughes Medical Institute for over 20 years. He heads the Modrich Lab, which has been responsible for a number of major innovations in cancer and biomedical research. He has been at Duke since 1976.

This announcement is another important reminder that Congress must renew its commitment to research and innovation. Roughly, two-thirds of our nation's basic research is directly supported by federal agencies. Federal funding from the NIH and CDC provides researchers with critical financial support, and it is one of the most important investments we can make both for public health and the economy. Biomedical research alone creates millions of jobs and adds two dollars to the economy for every dollar invested. We must reverse the shortsighted cuts to research funding imposed by Congress in recent years and once again make robust investments in the sort of research conducted by Drs. Modrich and Sancar.

I join with well-wishers from North Carolina and around the world to congratulate Dr. Modrich and Dr. Sancar on their historic accomplishment, and I am proud that these two world-class leaders in biomedical research call the Triangle home.

HONORING TURLOCK CITY MANAGER ROY WASDEN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Turlock City Manager Roy Wasden on his retirement; and to personally thank him for his many years of dedication and profound service to the Turlock community.

Joining the City of Turlock in June of 2009, Mr. Wasden took on the chief role of city manager and became responsible for the efficient and effective management of city services. Over the course of his career, Mr. Wasden has brought large corporations to Turlock and paved the way for countless new job positions for its residents. His exemplary customer service was vital to landing these new employers to the community.

Mr. Wasden was instrumental in the construction of projects that immensely benefited the City of Turlock including the new Public Safety Facility, the Carnegie Arts Center, the development of the Regional Transit Facility, and the construction of the new affordable housing project called Avena Bella, as well as the large upgrades to the Regional Water Quality Control Facility. These successful projects were achievements that have greatly and positively impacted the economic development in Turlock.

Leading the efforts to balance the City of Turlock's budget, Mr. Wasden has executed the task with efficient management and good planning. The city is fiscally sound and continues to provide a high level of service to the community.

Before Mr. Wasden's leadership role with the City of Turlock, he spent many years in a variety of public service positions, including more than 30 years working in law enforcement. In 2000, Mr. Wasden was sworn in as Chief of Police for the City of Modesto Police Department. In 2002, the Modesto Police Department was involved in the investigation of the infamous murder case of Laci Peterson, which gained national recognition. It was under Mr. Wasden's leadership that the department was credited for successfully handling this renowned investigation. He was an asset to the police department throughout the complex case.

Mr. Wasden's proudest accomplishment is the life he created with his high school sweetheart, Linda Wasden. They have been married for 40 years and together have been blessed with 7 children and 13 grandchildren.

Mr. Speaker, please join me in honoring Turlock City Manager Roy Wasden on his retirement and thanking him for his exemplary leadership and service to the community of Turlock. We wish him continued success in his retirement and future endeavors.

RECOGNIZING SEED'S 40TH
ANNIVERSARY

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor SouthEast Effective Development (SEED), a nonprofit from Seattle, Washington, on its 40th anniversary.

SEED was founded in 1975 with the purpose of revitalizing struggling neighborhoods in Southeast Seattle. During that time, many community members lacked access to much-needed resources and the area was riddled with deteriorating infrastructure. As a result, SEED made it their mission to improve the quality of life in Southeast Seattle through a series of economic development, housing, and cultural programs.

SEED is regarded by many as having been integral to rejuvenating one of the area's most historic business districts—Columbia City—and generating several other thriving commercial areas. Other projects have included the Rainier Valley Cultural Center, Rainier Valley Square, Washington Care Center, and The Dakota at Rainier Court. SEED's approach to economic development, which includes collaborations with the private sector, government, and non-profits, has proven to be a successful model. The result has been not only new commercial development, but also increased capacity in neighborhoods to lay the groundwork for future success.

The organization's housing programs have also had a tremendous impact, including the addition of over 1,000 affordable housing units for low-income families. In 2005, one of SEED's housing development projects won the Environmental Protection Agency (EPA) Phoenix Award for its successful restoration of a contaminated building into a livable space. SEED is also credited for bringing the first medical clinic and the first senior living community to the area.

In addition, SEED has worked to cultivate a more active arts and cultural scene in Southeast Seattle. The SEEDarts program has remodeled several structures into art galleries and performing arts theaters, and organized cultural events that have become staple community activities. Through SEEDarts, as well as its other programs, SEED continuously strives to nurture a stronger sense of community in Southeast Seattle.

Mr. Speaker, it is with great honor that I recognize and congratulate SEED for its four decades of service to Southeast Seattle. SEED's enduring commitment to the strength and vitality of our community is truly admirable, and I look forward to hearing about their future successes.

IN RECOGNITION OF MR. CARLOS
LEON-CAMPOS' RETIREMENT
FROM THE OFFICE OF THE CAO

HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. BEYER. Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Carlos Leon-Campos of Arlington, Virginia, on the occasion of his retirement on November 13, 2015 after more than 31 years of service to the United States House of Representatives.

Carlos Leon began his career with the House in September 1984 as a File Clerk for Congressman Bill Nichols (D-AL). Simultaneously, he held a patronage job operating the Member's elevator in the U.S. Capitol. It was while working this distinguished position that he had the occasion to meet several high-profile individuals. He greeted Tip O'Neill on arrival every day with his customary cigar. He was lucky enough to meet other notables such as Margaret Thatcher, Mikhail Gorbachev, Actor Telly Savalas, and former U.S. President, George H.W. Bush.

Carlos transitioned to work for the Clerk of the House, the esteemed Donald K. Anderson, in 1991. He truly enjoyed working for Mr. Anderson, but when the Republicans won the House in 1995, a Chief Administrative Office (CAO) was established. Carlos went on to work for Scott Faulkner, Acting CAO, and Jeff Trandahl, Clerk of the House, and in 1997, settled into the job as Inventory Account Counselor under CAO Jay Eagen. He received the Distinguished Service Award, the highest honor given by the CAO, for his exemplary service to the Office of the CAO.

He was promoted to Supervisor, Inventory under the Asset Management department, and quickly rose to Manager, Inventory for Logistics & Support under CAO Dan Strodel. Most of his career has been spent working for the Logistics & Support Department under various CAOs. After 25 years with one organization, he recently received the Employee Length of Service Award given by the House Officers.

Carlos reported to the Assistant CAO, Cam Arthur, for many years. However, most recently he has reported to Rhonda Shaffer, Director, and Tom Coyne, Chief Logistics Officer, of the newly formed Asset Management group. Carlos has always had an encyclopedic mind and knows massive amounts of historical knowledge of the House and its workings. He is beloved by his employees and they respect his leadership. His talents were recognized at a reception hosted by Ed Cassidy, CAO, on October 14, 2015, with a certificate and engraved pen, which acknowledged his contributions to supporting the new organization.

Some of his most memorable experiences in his time of working for the CAO include attending Ronald Reagan's Inauguration in the bitter cold and the Capitol Dome Tour, personally given by Congressman HARPER of Mississippi. He remembers that the view of Washington, D.C. from the Capitol Dome is breathtaking and unmatched.

In retirement, Carlos plans to move to Atlanta, Georgia, where he will pursue art and painting. He also plans to expand his hobby of

attending estate sales, and to visit his family more often in Lima, Peru. Mr. Speaker, I ask my colleagues to join me in thanking Carlos Leon-Campos for his service and contributions to the U.S. House of Representatives. I want to thank Carlos Leon for his commitment to public service, and I wish him and his family all the best.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. TAKAI. Mr. Speaker, on Tuesday, November 3, 2015, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day.

Had I been present, I would have voted "no" on Roll Call 583, the Motion on Ordering the Previous Question on the Rule providing for consideration of House Amendments to Senate Amendments to H.R. 22.

I would have voted "no" on Roll Call 584, the Rule providing for consideration of the House Amendments to Senate Amendments to H.R. 22.

I would have voted "yea" on Roll Call 585, for H. Res. 354, expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe.

I would have voted "yea" on Roll Call 586, the Swalwell of California Part B Amendment No. 2 to Rules Print 114-32.

I would have voted "no" on Roll Call 587, the Gosar of Arizona Part B Amendment No. 5 to Rules Print 114-32.

I would have voted "no" on Roll Call 588, the Ribble of Wisconsin Part B Amendment No. 14 to Rules Print 114-32.

I would have voted "yea" on Roll Call 589, the Brown of Florida Part B Amendment No. 15 to Rules Print 114-32.

I would have voted "yea" on Roll Call 590, the Lynch of Massachusetts Part B Amendment No. 29 to Rules Print 114-32.

I would have voted "yea" on Roll Call 591, the Takano of California Part B Amendment No. 31 to Rules Print 114-32.

I would have voted "yea" on Roll Call 592, the Brownley of California Part B Amendment No. 32 to Rules Print 114-32.

I would have voted "yea" on Roll Call 593, the Radewagen of American Samoa Part B Amendment No. 34 to Rules Print 114-32.

HONORING JEFF SHIELDS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor South San Joaquin Irrigation District General Manager Jeff Shields on his retirement; and to personally thank him for his many years of profound service to South San Joaquin County.

While attending college at Humboldt State University, Jeff studied biological science and

natural resources management and graduated with his Bachelor's of Science degree. He has also invested time serving our great nation in the U.S. Air Force.

Working as the general manager for other irrigation companies, such as Emerald Public Utility District in Oregon and Trinity Public Utility District in Northern California, amply prepared Jeff for his extensive role at South San Joaquin Irrigation District. He began with the company in June of 2004, and after 3 short years was appointed as the general manager.

During Jeff's tenure with South San Joaquin Irrigation District, he was instrumental in implementing successful advances to the region. A solar farm was built to provide power to the Nick C. DeGroot Water Treatment Plant which supplies the drinking water to Manteca, Lathrop and Tracy at a minimum cost. In addition, an award winning, state of the art pressurized water delivery system was built called the Division 9 Irrigation Enhancement Project. This project has received numerous state, national, and international awards and recognition.

One of Jeff's most notable contributions was successfully getting the approval for South San Joaquin Irrigation District to become the retail electric provider in its service territory. Because of this accomplishment, all current PG&E customers in Escalon, Manteca and Ripon will see a 15% rate discount. This is a great triumph for the citizens of South San Joaquin County.

With California experiencing its fourth consecutive year in a serious drought, Jeff has expertly managed the irrigation district through its most difficult water delivery year in the district's history. He is implementing a succession plan that would assure a smooth transition to new management as they continue to work through the severe drought. Jeff plans on continuing his active involvement in water and energy issues.

Being involved in the community is important to Jeff, as he is a member of the Manteca Rotary Club and a director for the Give Every Child a Chance organization. He is on the board of The Utility Reform Network, as well as the board of the Local Energy Aggregation Network.

Mr. Speaker, please join me in honoring and commending the outstanding contributions made to the South San Joaquin County Irrigation District by the General Manager Jeff Shields. We wish him continued success in his retirement and his future endeavors.

RECOGNIZING HILARY STERN ON HER RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Hilary Stern, Executive Director at Casa Latina, on her retirement after twenty-one years of hard and dedicated work that has built opportunities and provided a voice for members of the Latino community in Seattle.

Prior to starting Casa Latina, a Seattle-based non-profit, Hilary sensed tension be-

tween the incoming Latino workers and the community at large. In response, Hilary founded Casa Latina in 1994 and began offering services on the sidewalks and in borrowed space. These services included English classes and educational street theater productions.

Despite the positive impact of these services, Hilary believed that Casa Latina could do more. This drove her to expand the scope of Casa Latina's services to also assist members of the Latino community to achieve greater economic gains and to participate to higher degrees in civic efforts. With this vision, Hilary was able to transform Casa Latina into a large, nonprofit social organization that focused on providing a variety of educational and economic opportunities for hundreds of Latino men and women living in Seattle. These services included its previous, traditional programs, along with others, such as day labor employment, workplace safety and job skill trainings, leadership development and dealing with issues of public policy that affect immigrant workers.

After two decades at Casa Latina, Hilary recently announced that a new Executive Director would take her place in early 2016. Despite moving on from the role of Executive Director, Hilary plans to continue to be actively involved in contributing towards building a better society for everyone both within and outside of Seattle.

Mr. Speaker, it is with great honor that I recognize and congratulate Hilary Stern on her outstanding work as Executive Director for Casa Latina.

RECOGNIZING SPRINGFIELD RE- MANUFACTURING CORPORATION FOR THEIR RECERTIFICATION AS A VOLUNTARY PROTECTION PRO- GRAMS STAR SITE

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. LONG. Mr. Speaker, I rise today in recognition of Springfield ReManufacturing Corporation's (SRC) employee owners, who have recently earned their workplace's recertification as a Voluntary Protection Programs (VPP) Star Site, making it their 20th consecutive year to be hailed with that commendation by the Occupational Safety and Health Administration (OSHA).

OSHA's VPP program encourages private industry and federal agencies to prevent workplace hazards by emphasizing better worker and management cooperation and analysis involvement. The program's goal is to achieve injury and illness rates that are below National Bureau of Labor Statistics averages for respective industries. A "Star" certification is the highest level of recognition OSHA offers, and denotes that a site has exemplary workplace standards and health management programs.

The employee owners at SRC have worked for many years to achieve this goal, and will be formally receiving their award this Friday, November 6, 2015, at a celebratory ceremony and luncheon.

Mr. Speaker, it is my pleasure to help recognize SRC for this great achievement and

wish its workers a joyous and well-earned celebration of their success. The corporation's employee ownership, "Open Book Management," philosophy has clearly payed off. This commendation is proof that their employees have made Missouri's Seventh Congressional district a better place to work and, in turn, a better place to live.

HONORING THE LEGACY OF PAUL JENNINGS

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. TOM PRICE of Georgia. Mr. Speaker, today I would like to speak about the unfortunate passing of a good friend, Paul Jennings. Having known Paul for years, including back in my time in the Georgia General Assembly, I know personally his hard work ethic and the legacy he will leave behind with those he's influenced.

After a successful marketing career in Manhattan, Paul came to the state of Georgia in 1970 to work for Decatur Federal Savings and Loan. During his two decades with the company, Paul helped Decatur Federal become a leading mortgage lender in Georgia from his position of Senior Vice President of Marketing. Paul was a leader of local and national marketing organizations, where he was able to be a mentor and role model to students and young professionals alike. From 1998 to 2002, I was able to serve alongside my friend, Paul, where he served in the Georgia State House of Representatives.

A man of Paul Jennings' integrity and compassion is hard to come by. In his free time, Paul served on the boards of the United Way, DeKalb Medical Center, arts groups, and other local nonprofits that continue to serve the people of Georgia, just as Paul did. On behalf of the Sixth District of Georgia, we extend our thoughts and prayers to Paul's wife Edna, his daughter Jan, and his sons Danny, David, and Tommy.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today regarding a missed vote on Tuesday, November 3, 2015. Had I been present for roll call vote number 585, H. Res. 354, Expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe, I would have voted "yea."

RECOGNIZING JILL WAKEFIELD ON HER RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Jill Wakefield, Chancellor of Seattle Colleges, on her retirement after her forty impactful years working in higher education throughout Seattle.

Prior to becoming Chancellor in 2009, Jill was already deeply involved in the Seattle's higher education community, having served in various capacities at South Seattle College (SSC) for more than thirty years. Jill began her tenure at South Seattle College as a program assistant in the Veterans office and her hard work resulted in a series of promotions; culminating with her tenure as President. While leading South Seattle Community College, Jill oversaw the development of leading-edge programs and upgrades to campus facilities.

Upon being named Chancellor of Seattle Colleges, Jill's focus shifted to increasing the number of four-year degrees available and leading a district-wide initiative to promote green and sustainable programs. She also facilitated numerous grants and initiatives that supported both student success and retention, such as the Bill & Melinda Gates Foundation's Pathway to Completion and the City of Seattle's Pathways to Careers grants. Her success as Chancellor was quickly recognized throughout the Seattle area when she was named a 2010 Woman of Influence by the Puget Sound Business Journal, and later as one of 2012's Most Influential People by Seattle Magazine.

Jill has devoted her time and expertise to other higher education organizations as well, including service on multiple boards for Seattle University and as President of the League for Innovation at SSC. Furthermore, she has served on the National Advisory Committee of Presidents for the Association of Community College Trustees and a variety of other boards that focused on not only improving higher education, but the general well-being of people throughout Washington State.

After six years of amazing work, Jill announced earlier this year that she would retire in June. Upon her retirement, Jill leaves behind a lasting legacy as the district's first female Chancellor. Despite her departure, Jill is confident in the foundation that has been created for Seattle Community Colleges in educating the workforce of tomorrow.

Mr. Speaker, it is with great honor that I recognize and congratulate Jill Wakefield on her retirement and outstanding work as the Chancellor for Seattle Colleges.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA MEDICAID REIMBURSEMENT ACT OF 2015

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Medicaid Reimbursement Act of 2015 as open enrollment begins this week for the Patient Protection and Affordable Care Act. That important legislation, among other things, expands eligibility for Medicaid to reduce the number of Americans without health insurance. My bill increases the federal government's reimbursement for a portion of the District's Medicaid costs from 70 to 80 percent. In 2012–2013, New York City, the jurisdiction that powers the economy of New York State, contributes a 20 percent share for Medicaid costs, while the state pays 33 percent, less than the District's federally mandated 30 percent contribution.

Medicaid is financed mostly by the federal government and the states. However, the District, a city with no state to contribute to it, must alone absorb the state portion of Medicaid. Thus, the District pays for 30 percent of Medicaid, more than any U.S. city. Considering the difference in the size of its tax base, the District should certainly contribute no more than the New York City contribution to Medicaid. Therefore, my bill would raise the federal contribution to the District's Medicaid program to 80 percent, equal to that of New York City.

Under the National Capital Revitalization and Self-Government Improvement Act of 1997 (Revitalization Act), Congress recognized that state costs are inappropriate for any city to shoulder. To address this unfairness to the District, the Revitalization Act transferred certain, but not all, state responsibilities from the District to the federal government, including the cost of prisons and courts, and increased the federal Medicaid reimbursement to the District from 50 to 70 percent, partially relieving this burden. The city continues to carry many state costs, however.

In 1997, a formula error in the Medicaid Disproportionate Share Hospital allotment reduced the 70 percent Federal Medical Assistance Percentage share, and, as a result, the District received only \$23 million instead of the \$49 million it was due. I was able to secure a technical correction in the Balanced Budget Act of 1999, partially increasing the annual allotment to \$32 million from fiscal year 2000 forward. I appreciate that in 2005, Congress responded to our effort to get an additional annual increase of \$20 million in the budget reconciliation bill, bringing DC's Medicaid reimbursements to \$57 million, as intended by the Revitalization Act. However, this amount did not reimburse the District for the years the federal error denied the city part of its rightful federal contribution.

I urge my colleagues to join me in supporting the bill.

HONORING MR. TOM BORDEAUX

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Savannah Alderman Tom Bordeaux and his dedicated service to the Savannah City Council.

About seven months away from the end of his four-year term, Savannah Alderman Tom Bordeaux announced that he will not run for re-election. Mr. Bordeaux is serving the final year of his first term after defeating two opponents in 2012. As an alderman at-large, Post 2, Mr. Bordeaux's district covers all of Savannah. When he announced his candidacy in 2011, Mr. Bordeaux said his priorities included building unity and focusing on sound fiscal oversight.

Mr. Bordeaux grew up in Savannah and graduated from Savannah High in 1971. He then attended the University of Georgia where he received his bachelor's degree in 1975 and his law degree in 1979. Following school, Mr. Bordeaux returned to Savannah to practice law, and has continued to practice ever since. Before joining the council, he served eight terms from 1991 to 2007 in the Georgia House of Representatives. Mr. Bordeaux was also elected dean of the Chatham County legislative delegation. Although Mr. Bordeaux has decided to not seek re-election, he hopes to continue serving the community in other ways. Mr. Bordeaux says that his ticket to living in the Savannah area is to be involved, and that is exactly what he intends to do.

Mr. Speaker, it is my privilege to join Mr. Tom Bordeaux's colleagues, family and friends in honoring his many years of hard work and dedication to our community.

ACKNOWLEDGING MARTIN VAN BUREN SASSER, JR.

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge Mr. Martin Van Buren Sasser, Jr. of Tracy, for his outstanding military service as a World War II Bomber Crewman and his exceptional dedication to Southern Pacific Transportation Company as a longtime employee. The beloved husband, father, and community member passed away on October 27, 2015.

In Beatrice, Nebraska on June 9, 1924, Martin Sasser, Jr. was born to Martin and Leota Sasser. At the age of four, Martin and his family moved to Tracy, California, which became their lifelong hometown. He attended school in Tracy throughout his youth and graduated from Tracy High School in 1942. After his high school graduation, Martin became an employee of the Southern Pacific Transportation Company, which has played a vast role in railroad transportation since 1865.

After working on behalf of Southern Pacific, Martin enlisted in the U.S. Army Air Corps. He held numerous personnel positions, including

that of tail-gunner and belly-gunner for the Boeing B-17 Flying Fortress during its World War II deployment. Martin completed thirty-five bombing missions out of England, towards targets residing in France and Germany and was involved in the first United States raid over Berlin. Martin also participated in one of the most notorious events of World War II, assisting in the D-Day bombing missions in support of the Normandy Landings.

At the end of World War II, Mr. Sasser returned to Tracy after passing through Fox, Oklahoma. During this passage through Oklahoma, he met his wife, Alice, whom Martin would return to Tracy with.

Once home in Tracy, Mr. Sasser returned to Southern Pacific Transportation Company, where he resumed working as a crew-dispatcher. After numerous years of diligent work, Mr. Martin Sasser retired as a Southern Pacific agent in 1984. Martin also developed and marketed a recreational balance board called the "Tilt-O-Bord." This device was not only creative, but highly enjoyable.

Martin's dedication to his community and fellow brothers and sisters in arms, both former and current, was evident through the work he did throughout Tracy. Mr. Sasser was an avid member of the James McDermott Post 172, the American Legion, Tracy Post 1537, and of the Veterans of Foreign Wars. Martin also participated in a vast number of Memorial Day and Veterans Day Services.

For a number of years, Mr. Sasser enjoyed his time entertaining hospital and rest home patients, as he was a skilled guitar, harmonica and mouth-harp player. Mr. Sasser was committed to his faith. He served as a charter member of the Grace Baptist Church and held many positions within its congregation. Martin and his wife were able to invest their time traveling domestically and across the globe; visiting Europe, the Holy Land, Canada, and destinations throughout the United States.

The Sasser family was blessed with four children, including a daughter and three sons. The family has also been gifted with ten beautiful grandchildren and twelve great-grandchildren.

Mr. Speaker, please join me in honoring the life of the late Mr. Martin Van Buren Sasser, for his years of service and outstanding contributions to the community as well as our country.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. LARSON of Connecticut. Mr. Speaker, on November 3, 2015, I was not present for roll call votes 583 through 593. If I had been present for this vote, I would have voted: Nay on roll call vote 583, Nay on roll call vote 584, Yea on roll call vote 585, Yea on roll call vote 586, Nay on roll call vote 587, Nay on roll call vote 588, Yea on roll call vote 589, Nay on roll call vote 590, Yea on roll call vote 591, Yea on roll call vote 592, Nay on roll call vote 593.

RECOGNIZING THE TACOMA HOUSING AUTHORITY FOR 75 YEARS OF SERVICE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the Tacoma Housing Authority (THA) for its seventy-five years of service and stewardship in our community.

The THA was created in 1940 to respond to the overwhelming demand for rental housing in the Pacific Northwest. World War II created a high demand for citizens to serve their country as well as to work in factories and shipyards to assist the war effort. Tacoma faced an immediate shortage of housing for newcomers and their families, and the THA made it a priority to provide affordable housing during these turbulent times.

The Federal Government commissioned the design and speedy construction of large-scale housing developments throughout the Tacoma region. The THA managed Salishan, one of the largest housing developments with over 2,000 units. In coordinated efforts with the City of Tacoma and the U.S. military, the THA provided 3,723 housing units to individuals and families until the war ended in 1945. Salishan aged quickly during the post-war years, and by the 1990s, it needed significant renovations. In 2004, the THA received a \$35 million HOPE VI grant from the U.S. Department of Housing and Urban Development for its reconstruction.

Today, the THA continues to provide housing assistance to over 12,000 individuals—roughly six percent of Tacoma's overall population. The majority of these persons are low-income families, children, seniors, or persons living with disabilities.

Mr. Speaker, it is with great honor that I recognize the work the THA has done for the Tacoma community. Their accomplishments and contributions to Washington State have helped to shape Northwest and I am confident that the THA will continue to be a positive contributor to the community in the years to come.

PERSONAL EXPLANATION

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. YOUNG of Indiana. Mr. Speaker, on roll call no. 586 I was unavoidably absent in the House chamber on Tuesday, November 3, 2015. Had I been present, I would have voted "No" on Roll Call Vote 586.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. WEBSTER of Florida. Mr. Speaker, on roll call no. 587 I was unavoidably detained off

of the House floor. Therefore, I was unable to cast my vote on Part B Amendment No. 5 to Rules Print 114-32, which required the federal government to track the total number, cost, and time required for each environmental review of transportation projects when reporting the status of these projects to the public. Had I been present, I would have voted YES.

IN TRIBUTE TO FRED DALTON THOMPSON "NOTED ATTORNEY AND ACTOR, WRITER, CHIEF COUNSEL FOR WATERGATE COMMITTEE, AND U.S. SENATOR FROM TENNESSEE"

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to Fred Dalton Thompson, a great American, a man who personified civility; a passionate advocate for good governance, fiscal responsibility, and national security; and United States Senator from Tennessee, who died on Sunday, November 1, 2015, in Huntsville, Tennessee at the age of 73.

Born to Ruth Inez and Fletcher Session Thompson on August 19, 1942, in Sheffield, Alabama, Freddie Dalton Thompson came from humble beginnings. After graduating from Lawrence County High School, Fred Thompson then entered the University of North Alabama, becoming the first member of his family to attend college. He later transferred to the University of Memphis, where he earned a dual degree in philosophy and political science in 1964 and won a scholarship to Vanderbilt University School of Law from which he graduated with a J.D. in 1967.

After his admission to the Tennessee bar and from 1969-1972, Fred Thompson worked as an Assistant United States Attorney where he successfully prosecuted bank robberies and other cases. In 1972, Fred Thompson managed the successful reelection campaign of U.S. Senator Howard Baker who brought him to Washington and appointed him Minority Counsel to the Senate Watergate Committee.

Fred Thompson has often been credited for formulating the question made famous by Senator Baker during the Watergate hearings: "What did the President know, and when did he know it?"

In addition to service as a United States Senator, Fred Thompson rendered valuable service to the public as Special Counsel to the Senate Foreign Relations Committee (1980-1981), Special Counsel to the Senate Intelligence Committee (1982), and Member of the Appellate Court Nominating Commission for the State of Tennessee (1985-1987).

In 1994, Fred Thompson was elected to the U.S. Senate in 1994 to fill the unexpired term of Senator Al Gore, who had been elected Vice-President and two years later was elected in a landslide to a full six-year Senate term.

During his eight years in the Senate, Fred Thompson served on the Committees on Finance, Government Affairs, and Intelligence. He retired at the end of his term in 2002 and resumed his career as film and television

actor, starring for many years as Manhattan District Attorney Arthur Branch in the acclaimed television series "Law and Order."

Notable films in which Fred Thompson starred include "In the Line of Fire," "No Way Out," "Days of Thunder," "The Hunt for Red October," "Cape Fear," "Die Hard 2," "Class Action," and "Fat Man and Little Boy."

Mr. Speaker, I hope it is a comfort to Fred Thompson's widow, Jeri Kehn Thompson, and his surviving children, Freddie Jr. and Samuel, that so many persons are remembering Fred Thompson in their prayers and thoughts.

I ask that the House observe a moment of silence in memory of Fred Thompson, the distinguished U.S. Senator from Tennessee.

RECOGNIZING LORI PROVINCE ON HER RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Lori Province on her retirement after nineteen years with the Washington State Labor Council (WSLC), where she has worked tirelessly on behalf of workers in Washington State.

Prior to joining the WSLC, Lori had a strong background in the labor community. She served as a union representative for the Washington State Council of County and City Employees and for Service Employees International Union (SEIU) Local 120 in Everett.

Upon joining the WSLC in 1996, Lori worked in a variety of roles including as the Field Mobilization Director as a Dislocated Worker Labor Liaison where she provided lay-off aversion services along with Trade Act and NAFTA petition development. Lori also handled outreach to inform dislocated workers about the employment and training services available through the Workforce Investment Act, along with representing their interests and beyond.

When Lori was appointed Field Mobilization Director in 2008, she supported and encouraged the participation of members from a wide variety of legislative and community programs. Her efforts were aimed at continuing the success of the WSLC's Labor Neighbor Political Program and tackling workforce training and apprenticeship issues. Lori has also been active in WSLC's Washington Industrial Safety and Health Act (WISHA) Monitoring Committee, as well as with several government task forces and councils focused on workforce development policies.

After years of tireless work, Lori announced earlier this year that she would retire in November. Despite her retirement, Lori plans on remaining active in labor causes and will no doubt continue to make a positive impact on our community.

Mr. Speaker, it is with great honor that I recognize and congratulate Lori Province on her retirement and her outstanding work in the labor community.

IN RECOGNITION OF DOUGLAS
GILDNER'S SERVICE AS FIRE
CHIEF OF THE CITY OF
SOUTHGATE

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to honor the Fire Chief of Southgate, Michigan who is retiring this month after 27 years of service to the Southgate Fire Department, the last six as the City's Fire Chief.

Since he first started with the department in 1988, Doug has been known for being temperate and hard-working. These traits have earned him the credibility to be a consensus builder in the community and enabled him to navigate the department through good times as well as challenging times. Embodying the idea that hard work pays off, Doug has climbed the ranks in the department all the way to the top. Becoming chief in 2009, Doug's ability to build relationships with the other area chiefs has had a profound impact on strengthening morale and improving safety in the Downriver communities.

Doug has always been a member of the community first, and that's not going to change. He will continue to teach young firefighters at Schoolcraft College, preparing new teams of heroes to keep our communities safe. Doug serves as an excellent role model not only for these students, but in his newest and most important position: grandfather.

Mr. Speaker, I ask my colleagues to join me today to honor Chief Douglas Gildner for his twenty seven years of service and his lasting impact on the Downriver communities. I thank him for his leadership, and wish him many years of happiness.

HONORING BRAVE MEN AND
WOMEN WHO HAVE SERVED OUR
COUNTRY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today as we approach Veterans Day to honor the brave men and women who have served our country in uniform. Earlier this year I met with a group of young Iowans belonging to the Junior Optimists Club—they found a truly unique way to pay tribute to our Iowa veterans.

The Sidey family owned and published the Free Press in Greenfield, Iowa, for over 125 years. The Free Press would publish letters Iowa servicemen sent home to their families over the years. The Junior Optimists I met went through the Sidey's collection of soldiers' letters from World War II. They picked out the ones they found most interesting or compelling and read them aloud at a Flag Day celebration that I was fortunate to attend.

I want to share them here with my colleagues in the House of Representatives so that we and future generations may always re-

member the very real and human struggles our men and women face as they leave their loved ones behind to bravely serve our country with dignity, honor, and distinction.

Corporal Russell Smith, serving with the Army in North Africa, wrote the following letter dated May 23, 1943, to his sister:

Will write a few lines tonight to let you know I am getting along ok and hope this find you the same. We haven't been doing much since the war is over down here. Up to now we have been gathering and cleaning up all the German equipment that they left. There is everything from a rifle up to an airplane. Lots of tanks and big guns. They burned about everything though, so it isn't much good for anything except iron. I didn't know they had as much stuff in the whole German army as I've seen here in the last couple of weeks. Right now that is for a week. Believe it or not, we are on a week's vacation on the beach of the Mediterranean. We have to do a little fishing in the forenoon but in the afternoon we can do anything we like, go boating, swimming, play ball or drink wine or just lay around and sleep. This probably isn't all as good as it sounds but it's sure a good break for after what we've been through. I've had some pretty good experiences or I might say not so good. We had everything from mortar shells to bombs dropped on us and sometimes I thought every Hynie in the German army was firing machine guns and rifles at us. We were pinned down several times, but the longest was one day when we were attacking a hill and pinned down about 6 in the morning and had to lay there all day with only a little bunch of grass in front of some of us, and some didn't even have that. Didn't hardly dare wiggle a finger or they would let go everything that they had, and I mean we didn't move until it got dark. Didn't take a drink of water or smoke a cigarette, and boy it was hot. Les was also in that same battle the day before. That's about all I can tell you about it so will call it enough.

The following are a few extracts from a letter written by Sgt. Ernest L. "Budd" Jenkins dated June 23, 1943 from Camp Shelby, Mississippi to his Aunt and Uncle—Mr. and Mrs. Charley Gillham.

I have a good excuse for not answering your letter sooner as I have been in the field on firing problems and naturally there is no way of writing letters while out in the woods. That's some life, setting our big guns in position and firing in the heat of the day about 102 all day long. Then black-out driving at pitch dark into another position to make a surprise attack on the enemy. When we finally slow up to see if we can get a few hours sleep we battle mosquitoes, insects, lizards and snakes and finally roll up in stubborn sleep, when bang "Fire Mission" and we roll out to produce fire from our guns. We like it and we'll do it until we're tops, so darn good that when we go over there well have Nazis and [Japanese] running in every direction. Look what the artillery did to the Germans over in Africa. I can't tell you how happy I am to do my bit. I'm only one in about 10,000 trying to get do my bit. I hope all of you are well and happy. I'd like awfully well to see you.

Write soon,

BUDD.

Private Floyd Stimen, September 11, 1943, while serving in Italy:

I sure will be glad when this war is over and everything is back to normal. Am pretty

sure I am going out of the Navy for I want a normal home and a decent job and few of the things they are promising us now. All I have to say is that they better make those promises good. For these fellows are sure counting on it, and there will be enough of them to make it pretty hot if they don't make good on their promises. I am so damn tired of all this fighting when all you have to look forward to is going to sea again with duty 16 and 18 hours a day.

I guess my stay in the hospital has spoiled me. I know it softened me up a lot for I lost over 20 pounds but have started to gain it back again now. I kinda miss seeing all those good looking nurses around but I guess it's just as well for they had me spoiled. They are really a swell bunch of people. (1 in particular) for she always treated me well. She used to get me special food and ice cream, anything I wanted and the rest of the patients had to take what they got. I can tell you now, I am well and out of there but you about lost your "little boy Floydie" for a couple of times I about bled to death and they had to give me transfusions but that's all in the past and forgotten. I am going to take the nurse that was good to me out to dinner and a show Monday night to show my appreciation.

Well folks, I am about run down so will close for this time. I hope you are all ok. Write me at the new address. Tell everyone hello for me.

All my love,

FLOYD.

This letter was received by Mr. and Mrs. Charles Beaman of Canby, Iowa from Technical Sergeant Adam C. Wygonik of Chicago, who was brought back to the United States on the SS *Gripsholm*, concerning their son, Sgt. Howard Beaman, a prisoner of war in Germany.

SEPTEMBER 25, 1943.

I am a very good friend of your son, Howard. I've been in the same squadron with him and even flew him in the same ship. We were also in the same camp in Germany, and when I left the camp in August (to be repatriated) Howard was in the best of health and feeling like a million. He is getting your mail and parcels quite regularly now (even though it takes six months to get there) and he sure does enjoy them. All last winter Howard was my bridge partner and all summer long he has been pretty busy managing "Beaman's Demons" baseball team there in camp. I hope to be seeing Howard again, and I hope you'll see Howard at home very soon.

A letter to Mr. And Mrs. James Kralik of Nevinville from their son Corporal Roy Kralik, then a German prisoner of war:

DEAR FOLKS:

I suppose you are wondering about our Christmas here. It was all real nice under the circumstances. Had the barracks all decorated and a tree for each. Really looked nice and the spirit was high. The Red Cross put out a special Christmas parcel along with the regular parcel, so we were able to have fruit cake, candy, all kinds of spreads and the like, along with our regular meals. Eight of us boys cooked up our meal together and had a nice time along with a good meal. DeWayne and I baked a bunch of cupcakes so along with them we had fruit cake, candy and coffee, mashed potatoes, fried prem, bread, butter, jam, peanut butter and biscuits. Had special church services, a camp show, and all in all, it passed my expectations by far. Here's hoping you all had a nice

Christmas and that everyone is well. Had a letter from Colleen and some more from you.

Best wishes,

ROY.

The following are a few extracts from a letter written by PFC Gerald L. Corey while stationed at Nashville Tennessee, to his mother, Mrs. Fred Heuckendorg.

It snowed Monday. We were up at 6:00 and stood guard until the truck came to take us on a truck ride. We waited all day until 5:00 that afternoon. Couldn't have any fires and it was cold as the dickens. We started out on what was supposed to be 100 miles. About midnight our truck slid off into a ditch and we were there about three hours. Everybody was cold, tired, and hungry. We were a sad bunch. We reached Carthage, Tennessee, about noon. They sure have some hills here. The sun was shining and it was warm but muddy. Finally had a meal, not much I had some candy bars, they come in handy. Enemy planes were flying over us all the time, had to keep down, it seemed pretty realistic. We pulled out and started walking about 7:30, Tuesday night until 2 o'clock in the morning. We were warm while hiking but when we laid down it was cold: we rested until 5:30. The enemy were about 5 hours walk from where we were so we started walking again meeting the enemy about eleven o'clock Wednesday morning and drove them back into the hills. We walked again two miles into Hickman, Tennessee. The General stopped us there and said the problem was over, about four o'clock. We were served sandwiches and coffee. We couldn't get to our rest camp until Thursday a.m. We had to wait and our bed rolls hadn't come. It started to rain. We headed for farmer's barns, hog sheds, hen houses, etc. Our bed rolls came Thursday a.m. at 3:00. It continued to pour down. Everybody was soaked. Nobody pitched tents but went back to the barns. We had breakfast at 6:30. Our trucks didn't come and we stayed in the barns till 6 that night, then moved to town and slept in a warehouse, it was cold and damp. Our trucks didn't come when it stopped raining Friday morning so we moved to the top of a big hill and pitched tents for the night, first good night's sleep for nearly a week. We start out on another problem Monday morning. The colonel said it wouldn't be as bad as the last one. The colonel and the general praised us on the way we came through the problem as it was 4 times worse than they had expected. If you want to send me anything just make it anything to eat. A small truck came out from town with cakes, candy bars, and ice cream. Some scramble to get any of it! This is a wonderful life.

Love,

GARY.

Corporal John Gildemiester, Jr., son of Mr. and Mrs. J.H. Gildemiester, wrote from Iran.

Everything is still going swell. I have been in a hospital with an attack of appendicitis but recovered without an operation. I have had the pleasure of meeting an American missionary who has been here for twenty years. Have also seen several Biblical monuments which are real interesting.

In some parts of the country [there] are wheat fields, which are cut with a sickle and the bundles hauled home on mule's backs. They have a little machine with pointed wooden wheels which they run over the pile of bundles many times to thrash out the grain.

The bread is flat somewhat similar to rye crisp. I ate some fresh gazelle meat the other day, which was very good, however we do not

have it very often. There is no steak to be had here at any price. We are unable to get any American station on the radio over here.

The following letter was received by Miss Elnora Smith of Orient concerning her brother, Sgt. Russell Smith, who was serving in Italy, and whose parents were dead.

FEB. 1, 1943.

MR. SMITH,

I do not know whether this letter will reach you or not as I do not know what your first name is but will try and see what happens. Your son, Sgt. Russell Smith, who is now serving with the armed forces in Italy and my son, Sgt. Ronald Greiman are very good friends so Ronald tells us. Now we have had three letters from Ronald today, saying he has been wounded in action somewhere between Dec. 25 and Jan. 10. He was hit by machine gun fire in his leg below the knee, and he said it was your son that helped rescue him. He said when he was hit in the leg and fell to the ground, he rolled himself down the hill or cliff and when your son, Sgt. Smith saw what happened, he ran to help him and carried him to safety under heavy machine gun fire. Then Sgt. Smith and another sergeant sent for some stretcher bearers and they carried our son 16 miles down the mountains till they came to a road where he could be hauled to some hospital. Sgt. Smith also bandaged his wounds as soon as he carried him to safety.

Now I want to tell you how grateful we are for what Sgt. Smith has done for our son, Sgt. Greiman, and when you write to your son, I wish you would mention this to him also. Ronald writes he has had his leg operated on and is getting along as well as could be expected. He says the doctors tell him that it will take 3 or 4 months to heal the wounds and 3 or 4 more months before he can get around on it. He also said he would be moved to Africa to some hospital there. Says his big worry now is wondering how his buddies are getting along that he left behind.

So we can see how these boys really get attached to one another. When you write to your son, I wish you would tell him how Ronald is doing and tell him that he was taken to Africa, then perhaps they can get in touch with each other. May God be with our sons and all other boys at the fighting fronts.

H.A. GRIEMAN.

Mr. Speaker, these are the words of brave men. And they ring as true today as they did over seventy years ago when they were written. They embody the ideals of this great nation and the ethos of our armed forces that have fought, sacrificed, and died for our country so that we can remain free.

Next week when we recognize these men and women on Veterans Day, look them in the eye and say "Thank You." They know all too well what the words in these letters mean. And for their bravery and sacrifices, they deserve our unwavering gratitude and respect. May God bless them. And may God bless these United States of America.

IN RECOGNITION OF TIM
DURAND'S SERVICE AS MAYOR
OF RIVERVIEW

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Tim Durand for his 20 years of service as mayor of Riverview, Michigan.

First elected to office in 1987, Tim served a total of six years on the city council before being elected mayor in 1995. He has faithfully and honorably represented the citizens of Riverview for over 26 years, and his retirement is a huge loss to many. He has helped build Riverview into a thriving community, spearheading many projects, including the Riverview Municipal Building and the municipal boat launch, tennis courts, baseball diamonds, extensive senior citizen organized activities and 12 public parks. Often seen riding his bicycle, Tim is well-known for engaging citizens all over the city. He inspires participation in community efforts and leads by example, regularly sponsoring charity and booster events in Riverview. His commitment to the community is only matched by his dedication to his wife and two children, who have graciously shared Tim with us for more than two decades.

Tim's positive impact on the community is not limited to the city of Riverview. He has been a pivotal member of the Downriver Community Conference, serving as a past chair of this important regional development organization. The Dean of mayors in downriver communities of Michigan, he served with over 100 mayors and supervisors from area communities during the time he was mayor. He was always supportive, kind, and encouraging. His dedication to regional cooperation has made our downriver communities safer, more efficient, and more prepared to deal with the challenges of the 21st Century.

Mr. Speaker, I ask my colleagues to join me today to honor Tim Durand for his 20 years of service as mayor of Riverview. I thank him for his leadership, and wish him many years of success.

TRIBUTE TO THE LATE HOWARD
COBLE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with great sorrow that I acknowledge the passing of Congressman Howard Coble, but with great joy that I recall his storied career as a public servant, and with even greater joy that I recall our significant friendship.

Mr. Coble represented North Carolina's 6th Congressional District from 1985 until his retirement in 2015, making him the longest-serving Republican House member in the state's history. I remember his leadership on the Judiciary Internet subcommittee, where he advocated for protecting online content and worked tirelessly to make illegal streaming a felony.

Though I disagreed with him often on policy, we became great friends, most particularly through our official travels. I am now occupying his former office in the Rayburn House Office Building. In public, Congressman Coble had a sterling reputation as a man of integrity and principle, a representative who stood by his commitments. In person, his deep character was outweighed only by his affability. Perhaps that is one of the reasons he became the longest-serving Republican in North Carolina history.

Mr. Speaker, tonight Congress has lost the presence of one of its most humble and hard-working representatives. Congressman Coble's loss will be deeply felt among many, but his work will not. His caring nature and hard work he possessed will live forever.

CONGRATULATIONS TO TUNISIAN
NOBEL PEACE PRIZE WINNERS

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. PRICE of North Carolina. Mr. Speaker, as Ranking Member of the House Democracy Partnership, I rise today to recognize and congratulate the Tunisian National Dialogue Quartet for receiving the Nobel Peace Prize. This remarkable group of Tunisian leaders and advocates has worked tirelessly to transition their country into a robust democracy after the Jasmine Revolution of 2011.

The Arab Spring sparked hope throughout the international community at the possibility of a new day for democracy and human rights in the Middle East. Unfortunately, in many countries that underwent revolution, the hope of positive change has not come to pass. Tunisia, however, has made great progress, and the Tunisian people have had great success developing their own parliamentary democracy in the wake of the Arab Spring. Much of this progress is thanks to the work of The Tunisian National Dialogue Quartet.

The Tunisian National Dialogue Quartet is composed of four different civic groups: the Tunisian General Labor Union, the Tunisian Confederation of Industry, Trade, and Handicrafts, The Tunisian Human Rights League, and the Tunisian Order of Lawyers. These four organizations represent a broad coalition that has sought to create and sustain a new democracy. Throughout the process of adopting a new constitution, holding elections, and governing responsively, Tunisia has depended on the values of toleration and inclusion, and a willingness on the part of contending parties to forgo extreme or exclusive demands—exactly what the National Dialogue Quartet has espoused.

As a National Democratic Institute election observer, and working through the House Democracy Partnership, I was privileged to witness a product of the Quartet's work last year when Tunisia held its first successful presidential elections. The Tunisian people went to the polls proudly and peacefully, engaging in the building of a parliamentary democracy that has already achieved a substantial amount and shows great promise for the future.

To be sure, great challenges remain, and the international community, including the House Democracy Partnership, must continue supporting Tunisia in its first steps as a new democracy. As the Tunisian people work to ensure effective and open governance and functioning democratic institutions, they are fortunate to have the leadership of advocates like the National Dialogue Quartet.

IN RECOGNITION OF THE LIFE OF
SIR MICHAEL BERRY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mrs. DINGELL. Mr. Speaker, on November 8th, I will attend the commemoration services for Sir Michael Berry; an icon and leader in the Michigan community. Michael Berry was a son, a devoted father, a loving husband, and a pioneer in the community.

Sir Michael Berry graduated from Fordson Junior College and Wayne College and in 1949, he became the first Muslim American to become a practicing attorney in the State of Michigan. He then formed a legal practice Berry, Hopson & Francis with his associates. In 1967, he won election to the Wayne County Road Commission, where he served for sixteen years, ten of which, he served as the chairman. Sir Michael Berry used his energy and enthusiasm to always give back to the community. He endowed a scholarship at the MSU College of Law, and he gave generously to so many of our great local universities, hospitals, and cultural institutions. Believing that education is a key to success, he was pivotal in the creation of the Michael Berry Career Center at the Dearborn Public schools and worked tirelessly to improve access to education for our children.

Sir Michael Berry gave so much to the community over the years, without ever asking anything in return for himself. His hard work and continuous involvement with the Detroit Metro Airport inspired the Airport Authority to name the Berry international terminal in his honor. He was awarded the Ellis Island Medal of Honor from the National Ethnic Coalition Organization and was given the Knight of the National Order of the Cedar of Lebanon which is considered one of the highest and most prestigious awards for his humanitarian aid to his homeland, and for which, he came to be called Sir Michael Berry.

Perhaps the most lasting legacy that Sir Michael Berry leaves is on the people he mentored and people he loved. He was an activist, a mentor, and advisor to many. He helped mold several generations of educators, elected officials, attorneys, and other professionals. In our community, he was considered an icon, but to his family he was known as a loving husband, father, brother, grandfather and great-grandfather. Based on the values of hard work, faith, and love, I know that his family will proudly carry on his legacy into the future.

Mr. Speaker, Sir Michael Berry lived a life worth celebrating. No words can ease the loss that is felt by his family or this community, but

we take solace in the knowledge that his example will live on for many generations. I ask my colleagues today to honor Sir Michael Berry on his extraordinary life and accomplishments.

**OUTSTANDING TEACHER IN KATY,
TEXAS**

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Rebecca Lacquey of Katy High School for receiving the 2015 Outstanding Teaching of the Humanities Award.

Mrs. Lacquey is one of only twelve humanities teachers in all of Texas to receive this prestigious award. Her dedication to bringing history to life through unique methods such as role-playing and virtual field trips makes history more fun and relatable to her students. Mrs. Lacquey's methods continually enrich the lives of her students. Katy High School is lucky to have her. We wish her continued teaching success for many more years to come.

On behalf of the Twenty-Second Congressional District of Texas, congratulations once again to Mrs. Rebecca Lacquey for winning this Outstanding Teacher award.

**HONORING RETIRED JUDGE JOHN
McCANN, 2015 WESTBOROUGH
GOOD SCOUT HONOREE**

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. McGOVERN. Mr. Speaker, I rise today to honor retired Judge John S. McCann, who will be recognized at the 2015 Westborough Good Scout Award Dinner held by the Knox Trail Council of the Boy Scouts of America in Westborough, Massachusetts.

At the heart of the Scout Oath that Boy Scouts take is the pledge to 'help other people at all times.' Throughout his career, Judge McCann has been a shining example of this commitment to always serving others.

A resident of Westborough, Judge McCann is a graduate of the College of the Holy Cross in Worcester and the University of Vanderbilt School of Law in Tennessee. He and his wife Suzanne are active members of St. Luke the Evangelist Parish in Westborough, were foster parents for five years, and have three children, Sean, Gaylen and Aidan.

Judge McCann knew from an early age that he wanted to pursue a career in law. His first grammar school composition as a third-grader at the Blessed Sacrament School on Pleasant Street was titled, "Why I Want to Become a Lawyer."

Following law school, Judge McCann practiced law in California, Massachusetts, Rhode Island, and Maine. Judge McCann returned to Massachusetts in 1970 and has since resided in Westborough. Before he became a judge,

he maintained law offices in Westborough and Worcester.

It wasn't until 1993 that he aspired to become a judge, when fellow members of the Worcester County Bar Association encouraged him to apply for the Westborough District Court judgeship. He was appointed to the post by Gov. William F. Weld, and in 2000 was nominated by Gov. A. Paul Cellucci to the Superior Court bench. He then served as a Recall Judge for four years; and retired again in 2014.

Judge McCann has been an active member of our community through his work with Westborough Community Fund, Chamber of Commerce, Capital Expenditures Committee, Armstrong Jr. High Parent Association; Westborough Human Rights Council, Amnesty International, and Lawyers Against Nuclear Arms World Jurist Association. He was a member and officer of the Worcester Bar Association, Worcester Bar Advocates, Worcester Bar Foundation, and Legal Assistance Corporation.

Judge McCann is also an avid fly fisherman and has said that in retirement, he aims "to find a lot of rivers" and spend quality time with his grandchildren, Conor and Mairead McCann.

After a long and illustrious career, dedicated to helping others and upholding the law, I cannot think of a better way for him to spend his second retirement. I am grateful to Judge McCann for all that he has done for Massachusetts families and communities.

CONNECTING FORT BEND COUNTY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Fort Bend County Public Transportation for being honored by the Mamie George Community Center.

Each year, the Mamie George Community Center honors organizations that demonstrate a strong commitment to improving Fort Bend County. The Department of Transportation received this award for its work with the Mamie George Community Center to develop a new system of transportation for seniors in the Richmond/Rosenberg area. Through their efforts, the organizations created new bus routes to give seniors the ability to live independently and stay active in their community.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Fort Bend County Public Transportation for this honor. Thank you for your commitment to seniors and to Fort Bend County.

KIDS TEACHING KIDS PROGRAM

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of the Kids

Teaching Kids program within Medical City Children's Hospital which was created in 2010. Tonight, Kids Teaching Kids holds its 21 Day Challenge kickoff event, where eight Dallas area superintendents and community leaders will join together to teach kids healthy snacking habits.

During the 21 Day Challenge, culinary high school students work with a Medical City Children's Hospital registered dietician to learn nutrition basics. The students use that knowledge to make snack recipes for elementary school students to prepare for themselves. School districts in the Dallas area are getting involved in the program and encouraging their students to participate in the challenge.

The Kids Teaching Kids program has seen tangible results. Kids in the Dallas community are making healthier choices inside and outside of school. In 2014, 4,500 students signed up for the 21 Day Challenge and 900 completed the challenge. Before the challenge, 16.8% of kids said that they did not eat healthy snacks. After the challenge, 83.6% of those 16.8% said that they were eating more fruits and vegetables after the challenge.

The impact of this program in our community is visible. The Texas Restaurant Association and the Greater Dallas Restaurant Association actively support the program. School districts of Dallas, Richardson, Plano, Desoto, Rockwall, Irving, Carrollton, Lewisville, Frisco, Prosper, Allen, and Wylie currently participate in the program.

Thank you to Medical City Children's Hospital for supporting this program and for allowing it to flourish. We need more innovative ideas of this nature in every metropolitan area in this country. With the support of our peers, we can work to change our habits to become a healthier community.

**HONORING THE ACHIEVEMENTS OF
JAMES B. ANGELL ELEMENTARY
SCHOOL**

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the achievements of James B. Angell Elementary School. For over eight decades, Angell Elementary school has benefited our community through its dedication to the education and development of Ann Arbor's youth. The U.S. Department of Education recognized this commitment by naming the school a 2015 National Blue Ribbon Award recipient.

Founded in 1923, Angell Elementary is one of Ann Arbor's oldest elementary schools. The school's prominence in core curriculum classes such as Mathematics, English, and Science led students to perform in the top fifteen percent of all Michigan students on state administered assessments. This earned the school the title of "Exemplary High Performing School", and led the Michigan Department of Education to nominate the school for the National Blue Ribbon Award.

The school's mission is, "To provide an uncommon education to the common man." Although Angell Elementary's core curriculum

classes are exceptional, it is the enrichment programs offered by the school that allow it to thrive. The programs provide students with the unique opportunity to engage in their community. The school partners with the University of Michigan and takes students through the University's various history museums and scientific laboratories. The school takes great efforts to promote the arts as well, providing students with trips to art museums in Toledo and Detroit, as well locally in Ann Arbor.

Mr. Speaker, I ask my colleagues to join me today to honor the teachers, students and parents of James B. Angell Elementary school for their commitment to maintaining a standard of excellence that best prepares the leaders of our future.

**ST. NICKS ALLIANCE ANNUAL
AWARDS BENEFIT AND 40TH AN-
NIVERSARY CELEBRATION**

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to recognize St. Nicks Alliance, a community based non-profit organization created in North Brooklyn during the fiscal crisis of New York City in the 1970s. This year it celebrates its 40th Anniversary on November 9, 2015.

St. Nicks Alliance, formerly known as the St. Nicholas Neighborhood Preservation Corp., emerged in 1975 at the height of a nationwide grassroots movement to preserve and improve urban neighborhoods in decline. In Williamsburg, Brooklyn, a group of concerned and determined residents and business owners, and Msgr. Walter J. Vetro, pastor of St. Nicholas R. C. Church, came together and initiated neighborhood-based efforts to improve the community's physical and economic conditions. This led to the incorporation of the organization.

As we know, some groups are formed to address an issue on their block; Msgr. Vetro and the volunteers mobilized to address the issues of the greater neighborhood. The organization launched an action plan that aimed to address a range of issues and concerns that included public safety, crime, and drugs; tenants' rights, abandoned housing, and housing discrimination; environmental and public health issues, such as toxic waste dumping, lead paint, and pollution; community reinvestment, redlining, and related matters; economic development, job training, and manufacturing closings; youth, education, and recreation; and municipal services delivery.

Today, forty years later, St. Nicks Alliance has created 1,700 units of affordable housing for low income families, seniors and persons with disabilities and manages more than 1,000

units of housing in North Brooklyn. It has helped residents secure federal assistance ranging from Section 8 housing assistance, weatherization programs, to new market tax credits, which serve as resources to fuel job creation and development. It has collaborated with the public and private sector to deliver comprehensive programming to the community. This includes summer and after-school enrichment services to 2,500 young people; elder care and adult health and fitness programs, onsite service coordination; homeownership training, small business development and business retention assistance. Its workforce development program, like the federally funded Environmental Response & Remediation Technician Program successfully trained, certified and placed local residents to work the field of environmental response and remediation services. It is recognized for the comprehensive ready to work service it delivers.

St. Nicks Alliance is a part of the fabric of the Williamsburg and Greenpoint community. My district is enriched and indebted to them for their service to advance the betterment of the North Brooklyn community.

The outstanding accomplishments made by St. Nicks Alliance during its proud, 40-year history are a testament to the excellent work of so many dedicated professional employees and partners and leadership of Michael Rochford, Executive Director and Board Members, past and present.

Mr. Speaker, I would like to congratulate the St. Nicks Alliance in Brooklyn, New York for its commendable and exemplary work and wish it many years of continued success.

**IN RECOGNITION OF THE SERVICE
OF MS. KAY VARTANIAN**

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 4, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to congratulate Ms. Kay Vartanian for her distinguished military career and service to the City of Dearborn.

Born on January 15th, 1914, Ms. Vartanian has been a lifelong resident of Dearborn. At the peak of World War II, she enlisted in the United States Army to actively support the war effort. She was stationed at Fort Ogelthorpe, Georgia until her honorable discharge on January 11, 1946. For her sacrifice and hard work for our country, Ms. Vartanian was awarded the Victory Medal, the American Theater WAAC Service Ribbon, and the Good Conduct Medal. After serving her country, she returned to Dearborn.

As Ms. Vartanian reaches the age of 101, she has become the oldest female veteran in our area. Throughout her life, especially

through her faith community, Ms. Vartanian has dedicated her life to the service of others. Kay has been an important member of her church and is loved by all of her friends and neighbors. To many, she is considered part of their family.

Mr. Speaker, I ask my colleagues to join me today to honor Ms. Kay Vartanian on her distinguished military service and to celebrate her extraordinary work for the Dearborn community and the nation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, November 5, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 10

9:30 a.m.
Committee on Armed Services
To hold hearings to examine 30 years of Goldwater-Nichols reform. SD-G50

NOVEMBER 17

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine past wild-fire seasons to inform and improve future Federal wildland fire management strategies. SD-366

NOVEMBER 19

10 a.m.
Committee on Energy and Natural Resources
To hold an oversight hearing to examine the Well Control Rule and other regulations related to offshore oil and gas production. SD-366